

**NOTICE OF REFUSAL**

REFERENCE NUMBER 6763-8X2RE9

Horizon Wind Inc.  
2300 Yonge St, No. 801  
Post Office Box, No. 2300  
Toronto, Ontario  
M4P 1E4

Site Location: Big Thunder Wind Park  
Lot Sec 5, Concession 1  
Municipality of Neebing, City of Thunder Bay, District of Thunder Bay

*In accordance with Section 139(1)(c) of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act), I hereby give notice that, under Section 47.5(1)(b) of the Act, I have refused to issue a Renewable Energy Approval for your application for approval dated 2012/10/18, for a Class 4 wind facility.*

The reason for this refusal is as follows:

Horizon Wind Inc. has not provided the ministry with certain specific information in response to the ministry's detailed inquiries on the potential impacts of the project on moose and moose habitat. The additional explanation and detail requested from Horizon Wind Inc. was determined to be necessary to the ministry's review, and in particular, was required for the ministry to be satisfied that the potential impacts of the project on moose, moose habitat and the traditional moose hunting practices of members of the Fort William First Nation had been adequately assessed and mitigated.

**NOTICE REGARDING HEARINGS**

*In accordance with Section 139(1)(c) of the Environmental Protection Act, within 15 days after the service of this notice, you may by further written notice served upon the Director, the Environmental Review Tribunal and the Environmental Commissioner, require a hearing by the Tribunal.*

*In accordance with Section 47 of the Environmental Bill of Rights, 1993, the Environmental Commissioner will place notice of your request for a hearing on the Environmental Registry.*

Section 142 of the Environmental Protection Act provides that the notice requiring the hearing shall state:

1. The grounds on which you intend to rely at the hearing in considering your appeal.

The signed and dated notice requiring the hearing should also include:

2. The name of the appellant;
3. The address of the appellant;
4. The date of the notice of refusal;
5. The notice of refusal number;
6. The application reference number;
7. The name of the Director;

This notice must be served upon:

The Secretary\*  
Environmental Review Tribunal  
655 Bay Street, 15th Floor  
Toronto, Ontario  
M5G 1E5

AND

The Environmental  
Commissioner  
1075 Bay Street, 6th Floor  
Suite 605  
Toronto, Ontario  
M5S 2B1

AND

The Director  
Section 47.5, *Environmental Protection Act*  
Ministry of the Environment and Climate  
Change  
135 St. Clair Avenue West, 1st Floor  
Toronto, Ontario  
M4V 1P5

\* Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or [www.ert.gov.on.ca](http://www.ert.gov.on.ca).

for

DATED AT TORONTO this 29th day of October, 2015



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Mohsen Keyvani, P.Eng.  
Director  
Section 47.5, *Environmental Protection Act*

SR/

c: District Manager, MOECC Thunder Bay - District  
Ms. Nhung Nguyen, Horizon Wind Inc.