

WAASIGAN TRANSMISSION LINE

AMENDED TERMS OF REFERENCE • RECORD OF CONSULTATION

August 2021

Table of Contents

List of Abbreviations.....	iii
1.0 Introduction	1
1.1 OVERVIEW OF THE PROJECT	1
2.0 Stakeholder Consultation	3
2.1 STAKEHOLDER IDENTIFICATION	3
2.1.1 Municipalities	3
2.1.2 Provincial and Federal Government Agencies	4
2.1.3 Members of the Public	4
2.1.4 Other Key Stakeholders	4
2.2 PROPOSED TERMS OF REFERENCE RELEASE AND FOLLOW-UP	5
2.2.1 Notice of Submission of Proposed Terms of Reference – October 2020.....	6
2.2.2 Project Update Postcard.....	7
2.2.3 Communication with Municipalities	7
2.2.4 Communication with Agencies.....	8
2.2.5 Communication with Other Stakeholders	11
2.3 OTHER PROJECT COMMUNICATIONS.....	12
2.3.1 Presentations with Municipalities.....	12
2.3.2 Other Communications	13
3.0 Indigenous Engagement.....	14
3.1 IDENTIFICATION OF INDIGENOUS COMMUNITIES	14
3.2 PROPOSED TERMS OF REFERENCE RELEASE AND FOLLOW-UP	16
3.2.1 Notice of Submission of Proposed Terms of Reference – October 2020.....	17
3.2.2 Project Update Postcard.....	17
3.2.3 Communication with Indigenous Communities	17
3.3 OTHER PROJECT COMMUNICATIONS.....	19
3.3.1 Project Update – October 2020	19
3.3.2 Field Program Update – November 2020.....	19
3.3.3 Stage 1 Archaeological Assessment Update – December 2020.....	19
3.3.4 Project Update – February 2021	20
3.3.5 Spring Newsletter – March 2021	20
4.0 Proposed Terms of Reference Release Summary	20
4.1 SUMMARY OF COMMENTS RECEIVED.....	21
4.1.1 Agencies.....	21
4.1.2 Other Stakeholders	22



4.1.3 Indigenous Communities 23

Figures

Figure 1-1: Project Location 2

Tables

Table 1: Summary of Key Municipal Consultation Milestones..... 8
 Table 2: Summary of Key Provincial and Federal Agency Consultation Milestones 9
 Table 3: Summary of Key Other Stakeholder Consultation Milestones 11

Appendices

Appendix A Stakeholder Contact List
 Appendix B Municipal Record of Consultation
 Appendix B-1 Municipal Record of Consultation Supporting Documents
 Appendix C Provincial and Federal Record of Consultation
 Appendix C-1 Provincial and Federal Record of Consultation Supporting Documents
 Appendix D Other Stakeholders Record of Consultation
 Appendix D-1 Other Stakeholders Record of Consultation Supporting Documents
 Appendix E Indigenous Communities Contact List
 Appendix F Indigenous Communities Record of Consultation
 Appendix F-1 Indigenous Communities Record of Consultation Supporting Documents



List of Abbreviations

AZA	Animbiigoo Zaagi'igan Anishinaabek
CAO	Chief Administrative Officer
CEDC	Community Economic Development Commission
CIC	Community Information Centre
CNR	Canadian National Railway
CPR	Canadian Pacific Railway
CUSW	Canadian Union of Skilled Workers
EA	Environmental Assessment
ECI	Early Contractor Involvement
ENDM	Ministry of Energy, Northern Development and Mines ¹
GRT	Government Review Team
GLP	Gwayakocchigewin Limited Partnership
Hydro One	Hydro One Networks Inc.
IAAC	Impact Assessment Agency of Canada
IESO	Independent Electricity System Operator
IK	Indigenous Knowledge
IO	Infrastructure Ontario
km	Kilometre
kV	Kilovolt
LRCA	Lakehead Region Conservation Authority
LiUNA	Laborers' International Union of North America
Minister, the	Minister of the Environment, Conservation and Parks
MECP	Ministry of the Environment, Conservation and Parks
MHSTCI	Ministry of Heritage, Sport, Tourism and Culture Industries
MNO	Métis Nation of Ontario
MNRF	Ministry of Natural Resources and Forestry ¹
MTO	Ministry of Transportation
NOMA	Northwestern Ontario Municipal Association
NWOPA	Northwestern Ontario Prospectors Association
OMAFRA	Ontario Ministry of Agriculture, Food and Rural Affairs
Project	Waasigan Transmission Line
Roundtable	Waasigan Community Roundtable
TK/TLRU	Traditional Knowledge/Traditional Land and Resource Use

¹ The Ministry of Energy, Northern Development and Mines and the Ministry of Natural Resources and Forestry were reorganized into the Ministry of Energy (MOE) and the Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNRF) in June 2021, after the period of engagement documented in this report.

