

# Appendix E

## *List of Commitments Made in the Terms of Reference*





This table provides a general overview of the main commitments made by Hydro One and is intended to be read in conjunction with the Terms of Reference (ToR). It is Hydro One’s intention that these commitments, along with any others made as part of the development of the ToR, will be fulfilled as the EA progresses subject to available information and data as noted herein or in the ToR. Acronyms and abbreviations are defined at the end of this table.

#	Hydro One Terms of Reference Commitments	Type of Commitment			Terms of Reference Section
		Engagement	Natural Environment	Socio-Economic	
1	Seek to understand Indigenous community concerns regarding how the Project may impact their rights and interests and reflect those concerns within the appropriate documentation and processes.	x	x	x	3.1
2	Consult with MECP SARB on specific wildlife SAR study areas, field work plan, and approach to SAR effects assessment.	x	x		4.1
3	Provide the opportunity for input from Indigenous communities, government officials and agencies, stakeholders and interested persons and organizations, as applicable; on discipline-specific study areas, proposed work plans, and field studies at the beginning of the EA process.	x			4.2
4	Include a description in the EA of how the climate is projected to change in the study area based on available secondary source information.		x		4.2.2.9
5	A Timber Clearing/Harvest and Renewal Plan will be prepared prior to construction in consultation with applicable stakeholders.		x	x	4.2.3.3
6	Incorporate input into the development of the analysis framework and addressing effects through mitigation and accommodation, as appropriate, through the EA process.	x			4.2.3.6
7	Continue to engage Indigenous communities to determine their interest in participating in the IK program.	x			4.2.3.6
8	Work with Indigenous communities to obtain IK information that would benefit the Project. This may include IK that has been previously collected and project-specific IK information that would be collected during the EA.	x			4.2.3.6
9	Work with Indigenous communities to determine how existing information would be used and documented in the EA.	x			4.2.3.6

#	Hydro One Terms of Reference Commitments	Type of Commitment			Terms of Reference Section
		Engagement	Natural Environment	Socio-Economic	
10	Respect the conditions of the information sharing agreements established with each Indigenous community.	x			4.2.3.6
11	Discuss with Indigenous community members the most appropriate way to facilitate orally shared information or information shared by other means.	x			4.2.3.6
12	Refrain from specifically identifying or labelling an area of Indigenous community importance that could be of interest to outside parties and could affect the communities, such as high quality harvest areas and areas with traditional medicines.	x			4.2.3.6
13	Work with Indigenous communities to identify a collaborative process for working through the differences towards an outcome for EA analysis that is acceptable to the communities.	x			4.2.3.6
14	Using western science and IK conduct an initial analysis of potential effects and identify initial measures to avoid or reduce effects.		x		4.2.3.6
15	Provide opportunities and work with potentially affected Indigenous communities as identified by the Crown or that have otherwise asserted their rights or expressed interest in the Project (or effects of the Project).	x			4.2.4
16	Complete a built heritage resources and cultural heritage landscapes windshield survey during the EA.			x	4.2.4
17	Complete additional studies in the EA as noted in Section 4 and Table 4-4.	x	x	x	4.2.4
18	Consider the impact of the construction workforce on local and Indigenous communities, including the requirements for temporary accommodation, food, transportation and other services for the construction workforce of this Project.			x	4.3.2
19	A preliminary access plan will be developed and assessed as part of the EA. The access plan will identify where changes to existing access are planned (i.e., new roads or upgrades to existing roads) and the potential impacts (natural environment/social/economic) of these changes and associated mitigation measures.		x	x	5.1.1.2
20	Restore all temporary construction components/areas located on previously undisturbed lands.		x		5.1.1.3
21	Restore natural areas disturbed from temporary construction facilities.		x		5.1.1.4

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		Engagement	Natural Environment	Socio-Economic	
22	Progressively restore temporary construction access roads located on previously undisturbed lands; except those necessary to maintain long-term inspection and maintenance activities; as the Project progresses and temporary components are no longer needed.		x		5.1.1.2
23	Progressively restore areas to be used on a temporary basis during construction, such as laydown areas, pull sites, and helipads, located on previously undisturbed lands.		x		5.1.1.3
24	Progressively restore temporary construction camp sites as the Project construction progresses and they are no longer needed.		x		5.1.1.4
25	Progressively restore mobile construction office sites as the Project construction progresses and as the construction office sites are no longer needed.		x		5.1.1.5
26	Consult MECP SARB (and other applicable agencies) and Indigenous communities in the finalization of the alternative route evaluation criteria and indicators and the net effects assessment criteria and indicators.	x	x		6.3
27	Refine alternative route evaluation criteria, indicators and data sources in consultation with Indigenous communities, government agencies, and stakeholders.	x	x	x	6.3
28	Field data from 2020 and 2021 field studies will be used in the evaluation of the alternative routes. The data processing details within the Criteria and Indicators table associated with the alternate routes assessment will include new values (candidate values identified through desktop analysis and confirmed through field work).		x		6.3
29	Complete an assessment of potential for cumulative effects of other approved projects that could combine with the net effects of the Project.		x	x	7.1
30	Develop mitigation plans for each suite of natural heritage values (i.e., Significant Wildlife Habitat, Provincially Significant Wetlands, Areas of Natural and Scientific Interest, Fish Habitat, Species at Risk and Protected Areas) for use during construction. In addition, where a particular location consists of multiple natural heritage values (e.g., overlapping values), a site-specific mitigation plan shall be developed.		x	x	8.1
31	Complete additional studies as described in Section 8.1, if required, prior to construction.		x	x	8.1

