

August 13, 2012

Chief William K. Montour
Six Nations of the Grand River
1695 Chiefswood Road
PO Box 5000
Ohsweken, ON
N0A 1M0

Dear Chief Montour:

Subject: NextEra Energy Canada, East Durham Wind Energy Project

We are writing this letter (in accordance with Ontario Regulation 359/09) to share more information with you about our East Durham Wind Energy Centre in southwestern Ontario.

First, we enclose a copy of a Notice, which explains that a Draft Site Plan is being issued for the East Durham Wind Energy Centre. Issuing this Draft Site Plan confirms the existing noise receptors (houses, etc.) that we must consider in planning our Project.

Second, we enclose a copy of the actual Draft Site Plan. This Draft Site Plan will provide you with information on the Project Components and their proposed locations.

As you may know, Six Nations of the Grand River was not identified on the list of communities to be consulted for this project, which list was issued by the Director of Renewable Energy Approvals. We wish to provide you with this information, however, as a courtesy and in respect of Six Nations Elected Council's stated responsibility to protect air, lands and waters in this area, as set out in the Six Nations of the Grand River Consultation and Accommodation Policy.

Our consultant Bob Waldon has been in contact with your staff about this Project since it was first announced, and will continue to follow-up as additional information is developed. Please feel free to contact him at (905) 838-4256 or rdwaldon@bedfordC4.com with any questions.

Sincerely,



Thomas Bird
Environmental Services Project Manager



Info. c.c. Adam Rickel, NextEra Energy Canada
R. D. (Bob) Waldon, Bedford Consulting & Associates
Lonny Bomberry, Director, Lands and Resources
Joanne Thomas, Consultation Point Person, Lands and Resources

Enclosures East Durham Notice of Draft Site Plan
East Durham Draft Site Plan



Appendix J
Other Documentation

Appendixes



Appendixes

Appendix J.1

March 3, 2010 Letter from Oneida Council of Chiefs



HAUDENOSAUNEE

MOHAWK - ONEIDA - ONONDAGA - CAYUGA - SENECA - TUSCARORA

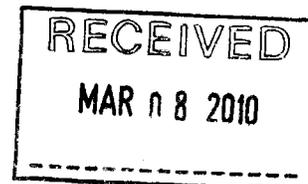
ONEIDA COUNCIL OF CHIEFS

SOUTHWOLD P.O.

ONTARIO N0L 2G0

March 3, 2010

Ben Greenhouse
Project Director, Development
NextEra Energy Canada
5500 North Service Road, Suite 205
Burlington, ON
L7L 6W6



Dear Mr. Greenhouse:

Thank you for notifying us of your intention to propose the construction of a facility to generate electricity through wind power. We strongly support the principle of using sustainable energy sources, and recognize your proposal is consistent with our own views of conservation and respect for the natural world.

The Oneida Nation Council of Chiefs is communicating with you about this proposal on behalf of the Haudenosaunee (the Iroquois Confederacy). In doing so, we are supported by the elected Council of the Oneida Nation of the Thames. We intend to ensure that there is no confusion about our authority to work with you, and that you will not be required to duplicate your efforts with other Haudenosaunee communities or governments.

The relationship between the Haudenosaunee and the Crown is provided for in a series of treaties. Both by its treaty commitments and as a result of decisions by Canadian courts, the Crown bears a legal obligation to consult with indigenous nations about proposals and projects that can affect treaty and aboriginal rights.

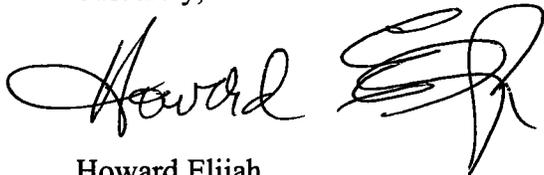
Where treaty rights are involved, the Crown must take steps to accommodate those rights. While we appreciate your working with us, and look forward to resolving any issues with you directly, we feel it is important that you should realize that our collaboration does not relieve the Crown of its obligations, and that those obligations cannot be delegated to third parties.

We fully expect the Crown will fulfill its duties, and we are sending a copy of this letter to the appropriate Crown officials to ensure that they are aware of what we are doing.

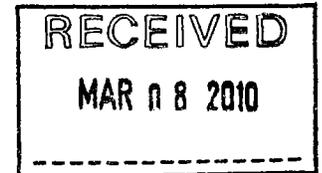
The location of your proposed facility is within the territory that is set apart for the Haudenosaunee pursuant to the Treaty at Albany in 1701. We view that Treaty, with its subsequent clarifications and reaffirmations in 1726 and 1755, as setting apart the area as one in which the Haudenosaunee would conduct what today would be called economic activities.

