

**Ministry of Tourism, Culture and Sport
Confirmation Letter**

Dated: October 16, 2012

**Ministry of Tourism,
Culture and Sport**

Culture Programs Unit
Programs & Services Br.
900 Highbury Avenue
London, ON N5Y 1A4
Tel: 519-675-6898
Fax: 519-675-7777
e-mail: shari.prowse@ontario.ca

**Ministère du Tourisme,
de la Culture et du Sport**

Unité des programmes culturels
Direction des programmes et des services
900, av. Highbury
London, ON N5Y 1A4
Tél: 519-675-6898
Télé: 519-675-7777
e-mail: shari.prowse@ontario.ca



October 16, 2012

Ms Sarah Palmer
Capitol Power Corporation
70 York Street, Suite 1720
Toronto, Ontario
M5J 1S9
spalmer@capitolpower.com

RE: K2 Wind Power Project, Township of Ashfield-Colborne-Wawanosh, Huron County, MOE File No. F-002454-WIN-KCI-601, MTCS File HD00231, CIF # 2002-005-035, P064-061, PIF #'s P064-284-2009, P083-194-2011, P349-025-2012, P349-040-2012, and P083-210-2012

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 or the 2011 Standards and Guidelines for Consultant Archaeologists (whichever apply). 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 & 2, 2002-005-035, February 2004, Received on February 26, 2004, Accepted into the Ontario Public Register of Reports on May 14, 2004

The Stage 2 examination resulted in the identification of two locations producing pre-contact Aboriginal artifacts and one location producing 19th century Euro-Canadian culture material. Due to the potential significance and information potential of the Euro-Canadian site it is

recommended it be subject to additional Stage 3 investigative work if it cannot be avoided adequate protection in advance of development.

Stage 1, P064-061, April 2006, Received April 26, 2006, Accepted into the Ontario Public Register of Reports on February 13, 2012

A Stage 1 archaeological assessment was conducted for a series of properties in Ashfield Township in Huron County, Ontario. The properties are within Phase II of the Kingsbridge Wind Power Project. All of the properties show high potential for the recovery of both historic and precontact aboriginal archaeological resources. As such, a Stage 2 assessment will be required prior to construction.

Stage 2, P064-061, October 2007, Received October 19, 2007

A Stage 2 archaeological assessment was conducted for a proposed switchyard property comprising part of Lot 6, Concession 7 (E.D.) in the geographic township of Ashfield. The switchyard will be constructed as part of the second phase of the Kingsbridge Wind Power Project. A combined pedestrian and test pit survey did not result in the discovery of archaeological resources within the areas examined. As such, there appears to be no further concerns for this area and construction should be allowed to proceed.

Stage 2, P064-284-2009, Revised January 2012, Received March 5, 2012, Accepted into Ontario Public Register of Reports on April 13, 2012

Based on the current Project layout, all of the proposed turbine footprints, crane routes and access roads have been assessed. Met Towers 1 and 5 have not been assessed but are now not being considered as options for construction. No surveys have yet to be carried out for the proposed overhead and underground power line collector system proposed within the Municipal road allowance. All of the other proposed installations fall within the foot prints and buffers surveyed for the turbines, crane routes, access roads, transformer station and switchyard/substation sites. If construction plans change to incorporate new, additional lands, Stage 2 survey will be required.

Fifty-six artifact locations were noted on leasehold properties affected by the current layout and subject to Stage 2 survey. A large number of sites are deemed worthy of Stage 3 testing based on provincial standards and precedents or SON archaeological protocols. However, many of these sites do not fall within currently proposed areas of impact as they are on distant portions of their respective properties or the layout and location of construction areas has been redesigned to avoid them. Sites deemed not to warrant Stage 3 testing are recommended for no further archaeological assessment. Table 1 outlines the archaeological sites identified on the leasehold properties affected by the current layout and provides Stage 3 recommendations.

In Block A, six sites (AlHj-5, AlHj-16, AlHj-17, AlHj-47, AlHj-41 and AlHj-42) are recommended for Stage 3 testing based on provincial standards and SON archaeological protocols. However,

based on the current layout, only two of these sites are in areas that will see construction and must be subject to Stage 3 testing. These sites are both associated with Turbine 339. One is ALHj-16, a find spot of a lithic flake and ALHj-47, a mid- to late-19th century scatter of historic era artifacts. While ALHj-17 will not be directly impacted by construction activities, it lies roughly 30 metres from the buildable area for the turbine and as such, will require construction monitoring based on current provincial standards. The remaining three sites are significantly away from the proposed impact areas on their properties that Stage 3 testing need not be undertaken unless construction plans change to incorporate the site areas.

