

Appendix F

Agency Correspondence



Oxford, Kaelee <koxford@dillon.ca>

Initial PDR Submission - Loyalist Solar Project

Connolly, Gemma (MOECC) <Gemma.Connolly@ontario.ca>

Fri, Apr 8, 2016 at 12:52 PM

To: "Bellamy, Megan" <mbellamy@dillon.ca>

Cc: Jennifer Petruniak <jpetruniak@dillon.ca>, Kaelee Oxford <koxford@dillon.ca>, "Romic, Zeljko (MOECC)" <Zeljko.Romic@ontario.ca>

Thank you Megan. We will start working on the aboriginal list. If I have any questions about your PDR, I will give you a call.

From: Bellamy, Megan [mailto:mbellamy@dillon.ca]**Sent:** April-08-16 12:47 PM**To:** Romic, Zeljko (MOECC); Connolly, Gemma (MOECC)**Cc:** Tom Bird; Jennifer Petruniak; Kaelee Oxford**Subject:** Re: Initial PDR Submission - Loyalist Solar Project

Hi Zeljko and Gemma,

Please use the attached version of the initial PDR for the Loyalist Solar Project in your review to determine the Aboriginal list under section 14(1) of the Regulation. Feel free to contact me with any questions or comments.

Thank you,

Megan

Megan Bellamy
Associate
Dillon Consulting Limited
235 Yorkland Blvd Suite 800
Toronto, Ontario, M2J 4Y8
T - 416.229.4647 ext. 2423
F - 416.229.4692
M - 647.262.7267
MBellamy@dillon.ca
www.dillon.ca



Please consider the environment before printing
this email

On 8 April 2016 at 10:10, Bellamy, Megan <mbellamy@dillon.ca> wrote:

Hi Zeljko and Gemma,

My apologies but I hit "send" too quickly. I need to make one quick change and will re-send shortly.

Sorry for the confusion.

Thanks,

Megan

Megan Bellamy
Associate
Dillon Consulting Limited
235 Yorkland Blvd Suite 800
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On 8 April 2016 at 10:08, Bellamy, Megan <mbellamy@dillon.ca> wrote:

Zeljko and Gemma,

On behalf of Loyalist Solar LP, please find attached the initial Project Description Report for your review in order to obtain the Aboriginal list under section 14(1) of O. Reg. 359/09. Please feel free to contact me with any questions or comments.

Best Regards,

Megan

Megan Bellamy
Associate
Dillon Consulting Limited
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*Please consider the environment before printing
this email*

----- Forwarded message -----

From: **Petruniak, Jennifer** <jpetruniak@dillon.ca>

Date: Mon, May 16, 2016 at 10:42 AM

Subject: Meeting this week - Loyalist Solar

To: "Formsma, Julie (MNR)" <julie.formsma@ontario.ca>, "Beal, Jim (MNR)" <jim.beal@ontario.ca>

Cc: Dayna LeClair <dleclair@dillon.ca>

Hi Julie and Jim,

For Thursday this week - I'll be sending over an agenda later this week and bringing along some mapping that we have.

Can I request that we get copies of (digital preferred but paper ok if that's all there is):

- Pennel's Creek PSW
- Mud Creek PSW
- Hinch Swamp Evaluated Wetland (PSW)
- Roblin Swamp Evaluated Wetland
- Roblin Hell Holes Life Science ANSI
- Roblin Hell Holes Earth Science ANSI

Thanks,
Jen



Jennifer Petruniak
Associate
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JPetruniak@dillon.ca
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Bellamy, Megan <mbellamy@dillon.ca>

Fwd: BluEarth - Wetland Evaluations

1 message

Petruniak, Jennifer <jpetruniak@dillon.ca>
To: Megan Bellamy <mbellamy@dillon.ca>

3 February 2017 at 16:50



Jennifer Petruniak
Associate
Dillon Consulting Limited
235 Yorkland Blvd Suite 800
Toronto, Ontario, M2J 4Y8
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JPetruniak@dillon.ca
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----- Forwarded message -----

From: Norris, Todd (MNRF) <todd.norris@ontario.ca>

Date: Fri, May 27, 2016 at 1:50 PM

Subject: BluEarth - Wetland Evaluations

To: "Petruniak, Jennifer (jpetruniak@dillon.ca)" <jpetruniak@dillon.ca>

Cc: "Beal, Jim (MNRF)" <jim.beal@ontario.ca>, "Spang, Elizabeth (MNRF)" <Elizabeth.Spang@ontario.ca>, "Valliant, Emma (MNRF)" <Emma.Valliant@ontario.ca>, "garry@bluearth.ca" <garry@bluearth.ca>, "tom@bluearth.ca" <tom@bluearth.ca>, "Charette, Monique (MNRF)" <monique.charette@ontario.ca>, "Formsma, Julie (MNRF)" <julie.formsma@ontario.ca>, "dleclair@dillon.ca" <dleclair@dillon.ca>, "163674@dillon.ca" <163674@dillon.ca>

Attached are two wetland evaluations for Hinch Swamp Complex and Mud Creek (both PSWs). I'll send Roblin Swamp (non-psw) separately due to file size limitations.

Documentation of any unevaluated wetlands (see blue dotted areas in map below) should also occur. These should be confirmed as wetlands or not. If wetlands, apply boundaries and evaluate them or treat as PSWs.

Todd Norris (Management Biologist)

