ONTARIO ENERGY BOARD

IN THE MATTER OF the Ontario Energy Board Act, 1998, S.O. 1998, c. 15, Sch. B, as amended;

AND IN THE MATTER OF an Application by Talbot Windfarm, LP for an order under section 92 and subsection 96(2) of the *Ontario Energy Board Act, 1998,* granting leave to construct an electricity transmission line and related transmission facilities.

Talbot Windfarm, LP

September 29, 2009

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Interrogatory 1

Reference: Exhibit J/Tab 1/Page 1 and 2

Preamble:

A "Table of Required Permits" is provided in the reference tab.

Question/Request:

(a) Please provide an update of the table including all permits -and approvals- that will be required prior to commencement of the proposed project construction

(b) Indicate the current status and the timeline for obtaining each permit and approval.

Response:

In response to questions 1 (a) and (b) above, please see the updated permit list attached as Schedule 1-1.

Schedule 1-1 – Updated Permit List

Federal Government Permits and Approvals	Approval Agency or Institution	Status
Issuance of a decision by the Responsible Authority under the *Canadian Environmental Assessment Act* with respect to the environmental screening	NRCan	Pending
Permit to collect migratory bird carcasses under the *Migratory Bird Conservation Act*	EC	Pending
Authorization for watercourse crossings or acceptance, by DFO, of a Letter of Intent to Compensate Fish Habitat Loss under subsection 35(2) of the *Fisheries Act*	DFO	Pending
Authorization for blasting in or near water under section 32 of the *Fisheries Act*	DFO	Not required
Aeronautical Obstruction Clearance Permit under the *Aeronautics Act*	TC	Complete
Acceptance of the Aviation Safety Land Use Proposal by NavCanada	NavCan	Complete
Provincial		
Notice of Completion of Environmental Review Report	MOE	Complete
30 day public comment period	MOE	Complete
EAAB Directors positive decision	MOE	Complete
Statement of Completion	MOE	Pending
Certificate of Approval (Air) under section 9 of the *Environmental Protection Act*	MOE	Pending
Certificate of Approval (Sewage Works) under section 53 of the *Ontario Water Resources*	MOE	Pending

Act		
Permit to Take Water under section 34 of the *Ontario Water Resources Act*	MOE	Not required
Clearance under the *Heritage Act*	MOC	Pending
Transportation Permits (e.g. Oversize/Overweight Permit or Special Vehicle Configuration Permit under the *Highway Traffic Act*	MTO	Pending
Encroachment, Building and Land Use Permits with respect to Highway 401	MTO	Pending
Municipal		
Official Plan Amendment (for former Howard Twp) and Zoning By-Law Amendment for both former Howard & Orford Townships	C-K Council	No longer required in light of the recent Planning Act amendment
Removal of "H"-Holding Symbol from Zoning	C-K Council	No longer required in light of the recent Planning Act amendment
Site Plan Approval & Agreement through Municipality of Chatham-Kent	C-K Admin	No longer required in light of the recent Planning Act amendment
Decommissioning Plan Approval	C-K Admin	Not a Permitting requirement but will be developed In Consultation with Municipality
Dispute Resolution Protocol Approval	C-K Admin	Not a Permitting requirement but will be developed

		In Consultation with Municipality
Operational Management Plan Approval	C-K Admin	Not a Permitting requirement but will be developed In Consultation with Municipality
Construction Management Plan Approval	C-K Admin	Not a Permitting requirement but will be developed In Consultation with Municipality
Road User Agreement	C-K Admin	Pending
Emergency Response Plan	C-K Admin	Not a Permitting requirement but will be developed In Consultation with Municipality
Post Construction Avian Monitoring Protocol	C-K Admin, MNR and Environment	Pending
Noise Complaint Protocol	C-K Admin	Not a Permitting requirement but will be developed In Consultation with Municipality
Building Permit from the Municipality of Chatham-Kent	C-K Admin	Pending
Drainage Act Approvals for Drain Crossings	C-K Drainage Board	Pending
Planning Act Consent to the Long-Term Leases	C-K Committee of Adjustment (Staff Panel)	No longer required in light of the recent Planning Act amendment

Ontario Energy Board		
Leave to Construct transmission facilities under section 92 of the *Ontario Energy Board Act*	OEB	Pending
Generation Licence under section 57 of the Ontario Energy Board Act	OEB	Pending
Acceptance of Notice of Proposal under Section 81 of the *Ontario Energy Board Act*	OEB	Pending
IESO / Hydro One		
Customer Impact Assessment	Hydro One	Pending
Issuance of Part II SIA	IESO	Pending
Authorization as Market Participant (i.e., issuance of New Facility Notification Form)	IESO	Pending
Facilities Registration (i.e, issuance of New Facility Notification Form)	IESO	Pending
Meter Registration	IESO	Pending
Connection Assessment (i.e., issuance of Notification of Conditional Approval)	IESO	Pending
Connection Authorization (i.e., issuance of Final SIA Report)	IESO	Pending

Interrogatory 2

Reference: Exhibit B/Tab 1/Schedule 1/Page 1/Paragraph 3.(i)

Preamble: None

Question/Request:

What is a "HICO equivalent" transformer?

Response:

HICO America is a large manufacturer of quality power transformers with headquarters in Pittsburgh, Pennsylvania. It supplies power transformers for use around the world. Talbot Windfarm's intention is to use a transformer manufactured by HICO or an equivalent transformer from a manufacturer of similar experience and quality.

Interrogatory 3

Reference: Exhibit B/Tab 1/Schedule 1/Page 3/Paragraph 9

Preamble:

The paragraph indicates that "... an updated and joint SIA and Customer Impact Assessment application was submitted..." and that "a Part II SIA is expected to be issued ... in the fall of 2009 followed by the issuance of a Customer Impact Assessment by Hydro One".

Question/Request:

(a) Please provide an update on when these documents might be expected:

Response:

(a) The original expected release date of the Part II SIA was early September 2009. Because the IESO and Hydro One are currently finalizing a Protection Impact Assessment for inclusion in both the Part II SIA and the Customer Impact Assessment ("CIA"), the Part II SIA and the CIA are now expected to be released in mid-October 2009.

Question/Request:

(b) Please confirm that the only changes from the first application relate to the use of different turbines or alternatively, indicate what the additional changes were e.g. capacitor banks, voltage control etc., breaker fault level, transformer specifications etc.

Response:

(b) The only difference between the first SIA application submitted to the IESO in September 2008 and the updated version submitted in June 2009 is the use of a different turbine model and manufacturer. The turbines were changed from 66 x GE SLE 1.5 MW turbines (totalling 99 MW) to 43 x Siemens 2.3 MW turbines (totalling 98.9 MW).

The size of the capacitor banks or VAR compensation will be determined by the results of the Part II SIA. The breaker fault levels, the main transformer specifications and other major components will remain the same and are determined by the IESO Market Rules and the *Transmission System Code*.

The LV/MV transformers for each turbine will be changed from 1.75 MVA units to

2.6 MVA units to accommodate the larger Siemens turbine. This does not impact the specifications or design requirements on the high voltage side.

Interrogatory 4

Reference: Exhibit D/Tab 3/Schedule 1/Page 1

Preamble:

The first bullet indicates that design of "corner structures are likely to simply be reinforced single pole; detailed design will be completed upon finalization of geotechnical analysis and final engineering design."

Question/Request:

(a) Please indicate the relevant standards for design and construction of the transmission facilities.

Response:

(a) The relevant standards for design and construction of the transmission facilities are:

(i) CSA C22.3 - Canadian Electrical Code Part III - Overhead Systems

(ii) CSA C22.1 - Canadian Electrical Code Part I – Safety Standards for Electrical Installations

(iii) CSA C22.2 – Canadian Electrical Code Part II – General Requirements (Including Grounding and Bonding)

(iv) ESA - Ontario Electrical Safety Code

(v) MTOD 2245.020 - Minimum clearance for aerial cable systems

(vi) OHSA - Occupational Health and Safety Act and Regulations

(vii) ASTM - Pertinent Codes

(viii) ASCE - Pertinent Codes

(ix) IEEE - Pertinent standards and guides

Question/Request:

(b) Please indicate the voltage and nature of any other existing facilities in the right-of-way which might affect construction.

Response:

(b) The proposed transmission line will cross a 115 kV transmission line that is owned and operated by Hydro One. The Applicant is in the process of obtaining the required approvals from Hydro One in accordance with Hydro One's "Construction & Encroachment Process for Private Uses." A copy of this document is attached as Schedule 8-1 in response to Staff IR No. 8.

Question/Request:

(c) Please indicate design and construction standards and procedures, relating to high voltage and other electromagnetic effects, which will protect pre-existing facilities and personnel from direct and induced currents and voltages. Include in your discussion corrosion protection, cable location identification, and grounding for safety and "tingle" or "stray" voltage.

Response:

(c) The transmission line will be designed and constructed in accordance with the aforementioned codes, standards and regulations. Adherence to these standards and guidelines will serve to reduce or eliminate the potential effects of high voltage and other electromagnetic effects on existing facilities and persons in the immediate vicinity of the facilities.

In addition to strict adherence to standards and procedures, the Applicant will:

- install cathodic protection systems in accordance with the results of site-specific soil studies;
- affix phase and line voltage identification plaques on each transmission tower; and
- design and install grounding systems to minimize "step and touch" potential in the event of a fault.

As for "tingle" or stray voltage, the Applicant notes that the proposed 230 kV transmission line is a three-wire system, with no neutral conductor. The possibility of this system causing tingle or stray voltages is minimal; these types of voltages are usually caused, among others things, by poorly grounded unbalanced four wire distribution (under 50 KV) systems.

Interrogatory 5

Reference: Exhibit E/Tab 4/Schedule 1/Page 1/ second paragraph

Preamble:

In regard to motor operated disconnects ("MODs") in the switching station, the paragraph indicates that "A second MOD may be installed at some time in the future, in order to facilitate an alternate connection to Hydro One's W45LC to provide the IESO with more flexibility for managing system reliability" and that "The determination of whether and when the Talbot Windfarm Transmission Line will be connected to circuit W45LC instead of to circuit W44LC, will be made by the IESO."

Question/Request:

Please indicate:

(a) Does this mean that the IESO will be making the decision as to whether the second MOD will be acquired or not? Or does it mean simply that the IESO will decide to deploy the second MOD to connect to the W45LC circuit?

Response:

(a) After preliminary discussions with the IESO and Hydro One, it was decided that the preferred connection arrangement was a single connection to Circuit W45LC. This line is physically closer to the proposed switching station and, thus, facilitates the connection. This proposed connection arrangement will be confirmed by the IESO and Hydro One in the SIA and Customer Impact Assessment reports that are expected to be issued in mid-October, 2009.

The Applicant submitted a single line diagram to the IESO and Hydro One to confirm the preferred connection arrangement, a copy of which is attached as Schedule 5-1.

Question/Request:

(b) Will the second MOD be installed at the same time as the rest of the switching station equipment?

Response:

(b) It is expected that only a single MOD will be installed to connect to W45LC.

Question/Request:

(c) What is the determinant of whether and when the second MOD will be acquired?

Response:

(c) See responses to 5(a) and (b) above.

Question/Request:

(d) What is the impact on reliability of supply of windfarm energy to the grid if there is only a connection to the W44LC circuit?

Response:

(d) In the event of an outage on circuit W45LC, Talbot Windfarm will have to be taken out of service for the duration of the outage. The IESO, however, has not expressed concern with respect to reliability of supply issues *vis-à-vis* the proposed connection configuration. RES expects that the appropriateness of the connection configuration will be confirmed by the IESO in the Part II SIA, expected in mid-October.

Schedule 5-1 – Single Line Diagram
(Confidential)

(Confidential)

Interrogatory 6

Reference: Exhibit G/Tab 2/Schedule 1/Page 1

Preamble:

The references on this page for the exhibits for the various forms of lease appear to be wrong. The lease forms themselves do not have the exhibit reference number on them

Question/Request: Please confirm that

(a) At lines 22 and 23 the version 1(a) and 1(b) forms are at exhibit G/Tab 2/schedule 4 (not 3); and

(b) At line 24 the version 2 form is at exhibit G/Tab 2/schedule 5 (not 4).

Responses:

Both (a) and (b) are confirmed.

Interrogatory 7

Reference: Exhibit B/Tab 1/Schedule 1/Page 2/Paragraph 6
Exhibit G/Tab 2/Schedule 1/Page 1

Preamble:

The first referenced paragraph indicates that Talbot "... expects to execute the remaining two leases shortly." The second reference indicates that "terms of agreement have been agreed upon ... but the ... leases have not yet been executed."

Question/Request:

Please indicate if this has occurred and confirm that it is in accordance with the forms of leases in Exhibit G Tab 2 Schedules 3 and 4.

Response:

The leases have been executed in the form of lease (Versions 1(a) and 1(b)) included in Exhibit G, Tab 2, Schedule 4 of the Application.

Interrogatory 8

Reference: Exhibit B/Tab 1/Schedule 1/Page 2/Paragraph 7
Exhibit G/Tab 3/Schedule 1/Page 1

Preamble:

The first referenced paragraph indicates that "Both of these agreements are expected to be executed shortly." The second reference indicates Talbot is "currently in the process of securing two additional easements/rights of entry..."

Question/Request:

Please indicate if this has occurred and confirm that it is in accordance with the forms of agreement in Exhibit G Tab 3 Schedule 3.

Response:

The Applicant is currently engaged in the process of obtaining easements and rights of entry from Hydro One and CSX Transportation Inc. ("CSX") in accordance with the specific procedures prescribed by each. Both companies require the submission of a comprehensive application and a subsequent technical review.

The Hydro One Construction & Encroachment procedure is set out in Schedule 8-1.

The CSX procedure is set out in Schedule 8-2.

Schedule 8-1 – Hydro One Construction & Encroachment Process – Private Users

Hydro One Construction & Encroachment Process – Private Uses

To secure a construction and encroachment agreement for this private use, please submit a written request with the following information:

1. State the proposed secondary land use for which an encroachment is being sought.
2. Provide the proponent's legal name/company name, contact name, phone and fax numbers, address for legal notification.
3. Include a key map of the neighbourhood/area.
4. Include a concept drawing identifying the corridor property lines relative to the proponent's lands; include all Hydro facilities (towers, poles, etc.) on this drawing; locate the proposed use on this drawing; and provide approximate area being proposed (ie. 0.25 acres subject to survey).
5. Provide legal description of corridor lands (ie. Lot, Concession, name of the **original** Township).
6. Check with the Township/Municipality to ensure conformity to planning/zoning by-laws.

Property Management Proposal (PMP)

After Hydro One receives the above information, a Property Management Proposal (PMP) describing the proposed use is circulated to various Hydro One personnel for technical review and comments on the proposed encroachment. To obtain Hydro One's final technical approval, you must submit four (4) copies (folded please) of a grading and drainage plan, a composite utility plan, landscape plan if required, and a lighting plan if required. The plans should show the property lines of the corridor, and any Hydro One structures in the vicinity. There may be further requirements for cross-sections, elevation staking, etc. which will be assessed during the review process. The result of this technical review will be a Terms and Conditions letter identifying all Hydro One comments and/or approval.

Please note that the proponent is responsible for obtaining written approvals from all other easement holders or users of the subject lands (i.e. pipeline companies, utilities, etc.).

Survey and Legal Costs

The proponent must provide a Plan of Survey, at his/her expense, which identifies the Parts, which will be encroached upon with a Schedule indicating the area of each Part. This survey must be provided prior to signing the Agreement. We require four (4) copies (folded) for circulation.

All legal costs incurred by Hydro One, inclusive of disbursements and G.S.T., as they pertain to the Construction & Encroachment Agreement and completion of the transaction are also borne by the proponent.

No Access Until Construction & Encroachment Agreement is Executed

Please note that construction on Hydro One's transmission easement corridor **cannot** commence until all the above steps are completed, and a Construction & Easement Agreement is executed by Hydro One and the proponent, and may be **registered on title** if required by Hydro One. A pre-construction on-site meeting with Hydro One's technical personnel is conducted prior to the commencement of construction.

Schedule 8-2 – CSX Transportation Inc. Right of Entry Application Process

V. Overhead Bridge Structures for Wires and Cables

New overhead structures shall not be constructed over CSXT's right-of-way unless underground installation is not possible and/or the Project Owner can show that no practicable alternative is available.

When forwarding requests of this nature, utilize the Application for Wireline Installations to the fullest extent possible. Along with standard project drawings, complete structural plans and design computations for the structure and foundations, sealed by a Licensed Professional Engineer, are also required.

The vertical clearance requirement (distance from top of rail to closest component of the structure) is a minimum of 23 feet with a horizontal clearance of 18 feet from centerline of track.

VI. Subgrade Proposals in Southern FL

All subgrade utility crossings at or south of Milepost SX-964.00 (Dyer, Palm Beach Count, FL) require a CSXT inspector be present during installation. This applies to the "FL Dept. of Transportation rail corridor" (segment of trackage owned by DOT, operated by CSXT) as well. The casing pipe for all crossings in this area must extend the full width of the right-of-way, including pipes that are less than 4 inches in diameter. Bore pits must be located at or beyond the R/W lines.

VII. Instructions for Preparing Application Form

- All Project "Owner" and Project "Information" sections must be filled out completely (**Indicate N/A where items are "Not Applicable").**
- Sign and remember to date your application form.
- Complete Legal Name of Project Owner is required for agreement purposes.
- If not indicated where the agreement should be mailed, it will be mailed to Project Owner.
- The distance to/from the CSXT **Milepost** requested is a field measurement. The DOT/AAR number is not to be provided in lieu of the Milepost location requested.

Railroad Milepost: Is located along the track, similar to highway mileposts. A milepost indicates a whole number that is usually written vertically on a white sign or concrete post.

Encroachments located along spur tracks without mileposts should be referenced by:
1) distance from milepost to point-of-switch where spur track begins, and
2) distance along spur to proposed crossing.
Example: 527 feet north from Milepost 123 to point-of-switch, then 475 feet east along spur track to point of crossing.

DOT/AAR Number: Is a specific number assigned to each road intersecting CSXT tracks and should be posted at or near the crossing (usually on a pole or signal mast). It is usually a rectangular white sign with black numbers/letters and will consist of six (6) numbers followed by one letter (*Example: 630 543 P).*

VIII. Railroad Valuation Maps

Railroad valuation maps are available for informational purposes only. To obtain a copy of the Valuation Map Reproduction Request Form, please call (904) 633-4571, Fax # (904) 633-4545 or access the following web address:

http://www.csx.com/?fuseaction=general.csxp_map

In order to process the request for valuation map, the county and state must be provided along with one of the following: GIS#, val section and sheet, milepost with prefix, DOT crossing number, nearest street and distance

from that street, or an attached map of the area.

IX. Instructions for Preparing Application Drawings

Failure to include all pertinent information (either on the application or drawing) may result in the processing delay or return of the application without approval.

Drawing size must be: a) **8-1/2" x 11"**, b) **8-1/2" x 14"**, or c) **11" x 17"**. Larger drawings or construction plans may be submitted if necessary for clarification but cannot be used in lieu of the required project drawings. **Drawing(s) should be black and white, to scale and must include:**

- North arrow
- Legible Plan View of proposed project, and stationing/legends where needed for clarity
- Cross-section perpendicular to track, not necessarily profile of pipeline
- Centerline of all trackage
- Property and/or right-of-way lines
- If subgrade installation, location of bore pits
- Location of all proposed wells, borings, sampling, etc.
- Casing pipe lengths and distance ends extend from center of track (measured perpendicular to track)
- Depth of pipeline or height of wire/cable
- Angle of intersection of pipeline, wire/cable with track
- Location of shut-off valves, vents, poles, polelines, manholes, signal equipment, bridges, and any other facilities relevant to encroachment
- Applicant legal name, City location, County, State
- Drawing number and date
- Any CSX signals, road crossing warning devices, etc.

X. Insurance Requirements

The following list represents the insurance that will be required in the license agreement. You will be required to provide proof of insurance when you sign the license agreement.

- Prior to commencement of surveys, installation or occupation of premises pursuant to the utility occupation, Licensee shall procure and shall maintain during the continuance of the utility Agreement, at its sole cost and expense, a policy of Commercial General Liability Insurance (CGL), naming Licensor (CSXT and/or NYC LLC) as additional insured and covering liability assumed by Licensee under this Agreement. A coverage limit of not less than THREE MILLION AND 00/100 U.S. DOLLARS ($3,000,000.00) Combined Single Limit per occurrence for bodily injury liability and property damage liability is currently required as a prudent limit to protect Licensee's assumed obligations. If Licensee's existing CGL policy(ies) do(es) not automatically cover Licensee's contractual liability during periods of survey, installation, maintenance and continued occupation, a specific endorsement adding such coverage shall be purchased by Licensee. If said CGL policy is written on a "claims made" basis instead of a "per occurrence" basis, Licensee shall arrange for adequate time for reporting losses. Failure to do so shall be at Licensee's sole risk.

- In addition to the above-described CGL insurance, in the event Licensee finds it necessary to perform construction or demolition operations within fifty feet (50') of any operated railroad track(s) or affecting any railroad bridge, trestle, tunnel, track(s), roadbed, overpass or underpass, Licensee shall, or require its contractor(s) performing such operations, to procure and maintain during the period of construction or demolition operations, at no cost to Licensor, Railroad Protective Liability (RPL) Insurance, naming Licensor as Named Insured, written on the current ISO/RIMA Form (ISO Form No. CG 00 35 01 96) with limits of FIVE MILLION AND 00/100 U.S. DOLLARS ($5,000,000.00) per occurrence for bodily injury and property damage, with at least TEN MILLION AND 00/100 U.S. DOLLARS ($10,000,000.00) aggregate limit per annual policy period, with Pollution Exclusion Amendment (ISO CG 28 31 11 85) if an older ISO Form CG 00 35 is used. The original of such RPL policy shall be sent to and approved by Licensor prior to commencement of such construction or demolition. Licensor reserves the right to demand higher limits.

- As an alternative to Licensee purchasing its own RPL policy, CSXT may offer Licensee the choice of paying

to Licensor a premium, to cover the cost of adding the utility occupancy to Licensor's Railroad Protective Liability (RPL) Policy for the period of actual construction. The fee(s) shown below represent the current premium (effective 8/1/04):

	Premium Per Project
Standard* Wire/cable crossings:	
Overhead:	$ 700
Underground:	$ 750
Standard* Pipe crossings:	
Up to 30" in diameter	$ 750
30" to 45" in diameter	$ 1,500
45" to 75" in diameter	$ 3,000
75" to 100" in diameter	$ 6,000
100" to 120" in diameter	$12,000

Note 1: This is a partial list of available options. For longitudinal proposals, open-cut projects, or any proposals not shown above, please call for additional information. These fees are based on actual premium cost and are subject to periodic review and adjustment.

Note 2: Where applicant is unable to furnish adequate insurance or where and acceptable Best's rated insurer is not provided, a surcharge may be applied.

* "Standard" is a judgement made by Railroad, for purposes of the RPL insurance. For example, pipe bridges and attachments to bridge structures are not "standard," for RPL purposes.

(See sample certificate on next page)

SAMPLE CGL CERTIFICATE

CERTIFICATE OF LIABILITY INSURANCE DATE (MM/DD/YY)

PRODUCER

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

The Licensee/Lessee/Industry identified in the agreement must be the named insured. CSXT will not accept the contractor's CGL certificate.

COMPANIES AFFORDING COVERAGE

PHONE: FAX:

INSURED

COMPANY A

COMPANY B

COMPANY C

COVERAGES

The amount in this "Each Occurrence" box must be at least $3,000,000.00; or the amount in this box combined with the "Each Occurrence" coverage of any Excess Liability must be at least $3,000,000.00.

$IR May Apply

THIS IS TO CERTI... TO THE INSURED NAMED ABOVE FOR THE ...M OR CONDITION OF ANY CONTRACT OR O...SUED OR MAY PERTAIN, THE INSURANCE ...TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE ...Y PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	EFF DATE	E	LIMITS	
A	GENERAL LIABILITY				GENERAL AGGREGATE	$
	X COMMERCIAL GENERAL LIABILITY				PRODUCTS - COMP/OP AGG	$
	CLAIMS-MADE X OCCUR				PERSONAL & ADV INJURY	$
	OWNER'S & CONTRACTOR'S PROT				EACH OCCURRENCE	$
					FIRE DAMAGE (ANY ONE FIRE)	$
					MED EXP (ANY ONE PERSON)	$
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT	$
	ANY AUTO					
	ALL OWNED AUTOS				BODILY INJURY (PER PERSON)	$
	SCHEDULED AUTOS					
					BODILY INJURY (PER ACCIDENT)	$
					PROPERTY DAMAGE	$
					AUTO ONLY - EA ACCIDENT	$
					OTHER THAN AUTO ONLY:	$
					EACH ACCIDENT	$
					AGGREGATE	$
A	EXCESS LIABILITY				EACH OCCURRENCE	$
	UMBRELLA FORM				AGGREGATE	$
	OTHER THAN UMBRELLA FORM				RETENTION	$
	CLAIMS MADE OCCUR					
	DEDUCTIBLE					
	WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY				WC STATU-TORY LIMITS / OTH-ER	
	THE PROPRIETOR/ PARTNERS/EXECUTIVE OFFICERS ARE: INCL / EXCL				EL EACH ACCIDENT	$
					EL DISEASE-POLICY LIMIT	$
					EL DISEASE-EA EMPLOYEE	$

This box should contain the following: "CSX Transportation, Inc. is included as an additional insured. This certificate applies to all contracts/agreements between the named insured and CSXT."

DESCRIPTIONS OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

CERTIFICATE HOLDER	CANCELLATION
CSX TRANSPORTATION, INC. 500 WATER STREET, J-180 JACKSONVILLE, FL 32202	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE MODIFIED, CANCELLED, OR NOT RENEWED, THE ISSUING INSURER SHALL MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED HEREIN. AUTHORIZED REPRESENTATIVE

This provision is required per the terms of the agreement. The following provision is <u>not</u> acceptable on the certificate: "<u>Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the certificate holder named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company its agents or representatives.</u>"

XI. FACTORS THAT AFFECT THE APPLICATION TURNAROUND TIME

It is common for applicants to be concerned with the amount of time it takes for successful completion of their application requests. We understand this concern and treat all application requests with a responsive attitude.

We hope the following information will address your expectations of the application process and demonstrate how you, as the applicant, play a key role in the overall success in the completion of the application request.

1. Date application is received:
   - Each application is handled in the order it is received. Our team works together to make sure your application is given equal priority. All applications are important to us. Provided your application is approved, you should receive a proposed agreement within 30 days.

2. Complexity of the request:
   - Some requests are more complex and may require special attention, approval by additional departments, and more time than standard requests.

3. Quality of request (do the application and required drawings meet CSX requirements?):
   - If the applications and/or drawings are incomplete or include substandard specification information or if an application fee does not accompany the application, the request may be returned to you in its entirety. Please make the necessary corrections and resubmit. When minor items need to be addressed, CSX may simply contact you for additional information or correction.

4. Modifications/change requests during application process:
   - Any change or modification requested during the application process will add additional processing time. It is important to be sure your plans have been finalized and have been approved by your company or client before submitting them to us for review and approval. Change requests are subject to additional fees.

5. Communication flow:
   - As we may need to contact you for additional information, please make sure the application contains telephone, fax, and e-mail addresses. An alternate contact is helpful in the event you're not available while your application is being processed.

6. Time frames and deadlines:
   - Once the application review has been completed and your application request is approved, an agreement proposal is overnighted to the address provided.
   - Before submitting an application, please keep in mind CSX will be requesting that signed documents, fees, and proof of insurance be returned within 25 days; therefore, please do not submit an application to CSX if you are not prepared to meet this deadline policy. We understand that sometimes "special" circumstances prohibit you from returning everything within 25 days and CSX will extend the 25-day deadline upon your request.
   - It is essential that returned agreements, fees, and insurance certificates be returned as one package.
   - Upon receipt of the applicant's returned package, it normally takes two business days for CSX to obtain appropriate signatures and to return a fully-executed agreement/approval.
   - If the documents, proof of insurance, and applicable fees, are not returned or an extension period has not been requested within 25 days, the file will be closed. An additional application fee will be required to reopen the file.

By focusing on your request rather than wasting processing time contacting applicants due to inadequate, substandard information, or non-response, we have been able to drastically reduce our agreement turnaround time. These guidelines have been implemented as a direct result of our applicants' demand for timely reviews and approvals.

For additional insurance and application information, please take the time to review our package prior to making application with us. *We want your application request to be a success!*

APPLICATION FOR RIGHT-OF-ENTRY
(Access to CSXT Property for Non-Environmental Projects Only)

Submit one original and one copy each of both the application and drawing along with a check for $750.00 (**nonrefundable** Application Fee) to CSX Transportation, Attn: Right-of-Entry Section, Property Services J180, 500 Water Street, Jacksonville, FL 32202.

Application and plans must be approved and written authority received from the Railroad before Work is begun. CSXT reserves the right to approve or decline any application.

Agreement Party* Information: ☐ Check here if agreement should be mailed to this address

*This should be the party that will be executing the right-of-entry agreement & securing required insurance.

1. Complete Legal Name of applicant as it would appear in a legal document (**inaccurate information will delay your request**):
2. Company Contact Name: _____ Title: _____
3. Telephone: (___) _____ Fax: (___) _____ E-Mail: _____
4. Street Address: _____
   City: _____ State: _____ Zip: _____
5. Type of business: ☐ Corporation (State of incorporation _____) ☐ Individual
   ☐ Partnership (Type and State of Partnership _____) ☐ Developer ☐ Municipality
   ☐ Non-profit organization _____ ☐ Other _____

Signature: _____ Date: _____

Engineer/Consultant Information: ☐ Check here if agreement should be mailed to this address

*Leave blank if same as above.

6. Company Name: _____
7. Company Contact Name: _____ Title: _____
8. Telephone: (___) _____ Fax: (___) _____ E-Mail: _____
9. Street Address: _____ City: _____ State: _____ Zip: _____

Project Information: Application Date: _____

10. Reference No. _____ (Any number you want referenced for this project, such as Job No., Work Order No., etc.)
11. Is this request for a: ☐ New agreement ☐ Revision to existing agreement ☐ Extension of existing agreement
12. If not a new agreement, furnish existing Agreement Number: _____
    (also please send a copy of the existing agreement)
13. Location: _____
    City: _____ County: _____ State: _____

Project Information (cont.):

14 Field measurement (**REQUIRED**): _____ feet _____ (direction) from Railroad Milepost _____
OR _____ feet _____ (direction) from Rd. Crossing: Rd. Name _____
DOT/AAR# _____
Note: If Item # 14 is left blank or is filled out incorrectly/incompletely, the application will automatically be denied and returned.

15. Attachments provided (check all that apply):
_____ photograph (REQUIRED) _____ general location map (REQUIRED)
_____ CSXT Val. Map fragment _____ Copy of county tax map

16. How did you verify that property and/or trackage is CSXT's? _____

17. Bridge Number(s): _____
(this must be provided for bridge survey/inspection)

18. Latitude _____ Longitude _____ (if known)

19. Project Description (be explicit):
Note: Describe only the portion of the project related to this request to enter CSXT property
_____
_____
_____
_____
_____

20. How close will the work be to the nearest track? _____ feet, or ☐ on tracks
Note: Drawing(s) must show distances to CSXT pole line(s), signals, and/or culverts

21. Does work on CSXT property include:
☐ soil borings – to what depth: _____
☐ excavation – to what depth: _____
☐ construction
☐ demolition: describe (no explosives) _____
☐ bridge inspection ☐ bridge rehab/repair
☐ staging areas: what will they be used for and where will they be located:
_____
☐ other: _____

22. Is this project: ☐ related to a construction project? ☐ related to a CSXT real estate transaction?
☐ preliminary or feasibility study for a bridge rehabilitation project?
If yes to either, please provide details (and attach a copy of any CSXT approvals already obtained):
_____
_____

23. What type of equipment will be used on CSXT property?
_____

24. Does access to the property require crossing CSXT tracks? _____
If yes, how/where? ☐ at public crossing
☐ other (please explain: _____)

25. Will equipment overhang CSX ☐ track or ☐ property at any time? Please explain:
_____

26. Expected length of project (on CSXT): Begin date: _____ Completion date: _____
(Please allow time for this agreement to be executed and your project to be scheduled with CSX Roadmaster)

Railroad Use Only: Agreement No.: _____ RPL: Y/N
Comments: _____
_____
Approved? Yes _____ No _____ By: _____ Date: _____
Val. Map.: _____ Roadmaster No.: _____

Interrogatory 9

Reference: Exhibit G/Tab 3/Schedule 2/Page 1

Preamble:

A variance is indicated for owner Van Leeuwen.

Question/Request:

Please indicate how agreement on pole placement has been or is expected to be reached.

Response:

The Applicant and the Van Leeuwens have agreed that the transmission line will span the entire Van Leeuwen property and that no poles will be placed on the Van Leeuwen property. This agreement will be reflected in an exhibit that will be appended to the lease.

Interrogatory 10

Reference: Exhibit G/Tab 5/Schedule 1/Page 1 Exhibit E/Tab 2/Schedule 1/Page 1

Preamble:

The first reference in the second paragraph indicates there will not be transmission towers within 45 metres of the Highway 401 right of way. In the second reference the application indicates that "the span length between each pole is expected to be approximately 100 metres".

Question/Request:

(a) What will be the span between towers for the crossing of Highway 401?

Response:

(a) The span crossing HWY 401 will be approximately 120 meters.

Question/Request:

(b) What are the standards that cover the spans of 100 metres?

Response:

(b) The 120m span design will be designed in accordance with CSA C23.3 - Overhead Transmission Systems, CSA C22.1 - Canadian Electrical Safety Code and IEEE standard 738. More specifically, the crossing will meet the minimum vertical clearances above finished grade as outlined in MTO – 2245.020. These clearances are for maximum sag conditions as defined by CSA C22.3, No. 1-06. The design criteria will also require that the two poles supporting the lines crossing on Highway 401 be dead-end structures, thereby increasing the level of security and reliability on that portion of the line.

Question/Request:

(c) What are the tower design features and standards that cover this longer span?

Responses:

(c) The Highway 401 span will not be significantly longer than other spans for the remainder of the line. The towers required at each end of the crossing will comprise steel or concrete dead-end structures. They will be slightly higher than the other poles along the line in order to respect minimum clearances as required by MTO standard 2245.020 at maximum sag conditions. Finally, the towers and the related electrical equipment will designed be in accordance with all applicable standards and best practices listed in the answer to Interrogatory 4 (a).

Interrogatory 11

Reference: Exhibit B/Tab 1/Schedule 1/Page 3/Paragraph 12 Exhibit H/Tab 1/Schedule 1/Page 2/lines 21 and 22

Preamble:

In regard to the 37 requests to elevate the project to an individual environmental assessment, the paragraph indicates that "the MOE is in the process of reviewing these requests and decision in this regard is imminent."

Question/Request:

(a) Please provide the results of the decision by the MOE.

Response:

(a) Schedule 11-1 is a letter from the Director of the Environmental Assessments and Approvals Branch of the Ontario Ministry of the Environment rejecting all of the 37 Requests for Elevation that were submitted to the Ministry. Subsequently, two parties filed appeals in respect of the Director's decision. The Minister has advised that these appeals were dismissed.

Question/Request:

(b) Are there any Federal environmental or other reports or licenses required?

Response:

(b) Talbot Windfarm is undergoing the screening process pursuant to the *Canadian Environmental Assessment Act* in order to be eligible for EcoEnergy funding.

Pursuant to the federal-provincial Memorandum of Understanding with Ontario, the province has taken the lead and the federal screening has been rolled into the provincial environmental review. Natural Resources Canada is the Responsible Authority at the federal level and its comments have been taken into account in the preparation of the ERR.

No federal reports or licences are otherwise required in relation to the Talbot Windfarm Transmission Facilities.

Schedule 11-1 – July 28, 2009 Letter from the Ministry of the Environment

Ministry of the Environment

Environmental Assessment and Approvals Branch

2 St. Clair Avenue West
Floor 12A
Toronto ON M4V 1L5
Tel.: 416 314-8001
Fax: 416 314-8452

Ministère de l'Environnement

Direction des évaluations et des autorisations environnementales

2, avenue St. Clair Ouest
Étage 12A
Toronto ON M4V 1L5
Tél. : 416 314-8001
Téléc. : 416 314-8452

Ontario

JUL 2 8 2009

Mr. Nicolas Muszynski
Project Developer
Renewable Energy Systems Canada, Inc.
300 Léo-Pariseau
Montreal, QC H2X 4B3

Dear Mr. Muszynski:

Between May 30, 2009 and June 5, 2009, I received 36 requests asking that Renewable Energy Systems Canada Inc. (RES Canada) be required to prepare an individual environmental assessment (EA) for the proposed Talbot Wind Farm (Project) in the Municipality of Chatham-Kent.

I am taking this opportunity to inform you that a decision has been made that an individual EA is not required. This decision was made after giving careful consideration to the issues raised in the outstanding requests, Project documentation, the provisions of the Environmental Screening Process (ESP), and other relevant matters required to be considered under subsection 16(4) of the *Environmental Assessment Act* (EAA).

In accordance with the ESP, my decision will become final 15 calendar days after this notice of my decision is received, unless a request is made by one of the original requesters within that time that the Minister of the Environment review my decision. This notice is deemed to be received on the fifth day after it is mailed. Please note that the details for requesting that the Minister review my decision are outlined in section B.4.1.2 of the Guide to Environmental Assessment Requirements for Electricity Projects. If you do not have a copy of this guide, it is available on the Ministry of the Environment's web site.

If no request is made to the Minister to review this decision, RES Canada must submit the required Statement of Completion and may proceed with the Project, subject to any other permits or approvals required.

It is understood that RES Canada and the Ministry of Natural Resources (MNR) will be working together on developing an avian post-construction monitoring plan and developing further mitigation measures to protect Fox Snakes. In addition, I understand that RES Canada is required to submit a bat post-construction monitoring program once it has been developed for MNR's review and approval. I understand that this additional work required by RES Canada for the Project is explained in a letter addressed to you dated July 13, 2009 from MNR. I am satisfied that RES Canada and MNR will continue to work together to complete additional mitigation and monitoring programs for this Project.

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Please note that the contravention of the EAA, including failure to comply with the ESP and the commitments made in the Environmental Review Report/Environmental Impact Statement, may result in prosecution under Section 38 of the EAA. This decision is made with the understanding that RES Canada recognizes the importance and value of the EAA and that these commitments will be fulfilled.

Yours sincerely,

Agatha Garcia-Wright
Director
Environmental Assessment and Approvals Branch

Attachment

c: Requesters

Interrogatory 12

Reference: Exhibit H/Tab 1/Schedule 2/Environmental Review Report/ Environmental Impact Statement, section 5.7, pages 41 - 46

Preamble:

The referenced pages indicate aboriginal consultations which have taken place. Section 5.7.3 on page 46 indicates that "RES Canada is committed to continuing to consult with Aboriginal communities who have asserted (they) have potentially affected interests."

Material on the website does not appear on the record of the proceeding.

Question/Request:

(a) Please provide a status update on consultations with Aboriginal communities with regard to the following points:

(i) Identify all of the Aboriginal communities that have been contacted in respect of this application.

Response:

The First Nations listed in Table 1, below, and the Association of Iroquois and Allied Indians ("**AIAI**") have been contacted in respect of this application.

Question/Request:

Indicate:

how the Aboriginal communities were identified;

Response:

The Aboriginal communities were identified in two main ways. First, from the Talbot Windfarm's inception in the summer of 2007, RES Canada carried out its own preliminary research to identify Aboriginal communities that might have a potential interest in the Talbot Windfarm. In certain instances, RES Canada sought and received input from Aboriginal communities and the AIAI.

Second, starting in the summer of 2007, RES Canada sought guidance in the identification of potentially affected Aboriginal communities from Indian and Northern Affairs Canada ("**INAC**") (including Specific Claims, Comprehensive Claims and Litigation Branches), the Ontario Ministry of Energy and Infrastructure ("**MEI**") and the Ontario Ministry of Aboriginal Affairs ("**OMAA**").

Table 1, below, indicates how and by whom each Aboriginal community was identified for RES Canada consultation purposes regarding Talbot Windfarm. The third column of Table 1 indicates the means by which an Aboriginal community was identified. With the exception of the Munsee-Delaware First Nation, first identified to RES Canada by INAC (Specific Claims Branch) by letter of September 4, 2007 letter (Schedule 12-4), the remainder of the Aboriginal communities were first identified through RES Canada' own preliminary research.

Question/Request:

ii. when contact was first initiated;

Response:

Table 1, below, indicates when RES Canada first initiated contact with an identified Aboriginal community or AIAI regarding the Project.

Question/Request:

iii. the individuals within the Aboriginal community who were contacted, and their position in or representative role in the community;

Response:

Table 1, below, indicates the individuals within each Aboriginal community and the AIAI who were contacted, and their position or representative role.

TABLE 1

#	Aboriginal community or representative organization	Individual contacts and titles	Means of identification of Aboriginal community or representative organization	Communication by which RES Canada first initiated contact
1.	Aamjiwnaang (Chippewas of Sarnia First Nation)	Chief Chris Plain	• RES Canada preliminary research. • First Nation also identified by MEI in response of February 12, 2009 (Schedule 12-2) to RES Canada' Consultation Information Request ("**CIR**") letter to MEI	On July 6, 2007, RES Canada sent Notice of Study Commencement for environmental screening process and cover letter (Schedule 12-26).

#	Aboriginal community or representative organization	Individual contacts and titles	Means of identification of Aboriginal community or representative organization	Communication by which RES Canada first initiated contact
			(Schedule 12-3).	
2.	Association of Iroquois and Allied Indians	Grand Chief Randall Phillips (Former Grand Chief Denise Stonefish)	RES Canada' preliminary research alone identified AIAI as a relevant contact for the identification of Aboriginal communities potentially interested in the project.	Idem.

3.	Bkejwannong Territory (Walpole Island First Nation) ("**Walpole**")	Chief Joseph B. Gilbert
		Dr. Dean Jacobs, Executive Director, Walpole Island Heritage Centre
		(**N.B.** – A February 5, 2008 letter from Chief Gilbert to federal and provincial ministers identified Dr. Dean Jacobs as the primary contact for wind project-related consultations. (Schedule 12-16)
			• RES Canada preliminary research.
			• First Nation also identified by
			  • INAC Specific Claims Branch advised RES Canada by letter of September 4, 2007 (Schedule 12-4) re specific claim in Project area;
			  • INAC Litigation Branch advised RES Canada in telephone call of September 4, 2007, reiterated in April 3, 2009 email (Schedule 12-13), of litigation in the vicinity of Project;
			  • OMAA letter of September 12, 2007 to RES Canada (Schedule 12-8); and
			  • MEI in a February 12, 2009 response (Schedule 12-2) to RES Canada' CIR letter (Schedule 12-3).
				Idem.

#	Aboriginal community or representative organization	Individual contacts and titles	Means of identification of Aboriginal community or representative organization	Communication by which RES Canada first initiated contact
4.	Caldwell First Nation ("**Caldwell**")	Chief Louise Hillier[1] Councillor Lonny Dodge Councillor Janne Peters (**N.B.** - In January 2008, Chief Hillier directed RES Canada representative to contact Councillors Dodge and Peters).	• Idem.	Idem.

5.	Chippewas Kettle & Stony Point First Nation	Chief Elizabeth J. Cloud
		(Former Chief Tony Bressette)
			• RES Canada preliminary research.
			• First Nation also identified by:
			  • INAC, Specific Claims Branch, in a September 4, 2007 letter to RES Canada (Schedule 12-4), as having a specific claim in Project area;
			  • INAC, Litigation Branch, in a September 4, 2007 telephone call as being involved in litigation in vicinity of Project; and
			  • MEI in a February 12, 2009 response (Schedule 12-2) to RES
				Idem.

[1] Both Larry Johnson and Louise Hiller initially identified as contacts for Caldwell at the start of the project development phase. Chief Hiller was known as Hillier-Johnson at the time. As Talbot Windfarm progressed, Chief Hillier (no longer hyphenated with Johnson) became the primary RES contact for Caldwell, along with the Caldwell Councillors identified herein. Also, Chief Hillier was identified by OMAA in connection with Caldwell in a September 12, 2007 letter to RES (Schedule 12-8). Chief Hillier was also identified by MEI in connection with Caldwell in correspondence dated March 23, 2009 (Schedule 12-19).

#	Aboriginal community or representative organization	Individual contacts and titles	Means of identification of Aboriginal community or representative organization	Communication by which RES Canada first initiated contact
			Canada' CIR letter to MEI (Schedule 12-3).	
6.	Chippewas of the Thames First Nation	Chief Vaughan Albert, Sr. (Former Chief Kelly Riley)	• Idem.	Idem.
7.	Moravian of the Thames (Delaware) First Nation ("**Moravian**")	Chief Gregory Peters (Former Chief Johnny Stonefish) Denise Stonefish, Director of Operations	• RES Canada preliminary research. First Nation also identified by: • Six Nations of the Grand River ("**Six Nations**") in a July 25, 2007 letter to RES Canada (Schedule 12-7); and • OMAA in a September 12, 2007 letter to RES Canada (Schedule 12-8).	Idem.
8.	Munsee-Delaware Nation	Chief Patrick Waddilove	First Nation identified by: • INAC, Specific Claims Branch, in a September 4, 2007 letter to RES Canada (Schedule 12-4), as having a specific claim in Project area; • INAC, Litigation Branch, in a September 4, 2007 telephone call as being involved in litigation in the vicinity of the project; and • MEI in a February 12, 2009 response (Schedule 12-2) to RES Canada' CIR letter (Schedule 12-3).	RES Canada sent fax April 23, 2008 notifying of intent to develop project with Project area map and general information. (Schedule 12-26)

#	Aboriginal community or representative organization	Individual contacts and titles	Means of identification of Aboriginal community or representative organization	Communication by which RES Canada first initiated contact

9.	Oneida First Nation	Chief Joel Abram
		(Former Chief Randall Phillips)
		Jeff Ross, Director of Operations
		(**N.B.** - On April 4, 2008 a Project representative was instructed by Oneida FN to contact Jeff Ross.)
			• RES Canada preliminary research.
			• First Nation also identified by:
			  • INAC, Specific Claims Branch, in a September 4, 2007 letter to RES Canada (Schedule 12-4), as having a specific claim in Project area;
			  • INAC, Litigation Branch, in a September 4, 2007 telephone call as being involved in litigation in the vicinity of Project; and
			  • MEI in a February 12, 2009 response (Schedule 12-2) to RES Canada' CIR letter (Schedule 12-3).
				On July 6, 2007, RES Canada sent Notice of Study Commencement for environmental screening process and cover letter. (Schedule 12-26)

10.	Six Nations of the Grand River ("**Six Nations**")	Chief William Montour (Former Chief David General) Kate Cave, Land Use Supervisor (**N.B.** - In September 2008, Ms. Cave responded to July 29, 2008 letter from RES Canada to Chief Montour (Schedule 12-26)) Joanne Thomas, Land Use Supervisor	• RES Canada preliminary research. • MEI in a February 12, 2009 response (Schedule 12-2) to RES Canada' CIR letter (Schedule 12-3).	Idem.

#	Aboriginal community or representative organization	Individual contacts and titles	Means of identification of Aboriginal community or representative organization	Communication by which RES Canada first initiated contact
		(**N.B.** - Ms. Thomas attended the November 5, 2008 meeting between RES Canada and Six Nations, along with Kate Cave).		

Question/Request:

iv. a listing, including the dates, of any phone calls, meetings and other means that may have been used to provide information about the project and hear any interests or concerns of Aboriginal communities with respect to the project.

Response:

(1) The Aboriginal Consultation Summary (updated to September 10, 2009), attached as Schedule 12-10, provides a listing of telephone communications, meetings and correspondence, with applicable dates, relating to RES Canada' provision of information regarding Talbot Windfarm to, and soliciting input from, Aboriginal communities regarding their interest in Talbot Windfarm, if any, as well as certain questions and comments from the Aboriginal communities.

Question/Request:

(b) Provide relevant information gathered from or about the Aboriginal community concerning their treaty rights, or any filed and outstanding claims or litigation concerning their treaty rights or treaty land entitlement or Aboriginal title or rights, which may potentially be impacted by the project.

Response:

Information from Government Agencies regarding Aboriginal Community Claims

OMAA

(1) By letter of September 12, 2007, OMAA recommended that RES Canada contact Walpole, Caldwell and Moravian, but did not provide specific information regarding any potential treaty rights, treaty land entitlement or Aboriginal title or rights, which could possibly be impacted by Talbot Windfarm. Please see the letter attached at Schedule 12-8.

Comprehensive Claims

(2) By letter of July 2007, INAC's Comprehensive Claims Branch[2] notified RES Canada that there were no comprehensive claims in the municipality of Chatham-Kent, the municipality in which Talbot Windfarm is situated. Please see the letter attached at Schedule 12-12.

(3) By email of April 21, 2009, INAC confirmed to RES Canada that there are no comprehensive claims in the Project area. Please see the email attached in Schedule 12-14.

Specific Claims

(4) By letter of September 4, 2007, INAC's Specific Claims Branch informed RES Canada that there were specific claims for the following First Nations ("**FNs**") in the area of Talbot Windfarm: Caldwell, Walpole, Oneida, Chippewas of the Thames, Munsee-Delaware, Chippewas of Kettle and Stony Point. Please see the letter attached at Schedule 12-4.

(5) **Caldwell:** However, by email of April 21, 2009, INAC's Specific Claims Branch advised RES Canada of only one specific claim filed in the Chatham-Kent area,

[2] This letter was undated but received by RES in July 2007, 0.

filed by Caldwell. RES Canada was further advised that this claim, alleging Aboriginal title that had not been surrendered, relate to Point Pelee and Pelee Island (*i.e.*, outside the Project area). RES Canada was advised that this claim was in the negotiation stage. Please see the email attached in Schedule 12-13 and relevant section of the INAC Status Report on Specific Claims in Canada (formerly "Public Information Status Report": "**INAC Report**") attached at Schedule 12-15.

(6) **Moravian:** The INAC Report indicates a specific claim by Moravian for 26,000 acres in Orford Township, for which INAC found "no lawful obligation" (i.e. rejected the claim for negotiation). Please see the relevant section of INAC Report, attached at Schedule 12-15.

(7) **Walpole:** The INAC Report indicates that Walpole has multiple specific claims. However, these do not appear to be geographically relevant to Talbot Windfarm. Please see the relevant sections of the INAC Report, attached at Schedule 12-15.

(8) **Six Nations:** The INAC Report indicates that Six Nations has multiple specific claims. However, these do not appear to be geographically relevant to Talbot Windfarm. Please see the relevant sections of the INAC Report, attached in Schedule 12-15. The Six Nations website indicates a number of other potential claims. RES Canada has reviewed these claims and determined, subject to paragraph 20, that they are not geographically relevant to Talbot Windfarm.

Litigation

(9) By telephone call of September 4, 2007, INAC's Litigation Branch advised RES Canada of First Nation-related litigation in the vicinity of Talbot Windfarm involving the following First Nations: Caldwell, Walpole, Oneida, Chippewas of the Thames, Munsee-Delaware and Chippewa of Kettle and Stony Point.

(10) Subsequently, however, by email of April 3, 2009, INAC's Litigation Branch advised RES Canada of litigation involving only the following First Nations in the Talbot Windfarm area: Walpole and Caldwell. Please see the email attached at Schedule 12-5.

(11) RES Canada has reviewed the litigation proceedings relating to the claims by Walpole and Caldwell:

- In *Walpole Island First Nation, Bkejwanong Territory v. Attorney General of Canada et al.*[3], Walpole asserts Aboriginal title to areas not relevant to Talbot Windfarm. Walpole also asserts Aboriginal rights to hunt, fish, trap

[3] Ontario Superior Court of Justice, Court File No. 00-CV-189329

and to conserve sacred sites in, among other areas, the area comprised within Treaty No. 2 of May 19, 1790 ("**Treaty 2**"), a copy of which is attached at Schedule 12-20 Walpole asserts that it is a signatory of Treaty No. 2, the area of which encompasses the Project area. While Treaty No. 2 does not specifically make mention of hunting and fishing rights, a noted commentator explains that such rights were implied terms of treaties signed at the time.[4] This matter is discussed further below at paragraphs 30 to 36.

- The legal proceedings *Corporation of the Municipality of Chatham-Kent v. Her Majesty the Queen in Right of Canada as represented by Minister of Indian Affairs and Northern Development, Department of Indian Affairs and Northern Development, Caldwell First Nation*[5], were not instituted by Caldwell. They refer to a specific claim filed by Caldwell in the Chatham-Kent area. However, this specific claim, as mentioned above, involves Point Pelee and Pelee Island, that is, outside the Talbot Windfarm area.

Treaties

(12) **Treaty No. 2:** As discussed at paragraph 18, Talbot Windfarm is located within the area covered by Treaty No. 2, within which Walpole asserts certain Aboriginal rights, discussed further below under item (d), "Aboriginal Concerns and Mitigation".

(13) **1701 Treaty:** Six Nations asserts rights pursuant to the Nanfan/Fort Albany 1701 Treaty ("**1701 Treaty**"), a copy of which is attached at Schedule 12-21. The rights asserted relate to hunting and fishing in a broad area of south-western Ontario. This claim does not appear in the INAC Report (Schedule 12-15) and has not been accepted by INAC for negotiations. Lower courts in Ontario have upheld the validity of certain rights asserted under this treaty in acquitting members of the Six Nations of illegal hunting charges.[6] Please also see response in paragraph 28.

---

4 Robert J. Surtees, *Treaty Research Report – The Robinson Treaties (1850)*, Treaties and Historical Research Centre, Indian and Northern Affairs Canada, 1986, available online at: http://www.ainc-inac.gc.ca/al/hts/tgu/pubs/Trob/trerob-eng.asp

5 Federal Court of Canada, Trial Division, Court File No.T-4-00.

6 See: *R. v. Ireland,* [1990] O.J. No. 3301 (Ontario Provincial Offences Court); *R. v. Ireland* [1990] O.J. No. 2365 No. 2365, [1991] 2 C.N.L.R. 120 (Ontario Court (General Division)).

Question/Request:

(c) Provide any relevant written documentation regarding consultations, such as notes or minutes that may have been taken at meetings or from phone calls, or letters received from, or sent to, Aboriginal communities.

Response:

(1) Please see the attached letters and notices sent by RES Canada to identified Aboriginal communities at Schedule 12-26. Please also see the July 17, 2009 letter sent by RES Canada to Walpole (Schedule 12-22).

(2) Please see the minutes of meetings with Six Nations (Schedule 12-7), Moravian (Schedule 12-6) and Walpole. The Walpole meeting minutes are provided in a redacted version for public access (Schedule 12-17).

Question/Request:

(d) Identify any specific issues or concerns that have been raised by Aboriginal communities in respect of the project and, where applicable, how those issues or concerns will be mitigated or accommodated.

Response:

Caldwell

(1) By telephone call of January 22, 2008, Caldwell informed RES Canada that it would have an interest in Talbot Windfarm. Subsequently, however, by telephone call of April 4, 2008, the Caldwell representative advised RES Canada that he was not aware of traditional or archaeological interest in the Project, except possible hunting trails, and stated that Caldwell would follow up with RES Canada. RES Canada has provided relevant project related information to Caldwell, including the final version of the ERR. RES Canada has not received any further input from Caldwell. Virtually all Talbot Windfarm infrastructure is to be located on private, agricultural land.

Moravian

(2) By telephone call of April 4, 2008, the Chief of Moravian indicated that, subject to consultation with his Council, he was not aware of any traditional use or archaeological interest in the Talbot Windfarm area. Subsequently, at a meeting

on March 3, 2009, a Moravian representative indicated the possibility that Talbot

Windfarm overlaps with ancestral burial grounds.

(3) The Phase 2 archaeological study has not shown Talbot Windfarm interference with burial sites. Further, RES Canada will avoid known areas of archaeological interest.

(4) At a March 3, 2009 meeting, a Moravian representative mentioned that while its present community is located approximately 10km from Lake Erie, Moravian ancestors had trails leading to the lake for hunting, gathering and fishing purposes. Please see the minutes of the meeting with Moravian attached at Schedule 12-6.

(5) There are not now any trails from the Moravian reserve to Lake Erie affected by Talbot Windfarm, as virtually all project infrastructure is to be located on private, agricultural land.

Six Nations

(6) By letter of July 25, 2007 to RES Canada, Six Nations asserted that Talbot Windfarm is on the 1701 Treaty land, infringes treaty rights and has cumulative impacts on its claims and interests. Please see the letter attached at Schedule 12-9. However, in a telephone conversation on February 27, 2009, Six Nations stated that, while they would like to be kept informed of progress of the Project, they did not require further meetings at that time.

(7) At a meeting on November 5, 2008, Six Nations representatives described some of the Grand River land claims (which claims are outside the Project area, as stated above), and indicated concern with birds and bats (issues addressed in the EER). In this meeting, Six Nations recommended that RES Canada pursue contacts with Moravian and Walpole and RES Canada has done so. Please see the minutes attached at Schedule 12-7.

Walpole

(8) By letter of February 5, 2008, Walpole stated its view to various federal and provincial ministers that a "number of wind energy projects" proposed for development in south-western Ontario were to be located in its traditional territory, with the potential to impact Walpole's Aboriginal and treaty rights. This letter identified certain other proposed projects, but did not mention Talbot Windfarm. Please see the letter attached at Schedule 12-16.

Meeting of May 22, 2009

(9) At a meeting with RES Canada on May 22, 2009, Walpole asserted that Talbot Windfarm is located within its traditional territory. Walpole expressed its desire that the remaining natural habitat in the Project area not be impacted by Talbot Windfarm, and suggested that native vegetation be used for any vegetation-related restoration activities involved with Talbot Windfarm. Walpole also indicated that it was concerned with the cumulative effects of such projects. The Walpole meeting minutes are provided in a redacted version for public access (Schedule 12-17).

(10) At the same meeting, Walpole mentioned the potential creation of a land trust at the Clear Creek conservation area. RES Canada has avoided or mitigated impacts regarding this conservation area by establishing a set-back or buffer zone around it.

(11) At this meeting, Walpole also provided RES Canada with general information regarding the history of Walpole, a September 2008 presentation regarding Walpole wind farm consultation, an October 2000 presentation on "traditional ecological knowledge" and other information. A copy of this information is attached at Schedule 12-27.

