Committee Report

Report TR-TAPS-12-14

To: Chair Barfoot and Members of the Transportation and Public Safety Committee
From: M.J. Kelly, Director of Transportation Services
Meeting Date: December 19, 2013
Subject: Capstone Power Development - Skyway 8, Wind Farm Entrance Permits, Wind Turbine Development
Status: Recommendation adopted by Committee as presented per Resolution TAPS18-14 December 19, 2013; Endorsed by County Council per Resolution CC12-14 January 9, 2013;

Recommendation(s)

WHEREAS at the September 5, 2013 Transportation and Public Safety Committee the Committee provided direction that it receives an information report outlining the staff assessment of the current outstanding entrance applications related to industrial wind turbine projects before staff render a decision on the applications;

NOW THEREFORE BE IT RESOLVED THAT Report TR-TAPS-12-14 regarding two Capstone Power Development - Skyway 8 Wind Farm entrance permits on Grey Road 8 be received for information;

AND THAT it is understood that the entrance permits submitted meet the County’s entrance criteria for industrial wind turbine development and will be approved by the Director of Transportation Services under authority granted by County Council through its Delegation of Duties Policy, G-GEN-008 as amended, and in accordance with Entrance Permit Procedure MS-TS-001-001.

Background

Entrance Permits

The location, number and usage of entrances have a significant effect on the safety, efficiency and longevity of a road. It is therefore important to regulate access onto County roads.
Grey County has implemented policies and procedures to ensure that entrances are administered fairly and meet industry safety requirements while maintaining the integrity of the road.
Capstone Power Development - Skyway 8 Wind Farm wishes to initially construct the entrance wider than standard, to accommodate the transportation of the turbine components. Once the turbines are delivered, the entrance width will be reduced to the required size.

Capstone Power Development - Skyway 8 Wind Farm Entrance Permit Submissions

Capstone Power Development - Skyway 8 Wind Farm wishes to construct five wind turbines in the Township of Southgate.

Capstone Power Development - Skyway 8 Wind Farm will be leasing property to accommodate the proposed turbine development.

Entrance permits are provided to the property owner and not to parties that lease the land. Therefore all entrance permits to access a turbine facility constructed on leased land must be submitted by the landowner.

Grey County has received two entrance permits to access the Capstone Power Development - Skyway 8 Wind Farm.

The remaining facilities are adjacent to roads under the jurisdiction of the Township of Southgate and as a result will not be administered by Grey County.

At the September 5, 2013 Transportation and Public Safety meeting, the following resolution was made and endorsed by County Council on October 1, 2013.

THAT Grey County considers industrial wind turbines to be classified as industrial for entrance permit purposes;

AND THAT Traffic Impact and Road Assessment Studies shall be provided to the County before permits are considered;

AND THAT once staff have completed its assessment of the current outstanding entrance applications related to industrial wind turbine projects and before staff renders its decisions on those applications, a report be submitted to the Transportation and Public Safety Committee for information, outlining the nature of staff's review including:

- Policy considerations and interpretation;
- Applicable fees;
- Issues considered in the review;
- Conditions or preconditions of approval;
- Financial securities;
- Staff's intended decisions on each.
The Transportation Services Department has reviewed the two (2) submitted entrance permits and notes the following:

1. Both entrances are classified industrial/ commercial.

2. Both the entrance permits meet all the criteria for industrial/commercial entrance permits. The appropriate certificate of insurance was not submitted with the applications.

3. An acceptable Traffic Impact Study was submitted and it was concluded that no modifications are required to Grey Road 8.

4. An acceptable Road Assessment Study has been submitted and it was concluded that the additional traffic generated on Grey Road 8 for the construction of the wind turbines will have an impact on Grey Road 8. As a result, Grey County is requesting compensation from Capstone Power Development.

5. The required $5,000 payment has been submitted for the two (2) entrance permits. The payment consisted of a $1,000 application fee and a $4,000 holdback fee.

6. One of the terms of the entrance permit identifies that the permit holder is responsible for all damage caused to Grey County property during the construction of the entrance.

Grey County will require the property owners to agree to eliminate two existing entrances from the property. Once the required Certificate of Insurance has been submitted, agreement to eliminate two existing entrances and an agreement regarding possible damage to the road have been completed, the two (2) entrance permits submitted will meet Grey County’s requirements for wind development access. As a result, staff is recommending the approval of the two (2) entrance permits.

Other Conditions for Capstone Power Development - Skyway 8 Wind Farm

Capstone Power Development - Skyway 8 Wind Farm will be required to execute an Oversize Cargo Agreement. This agreement will require information regarding the haul routes, the oversized loads required, bridge and culvert structural assessment, road assessment and additional work required to accommodate oversized loads.

Capstone Power Development - Skyway 8 Wind Farm has not submitted oversize and overload permits for transporting the wind turbine components.

Capstone Power Development - Skyway 8 Wind Farm has submitted a Road Assessment Study, which indicates that damage to the road is expected. In addition, the development will reduce the expected road life by one half a year.
Capstone Power Development - Skyway 8 Wind Farm has indicated that they will not be requesting to place any of its power transition plants on Grey County property.

Capstone Power Development - Skyway 8 Wind Farm has received Environmental Compliance Approval from the Ministry of Environment and other required approvals.

The entrance permits submitted will meet the criteria for wind turbine development and as a result, it is recommended to approve the permits once agreement for road compensation and elimination of two existing entrances has been finalized.

Financial / Staffing / Legal / Information Technology Considerations

The Road Assessment Study indicated that the transportation of material to construct the proposed wind farm will have an impact on Grey Road 8. The construction activities are expected to cause road deterioration that will require maintenance. In addition, the life expectancy of the road is anticipated to be reduced by approximately six months. The Transportation Service staff will negotiate an agreement to compensate for damages to Grey Road 8.

Link to Strategic Goals / Priorities

Not applicable.

Respectfully submitted by,

M.J. Kelly
Director of Transportation Services

List of Attachments:

Location Map
Entrance Permit Procedure
Delegation of Duties Policy Schedule A to By-Law 4824-13