

-Detritus

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archaeology · heritage

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January 14, 2022

Mr. Shawn Milloy

Gateman Milloy

RE: Avoidance and Protection Provisions for archaeological sites: AiHc-545 and AiHc-548. Stage 1-2 Archaeological Assessment, Tullis Whistle Bare Aggregates Pit. Part of Lots 27 and 28, Concession 12, Geographic Township of North Dumfries, Region of Waterloo, Ontario

Dear Shawn,

This letter details avoidance and protection measures for two archaeological sites (listed below) which have been selected for long term protection and avoidance rather than continued archaeological assessment. As a condition of ministry concurrence with the stage 1-2 archaeological assessment report the proponent is requested to agree to the terms of long-term protection and avoidance listed below

AiHc-545 and AiHc-548 though located within the Study Area are within an area not proposed for development (aggregates extraction).

Given that AiHc-545 and AiHc-548 were discovered outside the area proposed for development, the Proponent has elected to avoid and protect these sites, as per Section 4.1 of the *Standards and Guidelines* (Government of Ontario 2011).

To meet the requirements for avoidance during construction, as outlined in Section 4.1.1 of the *Standards and Guidelines* (Government of Ontario 2011), it is recommended that **temporary fencing be installed around AiHc-545 and AiHc-548, and their protective buffers, and that construction activities within the 20m – 70m monitoring buffer be monitored by a licensed archaeological consultant in order to prevent any impacts to the site** (see below). If in the future AfGv-179 or AfGv-180 will be impacted by development, and no Stage 3 assessment is to be conducted at that time, the archaeological site and its protective buffer must be avoided and no construction impacts will be allowed. This protective buffer will extend 20m beyond the limits of the site, as documented during the Stage 2 assessment (see Tile 4 of the Supplementary Documentation). 'No-go' instructions will be issued to all on-site construction crews, engineers, architects and any others involved in day-to-day decisions during construction. The location of the area to be avoided will be marked on all contract drawings, where applicable, and will include explicit instructions to avoid this area.

Furthermore, a construction monitoring zone ranging from 20 metres to 70 metres from the boundaries of the sites on all sides will also be observed. A licensed archaeologist will be required to monitor any construction activities impacting these zones in order to prevent any construction impacts outside of the amended Study Area. According to Section 4.1.1, Standard 2 of the *Standards and Guidelines* (Government of Ontario 2011b), construction monitoring is required during all grading and other soil disturbing activities to verify the effectiveness of the avoidance strategies.

As per Section 7.9.9, Standard 1b of the *Standards and Guidelines* (Government of Ontario 2011), this letter from the proponent confirming that the avoidance measures outlined above will be implemented during construction is provided here in the Supplementary Documentation to this report. This letter also includes a construction monitoring schedule for all ground disturbance activity in the vicinity of the site and its protective buffer.

In order to meet the requirements for long term protection, as outlined in 4.1.4 of the *Standards and Guidelines* (Government of Ontario 2011), the Proponent will have **AiHc-545 and AiHc-548** and their 20m buffers mapped by an Ontario Land Surveyor (OLS) onto a topographic plan. A restrictive covenant will be registered on title that refers to the plan prepared by the OLS. This covenant will prohibit any activities that might alter **AiHc-545 and AiHc-548** and their protective buffers in any way, either temporarily or permanently. As per Section 4.1.4, Standard 2 of the *Standards and Guidelines* (Government of Ontario 2011b), such activities include, but are not limited to, tree removal, minor landscaping, or utilities installation.

The Proponent confirms that they are aware of the archaeological sites on their property, that they will not alter or cause any soil disturbance within the protected area other than normal agricultural work, and that they will implement the recommended long-term protection strategy.

Mr. Shawn Milloy, Gateman Milloy



Proponent

Date:

Feb 3/22



Garth Grimes

Consulting Archaeologist
Provincial License No. P017
Detritus Consulting Ltd.

-Detritus

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January 14, 2022

Mr. Shawn Milloy
Gateman Milloy

RE: Stage 4 Avoidance & Protection, Archaeological Monitoring, Tullis Whistle Bare Aggregates Pit, Part of Lots 27 and 28, Concession 12, Geographic Township of North Dumfries, Region of Waterloo, Ontario. Port Bruce Bridge - County of Elgin, ON

Dear Shawn,

Contained within this document you will find an outline of the procedures and costs involved in stage 4 mitigation through long term protection and avoidance of two archaeological sites found during stage 1-2 assessment. These are: **AiHc-545 and AiHc-548**

Avoidance and Protection (A&P)

Pursuing this option requires that no construction impacts occur within the 20m protective buffer around sites **AiHc-545 and AiHc-548**. Within the 20m - 70m monitoring buffer, extraction and associated construction can take place provided a licensed archaeologist is on site to monitor these activities.

