

KEVIN ELWOOD WITNESS STATEMENT

A. INTRODUCTION

1. My name is Kevin Elwood. I am a husband, father, commercial pilot, business owner, landowner, and elected councillor in Stayner, Ontario. As the single most affected neighbour, resident family and business operation by the wpd Fairview Wind Project proposed in Ward 2 Clearview Township which I represent, I have serious safety concerns about the project. I have repeatedly raised these concerns with the proponent, but they have not been addressed.
2. In this witness statement, I intend to provide context and history for the Clearview Field (Stayner Ontario) CLV2 and my use of Collingwood Regional Airport CNY3.

B. HISTORY OF CLEARVIEW FIELD (CLV2) AND COLLINGWOOD REGIONAL AIRPORT

Background and Flying Expertise

3. I have had a long-time love of flying. I began flying lessons on October 1, 1986 and have been flying ever since. I received my private pilot licence on May 1, 1987 and my commercial pilot licence on May 11, 1988. From there, I have improved my skills and certification, obtaining a seaplane rating (June 6, 1988), night rating (March 1, 1988), instrument rating group 1 (May 24, 2001) and wrote my Airline Transport Pilot Licence (“ATPL”) exams in 2002. After 29 years of aviation, I have a network of industry relationships from recreational pilots through to professional pilots, maintenance engineers and airport operators.
4. I have owned, maintained and piloted a variety of planes during my 29 years as a pilot, including a Twin Engine Lazair Ultra-Light, Cessna 150, Cessna 185 and Cessna 206 and a Piper PA11S. I completely restored the 1947 Piper PA11S, to its original condition at Clearview Field in 2007 (see Figure 1).

Figure 1: Kevin Elwood with his restored 1947 Piper PA11S, Clearview Field (CLV2), February 2012



5. While flying is my passion, it is also my business and supports my family. I am a Professional Contract Pilot Captain flying the DeHavilland Turbo Beaver with Pacific Sky Aviation Inc. (a company out of Victoria, BC) and 2241975 Ont. Inc. (in Collingwood, Ontario). Prior to this, I was Contract Pilot with Barrick Gold Corp from 1997 to 2006. In total, I have 3850 flight hours.
6. Our 100 acre farm is not only the home of Clearview Field Aerodrome; it is the base of operations for our two businesses, Clearview Nursery Ltd and Elwood Property Services Limited.
7. The Nursery is a Wholesale Grower and a member of the Canadian Nursery and Landscape Association, supplying plant material as far West as Thunder Bay and as far East as Halifax, Nova Scotia. Two of Clearview Nursery management staff volunteer on both provincial and national committees. We have 80 plus acres planted in landscape nursery stock. In addition to selling the trees we grow on the farm, we stock a comprehensive line of shrubs, perennials and landscape materials which we supply to the landscape trade and local residents.

8. Elwood Property Services is our landscape construction company servicing municipalities, cities, local rural residents and aggregate producers. These services include community green space projects through to environmental restoration projects. We employ 26+ staff.

Clearview Field (CLV2)

9. In 1995, my wife, Gail Elwood, and I began searching for a parcel of land that would be suitable for an Aerodrome to develop an aviation base and fly the Piper PA11 and Cessna 185, along with providing a home for our growing family (see Figure 2). The property also needed to be suitable for our landscape construction business and have soil suitable and water sufficient to support a tree nursery.

Figure 2: Kevin Elwood and Sons with Turbo Beaver, Clearview Field, 2005



10. In June 1996, my wife and I purchased 100 acres of land that met all of our criteria, a beautiful property known as 8257 County Road 91, RR4, Stayner, Ontario (see Figures 3 and 4). The next year, in the summer of 1998, we constructed a 1200 foot-runway. We also based our CUB CFIUT and 185 CGNUI planes on the field.

Figure 3: 8257 County Road 91, 1997



Figure 4: Clearview Field from the Air



11. We continued to make improvements on the site. In 1998, we converted the equipment shed into an aircraft hangar followed by a runway extension to 1953 feet in length in 2008 (see Figure 5). In 2010, we constructed a new large aircraft hangar to accommodate larger client owned aircraft being piloted and anticipated acquiring new aircraft (see Figures 6 and 7). The larger aircraft hangar measures 5800 square feet to allow multiple aircraft storage and aircraft maintenance.

