

APPENDIX "2"

NOTICE OF APPROVAL

REASON

My reasons for giving approval are:

(1) On the basis of the proponent's Environmental Assessment and the Ministry Review, the proponent's conditions that, on balance, the advantages of the undertaking outweigh its disadvantages.

ENVIRONMENTAL ASSESSMENT ACT

SECTION 9

NOTICE OF APPROVAL TO PROCEED WITH THE UNDERTAKING

RE: An Environmental Assessment for Bruce to Milton Transmission Reinforcement Project

Proponent: Hydro One Networks Inc.

EA File No.: EA 02 03 03

TAKE NOTICE that the period for requiring a hearing, provided for in the Notice of Completion of Ministry Review for the undertaking described in the above-note Environmental Assessment, expired on April 17, 2009.

I received one submission that requested a hearing by the Environmental Review Tribunal.

I consider a hearing to be unnecessary in this case. Having considered the purpose of the *Environmental Assessment Act*, the approved Terms of Reference, the Environmental Assessment, the ministry Review of the Environmental Assessment and submissions received, I hereby give approval to proceed with the undertaking, subject to the conditions set out below.

For the purpose of these conditions:

"Director" means the Director of the Environmental Assessment and Approval Branch

"EAAB" means the Environmental Assessment and Approval Branch of the Ministry of the Environment

"Environmental Assessment" means the document titled *Environmental Assessment Report - Bruce to Milton Transmission Reinforcement Project*, December 2008.

- "local municipality" means the:
 - a. County of Bruce,
 - b. Municipality of Kitchener,
 - c. Municipality of Brantford,
 - d. County of Grey.

REASONS

My reasons for giving approval are:

- (1) On the basis of the proponent's Environmental Assessment and the ministry Review, the proponent's conclusion that, on balance, the advantages of this undertaking outweigh its disadvantages appears to be valid.
- (2) No other beneficial alternative method of implementing the undertaking was identified.
- (3) The proponent has demonstrated that the environmental effects of the undertaking can be appropriately prevented, changed, mitigated or remedied.
- (4) On the basis of the proponent's Environmental Assessment, the ministry Review and the conditions set out below, the construction, operation and maintenance of the undertaking will be consistent with the purpose of the *Environmental Assessment Act* (section 2).
- (5) The Government Review Team has indicated no outstanding concerns that cannot be addressed through the conditions set out below or future approvals that will be required. The public and Aboriginal review of the Environmental Assessment did not identify any outstanding concerns regarding the Environmental Assessment that have not been addressed through commitments made during the Environmental Assessment process.
- (6) The submissions received after the Notice of Completion of ministry Review was published are being dealt with through commitments made during the Environmental Assessment process where appropriate. I am not aware of any outstanding issues with respect to this undertaking which suggest that a hearing should be required.

CONDITIONS

The approval is subject to the following conditions:

1. Definitions

For the purposes of these conditions:

"Director" means the Director of the Environmental Assessment and Approvals Branch.

"EAAB" means the Environmental Assessment and Approvals Branch of the Ministry of the Environment.

"Environmental Assessment" means the document titled Environmental Assessment Report – Bruce to Milton Transmission Reinforcement Project, December 2008.

"local municipality" means the:

- a. County of Bruce;
- b. Municipality of Kincardine;
- c. Municipality of Brockton;
- d. County of Grey;

- e. Town of Hanover;
- f. Municipality of West Grey;
- g. Township of Southgate;
- h. County of Wellington;
- i. Township of Wellington North;
- j. Town of Erin;
- k. County of Dufferin;
- l. Township of East Luther Grand Valley;
- m. Township of East Garafraxa;
- n. Regional Municipality of Halton;
- o. Town of Halton Hills; or
- p. Town of Milton.

"ministry" means the Ministry of the Environment.

"proponent" means Hydro One Networks Inc.

"Regional Director" means the Director of the ministry's Southwest, Central and/or West Central Regional Offices.

2. General Requirements

- 2.1 The proponent shall comply with the provisions of the Environmental Assessment which are hereby incorporated in this approval by reference except as provided in these conditions and as provided in any other approval or permit that may be issued for the undertaking.
- 2.2 These conditions do not prevent more restrictive conditions being imposed under other statutes.

3. Public Record

- 3.1 Where a document is required for the public record, the proponent shall provide two copies of the document to the Director: a copy for filing in the public record file maintained for the undertaking and a copy for staff use.
- 3.2 As appropriate, additional copies shall be provided by the proponent to the following:
 - a) Regional Director;
 - b) Clerk of the local municipality.
- 3.3 The EAAB file number EA 02-03-03 shall be quoted on all documents required to be submitted to the ministry.