Ministry of Natural Resources and Forestry

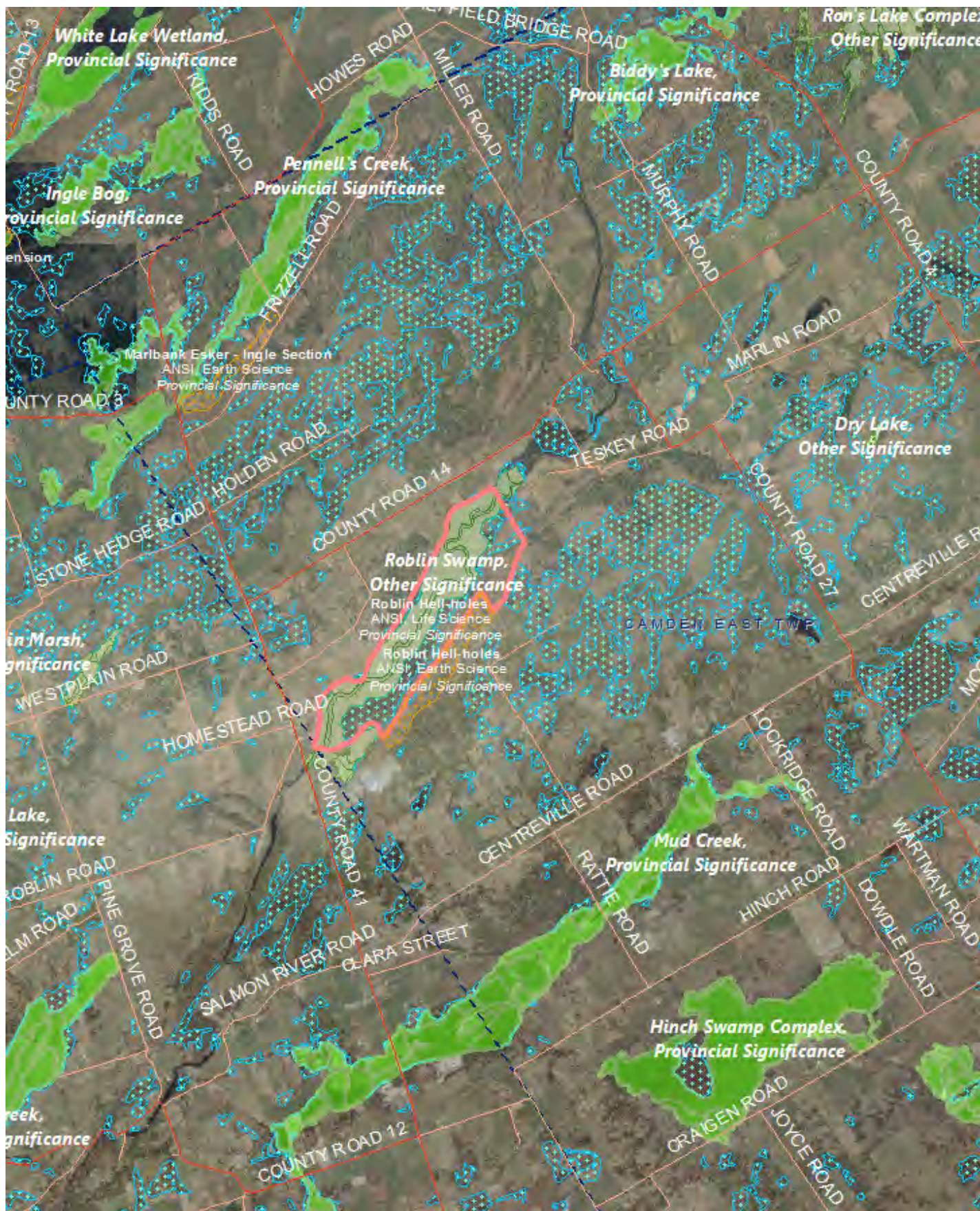
Beechgrove Complex

51 Heakes Lane Kingston, ON.

K7M 9B1

P - 613-531-5728

E - todd.norris@ontario.ca



2 attachments



2012Aug_DesktopUpdate_HinchSwampComplex.xls
5593K



Mud Creek 1985 Evaluation.pdf
1543K

Bellamy, Megan <mbellamy@dillon.ca>

Fwd: Wetland Evaluation and ANSI info.

1 message

Petruniak, Jennifer <jpetruniak@dillon.ca>
To: Megan Bellamy <mbellamy@dillon.ca>

3 February 2017 at 16:50



Jennifer Petruniak
Associate
Dillon Consulting Limited
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Toronto, Ontario, M2J 4Y8
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JPetruniak@dillon.ca
www.dillon.ca

Please consider the environment before printing this email

----- Forwarded message -----

From: Norris, Todd (MNRF) <todd.norris@ontario.ca>

Date: Fri, May 27, 2016 at 1:59 PM

Subject: Wetland Evaluation and ANSI info.

To: "Petruniak, Jennifer (jpetruniak@dillon.ca)" <jpetruniak@dillon.ca>

Cc: "Beal, Jim (MNRF)" <jim.beal@ontario.ca>, "Spang, Elizabeth (MNRF)" <Elizabeth.Spang@ontario.ca>, "Valliant, Emma (MNRF)" <Emma.Valliant@ontario.ca>, "garry@bluearth.ca" <garry@bluearth.ca>, "tom@bluearth.ca" <tom@bluearth.ca>, "Charette, Monique (MNRF)" <monique.charette@ontario.ca>, "Formsma, Julie (MNRF)" <julie.formsma@ontario.ca>, "dleclair@dillon.ca" <dleclair@dillon.ca>, "163674@dillon.ca" <163674@dillon.ca>

Please find attached the wetland evaluation for Roblin Swamp and some info. on the Roblin Hell Holes ANSI.

Thx.

Todd Norris (Management Biologist)

Ministry of Natural Resources and Forestry

Beechgrove Complex

51 Heakes Lane Kingston, ON.

K7M 9B1

P - 613-531-5728

 - todd.norris@ontario.ca

3 attachments



Roblin Swamp 1985 Evaluations.pdf
2185K



Roblin Hell Holes Env Data Card.PDF
223K



20160527135530685.pdf
427K

Ministry of the Environment
and Climate Change

Environmental Approvals
Access and Service
Integration Branch

135 St. Clair Avenue West
1st Floor
Toronto ON M4V 1P5
Tel.: 416 314-8001
Fax: 416 314-8452

Ministère de l'Environnement et de
l'Action en matière de changement
climatique

Direction de l'accès aux
autorisations environnementales
et de l'intégration des services

135, avenue St. Clair Ouest
Rez-de-chaussée
Toronto ON M4V 1P5
Tél : 416 314-8001
Télec. : 416 314-8452



May 17, 2016

Tom Bird,
Director, Regulatory
Loyalist Solar LP, c/o BluEarth Renewables Inc.
34 Harvard Road,
Guelph, ON
N1G 4V8

Dear Mr. Bird:

RE: Notification of Proposed Renewable Energy Project

The Ontario Ministry of the Environment and Climate Change (the Ministry) has reviewed the information provided in the Draft of the Project Description Report (PDR) received for the Loyalist Solar Project. The Ministry has reviewed the anticipated environmental effects of the project (as described in the PDR) relative to its current understanding of the interests of Aboriginal communities in the area.

In accordance with section 14 of Ontario Regulation 359/09 "*Renewable Energy Approvals under Part V.0.1 of the Act*" (O. Reg. 359/09) made under the *Environmental Protection Act*, please find below the list of aboriginal communities who, in the opinion of the Director:

- i) have or may have constitutionally protected aboriginal or treaty rights that may be adversely impacted by the project (s.14(b)(i)).

