

April 3, 2013

Ian Parrott Acting Director, Environmental Assessment and Approvals Branch Ministry of the Environment 2 St. Clair Avenue, Floor 12A Toronto, ON M4V 1L5

Dear Mr. Parrott:

## Subject: Technical Amendment Application for Renewable Energy Approval (No. 5149-8YPMVG) North Burgess Solar Project

Northland Power Solar North Burgess L.P. ("Northland") is proposing to develop and operate a 10-megawatt (MW) solar photovoltaic (Solar PV) facility, on an approximately 78-hectares (ha) parcel of land located on Narrows Lock Road near the intersection with Scotch Line, within the Township of Tay Valley in Lanark County; herein referred to as "North Burgess Solar Project" or the "Project". The Ministry of the Environment (MOE) issued a Renewable Energy Approval (REA) for the Project (No. 5149-8YPMVG) on November 7, 2012.

Following receipt of the REA, it was noted that there was a discrepancy between the extent of the Project location as shown in the technical reports for the Project, and that shown in the Natural Heritage Assessment and Environmental Impact Study. As a result, changes to the Natural Heritage Assessment and Environmental Impact Study were required.

In addition, Northland has conducted additional engineering and is proposing some revisions to the site plan for the facility.

This letter summarizes the proposed changes to the Project, including the rationale for each change, and identifies the amendments to each of the supporting documents prepared for the REA application to incorporate the proposed Project changes. This letter also provides an assessment of the potential for new negative effects not addressed in the initial REA supporting documentation.

## 1. Proposed Project Changes

The proposed changes are as follows:

- Revisions to the Project location as shown in the Natural Heritage Assessment and Environmental Impact Study reports.
- Altered fence and internal access road alignment, and altered solar panel locations, within the original Project location, with no negative environmental effect.





The changes to the Natural Heritage Assessment and Environmental Impact Study reports are fully described within the attached Letter to the Ministry of Natural Resources (Attachment A). A revised site plan for the facility is provided as Attachment C.

Table 1.1 provides a description of each proposed change, the rationale for the change, an assessment of potential for altered environmental effects and any additional mitigation or monitoring required.

Change	Change Details	Rationale for Change	Altered Effect	Additional Mitigation Required	Additional Environmental Effects Monitoring
Solar Panel, Access Road and Fence Layout	The solar panel, access road and fence layout has been revised within the original Project location.	The site layout has been optimized with respect to energy generation, constructability and cost.	No altered effects not already considered.	N/A	N/A
Revisions to Project Location as shown in the Natural Heritage	Project Location revised to match that shown in Technical reports.	A discrepancy was noted between the Project locations shown in the Natural Heritage Assessment reports and other REA reports.	No. Though the Project is located closer to the wetland community in certain parts of the Project location, it is not closer than the 5 m previously proposed.	No	Daily monitoring of sediment and erosion controls during specific events (see Attachment A for full description)

### Table 1.1 Table of Proposed Changes, Rationale for Change, Altered Effects and Additional Mitigation Measures and Monitoring

Overall, the proposed Project changes have no altered effects to the natural environment or waterbodies. Based on this, the proposed changes are determined to be a Technical Amendment.

### 2. Summary of Revisions to REA Supporting Documents

This section identifies the amendments to each of the supporting documents submitted with the original REA Application that are required to address the proposed Project changes.

The supporting documents that are amended by this letter include

- Natural Heritage Records Review
- Natural Heritage Site Investigation Report
- Natural Heritage Evaluation of Significance
- Natural Heritage Environmental Impact Study





- Construction Plan Report
- Design and Operations Report.

The Natural Heritage reports are amended by the attached letter provided to MNR (Attachment A). MNR has provided a confirmation letter for these amendments (Attachment B).

There are no changes to the text of either the Construction Plan Report or the Design and Operations Report, however the layouts previously provided within Appendix A of the aforementioned reports are replaced with the new Project layout provided in Attachment C of this letter.

As the changes to the Natural Heritage reports are being completed to bring the Project location boundary in line with other Project documentation, and the layout changes are within the original Project footprint, there are no revisions required to any other reports.

#### 3. Conclusion

As noted previously, given that the proposed changes outlined in this letter do not result in any additional negative effects not addressed in the original REA application, it is our assessment that these proposed changes constitute a Technical Change.

Accordingly, we have notified via letter on February 19, 2013, the public, Aboriginal communities, and the municipalities about these proposed changes. A sample notification and the mailing list used to distribute this notice are provided in Attachment D.

If you have any questions, please do not hesitate to contact me at 905-374-0701, Ext. 5280.

Yours truly,

Sean Male Environmental Coordinator SM:mg

cc: Rob Miller, Northland Power





## Attachment A Natural Heritage Letter





January 22, 2013

Jim Beal Provincial Coordinator, Renewable Energy Program Ontario Ministry of Natural Resources Southern Region Planning Unit 300 Water St, 4th Floor South P.O. Box 7000 Peterborough, ON K9J 8M5

Dear Mr. Beal:

## Subject: North Burgess Solar Project - Revisions to Project Location

Northland Power North Burgess Solar L.P. (Northland Power) is proposing to develop a 10-MW solar project within the Township of Tay Valley, County of Lanark, Ontario.

The Project, as originally conceived, received a confirmation letter from the Ontario Ministry of Natural Resources (MNR) on August 19, 2011. Since that time, Northland Power has been actively engaging with the Township of Tay Valley and the County of Lanark to obtain an exemption to the County's tree cutting by-law.

