



PENN ENERGY RENEWABLES, LTD.

Consultation Report

In support of an application for a
Renewable Energy Approval (REA)
Pursuant to Ontario Regulation 359/09

For the

Penn Energy – Ridgefield SOLAR ENERGY FACILITY

FIT Contract No. F-001549-SPV-130-505

FIT Application No. FIT-FITFRZ1



In the
**City of Kawartha Lakes
ONTARIO, CANADA**

December 19, 2012

A note regarding REA application requirements and additional Project Information:

This document is one component of a series of reports and other related documents that, collectively, constitute a complete Renewable Energy Approval (“REA”) application package which will be submitted to the Ministry of the Environment (“MOE”) for review and approval. As such, this report is intended to compliment the other documents and may reference and/or rely upon information contained in them; therefore, the contents herein should not be considered independently.

Notice:

This document has been prepared solely for the use of Penn Energy Renewables, Ltd. (“Penn”) as part of the REA process in accordance with Ontario Regulation 359/09. It is in DRAFT form and subject to further revision. The content of this document is not intended for the use of – nor is it intended to be relied upon by – any other person, firm or corporation. Penn denies any liability whatsoever to other parties for damages or injury suffered by such third party arising from use of this document by them. Neither Penn nor any of its directors, officers or employees, shall have any liability (for negligence or otherwise) to any third party for any use of this document for any reason whatsoever.

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1.0 Introduction

Penn Energy Renewables, Ltd. (“Penn”) has executed a FIT contract with the Ontario Power Authority (“OPA”) for the construction of an 8 MW, ground-mounted, Class 3 solar energy facility west of the Village of Dunsford, within the City of Kawartha Lakes, Ontario. The subject lands are located in part

of Lot 5, Concession 10, in the Geographic Township of Fenelon in the City of Kawartha Lakes. The proposed Renewable Energy Generation Facility (“REGF”) will consist of a collection of solar photovoltaic (“PV”) modules (each approximately 1.00 metres x 1.67 metres or 1.00 metres x 2.00 metres in dimension) that are grouped into arrays tilted and facing south. These stationary arrays are strung together forming a series of rows oriented east to west. The Environmental Protection Act (“EPA”) administered by the Ministry of Environment (“MOE”) regulates Renewable Energy Approvals (“REA’s”) under Part V.0.1 of the Act, pursuant to Ontario Regulation 359/09 (“O.Reg 359/09”). A proponent of a renewable energy project is required to submit numerous reports as part of an REA application; one of which is this Consultation Report (“CR”).

According to the MOE’s publication “Technical Guide to Renewable Energy Approvals: Chapter 2 (2012): Guidance for preparing the Consultation Report” as part of an application under O.Reg.359/09:

Consultation is a critical component of the Renewable Energy Approval process allowing for a two-way exchange of information between the REA applicant and interested or potentially affected local groups, Aboriginal communities, members of the public as well as municipalities and local boards. Consultation helps ensure that concerns are identified early and addressed where possible, in a transparent manner. Consultation also enables applications to obtain and use local knowledge in their project designs and in the assessment of any potential negative environmental effects.

This report begins with a summary of the consultation process and further outlines Penn’s consultation process with the public, the Aboriginal communities, the City of Kawartha Lakes and other related boards and agencies. The report addresses the consultation requirements under O.Reg 359/09 and the expectations of the MOE as they relate to Penn’s proposed solar facility located within the City of Kawartha Lakes.

2.0 Overview of the Consultation Process

In all of its projects, Penn has placed significant emphasis on understanding various stakeholder concerns and incorporating such feedback into the planning process. One of Penn’s core principles is that communication, with an emphasis on understanding stakeholder concerns, helps ensure success for even the most complex projects. The consultation process has allowed Penn to perform community outreach, invite political participation, and accurately present its projects. Penn’s understanding of various concerns among stakeholders has historically resulted in Penn’s completion of projects which Penn and the community can be proud of for years to come. Following is a summary of Penn’s engagement with the public, Aboriginal communities, and municipal boards and agencies for the Ridgefield Solar Energy Facility.

Prior to Penn’s first public meeting, Penn engaged with the City of Kawartha Lakes on a number of occasions as outlined in the Municipal Consultation section of this report. Notably, Penn engaged with the administrative offices of the Development Services – Planning Division to open a dialogue related to renewable energy projects, in general, to be sited within the City of Kawartha Lakes. Also, Penn

sought information pertaining to the different zoning districts along with various uses throughout the City of Kawartha Lakes. Once it was established that the City of Kawartha Lakes was receptive to such a project, Penn engaged in community outreach to seek a viable project location which would be suitable and meet the OPA FIT guidelines. Upon the establishment of Penn's preferred project location and land control, Penn again approached the City of Kawartha Lakes to discuss the current zoning of the property and Penn's upcoming application to the OPA FIT Program. Early in the consultation process, Penn spoke with City of Kawartha Lake officials and other governmental agencies about the project in order to obtain a better understanding of the environmental attributes at the property, including the potential presence of significant woodlands or wetlands, wildlife habitat, potential species at risk, tree cover policies, drainage, and required setbacks of features. During the ongoing consultation process, Penn coordinated and participated in correspondence and face-to-face meetings with City and other governmental officials in order to introduce our company and provide an overview of our project, the nature of which are further described in the Municipal Consultation herein. These early discussions and meetings aided Penn in providing an initial solar project layout to the public and various stakeholders at our first public meeting. These types of interactions, among others, are detailed in the following pages.

3.0 Public Consultation Process

3.1 First Public Meeting

Date: September 13, 2010
Time: 6:00 PM
Location: Dunsford Community Centre
26 Community Centre Road
Dunsford, ON K0M 1L0
Attendees: 22 (Note, not all attendees signed in)

3.1(a) Notices

Pursuant to O.Reg. 359/09, a Notice of a Proposal to Engage in a Renewable Energy Project and a Notice of Public Meeting ([Exhibit 1](#)) were distributed by registered mail together to the following stakeholders: (i) Every assessed owner of land within 120 metres of the project location, (ii) the respective Aboriginal communities on the list provided by the MOE, (iii) Ms. Judy Currins, Clerk of the City of Kawartha Lakes, (iv) Ms. Michelle Hendry, Director of Public Works, (v) Mr. Ron Taylor, Director of Development (vi) the REA Director, and (vii) the Ministry of the Environment's District Manager – Peterborough District Office. Copies of the registered letter receipts are attached hereto as [Exhibit 2](#). It should be clarified that the project is not located within the Niagara Escarpment Plan.

During the aforementioned early engagement with the City of Kawartha Lakes, Penn requested a list of the stakeholders identified in (i) through (vii) above from the City of Kawartha Lakes Development

Services Department. The mailing list generated from City information is attached hereto as Exhibit 3. Penn also obtained the MOE's list of Aboriginal communities (as described in the Aboriginal section of this report), and notified the representatives of these communities accordingly. The City of Kawartha Lakes does not have a Local Roads Board or Local Services Board; however, Penn distributed the appropriate notices, as noted above, to those respective individuals overseeing the Township roads and Township services. In addition, Hydro One, the MOE's District Manager – Peterborough District Office, and the REA Director were sent the Notice of a Proposal to Engage in a Renewable Energy Project and the Notice of Public Meeting.

Prior to 30 days before its first public meeting, Penn posted the combined Notice of Proposal to Engage in a Project / Notice of Public Meeting and the Draft Project Description Report (PDR) on its website at <http://www.pennenergyrenewables.com/solar-ontario/ridgefield.html>. Please refer to Exhibit 4.

3.1(b) Advertisement

Pursuant to O.Reg. 359/09, s. 15(1), Penn advertised the combined Notice of Proposal to Engage in a Project / Notice of Public Meeting in the Lindsay Post, which is in general circulation within the City of Kawartha Lakes, for two days, August 17th and August 20th of 2010. A copy of the combined Notice of Proposal to Engage in a Project / Notice of Public Meeting that was sent to the Lindsay Post for publication along with the receipt and Notices as they appeared within this publication are attached hereto as Exhibit 5.

3.1(c) Summary of First Public Meeting

Representatives of Penn delivered information to the public via a formal presentation. Two representatives of Penn, Mr. Sean McCloskey, the President of Penn, and Mr. Gregg Meister were in attendance to welcome guests as they arrived, provide information to attendees, introduce Penn's project, answer questions related to the project, and address any other project-related issues or concerns. Approximately 22 members of the public attended the presentation. The attendees consisted of community members (both neighbors and non-neighbors), representatives of special interest groups, and other interested parties. Attendees of the public presentation were asked to sign in at the main entrance. The meeting sign-in sheet is attached hereto as Exhibit 6. It should be noted that, although encouraged to do so, not all attendees of the public meeting signed in as they entered the meeting location.

A series of presentations were utilized during the meeting to aid attendees in understanding how a solar farm generates power, as well as outlining the development scope of the project. Pursuant to O.Reg. 359/09, s. 16(4), copies of the draft Project Description Report (PDR) were available for attendees to view at the first public meeting (Exhibit 7). This draft PDR was also published on September 9, 2010 on Penn's website - prior to any public meetings being held. Two colored aerials, one depicting the project location and the other depicting the preliminary solar array layout (Exhibit 8) were available for attendees to review more closely and to reference during the presentation. A solar module was also on display for the attendees to examine so they could further familiarize themselves with the primary technology to be used in the project. Penn also showed a 7-minute video, put together

by Penn itself, describing a typical solar farm, along with the constituent components that make up these facilities. In addition, Penn presented a PowerPoint slideshow that allowed for attendees to obtain a clear understanding of the process through which the project will be designed and constructed (Exhibit 9). The PowerPoint presentation described how a solar farm is developed from a vacant parcel of land to a fully functioning power plant. During this part of the presentation, Penn described the foundation post system, array racking structure, module installation, inverters, access road, spacing requirements between rows of modules, fencing requirements, landscape buffering, and the setback area. A general layout and design was presented, then applied to the Penn project location in the Township of Uxbridge. Finally, a question and answer / discussion session took place regarding the project along with elements of the FIT program. Penn's outline showing the topics covered at the first public meeting is also attached for reference (Exhibit 10).

Penn's presentation also explained the FIT program that was established as part of the Green Energy Act of 2009. Penn highlighted the many benefits of the program, such as the ongoing job creation throughout the Province as a result of the influx of renewable energy manufacturers to the area along with the private sector investment into the clean energy sector. Penn explained the level of investment from global companies in the Province of Ontario directly resulting from the Green Energy Act of 2009 and the FIT program. Penn also discussed the domestic content requirements that are associated with the FIT program, under which proponents (developers) of each renewable project throughout the Province must meet a minimum of 60% domestic content.

Penn also discussed the many reports and studies that are required in order to obtain approval from the Ministry, including but not limited to the following: the Project Description Report (PDR), the Design and Operations Report, the Construction Plan Report, the Decommissioning Report, the Acoustic Assessment, the Archaeological Assessment, the Cultural Heritage Assessment, the Natural Heritage Assessment, the Water Bodies Assessment and this Consultation Report. Other related documents mentioned include the Geotechnical Investigation, the Topographical Survey, and the various Electrical System Interconnection Studies.

After Penn's presentation, the floor was opened for questions from the attendees of the meeting. 59 questions were raised and Penn addressed each question as it was brought up by an attendee. During this exchange of ideas, Penn was able to obtain valuable feedback regarding its proposed design and layout of the solar project. Attendees of the meeting asked questions relating to the physical characteristics of the land as well as the design of the project. For instance, there was discussion between Penn and attendees regarding the project layout and design relative to the height of the modules, location of project roads, and interconnection to the hydro grid were topics. Also, attendees questioned if the easterly project boundary would contain plantings to minimize the visual impact from the road. Penn emphasized its commitment to taking a closer look at design features. It was also noted that Penn's Acoustic Assessment will take into consideration all nearby receptors. Penn's commitment in modifying the initial layout is shown later in this report where Penn modified its initial plan. Other topics raised included: maintenance of the project, local and regional job creation, buffering of the solar project boundary, interconnection to the electrical grid, acoustic requirements, community benefits from local solar projects, taxation of solar projects, fencing requirements, the FIT

Program, the Ministry's approval process, and many others. A summary of the questions that were asked by the attendees along with Penn's response to each is shown in [Exhibit 11](#). This continuous exchange of ideas has allowed Penn to make modifications to its original plan. These changes are outlined under the section below entitled "Modifications of Project Plan".

3.1(d) Press and Newspaper Articles

Shortly before Penn's first Public Meeting and thereafter, several newspaper articles and online blogs emerged as a result of Penn's consultation and notification activities regarding its proposed solar project. The articles were posted in the Lindsay Post which is local to the City of Kawartha Lakes area. Penn provided the necessary information pertaining to the solar project to the reporter during its first public meeting. The articles titled "Meeting Scheduled for Third Proposed Solar Farm" and "Here Comes the Sun at Dunsford Solar Farm" were published in the *Lindsay Post* and are attached hereto as [Exhibit 12](#).

