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August 4, 2010

Genivar
600 Cochrane Drive, 5th Floor
Markham, Ontario
L3R 5K3

RE: Nextera Conestogo Wind Farm Project, Wellington County, Ontario, FIT Reference # FIT-FU99SSX, MTC File HD00362, PIF # P057-359-2007 and P057-624-2010

Dear Proponent:

This letter constitutes the Ministry of Tourism and Culture's written comments as required by s. 22(3)(a) of O. Reg. 359/09 under the *Environmental Protection Act* regarding archaeological assessments undertaken for the above project.

Based on the information contained in the reports you have submitted for this project, the Ministry believes the archaeological assessment complies with the *Ontario Heritage Act's* licensing requirements, including the licence terms and conditions and the Ministry's 1993 Archaeological Assessment Technical Guidelines. Please note that the Ministry makes no representation or warranty as to the completeness, accuracy or quality of the Reports.*

The reports recommend the following:

Stage 1 Report (P057-359-2007)

1. A Stage 2 archaeological assessment should be conducted wherever the proposed Conestogo Wind Farm Project facilities will encroach into areas exhibiting archaeological potential (Figure 3: highlighted in gray), in accordance with the Ministry of Culture's draft *Standards and Guidelines for Consultant Archaeologists* (MCL 2006). This work is required in order to identify any archaeological remains that may be present in advance of possible construction disturbances;
2. Once detailed project mapping is available, the archaeological potential of all project sites must be field verified under acceptable viewing conditions in order to further refine areas that require a Stage 2 archaeological assessment (see Recommendation 1), and/or to clear areas determined to have low or no archaeological potential due to disturbance, excessive slope, or wet/low-lying soil conditions;
3. Should deeply buried archaeological remains be found during construction activities, the Heritage Operations Unit of the Ministry of Culture should be notified immediately; and
4. In the event that human remains are encountered during construction, the proponent should immediately contact both the Ontario Ministry of Culture and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ontario Ministry of Government Services, Consumer Protection Branch at (416) 326-8404 or toll free at 1-800-889-9768.

Stage 1 Report Addendum (P057-624-2010)

1. A Stage 2 archaeological assessment is recommended in advance of any proposed construction impact on any lands (e.g. turbine sites, associated access roads, and crane paths) within the study area where there is potential for archaeological sites (based on the results of the Stage 1 property inspection), in accordance with the *Draft Standards and Guidelines for Consultant Archaeologists* (MCL 2009). While impact may be expected on access roads, turbine work sites, off-road crane paths, and buried electrical lines, the Stage 2 assessment must examine and clear all designated work sites prior to construction;
2. Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48 (1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out archaeological fieldwork, in compliance with sec. 48 (1) of the *Ontario Heritage Act*; and
3. The Cemeteries Act requires that any person discovering human remains must notify the police or coroner and the Registrar of cemeteries, Ministry of Small Business and Consumer Services.

The Ministry is satisfied with these recommendations.

This letter does not waive any requirements which you may have under the *Ontario Heritage Act*. A separate letter addressing archaeological licensing obligations under the Act will be sent to the archaeologist who completed the assessment and will be copied to you.

This letter does not constitute approval of the renewable energy project. Approvals of the project may be required under other statutes and regulations. It is your responsibility to obtain any necessary approvals or licences.

Please feel free to contact me if you have questions or require additional information.

Sincerely,

Shari Prowse
Archaeology Review Officer

cc. Mr. Rob Phil, Archaeological Services Inc.

* 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.