ToR	Terms of Reference
TS	Transformer Station
TSDP	Waasigan Training and Skills Development Program



This page intentionally left blank



1.0 Introduction

This Record of Consultation provides a description of the consultation and engagement activities that have been conducted between September 12, 2020 and June 1, 2021, prior to and following submission of the Proposed Terms of Reference (ToR) for the Waasigan Transmission Line (the Project). Consultation and engagement activities have continued from this time and the input received from these activities will be documented in the future Environmental Assessment (EA) that will be submitted to the Ministry of the Environment, Conservation and Parks (MECP) for review and decision.

Section 1.0 of this document provides an overview of the Project and the purpose of this document. **Section 2.0** provides a description of the consultation activities undertaken with stakeholders, including members of the public, municipalities, and government agencies, in relation to submission of the Proposed ToR, as well as other Project communications. **Section 3.0** describes engagement activities and communications with Indigenous communities in relation to submission of the Proposed ToR, as well as other Project communications. **Section 4.0** provides a summary of comments received on the Proposed ToR, which was released in October 2020.

The descriptions in Sections 2.0 and 3.0 are supported by appendices, including two contact lists (**Appendix A** containing the Stakeholder Contact List and **Appendix E** containing the Indigenous Communities Contact List), as well as records of consultation and supporting materials for contacted groups and individuals. Supporting information was selected for inclusion where it represents a notification required as part of the Project, where it defines a required action under the ToR process (e.g., to share a document and associated review period), where documents were exchanged to provide Project information related to ToR activities (e.g., presentations, reviewed and accepted meeting minutes), and where comments were received.

Details about the consultation and engagement programs proposed for the EA stage are documented in Section 10.0 of the ToR.

1.1 Overview of the Project

Hydro One Networks Inc. (Hydro One) is completing an EA for the Project, which involves a proposed new double-circuit 230 kilovolt (kV) transmission line between Lakehead Transformer Station (TS) in the Municipality of Shuniah and Mackenzie TS in the Town of Atikokan, and a new single-circuit 230 kV transmission line between Mackenzie TS and Dryden TS in the City of Dryden. The length of the new transmission line will be approximately 350 kilometres (km) and



will be dependent on the selected preferred route. The general location of the Project is shown on Figure 1-1.

The first step of the EA process is the preparation of a ToR for review and approval by the Minister of the Environment, Conservation and Parks (the Minister). Once approved, the ToR will establish the framework for the planning, including an outline of studies and consultation activities that will be carried out, and decision-making process to be followed during the EA.

