

**Ministry of Natural
Resources**

Southern Region
Renewable Energy
Operations Team
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June 13, 2012

Rob Miller
Director of Development
SunEdison
595 Adelaide St E., Suite 400
Toronto, Ontario
M5A 1N8

RE: NHA Confirmation for Bruining Solar Energy Project

Dear Mr Miller:

In accordance with the Ministry of the Environment's (MOE's) Renewable Energy Approvals (REA) Regulation (O.Reg.359/09), the Ministry of Natural Resources (MNR) has reviewed the Natural Heritage Assessment and Environmental Impact Study Reports for the Bruining Solar Energy Project in Osnabruck (South Stormont) Township in Stormont County submitted on behalf of SunEdison and Genivar, on June 13, 2012.

In accordance with Section 28(2) and 38(2)(b) of the REA regulation, MNR provides the following confirmations following review of the natural heritage assessment:

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), MNR also offers the following comments in respect of the project.

Preconstruction Monitoring

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) shrub/early successional bird breeding habitat

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.

A commitment has also been made to develop and finalize a compensation plan, in consultation with the MNR prior to the issuance of a REA, for the following

- i) amphibian breeding habitat (woodland)
- ii) shrub/early successional bird breeding habitat if, following pre-construction surveys, the habitat is found to be significant.

This confirmation letter is valid for the project as proposed in the natural heritage assessment and environmental impact study, including those sections describing the Environmental Effects Monitoring Plan and Construction Plan Report. Should any changes be made to the proposed project that would alter the NHA, MNR may need to undertake additional review of the NHA.

Where specific commitments have been made by the applicant in the NHA/EIS with respect to project design, construction, rehabilitation, operation, mitigation, or monitoring, MNR expects that these commitments will be considered in MOE's Renewable Energy Approval decision and, if approved, be implemented by the applicant.

In accordance with S.12 (1) of the Renewable Energy Approvals Regulation, this letter must be included as part of your application submitted to the MOE for a Renewable Energy Approval.

Please be aware that your project may be subject to additional legislative approvals as outlined in the Ministry of Natural Resources' *Approvals and Permitting Requirements Document*. These approvals are required prior to the construction of your renewable energy facility.

If you wish to discuss any part of this confirmation or additional comments provided, please contact Amy Cameron at amy.cameron@ontario.ca or 705-875-7481.

Sincerely,



Amy Cameron
Coordinator
Renewable Energy Operations Team
Southern Region MNR

cc Emily Gryck, Renewable Energy Operations Team, Project Manager, MNR
Erin Cotnam, Renewable Energy Operations Team, Project Manager, MNR
Ken Durst, District Manager, Kemptville District, MNR
Narren Santos, Environmental Assessment and Approvals Branch, MOE
Sandra Guido, Environmental Assessment and Approvals Branch, MOE