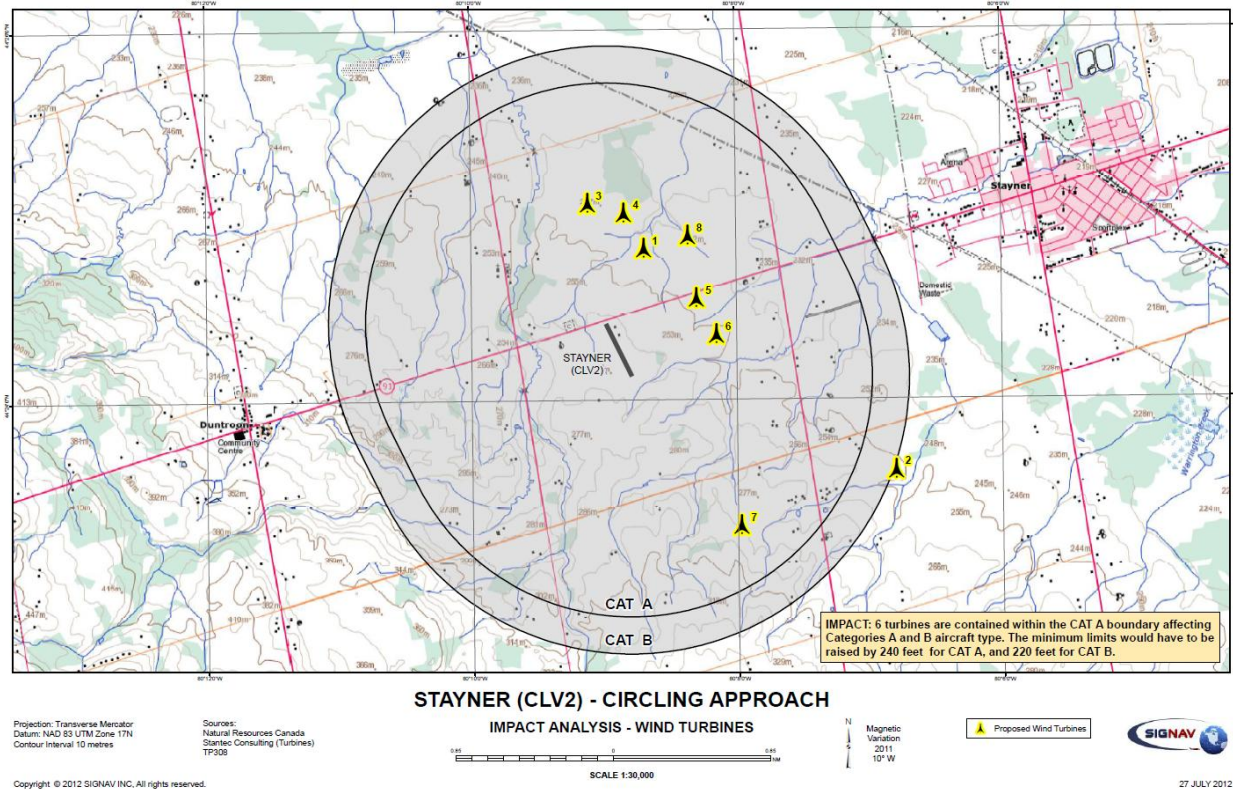
Figure 5: Clearview Field from the Air with a View of the 1953-Foot Runway



Figure 6: Cessna 180 Cyclone in Front of Clearview Field Hangar



Figure 7: Stayner CLV2 – Circling Approach – IFR Diagram



12. In 2011, Transport Canada registered our site as an aerodrome. Published in the Canada Flight Supplement, Clearview Field was then open to the public, supplying a runway and emergency fuel. The registered aerodrome is available for use by any pilot with prior notification.