To the extent that your proposed project takes up the land with the approval of the Crown, we believe the Haudenosaunee have the right, by Treaty, to participate appropriately in the benefits that result. We look forward to a pragmatic and mutually beneficial relationship.

Sincerely,



Howard Elijah,
Secretary,
On^yota a:ka Lotiyaneshu



Cc

Ministry of Energy & Infrastructure
John Whitehead
Assistant Deputy Minister
Ministry of Energy & Infrastructure
880 Bay St
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Chief Joel Abram
Oneida Nation of the Thames
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Southwold On
N0L 2G0

Grant Wedge
Legal Director
Ministry of Aboriginal Affairs
160 Bloor Street East, 9th Floor
Toronto, ON M7A 2E6



Appendixes

Appendix J.2

June 3, 2010 Reply from NextEra to Oneida Council of Chiefs



NextEra Energy Canada, ULC

June 3, 2010

Howard Elijah
Secretary,
Oneida Council of Chiefs
On^yota a:ka Lotiyaneshu
1086 River Road
Southwold PO
Southwold, Ontario
N0L 2G0

Dear Secretary Elijah,

Thank you for the letter dated March 3, 2010, in which the Oneida Nation Council of Chiefs acknowledged having received notification of the NextEra Energy Resources, LLC ("NextEra") plan to construct and operate the Bornish Wind Energy Center ("Bornish Wind"). Please find enclosed a location map of Bornish Wind.

As you may know, within weeks, NextEra plans to file Bornish Wind's Renewable Energy Application ("REA") with the Ministry of Environment. Bornish Wind's REA includes the natural heritage (environmental) and archeological reports. Copies of all of the draft natural heritage and archeological reports were provided to the Oneida of the Thames in October 2009 with copies to Alfred Day. We acknowledge your advice concerning the Oneida Nation Council of Chiefs taking the lead, and will ensure future correspondence is sent directly to the Council. These reports are also available on our website at <http://www.canadianwindproposals.com>. In summary, the natural heritage and archaeological reports conclude that there should not be any significant negative environmental impacts associated with Bornish Wind. If the Oneida Nation Council of Chiefs has any questions or concerns about these reports or the Bornish Wind project, please do not hesitate to contact us to further discuss these issues.

Based on your letter, it is our understanding that the Oneida Nation Council of Chiefs intends to represent the interest of the other Haudenosaunee communities and governments as they relate to Bornish Wind. We respectfully ask for your guidance as to which communities and governments this will include and the process or protocol to be followed for technical review of project studies. We

would appreciate your advice on this protocol for Bornish, and for the other NextEra projects that are shown on the enclosed map. For example, should we assume that proximity of a project to a particular Haudenosaunee community will determine which Council will take the lead? Our intention in seeking your advice is simply to know how best to work collaboratively with all communities who may have an interest or concern about our projects.

We agree that it is well settled law that the Duty to Consult and accommodate rests with the Crown. As an applicant for a wind energy project, and as a matter of NextEra's company policy, our role in the consultation process is to provide relevant information about our projects to Aboriginal and non-aboriginal communities, agencies and government, so that any adverse impacts are identified, avoided, or mitigated. As you stated, we also look forward to working together collaboratively to address impacts associated with Bornish Wind. To that end, in your letter, you indicated that Bornish Wind may be located in an area where the Haudenosaunee has economic activities. Please identify any impact that you believe Bornish Wind may have on the Haudenosaunee's ability to conduct economic activities authorized by the Treaty at Albany in 1701, including the clarifications and reaffirmations in 1726 and 1755.

As a company, NextEra is interested in exploring engagement initiatives with all neighboring landowners and communities (aboriginal or otherwise) that have an interest in the operation and construction of our wind projects projects. We see this as being a part of our corporate responsibility to be a good neighbor in all communities, but not necessarily a requirement of the REA process.

Again, thank you for this opportunity to communicate with the Oneida Nation Council of Chiefs about Bornish Wind. Please contact Tom Bird at 905.335.4904 if you wish to meet and further discuss the natural heritage and archaeological reports that relate to Bornish's REA submittal. We will ensure copies of the final reports are sent to you at that time. We are also available to discuss NextEra's further engagement initiatives.

Sincerely,

NextEra Energy Canada,

A handwritten signature in black ink that reads "Ben Greenhouse". The signature is written in a cursive, flowing style.

Ben Greenhouse
Project Director

CC: Tom Bird, NextEra Energy Canada
Robert Waldon, Bedford Consulting & Associates