As part of these discussions, Northland Power agreed to reduce the extent of the footprint within the woodland community in the southern portion of the Project location. As part of this agreement, Northland Power also committed to the following measures:

- The woodland restoration program will be prepared in consultation with the Township of Tay Valley and the County Forester, which may include greater than 1:1 planting
- As the landowner, Northland will donate the wetland area to the northwest of the Project, having an area of approximately 69 acres to a conservation land trust, or such other entity to be determined in consultation with the Township.
- As the landowner, Northland will donate the remaining woodland area within Woodland 3 on the property, having an area of approximately 28 acres to a conservation land trust, or such other entity to be determined in consultation with the Township.



H334844-0000-90-218-0187, Rev. 1



Jim Beal Provincial Coordinator, Renewable Energy Program Ontario Ministry of Natural Resources January 22, 2013

This reduction in footprint was identified to MNR by Hatch on September 26, 2012. A re-confirmation of the NHA was provided to Hatch on October 23, 2012.

Since that time, it has come to our attention that there are some minor variances between what the Township of Tay Valley and the County of Lanark have agreed to permit for tree removal, and what was shown in the mapping provided to the MNR in the fall of this year. As a result, we are providing the following documentation to address potential impacts of this additional footprint within the woodland.

#### **Woodland Removal**

In the original REA Application, it was anticipated that a total of 14 ha (or 22%) of Woodland 3 would be removed for the Project. In September 2012, that amount was noted as being reduced to 9.6 ha (or 14%). The current proposal would call for the removal of 9.0 ha (or 14%).

Northland Power remains committed to compensating for the full extent of woodland removed from the Project location.

#### Wetland Setback

There will primarily be no change to the setback from the wetland community, with the exception of the following areas:

- Setback from the wetland community within Woodland 3 along the northern extent of the southern portion of the wetland to be reduced, in some locations, to 10 m from 30 m. This will occur across a length of approximately 100 m along the wetland.
- Setback from the wetland community within Woodland 3 along the southern extent of the southern portion of the wetland to be reduced, in some locations, to 15 m from 30 m. This will occur across a length of approximately 110 m along the wetland.

Though this represents an increase in potential effect to the wetland as a result of the reduced setback, the following mitigation measures, in addition to the identified setbacks, will be employed to ensure no net effect:

- Land on the Project Location will be graded in such a way to preserve the existing surface drainage patterns and flow regime, to the furthest extent possible, so as not to disrupt wetland water inputs or functions.
- The *Construction Plan Report* (Hatch Ltd., 2012e) details methods to mitigate sedimentation through the use of grading, siltation fencing etc. Silt fencing will be installed along the boundaries of the Project location within these areas.
- Wildlife using the wetland will not be displaced or lost. Adjacency effects will be mitigated to the extent possible by retaining a vegetated buffer between the Project and the wetland.
- Vegetation clearing within 30 m of the wetland will be scheduled to occur outside of the amphibian and bird breeding period (i.e., generally April through July) to avoid impacts to wildlife species breeding on the Project location.





Jim Beal Provincial Coordinator, Renewable Energy Program Ontario Ministry of Natural Resources January 22, 2013

- Given the setback proposed from the wetland, it is anticipated that the Project fence will not have an impact on wildlife movement for reptiles, amphibians and small mammals.
- The workforce will be made aware of the potential for wildlife occurring on the Project Location in order to avoid wildlife wherever possible.
- Standard construction site best management practices will be implemented to prevent fugitive dust.
- When working within 30 m of any wetland during construction, or during high precipitation events during construction, monitoring of sediment and erosion controls will occur daily.

### **Animal Movement Function of Woodland 3**

The original clearing plan proposed a treed buffer within Woodland 3, such that there will be a minimum 50-m corridor present along the western and southern edges of the Project location, and a minimum 25-m wide corridor along the eastern edge to ensure connectivity to a hedgerow community across Narrows Lock Road.

The proposed clearing plan would modify this corridor to the following extent:

- Southern boundary would increase from a 50 m corridor to a 150 to 225 m corridor. This represents a net benefit to wildlife movement.
- Western boundary would be reduced from a 50 m corridor to a 30 m corridor. Though this reduction reduces the overall width of this corridor, a 30 m corridor is anticipated to provide a sufficient buffer for wildlife movement.
- Eastern boundary would decrease from a 25 m corridor to a 5 m corridor.

Though reductions in the width of the boundary are occurring on the western and eastern portions of the corridor, the 30 m corridor along the western boundary is anticipated to maintain animal movement into the now expanded remnant woodland south of the Project location, while wildlife will only be required to cross through 20 m of the 5 m width woodland to reach the connecting hedgerow within the field opposite Narrows Lock Road. Though these alterations change the form of the animal movement corridor around the Project location, it is not anticipated to have an impact on the function.

### **Supporting Materials**

Attached to this letter, you will find the figure from the Natural Heritage Environmental Impact Study report, revised to show the original Project location, the September 2012 revision to the Project location, and the current proposed revision to the Project location. In addition, the proposed revised layout for the Project is also provided for consideration.





Jim Beal Provincial Coordinator, Renewable Energy Program Ontario Ministry of Natural Resources January 22, 2013

Should you have any questions or concerns with respect to the above documentation, please feel free to contact me at 905-374-0701, Ext. 5280 or <u>smale@hatch.ca</u>.