To facilitate protection during construction, a licensed archaeologist will visit the affected sites and stake the location for silt fencing to be erected prior to the start of construction/extraction. The fencing, once in place should ensure no impacts to the sites have taken place.

If archaeological resources are encountered during monitoring of extraction/construction, or at any time by workers at the subject property, extraction/construction, work must be halted until a mitigation strategy can be put in place.

When complete, a report on the A&P procedures and archaeological monitoring is required by the MHSTCI.

To meet the requirements outlined in 4.1.4 of the *Standards and Guidelines* (Government of Ontario 2011) for Long-Term Protection, the Proponent must agree to have a registered restrictive covenant placed on the subject property that will prohibit any activities that might alter the archaeological site in any way, either temporarily or permanently. As per Section 4.1.4, Standard 2 of the *Standards and Guidelines* (Government of Ontario 2011), such activities include, but are not limited to, tree removal, minor landscaping, or utilities installation. Included as part of the Supplementary Documentation to the Stage 4 mitigation report must be either an email from the Proponent's lawyer indicating that a covenant will be placed on or the covenant itself.

A&P Fee Estimate

Avoidance monitoring (One R licensed archaeologist):	\$170.00/hr
Monitoring Report:	\$4100.00*

*HST will be charged on all the above prices.

(This price is valid for 9 months)

Invoicing:

Payment of invoices are due within 30 days of receipt. Invoices which are not paid within 30 days of receipt are subject to an interest charge of 1.5% per month, or 18% annually. Final copies of the mitigation report will be submitted to the MHSTCI on receipt of payment. Detritus accepts payment by cheque or EFT.

Disclaimer

In the event that Detritus Consulting Ltd. is delayed or hindered in performance of the assessment because of any occurrence beyond our control, performance of the agreement will be suspended for a period equal to the delay.

Schedule

Detritus should be contacted at least 2 weeks prior to extraction/construction start to arrange for monitoring and allow time for an R licensee to visit the sites and stake the location of fencing to be erected.

Detritus Consulting Experience in Similar Projects

Detritus Consulting Limited has been in business for over 20 years and has a wealth of experience in completing projects of this sort where there are multiple sites to be assessed at stage 3 or stage 4. We have recently undertaken (along with the First Nations communities) large projects at Caledonia (Ballantry Homes) and Jarvis (Upper Canada Consultants) with multiple stage 3 and stage 4 assessments of Pre-Contact Aboriginal and historic sites over large areas, similar in scope to the current project.

Detritus Senior Staff responsible for this project:

Project Director: Mr. Garth Grimes (B.A., B. Ed) Senior Archaeologist, Provincial License No. P017

Project Manager, Report Preparation: Dr. Walter F. McCall (Ph.d) Project Archaeologist, Provincial License No. P389

Field Director: Mr. Mathew Gibson (B.A) Provincial License No. R1160

First Nations Engagement

You will likely be contacted by First Nations groups or other third parties about this assessment. As of July 2020, the MHSTCI has been distributing a weekly email update to all Municipalities, First Nations and interested third parties advising them of: the name of each project currently being conducted in the Province, the proponent, including contact details, as well as the consulting archaeologist, stage of fieldwork and location of the assessment. This information is being supplied as part of the Duty to Consult by the Crown. As a result, First Nations may contact the proponent seeking engagement on this assessment. Detritus encourages engagement with First Nations groups as laid out in the MHSTCI 2011 Standards and Guidelines. The MHSTCI strongly recommends early engagement with First Nations.

If you have any questions regarding the Duty to Consult or Engagement under the MHSTCI 2011 Standards and Guidelines, please contact us.

Agreement:

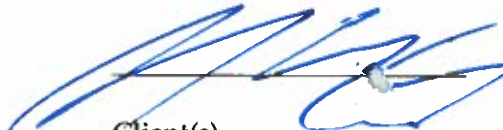
Detritus Consulting agrees to conduct the work described in the above proposal.



Garth Grimes
Consulting Archaeologist
Detritus Consulting Ltd.

The client accepts this proposal and agrees to remit payment when the draft final report for this archaeological assessment is submitted. Please make all cheques payable to Detritus Consulting Ltd. In addition, the undersigned gives authorization to proceed with this assessment.



Date

Client(s)

Upon acceptance please sign and return one copy to **Detritus Consulting Ltd.**