4. Compliance Monitoring Program

- 4.1 The proponent shall prepare and submit to the Director for review an Environmental Assessment compliance monitoring program.
- 4.2 The compliance monitoring program shall be submitted six months from the date of this notice, or 30 days before the commencement of construction, whichever is earlier.
- 4.3 The compliance monitoring program shall include monitoring of the proponent's fulfilment of the provisions of the Environmental Assessment, including mitigation measures, public consultation, additional studies and work to be carried out, and of all other commitments made during the Environmental Assessment process.
- 4.4 The compliance monitoring program must contain an implementation schedule.
- 4.5 A statement must accompany the compliance monitoring program when submitted to the Director, indicating that the compliance monitoring program is intended to fulfil this condition of approval.
- 4.6 The Director may make amendments to the compliance monitoring program. The compliance monitoring program, as it may be amended by the Director, must be carried out by the proponent.
- 4.7 The proponent shall make the compliance monitoring program available to the ministry or its designate upon request in a timely manner if requested by the ministry during an inspection, audit, or response to a pollution incident report or when information concerning compliance is requested by the ministry.

5. Compliance Reporting

- 5.1 The proponent shall prepare a compliance report which describes the proponent's compliance with the conditions set out in this notice and which describes the results of the compliance monitoring program.
- 5.2 The compliance report is to be submitted to the Director on an annual basis until all conditions set out in this notice are satisfied, with the first compliance report being submitted no later than one year following the date of this notice. Each compliance report shall cover the previous 12 month period.
- 5.3 When all conditions set out in this notice have been satisfied, the proponent shall indicate in the compliance report following satisfaction that the compliance report is the final compliance report.
- 5.4 The proponent shall make all compliance reports available to the ministry or its designate upon request in a timely manner if requested by the ministry during an inspection, audit, or response to a pollution incident report or when information concerning compliance is requested by the ministry.

6. Complaint Protocol

- 6.1 The proponent shall prepare and develop a protocol on how it will deal with and respond to inquiries and complaints received during the construction and operation of the undertaking.
- 6.2 The proponent shall submit the protocol to the Director before the start of construction.

7. Change Management

- 7.1 If there is a change in circumstances or new information requiring a modification to the undertaking that is not expected to result in any significant adverse environmental effects that are materially different than those contemplated in the Environmental Assessment or result in a change to the undertaking as described in the environmental assessment, the proponent shall submit, for the Director's approval, details of the proposed modification. If the Director agrees that the modification is not expected to result in any significant adverse environmental effects that are materially different than those contemplated in the Environmental Assessment and will not result in change to the undertaking, the proponent may proceed to implement the modification as indicated in the documentation submitted to the Director.
- 7.2 If a regulation is made by the Lieutenant Governor in Council prescribing rules and restrictions under subsection 11.4(4) of the *Environmental Assessment Act*, any change in circumstances or new information that requires an amendment to this approval shall be dealt with in accordance with the regulation and condition 7.1 will cease to apply.
- 7.3 Section 6.1.3 of the Environmental Assessment does not apply where there is a change within the meaning of section 12 of the *Environmental Assessment Act* to the undertaking described in the Environmental Assessment.

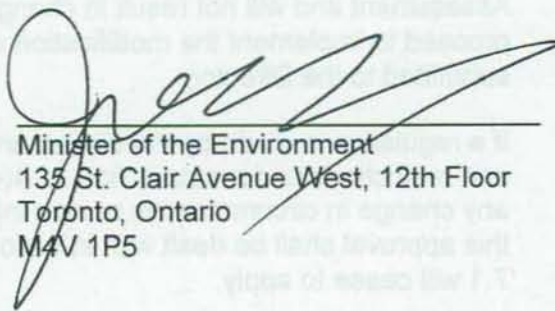
8. Biodiversity Initiative

- 8.1 The proponent shall, in consultation with directly affected persons, prepare a plan for the implementation of the Biodiversity Initiative.
- 8.2 The plan shall include a schedule for keeping the Director and other interested persons informed about the status of the implementation of the Biodiversity Initiative.
- 8.3 The plan shall be submitted for the approval of the Director at the same time as the compliance monitoring program that is required by condition 4 of this approval.

9. Other Approvals

- 9.1 This approval as it pertains to that part of the undertaking within the development control area established pursuant to the *Niagara Escarpment Planning and Development Act* is conditional upon the proponent obtaining all relevant approvals under that Act.
- 9.2 The proponent shall comply with all relevant *Niagara Escarpment Planning and Development Act* approvals in implementing that part of the undertaking that is within the relevant development control area.

Dated the 27th day of November 2009 at TORONTO.



Minister of the Environment
135 St. Clair Avenue West, 12th Floor
Toronto, Ontario
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Approved by O.C. No. 2002/12009

Date O.C. Approved Dec 16 2009