Aboriginal Community
Alderville First Nation PO Box 46 Roseneath ON K0K 2X0 Phone: (905) 352-2011 Fax: (905) 352-3242 <i>Copy correspondence to:</i>

Karry Sandy-McKenzie
Barrister & Solicitor
Williams Treaties First Nations
Coordinator
8 Creswick Court
Barrie ON L4M 2J7
k.a.sandy-mckenzie@rogers.com
Phone: 705792-5087

Curve Lake First Nation
General Delivery
Curve Lake ON K0L 1R0
Phone: (705) 657-8045
Fax: (705) 657-8708

Copy correspondence to:
Williams Treaties First Nations
Coordinator
Full address above

Hiawatha First Nation
123 Paudash Street
Hiawatha ON
Phone: (705) 295-4421
Fax: (705) 295-4424

Copy correspondence to:
Williams Treaties First Nations
Coordinator
Full address above

Mississauga of Scugog Island First Nation
22521 Island Road
Port Perry ON L9L 1B6
Phone: (905) 985-3337
Fax: (905) 985-8828

Copy correspondence to:
Williams Treaties First Nations
Coordinator
Full address above

Kawartha Nishnawbe
RR4
General Delivery
Burleigh Falls ON K0L 2H0
Phone: (705) 654-4661

Huron Wendat 255 Place Chef Michel Laveau Wendake QC G0A 4V0 Phone: (418) 843-3767 Fax: (418) 842-1108
--

OR

- i) otherwise may be interested in any negative environmental effects of the project (s.14(b)(ii)):

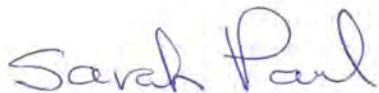
Aboriginal Community Common Name: Contact Information
Mohawks of the Bay of Quinte 1658 York Road Tyendinaga Mohawk Territory ON K0K 1X0
Peterborough and District Wapiti Metis Council 1116 Hayes Street Peterborough ON K9J 5S8 <i>Copy correspondence to:</i> Métis Consultation Unit Métis Nation of Ontario 500 Old St. Patrick Street, Unit D Ottawa ON K1N 9G4 Fax: 613-725-4225
High Lands and Waters Métis Council PO Box 153 Northbrook ON K0H 2G0 <i>Copy correspondence to:</i> Métis Consultation Unit Full address above

The Ministry requires that Loyalist Solar LP, c/o BluEarth Renewables Inc. submit a Consultation Plan in relation to the above noted communities. In developing your Consultation plan the "Required Elements" must be reflected. Please review section 3.2 of the Aboriginal Consultation Guide for preparing a Renewable Energy Approval Application (<https://www.ontario.ca/document/aboriginal-consultation-guide-preparing-renewable-energy-approval-application>) for the Required Elements of a Consultation Plan.

NOTE: None of the foregoing should be taken to imply approval of this project or the contents of the PDR. This letter only addresses the requirement of the Director to provide a list of aboriginal communities to you as required pursuant to section 14 of O. Reg. 359/09. You should also be aware that information upon which the above list of Aboriginal communities is based is subject to change. Aboriginal communities can make assertions at any time, and other developments, for example the discovery of Aboriginal archaeological resources, can occur that may require additional aboriginal communities to be notified. Should this happen, the Ministry will contact you. Similarly, if you receive any feedback from any Aboriginal communities not included in this list, as part of your consultation, the Ministry would appreciate being notified.

Please contact Adam Gunn, Program Support Coordinator Advisor at 416-212-4276 or Adam.Gunn@Ontario.ca should you have any questions or require additional information.

Yours sincerely,



Sarah Paul
Director
Environmental Approvals Access and Service Integration Branch

c: Megan Bellamy, Project Manager, Dillon Consulting Limited.. 235 Yorkland Boulevard, Suite 800, Toronto, ON, M2J 4Y8
The Mohawks of the Bay of Quinte, 24 Meadow Drive, Tyendinaga Mohawk Territory, K0K 1X0

Attc: Required Elements of a Consultation Plan
Aboriginal Consultation Guide for preparing a Renewable Energy Approval Application

21 October 2016

Archaeology Reports
Ministry of Tourism, Culture and Sport
Culture Programs Unit
Programs & Services Branch
401 Bay Street, Suite 1700
Toronto, ON M7A 0A7
Fax: (416) 314-7175

Record of Aboriginal Engagement for original report entitled “Stage 1 and 2 Archaeological Assessments, Loyalist Solar Project, L-006345-SPV-001-054, Township of Stone Mills, Lennox & Addington County, Multiple Lots and Concessions, Geographic Townships of Camden and Sheffield, Lennox & Addington County, Ontario” (PIF #P007-0744-2016).

Both the Mohawks of the Bay of Quinte and the Alderville First Nation were engaged over the course of the Stage 1 and 2 assessments for the Loyalist Solar Project. As discussed in the project report, Loyalist Solar LP is a partnership between BluEarth Renewables Inc. and the Mohawks of the Bay of Quinte. In keeping with the requirements set out in Section 7.6.2 of the *S&Gs*, a description of ARA’s involvement in the process of engagement appears below. The draft technical bulletin on *Engaging Aboriginal Communities in Archaeology* and the *Draft Aboriginal Consultation Guide for Preparing a Renewable Energy Approval (REA) Application* were also consulted for guidance on reporting on the engagement process.

The initial engagement with the Mohawks of the Bay of Quinte and the Alderville First Nation was conducted by Loyalist Solar LP as part of a much larger engagement process for the Loyalist Solar Project. ARA’s role in the engagement process was relatively limited, and consisted primarily of conversations with the Aboriginal Monitors regarding the scheduling of fieldwork and day-to-day activities. The only direct engagement event involved the transmission of a document summarizing the results of fieldwork to Loyalist Solar LP on September 26, 2016 (see Appendix A). A summary of the Aboriginal Monitors who participated in the assessment is presented in Table 1.

Table 1: Summary of Participating Aboriginal Monitors

First Nation	Monitor	Participation
Alderville First Nation	Tracy Yeo	April 25, 27–29, May 3–6, 9–12, 16–17, 26–27, 30–31, June 3, 6–10, 13–14, 16–17 and July 4–5, 11–13, 18, 20, 27–29, 2016
Mohawks of the Bay of Quinte	Sam Jeffries	June 8–10, 13–14, 16–17, July 4–5, 11–13, 18, 20, 27–29, August 8–10, 15, 17–19, 22–24, 29–31 and September 1–2, 12, 2016

In their capacity as Aboriginal Monitors, Mr. Yeo and Mr. Jeffries concurred with the strategies, methods and results of the assessments. It is our understanding that the results of the engagement process and the archaeological field investigations were regularly provided to each Aboriginal community through the Aboriginal Monitors and their coordinators.