Instrument Approaches

13. Also in 2011, I had Instrument Flight Reference (“**IFR**”) approaches designed for Clearview Field. The approaches were submitted to NAV Canada for review and approval.
14. IFR approaches are important because an aircraft pilot can only fly and approach a runway by IFR if the IFR approaches have been approved and published by NAV Canada. Private aerodromes must get IFR procedures designed and qualified by a consultant following NAV Canada criteria. Therefore, my runway was surveyed by a qualified third party consultant, Chas Cormier. After this, the IFR approaches were submitted to NAV Canada and approved for use in 2013.
15. Once IFR approaches were approved by NAV Canada, NAV Canada published the IFR approaches in the Restricted Canada Air Pilot (“**RCAP**”), which is accessible to pilots world-wide. The IFR approach approval and publication made a significant improvement to the safety and accessibility of Clearview Field.

Use and Safety Record of CLV2

16. From 1997 to the present Clearview Field has operated accident and incident free.
17. Clearview Field is both a destination and a departure point for local pilots and for myself and my sons, and is used 12 months of the year.
18. In the months of snow, it is principally used for flight training on skis, specifically for those pilots who want to build time on ski planes (see Figures 8 and 9). This includes my son, Mason, who has almost completed his Commercial Pilot's Licence and wishes to pursue flying employment in remote northern locations in the Yukon and NWT. In addition, in 2015, Mason completed his thesis (Environmental & Resource Studies, Honours) which entailed aerial research of native deer populations and their winter habits.
19. Total annual ski plane take-offs and landings over 4 months are estimated at 80 movements per season. Turf runway activity is frequent with many aircraft types utilizing the field. Estimated total annual wheeled aircraft movements is 200 to 250 take offs and landings per season.

Figure 8: Cub CFIUT with Skis, Clearview Field, 2016



Figure 9: Winter runway, Preserve Clearview, 2012



20. I take many neighbours and neighbourhood youth for plane rides (see Figures 10 and 11). I also use Clearview Field for business flights and community events, such as our annual nursery barbeque, hosting local trade association events, and to provide flights for charity events, as a form of local fundraising. Special occasions include flying with family and friends. For example, flying is an important part of significant holidays, such as Easter, birthdays and, most recently, Christmas Day 2015 when our guests were treated to flights (see Figure 12).

Figure 10: Friends Arriving at Clearview field



Figure 11: Kevin Elwood Giving Flights in his Cessna



Figure 12: Guests Arrive at Clearview Field, Christmas Day, 2015



21. My two boys have grown up flying and use Clearview Field for training and recreation with their friends. Mason, age 22, has achieved his private pilot licence (see Figure 13), and Luke, age 20, is a student pilot (see Figure 14) whom I train out of Clearview Field.
22. Clearview Field provides an operating environment where new pilots can develop sound pilot making decision skills as the aerodrome requires consideration of all operating conditions to ensure a safe completion of each flight. This is important when a pilot transitions into piloting aircraft unsupervised or in an off airport environment such as float flying and bush flying. Local flight instructors in the area use Clearview Field as a training environment for emergencies and short field decision making.

Figure 13: Mason with Cessna 150



Figure 14: Luke Flying Lesson in Cessna



23. My pilot friends fly-in to visit and we carry out aircraft maintenance in my aircraft hangar. I have a comprehensive array of aircraft maintenance tools which are frequently used by my flying colleagues. My hangar at Clearview Field is a destination and meeting place where we share our knowledge, ideas and assist each other.
24. Clearview Field is used by my family and local pilots, with a variety of fixed wing aircraft such as the Aeronca Champ 7 AC and Aeronca Chief; Citabria 7ECA Cessna 150, 170, 180, 185, 206; Citabria 7ECA; Cubby Homebuilt; Dakota Hawk; Dehavilland Turbo Beaver DHC2-T; Diamond DA22; Husky 2B; Smith Cub; Stinson 108-3; and Zenith 300. We also welcome pilots who have seen the aerodrome from the air and drop in to make an introduction so that they can add Clearview Field to their list of preferred destinations.
25. Rotary Wing Helicopters have also used the aerodrome, including Robinson R44, R66 (commercial operator) and Euro copter EC350 (see Figure 15).