In Block B, two sites (ALHj-18 and T304 Location 1) are recommended for Stage 3 testing. The first is a find spot of a precontact lithic artifact. ALHj-18 is situated far away from any proposed impact area and therefore Stage 3 testing need not be undertaken unless construction plans change to incorporate the site area. The second site at T304 is within a proposed impact area and consists of a find spot of a precontact lithic flake. Stage 3 testing will be required.

In Block C, one site (ALHk-6) is recommended for Stage 3 testing and consists of a mid-19th century scatter of historic era artifacts. As it falls within a proposed impact area under the current layout, Stage 3 testing is required.

In Block D, 16 sites are recommended for Stage 3 testing (ALHk-1, ALHj-49, ALHj-29 through -36, ALHj-13, ALHj-3, ALHj-14, ALHj-23, ALHj-52 and ALHj-50). Only four sites are within proposed areas of impact. The first is ALHk-1 a mid-19th century historic scatter. The three others (ALHj-49, ALHj-52, ALHj-50) are scatters of Precontact native material. All four sites require Stage 3 testing prior to construction commencing. No Stage 3 need be undertaken at this time for the remaining sites that fall away from the proposed impact areas. In the event that construction plans change to incorporate any of those 12 site areas, Stage 3 assessment must be carried out.

In Block E, three sites (ALHk-11, ALHk-12, ALHk-13) are recommended for Stage 3 testing but none of these are within proposed areas of impact. Stage 3 testing need not be undertaken at this time unless construction plans change to incorporate the site areas.

In Block F, two sites (ALHk-9, ALHj-39) are recommended for Stage 3 assessment. Neither of these is within any proposed area of impact and therefore Stage 3 testing need not be undertaken at this time unless construction plans change to incorporate the site areas.

In Block G, five sites (ALHk-27, ALHk-28, ALHj-49, ALHk-30, ALHk-31) are recommended for Stage 3 assessment. None of these falls within any proposed area of impact and therefore Stage 3 testing need not be undertaken at this time unless construction plans change to incorporate the site areas.

