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Ministry of the Environment, Conservation and Parks
Ministère de l'Environnement, de la Protection de la nature et des Parcs

AMENDMENT TO RENEWABLE ENERGY APPROVAL
NUMBER 4353-9HMP2R
Issue Date: December 8, 2022

1021702 B.C. Ltd., as general partner for and on behalf of FWRN L.P.
36 Lajeunesse St
Kingsey Falls, Quebec
J0A 1B0

Site Location: Niagara Region Wind Farm
2659 Industrial Park Rd
West Lincoln Township, Regional Municipality of Niagara
L0R 2A0

You are hereby notified that I have amended Approval No. 4353-9HMP2R issued on November 6, 2014 for a Class 4 Wind Facility, , as follows:

A. The definition of "Application" in the Approval is deleted and replaced with the following:

11. "Application" means the application for a Renewable Energy Approval dated April 2, 2013 and signed by Darren Croghan, Vice President, Niagara Region Wind Corporation and all supporting documentation submitted with the application, including amended documentation submitted up to November 6, 2014; and as further amended by the application for an amendment to a Renewable Energy Approval dated August 25, 2015, and signed by Michael Weidemann, Executive Vice President, 1021702 B.C. Ltd., as general partner for and on behalf of FWRN LP, and all supporting documentation submitted with the application up to September 30, 2015; and as further amended by the application for an amendment to a Renewable Energy Approval dated December 4, 2015, and signed by Michael Weidemann, Executive Vice President, 1021702 B.C. Ltd., as general partner for and on behalf of FWRN LP, and all supporting documentation submitted with the application, including amended documentation submitted up to February 9, 2016; and as further amended by the application for an amendment to a Renewable Energy Approval dated February 11, 2016, and signed by Michael Weidemann, Executive Vice President, 1021702 B.C. Ltd., as general partner for and on behalf of FWRN LP, and all supporting documentation submitted with the application, including amended documentation submitted up to May 5, 2016; and as further amended by the application for an amendment to a Renewable Energy Approval dated March 8, 2016, and signed by Michael Weidemann, Executive Vice President, 1021702 B.C. Ltd., as general partner for and on behalf of FWRN LP, and all supporting documentation submitted with the application, including amended documentation submitted up to April 29, 2016; and as further amended by the application for an amendment to a Renewable Energy Approval dated December 28,

2016, and signed by Michael Weidemann, Executive Vice President, 1021702 B.C. Ltd., as general partner for and on behalf of FWRN LP and Enercon Leasing Sub I Inc. and Enercon Leasing Sub II Inc., as general partners for and on behalf of NR Capital General Partnership, and all supporting documentation submitted with the application, including amended documentation submitted up to August 1, 2017; and as further amended by the application for an amendment to a Renewable Energy Approval dated August 7, 2020, and signed by Pascal Hurtubise, Secretary, 1021702 B.C. Ltd., as general partner for and on behalf of FWRN LP, and all supporting documentation submitted with the application, including amended documentation submitted up to August 21, 2020; and as further amended by the application for an amendment to a Renewable Energy Approval dated January 27, 2022, and signed by Pascal Hurtubise, Secretary, 1021702 B.C. Ltd., as general partner for and on behalf of FWRN LP, and all supporting documentation submitted with the application, including amended documentation submitted up to May 13, 2022;

B. Schedules A and B are deleted and replaced with the following Schedules A and B:

SCHEDULE A

Facility Description

The Facility shall consist of the construction, installation, operation, use and retiring of the following Equipment:

(a) a total of seventy-seven (77) out of eighty (80) possible locations using Enercon Model E 101 or E 82 wind turbine generators each rated at 1.0 to 3.0 megawatts (MW) generating output capacity up to a total rated capacity of two hundred and thirty (230) MW, as specified in the Acoustic Assessment Report;

(b) the total name plate capacity of up to approximately two hundred and thirty (230) megawatts, designated as source ID Nos. 1 - 16, 18 - 24, 27 - 29, 31 - 39, 41 - 49, 51 - 63, 65 - 66, 72, 74 - 76, 78-89, 91, and 93 - 99, respectively each with a hub height of:

- 135 metres above grade for the Model E 82 wind turbines (turbines T36, T46 and T53)
- 135 metres above grade for 6 of the Model E 101 wind turbines (turbines T18, T45, T47, T55, T60 and T74), and
- 124 metres above grade for the remaining 68 Model E 101 wind turbines (turbines T1 - T16, T19 - T24, T27 - T29, T31 - T35, T37 - T39, T41 - T44, T48 - T49, T51 - T52, T54, T56 - T59, T61 - T63, T65 - T66, T72, T75 - T76, T78 - T85, T88 - T89, T91 and T93 - T99),

and sited at the locations shown in Schedule B;

(c) two (2) transformer substations rated at 100 MVA and sited at the location shown in Schedule B; and

(d) associated ancillary equipment, systems and technologies including, but not limited to, on-site access roads, underground cabling and overhead distribution lines,

all in accordance with the Application.

SCHEDULE B

Coordinates of the Equipment and Noise Specifications

Table B1: Coordinates of the Equipment are listed below in UTM, Z17-NAD83 projection

	Source ID	Maximum Sound Power Level (dBA)	Easting (m)	Northing (m)	Hub Height (m)	Source Description
1	T01	104.8	622,986	4,765,745	124	ENERCON E101 3 MW
2	T02	104.8	627,380	4,765,942	124	ENERCON E101 3 MW
3	T03	104.8	629,891	4,763,588	124	ENERCON E101 3 MW
4	T04	104.8	627,524	4,767,740	124	ENERCON E101 3 MW
5	T05	104.8	621,171	4,747,754	124	ENERCON E101 3 MW
6	T06	104.8	623,096	4,767,244	124	ENERCON E101 3 MW
7	T07	104.8	618,636	4,764,053	124	ENERCON E101 3 MW
8	T08	104.8/ 101.6 (see note below)	614,545	4,764,911	124	ENERCON E101 3/1/1.5 MW (see note below)
9	T09	104.8	616,790	4,762,576	124	ENERCON E101 3 MW
10	T10*	104.8	623,259	4,758,990	124	ENERCON E101 3 MW
11	T11*	104.8	620,836	4,756,609	124	ENERCON E101 3 MW
12	T12	104.8	621,135	4,756,407	124	ENERCON E101 3 MW
13	T13	104.8	621,410	4,756,122	124	ENERCON E101 3 MW
14	T14	104.8	624,137	4,748,807	124	ENERCON E101 3 MW
15	T16	104.8	624,153	4,749,243	124	ENERCON E101 3 MW
16	T18	104.8	630,123	4,766,229	135	ENERCON E101 3 MW
17	T19	104.8	620,380	4,755,516	124	ENERCON E101 3 MW
18	T20	104.8	620,627	4,749,341	124	ENERCON E101 3 MW

19	T21	104.8	625,004	4,748,242	124	ENERCON E101 3 MW
20	T22	104.8	624,829	4,748,510	124	ENERCON E101 3 MW
21	T23	104.8	627,540	4,748,974	124	ENERCON E101 3 MW
22	T24	104.8	627,752	4,750,239	124	ENERCON E101 3 MW
23	T27	104.8	622,535	4,768,708	124	ENERCON E101 3 MW
24	T28	104.8	622,517	4,769,096	124	ENERCON E101 3 MW
25	T29	104.8	628,498	4,763,100	124	ENERCON E101 3 MW
26	T31	104.8	625,150	4,765,821	124	ENERCON E101 3 MW
27	T32	104.8	624,781	4,764,410	124	ENERCON E101 3 MW
28	T33	104.8	626,969	4,765,950	124	ENERCON E101 3 MW
29	T34	104.8	626,486	4,764,591	124	ENERCON E101 3 MW
30	T35	104.8	627,164	4,764,483	124	ENERCON E101 3 MW