Figure 15: Robinson R66 Helicopter Landing at Stayner (Clearview Field)



Collingwood Regional Airport Hangar

26. In addition to my flying activities at Clearview Field, I also purchased an existing aircraft hangar at the Collingwood Regional Airport CNY3 in 2007 to launch an aircraft hangar business.
27. In 2012, I commenced and completed construction of a 6400 square foot aircraft hangar at the Collingwood Regional Airport (see Figures 16 and 17). The hangar is designed to accommodate large amphibious aircraft and medium-sized jets. In 2014, I sold the first hangar, which I had purchased in 2007.
28. I hangar and/or pilot manage aircraft and helicopters at the Collingwood Regional Airport including the Air Canada Beech 1900, 2 x Dehavilland Turbo Beavers, Cessna 150, 180, 185, 206, 208 Caravan. Piper PA11, PA18, Twin engine Piper Navajo, Russian Ufia, Robinson R44 and Robinson R66 helicopters.

Figure 16: Construction of 6,400 Square Foot Aircraft Hangar



Figure 17: Collingwood Regional Airport Aeroshelter Hangar (Interior)



Experiences Flying in Clearview in Inclement Weather

29. Pilots of single-engine aircraft flying in this region of the province avoid flying over Georgian Bay, as it is a large body of water that may cause a pilot to find him or herself outside of gliding distance from shore. Commercial operators must remain within gliding distance of land, and it is a good practice for all single-engine pilots to follow. For takeoff and arrivals at Clearview Field, this means aircraft are funnelled west, south and east of the airport. The same is true of Collingwood Regional Airport. The same is true of Collingwood Regional Airport.
30. Since aircraft are funnelled west, south and east of both the Clearview Field and Collingwood Regional Airport, air traffic will be concentrated in close vicinity of the turbine locations. See figures 18 and 19.

Figure 18: Clearview Field Relative to Proposed Wind Turbines

Red circle is 4km radius, centered on runway of Clearview Field; red dots are proposed wpd turbines

