

**ORTECH Power**

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**Consultation Report  
to the Ministry of the Environment**

*Exhibit S  
Project No. 70287*

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**Exhibit S: Six Nations of the Grand River Haudenosaunee Confederacy  
Council/Haudenosaunee Development Institute**

(36 pages)

# Contact Documentation

Project: Silvercreek Solar Park

Contact	Chief Allen MacNaughton		Date:	2/24/2010
Organization				
Address			Copies To	
Phone	519-755-2769.			
Contacted By	S. Manser.	in person		
		by phone ✓		
Purpose of contact	Sending Information Package.			
Summary of Discussion	<p>- wrong contact should call # below regarding this.</p> <p>519-445-4222 - "hotel"</p> <p>- yes Chief Allen MacNaughton is Chief but he does not deal w these issues.</p>			
Follow-up Required	No.			
Action Taken By				Date: 2/24/2010

# Contact Documentation

Project: Silvercreek Solar Park

Contact		Date:	2/24/2010
Organization	HANDENOSAUNEE DEVELOPMENT		
Address		Copies To	
Phone	519-445-4222		
Contacted By		in person	
		by phone	
Purpose of contact			
Summary of Discussion	<p>- 1st msg spoke to Chief Allen MacNaughton who gave me this # to call regarding Renewable Energy Dev. &amp; Information Package.</p> <p>2/29/10</p> <p>Hazel E Hill</p> <p>HANDENOSAUNEE DEVELOPMENT INSTITUTE (HDI)</p> <p>- send information to hazelhill@gmail.com -</p> <p>- she has spoken to chief. <i>HL</i></p>		
Follow-up Required	<p>N.B. to send package to HDI and cover ltr to chief.</p>		
Action Taken By		Date:	

March 3, 2010

Chief Allen MacNaughton  
Six Nations of the Grand River  
Haudenosaunee Confederacy Council  
R.R.2, OHSWEKEN, Ontario  
N0A 1M0

**Subject: Silvercreek Solar Park Project**

Dear Chief MacNaughton:

Silvercreek Solar Park Inc. (the Proponent) is proposing to build a new 10 MW ground mounted solar photovoltaic facility on privately owned lands located in the Township of Malahide, Elgin County. The project is expected to have a total capacity of 10 megawatts (MW) generating 18 gigawatt hours (GWh) of electricity annually, which will benefit the local economy and help to meet the province's growing electricity needs while moving toward renewable electricity generation. Construction of the project will begin in 2010 and involve installation of solar panels and construction of a 4.5 km overhead (or underground) distribution line. Consistent with the requirements of the Renewable Energy Approvals Regulation (O. Reg. 359/09), the Proponent would like to ensure that the Haudenosaunee Confederacy Council was made aware of the project and has an opportunity for input on issues that may interest you.

Following up on our phone conversation on February 24, 2010, I would like to inform you that we have been in contact with Hazel E Hill from the Haudenosaunee Development Institute, as per your suggestion, and will be sending her shortly the information package regarding this development to assist the Haudenosaunee Confederacy Council in determining whether any additional information should be considered in the development of the project, especially whether the project may have any impacts on constitutionally protected aboriginal or treaty rights. All project relevant information is also available on the project website <http://www.silvercreeksolar.com>. Please feel free to visit this website for any project updates.

If you have any questions, please do not hesitate to contact me.

Regards,

A handwritten signature in dark ink, reading "Scott Manser." The signature is written in a cursive style with a period at the end.

Scott Manser, P.Eng  
Senior Environmental Engineer  
ORTECH Environmental  
Tel: 519-966-8798  
Fax: 519- 966-8014  
[smanser@ortech.ca](mailto:smanser@ortech.ca)

cc: N. Bogush, ORTECH Environmental  
L. Deveaux, ORTECH Environmental



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Shipment: PIN 329191509796

**Package Details**MIDDLEPORT TOBACCO  
1110 HIGHWAY 54 N3W2G4Email Info. To: Your Name: Your Email Address: [→ Send](#)

Scan Date	Scan Time	Status	Comment
2010/03/04	14:03	Delivered to SMITH at RECEPTION of MIDDLEPORT TOBACCO at 1110 HIGHWAY 54 N3W2G4 via MOUNT HOPE, ON depot	
2010/03/04	07:52	On vehicle for delivery via MOUNT HOPE, ON depot	
2010/03/03	21:14	Shipment In Transit via TORONTO SORT CTR/CTR TRIE, ON depot	
2010/03/03	15:55	Picked up by Purolator at Reception from Pat Evans of ORTECH POWER at 804 SOUTHDOWN RD, MISSISSAUGA, ON L5J2Y4 via MISSISSAUGA (WEST/OUEST), ON depot	

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March 3, 2010

Hazel E Hill  
Haudenosaunee Development Institute  
Six Nations of the Grand River  
OHSWEKEN, Ontario  
N0A 1M0

**Subject:** Silvercreek Solar Park Project: Notice of the Project and Project Description

Dear Ms. Hill,

Silvercreek Solar Park Inc. (the Proponent) is proposing to build a new 10 MW ground mounted solar photovoltaic facility on privately owned lands located in the Township of Malahide, Elgin County. The project is expected to produce 18 gigawatt hours (GWh) of electricity annually, which will benefit the local economy and help to meet the province's growing electricity needs while achieving its goal of moving toward renewable electricity generation. Construction of the project will begin in 2010 and involve installation of solar panels and construction of a 4.5 km overhead (or underground) distribution line.

The Proponent would like to ensure that the Haudenosaunee Confederacy Council and the Haudenosaunee Development Institute were made aware of the project and have an opportunity for input in the project development process. Consistent with the requirements under the Ontario Regulation 359/09 "Renewable Energy Approvals", we are providing you with the Notice of a Proposal for this project, the Draft Project Description report and the Project Description Addendum #1.