Best regards,



Paul J. Racher, M.A., CAHP, Licence #P007

Principal – Management and Senior Review (MSR) Team

Archaeological Research Associates Ltd.

Tel: (519) 804-2291 ext. 100 | Cell: (519) 835-4427 | Fax: (519) 286-0493

pracher@arch-research.com

Appendix A: Letter to Loyalist Solar LP



September 26, 2016

Loyalist Solar LP
c/o BluEarth Renewables Inc.
34 Harvard Rd
Guelph, ON N1G 4V8
Tel: (519) 265-5316
tom@bluearth.ca

RE: Stage 1 and 2 Archaeological Assessment Summary of Finds and Recommendations for the Loyalist Solar Project in Stone Mills Township.

Dear Loyalist Solar LP,

Under a contract awarded by BluEarth Renewables in April 2016, Archaeological Research Associates Ltd. (ARA) carried out the Stage 1 and 2 archaeological assessments of lands with the potential to be impacted by the proposed Loyalist Solar Project in the Township of Stone Mills. This letter summarizes the results of the archaeological fieldwork and recommendations pertaining to archaeological concerns within the study area.

During the Summer of 2016, ARA assessed approximately 303 ha (750.29 ac) of land within the Construction Disturbance Area (CDA) proposed for the Loyalist Solar Project. During the Stage 2 assessment a total of 17 sites containing archaeological materials were identified. Of these locations, four were identified as isolated Euro-Canadian findspots, four were isolated Pre-Contact findspots, four were identified as Pre-Contact flake scatters, four were identified as Euro-Canadian scatters and one site comprised two pieces of archaeological material, Pre-Contact and Euro-Canadian. Of the identified findspots and scatters of archaeological materials it was determined that seven contained Cultural Heritage Value or Interest and would require Stage 3 site specific assessment. Table 1 below summarizes the finds and recommendations for each site.

Table 1: Summary of Finds and Recommendations

Licensee Identifier	Borden	Description	Stage 3 Required	Stage 3 Strategy
NAP021 F21B 1	N/A	Isolated Euro-Canadian Material	No	N/A
NAP021 F21B 2	N/A	Isolated Euro-Canadian Material	No	N/A

Licensee Identifier	Borden	Description	Stage 3 Required	Stage 3 Strategy
NAP021 F21B 3	N/A	Isolated Euro-Canadian Material	No	N/A
NAP021 Field 21 Flk 1	N/A	Isolated Flake	No	N/A
NAP021 Field 21 Flk 2	N/A	Isolated Flake	No	N/A
NAP021 Field 21 Point 1	N/A	Unidentified Projectile Point and Euro-Canadian pipe stem	No	N/A
NAP021 Field 21 Point 2	N/A	Unidentified Projectile Point	No	N/A
NAP022-002	N/A	Pre-Contact Scatter	No	N/A
NAP038-1	N/A	Unidentified Projectile Point	No	N/A
NAP038-2	N/A	Isolated Euro-Canadian Coin	No	N/A
NAP013-004	BcGf-12	Large Pre-Contact Scatter	Yes	Large plough disturbed 5 m grid over artifact concentrations with 20% infill and 10% periphery
NAP021-3	BcGf-13	Euro-Canadian Cabin Site	Yes	10 m grid with 40% infill
NAP022-001	BcGf-8	Pre-Contact Scatter	Yes	No longer within CDA - Avoidance and Protection recommended
NAP038-002 (aka NAP038-3)	BcGf-10	Euro-Canadian Scatter	Yes	10 m grid with 40% infill
NAP038-003 (aka NAP038-4)	BcGf-11	Euro-Canadian Scatter	Yes	5 m grid with 20% infill
NAP120-001	BcGf-7	Thomson Site	Yes	Stage 3 completed and will require Stage 4 mitigation

Licensee Identifier	Borden	Description	Stage 3 Required	Stage 3 Strategy
Sheffield Bridge Road	BcGf-9	Multi-component Pre-Contact (POTTERY)	Yes	5 m grid with 20% infill

Given that the Stage 3 excavation has already been conducted for the NAP120-001 and that NAP022-001 is no longer within the CDA, Stage 3 will only be required for BcGf-9, BcGf-10, BcGf-11, BcGf-12, and BcGf-13.

We welcome your contribution to the project and are always happy to address any concerns that may arise.



Paul Racher, MA, CAHP, RPA
Principal - Management and Senior Review (MSR) Team
 219-900 Guelph Street, Kitchener, ON, N2H 5Z6
 P 519.804.2291 x100 | M 519.835.4427 | F 519.286.0493
 E pracher@arch-research.com
www.arch-research.com

06 January 2017

Loyalist Solar

Summary of Stakeholder Consultation/Engagement – Quinte Conservation (“QC”)

Date	Communication
2016	
11 May	Jennifer Petruniak (Dillon Consulting Limited (“Dillon”)) sent an email to QC requesting a Project kick-off meeting to introduce the Project.
11 May	Phone call received by Dillon indicating that QC staff are available for an initial meeting later in May/early June.
30 May	Dillon left voice message with QC (Paul McCoy, Planning and Regulations Manager,) requesting a meeting during the week 06 – 10 June.
03 June	Dillon received email from QC indicating their availability for a meeting on 09 June.
08 June	Dillon emailed QC (Paul McCoy) the agenda for the meeting on 09 June.
09 June	Loyalist Solar LP meet with QC (Paul McCoy, Planning and Regulations Manager, Christine McClure, Water Resources Manager, Tim Trustham, Ecologist/ Planner, and Mark Boone, Hydrogeologist) for initial Project kick-off meeting. The purpose of the meeting was to provide background information on the Project, the REA process and related natural environment studies, to request environmental information that may be relevant to the Project, stormwater management, hydrogeology, source water and Project engineering.
07 July	Draft meeting minutes provided to QC from Dillon for review and comment
11 July	Final meeting minutes provided to QC
28 July	Email to QC (Paul McCoy) from Loyalist Solar LP informing QC that the drilling rig for the hydrogeological investigation would be on-site on 02 August 2016.
24 August	Phone message left by Loyalist Solar LP to QC (Paul McCoy) requesting a follow-up meeting to build upon information shared during first meeting.
29 August	Phone call from Loyalist Solar LP to QC (Paul McCoy) requesting another meeting to provide an update on the Project planning and to discuss permitting requirements and timelines.
31 August	Email from Loyalist Solar LP to QC (Paul McCoy) enquiring about potential meeting dates. Requested floodplain mapping for the Salmon River. Sent map showing Project location and alternative connection line routes under consideration.
08 September	Email sent by Loyalist Solar LP to QC (Paul McCoy) asking for potential meeting dates for early October.
03 October	Email sent by Loyalist Solar LP to QC (Paul McCoy) asking for potential meeting dates for October.
11 October	Email sent by Loyalist Solar LP to QC (Paul McCoy) asking for potential dates that Paul and his colleagues would be available for a meeting.

