

## Familiar faces at ERT pre-hearing

The Environmental Review Tribunal (ERT) will consider only whether the Dufferin Wind Power project and its transmission line pose serious risks to human, animal and plant health or would cause irreversible damage to the environment, among similar considerations, the preliminary hearing was told Monday.

The actual hearing is set for Aug. 20 in Grace Tipling Hall, Shelburne. There'll be a few familiar faces participating along with several lawyers of note who'll be acting for some parties to the hearing.

Toronto lawyer Eric Gillespie is representing Dennis Sanford of Melancthon in opposition to the project. Mr. Gillespie gained turbine recognition in Chatham-Kent proceedings a couple of years ago, and is currently waging a multi-million battle over turbine leases near Stayner, among other actions.

Mr. Sanford has opposed turbines from the beginning of the Melancthon developments in 2006-07, and might be remembered for having repeated his 15-minute on them for the Amaranth Citizens Coalition in opposition to Phase 2 of that wind farm.

Joan Lever, also an opponent of turbines since the development of Melancthon Phase 1, is representing herself as a participant. In a somewhat lengthy and impassioned presentation Monday, she made 17 points and outlined nine questions she said remained unanswered.

Not all of her points fall within the purview of the ERT. Lawyer Frederika Rotter, representing the ministry of environment, had no objection to Ms. Lever's participation provided that she would be limited to the issues with which the ERT is mandated to deal.

Mayor Don MacIver is to appear for Amaranth. By motion, he said, his township council wants the rail-corridor transmission line to be underground the entire distance across the township. He said the township 'has had experience with overhead wires' and has insisted that power lines be buried.

His stance is that there is no need to have a 230kv line from the wind farm to the Orangeville substation when a twin 69kv one would suffice. DWP is expected to counter that the 100MW transformer is to be built within the wind farm and not at the substation, thus the requirement.

(DWP began as Farm Owned Wind Power, a partnership between a group of farm owners and 401 Energy of Markham. The wind farm would be on property owned by members of the group. The transformer within the farm is intended to avoid any noise problems such as have occurred at CHD/TransAlta's substation in Amaranth, according to earlier reports.)

A Niagara Escarpment Commission manager appeared Monday to lodge an objection to the proximity of the wind farm to the escarpment. In part, the NEC's opposition is to visual impact.

Amongst the heavy hitters, DWP is represented by Tory's LLP, and Conserve Our Rural Environment (CORE) by Davis LLP.

Davis lawyer Laura Bisset made representations for Dr. Crysdale of Mulmur whose property adjoins that of the most northerly farm within the DWP area at issue. She didn't outline the doctor's credentials but said his concerns are for human health.

Ms. Rotter objected to Dr. Crysdale's participation on the basis, among other things, that he had previously withdrawn his appeal of the ministry's issuance of a Renewable Energy Approval.

ERT chairman Paul Muldoon will outline his decisions on participation on Tuesday. From there, he is expected to enforce strict deadlines.

Mr. Muldoon told Monday's pre-hearing that tribunal's final decision on the REA would be 'six months to the day' from the start of

this proceeding.

**By Wes Keller**