Sincerely,

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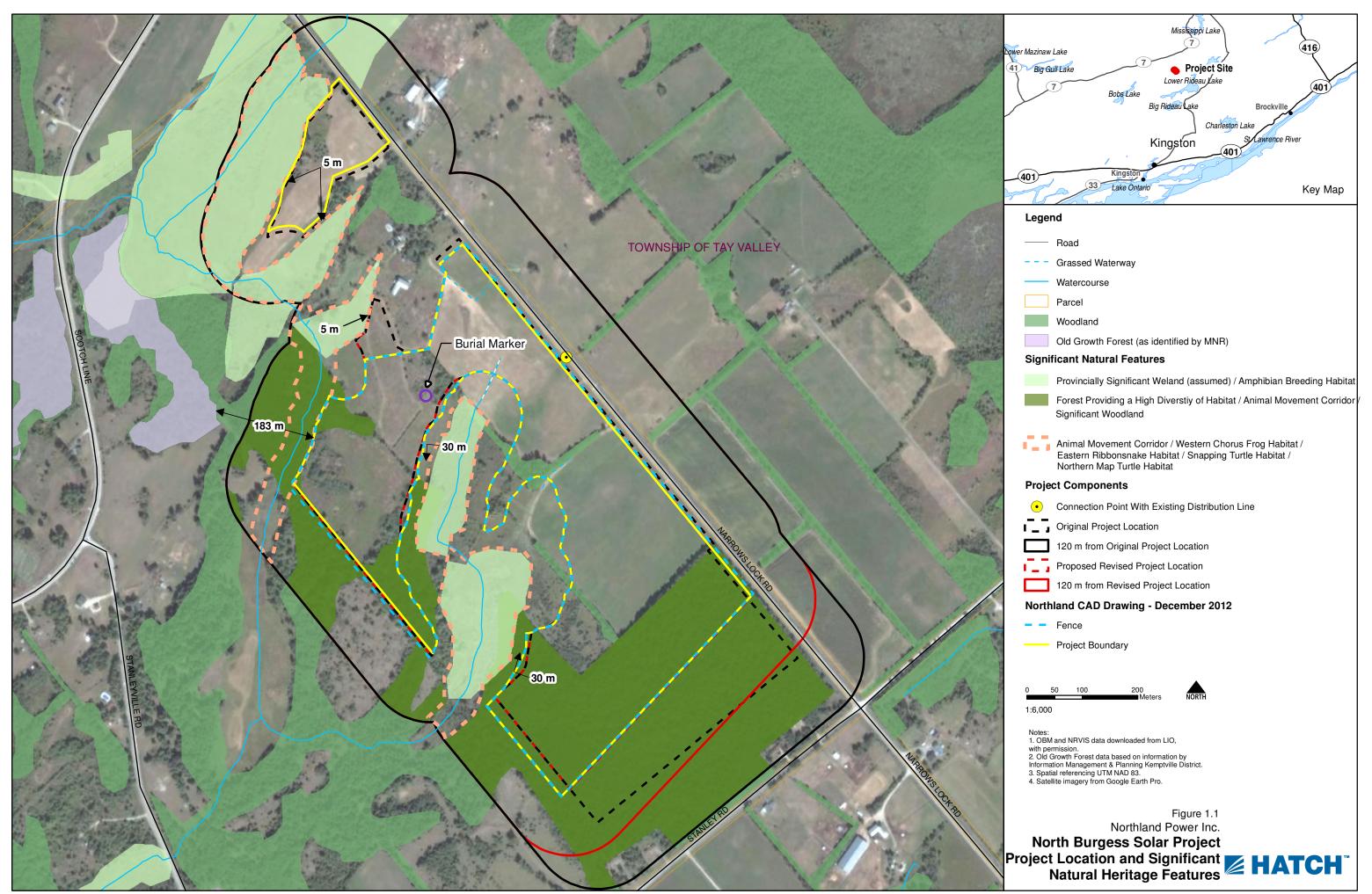
Sean K. Male, M.Sc. REA Coordinator