Date	Communication
13 October	Email from QC (Paul McCoy) indicating that the first opportunity for a meeting would likely be in two weeks.
13 October	Reply email sent by Loyalist Solar LP to QC (Paul McCoy) asking to be kept informed about potential meeting dates once QC has determined them.
21 October	Email from LPV LP enquiring if a meeting date has been determined by QC
24 October	Email from QC (Paul McCoy) indicating that a common date suitable to other QC colleagues is turning out to be difficult. QC suggested Loyalist Solar LP suggest a meeting date.
24 October	Email from Loyalist Solar LP indicating meetings dates would be suggested after checking with Project team. Requested floodplain mapping for Salmon River be sent.
26 October	Email from Loyalist Solar LP to QC (Paul McCoy) suggesting a meeting the week of 21 – 25 November so that the preliminary results of the hydrogeological investigation would be available for discussion.
07 November	Email from Loyalist Solar LP to QC (Paul McCoy) seeking an update as to whether QC staff would be available for a meeting the week of 21 – 25 November. Also requested floodplain mapping for the Salmon River.
08 November	Email from QC (Paul McCoy) to Loyalist Solar LP asking if a meeting would be acceptable on 21 November.
09 November	Email from Loyalist Solar LP to QC (Paul McCoy) indicating 21 November was not possible. Requested meeting on 22, 23, or 25 November.
10 November	Email from QC (Paul McCoy) to Loyalist Solar LP confirming a meeting date of 22 November.
14 November	Email from Loyalist Solar LP to QC (Paul McCoy) indicating that a 22 November was acceptable.
21 November	Loyalist Solar LP sent QC (Paul McCoy) an agenda outlining the proposed areas of discussion for the meeting on November 22.
22 November	Meeting with Loyalist Solar LP reps and the project hydrogeologist and QC (Paul McCoy, Planning and Regulations Manager, Christine McClure, Water Resources Manager, and Tim Trustham, Ecologist, Planner) at QC office. Loyalist Solar LP provided an overview of project advancements, including the natural environment surveys completed, adjustments to the preliminary site layout based on natural environment surveys results and stakeholder consultation, the project schedule, the status of the REA reports, and forthcoming studies (stormwater management, ESC, grading plan, etc.). The project hydrogeologist provided a .ppt presentation outlining the preliminary findings and interpretations of the hydrogeological investigation under way at the project site. Discussion around SAR and alvars. Discussed requirements and information needs associated with future QC permitting. Loyalist Solar LP requested floodplain mapping relevant to the project. QC indicated floodplain mapping is available for only the Salmon River and will send .pdfs and GIS shapefiles to Loyalist Solar LP.
23 November	QC sent .pdf copies of the relevant floodplain mapping of the Salmon River to Loyalist Solar LP.



200, 4723 – 1 Street SW
Calgary AB T2G 4Y8
T 403.668.1575
blueearthrenewables.com

November 18, 2016

Dear Stakeholder,

RE: Loyalist Solar Project

Notice of Public Meeting and REA Documents Posting

At BluEarth Renewables we believe in keeping our neighbours and landowners informed about our projects. We are contacting you today to provide a project update and let you know about our upcoming public meeting on January 31, 2016. As described in the enclosed notice, the next public meeting will be held on January 31, 2017 at the Newburgh Community Hall from 5:30 to 8:30 pm. Also, as stated in the notice, draft Renewable Energy Approval documents have been prepared and are available for your review at several locations. We welcome your thoughts on these documents and our project in general.

The Loyalist Solar Project (the "Project") is proposed to be located in Township of Stone Mills, Lennox & Addington County, Ontario. The Project site is generally bounded by County Road 41 to the west, County Road 27 to the east, Craigen Road to the south, and the Salmon River to the north. Please see the map in the enclosed notice.

The Project is being developed by Loyalist Solar LP, a partnership between the Mohawks of the Bay of Quinte and BluEarth Renewables Inc., in response to a contract awarded by the Government of Ontario through its Large Renewable Procurement ("LRP I") initiative.

Consultation and outreach efforts for the Project have been ongoing since last year, when we distributed information and held the first public meetings in July and August 2015, prior to being awarded the LRP I contract. Since then, we held another public meeting in June 2016, and have been in the community listening to neighbours, stakeholders, meeting with the Township, conducting studies and assessments, and preparing for the next steps of the Project.

Over the past several months we have been completing environmental and engineering studies that have informed the Project design and have fulfilled the information requirements for completing the draft Renewable Energy Approval documents. These documents will be submitted to the Ontario Ministry of the Environment and Climate Change ("MOECC") for their consideration in providing the Renewable Energy Approval (REA) Once the REA is received, the Project can be constructed. Prior to the REA submission, our stakeholders and members of the public will have an opportunity to review the documents and submit questions or comments to the Project team.

Anticipated Project Schedule:

Date	Activity
January 31, 2017	Public Meeting #2
February 2017	REA application to MOECC
September 2017	REA approval by the MOECC
October 2017 – October 2018	Construction
November 2018	Commercial Operation

Your feedback remains very important to us and we hope to see you at the next public meeting. Should you have any questions or comments please feel free to contact **Mike Jablonicky at (226) 567-1246**. Further information, as well as the REA documents, is available on the Project website: www.blueearthrenewables.com/Loyalist.