We would ask you to provide us with a written reply regarding any information that should be considered in this development and, particularly, any information you may have on constitutionally protected aboriginal or treaty rights.

Please do not hesitate to contact me if you have any questions.

Regards,

A handwritten signature in cursive script that reads "Scott Manser." The signature is written in a dark ink and is positioned above the printed contact information.

Scott Manser, P.Eng  
Senior Environmental Engineer  
ORTECH Environmental  
Tel: 519-966-8798  
Fax: 519- 966-8014  
[smanser@ortech.ca](mailto:smanser@ortech.ca)

cc: N. Bogush, ORTECH Environmental  
L. Deveaux, ORTECH Environmental



## Leah Deveaux

---

**From:** Nadiya Bogush  
**Sent:** Wednesday, March 03, 2010 5:14 PM  
**To:** hazelehill@gmail.com  
**Cc:** Scott Manser; Leah Deveaux  
**Subject:** Silvercreek Solar Park project information package  
**Attachments:** 100303 Haudenosaunee Development Institute Cover Letter.pdf; Notice of Proposal Silvercreek Solar Project.pdf; Draft Project Description Release Date Dec 11 2009.pdf; Silvercreek Solar Park PD Addendum 1.pdf

Dear Hazel,

Please find attached the information package for the proposed Silvercreek Solar Park project located in the Township of Malahide, Elgin County. If you have any questions, please do not hesitate to contact Scott Manser, Leah Deveaux or myself.

We keep track of all project related correspondence and I would be very appreciative if you could send me an acknowledgement e-mail reply.

Regards,

**Nadiya Bogush, B.Sc., M.E.S.**

ORTECH Environmental  
804 Southdown Road  
Mississauga, ON, L5J 2Y4  
Tel: (905) 822-4120, ext. 223  
1-877-774-6560, ext. 223  
Fax: (905) 855-0406  
[nbogush@ortech.ca](mailto:nbogush@ortech.ca)

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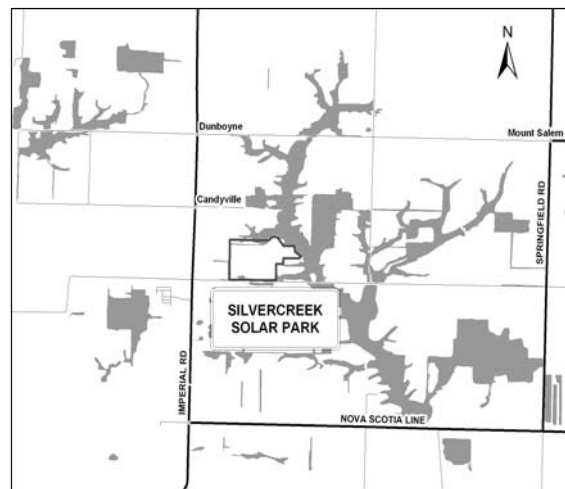
# NOTICE OF A PROPOSAL & NOTICE OF PUBLIC MEETING

By Silvercreek Solar Park Inc. to Engage in a Renewable Energy Project

Dated at Malahide Township, this 18th of November, 2009

Silvercreek Solar Park Inc. is proposing the development of a new 10MW ground mounted solar photovoltaic facility on privately held lands in the Township of Malahide, Elgin County, 9 km south of the town of Aylmer. The project utilizes polycrystalline solar photovoltaic panels mounted on single-axis trackers to maximize energy production. A new 4.5 km distribution line will be built along existing municipal road easements to the point of connection with the Dunboyne Distribution Station. ORTECH Environmental has been retained to assist in the Renewable Energy Approvals process.

The project is subject to the provisions of the Environmental Protection Act Part V.0.1 and Ontario Regulation 359/09 and requires a Renewable Energy Approval as a Class 3 Solar Facility. A Draft Project Description Report titled "Project Description Silvercreek Solar Park" describing the facility will be posted on the proponent's website ([www.silvercreeksolar.com](http://www.silvercreeksolar.com)) on December 11, 2009. A written copy of the report will be available at the public meeting for review. This notice must be distributed in accordance with section 15 of the Regulation prior to an application being submitted and assessed by the Ministry of the Environment. Public consultation is an integral component of this process.



The first **Open House** is scheduled for:

**Date:** Friday, **December 18, 2009**

**Time:** **4pm to 8pm**

**Place:** German Canadian Club  
522 Talbot St.W.  
Aylmer, ON  
(519)-773-5271

For further information on this project, public meetings or to communicate concerns, please contact:

Leah Deveaux  
**ORTECH Environmental**  
804 Southdown Road  
Mississauga, ON; L5J 2Y4  
Phone: (905)822-4120 ext. 305; 1-877-774-6560  
Email: [info@silvercreeksolar.com](mailto:info@silvercreeksolar.com)  
**[www.silvercreeksolar.com](http://www.silvercreeksolar.com)**

Information will be collected and used in accordance with the Freedom of Information and Protection of Privacy Act, and solely for the purpose of assisting Silvercreek Solar Park Inc. in meeting Renewable Energy Approvals requirements. This material will be maintained on file for use during the study and may be included in project documentation. With the exception of personal information, all comments will become part of the public record.



July 25, 2012

Chief Allen MacNaughton  
Six Nations of the Grand River  
Haudenosaunee Confederacy Council  
RR 2  
Oshwken, ON; N0A 1M0

RE: Silvercreek Solar Park  
Draft Renewable Energy Approval Documents and Notice of Final Meeting

Dear Chief MacNaughton:

Please find attached the Draft Renewable Energy Approval (REA) Documents and Notice of Final Public Meeting (Notice) for the Silvercreek Solar Park for your advance review and comment. As described in the Notice, Silvercreek Solar Park Inc. is planning to engage in a 10 MW ground mounted solar park located in Malahide Township, Ontario. The project was awarded a Feed-in Tariff (FIT) contract in July 2011 as a result of the Bruce to Milton Transmission Line Expansion. The current design requires up to 46,000 polycrystalline solar photovoltaic panels with a rated power output of 290 W each to be mounted on horizontal beam single-axis trackers. The project will require installation of a new 34.5kV distribution line to be installed primarily below ground to a new 115kV substation adjacent to the existing Aylmer Transmission Station.