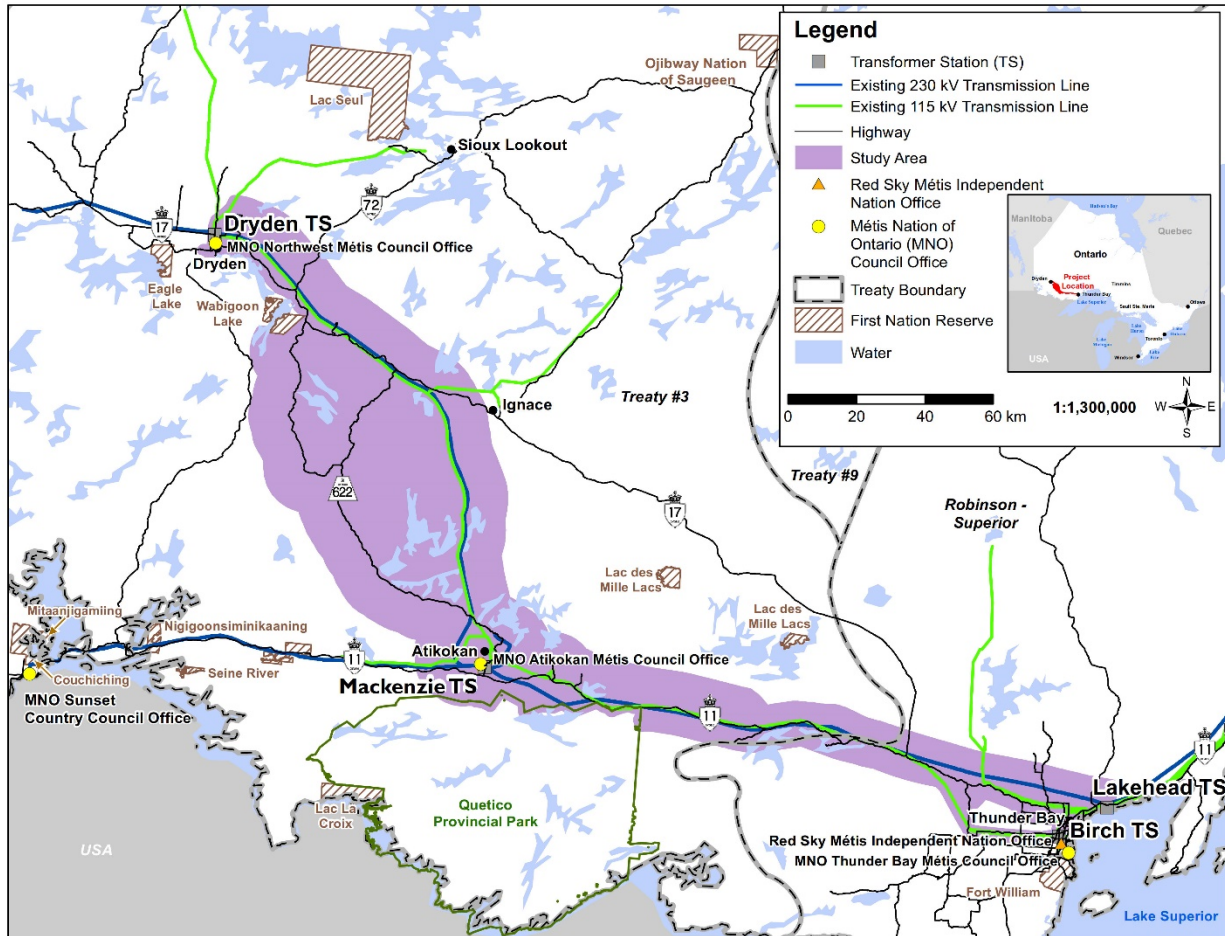


Figure 1-1: Project Location



2.0 Stakeholder Consultation

This section describes the consultation activities undertaken between September 12, 2020 and June 1, 2021 with Project stakeholders, including municipal officials, members of the public, provincial and federal government agencies, and other key stakeholders, related to submission of the Proposed ToR, as well other Project communications. **Sections 2.1 to 2.2** describe the activities that were undertaken and the input received.

2.1 Stakeholder Identification

As described in the “Waasigan Transmission Line Terms of Reference – Record of Consultation”, dated October 2020, Hydro One identified a preliminary list of stakeholders at the outset of the Project that might be affected by, or interested in, the Project. Stakeholders identified included:

- Any member of the public with an interest in the Project;
- Residents, or landowners located within the Study Area;
- Local municipalities, towns or townships located within the Study Area;
- Any elected representative or government agency with an interest in the Project; and
- Any other stakeholders (e.g., local businesses, resource-based companies including mining and forestry operations, mining claim holders, non-government organizations, etc.) with a potential interest in the Project.

The list of stakeholders is expected to continue to develop throughout the EA process. Stakeholders will remain on the stakeholder contact list unless they ask to be removed. The stakeholder contact list will be updated throughout the EA as new stakeholders are identified, and when stakeholders ask to be included on the list or ask to be removed.

The stakeholder contact lists for municipalities, government agencies, and interest groups and other key stakeholders are provided in **Appendix A**. These include any individual that Hydro One contacted or who contacted Hydro One throughout the ToR process.

2.1.1 Municipalities

The Study Area crosses eight incorporated communities. From west to east, these communities are:

- City of Dryden;
- Township of Ignace;
- Town of Atikokan;
- Township of O'Connor;



- Township of Conmee;
- Municipality of Oliver Paipoonge;
- City of Thunder Bay; and
- Municipality of Shuniah.

The Study Area also crosses the District of Kenora and District of Rainy River; both districts are represented by local municipal associations, which are included on the stakeholder contact list.

Elected officials and key staff in each of these communities including, but not limited to, mayors, clerks, chief administrative officers (CAOs), and economic development officers, were included on the municipal stakeholder contact list. First responders, such as emergency medical services, local fire departments and police with jurisdiction in potentially affected communities, were also included on the Project contact list as recommended by the MECP.

Representatives of municipalities crossed by the Study Area are identified as part of the Government Review Team (GRT).