(12) This information does not identify specific Walpole treaty rights, or any filed and outstanding claims or litigation (other than the litigation matter mentioned at Staff IR No. 12(a)(iv)) concerning their treaty rights or treaty land entitlement or Aboriginal title or rights, which could potentially be impacted by Talbot Windfarm. The maps appended to the "Traditional Ecological Knowledge" presentation depicted traditional use areas and areas of asserted Aboriginal title, none of which affect Talbot Windfarm.

(13) Walpole also inquired about opportunities relating to project construction work, and Walpole agreed to prepare a proposal for RES Canada' consideration in this regard.

(14) By letter of July 17, 2009, RES Canada communicated its willingness to receive input from Walpole regarding the use of native vegetation, and reiterated openness to receiving a Walpole proposal regarding civil construction work. The letter is provided in a redacted version for public access (Schedule 12-22).

Summary

(15) These four First Nations are the only Aboriginal communities that have responded to RES Canada' requests for input regarding specific issues or concerns in respect of the Project. RES Canada provided each of these four First Nations with a copy of the final ERR for their review and comment, and has offered them capacity funding to complete such work.

(16) RES Canada has invited each of these four First Nations to participate in the Phase 2 archaeological survey for Talbot Windfarm, and has offered them capacity funding to facilitate such participation. Please refer to the May 1, 2009 letters and notice from RES Canada to each of these First Nations, attached at Schedule 12-23, in this regard.

Question/Request:

(e) Explain whether any of the concerns raised by Aboriginal communities with respect to the applied-for project have been discussed with any government department or agencies, and if so, identify when contacts were made and who was contacted.

Response:

(1) RES Canada referred to certain concerns (or lack thereof) of identified Aboriginal communities in section 5.7.2 (pages 44-46) of the ERR, which was submitted to the Environmental Assessment and Approvals Branch (Ms. Sandra Guido) and to the London Regional Office (Mr. Craig Newton) of the Ontario Ministry of the Environmental ("**MOE**") on May 1, 2009.

(2) By letter to MEI dated July 20, 2009 (Schedule 12-24) and the Aboriginal Consultation Summary attached to this letter (Schedule 12-11), addressed to Rick Jennings, Assistant Deputy-Minister, and Perry Cecchini, Manager, Renewable Energy Supply, RES Canada mentioned certain concerns of Aboriginal communities.

(3) By letter to MEI dated June 25, 2009 (redacted version Schedule 12-25), RES Canada mentioned certain concerns and questions of Walpole, further detailed in paragraphs 31 to 35.

Question/Request:

(f) If any of the Aboriginal communities who were contacted either support the application or have no objection to the project proceeding, identify those groups and provide any available written documentation of their position. Also, indicate if their positions are final or preliminary or conditional in nature.

Response:

(1) None of the First Nations referred to in Table 1 have indicated a position in writing regarding Talbot Windfarm. However, none has submitted a Request to Elevate the ERR submitted by RES Canada. Further, having received the relevant notices, none of these First Nations have intervened in this application.

Question/Request:

(g) Provide details of any know Crown involvement in consultations with Aboriginal communities in respect of the applied-for project.

Response:

(1) By letter of March 23, 2009 (Schedule 12-19), MEI advised the interested Aboriginal communities of the projects awarded pursuant to the OPA's RES Canada III RFP and mentioned the Crown's duty to consult and other consultation requirements.

(2) By letter of June 30, 2009 to RES Canada (redacted version Schedule 12-18), MEI advised RES Canada of meetings or communications with Walpole, Caldwell and Chippewas of Sarnia. As to the concern raised by the Chippewas of Sarnia regarding Bear Creek, Talbot Windfarm is more than 50 kilometers from it.

Schedule 12–1 – Intentionally Omitted

Schedule 12–2 – MEI letter to RES Canada – February 12, 2009

Ministry of Energy and Infrastructure

880 Bay Street
3rd Floor
Toronto ON M7A 2C1

Tel: (416) 314-6190
Fax: (416) 314-6224

Ministère de l'Énergie et de L'Infrastructure

880, rue Bay
3e étage
Toronto ON M7A 2C1

Tél: (416) 314-6190
Téléc.: (416) 314-6224

Energy Supply, Transmission and Distribution Policy Division

February 12, 2009

Peter Clibbon, Director
Renewable Energy Systems Canada Inc.
1124 Marie-Anne Est, Suite 23
Montreal, QC H2J 2B7

Dear Mr. Clibbon:

Re: Crown Response to Consultation Information Request – Talbot Wind Farm

Further to your letter of January 8, 2009, please be advised that you are required to enter into an Aboriginal consultation agreement with the Ministry of Energy and Infrastructure in relation to the above-referenced project, and to develop a consultation plan for approval by the Ministry and inclusion in the agreement.

The communities that it is necessary to consult are:

- Bkejwannong Territory (Walpole Island First Nation)
- Aamjiwnaang (Chippewas of Sarnia First Nation)
- Chippewas of the Thames First Nation
- Chippewas of Kettle/Stony Point First Nation
- Oneida First Nation
- Caldwell First Nation
- Munsee-Delaware First Nation
- Moravian of the Thames First Nation
- Six Nations of the Grand River First Nation/Haudenosaunee Confederacy.

Depending on the circumstances, the extent of consultation we require may vary from notice and the provision of project information to a more intensive consultation effort.

As you are likely aware, the Ontario Power Authority has contracted for four wind farms in your general vicinity and it may be therefore be advantageous for the Crown to coordinate some aspects of consultation with all proponents.

We are also requesting that all RES III proponents that have not already done so refrain from filing a notice of completion of their environmental assessment pending discussions with the Crown on the consultation plan.

Please contact Perry Cecchini, Manager, Renewable Energy Supply, tel. 416-325-6593, e-mail perry.cecchini@ontario.ca, at your earliest opportunity. Note that the deadline for concluding the agreement with this Ministry is April 14, 2009.

Yours truly,

Rick Jennings

Rick Jennings
Assistant Deputy Minister
Energy Supply, Transmission and Distribution Policy Division

Schedule 12–3 – RES Canada Consultation Information Request ("CIR") Letter to MEI – January 8, 2009

Renewable Energy Systems Canada
1124 Marie-Anne Est, Suite 23
Montreal, Quebec, H2J 2B7, Canada
Tel/Fax: (514) 525-2113
www.res-americas.com

CONFIDENTIAL

Montréal, January 8, 2009

Minister of Energy and Infrastructure (Ontario)
C/o Mr. Rick Jennings
Assistant Deputy Minister
MINISTRY OF ENERGY AND INFRASTRUCTURE (ONTARIO)
3rd Floor, 880 Bloor Street
Toronto, Ontario
M7A 2C1

RE: Ontario Power Authority Renewable Energy Supply III RFP –
Talbot Wind Farm –
Aboriginal Consultation Information Request

Dear Mr Jennings,

Renewable Energy Systems Canada Inc. (RES Canada) is currently developing the Talbot Wind Farm (Project) in response to the selection of this project by the Ontario Power Authority (OPA) pursuant to its RES III RFP.

In compliance with the direction provided in the OPA's RFP and best practices guidelines (*Consulting with First Nation and Métis Communities: Best Practices, Good Business*), this is to request an assessment by the Crown as to whether there is a duty to consult Aboriginal peoples in relation to the Project and, if so, to request that the Crown identify the Aboriginal communities to consult in respect of the Project.

The attached supporting documentation provides information on the Project and a report of engagement activity undertaken with Aboriginal peoples in relation to the Project.

We hope to receive your response as soon as possible as we must provide the OPA with the Crown Letter responding to this Consultation Information Request within 45 days of entering into the RES III Contract respecting the Project.

We would ask that this Consultation Information Request, including the attached documentation, be treated in confidence.

Please let us know if you require any additional information.

Yours sincerely,

RENEWABLE ENERGY SYSTEMS CANADA INC.

Peter Clibbon
Director

cc: Hillary Thatcher, Senior Policy Advisor, Aboriginal Affairs - MOEI
Stephen Cookson, Development Manager - RES Canada

Schedule 12–4 – INAC – Specific Claims Branch Letter to RES Canada– September 4, 2007

Affaires indiennes et du Nord Canada
Indian and Northern Affairs Canada

www.ainc-inac.gc.ca

Votre référence - Your file

Notre référence - Our file

B 8260-12

SEP 0 4 2007

Mr. Don P. McKinnon
Project Manager
Dillon Consulting
235 Yorkland Blvd., Suite 800
TORONTO ON M2J 4Y8

Re: Talbot Wind Farm

Dear Mr. McKinnon:

I am responding to your letter of July 6, 2007, in which you inquire as to whether there were any First Nation land claims in the area of the above project. We regret this delay in responding.

We have conducted a brief search of our records and determined that some specific claims have been submitted in the area of interest. The claims for that area have been submitted by the following First Nations:

Caldwell
10297 TALBOT ROAD, BLENHEIM, ON, N0P 1A0
(519) 676-5499

Walpole Island
RR 3, WALLACEBURG, ON, N8A 4K9
(519) 627-1481

Oneida Nation of the Thames
RR 2, SOUTHWOLD, ON, N0L 2G0
(519) 652-3244

Chippewas of the Thames First Nation
RR 1, MUNCEY, ON, N0L 1Y0
(519) 289-5555

.../2

Canada

Munsee-Delaware Nation
RR 1, MUNCEY, ON, N0L 1Y0
(519) 289-5396

Chippewas of Kettle and Stony Point
RR 2, FOREST, ON
(519) 786-2125

In addition, there are a number of First Nations in the general vicinity of your project. You may wish to apprise them of your intentions.

Moravian of the Thames
RR 3, THAMESVILLE, ON, N0P 2K0
(519) 692-3936

Aamjiwnaang
978 TASHMOO AVENUE, SARNIA, ON, N7T 7H5
(519) 336-8410

For more information, you may wish to consult a "Public Information Status Report" on all claims which have been submitted to date. This information is available to the public on the Indian and Northern Affairs Canada website and can be found at http://www.ainc-inac.gc.ca/ps/clm/pis_e.html.

It should be noted that the reports available on the INAC website are updated quarterly and therefore, you may want to check this site at regular intervals for updates. In accordance with legislative requirements, confidential information has not been disclosed.

Please rest assured that it is the policy of the Government of Canada as expressed in *Outstanding Business: A Native Claims Policy* that "in any settlement of specific native claims the government will take third party interests into account. As a general rule, the government will not accept any settlement which will lead to third parties being dispossessed."

We can only speak directly to claims filed under the Specific Claims Policy in the Province of Ontario. We cannot make any comments regarding potential or future claims, or claims filed under other departmental policies. This includes claims under Canada's Comprehensive Claims Policy or legal action by a First Nation against the Crown. You may wish to contact INAC's Comprehensive Claims Branch at (819) 994-7521 or its Litigation Management and Resolution Branch at (819) 934-2185 directly for more information. In addition, you may wish to consult the unit responsible for Special Claims at (819) 994-6453.

.../3

To the best of our knowledge, the information we have provided you is current and up-to-date. However, this information may not be exhaustive with regard to your needs and you may wish to consider seeking information from other government and private sources (including Aboriginal groups). In addition, please note that Canada does not act as a representative for any Aboriginal group for the purpose of any claim or the purpose of consultation.

I hope this information will be of assistance to you. I trust that this satisfactorily addresses your concerns. If you wish to discuss this matter further please contact me at (819) 953-1940.

Yours sincerely,

Fred Hosking
Senior Claims Analyst
Ontario Research Team
Specific Claims Branch

Le Dorze/Hosking
24/08/2007
PA B826012
SC CHRONO
CIDM #1114919

Schedule 12–5 – INAC, Litigation Branch Email to RES Canada– April 3, 2009

Cosentino, Connie

'om: Bullough, Brent [BBullough@dillon.ca]
)t: April 3, 2009 4:36 PM
: Sherrard, Matthew
Cc: Hurley, John; Stephen Cookson; Cuervo-Lorens, Ralph; Nokleby, Andrea
Subject: FW: Request for Identifying Information of Proceedings -Talbot Wind Farm

Response from INAC.

-----Original Message-----
From: Marc-André Millaire [mailto:MarcAndre.Millaire@ainc-inac.gc.ca]
Sent: Friday, April 03, 2009 4:24 PM
To: Bullough, Brent
Subject: Fwd: Request for Identifying Information of Proceedings -Talbot Wind Farm

Brent Bullough
Dillon Consulting Ltd.
BBullough@dillon.ca

Dear Mr. Bullough:

I am writing in response to your email of April 3, 2009 inquiring about any claims that may affect the subject property.

We can advise that our inventory includes active litigation cases in the vicinity of this property. They are entitled: Corporation of the Municipality of Chatham-Kent v. Her Majesty the Queen in Right of Canada as represented by 'nister of Indian Affairs and Northern Development, Department of Indian fairs and Northern Development, Caldwell First Nation, Federal Court of anada, court file reference #T-4-00; and

Walpole Island First Nation, Bkejwanong Territory v. Attorney General of Canada, Her Majesty the Queen in Right of Ontario, filed in Toronto, court file reference #00-CV-189329.

I am unable to comment with respect to the possible effect of these claims as the cases have not yet been adjudicated and any statement regarding the outcome of the litigation would be speculative at this point. It is recommended that you consult legal counsel as to the effect these actions could have on the lands you are concerned with.

If you are interested in further details about the claims, copies of the pleadings can be obtained from the Court for a fee; please contact the appropriate Court Registry Office and make reference to the court file numbers listed above.

We cannot make any comments regarding claims filed under other departmental policies. For information on any claims you should also contact Don Boswell of the Specific Claims Branch at (819) 953-1940 to inquire about any Specific Claims, and Guy Morin of the Comprehensive Claims Branch at (819) 956-0325 to inquire about any current Comprehensive Claims.

If you have any further questions please do not hesitate to contact me at (819) 994-1947.

'incerely,

:rc-André Millaire
.itigation Team Leader
Litigation Portfolio Operations East
Litigation Management and Resolution Branch

:CLAIMER: In this Disclaimer, "Canada" means Her Majesty the Queen in right
. Canada and the Minister of Indian Affairs and Northern Development and their servants and agents. Canada does not warrant or assume any legal liability or responsibility for the accuracy, completeness, or usefulness of any data or information disclosed with this correspondence or for any actions in reliance upon such data or information or on any statement contained in this correspondence. Data and information is based on information in departmental records and is disclosed for convenience of reference only. Canada does not act as a representative for any Aboriginal group for the purpose of any claim.
Information from other government sources and private sources (including Aboriginal groups) should be sought, to ensure that the information you have is accurate and complete.

>>> "Bullough, Brent" <BBullough@dillon.ca> 4/3/2009 3:56 PM >>>
Mr. Millaire,

As discussed in our telephone conversation, maps area attached indicating the location of the Talbot Wind Farm Project in Chatham-Kent, Ontario.

Can you please advise on the following:

*
Any litigation in the area
* Any Comprehensive Claims in the area
* Any Special Claims in the area

any claims exist, we require the identifying information of the relevant proceedings. We are trying to collect this information as quickly as possible. If it is possible to put a rush on this request, it would be very much appreciated.

If you need further information you may reach me at 416-229-4647 ext 2343.

Thank you for your assistance in this matter.

Brent Bullough

<http://www.dillon.ca/images/dillonEnglish.jpg> Brent Bullough
MCIP,
RPP
Dillon Consulting Limited
235 Yorkland Blvd, Suite 800
Toronto, Ontario, M2J 4Y8
T - 416.229.4647 ext. 2343
M - 416.356.8447
F - 416.229.4692
BBullough@dillon.ca <mailto:BBullough@dillon.ca> www.dillon.ca
<http://www.dillon.ca/>

P Please consider the environment before printing this email

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ove and may contain
vileged, confidential or private information which is not to be
sclosed. If you are not the
addressee or an authorized representative thereof, please contact the
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then destroy this message.

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Schedule 12–6 – Moravian – RES Canada – March 3, 2009 Meeting Minutes

RES CANADA powering change	**MINUTES FOR THE RECORD**	**RES Canada** 300 Léo-Pariseau, Suite 2516 Montréal, Québec, H2X 4B3 Tel/Fax: (514) 525-2113 www.res-americas.com

Project: Talbot Windfarm **Project Location: Municipality of Chatham-Kent, Township of Howard and Orford.** **Meeting Objective: Discuss the Talbot Windfarm and environmental review process with a representative of the Moravian of the Thames (Delaware) First Nation** **Meeting Location: Moravian of the Thames (Delaware) Band office, Thamesville, ON**	**Meeting Date: Tuesday, March 3rd 2009** **Minutes Distributed: May 14, 2009** **Minutes Revised and Finalized: July 17, 2009** **Prepared by: N. Muszynski** **CC: Dillon Consulting Limited**

Participants: **Denise Stonefish (Moravian of the Thames (Delaware) First Nation, Director of Operations) (DS)**
Nicolas Muszynski (Renewable Energy Systems Canada, Development Manager) (NM)

Item	Description	Action by	Target Date
1	NM briefly described RES general activities in Canada and world wide, described RES development activities as well as construction activities. NM explained the Talbot wind farm development process up to current date and provided the following information: • Targeted farm land and project area. • Map of proposed layout and project area (a hard copy was provided). • EIS process for the project up to current date with reiteration of release of draft ERR in November 2008. • Explained that RES was seeking comments on Draft ERR.	N/A	-
2	DS noted that this meeting was not to be viewed as discharging the consultation obligation, as she does not have the authority to do so on behalf of the Delaware Nation Council. DS agreed to meet to obtain background information relating to the project and to indicate that some of the wind turbines may potentially be placed on or within burial grounds of their ancestors. DS clarified that while the present community is located approximately 10 to 12 kms from Lake Erie, their ancestors did have trails leading to the lake for hunting, gathering and fishing purposes.	N/A	
3	DS briefly explained history of the First Nation and how it had originally come from the eastern seaboard of the US. DS also explained how they are known as the "Moravian of the Thames", as "the Christian Indians", as "the Delaware	N/A	-

Distribution: **Participants**

Next meeting: TBD

RES CANADA powering change	**MINUTES FOR THE RECORD**	**RES Canada** 300 Léo-Pariseau, Suite 2516 Montréal, Québec, H2X 4B3 Tel/Fax: (514) 525-2113 www.res-americas.com

Project: Talbot Windfarm **Project Location: Municipality of Chatham-Kent, Township of Howard and Orford.** **Meeting Objective: Discuss the Talbot Windfarm and environmental review process with a representative of the Moravian of the Thames (Delaware) First Nation** **Meeting Location: Moravian of the Thames (Delaware) Band office, Thamesville, ON**	**Meeting Date: Tuesday, March 3rd 2009** **Minutes Distributed: May 14, 2009** **Minutes Revised and Finalized: July 17, 2009** **Prepared by: N. Muszynski** **CC: Dillon Consulting Limited**

Participants: **Denise Stonefish (Moravian of the Thames (Delaware) First Nation, Director of Operations) (DS)**
Nicolas Muszynski (Renewable Energy Systems Canada, Development Manager) (NM)

Item	Description	Action by	Target Date
	Nation" and the "Lenape Nation". DS stated that the First Nation, in recognition of their contribution to the 1812 war, had been given 50,000 acres that were bounded by Kennesserie Road to the west and extended from north of the 401 to about 1km from the shore of Lake Erie to the south. The eastern boundary was in the county of Elgin. The majority of this land had been sold off over the years and the First Nation currently occupies 3,000 acres of that land.		
4	NM explained that RES had sent a number of letters to the First Nation with regard to the Notice of Study Commencement, for public meetings and for the release of the Draft ERR. DS indicated that she had not seen any of these documents, as she started as Director of Operations only recently. NM indicated RES would re-send copies of these previously sent letters for her files.	RES	03/31/2009
5	DS inquired about our archeological work and NM explained that the Stage 2 archeological study had not yet been performed. DS indicated the First Nation would likely be interested in ensuring that any traditional archeological finds would not be lost. RES to consider involving Moravian of the Thames with regards to archaeological work.	N/A	
6	DS indicated she would brief the Council about the meeting and would contact RES if the Council wanted further meetings or further information.	N/A	

Distribution: **Participants**

Next meeting: TBD

Schedule 12–7 – Six Nations – RES Canada– November 5, 2008 Meeting Minutes

RES Renewable Energy Systems	**MINUTES FOR THE RECORD**	**RES Canada** 1124 Marie-Anne Est, Suite 23 Montréal, Québec, H2J 2B7 Tel/Fax: (514) 525-2113 www.res-americas.com

Project: Talbot Windfarm **Project Location: Municipality of Chatham-Kent, Township of Howard and Orford.** **Meeting Objective: Discuss the Talbot Windfarm and environmental review process with representatives of the Six Nations** **Meeting Location: Six Nations Eco-Center, Ohsweken, ON**	**Meeting Date: Wednesday November 5th 2008** **Minutes Distributed Date: November 11th 2008** **Minutes revised and redistributed: May 12, 2009** **Prepared by: N. Muszynski** **CC: Dillon Consulting Limited**

Participants: **Kate Cave (Six Nations Land and Resources, Land Supervisor) (KC)**
Joanne Thomas (Six Nations Land and Resources, Land Supervisor) (JT)
Peter Clibbon (Renewable Energy Systems Canada, Director) (PC)
Nicolas Muszynski (Renewable Energy Systems Canada, Development Manager) (NM)

Item	Description	Action by	Target Date
1	PC and NM briefly described RES general activities in Canada and world wide, described RES development activities as well as construction activities.	N/A	-
2	KC and JT briefly described Six Nations Land and Resource role. Detailed some of the involvement along the Grand River land claims and described some of the history behind the claim and the Haldimand Proclamation of 1784.	N/A	-
3	PC and NM described Talbot Windfarm and proposed approach for ERR review. Stated that the ERR was in draft form and that RES was seeking comments from all stakeholders to update the ERR, following which the Notice of Study Completion would be issued and formal review process would be undertaken. The target date for release of Notice of Study completion is mid December 2008. PC and NM also described development of the project over the past years, described RES agreement structure with landowners, dividing payments between turbine positions and zonal payments.	N/A	-
4	KC and JT indicated the main concerns of the Six Nations were the potential impacts on archeological values and natural values (i.e. birds and bats). Six Nations indicated they could provide First Nations archeologist during excavation to ensure any artifacts would be identified, if the local First Nations did not have the expertise or capacity. Six Nations also wanted to ensure RES is performing appropriate consultation with local First Nations.	N/A	-

)istribution: **Participants**

Next meeting: TBD

RES Renewable Energy Systems	**MINUTES FOR THE RECORD**	**RES Canada** 1124 Marie-Anne Est, Suite 23 Montréal, Québec, H2J 2B7 Tel/Fax: (514) 525-2113 www.res-americas.com

Project: Talbot Windfarm **Project Location: Municipality of Chatham-Kent, Township of Howard and Orford.** **Meeting Objective: Discuss the Talbot Windfarm and environmental review process with representatives of the Six Nations** **Meeting Location: Six Nations Eco-Center, Ohsweken, ON**	**Meeting Date: Wednesday November 5th 2008** **Minutes Distributed Date: November 11th 2008** **Minutes revised and redistributed: May 12, 2009** **Prepared by: N. Muszynski** **CC: Dillon Consulting Limited**

Participants: **Kate Cave (Six Nations Land and Resources, Land Supervisor) (KC)**
Joanne Thomas (Six Nations Land and Resources, Land Supervisor) (JT)
Peter Clibbon (Renewable Energy Systems Canada, Director) (PC)
Nicolas Muszynski (Renewable Energy Systems Canada, Development Manager) (NM)

Item	Description	Action by	Target Date
5	RES will send link for full electronic version of Draft ERR to Six Nations as well as non technical summary so that Six Nations could review selected sections of the ERR.	RES	2008/11/14
6	Six Nations will provide comments on sections dealing with FN consultation and other sections of concern. Six Nations will provide comments on suggested wording in order to ensure appropriate First Nations concerns are taken into account in ERR.	Six Nations	2008/12/01
7	RES will pursue contacts with Moravian and Walpole Island First Nations as per Six Nations recommendation.	RES	2008/11/21 and ongoing

)istribution: **Participants**

Next meeting: TBD

Schedule 12–8 – OMAA letter to RES Canada – September 12, 2007

Ministry of Aboriginal Affairs

720 Bay Street
4th Floor
Toronto, ON M5G 2K1

Tel: (416) 326-4741
Fax: (416) 326-4017

Ministère des Affaires autochtones

720, rue Bay
4e étage
Toronto, ON M5G 2K1

Tél: (416) 326-4741
Téléc: (416) 326-4017

website: www.aborginalaffairs.gov.on.ca

RECEIVED
SEP 00
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DILLON CONSULTING LIMITED
TORONTO OFFICE

Reference: PAR 257
0708-67

SEP 1 2 2007

Project No.	077382
Project Name	Palmyra
File Identifier	
Signature	

Don P. McKinnon
Project Manager
Dillon Consulting
235 Yorkland Blvd., Suite 800
Toronto, ON M2J 4Y8

Dear Mr. McKinnon:

Re: Talbot Wind Farm

Thank you for your notice of study commencement dated July 6, 2007, regarding the above noted project. We would like to apologize for the delay in responding to your request.

The responsibilities of the Ministry of Aboriginal Affairs (MAA) include conducting land claim and related negotiations on behalf of the Province. In light of this mandate, MAA has reviewed the materials and notes that this project appears to be located within an area where a number of First Nations have existing or asserted rights.

You should be aware as well that many First Nations either have or assert rights to hunt and fish in their traditional territories. These territories often include lands and waters outside of a First Nation's reserve. As well, in some instances project work may impact archaeological and burial sites. First Nations with an interest in such archaeological sites may extend beyond those First Nations in the nearest vicinity of the proposed project.

.../2

For your information, MAA notes that the project could impact or be of interest to Aboriginal peoples. MAA recommends that you contact the following First Nations:

Chief Louise Hillier
Caldwell First Nation
c/o R.R. #2
10297 Talbot Road
BLENHEIM, ON N0P 1A0
(519) 676-5499
(Fax) 676-5899

Chief Joseph Gilbert
Bkejwanong Territory(Walpole Island)
R.R. #3
WALLACEBURG, ON N8A 4K9
(519) 627-1481
(Fax) 627-0440

Chief Gregory Peters
Delaware Nation
(Moravian of the Thames)
14760 School House Line
R.R. #3
THAMESVILLE, ON N0P 2K0
(519) 692-3936
(Fax) 692-5522

As well, the Government of Canada sometimes receives claims that Ontario does not receive, or with which Ontario does not become involved. For information about possible claims in the area, MAA recommends the proponent contact the following federal contacts:

Mr. Don Boswell
A/Sr Claims Analyst
Ontario Research Team
Indian and Northern Affairs Canada
10 Wellington St.
Gatineau, QC K1A 0H4
Tel: (819) 953-1940
Fax: (819) 997-9873

Mr. Jean-Francois Tardif
Director,
Financial Issues and Cost-Sharing
10 Wellington St. 8th Floor
Gatineau, QC K1A 0H4
Tel: (819) 953-5830
Fax:(819) 953-3812

.../3

MAA requests that we remain on your contact list and that we continue to receive any updates about the project. MAA would also request that you continue to keep the Aboriginal communities interested in the above-noted project appraised of any new developments.

Yours truly,

Alan Kary
Deputy Director
Policy and Relationships Branch

Schedule 12–9 – Six Nations letter to RES Canada – July 25, 2007

077382

SIX NATIONS COUNCIL

July 25th, 2007

Don P. McKinnon, Project Manager
Dillon Consulting
235 Yorkland Blvd, Suite 800
Toronto, ON
M2J 4Y8

Dear Mr. McKinnon:

Re: Talbot Wind Farm- Notice of Study Commencement

The Six Nations of the Grand River (Six Nations) received notification regarding the proposed Talbot Wind Farms.

Six Nations' cultural, sustenance and other rights are recognized by the Province of Ontario by way of the 1701 Treaty of Fort Albany. The Treaty recognized, identified and assigned much of western New York State and southern Ontario including the Niagara Escarpment, west of Lake Ontario and north of Lake Erie as the shared traditional hunting and fishing territories of many First Nations, including Six Nations. Six Nations' rights and interests in relation to lands six miles either side of the Grand River (the Grand River Tract) was also confirmed by way of treaty, through the Haldimand Proclamation.

The subject lands described in this application fall within the 1701 Treaty of Fort Albany. However, while the subject lands are not located within the Haldimand Tract, Six Nations remains concerned about the overall pace and scope of development within the Grand River Tract and region. We are of the view that the cumulative effect of this development has and is increasingly infringing our Treaty rights and impacting our claims and interests.

Given the close proximity of the proposed wind farms to Moraviantown First Nation, we expect that you will be in contact with this community to address any concerns they may have.

At this time we have no further comment with regards to this application. However, please keep Six Nations informed of any new developments on the project. For further information, please do not hesitate to contact Lonny Bomberry at 519-753 -0665 ext. 12.

Respectfully,

Councillor George Montour, Chair
Lands and Resources Committee
SIX NATIONS OF THE GRAND RIVER

CC: Mr. Lonny Bomberry, Director: Six Nations Lands and Resources
Mr. Leroy Hill, Secretary: Confederacy Council of the Grand River
Minister David Ramsay, Ontario Ministry of Aboriginal Affairs and Natural Resources
Minister Jim Prentice, Indian and Northern Affairs Canada

This letter is without prejudice to the positions that Six Nations has and may take in respect to its claims and litigation in relation to the Six Nations Tract/ Haldimand Proclamation Lands.

Schedule 12–10 – Aboriginal Consultation Summary to September 10, 2009

RES CANADA TALBOT WIND FARM PROJECT

SUMMARY OF ABORIGINAL CONSULTATION ACTIVITY BY RES AS OF 10 SEPTEMBER 2009

This document summarizes certain representative Aboriginal consultation activity carried out by RES to date. It is not intended to be a comprehensive record of all Aboriginal consultation activities carried out by RES to date. The detailed record of all such consultation activities will be made available, as appropriate, during the course of the relevant regulatory proceedings relating to Project approval. RES intends to pursue consultation activities with the Aboriginal communities identified by the Minister of Infrastructure and Energy ("**MEI**") in accordance with the Aboriginal Consultation Agreement and Consultation Plan ("**ACA**"), and to follow-up as appropriate on the consultation activities set out below. The activities to date are presented by First Nation ("**FN**"), in alphabetical and then chronological order.

1. AAMJIWNAANG (CHIPPEWAS OF SARNIA FIRST NATION)

DATE:	COMMUNICATION:
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter.
April 23, 2008	RES sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of FN to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.
July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES proposes individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.
Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.

May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.
Aug. 14, 2009	Pursuant to direction from the Ontario Energy Board (**OEB**), RES representative sent the Notice of Application and Hearing, on OEB letterhead, related documentation and a cover letter regarding the application for leave to construct transmission facilities for the Project.

2. BKEJWANNONG TERRITORY (WALPOLE ISLAND FIRST NATION) (WIFN)

DATE:	COMMUNICATION:
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter.
Sept. 4, 2007	RES received letter from INAC SCB identifying a specific claim of the FN in the area.
Feb. 28, 2008	RES project representative left a telephone message for designated representative.
March 14, 2008	RES project representative left another telephone message for designated representative.
April 4, 2008	RES project representative spoke with designated representative who explained that the WIFN are going to be sending out an invitation for wind project proponents to attend a general public information session to discuss consultation in the WIFN traditional territory. He also advised that the WIFN has developed a wind energy initiative and consultation protocols.
April 23, 2008	RES representative sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of First Nation (FN) to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.
July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES representative proposes individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental

	review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.
Sept. 5, 2008	RES received an invitation to attend the WIFN "Exclusive Event for Wind Project Proponents and Government Agencies: Creating Opportunities and Overcoming Obstacles for Access to our Traditional Territory".
Sept. 18, 2008	WIFN informed RES that the Conference on Wind Projects was cancelled.
Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 6, 2009	WIFN designated representative called RES project representative. Telephone discussion of RES' efforts to engage WIFN to-date, and agreement to meet on May 22, 2009.
May 7, 2009	RES project representative sent email to WIFN designated representative, confirming May 22, 2009 meeting and providing details of potential funding of WIFN participation in Phase II archaeological work.
May 22, 2009	RES project representative met with WIFN representatives at WIFN Heritage Centre. Topics of discussion included the following: WIFN asserted that the Project is located within its traditional territory. WIFN expressed desire that the remaining natural habitat in the Project area not be impacted by the Project, and suggested that native vegetation be used for any vegetation-related restoration activities involved with the Project. WIFN indicated that it was seeking wind projects in its traditional territory to offset or assume electricity costs for its community, and that it was concerned with the cumulative

effects of such projects.

WIFN inquired about opportunities relating to Project construction work, and WIFN agreed to prepare a proposal for RES' consideration in this regard.

RES repeated its offer of capacity funding for WIFN's participation in the environmental review process for the Project and for WIFN's review of the ERR. RES requested that WIFN provide a budget for this work, if applicable.

RES also repeated its offer for capacity funding for WIFN's participation in the Phase II archaeological work and requested that WIFN confirm attendance and provide a budget for this work, if applicable.

RES to send designated WIFN representative four hard copies of ERR, and RES to re-send copies of RES correspondence sent to WIFN since 2007.

May 26, 2009 — RES sent four hard copies of ERR to WIFN designated representative.

May 29, 2009 — RES sent cover letter and notice of up-coming Public Information Centre.

June 4, 2009 — RES sent to WIFN the meeting minutes of 22 May 2009 meeting for WIFN review.

RES re-sent RES correspondence sent to WIFN since 6 July 2007.

July 17, 2009 — RES sent letter to WIFN following-up on certain items emerging from 22 May 2009 meeting, and providing final version of the minutes of this meeting.

RES solicited WIFN input regarding potential use of native vegetation for Project-related vegetation restoration activities.

RES expressed openness to receiving WIFN proposal regarding civil construction work.

RES accepted WIFN's budget for capacity funding for WIFN's review of the ERR provided that it included WIFN's budget for participation in related meetings and processes.

RES also repeated its offer for capacity funding for WIFN's participation in the Phase II archaeological work, and requested that WIFN confirm attendance and provide a budget for this work, if applicable.

Aug. 14, 2009	Pursuant to direction from the OEB, RES representative sent the Notice of Application and Hearing, on OEB letterhead, related documentation and a cover letter regarding the application for leave to construct transmission facilities for the Project.

3. CALDWELL FIRST NATION

DATE:	COMMUNICATION:
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter.
Sept. 4, 2007	RES received letter from INAC Specific Claims Branch (SCB) identifying a specific claim of the FN in the area.
Jan. 22, 2008	RES Project representative called and left a message following up on NoC letter.
Jan. 22, 2008	Chief FN returned call to RES informing that the Caldwell FN would have an interest in the project.
Jan. 23, 2008	RES project representative left a telephone message with Councillor.
Feb. 25, 2008	RES re-sent NoC with request for a direct meeting.
Apr. 3, 2008	RES project representative left a telephone message asking if the Caldwell FN had any traditional use or archaeological interest in the study area.
Apr. 4, 2008	Telephone call with Councillor from FN, who is not aware of any traditional use or archaeological interest in study area, except possible hunting trails. FN to communicate with RES after speaking with other First Nations.
Apr. 4, 2008	RES returned Chief's call and left a message.
Apr. 23, 2008	RES representative sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of FN to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.
July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES representative proposes

	individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.
Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 15-19, 2009	RES re-sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.
Aug. 17, 2009	Pursuant to direction from the OEB, RES representative sent the Notice of Application and Hearing, on OEB letterhead, related documentation and a cover letter regarding the application for leave to construct transmission facilities for the Project.

4. CHIPPEWAS OF KETTLE – STONY POINT FIRST NATION

DATE:	**COMMUNICATION:**
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter.
Sept. 4, 2007	RES received letter from INAC SCB identifying a specific claim of the FN in the area.
April 23, 2008	RES representative sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of FN to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.

July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES representative proposes individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.
Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.
Aug. 14, 2009	Pursuant to direction from the OEB, RES representative sent the Notice of Application and Hearing, on OEB letterhead, related documentation and a cover letter regarding the application for leave to construct transmission facilities for the Project.

5. CHIPPEWAS OF THE THAMES FIRST NATION

DATE:	COMMUNICATION:
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter.
Sept. 4, 2007	RES received letter from INAC SCB identifying a specific claim of the FN in the area.
April 23, 2008	RES representative sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of First Nation (FN) to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.

July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES representative proposes individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.
Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.
Aug. 17, 2009	Pursuant to direction from the OEB, RES representative sent the Notice of Application and Hearing, on OEB letterhead, related documentation and a cover letter regarding the application for leave to construct transmission facilities for the Project.

6. MORAVIAN OF THE THAMES

DATE:	COMMUNICATION:
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter to FN. RES identified FN based on geographic proximity to Project area.
July 25, 2007	Moravian of the Thames identified by Six Nations Council in a letter.
Jan. 22, 2008	RES sent electronic copies of the NoC to FN.
April 4, 2008	RES project representative spoke with Chief who said that, subject to consultation with Council, he was not aware of any traditional use or archaeological interest in the study area.

April 16, 2008	Telephone message left for Chief regarding traditional use or archaeological interest in the Study Area.
April 23, 2008	RES representative sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of First Nation (FN) to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.
July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES representative proposes individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.
Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
Feb. 27, 2009	RES left a message requesting a meeting during the week of March 2, 2009.
March 3, 2009	Meeting with RES and FN to review Project and environmental review process. RES will re-send copies of previously sent letters to the Director of Operations. Aboriginal group indicated possibility that Project area overlaps with ancestral burial grounds, and that it would like to preserve any archaeological finds. The FN stated that they had been given certain lands in Project area, and asserted that while its present community is approximately 10 kms from Lake Erie, its ancestors had trails leading to this lake for hunting, fishing and gathering purposes. FN advised that it will contact RES if it wants further meetings or information.

May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 14, 2009	RES sent email to FN with the meeting minutes of 3 March 2009 meeting for FN review.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.
June 1, 2009	RES re-sent to FN by mail the meeting minutes of 3 March 2009 meeting for FN review.
June 26, 2009	Designated FN representative provided comments on 3 March 2009 meeting minutes to RES.
Aug. 14, 2009	Pursuant to direction from the OEB, RES representative sent the Notice of Application and Hearing, on OEB letterhead, related documentation and a cover letter regarding the application for leave to construct transmission facilities for the Project.
Sept.10, 2009	RES sent final version of 3 March 2009 meeting minutes, which included the 26 June 2009 comments, to designated FN representative.

7. MUNSEE-DELAWARE FIRST NATION

DATE:	COMMUNICATION:
Sept. 4, 2007	RES received letter from INAC SCB identifying a specific claim of the FN in the area.
April 23, 2008	RES representative sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of First Nation (FN) to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.
Oct. 29, 2008	Letter from RES provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.

May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.
Aug. 17, 2009	Pursuant to direction from the OEB, RES representative sent the Notice of Application and Hearing, on OEB letterhead, related documentation and a cover letter regarding the application for leave to construct transmission facilities for the Project.

8. ONEIDA FIRST NATION

DATE:	COMMUNICATION:
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter on. (Original NoC was resent by RES on April 9, 2008).
Sept. 4, 2007	RES received letter from INAC SCB identifying a specific claim of the FN in the area.
April 4, 2008	RES project representative left a telephone message for Director.
April 9, 2008	Director returned the project representative's call. Additional information was forwarded to Director, including the original NoC.
April 23, 2008	RES representative sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of FN to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.
April 23, 2008	RES left a telephone message for Director proposing a meeting. No meeting confirmed, and no return call.
July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES representative proposes individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.
Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of

	draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.
Aug. 14, 2009	Pursuant to direction from the OEB, RES representative sent the Notice of Application and Hearing, on OEB letterhead, related documentation and a cover letter regarding the application for leave to construct transmission facilities for the Project.

9. SIX NATIONS OF THE GRAND RIVER

DATE:	COMMUNICATION:
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter.
July 25, 2007	Six Nations advise RES of claim to certain rights under the 1701 Nanfan (or Fort Albany) Treaty and assert that Project area falls within treaty area. Six Nations state that Project may impact their interests. Advise RES to communicate with Moraviantown First Nation, given its proximity to Project area, to address any concerns. Six Nations they have no further comment at this time, but request to be kept informed of new developments.
July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES representative proposes individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.
Sept. 5, 2008	RES received an email from FN representative indicating that Six Nations would like to meet with RES to discuss the study.

Sept. 2008	RES and Six Nations exchanged emails about possible meeting dates. Formal meeting is planned for fall 2008.
Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
Nov. 5, 2008	Meeting between FN and RES. Six Nations informed RES it could provide First Nations archeologists during excavation to identify artifacts, if local First Nations (i.e., Moravian of Thames FN) do not have expertise. Six Nations to comment on sections of draft ERR dealing with FN consultation.
Nov. 11, 2008	RES sent Six Nations an email with draft version of meeting minutes link to the full electronic version of draft ERR and non-technical summary.
Jan. 9, 2009	RES project representative sends an email to FN representatives and follows up with a phone call seeking comments on draft ERR and providing an update on the ERR finalization schedule.
Feb. 27, 2009	RES called Six Nations for a status report on draft ERR comments, Six Nations confirmed it will send status report shortly. RES informed Six Nations it was pursuing meeting with Moravian of the Thames, as recommended by Six Nations (Telephone conversation b/w RES and Six Nations).
Feb. 27, 2009	Six Nations undertake to produce a consultation policy and procedure document, to be made available to RES in early April (Telephone conversation). Six Nations advises that it would like to be kept informed of Project, but do not require further meetings at the time (Telephone conversation).
March 13, 2009	Six Nations requested a copy of the reports of all Archeologist Assessments, Bird Study, Natural Environment Report, Draft Flicker Report, and maps regarding Aboriginal Title and Treaties (email). RES requested written comments on draft ERR from Six Nations.
March 23, 2009	RES sent paper copies of requested reports to Six Nations.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.

May 14, 2009	RES sent to Six Nations the meeting minutes of 5 November 2008 meeting for Six Nations review.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.
June 4, 2009	Six Nations designated representative approved the 5 November 2008 meeting minutes provided by RES on 14 May 2009.
Aug. 17, 2009	Pursuant to direction from the OEB, RES representative sent the Notice of Application and Hearing, on OEB letterhead, related documentation and a cover letter regarding the application for leave to construct transmission facilities for the Project.

10. ASSOCIATION OF IROQUOIS AND ALLIED INDIANS (AIAI)

DATE:	COMMUNICATION:
July 6, 2007	RES representative sent Notice of Study Commencement (NoC) letter.
June 25, 2008	AIAI sent RES a letter which states that it only represents a member FN upon such member's request, that member FNs traditional hunting and gathering areas may be affected by project and that FNs currently residing in Quebec may have an archaeological interest in Ontario projects.
Oct. 29, 2008	Letter from RES following up on NoC. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.
Aug. 14, 2009	Pursuant to direction from the OEB, RES representative sent the Notice of Application and Hearing, on OEB letterhead, related documentation and a cover letter regarding the application for leave to construct transmission facilities for the Project.

Schedule 12–11 – Aboriginal Consultation Summary to July 20, 2009

RES CANADA TALBOT WIND FARM PROJECT

SUMMARY OF ABORIGINAL CONSULTATION ACTIVITY BY RES AS OF 20 JULY 2009

This document summarizes certain representative Aboriginal consultation activity carried out by RES to date. It is not intended to be a comprehensive record of all Aboriginal consultation activities carried out by RES to date. The detailed record of all such consultation activities will be made available, as appropriate, during the course of the relevant regulatory proceedings relating to Project approval. RES intends to pursue consultation activities with the Aboriginal communities identified by the Minister of Infrastructure and Energy ("**MEI**") in accordance with the Aboriginal Consultation Agreement and Consultation Plan ("**ACA**"), and to follow-up as appropriate on the consultation activities set out below. The activities to date are presented by First Nation ("**FN**"), in alphabetical and then chronological order.

1. AAMJIWNAANG (CHIPPEWAS OF SARNIA FIRST NATION)

DATE:	COMMUNICATION:
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter.
April 23, 2008	RES sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of FN to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.
July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES proposes individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.
Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.

May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.

2. BKEJWANNONG TERRITORY (WALPOLE ISLAND FIRST NATION) (WIFN)

DATE:	COMMUNICATION:
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter.
Sept. 4, 2007	RES received letter from INAC SCB identifying a specific claim of the FN in the area.
Feb. 28, 2008	RES project representative left a telephone message for designated representative.
March 14, 2008	RES project representative left another telephone message for designated representative.
April 4, 2008	RES project representative spoke with designated representative who explained that the WIFN are going to be sending out an invitation for wind project proponents to attend a general public information session to discuss consultation in the WIFN traditional territory. He also advised that the WIFN has developed a wind energy initiative and consultation protocols.
April 23, 2008	RES representative sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of First Nation (FN) to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.
July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES representative proposes individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.

Sept. 5, 2008	RES received an invitation to attend the WIFN "Exclusive Event for Wind Project Proponents and Government Agencies: Creating Opportunities and Overcoming Obstacles for Access to our Traditional Territory".
Sept. 18, 2008	WIFN informed RES that the Conference on Wind Projects was cancelled.
Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 6, 2009	WIFN designated representative called RES project representative. Telephone discussion of RES' efforts to engage WIFN to-date, and agreement to meet on May 22, 2009.
May 7, 2009	RES project representative sent email to WIFN designated representative, confirming May 22, 2009 meeting and providing details of potential funding of WIFN participation in Phase II archaeological work.
May 22, 2009	RES project representative met with WIFN representatives at WIFN Heritage Centre. Topics of discussion included the following: WIFN asserted that the Project is located within its traditional territory. WIFN expressed desire that the remaining natural habitat in the Project area not be impacted by the Project, and suggested that native vegetation be used for any vegetation-related restoration activities involved with the Project. WIFN indicated that it was seeking wind projects in its traditional territory to offset or assume electricity costs for its community, and that it was concerned with the cumulative effects of such projects. WIFN inquired about opportunities relating to Project construction work, and WIFN agreed to prepare a proposal for RES' consideration in this regard. RES repeated its offer of capacity funding for WIFN's participation in the environmental review process for the Project

	and for WIFN's review of the ERR. RES requested that WIFN provide a budget for this work, if applicable. RES also repeated its offer for capacity funding for WIFN's participation in the Phase II archaeological work and requested that WIFN confirm attendance and provide a budget for this work, if applicable.
	RES to send designated WIFN representative four hard copies of ERR, and RES to re-send copies of RES correspondence sent to WIFN since 2007.
May 26, 2009	RES sent four hard copies of ERR to WIFN designated representative.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.
June 4, 2009	RES sent to WIFN the meeting minutes of 22 May 2009 meeting for WIFN review. RES re-sent RES correspondence sent to WIFN since 6 July 2007.
July 17, 2009	RES sent letter to WIFN following-up on certain items emerging from 22 May 2009 meeting, and providing final version of the minutes of this meeting. RES solicited WIFN input regarding potential use of native vegetation for Project-related vegetation restoration activities. RES expressed openness to receiving WIFN proposal regarding civil construction work. RES accepted WIFN's budget for capacity funding for WIFN's review of the ERR, provided that it included WIFN's budget for participation in related meetings and processes. RES also repeated its offer for capacity funding for WIFN's participation in the Phase II archaeological work, and requested that WIFN confirm attendance and provide a budget for this work, if applicable.

3. CALDWELL FIRST NATION

DATE:	COMMUNICATION:
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter.
Sept. 4, 2007	RES received letter from INAC Specific Claims Branch (SCB)

	identifying a specific claim of the FN in the area.
Jan. 22, 2008	RES Project representative called and left a message following up on NoC letter.
Jan. 22, 2008	Chief FN returned call to RES informing that the Caldwell FN would have an interest in the project.
Jan. 23, 2008	RES project representative left a telephone message with Councillor.
Feb. 25, 2008	RES re-sent NoC with request for a direct meeting.
Apr. 3, 2008	RES project representative left a telephone message asking if the Caldwell FN had any traditional use or archaeological interest in the study area.
Apr. 4, 2008	Telephone call with Councillor from FN, who is not aware of any traditional use or archaeological interest in study area, except possible hunting trails. FN to communicate with RES after speaking with other First Nations.
Apr. 4, 2008	RES returned Chief's call and left a message.
Apr. 23, 2008	RES representative sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of FN to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.
July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES representative proposes individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.

Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 15-19, 2009	RES re-sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.

4. CHIPPEWAS OF KETTLE – STONY POINT FIRST NATION

DATE:	COMMUNICATION:
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter.
Sept. 4, 2007	RES received letter from INAC SCB identifying a specific claim of the FN in the area.
April 23, 2008	RES representative sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of FN to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.
July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES representative proposes individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.

Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.

5. CHIPPEWAS OF THE THAMES FIRST NATION

DATE:	COMMUNICATION:
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter.
Sept. 4, 2007	RES received letter from INAC SCB identifying a specific claim of the FN in the area.
April 23, 2008	RES representative sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of First Nation (FN) to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.
July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES representative proposes individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.

Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.

6. MORAVIAN OF THE THAMES

DATE:	COMMUNICATION:
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter to FN. RES identified FN based on geographic proximity to Project area.
July 25, 2007	Moravian of the Thames identified by Six Nations Council in a letter.
Jan. 22, 2008	RES sent electronic copies of the NoC to FN.
April 4, 2008	RES project representative spoke with Chief who said that, subject to consultation with Council, he was not aware of any traditional use or archaeological interest in the study area.
April 16, 2008	Telephone message left for Chief regarding traditional use or archaeological interest in the Study Area.
April 23, 2008	RES representative sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of First Nation (FN) to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.

July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES representative proposes individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.
Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
Feb. 27, 2009	RES left a message requesting a meeting during the week of March 2, 2009.
March 3, 2009	Meeting with RES and FN to review Project and environmental review process. RES will re-send copies of previously sent letters to the Director of Operations. Aboriginal group indicated possibility that Project area overlaps with ancestral burial grounds, and that it would like to preserve any archaeological finds. The FN stated that they had been given certain lands in Project area, and asserted that while its present community is approximately 10 kms from Lake Erie, its ancestors had trails leading to this lake for hunting, fishing and gathering purposes. FN advised that it will contact RES if it wants further meetings or information.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 14, 2009	RES sent email to FN with the meeting minutes of 3 March 2009 meeting for FN review.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.
June 1, 2009	RES re-sent to FN by mail the meeting minutes of 3 March 2009 meeting for FN review.

June 26, 2009	Designated FN representative provided comments on 3 March 2009 Meeting Minutes to RES.

7. MUNSEE-DELAWARE FIRST NATION

DATE:	COMMUNICATION:
Sept. 4, 2007	RES received letter from INAC SCB identifying a specific claim of the FN in the area.
April 23, 2008	RES representative sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of First Nation (FN) to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.
Oct. 29, 2008	Letter from RES provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.

8. ONEIDA FIRST NATION

DATE:	COMMUNICATION:
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter on. (Original NoC was resent by RES on April 9, 2008).
Sept. 4, 2007	RES received letter from INAC SCB identifying a specific claim of the FN in the area.
April 4, 2008	RES project representative left a telephone message for Director.
April 9, 2008	Director returned the project representative's call. Additional information was forwarded to Director, including the original NoC.

April 23, 2008	RES representative sent fax letter notifying of intent to develop Project, with Project area map and handout with general information on Project and contacts. RES indicates that it would be pleased to meet with representatives of FN to discuss Project and to receive any comments or questions. If FN wishes meeting, it is invited to call RES to arrange same.
April 23, 2008	RES left a telephone message for Director proposing a meeting. No meeting confirmed, and no return call.
July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES representative proposes individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.
Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.

9. SIX NATIONS OF THE GRAND RIVER

DATE:	COMMUNICATION:
July 6, 2007	RES sent Notice of Study Commencement (NoC) letter.
July 25, 2007	Six Nations advise RES of claim to certain rights under the 1701 Nanfan (or Fort Albany) Treaty and assert that Project area falls within treaty area. Six Nations state that Project may impact their interests. Advise RES to communicate with Moraviantown First Nation, given its proximity to Project area, to address any concerns. Six Nations they have no further comment at this time, but request to be kept informed of new developments.
July 29, 2008	Follow-up letter to fax letter of April 23, 2008. In context of environmental assessment (EA) process, RES representative proposes individual meeting with FN, at its request, in order to better understand the FN's interest, if any, in Project area and to discuss the environmental review study in greater detail. Meeting would also solicit information from FN regarding Project area, provide FN with information on RES' study and findings to date, engage with FN in meaningful way, develop good working relationship with FN and provide FN with more information on wind energy and EA process. NoC and draft wind turbine layout enclosed for review.
Sept. 5, 2008	RES received an email from FN representative indicating that Six Nations would like to meet with RES to discuss the study.
Sept. 2008	RES and Six Nations exchanged emails about possible meeting dates. Formal meeting is planned for fall 2008.
Oct. 29, 2008	Letter from RES following up on NoC and letters of April 23 and July 29 proposing direct meetings to discuss Project. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
Nov. 5, 2008	Meeting between FN and RES. Six Nations informed RES it could provide First Nations archeologists during excavation to identify artifacts, if local First Nations (i.e., Moravian of Thames FN) do not have expertise. Six Nations to comment on sections of draft ERR dealing with FN consultation.

Nov. 11, 2008	RES sent Six Nations an email with draft version of meeting minutes link to the full electronic version of draft ERR and non-technical summary.
Jan. 9, 2009	RES project representative sends an email to FN representatives and follows up with a phone call seeking comments on draft ERR and providing an update on the ERR finalization schedule.
Feb. 27, 2009	RES called Six Nations for a status report on draft ERR comments, Six Nations confirmed it will send status report shortly. RES informed Six Nations it was pursuing meeting with Moravian of the Thames, as recommended by Six Nations (Telephone conversation b/w RES and Six Nations).
Feb. 27, 2009	Six Nations undertake to produce a consultation policy and procedure document, to be made available to RES in early April (Telephone conversation). Six Nations advises that it would like to be kept informed of Project, but do not require further meetings at the time (Telephone conversation).
March 13, 2009	Six Nations requested a copy of the reports of all Archeologist Assessments, Bird Study, Natural Environment Report, Draft Flicker Report, and maps regarding Aboriginal Title and Treaties (email). RES requested written comments on draft ERR from Six Nations.
March 23, 2009	RES sent paper copies of requested reports to Six Nations.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 14, 2009	RES sent to Six Nations the meeting minutes of 5 November 2008 meeting for Six Nations review.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.
June 4, 2009	Six Nations designated representative approved the 5 November 2008 meeting minutes provided by RES on 14 May 2009.

10. ASSOCIATION OF IROQUOIS AND ALLIED INDIANS (AIAI)

DATE:	COMMUNICATION:
July 6, 2007	RES representative sent Notice of Study Commencement (NoC) letter.
June 25, 2008	AIAI sent RES a letter which states that it only represents a member FN upon such member's request, that member FNs traditional hunting and gathering areas may be affected by project and that FNs currently residing in Quebec may have an archaeological interest in Ontario projects.
Oct. 29, 2008	Letter from RES following up on NoC. Provides notice of draft ERR and invites comments on draft ERR. Offers to provide hard copy of draft ERR. Comments to be considered, after which final ERR will be prepared and released with Notice of Completion. Final ERR will also be released for review and comment.
May 1, 2009	RES sent Notice of Completion and cover letter, advising of issuance of Notice of Completion and release of final ERR on May 1, 2009.
May 29, 2009	RES sent cover letter and notice of up-coming Public Information Centre.

Schedule 12–12 – INAC, Comprehensive Claims Branch; Letter to RES Canada (Jean-François Tardif) – undated but received by RES Canada in July 2007

Affaires indiennes et du Nord Canada | Indian and Northern Affairs Canada

Mr. Don P. McKinnon
Project Manager
Dillon Consulting
235 Yorkland Boulevard, Suite 800
TORONTO, ON M2J 4Y8

RE: Talbot Wind Farm – Notice of Study Commencement

Dear Mr. McKinnon,

I am responding to your request for information sent to the Comprehensive Claims Branch, by mail, on July 6, 2007.

We can confirm that there are no comprehensive claims in the Municipality of Chatham-Kent, Ontario. We cannot make any comments regarding potential or future claims, or claims filed under other departmental policies. This includes claims under Canada's Specific Claims Policy or legal action by the First Nation against the Crown. For more information, I suggest you contact the Director General of Specific Claims Branch at (819) 994-2323 and the Director General of Litigation Management and Resolution Branch at (819) 997-3582.

INAC- Comprehensive Claims Branch does not have any specific interest in the project and would request to be taken out of the mailing list.

Yours truly,

Jean-François Tardif, Director
for
Lynn Bernard, Director General
Comprehensive Claims Branch

DISCLAIMER: In this Disclaimer, "Canada" means Her Majesty the Queen in right of Canada and the Minister of Indian Affairs and Northern Development and their servants and agents. Canada does not warrant or assume any legal liability or responsibility for the accuracy, completeness, or usefulness of any data or information disclosed with this correspondence or for any actions in reliance upon such data or information or on any statement contained in this correspondence. Data and information is based on information in departmental records and is disclosed for convenience of reference only. In accordance with the provisions of the *Access to Information Act* and the *Privacy Act*, confidential information has not been disclosed. Canada does not act as a representative for any Aboriginal group for the purpose of any claim. Information from other government sources

Schedule 12–13 – INAC, Specific Claims Email to RES Canada (Don Boswell) – April 21, 2009

Cosentino, Connie

om: Bullough, Brent [BBullough@dillon.ca]
t: April 21, 2009 12:30 PM
Sherrard, Matthew
Cc: Cuervo-Lorens, Ralph; Hurley, John; Stephen Cookson
Subject: FW: Specific Claims Inquiry - Talbot Wind Farm in Chatham-Kent

Response from INAC.