3.2 Final Public Meeting

Date: December 18, 2012
Time: 12:00 PM to 8:00 PM
Location: Dunsford Community Centre
26 Community Centre Road
Dunsford, ON K0M 1L0
Attendees: 9

3.2(a) Notices

Pursuant to O.Reg. 359/09, a Final Notice of Public Meeting ([Exhibit 13](#)) was distributed by registered mail to the following stakeholders of the project: (i) Every assessed owner of land within 120 metres of the project location, (ii) the respective Aboriginal communities on the list provided by the MOE, (iii) Ms. Judy Currins, Clerk of the City of Kawartha Lakes, (iv) Ms. Michelle Hendry, Director of Public Works, (v) Mr. Ron Taylor, Director of Development, (vi) the REA Director, and (vii) the Ministry of the Environment's District Manager – Peterborough District Office. Copies of the registered letter receipts are attached hereto ([Exhibit 14](#)). It should be noted that Penn had originally advertised its Final Meeting date for the project on February 27th, 2013, subsequently modified to December 18th, 2012.

Penn utilized its list of the various stakeholders identified in (i) through (vii) above that was obtained from City of Kawartha Lakes available information. Property owners within 120 metres of the project location were notified accordingly. The list is attached hereto as [Exhibit 15](#). Penn also notified the representatives of the Aboriginal Communities, as described in the Aboriginal section of this report.

Since the City of Kawartha Lakes does not have a Local Roads Board or a Local Services Board, Penn distributed notices, as noted above, to those respective individuals overseeing the Township roads and Township services. Additionally, Hydro One, the MOE's District Manager, and the REA Director were also sent the Final Notice of Public Meeting.

In accordance with O.Reg. 359/09, s. 16(5), more than 60 days before its final public meeting, Penn posted the Notice of Final Public Meeting along with the required supporting documents on its website at <http://www.pennenergyrenewables.com/solar-ontario/ridgefield.html> (Exhibit 4). A set of all required reports was also delivered by hand to representatives of the City of Kawartha Lakes during a meeting Penn held with City officials on September 6, 2012. At the meeting, as explained further in the Municipal Consultation section of this report, the Township representatives indicated the set of reports provided by Penn will be made available at the front desk for public access and review at the City offices. In addition, two copies of the reports were provided, on September 17, 2012, to the Chief Librarian, Ms. Linda Kent, for public review at the Lindsay Public Library and the Dunsford Public Library. as outlined further in the Municipal Consultation section of this report. A copy of all the reports was also sent via Federal Express to the respective Aboriginal communities (see relevant exhibits in the Aboriginal consultation report).

3.2(b) Advertisement

Pursuant to O.Reg. 359/09, s. 15(1), Penn advertised the revised Final Notice of Public Meeting in the Lindsay Post, which is in general circulation within the City of Kawartha Lakes, on September 11th and September 14th, 2012. As a courtesy and to avoid any misunderstanding from community members with the meeting change date, Penn advertised the revised Notice of Final Public Meeting a third and fourth time on September 18th and September 21st, 2012 respectively. Copies of the Notices that were sent to the Lindsay Post for publication and the Notices as they appeared within the Lindsay Post on the aforementioned dates are attached hereto as Exhibit 16.

3.2(c) Summary of Final Public Meeting

Representatives of Penn presented the project through an open house format from 12:00 PM to 8:00 PM on December 18th, 2012 in order to accommodate interested parties' varying schedules and to allow for focused, personalized discussion with each attendee. As guests entered the venue, they were asked to sign in. Three representatives from Penn were in attendance to provide information to attendees; Mr. Cyrus Tingley, Mr. Gregg Meister, and Mr. Naren Pattani, P. Eng., a resident of Ontario and Penn's local engineer. Penn representatives were available for the duration of the meeting to introduce Penn's solar project, answer questions related to the project or the FIT program, address other project related issues or concerns, and explain the changes that have been made to the project since the first public meeting. A total of 9 members of the public attended the presentation (predominantly neighbors or other members of the surrounding community). The meeting sign-in sheet is attached as Exhibit 17.

Penn had paper copies of the following reports available at the meeting: the Acoustic Assessment Report, the Construction Plan Report, the Design and Operations Report, the Decommissioning Plan Report, the Water Assessment Report, the Archaeological Assessment Report, the Natural Heritage Assessment, the Cultural Heritage Screening Letter, and the Project Description Report. A number of display boards were arranged sequentially throughout the room to share with the public the findings from all of the completed studies and reports. An image of each board is shown in the attached document (Exhibit 18). Due to the amount of content contained in Penn's completed reports and studies, Penn believed that the open house format was the most effective way to answer questions pertaining specifically to items outlined in each report. Further, this format allowed for the meeting to take place over an 8-hour period, thereby giving the public more of an opportunity to attend and ask questions. Under this format, Penn's representatives could clearly explain each study and findings to attendees on a personalized level. There were a number of questions and comments that were raised at the final public meeting by the individual attendees. A document summarizing each interaction the respective Penn representative had with the individual attendees of the final public meeting is attached hereto as Exhibit 19.

3.3 Individual Consultation

Throughout the time period extending from the first public meeting to the present, Penn conducted dialogue with various parties such as community members and abutting neighbors. Summarized below, are transcripts of the aforementioned consultation which Penn has had with members of the public with regard to this project. Please note that unlike Township or other officials involved in the project in an official capacity, Penn believes that members of the public had a certain expectation of privacy, in some instances, with respect to their communications with Penn. In this respect, Penn is therefore withholding certain names of individuals who may not have anticipated their correspondence being made public. Penn however can supply the MOE with actual names upon request.

Neighbor 1

On August 23, 2010, a representative of Penn, Mr. Sean McCloskey, conducted a telephone conversation with Neighbor 1. Neighbor 1 is a landowner who farms in the area and was seeking additional information on the proposed Penn solar project as he will be unable to attend the first public meeting. Penn representative provided Neighbor 1 an overview of its project and outlined the steps that need to take place for Penn to achieve its Renewable Energy Approval (REA). Penn discussed the number of studies that are required relative to the project which will be reviewed by the respective ministries --the MNR, MTC, MTO, and MOE. Neighbor 1 indicated that the location of the property should be adequate for solar because the land is questionable as the presence of rock is apparent on the property. The Canadian Shield begins nearby and is not highly productive land.

Neighbor 2

On September 13, 2010, Penn representatives had met with Neighbor 2 at its public meeting. Neighbor 2 lives directly across Kennedy Bay Road, north of the project location entrance. Neighbor 2 was interested in reviewing how the project may be buffered from the roadway. Penn did explain how the

project location sits above the existing roadway and there should be limited visibility of the project due to this elevation change. Penn also explained that it would consider hedging in this area of the project should it be required.

Neighbor 3

On October 5, 2010, Penn representative Mr. Gregg Meister had a telephone conversation with Neighbor 3 to discuss its project. Neighbor 3 was not able to attend its first public meeting and Mr. Meister described its project along with the FIT program guidelines pertaining to eligible land for solar projects. A discussion of the OMAFRA Map and existing classification on Neighbor 3's property was outlined. Mr. Meister explained the benefits of the project as well by the creation of jobs within the Province. In terms of progress and completion of the project, Penn explained that a number of studies still required completion and that receiving a REA would take some time after such studies were completed.. Neighbor 3 indicated he would have interest in possibly exploring the sale of the property which Penn agreed to consider. Shortly thereafter, reviewing the characteristics of the land, it was determined that Neighbor 3's property would not be conducive to pursue for a solar project.

Neighbor 2

On September 11, 2012, Penn representative Mr. Glen Tomkinson met with Neighbor 2 at the project location. Penn representative provided an update to Neighbor 2 regarding the status of the approvals. Penn indicated where the existing studies stood as well as the next steps in the consultation process and how Penn revised its plan since inception. Penn explained that the project location was pulled back off the northeast corner further away from Neighbor 2's dwelling. Also, Penn proposed a hedgerow along a portion of the eastern project boundary to aid in buffering the project.

3.4 Modification of Project Plan

Throughout the consultation process with landowners, Township officials, and other interested entities, Penn has listened carefully to various stakeholders' concerns. This is evidenced by the modifications to the original project layout, presented September 13, 2010, as opposed to Penn's existing project layout recently presented at the final public meeting on December 18, 2012. During the final public meeting, Penn utilized a display board with aerial photography comparing the two project layouts that clearly depicted the modifications that were made to the original plan ([Exhibit 20](#)) based in large part on concerns and suggestions from various stakeholders. The modifications that were made as a result of Penn's consultation activities prior to the final public meeting are generally as follows:

1. **Reduced Size of Project Location.** The size of Penn's project location has been reduced since its inception to enhance the aesthetics of the project. The project boundary from the site's northeast corner was pulled back to increase the buffer

- distance from wetlands and natural habitat. This area has been removed from the project area and this feature will remain intact.
2. **Project Location Boundary.** During the first public meeting, some questions arose concerning the proximity of the project location to Kennedy Bay Road which is the easterly boundary of the property. Penn subsequently modified the plan in such a way where the project's easterly and southerly boundary were pulled further off the road and adjacent property respectively. This, in effect, increased the distance of the project to the road, minimizing any influence the project may have on passersby along the road and other property owners in the area.
 3. **Existing Residence.** The existing residence and surrounding setback area was removed from the existing project location. This was a result of Penn's completion of its archaeological studies recommending the removal.
 4. **Proposed Hedgerow.** During the initial public meeting Penn received feedback from community members regarding the visibility of the project from the road. Penn outlined the higher elevation in certain areas of the property along the road which would aid in buffering during its initial consultation. In addition to this, Penn has committed to include hedging along a portion of the easterly project location boundary to enhance the aesthetics of the project.

4.0 **Aboriginal Consultation**

Introduction & Summary

This document summarizes certain representative Aboriginal consultations carried out by Penn Energy Renewables, Ltd. ("Penn") to date in accordance with Ontario Regulation 359/09 of the Environmental Protection Act and establishes the current state of said consultations.

Penn first sent a Project Description Report ("PDR") pertaining to this project to the Ministry of the Environment ("MOE") on March 6, 2011 (See attached Exhibit 28). Following an exchange of e-mails and phone calls over the following five (5) months (See the chart Section 4.1, below, as well as Exhibit 29, attached), Penn received the "Director's Aboriginal Communities List – Ridgefield Solar Farm" via an e-mail from Robyn Budd on July 18, 2011 (See attached Exhibit 30). A hard copy was received by mail shortly thereafter.

The MOE's list identified five (5) Aboriginal communities as potentially having constitutionally protected aboriginal or treaty rights that may be adversely impacted by the project: Mississaugas of Scugog Island First Nation; Hiawatha First Nation, Mississaugas of Rice Lake; Curve Lake First Nation, Mississaugas of Mud Lake; Alderville First Nation; and Kawartha Nishnawbe First Nation.

Additionally, the MOE identified the Métis Nation of Ontario (MNO) and the Northumberland Métis Council (NMC) as otherwise potentially being interested in any negative environmental effects of the project. (As per electronic and in-person communications with these two listed parties, detailed below in Section 4.7, Items 85-90, 94/Exhibits H-G, Penn consulted with the Métis through Mr. James Wagar of the MNO).

As evidenced by the following narrative(s) as well as the attached exhibits, Penn has carried out extensive consultations with these Aboriginal parties. These consultation activities include, but were not limited to, letters, electronic mail, in-person individual meetings, Public Meetings, funding to support Aboriginal parties' review of Penn's draft project reports, and phone calls.

As of the date of this report, both during and after being engaged by Penn in the aforementioned consultation activities, none of the seven (7) Aboriginal communities on the MOE's list of July 18, 2011 have asserted or specified that the Ridgefield project might adversely impact any constitutionally protected aboriginal or treaty rights potentially held by said communities, nor have any negative comments about the Ridgefield project been received, to date, from these communities.

As a priority, Penn consistently offered to meet in-person with all of the above-captioned Aboriginal communities to present and discuss its Roseplain, Ridgefield, and Van Dorp projects. Members of Penn Energy Renewables, Ltd, as opposed to third-party consultants, traveled to the subject community to conduct these meetings. Penn conducted in-person meetings with the Scugog Island First Nation (held on January 31, 2012), the Rice Lake Hiawatha First Nation (held on January 31, 2012), the Curve Lake First Nation (held on February 1, 2012), and the Métis Nation of Ontario (two meetings, held on July 21, 2011 and November 12, 2012). The archaeological survey work done on solar project sites is frequently of significant interest to Aboriginal parties; accordingly, Penn arranged for Dr. Lawrence Jackson of Northeastern Archaeological Associates, the consultant who surveyed and reported on Penn's Roseplain, Ridgefield, and Van Dorp project sites, to attend the meetings on January 31 and February 1, 2012. Mr. Naren Pattani, Penn's Ontario-based electrical engineer

responsible for much of these projects' decisive design elements, attended the July 21, 2011 meeting with the Métis Nation of Ontario, to provide additional expertise. Minutes from these meetings are provided in the following chronological chart(s). There are no outstanding questions or concerns remaining from these meetings. The Alderville First Nation expressed some interest in an in-person meeting with Penn's consultation team but at the time of this Report's publication was still in the process of ascertaining its availability to schedule such a meeting. If given the opportunity by the Alderville First Nation at any point, Penn will be happy to promptly engage in such a meeting, as it has repeatedly pledged to the Alderville community representative (see Section 4.5, below) in a consistent record of communication. As per Section 4.5 of this Report, Penn has offered to meet with the Alderville FN on many occasions dating back to August 2011; the Alderville FN first specifically spoke to a need to ascertain its availability in September 2012 and to date has not responded with said availability.