This project is a class three solar project subject to the issuance of a Renewable Energy Approval (REA) through the Ministry of the Environment (MOE). Silvercreek Solar Park Inc. has retained ORTECH Power (ORTECH) to assist them in the REA process for this project.

A Notice of Final Public Meeting (The Notice) for this project will be published in the Aylmer Express on August 2<sup>nd</sup> 2012. At that time the Draft REA documents (included in this package) will be made available to the general public. Please let us know if you would also like a copy of this Notice to be published in a newspaper within your community.

The second project meeting will take place on **October 4<sup>th</sup> from 5:30 to 8:00 pm at the German Canadian Club, 522 Talbot St. West, Aylmer.**

All project related materials can be viewed online beginning August 2<sup>nd</sup> 2012 at [www.silvercreeksolar.com](http://www.silvercreeksolar.com) or by contacting ORTECH directly.

In accordance with Regulation, we respectfully request that your community provide in writing, any information that should be considered in preparing related project documents. In particular, please provide us with any information your community may have about any potential adverse impacts that the project may have on any constitutionally protected aboriginal or treaty rights, and any measures for mitigating those adverse impacts. Understanding that the enclosed material represents a considerable compilation of information and field studies we have provided to your community a summary of each of the following reports;

- Project Description Summary;
- Construction Plan Report Summary;
- Decommissioning Plan Summary;
- Design and Operations Report Summary;
- Archaeology Reports Summary;
- Cultural Heritage Report Summary;
- Natural Heritage Report Summary;
- Waterbodies Report Summary, and
- Acoustic Assessment Report Summary

Silvercreek Solar Park Inc. is committed to open and ongoing stakeholder consultations with your community. We are available and offer to discuss this project with you. Additionally, to provide the project team with your written comments or for further information about the project, please do not hesitate to contact me directly.

Thanks kindly,



Leah Deveaux  
**ORTECH Power**  
905-822-4120 x.305  
[ldeveaux@ortech.ca](mailto:ldeveaux@ortech.ca)

*-Enclosures:*

**NOTICE OF A PUBLIC MEETING**  
**DRAFT RENEWABLE ENERGY APPROVAL APPLICATION**  
**REPORT SUMMARIES**

c.c. Dave Moerman, Silvercreek Solar Park Inc.

## TRACKING DETAILS

[➔ Back](#)

Shipment: PIN 329684900502

## Package Details

Email Info. To:

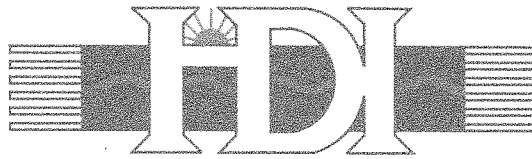
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Your Email Address:

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Scan Date	Scan Time	Status	Comment
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2012-07-28	08:11 AM	On vehicle for delivery via MOUNT HOPE, ON depot	
2012-07-27	11:06 AM	Scheduled Delivery Appointment Required via MOUNT HOPE, ON depot	
2012-07-27	10:38 AM	Scheduled Delivery Appointment Required via MOUNT HOPE, ON depot	
2012-07-27	07:22 AM	Scheduled Delivery Appointment Required via MOUNT HOPE, ON depot	
2012-07-27	06:34 AM	Scheduled Delivery Appointment Required via MOUNT HOPE, ON depot	
2012-07-26	09:38 AM	Scheduled Delivery Appointment Required via MOUNT HOPE, ON depot	
2012-07-26	09:37 AM	Scheduled Delivery Appointment Required via MOUNT HOPE, ON depot	
2012-07-26	01:04 AM	Left via TORONTO SORT CTR/CTR TRI, ON depot	
2012-07-26	01:01 AM	Shipment In Transit via TORONTO SORT CTR/CTR TRI, ON depot	
2012-07-25	09:38 PM	Left via TORONTO SORT CTR/CTR TRI, ON depot	
2012-07-25	08:02 PM	Shipment In Transit via MISSISSAUGA (WEST/OUEST), ON depot	
2012-07-25	04:14 PM	Picked up by Purolator at Receiving from Pat Evans at MISSISSAUGA, ON via MISSISSAUGA (WEST/OUEST), ON depot	
2012-07-25	03:49 PM	Shipment created with reference : 70287	

[Proof of delivery and delivery signature](#)[Tracking terms and descriptions](#)



## Haudenosaunee Development Institute

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July 31, 2012

Leah Deveaux  
ORTECH Power  
804 Southdown Road  
Mississauga, ON  
L5J 2Y4

Dear Ms. Deveaux:

**Re: Silver Creek Solar Park**  
**Our File No.: 030-112**

Thank you for your letter dated July 25, 2012 and attachments.

The Haudenosaunee Confederacy Chiefs ('HCCC') has legislated the Haudenosaunee Development Institute ('HDI') to represent HCCC interests in the development of lands within areas of Haudenosaunee jurisdiction, including but not limited to the land prescribed by the Haldimand Proclamation and the 1701 Treaty Area.

We can confirm that the Haudenosaunee have treaty rights, in particular in the area contemplated by your Project, including but not limited to, the right to free and undisturbed harvesting. As the proposed Project will have a negative impact upon those treaty rights, the nature and scope of engagement required is significantly above and beyond what is commonly referred to as "consultation".

The HDI has established and administers a regulatory framework, which identifies, registers and regulates development in compliance with the regulatory obligations outlined in our Lands Rights Statement, the Haudenosaunee Green Plan and Haudenosaunee Development Protocol.