-----Original Message-----
From: Don Boswell [mailto:Don.Boswell@ainc-inac.gc.ca]
Sent: Tuesday, April 21, 2009 10:39 AM
To: Bullough, Brent
Subject: Re: Specific Claims Inquiry - Talbot Wind Farm in Chatham-Kent

B

8260-12

Dillon Consulting Limited
235 Yorkland Blvd. Suite 800
TORONTO ON M2J 4Y8
Telephone 416-229-4647 ext. 2343
Fax 416-229-4692
THORNHILL ON L3T 0A1

tn: Brent Bullough MCIP

Re: Talbot Wind Farm

I am writing in response to your e-mail of April 20, 2009 in the area of Chatham-Kent-Essex.

http://www.mapquest.com/maps?city=Ridgetown&state=ON

We have conducted a brief search of our records and determined that the only claim filed that involves the area of Chatham-Kent-Essex is the Caldwell First Nations' Land Entitlement claim. This claim was filed by the First Nation in December of 1987.The First Nation alleges that it has always inhabited the Point Pelee and Pelee Island area, and it has never surrendered aboriginal title to the area by treaty nor has it adhered to any treaty or received treaty benefits. The First Nation also alleges that it was entitled to a reserve in recognition of its service to the Crown in the War of 1812.
This claim is presently in negotiations.

You may wish to contact the Caldwell First Nation at 10297 Talbot Road, Blenheim ON N0P 1A0 (519) 676-5499.

For more information, you may wish to consult a "Public Information Status Report" on all claims which have been submitted to date. This information is available to the public on the Indian and Northern Affairs Canada (INAC) website and can be found at

http://www.collectionscanada.gc.ca/webarchives/20071125162018/http://www.ainc-inac.gc.ca/ps/clm/pis_e.pdf

should be noted that the reports available on the INAC website are updated quarterly d therefore, you may want to check this site at regular intervals for updates. In accordance with legislative requirements, confidential information has not been disclosed.

Please rest assured that it is the policy of the Government of Canada as expressed in Outstanding Business: A Native Claims Policy that "in any settlement of specific native claims the government will take third party interests into account. As a general rule, the ᵹovernment will not accept any settlement which will lead to third parties being ᵹpossessed."

can only speak directly to claims filed under the Specific Claims Policy in the Province of Ontario. We cannot make any comments regarding potential or future claims, or claims filed under other departmental policies. This includes claims under Canada's Comprehensive Claims Policy or legal action by a First Nation against the Crown. You may wish to contact the Assessment and Historical Research Directorate at (819) 994-6453, the Consultation and Accommodation Unit at (613) 944-9313 and Litigation Management and Resolution Branch at (819) 934-2185 directly for more information.

You may also wish to visit http://www.ainc-inac.gc.ca/nr/iss/acp/acp-eng.asp on the INAC website for information regarding the Federal Action Plan on Aboriginal Consultation and Accommodation.

To the best of our knowledge, the information we have provided you is current and up to date. However, this information may not be exhaustive with regard to your needs and you may wish to consider seeking information from other government and private sources (including Aboriginal groups). In addition, please note that Canada does not act as a representative for any Aboriginal group for the purpose of any claim or the purpose of consultation.

I hope this information will be of assistance to you. I trust that this satisfactorily addresses your concerns. If you wish to discuss this matter further please contact me at (819) 953 1940.

Sincerely,

ᵑn Boswell
ᵑnior Claims Analyst
ᵓntario Research Team
Specific Claims Branch

April 20, 2009

>>> "Bullough, Brent" <BBullough@dillon.ca> 4/20/2009 12:12 PM >>>
Hi Don,

Thanks for returning my call.

Further to our conversation, I've attached maps showing the study area map for the Talbot Wind farm. Can you please provide us with an update on any specific claims in the area?

For your information, we have contacted Mr. Marc-Andre Millaire and he has provided us with the following information regarding litigation:

We can advise that our inventory includes active litigation cases in the vicinity of this property. They are entitled: Corporation of the Municipality of Chatham-Kent v. Her Majesty the Queen in Right of Canada as represented by Minister of Indian Affairs and Northern Development, Department of Indian Affairs and Northern Development, Caldwell First Nation, Federal Court of Canada, court file reference #T-4-00; and

Walpole Island First Nation, Bkejwanong Territory v. Attorney General of Canada, Her ᵑjesty the Queen in Right of Ontario, filed in Toronto, court file reference #00-ᵑ-189329.

I've also attached the letter from Fred Hosking, dated September 4, 2007. This letter instructs us to refer to the "Public Information Status Report" on INAC's web site for more information. Although the information on the web site may have been up-to-date at the time of Mr. Hosking's letter, when one refers to this website today, one sees that the last version of the Public Information Status Report is dated September 30, 2007, despite the letter stating that the reports are updated quarterly. Can you please inform us as to whether an up-to-date Public Information Status Report is available, or if the recommendation to consult this web site is no longer relevant?

Thank you for your time on this matter. If you can please provide this information a quickly as possible, we would certainly appreciate it.

Brent

<http://www.dillon.ca/images/dillonEnglish.jpg> Brent Bullough
MCIP,
RPP
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P Please consider the environment before printing this email

This message is directed in confidence solely to the person(s) named above and may contain privileged, confidential or private information which is not to be disclosed. If you are not the addressee or an authorized representative thereof, please contact the undersigned and then destroy this message.

Ce message est destinΘ uniquement aux personnes indiquΘes dans l'entΩte et peut contenir une information privilΘgiΘe, confidentielle ou privΘe et ne pouvant Ωtre divulguΘe. Si vous n'Ωtes pas le destinataire de ce message ou une personne autorisΘe α le recevoir, veuillez communiquer avec le soussignΘ et ensuite dΘtruire ce message.

This message is directed in confidence solely to the person(s) named above and may contain privileged, confidential or private information which is not to be disclosed. If you are not the addressee or an authorized representative thereof, please contact the undersigned and then destroy this message.

Ce message est destinι uniquement aux personnes indiquιes dans l'entκte et peut contenir une information priviligiιe, confidentielle ou priviιe et ne pouvant κtre divulguιe. Si vous n'κtes pas le destinataire de ce message ou une personne autorisιe ΰ le recevoir, veuillez communiquer avec le soussignι et ensuite dιtruire ce message.

Schedule 12–14 – INAC Email to RES Canada (Nicole Cheechoo) – April 21, 2009

Cosentino, Connie

om: Bullough, Brent [BBullough@dillon.ca]
t: April 21, 2009 1:55 PM
Sherrard, Matthew
Subject: FW: FW: Comprehensive Claims Inquiry - Talbot WindFarm,Chatham-Kent, Ontario

FYI

-----Original Message-----
From: Nicole Cheechoo [mailto:Nicole.Cheechoo@ainc-inac.gc.ca]
Sent: Tuesday, April 21, 2009 1:53 PM
To: Bullough, Brent
Subject: RE: FW: Comprehensive Claims Inquiry - Talbot WindFarm,Chatham-Kent, Ontario

Yes, that's what I meant no comprehensive claims in the area.

Thanks, Nicole.

>>> "Bullough, Brent" <BBullough@dillon.ca> Tuesday, April 21, 2009 1:46 PM >>>

Ms. Cheechoo,

Thank you for your message.

I am not sure if I understand what you meant in stating that Jean-Francois Tardif's June 2007 letter stating that there were no comprehensive claims "remains in effect".

Am I correct in understanding from your message that there are currently no comprehensive claims in the area of the proposed Talbot Wind Farm in Chatham-Kent, Ontario, as described in my previous email to you?

Kindly confirm.

Thank you.

-----Original Message-----
From: Nicole Cheechoo [mailto:Nicole.Cheechoo@ainc-inac.gc.ca]
Sent: Tuesday, April 21, 2009 10:58 AM
To: Bullough, Brent
Subject: Re: FW: Comprehensive Claims Inquiry - Talbot Wind Farm,Chatham-Kent, Ontario

Hello Brent, the letter from Jean-Francois Tardif in June 2007 stating that there were no comprehensive claims remains in effect.

We cannot make any comments regarding potential or future claims, or claims filed under other departmental policies. These include claims under Canada's Specific Claims Policy or legal action by a First Nation against the Crown.
For more information on these, I suggest you contact the Specific Claims Branch at (819) 994-2323 and/or the Litigation Management and Resolution Branch at (819) 934-2185.

Thank you.

Nicole Cheechoo
Claims Assessment Officer
Assessment and Historical Research Directorate, INAC
Telephone: (819) 997-3499
Fax: (819) 934-1366

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>>> "Bullough, Brent" <BBullough@dillon.ca> Tuesday, April 21, 2009 9:15 AM >>>
Ms. Cheechoo,

I would like to know of any comprehensive claims in the area of the proposed Talbot Wind Farm in Chatham-Kent, Ontario. We received correspondence from Jean-Francois Tardif in June 2007 stating that there were no comprehensive claims but, given the time that has elapsed, are asking if you can provide an update to this information. Maps showing the study area are provided for your reference, as is the letter we received from Mr. Tardif. Also attached is the original Notice of Commencement for the project.

If any such claim exists, would you be kind enough to please indicate the nature of the claim, as well as the boundaries of the claimed area.

Please note that we have also contacted Litigation and Specific Claims. We are awaiting a response from Specific Claims but Litigation has provided us with the following information:

We can advise that our inventory includes active litigation cases in the vicinity of this property. They are entitled: Corporation of the Municipality of Chatham-Kent v. Her Majesty the Queen in Right of Canada as represented by Minister of Indian Affairs and Northern Development, Department of Indian Affairs and Northern Development, Caldwell First Nation, Federal Court of Canada, court file reference #T-4-00; and

Walpole Island First Nation, Bkejwanong Territory v. Attorney General of Canada, Her Majesty the Queen in Right of Ontario, filed in Toronto, court file reference #00-CV-189329.

Thank you for your attention to this request for information. We are under very tight timelines and, if at all possible, request this information by this Wednesday.

Thanks again,
Brent Bullough

<http://www.dillon.ca/images/dillonEnglish.jpg> Brent Bullough
MCIP,
RPP
Dillon Consulting Limited
235 Yorkland Blvd, Suite 800
Toronto, Ontario, M2J 4Y8
T - 416.229.4647 ext. 2343
M - 416.356.8447
F - 416.229.4692
BBullough@dillon.ca <mailto:BBullough@dillon.ca> www.dillon.ca <http://www.dillon.ca/>

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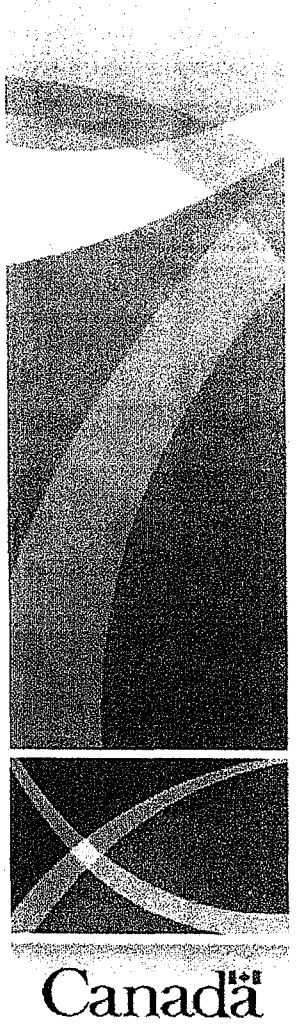
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Schedule 12–15 – INAC Status Report on Specific Claims in Canada (formerly "Public Information Status Report" ("INAC Report"))

Status Report on Specific Claims in Canada

ONTARIO (2)

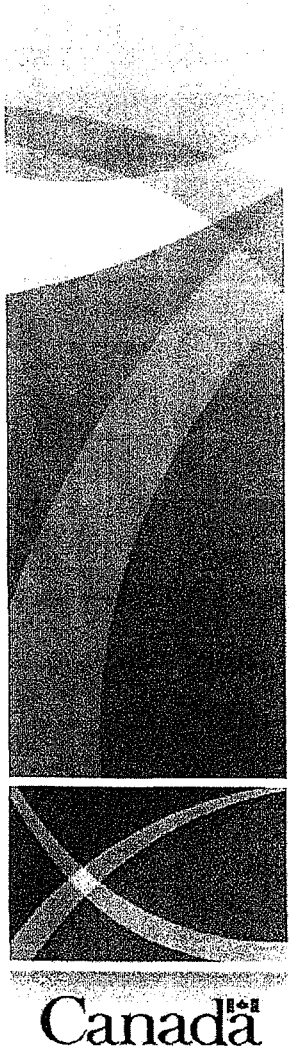
Claimant & Claim Name	Current Status & Description	Key Date(s)
Aamjiwnaang (BAND-172) Clench Defalcation	**Under Assessment** Justice Department Preparing Legal Opinion Misappropriation of sale proceeds.	- Date Claim Filed: 2008/10/16
Enniskillen (SPLIT #01) Aamjiwnaang	**Settled** Settled Through Negotiations (Band previous name: Chippewas of Sarnia). Alleged that certain lands in Enniskillen Township were sold without surrender between 1866 and 1918.	- Canada Offered to Negotiate: 2002/04/13 - Settlement Signed by Canada: 2004/03/29



Status Report on Specific Claims in Canada

ONTARIO (7)

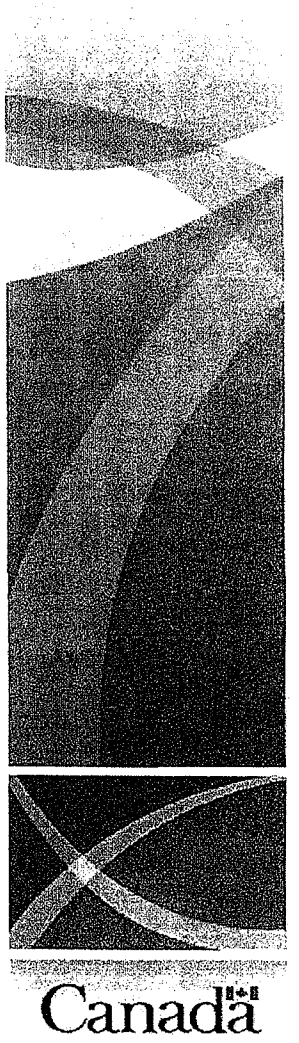
Claimant & Claim Name	Current Status & Description	Key Date(s)
Caldwell (BAND-165) Land Entitlement	**In Negotiations** Active Negotiations Alleged members are the original inhabitants, occupants and owners of Point Pelee & Pelee Island, that it never surrendered Point Pelee in 1790, & that the 999 year lease to Pelee Island was invalid.	- Not Accepted for Negotiations: 1974/09/05 - Date Legal Opinion Signed: 1995/08/16 - Canada Offered to Negotiate: 2008/10/16
Pelee Island	**Under Assessment** Research Alleges FN didn't surrender Pelee Island and that the 999 year lease is invalid since the Crown's patent is void.	- Date Claim Filed: 2008/10/16 - Research Start Date : 2009/04/17
Chippewas of Kettle and Stony Point (BAND-171) 1927 Surrender	**Other** Active Litigation Alleged 1927 surrender of part of the Kettle Point Indian reserve no.44 & its subsequent sale in 1929 is invalid.	- Date Legal Opinion Signed: 1993/03/18 - Not Accepted for Negotiations: 1993/03/31 - Date of ISCC Process/Active: 1994/02/02 - Date Litigation became Active : 1997/03/15
1928 Surrender at Stoney Point	**In Negotiations** Active Negotiations Alleged 1928 Surrender & Sale of 377 acres of the Stoney Point Reserve is invalid. 1928 Surrender at Stoney Point (Ipperwash Provincial Park).	- Research Start Date : 2001/10/16 - Date Legal Opinion Signed: 2004/08/03 - Pending FN's BCR Accepting to Negotiate: 2005/04/27 - Claimant Agreed to Negotiate: 2008/07/15 - Canada Offered to Negotiate: 2008/10/16
Clench Defalcation	**Under Assessment** Justice Department Preparing Legal Opinion Misappropriation of sale proceeds.	- Date Claim Filed: 2008/10/16



Status Report on Specific Claims in Canada

ONTARIO (7)

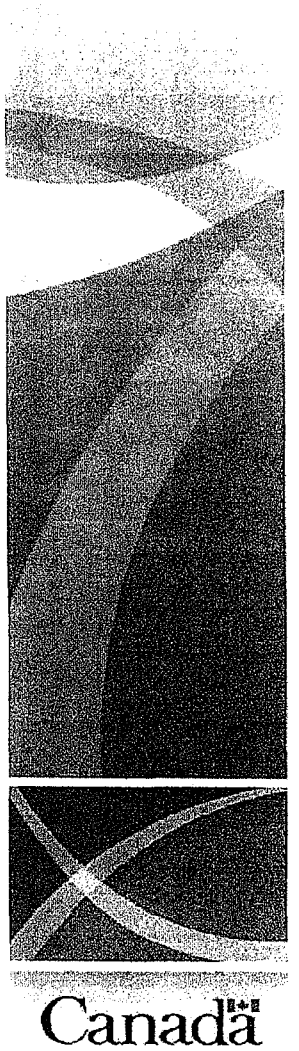
Claimant & Claim Name	Current Status & Description	Key Date(s)
Enniskillen (SPLIT #02) Chippewas of Kettle and Stony Point	**Settled** Settled Through Negotiations Alleged that certain lands in Enniskillen Township were sold without surrender between 1866 and 1918.	- Canada Offered to Negotiate: 2002/04/13 - Settlement Signed by Canada: 2004/03/29
Lot 27 - Bosanquet Lands	**Under Assessment** Justice Department Preparing Legal Opinion Misappropriation of sale proceeds of Lot 27, Concession 6, Township of Bosanquet.	- Date Claim Filed: 2008/10/16



Status Report on Specific Claims in Canada

ONTARIO (4)

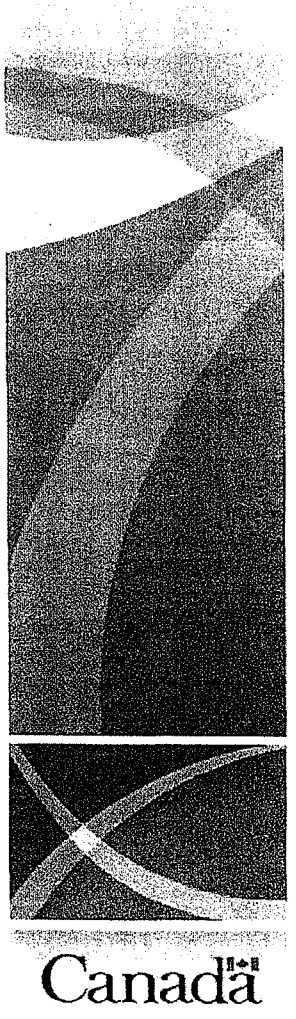
Claimant & Claim Name	Current Status & Description	Key Date(s)
Chippewas of the Thames First Nation (BAND-166) Big Bear Creek Reserve	**In Negotiations** Active Negotiations Alleged that the 5,120 acre Big Bear Cree Reserve was patented and sold by the Crown in the 1830s without a proper surrender by the FN. Furthermore, the compensation paid by the Crown for the loss of the reserve in 1849-50 was inadequate. The land in question was reserved for the FN under the Longwoods Treaties (1819-1822).	- Research Start Date : 2001/04/17 - Date Legal Opinion Signed: 2008/06/20 - Negotiations Inactive: 2008/08/02 - Pending FN's BCR Accepting to Negotiate: 2008/08/03 - Canada Offered to Negotiate: 2008/10/16 - Claimant Agreed to Negotiate: 2008/11/05
Clench Defalcation	**Settled** Settled Through Negotiations Misappropriation of sale proceeds from 1845-1854.	- Not Accepted for Negotiations: 1975/02/21 - Date of ISCC Process/Active: 1998/08/25 - Date Legal Opinion Signed: 2000/08/03 - Canada Offered to Negotiate: 2001/06/18 - Settlement Signed by Claimant: 2004/07/06 - Settlement Signed by Canada: 2004/11/03
Hydro - Right-Of-Way	**Concluded** File Closed Alleged breach of fiduciary obligations by the Crown for wrongfully renewing a Hydro easement in 1956 after the option to renew expired, and for failing to obtain appropriate compensation for the renewal of the easement. Fast Track. The claim is located in the townships of Caradoc and Deleware.	- Date Legal Opinion Signed: 2005/03/30 - Not Accepted for Negotiations: 2006/07/18 - Date of ISCC Process/Active: 2006/09/22 - File Closed: 2009/01/30
Muncey	**Settled** Settled Through Negotiations Alleged lots 12 & 13 of Caradock Township were illegally patented in 1831, on the basis that no surrender was obtained from the Chippewa Indians for those lots.	- Research Start Date : 1975/03/17 - Not Accepted for Negotiations: 1976/09/07 - Date Legal Opinion Signed: 1983/03/01 - Canada Offered to Negotiate: 1983/06/15 - Date of ISCC Process/Active: 1993/11/09 - Settlement Signed by Canada: 1995/03/01



Status Report on Specific Claims in Canada

ONTARIO (1)

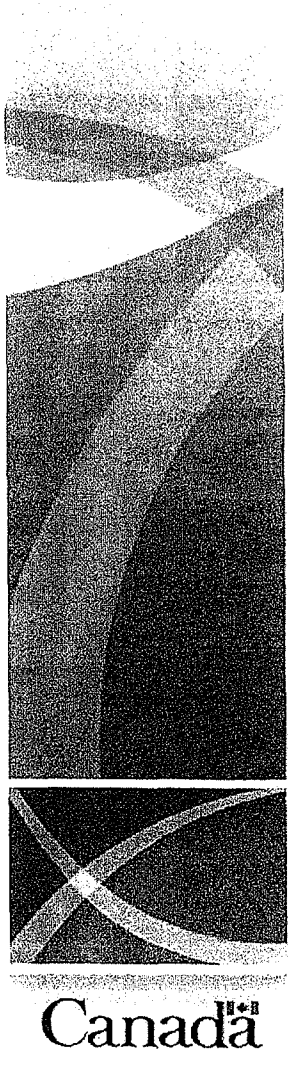
Claimant & Claim Name	Current Status & Description	Key Date(s)
Moravian of the Thames (BAND-167) Orford Township	**Concluded** No Lawful Obligation Found Alleged unlawful alienation of 26,325 acres in Orford township.	- Research Start Date : 1985/07/15 - Date Legal Opinion Signed: 1992/08/19 - Not Accepted for Negotiations: 1993/06/17



Status Report on Specific Claims in Canada

ONTARIO (53)

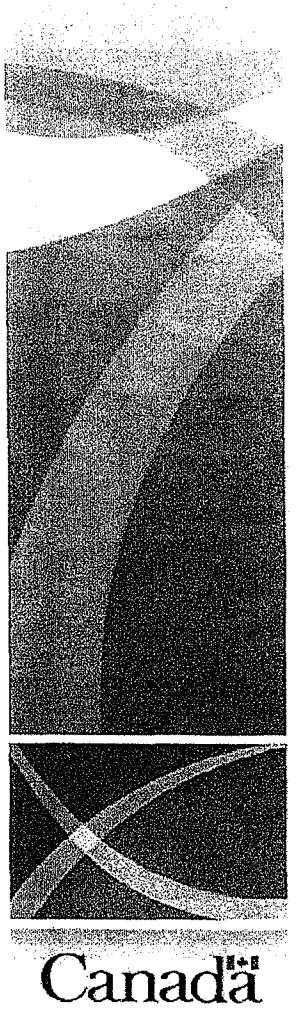
Claimant & Claim Name	Current Status & Description	Key Date(s)
Munsee-Delaware Nation (BAND-168)		
Reserve Allocation	**Concluded** File Closed Claimant alleges that they were to receive more land than was allotted to them.	- Date Claim Filed: 2008/10/16 - Research Start Date : 2008/10/17 - File Closed: 2009/08/19
Oneida Nation of the Thames (BAND-169)		
Land Acquisition Surplus and Account Interest	**Concluded** File Closed Alleges J.B. Clench misappropriated the £163.7s. 4d from the FN's land acquisition surplus account in 1844 and the Crown failed to deposit the FN's money into accounts that paid interest beginning in 1840.	- Date Claim Filed: 2008/10/16 - File Closed: 2009/04/20
Lot 23-B and Subsequent Dealings	**Concluded** File Closed The FN is seeking repayment of the "short deposit" of £326; repayment of the payment of £100 and £178 16s 7 and loss of use of these funds from 1841 to date.	- Date Claim Filed: 2008/10/16 - File Closed: 2009/04/20
Purchase of East ½ Lot 24-D	**Concluded** File Closed The FN alleges the mismanagement of £75 withdrawn from the Oneida First Nation Trust Account. The FN also claims the current value and the loss of use of these funds from 1842 to date.	- Date Claim Filed: 2008/10/16 - File Closed: 2009/04/20
Six Nations of the Grand River (BAND-121)		
Bed of the Grand River and Islands	**Other** Active Litigation Alleged failure to compensate for certain islands in the Grand River and claim to the bed of the Grand River in 1784.	- Date Litigation became Active : 1995/03/24



Status Report on Specific Claims in Canada

ONTARIO (53)

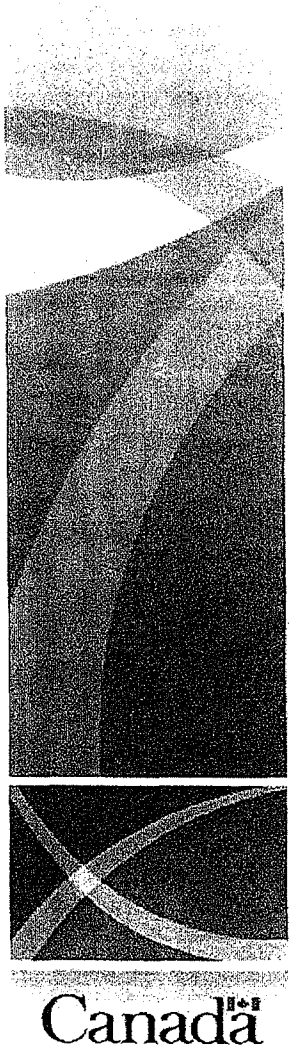
Claimant & Claim Name	Current Status & Description	Key Date(s)
Burtch Tract	**Other** Active Litigation Alleged invalid surrender in 1841 of 5,223 acres in Brantford township.	- Research Start Date : 1993/02/01 - Date Litigation became Active : 1995/03/24
Canby - Block 6	**Other** Active Litigation Pre-Confederation 19,000 acre tract in Canborough Township. Alleged that in 1798, the tract of land was never lawfully surrendered. Government in place at the time breached its fiduciary obligation for failing to enforce payment for the grant.	- Research Start Date : 1992/04/15 - Date Litigation became Active : 1995/03/24
Cayuga	**Other** Active Litigation Alleged Cayuga township was surrendered in 1831 and 1834, and de-surrendered circa 1844 by Indian Affairs in exchange for exclusion of Burtch tract from band lands. Also, that the 1831 and 1834 surrenders were for lease and that any sale of the portions of Cayuga Township, South of the Grand River, was illegal.	- Research Start Date : 1994/07/01 - Date Litigation became Active : 1995/03/24
CNR Lots 45-61	**Other** Active Litigation Alleged illegal alienation of land for railway right of way. There was never a surrender document obtained from Six Nations, giving consent to the railway right-of-way.	- Research Start Date : 1993/10/13 - Date Litigation became Active : 1995/03/24
Comp. for Lands in Letter Patent # 708	**Other** Active Litigation	- Date Litigation became Active : 1995/03/24



Status Report on Specific Claims in Canada

ONTARIO (53)

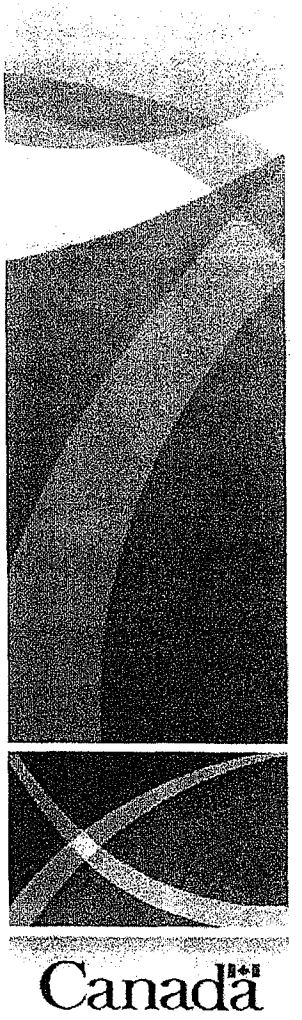
Claimant & Claim Name	Current Status & Description	Key Date(s)
	The FN alleges that the surrender dated April 19, 1830 to allow the sale of 807 acres for the town plot of Brantford was invalid. In addition, the FN alleges there was a fiduciary breach by the Crown when it granted Letters Patent number 708 dated November 5, 1851. The patent covered 33 lots were never credited to the Six Nations Trust Funds.	
Comp. for Lands in Letters Patent # 910	**Other** Active Litigation The FN alleges that the surrender dated April 19, 1830 to allow the sale of 807 acres for the town plot of Brantford was invalid. In addition, the FN alleges there was a fiduciary breach by the Crown when it granted Letters Patent Number 910 dated July 12, 1852. The patent covered 8 lots and consisted of 1.6 acres. According to the FN, no funds from the sale of the 8 lots were ever credited to the Six Nations Trust Funds.	- Date Litigation became Active : 1995/09/21
Comp. for Lands Patented to Nathan Gage	**Other** Active Litigation The FN alleges that the surrender dated April 19, 1830 to allow the sale of 807 acres for the town plot of Brantford was invalid. In addition, the FN alleges there was a fiduciary breach by the Crown when it granted Letters Patent dated February 25, 1840. The patent covered 19 lots were never credited to the Six Nations Trust Funds.	- Date Litigation became Active : 1995/03/24
Coutts & Co. Investments	**Other** Active Litigation Alleged breach of fudiciary trust by not properly accounting for Six Nations funds appropriated by Crown and invested in Coutts & Co. (London), between 1805 and 1855.	- Research Start Date : 1994/06/21 - Date Litigation became Active : 1995/03/24



Status Report on Specific Claims in Canada

ONTARIO (53)

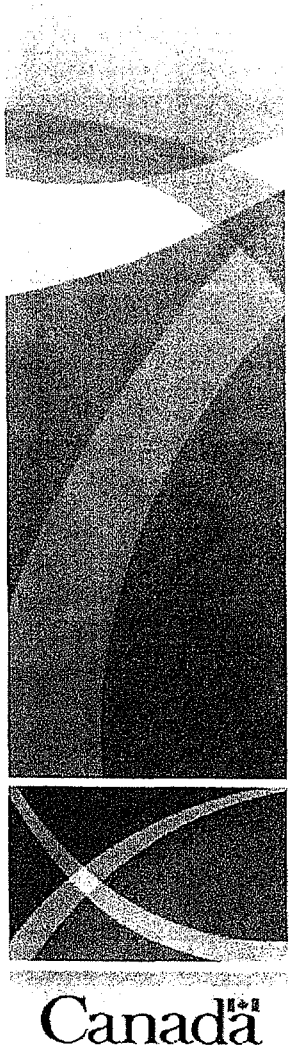
Claimant & Claim Name	Current Status & Description	Key Date(s)
Eagle's Nest Tract	**Other** Active Litigation Alleged 1,800 acres Eagle's Nest Tract, in Brantford Township was not included in the 1841 surrender nor was it surrendered in 1844. Also alleged this land was reserved for leasing.	- Research Start Date : 1993/10/15 - Date Litigation became Active : 1995/03/24
East Hawkesbury	**Other** Active Litigation Alleged invalid surrender, in 1847, of 4,000 acres in the township of East Hawkesbury.	- Research Start Date : 1985/12/31 - Not Accepted for Negotiations: 1988/07/21 - Date Legal Opinion Signed: 1993/04/15 - Date Litigation became Active : 1995/03/24
General Surrender	**Other** Active Litigation Alleged general surrender of 1841 was invalid.	- Research Start Date : 1991/07/19 - Date Litigation became Active : 1995/03/24
Grand River Navigation Company (368 Acres)	**Other** Active Litigation Alleged illegal alienation of 368.7 acres to the Grand River Navigation Company in 1837. This claim is also known as Grand River Navigation Company Claim.	- Research Start Date : 1992/09/30 - Date Litigation became Active : 1995/03/24
Innisfil Township	**Other** Active Litigation Alleged 900 acres of land in Innisfil Township was alientated without authorization or consent.	- Not Accepted for Negotiations: 1988/07/21 - Date Legal Opinion Signed: 1994/04/28 - Date Litigation became Active : 1995/03/24
Jarvis Investments	**Other** Active Litigation Alleged breach of fiduciary obligation for allowing agents of the Crown to appropriate funds in a manner contrary to Six Nations' best interests.	- Date Litigation became Active : 1995/03/24



Status Report on Specific Claims in Canada

ONTARIO (53)

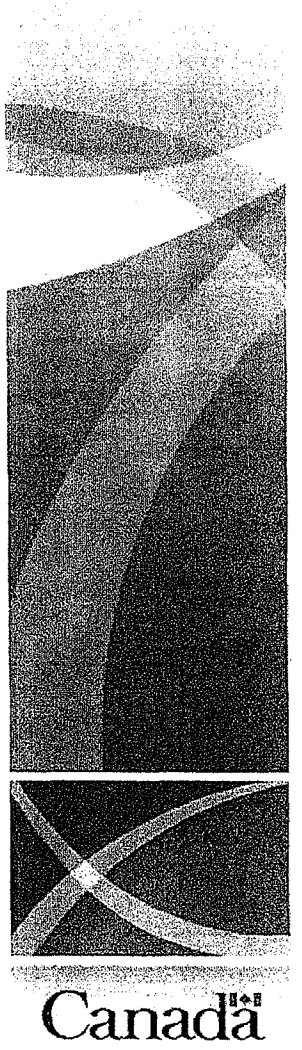
Claimant & Claim Name	Current Status & Description	Key Date(s)
Johnson's Settlement	**Other** Active Litigation Alleged invalid surrender of, a 7000 acre tract located in Brantford township. This land was to be reserved as a continual source of revenue for Six Nations, through leasing.	- Research Start Date : 1993/10/10 - Date Litigation became Active : 1995/03/24
Martin's Tract	**Other** Active Litigation Alleged invalid surrender and sale of lots 11-31 consession 3, Onondaga township circa 1840. By Order-in-Council, the land was to be leased to create continual income for the Six Nations Indians.	- Research Start Date : 1993/10/10 - Date Litigation became Active : 1995/03/24
Moulton Township	**Other** Active Litigation Alleged 30,100 acres in Moulton Township were sold, in 1807, without a surrender.	- Research Start Date : 1985/12/31 - Not Accepted for Negotiations: 1989/05/12 - Date Legal Opinion Signed: 1993/03/24 - Canada Offered to Negotiate: 1993/11/19 - Date Litigation became Active : 1995/03/24
Oil and Gas	**Other** Active Litigation Alleged invalid surrender of oil and gas May 1925 and breach of fiduciary duty in the administration of exploration and distribution leases.	- Date Litigation became Active : 1995/03/24
Oneida Township	**Other** Active Litigation Alleged invalid surrender of entire Oneida township in 1841.	- Date Litigation became Active : 1995/03/24



Status Report on Specific Claims in Canada

ONTARIO (53)

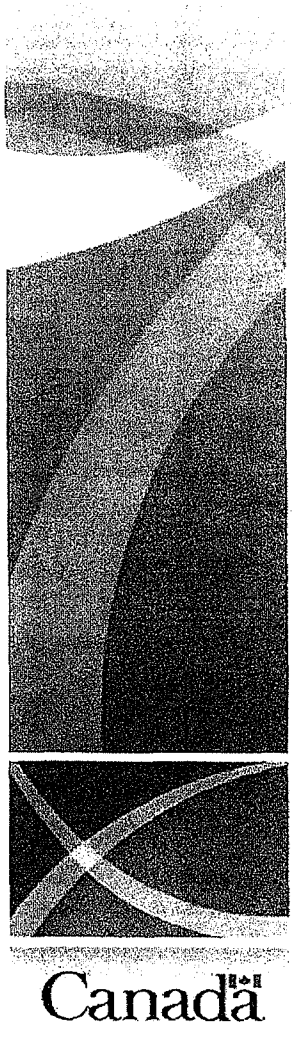
Claimant & Claim Name	Current Status & Description	Key Date(s)
Onondaga Township	**Other** Active Litigation Alleged that 2000 acres in Onondaga township were not lawfully surrendered in 1841.	- Date Litigation became Active : 1995/03/24
Oxbow Bend	**Other** Active Litigation Alleged that in 1841, 1200 acres of land in Brantford township was never lawfully surrendered for sale. That by Order-in-Council of Oct/1841, the Oxbow Bend was to be leased on a short-term basis to create a continual income for FN.	- Research Start Date : 1993/10/10 - Date Litigation became Active : 1995/03/24
Plank Road	**Other** Active Litigation Alleged road lots in Oneida and Seneca Townships were not included in alleged invalid 1841 surrender. Although the Six Nations had only agreed to lease the land, it was sold against the FNs wishes.	- Research Start Date : 1994/02/20 - Date Litigation became Active : 1995/03/24
Port Maitland	**Other** Active Litigation Alleged compensation never received for lots 25 and 26 concession 4, Dunn township, Port Maitland, when land was transferred to the Department of the Interior in 1915.	- Research Start Date : 1992/07/01 - Date Legal Opinion Signed: 1994/11/25 - Date Litigation became Active : 1995/03/24
Railway	**Settled** Settled Through Negotiations Alleged faulty expropriation of land, in 1875, for railway purposes.	- Date Legal Opinion Signed: 1983/05/24 - Canada Offered to Negotiate: 1983/06/08 - Settlement Signed by Claimant: 1985/12/23 - Settlement Signed by Canada: 1985/12/24



Status Report on Specific Claims in Canada

ONTARIO (53)

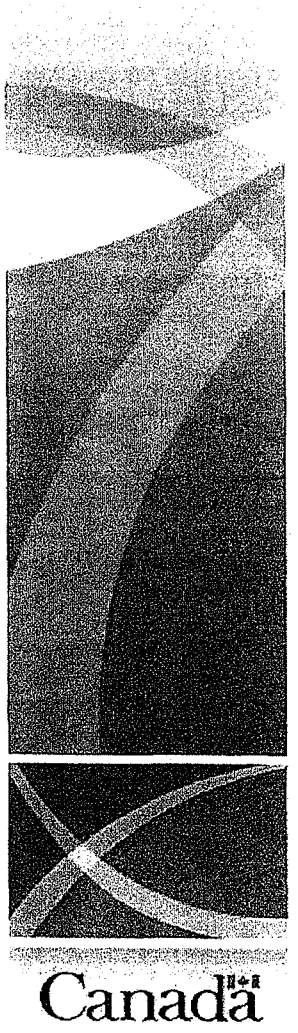
Claimant & Claim Name	Current Status & Description	Key Date(s)
Source of the Grand River	**Other** Active Litigation Alleged terms and conditions of the Haldimand Deed of 1784 were breached in that all the lands described in the Deed, i.e. six miles on either side of the Grand River from its mouth to its source, were not set aside.	- Research Start Date : 1993/09/20 - Date Litigation became Active : 1995/03/24
Towpath	**Other** Active Litigation Alleged unextinguished interest in the towpaths on each side of the Grand River and in the bed and island of the Grand River. This claim rests on the interpretation of a land surrender obtained in 1784. Although the land was appropriated by the Grand River Navigation Company in 1836, compensation was never paid for the 368.7 acres granted to the company, including 36 acres of towpath land.	- Date Legal Opinion Signed: 1978/03/28 - File Closed: 1979/09/25 - Research Start Date : 1993/02/01 - Date Litigation became Active : 1995/03/24
Welland Canal	**Other** Active Litigation Alleged illegal taking of, and inadequate compensation for approximately 2,000 acres of land along the Grand River flooded by the Welland Canal Company 1829-1836.	- Research Start Date : 1990/12/31 - Date Legal Opinion Signed: 1993/10/15 - Canada Offered to Negotiate: 1994/05/13 - Date Litigation became Active : 1995/03/24
Walpole Island (BAND-170) 1958 Seaway Treaty (Surrender Project)	**Concluded** No Lawful Obligation Found	- Research Start Date : 2006/04/24 - Date Legal Opinion Signed: 2007/11/09 - Not Accepted for Negotiations: 2008/10/01



Status Report on Specific Claims in Canada

ONTARIO (53)

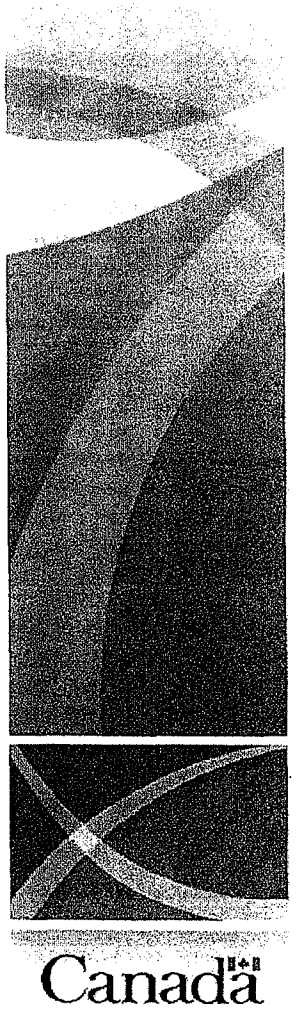
Claimant & Claim Name	Current Status & Description	Key Date(s)
	Claim concerns construction of 16mi x 1000ft channel on IR #46. FN alleges Crown did not conduct sufficient evaluation or impact studies prior to surrender, inadequate compensation provided, injurious affection to remaining lands, loss of economic opportunity related to lands and damages resulting from construction of the channel; FN alleges no consideration was given to a lease rather than surrender.	
Anderdon	**Under Assessment** Justice Department Preparing Legal Opinion Alleged that the Crown failed to carry out the terms of the surrender of 300 acres in Anderdon Township in 1848. Also raises questions regarding the sale of the land, including whether fair value was paid for the land.	- Date Claim Filed: 2008/10/16
Attempted Survey	**Settled** Settled Through Negotiations Alleged that the government attempted to survey Walpole Island 1890-1910 against the wishes of the First Nation. Seeks return of First Nation trust funds used to pay for the survey. Survey never completed.	- Research Start Date : 1993/08/15 - Date Legal Opinion Signed: 1994/03/11 - Canada Offered to Negotiate: 1994/10/14 - Settlement Signed by Claimant: 2005/12/19 - Settlement Signed by Canada: 2006/03/19
Bob Lo (Bois Blanc) Island	**Other** Active Litigation Alleged the surrender in 1786 was invalid and that no compensation was ever paid to the FN.	- Research Start Date : 1993/03/15 - Date Legal Opinion Signed: 1995/10/05 - Not Accepted for Negotiations: 1995/11/24 - Date of ISCC Process/Active: 1996/04/25 - Date Litigation became Active : 2000/04/27
Chenail Ecarte Reserve	**Under Assessment** Legal Opinion Signed	- Date Claim Filed: 2008/10/16 - Date Legal Opinion Signed: 2009/02/23



Status Report on Specific Claims in Canada

ONTARIO (53)

Claimant & Claim Name	Current Status & Description	Key Date(s)
	Alleged that Chenail Ecarte Reserve was intended to be 144 sq. miles. Surrender #7 document specified on 12 sq. miles. Further the terms of treaty re. payment were never fulfilled. (Sombra Townships)	
East Sister Island	**Under Assessment** Legal Opinion Signed Alleged the Crown breached its fiduciary obligations regarding the use, licence and disposition of the island.	- Date Claim Filed: 2008/10/16
Enniskillen (SPLIT #03) Walpole Island	**In Negotiations** Inactive Negotiations Alleges that certain lands in Enniskillen Township were sold without surrender. Other Claimants - Kettle and Stony Point and Aamjiwnaang FN's have settled this claim.	- File Closed: 2007/07/04 - Canada Offered to Negotiate: 2008/10/16 - Negotiations Inactive: 2009/04/16
Fawn Island	**Under Assessment** Justice Department Preparing Legal Opinion The WIFN claims that Canada was negligent in breach of its fiduciary duty regarding the disposition of Fawn Island and that the lands were sold for less than their fair market value. The Island was surrendered in 1857, but only sold in 1875.	- Date Claim Filed: 2008/10/16
Fighting Island	**Other** Active Litigation Alleged that Fighting Island and the adjacent fishery and waters have never been lawfully surrendered by Walpole Island First Nation.	- Research Start Date : 1995/04/15 - Date Litigation became Active : 2000/04/27



Status Report on Specific Claims in Canada

ONTARIO (53)

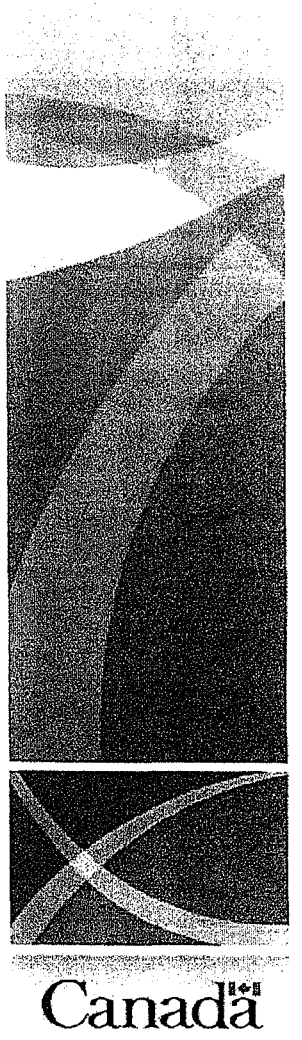
Claimant & Claim Name	Current Status & Description	Key Date(s)
Grass Island	**Other** Active Litigation Alleged that Canada illegally patented Grass Island in 1890, that the island was never surrendered and no compensation for it was paid to Walpole Island.	- Research Start Date : 1995/04/15 - Date Litigation became Active : 2000/04/27
Hen and Chicken Island	**Under Assessment** Legal Opinion Signed Alleged the Crown breached its fiduciary obligations regarding the use, licence and disposition of the island.	- Date Claim Filed: 2008/10/16
Lower Indian Reserve	**In Negotiations** Active Negotiations Seeks the return of lower reserve, or compensation and questions the price paid for the land. The claim is located in the township of Moore.	- Date Legal Opinion Signed: 1995/12/08 - Research Start Date : 2008/02/20 - Negotiations Inactive: 2008/08/14 - Pending FN's BCR Accepting to Negotiate: 2008/08/15 - Canada Offered to Negotiate: 2008/10/16 - Claimant Agreed to Negotiate: 2008/11/21
Middle Island	**Under Assessment** Legal Opinion Signed Alleged the Crown breached its fiduciary obligations permitting Middle Island to be occupied pursuant to a license of occupation with no renumeration to the FN. The Crown also failed to advertise the sale of Middle Island.	- Date Claim Filed: 2008/10/16
Middle Sister Island	**Under Assessment** Legal Opinion Signed Alleged the Crown breached its fiduciary obligations regarding the use, licence and disposition of the island, and sold the island for less than Fair Market Value.	- Date Claim Filed: 2008/10/16



Status Report on Specific Claims in Canada

ONTARIO (53)

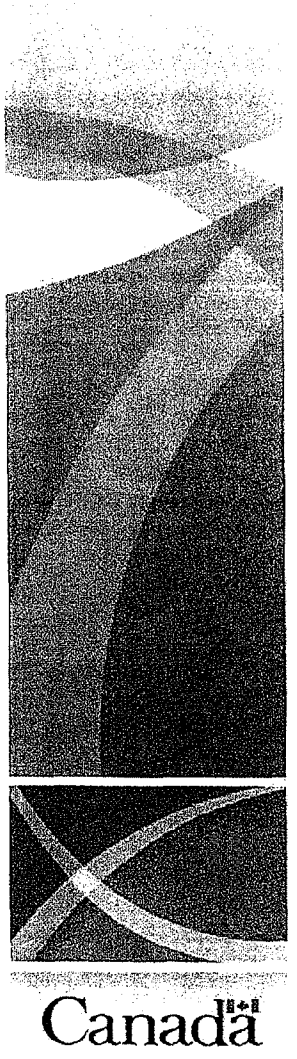
Claimant & Claim Name	Current Status & Description	Key Date(s)
North Harbour Island	**Under Assessment** Legal Opinion Signed Alleged the Crown breached its fiduciary obligations regarding the use, licence and disposition of the island.	- Date Claim Filed: 2008/10/16
Peche Island (Fishing / Peach Island)	**Under Assessment** Legal Opinion Signed Claimant alleges licenses and leases were issued to Peche Island without any compensation paid to First Nation. Claimant also alleges that they did not receive fair market value for Peche Island at time of surrender in 1857.	- Date Claim Filed: 2008/10/16 - Date Legal Opinion Signed: 2008/10/30
Pelee Island	**Other** Active Litigation Alleged Pelee Island was never surrendered, that 1870 surrender did not include Pelee Island and that no compensation has been paid to the FN for the island.	- Research Start Date : 1993/03/11 - Date Legal Opinion Signed: 1995/10/26 - Not Accepted for Negotiations: 1995/11/24 - Date of ISCC Process/Active: 1996/03/28 - Date Litigation became Active : 2000/04/27
Sawmill and Dock Lease Surrender (Surrender Project)	**Concluded** No Lawful Obligation Found FN alleges the Crown broke its fiduciary obligations to the Band regarding a 5 year lease of 3 acres of reserve land in 1883, for the purposes of constructing a dock and lumber mill.	- Research Start Date : 2004/08/01 - Date Legal Opinion Signed: 2007/07/13 - Not Accepted for Negotiations: 2007/10/10
St. Clair Flats	**Other** Active Litigation Alleges that in 1892 Ontario illegally sold and patented part of St. Clair Flats.	- Research Start Date : 2002/04/04 - Date Litigation became Active : 2004/07/14



Status Report on Specific Claims in Canada

ONTARIO (53)

Claimant & Claim Name	Current Status & Description	Key Date(s)
Surrenders for Timber on Walpole Island	**Under Assessment** Legal Opinion Signed FN alleges that Canada breached its fiduciary obligation by upholding the Jan. 30, 1883 vote when the Indian Agent provided only one proposal for consideration and in suggesting or threatening that if the FN didn't vote in favour of the proposal, the timber would be surrendered to the Crown for sale by tender.	- Date Claim Filed: 2008/10/16 - Date Legal Opinion Signed: 2008/12/08
Turkey Island	**Other** Active Litigation Alleged Walpole Island Indians and the Chippewas of Anderdon were the rightful owners of Turkey Island. Canada erred in seeking a surrender from the Wyandotts of Anderdon in 1874.	- Research Start Date : 1995/04/15 - Date Litigation became Active : 2000/04/27



Schedule 12–16 – Walpole Letter to Various Federal and Provincial Ministers – February 5, 2008

The Council of Three Fires

February 5, 2008

The Honourable Gary Lunn
Minister
Natural Resources Canada
580 Booth Street, 21st Floor, Room C7-1
Ottawa ON K1A 0E4
Fax: (613) 996-4516

Mr. Denis Zborowski
Program Manager, ecoENERGY
Renewable and Electrical Energy Division
Natural Resources Canada (NRCan)
615 Brook Street
Ottawa, ON K1A 0E9
Fax: (613) 943-6517

The Honourable John Baird
Minister
Environment Canada
Parliament Hill
Room 458, Confederation Building
Ottawa ON K1A 0A6
Fax: (613) 996-9880

The Honourable Michael Bryant
Ministry of Aboriginal Affairs
Whitney Block
6th Flr Suite 6630
99 Wellesley St W
Toronto ON M7A 1W3
Fax: (416) 314-2216

The Honourable John Gerretsen
Minister
Ontario Ministry of the Environment
12th Flr, 135 St Clair Ave W
Toronto ON M4V 1P5
Fax: (416) 314-6748

The Honourable Gerry Phillips
Minister
Ontario Ministry of Energy
Hearst Block, 4th Flr
900 Bay Street
Toronto ON M7A 2E1
Fax: (416) 327-6754

Re: Wind Farms in Walpole Island First Nation Territory and Need to Consult and Accommodate

Dear Sirs:

Walpole Island First Nation is aware that a number of wind energy projects are being proposed throughout parts of WIFN's traditional territory in southwestern Ontario.

WIFN has the right to consultation and accommodation in respect of these wind projects, as they have the potential to impact WIFN's aboriginal and treaty rights and claims (including aboriginal title) in this area. WIFN is also interested in exploring potential opportunities for partnerships and other economic benefits from these projects.

WIFN holds treaty rights to some of its vast traditional territory, and has asserted claims in court for aboriginal title and rights to another large part of its territory.

WIFN holds a respected leadership role in environmental stewardship. It has much to share with federal and provincial governments and project proponents. WIFN takes this leadership role very seriously and wishes Canada and Ontario to understand, which we think is the case, that WIFN's voice about wind farm development is a voice that will contribute meaningfully to sustainable development of wind resources.

While WIFN was contacted about various wind projects, we, as with many First Nations, do not have the human resources or financial capacity to participate in meaningful and bona fide consultations and negotiations without support. This is especially so given the large number of wind projects and their various stages of advance. No such support has been offered or forthcoming from any affected government ministry. Further, to my knowledge, no separate process has been established to provide for consultation with and accommodation of WIFN in any substantive way in relation either to specific wind projects or wind energy development in our territory in general. As such, WIFN has not been adequately consulted or accommodated to date.

We therefore request the following:

- Immediate notification and description of the status of each project listed below (and any other proposed wind energy project in WIFN traditional territory, a map of which is provided). Such status reports should be directed to Dr. Dean Jacobs, Director of Walpole Island Heritage Centre, at 519-627-1530 (fax) and Dean.Jacobs@wifn.org.

- Commitment from each affected Ministry (federal and provincial) to appoint an appropriate representative to contact WIFN within the near future to set a date for a meeting between WIFN and these representatives, for the purpose of establishing a workable consultation and accommodation process or protocol and funding for same. Such individuals should contact Dr. Dean Jacobs at 519-627-1475 (phone) and Dean.Jacobs@wifn.org.

The wind projects in WIFN territory of which we are aware are:

- Port Alma Wind Power Project (Kruger Energy): 101 MW in Chatham-Kent
- South and East Lake St. Clair Wind Farm projects (AIM PowerGen Corporation): 80 and 150 MW in wind farms respectively
- Nine wind farms in southwest Ontario (Gengrowth Renewables Inc.): each with 4-6 turbines generating up to 10 MW
- Dover and Raleigh Wind Farms (Petawawa Renewable Power Corporation and Invenergy Services Canada ULC)
- Gosfield Comber Wind Energy project (Brookfield Energy).

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responded
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Please contact Dr. Jacobs as soon as possible to arrange a meeting to discuss the consultation and accommodation process or protocol and funding. We also look forward to status reports for the above wind energy projects and any others in WIFN traditional territory.

We look forward to hearing from your ministries.

Sincerely,

Joseph B. Gilbert
Chief

cc: Dr. Dean Jacobs

Schedule 12–17 – Walpole Canada–RES Canada – May 22, 2009 Meeting Minutes (redacted)

RES CANADA powering change	**MINUTES FOR THE RECORD**	**RES Canada** 300 Léo-Pariseau, Suite 2516 Montréal, Québec, H2X 4B3 Tel/Fax: (514) 525-2113 www.res-americas.com

Project: Talbot Wind Farm	**Meeting Date: May 22, 2009**
Project Location: Chatham-Kent, Ontario	**Minutes Distributed: June 4, 2009**
Meeting Objective: Consultation for Talbot Wind Farm project	**Prepared by: D. McKinnon**
Meeting Location: Walpole Island Heritage Centre	**CC: Dillon Consulting Limited**

Participants: Dr. Dean Jacobs (WIFN), Lee White (WIFN), William Bigbull (WIFN), Stephen Cookson (RES), Don McKinnon (Dillon)

Item	Description	Action by	Date
1	WIFN asserted that the Talbot Wind Farm is located within the traditional territory of the Walpole Island First Nation (WIFN).		
2	RES was advised that WIFN has a process for the review of development projects in its traditional territory, and that the relevant documents are available on its web site.		
3	WIFN asserted that the structure of the RES III bid process negatively affected its ability to submit a project under that process, and that accordingly it did not submit any bids. WIFN also indicated its view that the RES III process prohibited it from commenting on the draft ERR for the Talbot Wind Farm.		
4	WIFN requested 4 copies of the Talbot Wind Farm Environmental Review Report (ERR).	Dillon to send 4 copies of ERR to WIFN	
5	**[Confidential information omitted]**		
6	RES noted that it has made several attempts to contact Walpole Island since 2007. WIFN requested copies of this correspondence.	Dillon to send	
7	**[Confidential information omitted]**		
8	RES made a presentation that described the company and provided an overview of the Talbot Wind Farm project (Project). RES also mentioned its experience dealing with other First Nations in relation to its other wind farm developments.		
9	WIFN asked what other First Nations RES has consulted with regard to the Project. RES indicated that several had been contacted, and that discussions have been held with Moravian of the Thames and Caldwell First Nations.		
10	WIFN indicated that its views as to what constitutes consultation, and the associated obligation for such consultation, may differ from the Crown's perspective in this regard.		
11	WIFN indicated that it intends to review all wind projects proposed in its traditional territory, as WIFN is concerned with the cumulative effects of such projects.		
12	WIFN stressed that it is important that the remaining natural habitat in the Project area not be impacted by the Project. RES responded that the Project infrastructure is largely located on tilled agricultural land. WIFN suggested that native vegetation be used for any vegetation-related restoration activities, and		

Distribution: **Participants, WIFN, Dillon Consulting**

Next meeting: TBD

RES CANADA powering change	**MINUTES FOR THE RECORD**	**RES Canada** 300 Léo-Pariseau, Suite 2516 Montréal, Québec, H2X 4B3 Tel/Fax: (514) 525-2113 www.res-americas.com

Project: Talbot Wind Farm	**Meeting Date: May 22, 2009**
Project Location: Chatham-Kent, Ontario	**Minutes Distributed: June 4, 2009**
Meeting Objective: Consultation for Talbot Wind Farm project	**Prepared by: D. McKinnon**
Meeting Location: Walpole Island Heritage Centre	**CC: Dillon Consulting Limited**

Participants: Dr. Dean Jacobs (WIFN), Lee White (WIFN), William Bigbull (WIFN), Stephen Cookson (RES), Don McKinnon (Dillon)

Item	Description	Action by	Date
	also suggested that RES speak to Clint Jacobs, the WIFN Natural Heritage Coordinator. (A short discussion was held with Clint Jacobs regarding his activities including the creation of land trusts by WIFN. WIFN is considering the Clear Creek conservation area as one of its potential land trust sites).		
13	WIFN indicated that it is looking to the wind projects in its traditional territory to help reduce/cover electricity costs for its community.		
14	WIFN noted that it is participating in the preparation of an "Environmental Assessment Toolkit" with the Chiefs of Ontario. A draft version of this document is currently being been prepared.		
15	William Bigbull commented on some his experiences regarding the development of energy projects in Alberta.		
16	WIFN indicated that it would like to see the projects result in benefits to its community, and that this is a community expectation. **[Confidential information omitted]**		
17	WIFN indicated that it does not want to halt development in the area, but rather wants to share in the benefits of the projects.		
18	WIFN asked about opportunities to provide assistance on aspects of Project construction work. WIFN noted potential opportunities include supplying aggregate and perhaps assisting in turbine shipping, receiving and storage. WIFN is to prepare a proposal for RES' consideration in this regard.		
19	WIFN indicated that it has capacity to undertake Traditional Ecological Knowledge (TEK) mapping.		
20	RES repeated its offer of capacity funding for WIFN participation in the environmental review process and its review of the ERR. RES requested that WIFN provide a budget for this work, if applicable.		
21	RES repeated its offer for capacity funding for WIFN participation in the Archaeological Phase-2 work and requested that WIFN confirm attendance and provide budget for this work, if applicable.		
22	WIFN provided RES several documents and briefs with regards to its perspective on consultation matters.		