Attachment(s)/Enclosure

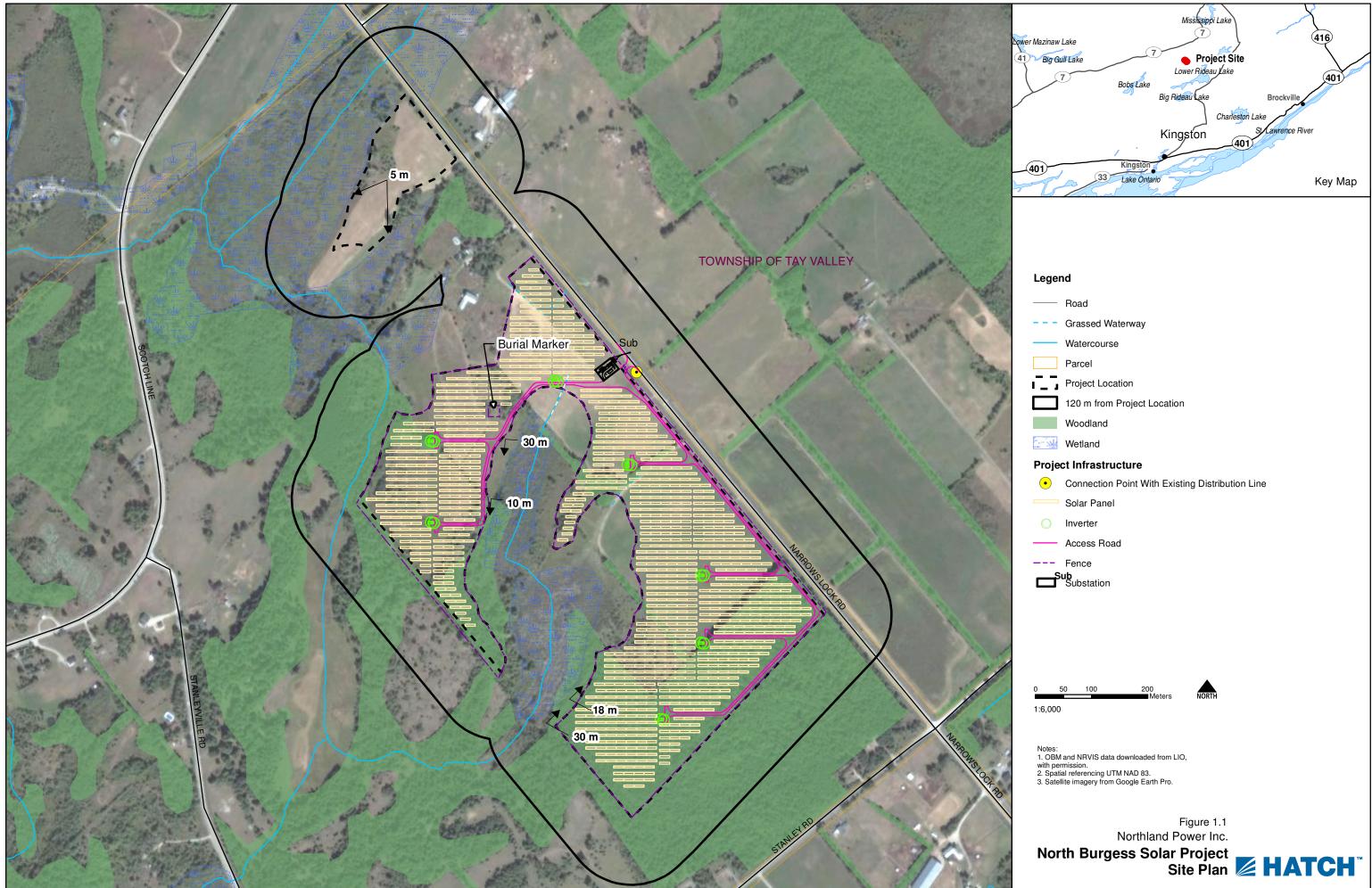
Natural Heritage Environmental Impact Study – Figure showing Project Location and Significant Natural Heritage Features North Burgess Solar Project – Revised Layout

cc: Rob Miller, Northland Power Mike Lord, Northland Power





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# Attachment B MNR Reconfirmation Letter





Ministry of<br/>Natural ResourcesMinistère des<br/>Richesses naturellesRenewable Energy Operations Team300 Water Street<br/>4th Floor, South Tower<br/>Peterborough, Ontario K9J 8M5

January 22<sup>nd</sup>, 2013

Rob Miller, Manager, Solar Development Northland Power Inc. 30 St. Clair Ave West, 12th Floor Toronto, ON M4V 3A1

## **RE:** Modifications to the North Burgess Solar Project location

Dear Mr. Miller,

The Ministry of Natural Resources (MNR) has received the document dated January 22<sup>nd</sup>, 2013 which describes modifications to the North Burgess Solar project location made subsequent to MNR's letter confirming the Natural Heritage Assessment in respect of the project.

Upon review of the modifications, MNR is satisfied that the Natural Heritage Assessment requirements of Ontario Regulation 359/09 have been met. Please add this letter as an addendum to the confirmation letter issued August 19, 2011 and re-confirmation letter issued October 23<sup>rd</sup>, 2012 for the North Burgess Solar project.

If you wish to discuss, please contact Jim Beal at jim.beal@ontairo.ca or (705)773-3203.