2.1.2 Provincial and Federal Government Agencies

Representatives of relevant provincial and federal government agencies were identified through the GRT list provided by the MECP. Additional contacts were added to the list through attendance at agency meetings, requests to be added, and by attending and signing in at Community Information Centres (CICs). New government agency contacts may be added to the contact list as the Project progresses through the EA process.

2.1.3 Members of the Public

The contact list for members of the public consists of those who may reside in or near the Study Area, those who have potential to be affected by the Project, and those with an interest in the Project. Members of the public may ask to be added to the contact list through the Project website, Hydro One's Community Relations phone line and email, or by attending and signing in at CICs. New contacts will be added as the Project progresses through the EA process.

2.1.4 Other Key Stakeholders

Efforts have been made to identify other key stakeholders through web searches, stakeholder mapping exercises, review of Ontario Energy Board planning documentation regarding the Project, and by asking local municipal staff about active groups and individuals that should be included on the contact list. Publication of notices in commonly read newspapers (i.e., Wawatay



News, Atikokan Progress, Thunder Bay Source, Thunder Bay Chronicle, and Fort Francis Times) and social media advertisements throughout the Study Area also provided opportunities for stakeholders to identify themselves.

Key stakeholders identified to date include, but are not limited to, the following:

- Common Voice Northwest;
- Local Chambers of Commerce, including the Thunder Bay Chamber of Commerce;
- Lakehead Rural Municipal Coalition;
- Thunder Bay Community Economic Development Commission (CEDC);
- Northwestern Ontario Prospectors Association (NWOPA);
- Northwestern Ontario Municipal Association (NOMA);
- Lakehead University;
- Confederation College;
- Labour unions, including Laborers' International Union of North America (LiUNA) and Canadian Union of Skilled Workers (CUSW);
- Non-government organizations representing a variety of interests, such as nature appreciation/education, hunting, fishing, trail users, recreational users (e.g., naturalist clubs, snowmobile clubs, gun clubs, etc.), camping and tourism organizations;
- Contacts managed by the Ministry of Natural Resources and Forestry (MNRF), including rights, permits, and/or licence holders for Crown land dispositions, trap lines, bait fish blocks, and bear management areas;
- Railway authorities, including Canadian Pacific Railway (CPR) and Canadian National Railway (CNR);
- Mining and forestry rights holders and companies, and industry representatives;
- Vendors that may have services to offer during the EA and, if approved, construction and maintenance; and
- Those who have expressed an interest in being kept informed about the Project.

2.2 Proposed Terms of Reference Release and Follow-up

This section describes stakeholder consultation activities that have taken place during the period of September 12, 2020 to June 1, 2021, in relation to the submission of the Proposed ToR in October 2020.

Hydro One submitted the Proposed ToR to the MECP on October 16, 2020. The Proposed ToR was made available for download on the Project website and hard copies were provided to Indigenous communities and municipalities within the Study Area. An initial 30-day review period



was provided for review of the Proposed ToR. The MECP facilitated the review process of the Proposed ToR. Receiving of and responding to comments on the Proposed ToR continued into May 2021. Several meetings were held to discuss comments made on the Proposed ToR and Hydro One's responses. Minor amendments were made to the ToR in response to comments received, where warranted.

A summary of the nature of the comments received from stakeholder groups regarding the Proposed ToR is provided in **Section 4.0**.

2.2.1 Notice of Submission of Proposed Terms of Reference – October 2020

On September 29 and October 1, 2020, emails were sent to the members of the GRT to advise of Hydro One's preparations to submit the Proposed ToR to the MECP. A general Project area map was provided as an electronic email attachment. The emails provided a general overview of the Project and advised that the ToR would be made available for review in the coming weeks. Hydro One requested that the stakeholders advise if they would prefer a hardcopy of the Proposed ToR, and if they no longer wished to be contacted for the Project or would like to provide an alternate contact. A copy of the email is provided in **Appendix C-1**.

On October 8, 2020, the Notice of Submission of the ToR was sent via email as an electronic attachment to contacts at municipalities and agencies included in the GRT to advise that Hydro One would be submitting the ToR on October 16, 2020. The purpose of the notification was to provide notice of the ToR submission and dates of the 30-day review period to submit comments to the MECP. A link to the Project website was provided, as well as a link to access the ToR and supporting documents electronically. A memorandum from the MECP was provided as an electronic attachment, as well as the Acknowledgement of Receipt Form for members of the GRT to complete if necessary, indicating that their agency's involvement was no longer required for the ToR and/or the future EA process, following receipt of the ToR. A copy of this package is provided in **Appendix C-1**.