For further information, questions or concerns pertaining to Penn's activities with respect to Aboriginal consultation for this project, both past and ongoing, please contact Cyrus Tingley at cyrus@pennenergyrenewables.com or (610) 668-0300. Mr. Tingley currently leads the Aboriginal consultation activities on behalf of Penn. Kirt Mayland and Max Frable, both of Penn, were also involved in these activities, Mr. Mayland extensively.

Penn's consultation activities with the various Aboriginal communities as well as relevant communication with the MOE are detailed chronologically in the chart(s) below. Attached are the various Exhibits evidencing Penn's consultation activities.

4.1 Communication with Ministry of the Environment ("MOE")

Date	Communication Activity
1. March 7, 2011	Sent e-mail with electronic PDR to Sandra Guido requesting the Ministry's list of Aboriginal Communities to be contacted about the Ridgefield project. See attached <u>Exhibit 28</u> .
2. March 25, 2011	Penn left phone message for Sandra Guido to ascertain status of said list.
3. June 28, 2011	Penn left phone message for Kristina Rudzki at the MOE inquiring about same.
4. July 5-6, 2011	Penn exchanged emails with multiple parties at the MOE about the formulation and release of the list. See attached <u>Exhibit 29</u> .
5. July 18, 2011	Received "Director's Aboriginal Communities List – Ridgefield Solar Farm" by e-mail from Robyn Budd at the MOE. See attached <u>Exhibit 30</u> .
6. September 28, 2011	Sean McCloskey of Penn and Jim MacDougal, a consultant to Penn, met with Doris Dumais and Sue Edwards of the MOE to discuss, among other topics, the potential need for another round of public meetings offered specifically to Aboriginal groups (in addition to the individual, in-person meetings that have been, and still are, continually offered to all Aboriginal groups that Penn is consulting with). Ms. Dumais requested that Penn provide her and the MOE with a variety of information about its Round 2 FIT projects (including Ridgefield), their Initial Public Meetings, and Penn's Aboriginal consultation activities.
7. January 20, 2012	Penn sent a letter and information package to Ms. Dumais and Ms. Edwards pertaining to the MOE's request made at their meeting of September 28, 2011.

	See attached <u>Exhibit 31</u> (including FedEx delivery confirmation).
8. May 23, 2012	Penn sent a letter to Ms. Dumais and Ms. Edwards following up on its letter and information package of January 20, 2012. See attached <u>Exhibit 32</u> (including FedEx delivery confirmation).
9. July 16, 2012	Penn received a letter from Ms. Dumais in response to Penn's letter of May 23, 2012. This letter advised that Penn continue to consult with all communities on the MOE-provided list of July 19, 2011, and continue documenting all of said consultation. See attached <u>Exhibit 33</u> .

4.2 Mississaugas of Scugog Island First Nation

Date	Consultation Activity
10. March 7, 2011	Sent e-mail with electronic PDR to Sandra Guido requesting the Ministry's list of Aboriginal Communities to be contacted about the Ridgefield project. See attached <u>Exhibit 28</u> .
11. July 18, 2011	Received "Director's Aboriginal Communities List – Ridgefield Solar Farm" by e-mail from Robyn Budd at the MOE. See attached <u>Exhibit 30</u> .
12. August 9, 2011	Sent via e-mail and Federal Express the Ridgefield PDR and an introductory letter regarding Penn and the Project, also requesting information regarding constitutionally-protected aboriginal or treaty rights associated with the parcels upon which we are proposing the projects and any measures for mitigating such impacts, any potential negative environmental effects of the project, and any other issues of importance. See attached <u>Exhibit 34</u> including FedEx record.
13. August 16-22, 2011	Sent e-mail requesting confirmation of receipt of materials sent on August 9. Mr. Murray Maracle of Scugog Island FN confirmed receipt of said materials, adding that he had had a chance to review them and had no specific comments at the time. It was confirmed that Penn Energy would remain in touch and share the draft project reports when they were available. Penn Energy also offered to meet in person with Scugog Island FN if that was of interest to Mr. Maracle. See attached <u>Exhibit 35</u> .
14. November 14, 2011	Sent second notice letter via Federal Express and e-mail (See attached <u>Exhibit 36</u> with delivery confirmation) offering information and reiterating offer to meet in person. This letter also introduced Mr. Cyrus Tingley of Penn as replacing Mr. Mayland as principal company contact for Aboriginal communities.
15. January 6, 2012	Sent third notice letter via Federal Express and e-mail (See attached <u>Exhibit 37</u> with delivery confirmation) offering information and reiterating offer to meet in person.
16. January 25-26, 2012	Mr. Maracle replied by e-mail to Penn's January 6 letter, expressing an interest in meeting in-person to discuss and learn more about Penn's project(s), including the Ridgefield project. An e-mail exchange (See attached <u>Exhibit 38</u>) led to the scheduling of said meeting for January 31, 2012, on the Scugog Island reserve in Port Perry, ON.
17. January 31, 2012	Mr. Max Frable and Mr. Cyrus Tingley of Penn met with Mr. Maracle at his office in Port Perry, ON, to discuss Penn's Roseplain, Ridgefield and Van Dorp solar farm projects. Dr.

Lawrence Jackson of Northeastern Archaeological Associates, who conducted Penn's archaeological surveys and produced the associated reports (which all received concurrence letters from the MTC) for these projects, attended the meeting to speak on any questions or concerns about archaeology. The following notes reflect what was discussed at this meeting:

Mr. Maracle confirmed that he been going through some consultation with several wind development companies but Penn was the first to contact him regarding a solar project. A general discussion of the project(s) size and locations was had.

Mr. Tingley described the required decommissioning plans, different options for the modules' mounting and foundations, how the farm was connected to the grid, and the differences between fixed-tilt and tracking solar facilities.

Mr. Frable used plotted layouts of the three projects to explain to Mr. Maracle how Penn sized its projects appropriately (and the importance of doing so). The importance of setbacks, the required noise study, soil classification, and biological evaluations/surveying were all items of discussion.

Mr. Tingley again provided Mr. Maracle with hard copies of the three projects' PDRs.

Mr. Jackson provided all three Archaeological Reports and the two MTC letters that Penn had recieved at that point (the third confirmation letter was emailed to Mr. Maracle on Feb 8, 2012).

Penn's representatives confirmed that Penn will be purchasing its project sites (as opposed to leasing the property.) Mr. Frable emphasized that Penn felt an obligation as "stewards of the land" and that played into our rationale for purchase.

Mr. Maracle confirmed that he was more than happy to eventually receiving Penn's project reports on a data disc as opposed to the usual large binders.

Mr. Maracle expressed his appreciation for the in-person meeting and specifically indicated that project developers like Penn typically just send a letter and a package of reports/binders.

Mr. Frable described to Mr. Maracle the process of conservation by which, for example, a piece of key habitat was maintained for a red-tailed hawk near Penn's Van Dorp project site. Mr. Frable emphasized how strong Penn feels about its mission in Ontario and the related business ethos.

Mr. Maracle shared that he deals with the environmental management plan for Lake Scugog.

Mr. Maracle asked about access roads. Penn's representatives described the "farm lanes" that the company anticipates utilizing for trucks, etc. moving around the sites. The lanes' size, purpose, location and lack of paving were discussed.

Mr. Maracle indicated that he had seen some resistance to the idea

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	<p>of raised, heavy-duty roadways being proposed for construction on nearby wind farm sites - apparently they are necessary for the heavy crane equipment.</p> <p>The meeting closed with no apparently outstanding questions or concerns.</p>
18. February 8, 2012	<p>Sent an e-mail thanking Mr. Maracle for his willingness to meet in-person on January 31, 2012, and providing him with the MTC's concurrence letter for the Ridgefield project that was not yet available at the time of our meeting. Penn outlined the upcoming timelines associated with the Roseplain, Van Dorp and Ridgefield projects and inquired if Mr. Maracle knew of any appropriate Aboriginal publications where the Final Public Meeting notices could eventually be published, were it to be permitted. (See attached Exhibit 39).</p>
19. June 28, 2012	<p>Sent an e-mail to Mr. Maracle alerting him to Penn's having scheduled the Final Public Meetings for the Roseplain, Ridgefield and Van Dorp projects. The Notices for said meetings were attached to the e-mail. The e-mail again requested that Mr. Maracle inform Penn of the existence of any appropriate Aboriginal newsletters or newspapers or other publications where he would permit the publication of said Notices. (See attached Exhibit 40 including Final Public Meeting Notices).</p>
20. June 29, 2012	<p>Called and left message to follow-up on e-mail of June 28, 2012.</p>
21. September 26, 2012	<p>Called to check in with Mr. Maracle and confirm the proper address to which draft project reports should be sent. Left voicemail. Sent follow-up e-mail requesting confirmation of a shipping address as well as reiterating another offer to meet again in-person. The e-mail also made note of several slightly revised dates (see Municipal Consultation Report section of this document of more information) for the Roseplain, Van Dorp, and Ridgefield Final Public Meeting Dates. The revised Notices (which had been re-advertised several times) were attached to the e-mail. (See attached Exhibit 41).</p>
22. September 28, 2012	<p>Connected via phone with Ms. Monica Sanford of Scugog Island FN; Ms. Sanford informed Penn that she had been Mr. Maracle's assistant prior to his recent departure from their office and she had now assumed his responsibilities. Ms. Sanford confirmed the proper shipping address for a data CD (as per her requested format) of project reports and other materials to be sent by Penn. Shipped data CDs containing the Roseplain and Van Dorp draft project reports, some of Mr. Tingley's business cards, hard copies of the projects' PDRs, 11x17 site plans, and Final Public Meeting Notices. (See attached Exhibit 42 including FedEx shipment receipt).</p>
23. October 19, 2012	<p>Sent a data CD containing draft project reports for Penn's Ridgefield project to Ms. Sanford via FedEx. Also sent an updated copy of the Roseplain project's Natural Heritage Assessment. (See attached Exhibit 43 including FedEx shipment receipt).</p>
24. October 25, 2012	<p>Sent letter to Ms. Sanford via FedEx and e-mail to confirm receipt of all project reports as well as offer summary of the major draft reports to aid in review; also offered to discuss reports at Ms. Sanford's convenience. Included copies of Final Public Meeting</p>

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	notices again. (See attached <u>Exhibit 44</u> including FedEx shipment receipt).
25. November 8, 2012	Called Ms. Sanford to check in. She confirmed receipt of all of Penn's correspondence and shipped materials. Mr. Tingley reiterated his availability to discuss any questions or concerns as well as meet again in person. Mr. Tingley reminded Ms. Sanford of the upcoming Final Public Meetings.

4.3 Hiawatha First Nation 36, Mississaugas of Rice Lake

Date	Consultation Activity
26. July 18, 2011	Received "Director's Aboriginal Communities List – Ridgefield Solar Farm" by e-mail from Robyn Budd at the MOE. See attached <u>Exhibit 30</u> .
27. August 9, 2011	Mr. Mayland sent Hiawatha FN the Ridgefield Project Description Report and an introductory letter via e-mail and Federal Express, also requesting information regarding constitutionally-protected aboriginal or treaty rights associated with the parcels upon which we are proposing the projects and any measures for mitigating such impacts, any potential negative environmental effects of the project, and any other issues of importance See attached <u>Exhibit 45</u> including Federal Express delivery confirmation.
28. August 15, 2011	Mr. Mayland sent an e-mail to Ms. Darla Blodgett at Hiawatha FN requesting confirmation of receipt of the project materials sent August 9. See attached <u>Exhibit 46</u> .
29. November 11, 2011	Sent another letter via Federal Express and e-mail to Hiawatha FN reiterating Penn's interest in sharing information, answering questions and concerns, and holding in-person meetings about the Roseplain, Ridgefield and Van Dorp projects. This letter of November 11 was a follow-up to Mr. Mayland's letter of August 9. This letter introduced Mr. Cyrus Tingley of Penn as the principal contact for Aboriginal communities regarding these projects. See attached <u>Exhibit 47</u> including FedEx shipment receipt.
30. November 17, 2011	Ms. Lori Ritter of the Hiawatha FN called Mr. Tingley to confirm receipt of Penn's Nov 11 2011 letter and establish herself as a main point of contact for future consultation. She expressed an interest in meeting in person but said after Christmas 2011 would be best; plans were established and agreed upon for Penn to be in touch in January 2012.
31. January 3-13, 2012	Spoke via phone with Ms. Diane Sheridan of the Hiawatha FN Consultation Office about setting up an in-person meeting as per their request of November 17, 2011. Communicated via e-mail, as well, to determine a mutually convenient date to meet. Inquired if there was an appropriate Aboriginal publication in existence that they might permit Penn to publish its Final Public Meeting Notices in. It was indicated that such a Notice would require a submission to other parties for review prior to publication; Penn noted the need to follow-up on this once said Meetings were scheduled. (See attached <u>Exhibit 48</u>).
32. January 6, 2012	Sent via Federal Express and e-mail a third notice letter reiterating interest in meeting, willingness to answer questions, and desire to share information regarding Penn's Roseplain, Ridgefield, and Van