Sincerely,

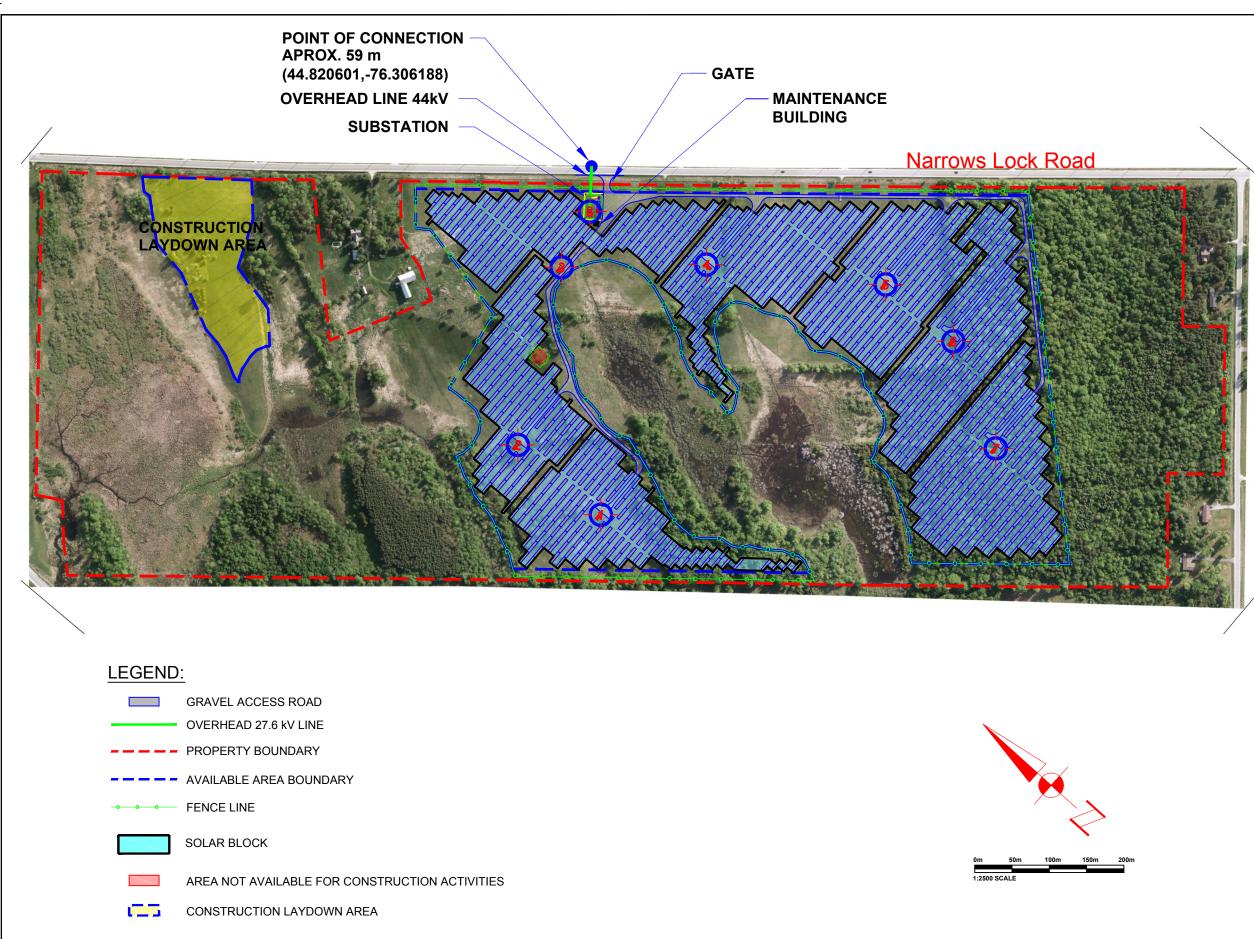
Sharon Rew A\ Southern Region Planning Manager Ministry of Natural Resources

 cc Ken Durst, District Manager, MNR Kemptville District
 Narren Santos, Environmental Approvals Access & Service Integration Branch, MOE
 Zeljko Romic, Environmental Approvals Access & Service Integration Branch, MOE



# Attachment C Revised Site Plan





INVERTER'S TRANSFORMER & SUBSTATION'S TRANSFORMER

**7** 

R	EVIS	IONS	
ΝΟ	DATE	SYMBOL	REMARKS
P0	DEC		ISSUED FOR CONSTRUCTION PLAN REPORT
-	2010 JULY		LAYOUT & INVERTER LOCATION CHANGED
P1	2011 NOV/24		LAYOUT & INVERTER LOCATION CHANGED
P2	2011 SEPT/06		LAYOUT & INVERTER LOCATION CHANGED
P3	2012		
P4	FEB/12 2013		REVISED BOUNDARIES & LAYOUT
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PRELIMINARY LAYO



# Attachment D Stakeholder Notification



Name	Address		Provi	Postal
		-	nce	Code
Howard and Judith Farrell	RR 3 STN Main, 4262 Narrows Lock Rd.	Perth	ON	K7H 3C5
John and Maureen Cordick	RR 3 STN Main, 4556 Narrows Lock Rd.	Perth	ON	K7H 3C5
Randy and Cherylann Ferrier	2 Boulton St., Apt. 4	Perth	ON	K7H 2W1
Derek McParland	3820 Scotch Line Rd., RR#3	Perth	ON	K7H 3C5
James and Nancy Gemmill	RR 3 STN Main	Perth	ON	K7H 3C5
Keith McParland	RR 3 STN Main	Perth	ON	K7H 3C5
Frederick, Karen and Ellen Hardy	4265 Narrows Lock Rd. RR#3	Perth	ON	K7H 3C5
Derek Merkley and Alana Neville	687 Stanley Rd. RR#3	Perth	ON	K7H 3C5
William and Cecelia Kevan Jr.	RR 3 STN Main, 723 Stanley Rd.	Perth	ON	K7H 3C5
David, Maria and Johana Lintaman	PO Box 20113, Perth Mews	Perth	ON	K7H 3M6
Robert Miller	PO Box 641	Manotick	ON	K4M 1A6
Frederick and Marlene Hutchings	RR 3	Perth	ON	K7H 3C5
James and Amy Crawford	728 Stanley Rd., RR#3	Perth	ON	K7H 3C5
Adam and Kathryn Farrell	RR 5 2480 Rideau Ferry Rd	Perth	ON	K7H 3C7
Agatha Garcia-Wright, Director,	2 St. Clair Ave., W, 12A Floor	Toronto	ON	M4V 1L5
Environmental Approvals Branch,				
Ministry of the Environment				
Cathie Richie, Clerk	County of Lanark	Perth	ON	K7H 3E2
	P.O. Box 37, Sunset Blvd.			
	99 Christie Lake Road			
Mary Kirkham, Planning Approvals	County of Lanark	Perth	ON	K7H 3E2
Administrator	P.O. Box 37, Sunset Blvd.			
	99 Christie Lake Road			
Noelle Reeve, Planner	Township of Tay Valley 217 Harper Road, RR	Perth	ON	K7H 3C6
	#4,			
Trevor Daglils, District Manager,	Box 22032	Kingston	ON	K7M 8S5
Kingston District Office	1259 Gardiners Road	0	-	
Robert Tremblay, Clerk's Office	Township of Tay Valley 217 Harper Road, RR	Perth	ON	K7H 3C6
Robert Hemology, Olerk's Onice	#4			
Beth Schilling	RR #3 Scotch Line Road	Perth	ON	K7H 3C5
Martin and Laura Lowson	2585 Narrows Lock Road	Perth	ON	K7H-3C5
Maureen Pegg	43 Wilson Street West	Perth	ON	K7H 2N3
Laura Mueller	39 Gore Street E, PO Box 156	Perth	ON	K7H 3E3