Table 1: Stage 2 Finds and Stage 3 Recommendations

Associated Turbine	Border	Recommended for Stage 3?	Site Type	Stage 3 Required Prior to K2 Construction?	Comments
Block A					
T 348	AIHk-21	NO	historic find spot	n/a	
T 341, T 343, T 344	AIHj-44	NO	late 19th century historic	n/a	
T 339	AIHj-5	YES	mid- to late-19th century historic	no	access road moved, now outside of impact area
T 339	AIHj-6	NO	late-19th century historic	n/a	
T 339	AIHj-16	YES	precontact flake find spot	yes	SON protocol triggers Stage 3 assessment
T 339	AIHj-17	YES	mid- to late-19th century historic	no	access road moved, will require construction monitoring
T 339	AIHj-47	YES	mid- to late-19th century historic	yes	
T 339	AIHj-48	NO	late-19th century historic	n/a	
T 320, T 321, T 328	AIHj-40	NO	late-19th century historic	n/a	
T 320, T 321, T 328	AIHj-41	YES	mid- to late-19th century historic	no	outside of impact area
T 320, T 321, T 328	AIHj-42	YES	precontact biface find spot	no	SON protocol triggers Stage 3; outside of impact area
Block B					
T 323, T 325, T 332	AIHj-7	NO	late-19th century historic	n/a	
T 307, T 308, T 311	AIHj-18	YES	precontact artifact find spot	no	SON protocol triggers Stage 3; outside of impact area
T 307, T 308, T 311	AIHj-19	NO	late-19th century historic	n/a	
T 286, T 289	AIHj-20	NO	late-19th century historic	n/a	
T 292, 284	AIHj-45	NO	late-19th century historic	n/a	
T 297	AIHj-43	NO	late-19th century historic	n/a	
T 304	pending	YES	precontact flake find spot	yes	SON protocol triggers Stage 3 assessment
Block C					
T 280	AIHk-6	YES	mid-19th century historic	yes	
T 273	AIHk-10	NO	late-19th century historic	n/a	
Block D					
T 263	AIHk-1	YES	mid-19th century historic	yes	
T 260, T 265	AIHk-7	NO	late-19th century historic	n/a	
T 257	AIHj-49	YES	precontact lithic scatter	yes	
T 254	AIHj-26	NO	late-19th century historic	n/a	
T 254	AIHj-27	NO	historic find spot	n/a	
T 254	AIHj-28	NO	late-19th century historic	n/a	
T 254	AIHj-29	YES	precontact flake find spot	no	SON protocol triggers Stage 3; outside of impact area
T 254	AIHj-30	YES	precontact flake find spot	no	SON protocol triggers Stage 3; outside of impact area
T 254	AIHj-31	YES	precontact lithic artifact find spot	no	SON protocol triggers Stage 3; outside of impact area
T 254	AIHj-32	YES	mid- to late-19th century historic	no	outside of impact area
T 254	AIHj-33	YES	mid-19th century historic	no	outside of impact area
T 254	AIHj-34	YES	mid-19th century historic	no	outside of impact area
T 251	AIHj-35	YES	mid- to late-19th century historic	no	outside of impact area
T 251	AIHj-36	YES	Meadowood projectile point find spot	no	SON protocol triggers Stage 3; outside of impact area
T 238	AIHj-13	YES	Late Paleoindian find spot	no	outside of impact area
T 238	AIHj-3	YES	mid-19th century historic	no	outside of impact area
T 238	AIHj-14	YES	mid- to late-19th century historic	no	outside of impact area
T 237	AIHj-15	NO	late-19th century historic	n/a	outside of impact area
T 237	AIHj-21	NO	late-19th century historic find spot	n/a	
T 237	AIHj-22	NO	late-19th century historic find spot	n/a	
T 237	AIHj-23	YES	mid-19th century historic	no	outside of impact area
T 233	AIHj-51	NO	late-19th century historic	n/a	
T 233	AIHj-52	YES	Early Archaic lithic scatter	yes	
T 231	AIHj-50	YES	Early Paleoindian lithic scatter	yes	
Block E					
T 234	AIHk-11	YES	mid-19th century historic	no	outside of impact area
T 234	AIHk-12	YES	two lithic artifacts	no	SON protocol triggers Stage 3; outside of impact area
T 234	AIHk-13	YES	precontact lithic find spot	no	SON protocol triggers Stage 3; outside of impact area
Block F					
T 222	AIHk-9	YES	Meadowood preform	no	SON protocol triggers Stage 3; outside of impact area
T 253	pending	NO	late-19th century historic	n/a	
T 212, T 216	AIHj-39	YES	precontact lithic find spot	no	SON protocol triggers Stage 3; outside of impact area
Block G					
T 355	AIHj-21	YES	mid-19th century historic	no	outside of impact area
T 355	AIHj-22	YES	precontact lithic scatter	no	outside of impact area
T 355	AIHj-23	NO	late-19th century	n/a	
T 355	AIHj-24	YES	mid-19th century historic	no	outside of impact area
T 355	AIHj-25	YES	precontact flake find spot	no	SON protocol triggers Stage 3; now outside of impact area
T 202, T 203	AIHj-46	YES	mid-19th century historic	no	outside of impact area

Stage 2-P083-194-2011, Revised March 8, 2012, Received March 13, 2012, Accepted into the Ontario Public Register of Reports on May 2, 2012

No further archaeological assessment of the surveyed area is required.

If project plans change to incorporate new areas that were not considered during this study, these must be subject to Stage 2 field survey.

Stage 2-P349-025-2012, Revised July 31, 2012, Received August 2, 2012, Accepted into the Ontario Public Register of Reports on August 15, 2012

The lands that were assessed for the collector system and transmission lines were not found to contain archaeological resources. As such, these areas should be considered free of archaeological and no further assessment is recommended. For the newly changed turbine sites, access road and crane path locations that were subject to assessment and do not contain archaeological materials, no further work is recommended as they are also considered free of archaeological concern. Recommendations for the three sites discovered during this work appear below.

Turbines 275, 252 and 373

Location 1 (AlHj-57)

This site is a likely Paleoindian camp and therefore has established cultural heritage value and requires Stage 3 testing. The Stage 3 testing should follow the protocol for small pre-contact and post-contact sites where it is clearly evident that the level of cultural heritage value or interest will result in a recommendation to proceed to Stage 4 (Table 3.1 Section 3.2.3; MTC 2011). This will involve the completion of a controlled surface collection of all artifacts via pedestrian survey of grounds with 80% surface visibility or greater, followed by the hand excavation of one-metre units across the site area. Minimally, units must be placed and excavated at 10 metre intervals across the site, with an additional 40% of infill units also excavated. Further, due to the fact that Paleoindian sites generate very small waste flakes, at least 20% of all units must be excavated and screened using 3 mm mesh.