Distribution: **Participants, WIFN, Dillon Consulting**

Next meeting: TBD

Schedule 12–18 – MEI Letter to RES Canada– June 30, 2009 (Status Up-Date) (redacted)

Ministry of Energy and Infrastructure

880 Bay Street
2nd Floor
Toronto, ON M7A 2C1

Ministère de l'Énergie et de l'Infrastructure

880, rue Bay
2e étage
Toronto ON M7A 2C1



June 30, 2009

Mr. Peter Clibbon
Vice President
Renewable Energy Systems Canada Inc.
1124 Marie-Anne Est., Suite 23
Montreal, QC
H2J 2B7

Dear Mr. Clibbon,

Re: Talbot and Greenwich Wind Farms

This letter is further to the agreements between Renewable Energy Systems Canada Inc. and the Ministry of Energy and Infrastructure (MEI) in relation to aboriginal consultation, and the requirement that the Crown provide Renewable Energy Systems with a letter indicating the status of the consultation process sixty days following the signing of the agreements.

Prior to the signing of the agreements, MEI sent a letter to all aboriginal communities informing them of the results of the Renewable Energy Supply III RFP process (RES III) and provided relevant contact information in the event that they wished to be consulted.

MEI has since contacted or attempted to contact the aboriginal communities via telephone to confirm they received the letter and determine if any of the communities have an interest in the project. Based on consultation activities undertaken to date, the following information is relevant to your projects:

Talbot Wind Farm:

- MEI has met with Walpole Island First Nation (WIFN) on two occasions to discuss the Talbot Wind Farm and other RES III projects in the area. WIFN has primarily expressed interest in the economic aspects of the wind projects in the region. To date, the community has not expressed any specific concerns relating to aboriginal and treaty rights. A follow up meeting with Walpole is being arranged.

- Caldwell First Nation has expressed general interest in the wind projects in the area. MEI has attempted to follow-up regarding the specific nature of their interest, but has not heard back from the community to date.

- Aamjiwnaang First Nation (Chippewas of Samia) was not concerned with the project, except that the community's Environmental Committee wished to confirm that the project is not in the vicinity of the Bear Creek that runs through Strathroy, Ontario. (The creek in question is under the responsibility of the St. Clair Conservation Authority.) It is our understanding that the Talbot Wind Farm is well to the south of this creek. We are relaying that information to the Environmental Committee. If you have different information, please let us know.

Ministry of Energy
and Infrastructure

880 Bay Street
2nd Floor
Toronto, ON M7A 2C1

Ministère de l'Énergie
et de l'Infrastructure

880, rue Bay
2e étage
Toronto ON M7A 2C1

Ontario

Greenwich Wind Farm:

- Biinjitiwabik Zaaging Anishnaabek First Nation indicated that the Chiefs in the area are meeting on June 26th to discuss the project and will be following up with MEI if there are any concerns or questions. To date, no such follow up has occurred.

Confidential information omitted.

- Chief King from Klashke Zaaging Anishnaabek (Gull Bay) First Nation indicated that the community will be reviewing the project in more detail and prepare comments for consideration.

The Crown has not received an indication of interest from any of the other aboriginal communities notified of your projects. It is, of course, possible that communities have expressed interest directly to you during the course of Renewable Energy Systems' consultation activities.

We have the following requests at this time:

- Under our Agreement, Renewable Energy Systems is to provide monthly updates to MEI of any feedback received from the communities. If there has been any such feedback, kindly send us an update.

- You will recall that Renewable Energy Systems was to provide the aboriginal communities with a project description and supply the Crown with copies of the materials sent. Would you kindly forward to us copies of the materials in question, including particularly any materials sent to the Métis Nation of Ontario, Geraldton and Area Council in relation to the Greenwich Project as we currently have no correspondence to this group from you on file.

- For our records, it would also be helpful if you could please provide, for any information sessions you have held, a list of First Nation or Métis community representatives who attended.

- Finally, please remember to send the communities copies of your Notice of Completion for the Talbot and Greenwich Wind Farms when they are issued and provide us with documentation to confirm that this has occurred.

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

Yours sincerely,

Per.

Perry Cecchini
Manager, Clean and Renewable Energy Supply
Ministry of Energy and Infrastructure

cc: Hillary Thatcher
Manager, First Nations and Métis Policy and Partnerships
Ministry of Energy and Infrastructure

Schedule 12–19 – MEI Letter to Aboriginal Communities – March 23, 2009

Ministry of Energy & Infrastructure

880 Bay Street
3rd Floor
Toronto ON M7A 2C1

Tel: (416) 325-8627
Fax: (416) 325-7023

Ministère de l'Énergie et de l'Infrastructure

880, rue Bay
3e étage
Toronto ON M7A 2C1

Tél: (416) 325-8627
Téléc.: (416) 325-7023

Ontario

Energy Supply, Transmission and Distribution Policy Division

March 23, 2009

Chief Joseph Gilbert
Bkejwanong Territory
(Walpole Island First Nation)
R.R. #3
Wallaceburg, Ontario
N8A 4K9

Dear Chief Joseph Gilbert:

I am writing to let you know about proposed renewable energy projects that may be of interest to or affect your First Nation. On January 23, 2009, the Ontario Power Authority (OPA) announced the results of the Renewable Energy Supply III Request for Proposals ("RES III RFP") process launched in 2008. There were six winning projects across Ontario, all of them wind energy projects, totalling 492.1 MW of new renewable energy supply. The power purchase contracts entered into between the OPA and the energy proponents are for a twenty-year term.

As you may be aware, all six projects are subject to an Environmental Screening Process under Ontario's Environmental Assessment Act. The projects are in various stages of completion of this process. You likely also know that there are Aboriginal consultation requirements associated with that process. In addition, the Crown has a duty to consult with First Nations and Métis communities when its conduct may potentially have an adverse impact on Aboriginal or Treaty rights.

The purpose of this letter is to provide you with notice of the proposed wind projects and the parties involved. I understand that your community has asked to discuss the projects in your traditional territory with representatives of the Crown. As such, staff from the Ministry will be visiting your community on March 24th, 2009 and anticipate to hear about any interests that you may have in respect of these projects.

The Ministry of Energy and Infrastructure (MEI) will continue to be the main point of contact for the Crown on matters related to Aboriginal consultation on the RES III projects. MEI has structured its relationship with the proponents of these projects in accordance with the process and Crown Agreement provided in the RES III RFP document issued on August 22, 2008 by the OPA. A copy of the RES III RFP was forwarded to you at that time as well, either by web link or by mail.

MEI welcomes your comments about these proposed wind energy projects. If you have questions or concerns about the project(s), I encourage you to contact the proponent and/or Mr. Perry Cecchini at 416-325-6593 or via email at perry.cecchini@ontario.ca

Of the winning projects, the following four may be of interest to you. If you would like further specific information on one of the projects, please feel free to get in touch with the contact person listed for the project. A website address for each proponent has also been provided.

Project Name:	Kruger Energy Chatham Wind Project
Proponent:	Kruger Energy
Location:	Municipality of Chatham-Kent (Romney, Raleigh and Tilbury East)
Capacity:	101.2 MW
Contact:	Michael Cookson, Manager wind power sector
Telephone:	1-866-618-4876
Email:	KECwind@kruger.com
Website:	www.krugerenergy.com

Project Name:	Talbot Windfarm
Proponent:	Renewable Energy Systems Canada
Location:	Municipality of Chatham-Kent (Orford and Howard)
Capacity:	99 MW
Contact:	Nicolas Muszynski, Project Developer
Telephone:	(514) 525-2113 x226
Email:	nicolas.muszynski@res-americas.com
Website:	www.talbotwindfarm.com

Project Name:	Raleigh Wind Energy Centre
Proponent:	Raleigh Wind Power Partnership (Invenergy)
Location:	Municipality of Chatham-Kent (Raleigh and Tilbury East)
Capacity:	78 MW
Contact:	Andrew Flanagan
Telephone:	(312) 224-1425
Website:	http://raleigh.invenergyllc.com/

Project Name:	Gosfield Wind Project
Proponent:	Gosfield Wind Limited Partnership (Brookfield)
Location:	Township of Kingsville, Essex County
Capacity:	50.4 MW
Contact:	Ian Kerr, Project Manager
Telephone:	(819) 561-2722 ext. 6899
Email:	ian.kerr@brookfieldpower.com
Website:	www.gosfieldcomberwind.com

Sincerely,

Rick Jennings

Rick Jennings
Assistant Deputy Minister
Energy Supply, Transmission and Distribution Policy Division
Ministry of Energy and Infrastructure
416.314.6190
Rick.Jennings@ontario.ca

CC: Dr. Dean Jacobs
Walpole Island First Nation Heritage Centre

Ministry of Energy & Infrastructure

880 Bay Street
3rd Floor
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Fax: (416) 325-7023

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Tél: (416) 325-8627
Téléc.: (416) 325-7023

Ontario

Energy Supply, Transmission and Distribution Policy Division

March 23, 2009

Chief Chris Plain
Aamjiwnaang First Nation
(Chippewas of Sarnia First Nation)
978 Tashmoo Avenue
Sarnia, Ontario
N7T 7H5

Dear Chief Chris Plain:

I am writing to let you know about proposed renewable energy projects that may be of interest to or affect your First Nation. On January 23, 2009, the Ontario Power Authority (OPA) announced the results of the Renewable Energy Supply III Request for Proposals ("RES III RFP") process launched in 2008. There were six winning projects across Ontario, all of them wind energy projects, totalling 492.1 MW of new renewable energy supply. The power purchase contracts entered into between the OPA and the energy proponents are for a twenty-year term.

As you may be aware, all six projects are subject to an Environmental Screening Process under Ontario's Environmental Assessment Act. The projects are in various stages of completion of this process. You likely also know that there are Aboriginal consultation requirements associated with that process. In addition, the Crown has a duty to consult with First Nations and Métis communities when its conduct may potentially have an adverse impact on Aboriginal or Treaty rights.

At this stage, it is not clear to us how the proposed project might interest or affect your First Nation. The purpose of this letter is to provide you with notice of the proposed wind projects and the parties involved.

The Ministry of Energy and Infrastructure (MEI) will be the main point of contact for the Crown on matters related to Aboriginal consultation on the RES III projects. MEI has structured its relationship with the proponents of these

projects in accordance with the process and Crown Agreement provided in the RES III RFP document issued on August 22, 2008 by the OPA. A copy of the RES III RFP was forwarded to you at that time as well, either by web link or by mail. If you have any questions relating to the RES III process itself, please contact Mr. Perry Cecchini, Manager of Clean and Renewable Energy Supply at the Ministry of Energy and Infrastructure. He can be reached by phone at (416) 325-6593 or alternatively by email at perry.cecchini@ontario.ca.

MEI welcomes your comments about these proposed wind energy projects. If you have questions or concerns about the project(s), I encourage you to contact the proponent and/or Mr. Cecchini at MEI within 30 days so that you can receive further information and make your views known.

Of the winning projects, the following four may be of interest to you. If you would like further specific information on one of the projects, please feel free to get in touch with the contact person listed for the project. A website address for each proponent has also been provided.

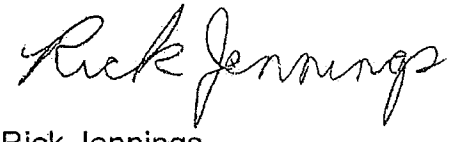
Project Name:	Kruger Energy Chatham Wind Project
Proponent:	Kruger Energy
Location:	Municipality of Chatham-Kent (Romney, Raleigh and Tilbury East)
Capacity:	101.2 MW
Contact:	Michael Cookson, Manager wind power sector
Telephone:	1-866-618-4876
Email:	KECwind@kruger.com
Website:	www.krugerenergy.com

Project Name:	Talbot Windfarm
Proponent:	Renewable Energy Systems Canada
Location:	Municipality of Chatham-Kent (Orford and Howard)
Capacity:	99 MW
Contact:	Nicolas Muszynski, Project Developer
Telephone:	(514) 525-2113 x226
Email:	nicolas.muszynski@res-americas.com
Website:	www.talbotwindfarm.com

Project Name:	Raleigh Wind Energy Centre
Proponent:	Raleigh Wind Power Partnership (Invenergy)
Location:	Municipality of Chatham-Kent (Raleigh and Tilbury East)
Capacity:	78 MW
Contact:	Andrew Flanagan
Telephone:	(312) 224-1425
Website:	http://raleigh.invenergyllc.com/

Project Name:	Gosfield Wind Project
Proponent:	Gosfield Wind Limited Partnership (Brookfield)
Location:	Township of Kingsville, Essex County
Capacity:	50.4 MW
Contact:	Ian Kerr, Project Manager
Telephone:	(819) 561-2722 ext. 6899
Email:	ian.kerr@brookfieldpower.com
Website:	www.gosfieldcomberwind.com

Sincerely,



Rick Jennings
Assistant Deputy Minister
Energy Supply, Transmission and Distribution Policy Division
Ministry of Energy and Infrastructure
416.314.6190
Rick.Jennings@ontario.ca

Ministry of Energy & Infrastructure

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Tél: (416) 325-8627
Téléc.: (416) 325-7023

Ontario

Energy Supply, Transmission and Distribution Policy Division

March 23, 2009

Chief Vaughan Albert Sr.
Chippewas of the Thames
320 Chippewa Road
R.R. #1
Muncey, Ontario
N0L 1Y0

Dear Chief Vaughan Albert Sr.

I am writing to let you know about proposed renewable energy projects that may be of interest to or affect your First Nation. On January 23, 2009, the Ontario Power Authority (OPA) announced the results of the Renewable Energy Supply III Request for Proposals ("RES III RFP") process launched in 2008. There were six winning projects across Ontario, all of them wind energy projects, totalling 492.1 MW of new renewable energy supply. The power purchase contracts entered into between the OPA and the energy proponents are for a twenty-year term.

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MEI welcomes your comments about these proposed wind energy projects. If you have questions or concerns about the project(s), I encourage you to contact the proponent and/or Mr. Cecchini at MEI within 30 days so that you can receive further information and make your views known.

Of the winning projects, the following four may be of interest to you. If you would like further specific information on one of the projects, please feel free to get in touch with the contact person listed for the project. A website address for each proponent has also been provided.

Project Name:	Kruger Energy Chatham Wind Project
Proponent:	Kruger Energy
Location:	Municipality of Chatham-Kent (Romney, Raleigh and Tilbury East)
Capacity:	101.2 MW
Contact:	Michael Cookson, Manager wind power sector
Telephone:	1-866-618-4876
Email:	KECwind@kruger.com
Website:	www.krugerenergy.com

Project Name:	Talbot Windfarm
Proponent:	Renewable Energy Systems Canada
Location:	Municipality of Chatham-Kent (Orford and Howard)
Capacity:	99 MW
Contact:	Nicolas Muszynski, Project Developer
Telephone:	(514) 525-2113 x226
Email:	nicolas.muszynski@res-americas.com
Website:	www.talbotwindfarm.com

Project Name:	Raleigh Wind Energy Centre
Proponent:	Raleigh Wind Power Partnership (Invenergy)
Location:	Municipality of Chatham-Kent (Raleigh and Tilbury East)
Capacity:	78 MW
Contact:	Andrew Flanagan
Telephone:	(312) 224-1425
Website:	http://raleigh.invenergyllc.com/

Project Name:	Gosfield Wind Project
Proponent:	Gosfield Wind Limited Partnership (Brookfield)
Location:	Township of Kingsville, Essex County
Capacity:	50.4 MW
Contact:	Ian Kerr, Project Manager
Telephone:	(819) 561-2722 ext. 6899
Email:	ian.kerr@brookfieldpower.com
Website:	www.gosfieldcomberwind.com

Sincerely,

Rick Jennings

Rick Jennings
Assistant Deputy Minister
Energy Supply, Transmission and Distribution Policy Division
Ministry of Energy and Infrastructure
416.314.6190
Rick.Jennings@ontario.ca

Ministry of Energy & Infrastructure

880 Bay Street
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Ontario

Energy Supply, Transmission and Distribution Policy Division

March 23, 2009

Chief Elizabeth J. Cloud
Chippewas of Kettle & Stony Point
53 Indian Lane, R.R. #2
Forest, Ontario
N0N 1J0

Dear Chief Elizabeth J. Cloud:

I am writing to let you know about proposed renewable energy projects that may be of interest to or affect your First Nation. On January 23, 2009, the Ontario Power Authority (OPA) announced the results of the Renewable Energy Supply III Request for Proposals ("RES III RFP") process launched in 2008. There were six winning projects across Ontario, all of them wind energy projects, totalling 492.1 MW of new renewable energy supply. The power purchase contracts entered into between the OPA and the energy proponents are for a twenty-year term.

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Sincerely,



Rick Jennings
Assistant Deputy Minister
Energy Supply, Transmission and Distribution Policy Division
Ministry of Energy and Infrastructure
416.314.6190
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Ontario

Energy Supply, Transmission and Distribution Policy Division

March 23, 2009

Chief Joel Abram
Oneida Nation of the Thames
2212 Elm Avenue
Southwold, Ontario
NOL 2GO

Dear Chief Joel Abram:

I am writing to let you know about proposed renewable energy projects that may be of interest to or affect your First Nation. On January 23, 2009, the Ontario Power Authority (OPA) announced the results of the Renewable Energy Supply III Request for Proposals ("RES III RFP") process launched in 2008. There were six winning projects across Ontario, all of them wind energy projects, totalling 492.1 MW of new renewable energy supply. The power purchase contracts entered into between the OPA and the energy proponents are for a twenty-year term.

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Ontario

Energy Supply, Transmission and Distribution Policy Division

March 23, 2009

Chief Louise Hillier
Caldwell First Nation
P.O. Box 388
Leamington, Ontario
N8H 3W3

Dear Chief Louise Hillier:

I am writing to let you know about proposed renewable energy projects that may be of interest to or affect your First Nation. On January 23, 2009, the Ontario Power Authority (OPA) announced the results of the Renewable Energy Supply III Request for Proposals ("RES III RFP") process launched in 2008. There were six winning projects across Ontario, all of them wind energy projects, totalling 492.1 MW of new renewable energy supply. The power purchase contracts entered into between the OPA and the energy proponents are for a twenty-year term.

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Ontario

Energy Supply, Transmission and Distribution Policy Division

March 23, 2009

Chief Patrick Waddilove
Munsee-Delaware Nation
R. R. #1
Muncey, Ontario
N0L 1Y0

Dear Chief Patrick Waddilove:

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Ontario

Energy Supply, Transmission and Distribution Policy Division

March 23, 2009

Chief Gregory Peters
Delaware Nation
(Moravian of the Thames)
14760 School House Line
R.R. #3
Thamesville, Ontario
N0P 2K0

Dear Chief Gregory Peters:

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Ontario

Energy Supply, Transmission and Distribution Policy Division

March 23, 2009

Chief William K. Montour
Six Nations of the Grand River Territory
(Haudenosaunee Confederacy)
P.O. Box 5000
Ohsweken, Ontario
N0A 1M0

Dear Chief William K. Montour:

I am writing to let you know about proposed renewable energy projects that may be of interest to or affect your First Nation. On January 23, 2009, the Ontario Power Authority (OPA) announced the results of the Renewable Energy Supply III Request for Proposals ("RES III RFP") process launched in 2008. There were six winning projects across Ontario, all of them wind energy projects, totalling 492.1 MW of new renewable energy supply. The power purchase contracts entered into between the OPA and the energy proponents are for a twenty-year term.

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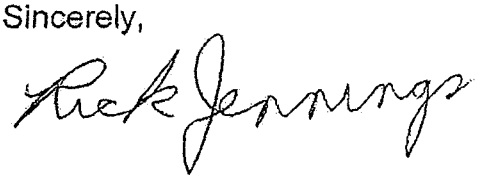
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Email:	nicolas.muszynski@res-americas.com
Website:	www.talbotwindfarm.com

Project Name:	Raleigh Wind Energy Centre
Proponent:	Raleigh Wind Power Partnership (Invenergy)
Location:	Municipality of Chatham-Kent (Raleigh and Tilbury East)
Capacity:	78 MW
Contact:	Andrew Flanagan
Telephone:	(312) 224-1425
Website:	http://raleigh.invenergyllc.com/

Project Name:	Gosfield Wind Project
Proponent:	Gosfield Wind Limited Partnership (Brookfield)
Location:	Township of Kingsville, Essex County
Capacity:	50.4 MW
Contact:	Ian Kerr, Project Manager
Telephone:	(819) 561-2722 ext. 6899
Email:	ian.kerr@brookfieldpower.com
Website:	www.gosfieldcomberwind.com

Sincerely,



Rick Jennings
Assistant Deputy Minister
Energy Supply, Transmission and Distribution Policy Division
Ministry of Energy and Infrastructure
416.314.6190
Rick.Jennings@ontario.ca

CC: Chief Allan McNaughton
Haudenosaunee Confederacy

Schedule 12–20 – Treaty No. 2, May 19, 1790 ("Treaty")

No. 2.

KNOW ALL MEN BY THESE PRESENTS, that we the principal Village and War Chiefs of the Ottawa, Chippawa, Pottowatomy and Huron Indians Nations of Detroit for and in consideration of the Sum of Twelve Hundred Pounds Currency of the Province of Quebec at Five Shillings per Spanish Dollar for valuable Wares and Merchandise to us delivered by the hands of Alexander McKee, Esquire, Deputy Agent of Indian

Affairs, the receipt whereof we do hereby acknowledge, have by and with the consent of the whole of our said Nations, given, granted, enfeoffed, alienated, and confirmed, and by these presents do give, grant, enfeoff, alien and confirm unto His Majesty George the Third, King of Great Britain, France and Ireland, Defender of the Faith, &c., &c., &c., a certain Tract of land beginning at the mouth of Catfish Creek, commonly called Rivière au Chaudière on the North Side of Lake Erie being the Western extremity of a Tract purchased by His said Majesty from the Messesagey Indians in the year One Thousand Seven Hundred and Eighty Four and from thence running Westward along the border of Lake Erie and up the Streight to the mouth of a river known by the name of Channail Ecarté and up the main branch of the said Channail Ecarté to the first fork on the south side, then a due east line until it intersects the Rivière à la Tranche, and up the said Rivière à la Tranche to the North West corner of the said cession granted to His Majesty in the year One Thousand Seven Hundred and Eighty Four, then following the Western boundary of said tract being a due South direction until it strikes the mouth of said Catfish Creek or otherwise Rivière au Chaudière being the first offset;

Reserving a Tract beginning at the Indian Officers Land at a small run near the head of the Island of Bois Blanc and running upwards along the border of the Streight to the beginning of the French Settlement above the head of the Petite Isle au D'Inde; then a due East line seven miles and then South so many miles as will intersect another East line run from the mouth of said Run or Gully near the head of said Island of Bois Blanc:

And another Tract beginning at the mouth of Rivière au Jarvais commonly called Knagg's Creek, running up along the border of the Streight to the Huron Church and one hundred and twenty arpents in depth with all and singular the appurtenances unto the said Tract of Land belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents and services of the said premises and all the estate, right, title, interest, property, claim or demand whatsoever of us the said Chiefs or any other person or persons whatever of our said Nations of, in, and to the said Tract of Land, or, of, in, and to every part and parcel thereof excepting the Reserve aforesaid.

To have and to hold the said Lands and Premises hereby given and granted, mentioned or intended to be given and granted unto His said Majesty George the Third, His Heirs and Successors for the only proper use and behoof of His said Majesty George the Third, His Heirs and Successors for Ever.

And we the said Chiefs for ourselves and the whole of our said Nations our and their Heirs, Executors and administrators do covenant, promise and grant to and with His said Majesty George the Third, His Heirs and Successors by these presents that His said Majesty His Heirs and Successors shall and lawfully may from henceforth and for ever after Peaceably and quietly have, hold, occupy, possess and enjoy the said tract of land hereby given and granted, mentioned or intended to be given and granted with all and every of the appurtenances free, clear, and discharged or well and sufficiently saved, kept harmless and indemnified of, from and against all former and other gifts, grants, bargains and sales and of, from and against all former and other Titles, troubles, charges or incumbrances whatever, had, done or suffered, or to be had, done or suffered by any of us the said Chiefs, or by anyone whatever of the said Nations our and their Heirs, Executors or administrators; And by these presents do make this our act and Deed irrevocable under any pretence whatever, and have put His said Majesty in full possession and seizin by allowing houses to be built upon the Premises.

In Witness Whereof, we the said Chiefs for ourselves and the said Nations have unto these Presents made the marks of our different Tribes, and affixed our Seals at Detroit, District of Hesse, in the Province of Quebec, this Nineteenth day of May, in the Thirtieth year of the Reign of Our Sovereign Lord George the Third, King of Great Britain, France and Ireland, Defender of the Faith, &c., and in the year of Our Lord one thousand seven hundred and ninety (1790).

Signed, sealed and delivered in the presence of us in full Council:

PAT. MURRAY, *Major Commanding at Detroit*,
RICHARD PORTER, *Capt. 60th Regt.*,
JOHN J. BULLER, *Capt. 60th Regt.*,
CHARLES INGRAM, *Capt. 60th Regt.*,
I. HESSELBERG, *Lieut. 60th Regt.*,
JOHN ROBERTSON, *Lieut. 60th Regt.*,
DAVID MEREDITH, *Lieut. R. R. Artillery.*,
E. CARTWRIGHT, *Lieut. 60th Regt.*,
JB. JORDAN, *Lieut. 60th Regt.*,
SAML. GIBBS, *Ens. 60th Regt.*,
G. WESTPHAL, *Adjt. 60th Regt.*,
JAS. HENDERSON, *Surgeon.*,
A. GRANT,
ALEX. HARROW, *Lt. Commg. Nl. Dept.*,
P. FRICHETTE, *Ptre Miss.*,
ADHEMAR ST. MARTIN,
GREGOR MCGREGOR, *Major of Detroit Militia*,
JOHN MARTIN, *Ensg. Militia*,
FRANS. BABY, *Ensg. Militia*,
WILLIAM ROBERTSON,
T. SMITH, *Lieut. Militia*,
THOMAS REYNOLDS, *Asst. Comss. and Storekeeper*,
HENRY HAY, *Ensign*,
WM. HARFFY.

Pottowatomies.

SKO-NEQUE, (totem) [L.S.]
E-SHA-HA, (totem) [L.S.]
MET-TE-GO-CHIN, (totem) [L.S.]
PE-NASH, (totem) [L.S.]
SHE-BENSE, (totem) [L.S.]
KEY-WAY-TE-NAN, (totem) [L.S.]

Hurons.

SAS-TA-RIT-SIE, (totem) [L.S.]
TA-HOU-NE-HA-WIE-TIE, (totem) [L.S.]
SKA-HOU-MAT, (totem) [L.S.]
MON-DO-AO, (totem) [L.S.]
TE-HA-TOW-RENCE, (totem) [L.S.]
SON-DIN-OU, (totem) [L.S.]
DOW-YEN-TET, (totem) [L.S.]
TED-Y-A-TA, (totem) [L.S.]
TREN-YOU-MAING, (totem) [L.S.]
SHE-HOU-WA-TE-MON, (totem) [L.S.]
MENG-DA-HAI, (totem) [L.S.]
TSOUGH-KA-RATS-Y-WA, (totem) [L.S.]
ROU-NIA-HY-RA, (totem) [L.S.]

Chippawas.

WAN-SON, (totem) [L.S.]
TI-E-CAMI-GO-SE, (totem) [L.S.]
ESSEBANCE, (totem) [L.S.]
QUIT-A-NIS-SA, (totem) [L.S.]
CHA-BOU-QUAI, (totem) [L.S.]
WA-BAN-DI-GAIS, (totem) [L.S.]
MESH-QUI-GA-BOUI, (totem) [L.S.]

Ottawas.

EGOUCH-E-OUAY, (totem) [L.S.]
WA-WISH-KUY, (totem) [L.S.]
NI-A-NE-GO (totem) [L.S.]
KI-WICH-E-OUAN, (totem) [L.S.]
AT-TA-WA-KIE, (totem) [L.S.]
O-NA-GAN, (totem) [L.S.]
EN-DAH-IN, (totem) [L.S.]
MAUG-GIC-A-WAY, (totem) [L.S.]

Recorded by me this 22nd day of June, 1790, at L'Assomption, in the District of Hesse. Register No. B, pages 374, 375, 376, 377.

T. SMITH, C. C. P.,
D. H.

We do hereby certify that the following goods were delivered in our presence to the several Nations; Subscribers to the within Deed agreeable to the consideration therein mentioned (viz.):

	£	s.	d.
36 pairs 3 pt. blankets, at 12s.....	21	12	0
155 do 2½ do 10s. 6d.....	81	7	6
244 do 1½ do 5s. 9d	70	3	0
250 do 1 do 4s. 9d.....	59	7	6
155 do 2 do 7s	54	5	0
35 pieces of Strouds, at 67s..	117	5	0
5 do black cloth, 100 yards, 3s. 9d.....	18	15	0
12 yards of Moltons, 40s.....	24	0	0
140 yards of scarlet cloth, 8s.....	56	0	0

	£	s.	d.
12 pieces cadies, 420 yards, 2s. 6d	52	10	0
26 do Embolton linen, 96 yards, 15s 0½d	62	2	7
20 do linen, 500 yards, 16s	33	6	8
5 do callicoe, 40s	10	0	0
50 gross gartering, 12s	30	0	0
8 pieces of ribbon, 10s. 6d	4	4	0
40 lbs. thread, 3s	6	0	0
100 lbs. vermillion, 4s	20	0	0
1 dozen black silk handkerchiefs	1	10	0
	722	8	3

	£	s.	d.
20 dozen plain hats at 15s	15	0	0
40 nests of tin kettles, 21s	42	0	0
10 gross knives, 30s	15	0	0
60 guns, 20s. 6d	61	10	0
20 rifles, 50s	50	0	0
400 lbs. powder, 74s	14	16	0
1,600 lbs. ball and shot, 21s	16	16	0
2,000 flints, 10s	1	0	0
30 dozen looking glasses, 3s	4	10	0
50 plyers, 2s	5	0	0
10 pair callimanco, 21s	10	10	0
4 nests trunks, 42s	8	8	0
12 dozen scissors, 2s. 9d	1	13	0
12 dozen penknives, 3s	1	16	0
1,000 fish hooks	1	2	6
12 dozen ivory combs, 4s. 6d	2	14	4
12 dozen horn combs, 2s	1	4	0
600 lbs. brass kettles, 15s	37	10	0
	290	9	0

2 gross fire steels, at 4s	0	8	0
10 do pipes, 1s 3d	0	12	6
	1	0	6
	722	8	3
	290	9	0
Sterling	1,013	17	9
Equal to Halifax currency	1,126	11	4
39 gallons of rum, at 3s. 9d	7	6	3
A bullock	13	0	0
400 lbs. tobacco, at 1s. 3d	25	0	0
24 laced hats, at 20s	24	0	0
11 gross pipes, at 1s. 6d		16	6
2¼ gross cutteaw knives	3	5	11
Halifax currency or the currency of the Province of Quebec	£1,200	0	0

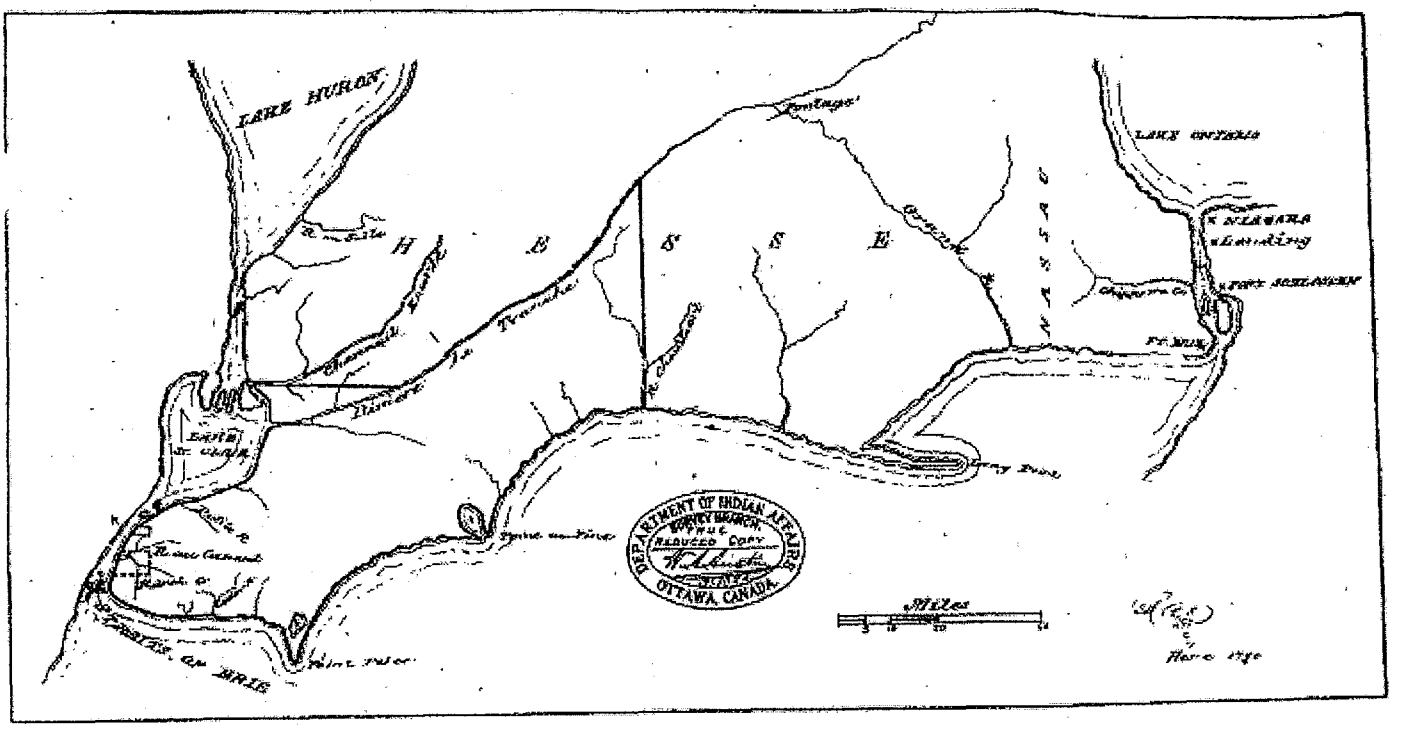
PAT. MURRAY, *Major Commanding.*
RICHD. PORTER, *Capt. 2nd Batt. 60th Regt.*
CHARLES INGRAM, *Capt. 60th Regt.*

JOHN I. BULLER, *Capt. 60th Regt.*
T. HESSELBERG, *Lt. 60th Regt.*
J. JORDAN, *Lt. 60th Regt.*
DAVID MEREDITH, *Lieut. R. R. Artillery.*
E. CARTWRIGHT, *Lieut. 60th Regt.*
JOHN ROBERTSON, *Lt. 60th Regt.*
SAML. GIBBS, *Ens. 60th Regt.*
G. WESTPHAL, *Adjutant 2nd Batt. 60th Regt.*
JAS. HENDERSON, *Surgeon.*

The above recorded at L'Assomption, in the District of Hesse, this 22nd day of June, 1790.

Register No. B, page 378.

T. SMITH, C. C. P.,
D. H.


LAKE HURON
LAKE ONTARIO
NIAGARA
Miles
DEPARTMENT OF INDIAN AFFAIRS
SURVEY BRANCH
PHOTO
REDUCED COPY
OTTAWA, CANADA

Schedule 12–21 – Nanfan/Fort Albany 1701 Treaty ("1701 Treaty")

A "Deed from the Five Nations to the King, of their Beaver Hunting Ground," made at Albany, New York, July 19, 1701. This, which is somewhat peculiar, is as follows:[1]

To all Christian & Indian people in this parte of the world and in Europe over the great salt waters, to whom the presents shall come—Wee the Sachims Chief men, Captns and representatives of the Five nations or Cantons of Indians called the Maquase Oneydes Onnandages and Sinnekes living in the Government of New Yorke in America, to the north west of Albany on this side the Lake Cadarachqui sendeth greeting—Bee it known unto you that our ancestors to our certain knowledge have had, time out of mind a fierce and bloody warr with seaven nations of Indians called the Aragaritkas[2] whose Chief cômand was called successively Chohahise—The land is scituate lyeing and being northwest and by west from Albany beginning on the south west[3] side of Cadarachqui lake and includes all that waste Tract of Land lyeing between the great lake off Ottowawa[4] and the lake called by the natives Sahiquage and by the Christians the lake of Swege[5] and runns till it butts upon the Twichtwichs and is bounded on the right hand by a place called Quadoge[6] conteigning in length about eight hundred miles and in bredth four hundred miles including the country where the bevers the deers, Elks and such beasts keep and the place called Tieugsachrondio, alias Fort de Tret or Wawyachtenok and so runs round the lake of Swege till you come to place called Oniadarondaquat which is about twenty miles from the Sinnekes Castles which said seaven nations our predecessors did four score years agoe totally conquer and subdue and drove them out of that country and had peaceable and quiet possession of the same to hunt beavers (which was the motive caused us to war for the same) for three score years it being the only chief place for hunting in this parte of the world that ever wee heard of and after that wee had been sixty years sole masters and owners of the said land enjoying peaceable hunting without any internegation, a remnant of one of the seaven nations called Tionondade whom wee had expelled and drove away came and settled there twenty years agoe disturbed our beaver hunting against which nation wee have warred ever since and would have subdued them long ere now had not they been assisted and succoured by the French of Canada, and whereas the Governour of Canada aforesaid hath lately sent a considerable force to a place called Tjeughsaghronde the principall passe that commands said land to build a Forte there without our leave and consent, by which means they will possess themselves of that excellent country where there is not only a very good soile but great plenty of all maner of wild beasts in such quantities that there is no maner of trouble in killing of them and also will be sole masters of the Boar[7] hunting whereby wee shall be deprived of our livelyhood and subsistance and brought to perpetual bondage and slavery, and wee having subjected ourselves and lands on this side of Cadarachqui lake wholy to the Crown of England wee the said Sachims chief men Captns and representatives of the Five nations after mature deliberation out of a deep sence of the many Royall favours extended to us by the present great Monarch of England King William the third, and in consideration also that wee have lived peaceably and quietly with the people of albany our fellow subjects above eighty years when wee first made a firm league and covenant chain with these Christians that first came to settle Albany on this river which covenant chain hath been yearly renewed and kept bright and clear by all the Governours successively and many neighbouring Govern-

[1] New York Colonial Documents, vol. IV, p. 908.

[2] Hurons.

[3] Northwest. See next page, line 12.

[4] Lake Huron.

[5] Lake Erie.

[6] At the head of Lake Michigan. *Mitchell's Map of North America*, 1755. Now, Chicago, according to *Map of the British Dominions in North America*, 1763, prefixed to *Charlevoix's Voyages*, 8°, Dublin, 1766.

[7] *Sic.* Query—Beaver?

m^ts of English and nations of Indians have since upon their request been admitted into the same. Wee say upon these and many other good motives us hereunto moveing have freely and voluntary surrendered delivered up and for ever quit claimed, and by these presents doe for us our heires and successors absolutely surrender, deliver up and for ever quit claime unto our great Lord and Master the King of England called by us Corachkoo and by the Christians William the third and to his heires and successors Kings and Queens of England for ever all the right title and interest and all the claime and demand whatsoever which wee the said five nations of Indians called the Maquase, Oneydes, Onnondages, Cayouges and Sinnekes now have or which wee ever had or that our heirs or successors at any time hereafter may or ought to have of, in or to all that vast Tract of land or Colony called Canagariarchio beginning on the northwest side of Cadarachqui lake and includes all that vast tract of land lyeing between the great lake of Ottawawa and the lake called by the natives Cahiquage and by the Christians the lake of Swege and runns till it butts upon the Twichtwichs and is bounded on the westward by the Twichtwichs by a place called Quadoge conteining in length about eight hundred miles and in breath four hundred miles including the Country where Beavers and all sorts of wild game keeps and the place called Tjeughsaghrondie alias Fort de tret or Wawyachtenock and so runns round the lake of Swege till you come to a place called Oniadarundaqnat which is about twenty miles from the Sinnekes castles including likewise the great falls Oakinagaro, all which [was] formerly posest by seaven nations of Indians called the Aragaritka whom by a fair warr wee subdued and drove from thence four score years agoe bringing many of them captives to our country and soe became to be the true owners of the same by conquest which said land is scituate lyeing and being as is above expressed with the whole soyle the lakes the rivers and all things pertaining to the said tract of land or colony with power to erect Forts and castles there, soe that wee the said Five nations nor our heires nor any other person or persons for us by any ways or meanes hereafter have claime challenge and demand of in or to the premises or any parte thereof alwayes provided and it is hereby expected that wee are to have free hunting for us and the heires and descendants from us the Five nations for ever and that free of all disturbances expecting to be protected therein by the Crown of England but from all the action right title interest and demand of in or to the premises or every of them shall and will be uterly excluded and debarred for ever by these presents and wee the said Sachims of the Five Nations of Indians called the Maquase, Oneydes, Onnandages, Cayouges and Sinnekes and our heires the said tract of land or Colony, lakes and rivers and premises and every part and parcell thereof with their and every of their appurtenances unto our souveraigne Lord the King William the third & his heires and successors Kings of England to his and their proper use and uses against us our heires and all and every other person lawfully claiming by from or under us the said Five nations shall and will warrant and forever defend by these presents—In Witness whereof wee the Sachims of the Five nations above mentioned in behalf of ourselves and the Five nations have signed and sealed this present Instrument and delivered the same as an Act and deed to the Hon^ble John Nanfan Esq^r Lieu^t Gov^r to our Great King in this province whom wee call Corlaer in the presence of all the Magistrates officers and other inhabitants of Albany praying our Brother Corlaer to send it over to Carachkoo our dread souveraigne Lord and that he would be graciously pleased to accept of the same Actum in Albany in the middle of the high street this nineteenth day of July in the thirteenth year of His Maj^by^s reign Annoque Domini 1701.

This was confirmed twenty-five years later by a substantial renewal of the deed, but limited in extent and made in the form of a trust. the granting clause being as follows:[1]

We . . . Do hereby Ratify Confirm Submit and Grant and by these Presents do (for our Selves our heirs and Successors and in behalf of the whole nations of

[1] New York Colonial Documents, vol. v, p. 800.

Schedule 12–22 – RES Canada Letter to Walpole – July 17, 2009
(redacted)

Renewable Energy Systems Canada
300 Léo Pariseau, Suite 2516
Montreal, Quebec, H2X 4B3, Canada
Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

Montreal, July 17, 2009

Bkejwannong Territory (Walpole Island First Nation)
RR#3
Wallaceburg, ON
N8A 4K9

Attention: Chief Joseph Gilbert
Dr. Dean Jacobs

Dear Chief Gilbert, Dr. Jacobs,

I want to begin by thanking you for welcoming me to the Walpole Island Heritage Centre, and for taking the time to meet with me on May 22, 2009, to discuss your perspectives regarding our proposed Talbot Wind Farm project ("Project"). This is to follow-up on certain items emerging from this meeting.

Please find attached the final version of the minutes from the above-mentioned meeting. Not having received any comments from you, these minutes remain unchanged from the version we provided to you on June 4, 2009.

Regarding your suggestion to use native vegetation for Project-related vegetation restoration activities, we are open to exploring such an approach with you, and welcome your input in this regard. Accordingly, we would like to receive further information concerning the types of native vegetation that you would consider appropriate, in relation to specific sites, and potential sources of such vegetation materials.

Regarding your inquiry of potential opportunities for your First Nation in relation to Project construction activities, and as initially discussed at the above meeting, we would be interested in receiving a proposal from you regarding civil construction work, the supply of aggregate and turbine-related shipping and storage services. If this remains of interest to you, would you be kind enough to please prepare a proposal at your earliest convenience detailing your capacity, availability, qualifications, price estimate, and other relevant information, in this regard.

Confidential information omitted.

Similarly, as we have mentioned to you previously, we would be pleased to offer capacity funding to assist in your participation in the Phase-2 archaeology survey for the Project. At this time it is anticipated that these field surveys will be conducted in mid-August 2009. If you are interested in such capacity funding, and in participating in this survey, would you kindly provide notice of your attendance and a budget for such participation by August 3rd, 2009.

Renewable Energy Systems Canada
300 Léo-Pariseau, Suite 2516
Montreal, Quebec, H2X 4B3, Canada
Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

If you have any questions regarding the above, or if you would be interested in meeting in-person to discuss more fully, please do not hesitate to contact the undersigned.

Yours sincerely,

Stephen Cookson
Development Manager – RES Canada

Schedule 12–23 – RES Canada Letter and Notice of Completion to Aboriginal Communities – May 1, 2009

Renewable Energy Systems Canada
300 Léo Pariseau, Suite 2516
Montreal, Quebec, H2X 4B3, Canada
Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

May 1, 2009

Bkejwannong Territory (Walpole Island First Nation)
RR#3
Wallaceburg, ON
N8A 4K9

Dear Chief Joseph Gilbert,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown (please see attached map). As detailed in our introductory letter to you of July 6, 2007, the Project is a Category "B" project under the Ontario Ministry of the Environment's *Guide to Environmental Assessment Requirements for Electricity Projects* (March, 2001).

Since that time, RES has been conducting an Environmental Review of the Project as required by the *Ontario Environmental Assessment Act* and the requirements of Regulation 116/01 (Electricity Projects). While the Project is required to follow an Environmental Screening process, RES has opted for the more extensive Environmental Review process. RES's letter to you of October 29, 2008 set out the process for completion of the Environmental Review Report ("ERR"). As you know, a draft of the ERR was made available at that time for public review on the Project website (www.talbotwindfarm.com) and in hard copy at the Municipality of Chatham-Kent's Planning Department and at Chatham's Public Library.

In parallel with the environmental assessment, RES has, since the summer of 2007, been pursuing consultation efforts with potentially affected First Nations and Aboriginal communities with a view to gaining a better understanding of their possible interests and concerns with regard to the Project. Our follow-up letters to you of April 23, 2008 and July 29, 2008 offered direct meetings with your First Nation to these ends.

The Environmental Review has identified that no significant environmental effects, including social and natural environment effects, would result from the Project. RES is now issuing the attached Notice of Completion of Environmental Review Report ("NoC"). Issuance of the NoC will commence the mandated 30 day public and agency review period. During this period, you may submit comments on the ERR. RES would be pleased to offer capacity funding to your First Nation to facilitate this review of the ERR. If such funding is of interest to your First Nation, please contact me at stephen.cookson@res-americas.com or (514) 525-2113 x226.

After this 30-day period, RES will be in a position to submit to the Ministry of the Environment a Statement of Completion which will mark the end of the environmental assessment process for the Project. The next stage in the Project approval process will require RES to obtain Ministry of the Environment and Ontario Energy Board approvals for the construction and operation of the facility and associated transmission lines.

Renewable Energy Systems Canada
300 Léo Pariseau, Suite 2516
Montreal, Quebec, H2X 4B3, Canada
Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

RES will continue to pursue its consultation efforts with potentially affected Aboriginal communities throughout this regulatory process. RES will also comply with the Aboriginal Consultation Agreement recently signed with the Crown with regard to this Project.

RES Canada will also be undertaking Stage 2 Archaeological investigations for the Project. At this time it is expected that these field investigations will be conducted in mid to late May 2009. If a representative of your First Nation would be interested in accompanying the field crew during these investigations, then please contact Mr. Brent Bullough of Dillon Consulting (416-229-4646) to arrange for this. RES would be pleased to offer capacity funding to facilitate this participation. If such funding is of interest to your First Nation, please contact me at stephen.cookson@res-americas.com or (514) 525-2113 x226.

Best regards,

Stephen Cookson
Development Manager – RES Canada

Renewable Energy Systems Canada
300 Léo Pariseau, Suite 2516
Montreal, Quebec, H2X 4B3, Canada
Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

May 1, 2009

Caldwell First Nation
10297 Talbot Trail, RR#2
Blenheim. ON
NOP 1AO

Dear Chief Louise Hillier,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown (please see attached map). As detailed in our introductory letter to you of July 6, 2007, the Project is a Category "B" project under the Ontario Ministry of the Environment's *Guide to Environmental Assessment Requirements for Electricity Projects* (March, 2001).

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300 Léo Pariseau, Suite 2516
Montreal, Quebec, H2X 4B3, Canada
Tel: (514) 525-2113
Fax: (514) 524-9669
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Best regards,

Stephen Cookson
Development Manager – RES Canada

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May 1, 2009

Moravian of the Thames First Nation (Delaware First Nation)
14760 School House Line, RR33
Thamesville, ON
NOP 2K0

Dear Chief Gregory Peters,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown (please see attached map). As detailed in our introductory letter to you of July 6, 2007, the Project is a Category "B" project under the Ontario Ministry of the Environment's *Guide to Environmental Assessment Requirements for Electricity Projects* (March, 2001).

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May 1, 2009

Six Nations of the Grand River
PO Box 5000
Ohsweken, ON
NOA 1MO

Dear Chief William Montour,

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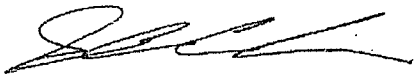
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May 1, 2009

Association of Iroquois and Allied Indians
387 Princess Avenue
London, ON
N6B 2A7

Dear Grand Chief Randall Phillips,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown (please see attached map). As detailed in our introductory letter to you of July 6, 2007, the Project is a Category "B" project under the Ontario Ministry of the Environment's *Guide to Environmental Assessment Requirements for Electricity Projects* (March, 2001).

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May 1, 2009

Chippewas of Kettle & Stony Point First Nation
53 Indian Lane RR#1
Forest, ON
NON 1JO

Dear Chief Elizabeth J. Cloud,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown (please see attached map). As detailed in our introductory letter to you of July 6, 2007, the Project is a Category "B" project under the Ontario Ministry of the Environment's *Guide to Environmental Assessment Requirements for Electricity Projects* (March, 2001).

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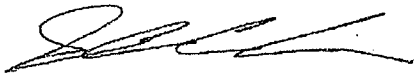
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May 1, 2009

Munsee-Delaware Nation
RR#l
Muncey, ON
NOL 1YO

Dear Acting Chief Cyril Snake,

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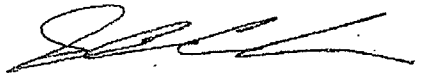
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May 1, 2009

Oneida First Nation
22 12 Elm Avenue, RR#2
Southwold. ON
NOL 2G0

Dear Chief Joel Abram,

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May 1, 2009

Chippewas of Sarnia First Nation
978 Tashmoo Avenue
Samia ON
N7T 7H5

Dear Chief Chris Plain,

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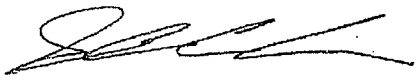
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May 1, 2009

Chippewas of the Thames First Nation
RR#1
Muncey, ON
NOL 1YO

Dear Chief Vaughan Albert Sr.,

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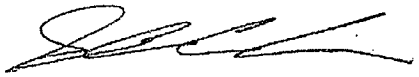
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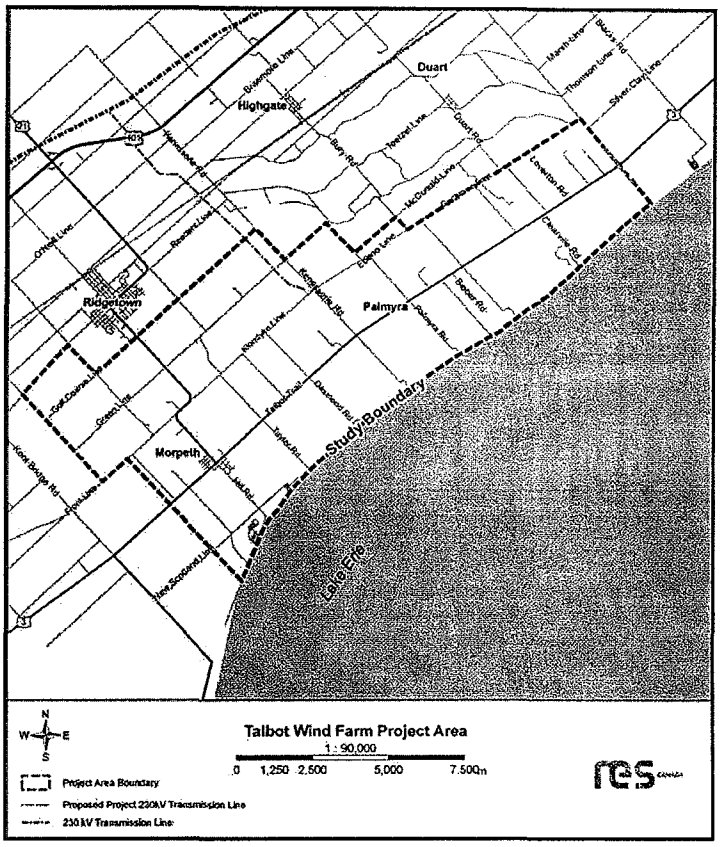
Stephen Cookson
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Notice of Completion of an Environmental Review Report: Talbot Wind Farm

Renewable Energy Systems Canada, Inc. (RES) is the proponent for the 43 turbine (98.9 MW) Talbot Wind Farm (the Project) which will generate electricity in the Municipality of Chatham-Kent, near the community of Ridgetown (see map).

The Project is subject to the Environmental Screening process (Category B) under the Ontario Ministry of the Environment's "*Guide to Environmental Assessment Requirements for Electricity Projects*" (March 2001). A Notice of Commencement for the environmental screening study was issued on July 6, 2007. To ensure that environmental issues were fully considered, RES voluntarily self-elevated the Project from an Environmental Screening to a more detailed Environmental Review.

This is notice to the public and key stakeholders that RES has completed the environmental review of the Project and has determined that there are no significant environmental impacts (including the natural and social environment) associated with the Project. The Environmental Review Report and supporting documents will be available for review on the Project website (**www.talbotwindfarm.com**) beginning May 1, 2009 and subsequently at the following locations:



Municipality of Chatham-Kent, Planning Department
315 King Street West, Chatham, ON N7M 5K8

Chatham Public Library – Ridgetown Branch
54 Main Street, Ridgetown, ON N0P 2C0

This notice triggers a minimum 30 day review period during which an interested party may submit comments on the ERR. If after reviewing the ERR and supporting documents, an interested party has a significant outstanding environmental concerns about the Project, that party should raise its concerns with RES as soon as possible. If RES and the concerned party are unable to resolve the matter, the concerned party can make a written request to the Director of the Environmental Assessment and Approvals Branch of the Ministry of the Environment to elevate the Project to an individual Environmental Assessment under the *Environmental Assessment Act*. Elevation requests must be made in accordance with the provisions set out in the Ministry of the Environment's Environmental Screening Process for electricity projects. Elevation requests must be received by the Director, Environmental Assessment and Approvals Branch, Ministry of the Environment, 12A Floor, 2 St. Clair Avenue West, Toronto, Ontario, M4V 1P5, **by June 1, 2009**, with copies to RES and its environmental consultant as identified below.

Nicolas Muszynski
Project Developer
Renewable Energy Systems Canada, Inc.
300 Léo-Pariseau
Montreal, QC H2X 4B3
Email: nicolas.muszynski@res-americas.com
Tel: 514-525-2113 ext. 223

Bruce McAllister
Associate
Dillon Consulting Limited
202 King Street West, Suite 300
Chatham, ON N7M 1E5
Email: bmcallister@dillon.ca
Tel: 519-354-7802 ext. 3314

Information will be collected and used in accordance with the *Freedom of Information and Privacy Act*, and solely for the purpose of assisting RES in meeting environmental assessment and local planning 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.

Schedule 12–24 – RES Canada Letter to MEI – July 20, 2009

Renewable Energy Systems Canada
300 Léo Pariseau, Suite 2516
Montreal, Quebec, H2X 4B3, Canada
Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

CONFIDENTIAL

Montreal, July 20, 2009

Ministry of Energy and Infrastructure
Energy Supply, Transmission and Distribution Policy

Attention: Rick Jennings, Assistant Deputy-Minister
Perry Cecchini, Manager, Renewable Energy Supply

Dear Mr. Jennings, Mr. Cecchini,

In accordance with section 4.4 of the Talbot Aboriginal Consultation Agreement concluded on April 29, 2009 ("**ACA**") and pursuant to your request in a letter to us dated 30 June 2009, please find attached copies of recent mailings dated May 1 and 29, 2009 sent by RES to representatives of each Aboriginal community identified in the ACA ("**Aboriginal Community**").

These mailings respectively advised the Aboriginal Communities of the Notice of Completion and release of the final Environmental Review Report and notified them of an up-coming Public Information Centre.

Also pursuant to section 4.4 of the ACA and to your request in the above noted letter, this is to provide the Crown with an up-date of certain consultation related activities involving Renewable Energy Systems Canada ("**RES**") and the Aboriginal Communities in recent months, by way of the attached summary of consultation activities.

Pursuant to section 4.1(iii)(i) of the ACA and the ACA Consultation Plan, please note the RES letter to Walpole Island First Nation dated 17 July 2009 mentioned in the above summary document. The content of this letter is outlined in the attached summary and includes reference to potential accommodation measures.

