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# **Appendix F**

## **Correspondence**

**Ministry of Tourism,  
Culture and Sport**

Heritage Program Unit  
 Programs and Services Branch  
 401 Bay Street, Suite 1700  
 Toronto ON M7A 0A7  
 Tel: 416.314.7643

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

Unité des programmes patrimoine  
 Direction des programmes et des services  
 401, rue Bay, Bureau 1700  
 Toronto ON M7A 0A7  
 Tél: 416. 314.7643



03 April 2019

EMAIL ONLY

Michael Troop, P.Eng.  
 J.L. Richards & Associates Limited  
 107-450 Speedvale Ave W  
 Guelph, ON N1H 7Y6  
[mtroop@jlrichards.ca](mailto:mtroop@jlrichards.ca)

<b>MTCS File</b>	:	<b>0010467</b>
<b>Your File</b>	:	<b>28176</b>
<b>Proponent</b>	:	<b>Haldimand County</b>
<b>Subject</b>	:	<b>Notice of Commencement -Municipal Class Environmental Assessment</b>
<b>Project</b>	:	<b>Jarvis Master Servicing Plan Update</b>
<b>Location</b>	:	<b>Community of Jarvis, Haldimand County</b>

Dear Mr. Troop:

Thank you for providing the Ministry of Tourism, Culture and Sport (MTCS) with the Notice of Commencement for your project. MTCS's interest in this Master Plan project relates to its mandate of conserving Ontario's cultural heritage, which includes:

- archaeological resources (including land and marine)
- built heritage resources (including bridges and monuments)
- cultural heritage landscapes

Under the Municipal Class Environmental Assessment (EA) process, the proponent is required to determine a project's potential impact on cultural heritage resources. A Master Plan project at minimum will address Phases 1 and 2 of the Municipal Class EA process. Developing and reviewing inventories of known and potential cultural heritage resources within the study area can identify specific resources that may play a significant role in guiding the evaluation of alternatives for subsequent project-driven EAs.

**Project Summary**

Haldimand County is proposing a study to update the 2010 Master Servicing Plan for the Community of Jarvis. This study will consider the four servicing components of water, wastewater, stormwater and transportation in order to address updated land use and growth forecasts as well as guide future infrastructure projects in the community.

This study is proceeding as a Schedule B project (Approach #2), under the Municipal Class environmental assessment process.

**Identifying Cultural Heritage Resources**

While some cultural heritage resources may have already been formally identified, others may be identified through screening and evaluation. Indigenous communities may have knowledge that can contribute to the identification of cultural heritage resources, and we suggest that any engagement with Indigenous communities includes a discussion about known or potential cultural heritage resources that are of value to these communities. Municipal Heritage Committees, historical societies and other local heritage organizations may also have knowledge that contributes to the identification of cultural heritage resources.

**Archaeological Resources**

Your Master Plan project may impact archaeological resources and you should screen the project with the MTCS [Criteria for Evaluating Archaeological Potential](#) and [Criteria for Evaluating Marine Archaeological Potential](#) to determine if archaeological assessments will be needed for subsequent project-driven Municipal Class EAs. MTCS archaeological sites data are available at [archaeology@ontario.ca](mailto:archaeology@ontario.ca), and if your Master Plan project area exhibits archaeological potential or encompasses archaeological sites of high cultural heritage value or interest, these data should be used in the evaluation of alternatives.

**Built Heritage and Cultural Heritage Landscapes**

The MTCS [Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes](#) should be completed to help determine whether your Master Plan project may impact cultural heritage resources. The clerk for Haldimand County can provide information on property registered or designated under the *Ontario Heritage Act* and municipal Heritage Planners can also provide information that will assist you in completing the checklist. A determination of whether the Master Plan project area impacts potential or known heritage resources of cultural heritage value or interest should be used in the evaluation of alternatives.

If subsequent project-driven Municipal Class EAs may impact potential or known heritage resources MTCS recommends that a Heritage Impact Assessment (HIA), prepared by a qualified consultant, should be completed to assess potential project impacts. Our Ministry's [Info Sheet #5: Heritage Impact Assessments and Conservation Plans](#) outlines the scope of HIAs. Please send the HIA to MTCS for review and make it available to local organizations or individuals who have expressed interest in review.