Location 2 (AlHj-58)

As this is a 19th to 20th century site of as yet undetermined cultural heritage value, Stage 3 testing is required. The methodology for the Stage 3 testing should follow that established for small pre-contact and post-contact sites where it is not yet evident that the level of cultural heritage value or interest will result in a recommendation to proceed to Stage 4 (Table 3.1 Section 3.2.3; MTC 2011). This will involve the completion of a controlled surface collection of all artifacts via pedestrian survey of grounds with 80% surface visibility or greater, followed by

the hand excavation of one-metre units across the site area. Units must be placed at five metre intervals across the entire grid, with an additional 20% of units placed in intervening spaces. If, during unit excavation, sufficient information is gathered to make a recommendation to proceed with Stage 4 mitigation, Stage 3 unit excavation may cease provided the limits of the site are confidently established. In addition to the fieldwork, detailed research on the land use history of the property must also be undertaken in an effort to supplement the archaeological data and make an appropriate interpretation of the date of occupation.

Met Tower #5

Location 1 (AlHk-45)

As this is a 19th century site of as yet undetermined cultural heritage value, Stage 3 testing is required. However, Met tower #5 has just recently been removed from the Project design and consequently the site will be avoided. In the event that this location is reconsidered, Stage 3 testing for AlhK-45 must be undertaken prior to construction. The methodology for Stage 3 testing should follow that established for small pre-contact and post-contact sites where it is not yet evident that the level of cultural heritage value or interest will result in a recommendation to proceed to Stage 4 (Table 3.1 Section 3.2.3; MTC 2011). This will involve the completion of a controlled surface collection of all artifacts via pedestrian survey of grounds with 80% surface visibility or greater, followed by the hand excavation of one-metre units across the site area. Units must be placed at five metre intervals across the entire grid, with an additional 20% of units placed in intervening spaces. If, during unit excavation, sufficient information is gathered to make a recommendation to proceed with Stage 4 mitigation, Stage 3 unit excavation may cease provided the limits of the site are confidently established. In addition to the fieldwork, detailed research on the land use history of the property must also be undertaken in an effort to supplement the archaeological data and make an appropriate interpretation of the date of occupation.

Summary

All of the proposed (and revised) impact areas for the K2 Wind Power Project have now been fully surveyed. The lands determined to be free of archaeological concern in this study and that summarized in the TMHC 2011 and 2012 reports are not recommended for further assessment. If the Project plans change to incorporate lands that were not subject to assessment, these must be subject to Stage 2 field survey.

Stage 3 assessment work is underway or remains for those locations identified above and described as requiring more assessment in Table 1 – Stage 2 Finds and Stage 3 Recommendations in the 2011 (TMHC) Stage 2 assessment report. Until such time as those areas are fully tested, subject to any required Stage 4 mitigation work and reviewed by the Ministry of Tourism, Culture and Sport they are not clear of archaeological concern and are protected under the Ontario Heritage Act.

Stage 2 –P349-040-2012, August 14, 2012, Filed with MTCS on August 28, 2012, Accepted into Ontario Public Register of Reports on September 5, 2012

The lands that were assessed for the transmission line and the collector line were not found to contain archaeological resources. As such, these areas should be considered free of archaeological concern and no further assessment is recommended.

If project plans change to incorporate new areas that were not considered during this study, these must be subject to Stage 2 field survey.

Summary

As a result of a recent K2 Wind Power Project layout change, a field review and/or Stage 2 field assessment was carried out for an alternate routing of a proposed transmission line and new collector line. A pedestrian survey of the proposed transmission line did not result in the documentation of archaeological resources. As such, this area is considered free of archaeological concern and no further work is recommended. A field review was conducted for the proposed collector line and established that all of the affected lands, contained within the municipal road allowance, were steeply sloped or heavily disturbed by ditching, road construction and servicing. Therefore no Stage 2 assessment was carried out for the collector line as the affect lands have low potential for the discovery of archaeological resources. No further work is recommended. If project plans change to incorporate new areas that were not considered during this study, these must be subject to Stage 2 field survey.

Stage 3 assessment work is underway or remains for those locations identified in previous Project reporting (TMHC 2011, 2012b). Until such time as those areas are fully tested, subject to any required Stage 4 mitigation work and reviewed by the Ministry of Tourism, Culture and Sport they are not clear of archaeological concern and are protected under the Ontario Heritage Act.

Stage 2 –P083-210-2012, September 24, 2012, Filed with MTCS on October 3, 2012, Accepted into Ontario Public Register of Reports on October 16, 2012

The lands that were assessed for the relocated access road to Turbine 233 were not found to contain archaeological resources. As such, this area should be considered free of archaeological concern and no further assessment is recommended.

If project plans change to incorporate new areas that were not considered during this study, these must be subject to Stage 2 field survey.

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. Arthur Figura, Mr. John Sweeney and Dr. Holly Martelle, Timmins Martelle Heritage Consultants

** 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.*