To Whom it May Concern		Rideau Valley Conservation Authority, PO Box	Manotick	ON	K4M 1A5
		599, 3889 Rideau Valley Drive			
Ken Cordick		RR #3	Perth	ON	K7H 3C5
Chandra Martens and Louis Sirois		191 Holmwood Ave.	Ottawa	ON	K1S 2P3
Elaine Anderson		1004 Stanley Road, RR3	Perth	ON	K7H 3C5
Katie and Jim Panchuk		351 Stanley Rd.	Perth	ON	K7H 3C5
Kay and Marc Gingras		295 Stanley Rd.	Perth	ON	K7H 3C5
Don Mackay		1246 Black Lake N. SL. Rd. RR #3	Perth	ON	K7H 3C5
Evelyne Goodfellow		999 Power Rd. RR #3	Perth	ON	K7H 3C5
Cole Pavey		121 Lakewood Rd. RR #3	Perth	ON	K7H 3C5
John E Wilson		158 Country Lane RR #3	Barrie	ON	L4N 0T9
Daureen Pegg		Lake 88.1FM 43 Wilson W	Perth	ON	K7H 2N3
Jim McCann		RR #1 Copperhead Rd.	Perth	ON	K0G IA0
G. Gordon		3540 Scotch Line	Perth	ON	K7H 2N3
Paul and Terry Bessuille		528 Birchgrove Rd.	Perth	ON	K7H 3C8
Keith Cordick		1557 Stanleyville Rd.	Perth	ON	K7H 3C5
Kevin Gray		658 Stanley Rd.	Perth	ON	K7H 3C5
Derek Merkley		637 Stanley Rd.	Perth	ON	K7H 3C5
John Chalmers		608 Miners Pt. Rd.	Perth	ON	K7H 3C5
Tom Sullivan		583 Stanley Rd.	Perth	ON	K7H 3C5
Greg Rolak		566 Stanley Rd.	Perth	ON	K7H 3C5
Charlotte Nordhuus		566 Stanley Rd.	Perth	ON	K7H 3C5
Bill and Linda Cordick		876 Stanley Rd.	Perth	ON	K7H 3C5
Wayne and Noreen Sullivan		583 Stanley Rd.	Perth	ON	K7H 3C5
Doug Leach		309 Norris Rd. RR #4	Perth	ON	K7H 3C6
Bill Kevan Jr.		RR #3 Stn Main	Perth	ON	K7H 3C5
Thies Schacht		RR #3	Perth	ON	K7H 3C5
Nathan Farrell		RR #3	Perth	ON	K7H 3C5
Jason Cordick		213 Bernice Crest.	Perth	ON	K7H 3C7
To Whom it May Concern		668 Stanley Road	Perth	ON	K7H 3C5
John Andrew Armour		1311 Ferrier Road	Perth	ON	K7H 3C5
Fred Barrett		2003 Pond Lane	Maberly	ON	K0H 2B0
			Northbroc		
Seven Rivers Métis Council	Tom Thompson Jr., President	Box 153 860 Kennebec Rd.	k	ON	K0H 2G0
Ottawa Region Métis Council	Daniel Gilbeau, President	676 Seyton Drive	Ottawa	ON	K2H 1A1
Chief James Marsden and Council	Alderville First Nation	P.O. Box 46, 11696 2nd Line Rd	Alderville	ON	K0K 2X0

	James Wagar, Coordinator, Lands &				
Métis Nation of Ontario	Resources	75 Sherbourne St., Suite 22	Toronto	ON	M5A 2P9
Algonquins of Ontario, Consultation			Pembrok		
Office		31 Riverside Drive, Suite 101	е	ON	K8A 8R6
Chief Kris Nahrgang and Council	Kawartha Nishnawbe First Nation	RR 4b	Lakefield	ON	K0L 2H0
Chief Phyllis Williams			Curve		
and Council	Curve Lake First Nation	22 Winookeedaa Road	Lake	ON	K0L 1R0
Chief Sandra Moore					
and Council	Hiawatha First Nation	123 Paudash Street, RR 2	Keene	ON	K0L 2G0



February 15, 2013

Addressee Company Full Address

Dear

## Subject: North Burgess Solar Project -Notice of Project Technical Change

As you are aware, Northland Power Solar North Burgess L.P. is currently proposing to construct a solar project within the Township of Tay Valley. The proposed project is named the North Burgess Solar Project and will have an installed nominal capacity of 10 MW upon completion. In accordance with the provisions of the Ontario *Environmental Protection Act* Part V.0.1 and Ontario Regulation 359/09, Northland Power Solar North Burgess L.P. applied to the Ontario Ministry of the Environment (MOE) for a Renewable Energy Approval (REA). REA Number 5149-8YPMVG was issued on November 7, 2012.