Part of the process requires an application for Engagement to be submitted to the HDI which I have attached for your ease of reference. The Application for Engagement provides proponents a structured engagement process which allows the HDI to set up and clarify the nature of what will be impacted by the Project and to determine if those infringements are justified and whether or not they can be accommodated.

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OUR LAND, OUR LAW, OUR PEOPLE, OUR FUTURE

I look forward to receipt of your application at which time we can arrange a convenient time to meet to discuss your Project.

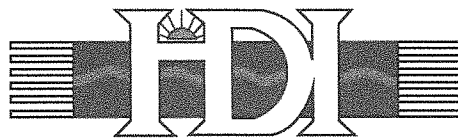
Yours truly

A handwritten signature in dark ink, appearing to read "Hazel E. Hill". The signature is fluid and cursive, with the first name "Hazel" being more prominent and the last name "Hill" following in a similar style.

Hazel E. Hill  
Interim Director

Attach. – 1

/bm



Haudenosaunee Development Institute

Our Land, Our Law, Our People, Our Future

**APPLICATION FOR CONSIDERATION  
AND ENGAGEMENT FOR DEVELOPMENT**

NOTE: *This application to be completed in quadruplicate.*

**SECTION 1: APPLICANT INFORMATION**

1.1 Name of applicant and full mailing address:

--

Tel: \_\_\_\_\_

Fax No.: \_\_\_\_\_

1.2 Name of Registered owner(s) of subject land(s) and mailing address:

--

1.3 Party who is to be contacted about the application (check one):

☐ Applicant ☐ Agent, Planning Consultant ☐ Owner ☐ Surveyor

Name and address:

--

Tel: \_\_\_\_\_

Fax No.: \_\_\_\_\_

Email: \_\_\_\_\_



## **SECTION 2: LOCATION OF LANDS PROPOSED TO BE DEVELOPED**

2.1 Municipal address:

2.2 Legal description (please attach survey):

2.3 Maps (please attach):

## **SECTION 3: PROPOSED AND CURRENT LAND USE**

3.1 Current land use: (i.e. Agricultural, residential, commercial, industrial, other):

3.2 Proposed use of subject land:

3.3 Are there any buildings or structures on the lands proposed to be developed?

If yes, are these buildings to be retained, demolished or otherwise removed?

## **SECTION 4: ADDITIONAL INFORMATION FOR THE SITE**

4.1 Current zoning: \_\_\_\_\_

## **SECTION 5: ARCHAEOLOGY**

5.1 Have any archaeology studies been completed? If yes please attach.

5.2 If no archaeology studies have been undertaken to date are any archaeology studies planned? Please include any relevant details.

## **SECTION 6: LAND TITLE**

6.1 Please provide details and a history of the title including any information on the initial Crown patent and how the Crown obtained such patent.

## **SECTION 7: TIME FRAME**

7.1 Please set out the scheduling proposed for the project and any significant dates.

## **SECTION 8: OTHER PERMITS, LICENCES AND/OR APPROVALS**

8.1 Please provide details with respect to any other permits, licences and/or approvals which the Applicant is seeking for the project from any municipal, provincial and/or federal authority.

## **SECTION 9: APPLICATION FEE**

9.1 An application fee is enclosed in the amount of \$ \_\_\_\_\_ on the basis that the cost of the proposed project is:

- Less than \$300,000 (fee of \$3,000)
- Greater than \$300,000 but less than \$500,000 (fee of \$5,000)
- Greater than or equal to \$500,000 (fee of \$7,000)

## **SECTION 10: OTHER INFORMATION**

10.1 The HDI reserves the right to request such other information as it deems necessary in its sole discretion to process this application.

## **SECTION 11: FORM OF APPLICATION**

11.1 This form is provided for information purposes and requests the minimal information required to process an application. An applicant is free to amend the form as necessary and include such other information as necessary.

11.2 Application is to be provided to:

Haudenosaunee Development Institute

16 Sunrise Court, Suite 407

P.O. Box 714

Ohsweken, Ontario

N0A 1M0

Tel: 519.445.4222

## **SECTION 12: SIGNATURE OF APPLICANT**

Name of Applicant:

Signature of Applicant:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

## Leah Deveau

---

**From:** Scott Manser  
**Sent:** Monday, September 24, 2012 9:33 AM  
**To:** hdi2@bell.net  
**Cc:** Leah Deveau  
**Subject:** Follow regarding HDI Development Application - Silvercreek Solar Project

Dear Ms. Hill;

On behalf of the Silvercreek Solar Project I am following up with your organization regarding the development application sent to you in the latter part of August 2012. The project is in an advanced stage of the approval process with a second and final public open house to be held in Aylmer on October 4<sup>th</sup>, 2012. You or any of your representatives are welcome to attend.

In the interim if your organization has any comments or requires additional information please contact either myself (information provided below) or Leah Deveau (tel: 905-822-4120 ext 305; email: [ldeveau@ortech.ca](mailto:ldeveau@ortech.ca)) prior to October 1, 2012 so we may have an opportunity to reflect your comments or concerns at the October 4, 2012 open house.

Regards;

**Scott Manser, P.Eng**  
Senior Environmental Engineer  
ORTECH Environmental  
Tel: 519-966-8798  
Fax: 519-966-8014  
email: [smanser@ortech.ca](mailto:smanser@ortech.ca)

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## Leah Deveaux

---

**From:** Scott Manser  
**Sent:** Tuesday, September 25, 2012 6:10 PM  
**To:** Leah Deveaux; Dave Moerman (silvercreeksolar@amtelecom.net)  
**Subject:** FW: Follow regarding HDI Development Application - Silvercreek Solar Project

It would be good to have some initial comments from their consultant review prior to the meeting. Hazel's response sounds more like a meeting for them to discuss their engagement process rather than questions for Silvercreek.