Table B1: Coordinates and Maximum Sound Power Levels of Wind Turbine Generators (continued)

	Source ID	Maximum Sound Power Level (dBA)	Easting (m)	Northing (m)	Hub Height (m)	Source Description
31	T36	103.3	622,379	4,763,063	135	ENERCON E82 2.3 MW
32	T37	104.8	623,038	4,758,881	124	ENERCON E101 3 MW
33	T38	104.8	620,669	4,765,752	124	ENERCON E101 3 MW
34	T39	104.8	617,349	4,764,279	124	ENERCON E101 3 MW
35	T41	104.8	620,998	4,756,851	124	ENERCON E101 3 MW
36	T42	104.8	619,935	4,753,628	124	ENERCON E101 3 MW
37	T43	104.8	624,815	4,748,952	124	ENERCON E101 3 MW
38	T44	104.8	624,350	4,748,471	124	ENERCON E101 3 MW
39	T45	104.8	623,160	4,748,650	135	ENERCON E101 3 MW
40	T46	103.3	622,737	4,748,968	135	ENERCON E82 2.3 MW
41	T47	104.8	622,483	4,748,447	135	ENERCON E101 3

						MW
42	T48	104.8	624,687	4,749,283	124	ENERCON E101 3 MW
43	T49	104.8	626,836	4,748,915	124	ENERCON E101 3 MW
44	T51*	104.8	617,020	4,762,752	124	ENERCON E101 3 MW
45	T52	104.8	614,215	4,766,531	124	ENERCON E101 3 MW
46	T53	103.3	614,456	4,766,402	135	ENERCON E82 2.3 MW
47	T54	104.8	619,944	4,765,594	124	ENERCON E101 3 MW
48	T55	104.8	623,610	4,764,393	135	ENERCON E101 3 MW
49	T56	104.8	626,599	4,768,825	124	ENERCON E101 3 MW
50	T57	104.8	624,435	4,768,696	124	ENERCON E101 3 MW
51	T58	104.8	628,473	4,767,629	124	ENERCON E101 3 MW
52	T59	104.8	629,964	4,767,676	124	ENERCON E101 3 MW
53	T60	104.8	630,277	4,767,682	135	ENERCON E101 3 MW
54	T61	104.8	625,177	4,747,970	124	ENERCON E101 3 MW
55	T62	104.8	621,877	4,751,311	124	ENERCON E101 3 MW
56	T63	104.8	621,609	4,751,032	124	ENERCON E101 3 MW
57	T65	104.8	622,984	4,754,679	124	ENERCON E101 3 MW
58	T66	104.8	619,127	4,768,529	124	ENERCON E101 3 MW
59	T72	104.8	620,828	4,757,122	124	ENERCON E101 3 MW
60	T74	104.8	621,656	4,763,002	135	ENERCON E101 3 MW
61	T75	104.8	621,357	4,764,543	124	ENERCON E101 3

						MW
62	T76	104.8	623,640	4,765,719	124	ENERCON E101 3 MW
63	T78	104.8	628,581	4,764,783	124	ENERCON E101 3 MW
64	T79	104.8	630,384	4,771,637	124	ENERCON E101 3 MW
65	T80	104.8	630,186	4,771,984	124	ENERCON E101 3 MW

Table B1: Coordinates and Maximum Sound Power Levels of Wind Turbine Generators (continued)

	Source ID	Maximum Sound Power Level (dBA)	Easting (m)	Northing (m)	Hub Height (m)	Source Description
66	T81	104.8	616,343	4,766,967	124	ENERCON E101 3 MW
67	T82	104.8	618,390	4,754,915	124	ENERCON E101 3 MW
68	T83	104.8	615,821	4,770,715	124	ENERCON E101 3 MW
69	T84	104.8	622,487	4,753,393	124	ENERCON E101 3 MW
70	T85	104.8	619,136	4,769,108	124	ENERCON E101 3 MW
71	T88	104.8	615,816	4,771,059	124	ENERCON E101 3 MW
72	T89	104.8	623,216	4,753,160	124	ENERCON E101 3 MW
73	T91	104.8	620,504	4,756,521	124	ENERCON E101 3 MW
74	T93	104.8	618,324	4,767,127	124	ENERCON E101 3 MW
75	T94	104.8	618,752	4,768,764	124	ENERCON E101 3 MW
76	T95	104.8	622,817	4,760,851	124	ENERCON E101 3 MW
77	T96	104.8	621,423	4,750,668	124	ENERCON E101 3 MW