	<p>Dorp Projects. See attached <u>Exhibit 49</u> with FedEx delivery receipt.</p>
<p>33. January 25-31, 2012</p>	<p>Finalized, via e-mail communication, a date of January 31, 2012 to meet with Ms. Ritter and Ms. Sheridan at their office in Keene, ON, to discuss Penn's Roseplain, Ridgefield, and Van Dorp projects. (See attached <u>Exhibit 50</u>).</p> <p>On January 31, 2012, Mr. Cyrus Tingley and Mr. Max Frable of Penn met with Ms. Lori Ritter and Ms. Diane Sheridan at their office in Keene. Dr. Lawrence Jackson of Northeastern Archaeological Associates, who conducted Penn's archaeological surveys and produced the associated reports (which all received concurrence letters from the MTC) for these projects, attended the meeting to speak on any questions or concerns about archaeology.</p> <p>The following are Mr. Tingley's notes from the meeting:</p> <p>Lori and Diane indicated that they had seen some other solar proposals from other developers. Lawrence of Northeastern Archaeological Associates provided archaeological survey reports for all three projects (Ridgefield, Roseplain, and Van Dorp) and MTC confirmation letters for two (Roseplain and Van Dorp). The Ridgefield confirmation letter was sent to Lori and Diane on February 8, 2012, via email.</p> <p>Lawrence described the archaeological survey process and results. Lori and Diane did not ask any follow-up questions.</p> <p>A question was asked about the potential or hypothetical effects of solar facilities and panels on: a) wildlife, and b) human health. In fully answering the question, Max discussed the species-at-risk considerations that are part of Penn's permitting requirements as well as the steps that must be rigorously followed to evaluate a potential site's biology. Max also asserted the sustainable and "green" ethos of Penn as a reason we're involved in the renewables business. Max gave the example of Penn's purchase of extra property for one of the Round 1 projects due to concerns about a biological element that could be remedied with more setback/open space. Max and Cyrus asserted that to their knowledge there have been no reports or studies concerning negative effects on human health stemming from solar PV installations. A question was asked about a red-tailed hawk habitat located next to the Van Dorp project. Max described the project layout's avoidance of the stand of trees constituting the hawk habitat, noting the large size of the area avoided. Max described the required noise study in response to a question about potential issues of noise from the facility. Both Max and Lawrence noted that the Van Dorp site is located in between the 401 Highway and a railroad track, implying that there are existing noise-producing sites in the immediate area. A question was asked about ongoing wildlife monitoring, which is not required. On that subject, Max noted that if there is a potential issue identified, Penn will address the issue and mitigate in advance of the project.</p>

	<p>Diane and Lori confirmed that they'd be happy to receive Penn's REA reports via data disc as opposed to in the usual large binders.</p> <p>Diane and/or Lori has visited the Lily Lake Solar Farm in Peterborough. Max and Cyrus made it clear that it was not a facility that Penn was impressed by or admired and it was to Penn's chagrin that Lily Lake was often the only utility-scale solar farm many in the area had seen. Max and Cyrus were genuine in their expression of strong intention to build superior facilities.</p> <p>Cyrus promised to research and forward information on the size of Lily Lake to Diane and Lori.* (*Lily Lake is 10 MW but the layout is quite dispersed, since it was built in "blocks." The facility is built on 140 acres, which is larger than most of Penn's project sites.)</p> <p>Diane asked about fish in the stream running between the 401 and the Van Dorp site. Cyrus pledged to contact Penn's biologist and send her an answer. It was noted that mention of this stream will likely be part of information that will be included in the REA report package that will be sent to all consulted First Nation groups once the reports are complete.</p> <p>The meeting closed with no apparently outstanding concerns. Mr. Tingley pledged to follow-up with an e-mail promptly addressing a few questions that required some additional research (see below).</p>
<p>34. February 8 ,2012</p>	<p>Mr. Tingley e-mailed Ms. Sheridan and Ms. Ritter to thank them for their time on January 31 and follow-up with answers to several questions left outstanding as Penn did not have the means to answer them at the time. The MTC's concurrence letter pertaining to Dr. Jackson's archaeological survey of the Ridgefield site was included in this e-mail, having been received since Penn's meeting with Ms. Ritter and Ms. Sheridan. In this e-mail, Penn spoke to all apparently outstanding questions and concerns voiced at said meeting but stressed that it understood their consultation with Hiawatha FN was an ongoing process. See attached Exhibit 51.</p>
<p>35. June 28, 2012</p>	<p>Sent an e-mail to Ms. Sheridan and Ms. Ritter alerting them to Penn's having scheduled the Final Public Meetings for the Roseplain, Ridgefield and Van Dorp projects. The Notices for said meetings were attached to the e-mail. The e-mail again requested that Ms. Sheridan and Ms. Ritter inform Penn of the existence of any appropriate Aboriginal newsletters or newspapers or other publications where they would permit and appreciate the publication of said Notices. See attached Exhibit 52 including Final Public Meeting Notices. No response was received.</p>
<p>36. June 29, 2012</p>	<p>Mr. Tingley called and left a phone message at the Hiawatha FN Consultation Office following up on his e-mail of June 28, 2012 (above).</p>
<p>37. September 26, 2012</p>	<p>Mr. Tingley called Ms. Ritter to confirm where, and how, she would prefer him to send draft project reports for the Van Dorp and Roseplain projects for Hiawatha FN's review. She confirmed the proper address and that data CDs were preferable to hard-copy binders. Mr. Tingley shipped the CDs along with a cover letter, hard</p>

	copies of 11x17" site plans, the Final Public Meeting Notices, and other project materials, via FedEx. See attached Exhibit 53 including FedEx shipping receipt.
38. October 19, 2012	Sent Ridgefield project draft reports via data CD, along with a revised Natural Heritage Assessment report for the Roseplain project, to Ms. Ritter via FedEx. See attached Exhibit 54 including FedEx shipping receipt.
39. October 23, 2012	E-mailed Ms. Ritter and Ms. Sheridan requesting confirmation that they had received all of the project materials sent by Penn for their review. Mr. Tingley attached the Final Public Meeting notices again to this e-mail, reiterated his willingness to meet in-person again, and encouraged their office to get in touch with any questions or concerns about the Van Dorp, Ridgefield, or Roseplain projects. Mr. Tingley received e-mail receipts that this message was both delivered to, and read by, its intended recipients at Hiawatha FN. See attached Exhibit 55 .
40. October 25, 2012	Sent letter to Ms. Ritter via FedEx and e-mail to confirm receipt of all project reports as well as offer summary of the major draft reports to aid in review; also offered to discuss reports at Ms. Ritter's convenience. Included copies of Final Public Meeting notices again. (See attached Exhibit 56 including FedEx shipment receipt).
41. November 2, 2012	Ms. Ritter e-mailed Mr. Tingley to confirm receipt of all project materials. In his reply, Mr. Tingley encouraged Ms. Ritter to contact him with any questions or concerns and reiterated a willingness to meet in person again. See attached Exhibit 57 .

4.4 Curve Lake First Nation 35 and 35A, Mississaugas of Mud Lake

Date	Consultation Activity
42. July 18, 2011	Received "Director's Aboriginal Communities List – Ridgefield Solar Farm" by e-mail from Robyn Budd at the MOE. See attached Exhibit 30 .
43. August 9, 2011	Sent via e-mail and Federal Express the Ridgefield Project Description Report ("PDR") and an introductory letter regarding Penn and the Ridgefield project – also requesting information regarding constitutionally-protected aboriginal or treaty rights associated with the parcels upon which we are proposing the projects and any measures for mitigating such impacts, any potential negative environmental effects of the project, and any other issues of importance. This letter also offered to meet in-person. See attached Exhibit 58 including Federal Express delivery confirmation, PDR and e-mail record.
44. August 15, 2011	Sent e-mail requesting confirmation of receipt of materials sent of August 9. Received reply from Mr. Brian Hamilton saying that the materials had indeed been received by Curve Lake. See attached Exhibit 59 .
45. November 14, 2011	Sent another letter via Federal Express and e-mail to Curve Lake FN reiterating Penn's interest in sharing information, answering questions and concerns, and holding in-person meetings about the Roseplain, Ridgefield and Van Dorp projects. This letter of November 11 was a follow-up to Mr. Mayland's letter of August 9.

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	This letter introduced Mr. Cyrus Tingley of Penn as the principal contact for Aboriginal communities regarding these projects. See attached <u>Exhibit 60</u> including Federal Express delivery confirmation.
46. January 6, 2012	Sent via Federal Express and e-mail a third notice letter following up on Penn's letters of August 9 and November 14. This letter offered information about the Roseplain, Ridgefield and Van Dorp projects as well as reiterated Penn's willingness to meet in person. See attached <u>Exhibit 62</u> .
47. January 12-18, 2012	Exchanged e-mails with Ms. Krista Coppaway, Lands Resource Consultation Worker for Curve Lake FN along with Ms. Melissa Dokis, in response to Penn's letter of January 6 to Chief Keith Knott, setting up an in-person meeting between Penn and Curve Lake FN to discuss the Ridgefield, Van Dorp and Roseplain projects. Ms. Coppaway explained their role in the consultation process and suggested that other First Nations interested in the projects come to the same meeting (*to ensure each of said interested parties got the time and attention necessary, Penn conducted its in-person meetings with Aboriginal communities on an individual basis). The meeting was scheduled for February 1, 2012. (See attached <u>Exhibit 64</u>)
48. February 1, 2012	Mr. Max Frable and Mr. Cyrus Tingley met with Ms. Coppaway, Ms. Dokis, and Mr. Brian Hamilton (General Manager) of Curve Lake FN at the Consultation Office in Curve Lake, ON. Dr. Lawrence Jackson of Northeastern Archaeological Associates, who conducted Penn's archaeological surveys and produced the associated reports (which all received concurrence letters from the MTC) for these projects, attended the meeting at Penn's request to speak on any questions or concerns about archaeology or cultural heritage. Penn's Roseplain, Van Dorp, and Ridgefield projects were all discussed in detail. For purposes of ensuring a comprehensive record of this meeting, please see attached <u>Exhibit 65</u> for the full outline of meeting minutes shared with Curve Lake FN. Also included in this attachment is a follow-up email thanking Curve Lake's representatives for their time and answering several outstanding questions that required post-meeting research. There were no apparently outstanding concerns.
49. February 20, 2012	Sent follow-up email to Ms. Coppaway, Ms. Dokis and Mr. Hamilton thanking them for their time on February 1 and sharing Penn's meeting minutes. See attached <u>Exhibit 65</u> .
50. February 2 - March 1, 2012	Exchanged e-mails with Ms. Coppaway pertaining to her February 2 inquiry regarding Penn Energy's past partnerships on energy projects and if any had been with Aboriginal groups or First Nations. Mr. Tingley confirmed that Penn Energy had thus far only engaged independently in energy projects and suggested Ms. Coppaway check the OPA Web site for more information on incentives offered to projects undertaken by First Nations. Ms. Coppaway said she was aware of said incentives and was inquiring if a future

	<p>partnership might be of interest to Penn, though not necessarily specifically with Curve Lake FN. Mr. Tingley responded that such a partnership could be of interest to Penn though it was difficult to give a more definite answer at the time, given the impact of many factors at play in Ontario's solar market, both regulatory and otherwise. (See attached Exhibit 66)</p>
51. June 28-July 3, 2012	<p>Sent an e-mail to Curve Lake FN alerting them to Penn's having scheduled the Final Public Meetings for the Roseplain, Ridgefield and Van Dorp projects. The Notices for said meetings were attached to the e-mail. The e-mail requested that Curve Lake FN inform Penn of the existence of any appropriate Aboriginal newsletters or newspapers or other publications where they would permit and appreciate the publication of said Notices. Ms. Dokis responded by email, thanking Mr. Tingley for his email including the Meeting Notices and inquiry regarding publication, and requested that they be able to respond at a later date. Mr. Tingley responded in turn, assuring Ms. Dokis this was fine and she should get in touch whenever was convenient for Curve Lake FN, as well as let Penn know of any appropriate publications where the Notices could be printed. See attached Exhibit 67 including Final Public Meeting Notices.</p>
52. June 29, 2012	<p>Called Curve Lake FN and left voice message following up on Penn's email of June 28.</p>
53. September 26, 2012	<p>Called and left voicemail at Curve Lake FN inquiring about a confirmation of where draft reports for the Roseplain and Van Dorp projects should be shipped. Mr. Tingley followed-up on this phone message with an email to Ms. Dokis and Ms. Coppaway. All three Final Project Meeting Notices (including Ridgefield) were again attached. Mr. Tingley reiterated a willingness to come meet with Curve Lake FN again in person. An inquiry about the publication of said Notices in an Aboriginal newspaper or newsletter was also reiterated. See attached Exhibit 68.</p>
54. September 28, 2012	<p>Mr. Tingley spoke via phone with Ms. Dokis, who confirmed the proper shipping address for Penn's draft project reports and also confirmed Curve Lake FN's preference for said reports to be sent on data CDs. Mr. Tingley shipped draft project reports for the Roseplain and Van Dorp via FedEx, along with a variety of other materials. See attached Exhibit 69 including FedEx shipment receipt.</p>
55. October 19, 2012	<p>Shipped Ridgefield project draft reports as well as a revised Natural Heritage Assessment report for the Roseplain project to Curve Lake FN via Federal Express. See attached Exhibit 70 including FedEx shipment receipt.</p>
56. October 25, 2012	<p>Sent letter to Curve Lake FN via FedEx and e-mail to confirm receipt of all project reports as well as offer summary of the major draft reports to aid in review; also offered to discuss reports at Curve Lake FN's convenience. Included copies of Final Public Meeting notices again. (See attached Exhibit 71 including FedEx shipment receipt).</p>
57. November 8, 2012	<p>Mr. Tingley called Curve Lake FN to check in and confirm receipt of</p>

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	all shipped materials. He followed this call with an e-mail on the same topic(s) and again included copies of the Final Public Notices for the Van Dorp, Ridgefield and Roseplain projects. Again offered to a second in-person meeting. See attached Exhibit 72 .
58. November 26, 2012	Called Curve Lake FN again; Mr. Tingley spoke with Ms. Dokis, who confirmed receipt of all materials. Mr. Tingley offered a reminder of the upcoming Final Public Meetings. Sent follow-up e-mail, as well. Mr. Tingley urged Curve Lake FN to not hesitate to get in touch with any questions or concerns pertaining to the Roseplain, Van Dorp or Ridgefield projects. See attached Exhibit 73 .

