

WCO | WIND CONCERNS ONTARIO

August 28, 2017

The Honourable Mr. Chris Ballard
Minister of the Environment and Climate Change
Ferguson Block 11th Flr, 77 Wellesley St W
Toronto, ON M7A 2T5
Sent by email

Re: Response to wind turbine noise complaints by Cornwall District Office

Dear Minister Ballard:

As you may know, Wind Concerns Ontario (a coalition of 30 community groups and hundreds of families and individual citizens of Ontario) requested copies of official reports of excessive wind turbine noise to the MOECC, under the Freedom of Information and Privacy Act. The documents we received showed thousands of complaints made to the Ministry, yet very few warranted a response, and almost none were resolved.

The disturbing feature was that in many instances, Provincial Officers seemed genuinely concerned initially about these reports of noise and vibration, but were blocked from taking action.

In other cases, the Provincial Officers seemed unaware of what action to take.

It is also disturbing that the Ministry had complaints right from the beginning of industrial-scale wind power projects in 2006, yet passed the Green Energy Act supporting further developments, with little or no preparation of District Offices.

The Cornwall Office illustrates this.

The South Branch wind power project began commercial operation in March 2015. The turbines employed here were the first 3-megawatt power generating machines in Ontario. The Ministry and the power developer received complaints even before commercial operation, Wind Concerns learned via another FOI request.

Several of our members live within this power project and tell us they have been filing noise complaints, yet none of their records turned up in our initial request. On the advice of an MOECC staffer, we filed another request, this time asking for any “investigative reports” which resulted in more records, but still, none that matched our members’ experiences.

Finally, a resident wrote to Minister Murray about this, and the complete lack of response to her reports of excessive noise (she has to sleep in her basement because of the noise and vibration), and an officer with the Cornwall Office telephoned her.

Here’s what she was told.

*Ministry staff were completely unprepared for wind turbine noise complaints.

*They still don't really know what to do.

*They "lost" her records --- even though she had so many reports that the MOECC actually installed equipment and did noise measurement for a week.

*Last, it was too bad they lost everything pertaining to her situation and reports but it didn't really matter, she was told because "You're the only one complaining."

"Lost" records? Citizen complaints under the regulations "don't matter"? And she was "the only one", which is completely false?

This is outrageous treatment of a citizen of Ontario, who is simply following the process communicated to her by both the Government of Ontario and the wind power developer, who is mandated under its Renewable Energy Approval to act on and resolve any complaints of excessive noise. Moreover, in the records we did receive under FOI, the behaviour of staff toward the power developer is obsequious: "I am sorry..." wrote the senior Provincial Officer in an email to EDP, upon passing along a noise complaint.

This is not appropriate behaviour for a regulator.

We also recently inquired as to where the compliance audit results for South Branch are --- these are supposed to be posted publicly. The Cornwall Office responded that we had to file an FOI request to get that (false) and then when we informed the Officer of the public posting requirement, and new protocols for noise compliance (April 21, 2017) the response was that she hadn't had time to read that yet. "There are some changes worth noting," she added.

Again, this is completely inappropriate behaviour for a regulator.

The people of this particular area are now facing approval of a 100-megawatt power project by the same power developer, this one close to TWO communities ... and they have no assurance whatsoever that the Cornwall District Office is prepared, or even competent, to respond effectively to noise complaints.

On behalf of our members, we ask that you investigate this situation. Government staff should be prepared to fulfill the department's mandate, and carry out their responsibilities to the people of Ontario.

Our request to meet with Minister Murray on the noise complaint documents was never met; we would like to meet and discuss our concerns about this entire situation as soon as possible. Thank you.

Respectfully,

Jane Wilson, RN

President

WIND CONCERNS ONTARIO

President@windconcernsontario.ca

Copy: Office of the Ombudsman attention Amanda Driscoll; Jim McDonell MPP

Attachments: email from Cornwall Office; Wind Concerns Ontario report on Response to Noise Complaints by the MOECC may be viewed at <http://www.windconcernsontario.ca/ontario-government-failed-to-respond-to-wind-turbine-noise-reports-documents-show/>