

In the decision to approve the Zephyr Wind Project, the Ministry did not use a precautionary, science-based approach in its decision-making to protect human health and the environment. More specifically, despite the risk of harm to humans from industrial wind turbines the approval was granted without resolution of the scientific uncertainty surrounding these effects.

The Ministry did not encourage increased transparency, timely reporting and enhanced ongoing engagement with the public as part of environmental decision making. More specifically, there are no provisions requiring transparency, timely report or enhanced ongoing engagement with the public regarding testing and data collection for infrasound and/or low frequency noise and/or audible noise.

We are Appealing the Zephyr approval on the following grounds:

1. Industrial turbines operating at the sound levels and/or located at the distances approved for this project are more likely than not to cause serious harm to human health.
2. The Ministry of the Environment (MOE) has no reliable method of predicting, measuring or assessing exposure to infrasound, low-frequency noise and/or audible noise to protect persons from these effects.
3. The approval was granted prior to MOE making a determination regarding the effects of industrial wind turbines and whether or how to regulate low-frequency noise emissions.
4. MOE did not consider cumulative effects, the economic impacts on property values, or use a scientific-based precautionary approach in its decision making in accordance with its Statement

Preliminary Hearing:

December 22, 2011

Main Hearing:

February 21-24, 28-29, 2012

*** Please Note:** these dates may change, so please visit our website to see if they have been rescheduled.

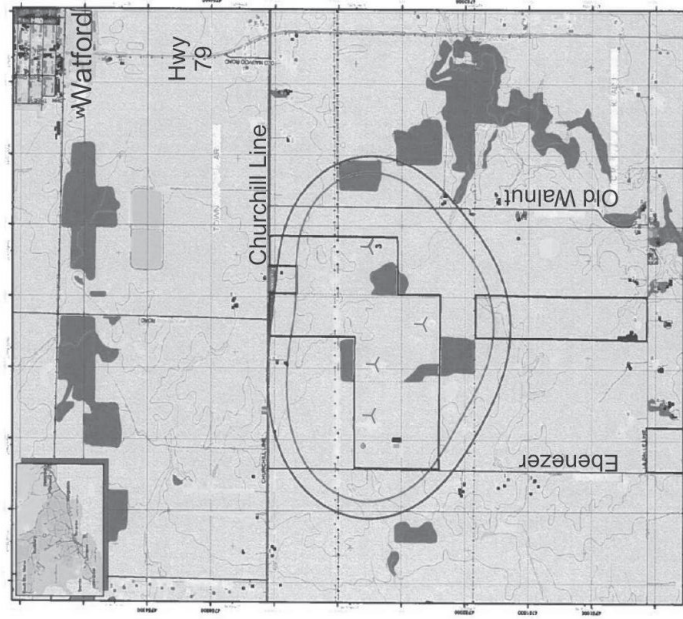
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the

Zephyr Wind Appeal





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Mail to: Middlesex-Lambton Wind Action Group
c/o Harvey Wrightman
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Kerwood, ON N0M 2B0

Middlesex-Lambton Wind Action Group Inc.

vs

Ministry of Environment & Zephyr Farms Ltd.

In the two years that the Green Energy Act has been in force legislation which was enacted to speed up the approval process, only one project has been approved! That in itself speaks to the success of Wind Concerns Ontario opposition to industrial wind.

With the removal of seven Liberal MPP's from office this past election, including three cabinet ministers, rural Ontario now has a political voice. But the government is in too deep and there are many projects awaiting the Director's rubber stamp of approval.

The Chatham/Kent (Thamesville) Environmental Review Tribunal (ERT) appeal established the scientific basis for the health and safety arguments against wind turbines. The ERT concluded,

"...the debate should not be simplified to one about whether wind turbines can cause harm to humans. The evidence presented to the Tribunal demonstrates that they (wind turbines) can, if placed too close to residents. The debate has evolved to one of degree."

Given this clear statement, it is imperative that we continue to press these arguments before the ERT.

Since the Thamesville project went online, a entire family has had their health negatively affected by its operation. They have launched a court action seeking relief and redress.

A second project since has been approved, the Zephyr Wind Farm in Brooke/Alvinston township, just south of the town of Watford. It consists of four 2.5MW turbines in close proximity to homes and farms in the area.

The Director of the Ministry of Environment, who must know the conclusion of the Thamesville ERT appeal, has approved yet another project despite there now being proof that people have been harmed. He must be made to answer for these very callous, reckless actions - what better forum than the one which accepted his previous flimsy assurances.

Eric Gillespie continues as counsel for the Zephyr action, as he did for both the Thamesville appeal and the Ian Hanna lawsuit. He has acquired extensive knowledge of wind turbine issues, and his determination strengthens our chances in winning.

Please support this appeal- it is the next big step towards winning back our health, safety property values and homes in the Zephyr project area, and all of rural Ontario.

Yours Sincerely,

Harvey Wrightman

Middlesex-Lambton Wind Action Group

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