4.5 Alderville First Nation, Mississaugas of Alderville

Date	Consultation Activity
59. July 18, 2011	Received "Director's Aboriginal Communities List – Ridgefield Solar Farm" by e-mail from Robyn Budd at the MOE. See attached Exhibit 30 .
60. August 9, 2011	Sent via e-mail and Federal Express the Project Description Report ("PDR") and an introductory letter regarding Penn and the Ridgefield project – also requesting information regarding constitutionally-protected aboriginal or treaty rights associated with the parcels upon which we are proposing the projects and any measures for mitigating such impacts, any potential negative environmental effects of the project, and any other issues of importance. This letter also offered to meet in-person. See attached Exhibit 74 including Federal Express delivery confirmation, PDR and e-mail record.
61. August 15, 2011	Sent e-mail requesting confirmation of receipt of materials sent of August 9. See attached Exhibit 75 .
62. August 18, 2011	Received letter from Alderville First Nation indicating the Roseplain, Ridgefield, and Van Dorp projects will have minimal potential to impact their First Nations rights but to keep them informed with respect to archaeological findings, environmental impacts and also with respect to potential employment. See attached Exhibit 76 .
63. November 14, 2011	Sent another letter via Federal Express and e-mail to the Alderville FN reiterating Penn's interest in sharing information, answering questions and concerns, and holding in-person meetings about the Roseplain, Ridgefield and Van Dorp projects. This letter of November 11 was a follow-up to Mr. Mayland's letter of August 9. This letter introduced Mr. Cyrus Tingley of Penn as the principal contact for Aboriginal communities regarding these projects. See attached Exhibit 77 including Federal Express delivery receipt and e-mail record.
64. January 6, 2012	Sent via Federal Express and e-mail a third notice letter following up on Penn's letters of August 9 and November 14. This letter offered information about the Roseplain, Van Dorp, and Ridgefield projects as well as reiterated Penn's willingness to meet in person. This communication was sent to a total of three different individuals at Alderville FN. Both "delivery" and "read" e-mail receipts were received in response to Mr. Tingley's message. See attached Exhibit 78 .

65. June 28, 2012	Sent an e-mail to multiple consultation parties at Alderville FN alerting them to Penn's having scheduled the Final Public Meetings for the Roseplain, Ridgefield and Van Dorp projects. The Notices for said meetings were attached to the e-mail. The e-mail requested that they inform Penn of the existence of any appropriate Aboriginal newsletters or newspapers or other publications where they would permit and appreciate the publication of said Notices. See attached <u>Exhibit 79</u> including Final Public Meeting Notices.
66. June 29, 2012	Called and left voicemail to follow-up on e-mail of June 28.
67. September 26, 2012	Mr. Tingley called the Alderville FN's Land and Resources office and left a message seeking confirmation of to what address (and in what format) the Roseplain and Van Dorp draft project reports should be delivered and generally checking with regard to Penn's consultation with the Alderville FN. Mr. Tingley sent a follow-up email on the same topics, including the attachment of the Roseplain, Van Dorp, and Ridgefield Final Public Meeting Notices. An offer to meet in-person was again reiterated. See attached <u>Exhibit 80</u> .
68. September 28, 2012	Mr. Tingley spoke with Mr. Dave Simpson, Lands Resource Officer for Alderville FN. Mr. Simpson confirmed the address to which project reports should be shipped and said that data CDs were preferable to hard-copy binders. He reminded Penn that these projects were located on the Alderville FN's "traditional lands." He expressed an interest in having a face-to-face meeting and told Mr. Tingley he would let him know when this could be scheduled. Mr. Tingley shipped the Roseplain and Van Dorp draft project reports (on data CDs) along with hard copy Final Public Meeting Notices, 11x17" site plans, his business cards, copies of the PDRs, etc, to Mr. Simpson via Federal Express. See attached <u>Exhibit 81</u> including FedEx shipping receipt.
69. October 16-19, 2012	Mr. Tingley shipped Mr. Simpson the Ridgefield project draft reports (on a data CD) as well as a revised Natural Heritage Assessment for the Roseplain site via FedEx. Mr. Tingley e-mailed Mr. Simpson to check in about meeting together, as per past communications that Mr. Simpson would be in touch about scheduling a convenient date. An e-mail delivery receipt was received, though no specific response from Mr. Simpson was received at the time. See attached <u>Exhibit 82</u> for both cover letter/FedEx receipt as well as e-mail record.
70. October 25-26, 2012	Sent letter to Alderville FN via FedEx and e-mail to confirm receipt of all project reports as well as offer summary of the major draft reports to aid in review; also offered to discuss reports at Mr. Simpson's convenience. Included copies of Final Public Meeting notices again. This letter reiterated Penn's willingness to work with the Alderville FN to try and provide job opportunities to qualified First Nation individuals and companies if and when Penn's projects when to construction. Mr. Simpson replied via email that he had indeed received the reports and said he was reaching out to the Alderville chief regarding a time to meet to discuss our projects.

	<p>Mr. Tingley replied via email that he looked forward to hearing from Mr. Simpson about a potential meeting; he also asked Mr. Simpson to kindly share any concerns about the potential impacts of Penn's projects in advance, if applicable, so that Penn could address them promptly. (See attached <u>Exhibit 83</u> including e-mail records, cover letter for October 25 mailing as well as FedEx shipment receipt).</p>
71. November 28, 2012	<p>Mr. Tingley again emailed Mr. Simpson about the status of scheduling an in-person meeting to discuss Penn's Roseplain, Van Dorp and Ridgefield projects. Mr. Tingley reiterated Penn's willingness to meet. Mr. Tingley reminded Mr. Simpson of the upcoming Final Public Meetings as per the Notices sent to Mr. Simpson. Mr. Tingley reiterated Penn's interest in trying to provide job opportunities to qualified Alderville FN workers and companies associated with the construction of Penn's projects. Mr. Tingley also spoke to the involvement of Alderville FN consultants in the archaeological surveys on some of Penn's project sites, expressing an interest in maintaining and/or expanding this synergy on future projects developed by Penn in the Alderville traditional territory. See attached <u>Exhibit 84</u>. Both e-mail "read" and "delivered" receipts were received in response to this email.</p>

4.6 Kawartha Nishnawbe First Nation

Date	Consultation Activity
72. July 18, 2011	<p>Received "Director's Aboriginal Communities List – Ridgefield Solar Farm" by e-mail from Robyn Budd at the MOE. See attached <u>Exhibit 30</u>.</p>
73. August 9, 2011	<p>Sent via e-mail and Federal Express the Project Description Report ("PDR") and an introductory letter regarding Penn and the Ridgefield project – also requesting information regarding constitutionally-protected aboriginal or treaty rights associated with the parcels upon which we are proposing the projects and any measures for mitigating such impacts, any potential negative environmental effects of the project, and any other issues of importance. This letter also offered to meet in-person. See attached <u>Exhibit 85</u> including Federal Express delivery confirmation, PDR and e-mail record.</p>
74. August 15, 2011	<p>Sent e-mail to Chief Nahrgang of the Kawartha Nishnawbe requesting confirmation of receipt of materials sent of August 9. Received auto-reply that said e-mail was received and read. See attached <u>Exhibit 86</u>.</p>
75. November 11, 2011	<p>Sent another letter via Federal Express and e-mail to Chief Nahrgang reiterating Penn's interest in sharing information, answering questions and concerns, and holding in-person meetings about the Roseplain, Ridgefield and Van Dorp projects. This letter of November 11 was a follow-up to Mr. Mayland's letter of August 9. This letter introduced Mr. Cyrus Tingley of Penn as the principal contact for Aboriginal communities regarding these projects. See attached <u>Exhibit 87</u> including Federal Express shipment receipt.</p>
76. January 6, 2012	<p>Sent via Federal Express and e-mail a third notice letter following up on Penn's letters of August 9 and November 11. This letter</p>

	<p>offered information about the Roseplain, Ridgefield and Van Dorp projects as well as reiterated Penn's willingness to meet in person. See attached <u>Exhibit 88</u>.</p>
77. June 28, 2012	<p>Sent an e-mail to Chief Nahrgang alerting him to Penn's having scheduled the Final Public Meetings for the Roseplain, Ridgefield and Van Dorp projects. The Notices for said meetings were attached to the e-mail. The e-mail requested that he inform Penn of the existence of any appropriate Aboriginal newsletters or newspapers or other publications where they would permit and appreciate the publication of said Notices. See attached <u>Exhibit 89</u> including Final Public Meeting Notices.</p>
78. June 29, 2012	<p>Called and left message following up on e-mail of June 28.</p>
79. September 27, 2012	<p>Mr. Tingley and Chief Nahrgang had an extensive conversation by phone about Penn's Roseplain, Van Dorp and Ridgefield projects. The discussion covered aspects of the Kawartha Nishnawbe's history as well as the Williams Treaty, Chief Nahrgang's own consulting and archaeology work, developers' consultation processes in general, and his proposed review of Penn's projects. At Chief Nahrgang's suggestion (based on his consultation with other developers and given the large volume of project materials he receives regularly), Mr. Tingley agreed to provide financial support for the review of Penn's draft project reports by Chief Nahrgang in the amount of \$1,500.00 per project. The details (including timeframes for review) of said funding were agreed upon during this phone call. Chief Nahrgang indicated that he would contact Penn after his review of Penn's projects was complete.</p>
80. September 27, 2012	<p>Mr. Tingley sent Chief Nahrgang binders containing draft project reports for Penn's Roseplain and Van Dorp projects. Included in the package were two (2) cheques for \$1500.00 apiece. See attached <u>Exhibit A</u> including photocopy of cheques and FedEx delivery confirmation, as well as cover letter.</p>
81. October 19, 2012	<p>Mr. Tingley received signed letters from Chief Nahrgang confirming his review of Penn's Roseplain and Van Dorp projects and asserting they indicate "no areas of concern" for the Kawartha Nishnawbe community. See attached <u>Exhibit B</u>.</p> <p>Mr. Tingley shipped (via FedEx) Chief Nahrgang a binder containing draft project reports pertaining to Penn's Ridgefield project along with a cheque for the agreed-upon amount of \$1500 to support the Kawartha Nishnawbe's review of said project reports. See attached <u>Exhibit C</u>. This FedEx shipment was confirmed as delivered on October 22 (see attached receipt).</p>
82. October 23, 2012	<p>During a phone conversation with Mr. Tingley, Chief Nahrgang confirmed receipt of the binder containing the Ridgefield draft project reports as well as the accompanying cheque to support the community's project review efforts.</p>
83. October 25, 2012	<p>Sent letter to Chief Nahrgang via FedEx and e-mail to confirm receipt of all project reports as well as offer summary of the major draft reports to aid in his review; also offered to discuss reports at his convenience. Included copies of Final Public Meeting notices again.</p> <p>See attached <u>Exhibit D</u> including FedEx shipment receipt.</p>

84. November 6, 2012	Mr. Tingley received a signed letter from Chief Nahrgang confirming his review of Penn's Ridgefield project and asserting it indicated "no areas of concern" for the Kawartha Nishnawbe community. Sent e-mail to Chief Nahrgang thanking him for the letter and See attached <u>Exhibit E</u> , including letter and e-mail.
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4.7 Métis Nation of Ontario; Northumberland Métis Council

