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Ministère des Affaires civiques et du Multiculturalisme (MCM)

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Oct 31, 2023

Garth Grimes (P017)
Detritus Consulting
69 Claremont Kitchener ON N2M 2P5

RE: Review and Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "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 ", Dated Aug 1, 2023, Filed with MCM Toronto Office on Aug 3, 2023, MCM Project Information Form Number P017-0878-2020, MCM File Number 0013393

Dear Mr. Grimes:

This office has reviewed the above-mentioned report, which has been submitted to this ministry as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, R.S.O. 1990, c 0.18.¹ This review has been carried out in order to determine whether the licensed professional consultant archaeologist has met the terms and conditions of their licence, that the licensee assessed the property and documented archaeological resources using a process that accords with the 2011 *Standards and Guidelines for Consultant Archaeologists* set by the ministry, and that the archaeological fieldwork and report recommendations are consistent with the conservation, protection and preservation of the cultural heritage of Ontario.

The report documents the assessment of the study area as depicted in Figure 5 of the above titled report and recommends the following:

5.1 Cluster H1 (AiHc-545)

The Stage 2 test pit survey of Cluster H1 (AiHc-545) produced 208 Euro-Canadian artifacts from 27 positive test pits scattered across an area of 56m by 37m. Given the presence of at least 20 artifacts that date the period of use to before 1900, AiHc-545 meets the criteria for a Stage 3 assessment as per Section 2.2, Standard 2c of the *Standards and Guidelines* (Government of Ontario 2011), and therefore retains CHVI. To further evaluate the site's CHVI, a Stage 3 archaeological assessment is recommended for AiHc-545.

AiHc-545 is located within a portion of the proposed extraction area that will not be subject to ground disturbance activities associated with the aggregates pit for approximately 20 years (Shawn Milloy, personal communication). As such, the Proponent has elected to protect the site until it becomes scheduled for extraction, rather than complete the required Stage 3 assessment.

Following advice provided by the MCM, AiHc-545 will be subject to long term protection according to the provisions outlined in Section 4.1 of the *Standards and Guidelines* (Government of Ontario 2011).

According to Section 4.1, Standard 1, the limits of the site must have been established through Stage 2 and Stage 3 assessments prior to the implementation of any avoidance and protection strategy. Likewise, according to Standard 2 of the same section, the area to be avoided and protected must also include a 20m buffer zone surrounding Aboriginal village sites and a 10m buffer zone around all other sites.

If ground disturbance activities associated with the extraction pit will be conducted in the vicinity of AiHc-545, and no Stage 3 assessment is to be conducted at that time, the site and its 70m avoidance buffer must be protected, and no developmental impacts will be allowed. As per Section 4.1.1, Standard 1a, it is recommended that a temporary barrier be erected around the area to be avoided (Tile 7 of the Supplementary Documentation). Following advice provided by the MCM, this barrier must take the form of post and wire fencing (see Email Communication in the Supplementary Documentation). Furthermore, 'no-go' instructions will be issued to all on-site construction crews, engineers, architects, and any others involved in day-to-day decisions as per Section 4.1.1, Standard 1b of the Standards and Guidelines (Government of Ontario 2011a). The location of the area to be avoided will be marked on all contract drawings, where applicable, and will include explicit instructions to avoid the area, as per Section 4.1.1, Standard 1c of the Standards and Guidelines (Government of Ontario 2011a). Furthermore, it is recommended that all future developmental activities in the vicinity of AiHc-545 be monitored by a licensed archaeological consultant in order to prevent any developmental impacts from occurring outside the proposed development limits as per Section 4.1.1, Standard 1a of the Standards and Guidelines (Government of Ontario 2011a).

As per Section 7.8.5, Standard 1eii of the Standards and Guidelines (Government of Ontario 2011), a letter from the Proponent confirming that the avoidance measures outlined above will be implemented during any future construction is provided in Section 6.1 of the Supplementary Documentation.

