

Objection of Incomplete Heritage Assessment of HAF/IPC Wind Energy Project

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January 28, 2013

Please be advised that the submitted IPC /HAF renewable energy project (EBR Registry Number: 011-7795) should not be approved under the Green Energy Act as it my belief that it has not been properly screened under the criteria as set out in Table I, Section 19, or Section 20 of Ontario Reg. 359/09, has totally missed identifying a major heritage resource, has provided no assessment as to the potential impact on this particular heritage resource and subsequently it's approval without further study would be in contravention to the Ontario Heritage Act (OHA).

The OHA gives the Ontario Ministry of Tourism and Culture the responsibility for the conservation protection and preservation of Ontario's culture heritage resources and in that regards the Ministry has submitted written comments in a letter dated March 2, 2011 (as required by s. 23(3)(a) of O. Reg. 359/09 under the Environmental Protection Act) in which Paula Kulpa, Heritage Planner stated:

"Based on the information contained in the report you have submitted for this project, the Ministry is satisfied with the heritage assessment."

The Ministry's "qualified" satisfaction of the heritage assessment appears to be solely based on the information contained in the heritage assessment report as undertaken and submitted by Unterman McPhail Associates for the subject project in which the consultant's report concluded:

"The five (5) wind turbine sites have been screened under the criteria set out in Table I, Section 19, of Ontario Reg. 359/09 (Appendix B). The historical summary of the study areas showed some potential for cultural heritage resources of value or interest due to the agricultural development of the land in the 19th and 20th centuries. However, a review of the historical background of the study areas, the site surveys and municipal consultation information determined the potential heritage value and interest for the five (5) wind turbine sites was low.

Since there are no direct impacts and minimal indirect impacts to the five (5) proposed wind turbine sites, there are no mitigation recommendations in regard to heritage resources, i.e., built heritage resources and cultural heritage landscapes for the project"

Should the existing Unterman McPhail Associates Heritage Study been conducted in a more comprehensive and professional manner it would have discovered that the **proposed 5 industrial wind turbines are located within 400m to one of Ontario's oldest and almost forgotten native and Upper Canada Trails that stretches some 35km (22 miles) from the Grand to the Forty (Grimsby)**. A cursory look at the historic and prehistoric context of this trail indicates that this trail is of major significance from both a First Nations and Canadian perspective as witnessed by the direct connection to significant historical figures, events and features associated with this trail and their contribution to the very existence of this country.

Subsequently the Ministry of Tourism and Culture's current comments of March 2, 2011 should be deemed null and void and the proponent's consultant should be directed to investigate this matter further and then resubmit a revised heritage assessment report for the Ministry's review

and comment. Until said heritage assessment works are completed and the Ministry submits their revised comments any further review of EBR Registry Number: 011-7795 should be halted until the proponent can submit a “complete” REA package for the Ministry’s review.

Heritage Trail Facts

The following information represents only a cursory compilation of information by a lay person but should be sufficient to indicate that the significant historic nature of this trail to both First Nations and Canada should warrant further study and protection for perhaps future restoration as a **historic trail and symbolic linkage between our two nations.**

This centuries old native trail connecting Lake Ontario to the Grand River can be found on various historic maps including the 1811 Thomas Ridout Surveyor General Map of Caistor Township or the map in “Travels in Canada and the United states in 1816 and 1817” by Lieut. Francis Hall, 14th Light Dragoons. The original native name for this trail is not known to myself but it was later known as the “Nelles Trail to the Forty” and later as the “Grand River Road”. By the mid 1840’s with the development of concession roads it appears that this centuries old trail was abandoned.

The significance of this trail to the original Iroquoian and Neutral native inhabitants can only be imagined by current day Canadians but archaeological records show native occupation occurred shortly after the ice age and that the Neutral Nation was well established in the area between the Grand River and Lake Ontario by 1550. At the time of early European contact with the Neutral nation it was described as being “well settled between the Lake Erie and Lake Ontario and numbering greater than 30,000 residents inhabiting some 28 permanent villages and many other smaller hamlets. As the aforementioned maps shows only 3 north/south trails across this section of Niagara we can assume this trail played a major role in the travels of the First Nations. Further evidence of native occupation along this trail is documented with the discovery in 1976 of a major native burial ground at Grimsby or the northern terminus of this trail where some 373 bodies were excavated from around the era of 1630-1640.