Please also note that in addition to updating the ACA "Appendix A RES Canada Talbot Wind Farm Project: Summary of Aboriginal Consultation Activity by Supplier as of 24 April 2009" ("**ACA Summary**") regarding certain relevant activities since 24 April 2009, the above summary includes revisions to the 3 March 2009 entry for a meeting between RES and Moravian of the Thames First Nation ("**Moravian**"), subsequent to comments received from Moravian in early July 2009 regarding the minutes of this meeting.

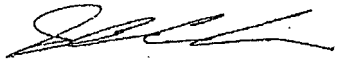
The above summary document also contains technical edits in the ACA Summary's opening paragraph and certain minor, stylistic edits (e.g., abbreviations in the "Date" column, consistent spelling of "archaeological", change of verb tense in certain instances).

Renewable Energy Systems Canada
300 Léo Pariseau, Suite 2516
Montreal, Quebec, H2X 4B3, Canada
Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

This letter and attachments are being provided to you in confidence, and we ask that you ensure that they are treated as confidential and not disclosed to any third party without our prior written consent.

Please do not hesitate to contact the undersigned if you have any questions regarding the above.

Sincerely,



Stephen Cookson
Development Manager – RES Canada

Schedule 12–25 – RES Canada Letter to MEI – June 25, 2009
(redacted)

Renewable Energy Systems Canada
300 Léo Pariseau, Suite 2516
Montreal, Quebec, H2X 4B3, Canada
Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

CONFIDENTIAL

Montreal, June 25, 2009

Ministry of Energy and Infrastructure
Energy Supply, Transmission and Distribution Policy

Attention: Rick Jennings, Assistant Deputy-Minister
Perry Cecchini, Manager, Renewable Energy Supply

Dear Mr. Jennings, Mr. Cecchini,

Pursuant to section 4.4(iii) of the Talbot Aboriginal Consultation Agreement ("**ACA**") concluded on April 29, 2009, this is to notify the Crown of a meeting held between Renewable Energy Systems Canada ("**RES**") and representatives of Walpole Island First Nation ("**WIFN**") on May 22, 2009 at the Walpole Island Heritage Centre.

During this meeting, WIFN asserted that the Talbot Wind Farm project (the "**Project**") is located within its traditional territory. WIFN expressed its desire that the remaining natural habitat in the Project area not be impacted by the Project, and suggested that native vegetation be used for any vegetation-related restoration activities involved with the Project.

During this meeting, WIFN also indicated that it was seeking wind projects in its traditional territory to offset or assume electricity costs for its community, and that it was concerned with the cumulative effects of such projects. Confidential information omitted.

WIFN inquired about opportunities relating to Project construction work, and WIFN agreed to prepare a proposal for RES' consideration in this regard.

At the aforementioned meeting, RES repeated its offer of capacity funding for WIFN's participation in the environmental review process for the Project and for WIFN's review of the Environmental Review Report. RES requested that WIFN provide a budget for this work, if applicable. RES also repeated its offer for capacity funding for WIFN's participation in the "Phase-2" Archaeological work and requested that WIFN confirm attendance and provide a budget for this work, if applicable.

This letter is being provided to you in confidence, and we ask that you ensure that it is treated as confidential and not disclosed to any third party without our prior written consent.

Please do not hesitate to contact the undersigned if you have any questions regarding the above.

Sincerely,

Stephen Cookson
Development Manager – RES Canada

Schedule 12–26 – Letters and Notices from RES to Identified Aboriginal Communities (various dates)

DILLON
CONSULTING

235 Yorkland Blvd.
Suite 800
Toronto, Ontario
Canada
M2J 4Y8
Telephone
(416) 229-4646
Fax
(416) 229-4692

July 6, 2007

Joseph Gilbert
Chief
Bkejwannong Territory (Walpole Island)
RR#3
Wallaceburg, ON N8A 4K9

RE: Talbot Wind Farm – Notice of Study Commencement

Dear Chief Gilbert:

Dillon Consulting Ltd. (Dillon) has been retained by Renewable Energy Systems Canada, Inc. (RES) to conduct an environmental screening for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie. The number and configuration of wind turbines to be developed will be based on upcoming commitments of the Province of Ontario to procure electricity from renewable energy sources. The wind farm is expected to be in excess of 100 MW in size.

The undertaking is a Category B Project and is subject to an environmental screening, as defined in the *Guide to Environmental Assessment Requirements for Electricity Projects* (MOE, March 2001). The study that we are undertaking is expected to be completed by the end of 2007 at which time a "Notice of Completion" will be issued. The Environmental Screening Report will be available for public and agency comment. There will be ongoing consultation opportunities throughout the study duration.

The attached "Notice of Study Commencement" provides some background to the study. As part of the background information phase of the study, we will be collecting information on the natural environment such as terrestrial and aquatic vegetation and wildlife, existing and proposed land use, planning policies, and socio-economic features.

If you would like further information regarding the project, please do not hesitate to get in touch with me or either of the contacts on the attached notice at 416-229-4647 Ext. 355.

We would be pleased to meet with representatives of your First Nation to introduce the project and to receive any comments or questions that you may have. Project representatives will be in contact with you in the near future to determine your interest in meeting to discuss the project.

Yours very truly,

Dillon Consulting Limited

Don P. McKinnon, MES, MCIP
Project Manager
Attach.
DPM:mrb
Our File: 07-7382

Dillon Consulting
Limited

DILLON
CONSULTING

2 Yorkland Blvd
Suite 800
Toronto, Ontario
Canada
M2J 4Y8
Telephone
(416) 229-4646
Fax
(416) 229-4692

July 6, 2007

Johnny Stonefish
Chief
Delaware First Nation (Moravarian of the Thames)
14760 School House Line, RR33
Thamesville, ON N0P 2K0

RE: Talbot Wind Farm – Notice of Study Commencement

Dear Chief Stonefish:

Dillon Consulting Ltd. (Dillon) has been retained by Renewable Energy Systems Canada, Inc. (RES) to conduct an environmental screening for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie. The number and configuration of wind turbines to be developed will be based on upcoming commitments of the Province of Ontario to procure electricity from renewable energy sources. The wind farm is expected to be in excess of 100 MW in size.

The undertaking is a Category B Project and is subject to an environmental screening, as defined in the *Guide to Environmental Assessment Requirements for Electricity Projects* (MOE, March 2001). The study that we are undertaking is expected to be completed by the end of 2007 at which time a "Notice of Completion" will be issued. The Environmental Screening Report will be available for public and agency comment. There will be ongoing consultation opportunities throughout the study duration.

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We would be pleased to meet with representatives of your First Nation to introduce the project and to receive any comments or questions that you may have. Project representatives will be in contact with you in the near future to determine your interest in meeting to discuss the project.

Yours very truly,

Dillon Consulting Limited

Don P. McKinnon, MES, MCIP
Project Manager
Attach.
DPM:mrb
Our File: 07-7382

Dillon Consulting
Limited

July 6, 2007

Denise Stonefish
Grand Chief
Association of Iroquois and Allied Indians
387 Princess Avenue
London, ON N6B 2A7

RE: Talbot Wind Farm – Notice of Study Commencement

Dear Grand Chief Stonefish:

Dillon Consulting Ltd. (Dillon) has been retained by Renewable Energy Systems Canada, Inc. (RES) to conduct an environmental screening for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie. The number and configuration of wind turbines to be developed will be based on upcoming commitments of the Province of Ontario to procure electricity from renewable energy sources. The wind farm is expected to be in excess of 100 MW in size.

The undertaking is a Category B Project and is subject to an environmental screening, as defined in the *Guide to Environmental Assessment Requirements for Electricity Projects* (MOE, March 2001). The study that we are undertaking is expected to be completed by the end of 2007 at which time a "Notice of Completion" will be issued. The Environmental Screening Report will be available for public and agency comment. There will be ongoing consultation opportunities throughout the study duration.

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We would be pleased to meet with representatives of your First Nation to introduce the project and to receive any comments or questions that you may have. Project representatives will be in contact with you in the near future to determine your interest in meeting to discuss the project.

Yours very truly,

Dillon Consulting Limited

Don P. McKinnon, MES, MCIP
Project Manager
Attach.
DPM:mrb
Our File: 07-7382

DILLON
CONSULTING

235 Yorkland Blvd
Suite 800
Toronto, Ontario
Canada
M2J 4Y8
Telephone
(416) 229-4646
Fax
(416) 229-4692

Dillon Consulting
Limited

July 6, 2007

Larry Johnson
Chief
Caldwell First Nations
215 Main Street
Bothwell, ON N0P 1C0

RE: Talbot Wind Farm – Notice of Study Commencement

Dear Chief Johnson:

Dillon Consulting Ltd. (Dillon) has been retained by Renewable Energy Systems Canada, Inc. (RES) to conduct an environmental screening for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie. The number and configuration of wind turbines to be developed will be based on upcoming commitments of the Province of Ontario to procure electricity from renewable energy sources. The wind farm is expected to be in excess of 100 MW in size.

The undertaking is a Category B Project and is subject to an environmental screening, as defined in the *Guide to Environmental Assessment Requirements for Electricity Projects* (MOE, March 2001). The study that we are undertaking is expected to be completed by the end of 2007 at which time a "Notice of Completion" will be issued. The Environmental Screening Report will be available for public and agency comment. There will be ongoing consultation opportunities throughout the study duration.

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We would be pleased to meet with representatives of your First Nation to introduce the project and to receive any comments or questions that you may have. Project representatives will be in contact with you in the near future to determine your interest in meeting to discuss the project.

Yours very truly,

Dillon Consulting Limited

Don P. McKinnon, MES, MCIP
Project Manager
Attach.
DPM:mrb
Our File: 07-7382

DILLON CONSULTING

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(416) 229-4646
Fax
(416) 229-4692

Dillon Consulting Limited

July 6, 2007

Larry Johnson
Chief
Caldwell First Nations
10297 Talbot Trail, RR#2
Blenheim, ON N0P 1A0

RE: Talbot Wind Farm – Notice of Study Commencement

Dear Chief Johnson:

Dillon Consulting Ltd. (Dillon) has been retained by Renewable Energy Systems Canada, Inc. (RES) to conduct an environmental screening for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie. The number and configuration of wind turbines to be developed will be based on upcoming commitments of the Province of Ontario to procure electricity from renewable energy sources. The wind farm is expected to be in excess of 100 MW in size.

The undertaking is a Category B Project and is subject to an environmental screening, as defined in the *Guide to Environmental Assessment Requirements for Electricity Projects* (MOE, March 2001). The study that we are undertaking is expected to be completed by the end of 2007 at which time a "Notice of Completion" will be issued. The Environmental Screening Report will be available for public and agency comment. There will be ongoing consultation opportunities throughout the study duration.

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We would be pleased to meet with representatives of your First Nation to introduce the project and to receive any comments or questions that you may have. Project representatives will be in contact with you in the near future to determine your interest in meeting to discuss the project.

Yours very truly,

Dillon Consulting Limited

Don P. McKinnon, MES, MCIP
Project Manager
Attach.
DPM:mrb
Our File: 07-7382

DILLON CONSULTING

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(416) 229-4692

Dillon Consulting Limited

July 6, 2007

Tom Bressette
Chief
Chippewas of Kettle/Stony Point First Nation
53 Indian Lane RR#1
Forest, ON N0N 1J0

RE: Talbot Wind Farm – Notice of Study Commencement

Dear Chief Bressette:

Dillon Consulting Ltd. (Dillon) has been retained by Renewable Energy Systems Canada, Inc. (RES) to conduct an environmental screening for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie. The number and configuration of wind turbines to be developed will be based on upcoming commitments of the Province of Ontario to procure electricity from renewable energy sources. The wind farm is expected to be in excess of 100 MW in size.

The undertaking is a Category B Project and is subject to an environmental screening, as defined in the *Guide to Environmental Assessment Requirements for Electricity Projects* (MOE, March 2001). The study that we are undertaking is expected to be completed by the end of 2007 at which time a "Notice of Completion" will be issued. The Environmental Screening Report will be available for public and agency comment. There will be ongoing consultation opportunities throughout the study duration.

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If you would like further information regarding the project, please do not hesitate to get in touch with me or either of the contacts on the attached notice at 416-229-4647 Ext. 355.

We would be pleased to meet with representatives of your First Nation to introduce the project and to receive any comments or questions that you may have. Project representatives will be in contact with you in the near future to determine your interest in meeting to discuss the project.

Yours very truly,

Dillon Consulting Limited

Don P. McKinnon, MES, MCIP
Project Manager
Attach.
DPM:mrb
Our File: 07-7382

DILLON CONSULTING

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Dillon Consulting Limited

July 6, 2007

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M2J 4Y8
Telephone
(416) 229-4646
Fax
(416) 229-4692

Chris Plain
Chief
Chippewas of Sarnia First Nation
978 Tashmoo Avenue
Sarnia, ON N7T 7H5

RE: Talbot Wind Farm – Notice of Study Commencement

Dear Chief Plain:

Dillon Consulting Ltd. (Dillon) has been retained by Renewable Energy Systems Canada, Inc. (RES) to conduct an environmental screening for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie. The number and configuration of wind turbines to be developed will be based on upcoming commitments of the Province of Ontario to procure electricity from renewable energy sources. The wind farm is expected to be in excess of 100 MW in size.

The undertaking is a Category B Project and is subject to an environmental screening, as defined in the *Guide to Environmental Assessment Requirements for Electricity Projects* (MOE, March 2001). The study that we are undertaking is expected to be completed by the end of 2007 at which time a "Notice of Completion" will be issued. The Environmental Screening Report will be available for public and agency comment. There will be ongoing consultation opportunities throughout the study duration.

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If you would like further information regarding the project, please do not hesitate to get in touch with me or either of the contacts on the attached notice at 416-229-4647 Ext. 355.

We would be pleased to meet with representatives of your First Nation to introduce the project and to receive any comments or questions that you may have. Project representatives will be in contact with you in the near future to determine your interest in meeting to discuss the project.

Yours very truly,

Dillon Consulting Limited

Don P. McKinnon, MES, MCIP
Project Manager
Attach.
DPM:mrb
Our File: 07-7382

July 6, 2007

Kelly Riley
Chief
Chippewas of the Thames First Nation
RR#1
Muncey, ON N0L 1Y0

RE: Talbot Wind Farm – Notice of Study Commencement

Dear Chief Riley:

Dillon Consulting Ltd. (Dillon) has been retained by Renewable Energy Systems Canada, Inc. (RES) to conduct an environmental screening for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie. The number and configuration of wind turbines to be developed will be based on upcoming commitments of the Province of Ontario to procure electricity from renewable energy sources. The wind farm is expected to be in excess of 100 MW in size.

The undertaking is a Category B Project and is subject to an environmental screening, as defined in the *Guide to Environmental Assessment Requirements for Electricity Projects* (MOE, March 2001). The study that we are undertaking is expected to be completed by the end of 2007 at which time a "Notice of Completion" will be issued. The Environmental Screening Report will be available for public and agency comment. There will be ongoing consultation opportunities throughout the study duration.

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We would be pleased to meet with representatives of your First Nation to introduce the project and to receive any comments or questions that you may have. Project representatives will be in contact with you in the near future to determine your interest in meeting to discuss the project.

Yours very truly,

Dillon Consulting Limited

Don P. McKinnon, MES, MCIP
Project Manager
Attach.
DPM:mrb
Our File: 07-7382

DILLON
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235 Yorkland Blvd.
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(416) 229-4692

Dillon Consulting
Limited

July 6, 2007

DILLON
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235 Yorkland Blvd
Suite 800
Toronto, Ontario
Canada
M2J 4Y8
Telephone
(416) 229-4646
Fax
(416) 229-4692

Patrick Waddilove
Chief
Oneida First Nation
RR#2
Southgold, ON N0L 2G0

RE: Talbot Wind Farm – Notice of Study Commencement

Dear Chief Waddilove:

Dillon Consulting Ltd. (Dillon) has been retained by Renewable Energy Systems Canada, Inc. (RES) to conduct an environmental screening for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie. The number and configuration of wind turbines to be developed will be based on upcoming commitments of the Province of Ontario to procure electricity from renewable energy sources. The wind farm is expected to be in excess of 100 MW in size.

The undertaking is a Category B Project and is subject to an environmental screening, as defined in the *Guide to Environmental Assessment Requirements for Electricity Projects* (MOE, March 2001). The study that we are undertaking is expected to be completed by the end of 2007 at which time a "Notice of Completion" will be issued. The Environmental Screening Report will be available for public and agency comment. There will be ongoing consultation opportunities throughout the study duration.

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Yours very truly,

Dillon Consulting Limited

Don P. McKinnon, MES, MCIP
Project Manager
Attach.
DPM:mrb
Our File: 07-7382

July 6, 2007

DILLON CONSULTING

235 Yorkland Blvd
Suite 800
Toronto, Ontario
Canada
M2J 4Y8
Telephone
(416) 229-4646
Fax
(416) 229-4692

David General
Chief
Six Nations of the Grand River Territory
PO Box 5000
Ohsweken, ON N0A 1M0

RE: Talbot Wind Farm – Notice of Study Commencement

Dear Chief David General:

Dillon Consulting Ltd. (Dillon) has been retained by Renewable Energy Systems Canada, Inc. (RES) to conduct an environmental screening for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie. The number and configuration of wind turbines to be developed will be based on upcoming commitments of the Province of Ontario to procure electricity from renewable energy sources. The wind farm is expected to be in excess of 100 MW in size.

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Yours very truly,

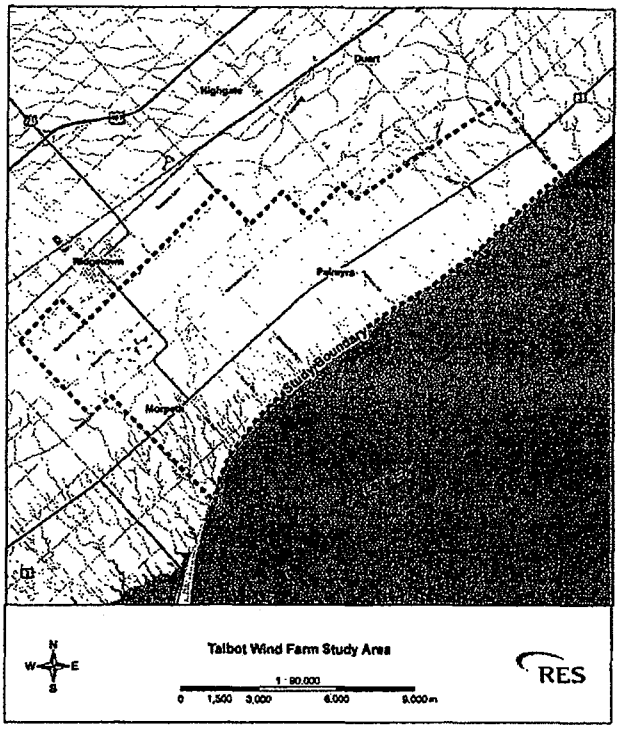
Dillon Consulting Limited

Don P. McKinnon, MES, MCIP
Project Manager
Attach.
DPM:mrb
Our File: 07-7382

Dillon Consulting Limited

Notice of Study Commencement & Public Information Centre - Talbot Wind Farm

Renewable Energy Systems Canada, Inc. (RES) is proposing to develop the Talbot Wind Farm to generate electricity in the Municipality of Chatham-Kent, near the community of Ridgetown (see map). The number and configuration of wind turbines to be developed will be based on upcoming commitments of the Province of Ontario to procure electricity from renewable energy sources. The wind farm is expected to be in excess of 100 MW in size.



RES has retained Dillon Consulting Limited (Dillon) to undertake an environmental screening pursuant to Ontario Regulation 116/01 of the *Environmental Assessment Act*. The environmental screening will follow the requirements for a Category B project under the "*Guide to Environmental Assessment Requirements for Electricity Projects*" (March 2001) as released by the Ontario Ministry of the Environment's Environmental Assessment and Approvals Branch. RES is initiating the environmental screening pursuant to this Notice of Commencement.

Currently Dillon is compiling an environmental features inventory in the study area in order to prepare the Environmental Screening Report, which will be made available to stakeholders and the public for review and comment. Stakeholder participation is an important component of the environmental screening process and issues raised by stakeholders and First Nations will be considered in the preparation of the Environmental Screening Report. Notifications of future consultation activities will be made.

RES invites you to attend our first public information centre to review displays on the proposed project and to meet and provide input to our project team.

PUBLIC INFORMATION CENTRE
Morpeth Community Hall
12579 Talbot Trail, Morpeth, ON
Saturday, July 21, 2007
12:00pm to 4:00pm

You are invited to provide any comments to the contacts listed below to ensure that the appropriate environmental protection measures are incorporated into the project design. RES values and appreciates stakeholder input as we wish to build a strong and lasting relationship with local landowners and the host community. For more information or to have your name added to the project mailing list please contact:

Stephen Cookson
Project Developer
Renewable Energy Systems Canada, Inc.
1124 rue Marie-Anne Est, Suite 23
Montreal, QC H2J 2B7
Email: Stephen.Cookson@res-americas.com
Tel: 514-525-2113

Don McKinnon
Project Manager
Dillon Consulting Limited
235 Yorkland Blvd. Suite 800
Toronto, ON M2J 4Y8
Email: dpmckinnon@dillon.ca
Tel: 1-877-934-5566

FAX TRANSMITTAL

DILLON CONSULTING

TO:	Chief Chris Plain		
ORGANIZATION:	Aamjiwnaang First Nation		
cc:			
FAX NO.:	519-336-0382		
FROM:	Andrea Nokleby		
DATE:	April 23, 2008		
SUBJECT:	RES Wind Farm Study		
OUR FILE:	07-7382	**TOTAL PAGES:**	2

This message is intended only for the recipient(s) named above and may contain privileged, confidential or private information which is not to be disclosed. If you have received this message in error and are not the addressee or authorized representative thereof, or if pages are missing from your copy of this transmission, please contact the sender at 416-229-4692.

Good Morning Chief Plain,

Renewable Energy Systems Canada, Inc. (RES) is proposing to develop the Talbot Wind Farm to generate electricity in the Municipality of Chatham-Kent, near the community of Ridgetown (see map). RES would be pleased to meet with representatives of your First Nation to discuss the project and to receive any comments or questions that you may have.

Information has been previously sent to your office but I have attached a handout that contains general information on the project as well as contact information.

If you have any questions/comments, would like more information, or would like to set up a meeting time please do not hesitate to call me at 416-229-4647 ext 2342.

Have a great day and I look forward to hearing from you,

Andrea Nokleby

Suite 800, 235 Yorkland Blvd. Toronto, Ontario, Canada M2J 4Y8 – Phone 416-229-4647 – Fax 416-229-4692

FAX TRANSMITTAL

DILLON CONSULTING

TO:	Chief Gregory Peters		
ORGANIZATION:	Moravian of the Thames First Nation		
cc:			
FAX NO.:	519-692-5522		
FROM:	Andrea Nokleby		
DATE:	April 23, 2008		
SUBJECT:	RES Wind Farm Study		
OUR FILE:	07-7382	**TOTAL PAGES:**	2

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Suite 800, 235 Yorkland Blvd. Toronto, Ontario, Canada M2J 4Y8 – Phone 416-229-4647 – Fax 416-229-4692

FAX TRANSMITTAL

DILLON CONSULTING

TO:	Chief Vaughan Albert Sr.		
ORGANIZATION:	Chippewas of the Thames First Nation		
cc:			
FAX NO.:	519-289-2230		
FROM:	Andrea Nokleby		
DATE:	April 23, 2008		
SUBJECT:	RES Wind Farm Study		
OUR FILE:	07-7382	**TOTAL PAGES:**	2

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Good Morning Chief Albert,

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Andrea Nokleby

Suite 800, 235 Yorkland Blvd. Toronto, Ontario, Canada M2J 4Y8 – Phone 416-229-4647 – Fax 416-229-4692

FAX TRANSMITTAL

DILLON CONSULTING

TO:	Chief Tom Bressette		
ORGANIZATION:	Chippewas of Kettle/Stony Point First Nation		
cc:			
FAX NO.:	519-786-2108		
FROM:	Andrea Nokleby		
DATE:	April 23, 2008		
SUBJECT:	RES Wind Farm Study		
OUR FILE:	07-7382	**TOTAL PAGES:**	2

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Suite 800, 235 Yorkland Blvd. Toronto, Ontario, Canada M2J 4Y8 – Phone 416-229-4647 – Fax 416-229-4692

FAX TRANSMITTAL

DILLON CONSULTING

TO:	Chief Louise Hillier Johnson		
ORGANIZATION:	Bkejwannong Territory		
cc:			
FAX NO.:	519-676-5899		
FROM:	Andrea Nokleby		
DATE:	April 23, 2008		
SUBJECT:	RES Wind Farm Study		
OUR FILE:	07-7382	**TOTAL PAGES:**	2

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Good Morning Chief Hillier Johnson,

Renewable Energy Systems Canada, Inc. (RES) is proposing to develop the Talbot Wind Farm to generate electricity in the Municipality of Chatham-Kent, near the community of Ridgetown (see map). RES would be pleased to meet with representatives of your First Nation to discuss the project and to receive any comments or questions that you may have.

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Suite 800, 235 Yorkland Blvd. Toronto, Ontario, Canada M2J 4Y8 – Phone 416-229-4647 – Fax 416-229-4692

FAX TRANSMITTAL

DILLON CONSULTING

TO:	Chief Larry Johnson		
ORGANIZATION:	Caldwell First Nations		
cc:			
FAX NO.:	519-676-5899		
FROM:	Andrea Nokleby		
DATE:	April 23, 2008		
SUBJECT:	RES Wind Farm Study		
OUR FILE:	07-7382	**TOTAL PAGES:**	2

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Suite 800, 235 Yorkland Blvd. Toronto, Ontario, Canada M2J 4Y8 – Phone 416-229-4647 – Fax 416-229-4692

FAX TRANSMITTAL

DILLON CONSULTING

TO:	Chief Joseph Gilbert		
ORGANIZATION:	Bkejwannong Territory		
cc:			
FAX NO.:	519-627-0440		
FROM:	Andrea Nokleby		
DATE:	April 23, 2008		
SUBJECT:	RES Wind Farm Study		
OUR FILE:	07-7382	**TOTAL PAGES:**	2

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Suite 800, 235 Yorkland Blvd. Toronto, Ontario, Canada M2J 4Y8 – Phone 416-229-4647 – Fax 416-229-4692

FAX TRANSMITTAL

DILLON CONSULTING

TO:	Chief Patrick Waddilove		
ORGANIZATION:	Munsee-Delaware Nation		
cc:			
FAX NO.:	519-289-5156		
FROM:	Andrea Nokleby		
DATE:	April 23, 2008		
SUBJECT:	RES Wind Farm Study		
OUR FILE:	07-7382	**TOTAL PAGES:**	2

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Good Morning Chief Waddilove,

Renewable Energy Systems Canada, Inc. (RES) is proposing to develop the Talbot Wind Farm to generate electricity in the Municipality of Chatham-Kent, near the community of Ridgetown (see map). RES would be pleased to meet with representatives of your First Nation to discuss the project and to receive any comments or questions that you may have.

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Renewable Energy Systems Canada
1124 Marie-Ann Est, Suite 23
Montreal, Quebec, H2J 2B7, Canada
Tel/Fax: (514) 525-2113
www.res-americas.com

July 29, 2008

Larry Johnson
Chief
Caldwell First Nations
215 Main Street
Bothwell, ON N0P 1C0

RE: Talbot Wind Farm

Dear Chief Johnson:

Renewable Energy Systems Canada (RES) would like to follow up with the Caldwell First Nation regarding our letter fax dated April 23, 2008. Dillon Consulting Ltd. (Dillon) has been retained by RES to conduct an environmental review for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie, as shown in the attachment. The wind farm is expected to be in excess of 100 MW in size.

Consultation with First Nations is a valuable component of the Environmental Assessment (EA) process. Accordingly, we would like to better understand your interest, if any, in this area. At your request, RES would like to individually meet with you and representatives from your First Nation to discuss the study in more detail.

A one-on-one meeting would be an opportune time to:

- Better understand your interest in the area;
- Solicit any information you would like to share regarding the proposed wind farm area;
- Provide you with information on the Talbot Wind Farm Study and update you on our findings to date;
- Engage your First Nation in a meaningful way;
- Develop a good working relationship with your First Nation; and
- Provide you with more information on wind energy and the EA process.

For your information, we have attached the original Notice of Commencement and the draft wind turbine layout for your review. Please do not hesitate to contact the EA Project Manager, Don McKinnon, at dpmckinnon@dillon.ca or 1-877-934-5566 or myself at Stephen.Cookson@res-americas.com or (514) 525-2113 ext 3. I look forward to hearing from you.

Yours very truly,

Stephen Cookson, ing.

RES
Renewable Energy Systems

Renewable Energy Systems Canada
1124 Marie-Ann Est, Suite 23
Montreal, Quebec, H2J 2B7, Canada
Tel/Fax: (514) 525-2113
www.res-americas.com

July 29, 2008

Louise Hillier
Chief
Caldwell First Nations
PO Box 388 Stn Main
Leamington, ON N8H 3W3

RE: Talbot Wind Farm

Dear Chief Hillier:

Renewable Energy Systems Canada (RES) would like to follow up with the Caldwell First Nation regarding our letter fax dated April 23, 2008. Dillon Consulting Ltd. (Dillon) has been retained by RES to conduct an environmental review for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie, as shown in the attachment. The wind farm is expected to be in excess of 100 MW in size.

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Renewable Energy Systems Canada
1124 Marie-Ann Est, Suite 23
Montreal, Quebec, H2J 2B7, Canada
Tel/Fax: (514) 525-2113
www.res-americas.com

July 29, 2008

Chris Plain
Chief
Chippewas of Sarnia First Nation
978 Tashmoo Avenue
Sarnia, ON N7T 7H5

RE: Talbot Wind Farm

Dear Chief Plain:

Renewable Energy Systems Canada (RES) would like to follow up with the Chippewas of Sarnia First Nation regarding our letter fax dated April 23, 2008. Dillon Consulting Ltd. (Dillon) has been retained by RES to conduct an environmental review for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie, as shown in the attachment. The wind farm is expected to be in excess of 100 MW in size.

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Stephen Cookson, ing.

Renewable Energy Systems Canada
1124 Marie-Ann Est, Suite 23
Montreal, Quebec, H2J 2B7, Canada
Tel/Fax: (514) 525-2113
www.res-americas.com

July 29, 2008

Kelly Riley
Chief
Chippewas of the Thames First Nation
RR#1
Muncey, ON N0L 1Y0

RE: Talbot Wind Farm

Dear Chief Riley:

Renewable Energy Systems Canada (RES) would like to follow up with the Chippewas of the Thames First Nation regarding our letter fax dated April 23, 2008. Dillon Consulting Ltd. (Dillon) has been retained by RES to conduct an environmental review for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie, as shown in the attachment. The wind farm is expected to be in excess of 100 MW in size.

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Stephen Cookson, ing.

RES
Renewable Energy Systems

Renewable Energy Systems Canada
1124 Marie-Ann Est, Suite 23
Montreal, Quebec, H2J 2B7, Canada
Tel/Fax: (514) 525-2113
www.res-americas.com

July 29, 2008

Tom Bressette
Chief
Chippewas of Kettle/Stony Point First Nation
53 Indian Lane RR#1
Forest, ON N0N 1J0

RE: Talbot Wind Farm

Dear Chief Bresette:

Renewable Energy Systems Canada (RES) would like to follow up with the Chippewas of Kettle/Stony Point First Nation regarding our letter fax dated April 23, 2008. Dillon Consulting Ltd. (Dillon) has been retained by RES to conduct an environmental review for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie, as shown in the attachment. The wind farm is expected to be in excess of 100 MW in size.

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Renewable Energy Systems Canada
1124 Marie-Ann Est, Suite 23
Montreal, Quebec, H2J 2B7, Canada
Tel/Fax: (514) 525-2113
www.res-americas.com

July 29, 2008

Gregory Peters
Chief
Delaware First Nation (Moravarian of the Thames)
14760 School House Line, RR33
Thamesville, ON N0P 2K0

RE: Talbot Wind Farm

Dear Chief Peters:

Renewable Energy Systems Canada (RES) would like to follow up with the Moravarian of the Thames First Nation regarding our letter fax dated April 23, 2008. Dillon Consulting Ltd. (Dillon) has been retained by RES to conduct an environmental review for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie, as shown in the attachment. The wind farm is expected to be in excess of 100 MW in size.

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Tel/Fax: (514) 525-2113
www.res-americas.com

July 29, 2008

Randall Phillips
Chief
Oneida First Nation
RR#2
Southgold, ON N0L 2G0

RE: Talbot Wind Farm

Dear Chief Phillips:

Renewable Energy Systems Canada (RES) would like to follow up with the Oneida First Nation regarding our letter fax dated April 23, 2008. Dillon Consulting Ltd. (Dillon) has been retained by RES to conduct an environmental review for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie, as shown in the attachment. The wind farm is expected to be in excess of 100 MW in size.

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Tel/Fax: (514) 525-2113
www.res-americas.com

July 29, 2008

William Montour
Chief
Six Nations of the Grand River Territory
PO Box 5000
Ohsweken, ON N0A 1M0

RE: Talbot Wind Farm

Dear Chief Montour:

Renewable Energy Systems Canada (RES) would like to follow up with the Six Nations First Nation regarding our letter fax dated April 23, 2008. Dillon Consulting Ltd. (Dillon) has been retained by RES to conduct an environmental review for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie, as shown in the attachment. The wind farm is expected to be in excess of 100 MW in size.

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Yours very truly,

Stephen Cookson, ing.

Renewable Energy Systems Canada
1124 Marie-Ann Est, Suite 23
Montreal, Quebec, H2J 2B7, Canada
Tel/Fax: (514) 525-2113
www.res-americas.com

July 29, 2008

Joseph Gilbert
Chief
Bkejwannong Territory (Walpole Island)
RR#3
Wallaceburg, ON N8A 4K9

RE: Talbot Wind Farm

Dear Chief Gilbert:

Renewable Energy Systems Canada (RES) would like to follow up with the Walpole Island First Nation regarding our letter fax dated April 23, 2008. Dillon Consulting Ltd. (Dillon) has been retained by RES to conduct an environmental review for a proposed wind farm in the Municipality of Chatham-Kent near the community of Ridgetown on the shore of Lake Erie, as shown in the attachment. The wind farm is expected to be in excess of 100 MW in size.

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Yours very truly,

Stephen Cookson, ing.

RES
Renewable Energy Systems

Renewable Energy Systems Canada
1124 Marie-Anne Est, Suite 23
Montreal, Quebec, H2J 2B7, Canada
Tel/Fax: (514) 525-2113
www.res-americas.com

October 29, 2008

Delaware First Nation (Moravarian of the Thames)
14760 School House Line, RR33
Thamesville, ON N0P 2K0

RE: Talbot Windfarm draft ERR review

Dear Chief Gregory Peters,

Over the past several years Renewable Energy Systems Canada Inc. (RES) has been working on the development of the Talbot Windfarm in the former Townships of Howard and Orford in the Municipality of Chatham-Kent. The project is to be located near the community of Ridgetown.

The proposed Talbot Windfarm is comprised of 69 General Electric wind turbines of 1.5 MW each, for a total installed capacity of 103.5MW. The turbines have been sited giving careful consideration to the natural and social environment in the study area. The project is being submitted under the current competitive tender process available for wind generation in Ontario.

We are writing to follow up with you on the Notice of Study Commencement we sent in July of 2007, as well as our letters of April 23 and July 29 of this year, in which we proposed direct meetings to discuss the project.

Enclosed is a notice stating that RES has issued a draft ERR, giving First Nations and others the opportunity to review and comment on the report. It is publicly available, but please let us know if you would like us to send you a copy. Comments received on the draft will be considered and the Final ERR will be prepared and released with the Notice of Completion. The final ERR will also be released for review and comment.

Sincerely,

Stephen Cookson
Development Manager, RES Canada

cc: Nicolas Muszynski, RES Canada
Don McKinnon, Dillon Consulting

Encl.

RES
Renewable Energy Systems

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Montreal, Quebec, H2J 2B7, Canada
Tel/Fax: (514) 525-2113
www.res-americas.com

October 29, 2008

Association of Iroquois and Allied Indians
387 Princess Avenue
London, ON N6B 2A7

RE: Talbot Windfarm draft ERR review

Dear Grand Chief Denise Stonefish,

Over the past several years Renewable Energy Systems Canada Inc. (RES) has been working on the development of the Talbot Windfarm in the former Townships of Howard and Orford in the Municipality of Chatham-Kent. The project is to be located near the community of Ridgetown.

The proposed Talbot Windfarm is comprised of 69 General Electric wind turbines of 1.5 MW each, for a total installed capacity of 103.5MW. The turbines have been sited giving careful consideration to the natural and social environment in the study area. The project is being submitted under the current competitive tender process available for wind generation in Ontario.

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Stephen Cookson
Development Manager, RES Canada

cc: Nicolas Muszynski, RES Canada
Don McKinnon, Dillon Consulting

Encl.

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October 29, 2008

Caldwell First Nations
PO Box 388 Stn Main
Leamington, ON N8H 3W3

RE: Talbot Windfarm draft ERR review

Dear Chief Louise Hillier,

Over the past several years Renewable Energy Systems Canada Inc. (RES) has been working on the development of the Talbot Windfarm in the former Townships of Howard and Orford in the Municipality of Chatham-Kent. The project is to be located near the community of Ridgetown.

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Sincerely,

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Development Manager, RES Canada

cc: Nicolas Muszynski, RES Canada
Don McKinnon, Dillon Consulting

Encl.

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Tel/Fax: (514) 525-2113
www.res-americas.com

October 29, 2008

Caldwell First Nations
10297 Talbot Trail, RR#2
Blenheim, ON N0P 1A0

RE: Talbot Windfarm draft ERR review

Dear Chief Larry Johnson,

Over the past several years Renewable Energy Systems Canada Inc. (RES) has been working on the development of the Talbot Windfarm in the former Townships of Howard and Orford in the Municipality of Chatham-Kent. The project is to be located near the community of Ridgetown.

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Development Manager, RES Canada

cc: Nicolas Muszynski, RES Canada
Don McKinnon, Dillon Consulting

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October 29, 2008

Chippewas of Kettle/Stony Point First Nation
53 Indian Lane RR#1
Forest, ON N0N 1J0

RE: Talbot Windfarm draft ERR review

Dear Chief Tom Bressette,

Over the past several years Renewable Energy Systems Canada Inc. (RES) has been working on the development of the Talbot Windfarm in the former Townships of Howard and Orford in the Municipality of Chatham-Kent. The project is to be located near the community of Ridgetown.

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Development Manager, RES Canada

cc: Nicolas Muszynski, RES Canada
Don McKinnon, Dillon Consulting

Encl.

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Tel/Fax: (514) 525-2113
www.res-americas.com

October 29, 2008

Chippewas of Sarnia First Nation
978 Tashmoo Avenue
Sarnia, ON N7T 7H5

RE: Talbot Windfarm draft ERR review

Dear Chief Chris Plain,

Over the past several years Renewable Energy Systems Canada Inc. (RES) has been working on the development of the Talbot Windfarm in the former Townships of Howard and Orford in the Municipality of Chatham-Kent. The project is to be located near the community of Ridgetown.

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cc: Nicolas Muszynski, RES Canada
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Encl.

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Tel/Fax: (514) 525-2113
www.res-americas.com

October 29, 2008

Chippewas of the Thames First Nation
RR#1
Muncey, ON N0L 1Y0

RE: Talbot Windfarm draft ERR review

Dear Chief Vaughn Albert Sr.,

Over the past several years Renewable Energy Systems Canada Inc. (RES) has been working on the development of the Talbot Windfarm in the former Townships of Howard and Orford in the Municipality of Chatham-Kent. The project is to be located near the community of Ridgetown.

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Sincerely,

Stephen Cookson
Development Manager, RES Canada

cc: Nicolas Muszynski, RES Canada
Don McKinnon, Dillon Consulting

Encl.

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Montreal, Quebec, H2J 2B7, Canada
Tel/Fax: (514) 525-2113
www.res-americas.com

October 29, 2008

Oneida First Nation
2212 Elm Avenue, RR #2
Southwold, ON N0L 2G0

RE: Talbot Windfarm draft ERR review

Dear Chief Randal Phillips,

Over the past several years Renewable Energy Systems Canada Inc. (RES) has been working on the development of the Talbot Windfarm in the former Townships of Howard and Orford in the Municipality of Chatham-Kent. The project is to be located near the community of Ridgetown.

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Sincerely,

Stephen Cookson
Development Manager, RES Canada

cc: Nicolas Muszynski, RES Canada
Don McKinnon, Dillon Consulting

Encl.

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www.res-americas.com

October 29, 2008

Munsee-Delaware Nation
RR#1
Muncey, ON N0L 1Y0

RE: Talbot Windfarm draft ERR review

Dear Chief Patrick Woddilove,

Over the past several years Renewable Energy Systems Canada Inc. (RES) has been working on the development of the Talbot Windfarm in the former Townships of Howard and Orford in the Municipality of Chatham-Kent. The project is to be located near the community of Ridgetown.

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Sincerely,

Stephen Cookson
Development Manager, RES Canada

cc: Nicolas Muszynski, RES Canada
Don McKinnon, Dillon Consulting

Encl.

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Montreal, Quebec, H2J 2B7, Canada
Tel/Fax: (514) 525-2113
www.res-americas.com

October 29, 2008

Six Nations of the Grand River Territory
PO Box 5000
Ohsweken, ON N0A 1M0

RE: Talbot Windfarm draft ERR review

Dear Chief William Montour,

As you are aware, over the past several years Renewable Energy Systems Canada Inc. (RES) has been working on the development of the Talbot Windfarm in the former Townships of Howard and Orford in the Municipality of Chatham-Kent. The project is to be located near the community of Ridgetown.

The proposed Talbot Windfarm is comprised of 69 General Electric wind turbines of 1.5 MW each, for a total installed capacity of 103.5MW. The turbines have been sited giving careful consideration to the natural and social environment in the study area. The project is being submitted under the current competitive tender process available for wind generation in Ontario.

We are writing to follow up with you on the Notice of Study Commencement we sent Six Nations in July of 2007, as well as our letters of April 23 and July 29 of this year, in which we proposed direct meetings to discuss the project. We were recently contacted by Kate Cave, the Land Use Supervisor for Six Nations Lands and Resources, and are in the process of organizing a meeting with her. We are encouraged at this first opportunity to engage your community.

In the interim, enclosed is a notice stating that RES has issued a draft ERR, giving First Nations and others the opportunity to review and comment on the report. It is publicly available, but please let us know if you would like us to send you a copy. Comments received on the draft will be considered and the Final ERR will be prepared and released with the Notice of Completion. The final ERR will also be released for review and comment.

We look forward to meeting with you to discuss the draft ERR and any other issues you may have regarding the project.

Sincerely,

Stephen Cookson
Development Manager, RES Canada

cc: Nicolas Muszynski, RES Canada
Don McKinnon, Dillon Consulting

Encl.

RES
Renewable Energy Systems

Renewable Energy Systems Canada
1124 Marie-Anne Est, Suite 23
Montreal, Quebec, H2J 2B7, Canada
Tel/Fax: (514) 525-2113
www.res-americas.com

October 29, 2008

Bkejwannong Territory (Walpole Island)
RR#3
Wallaceburg, ON N8A 4K9

RE: Talbot Windfarm draft ERR review

Dear Chief Joseph Gilbert,

Over the past several years Renewable Energy Systems Canada Inc. (RES) has been working on the development of the Talbot Windfarm in the former Townships of Howard and Orford in the Municipality of Chatham-Kent. The project is to be located near the community of Ridgetown.

The proposed Talbot Windfarm is comprised of 69 General Electric wind turbines of 1.5 MW each, for a total installed capacity of 103.5MW. The turbines have been sited giving careful consideration to the natural and social environment in the study area. The project is being submitted under the current competitive tender process available for wind generation in Ontario.

We are writing to follow up with you on the Notice of Study Commencement we sent in July of 2007, as well as our letters of April 23 and July 29 of this year, in which we proposed direct meetings to discuss the project. Although we have been in touch with Dr. Dean Jacobs on several occasions, we have not yet been afforded the opportunity to meet with your community directly. We would welcome this opportunity and I have recently contacted Dr. Jacobs to reiterate this offer.

Enclosed is a notice stating that RES has issued a draft ERR, giving First Nations and others the opportunity to review and comment on the report. It is publicly available, but please let us know if you would like us to send you a copy. Comments received on the draft will be considered and the Final ERR will be prepared and released with the Notice of Completion. The final ERR will also be released for review and comment.

Sincerely,

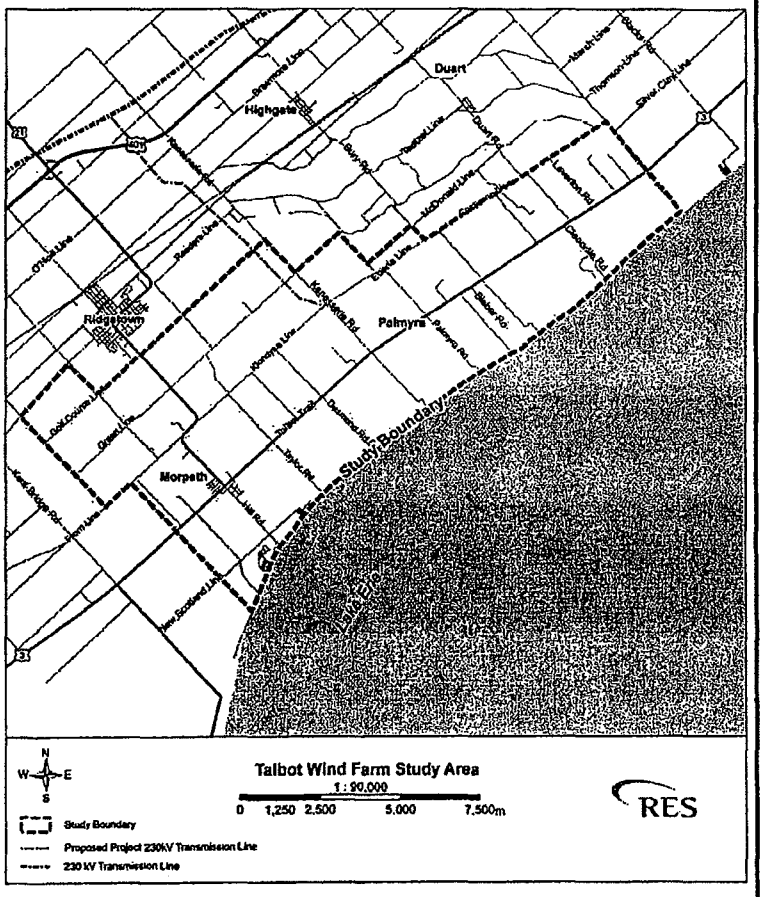
Stephen Cookson
Development Manager, RES Canada

cc: Nicolas Muszynski, RES Canada
Don McKinnon, Dillon Consulting

Encl.

Notice of Draft Environmental Review Report Availability & Public Information Centre Talbot Wind Farm

Renewable Energy Systems Canada, Inc. (RES) is proposing to develop the Talbot Wind Farm to generate electricity in the Municipality of Chatham-Kent, near the community of Ridgetown (see map). The proposal consists of 69 wind turbines generating 103.5 MW of electricity.



RES has completed the environmental screening and review for the proposed Talbot Wind Farm under the requirements of the MOE *"Guide to Environmental Assessment Requirements for Electricity Projects"* (March 2001). An Environmental Review Report (ERR) has been prepared and RES has chosen to release the draft ERR for public review and comment prior to the issuing of the Notice of Completion and Final ERR.

The draft ERR is now available for a 30-day review until November 12, 2008 and can be viewed at the Ridgetown Public Library and the offices of the Municipality of Chatham Kent located in Chatham.

PUBLIC INFORMATION CENTRE

RES invites you to attend our third public information centre to review displays on the proposed project, including the turbine locations and transmission line route and the results of the environmental review. Representatives of RES and the consulting team will be present to answer questions. The event is being held at:

Ridgetown Youth Centre
26 Ebenezer Street West
Ridgetown, Ontario
Tuesday, November 4th, 2008
4:00pm to 8:00pm

For more information or to have your name added to the project mailing list please contact:

Nicolas Muszynski
Project Developer
Renewable Energy Systems Canada, Inc.
1124 rue Marie-Anne Est, Suite 23
Montreal, QC H2J 2B7
Email: nicolas.muszynski@res-americas.com
Tel: 514-525-2113

Don McKinnon
Project Manager
Dillon Consulting Limited
235 Yorkland Blvd. Suite 800
Toronto, ON M2J 4Y8
Email: dpmckinnon@dillon.ca
Tel: 1-877-934-5566

Renewable Energy Systems Canada
300 Léo Pariseau, Suite 2516
Montreal, Quebec, H2X 4B3, Canada
Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

May 1, 2009

Bkejwannong Territory (Walpole Island First Nation)
RR#3
Wallaceburg, ON
N8A 4K9

Dear Chief Joseph Gilbert,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown (please see attached map). As detailed in our introductory letter to you of July 6, 2007, the Project is a Category "B" project under the Ontario Ministry of the Environment's *Guide to Environmental Assessment Requirements for Electricity Projects* (March, 2001).

Since that time, RES has been conducting an Environmental Review of the Project as required by the *Ontario Environmental Assessment Act* and the requirements of Regulation 116/01 (Electricity Projects). While the Project is required to follow an Environmental Screening process, RES has opted for the more extensive Environmental Review process. RES's letter to you of October 29, 2008 set out the process for completion of the Environmental Review Report ("ERR"). As you know, a draft of the ERR was made available at that time for public review on the Project website (www.talbotwindfarm.com) and in hard copy at the Municipality of Chatham-Kent's Planning Department and at Chatham's Public Library.

In parallel with the environmental assessment, RES has, since the summer of 2007, been pursuing consultation efforts with potentially affected First Nations and Aboriginal communities with a view to gaining a better understanding of their possible interests and concerns with regard to the Project. Our follow-up letters to you of April 23, 2008 and July 29, 2008 offered direct meetings with your First Nation to these ends.

The Environmental Review has identified that no significant environmental effects, including social and natural environment effects, would result from the Project. RES is now issuing the attached Notice of Completion of Environmental Review Report ("NoC"). Issuance of the NoC will commence the mandated 30 day public and agency review period. During this period, you may submit comments on the ERR. RES would be pleased to offer capacity funding to your First Nation to facilitate this review of the ERR. If such funding is of interest to your First Nation, please contact me at stephen.cookson@res-americas.com or (514) 525-2113 x226.

After this 30-day period, RES will be in a position to submit to the Ministry of the Environment a Statement of Completion which will mark the end of the environmental assessment process for the Project. The next stage in the Project approval process will require RES to obtain Ministry of the Environment and Ontario Energy Board approvals for the construction and operation of the facility and associated transmission lines.

Renewable Energy Systems Canada
300 Léo Pariseau, Suite 2516
Montreal, Quebec, H2X 4B3, Canada
Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

RES will continue to pursue its consultation efforts with potentially affected Aboriginal communities throughout this regulatory process. RES will also comply with the Aboriginal Consultation Agreement recently signed with the Crown with regard to this Project.

RES Canada will also be undertaking Stage 2 Archaeological investigations for the Project. At this time it is expected that these field investigations will be conducted in mid to late May 2009. If a representative of your First Nation would be interested in accompanying the field crew during these investigations, then please contact Mr. Brent Bullough of Dillon Consulting (416-229-4646) to arrange for this. RES would be pleased to offer capacity funding to facilitate this participation. If such funding is of interest to your First Nation, please contact me at stephen.cookson@res-americas.com or (514) 525-2113 x226.

Best regards,

Stephen Cookson
Development Manager – RES Canada

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Fax: (514) 524-9669
www.res-americas.com

May 1, 2009

Caldwell First Nation
10297 Talbot Trail, RR#2
Blenheim. ON
NOP 1AO

Dear Chief Louise Hillier,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown (please see attached map). As detailed in our introductory letter to you of July 6, 2007, the Project is a Category "B" project under the Ontario Ministry of the Environment's *Guide to Environmental Assessment Requirements for Electricity Projects* (March, 2001).

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Development Manager – RES Canada

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May 1, 2009

Moravian of the Thames First Nation (Delaware First Nation)
14760 School House Line, RR33
Thamesville, ON
NOP 2K0

Dear Chief Gregory Peters,

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RES Canada will also be undertaking Stage 2 Archaeological investigations for the Project. At this time it is expected that these field investigations will be conducted in mid to late May 2009. If a representative of your First Nation would be interested in accompanying the field crew during these investigations, then please contact Mr. Brent Bullough of Dillon Consulting (416-229-4646) to arrange for this. RES would be pleased to offer capacity funding to facilitate this participation. If such funding is of interest to your First Nation, please contact me at stephen.cookson@res-americas.com or (514) 525-2113 x226.

Best regards,

Stephen Cookson
Development Manager – RES Canada

Renewable Energy Systems Canada
300 Léo Pariseau, Suite 2516
Montreal, Quebec, H2X 4B3, Canada
Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

May 1, 2009

Six Nations of the Grand River
PO Box 5000
Ohsweken, ON
NOA 1MO

Dear Chief William Montour,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown (please see attached map). As detailed in our introductory letter to you of July 6, 2007, the Project is a Category "B" project under the Ontario Ministry of the Environment's *Guide to Environmental Assessment Requirements for Electricity Projects* (March, 2001).

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After this 30-day period, RES will be in a position to submit to the Ministry of the Environment a Statement of Completion which will mark the end of the environmental assessment process for the Project. The next stage in the Project approval process will require RES to obtain Ministry of the Environment and Ontario Energy Board approvals for the construction and operation of the facility and associated transmission lines.

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May 1, 2009

Association of Iroquois and Allied Indians
387 Princess Avenue
London, ON
N6B 2A7

Dear Grand Chief Randall Phillips,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown (please see attached map). As detailed in our introductory letter to you of July 6, 2007, the Project is a Category "B" project under the Ontario Ministry of the Environment's *Guide to Environmental Assessment Requirements for Electricity Projects* (March, 2001).

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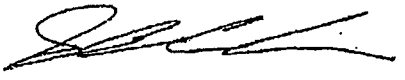
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RES will continue to pursue its consultation efforts with potentially affected Aboriginal communities throughout this regulatory process. RES will also comply with the Aboriginal Consultation Agreement recently signed with the Crown with regard to this Project.

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Best regards,



Stephen Cookson
Development Manager – RES Canada

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May 1, 2009

Chippewas of Kettle & Stony Point First Nation
53 Indian Lane RR#l
Forest, ON
NON 1JO

Dear Chief Elizabeth J. Cloud,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown (please see attached map). As detailed in our introductory letter to you of July 6, 2007, the Project is a Category "B" project under the Ontario Ministry of the Environment's *Guide to Environmental Assessment Requirements for Electricity Projects* (March, 2001).

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May 1, 2009

Munsee-Delaware Nation
RR#1
Muncey, ON
NOL 1YO

Dear Acting Chief Cyril Snake,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown (please see attached map). As detailed in our introductory letter to you of July 6, 2007, the Project is a Category "B" project under the Ontario Ministry of the Environment's *Guide to Environmental Assessment Requirements for Electricity Projects* (March, 2001).

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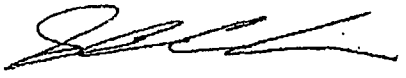
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Best regards,



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Development Manager – RES Canada

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May 1, 2009

Oneida First Nation
22 12 Elm Avenue, RR#2
Southwold. ON
NOL 2G0

Dear Chief Joel Abram,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown (please see attached map). As detailed in our introductory letter to you of July 6, 2007, the Project is a Category "B" project under the Ontario Ministry of the Environment's *Guide to Environmental Assessment Requirements for Electricity Projects* (March, 2001).

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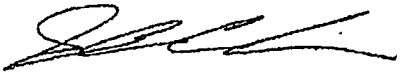
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Best regards,



Stephen Cookson
Development Manager – RES Canada

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Fax: (514) 524-9669
www.res-americas.com

May 1, 2009

Chippewas of Sarnia First Nation
978 Tashmoo Avenue
Samia ON
N7T 7H5

Dear Chief Chris Plain,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown (please see attached map). As detailed in our introductory letter to you of July 6, 2007, the Project is a Category "B" project under the Ontario Ministry of the Environment's *Guide to Environmental Assessment Requirements for Electricity Projects* (March, 2001).

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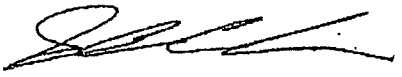
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May 1, 2009

Chippewas of the Thames First Nation
RR#1
Muncey, ON
NOL 1YO

Dear Chief Vaughan Albert Sr.,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown (please see attached map). As detailed in our introductory letter to you of July 6, 2007, the Project is a Category "B" project under the Ontario Ministry of the Environment's *Guide to Environmental Assessment Requirements for Electricity Projects* (March, 2001).

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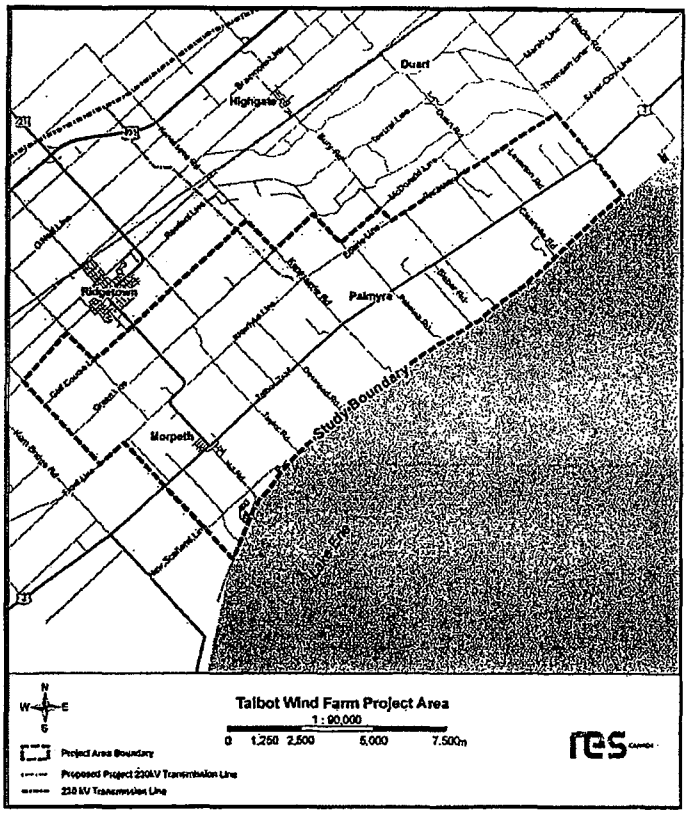
Stephen Cookson
Development Manager – RES Canada

Notice of Completion of an Environmental Review Report: Talbot Wind Farm

Renewable Energy Systems Canada, Inc. (RES) is the proponent for the 43 turbine (98.9 MW) Talbot Wind Farm (the Project) which will generate electricity in the Municipality of Chatham-Kent, near the community of Ridgetown (see map).

