

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