Unfortunately this same trail probably provided ready access to the invading Iroquois from the southern shores of Lake Ontario where between 1647 and 1651 Iroquois warriors totally destroyed the Neutral Nation.

Following the America War of Independence many of the soldiers of the Butlers and Kings Rangers as well as from the British forces settled along this trail such as Col. Robert Nelles, Lt Alan Nixon, Lt Jacob Ball Sr. Lt. Peter Mann Ball, Capt. Abraham Nelles, Lt Alan Nixon, Lt. Col. James Green and numerous other privates including my own ancestors. Some such as Col. Robert Nelles who served in the famous Butlers Rangers as a native interpreter was not only awarded lands by the crown at the Forty but also was given a large property at southern end of the trail on Six Nations lands and known as the Nelles Tract by the famous warrior chief Joseph Brant in 1787. Historically this trail perhaps represents one of the best physical and literal representations of that formative nation building era when the ties between two of Canada’s three founding nations were strongest as having been forged “as brothers in arms” during the

American Revolutionary War and when natives and UEL settlers respected each other as equals.

Should one research the history of the loyalist families who settled along this trail one will find a fascinating and gripping tale of their trials and tribulations throughout revolutionary war years and of their military service in virtually every major battle in the upper New York State Area.

Notable the Nelles family having properties at either end of this trail traversed this old Indian path so often that it became known as the "Nelles Trail to the Forty". Joseph Brant would often travel it from the Grand and then stay over at the Nelles Manor at the Forty, a historic Georgian stone house still standing today.

Later during the war of 1812 many of the original Butler's Rangers or their descendants who lived along this trail served in the Lincoln 4th Militia and saw service at the Battle of Queenston Heights and Lundy's Lane. Myself personally who also lives on a section of the old trail has three ancestors who served with Lincoln's 4th including one named John Adair who survived the Battle of Queenston Heights only to die of sickness two months later at Fort George.

Additionally the northern terminus of the trail at the Forty saw substantial action during the War of 1812 as not only a stop-over for major troop and native movements but also as a battleground the day following the Battle of Stoney Creek in June 1813. While the local militia were instructed to just observe the American encampment from above the escarpment, native warriors streamed down the trail to engage the Americans while General Yeo;s naval fleet bombarded them from the lakeside. Native forces swelled with reinforcements arriving most likely from the Grand along the Nelles Trail such that the American troops retreated so hastily that they abandoned most of their supplies and tents.

The native forces for this battle under the famous Capt. John Norton would most likely have utilized this trail many times as Norton himself owned and lived along the Grand just west of the southern terminus of the Nelles Trail. Historical reports of up to 300 warriors encamped at the Forty settlement provides a vivid and exciting picture of this trail's past history.

The trail apparently was abandoned during the 1840's after local concession roads were developed but one last famous native who often would have often travelled this trail was Maanguadaus, an Ojibway born along the banks of the Forty Mile Creek in 1807. Known also by his baptised named of George Henry he holds the distinction of having his picture captured in one of the earliest surviving daguerreotype photos back in 1846. Furthermore living in a world of transition he capitalized on his native heritage and formed a troupe of native performers who toured the United States in 1844 as part of George Catlin's "wild west show" before touring Europe from 1845 to 1848 to cheering audiences in England, France and Belgium and meeting various royalty members. Upon his return he settled at the Grand where he became a herbalist and native doctor until his death.

Please note that of any section of this trail the most accurately located section is that in the Caistor Township or where the proposed industrial wind turbines are proposed to be located.

Conclusion:

The review of the HAF Wind Energy Project (EBR Registry Number: 011-7795) must be suspended until a proper heritage assessment of the adjacent “Nelles Trail to the Forty” has been completed and reviewed by the Ministry of Tourism and Culture. Personally as a professional parks planner and landscape architect (designer of Crawford Lake Iroquoian Village) I can easily envision a future greenbelt designation that follows a restored trail route rich with the tales of early native and loyalist settlers while at the same time helping to foster and rebuild ties with our native brothers who as John Ralston Saul so eloquently described as truly being one of the three pillars or founding nations of Canada.