

## **4.0 Public and Government Consultation**

### **4.1 Introduction**

Hydro One identified and consulted with potentially affected property owners and stakeholders who may have had an interest in the proposed project. This section describes Hydro One's consultation process and the input received. Hydro One consulted with property owners in the study area and other interested parties throughout the Class EA process to ensure their concerns regarding the proposed transmission facilities were addressed. Hydro One also kept municipal and county officials, as well as staff of relevant provincial government ministries and agencies, informed of project status.

### **4.2 Objectives of the Public Consultation Process**

The consultation process was designed to inform potentially affected property owners, stakeholders and the general public about the project, identify any issues or areas of concern, and develop project plans to address those issues, where appropriate.

### **4.3 Government Notification and Consultation**

The various government and agency stakeholders that can provide valuable input were identified during the early planning stage of the project. A list of stakeholders and their contact details are provided in **Appendix A1**. The following efforts were made to notify the stakeholders about the project and consult with them:

- Notice of Commencement letters were sent on December 13, 2007 to relevant provincial ministries, agencies, county and local planners and Conservation Authorities. The letter provided a brief description and introduction of the undertaking and the study area. A copy of the notification letter is provided in **Appendix A2**.

- Notice of Commencement letters were sent to the Mayors, City of Woodstock and Township of Norwich on January 28, 2008. The Chief Administrative Officer, County of Oxford, and Member of Provincial Parliament (MPP) -- Oxford were also notified on February 11, 2008. This letter also advised that the first Public Information Centre for the project would be held on February 21, 2008. A copy of the notification letter sent to the City of Woodstock is provided in **Appendix A2**.
- A presentation was made on February 7, 2008 to the City of Woodstock Council. The same presentation was discussed on February 7 with the Mayor and Clerk – Administrator, Township of Norwich. A copy of the presentation is provided in **Appendix B**.
- Consultation was arranged by way of personal visits and/or phone and e-mail conversations with interested agencies to get their feedback, comments and concerns about the project, to compile baseline data and to discuss constraints and mitigation measures. A summary of the consultation with these agencies is provided in **Appendix D**.
- PIC #1 invitation letters dated February 11, 2008 were sent to all contacts identified on the list of government and agency stakeholders. A copy of the letter is provided in **Appendix A3**.
- PIC #2 invitation letters dated January 26, 2009 were sent to all contacts identified on the list of government and agency stakeholders. A copy of the letter is provided in **Appendix A4**. On January 29, 2009, Hydro One wrote to the MPP -- Oxford, the Mayors City of Woodstock and the Township of Norwich, and the CAO, County of Oxford to provide an update on the project and an invitation to PIC #2 along with a copy of the newspaper ad for the PIC. . A copy of the letter send to the Mayor of Woodstock is provided in **Appendix A4**.

## 4.4 Public Notification and Consultation

As noted, two Public Information Centres (PICs) were held for this project. The local community, potentially affected property owners, key interest groups and agencies were notified about the project and the PICs by way of newspaper advertisements, direct mail outs and Canada Post Unaddressed Admail.

### 4.4.1 *Public Information Centre #1*

The first PIC was held on Thursday, February 21, 2008 from 4 p.m. to 8 p.m. at the Quality Hotel and Suites in Woodstock. Newspaper advertisements were placed in the following local newspapers to inform the public that Hydro One had initiated a Class EA project and invite interested parties to attend PIC:

- *Norwich Gazette* on February 13 and February 20, 2008
- *Oxford Review* on February 15, 2008
- *Woodstock Sentinel Review* on February 13 and February 20, 2008

The advertisement was mailed directly to approximately 400 property owners within the transformer station study area and to those living within 120 metres of the existing transmission line that would need to be upgraded to supply the new station. Lists for the individually-addressed property owner mailing were obtained from the City of Woodstock and Township of Norwich. In addition, the advertisement was distributed via Canada Post Unaddressed Ad Mail to approximately 4,200 residents, farms, and businesses within one kilometre of the existing transmission line. This ensured comprehensive notification, and captured tenants who live in the project area.

The newspaper advertisement announced the commencement of the Class EA study and invited interested parties to attend the PIC. It provided details about the proposed undertaking including a map of the study area and also provided a Hydro One contact name, telephone and email information, as well as a link to the Hydro One web site where more information regarding the project could be obtained. A copy of the newspaper advertisement is attached in **Appendix E1**.

