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**NOTICE OF PUBLIC INFORMATION SESSION
COUNTY OF DUFFERIN
REQUEST FOR UTILITY EASEMENT ALONG RAIL CORRIDOR
(DUFFERIN WIND POWER)**

The County of Dufferin is the owner of the former Rail Right-of-Way running north of Orangeville to Grey County.

In late 2011, Dufferin Wind Power Inc. (DWPI) approached the County of Dufferin with a request for an easement along the vacant rail corridor for the installation of 230 kV transmission line.

Council directed County staff to commence a review of the proposal, engage in public consultation while at the same time negotiate with Dufferin Wind Power to enter into a pre-agreement before entering into an easement agreement.

A second information session will be held as follows to provide information from the County of Dufferin's Engineering Consultants:

Date: Thursday, January 31, 2013
Time: 7:00 p.m.
Location: Centre Dufferin Recreation Complex, Town and Country Room
200 Fiddlepark Lane, Shelburne, Ontario

Feel free to contact us with comments and questions.

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Court House
55 Zina Street
Orangeville, ON
L9W 1E5
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County of Dufferin

January 7, 2013

TO: Interested Parties regarding the Request
For Easement on the Rail Line

**RE: Dufferin Wind Power Request for Easement
Update No. 2**

Further to the November 12, 2012, update, we can provide the following information:

A report from Chief Administrative Officer, Sonya Pritchard updating Council on the status of the request is on the January 10th Council Agenda. A copy is attached.

A second public consultation meeting will be held

Date: Thursday, January 31st at 7:00p.m.
**Location: Centre Dufferin Recreation Complex,
Town and Country Room
200 Fiddlepark Lane, Shelburne, Ontario**

Everyone is welcome to attend to hear a presentation from The MMM Group, the consulting engineering firm assisting the County of Dufferin with a review of the proposal.

Updates will also be posted on the website www.dufferincounty.ca

Please do not hesitate to contact us at any time if you have questions or concerns.

Sincerely,

Pam Hillock
Clerk/Director of Corporate Services

THE CORPORATION OF THE COUNTY OF DUFFERIN



REPORT TO COUNTY COUNCIL



To: Warden Ryan and Members of County Council

From: Sonya Pritchard, Chief Administrative Officer

Meeting Date: January 10, 2013

Subject: Update regarding easement request for 230 kV transmission line

Purpose

The purpose of this report is to provide Council with an update regarding the request from Dufferin Wind Power Inc. for an easement along the former rail corridor to install a 230 kV transmission line.

Background & Discussion

In September 2012, Council entered into an MOU with Dufferin Wind Power Inc (DWPI) for recovery of costs related to drafting an agreement to grant an easement and review of the proposal. To ensure the impact of the proposal is adequately assessed it was necessary to retain qualified consultants to conduct a review. The MMM Group was selected after a lengthy process. Identifying a consultant that did not have a conflict with respect to the wind project was difficult and took considerable time. In addition, MMM has been extremely busy and there have been repeated delays in receiving information. A report from MMM is expected during the second or third week of January. This report will be used to identify concerns and local impacts that will affect the agreement to grant an easement.

Dufferin Wind Power submitted a Renewable Energy Approval (REA) application to the Ministry of the Environment (MOE) in August 2012. Various subsequent reports and clarifications have been issued since then. On December 17, 2012, DWPI notified the MOE that it was withdrawing the 2 by 69Kv transmission lines from its proposal and seeking approval for the 230 kV line (along the rail corridor) only. The MOE deemed the application to be complete on December 27. An email from the DWPI consultants received on December 28 indicated that final copies of the application reports were to be delivered to the County of Dufferin on January 2, 2013.

The deadline for comments to the MOE is February 10, 2013. Staff will continue working with the MMM consultants over the next month to identify concerns as they pertain to the rail corridor and potential future uses as well as to identify comments raised from residents that may need further clarification.

Comments from residents have been received over the past several months from email and letter correspondence and through a public information centre meeting held on November 6, 2012 in the Dufferin Oaks Auditorium. Contact information has been collected for over 300 people who are provided with new information as it comes available. A second public information centre to present the consultants findings is scheduled for January 31, 2013 at 7 pm. Notification of the meeting is being sent to the contacts, posted on the County website, and published in the local newspapers.

A final report regarding outstanding issues and concerns will be distributed to Council prior to submitting comments to the MOE. The MOE submission deadline is prior to the February County Council date. It is recommended that the February meeting be moved to February 7, 2013 or that a special meeting be held to review the submission.

In addition to the REA process, DWPI submitted a leave to construct application for the transmission line to the Ontario Energy Board (OEB). The County of Dufferin received notice of this application on October 23, 2012. A request for intervenor status was filed on October 26 to ensure participation in the process. Staff in consultation with MMM consultants and the County's legal counsel submitted several questions regarding the application by the January 4, 2013 deadline. The questions focused on the form of the agreement proposed by DWPI, liability and risk issues. The OEB's jurisdiction is very limited by the OEB Act to matters of "price, reliability and quality of service" so some of the issues that are relevant to the County and the community will not be of any real concern to the Board. These matters are to be considered as part of the REA process.

Staff is continuing to work with the County solicitor to finalize the draft agreement to grant an easement.

Local Municipal Impact

The proposed project and transmission line would run from Melancthon through a private easement, along the rail corridor in Shelburne, and Amaranth to an existing transformer station in Orangeville.

Financial, Staffing, Legal, or IT Considerations

Financial and legal issues are being closely monitored as the process moves forward.

Recommendation

THAT, the report of Sonya Pritchard, Chief Administrative Officer dated January 10, 2013 regarding an Update regarding the easement request for 230 kV transmission line be received;

AND THAT, staff continue to work with The MMM Group and legal counsel to identify the concerns, comments and impacts to be included in a submission to the MOE as part of the Renewable Energy Approval review process.

AND THAT, the February 2013 Council meeting be re-scheduled from February 14 to February 7 to ensure Council has an opportunity to review the comments prior to the February 10, 2013 submission deadline.

Respectfully submitted,

Sonya Pritchard, CMA
Chief Administrative Officer