Date	Consultation Activity
85. October 1, 2010	Mr. Mayland tried e-mailing Mr. Wayne Trudeau of the Northumberland Métis Council (NMC) at the address provided on the NMC's Web site (Northumberland@metisnation.org).
86. October 7, 2010	Mr. Mayland called, and left a voicemail regarding Penn's Ridgefield project, for Mr. Trudeau.
87. July 18, 2011	Received "Director's Aboriginal Communities List – Ridgefield Solar Farm" by e-mail and hard copy from Robyn Budd at the MOE. See attached <u>Exhibit 30</u> .
88. July 21, 2011	Mr. Max Frable, Mr. Mayland, and Mr. Naren Pattani of Penn met with Mr. Peter Rivers and Mr. Andrew Good of the Métis Nation of Ontario (MNO) as well as other local Métis representatives along with Mr. James Wagar of the MNO Consultation Unit to discuss, present information on, and answer questions regarding Penn Energy's Round 1- and Round 2-contracted FIT projects. Principle topics of the meeting were environmental and archaeological concerns. The MNO also expressed an interest in jobs potentially created and available as a result of Penn's projects. The archaeological and environmental studies and reports required of Penn's development processes on these sites were described and discussed; the possibility of qualified Métis workers and companies being involved in their construction was also discussed. There are no apparently outstanding questions or concerns stemming from this meeting, which covered all of Penn's FIT projects in general. It was indicated that consultation communications and information should continue to go through Mr. Wagar. This meeting took place in Niagara Falls, ON, and Penn covered the expenses incurred by Mr. Rivers and Mr. Good in their attendance of said meeting. See attached Exhibit H.
89. August 9, 2011	Sent via e-mail and Federal Express the Project Description Report ("PDR") and an introductory letter regarding Penn and the Ridgefield project – also requesting information regarding constitutionally-protected aboriginal or treaty rights associated with the parcels upon which we are proposing the projects and any measures for mitigating such impacts, any potential negative environmental effects of the project, and any other issues of importance. This letter also offered to meet in-person. This was sent to Mr. James Wagar of the Métis Nation of Ontario's (MNO) Consultation Unit. In this letter, Mr. Mayland of Penn spoke to the MOE's listing of the Northumberland Métis Council (NMC) as also potentially interested in the Ridgefield project. Mr. Mayland requested that Mr. Wagar correct him if the MNO (Mr. Wagar's office) would in fact not be handling this consultation on the NMC's behalf as per Penn's prior consultations with the MNO on other

	<p>Penn projects. See attached <u>Exhibit F</u> including Federal Express delivery confirmation, PDR and e-mail record.</p>
90. August 10, 2011	<p>Mr. Wagar replied by e-mail to Mr. Mayland, thanking him for and confirming receipt of Penn's introductory correspondence of August 9. See attached <u>Exhibit G</u>.</p>
91. November 14, 2011	<p>Sent another letter via Federal Express and e-mail to Mr. Wagar reiterating Penn's interest in sharing information, answering questions and concerns, and holding in-person meetings about the Ridgefield project. This letter of November 11 was a follow-up to Mr. Mayland's letter of August 9. This letter introduced Mr. Cyrus Tingley of Penn as the principal contact for Aboriginal communities regarding these projects.</p> <p>See attached <u>Exhibit I</u> including Federal Express shipment receipt.</p>
92. January 6, 2012	<p>Sent via Federal Express and e-mail a third notice letter following up on Penn's letters of August 9 and November 14. This letter offered further information on the Ridgefield project as well as reiterated Penn's willingness to meet again in person.</p> <p>See attached <u>Exhibit J</u> including FedEx shipping receipt as well as e-mail record.</p>
93. June 29, 2012	<p>Sent an e-mail to Mr. Wagar and a separate email to Ms. Melanie Paradis of the MNO alerting them to Penn's having scheduled the Ridgefield project's Final Public Meeting. The Notice for said meeting was attached to the e-mail. The e-mail again requested that they inform Penn of the existence of any appropriate Aboriginal newsletters or newspapers or other publications where they would permit and appreciate the publication of said Notice. An e-mail "delivery" receipt was received.</p> <p>See attached <u>Exhibit K</u> including Final Public Meeting Notice.</p>
94. June 29, 2012	<p>Called Wayne Trudeau of the Northumberland Métis Council to check in; Mr. Trudeau said that they are understaffed and don't have enough participants for council activity. Mr. Trudeau instructed Penn to continue consulting with the MNO's Consultation Unit; Mr. Tingley confirmed that he would continue consulting with Mr. Wagar of the MNO.</p> <p>Called (but was given no opportunity to leave a voicemail for) both Ms. Paradis and Mr. Wagar to follow up on e-mails of June 28 regarding Final Public Meeting Notices.</p>
95. October 4, 2012	<p>Called and left message for Mr. Wagar to check in with him regarding Penn's projects and their consultation with the MNO.</p>
96. October 19, 2012	<p>Mr. Tingley shipped (via FedEx) Mr. Wagar a binder containing draft project reports pertaining to Penn's Ridgefield project. In his cover letter (attached), Mr. Tingley reiterated his willingness to meet with the MNO in person to present and discuss this project. Mr. Tingley also called Mr. Wagar's office but was told Mr. Wagar was unavailable. Mr. Wagar's secretary confirmed the proper address to ship the draft project reports to. Mr. Tingley sent a follow-up email alerting Mr. Wagar to his shipment of draft project reports and offering again to discuss/meet about the Ridgefield project at Mr. Wagar's convenience.</p> <p>See attached <u>Exhibit L</u> including FedEx shipment receipt as well as</p>

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<p>97. October 25, 2012</p>	<p>e-mail sent the same day.</p> <p>Called Mr. Wagar again to check in with regard to Penn's Ridgefield project. Mr. Wagar confirmed receipt of all of Penn's mailings. He indicated he would like to go over the Ridgefield project one more time with the MNO council and said he would check in with the applicable regional Métis committee to see if they'd like to meet again. Mr. Tingley offered to cover the expense of said meeting. Mr. Wagar said he would be in touch about scheduling this meeting if it was of interest to the committee leaders.</p> <p>Sent letter to Mr. Wagar via FedEx and e-mail to confirm receipt of all project reports as well as offer summary of the major draft reports to aid in his review; also offered to discuss reports at his convenience. Included copy of Ridgefield Final Public Meeting notice again.</p> <p>See attached <u>Exhibit M</u> including FedEx delivery confirmation, Final Public Meeting Notice, and e-mail record.</p>
<p>98. November 6 - 8, 2012</p>	<p>Mr. Wagar e-mailed Mr. Tingley on November 6 to confirm that the MNO's regional committee would be interested in meeting to discuss the Ridgefield project; he suggested a meeting on November 12 in Peterborough, ON. Mr. Tingley and Mr. Wagar exchanged e-mails in which Mr. Tingley agreed to the proposed date and location, and budgets for the meeting's attendees as well as a meeting agenda were sent to Penn (these were both found acceptable). It was established that Penn would cover the expenses of the other attendees of the meeting (Ms. Pauline Saulnier, Region 7 Provisional Councilor of the MNO; Ms. Christa Lemelin, Chair of the Peterborough & District Wapiti Metis Council; and Mr. Brad Hodgson, Councilor on the Peterborough & District Wapiti Metis Council).</p> <p>See attached <u>Exhibit N</u> including Mr. Wagar's proposed meeting Agenda as well as budgets for the meeting attendees.</p>
<p>99. November 12, 2012</p>	<p>Mr. Tingley met with Mr. Wagar, Ms. Lemelin, Ms. Saulnier, and Mr. Hodgson in Peterborough to discuss Penn's Ridgefield solar project (as well as Penn's Brantgate project).</p> <p>The meeting opened with a traditional prayer. Mr. Wagar offered Mr. Tingley a copy of the Voyager, their communities' quarterly news publication. He also gave Mr. Tingley a copy of the MNO's 2011 Annual Report. For the purpose of Mr. Tingley's edification, Mr. Wagar led the group through a brief history of the MNO, an overview of its membership, and an outline of its governance and organization. The Metis representatives indicated that their concerns with development included, but weren't necessarily limited to, potential impacts on their ability to harvest game or medicinal plants, obstruction of wildlife corridors, potential impacts to water bodies, and potential impacts to woodlands. Mr. Tingley spoke to these concerns with a description of the rigorous environmental studies engaged in by Penn's consultants as well as the fact that the Ridgefield project site currently exists as an open field containing no</p>

	<p>water bodies. It was recalled that these concerns with development projects (in general) had been discussed at the initial meeting between Penn and the MNO in July 2011; Mr. Tingley asserted that Penn had been sure to keep these concerns as the project's development had progressed since that initial meeting and would be sure to continue to do so henceforth.</p> <p>Mr. Wagar discussed with Mr. Tingley the MNO's operations and mission with respect to the Provisional Council's role and mandate. He emphasized that Metis rights are asserted regionally (and thus the meeting being held about Penn's Ridgefield project was attended by representatives of the Peterborough-district regional council and the venue was in Region 7). Mr. Wagar informed Mr. Tingley of the other provincial bodies representing the Metis Nation across Canada.</p> <p>It was discussed that native species would be best chosen for planting underneath and around the facility's solar arrays.</p> <p>Mr. Wagar and Ms. Saulnier told Mr. Tingley that a letter outlining the MNO's stance on Penn's Ridgefield project would be coming from Ms. Saulnier to Penn in the near future and indicated that Mr. Tingley should not hesitate to follow-up with them about the status of said letter (Penn has done so consistently but has yet to receive said letter; see Items 102-1-4, below). Mr. Tingley pledged to follow-up promptly with compensation for the expenses incurred by the Metis representatives who attended this meeting (see Item 101, <u>Exhibit P</u>, below).</p>
<p>100. November 13, 2012</p>	<p>Mr. Wagar e-mailed Mr. Tingley thanking him for holding a "positive meeting" with the Métis representatives the night before. He attached a revised invoice for the expenses of the meeting attendees. He indicated that he would be conferring with the community leaders on what had been covered at the meeting with Penn, if there were additional concerns, and next steps. He asserted the next step as then being Ms. Saulnier submitting a letter to Penn outlining the communities' position for reference in Penn's REA submission for the Ridgefield project.</p> <p>Mr. Tingley replied via e-mail (including to Ms. Saulnier and Ms. Lemelin) thanking Mr. Wagar and the other representatives for their time at the meeting. He urged them to get in touch with any additional or outstanding questions or concerns about the Ridgefield project. See attached <u>Exhibit O</u>.</p>
<p>101. November 15, 2012</p>	<p>Sent individual cheques and cover letters to cover the expenses of those Métis representatives who attended the November 12 meeting with Penn. Penn also remitted the cost of the venue and refreshments directly to the Peterborough & District Wapiti Metis Council. These remittances were undertaken according to the revised invoice sent to Penn by Mr. Wagar on November 13 (see above). Mr. Tingley sent copies of the accompanying cover letters to Mr. Wagar via email. See attached <u>Exhibit P</u> including copies of the cheques, mailing envelopes, cover letters, e-mail to Mr. Wagar.</p>
<p>102. November 28-29, 2012</p>	<p>Mr. Tingley e-mailed Mr. Wagar and Ms. Saulnier on November 28 to inquire about the status of the letter described in Mr. Wagar's email of November 13. See attached <u>Exhibit Q</u>. Mr. Tingley called and left a message for Mr. Wagar on November 29.</p>
<p>103. December 4, 2012</p>	<p>Mr. Tingley called and left a message on Mr. Wagar's cell phone</p>

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	<p>following-up on his communications of the past week and requesting an update on the status of a letter regarding the Métis' feedback on the proposed Ridgefield project.</p>
<p>104. December 10, 2012</p>	<p>Mr. Tingley called Mr. Wagar's office and left a voicemail inquiring about the status of said letter regarding the Métis' position on the proposed Ridgefield project. Mr. Tingley also sent an email on the same topic to Mr. Wagar and Ms. Saulnier. See attached <u>Exhibit Q</u>.</p>
<p>105. December 18, 2012</p>	<p>Mr. Andy Dufrane, President, Peterborough & District Wapiti Métis Council, attended Penn's Final Public Meeting for the Ridgefield project, held at the Dunsford Community Centre in Dunsford, ON. Mr. Dufrane lives in Peterborough, ON. He indicated that he was pleased to stop by Penn's open house and see the presentation given the project's proximity to Peterborough and relevance to him given his position as President of the Peterborough & District Wapiti Métis Council. Mr. Dufrane spoke at length with Mr. Tingley of Penn. Mr. Tingley's ongoing consultation with Mr. James Wagar of the Métis Nation of Ontario (MNO) was discussed, as was Mr. Tingley's in-person meeting with Mr. Wagar and other representatives of the Peterborough regional council in November 2012. Mr. Dufrane indicated he was comfortable with the in-depth nature and extent of these consultation activities. Mr. Tingley and Mr. Dufrane viewed and discussed all of Penn's presentation boards that were on display at the open house. Mr. Tingley confirmed that Penn would be purchasing the project site property if the project is approved, given Penn's interest in being able to manage and take care of the land as it should be. Mr. Dufrane and Mr. Tingley discussed the site plans including the modifications made over time as well as how much of the property would hypothetically be utilized for the project footprint. Mr. Dufrane commented that Penn's willingness to install an evergreen hedge was an indication of thoughtfulness relative to the potential concerns of nearby residents. Mr. Tingley and Mr. Dufrane discussed the project's Acoustic, Archaeological and Natural Heritage Assessments in depth. Mr. Dufrane indicated he had no outstanding questions or concerns on these fronts. Mr. Dufrane expressed satisfaction with the path taken by Penn's development.</p>
<p>106. December 19, 2012</p>	<p>Mr. Tingley received a series of email messages from Mr. Wagar, intended for Penn's inclusion in this Consultation Report, informing Mr. Tingley that the MNO and Penn Energy were moving forward in good faith regarding the Ridgefield project and confirming that Penn's consultation activities with the MNO's representatives proved to be positive and meaningful in providing satisfactory disclosure to the community. Mr. Wagar indicated the MNO's awareness of Penn's willingness to oblige any additional questions, and he confirmed that the aforementioned letter stating an official position was forthcoming; this will be filed with Penn's REA application for this project at the MOE as soon as it is delivered to Penn (See attached <u>Exhibit R</u>).</p>

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5.0 Municipal Consultation

5.1 Initial Consultations

Early in the process of identifying suitable land for ground-mounted solar photovoltaic Feed-in-Tariff ("FIT") projects within a given municipality, Penn Energy Renewables, Ltd. ("Penn") initiated contact with the City of Kawartha Lakes to ensure the City's understanding of, and amenability to, the nature of Penn's intended land use. Contact was made with the City of Kawartha Lakes prior to Penn's submitting its FIT application for this project, and Penn has continued discussions with the City throughout the development and permitting process. A summary of the various discussions and transmittal of materials and correspondence is as follows:

On April 28, 2010, Penn contacted Ms. Leslie McDonald, Planning and GIS Technician with the City of Kawartha Lakes to obtain zoning information. The conversation resulted in Ms. McDonald providing zoning maps and the permitted uses in the zones for all of the original municipalities now annexed into the jurisdiction of the City.