78	T97	104.8	617,215	4,765,642	124	ENERCON E101 3 MW
79	T98	104.8	617,982	4,753,043	124	ENERCON E101 3 MW
80	T99	104.8	619,208	4,749,224	124	ENERCON E101 3 MW
81	ST1	98.2	621,960	4,761,728	n/a	100 MVA Transformer
82	ST2	98.2	622,837	4,754,679	n/a	100 MVA Transformer

Note on T08: Wind turbine generator T08 shall be operated as follows:

- during the daytime hours of 07:00 to 19:00, at a maximum Sound Power Level of 104.8 dBA at 3.0 MW;
- during the nighttime hours of 19:00 to 07:00:

- o at a maximum Sound Power Level of 104.8 dBA at 3 MW for the wind direction range of 0° to 157° or 247° to 360° at hub height of T08; and
- o at a maximum Sound Power Level of 101.6 dBA at 1/1.5 MW for the wind direction range of 158° to 246° at hub height of T08.

Note on grey cell: the grey cells indicate that these wind turbine generators have not been constructed.

Note on ST1 and ST2: The transformer substations' Sound Power Level values in the above table includes the 5 decibel (dB) adjustment for tonality as prescribed in Publication NPC-104.

All other Terms and Conditions of the Approval remain the same.

The reason(s) for this amendment to the Approval is (are) as follows:

17. The reason for this amendment to the Approval is to address information provided in the Acoustic Audit Reports prepared by Aercoustics Engineering Limited, dated February 3, 2021 and August 27, 2021 signed by Payam Ashtiani P.Eng.

This Notice shall constitute part of the approval issued under Approval No. 4353-9HMP2R dated November 6, 2014

In accordance with Section 139 of the *Environmental Protection Act*, within 15 days after the service of this notice, you may by further written notice served upon the Director, the Ontario Land Tribunal and the Minister of the Environment, Conservation and Parks, require a hearing by the Tribunal.

In accordance with Section 47 of the *Environmental Bill of Rights*, 1993, the Minister of the Environment, Conservation and Parks will place notice of your request for a hearing on the Environmental Registry.

Section 142 of the *Environmental Protection Act* provides that the notice requiring the hearing shall state:

- a. The portions of the renewable energy approval or each term or condition in the renewable energy approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The signed and dated notice requiring the hearing should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The renewable energy approval number;
4. The date of the renewable energy approval;
5. The name of the Director;
6. The municipality or municipalities within which the project is to be engaged in;

This notice must be served upon:

Registrar*
Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5
OLT.Registrar@ontario.ca

and

**The Minister of the
Environment, Conservation
and Parks**
777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

and

**The Director
Section 47.5, *Environmental
Protection Act*
Ministry of the Environment,
Conservation and Parks**
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** Further information on the Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or www.olt.gov.on.ca**

Under Section 142.1 of the *Environmental Protection Act*, residents of Ontario may require a hearing by the Ontario Land Tribunal within 15 days after the day on which notice of this decision is published in the Environmental Registry. By accessing the Environmental Registry at <https://ero.ontario.ca/>, you can determine when this period ends.

Approval for the above noted renewable energy project is issued to you under Section 47.5 of the *Environmental Protection Act* subject to the terms and conditions outlined above.

DATED AT TORONTO this 8th day of December,
2022



Miroslav Ubovic, P.Eng.
Director
Section 47.5, *Environmental
Protection Act*

KD/
c: District Manager, MECP Niagara
Marie-Pier Bedard, Boralex Inc.