**Environmental Assessment Reporting**

All technical cultural heritage studies and their recommendations are to be addressed and incorporated into Master Plan projects. Please advise MTCS whether any technical heritage studies will be completed for your Master Plan project, and provide them to MTCS before issuing a Notice of Completion. If your screening has identified no known or potential cultural heritage resources, or no impacts to these resources, please include the completed checklists and supporting documentation in the Master Plan report or file.

Thank you for consulting MTCS on this project. Please continue to do so through the Master Plan process, and contact me for any questions or clarification.

Sincerely,

Katherine Kirzati  
Heritage Planner  
[katherine.kirzati@ontario.ca](mailto:katherine.kirzati@ontario.ca)

c: Peter Minkiewicz, Haldimand County

It is the sole responsibility of proponents to ensure that any information and documentation submitted as part of their EA report or file is accurate. MTCS makes no representation or warranty as to the completeness, accuracy or quality of the any checklists, reports or supporting documentation submitted as part of the EA process, and in no way shall MTCS be liable for any harm, damages, costs, expenses, losses, claims or actions that may result if any checklists, reports or supporting documents are discovered to be inaccurate, incomplete, misleading or fraudulent.

Please notify MTCS if archaeological resources are impacted by EA project work. All activities impacting archaeological resources must cease immediately, and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

If human remains are encountered, all activities must cease immediately and the local police as well as the Registrar, Burials of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MTCS should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the *Ontario Heritage Act*.



# vallee

*Consulting Engineers,  
Architects & Planners*

April 3, 2019

J.L. Richards & Associates Limited  
107-450 Speedvale Ave W  
Guelph, ON N1H 7Y6

**Attention** Michael Troop  
Manager, Senior Environmental Engineer

**Reference:** **Jarvis Master Servicing Plan Update  
Municipal Class Environmental Assessment**

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G. Douglas Vallee Limited is in receipt of a Notice of Commencement for the Jarvis Master Servicing Plan Update. We have clients in Jarvis who may be impacted by the results of the Class EA. The notice does not identify when and where the Public Open House will be held. Accordingly, it requested that G. Douglas Vallee Limited be provided written notice describing when a date, time and location for the Public Open House has been confirmed as our attendance is anticipated. After learning of the details of the assessment at the Public Open House, we would potentially provide comments to you for consideration. Thank you.

Yours truly,

Eldon Darbyson, Director of Planning  
**G. DOUGLAS VALLEE LIMITED**  
Consulting Engineers, Architects & Planners

H:\Projects\2008\08-016 Gusenbauer Condo Jarvis\CORRESPONDENCE\April 2019 - Jarvis Class EA\Letter to Consultant Requesting Notice of Public Open House April 3, 2019.docx

c. Peter Miniewicz, Haldimand County



J.L. Richards & Associates Limited  
GUELPH OFFICE

Ministry of the Environment,  
Conservation and Parks  
Drinking Water and Environmental  
Compliance Division  
West Central Region

119 King Street West  
12<sup>th</sup> Floor  
Hamilton, Ontario L8P 4Y7  
Tel.: 905 521-7640  
Fax: 905 521-7820

Ministère de l'Environnement  
de la Protection de la nature et des Parcs  
Division de la conformité en matière d'eau  
potable et d'environnement  
Direction régionale du Centre-Ouest

119 rue King Ouest  
12<sup>e</sup> étage  
Hamilton (Ontario) L8P 4Y7  
Tél. : 905 521-7640  
Télec. : 905 521-7820



April 5, 2019

Mr. Michael Troop  
J.L. Richards & Associates Ltd.

Mr. Peter Minkiewicz  
Haldimand County

Dear Messrs. Troop and Minkiewicz:

**Re: Jarvis Master Servicing Plan Update  
Haldimand County  
MEA Class EA Master Plan  
Response to Notice of Commencement**

This letter is in response to the Notice of Commencement for the above noted project. The Ministry of the Environment, Conservation and Parks (MECP) acknowledges that Haldimand County has indicated that it has commenced a master planning process in accordance with the MEA Class EA in order to identify the range of projects that will address the servicing and transportation needs for the Town of Jarvis.

