

LGL Response to Comments received from the MOE on the East Durham Water Assessment and Water Body Report

Comment Number	MOE Comment	LGL Response	Action Taken
1	Section 3.2.2 (page 100) identifies that W6 and W43 are seepage areas defined through the site investigation, though Table 5 indicates that these water features are not water bodies as defined in O. Reg. 359/09. Please clarify.	The Table 5 assessment is accurate; W6 and W43 do not meet the definition of a water body under O. Reg. 359/09. The list of water features identified on pg. 100 (Section 3.2.2) mistakenly included W6 and W43 when features W46 and W17 should have been the water bodies included.	Section 3.2.2 has been edited to reflect this correction (W6 and W43 were removed from the list of water bodies and W46 and W17 were added) as shown in comment 2 below.
2	Section 3.2.2 (page 100) does not appear to mention all the corrections to the Records Review. Please clarify.	In follow up discussion with Nick Collela (Project Evaluator, MOE) it was determined that clarification to this section should be made to indicate that the features listed as corrections to records review reflect the additional water features identified in site investigation and not previously identified in the Records Review.	Edits were made to Section 3.2.2 to indicate the following: 3.2.2 Corrections to Records Review During site investigation, water features that met the definition of a water body under O. Reg. 359/09 were identified in addition to those previously documented through Records Review. The additional waterbodies identified within 120m of the project location were as follows (as depicted in Figures 4 through 7): <ul style="list-style-type: none"> • W2, W17, W19, W46, and W47 – seepage areas; • W36 – identified as an open water aquatic pond with hydrological connection to W25; and, • W49 – identified as an open water aquatic pond.
3	It does not appear that subsection 39(2) (d) and subsection 40(2) (d) have been addressed in the Water Body Report. Please clarify.	The subsections of the Regulation referred to in the comment relate to how negative impacts to water bodies were addressed in the Construction Plan Report written for the Project. Table 7 of the Water Body Report summarizes the potential negative affects as well as the proposed mitigation, monitoring and contingency measures,	Section 4.7 (pg 115) includes a paragraph to indicate that the mitigation and contingency measures included in the Water Body Report to address potential negative impacts to water features are consistent with those outlined in the EEMP for the Project. This statement was expanded to include reference to the Construction Plan Report written for the Project as follows: Negative effects associated with each project component as it relates to water features, as well as the recommended mitigation, monitoring and contingency measures are detailed in Table 7 below. Mitigation

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		<p>and anticipated residual effects on water bodies associated with the project phases. Table 7 was included in the Construction Plan Report and appears as Table 3-5 in Section 3.3.3 of that report. Follow up discussion with Nick Collela (Project Evaluator, MOE) indicated that this comment could be address by indicating within the Water Body Report that this was the case.</p>	<p>and contingency measures included below are consistent with those outlined in the Environmental Effects Monitoring Plan as described in the Draft Design and Operations Report: East Durham Wind Energy Centre (Genivar, 2012b) and those that appear in the Construction Plan Report – East Durham Wind Energy Centre (Genivar, 2013).</p>
4	<p>W6 was considered in the Water Body Report, though Table 5 indicates that this water feature is not a water body as defined in O. Reg. 359/09. Please clarify.</p>	<p>Similar to Comment 1, this water body (W6) was incorrectly identified in Section 3.2.2 and therefore included in the Water Body Report.</p>	<p>Reference to W6 had been removed from Table 7 of the Water Body Report given that it did not meet the definition of a waterbody under O. Reg. 359/09.</p>
5	<p>Table 5 and Table 6 indicates that W4 and W19 were determined to be water bodies as defined in O. Reg. 359/09, though these water bodies were not considered in the Water Body Report. Please Clarify.</p>	<p>LGL agrees with this assessment, W4 and W19 should have been included as part of the Water Body Report.7</p>	<p>Table 7 has been updated to include W4 and W19. Underground collection line is proposed to cross both of these features.</p>