Finally, it is recommended that AiHc-545 be subject to a Stage 3 assessment prior to conducting any developmental activities within the limits of the site, or its 70m avoidance buffer. The Stage 3 assessment of AiHc-545 will be conducted according to Section 3.2 of the Standards and Guidelines (Government of Ontario 2011). Typically, a Stage 3 assessment for a site documented during a pedestrian survey of ploughed agricultural land begins with an intensive controlled surface pickup ('CSP') across the Stage 2 limits of site. AiHc-545 was identified during a test pit survey of a manicured lawn and overgrown grassy areas; therefore, the Stage 3 assessment of the site will consist of test unit excavation only, conducted as per Section 3.2.2 of the Standards and Guidelines (Government of Ontario 2011). Because it is not yet evident if the level of CHVI at AiHc-545 will result in a recommendation to proceed to Stage 4 (see Section 4.3 above), the Stage 3 assessment at the site will consist of the hand excavation of 1m square test units across its Stage 2 limits, as per Table 3.1, Standard 1 of the Standards and Guidelines (Government of Ontario 2011). Additional 1m test units, amounting to 20% of the grid total, will be placed in areas of interest within the site extent as per Table 3.1, Standard 2 of the Standards and Guidelines (Government of Ontario 2011). All excavated soil will be screened through six-millimetre mesh; all recovered artifacts will be recorded by their corresponding site and grid unit designation and collected for laboratory analysis. If a subsurface cultural feature is encountered, the plan of the exposed feature will be recorded and geotextile fabric will be placed over the unit before backfilling the unit.

5.2 Cluster P1 (AiHc-548)

The Stage 2 pedestrian survey of Cluster P1 (AiHc-548) recovered a side-notched projectile point made of Onondaga chert, one primary flake made of Onondaga chert, and one secondary flake made of Onondaga chert (Plates 20-22). The projectile point most closely matches the attributes of a Brewerton Side-Notched projectile point type dating to the Middle Archaic (3000-2500 BCE). Based on the results of the Stage 2 assessment, AiHc-548 has been interpreted as a small activity area occupied by unspecified Aboriginal people during the Middle Archaic. Given the results of the Stage 2 assessment, AiHc-548 meets the criteria for a Stage 3 assessment as per Section 2.2, Standard 2c of the Standards and Guidelines (Government of Ontario 2011), and therefore retains CHVI. To further evaluate the site's CHVI, a Stage 3 archaeological assessment is recommended for AiHc-548.

AiHc-548 is within a wetland vegetation protection zone, outside of the planned development. As such, the

Proponent has elected to protect the site, rather than complete the required Stage 3 assessment.

Following advice provided by the MCM, AiHc-548 will be subject to long term protection according to the provisions outlined in Section 4.1 of the Standards and Guidelines (Government of Ontario 2011). According to Section 4.1, Standard 1, the limits of the site must have been established through Stage 2 and Stage 3 assessments prior to the implementation of any avoidance and protection strategy. Likewise, according to Standard 2 of the same section, the area to be avoided and protected must also include a 20m buffer zone surrounding Aboriginal village sites and a 10m buffer zone around all other sites.

If ground disturbance activities associated with the extraction pit will be conducted in the vicinity of AiHc-548, and no Stage 3 assessment is to be conducted at that time, the site and its 70m avoidance buffer must be protected, and no developmental impacts will be allowed. As per Section 4.1.1, Standard 1a, it is recommended that a temporary barrier be erected around the area to be avoided (Tile 7 of the Supplementary Documentation). Following advice provided by the MCM, this barrier must take the form of post and wire fencing (see Email Communication in the Supplementary Documentation). Furthermore, 'no-go' instructions will be issued to all on-site construction crews, engineers, architects, and any others involved in day-to-day decisions as per Section 4.1.1, Standard 1b of the Standards and Guidelines (Government of Ontario 2011a). The location of the area to be avoided will be marked on all contract drawings, where applicable, and will include explicit instructions to avoid the area, as per Section 4.1.1, Standard 1c of the Standards and Guidelines (Government of Ontario 2011a). Furthermore, it is recommended that all future developmental activities in the vicinity of AiHc-548 be monitored by a licensed archaeological consultant in order to prevent any developmental impacts from occurring outside the proposed development limits as per Section 4.1.1, Standard 1a of the Standards and Guidelines (Government of Ontario 2011a).

As per Section 7.8.5, Standard 1eii of the Standards and Guidelines (Government of Ontario 2011), a letter from the Proponent confirming that the avoidance measures outlined above will be implemented during any future construction is provided in Section 6.1 of the Supplementary Documentation.