Scott

---

**From:** Hazel E. Hill [<mailto:hazelehill@gmail.com>]  
**Sent:** September-25-12 5:58 PM  
**To:** Scott Manser; Leah Deveaux  
**Cc:** HDI Hill; Brenda HDI  
**Subject:** Fwd: Follow regarding HDI Development Application - Silvercreek Solar Project

Good Afternoon

I'm just following up on your email and previous voice message with respect to this project. I have forwarded the information to our consultants for their review. I have not had any reports from them as of today, but will follow up with them to see if they require anything further. I would also suggest that we canvas dates that are convenient for you to have an initial meeting to discuss our engagement process. Our next scheduled board meeting is on October 10th and we schedule every two weeks on wednesdays if that is suitable. please advise of your available dates.

I look forward to hearing from you.

thanks,  
Hazel  
Begin forwarded message:

**From:** HDI <[hdi2@bellnet.ca](mailto:hdi2@bellnet.ca)>  
**Date:** September 25, 2012 9:11:52 AM GMT-04:00  
**To:** Hazel E Hill <[hazelehill@gmail.com](mailto:hazelehill@gmail.com)>  
**Subject:** Fwd: Follow regarding HDI Development Application - Silvercreek Solar Project

Begin forwarded message:

**From:** Scott Manser <[SManser@ortech.ca](mailto:SManser@ortech.ca)>  
**Date:** September 24, 2012 9:35:00 AM GMT-04:00  
**To:** "[hdi2@bellnet.ca](mailto:hdi2@bellnet.ca)" <[hdi2@bellnet.ca](mailto:hdi2@bellnet.ca)>  
**Cc:** Leah Deveaux <[LDeveaux@ortech.ca](mailto:LDeveaux@ortech.ca)>  
**Subject:** Follow regarding HDI Development Application - Silvercreek Solar Project

Dear Ms. Hill;

On behalf of the Silvercreek Solar Project I am following up with your organization regarding the development application sent to you in the latter part of August 2012. The project is in an advanced stage of the approval process with a second and final public open house to be held in Aylmer on October 4

th, 2012. You or any of your representatives are welcome to attend.

In the interim if your organization has any comments or requires additional information please contact either myself (information provided below) or Leah Deveaux (tel: 905-822-4120 ext 305; email: [ldeveaux@ortech.ca](mailto:ldeveaux@ortech.ca)) prior to October 1, 2012 so we may have an opportunity to reflect your comments or concerns at the October 4, 2012 open house.

Regards;

**Scott Manser, P.Eng**  
Senior Environmental Engineer  
ORTECH Environmental  
Tel: 519-966-8798  
Fax: 519-966-8014  
email: [smanser@ortech.ca](mailto:smanser@ortech.ca)

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## Leah Deveaux

---

**From:** Scott Manser  
**Sent:** Tuesday, October 02, 2012 2:03 PM  
**To:** Hazel E. Hill; Leah Deveaux  
**Cc:** HDI Hill; Brenda HDI  
**Subject:** RE: Follow regarding HDI Development Application - Silvercreek Solar Project  
**Attachments:** SCSolar notice of second open house.pdf

Hazel;

Thank you for your reply. It would be beneficial to have a summary of the consultants recommendations and issues provided to us prior to the meeting so we can address them at this time. Do you have an anticipated date for the consultant's report?

We have a Project Open House scheduled for this Thursday, October 4<sup>th</sup> in Aylmer. I have attached a copy of the notice in the event you or anyone in your community is interested in attending.

Regards;

**Scott Manser, P.Eng**  
Senior Environmental Engineer  
ORTECH Environmental  
Tel: 519-966-8798  
Fax: 519-966-8014  
email: [smanser@ortech.ca](mailto:smanser@ortech.ca)

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---

**From:** Hazel E. Hill [<mailto:hazelehill@gmail.com>]  
**Sent:** September-25-12 5:58 PM  
**To:** Scott Manser; Leah Deveaux  
**Cc:** HDI Hill; Brenda HDI  
**Subject:** Fwd: Follow regarding HDI Development Application - Silvercreek Solar Project

Good Afternoon

I'm just following up on your email and previous voice message with respect to this project. I have forwarded the information to our consultants for their review. I have not had any reports from them as of today, but will follow up with them to see if they require anything further. I would also suggest that we canvas dates that are convenient for you to have an initial meeting to discuss our engagement process. Our next scheduled board

meeting is on October 10th and we schedule every two weeks on wednesdays if that is suitable. please advise of your available dates.

I look forward to hearing from you.

thanks,

Hazel

Begin forwarded message:

**From:** HDI <[hdi2@bellnet.ca](mailto:hdi2@bellnet.ca)>

**Date:** September 25, 2012 9:11:52 AM GMT-04:00

**To:** Hazel E Hill <[hazelehill@gmail.com](mailto:hazelehill@gmail.com)>

**Subject:** Fwd: Follow regarding HDI Development Application - Silvercreek Solar Project

Begin forwarded message:

**From:** Scott Manser <[SManser@ortech.ca](mailto:SManser@ortech.ca)>

**Date:** September 24, 2012 9:35:00 AM GMT-04:00

**To:** "[hdi2@bellnet.ca](mailto:hdi2@bellnet.ca)" <[hdi2@bellnet.ca](mailto:hdi2@bellnet.ca)>

**Cc:** Leah Deveau <[LDeveaux@ortech.ca](mailto:LDeveaux@ortech.ca)>

**Subject:** Follow regarding HDI Development Application - Silvercreek Solar Project

Dear Ms. Hill;

On behalf of the Silvercreek Solar Project I am following up with your organization regarding the development application sent to you in the latter part of August 2012. The project is in an advanced stage of the approval process with a second and final public open house to be held in Aylmer on October 4

th, 2012. You or any of your representatives are welcome to attend.