The Project is subject to the Environmental Screening process (Category B) under the Ontario Ministry of the Environment's "*Guide to Environmental Assessment Requirements for Electricity Projects*" (March 2001). A Notice of Commencement for the environmental screening study was issued on July 6, 2007. To ensure that environmental issues were fully considered, RES voluntarily self-elevated the Project from an Environmental Screening to a more detailed Environmental Review.

This is notice to the public and key stakeholders that RES has completed the environmental review of the Project and has determined that there are no significant environmental impacts (including the natural and social environment) associated with the Project. The Environmental Review Report and supporting documents will be available for review on the Project website (**www.talbotwindfarm.com**) beginning May 1, 2009 and subsequently at the following locations:



Municipality of Chatham-Kent, Planning Department
315 King Street West, Chatham, ON N7M 5K8

Chatham Public Library – Ridgetown Branch
54 Main Street, Ridgetown, ON N0P 2C0

This notice triggers a minimum 30 day review period during which an interested party may submit comments on the ERR. If after reviewing the ERR and supporting documents, an interested party has a significant outstanding environmental concerns about the Project, that party should raise its concerns with RES as soon as possible. If RES and the concerned party are unable to resolve the matter, the concerned party can make a written request to the Director of the Environmental Assessment and Approvals Branch of the Ministry of the Environment to elevate the Project to an individual Environmental Assessment under the *Environmental Assessment Act*. Elevation requests must be made in accordance with the provisions set out in the Ministry of the Environment's Environmental Screening Process for electricity projects. Elevation requests must be received by the Director, Environmental Assessment and Approvals Branch, Ministry of the Environment, 12A Floor, 2 St. Clair Avenue West, Toronto, Ontario, M4V 1P5, **by June 1, 2009**, with copies to RES and its environmental consultant as identified below.

Nicolas Muszynski
Project Developer
Renewable Energy Systems Canada, Inc.
300 Léo-Pariseau
Montreal, QC H2X 4B3
Email: nicolas.muszynski@res-americas.com
Tel: 514-525-2113 ext. 223

Bruce McAllister
Associate
Dillon Consulting Limited
202 King Street West, Suite 300
Chatham, ON N7M 1E5
Email: bmcallister@dillon.ca
Tel: 519-354-7802 ext. 3314

Information will be collected and used in accordance with the *Freedom of Information and Privacy Act*, and solely for the purpose of assisting RES in meeting environmental assessment and local planning 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.

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May 29, 2009

Caldwell First Nation
P.O. Box 388
Leamington, ON N8H 3W3

Dear Chief Louise Hillier,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown and has been conducting an Environmental Review of the Project as required by the *Ontario Environmental Assessment Act* and the requirements of Regulation 116/01 (Electricity Projects).

In parallel with the environmental assessment, RES has, since the summer of 2007, been pursuing consultation efforts with potentially affected First Nations and Aboriginal communities with a view to gaining a better understanding of their possible interests and concerns with regard to the Project. In this regard, we would like to invite you to attend a Public Information Centre (PIC) at the Ridgetown Youth Centre in Ridgetown, Ontario on June 3, 2009 from 4:00 pm to 8:00 pm (please see attached notice). We will be presenting the final proposed layout for the Project at this PIC.

Please contact me at Stephen.cookson@res-americas.com or (514) 525-2113 x226 if you have any questions about this event.

Best regards,

Stephen Cookson, ing.
Development Manager – RES Canada

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Fax: (514) 524-9669
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May 29, 2009

Walpole Island Heritage Centre
R.R. #3
Wallaceburg, ON N8A 4K9

Dear Dr. Dean Jacobs,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown and has been conducting an Environmental Review of the Project as required by the *Ontario Environmental Assessment Act* and the requirements of Regulation 116/01 (Electricity Projects).

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May 29, 2009

Director of Operations
Delaware First Nation
R.R. #3
Thamesville, ON N0P 2K0

Dear Denise Stonefish,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown and has been conducting an Environmental Review of the Project as required by the *Ontario Environmental Assessment Act* and the requirements of Regulation 116/01 (Electricity Projects).

In parallel with the environmental assessment, RES has, since the summer of 2007, been pursuing consultation efforts with potentially affected First Nations and Aboriginal communities with a view to gaining a better understanding of their possible interests and concerns with regard to the Project. In this regard, we would like to invite you to attend a Public Information Centre (PIC) at the Ridgetown Youth Centre in Ridgetown, Ontario on June 3, 2009 from 4:00 pm to 8:00 pm (please see attached notice). We will be presenting the final proposed layout for the Project at this PIC.

Please contact me at Stephen.cookson@res-americas.com or (514) 525-2113 x226 if you have any questions about this event.

Best regards,

Stephen Cookson, ing.
Development Manager – RES Canada

Renewable Energy Systems Canada
300 Léo Pariseau, Suite 2516
Montreal, Quebec, H2X 4B3, Canada
Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

May 29, 2009

Association of Iroquois and Allied Indians
387 Princess Avenue
London, ON N6B 2A7

Dear Grand Chief Randall Phillips,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown and has been conducting an Environmental Review of the Project as required by the *Ontario Environmental Assessment Act* and the requirements of Regulation 116/01 (Electricity Projects).

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www.res-americas.com

May 29, 2009

Chippewas of Kettle & Stony Point First Nation
53 Indian Lane, R.R. #2
Forest, ON N0N 1J0

Dear Chief Elizabeth J. Cloud,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown and has been conducting an Environmental Review of the Project as required by the *Ontario Environmental Assessment Act* and the requirements of Regulation 116/01 (Electricity Projects).

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www.res-americas.com

May 29, 2009

Moravian of the Thames First Nation (Delaware First Nation)
14760 School House Line, R.R. #3
Thamesville, ON NOP 2K0

Dear Chief Gregory Peters,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown and has been conducting an Environmental Review of the Project as required by the *Ontario Environmental Assessment Act* and the requirements of Regulation 116/01 (Electricity Projects).

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Best regards,

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Development Manager – RES Canada

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Fax: (514) 524-9669
www.res-americas.com

May 29, 2009

Munsee-Delaware Nation
RR#1
Muncey, ON N0L 1Y0

Dear Chief Patrick Waddilove,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown and has been conducting an Environmental Review of the Project as required by the *Ontario Environmental Assessment Act* and the requirements of Regulation 116/01 (Electricity Projects).

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Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

May 29, 2009

Oneida First Nation
2212 Elm Avenue, RR#2
Southwold, ON NOL 2G0

Dear Chief Joel Abram,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown and has been conducting an Environmental Review of the Project as required by the *Ontario Environmental Assessment Act* and the requirements of Regulation 116/01 (Electricity Projects).

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Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

May 29, 2009

Chippewas of Sarnia First Nation
978 Tashmoo Avenue
Sarnia, ON N7T 7H5

Dear Chief Chris Plain,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown and has been conducting an Environmental Review of the Project as required by the *Ontario Environmental Assessment Act* and the requirements of Regulation 116/01 (Electricity Projects).

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Stephen Cookson, ing.
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Montreal, Quebec, H2X 4B3, Canada
Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

May 29, 2009

Six Nations of the Grand River
P.O. Box 5000
Ohsweken, ON N0A 1M0

Dear Chief William Montour,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown and has been conducting an Environmental Review of the Project as required by the *Ontario Environmental Assessment Act* and the requirements of Regulation 116/01 (Electricity Projects).

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May 29, 2009

Chippewas of the Thames First Nation
R.R. #1
Muncey, ON NOL 1YO

Dear Chief Vaughan Albert Sr.,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown and has been conducting an Environmental Review of the Project as required by the *Ontario Environmental Assessment Act* and the requirements of Regulation 116/01 (Electricity Projects).

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Montreal, Quebec, H2X 4B3, Canada
Tel: (514) 525-2113
Fax: (514) 524-9669
www.res-americas.com

May 29, 2009

Bkejwanong Territory (Walpole Island First Nation)
R.R. #3
Wallaceburg, ON N8A 4K9

Dear Chief Joseph Gilbert,

As you know, Renewable Energy Systems Canada, Inc. ("RES") is the proponent for the Talbot Wind Farm ("Project") in the Municipality of Chatham-Kent, near the community of Ridgetown and has been conducting an Environmental Review of the Project as required by the *Ontario Environmental Assessment Act* and the requirements of Regulation 116/01 (Electricity Projects).

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Best regards,

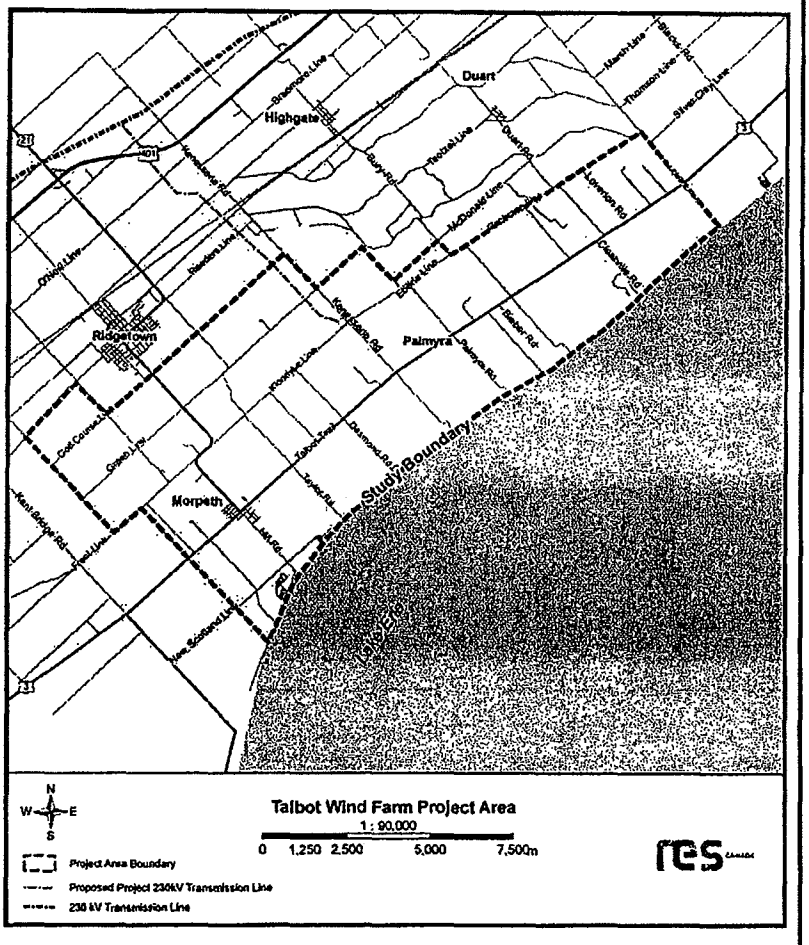
Stephen Cookson, ing.
Development Manager – RES Canada

Notice of Public Information Centre
Talbot Wind Farm

Renewable Energy Systems Canada, Inc. (RES) is the proponent for the 43 turbine (98.9 MW) Talbot Wind Farm (the Project) which will generate electricity in the Municipality of Chatham-Kent, near the community of Ridgetown (see map).

The Project is subject to the Environmental Screening process (Category B) under the Ontario Ministry of the Environment's "*Guide to Environmental Assessment Requirements for Electricity Projects*" (March 2001). A Notice of Commencement for the environmental screening study was issued on July 6, 2007. To ensure that environmental issues were fully considered, RES voluntarily self-elevated the Project from an Environmental Screening to a more detailed Environmental Review. RES has completed the Environmental Review and issued a Notice of Completion on May 1, 2009 indicating that the report is available for review.

This is notice to the public and key stakeholders that RES will hold a Pubic Information Centre (PIC) on June 3, 2009 to present the final wind farm layout and for permitting.



PUBLIC INFORMATION CENTRE

RES invites you to attend our PIC to review displays on the proposed project, including the final turbine locations and results of the Environmental Review. Representatives of RES and the consulting team will be present to answer questions. The event is being held at:

Ridgetown Youth Centre
26 Ebenezer Street West
Ridgetown, Ontario
Wednesday, June 3rd, 2009
4:00pm to 8:00pm

For more information or to have your name added to the project mailing list please contact:

Nicolas Muszynski
Project Developer
Renewable Energy Systems Canada, Inc.
300 Léo-Pariseau
Montreal, QC H2X 4B3
Email: nicolas.muszynski@res-americas.com
Tel: 514-525-2113 ext. 223

Bruce McAllister
Associate
Dillon Consulting Limited
202 King Street West, Suite 300
Chatham, ON N7M 1E5
Email: bmcallister@dillon.ca
Tel: 519-354-7802 ext. 3314

Schedule 12–27 – Documentation Received by RES Canada from Walpole at May 22, 2009 Meeting

Overview
History of
Walpole Island First Nation

Presented by Dr. Dean M. Jacobs

September 2008

WALPOLE ISLAND HERITAGE CENTRE
NIN.DA.WAAB.JIG

www.bkejwanong.com

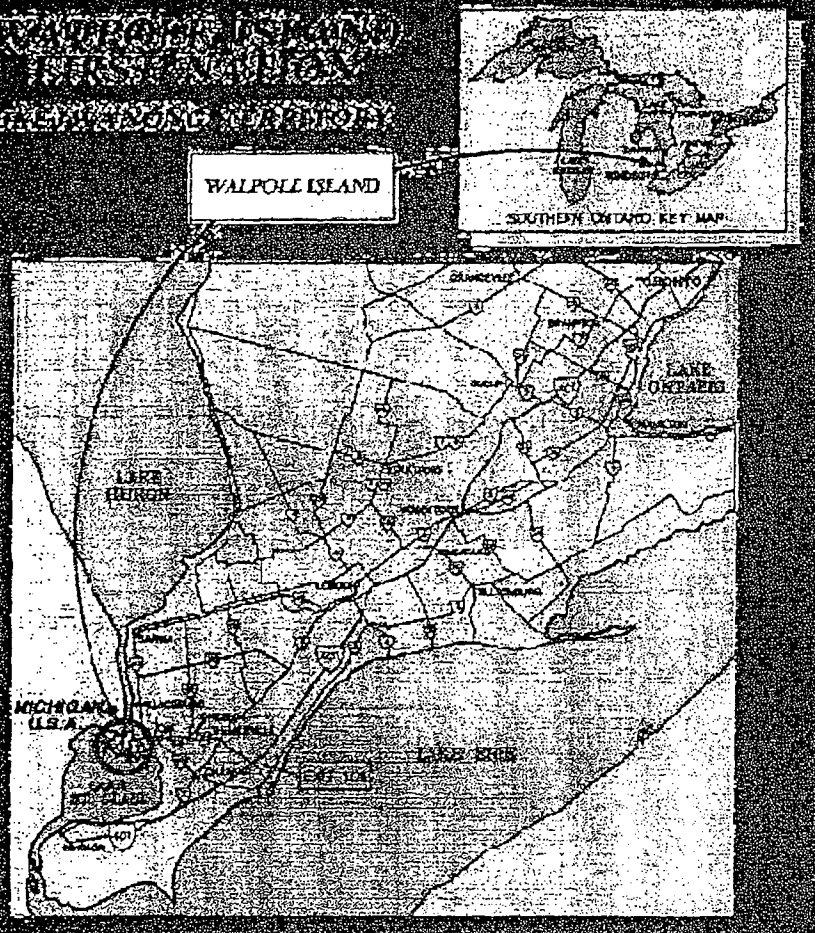
Introduction

Walpole Island and the surrounding region is called Bkejwanong or *"Where the Waters Divide"*

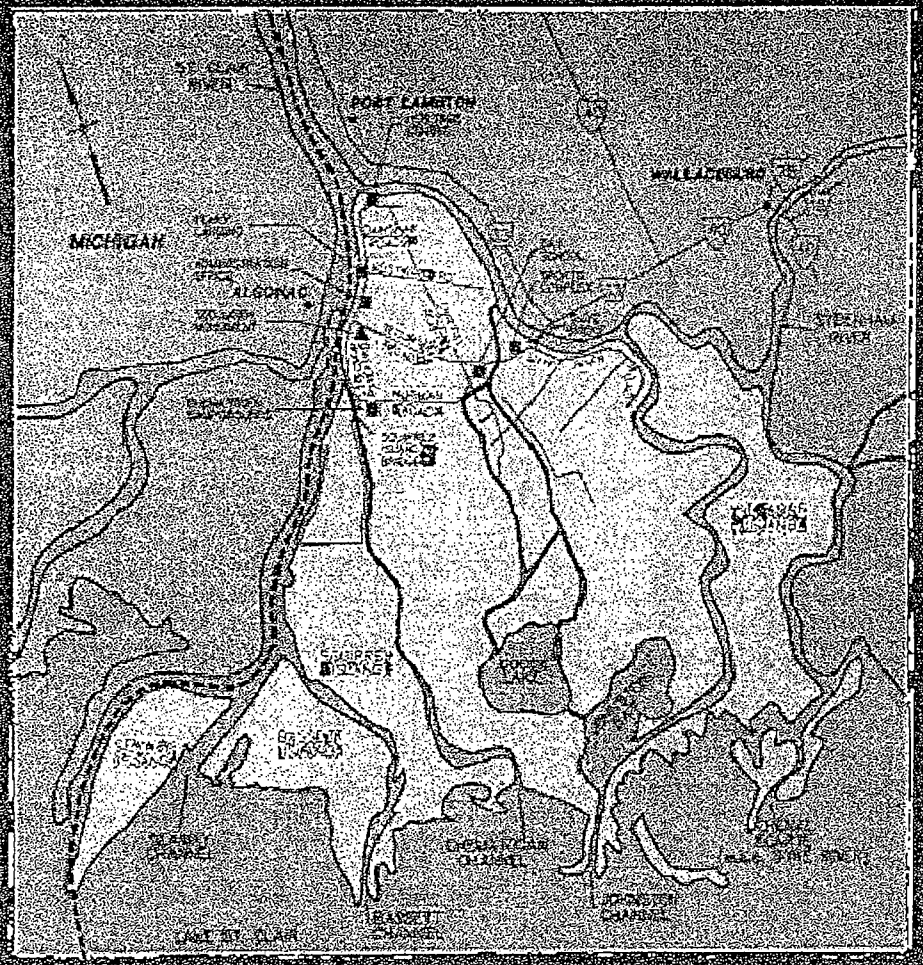
Bkejwanong is the traditional territory of the Walpole Island First Nation.

The people are descendants from members of the Ottawa, Ojibwa, and Potawatomi nations.

The three nations are joined politically in the Council of Three Fires.



Walpole Island First Nation is nestled between Ontario and Michigan at the mouth of the St. Clair River. Occupied by Aboriginal people for thousands of years, it is today home to 4,000 Ojibwa, Potawatomi and Ottawa. Having a common heritage, we formed the Three Fires Confederacy – a political and cultural compact that has survived the test of time.



Walpole Island is blessed with a unique ecosystem including 6,900 hectares of the richest and most divers wetlands in the entire Great Lakes region. The reserve consists of five (5) principle islands with Walpole being the most prominent.

1763

The Royal Proclamation



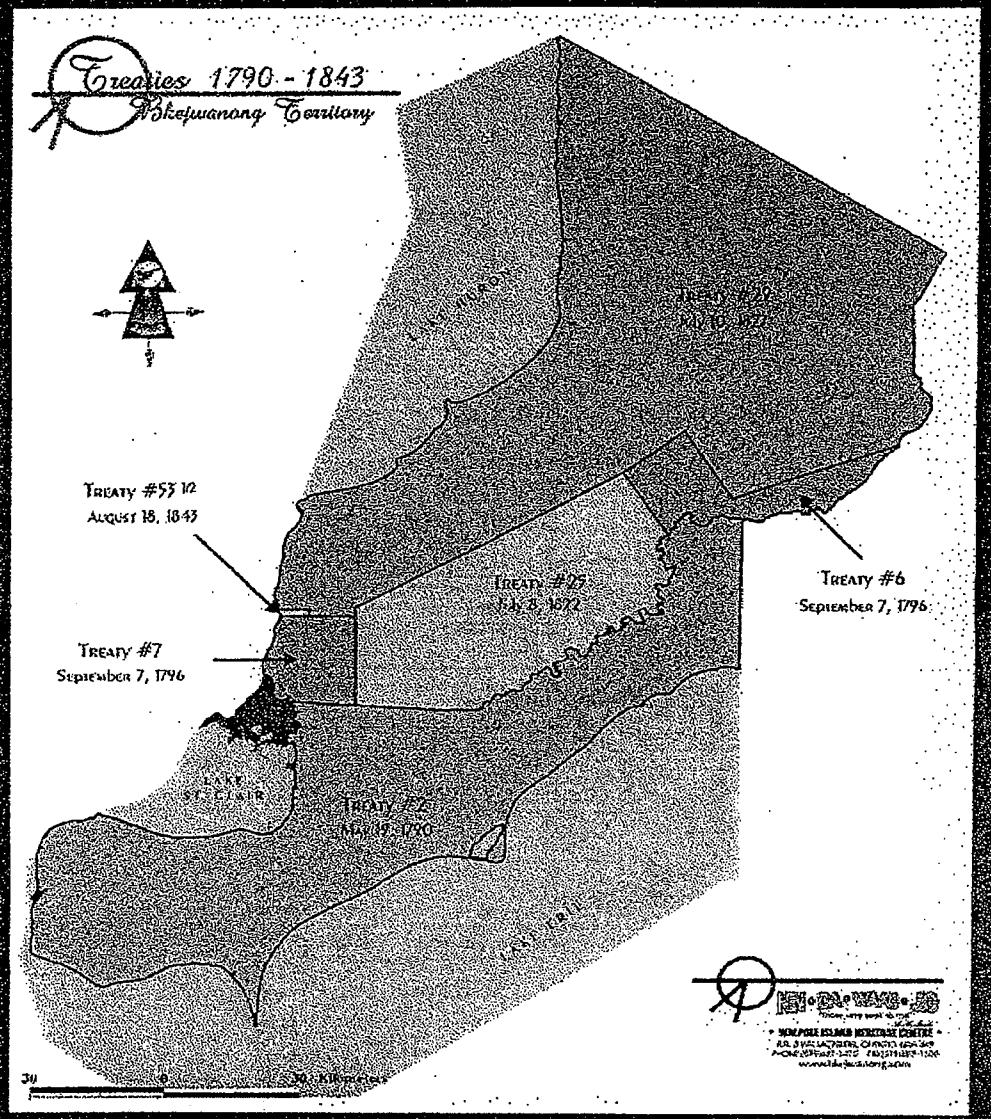
Eastern British North America after the Proclamation of 1763

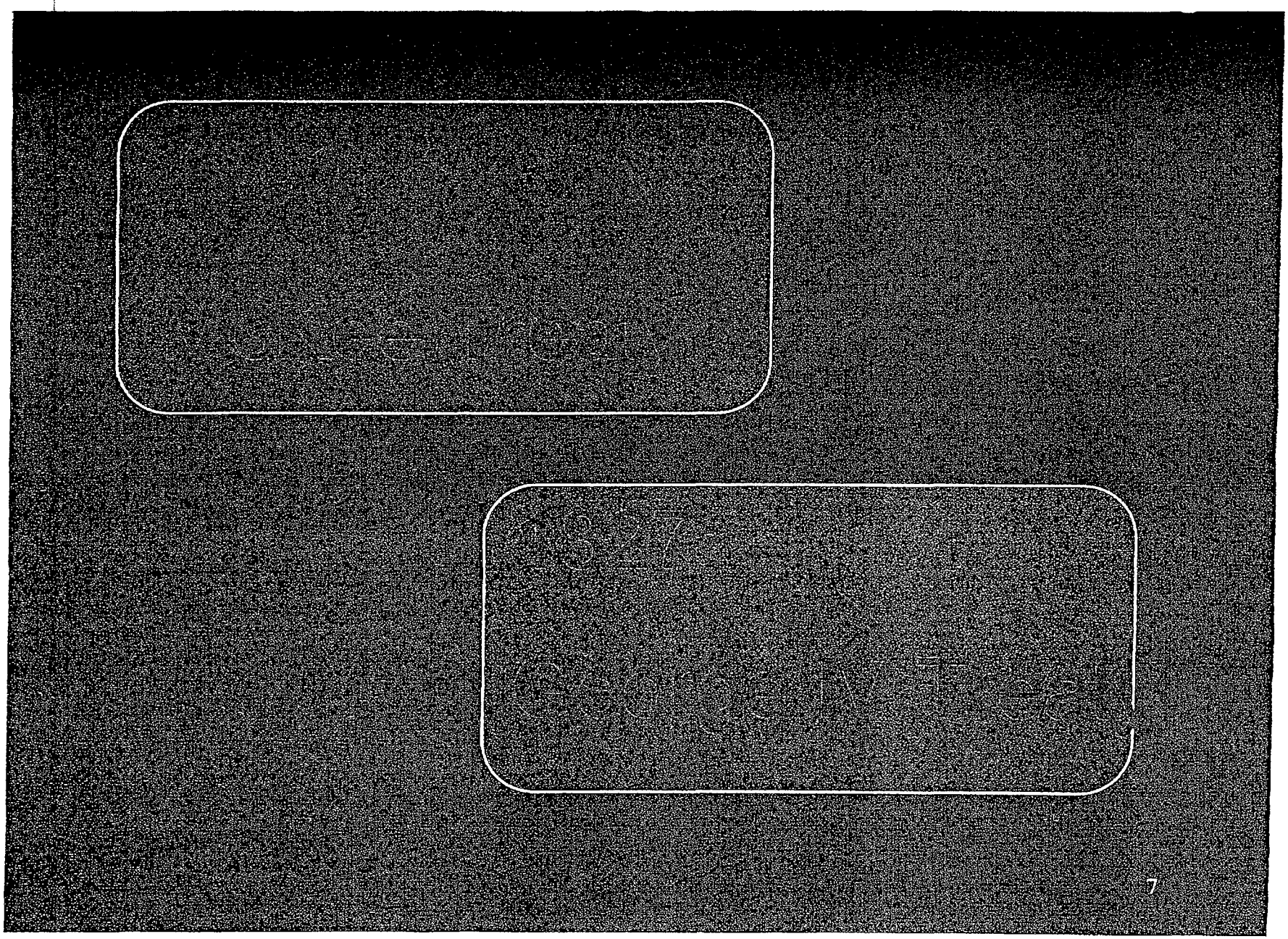
1790 – 1843

Treaties

Bkejwanong

Territory

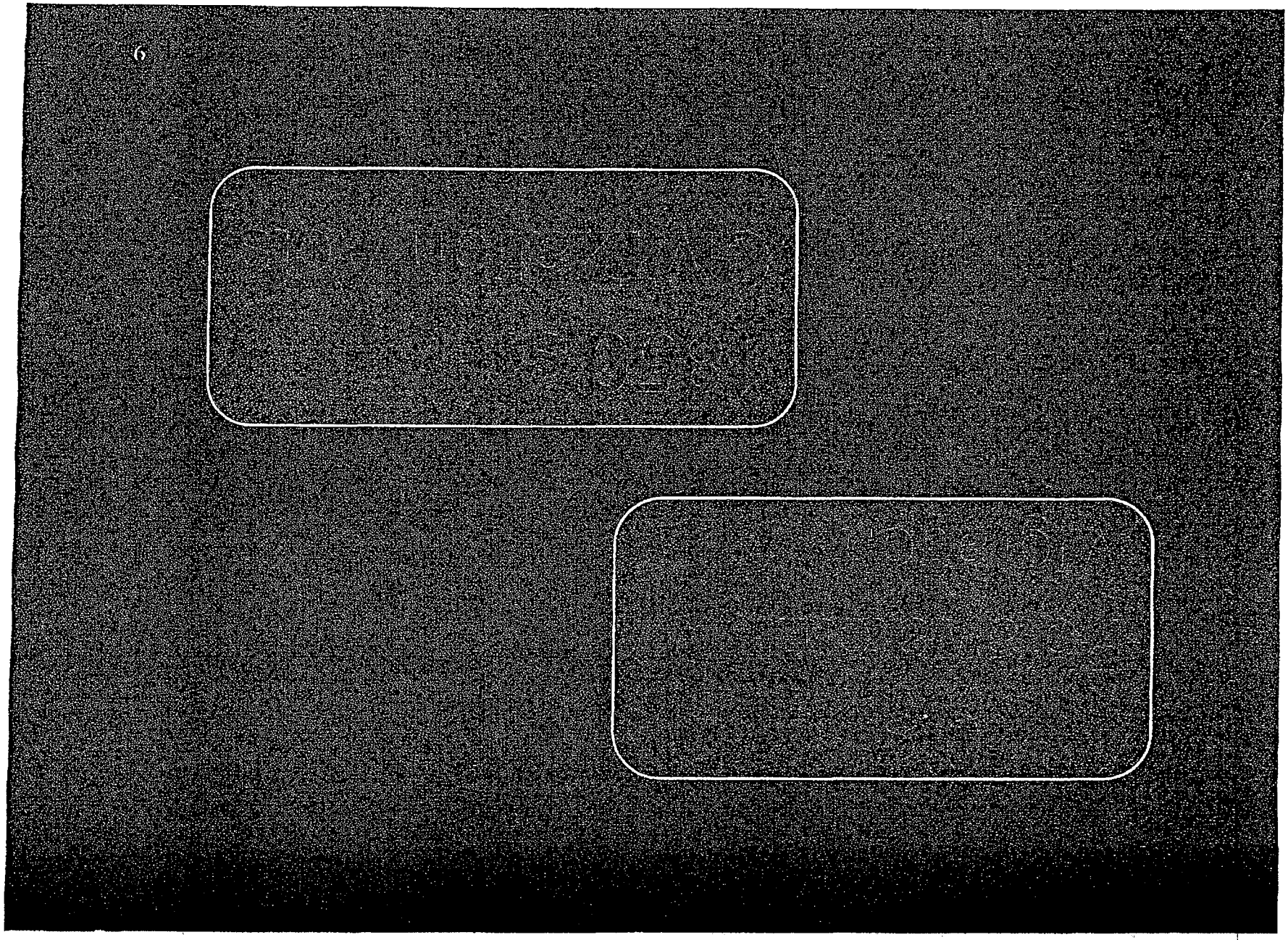




1828: Indian Affairs transferred from Military to Civil control

1830's: Reservation Policy

1838: Resident Indian Agent



1857 — An Act to Encourage the Gradual Civilization of the Indian Tribes.

1869 — An Act for the Gradual Enfranchisement of Indians.

1886 — The Indian Advancement Act.

1880

Every Indian who engages in celebrating the Indian festival known as the "Potlatch" or in the Indian dance known as the "Tamanawas" is guilty of a misdemeanor, and shall be liable to imprisonment; and any Indian who encourages an Indian to set up such a festival or dance is guilty of a like offence.

An Act for Conferring Certain Privileges on the More Advanced Bands of the Indians of Canada, with the View of Training Them for the Exercise of Municipal Powers.

The expression "Indian" shall extend to any male or female who follows the Indian mode of life.

The term or the expression "person" means an individual other than an Indian.

1906

Any Indian who has five years continuously resided in a foreign country without the consent of the Superintendent General shall cease to be a member of the Band.

Any Indian woman who marries any person other than an Indian shall cease to be an Indian.

Any Indian … who participates in any show, exhibition, performance, stampede or pageant in aboriginal costume without the consent of the Superintendent General shall on summary conviction be liable to a penalty or to imprisonment.

Every Indian who engages in celebrating any Indian festival, dance or other ceremony … is guilty of an offence and is liable on summary to conviction to imprisonment.

Every person who, without the consent of the Superintendent General expressed in writing, receives, from any Indian any payment for the prosecution of any claim which the band has shall be guilty of an offence and liable upon summary conviction to a penalty not exceeding two hundred dollars and not less than fifty dollars or to imprisonment for any term not exceeding two months.

Independent Business
Entrepreneur
Innovative Idea
Engaged Team
Investment Capital
Dedicated Customers

47

1991:
Statement of
Political Relations

1993:
Liberal Red Book



"We didn't inherit the Earth
from our parents.
We're borrowing it
from our children."

Chief Seattle

Their Future is in your Hands



You can help

By becoming a member of the Walpole Island Land Trust you can take a direct role in protecting our community's natural heritage. Your membership fee or donations will help the Trust to establish a solid financial base. Charitable receipts will be issued for all donations.

The Trust is looking to build our volunteer base. We need people willing to join in and donate their time, energy, and talent to help achieve our goals. Volunteers are needed to assist with communications, stewardship education & outreach, fund raising, memberships, and in other capacities. If you wish to serve as a volunteer, please contact us - we look forward to having you as part of our team.

- Become a member
- Protect your land
- Be on a committee
- Tell your friends
- Make a donation

Want to know more

We can answer your questions and help you discover how you can help preserve, protect and enhance our natural heritage and create a better & healthier environment for all.

Walpole Island Land Trust
[illegible]
[illegible]
www.WalpoleIslandLandTrust.com

Production of this pamphlet was made possible by the generous support of the Ontario Trillium Foundation

To Get the Full Picture

Read inside about the . . .

Walpole Island Land Trust

Protecting the lands and waters of Bkejwanong territory

A rich and diverse legacy

Walpole Island First Nation, Bkejwanong Territory is home to some of the most biologically diverse natural habitats remaining in the country. Some of these habitats are deemed as globally imperilled.

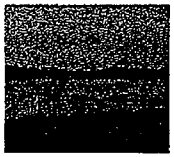


Tallgrass Prairie | Oak Savanna | Carolinian Forest | Wetlands | Coastal Waters

These diverse habitats are an integral component to the life-cycles of many forms of life - from common wildlife species; to nationally endangered species; to the humans that have relied on these habitats for many generations.



The challenge



The quality of life of our children, and future generations is dependent upon a healthy environment. It is our collective responsibility to ensure that we leave our lands and waters better and healthier for the generations to come.

Unfortunately, our environment and landscape are under pressure from numerous threats and impacts. Urban development, invasive species, pollution, and the lack of connectedness to the land threatens our people's future & culture.



The opportunities

The Walpole Island Land Trust was formally established in August 2008 as a registered charitable organization. Its members are Native people from Walpole Island who share a concern for the endangered habitats and threatened species that live within Bkejwanong territory.

The intent of creating the Land Trust is to build opportunities with local landholders and to help us tap into additional resources needed to conserve and maintain the treasured natural resources of Bkejwanong territory and enhance the quality of the human and natural environment.



What is a land trust

Land Trusts are community-based non-profit, charitable organizations, that secure lands and waters for the benefit of current and future generations.

Land Trusts rely on community support through volunteers, memberships, and donations.

Role of the walpole island land trust

The Walpole Island Land Trust's aims and objectives include:

1) To protect, conserve and maintain areas of ecological value by way of leasing and/or purchasing arrangements;
2) To protect, maintain and enhance lands and waters of importance to the quality of the human and natural environment;
3) To protect lands of recognized cultural significance;
4) To obtain money by way of gift or otherwise and to use the income or any part of the principal of the funds of the Land Trust;
5) To implement conservation practices on lands under the Land Trust's management;
6) To educate and train the public about land stewardship;
7) To conduct research on conservation and land stewardship; and
8) To do all things incidental and ancillary to achieving the objectives of exercising the powers of the Land Trust.

Voting Membership is open only to members of the Walpole Island First Nation.

Walpole Island Land Trust

Protecting the lands and waters of Bkejwanong territory

Please Mail to:

Walpole Island Land Trust
Postal Box # 22032,
Dufferin Ave Postal Outlet,
Wallaceburg, ON N8A 5G4

Donations

- ☐ $25 donation
- ☐ $50 donation
- ☐ $75 donation
- ☐ $100 donation
- ☐ $200 donation
- ☐ $300 donation
- ☐ $400 donation
- ☐ $500 donation

Donation: $ _____
(Tax receipts are issued for all donations)

Cheque or money order enclosed $ _____
(Payable to Walpole Island Land Trust)

Membership Application

Name: _____

Band #: _____
(if applicable)

Telephone: _____

Address: _____

_____

E-mail: _____

The Council of Three Fires

NOTICE

WALPOLE ISLAND FIRST NATION, BKEJWANONG TERRITORY

WHEREAS in April 2000, the Walpole Island First Nation commenced litigation which asserts Aboriginal title to the following territory:

1. The Canadian portions of Lake St. Clair, the St. Clair River and the Detroit River

2. That part of the Canadian portion of Lake Huron south of a line drawn from the northeast corner of the boundary of the 1807 Treaty of Detroit to the northwest corner of the boundary of Treaty #29 of 1827 (approximately the Canadian portion of Lake Huron south of Goderich).

3. That part of the Canadian portion of Lake Erie west of the extrapolation of the eastern boundary of Treaty #2 of 1790 (roughly a line drawn south from London).

4. For greater certainty, any islands encompassed within the lands described above.

5. The area which was the subject of Treaty 25 on July 8, 1822 (which treaty was not signed by WIFN or its predecessors).

6. The geographic Township of Anderdon, except for those parcels of it subject to Treaties 12, 66 0/4 and 96.

Except:

1. The following specific islands or waterlots which have been the subject of the following treaties with WIFN or its predecessors:

a) Peach Island, Detroit River (subject to Treaty #85, 21 July 1857, with the Chippewa Tribe of Indians residing on Walpole Island)

b) Keshebahahnelegoo Menesha Island, St. Clair River (subject to Treaty #86, 21 July 1857, with the Chippewa Tribe of Indians residing on Walpole Island)

c) the various islands in Lake Erie which were subject to Treaty #121, 20 January 1870, with the Chippewa, Pottawatomie and Ottawa Indians residing on Walpole Island

d) the "Seaway Cutoff Channel" which was subject to a Surrender on 14 October, 1958, with the Walpole Island Band of Indians

2. Any land which is owned by private parties in fee simple.

This claimed territory is outlined on the attached map. For greater certainty, the claim to lakes is intended legally as a claim to the bed of the lakes, together with those rights which flow at law to the owner of the lakebed.

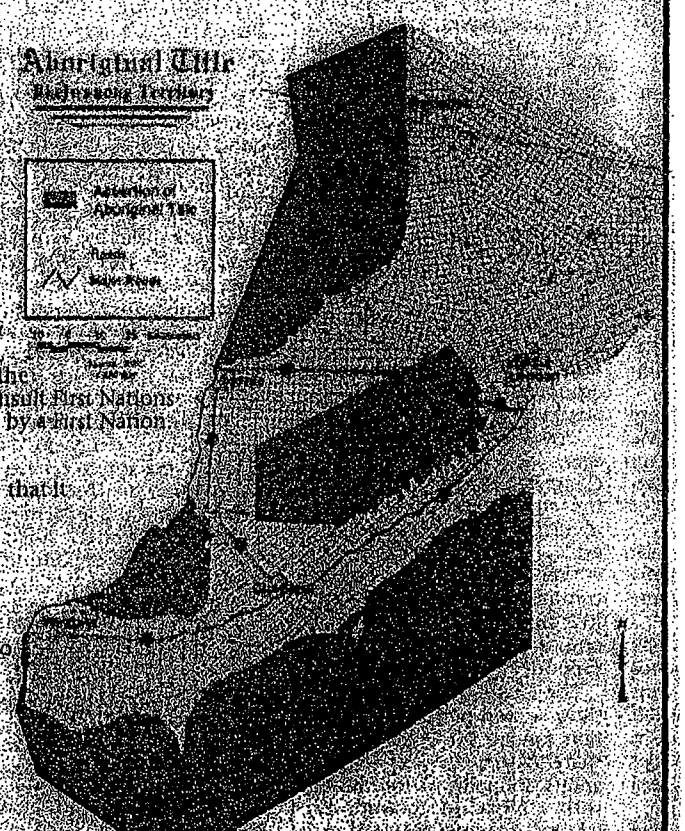
The Aboriginal title to portions of the claimed territory is claimed as a joint title with other First Nations in the region.

AND WHEREAS in November 2004, the Supreme Court of Canada, in the case Haida Nation v. B.C., recognized that the Crown had a duty to consult First Nations if it is considering action which might affect the rights or title claimed by a First Nation.

THEREFORE the Walpole Island First Nation gives notice to all Crown departments and agencies, federal or provincial, and to municipalities, that it wishes to be notified of and consulted with in relation to any actions taken in respect of the above claimed territory, including proposed conveyances or other land alienations, proposed licences or permits, and proposed resource management decisions.

FURTHER the Walpole Island First Nation invites proponents seeking any of the above actions to approach the Walpole Island First Nation to discuss whether mutually agreeable arrangements in respect of expediting their proposals can be reached.

Notifications and inquiries should be directed to:
Chief Dr. Dean M. Jacobs
Walpole Island First Nation, Bkejwanong Territory
R.R. 3 Wallaceburg, ON N8A 4K9
Tel: (519) 627-1481 Fax: (519) 627-0440



The Council of Three Fires

IMPORTANT INVITATION

Walpole Island First Nation
Exclusive Event For Wind Project Proponents and Government Agencies:

"CREATING OPPORTUNITIES AND OVERCOMING OBSTACLES FOR ACCESS TO OUR TRADITIONAL TERRITORY"

Many companies are planning a wind project in Walpole Island First Nation's traditional territory.

Canadian law requires that both provincial and federal governments consult with First Nations in order to accommodate their rights and interests in regard to any project that is proposed within their traditional territories or which might affect their rights. The governments can, and often do, delegate to proponents aspects of this duty. Walpole Island First Nation, however, expects the Crown to meet its legal duty regardless of any relationship developed with proponents.

Proponents will benefit by securing access to our traditional territory and gaining the certainty, security, and funding, that this will bring. We offer this invitation-only event to:

- Outline what benefits you will obtain by working with our First Nation, which is a recognized leader in environmental stewardship and in working with proponents.
- Discuss opportunities to enhance biodiversity within the region
- Develop opportunities for wind operators to improve species habitat and well-being of area bird species
- Provide you with advance insight on how to avoid legal and practical obstacles that pertain to our rights.
    - Inform you of the nature and extent of our aboriginal and treaty rights (including our major claims for aboriginal title over a large part of the Great Lakes basin).
    - Inform you of our protocols and expectations on consultation and accommodation.
    - Explain the criteria by which we will assess each wind project and proponent on the ability to accommodate our legal rights and interests.
- Open the door to a streamlined process for working with our First Nation in our traditional territory.

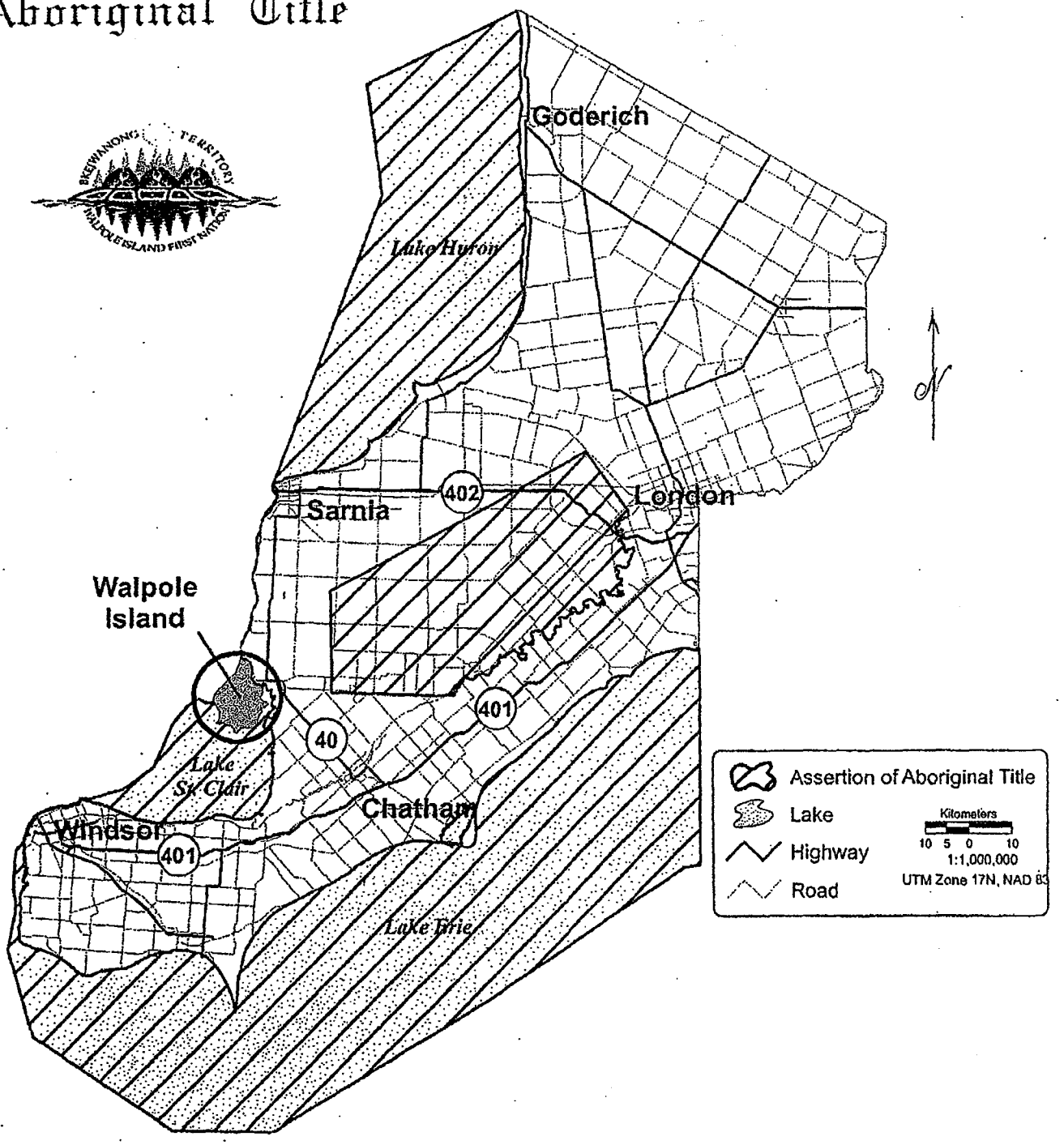
We are requesting all wind project proponents with plans in our traditional territory to attend this event. We are inviting key government decision-makers. Our experts and lawyers will also be in attendance.

Date: **September 18, 2008**
Time: **11 a.m. to 4 p.m.**
Place: **Walpole Island Community Hall (see attached map) – 4hr drive from Toronto**
Lunch: **Provided**

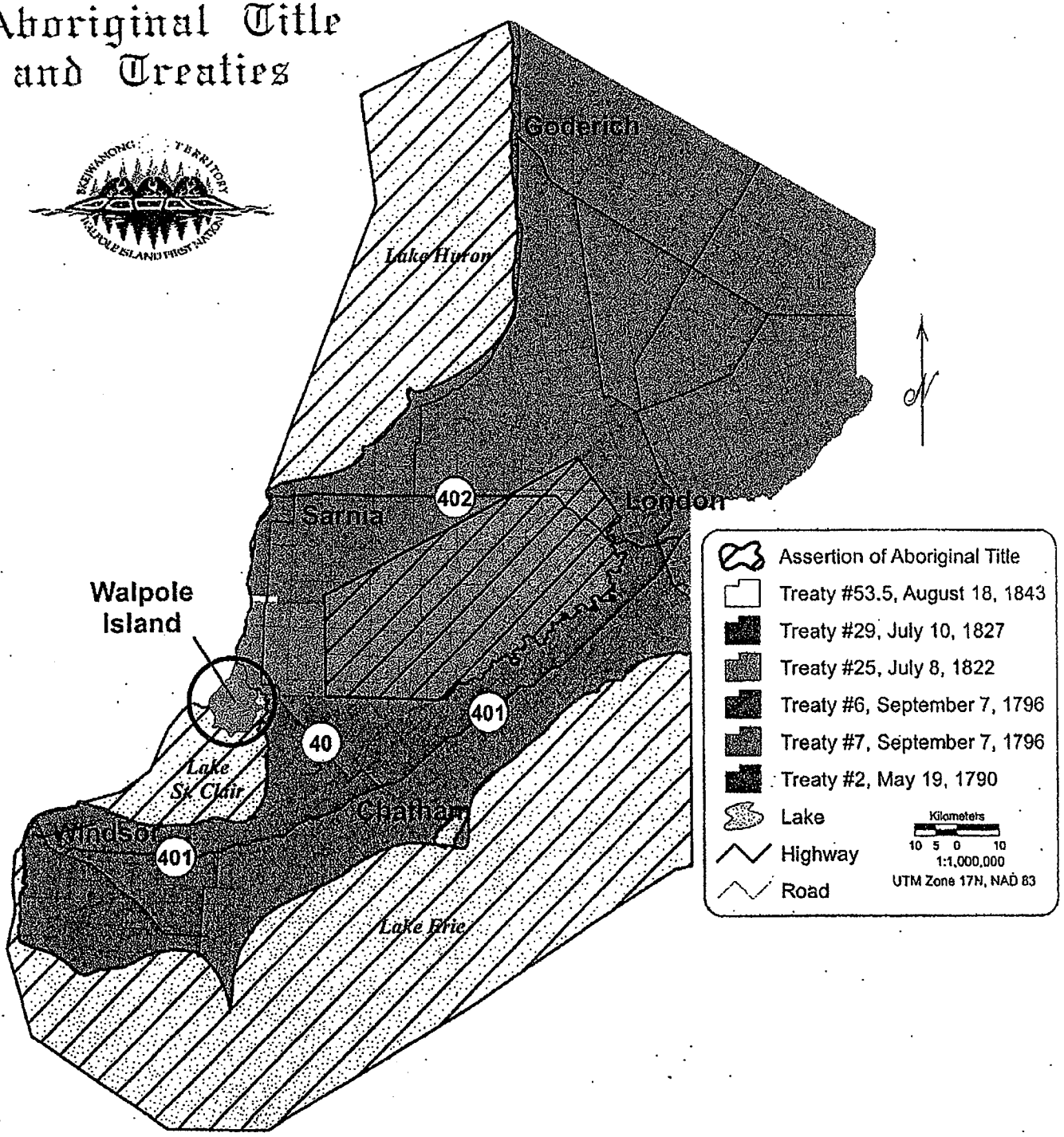
Please fill out and submit the attached registration form with fee. There is a separate form for wind farm proponents – if you have any questions regarding proponent registration, please contact Toni Nahdee at the Walpole Island Heritage Centre. Discount for registering early.

R.R. #3, WALPOLE ISLAND, ONTARIO N8A 4K9 • TEL: (519) 627-1481 • FAX: (519) 627-0440

Aboriginal Title



Aboriginal Title and Treaties



Traditional Territory:

- Most First Nations exercise most of their treaty rights in their traditional territories (sub-set of treaty territory).
- Mikisew case: First Nations should not be forced to exercise treaty rights beyond traditional territory; if so much land in such territory "taken up" that there is no meaningful right left, this could be unjustified infringement.

TAKING AND MAKING UP

- **History of Taking:**
  - Despite indigenous rights, Crown had for decades taken lands, resources, governance and capacity from First Nations (legally invalid).
  - Imbalance of power.
  - Abuse of power.

Treaty Rights:

- Treaties confirmed and modified inherent rights.
- Treaties are grants of rights *by* Aboriginal peoples *to* the Crown. Crown had no rights of its own in Canada until granted them through treaty.
- 3 ways for Crown to get rights in Canada:
  - "Settlement" (no)
  - Conquest (no)
  - Cession/treaty
- First Nations understand treaties to share land and resources with Crown
  - not to have ceded land.
- Crown says treaties ceded all aboriginal title/rights to land.

Indigenous Sovereignty Retained:

- Since Aboriginal peoples were sovereign (self-governing) before settlers arrived, and since the right to self-govern was never given up (ceded) in treaty, or taken away by settlement or conquest, right to self-govern still exists.
- First Nations should still have full right to govern themselves in their traditional territories (including on reserve); and to share governance over traditional territories.

First Nations' Rights Respecting Proponents' Projects

By Kate Kempton
Olthuis Kleer Townshend

BASIS OF RIGHTS

Inherent Rights:

- First Nations are "in here", in this place in the world granted to them by the Creator.
- Rights to and on the land are "inherent". They are rights to survive here as a people, and responsibilities to ensure the survival of this place.
- Only indigenous peoples have such rights in Canada.

Making Up for Abuse:

- s. 35 of Constitution (1982)
- Purpose is **reconciliation** of (pre)-existing aboriginal sovereignty with assertion of British sovereignty (1763).
- Who gets to govern over what? Who gets to use/benefit from what?
- First Nations should (by law) have far more say/control over and use/benefit from land.

Consult and Accommodate:

- Crown has duty to **consult** and **accommodate** First Nations (part of reconciliation).
- Must consult with intent to substantially address all FN's concerns (Delgamuukw case).
- Must accommodate to address those concerns. If concerns cannot be addressed if project proceeds, and if this would threaten survival of First Nation (culturally, spiritually, physically – land/environment, economy) First Nation should have right to say "no".

Consultation & Accommodation:

- Crown can delegate aspects of consultation and accommodation to proponent.
- Accommodation often set out in agreement between First Nation and proponent:

  MOU: early stages

  IBA: advanced stages of preparation to construction and operation

IBA (Impact Benefit Agreement):

- First Nation:
  - to offset impacts on lands, rights (bring to neutral) (mitigation, compensation)
  - to share in decision-making and benefits (bring up capacity – making up for taking) (board, shares, royalties, employment and training, business opportunities)
- Proponent:
  - access to land
  - access to labour and services
  - access to funds (certainty and security)

CONSENT

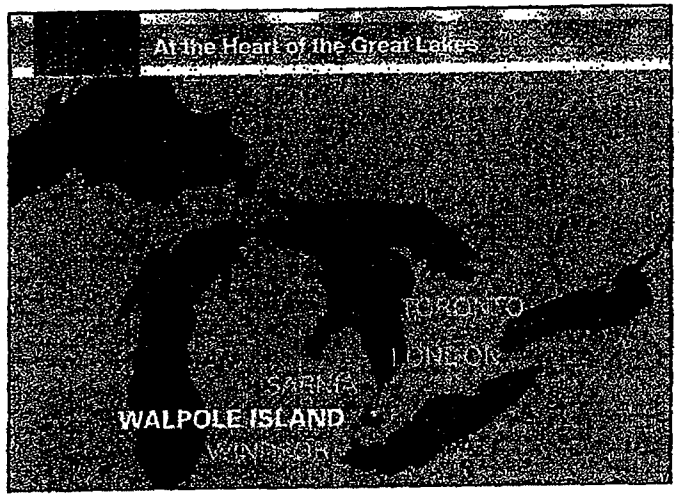
- **First Nation's Consent:**
- MOU requirement for IBA = need for consent
- IBA negotiations = need for consent
- IBA = consent
- Canadian law and consent:
  - Delgamuukw – consultation may lead to requirement for consent
  - Mackenzie Valley Ur exploration project
  - Kemess mine expansion
  - UN Ecosoc report on indigenous peoples right to consent
  - KI 6 and Rule of Law

Overview of Bkejwanong's Natural Heritage
Protecting Lands in Traditional Territory

WHERE OUR HOME IS



At the Heart of the Great Lakes



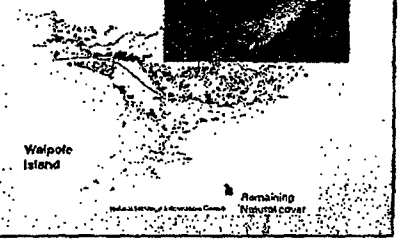
Surrounding Region

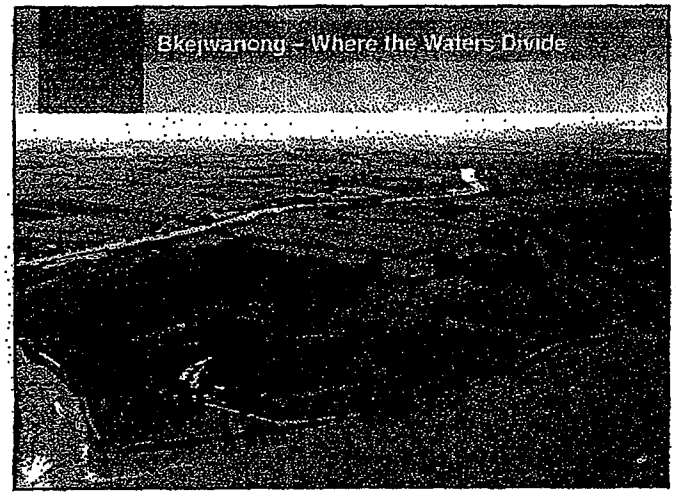
Island is located in the heart
f the most industrialized
n North America

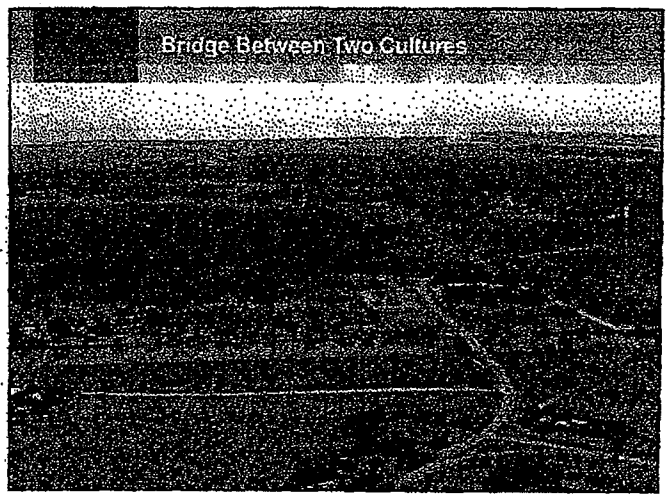
tional shipping

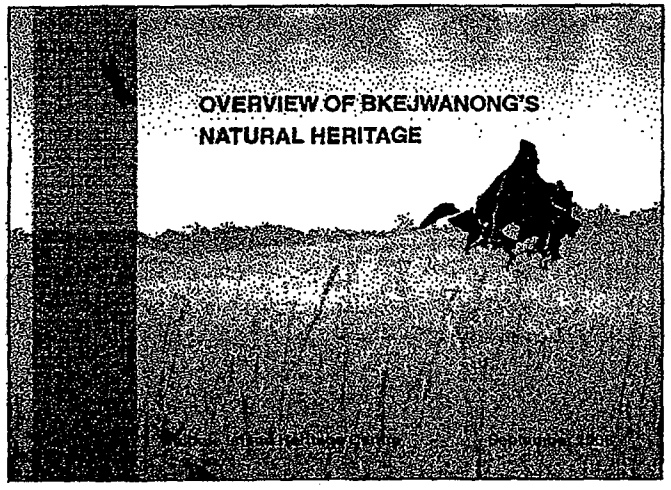
gricultural region
ndustrial area
opulated region

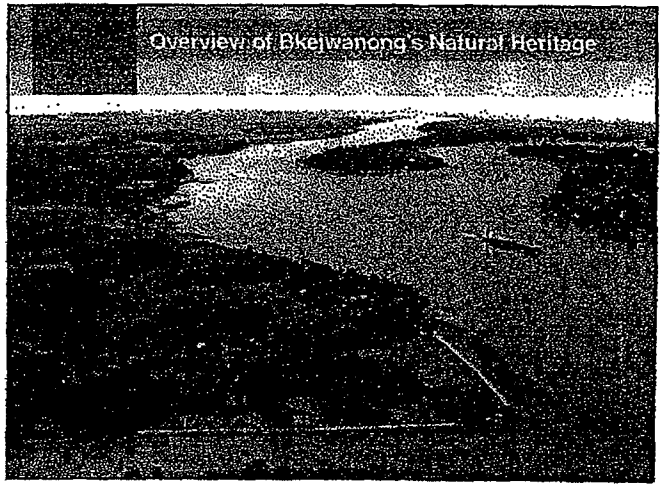





Bkejwanong – Where the Waters Divide


Bridge Between Two Cultures


OVERVIEW OF BKEJWANONG'S
NATURAL HERITAGE


Overview of Bkejwanong's Natural Heritage

OVERVIEW

Walpole Island's Ecosystems

Walpole Island... supports a rich mosaic of natural areas including some of the most biologically diverse areas in Canada.