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		Engagement	Natural Environment	Socio-Economic	
32	Develop an environmental monitoring program that considers all phases of the Project and both project effects and EA compliance monitoring, including commitment to develop an Environmental Protection Plan pending availability of detail design information.		x	x	8.1
33	Continue to consult and engage with Indigenous communities and interested parties during the EA process.	x			8.1
34	Identify, assess, and manage potentially significant environmental risks and integrate environmental considerations into decisions.		x	x	8.1
35	Inform employees and contractors of their role, responsibilities and Hydro One's environmental requirements and confirm they have the skills, knowledge and resources necessary to perform their duties.		x	x	8.1
36	Promote continual improvement by setting environmental objectives and targets, monitoring performance and taking corrective actions when required.		x	x	8.1
37	Work cooperatively with governments, customers, suppliers, Indigenous communities and other stakeholders to develop programs that contribute to the achievement of Hydro One's environmental objectives and targets.	x	x	x	8.1
38	Support the investigation and use of new methods of environmental protection that will help achieve Hydro One's business objectives.		x	x	8.1
39	Integrate Indigenous community, public, government agency and stakeholder feedback and concerns received during the ToR and EA into the monitoring program and identify and manage potential environmental effects resulting from the Project.		x	x	8.1
40	Implement a worker training program to ensure the construction team and contractor(s) are aware of applicable legislated requirements and Hydro One's corporate environmental policies, programs and practices.		x	x	8.1
41	Establish and achieve Project environmental objectives and targets, and ensure corrective action is taken when required.		x	x	8.1
42	Provide a strategy that sets out how and when all commitments made in the EA will be fulfilled and how Hydro One will report to the MECP about compliance.		x	x	8.1

#	Hydro One Terms of Reference Commitments	Type of Commitment			Terms of Reference Section
		Engagement	Natural Environment	Socio-Economic	
43	Employ the services of an environmental inspector(s) as well as Indigenous Environmental Monitors and/or Guardians during construction of the Project to assist with monitoring.		x		8.1/8.2
44	Include a plan/protocol to address instances where previously undocumented natural heritage values are discovered in the field during future stages of the Project (e.g., construction and operation) based on available information.		x		8.2
45	Work with Indigenous communities to collect IK to incorporate into the EA regarding traditional lands and resource use and cultural practices.	x			9.3.1
46	Be transparent, proactive, and engage in two-way communication with potentially affected individuals and/or organizations and be welcoming to collaborative consultation relationships.	x			10.2
47	Offer to conduct presentations to provide Project updates to applicable municipal Councils, including City of Thunder Bay, Municipality of Shuniah, Township of Conmee, Township of O'Connor, Municipality of Oliver Paipoonge, Town of Atikokan, Township of Ignace, and the City of Dryden.	x			10.3.6
48	Make a team of land agents available that will provide personal, one-window contact with directly affected landowners and tenants; aiming to be as responsive as possible to landowner and tenant needs.	x			10.3.7
49	Undertake the Indigenous Community Engagement Plan to inform and receive input from Indigenous communities. The same applies to the Stakeholder Consultation Plan.	x			10.4
50	Advise the appropriate Crown representatives and agencies of the results of engagement with Indigenous communities during the EA and work cooperatively with all involved to reach appropriate solutions.	x			10.4
51	Work with Indigenous communities during the EA to collectively identify and consider any potential concerns and/or issues raised by any of the communities.	x			10.4
52	Engage Indigenous communities and organizations at a level consistent with their anticipated level of interest in the Project and potential for effects.	x			10.4