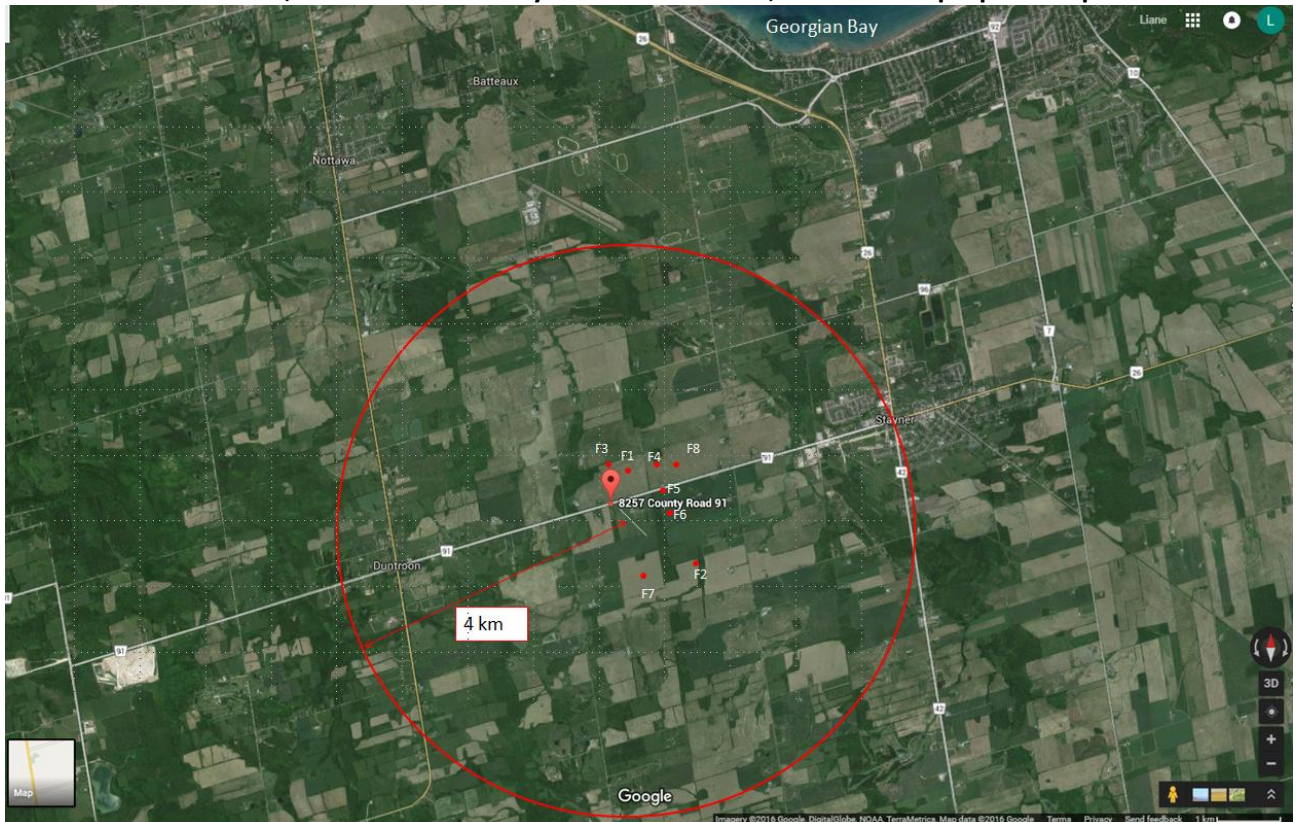


Figure 19: Collingwood Regional Airport Relative to Proposed Wind Turbines

Red circle is 4 km in radius, centred on the runway of Collingwood Regional Airport; red dots are proposed wind turbines



31. 30. Weather can change while en route to a destination airport. I have experienced rapidly changing weather conditions caused by localized weather phenomena upon arriving at a destination aerodrome. Both Clearview Field and the Collingwood Regional Airport are very close to the shores of Georgian Bay and the lake influences the local weather conditions. Rapid changes to conditions in winter can include snow squalls, and in summer low cloud and fog (see Figures 20 and 21).

Figure 20: Collingwood Regional Airport – Cold front moving rapidly as I Land the Aircraft



Figure 21: Collingwood Regional Airport – Rapidly approaching Cold Front Moving Inland Off Georgian Bay Engulfs Airport Moments After I Taxi Clear of Runway



32. Having flown from Collingwood Regional Airport and Clearview Field for many years, I have frequently had to quickly adjust to these conditions upon arrival. This usually requires descent to low altitudes with reduced forward visibility in white sky line conditions.
33. I have included a sequence of photos, as follows, from my flight on 21 January 2014, returning from Toronto, where I had met with the Director and Ministry of Environment and Climate Change (“**MOECC**”) staff regarding the wpd Fairview file.
34. As attendees at this meeting will remember, it was a beautiful, sunny day in Toronto. This all changed into very active snow squall activity 5 miles from my arrival at CRA. The photos, from Figures 20 to 23, illustrate what I experienced from the cockpit.

Figure 22: My Experience of a Snow Squall from the Cockpit, 21 January 2014

Clear visibility



First signs of snow squalls



Substantially reduced visibility



Figure 23: 5 Miles South of Aerodromes – Snow Squall off Georgian Bay



Figure 24: Reduced Visibility Due to Whiteout Conditions in Snow Squalls near Georgian Bay



Figure 25: 2 miles, 300 Metres from Collingwood Regional Airport Aligning for Final Approach to Runway 31



35. Being experienced and familiar with the local area, I was able to safely land at Collingwood Regional Airport but it was extremely challenging.

Emergencies and Collingwood Airport and Clearview Field

36. Clearview Field is available and suitable for emergency use by many aircraft types should the need arise. For example, in the summer 2014 an aircraft had departed Collingwood Regional Airport and experienced low oil pressure. The pilot, Alex Varichev shutdown the engine of his Zenith 601 aircraft and successfully completed an emergency landing at Clearview Field. The pilot undertook the necessary engine repairs at Clearview Field and departed safely.
37. Then, as recently as March 20, 2016 a pilot friend, Mike Diazyak who flies from Collingwood and often brings his Piper Cubby to Clearview Field experienced a heart attack while flying home to Collingwood. Mike's passenger contacted me by cell phone and I went to Collingwood Airport and called emergency services. Mike was able to pilot the aircraft to a successful landing at Collingwood and was taken to Newmarket for surgery. Mike went into cardiac arrest three times before surgery.

38. Thankfully, Mike survived and dropped in on April 5, 2016 to thank us for our help. However, not all pilots are so lucky and we never know when a medical or other emergency will arise. Mike had a hard time focusing on flying the aircraft due to his heart attack.