This notice is provided to make you aware that Northland Power Solar North Burgess L.P. is applying to the MOE for an amendment to the REA. This amendment is being made as it was noted that there was a minor discrepancy in the boundary of the Project as shown in the Natural Heritage Assessment, and that shown in the Project layout approved by MOE and identified through consultation with the Township of Tay Valley and County of Lanark. This is shown graphically in the attached figure.

Further minor layout changes on the Project have also occurred. The layout changes have not changed the location of the noise producing equipment and remain within the previously identified Project location. As a result, these changes have no impact on the environment not previously assessed within the original application for the REA. The current layout for the Project is shown attached.

A letter was prepared for the Ontario Ministry of Natural Resources (MNR) that describes the changes required to the Natural Heritage Assessment and Environmental Impact Study. Following review of this letter, the MNR provided a reconfirmation letter for the Project. These documents are available for review on the Project website: http://northburgess.northlandpower.ca/.

In addition, a letter was prepared for the MOE describing the proposed amendment. This letter is also available on the Project website.

Your comments, queries or information relevant to the proposed Project changes would be greatly appreciated.



H334844-0000-90-218-0195, Rev. 0



Addressee Company February 15, 2013

Correspondence should be directed to:

Sean Male, Environmental Coordinator Hatch Ltd. 4342 Queen St., Suite 500 Niagara Falls, ON, L2E 7J7 Phone: 905-374-0701, Ext 5280 Fax: 905-374-1157 Email: smale@hatch.ca