In the interim if your organization has any comments or requires additional information please contact either myself (information provided below) or Leah Deveau (tel: 905-822-4120 ext 305; email: [ldeveaux@ortech.ca](mailto:ldeveaux@ortech.ca)) prior to October 1, 2012 so we may have an opportunity to reflect your comments or concerns at the October 4, 2012 open house.

Regards;

**Scott Manser, P.Eng**

Senior Environmental Engineer

ORTECH Environmental

Tel: 519-966-8798

Fax: 519-966-8014



email: [smanser@ortech.ca](mailto:smanser@ortech.ca)

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# NOTICE OF PUBLIC MEETING

To be held by Silvercreek Solar Park Inc. regarding a Proposal to Engage in a Renewable Energy Project

Project Name: Silvercreek Solar Park Inc.  
Project Location: Malahide Township (see map)  
Dated at Malahide Township this 2<sup>nd</sup> day of August 2012

Silvercreek Solar Park Inc. is planning to engage in a renewable energy project in respect of which the issuance of a renewable energy approval (REA) is required. The proposal to engage in the project and the project itself is subject to the provisions of the Environmental Protection Act (ACT) Part V.0.1 and the Ontario Regulation 359/09 (Regulation). This notice must be distributed in accordance with section 15 of the Regulation prior to an application being submitted and assessed for completeness by the Ministry of the Environment.

**Meeting Location:** **Date:** October 4, 2012  
**Time:** 5:30pm – 8pm  
**Place:** German Canadian Club  
522 Talbot St. West; Aylmer, ON

**Project Description:** Pursuant to the Act and Regulation, the facility, in respect of which this project is to be engaged in, is a Class 3 ground mounted Solar Facility. If approved, this facility would have a total maximum name plate capacity of 10 MW. The project location is described in the map below. Additionally, the project will require installation of a new 34.5kV distribution line to be installed primarily below ground, to a new 115kV substation adjacent to the existing Aylmer Transmission Station.

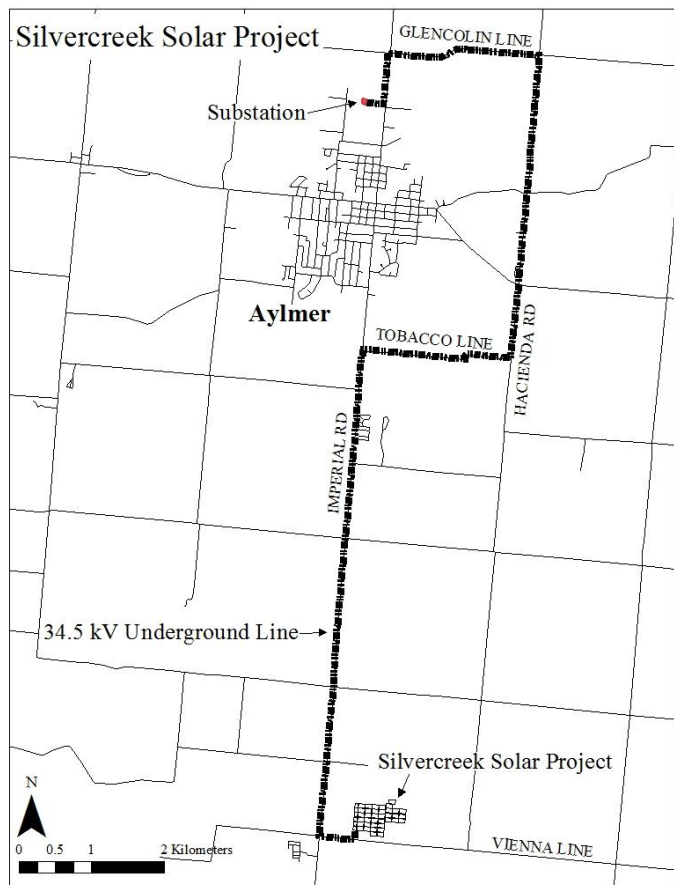
**Documents for Public Inspection:** The Draft Project Description Report titled "Project Description: Silvercreek Solar Park" describes the project as utilizing up to 46,000 polycrystalline solar photovoltaic panels, with a rated power output of 290 W, each to be mounted on horizontal beam single-axis trackers totaling 10 MW. The project will require installation of a new 34.5kV distribution line to be installed primarily below ground to a new 115kV substation adjacent to the existing Aylmer Transmission Station. A written copy of the Draft Project Description Report was made available for public inspection on November 18, 2009.

Further, the applicant has prepared supporting documents in order to comply with the requirements of the Act and Regulation. Written copies of the draft supporting documents will be made available for public inspection on August 2, 2012 at the following locations:

**Elgin County Library – Aylmer Branch, 38 John St. South Aylmer and [www.silvercreeksolar.com](http://www.silvercreeksolar.com)**

To learn more about the project please contact:

**Silvercreek Solar Park Inc. c/o**  
Leah Deveau  
ORTECH Power  
804 Southdown Rd. Mississauga ON; L5J 2Y4  
Phone: 1-877-774-6560 ext. 305  
Email: [info@silvercreeksolar.com](mailto:info@silvercreeksolar.com)  
**[www.silvercreeksolar.com](http://www.silvercreeksolar.com)**



Information will be collected and used in accordance with the Freedom of Information and Protection of Privacy Act, and used solely for the purpose of assisting Silvercreek Solar Park Inc. in meeting their Renewable Energy Approvals requirements. This material will be maintained on file for use during the study and may be included in project documentation. With the exception of personal information, all comments will become part of the public record.