Upon receipt of the zoning information above, Penn contacted Mr. Richard Danziger, Director of Planning Services on April 29, 2010. The conversation can be summarized as follows:

Penn and Mr. Danziger discussed preferred locations to site a ground-mounted solar farm project. Mr. Danziger indicated that the preference would be for the project to be on lands designated for anything other than Prime Agricultural as marked on the Official Plan, or on lands designated Prime Agricultural but having a primary use other than agriculture like a gravel pit, for example. The City would generally be supportive of the solar use if this zoning/land use request is followed.

Between September 2 and September 10, 2011, one of Penn's environmental consultants, Niblett Environmental Associates, Inc. (NEA), corresponded with Mr. Ron Taylor and Ms. Linda Russell at the City of Kawartha Lakes. A summary of the correspondence is as follows:

By a letter dated September 7, 2011, NEA requested any available natural heritage records regarding the property. On September 10, 2011, Ms. Russell, by email, directed NEA to Schedule B-5, Kawartha Lakes Official Plan. Concurrently, Ms. Russell requested completion of a Preconsultation Application which was then provided to Penn from NEA. Ms. Russell indicated that the application should be filed with a copy of Part A of the REA application. A

copy of the cited correspondence with the blank Preconsultation Application form is attached as Exhibit 90.

On February 22, 2012, the City of Kawartha Lakes sent a letter to Premier Dalton McGuinty and copied various renewable energy firms, including Penn. A summary of the letter, attached as Exhibit 91, is as follows:

The City of Kawartha Lakes provided the Premier with their recommendations for modification to the REA process and O.Reg 359/09. The majority of the letter is centered around the City's objection to the siting of wind energy projects within the City and requests a moratorium on such. More applicable to Penn's project, the City also recommended and internally passed a resolution for the establishment of a \$2,000.00 fee to review applications subject to the REA process.

On May 17, 2012, a representative from Penn stopped into the City of Kawartha Lakes municipal offices to introduce himself as an employee of Penn and see if there is any information required by, or coming out of, the City regarding Penn's project. Ms. Linda Russell indicated to the Penn employee that the City is not willing to discuss the project any further until a Preconsultation Application Form is completed and the fees paid.

On July 17, 2012, Penn emailed the completed Preconsultation Form to Ms. Russell. An original hardcopy of the form was sent on July 18, 2012 and is attached as Exhibit 92 with cover letter. Both email and letter contained a request from Penn for a meeting with the City.

On August 21, 2012, Penn sent an email to Ms. Russell with the following requests:

Penn requested inclusion on the City's Preconsultation meeting agenda of September 6. To be prepared for such meeting, Penn asked for information regarding the procedure, attendees, venue facilities and the typical questions that may be asked. Additionally, Penn requested confirmation that the Preconsultation Application Form had been received by the City.

Ms. Russell confirmed receipt of the application later that day as well as Penn's inclusion on the agenda for the September 6, 2012 meeting. She indicated that this is the opportunity to introduce the project, present the draft reports and generally engage in discussion about the project. She added that it is likely that the Conservation Authority, Emergency Services, Public Works, Engineering and other internal staff will attend.

On September 6, 2012, Penn met with various City of Kawartha Lakes staff members and the Kawartha Region Conservation Authority. The summary of the meeting is as follows:

Penn representatives, Sean McCloskey and Cyrus Tingley, met with Ms. Linda Russell, Mr. Richard Holy, and five others from the City of Kawartha Lakes and Leah Breivik from the Kawartha Region Conservation Authority at the Lindsay Library Building to present/discuss Penn's Ridgefield solar project. The meeting constituted Penn's official "Pre-Consultation" hearing as requested by the City, following Penn's submission of a completed "Pre-Consultation Application" for the solar farm's potential development. The application was a prerequisite for the City's granting of a meeting.

Penn displayed a PowerPoint presentation on the wall using a projector and referenced various slides of information, photos, maps and diagrams to help facilitate a productive discussion as the meeting proceeded. Penn described the project site's location, size, and current use. The City asked if landowners currently lived on-site, which Penn affirmed. Penn showed photos of current site conditions and described the topography/grade of the site, both generally and in terms of installation visibility. Penn described solar PV as a technology, solar PV module fabrication, and the color/range of color that solar panels usually have. It was asserted that Penn would likely utilize panels of a dark blue color. Penn described the module racking's supportive posts to be approximately 3-4 meters apart, going from east to west, and roughly 8 meters apart going from north to south. It was stressed that these posts are the arrays' only point of contact with the ground. Penn described the posts' foundation design and installation methods. It was emphasized that from the wiring between the arrays' junction boxes and the inverters was going to be put underground. The role of the inverters was described, as was the requirement of a perimeter fence. Penn pointed out that vegetation did usually grow under the solar arrays on a typical farm. The necessity of gravel access roads was explained, and Penn ran through a quick "design presentation" focusing on the sequence of events by which a typical 1 MW "block" solar installation was constructed.

Linda Russell of the City asked for a few items to be pointed out on the site plan displayed by Penn, which was done. She identified herself as the City's REA point person. It was clarified to her that the planned access roads were only gravel farm lanes and not fully-established roads built up from imported fill.

The City asked a question about the radii of the site entranceway, with regard to access for emergency service vehicles, as well as the specs for the entrance road and access lanes with regard to the same. It was agreed that Penn would communicate with the City to ensure the proper exchange of information on these particular, important points.

The City asked a question about the potential removal of vegetation from the east side of the project site with regard to Hydro One's interconnection of the project. Penn proposed the installation of a hedge on the portion of the project site's eastern border that lies north of the existing driveway. Penn also offered to produce a site-line study with respect to the residences in that area if requested.

Ms. Russell asked how big the proposed project substation was. Penn answered that it would require a footprint of roughly 20' by 20'. Penn confirmed the follow-up question that yes, it was only a fenced-in area of equipment and not an actual structure.

The final public meeting's date, notice, and advertisement were presented and explained, including an overview of to whom notice had been (and would be) sent.

Ms. Russell asked how many people attended the first public meeting and mentioned that the City hadn't gotten many calls about the project.

Penn replied that roughly 30 individuals had attended and, in Penn's opinion, received the project quite well. Penn offered to provide an attendance list if requested.

Penn described the next steps in the project's development and approval processes and mentioned that a Consultation Form would be provided to the City for feedback purposes. In terms of timing, Penn estimated that it would be roughly a year, potentially, until Notice to Proceed was sought from the OPA.

Ms. Russell described the City's project review process: they will review our REA project documents, circulate them to all appropriate parties (such as Emergency Services/EMS, who were not present at the Sept 6, 2012 meeting), prepare a report package after the review and send it to City Council. If the application is endorsed by the Council, Ms. Russell indicated that it will then be sent to the Province. Ms. Russell explained to Penn that approximately a year ago, a by-law was established mandating a review fee of \$2,000 from REA applicants like Penn. Overall, Linda indicated that it would be a minimum of 3 months until Penn heard anything back from the City with typical considerations of the City being those of screening/buffering with respect to nearby residences, the requirements/concerns of City EMS, and storm-water management

In terms of storm-water, the City wanted to make sure Penn was considering any potential effect of the project on roads and neighbors. The City mentioned interest in a "drainage plan." The City expressed concerns about the concentration and rate of storm-water flows after the project is built and compared the arrays to a "series of rooftops." Penn expressed a belief that the available area for infiltration doesn't change as the space between the panels provides such and re-affirmed that minimal grading on what is a quite flat site was anticipated. The City again expressed a concern that the number and extent of connected arrays would affect storm-water flows. Penn confirmed it would provide its hydro-geological study to the City

Ms. Russell finally directed Penn to send all information, questions and other matters to her directly.

Leah Stephens of the Kawartha Region CA voiced an interest in consultation and Penn confirmed they would contact her directly to engage in this. (see Kawartha Region Conservation Authority section below).

On September 11, 2012, Penn sent an email to Mr. Richard Holy, Coordinator - Current Planning, to thank him for his assistance in facilitating the September 6, 2012 meeting and stated that Penn would be following up with Ms. Russell shortly.

As a follow up to the meeting of September 6, 2012, Penn sent an email to Ms. Russell on September 13, 2012 attached as Exhibit 93. The email can be summarized as follows:

Pursuant to the review fee discussion at the meeting, Penn confirmed that a check would be prepared and sent to the City.

Penn Made the Following Requests and Deliveries:

1. Penn requested the name of the individual at the meeting who had asked details regarding the site entrance, turning radii and access road specifications. It was offered that full details of such items would be available following site engineering, if required, for an entrance or similar permit.
2. A full attendee list for the meeting was requested.
3. Per the meeting, the Hydrogeological report was attached to the email.
4. Per the City's request at the meeting, the remainder of the available reports, site boundary survey and site topographical survey were attached to the email.
5. The Municipal Consultation Form was attached to the email.

In closing, Penn thanked Ms. Russell for facilitating the meeting and offered to be available for any follow up questions or requests for information.

On September 14, 2012, Penn sent a cheque in the amount of \$2,000 per the City by-law to support the review of the project reports by the City of Kawartha Lakes as discussed at the September 6, 2012 meeting (Exhibit 94).

On September 17, 2012, in preparation for its Final Public Meeting, Penn sent two binders of the draft reports to Ms. Linda Kent for delivery to the Dunsford and Lindsay public library branches. These reports were made available for public review. Exhibit 95 contains the transmittal and confirmation of the receipt of these reports.

On September 26, 2012, Penn and Ms. Russell exchanged email messages. The summary is as follows:

- a) Ms. Russell responded to Penn's email of September 13, 2012. The message confirmed receipt of the review cheque and contained the following responses to the items above:
 1. Michael Gratton, Public Works asked the questions regarding roads and site access.
 2. The preconsultation minutes will identify who was present. The minutes will be sent to Penn shortly. There were 2 staff members from engineering present (Christina Sisson and Lauren Wood), the Chief Building Official (Susanne Murchison, Leah Stephen (KRCA), Diana Keay (Planning) and Michael.
 3. The Hydrogeological Study will be forwarded to Christina Sisson, Supervisor Development Engineering.
 4. The receipt of the additional reports and plans was acknowledged.
 5. The City confirmed that Part B of the Municipal Consultation Form would not be completed by the City until the REA reports had been reviewed and will be included in the report presented to Council.
- b) Penn in turn responded with the following:
 1. Penn would like to confirm with Mr. Gratton that there are no local roads or services boards with jurisdiction in the project area and confirm any specific requirements for site entrance permits and design.
 2. Penn requested the meeting minutes as they had not previously been provided. Penn confirmed renewed consultation with KRCA.
 3. Penn is available to address any questions that Ms. Sisson may have on the Hydrogeological Study.
 4. Revised NHA reports are expected shortly and will be provided.
 5. Penn thanked the City confirming that the Municipal Consultation Form will be completed and returned.

On October 17, 2012, a revised Natural Heritage Assessment and Environmental Impact Study Report were received from Penn's environmental consultant. These revised reports and the remainder of the current project reports were sent to Ms. Russell (transmittal letter attached as Exhibit 96) with an email to confirm that hard copies would be arriving at the City offices. Penn also enquired about the presence of any local roads or services boards again.

December 19, 2012

October 22, 2012, Penn called Ms. Linda Russell who confirmed that the project is situated on roads under the jurisdiction of the City. There are no applicable Local Roads of Services Boards involved. Ms. Russell in a separate call also confirmed receipt of the NHA reports and indicated that the likely date for return of the Municipal Consultation Form will be sometime in January 2013.

November 5, 2012, Penn called Ms. Linda Russell who confirmed receipt of all reports, Ms. Russell indicated that any major concerns/questions would be provided to Penn in approximately one month.

November 7, 2012, Penn sent revised, final NHA reports to Ms. Linda Kent as replacement reports for the binders held in the public libraries. Shipping receipt is attached as Exhibit 97.

As of the date of this Report, Penn Energy has not received a completed Municipal Consultation Form (Part B) from the City of Kawartha Lakes. Penn has been, and will continue to be, discussing the Township's anticipated feedback stemming from its review of the Ridgefield draft project reports. Penn continues to be in close contact with Ms Linda Russell of the City of Kawartha Lakes with the anticipated return of the consultation form being January 29, 2013. To this end, Penn anticipates receipt of this Form (Part B) in the near future and would subsequently submit it to the MOE for inclusion in the applicable REA Application file.

