

HWY 2 5

**Ministry of  
Natural Resources**

**Ministère des  
Richesses naturelles**



Peterborough District Office  
P.O. Box 7000, 300 Water Street  
1<sup>st</sup> Floor, South Tower  
Peterborough, Ontario K9J 8M5  
Telephone: (705) 755-2001  
Facsimile: (705) 755-3125

Le bureau du district de Peterborough  
C.P. 7000, 300 rue Water  
Peterborough, Ontario K9J 8M5  
Telephone: (705) 755-2001  
Facsimile: (705) 755-3125

**RECEIVED**  
**AUG 08 2011**

August 2, 2011

Axio Power Canada Inc.  
945 Princess Street, Suite 252  
Kingston, ON  
K7L 3N6

Attention: Mr. Robert Miller

Dear Mr. Miller,

In accordance with the Ministry of the Environment's (MOE's) Renewable Energy Approvals regulation (O.Reg.359/09), applicants are required to prepare a natural heritage assessment and environmental impact study using evaluation criteria or procedures established or accepted by the Ministry of Natural Resources (MNR). The regulation requires MNR to confirm that the natural heritage assessment and environmental impact study, including mitigation measures, were prepared using established procedures acceptable to MNR. The MNR's confirmation letter, along with other required project documentation, must be submitted to MOE as part of an application for a Renewable Energy Approval for consideration by MOE in making their Renewable Energy Approval decision.

The Ministry of Natural Resources (MNR) has reviewed the natural heritage assessment and environmental impact study for Axio Power Canada Inc., Kingston Gardiner TS Highway 2 South Solar Energy Project, located at Part Lot 40 Concession 3 Loyalist Township, submitted by Axio Power Canada Inc., July 15, 2011.

In accordance with sections 28(2) and 38(2)(b) of the Renewable Energy Approvals regulation, MNR provides the following confirmations following review of the natural heritage assessment reports:

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.
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) of the Renewable Energy Approvals regulation, MNR offers the following comments in respect of the project:

1) The potential for ongoing risk of negative environmental effects has been identified in the natural heritage assessment (NHA). The project and potential effects will be monitored as outlined with the Environmental Impact Study Report to ensure that proposed mitigation strategies are effective and contingency measures have been included for instances where performance objectives are not met.

MNR is providing this confirmation letter based on the review of the information provided in your natural heritage assessment reports. Applicants should be aware of the transition provisions under section 62 of the amended Renewable Energy Approvals regulation and fulfill natural heritage assessment requirements accordingly.

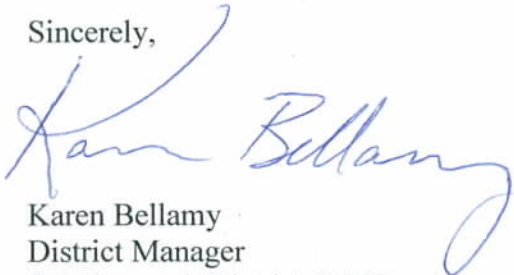
Where specific commitments have been made by the applicant in the natural heritage assessment with respect to project design, construction, rehabilitation, operation, mitigation, or monitoring, MNR expects that these commitments will be considered in MOE's Renewable Energy Approval decision and, if approved,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

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 natural heritage assessment, MNR may need to undertake additional review of the natural heritage assessment.

In accordance with section 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.

If you wish to discuss any part of the confirmation or additional comments provided, please contact Eric R. Prevost, Renewable Energy Planning Ecologist, at (705) 755-3134.

Sincerely,



Karen Bellamy  
District Manager  
Peterborough District, MNR

cc. Jim Beal, Renewable Energy Provincial Field Program Coordinator, Regional Operations Division, MNR

Narren Santos, Environmental Assessment and Approvals Branch, MOE