## Leah Deveau

---

**From:** Scott Manser  
**Sent:** Tuesday, October 09, 2012 2:39 PM  
**To:** Hazel E. Hill  
**Cc:** Leah Deveau; HDI Hill; Brenda HDI  
**Subject:** RE: Follow regarding HDI Development Application - Silvercreek Solar Project Our File No.: 030-112

Thank you for the quick reply, look forward to meeting you on October 24<sup>th</sup> at 1:00pm

Scott Manser

---

**From:** Hazel E. Hill [mailto:hazelehill@gmail.com]  
**Sent:** October-09-12 2:33 PM  
**To:** Scott Manser  
**Cc:** Leah Deveau; HDI Hill; Brenda HDI  
**Subject:** Re: Follow regarding HDI Development Application - Silvercreek Solar Project Our File No.: 030-112

Good Afternoon Mr. Manser:

Just to confirm our telephone conversation and scheduled meeting for October 24, 2012 at 1:00 p.m.

Our office is located at 16 Sunrise Court in Ohsweken, ON, Suite 407, on the 2nd floor of the Grand River Employment and Training (GREAT) building. I have booked the small boardroom for our meeting which is located just down the hall from our office.

Should you have any questions or concerns prior to our meeting, please feel free to contact me at your convenience.

Regards,

Hazel

On 2-Oct-12, at 2:02 PM, Scott Manser wrote:

Hazel;

Thank you for your reply. It would be beneficial to have a summary of the consultants recommendations and issues provided to us prior to the meeting so we can address them at this time. Do you have an anticipated date for the consultant's report?

We have a Project Open House scheduled for this Thursday, October 4<sup>th</sup> in Aylmer. I have attached a copy of the notice in the event you or anyone in your community is interested in attending.

Regards;

**Scott Manser, P.Eng**  
Senior Environmental Engineer

ORTECH Environmental  
Tel: 519-966-8798  
Fax: 519-966-8014  
email: [smanser@ortech.ca](mailto:smanser@ortech.ca)

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ORTECH Consulting Inc.

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**Date:** September 25, 2012 9:11:52 AM GMT-04:00  
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Begin forwarded message:

**From:** Scott Manser <[SManser@ortech.ca](mailto:SManser@ortech.ca)>  
**Date:** September 24, 2012 9:35:00 AM GMT-04:00  
**To:** "[hdi2@bellnet.ca](mailto:hdi2@bellnet.ca)" <[hdi2@bellnet.ca](mailto:hdi2@bellnet.ca)>  
**Cc:** Leah Deveau <[LDeveau@ortech.ca](mailto:LDeveau@ortech.ca)>

**Subject: Follow regarding HDI Development Application - Silvercreek Solar Project**

Dear Ms. Hill;

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th, 2012. You or any of your representatives are welcome to attend.

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Regards;

**Scott Manser, P.Eng**  
Senior Environmental Engineer  
ORTECH Environmental  
Tel: 519-966-8798  
Fax: 519-966-8014  
email: [smanser@ortech.ca](mailto:smanser@ortech.ca)

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<SCSolar notice of second open house.pdf>

October 24, 2012

## MEETING AGENDA

Meeting Information	
<b>Subject:</b>	<b>Consultation with Huadenosaunee Development Institute / Six Nations</b>
<b>Date/Time:</b>	October 24 <sup>th</sup> , 2012; 16 Sunrise Court; Ohsweken, ON Grand River Employment and Training Building 1:00 – 2:00pm
Participants	
<b>Attendees:</b>	Dave Moerman - Silvercreek Solar Scott Manser – ORTECH Uwe Roeper – Silvercreek Solar Aaron Detlor – HDI, Legal Brian Doolittle – HDI Charlene – ONEDIA Brenda Hill – HDI Todd – HDI Consultant Chief Blake Bomberry – Cayuga Representative from Seneca

Meeting started with Chief Blake Bomberry giving traditional opening thanks to the discussion.

AD – had some initial questions regarding archaeology and where the project was at.

SM – Timmins, Martel Heritage Consultants (TMHC) is the consultant retained for archaeology work. Stage 4 work is complete. Bear John from ONEDIA participated as a First Nations observer. FN Groups were contacted before this work began.

UR – Brief presentation of the project. 10 MW ground mounted solar project offered a FIT contract July 2011. Project is in a fairly advanced stage in the permitting process and Silvercreek is interested in HDI's perspective on the project.

AD – Chiefs council established HDI to review projects and deal with developers. To date HDI has reviewed 4 solar projects. HDI conducts a technical review of projects after which time a discussion of accommodation is initiated if there are impacts to FN rights. 1701 treaty with Crown established unrestricted hunting, harvesting in this area. Development of the solar farm may impact traditional deer hunting for instance. Currently Haudenosaunee could come onto the land and hunt deer in and around the wooded areas, with the solar farm this ability would be impacted. Although this project may appear small every project in the area has the potential to impact their treaty rights bit by bit. Discussion of the possibility of a FN adder to FIT contracts / Renewable Energy Contracts, HDI is capable of providing equity. Adder is then used to offset land loss and allow Haudenosaunee to purchase land.

UR – aware of adder on Renewable Energy Projects due to the stage of development this might not work for this project. There is interest in partnering on other projects and would be willing to work with HDI on other projects. Silvercreek could use its knowledge and experience as a possible means of accommodation.

AD – recognizes the stage that the project is in and involvement in the project may not be practical. He is not sure how the project got to this stage before HDI was involved.

UR – Additional explanation of project with site map displayed. Overview of archaeological studies completed, depiction of areas subject to a Stage 4 survey. Brief summary of findings. Brief discussion of land as well as surrounding lands, waterbodies and Silvercreek Valley lands to the north and east of project site.

HDI -requested proof that a comprehensive archaeological survey was conducted.

AD – Ideally HDI would have preferred to have a monitor present during Stave IV work. Did acknowledge that TMHC was one of the better consultants out there.

HDI –suggested to book another meeting with Hazel and Wayne Hill when archaeology review is complete and then look at accommodation.

UR – Question asked regarding what HDI saw as appropriate accommodation.

AD – As a starting point for discussion an approach of looking at the land occupied by the project and current land value was discussed.