With warm wishes for the Holiday season and kindest regards,

Andrea Garcia
Lead, Development
Andrea@bluearth.ca | 1-844-214-2578
Encl. Notice of Second Public Meeting

Ministry of Tourism, Culture and Sport

Culture Programs Unit
Programs and Services Branch
Culture Division
401 Bay Street, Suite 1700
Toronto ON M7A 0A7
Tel.: 416-314-2120
Email: Andrea.Williams@ontario.ca

Ministère du Tourisme, de la Culture et du Sport

Unité des programmes culturels
Direction des programmes et des services
Division de culture
401, rue Bay, bureau 1700
Toronto ON M7A 0A7
Tél. : 416-314-2120
Email: Andrea.Williams@ontario.ca



December 6, 2016

Paul Racher (P007)
Archaeological Research Associates Ltd.
900 Guelph St.
Kitchener ON
N2H 5Z6

RE: Review and Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "Stage 1 and 2 Archaeological Assessments, Loyalist Solar Project, L-006345-SPV-001-054, Township of Stone Mills, Multiple Lots and Concessions, Geographic Townships of Camden and Sheffield, Lennox & Addington County, Ontario", Dated Nov 24, 2016, Filed with MTCS Toronto Office on Nov 25, 2016, MTCS Project Information Form Number P007-0744-2016

Dear Mr. Racher:

This office has reviewed the above-mentioned report, which has been submitted to this ministry as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, R.S.O. 1990, c 0.18.¹ This review has been carried out in order to determine whether the licensed professional consultant archaeologist has met the terms and conditions of their licence, that the licensee assessed the property and documented archaeological resources using a process that accords with the 2011 *Standards and Guidelines for Consultant Archaeologists* set by the ministry, and that the archaeological fieldwork and report recommendations are consistent with the conservation, protection and preservation of the cultural heritage of Ontario.²

¹ This letter constitutes the Ministry of Tourism, Culture and Sport's written comments where required pursuant to section 22 of O. Reg. 359/09, as amended (Renewable Energy Approvals under the Environmental Protection Act), regarding the archaeological assessment undertaken for the above-captioned project. Depending on the study area and scope of work of the archaeological assessment as detailed in the report, further archaeological assessment reports may be required to complete the archaeological assessment for the project under O. Reg. 359/09. In that event Ministry comments pursuant to section 22 of O. Reg. 359/09 will be required for any such additional reports.

² In no way will the ministry be liable for any harm, damages, costs, expenses, losses, claims or actions that may result: (a) if the Report(s) or its recommendations are discovered to be inaccurate, incomplete, misleading or fraudulent; or (b) from the issuance of this letter. Further measures may need to be taken in the event that additional artifacts or archaeological sites are identified or the Report(s) is otherwise found to be inaccurate, incomplete, misleading or fraudulent.

The report documents the assessment/mitigation of the study area as depicted in Maps 12-28 and SD Maps 4-9 of the above titled report and recommends the following:

“The Stage 1 assessment determined that the study area comprised a mixture of areas of archaeological potential and areas of no archaeological potential. The Stage 2 assessment of the identified areas of archaeological potential resulted in the identification of 16 locations of archaeological materials: Pre-Contact Findspot 2, Findspot 4, Findspot 9 (BcGf-8), Findspot 10 (BcGf-15), Findspot 11 (BcGf-9) and Findspot 12; Euro-Canadian Findspot 1 (BcGf-7), Findspot 5, Findspot 6 (BcGf-14), Findspot 7, Findspot 8 (BcGf-13), Findspot 11 (BcGf-9), Findspot 13, Findspot 14 (BcGf-10) and Findspot 15 (BcGf-12); and multi-component Findspot 3. Findspots 1, 8, 9, 11, 14, 15 and 16 were found to be of further CHVI, whereas Findspots 2, 3, 4, 5, 6, 7, 10, 12 and 13 were found to be of no further CHVI. All of the sites fall within the project location, save for Findspot 9 (BcGf-8). This site was avoided through a project redesign associated with the identification of a Loggerhead Shrike nest and is currently 80 m south of the project location.

Regarding the project location/Construction Disturbance Area, ARA recommends that 1) Findspots 1, 8, 9, 11, 14, 15 and 16 be subject to Stage 3 site-specific assessment in advance of construction, 2) Findspots 2, 3, 4, 5, 6, 7, 10, 12 and 13 do not require further archaeological assessment and 3) the remainder of the project location does not require further archaeological assessment. The associated recommendations are summarized in Table 24.

Table 24: Project Location – Summary of Recommendations

Location	Description	Further CHVI?	Recommendation/Strategy
Findspot 1 (BcGf-7)	Euro-Canadian scatter (19 x 14 m)	Yes	Small Post-Contact site of unclear CHVI
Findspot 2	Pre-Contact scatter (15 x 1 m)	No	No further assessment required
Findspot 3	Pre-Contact and Euro-Canadian scatter (2 x 1 m)	No	No further assessment required
Findspot 4	Isolated Pre-Contact find	No	No further assessment required
Findspot 5	Isolated Euro-Canadian find	No	No further assessment required
Findspot 6 (BcGf-14)	Euro-Canadian scatter (1 x 1 m)	No	No further assessment required
Findspot 7	Isolated Euro-Canadian find	No	No further assessment required
Findspot 8 (BcGf-13)	Euro-Canadian scatter (30 x 12 m)	Yes	Small Post-Contact site of unclear CHVI
Findspot 10 (BcGf-15)	Pre-Contact scatter (4 x 1 m)	No	No further assessment required
Findspot 11 (BcGf-9)	Middle Archaic and Woodland scatter (4 x 1 m)	Yes	Small Pre-Contact site of unclear CHVI
Findspot 12	Isolated Pre-Contact find	No	No further assessment required
Findspot 13	Isolated Euro-Canadian find	No	No further assessment required
Findspot 14 (BcGf-10)	Euro-Canadian scatter (111 x 52 m)	Yes	Small Post-Contact site of clear CHVI
Findspot 15 (BcGf-11)	Euro-Canadian scatter (38 x 26 m)	Yes	Small Post-Contact site of unclear CHVI
Findspot 16 (BcGf-12)	Archaic, Middle Archaic and Early Woodland scatter (400 x 192 m)	Yes	Large plough-disturbed lithic scatter strategy

As small or moderately sized deposits, an appropriate assessment method for Findspots 1, 8, 11 and 15 would comprise test unit excavation using the strategy for Pre-Contact or Post-Contact sites where it is not yet evident that the level of CHVI will result in a recommendation to proceed to Stage 4. This would involve the excavation of grid test units at a 5 m interval across each site and additional test units amounting to at least 20% of the grid unit total in areas of interest. Given that Findspots 1 and 15 are located within agricultural fields, test unit excavation must be preceded by a complete CSP (with re-cultivation and weathering if ground surface visibility has decreased since the Stage 2 assessment).