The Crown has a legal duty to consult Aboriginal communities when it has knowledge, real or constructive, of the existence or potential existence of an Aboriginal or treaty right and contemplates conduct that may adversely impact that right. Before authorizing this project, the Crown must ensure that its duty to consult has been fulfilled, where such a duty is triggered. Although the duty to consult with Aboriginal Peoples is a duty of the Crown, the Crown may delegate procedural aspects of this duty to project proponents while retaining oversight of the consultation process.

Your proposed project may have the potential to affect Aboriginal or treaty rights protected under Section 35 of Canada's *Constitution Act* 1982. Where the Crown's duty to consult is triggered in relation to your proposed project, **the MECP is delegating the procedural aspects of rights-based consultation to you through this letter.** The Crown intends to rely on the delegated consultation process in discharging its duty to consult and maintains the right to participate in the consultation process as it sees fit.

Based on information you have provided to date and the Crown's preliminary assessment you are required to consult with the following communities who have been identified as potentially affected by your proposed project:

COMMUNITY	CONTACT
Six Nations of the Grand River Territory 1695 Chiefswood Road P.O. Box 5000 Ohsweken, ON N0A 1M0	Chief Ava Hill Tel: (519)445-2201 or <a href="mailto:avahill@sixnations.ca">avahill@sixnations.ca</a>  Email: <a href="mailto:arleenma@sixnations.ca">arleenma@sixnations.ca</a> and Lonny Bomberry, Lands and Resources Director at <a href="mailto:lonnybomberry@sixnations.ca">lonnybomberry@sixnations.ca</a>
Haudenosaunee Confederacy Chiefs Council 2634 6 <sup>th</sup> Line Road R.R. #2 Ohsweken, ON N0A 1M0	Hohahes Leroy Hill, Secretary <a href="mailto:jocko@sixnations.ca">jocko@sixnations.ca</a>
Mississaugas of the New Credit 2789 Mississauga Road RR #6 Hagersville, ON N0A 1H0	Fawn Sault Consultation Manager Email: <a href="mailto:Fawn.Sault@newcreditfirstnation.com">Fawn.Sault@newcreditfirstnation.com</a>

Steps that you may need to take in relation to Aboriginal consultation for your proposed project are outlined in the “Code of Practice for Consultation in Ontario’s Environmental Assessment Process” which can be found at the following link: <https://www.ontario.ca/document/consultation-ontarios-environmental-assessment-process>

Additional information related to Ontario’s Environmental Assessment Act is available online at: [www.ontario.ca/environmentalassessments](http://www.ontario.ca/environmentalassessments)

You must contact the Director of Environmental Approvals and Permissions Branch under the following circumstances subsequent to initial discussions with the communities identified by MECP:

- Aboriginal or treaty rights impacts are identified to you by the communities
- You have reason to believe that your proposed project may adversely affect an Aboriginal or treaty right
- Consultation has reached an impasse
- A Part II Order request or elevation request is expected

The Director of the Environmental Assessment and Permissions Branch can be notified either by email with the subject line “Potential Duty to Consult” by mail, email or fax at the addresses provided below:

<b>Email:</b>	<a href="mailto:enviropemissions@ontario.ca">enviropemissions@ontario.ca</a> Subject: Potential Duty to Consult
<b>Fax:</b>	416-314-8452
<b>Address:</b>	Environmental Approvals and Permissions Branch 135 St. Clair Avenue West, 1 <sup>st</sup> Floor Toronto, ON, M4V 1P5

The MECP will then assess the extent of any Crown duty to consult for the circumstances and will consider whether additional steps should be taken, including what role you will be asked to play in them.

As of July 1<sup>st</sup> 2018, a standardized form is to be used by anyone who believes that the environmental assessment process was incomplete, incorrect in that it failed to follow the required process. The required form can be found on the Forms Repository website (<http://www.forms.ssb.gov.on.ca/>) by searching “Part II Order” or “012-2206E (the form ID number). Once completed, the form is then to be sent to both the Minister and Director of the Environmental Assessment and Permissions Branch. Their addresses are:

Minister  
Ministry of the Environment, Conservation and Parks  
777 Bay Street, 5<sup>th</sup> Floor  
Toronto, ON M7A 2J3  
[Minister.mecp@ontario.ca](mailto:Minister.mecp@ontario.ca)

Director, Environmental Assessment and Permissions Branch  
Ministry of the Environment, Conservation and Parks  
135 St. Clair Ave. West, 1<sup>st</sup> Floor  
Toronto, ON M4V 1P5  
[enviopermissions@ontario.ca](mailto:enviopermissions@ontario.ca)

As of May 1, 2018, proponents are requested to send all Notices and completed project information form to the region where the project is located. If your project is located in more than one ministry region, you need to submit your notices to all appropriate regions. This is in addition to the existing notification requirements in each class environmental assessments and streamlined environmental assessment process.