Finally, it is recommended that AiHc-548 be subject to a Stage 3 assessment prior to conducting any developmental activities within the limits of the site, or its 70m avoidance buffer. The Stage 3 assessment of AiHc-548 will be conducted according to Section 3.2 of the Standards and Guidelines (Government of Ontario 2011). Typically, a Stage 3 assessment for a site documented during a pedestrian survey of ploughed agricultural land begins with an intensive CSP across the Stage 2 limits of site. During the Stage 2 pedestrian survey at AiHc-548 all the artifact findspots were point-plotted and collected for laboratory analysis. Thus, the conditions for a Stage 3 CSP at the sites were met during the Stage 2 assessment. The Stage 3 assessment of the site, therefore, will consist of test unit excavation only, conducted as per Section 3.2.2 of the Standards and Guidelines (Government of Ontario 2011). Because it is not yet evident if the level of CHVI at AiHc-548 will result in a recommendation to proceed to Stage 4 (see Section 4.3 above), the Stage 3 assessment at the site will consist of the hand excavation of 1m square test units across its Stage 2 limits, as per Table 3.1, Standard 1 of the Standards and Guidelines (Government of Ontario 2011). Additional 1m test units, amounting to 20% of the grid total, will be placed in areas of interest within the site extent as per Table 3.1, Standard 2 of the Standards and Guidelines (Government of Ontario 2011). All excavated soil will be screened through six-millimetre mesh; all recovered artifacts will be recorded by their corresponding site and grid unit designation and collected for laboratory analysis. If a subsurface cultural feature is encountered, the plan of the exposed feature will be recorded and geotextile fabric will be placed over the unit before backfilling the unit.

5.3 Cluster H2 (AiHc-546)

Given that the Stage 2 assessment of Cluster H2 (AiHc-546) produced only 12 Euro-Canadian artifacts dating from the late 19th century through the early 20th century, AiHc-546 does not meet the criteria for a Stage 3 assessment as per Section 2.2, Standard 2c of the Standards and Guidelines (Government of Ontario 2011). Therefore, a Stage 3 archaeological assessment is not recommended for AiHc-546 and it does not retain any further CHVI.

5.4 Cluster H3 (AiHc-547)

Given that the Stage 2 assessment of Cluster H3 (AiHc-547) produced only nine Euro-Canadian artifacts dating from the late 19th century through the early 20th century, AiHc-547 does not meet the criteria for a Stage 3 assessment as per Section 2.2, Standard 2c of the Standards and Guidelines (Government of Ontario 2011). A Stage 3 archaeological assessment is not recommended for AiHc-547 and it does not retain any further CHVI.

5.5 Isolated Pre-Contact Aboriginal Artifacts

The Stage 2 assessment identified three diagnostic projectile points (Find Spot 42 [AiHc-549], Find Spot 49 [AiHc-550] and Find Spot 50 [AiHc-551]) and four isolated pre-contact Aboriginal artifacts (Find Spot 43, Find Spot 44, Find Spot 48 and Find Spot 60). None of the seven isolated find spots documented throughout the Study Area meet any of the criteria for additional assessment listed in Section 2.2, Standard 1 of the Standards and Guidelines (Government of Ontario 2011a). Therefore, the seven isolated findspots (Find Spot 42 [AiHc-549], Find Spot 43, Find Spot 44, Find Spot 48, Find Spot 49 [AiHc-550], Find Spot 50 [AiHc-551] and Find Spot 60) retain no further CHVI, and are not recommended for Stage 3 assessment.

Based on the information contained in the report, the ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 *Standards and Guidelines for Consultant Archaeologists* and the terms and conditions for archaeological licences. This report has been entered into the Ontario Public Register of Archaeological Reports. Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.

Should you require any further information regarding this matter, please feel free to contact me.

Sincerely,

Paige Campbell
Archaeology Review Officer

cc. Archaeology Licensing Officer
Shawn Milloy, Gateman Milloy
Jane Gurney, Region of Waterloo

¹ In no way will the ministry be liable for any harm, damages, costs, expenses, losses, claims or actions that may result: (a) if the Report(s) or its recommendations are discovered to be inaccurate, incomplete, misleading or fraudulent; or (b) from the issuance of this letter. Further measures may need to be taken in the event that additional artifacts or archaeological sites are identified or the Report(s) is otherwise found to be inaccurate, incomplete, misleading or fraudulent.