Coastal Waterways


Tallgrass Prairies


Wetlands


Oak Savannas


Carolinian forests

OVERVIEW

Our Traditional Connection to the Land


Hunting and Fishing


Spiritual Connection & Enjoyment


Gathering Medicine & Food

"Caring for the Land – an Ancestral Tradition"

OVERVIEW

Results of That Connection

Today, the diverse ecosystems on Walpole Island support many forms of life . . .



Including - 60 listed as Endangered, Threatened, or Special Concern in Canada

OVERVIEW

Over 60 Species at Risk on Walpole Island

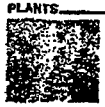
MAMMALS


(1) Special Concern

BIRDS


(5) Endangered
(4) Threatened
(4) Special Concern

PLANTS


(6) Endangered
(7) Threatened
(4) Special Concern

FISH


(2) Endangered
(2) Threatened
(2) Special Concern

REPTILES


(1) Endangered
(5) Threatened
(3) Special Concern

MUSSELS


(9) Endangered
(1) Threatened

BUTTERFLIES


(1) Endangered
(1) Special Concern

HISTORIC SPECIES

Greater Prairie Chicken (Extirpated)
American Badger (Endangered)
Massasauga Rattlesnake (Threatened)

Tallgrass Prairies



habitat on
Island

habitat

Tallgrass Prairies



Tallgrass Prairies Remaining in Ontario

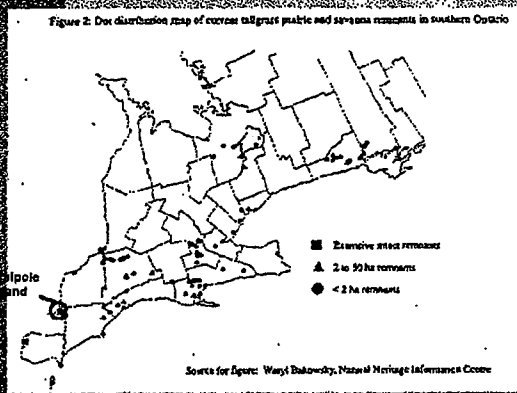
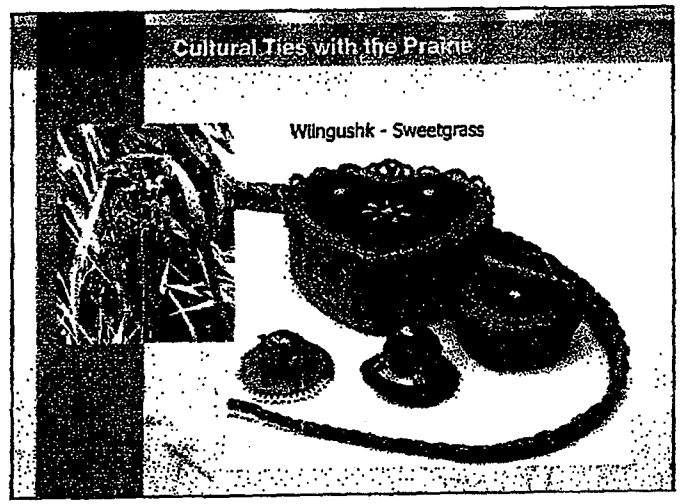


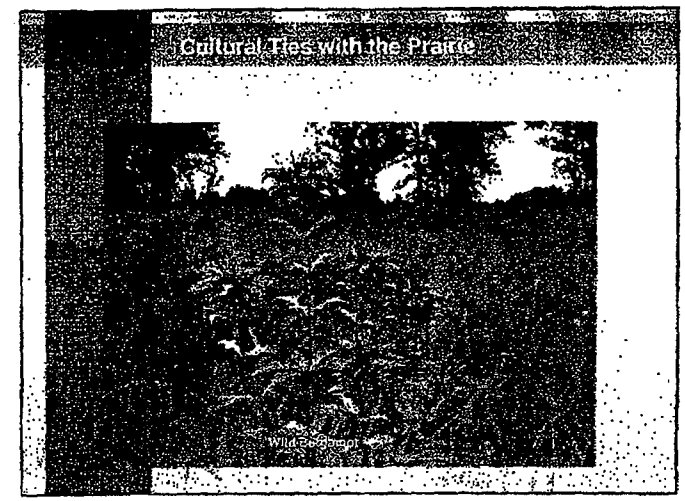
Figure 2: Dot distribution map of current tallgrass prairie and savanna remnants in southern Ontario

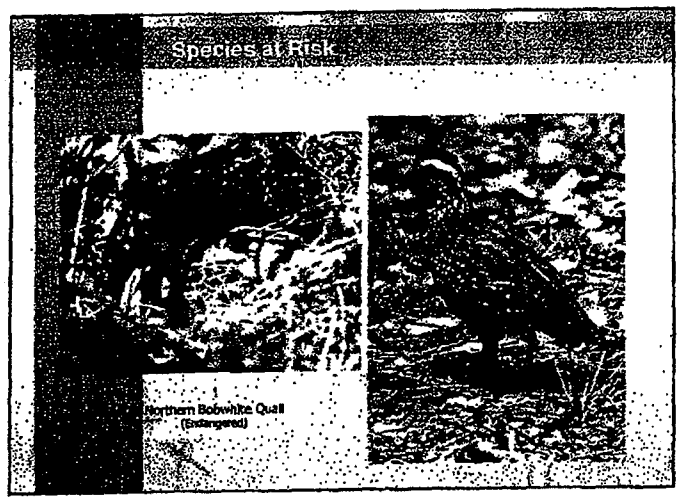
Source for figure: Wayne Bakowsky, Natural Heritage Information Centre

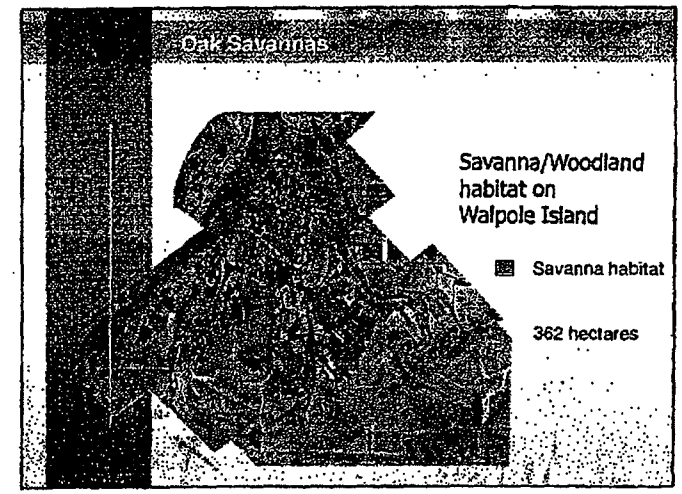
Managing for Prairie Habitats




Cultural Ties with the Prairie
Wiingushk - Sweetgrass


Cultural Ties with the Prairie

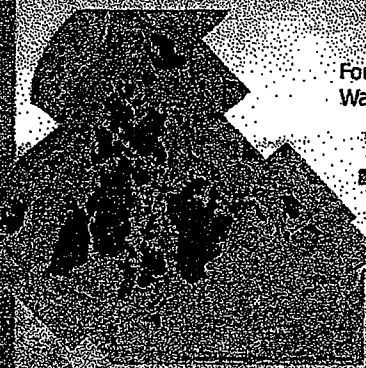

Species at Risk
Northern Bobwhite Quail
(Endangered)


Oak Savannas
Savanna/Woodland
habitat on
Walpole Island
Savanna habitat
362 hectares

Oak Savannas



Forests



Forest habitat on Walpole Island

Forest habitat

1,783 hectares

Cultural Ties with the Forests



Cultural Ties with the Forests

...h
...making









Wetlands

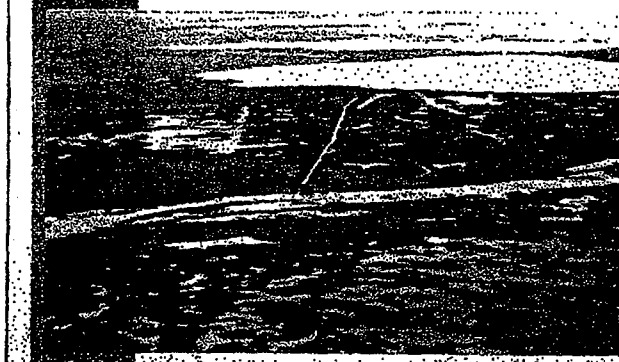


Wetland habitat on Walpole Island

■ Wetland habitat

8,300 hectares

Coastal Marshes



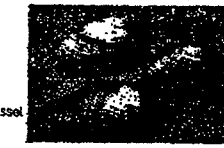
Coastal Marshes



Species at Risk



Round Hickorynut mussel
(Endangered)



Kidneyshell mussel
(Endangered)



Looking at Our Water's Health



Nin.Da.Waab.Jig (Those Who Seek to Find)

OVERVIEW



- Walpole Island Heritage Centre – Nin.Da.Waab.Jig officially founded in 1989
- Research arm of First Nation dealing with land claims, environmental protection, and heritage conservation
- Walpole Island one of the first Native communities in Canada to take leadership role in the field of environment and sustainable development

WALPOLE ISLAND HERITAGE CENTRE
NIN.DA.WAAB.JIG
www.bkejwanong.com

Walpole Island Heritage Centre

Taking Steps to Make a Difference

OVERVIEW



Traditional Ecological Knowledge & Science



Developing Partnerships



Education

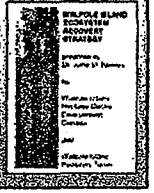
Planning



First Nation Instruments



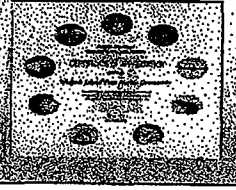
Ecosystem Conservation and Recovery



Recognition

OVERVIEW

- 1980 – WIFN noted as an environmentally significant area by the University of Waterloo
- 1986 – Canadian Canada zone in WIFN as a critical natural area site – only one of the 38 Carolinian sites to fulfill all ten criteria used in selection process
- 1987 – World Wildlife Fund Canada recognizes WIFN's prairies and oak savannas as the most diverse remnants remaining in Canada
- 1995 – Walpole Island First Nation received the "We the Peoples: 50 Communities Award" from the Friends of the United Nations for its exemplary record in environmental research and sustainable development
- 2004 – Canadian Canada presents WIFN with a "Conservation Award" for its contribution towards protecting the natural diversity of habitats of Ontario's Carolinian Zone
- 2007 – Committee on the Status of Endangered Wildlife in Canada (COSEWIC) presents the Walpole Island First Nation with a plaque recognizing the First Nation's efforts on Species at Risk conservation and recovery



KNOWLEDGE and UNDERSTANDING OF SPECIES AT RISK



KNOWLEDGE OF SPECIES AT RISK

Research to Understand Species at Risk

Studying populations of the threatened Goldenseal in partnership with the University of Ottawa.



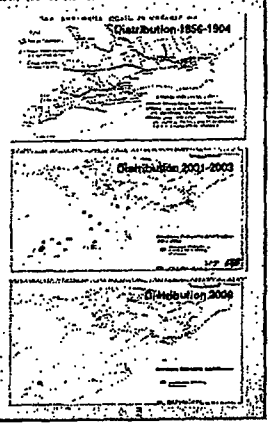


KNOWLEDGE OF SPECIES AT RISK

Research to Understand Species at Risk

Studying populations of the endangered Northern Bobwhite Quail in partnership with the Rural Lambton Stewardship Network.





KNOWLEDGE OF SPECIES AT RISK

Research to Understand Species at Risk

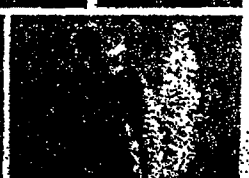
Reproductive Biology of the endangered Showy Goldenrod in partnership with the University of Western Ontario.

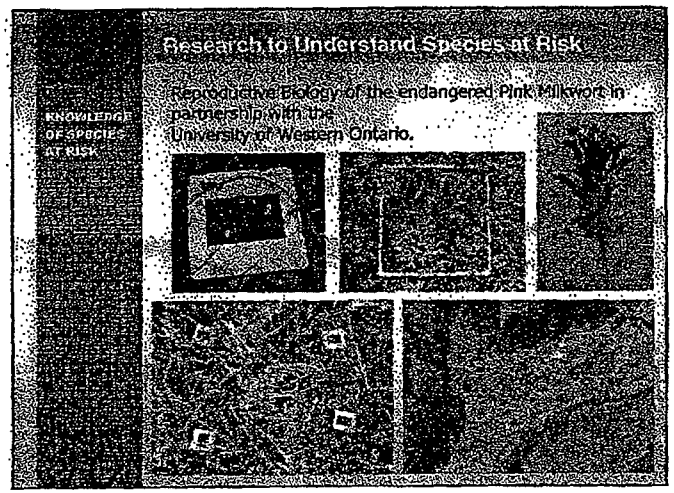


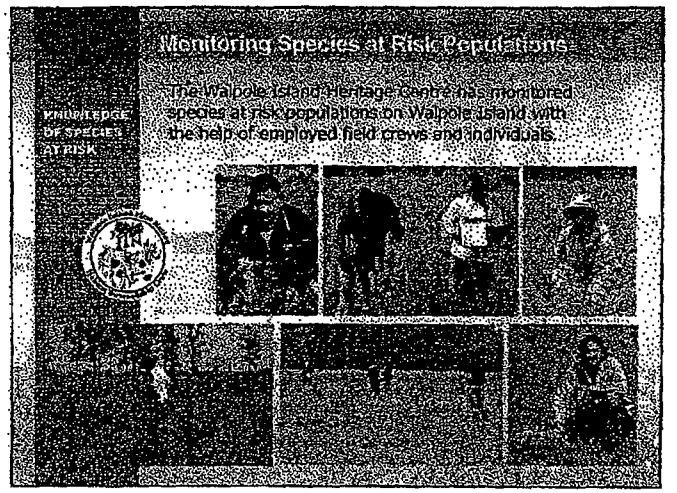


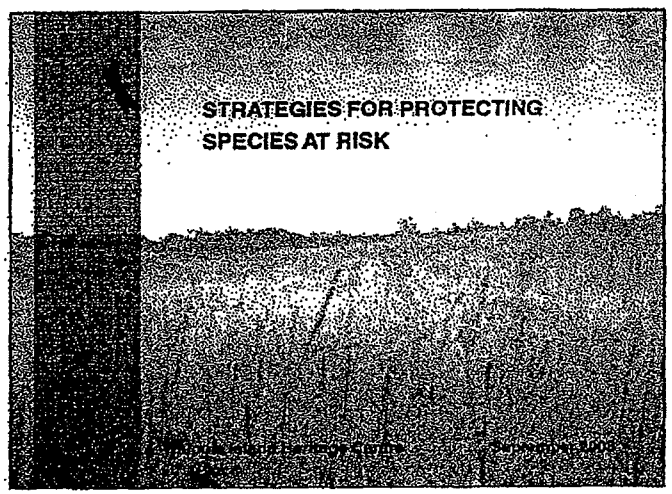


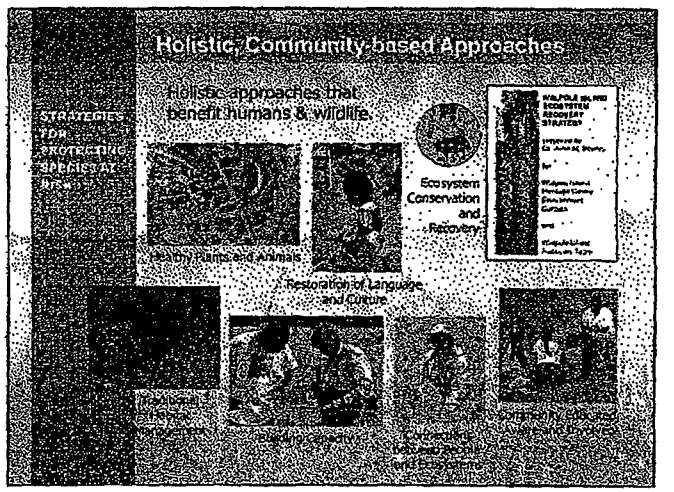


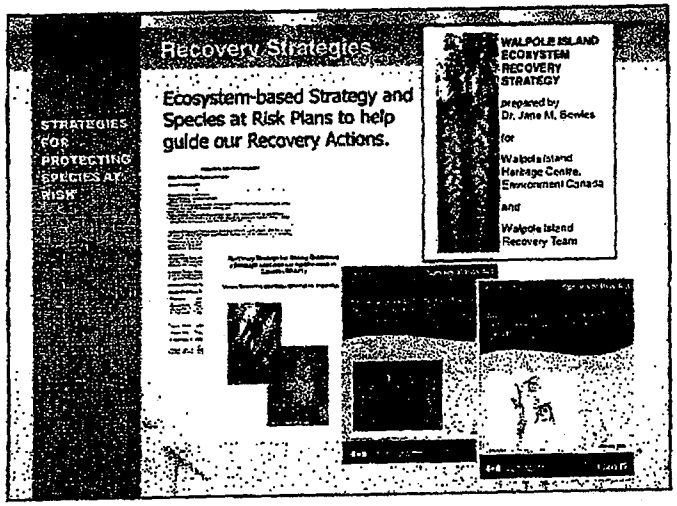



KNOWLEDGE OF SPECIES AT RISK
Research to Understand Species at Risk
Reproductive Biology of the endangered Pink Milkwort in partnership with the University of Western Ontario.

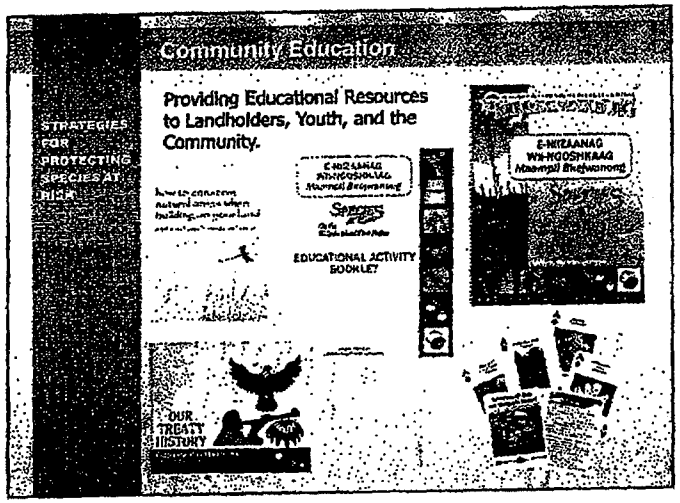

KNOWLEDGE OF SPECIES AT RISK
Monitoring Species at Risk Populations
The Walpole Island Heritage Centre has monitored species at risk populations on Walpole Island with the help of employed field crews and individuals.

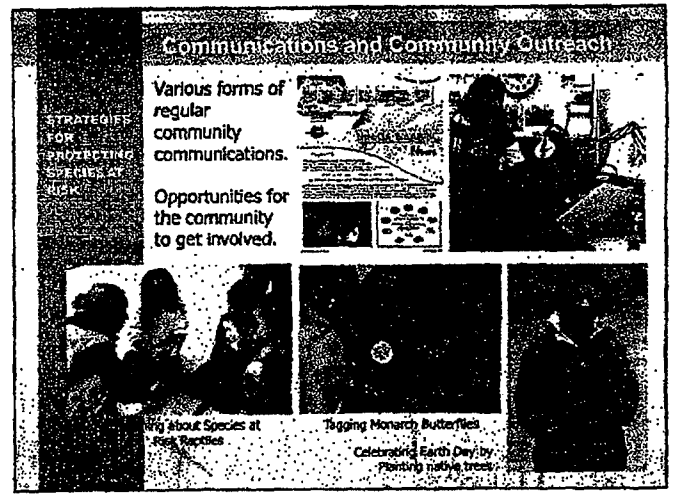

STRATEGIES FOR PROTECTING SPECIES AT RISK


STRATEGIES FOR PROTECTING SPECIES AT RISK
Holistic, Community-based Approaches
Holistic approaches that benefit humans & wildlife.
Ecosystem Conservation and Recovery
Healthy Plants and Animals
Restoration of Language and Culture


STRATEGIES FOR PROTECTING SPECIES AT RISK
Recovery Strategies
Ecosystem-based Strategy and Species at Risk Plans to help guide our Recovery Actions.
WALPOLE ISLAND ECOSYSTEM RECOVERY STRATEGY
prepared by
Dr. Jane M. Bowles
for
Walpole Island Heritage Centre, Environment Canada
and
Walpole Island Recovery Team


STRATEGIES FOR PROTECTING SPECIES AT RISK
Connecting with Our Youth
Empowering our Youth to become Caretakers of our Lands and Waters.
The Earth is our Mother NOT our Host! So Please Keep Her CLEAN


STRATEGIES FOR PROTECTING SPECIES AT RISK
Community Education
Providing Educational Resources to Landholders, Youth, and the Community.
E-NIZAANAG WI-NGOSHKAAG
EDUCATIONAL ACTIVITY BOOKLET
OUR TREATY HISTORY


STRATEGIES FOR PROTECTING SPECIES AT RISK
Communications and Community Outreach
Various forms of regular community communications.
Opportunities for the community to get involved.
Tagging Monarch Butterflies
Celebrating Earth Day by Planting native trees

Enhancing Species at Risk Populations

STRATEGIES FOR PROTECTING SPECIES AT RISK

Recovery of Species at Risk Trees

Kentucky Coffee Tree seeds were collected from Walpole, grown at the Sherwood Fox Arboretum (UWO) and were planted on Walpole Island in 2007 to enhance the existing population.





Controlling Invasive Species

STRATEGIES FOR PROTECTING SPECIES AT RISK



PROTECTING LANDS IN TRADITIONAL TERRITORY

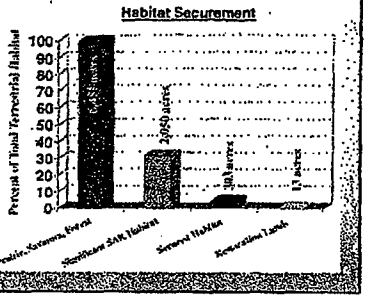


Formally Conserving Habitats

PROTECTING LANDS IN TRADITIONAL TERRITORY

Since 2001, we have formally secured 315 acres of the 6,451 acres of prairie, savanna, and forest habitats on Walpole Island First Nation for conservation purposes – through acquisitions and leasing arrangements.





PROTECTING LANDS IN TRADITIONAL TERRITORY

Walpole Island Land Trust

We are establishing a Land Trust on Walpole Island to enhance our ability to conserve ecologically significant habitats and species at risk lands.

The Land Trust is incorporated as a registered charitable organization. It currently has 5 volunteer Directors.

2007 – Special Thanks to Environment Canada – Ontario for supporting the development phase of establishing the Land Trust.

2008 – The Ontario Trillium Foundation is supporting us in getting the Land Trust on its feet.

We especially thank Don Gordon and the Thames Talbot Land Trust for guiding the development of our Land Trust.

PROTECTING LANDS IN TRADITIONAL TERRITORY

Our Role in Traditional Homeland Territory

We still uphold our responsibilities of protecting our traditional homeland territory.

As part of proponent's duty to consult & accommodate - we assess proposed projects and develop Impact Benefits Agreements to review a project's potential impact.

We participate in the Bi-national Public Advisory Committee for the St. Clair River – Area of Concern.

We also network and get involved in regional conservation initiatives with local partners – ie. Carolinian Canada, Tallgrass Ontario, Rural Lambton Stewardship Network, etc.

PLANNING, NETWORKING AND BUILDING CAPACITY

PLANNING, NETWORKING AND BUILDING CAPACITY

Planning

Incorporate Species at Risk into Community Plans and/or Capital Plans.

Develop Strategic Plans that are realistic, achievable, measurable and based on your community's issues & needs.

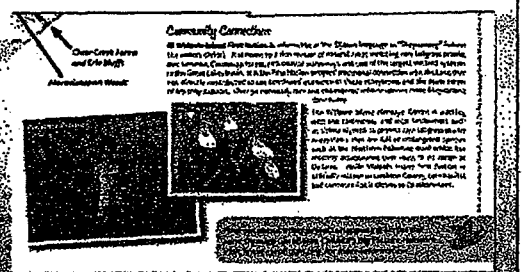


Networking and Building Relationships

PLANNING, NETWORKING AND BUILDING CAPACITY

Working towards stronger collaborative partnerships.





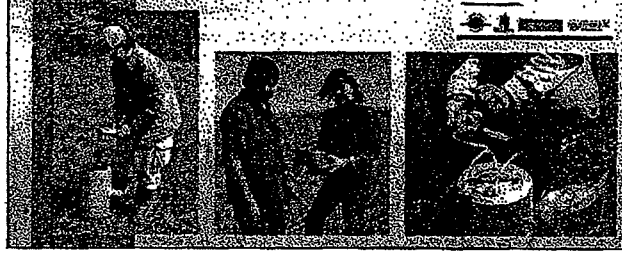
Building Capacity through Collaborations

PLANNING, NETWORKING AND BUILDING CAPACITY

Investigating carbon sequestration of prairie habitats in partnership with the University of Western Ontario.

Older, mature prairies with high numbers of rare species drew more carbon from the atmosphere.





LESSONS LEARNED AND BEST PRACTICES

Evaluating Challenges and Successes

LESSONS LEARNED

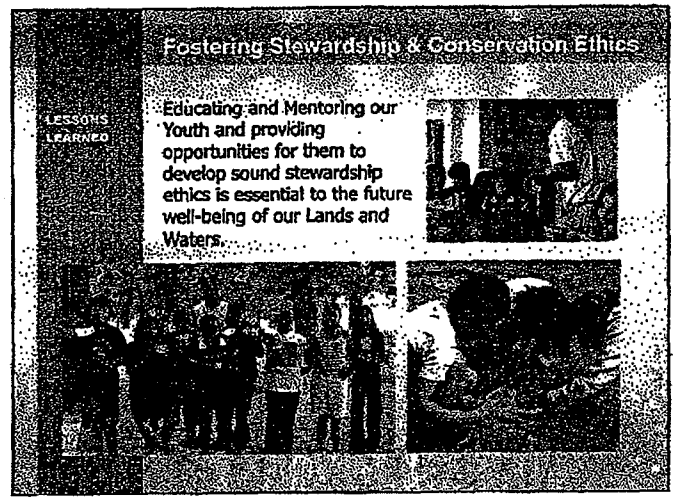
Create Strategic Plans that benefit your community – balancing both human and wildlife needs.

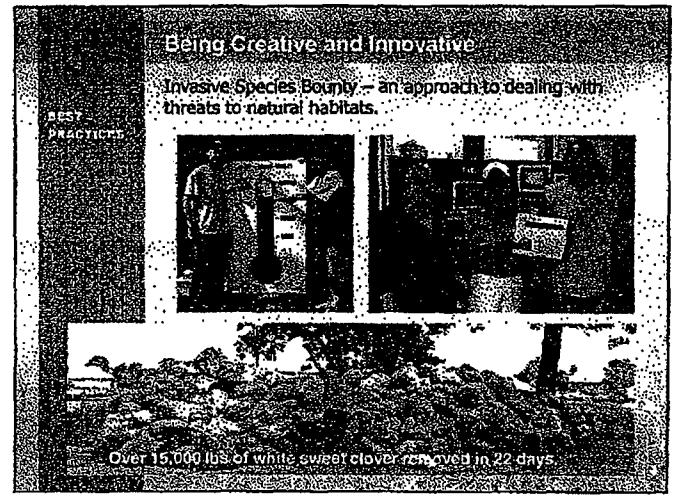
Spend time to Plan upfront, assess Knowledge Gaps and create the fundamental Policies needed to achieve your goals. Learn why projects flop and/or succeed.

Build partnerships and collaborations based on mutual respect & understanding. If the work you are doing is not benefiting your community – who is it benefiting? Do not let other group's agendas side track your own goals and objectives.

Plan projects using a phased approach – so you can achieve goals that build towards the bigger picture.

Learn from others and share what you learn – create manuals and guides so others can follow.


Fostering Stewardship & Conservation Ethics
LESSONS LEARNED
Educating and Mentoring our Youth and providing opportunities for them to develop sound stewardship ethics is essential to the future well-being of our Lands and Waters.


Being Creative and Innovative
BEST PRACTICES
Invasive Species Bounty – an approach to dealing with threats to natural habitats.
Over 15,000 lbs of white sweet clover removed in 22 days.


Their
Is Our
Collective
Responsibility

Working Effectively With Aboriginal Peoples

Walpole Island First Nation

Thursday September 18, 2008

Overview

- A brief history of major events affecting Aboriginal peoples in Canada
- Values, needs, and priorities
- Why work with Aboriginal people?
- RESPECT Model
- Additional points to remember

Aboriginal Peoples Are Unique and Diverse

- It is extremely important to note that there are many different types of Aboriginal Peoples.
- Each Aboriginal Community may have their very own language, customs, traditions, and values.
- For this reason, this presentation can only act as a general guideline for working effectively with Aboriginal Peoples. We cannot even begin to represent the incredible diversity and uniqueness of all of the Aboriginal Peoples of Canada.

Understanding our History

- When Columbus arrived on Turtle Island in 1492, these lands were anything but vacant.
- Estimates indicate that in 1492 there were between 8 and 112.5 million people living in North and South America.
- Either of these estimates mean that there were actually more people living in North and South America than were living in Europe at that same time.

What this means…

- Prior to European arrival and colonization, there were already many nations inhabiting this continent with very distinct societies, cultures, languages, beliefs, and governance structures.

- This fact becomes the basis for dealings between the Crown and Aboriginal Peoples on a Nation to Nation level.

After Contact…

- Waves of European diseases caused the Aboriginal population in Canada to drop from over 500,000 at the time of contact to approximately 120,000 in 200-300 years.

- The Royal Proclamation of 1763 affirmed Aboriginal rights, hunting and harvesting rights, land rights, and recognized Aboriginal Tribes as Nations.

- Canada became a country with the passage of the British North America Act in 1867 and the federal government was given the authority to make laws about "Indians and lands reserved for the Indians".

- Aboriginal Peoples went from being Nations to Wards of the Crown with the implementation of the Indian Act in 1876.

Assimilation

- Sir John A. MacDonald stood in the house of Commons on May 5, 1880 to announce that his government's Indian Policy was:

"…to wean them by slow degrees from their nomadic habits, which have almost become an instinct, and by slow degrees absorb them or settle them on the land. Meantime they must be fairly protected."

Assimilation Measures

- Native women stripped of their status if they married a non-Native man: 1869-1985
- Prohibition on participating in Potlatch, Sundance, Pow-Wows, and other cultural ceremonies through the Potlatch Law: 1884-1951
- Traditional forms of governance replaced with elected Band Councils courtesy of the Indian Act

Residential Schools

- United Province of Canada: Bagot Commission (1844) recommends training students in

  "...as many manual labour or Industrial schools as possible... In such schools...isolated from the influence of their parents, pupils would imperceptibly acquire the manners, habits and customs of civilized life"

- Davin Report (1879) reports that the boarding school approach was the best because it:

  "...took [the Aboriginal child] from the reserve and kept him in the constant circle of civilization, assured attendance, removed him from the "retarding influence of his parents..."

Residential Schools

- Residential Schools were built and run by various church denominations.

- Living conditions were sub-standard at best and it was confessed by former Deputy Superintendent General of Indian Affairs, Duncan Campbell Scott in 1914 that:

  "It is quite within the mark to say that fifty percent of the children who passed through these schools did not live to benefit from the education which they had received therein."

Residential Schools

- It was so common for children to run away only to be hunted down by the RCMP and returned to the schools that the government passed a law that took Indian parents' authority over their own children away while they were in Residential Schools.
- By 1931 there were 80 residential schools in Canada.

Residential Schools

- In 1951, the government began shutting down Residential Schools, a process that spanned four decades.
- **The last of the Residential Schools closed in 1986.**
- The effects of the schools remain all too apparent in First Nation Communities today.

Effects of Residential Schools

- Higher crime rates/overrepresentation in the Justice System
- Extreme difficulties with Authority
- Loss of Language and Culture
- Much higher rates of unemployment, alcohol and drug abuse, and suicide when compared to the general population
- Generally, less education than the general population
- Poverty

Understanding Our Values, Needs, and Priorities…

The Seven Grandfather Teachings

- WISDOM
- HONESTY
- LOVE
- HUMILITY
- BRAVERY
- TRUTH
- RESPECT

Balance

- All of these principles combined create a balance of the spiritual, emotional, physical, and mental being.
- They are also the cornerstones of our belief system and the formula for maintaining the delicate balance between the Earth and all of her inhabitants.

The Seventh Generation Principle

- Traditionally, all decisions were weighed extremely carefully, taking into account how each decision would affect the next seven generations.
- This can cause the decision making process to be an extremely lengthy one, and is a very important factor to keep in mind when planning projects which may require First Nations involvement and consultation.

All Things Are Connected

- Most Aboriginal Peoples believe that all things are connected.
- Remembering this will be an important part of your interactions with First Nations People.
- Remember to be patient, even if it seems like discussions are off topic.

The Importance of Community

- Community is one of the most important things to us.
- Attend or, better yet, SPONSOR Community events.
- By taking part in our Community events it shows that you either share values that are similar to ours, or have taken the time to understand and appreciate the things that are important to us.

Why Work With Aboriginal Peoples?

Managing the RISK EXPOSURE associated with poor Aboriginal relations, which can include:

- Legal liabilities or penalties arising from poor consultation regarding infringement of Aboriginal Title or Rights
- Delays (or worse) in regulatory approval
- Share price devaluation
- Reputation damage
- Customer Defections
- Negative publicity
- Blockades or occupations
- Political opposition

These risks from working ineffectively can flow directly or indirectly.

Why work with Aboriginal Peoples?

Increasing Reward Potential, which can include:

- Greater direct access to new development opportunities
- New indirect access through referrals
- Improved positioning for expansion opportunities as a result of pending treaties or claims
- Enhanced credibility with lenders and regulators

Why work with Aboriginal Peoples?

- Corporate Social Responsibility: Inclusion of environmental and social standards alongside (not underneath) financial indicators.

Building Relationships

- Relationship building is a crucial part of working with First Nations People and will be a critical part of how well your consultation, engagement, or project will turn out.
- It is highly beneficial to establish a relationship BEFORE you need something from us!
- The RESPECT Model was developed by Bob Joseph of Indigenous Corporate Training Inc. and can be extremely useful for building these relationships

The RESPECT Model

RESEARCH
EVALUATE
STRATEGIZE
PRESENT
EVALUATE
CUSTOMIZE
TRANSFORM

Research

- Every Aboriginal Community is unique and may have completely different sets of customs, traditions, values, and languages. You wouldn't go to another country without first finding out about their Nation would you? The context with Aboriginal Peoples is exactly the same.
- Researching will save you a lot of difficulties and headaches.
- Find out who we are, what our values and opinions are, what our needs are as a Community, what is happening in our Community, and what our vision is for the future.
- This will help you avoid offending us and will definitely show us that you take us seriously.

Research

- Do NOT limit your research to just the particular Aboriginal Community that you are looking to work with.
- Identify where you, your colleagues, and your organization stand on Aboriginal Issues.
- Are you comfortable working with Aboriginal Peoples?
- What is your Organization's level of awareness and understanding of Aboriginal Peoples and their issues?
- Answering questions like these will help you to determine what kind of work you need to do internally before you can have an effective working relationship with First Nations.

Evaluate

- Use the information that you have compiled in your research to evaluate the potential impacts of the Communities key issues on your work.
- Some of these issues can include timing, traditional territories, sacred lands, autonomy, Community customs, allegiances, land claims, and historical relationships.

Strategize

- Following your initial evaluation, you will use what you know to come up with a Community Engagement Strategy for approaching the Community with whom you will be communicating.
- Be sure to plan your verbal and non-verbal communications carefully and ensure that you consider the Community's cultural and political issues.

Strategize: Issues To Consider…

- Capacity Issues
- Timelines are YOUR problem
- Connectivity principle
- Cultural Norms
- Getting on the Agenda
- Dress
- Questions they will ask you
- Cultural Survival and Nation Building

Present

- When preparing to have your first meeting with or make a presentation to the Community, review your research and consider the appropriate protocols to follow. If you are unsure, ask beforehand so as not to offend anybody.
- Proper pronunciation of terms and names is extremely important. If you are having trouble ensure that you keep trying until you get it right.
- Some people are comfortable with eye contact, and some aren't. Try to be attentive so that you can gauge this properly.
- In an Oral Society your spoken word means everything. Ensure that you can follow through on anything you say.

Present

- Pacing: pay attention to the pace of the meeting or participants and try to mirror it, but be careful not to seem like you are mocking.
- Avoid the use of acronyms, colloquialisms, technical terminology, and stereotypes.
- Sense of humour is very important. Be able to laugh at yourself.
- Always remember the concepts of family, interconnectedness, and communal thinking.

Terms to Avoid

- Pow-wow
- Stakeholder
- Too many Chiefs, not enough Indians
- Indian
- Circle the Wagons
- Low man on the totem pole
- Indian summer
- Indian time
- Equality
- The Natives are restless

Evaluate

- How did the meeting/presentation go?
- What questions did the Community Members ask?
- What questions remain outstanding?
- What concerns did the Community raise about your proposed project?
- How satisfied were they with your answers?
- What Community concerns about the project remain outstanding?
- How critical are those concerns to the viability of the project?
- What was the tone of the meeting?
- What was the apparent perspective of the Chief and Council Members?
- What was the apparent perspective of the Community Elders?
- Who holds effective political power in the Community?
- What do those power brokers think about your project?

Always Consider Community Communications

- Just because you have presented an idea or a project to a few people from the Community does NOT mean that it is being communicated to the Community.
- Most of us already have full schedules and it is up to you to ensure that you are reaching as much of the Community as possible.
- Find out what methods are used to communicate in our Communities. Use as many methods as possible.
- For big decisions, the wider the sharing of knowledge, the better the decision and stronger the support.

Customize

This is where you will design your project process or plan and customize it by taking into account your research, feedback from the Community, and the values and needs of the Community.

Customize

When customizing ensure that you consider the following areas:

- Legal capacity
- Human Resources capacity
- Communications capacity
- Financial capacity
- Timelines
- Workforce development capacity
- Business development capacity

Once you have done this, the next step is to go back to the Community for another presentation to demonstrate your Commitment to adapt your plans based on their concerns and needs and ask them for further feedback

Transform

- Transform in this context refers to transforming your relationship with Aboriginal Communities.
- This takes a continued commitment and is an on-going process.
- It will take much more to transform a relationship that is already strained or even adversarial.
- But showing that you are committed to breaking down the barriers that make it difficult to work together will take you a long way.

Distrust

- Keep in mind that throughout history we haven't been given many reasons to trust Western society.
- Ultimately, our first instinct when dealing with non-Native people is not to trust them.

Fear

- One of the most common things that we experience when meeting with Non-Natives is the feeling that they are afraid of us.
- Coupled with our tendency to distrust outsiders, this makes for some pretty tense meetings and very strained and often ineffective working relationships.

Learning to Work Together

- In order to move beyond the fear and distrust, we must try to understand each other so that we can learn to work together despite our differences.
- Communication must be open and occur regularly. Each party should be well aware of the other's agenda.

Consultation

- Try to remember that you are essentially competing for a place on our agenda with hundreds of others who are trying to consult with us
- Also remember that most First Nation Communities don't have people who are staffed to deal specifically with Consultations. We all have very full schedules and completely separate mandates.
- Trying to consult with First Nations can be extremely frustrating.

Consultation

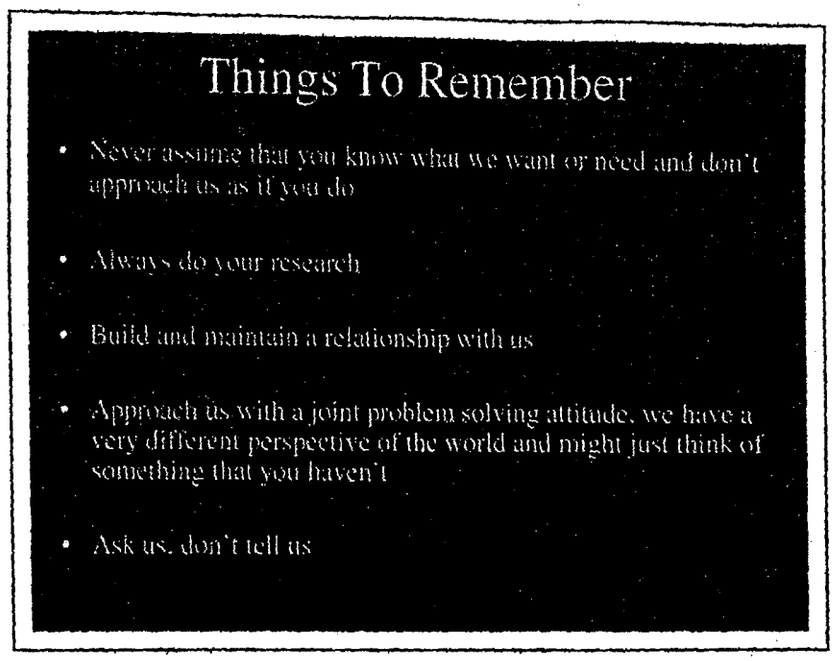
- Things would likely be different if people wanted to consult with us because "it's the right thing to do"
- Usually this is not the case and the consultation is a product of either a mandate from the various levels of government or the fear of negative media campaigns, occupations, blockades, or being sued.
- When any of these are the case, it is often very apparent that we are merely a box to check off in somebody's list of things to do and "good faith" consultations become almost impossible.

Things to Remember when Consulting

- We are NOT stakeholders!
- We have constitutionally protected rights and are used to dealing with the Federal and Provincial governments on a Nation to Nation Basis
- Talking to one person or a few people does not constitute consultation!!
- Ask us how we want to be consulted. We will tell you.

Things to Remember when Consulting

- Every issue is different and, therefore, every consultation will be different as well.
- Involve us early on to avoid the unexpected.
- Try to identify ways that you can make it easier for us to deal with your requests or work on a level playing field
- Capacity is always an issue


Things To Remember
• Never assume that you know what we want or need and don't approach us as if you do
• Always do your research
• Build and maintain a relationship with us
• Approach us with a joint problem solving attitude, we have a very different perspective of the world and might just think of something that you haven't
• Ask us, don't tell us

TRADITIONAL ECOLOGICAL KNOWLEDGE

Philosophy, Methodology and Practical Application

A PRESENTATION TO
STATE OF THE LAKES ECO-SYSTEM CONFERENCE 2000

October 19, 2000

HAMILTON, ONTARIO

Dean M. Jacobs and Victor P. Lytwyn
Nin-Da-Waab-Jig
Walpole Island Heritage Centre

Let me begin by saying the principle of "stewardship" is central to our governance approach as First Nations, and also in describing our relationship with our lands and waters.

To contribute to the session's discussion on Natural Knowledge Systems I would like to briefly set some context and identify some of the values that are important to us as Aboriginal Peoples, and that should be important to representatives of other organizations in the Basin for at least two reasons. Firstly, even if you do not share our values and objectives, you need to understand what these values are, and why they are vital to us, if there is to be any meeting of minds on issues of governance or stewardship. Secondly, it is because we hold these values that we have the knowledge, the experience, the ecosystems, and the rare and endangered species that can make important contributions to protecting the Lakes Ecosystem.

I cannot hope to deal here either adequately or even summarily with the character and significance of aboriginal knowledge of the land and other resources. Whole books have been and will be written on the subject. One quotation must suffice:

> *Among many Aboriginal people, "the land" is understood to encompass not only the earth, but also lakes, rivers, streams and seas; the air, sky, sun, moon, planets and stars; and the full range of living and non-living entities that inhabit nature. In this all-encompassing view, the land is the source and sustainer of life. In return, people must act as stewards and caretakers of the earth ...*
>
> *This philosophical approach to* ***governance****, based on respect for the land and the need for responsible action, differs from conceptions of governance that emphasize domination and control. According to the Aboriginal approach, people do not have dominion over the land; they are subject to the land's dominion.*[1]

[1] Canada, Royal Commission on Aboriginal Peoples, *Report*, vol. 2, 196, pp. 117-118.

What is Traditional Ecological Knowledge?:

Aboriginal people have traditionally acquired knowledge orally, through verbal lessons communicated by skilled teachers. That knowledge was passed from one generation to the next, and preserved in oral tradition. Written communication has been a recent development in many Aboriginal communities, and much traditional knowledge is still passed along verbally. Elders figure prominently as keepers of traditional knowledge and they are responsible for passing on their knowledge which comes from countless generations of oral teaching. Some aspects of traditional knowledge are considered sacred, and therefore not amenable to being recorded in writing.

Traditional Ecological Knowledge (TEK) is generally considered to be information about the relationship between humans and the land and resources. For example, TEK can reveal much about the seasonal cycles of plants and animals, and the appropriate time to harvest these resources. In the Canadian context, TEK is usually associated with Aboriginal peoples. TEK is usually kept in oral traditions, but it can also be recorded in writing through transcribing interviews with elders and others who possess this knowledge. The interview process often takes considerable time, and frequent follow-up visits are usually required to obtain a comprehensive understanding of each person's TEK. Maps and other visual aids are important in the process of recording TEK. Elders are often shown how to view and interpret maps before areas can be accurately located. Follow-up site visits are also appropriate in completing the interview process. In some cases, the interviews need to be conducted in an Aboriginal language. The use of skilled translators is required in these cases, in order to obtain an accurate record of the interviews.

Recognizing the Value of Traditional Ecological Knowledge:

The study of Aboriginal oral traditions and traditional ecological knowledge is a fairly recent development for non-Aboriginal scholars. Not too long ago, however, this body of knowledge was routinely dismissed by most physical and social scientists. For example, Bruce G. Trigger, an anthropologist interested in the Huron Nations, argued against the intrinsic value of Aboriginal oral tradition. He stated that:

> *"It is of interest when oral traditions confirm other sources of information about the past, but, except when they do, they should not be used even to supplement such sources."*[2]

More recently, Alexander von Gernet, also an anthropologist and a student of Trigger provided a similar view about the validity or usefulness of Aboriginal oral tradition. He argued against accepting the validity of old oral traditions. He concluded that:

> *"...while intriguing, these traditions cannot be used as evidence for the existence and persistence of long term cultural memory."*[3]

Von Gernet viewed more recent Aboriginal traditions with less scepticism, but only if they could be corroborated by written records. He also commented that *"many oral traditions do not remain consistent over time and are either inadvertently or deliberately changed to meet new needs."*[4]

Traditional ecological knowledge has also been subject to similar scepticism from non-Aboriginal people. The standards of proof or validity that measure western scientific findings do not easily apply to traditional knowledge, and this has led many non-Aboriginal people to doubt the value of TEK. A major constraint on the study and use of TEK has been the reluctance of the western scientific community

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[2] Bruce G. Trigger, *The Children of Aataentsic: A history of the Huron People to 1660.* Montreal and Kingston: McGill-Queen's University Press, 1976 (vol. 1): 20.
[3] Alexander von Gernet, "Oral Narratives and Aboriginal Pasts: An Interdisciplinary Review of the Literature on Oral Traditions and Oral Histories," unpublished report submitted to the Department of Indian Affairs and Northern Development, Research and Analysis Directorate, Ottawa, part 2: 19.
[4] *Ibid*: 20.

to appreciate that TEK represents a different way of knowing. As Paul Nadasdy has commented,

> *"The widespread recognition that something called 'traditional ecological knowledge' even exists represents, in itself, an important first step toward the full participation of aboriginal communities in the management of land and resources."*[5]

TEK and the New Legal Paradigm:

Respect for TEK has been slowly taking hold among non-Aboriginal scholars who have devoted the time to understand that there is more than one way of obtaining knowledge. The pace of acceptance among non-Aboriginal legal and political practitioners has been even slower, as TEK has represented a potential threat to the accepted way of law and government. However, a number of recent court cases have determined that Aboriginal oral tradition is a form of knowledge that is different but not unequal to written knowledge. The leading court case is known as *Delgamuukw*, which was decided by the Supreme Court of Canada in 1997. In that landmark case, the Supreme Court determined that Aboriginal oral tradition needs to be recognized in the same manner, and be given similar weight, as the written history of non-Aboriginal people in Canada.

After *Delgamuukw*, the value of Aboriginal traditional knowledge has been recognized in other Canadian institutions. For example, the *Canadian Environmental Assessment Act* has recently required that proposed development projects, such as the construction of gas pipelines, identify the current use of land and resources by Aboriginal people for traditional purposes within the pipeline corridor. The proponent is then required to assess the effect, or impact, of the proposed pipeline development on traditional resource use. If the proposed development is considered to have a negative or adverse effect on the current use of land and resources by Aboriginal people for traditional purposes, appropriate mitigation or compensation measures are required.

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[5] Paul Nadasdy, "The Politics of TEK: Power and the 'Integration' of Knowledge," *Arctic Anthropology*, (1999) vol. 36 (1-2): 1-2.

As you may know, on April 26, 2000 the Walpole Island First Nation filed a statement of claim to unextinquished Aboriginal title and rights in the Ontario Superior Court of Justice in Toronto. The Walpole Island First Nation commenced legal steps to assert its Aboriginal title to beds of the Great Lakes within its traditional territory. Walpole Island First Nation asserts Aboriginal title to the Canadian portions of Lake St. Clair, the St. Clair River, the Detroit River, the western portion of Lake Erie, the southern portion of Lake Huron, and the area which was subject of Treaty 25 on July 25, 1822 (which Treaty was not signed by Walpole Island First Nation or its predecessors). See Map in appendix 1.

The legal basis of the claim is that the Three Fires Confederacy of the Ojibwa, Odawa and Potawatomi, the ancestors of Walpole Island First Nation exclusively occupied their traditional territory in the area that is now called southwestern Ontario at the time of assertion of British sovereignty. According to the test set out by the Supreme Court of Canada in *Delgamuukw*, they had Aboriginal title to their traditional territory. Walpole Island First Nation and its predecessors signed a number of treaties (see Map in appendix 2). Certain parts of Walpole Island First Nation's traditional territory were never subject to any Treaty with the Walpole Island First Nation. Walpole Island First Nation asserts Aboriginal title in its full force to those parts of its traditional territory. The following is just one example of the Walpole Island First Nation monitoring the development in their traditional territory.

Walpole Island First Nation TEK Case Study:

In the spring of the year 2000, Walpole Island First Nation participated in discussions with several natural gas pipeline companies who were interested in building a pipeline across their traditional territory. One element of the pipeline talks focussed on TEK, which, as noted above, was a requirement of the *Canadian Environmental Assessment Act*. A Joint Panel of the National Energy Board in a letter dated December 9, 1999 ordered the two proponents that:

"... respecting socio-economic impact, St. Clair and TransCanada should address the matter of the current use of land and resources, including those associated with Lake Erie, for traditional purposes by Aboriginal persons."

Walpole Island First Nation took the position that TEK was important, and that the First Nation should be involved in the study. After extensive negotiations, led by Dean M. Jacobs of the Walpole Island Heritage Centre, the pipeline companies agreed that a TEK study would be best done by and for the First Nation. It was perhaps the first case of a First Nation taking the lead in undertaking a TEK study in relation to an application under the *Canadian Environmental Assessment Act*.

In March 2000, a study team consisting of four people was put together to undertake the TEK Project. The team included Victor P. Lytwyn (Senior Advisor), Laurie Leclair (Coordinator), Michel Sands (Senior Community Researcher) and Harold Peters (Assistant Community Researcher). The team members met initially on 20 March at Walpole Island to plan the design and implementation of the project. A list of candidates for interviews was compiled and an interview timetable was established. A draft list of questions was compiled as a guide in the interviews. The necessary interview and mapping materials were obtained, including the use of a Geographic Information System (GIS) at the Walpole Island Heritage Centre.

The list of interview candidates was derived from the personal knowledge of the Senior Community Researcher and Assistant Community Researcher. During April and May 2000, Michel Sands and Harold Peters visited with a number of people, explaining the TEK Project and seeking co-operation from individuals to come forward and offer their traditional knowledge through audio-taped interviews and map biographies. The candidates were chosen from among members of Walpole Island First Nation who were known to be currently involved in the use of traditional resources. Each of the candidates were approached individually and asked to participate in the study. The purpose of the study was explained, and all of the candidates signed a consent form authorizing the use of their information for the TEK Project. In order to provide some degree of anonymity, the interviewees were given a number that appears on their interview transcripts and in this report. A conversion list is available for the parties to consult, if necessary, at the Walpole Island Heritage Centre. The signed consent forms are also available at the Heritage Centre for consultation by the parties if required.

The people who participated in the interviews consisted of 28 people, ranging from 26 to 75 years of age. The group consists of 26 males and 2 females, a ratio that reflected the more extensive use of traditional resources among the men of Walpole Island First Nation. While women continue to use traditional resources locally, men were known to travel farther away especially for hunting and fishing purposes.

A list of questions was developed to guide the interview process and assist in obtaining relevant information. The main task was to obtain information on the current use of land and resources for traditional purposes in the area of the proposed pipeline corridor. The list of questions designed to solicit that information included the following subject areas:

1. Traditional fishing and hunting areas.
2. Traditional collection and use of plants for medicinal and other purposes.
3. Traditional travel routes.
4. Traditional ceremonial or spiritual areas.
5. Burial sites and other sacred places.
6. Sites of traditionally important past events.
7. Traditional names of geographic sites and areas.

The list was intended to be used to guide the interviews and not to serve as a "yes/no" form of questionnaire. Based on previous interview experience with members of Walpole Island First Nation, it was decided to follow a less formal approach and to allow the interviewees to talk about other subjects as well as those on the list.

The interviews began in April and concluded in June 2000. Most of the people were interviewed at the Heritage Centre, and the others were interviewed in their homes. After explaining the purpose of the interview and obtaining their signature on the consent form, the interview began with an examination of a map showing the proposed route of the pipeline. Each of the interviewees was given a blank map on which to draw places and areas where they used resources for traditional purposes. Some people were reluctant to mark out places and areas on the map, and preferred to talk about them instead of marking them on the map. An audiotape recorder was

used to record each interview (4 interviews were done without a tape recording because they were done concurrently with other interviews). Finally, a photograph of each of the interviewees was taken to be included as part of the project. These photographs are kept with the other personal information on file at the Walpole Island Heritage Centre, and are available for consultation by the parties if required.

The base maps used in the TEK Project were produced at the Walpole Island Heritage Centre using GIS mapping technology. The scale of the map was at 1:250,000 (from baseline date taken from National Resources Canada), with rivers, lakes and major roads and towns marked as reference points. Each of the manuscript maps was translated into GIS files and plotted on to computer maps using ArcView 3.2. Additional maps on a scale of 1:50,000 and 1:10,000 were also available for consultation and in order to identify specific sites that were not visible on the larger scale base map.

Each of the interviews was transcribed and a written record was provided to the interviewees. The interviewees were asked to examine the written transcript and accompanying map, and to report any inaccuracies. Most of the people were satisfied with the written record, while a few noted changes that were subsequently made to improve the transcripts. All of the people were interviewed a second time to discuss revisions or additions to their original statements.

Individual maps and the associated transcripts of interviews were the basis for compiling composite maps of traditional resource harvesting areas. Three composite maps were drawn to include (1) fishing areas, (2) hunting areas and (3) plant gathering areas. Finally, a multi-component composite map was done to include all traditional resource areas. These maps were included as attachments to the final report (see appendix 3).

The people who were interviewed talked openly about their current use of traditional resources, and the places which they exercise those activities. The results show that all the people have a deep and passionate interest in traditional resources. Many actively engage in resource harvesting and have fond memories of

taking part in these activities with family and other community members in times past.

All of the people interviewed spoke at length about fishing. Everyone talked about fishing around Walpole and the surrounding islands. Most had fished in the deeper waters of Lake St. Clair and the St. Clair River. About half of the people interviewed had fished in Lake Huron around Kettle Point. This latter fishery was done with people from Kettle Point First Nation, or at least with their knowledge and consent. The same can be said about people from Walpole Island fishing in the Thames River near Moraviantown. Most people who were interviewed said that they had fished there with local Aboriginal people. A few people said that they had fished in the Detroit River, and with local friends or as an occasional recreation. A few said that they had fished at points along Lake Erie, such as Port Stanley and Long Point. These were done in connection with local friends or relatives for recreation purposes. A number of people talked at some length about smelt fishing at Point Pelee and at Point aux Pins (Erieau). Many recalled the smelt fishery when they were children accompanying parents, grandparents or other relatives. The smelt fishing was attended with other social functions, and appears to have been a traditional seasonal harvest for many Walpole families. The smelt fishery has declined in recent years, and none among those interviewed had fished within the last 10 years. As interview #28 explained: "The fishing kinda of [inaudible] the smelt population seems to have dwindled."