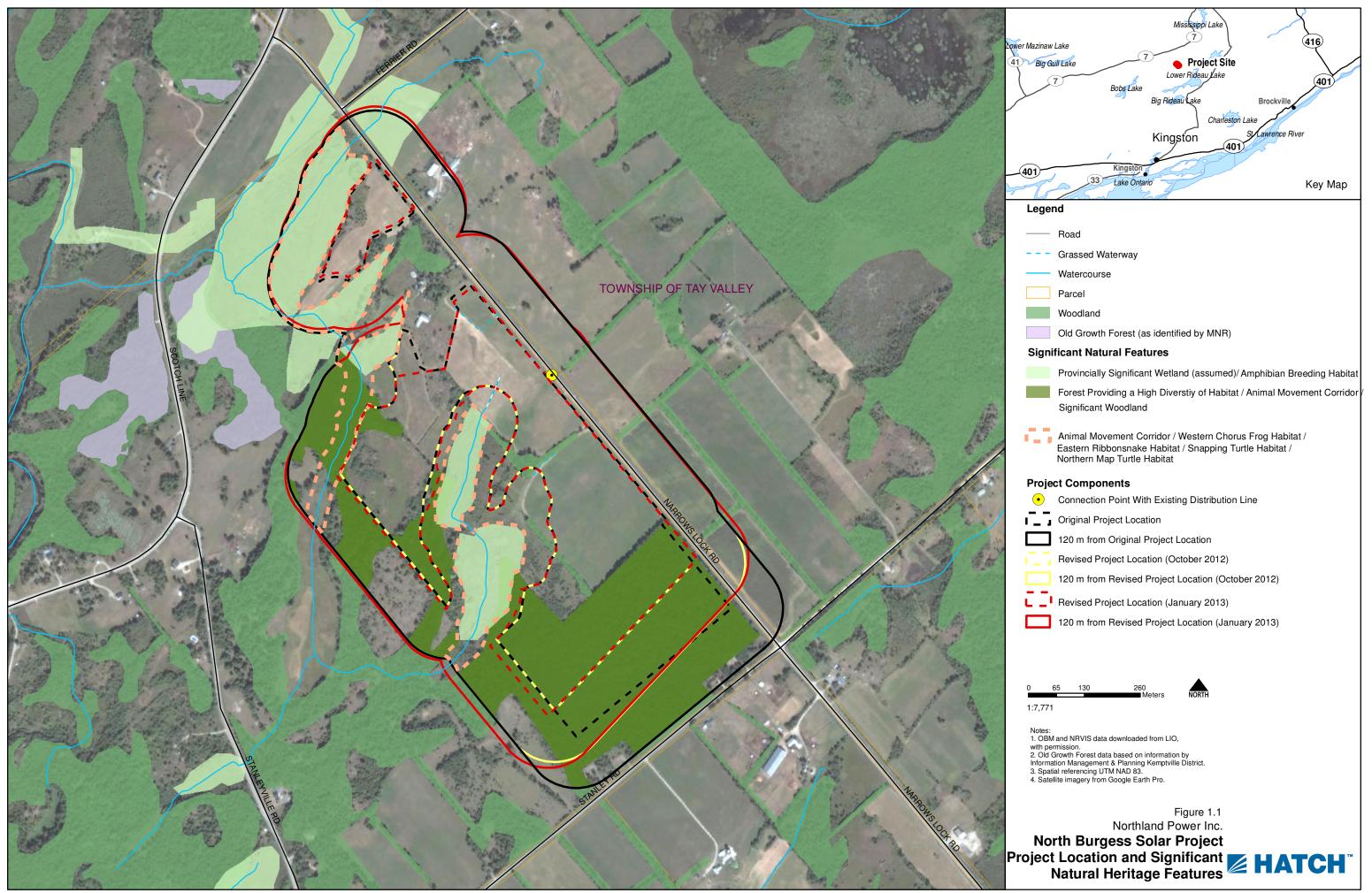
Sincerely,

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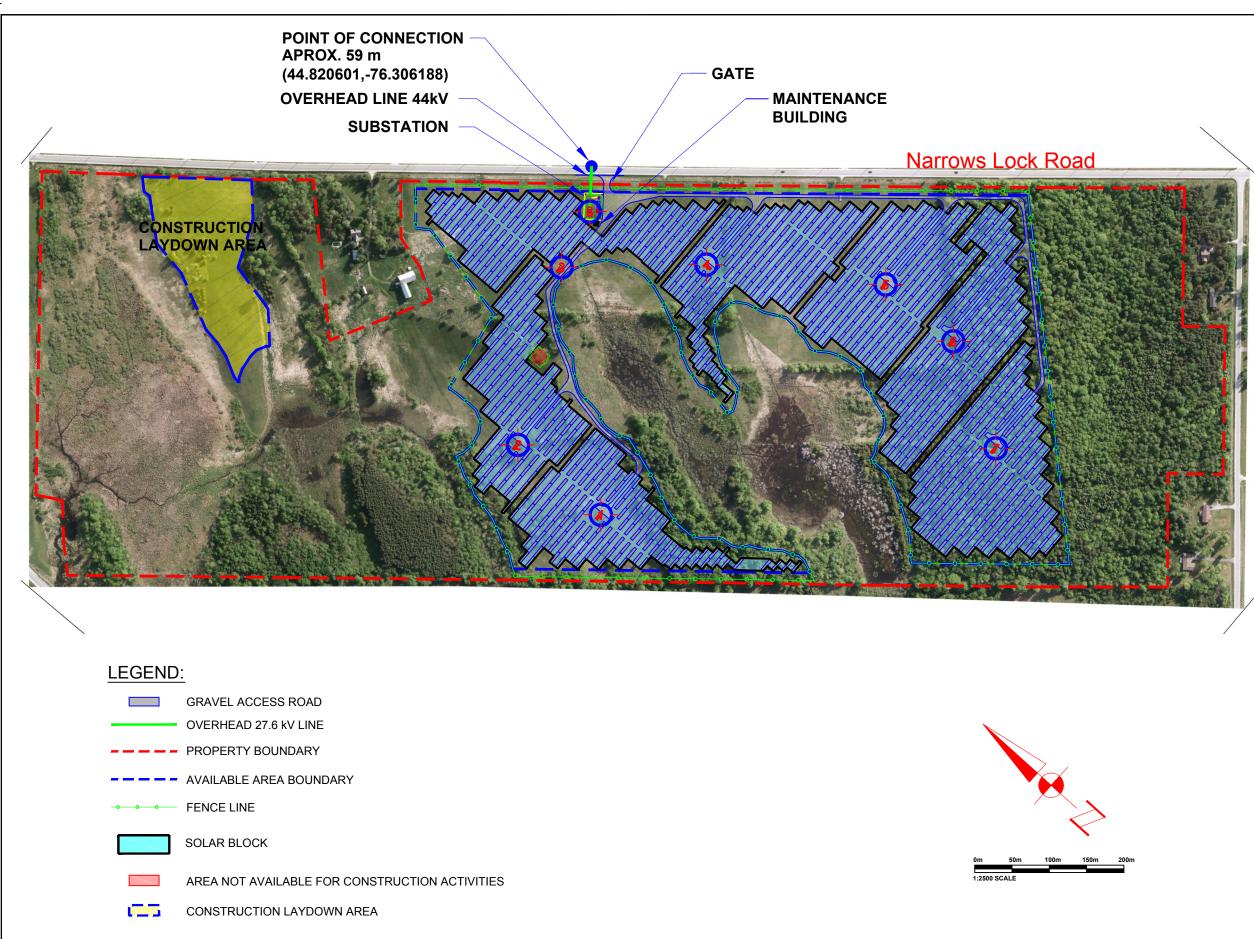
Sean K. Male, M.Sc. Environmental Coordinator SM:mg

Attachment(s) Draft Revised Project Boundary Site Layout





P:\\NiaDATA2\Projects\NORTHLAND\333751\DATABASES\334844\GIS\NBurgess\North Burgess - landSite Investigation\_EOS.mxd



INVERTER'S TRANSFORMER & SUBSTATION'S TRANSFORMER

**7** 

R	EVIS	IONS	
ΝΟ	DATE	SYMBOL	REMARKS
P0	DEC		ISSUED FOR CONSTRUCTION PLAN REPORT
-	2010 JULY		LAYOUT & INVERTER LOCATION CHANGED
P1	2011 NOV/24		LAYOUT & INVERTER LOCATION CHANGED
P2	2011 SEPT/06		LAYOUT & INVERTER LOCATION CHANGED
P3	2012		
P4	FEB/12 2013		REVISED BOUNDARIES & LAYOUT
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