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Apr 3, 2020

Paul Racher (P007)
Archaeological Research Associates Ltd.
900 Guelph Kitchener ON N2H 5Z6

RE: Review and Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "Stage 1 and 2 Archaeological Assessments, Shantz Station Pit, 1175, 1195 Foerster Road and 1472 Village View Road, Township of Woolwich, Regional Municipality of Waterloo, Part of Lots 81 and 82, German Company Tract, Geographic Township of Waterloo, Waterloo County, Ontario", Dated Aug 15, 2019, Filed with MTCS Toronto Office on Aug 28, 2019, MTCS Project Information Form Number P007-0892-2018, MTCS File Number 0008834

Dear Mr. Racher:

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/mitigation of the study area as depicted in Map 9, Map 10, and Map 11 of the above titled report and recommends the following:

The Stage 1 assessment determined that the study area comprised a mixture of areas of archaeological potential and areas of no archaeological potential. The Stage 2 assessment of the identified areas of archaeological potential resulted in the discovery of 11 locations of archaeological materials: Site 1 (AjHc-39), Site 2 (AjHc-40), Site 5 (AjHc-41), Site 7, Site 10, Site 13, Site 14, Site 15, Site 17, Site 19 and Site 20. Sites 2 and 5 were found to be of further CHVI, whereas Sites 1, 7, 10, 13, 14, 15, 17, 18, 19 and 20 were found to be of no further CHVI.

ARA recommends that Site 2 (AjHc-40) and Site 5 (AjHc-41) be subject to Stage 3 site-specific assessments in accordance with the requirements set out in Section 3.2, Section 3.2.2 and Section 3.2.3 of the S&Gs (MTC 2011:47, 50–53). Controlled Surface Pickups were conducted at each site location as part of the subject assessment and are not required in advance of test unit excavation. Detailed documentary

research must also be carried out as per Section 3.1 of the S&Gs (MTC 2011:46–47).

An appropriate assessment method for Sites 2 and 5 would comprise test unit excavation using the strategy set out in Table 3.1, Numbers 1 and 2 of the S&Gs (MTC 2011:51). This would involve the excavation of grid test units at a 5 m interval across each site extent and additional test units amounting to at least 20% of the grid unit total in areas of interest. If it becomes clearly evident during test unit excavation that either site should or should not proceed to Stage 4, then the strategy set out in Table 3.1, Numbers 3 and 4 of the S&Gs (MTC 2011:51) can be implemented. This would involve finishing the grid test units at a 10 m interval and completing additional test units amounting to at least 40% of the grid unit total in areas of interest. The test unit excavation strategy should therefore be developed to meet the requirements of Table 3.1, Numbers 3 and 4, with further test units being excavated according to Table 3.1, Numbers 1 and 2 only if necessary to support the argument that the site should not proceed to Stage 4 (MTCS 2014:10).

All test units must be excavated stratigraphically into at least the first 5 cm of subsoil, and all soils must be screened through mesh with an aperture of no greater than 6 mm. If a potential cultural feature is uncovered, the exposed plan of the feature must be recorded, and geotextile fabric must be placed over the unit floor prior to backfilling. Section 3.2.2 Guideline 3 of the S&Gs (MTC 2011:49) states that exposed cultural features may be excavated during a Stage 3 assessment only if the information is required to inform a recommendation for or against a Stage 4 mitigation of development impacts.

Sites 1, 7, 10, 13, 14, 15, 17, 18, 19, 20 and the remainder of the study area do not require any additional assessment. Given that there are no further concerns for impacts to archaeological sites within the majority of the project lands, ARA also makes a recommendation for partial clearance. A partial clearance is intended to accommodate the need for a development to be able to proceed while outstanding concerns for alterations to archaeological sites continue to be addressed. At the time of writing, Sites 2 and 5 are the only sites of further archaeological concern located within the project lands.

In accordance with Section 4.1.1 and Section 7.8.5 of the S&Gs (MTC 2011:68–69; 140–141), ARA recommends that an avoidance strategy be implemented as part of the recommendation for partial clearance to ensure that the sites are not impacted. Each site warrants a 20 m protective buffer and a 50 m monitoring buffer. All lands comprising the site extents and the 20 m protective buffers must be considered 'protected areas' to be avoided. Protective buffers cannot traverse private properties for legal reasons, so the 20 m buffer around Site 5 is truncated in the associated mapping (Map 10–Map 11; SD Map 16–SD Map 19).

It is recommended that a temporary barrier be established around each protected area in advance of construction. All soil disturbing activities within the 50 m monitoring buffer must be monitored by a licensed archaeologist to ensure the effectiveness of the avoidance strategy. The archaeologist must ensure that the temporary barrier is in the appropriate location and must be empowered to stop construction if there is a concern for impacts to an archaeological site. 'No go' instructions must be issued to all on-site work crews and engineers for the protected areas, and the location of the protected areas must be shown on all appropriate contract drawings. The protected areas must be inspected by a licensed archaeologist once the strategy is no longer required (i.e., after a report recommending no further assessment has been entered into the Ontario Public Register of Archaeological Reports), and the effectiveness of the strategy must be reported to the MTCS.

As required by Section 7.8.5 Standard 1c of the S&Gs (MTC 2011:140), ARA requests that the MTCS provide a letter confirming that there are no further concerns regarding alterations to any archaeological sites within the project lands save for Sites 2 and 5. A letter confirming the proponent's commitment to the avoidance strategy has been included in the submission package. Once the construction schedule has been finalized, a licensed archaeologist will be retained so that monitoring can occur where required. It is anticipated that the remaining archaeological fieldwork will be completed in Fall 2019 or Spring 2020.

No ground alterations or development of any kind may occur within the designated protected areas until the required investigations are completed, recommendations that the sites have no further cultural heritage

value or interest are made, and the associated reports are entered into the Ontario Public Register of Archaeological Reports.

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,

Heather Kerr
Archaeology Review Officer

cc. Archaeology Licensing Officer
George Lourenco, Capital Paving Inc.
Dan Kennaley, Woolwich Township

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.*