To submit your Notice you need to do the following:

1. download and complete the [project information form](#)
2. the subject line of your email must include the project location, type of streamlined environmental assessment and project name
3. attach a copy of your project notice in PDF format and your completed project information form in Excel format to the email
4. send your email to the appropriate ministry regional office:
  - Central Region – [eanotification.cregion@ontario.ca](mailto:eanotification.cregion@ontario.ca)
  - Eastern Region – [eanotification.eregion@ontario.ca](mailto:eanotification.eregion@ontario.ca)
  - Northern Region – [eanotification.nregion@ontario.ca](mailto:eanotification.nregion@ontario.ca)
  - South West Region – [eanotification.swregion@ontario.ca](mailto:eanotification.swregion@ontario.ca)
  - West Central Region – [eanotification.wcregion@ontario.ca](mailto:eanotification.wcregion@ontario.ca)

Should you have any questions or require clarification, please contact me either at (905) 521-7864 or at [Barbara.slattery@ontario.ca](mailto:Barbara.slattery@ontario.ca)

With best regards,

*Barbara Slattery*

EA/Planning Coordinator

Encl.



**From:** [Peter Minkiewicz](#)  
**To:** [Jane Wilson](#)  
**Subject:** FW: 28176 Jarvis MSP Update NOPIC\_R0 (002)  
**Date:** June 5, 2019 3:32:12 PM

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Jane

FYI

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**From:** Fawn Sault [mailto:Fawn.Sault@mncfn.ca]  
**Sent:** Thursday, May 30, 2019 3:35 PM  
**To:** Peter Minkiewicz <pminkiewicz@haldimandcounty.on.ca>  
**Subject:** RE: 28176 Jarvis MSP Update NOPIC\_R0 (002)

Good Morning Peter,

Thank you for the notice. It would be nice to set up a meeting with Haldimand to discuss what our expectations are regarding consultation. I think it would help Haldimand understand too what types of projects/impacts we are interested in and at what stages. We can then set up to meet twice a year just to go over what projects Haldimand has a year or two ahead of time so we are not just reacting to things. That is the goal anyhow.

Let me know if you are interested. I am currently booking into July.

Miigwetch,

Fawn D. Sault  
Consultation Manager  
Department of Consultation and Accommodation  
Mississaugas of the Credit First Nation  
4065 Hwy 6 North  
Hagersville, On.  
N0A 1H0  
Office - 905-768-4260  
Cell – 289-527-6580  
<http://www.mncfn.ca>  
[Facebook: Mississauga of the Credit First Nation](#)

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**From:** Peter Minkiewicz [mailto:[pminkiewicz@haldimandcounty.on.ca](mailto:pminkiewicz@haldimandcounty.on.ca)]  
**Sent:** Tuesday, May 28, 2019 4:17 PM  
**To:** Fawn Sault; 'pgeneral@sixnations.ca'  
**Subject:** 28176 Jarvis MSP Update NOPIC\_R0 (002)

Hello Paul and Fawn

Attached above is copies of the public notice for the Jarvis MSP update PIC.

The Master Servicing Plan update is required to ensure the master servicing plan is up to date and contemplates growth in the short and long term planning horizon.

As has been our practice if there is a desire for us to come and overview these projects further we would be pleased to do so as staff.

Please let me know if there might be a preferred time and we can make arrangements for the meeting.

Thanks

**Peter Minkiewicz**

*Supervisor, Development Services  
Planning & Development*

**Haldimand County**

Hagersville Satellite Office

Tel: 905-318-5932 x6208

Fax: 905-768-7328

[www.HaldimandCounty.ca](http://www.HaldimandCounty.ca)

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