Efforts to Alert wpd Canada and Government Bodies of Safety Concerns from the Fairview Wind Project

39. The proposed turbine locations at the wpd Fairview project are concentrated in very close proximity to Clearview Field. See Figure 18 above.
40. The turbines are also clustered in the area where I would be approaching Collingwood Regional Airport from the south (see Figure 19 above and Figure 26 below).

Figure 26: Aeronautical map with CLV2 and CNY3 aerodromes

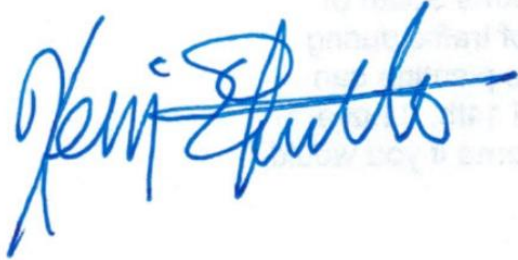


41. I am extremely concerned about the dangers posed to pilots and passengers using Clearview Field or Collingwood Regional Airport by locating turbines this close to where aircraft take-off and land at these facilities.
42. Clearview Field has been in existence for 20 years. It is a registered Aerodrome with Transport Canada and supported by two NavCanada published instrument approach procedures. Neither wpd Canada nor their project team (Stantec Consulting, SMS Consulting) has sought information respecting Clearview Field operations, development plans or procedures.
43. This is troubling since I, as the owner and operator of Clearview Field, my consultant, Chas Cormier, and my aviation lawyer, Pat Floyd, all attempted to inform wpd of the continued growth and development which has occurred at Clearview Field with publishing of procedures that were designed in early 2011.

44. Despite Clearview Field's established presence in our community and with government authorities, wpd Canada makes no reference to Clearview Field in their Consultation Report and Project Description Report. It has never been identified on any of wpd Canada's mapping of the study area or project location. wpd Canada only mentions the existence of a small aerodrome in the consultation reports.
45. On more than one occasion I have requested to meet with the proponent, wpd Canada. The first being November 2009 during early stages of the project development by wpd Canada in an attempt to ensure wpd was aware of Clearview Field's existence and flight operations. This attempt was intended to assist wpd in gathering information to feed into the exercise of siting turbines so as to avoid safety risks that would result in harm to humans in the event of a turbine being located too close to an established and developing aerodrome.
46. wpd never engaged in my requests for discussion to share information on my aerodrome operations and development when determining turbine locations as published in Notice to Engage dated June 23, 2010.
47. wpd never advised me in advance that they were developing a new turbine layout with 6 turbine locations moving closer to Clearview Field. Yet I had made wpd well aware of my aerodrome's existence and my safety concerns.
48. I was not contacted by wpd for information as to my aerodrome operations during 2010 or early 2011 before the publishing of the second layout contained in the Notice of Draft Site Plan dated June 8, 2011.
49. wpd only advised me the morning of June 8, 2011 that a new turbine layout was being proposed. This layout had no input from me as to my aerodrome operations and development plans. wpd Canada declined to meet as requested and showed no interest in engaging in consultation activities with me in advance of their submitting an REA application.
50. wpd only communicated project information with me as required by O Reg 359/09. wpd never sought information or meetings with me for information prior to siting turbine locations, nor has wpd been open to discussion respecting reviewing the relocation of turbines to mitigate negative safety impacts.
51. I was never contacted by Stantec Engineering or SMS Consulting during project development to assist in identifying the safety hazards presented when considering turbine locations.
52. wpd claims it has communicated with me. This communication was to tell me what it had already planned, not to engage in consultation so as to understand the activities at CLV2 and ensure the safety of my aerodrome.
53. I continue to be surprised by what appears to me to be total indifference on the part of wpd to the existence of CLV2 in the planning of the Fairview Wind Project.

C. CONCLUSION

54. Clearview Field aerodrome has been a part of my business and my family for over 20 years. We pride ourselves on having safe operations, allowing business clients and friends to use the aerodrome without hesitation. Given my personal experience of flying the Georgian Bay area, an area with an unpredictable microclimate, I fear for my safety and the safety those dearest to me if the wpd Fairview Wind Project proposal proceeds with the current turbine locations.

A handwritten signature in blue ink, appearing to read "Jim Smith". The signature is written in a cursive style with a horizontal line crossing through the middle of the name.