In total, 35 individuals attended the first PIC. The majority of attendees were from the study area. Many of the visitors at the PIC talked at length with Hydro One representatives, providing their views and sharing local knowledge with the project team. Representatives of Woodstock Hydro also attended the PIC to support the need for the project and speak with area residents.

The PIC provided property owners and interested parties with the opportunity to review the project plans, provide input on Hydro One's planning process and discuss their concerns with Hydro One representatives. After signing in at the registration desk, visitors were provided with a copy of the display panels and a comment form. Visitors were typically accompanied by a member of Hydro One Project team to review the panels and identify their properties on study area maps. Pamphlets on various subjects such as electric and magnetic fields (EMFs), energy conservation, and Hydro One transmission infrastructure projects across Ontario, were also available to take away. Copies of the panels displayed at PIC #1 are provided in **Appendix E2**. A sample of the sign-in sheet is provided in **Appendix E3**.

### ***Public Comments***

Eighteen comment forms were completed at PIC #1, of which three contained written comments. A sample of the comment form is provided in **Appendix E4**. In general, comments were related to safety issues, construction impacts, landowner issues, the location of transmission towers and the transformer station, and local environmental protection. Several participants indicated their interest in being kept informed of the project status.

A summary of the issues recorded on the comment forms and those noted by staff in their conversations with members of the public are summarized in the consolidated public comments in **Appendix C**. It was observed that the queries raised by PIC participants were promptly answered by the Hydro One staff and that all efforts were made by staff to explain the details of the project.

#### **4.4.2 Public Information Centre #2**

The second PIC was held from 4:00 p.m. to 8:00 p.m. on Thursday, February 5, 2009 at the Quality Hotel and Suites in Woodstock. The main purpose of PIC #2 was to present and seek input on the preferred sited for the proposed Commerce Way TS, formerly referred to as Woodstock East TS, and to outline the next steps in the Class EA process and the OEB approval process.

Newspaper advertisements were placed in the following local newspapers to invite the public to PIC #2:

- *Normich Gazette* on January 28 and February 4, 2009;
- *Woodstock Sentinel Review* on January 29 and February 3, 2009; and
- *Oxford Review* on January 30, 2009.

The PIC #2 advertisements were also mailed directly to all property owners within the TS study area and to those living within 120 metres of the existing transmission line using the lists provided by the local municipalities. In addition, the advertisement was also distributed via Canada Post Unaddressed Ad Mail to all homes, apartments, farms, and businesses within one kilometre of the existing transmission line that Hydro One is proposing to upgrade to supply the new station.

The advertisement announced the preferred TS site, invited interested parties to attend the PIC and provided Hydro One's contact information. A copy of the newspaper advertisement is attached in **Appendix F1**. Invitation letters to attend the PIC #2 were also sent out to all government agencies identified in **Appendix A1**. A sample of the invitation letter is provided in **Appendix A4**.

In total, 13 individuals attended PIC #2. All attendees received a hardcopy of the display panels and a comment form upon arrival. Display panels were used to explain the proposed Commerce Way TS project, including the following: need for the project; map of the proposed transmission facility; project description; proposed structure types; TS site identification process and criteria; evaluation of alternative TS sites; description of the

preferred TS site; environmental mitigation measures and the Class EA process. Copies of the panels displayed at PIC #2 are provided in **Appendix F2**. A sample of comment form is provided in **Appendix F4**.

Participants were assisted by members of Hydro One’s project team and representatives of Woodstock Hydro in reviewing the display panels. Hydro One representatives discussed the study area, the project components, the preferred TS site and the rationale for its selection, and the proposed transmission structure types. Environmental and social constraints within the study area for the identification of the Commerce Way TS site were also discussed.

Large scale maps of the study area and the proposed layout for the Commerce Way TS were on display. Brochures on a variety of subjects, including EMFs and energy consumption, were also made available. A sign-in sheet was maintained to record participant attendance, a sample copy is provided in **Appendix F3**.

### **Public Comments**

Three written comments forms were received at PIC #2. In general, questions and comments related to property boundaries, the decision making process, EMF impacts on surrounding properties, landscaping plans for the station site, property easements and future building plans, and proximity of Parkinson Road to the existing right-of-way and proposed transmission structures. Following is a summary of the questions and issues raised at PIC #2:

- potential effect of the proposed Commerce Way TS on the value and development potential of surrounding properties
- question from a representative of a Commerce Way business park landowner regarding the existing Hydro One easement on their property and its effect, if any, and future expansion plans
- Landscaping plans for the proposed Commerce Way TS site, which is located along Parkinson Road at one of the entranceways to the Commerce Way business park

- Preference for use of steel poles instead of lattice steel towers when the existing transmission line is upgraded
- Proposed tower locations
- Construction practices.
- Potential concerns regarding electric and magnetic fields (EMFs)
- Evaluation process that lead to the selection of the preferred transformer station site
- Support expressed by the majority of participants, for the proposed facilities which will contribute to future economic development in the Woodstock area.