5.2 First Public Meeting Municipal Participation

Penn conducted its first Public Meeting on September 13, 2010 as outlined in section 3.1(c) of the Public Consultation Report. The First Public Meeting was not attended by any representatives of the City of Kawartha Lakes. Required notifications were performed as detailed in the Public Consultation Report.

5.3 Submission of Municipal Consultation Form

In accordance with "Technical Bulletin Five - Guidance for preparing the Consultation Report as part of an application under O.Reg.359/09," Penn completed Part A of the prescribed Municipal Consultation Form (Exhibit 91) and, in turn, hand-delivered on September 6, 2012 to the City of Kawartha Lakes. It should be noted that pursuant to the initial municipal consultation detailed above, the City would not take receipt of the form until their preconsultation procedures had been met. This Municipal Consultation Form was also delivered via e-mail to the City on September 13, 2012 (see Exhibit 93).

- i. In a personal meeting at the City of Kawartha Lakes main office in Lindsay, Penn representatives Sean McCloskey and Cyrus Tingley, hand delivered the Municipal Consultation Form to Ms. Linda Russell per the City's preferred protocol. In addition,

Penn provided an electronic copy of the Municipal Consultation Form for the Township personnel to review.

Prior to the municipal meeting with the City representatives, Penn had already distributed two sets of the draft REA project reports to the public libraries and one copy to the City. Penn had requested that these copies be placed at the respective offices for viewing by the public and Ms. Russell and the City Librarian, Linda Kent, agreed to do so as outlined previously in this Municipal Consultation report. Additionally, as additional reports were revised and produced, these were provided to the City as well as the libraries.

Please note that there is not a Local Roads Board or a Local Services Board applicable to the proposed project's development as referenced earlier in this Municipal Consultation Report.

5.4 Completion of the Municipal Consultation Form

As of the date of this Report, Penn Energy has not received a completed Municipal Consultation Form (Part B) from the City of Kawartha Lakes. On December 2, 2012, the following information was received by Penn from the City relative to expected return and content of the completed document (Exhibit 98):

"As discussed, staff are targeting January 29th to bring forward the Part B of the Municipal Consultation Form to Council for endorsement. Some of the standard comments will include:

Entrance permits will be required for any required entrances to the site

Road occupancy permits are for required for all work performed within the City's right of way

Dust control and road cleaning to be the responsibility of the developer during construction

A lot grading and drainage plan is requested in order to confirm the proposed drainage of the site. All drainage shall be self contained or drain to a protective outlet (ie. Roadside ditch)

An Emergency Management Plan be approved by the City's Fire and Rescue Service Department

Request to review the landscaping plan when it becomes available.

Once Council receives staff's report (including Part B), staff will forward the package to The Minister of Environment, The Director of Environmental and Assessments and Approval Branch, The Member of Provincial Parliament (MPP), and the proponent.

5.5 Final Public Meeting Municipal Participation

Penn conducted its Final Public Meeting on December 18, 2012 as outlined in section 3.2(c) of the Public Consultation Report. The Final Public Meeting was not attended by any representatives of the City of Kawartha Lakes. Required notifications were performed as detailed in the Public Consultation Report.

5.6 Additional Governmental Consultation

As part of the overall consultation process, Penn undertook several additional steps outside of the REA permitting process with various federal and provincial authorities to ensure it received the most comprehensive guidance possible. Below is a sampling of some of the activities that Penn undertook with various agencies. Please note that this is not intended to be a comprehensive list of the agencies with which Penn consulted nor of all of the communications with those listed. Similar activities are detailed in the other consultation reports along with other application materials. Further, Penn has had extensive, weekly interaction with both Hydro One Networks, Inc. and the Ontario Power Authority, including dozens of in-person meetings, to ensure its compliance with the Ontario Energy Board Distribution System Code, the Ontario Electrical Safety Code and, generally, the Green Energy Act of 2009 and its regulations, among other federal and provincial acts and regulations.

Ministry of the Environment (“MOE”)

On February 16, 2010 Penn submitted a Renewable Energy Approval Proponent Pre Submission Consultation Meeting form.

On February 22, 2010, representatives from Penn met with Ministry of the Environment staff and a representative from the Ontario Ministry of Energy & Infrastructure (“MEI”) for a Pre-Submission consultation meeting. The Ministry provided guidance for the consultation process and an overview of the requirements of the Renewable Energy Approvals process.

On June 29, 2010, Penn attended the Solar PV Information Session in Peterborough sponsored by the Renewable Energy Facilitation Office (“REFO”) of MEI. Penn interacted with staff from MOE regarding the procedural intricacies of the Renewable Energy Approval process.

Penn’s representatives also met with MOE representatives, including Ms. Doris Dumais, to discuss Penn’s Aboriginal consultation activities. This meeting is detailed in Section 4.1 of this document.

Kawartha Region Conservation Authority (KRCA)

On July 16, 2009, Penn contacted Ms. Leah Stephens, Resource Planner at KRCA, to generally discuss siting solar groundmount projects within with region administered by the KRCA. Ms. Stephens reviews development projects and advises the municipalities. It was stated that KRCA supports renewable energy.

On July 21, 2010, Penn contracted Mr. Mark Majchrowski, Director of Watershed Management for KRCA to offer a meeting for discussion of the project.

On July 29, 2010, Penn met with Mr. Peter Waring, Manager of Planning & Regulations, and Mr. Majchrowski. The summary of the meeting is as follows:

KRCA requested that the wetlands to the north of the site be surveyed to locate the 120 metre boundary from the feature and then compare such against the project boundary. Penn indicated that this would be done as part of the NHA. KRCA indicated that the wetland is not provincially significant, it has been previously evaluated and identified as only locally significant.

On September 2, 2011, one of Penn's environmental consultations, Niblett Environmental Associates, Inc., sent a letter to KRCA requesting any available information that the Conservation Authority may have on and within 120 metres of the property. On January 19, 2012, KRCA responded to Niblett's letter of September 2, 2011 via email. A \$100.00 fee was paid to the KRCA GIS Coordinator and maps identifying the property were provided by KRCA. The maps show the property in relation to the Sturgeon Lake Watershed and the applicable ELC classifications. A summary of these communications are attached as Exhibit 21.

On September 6, 2012, Ms. Leah Stephens of KRCA attended Penn's presentation to the City of Kawartha Lakes. Ms. Stephens recommended that Penn reach back out to the KRCA to continue consultation now that the NHA work had occurred. On September 11, 2012, Penn emailed Ms. Stephens to follow up on the meeting.

On September 21, 2012, Ms. Stephens responded by email. As the project location boundary is located within 102 metres of the northern wetland complex, a permit will be required from KRCA. A call between Penn and Ms. Stephens was held on the same day with KRCA confirming that the application should be made just prior to the start of construction, after receipt of an REA as the permit is only good for one year and will be based upon the REA approved plan. Penn responded via email to follow up on the call.

On September 26, 2012, Ms. Stephens indicated by email that Penn should send the NHA/EIS to KRCA following NMR confirmation to indeed determine if a permit will be required. On December 11, 2012, Penn sent the confirmed NHA/EIS to Ms. Stephens (Exhibit 22).

Summary of Comments: Pre-construction consultation shall be continued to determine if a KRCA permit will be required.

Ministry of Municipal Affairs and Housing, Building and Development Branch

On March 17, 2011, Penn contacted Mr. Andrew Steen at the Ministry of Municipal Affairs and Housing regarding, among other things, the potential need for a building permit for the various project components, including but not limited to the racking systems for the modules and the inverter/transformer houses. During this conversation Mr. Steen indicated that final authority rested with the municipal building official's interpretation of the Ontario Building Code Act, 1992, and he also indicated that most likely the "houses" containing the inverters/transformers would require a building permit. Mr. Shane Gallagher confirmed this belief in a follow-up e-mail that day.

Summary of Comments:

- (i) Building permit most likely required for inverter/transformer houses.

Action/Alterations to proposal to engage in the project:

- (i) Penn will work with the Municipal or County building official to obtain building permits as necessary.

Ministry of Transportation (“MTO”)

On August 3, 2010, Penn submitted a number of their FIT Application sites to Ms. Cheryl Tolles, Corridor Management Planner Eastern Region for determination of MTO permit control. MTO subsequently responded that this project site falls outside their permit control. Ms. Tolles also forwarded Traffic Impact Study Guidelines describing MTO's basic interests to Penn for review.

On December 11, 2012, Mr. Gregg Meister, of Penn, submitted the project location to Ms. Cheryl Tolles, Corridor Management Planner Eastern Region for determination of MTO jurisdiction. Ms. Tolles informed Penn by phone and email that there is no Provincial highway near the site and resides beyond the MTO's Permit Control Area. No MTO permits are required for the project.

Summary of Comments:

- (i) No MTO jurisdiction.

Action/Alterations to proposal to engage in the project: NONE

Ministry of Natural Resources (“MNR”) – Peterborough

On June 29, 2010, Penn attended the Solar PV Information Session in Peterborough sponsored by the Renewable Energy Facilitation Office of MEI. Penn interacted with staff from MNR Peterborough regarding the procedural intricacies of the Renewable Energy Approval process.

On July 28, 2010, Penn met with Eric Prevost and Sarah Lewis of MNR to generally discuss the NHA/EIS process in Peterborough District. Eric recommended that the reports be prepared in the same form as the regulations as it makes the reports easier for MNR to review.

On August 31, 2011, Penn met with Eric Prevost and Sarah Lewis of MNR. Specific discussions were held with respect to possible wetlands and woodlands within 120 metres of the project boundary. For wetlands complex, Mr. Prevost indicated we could use alternate site investigation methods contained within the NHA guide. The woodlands, which are present to the north and east of the project boundary, may be large enough to be considered significant as are the contiguous meadow areas. A detailed records request was made from MNR at this meeting.

On September 15, 2011, MNR responded to the records request. Findings are attached in Exhibit 24.

On October 24, 2012, Penn's primary environmental consultant, Bowfin Environmental, submitted the following NHA documents -Records Review, Site Investigation, Evaluation of Significance, Environmental Impact Study.

On October 26, 2012 MNR responded by letter from MNR representative, Ms. Amy Cameron – Renewable Energy Operations Team Coordinator, on October 5, 2012. The letter is attached hereto as Exhibit 25 and summarized as follows:

1. The MNR confirms that the determination of the existence of natural features and the boundaries of natural features was made using applicable evaluation criteria or procedures established or accepted by MNR.
2. The MNR confirms that the site investigation and records review were conducted using applicable evaluation criteria or procedures established or accepted by MNR, if no natural features were identified.
3. The MNR confirms that the evaluation of the significance or provincial significance of the natural features was conducted using applicable evaluation criteria or procedures established or accepted by MNR.
4. The MNR confirms that the project location is not in a provincial park or conservation reserve.
5. The MNR confirms that the environmental impact study report has been prepared in accordance with procedures established by the MNR. In accordance with Section 28(3)(c) and 38(2)(c),

In addition to the above confirmations, MNR also offered the following comments:

In accordance with Appendix D of MNR's NHA Guide, a commitment has been made to complete pre-construction assessment(s) of habitat use for the following candidate significant wildlife habitats:

- i) Candidate snake hibernacula (Fencerows 2-5 and Communities 6 & 7)
- ii) Turtle wintering area (Community 15)
- iii) Amphibian Breeding Habitat (Woodland) (Communities 1, 3, 4, 8, 13 & 14)

MNR has reviewed and confirmed the assessment methods and the range of mitigative options. Pending completion of the assessments and determination of significance, the appropriate mitigation is expected to be implemented, as committed to in the environmental impact study.

Ministry of Tourism and Culture (MTC)

On June 29, 2010, Penn attended the Solar PV Information Session in Peterborough sponsored by the Renewable Energy Facilitation Office of MEI. Penn interacted with staff from MTC regarding the procedural intricacies of the Renewable Energy Approval process.

Following the initial inquiry, an Archaeological Assessment Stage 1-2 was carried out by Northeastern Archaeological Associates, Ltd. with the resulting revised report dated December 20, 2011. An additional Stage 1-2 Archaeological Assessment dated, June 6, 2012, was also prepared to report survey findings for areas previously omitted. These two reports were submitted to MTC who responded in the form of separate MTC Concurrence Letters issued January 30, 2012 and September 18, 2012 respectively ([Exhibit 26](#)). In summary, the Archaeological Assessments revealed insufficient material present on the property to be contain an archaeological site or to warrant further investigation. A recommendation was made that all tested areas of the property be granted full clearance for development. Also as addressed in the Satisfaction Letter, proponent must be in compliance with legislation identified as items: a – d. The MTC is satisfied with the recommendations.

Summary of Comments: Insufficient archaeological materials to be considered a site or warrant further investigation

Alterations to proposal to engage in the project: NONE.

Ontario Heritage Trust

Between late 2011 and January 29, 2012, Penn's consultant, Unterman McPhail Associates, reviewed the project for built heritage and cultural heritage landscape screening purposes. The result of the completed screening activities indicate that the project property is in compliance and there are no Ontario Heritage Trust easement sites located at or adjacent to the project site. The Results of Screening for Protected Properties by Unterman McPhail Associates is attached hereto as [Exhibit 27](#).

Summary of Comments: No Trust easements on or abutting the project site.

Alterations to proposal to engage in the project: NONE.