In accordance with best practices for larger Euro-Canadian sites (MTCS 2014:13), an appropriate assessment method for Findspot 14 would comprise test unit excavation using the strategy for Pre-Contact or Post-Contact sites where it is clearly evident that the level of CHVI will result in a recommendation to proceed to Stage 4. This would involve the excavation of grid test units at a 10 m interval across the site and additional test units amounting to at least 40% of the grid unit total in areas of interest. If this strategy does not provide enough information on which to base a determination that the site should or should not proceed to Stage 4, then the strategy for Pre-Contact or Post-Contact sites where it is not yet evident that the level of CHVI will result in a recommendation to proceed to Stage 4 should be utilized. This would involve the excavation of grid test units at a 5 m interval across the site extent and additional test units amounting to at least 20% of the grid unit total in areas of interest. Given that Findspot 14 is located within an agricultural field, test unit excavation must be preceded by a complete CSP (with re-cultivation and weathering if ground surface visibility has decreased since the Stage 2 assessment).

As a large and diffuse lithic scatter, an appropriate assessment method for Findspot 16 would comprise test unit excavation using the strategy for plough-disturbed, large, multi- or single-component sites. This would involve the excavation of grid test units at a 5 m interval across the identified artifact concentrations, additional test units amounting to at least 20% of the grid unit total within the remainder of the site extent and further additional test units amounting to at least 10% of the grid unit total on the periphery of the scatter. Given that a complete CSP has already been conducted at Findspot 16, an additional CSP is not required.

Regardless of the specific strategy employed, all test units must be excavated stratigraphically into at least the first 5 cm of subsoil, and all soils must be screened through mesh with an aperture of no greater than 6 mm. If a potential cultural feature is uncovered, the exposed plan of the feature must be recorded and geotextile fabric must be placed over the unit floor prior to backfilling (MTC 2011:49). Section 3.2.2 Guideline 3 states that exposed cultural features may be excavated during a Stage 3 assessment only if the information is required to inform a recommendation for or against a Stage 4 mitigation of development impacts (MTC 2011:49).

Regarding the additional lands previously under consideration for development (i.e., areas removed from the project design and included in the subject report in fulfillment of archaeological licensing requirements), it is recommended that 1) Findspot 9 be subject to Stage 3 site-specific assessment if any future developments are contemplated, 2) the portion of the Hinch Road ROW adjacent to the Camden Fifth Cemetery (within the additional lands) be subject to a Stage 3 burial site investigation if any future developments are contemplated, 3) that the identified areas of archaeological potential

along Lockridge Road (within the additional lands) be subject to a Stage 2 assessment if any future developments are contemplated and 4) that the remainder of the additional lands do not require further archaeological assessment. The associated recommendations are summarized in Table 25.

Table 25: Additional Lands – Summary of Recommendations

Location	Description	Further CHVI?	Recommendation/Strategy
Findspot 9 (BcGf-8)	Late Woodland scatter (7 x 7 m)	Yes	Small Pre-Contact site of unclear CHVI
Hinch Road ROW	Lands adjacent to Camden Fifth Cemetery	Unknown	Burial Site Investigation
Lockridge Road ROW	Areas of archaeological potential	Unknown	Test pit survey

An appropriate assessment method for Findspot 9 would comprise test unit excavation using the strategy for Pre-Contact or Post-Contact sites where it is not yet evident that the level of CHVI will result in a recommendation to proceed to Stage 4. This would involve the excavation of grid test units at a 5 m interval across the site and additional test units amounting to at least 20% of the grid unit total in areas of interest. All test units must be excavated stratigraphically into at least the first 5 cm of subsoil, and all soils must be screened through mesh with an aperture of no greater than 6 mm. If a potential cultural feature is uncovered, the exposed plan of the feature must be recorded and geotextile fabric must be placed over the unit floor prior to backfilling (MTC 2011:49). Section 3.2.2 Guideline 3 states that exposed cultural features may be excavated during a Stage 3 assessment only if the information is required to inform a recommendation for or against a Stage 4 mitigation of development impacts (MTC 2011:49). Stage 4 avoidance and protection during construction for the Loyalist Solar Project will not be required as the 20 m protective buffer and 50 m monitoring buffer fall outside of the project location (see SD Map 9).

Regarding the portion of the Hinch Road ROW adjacent to the Camden Fifth Cemetery, the Stage 3 burial site investigation must be conducted in accordance with Section 3.3.3 (Assessment of Sites in Deeply Buried Conditions) of the S&Gs (MTC 2011:55–56). Although specific to Stage 4 excavations, the concepts set out in Section 4.2.3 (Excavation by Mechanical Topsoil Removal) of the S&Gs (MTC 2011:78–79) should also be considered. In order to confirm the extent of the cemetery, the deeply buried survey should comprise the mechanical excavation of the portion of the ROW to be impacted. An excavator or backhoe with an articulated wrist and a straight-bladed bucket must be utilized so that potential resources are not damaged. The mechanical excavation should continue until the subsoil interface is reached, and the interface must then be immediately subjected to a close examination for potential colour and texture changes that could be indicative of the tops of grave shafts or other cultural features. Shovel shining must be utilized to further clarify the interface. If any cultural features are encountered, they must be fully documented and mapped in order to satisfy the requirements and objectives set out in *Funeral, Burial and Cremation Services Act*, 2002, O. Reg. 30/11 Section 174 and the S&Gs (MTC 2011). Mechanical excavation must extend a minimum of 10 m beyond the outermost burial features, as required by Section 4.3 of the S&Gs (MTC 2011:Table 4.1). It is understood that the extension of mechanical excavation into the ROW would be limited by roadway stability and drainage

requirements. It is recommended that the Bereavement Authority of Ontario be engaged throughout this process (if the investigation is ever required).

Regarding the identified areas of archaeological potential within the Lockridge Road ROW, the Stage 2 assessment must be conducted in accordance with Section 2.1 of the S&Gs (MTC 2011:28–39). Given that the areas of archaeological potential consist of non-agricultural lands, it is recommended that the test pit survey method be utilized to complete the assessment. A test pit survey interval of ≤ 5 m will be required due to the proximity of the lands to the identified features of archaeological potential. Each test pit must be excavated into at least the first 5 cm of subsoil, and the resultant pits must be examined for stratigraphy, potential features and/or evidence of fill. The soil from each test pit must be screened through mesh with an aperture of no greater than 6 mm and examined for archaeological materials. If archaeological materials are encountered, all PTPs must be documented and intensification may be required.

Due to the number of parcels involved in the assessments and the variety of recommendations, the results of the investigation are relatively complex. For clarity and quick reference, a summary of archaeological concerns by parcel is provided in Table 26.