A summary of all the issues recorded on the comment forms and those noted by staff in their conversations with members of the public is presented in **Appendix C**.

#### **4.5 Interest Group Notification and Consultation**

Hydro One provided project information to several interest groups in the region such as the Woodstock Field Naturalists' Club, Oxford County Federation of Agriculture, Canadian Auto Workers, Stewardship Oxford, Carolinian Canada, and Friends of Pittock. Notice of Commencement letters regarding the proposed undertaking were sent to these interest groups on December 13, 2007. A copy of the notification letter is provided in **Appendix A6**. Invitation letters to both PICs were also sent to these interest groups on February 11, 2008 and January 26, 2009, respectively. No specific concerns were raised by the interest groups.

#### **4.6 First Nations Engagement and Consultation**

The objective of First Nations engagement and consultation was to provide First Nations and Métis with an opportunity to have meaningful input into the project and for Hydro One to address any First Nations and Métis concerns wherever feasible through a process that is fair and reasonable with respect to the project.

The Ministry of Aboriginal Affairs (MAA) and the Department of Indian and Northern Affairs Canada (INAC) were contacted and asked to identify any First Nation groups that might potentially be interested in the project. The letter sent to MAA and INAC, provided in **Appendix A7**, provided details about the project and the study area for the proposed facilities. A consolidated summary of consultation with these agencies is provided in **Appendix D**. Following are specific comments made by INAC and MAA:

- MAA advised in a letter dated April 17, 2008, that “*the Project appears not to be located in an area where First Nations may have existing or asserted rights that could be impacted by the project*”.
- INAC, in a letter received on May 07, 2008, confirmed that there are two active litigation cases in the vicinity of the study area involving the Chippewas of the Kettle and Stoney Point, and the Walpole Island First Nation, Bkejwanong Territory.
- INAC confirmed in an email on March 12, 2008, that the following First Nations have submitted specific claims in the area of the project:
  - Chippewas of the Thames First Nation;
  - Oneida Nation of the Thames;
  - Munsee-Delaware Nation; and
  - Mississaugas of the New Credit First Nation.
- In its March 12, 2008 email, INAC also indicated that *Six Nations of the Grand River* is in the general vicinity of the project.

Consultation with the above First Nations Groups was subsequently initiated by Hydro One. These First Nations groups received Hydro One’s Notification letters on May 5 and May 21, 2008, which provided a brief introduction of the project and a description of the study area. A copy of the letter is provided in **Appendix A8**. Hydro One also sent invitation letters to the PIC #2 to the above noted First Nations on January 26, 2009.

In addition, telephone contacts with the above mentioned First Nations were made in May and June 2008. No specific concerns were raised at that time.

Six Nations Council responded in a letter dated May 29, 2008, that:

*“Six Nations’ cultural, sustenance and other rights are recognized by the Province of Ontario by way of the 1701 Treaty of Ft. Albany. Six Nations’ rights and interests in relation to lands six miles either side of the Grand River (the Grand River Tract) was also confirmed by way of treaty, through the Haldimand Proclamation of October 25, 1784. This study area is within the 1701 Treaty Territory”.*

Six Nations Council also mentioned in this letter that *“at this time we have no further comments with regards to this project”.*

#### **4.7 Project Website**

To further facilitate public access to information relating to the Project and the opportunity to provide feedback, a project web page was created on Hydro One’s website at: <http://www.hydroonenetworks.com/newprojects>.

The web page provides an overview of the project, timelines, Class EA process, OEB approval process, and information presented at the PICs. It also provides contact information for those who have questions about the project. The web page was updated as new information became available. A copy of the web page is provided in **Appendix A5**.

#### **4.8 Review and Comment Period for the Draft Environmental Study Report**

In accordance with the Class EA process, Hydro One made its draft Environmental Study Report (ESR) available for a 30-day public review and comment period from March 12 to April 12, 2009. Notice of Completion advertisements were placed in the local newspapers to inform the public that the draft ESR would be available for review at several public locations and that the document could also be viewed or downloaded from Hydro One’s project

website. It provided information on how interested parties may submit their comments to Hydro One and / or the Ministry of the Environment.