Hunting is also a traditional activity practised by many people at Walpole Island. Duck hunting is the predominant activity at Walpole Island, and most of the people interviewed had some connection with duck hunting. Most hunt for ducks only in the Walpole marshes. A few hunt ducks near Sarnia, often in company with people from Sarnia First Nation.

Deer hunting was practised by most of the people interviewed. Again, Walpole was the choice of many but a number of people go farther afield for deer hunting. Hunting takes place near Sarnia, Kettle Point and Moraviantown, most often in company with local Aboriginal people. Several people described hunting deer at

night with jacklights. A few people hunt deer in other places within Walpole Island First Nation Traditional Territory.

Many people talked about hunting muskrats, frogs, turtles, rabbits, raccoons, squirrels, and other small game animals. Muskrat trapping and spearing was done by a number of people. Most had hunted muskrats as children with their parents or other relatives, and a few still harvest muskrats. The muskrat pelts were sold to buyers who came to the island, or to buyers in the local area including Michigan. Some eat the muskrat meat, and others give it away. Most of the muskrat hunting was done at Walpole, but a few said they had trapped and speared in other areas. The trapping regulations enforced by the Ontario government obviously dissuaded some from harvesting muskrat away from Walpole. As interview #2 recorded, he: "Never went off the Island cause I was told I had to have a license and that your not allowed to trap near houses or you gotta be so far from a house. Something to that extent."

Many people from Walpole Island gather wild plants for medicinal and other purposes. Most of the people interviewed picked these plants within the delta islands of Lake St. Clair. A few people gather sweetgrass within the traditional territory. The sites are within easy reach of Walpole Island, near Chatham, Wallaceburg and Sarnia.

An effort was made to obtain information about sacred or spiritual sites near the proposed pipeline corridor. Most of the people were unaware of these sites. Several people indicated that they believed sacred or spiritual sites were located in the area, but none gave specific site locations.

In summary, most of the people interviewed engage in harvesting traditional resources within and around the delta islands of Lake St. Clair. A few people currently use traditional resources in the larger area of the traditional territory of Walpole Island First Nation. The areas of current use are concentrated along the St. Clair River, around Kettle Point in Lake Huron, and along the Thames River especially near Moraviantown. Most of the current use of traditional resources takes

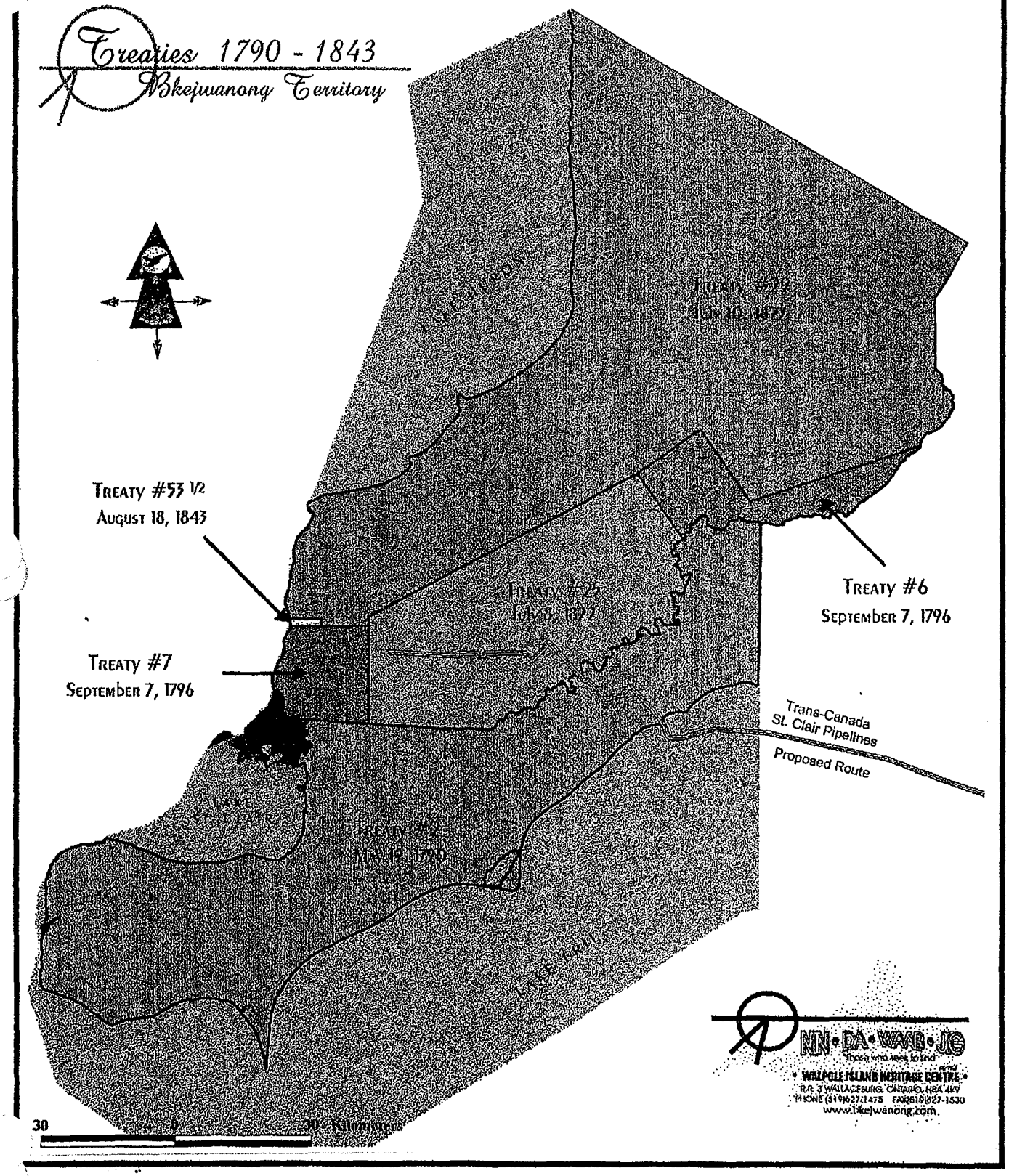
place away from the proposed pipeline corridor. However, many of the people engage in resource harvesting in areas downstream from the proposed pipeline, especially along the Thames and Sydenham Rivers. In addition, the concentrated use of fish and game in and around the delta islands of Lake St. Clair could potentially be impacted by the pipeline crossing in Lake Erie. The fishery, which is of vital importance to people of Walpole Island, may be impacted because fish moving between Lake St. Clair and Lake Erie.

On 12 July 2000, a feast was held at Highbanks near the Walpole Island Heritage Centre to thank the participants in the TEK Project. Over half of the people interviewed attended along with family and friends. The study team attended and gave thanks to the people who agreed to take part in the study. Those in attendance expressed their satisfaction with the way in which the study was undertaken and results achieved. One participant stated that the interview had helped him remember traditional resource areas and the people he had travelled with to harvest fish, game and plants.

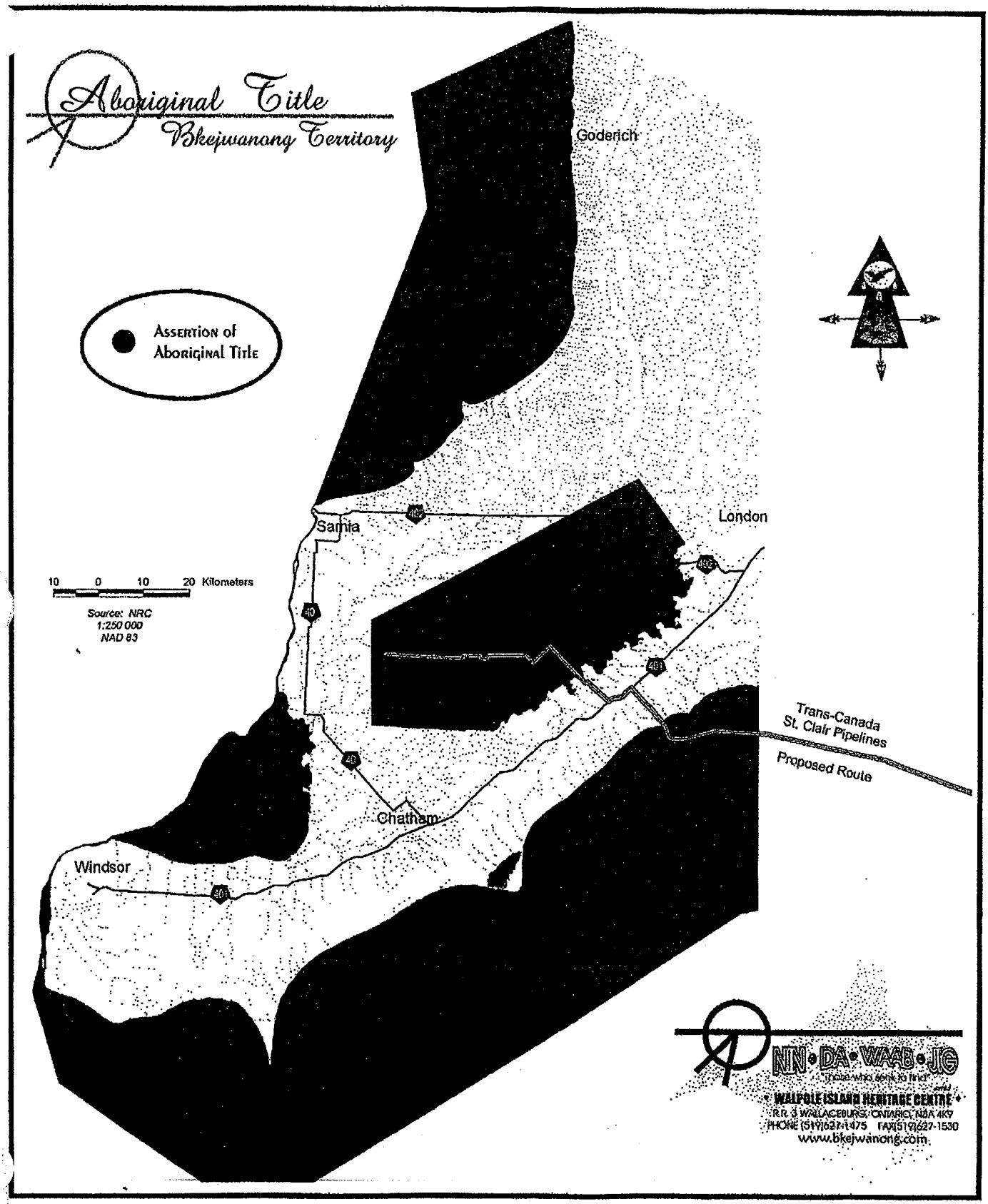
What then is my message? It is that if other organizations in the Basin come to us, and I believe to any aboriginal group, looking for instant TEK, you are likely to be disappointed, and may often be unwelcome. If, however, you come with a recognition that our ways are not necessarily your ways, that our values are as important and as inherent to us as yours are to you, and that our knowledge is entitled to respect, then there is a great deal we can do together to protect, preserve and enhance the Lakes ecosystem. Likewise, TEK will live and grow which I submit will benefit us all.

Thank you.

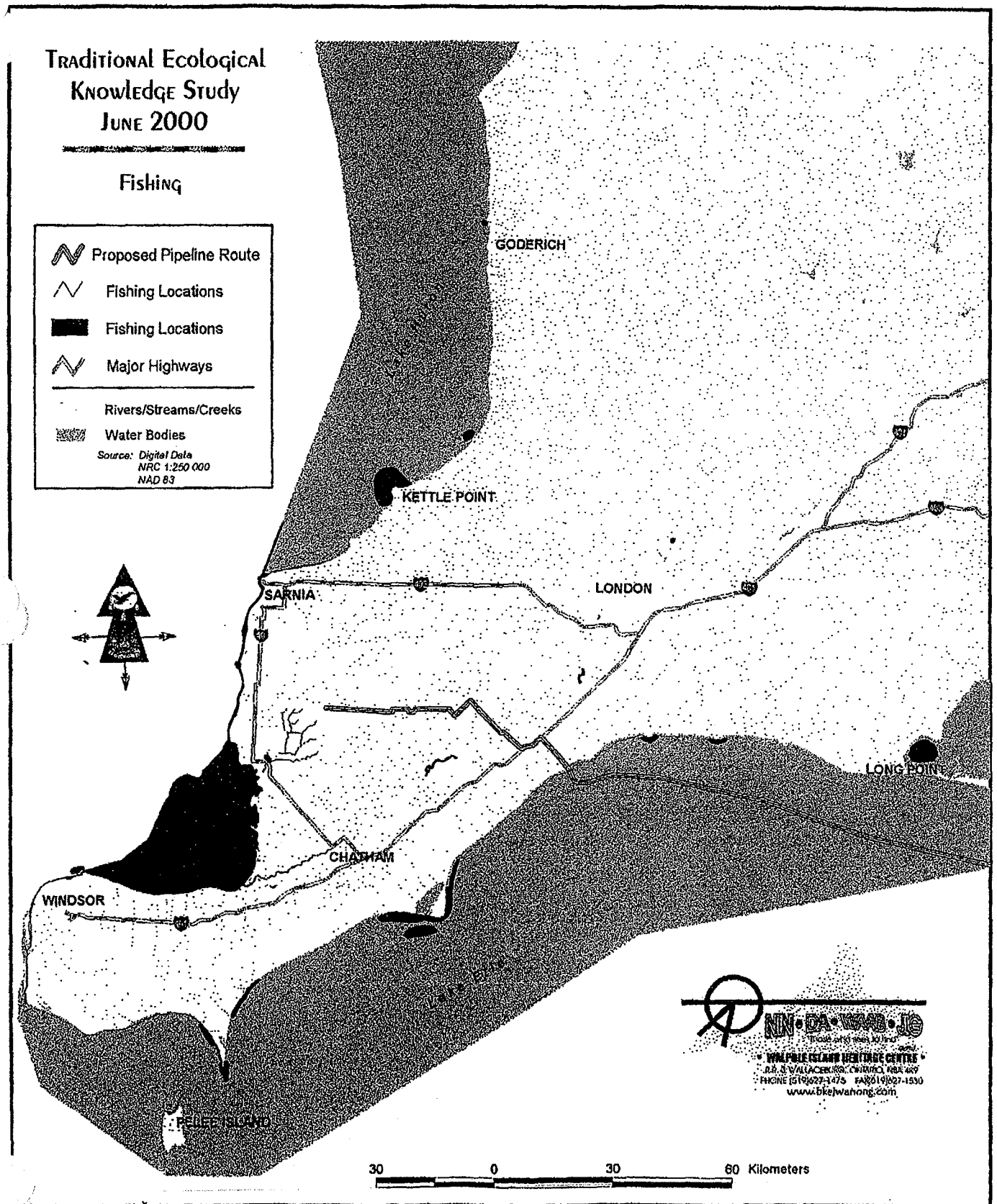
APPENDIX I

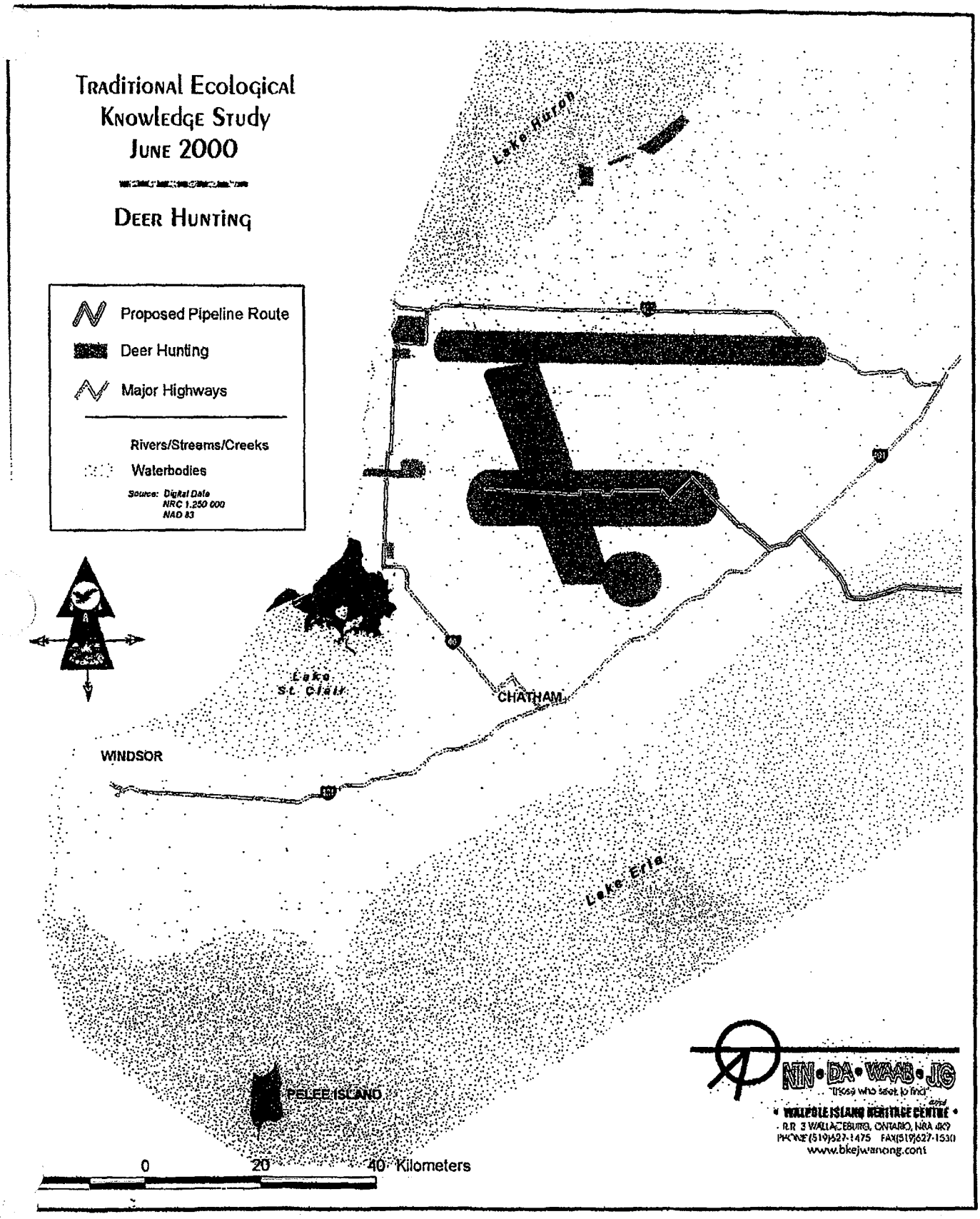

Treaties 1790 - 1843
Bkejwanong Territory
Treaty #29
July 10, 1827
Treaty #53 1/2
August 18, 1843
Treaty #6
September 7, 1796
Treaty #7
September 7, 1796
Trans-Canada
St. Clair Pipelines
Proposed Route
Treaty #2
May 19, 1790
LAKE
ST. CLAIR
NN • DA • WAB • JC
WALPOLE ISLAND HERITAGE CENTRE
R.R. 3 WALLACEBURG, ONTARIO, N8A 4K9
PHONE (519)627-1475 FAX(519)627-1530
www.bkejwanong.com
30
0
30 Kilometers

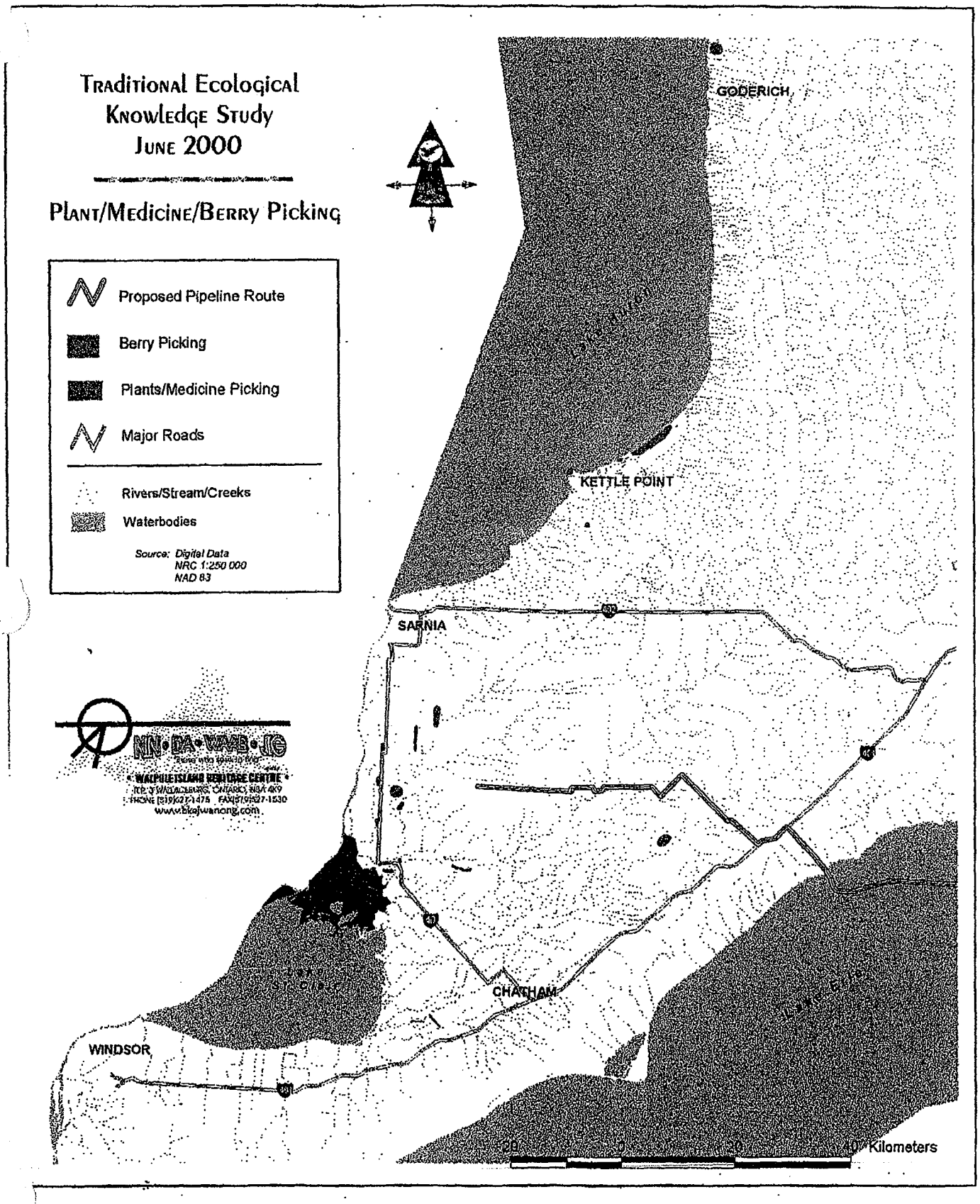
APPENDIX II

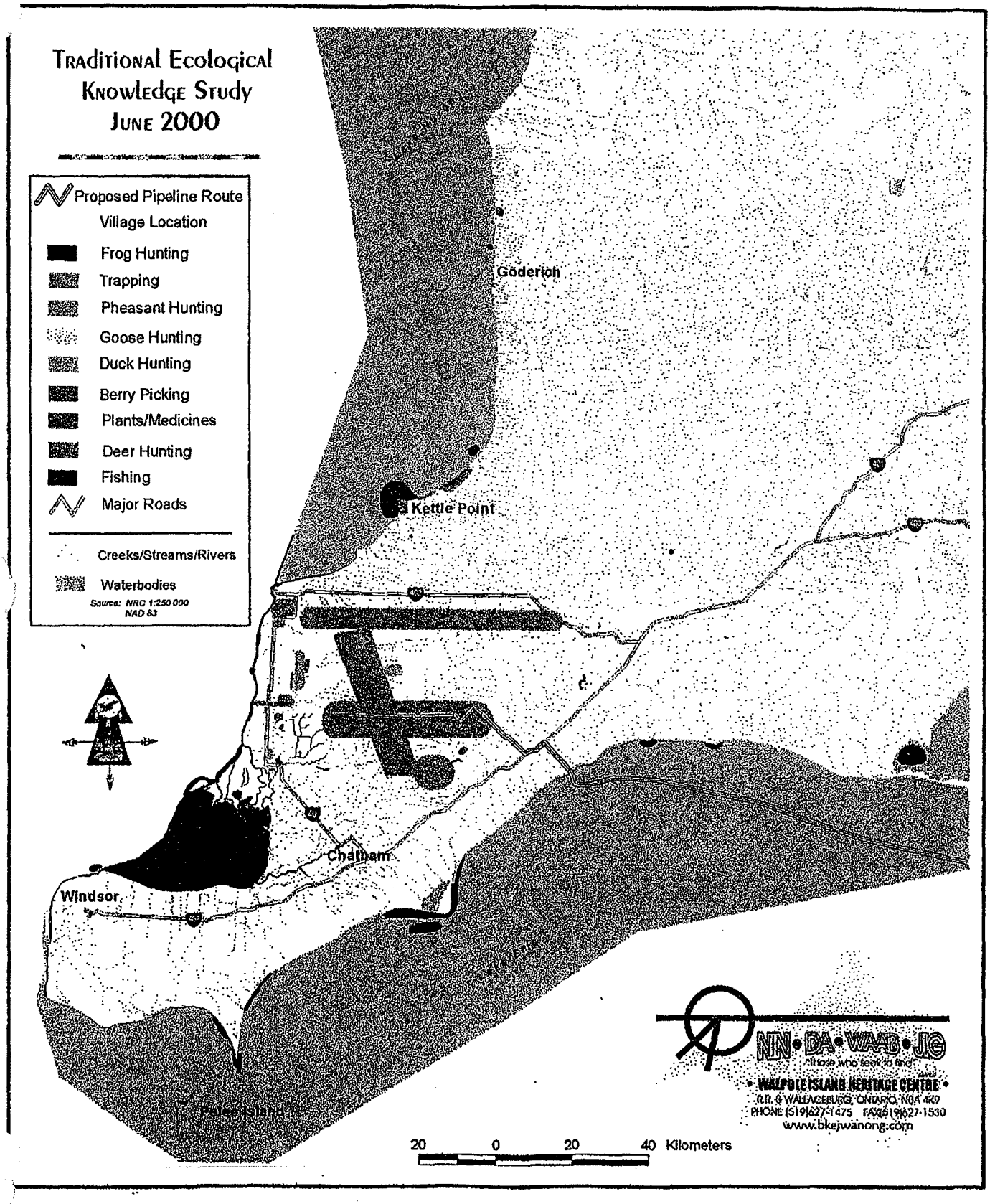

Aboriginal Title
Bkejwanong Territory
Assertion of Aboriginal Title
Goderich
Sarnia
London
Chatham
Windsor
Trans-Canada St. Clair Pipelines
Proposed Route
10 0 10 20 Kilometers
Source: NRC
1:250 000
NAD 83
NN • DA • WAAB • JG
"Those who seek to find"
WALPOLE ISLAND HERITAGE CENTRE
R.R. 3 WALLACEBURG, ONTARIO, N8A 4K9
PHONE (519)627-1475 FAX(519)627-1530
www.bkejwanong.com

APPENDIX III


Traditional Ecological Knowledge Study
June 2000
Fishing
Proposed Pipeline Route
Fishing Locations
Fishing Locations
Major Highways
Rivers/Streams/Creeks
Water Bodies
Source: Digital Data
NRC 1:250 000
NAD 83
GODERICH
KETTLE POINT
SARNIA
LONDON
LONG POINT
CHATHAM
WINDSOR
PELEE ISLAND
30 0 30 60 Kilometers


Traditional Ecological
Knowledge Study
June 2000
Deer Hunting
Proposed Pipeline Route
Deer Hunting
Major Highways
Rivers/Streams/Creeks
Waterbodies
Source: Digital Data
NRC 1:250 000
NAD 83
Lake Huron
Lake St Clair
CHATHAM
WINDSOR
Lake Erie
PELEE ISLAND
0
20
40 Kilometers
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Traditional Ecological
Knowledge Study
June 2000
Plant/Medicine/Berry Picking
Proposed Pipeline Route
Berry Picking
Plants/Medicine Picking
Major Roads
Rivers/Stream/Creeks
Waterbodies
Source: Digital Data
NRC 1:250 000
NAD 83
GODERICH
KETTLE POINT
SARNIA
CHATHAM
WINDSOR
NN•DA•WAB•JIG
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www.bkejwanong.com
20 0 20 40 Kilometers


Traditional Ecological Knowledge Study
June 2000
Proposed Pipeline Route
Village Location
Frog Hunting
Trapping
Pheasant Hunting
Goose Hunting
Duck Hunting
Berry Picking
Plants/Medicines
Deer Hunting
Fishing
Major Roads
Creeks/Streams/Rivers
Waterbodies
Source: NRC 1:250 000
NAD 83
Goderich
Kettle Point
Chatham
Windsor
Pelee Island
20 0 20 40 Kilometers
NIN•DA•WAAB•JIG
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Walpole Island First Nation Wind Farm Consultation

Presentation by Gartner Lee Limited
September 18, 2008

Gartner Lee

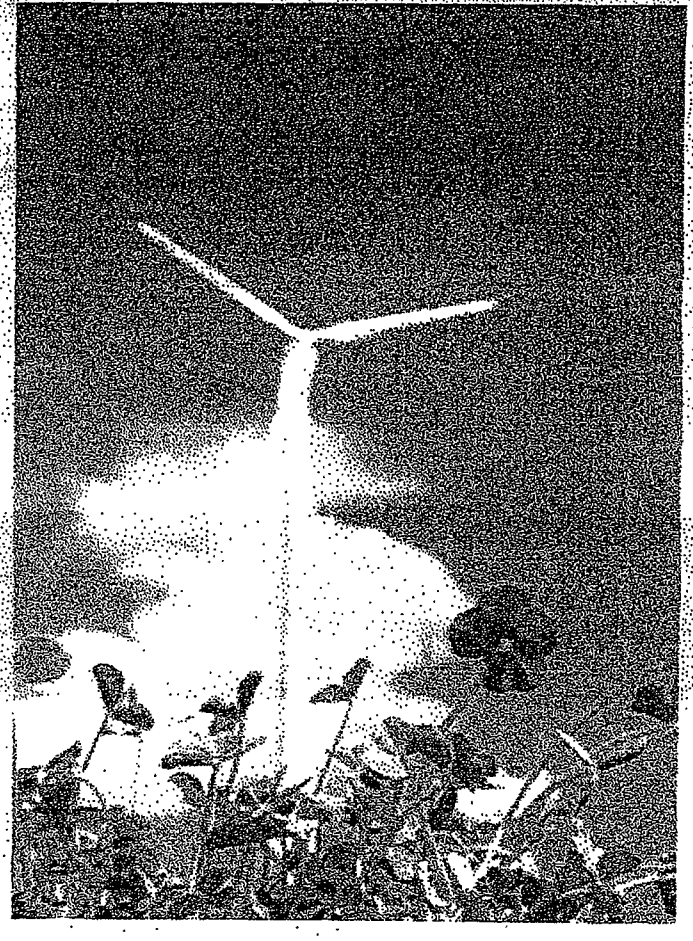
Presentation Overview

Wind Farm ESR Review: Scorecard System

- Scope of Proposed Wind Farm
- Proponent & Project Information Required
- Scoring and Due Diligence
- Budget for Examination of Proposed Project
- Outputs

Wind Farm Biodiversity

- The Vision
- Overview of Biodiversity
- Potential of WIFN Wind Farms
- Increasing Biodiversity in WIFN Territory
- Region-wide Impacts and Benefits
- Addressing Potential Challenges



Farm ESR Review Process: A Scorecard System

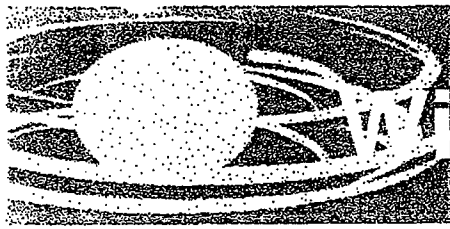


Wind Farm Scorecard System



Scope of Proposed Wind Farm:

- **Megawatts**
  - How large is the wind farm?
- **Environmental Sensitivity**
  - How sensitive is the environment within the project area?
- **Archaeological Significance**
  - What is the potential archaeological significance of the land within the project area?
  - How large is the project area?
- **General Complexity**
  - How complicated is the overall scope of the proposed wind farm?



Wind Farm Scorecard System

Proponent Information:

- **Financial**
  - Has the proponent been in existence for more than 3 years?
  - Does the proponent have a strong financial record for the past 5 years?
  - Has the proponent arranged financing for other similar projects?
- **Regulatory**
  - Has the proponent been pre-qualified to sell into the market?
  - Has the proponent managed or obtained approvals?
- **Technology**
  - Has the proponent used this technology before?
- **Social**
  - Does the proponent have a good track record of working with First Nations? Municipalities? Joint-ventures?

Wind Farm Scorecard System



Project Information:

- Environmental (ESR)
  - Surface and Groundwater
  - Land-Use
  - Air and Noise
  - Natural Environment
  - Resources
- Heritage and Culture
  - Effects on heritage buildings, archaeology, cultural landscapes, etc.
- Aboriginal
  - Effects on First Nations or other Aboriginal communities?
- Other
  - Waste disposal

Scoring Risks & Rewards

Risks

Financial	Is the ROI attractive to investors?
Regulatory	Are approvals likely & is market there?
Technology	Is the technology proven and appropriate?
Social	Are affected communities on board?
Environmental	Is it safe, but from whose perspective?

Scoring Risks & Rewards

Rewards

Human Capital	How will First Nations people be affected?
Financial Capital	How will revenues and profits to people and business change?
Physical Capital	How is infrastructure affected?
Social Capital	How does the overall community benefit?
Natural Capital	What natural values are protected?

Financial Due Diligence

Risks

- Financial
- Regulatory
- Technology
- Social
- Environmental

1. Has the proponent company been in existence for more than 3 years?
2. Does the proponent company have a strong financial performance record in each of the past 5 year?
3. Has the proponent arranged financing for other projects similar in capital requirements?

- 0 Yes's = High financial risk
- 1-2 Yes's = Medium financial risk
- 3 Yes's = Low financial risk

Regulatory Due Diligence

Risks

- Financial
- Regulatory
- Technology
- Social
- Environmental

1. Has the proponent demonstrated an ability to comply with the current Ontario regulatory process?
2. Does the proponent have an established track record with Ontario regulators?
3. Has the proponent managed or obtained approvals anywhere else in Ontario/Canada?

- 0 Yes's = High regulatory risk
- 1-2 Yes's = Medium regulatory risk
- 3 Yes's = Low regulatory risk

Technology Due Diligence

Risks

- Financial
- Regulatory
- Technology
- Social
- Environmental

1. Has the proponent designed, built, or managed any power generation facility using wind turbines / other technologies?
2. Have any projects, developed by the proponent been in operation for more than 3 years?
3. Does the proponent have a good working relationship with a construction company and/or the equipment manufacturer?

- 0 Yes's = High technical risk
- 1-2 Yes's = Medium technical risk
- 3 Yes's = Low technical risk

Social Due Diligence

Risks

- Financial
- Regulatory
- Technology
- Social
- Environmental

- 0 Yes's = High social risk
- 1-2 Yes's = Medium social risk
- 3 Yes's = Low social risk

1. Does the proponent have a good track record of working with First Nations elsewhere?
2. Does the proponent have a good track record of having worked with municipalities and other stakeholders on energy-related projects elsewhere?
3. Has the proponent successfully form joint venture partnerships in the past?

Environmental Due Diligence

Risks

- Financial
- Regulatory
- Technology
- Social
- Environmental

- 0 Yes's = High environmental risk
- 1-2 Yes's = Medium environmental risk
- 3 Yes's = Low environmental risk

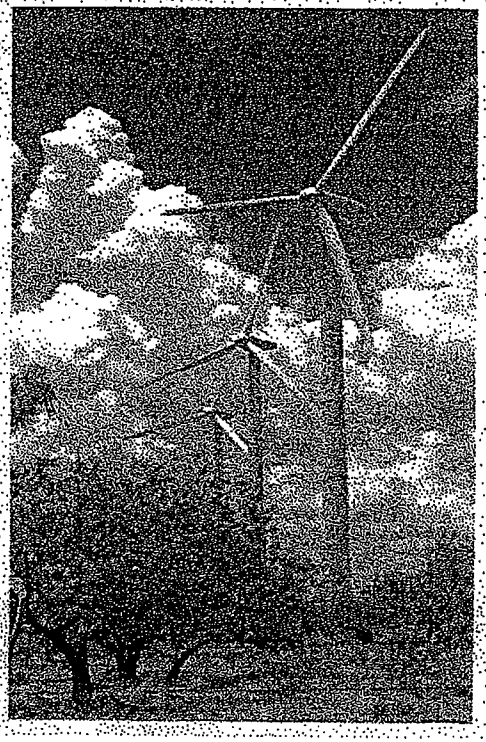
1. Has the proponent successfully managed an environmental assessment process elsewhere in Ontario?
2. Does the proponent have good track record with the MOE for any its projects (e.g. no violations, clean-up orders, etc.?
3. Does the proponent have good relationships with MNR and MOE district offices?

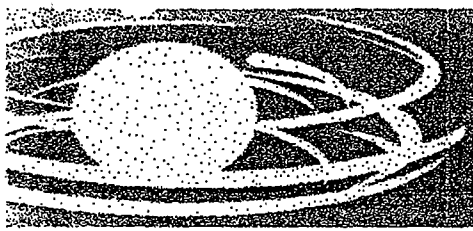
Wind Farm Scorecard System

Deliverables

The technical review includes the following deliverables:

- Due diligence – proponent and financials
- Terrestrial ecology & wildlife
- Avian studies
- Aquatic ecology
- Surface water quality
- Hydrology
- Hydrogeology
- Ecological Risk Assessment
- Biodiversity
- Archaeology
- Socio-economics
- Reporting





Wind Farm Scorecard System
Additional Deliverables

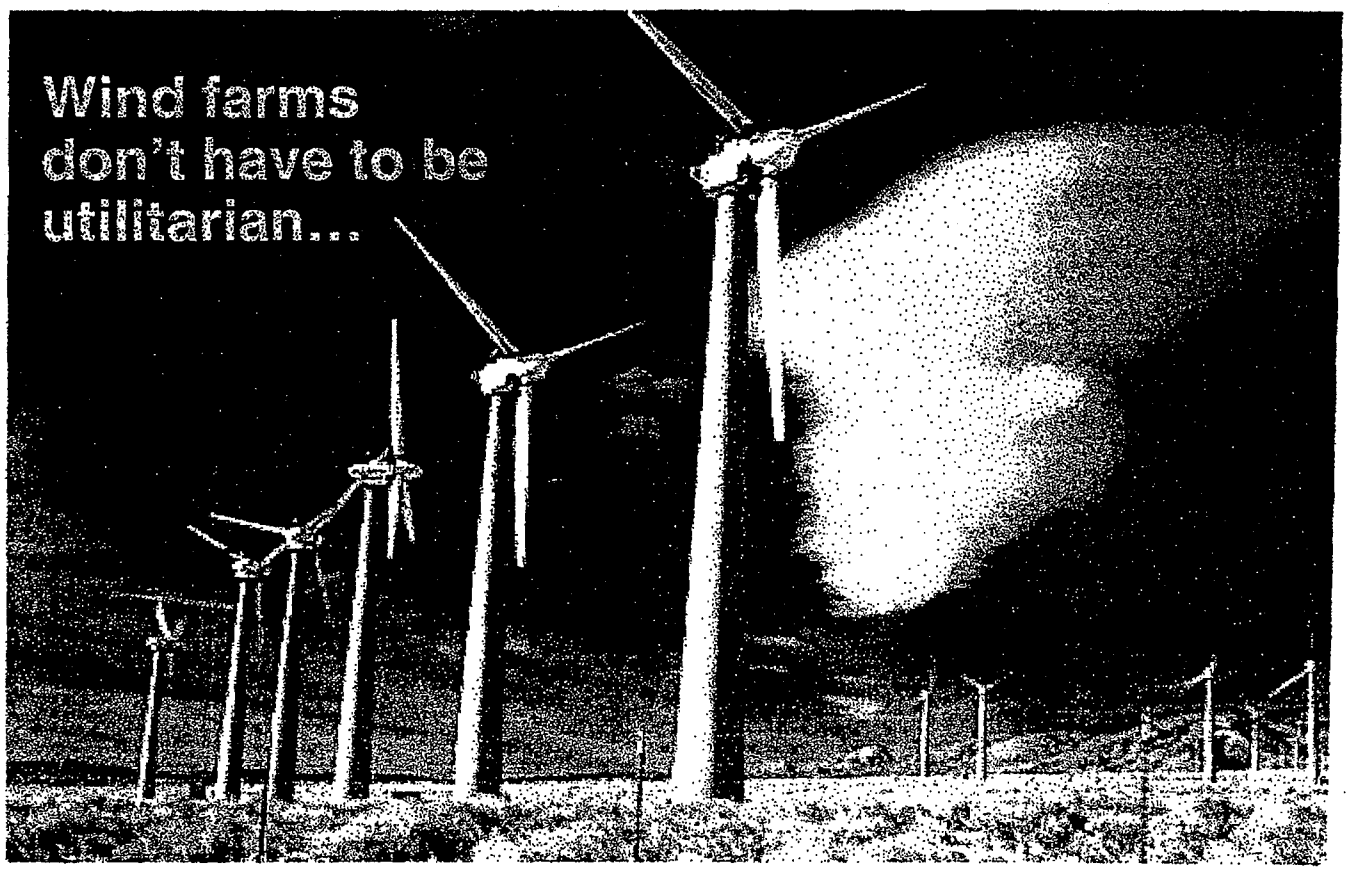
- Technical Capacity Development (WIFN Heritage Centre)
- Information Management (Database: GIS, Archaeology, Ecology)
- Presentation to Council/Committee
- Assessment of Cumulative Effects across WIFN Territory
- Assessment of Ecological Enhancement Opportunities
  - Includes agricultural and land restoration
- Assessment of Socio-economic Development Opportunities
- Recommendations
- First Nations Consultation
- Community Stakeholder Consultation

Typical ESR Technical Review Fees

Small (Under 10MW) = $20,000.00
Medium (10 - 100MW) = $27,000.00
Large (100+ MW) = $35,000.00

***Off-shore = $45,000.00**

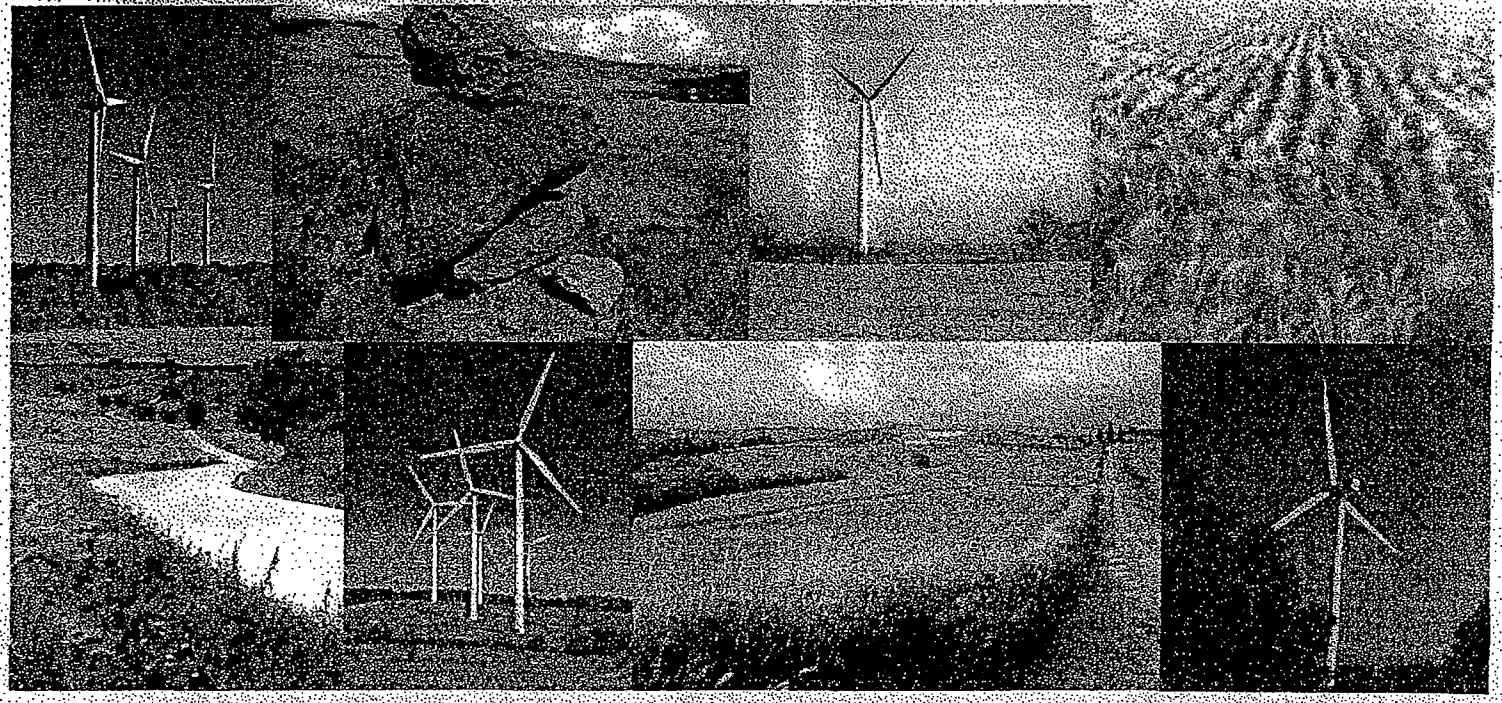
Wind Farm Biodiversity
Traditional Wind Farms

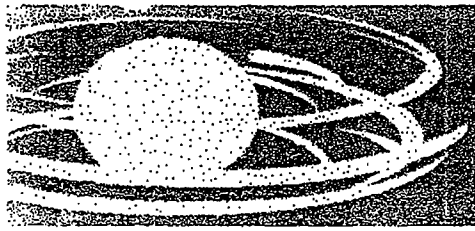


Wind Farm Biodiversity

A Vision

...instead, wind farm projects could enhance biodiversity by connecting and increasing the size of naturalized areas.





Biodiversity
An Overview

- Biodiversity refers to variation in species and the environments where they live. Wide biodiversity is good for the development of all species.

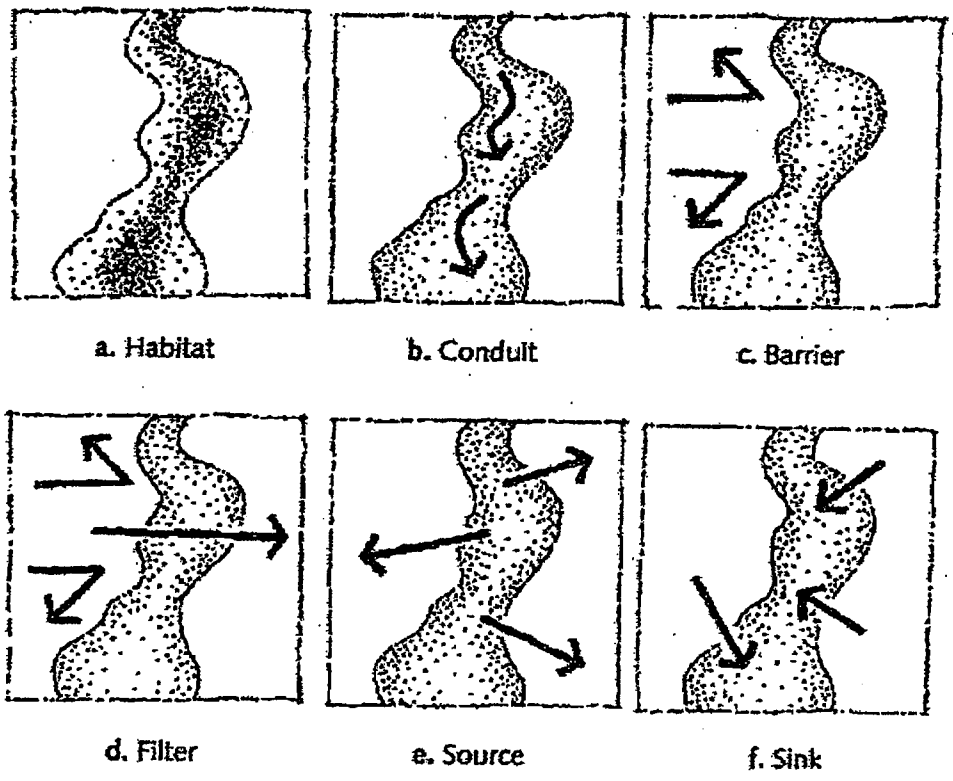
- There tends to be greater species diversity in connected woodlots and naturalized areas than in those that are isolated.

- Movement of seeds and animals between woodlots and naturalized areas ensures a healthy gene pool.

- Creating natural corridors that link existing woodlots, wetlands and other key habitats, provides areas for wildlife travel, food and shelter.

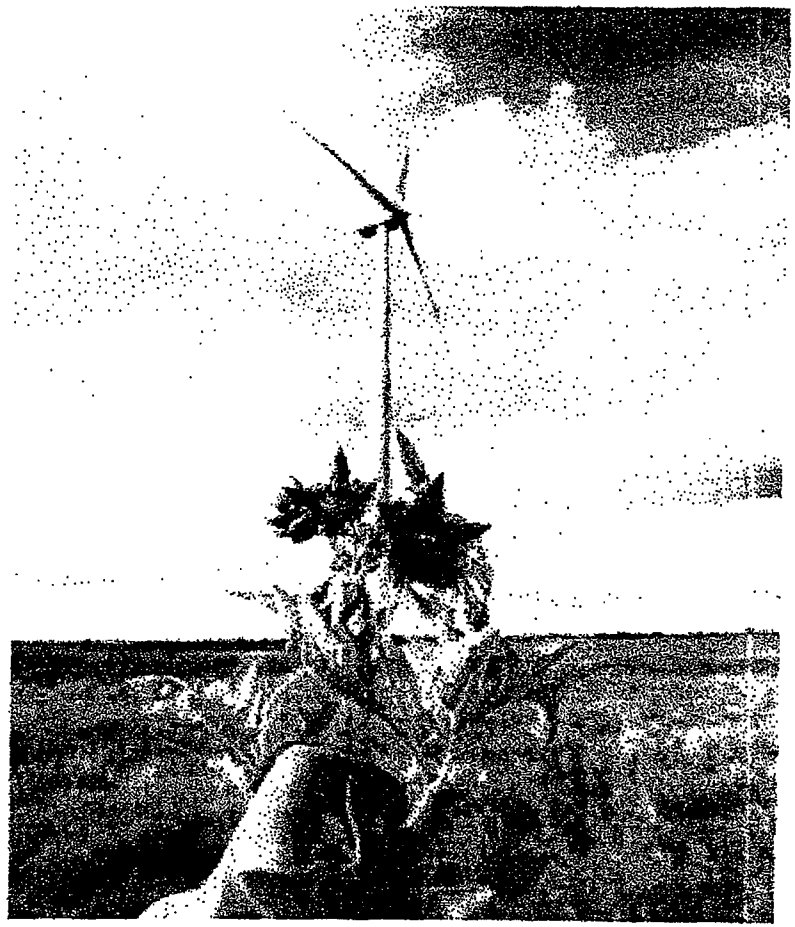
Functions of Natural Corridors

Six Basic Functions of Natural Corridors:

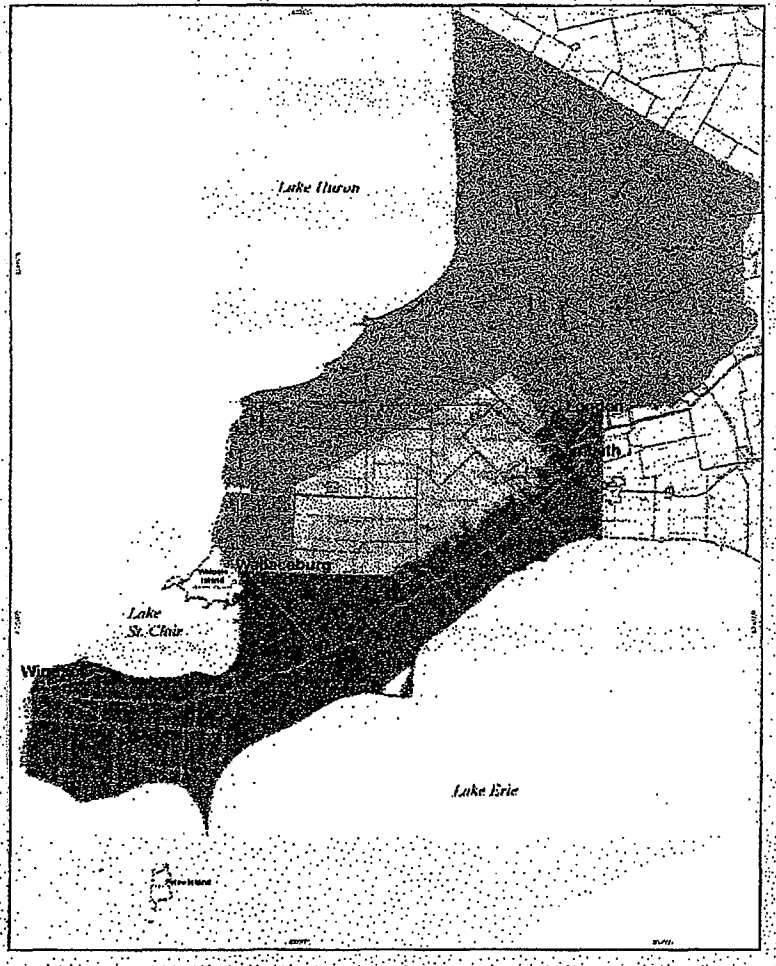


WIFN Wind Farms
Discover the Potential

Wind farm projects across Walpole Island First Nation traditional territory offer enormous potential to benefit and promote biodiversity.

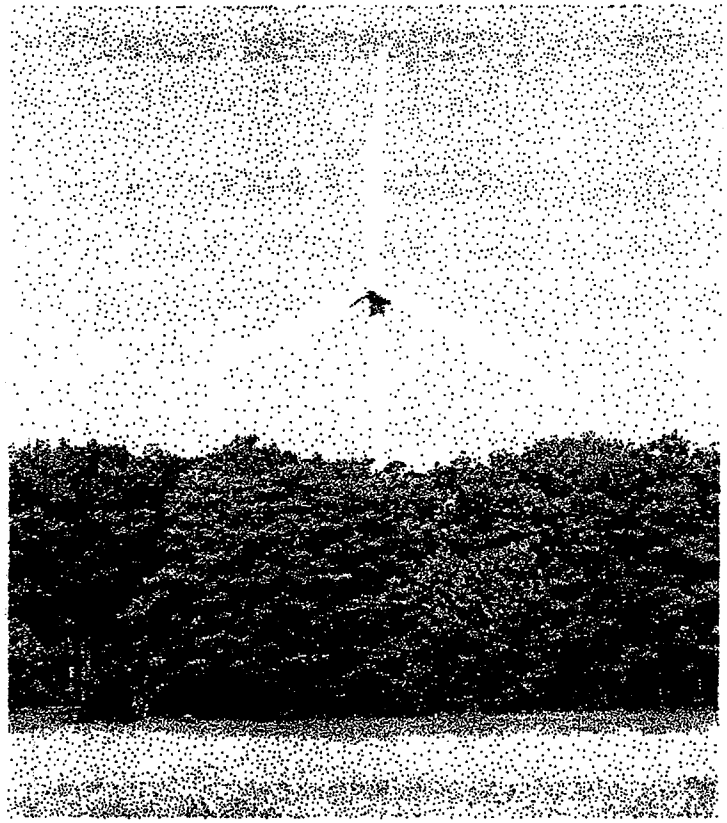


Regional Significance of Naturalizing WIFN Wind Farms



- Largely agricultural landscape across the WIFN territory.
- Largely deforested and many isolated forest blocks.
- Unique ecosystem in Ontario – Carolinian Forest with many species at risk.

Increasing Biodiversity in WIFN Territory



Plant native trees, shrubs and grasses:

-Along turbine access roads and extensions.
-Between access roads and property lines.
-Around existing woodlots to increase the core protected area.
-Along water courses near wind farms.
-Between woodlots and other naturalized areas to form corridors.

Plant a variety of native species to provide food sources across seasons

- e.g. fruit bearing plants and those that have seed pods throughout the winter.

Let the edges of woodlots naturalize on their own or retire marginal farm land near woodlot edges.

Increasing Biodiversity
Continued

- Use hedgerows and living fences where fences are necessary.
- Create nesting habitat
- Pile rocks in naturalized areas to give reptiles and small mammals a place to hide.
- Create naturalized shelter-belts around wind farm outbuildings and turbine sites.



Additional Opportunities

- WIFN community members, students and other local volunteers could be involved in the naturalization.
- Demonstration projects could be created in partnership with schools and naturalist groups.
- Education / awareness initiatives could be implemented.
- WIFN could provide plant and seed stock for naturalization.
- Understanding of region-wide impacts & benefits could be increased.



Region-Wide Impacts & Benefits

A Demonstration Project

- WIFN could create a data library to track archaeology, bird and bat populations and locations, species at risk, etc.
- Geo-referenced data could be requested from wind power companies.
- The information could be analyzed to understand cumulative impacts / benefits of wind farms and increase understanding of the territory.
- Informed recommendations could be made for future projects.
- Partnership opportunities with universities.

Addressing Potential Challenges

Potential Challenges	Positive Viewpoint
► Agricultural Landowner/ Lessor Cooperation	• Reduced erosion • Maintaining soil moisture • Higher crop yields • Living snow fences
► Wind Farm Company Cooperation	• Good public relations • Low height vs. turbine height • Long time to establish mature corridors • Additional environmental benefits from wind farms

Discussion / Questions