Table 26: Archaeological Concerns by Parcel

Parcel	Archaeological Concerns
NAP038	Further Concerns
NAP120/NAP030	Further Concerns
NAP118	No Further Concerns
NAP023	No Further Concerns
NAP768 (Hinch Road)	Further Concerns
NAP021	Further Concerns
NAP022	Further Concerns
NAP010/011/022/124 (Rattie Road)	No Further Concerns
NAP013	Further Concerns
NAP554 (Lockridge Road)	Further Concerns
NAP011	No Further Concerns
NAP012/NAP553	No Further Concerns
NAP454/497/552/542 (Centreville Road)	No Further Concerns
NAP454 (North of Centreville Road)	No Further Concerns
NAP382/389/420 (County Road 27)	No Further Concerns
NAP284/361/370/377 (Teskey Road)	No Further Concerns
NAP251/252/320/323 (Marlin, Edges and Murphy Road)	No Further Concerns
NAP235/237/282/ 283/284/294 (North of Teskey Road)	No Further Concerns
NAP163/165/175/199 (Miller Road)	No Further Concerns
NAP185 (Haggerty Road East and West)	No Further Concerns
NAP162/175/725 + No Identifier (Murphy and Sheffield Bridge Road)	Further Concerns
NAP160	No Further Concerns

It is requested that this report be entered into the *Ontario Public Register of Archaeological Reports*, as provided for in Section 65.1 of the *Ontario Heritage Act*.”

Based on the information contained in the report, the ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 *Standards and Guidelines for Consultant Archaeologists* and the terms and conditions for archaeological licences. This report has been entered into the Ontario Public Register of Archaeological Reports. Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.

Should you require any further information regarding this matter, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Andrea K. Williams". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Andrea K. Williams
Archaeology Review Officer

cc. Archaeology Licensing Officer
Tom Bird, BluEarth Renewables Inc.

January 27th, 2017

Loyalist Solar LP
c/o BLUEARTH Renewables Inc.
34 Harvard Road
Guelph, ON N1G 4V8

RE: NHA Confirmation for Loyalist Solar LP Project

Dear BLUEARTH Renewables Inc.,

In accordance with the Ministry of the Environment's and Climate Change (MOECC's) Renewable Energy Approvals (REA) Regulation (O.Reg.359/09), the Ministry of Natural Resources & Forestry (MNRF) has reviewed the Loyalist Solar LP Natural Heritage Assessment and Environmental Impact Study (January 2017) for Loyalist Solar LP Project in the Township of Stone Mills, County of Lennox & Addington Ontario submitted by BLUEARTH Renewables Inc. on **January 27, 2017**.

In accordance with Section 28(2) and 38(2)(b) of the REA regulation, MNRF provides the following confirmations following review of the natural heritage assessment:

1. The MNRF confirms that the determination of the existence of natural features and the boundaries of natural features was made using applicable evaluation criteria or procedures established or accepted by MNRF.
2. The MNRF confirms that the site investigation and records review were conducted using applicable evaluation criteria or procedures established or accepted by MNRF, if no natural features were identified.
3. The MNRF confirms that the evaluation of the significance or provincial significance of the natural features was conducted using applicable evaluation criteria or procedures established or accepted by MNRF.
4. The MNRF confirms that the project location is not in a provincial park or conservation reserve.
5. The MNRF confirms that the environmental impact study report has been prepared in accordance with procedures established by the MNRF.

In accordance with Section 28(3)(c) and 38(2)(c), MNRF also offers the following comments in respect of the project.

Preconstruction Monitoring

In accordance with Appendix D of MNRF's NHA Guide, a commitment has been made to complete pre-construction assessment(s) of habitat use for the following candidate significant wildlife habitats:

- i) Waterfowl Stopover and Staging Area Terrestrial (WSST1, WSST2, WSST3, WSST4, WSST5, WSST6, WSST7, WSST8, WSST9, WSST10)
- ii) Waterfowl Stopover and Staging Area Aquatic (WSSA1, WSSA2, WSSA4)

MNRF has reviewed and confirmed the assessment methods and the range of mitigative options. Pending completion of the assessments and determination of significance, the appropriate mitigation is expected to be implemented, as committed to in the environmental impact study.

Post-Construction Monitoring

A commitment has been made in the Environmental Impact Study and will be included in the Environmental Effects Monitoring Plan, part of the Design and Operations Report, to conduct post-construction monitoring should the pre-construction monitoring (as outlined above) deem the wildlife habitat to be significant. For the Loyalist Solar LP Project this includes:

- i) Waterfowl Stopover and Staging Area Terrestrial (WSST1, WSST2, WSST6, WSST7, WSST8),
- ii) Waterfowl Stopover and Staging Area Aquatic (WSSA1, WSSA2, WSSA4)

A commitment has been made in the Environmental Impact Study and will be included in the Environmental Effects Monitoring Plan, part of the Design and Operations Report, to conduct post-construction monitoring. For the Loyalist Solar LP Project this includes:

- i) Significant Other Rare Vegetation Community (ALV6, ALV21)
- ii) Significant Carolina Whitlow Grass Habitat
- iii) Amphibian Breeding Habitat (Woodland) (ABHWO1, ABHWO2, ABHWO6, ABHWO10)
- iv) Woodland Area-Sensitive Bird Breeding Habitat (ASBB1, ASBB2, ASBB3)
- v) Common Nighthawk (CN1)
- vi) Red-headed Woodpecker (RHW02)
- vii) Eastern Wood-Pewee (EAWP1, EAWP2, EAWP3, EAWP4)
- viii) Wood Thrush (WOTH1, WOTH4)
- ix) Large Yellow Pond Lily

This confirmation letter is valid for the project as proposed in the natural heritage assessment and environmental impact study, including those sections describing the Environmental Effects Monitoring Plan and Construction Plan Report. Should any changes be made to the proposed project that would alter the NHA, MNRF may need to undertake additional review of the NHA.

Where specific commitments have been made by the applicant in the NHA/EIS with respect to project design, construction, rehabilitation, operation, mitigation, or monitoring,

MNRF expects that these commitments will be considered in MOECC's Renewable Energy Approval decision and, if approved, be implemented by the applicant.

In accordance with S.12 (1) of the Renewable Energy Approvals Regulation, this letter must be included as part of your application submitted to the MOECC for a Renewable Energy Approval.

Please be aware that your project may be subject to additional legislative approvals as outlined in the Ministry of Natural Resources and Forestry's *Approvals and Permitting Requirements Document*. These approvals are required prior to the construction of your renewable energy facility.

If you wish to discuss any part of this confirmation or additional comments provided, please contact Erin Cotnam, Southern Regional Land Use Planning Supervisor at 705-755-3268 or erin.cotnam@ontario.ca.

Sincerely,



Erin Cotnam

cc Mohsen Keyvani, Environmental Approvals Branch, MOECC
Jennifer Petruniak, Dillon Consulting Limited