Side Note: Seneca observer – preferred term of reference during discussions is Haudenosaunee not First Nations, which is a very general term.

## Leah Deveaux

---

**From:** Uwe Roeper  
**Sent:** Monday, November 05, 2012 8:24 AM  
**To:** aarondetlor@gmail.com  
**Cc:** silvercreeksolar@amtelecom.net  
**Subject:** Silvercreek - HDI accomodation & MOU discussion

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Aaron:

Thank you again for coming to the ORTECH office on Friday to follow up on the HDI consultation and accommodation meeting on October 24<sup>th</sup>.

As Dave and I understood you, HDI is still finalizing an appropriate approach for accommodation but the following is being proposed in concept for "small" land owner based projects like Silvercreek:

- It was understood from the meeting on October 24 that HDI and 6 Nations would like it to be recognized in an MOU or similar document that traditional rights exist in the area of the project lands.
- It appears to have been acknowledged by HDI and the 6 Nation representatives at the October 24 meeting that the archaeological work had been done, reports were issued to HDI and field work witnessed. Given that a reputable consultant was used and any artifacts were dealt with via a Stage 4 study, there seem to be few concerns on this aspect. But HDI has not finished reviewing the reports.
- HDI requests payment of an administration fee (in addition to the application fee already paid), reimbursement for an environmental monitor during construction and payment of an annual fee for the life of the FIT Contract with proceeds going to a designated community program.
- HDI has not finalized the amounts but some amounts were discussed in concept.

Dave and I would like to express our thanks for the constructive discussion. Silvercreek would be amenable to the above in concept, provided that the payment amounts are reasonable (i.e. in the range discussed in the meeting). To this end, Silvercreek would like to work on an MOU with HDI. As input, we would like to make the following suggestions:

- The MOU should be confidential and binding.
- The term should be the life of the FIT Contract.
- HDI would need to represent that it is acting on behalf of all of its member communities.
- Any further claim for accommodation made by a member community during the life of the contract would be a default by HDI under the MOU.
- The recognition of treaty rights would have to recognize that Silvercreek is not an agent of the Crown, not a land owner and not party to the original treaty.

You offered to draft the outline of the MOU, thanks. We look forward to seeing the draft and working with you on this MOU.

We also discussed the possibility of HDI and Silvercreek developing a project for FIT 2.0. We are interested to discuss this further at your convenience.

Best regards,  
Uwe.



(on behalf of Silvercreek)

**Uwe Roeper, M.Sc., P.Eng.**

President

**ORTECH Consulting Inc.**

804 Southdown Rd.

Mississauga, ON

L5J 2Y4, Canada

D. 416.590.3060

C. 647.929.1162

## Leah Deveau

---

**From:** Dave Moerman <silvercreeksolar@amtelecom.net>  
**Sent:** Monday, November 05, 2012 9:17 AM  
**To:** Leah Deveau  
**Subject:** HDI Meeting minutes Friday

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

*Leah, minutes from Fridays HDI meeting:*

*Friday November 2 2012*

*Attendees :*

*Dave Moerman- Silvercreek Solar*

*Uwe Roeper- Silvercreek Solar/ ORTECH*

*Aaron Detlor- HDI*

*Topics of discussion:*

- *It was understood from the meeting on October 24 that HDI and 6 Nations would like it to be recognized in an MOU or similar document that traditional rights exist in the area of the project lands.*
- *It appears to have been acknowledged by HDI and the 6 Nation representatives at the October 24 meeting that the archaeological work had been done, reports were issued to HDI and field work witnessed. Given that a reputable consultant was used and any artifacts were dealt with via a Stage 4 study, there seem to be few concerns on this aspect. But HDI has not finished reviewing the reports.*
- *HDI requests payment of an administration fee (in addition to the application fee already paid), reimbursement for an environmental monitor during construction and payment of an annual fee for the life of the FIT Contract with proceeds going to a designated community program.*
- *HDI has not finalized the amounts but some amounts were discussed in concept.*
- *HDI to draft MOU.*

*End meeting*

## Leah Deveau

---

**From:** Scott Manser  
**Sent:** Monday, November 12, 2012 2:13 PM  
**To:** Hazel E. Hill (hazelehill@gmail.com)  
**Cc:** aarondetlor@gmail.com  
**Subject:** Follow Up Silvercreek Solar Park

Afternoon Hazel;

I understand that Silvercreek Solar Park is in discussions with some of your HDI team members (Aaron) and these discussions are still on going. Regarding the environmental aspects of the project and HDI's review of the REA reports I just wanted to check in with you to see if there were any questions or issues which came out of the environmental review process HDI was conducting. Currently ORTECH is preparing the final project documents and hope to submit an application to the Ministry of Environment in the coming weeks.

Regards;

**Scott Manser, P.Eng**  
Senior Project Manager  
ORTECH Environmental  
Tel: 519-966-8798  
Fax: 519-966-8014  
email: [smanser@ortech.ca](mailto:smanser@ortech.ca)

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## Leah Deveau

---

**From:** Uwe Roeper  
**Sent:** Thursday, November 22, 2012 1:33 PM  
**To:** aarondetlor@gmail.com  
**Cc:** Dave Moerman  
**Subject:** FW: Silvercreek - HDI accomodation & MOU discussion

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Aaron:

Just checking to see if you have had a chance to draft the MOU for DHI/Silvercreek.

Best regards,  
Uwe.  
(on behalf of Silvercreek)

---

**From:** Uwe Roeper  
**Sent:** November 5, 2012 8:22 AM  
**To:** 'aarondetlor@gmail.com'  
**Cc:** 'silvercreeksolar@amtelecom.net'  
**Subject:** Silvercreek - HDI accomodation & MOU discussion

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Best regards,  
Uwe.  
(on behalf of Silvercreek)

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**ORTECH Consulting Inc.**  
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