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		Engagement	Natural Environment	Socio-Economic	
53	Collaborate with Indigenous communities to better understand their rights and asserted rights as well as their concerns for the people affected by work in the areas where Hydro One may operate.	x			10.4
54	Follow internal Hydro One policies with respect to working with Indigenous communities.	x			10.4
55	Act and encourage open dialogue and communication on Project events and details, and be attentive and responsive to Indigenous community concerns.	x			10.4
56	Show respect for traditional ways and land, cultural heritage resources, the environment, and IK.	x	x	x	10.4
57	Should additional Indigenous communities come forward and assert their rights with regards to the Project, Hydro One will engage them and also notify ENDM of the assertion.	x			10.4.1
58	Respond to and address issues, concerns and questions raised by the Indigenous communities in a clear and transparent manner throughout the completion of the regulatory approval processes (e.g., the EA process).	x			10.4.2
59	Follow the individual internal protocols and procedures of Indigenous communities to the extent possible.	x			10.4.2
60	Provide opportunities for Indigenous participants to communicate with Hydro One about any issues or concerns about the Project during the EA.	x			10.4.2
61	Hire a CEC for each interested Indigenous community to assist in the organization, facilitation and documentation of engagement activities, events and inputs; and work with the CECs in the making of arrangements for engagement activities that encourage the participation of youth, elders, and other interested Indigenous community members, including the in IK collection program.	x			10.4.2
62	Conduct training activities related to the EA.	x			10.4.2
63	Schedule meetings outside of traditional cultural windows/period.	x			10.4.2
64	Use local vendors and caterers when meeting on Indigenous lands.	x			10.4.2



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65	Facilitate and make arrangements for Indigenous community involvement in any individual EA studies (e.g., fieldwork, archaeology, etc.).	x			10.4.2
66	Translate requested consultation materials into a form acceptable to Indigenous communities (e.g., reports, meeting materials, letters, notices, etc.).	x			10.4.2
67	Respect each Indigenous community's interests and understand that this may change during the course of the EA and, as such, provide all identified Indigenous communities with statutory notices, such as Notice of Commencement of EA, Notice of CICs, as well as ongoing updates and opportunities for providing comments on routing and reports produced as part of the EA.	x			10.4.2
68	Prepare information sheets and newsletters that will be posted to the Project website and distributed to the Indigenous communities.	x			10.4.3
69	Seek to hold CICs and workshops (as applicable) in each identified Indigenous community as a forum tailored to each individual Indigenous community's needs. May relate to alternative route evaluation, selection of preferred route and effects assessment. Engagement activities during the EA will comply with COVID-19 protocols and restrictions for each community.	x			10.4.3
70	Offer Capacity Funding Agreements to Indigenous communities to support their engagement on the Project.	x			10.4.4
71	Maintain a comprehensive communications record and issues tracking database to document all Indigenous engagement activities.	x			10.4.4
72	Monitor consultation efforts and periodically reflect on the consultation tools being used to ensure they are effective, working as planned and may adjust them accordingly during the EA.	x			10.5
73	Measure the effectiveness of the engagement program by reflecting on the number and type of comments received through the various tools that are being made available (e.g., Project email, website, phone line, etc.), attendance at CICs and other community meetings, and the number of individuals and groups requesting to be	x			10.5/10.6



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	added to the Project Contact List; reflect on the tools being used, and make adjustments, as needed.				
74	Use several engagement and consultation tools during the EA to share information in an efficient and effective way, and to make the process of providing input more convenient while fostering positive relations with stakeholders.	x			10.5
75	Identify all necessary approvals that may be required during Project planning and construction; and where appropriate, initiate permit applications concurrently with the EA process; and carry out required studies necessary to support those approvals following completion of the EA.		x	x	11.0
76	Consult with applicable agencies to confirm how their Class EA requirements will be met in the EA, as applicable.	x			11.1.1
77	If the Project is modified and thereby becomes a “designated project” under the IAA, Hydro One will notify the Impact Assessment Agency of Canada.	x			11.2.1
78	Hire engineers early in the EA to support the preliminary design to identify ancillary infrastructure required for Project construction. This preliminary design (ancillary infrastructure) will be assessed as part of the EA.		x	x	Not applicable
79	Work with Sustainable Forestry Licence Holders to find efficiencies that will reduce the overall impacts on the environment, such as shared use of existing or new/planned roads and water crossings.	x			Not applicable

**Notes:**

The above table identifies the main commitments made by Hydro One and is intended to be read in conjunction with the ToR.

**Acronyms and Abbreviations**

CEC – Community Engagement Coordinators

CIC – Community Information Centre

EA – Environmental Assessment

ENDM – Ministry of Energy, Northern Development and Mines

IAA – Impact Assessment Act

IK – Indigenous Knowledge

MECP – Ministry of Environment, Conservation and Parks

MNO – Métis Nation of Ontario

SARB – Species at Risk Branch

ToR – Terms of Reference



#	<b>Hydro One Commitments for Specific Plans to be Prepared During the EA and/or Prior to Construction*</b>
1	Timber Clearing/Harvest and Renewal Plan (including prescribed burning plan)
2	Spill Prevention and Response Plan
3	Access Plan (for construction, maintenance, and decommissioning purposes)
4	Environmental Protection Plan
5	Worker Training Program
6	Issues Resolution Strategy Plan
7	Hydro Corridor Vegetation Management Plan
8	Construction and Post-Construction Monitoring Plan
9	Health and Safety Plan

*\*Subject to confirmation during the EA once additional information becomes available.*