The Notice of Completion advertisement was published in the following newspapers:

- *Oxford Review* on March 6, 2009
- *Woodstock Sentinel Review* on March 9, 2009
- *Norwich Gazette* on March 11, 2009

Notice of Completion letters were also sent to the provincial government agencies, conservation authorities, interest groups, municipal planners, and relevant First Nations. In addition, all individuals on Hydro One's project mailing list and all elected officials in the project areas were sent a copy of the Notice of Completion advertisement. The newspaper advertisement and the notice letters are included in **Appendices I1 and I2**. A copy of the Notice of Completion letter sent to the City of Woodstock is included in **Appendix I2**

At the conclusion of the public review and comment period, no comments from members of the public had been received, nor were there any requests to elevate the Class EA to an Individual EA were received. Four comments were received from government agencies. These are described below, as well as Hydro One's responses and actions to address them.

#### ***4.8.1 Ministry of Municipal Affairs and Housing***

The MMAH expressed their concerns in a letter dated March 17, 2009, about applications for planning approvals, including official plan amendments and zoning by-law amendments, under the *Planning Act*. Further, the MMAH recommended Hydro One to consider the "Provincial Policy Statement 2005" (PPS) and local Official Plan policies in the review of the undertaking.

Hydro One responded to the MMAH by mail on April 9, 2009. According to Section 62(1) of the *Planning Act*, "*An undertaking of Hydro One Inc. (as defined in subsection 2 (1) of the Electricity Act, 1998) or Ontario Power Generation Inc. (as defined in subsection 2 (1) of that Act) that has been approved under the Environmental Assessment Act is not subject to this Act*". Therefore, the project is

not subject to approvals authorized by the *Planning Act*. The planning process does take into account and is consistent with the Provincial Policy Statement 2005 (PPS). Throughout the Class EA process, Hydro One has consulted with the County of Oxford, the City of Woodstock and the Township of Norwich, and has taken into consideration the local Official Plans as part of the site selection. Refer to **Section 4.3** for detailed information about government notification and consultation.

#### ***4.8.2 Indian and Northern Affairs Canada***

INAC wrote to Hydro One in a letter dated March 20, 2009. They advised Hydro One that there are two active litigation cases in the vicinity of this property involving Chippewas of the Kettle and Stoney Point, and Walpole Island First Nation, Bkejwanong Territory. This information has already been included in the Draft ESR. Therefore, Hydro One did not respond to this letter. Refer to **Section 4.6** for detailed information about First Nations notification and consultation.

#### ***4.8.3 Upper Thames River Conservation Authority***

The UTRCA commented on the proposed undertaking via a letter dated March 27, 2009. The issue raised is that Section 28 permits under the *Conservation Authorities Act* may be required from the UTRCA prior to the undertaking of works in the regulated area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland. UTRCA would like to receive more information and reports about the proposed undertaking.

Hydro One responded to the UTRCA by mail on April 9, 2009. Hydro One will keep in touch and work closely with UTRCA regarding the Section 28 permits. Although Hydro One is exempt from permit requirements in regulated area as per the *Conservation Authorities Act* and the associated regulations that are specific to each CA, Hydro One committed to working with the CA to ensure that their concerns are addressed. This matter will be subject of discussion at an upcoming meeting of a Conservation Ontario working group that has

been formed to discuss CA Act issues. Hydro One will ensure that UTRCA is kept informed throughout the course of the project.

#### ***4.8.4 Ministry of the Environment (Southwest Regional Office)***

The MOE expressed their concerns in an e-mail dated April 2, 2009 regarding the noise impact of the proposed TS on the potential receptors, and required that all the future Hydro One projects meet MOE's expectations regarding noise assessment and documentation, regardless of location or circumstance. Given the location and the nature of the possible receptors, the MOE will not be asking for technical substantiation for this particular project (unless there is a noise-related Part 61 request).

Hydro One responded to the MOE by mail on April 16, 2009. Given the distance from the proposed Commerce Way TS to the nearest sensitive receptors (about 1430 m), the sound level at the receptors will not change as a result of this project. No Acoustic Assessment Study and noise mitigation are required according to *the Guide to Applying for Approval (Air & Noise) dated February, 2005*. Hydro One understands that noise can be an issue for operating transformer. However, it is not a site selection issue. Hydro One can meet noise requirements for all site alternatives with conventional and proven technology.