On October 16, 2020, the formal Notice of Submission of the ToR was sent via email as an electronic attachment to the GRT, as well as to municipalities, members of the public and other key stakeholders. The notification informed interested stakeholders that the ToR had been submitted to the MECP for review and was available for a 30-day review period from October 16 to November 16, 2020. Hydro One advised that the Proposed ToR and supporting documents were available on the Project website. Copies of the notice are provided in **Appendices B-1, C-1 and D-1**.



Hard copies of the Proposed ToR were provided to municipalities within the Study Area. The public received notice through Canada Post mail, newspaper ads, as well as the direct email to those on the contact list. Newspaper ads were shared from October 14 to 19, 2020. Due to ongoing public health concerns related to COVID-19, hard copies of the Proposed ToR were not provided for public review; however, USB flash drives containing the Proposed ToR and supporting documents were made available at several public locations within the Study Area, which were identified in the newspaper notice. These locations were:

- Atikokan Public Library;
- Dryden Public Library;
- Ignace Public Library;
- Oliver Paipoonge Public Library;
- Shuniah Municipal Office;
- Thunder Bay Public Library – Waverly Branch; and
- Thunder Bay Public Library – Mary J. L. Black Branch.

2.2.2 Project Update Postcard

On December 1, 2020, Project postcards were sent via email as an electronic attachment to the Project contact list and mailed via Canada Post to residents and property owners within the Study Area. The postcard provided an update on the Project and an overview of upcoming Project activities to inform interested stakeholders on the status of the Project. Copies of the Project update postcard are provided in **Appendices B-1, C-1 and D-1**.

2.2.3 Communication with Municipalities

Table 1 provides a high-level summary of key consultation milestones completed with municipalities related to the ToR process and submission of the ToR between September 12, 2020 and June 1, 2021. Additional information, including a record of consultation with municipalities is included in **Appendix B**, with selected supporting information, including copies of the comments received from municipalities, in **Appendix B-1**.



Table 1: Summary of Key Municipal Consultation Milestones

Date	Consultation Method	Purpose
October 1, 7 and 8, 2020	Email	Notification to advise of preparations to submit the ToR.
October 16, 2020	Email	Notification to advise that the ToR had been submitted to the MECP.
November 16, 2020	Email	City of Thunder Bay provided Acknowledgement of Receipt indicating they would comment on the ToR, that the ToR will address their mandate, and want to stay involved in the preparation of the EA.
November 16, 2020	Email	Town of Atikokan provided Acknowledgement of Receipt indicating the ToR will address their mandate, and want to stay involved in the preparation of the EA.
November 30 and December 1, 2020	Email	Project update postcard distributed.

2.2.4 Communication with Agencies

Table 2 provides a high-level summary of key consultation milestones completed with provincial and federal agencies related to the ToR process and submission of the ToR between September 12, 2020 and June 1, 2021. Additional information, including a record of consultation with provincial and federal agencies is included in **Appendix C**, with selected supporting information, including copies of the comments received from agencies, in **Appendix C-1**.



Table 2: Summary of Key Provincial and Federal Agency Consultation Milestones

Date	Consultation Method	Purpose
Monthly from September 17, 2020 to June 1, 2021	Meeting	MECP teleconference updating staff about the Project and consultation activities, and discussing the ToR process.
Monthly from September 17, 2020 to June 1, 2021	Meeting	Ministry of Energy, Northern Development and Mines (ENDM)/MECP/MNRF joint teleconference updating staff about the Project and Indigenous engagement activities.
September 17, 2020 February 22, 2021	Meetings	MECP/MNRF joint teleconferences to discuss and provide updates on Fall 2020 field reconnaissance studies and discuss scope of planned field work activities.
September 29 and October 1, 2020	Email	Notification to advise of preparations to submit the ToR.
October 8, 2020	Email	Notice of Submission of the ToR.
October 16, 2020	Email	Notification to advise that the ToR had been submitted to the MECP.
October 16, 2020	Email	Comments received from Infrastructure Ontario (IO).
November 10, 2020	Email	Comments received from the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) Heritage Planning Unit on the ToR.
November 10, 2020	Email	Comments received from the MHSTCI's Tourism Policy Unit on the ToR
November 12, 2020	Email	Comments received from the Ministry of Transportation (MTO) on the ToR.

Date	Consultation Method	Purpose
November 13, 2020	Email	Comments received from the Lakehead Region Conservation Authority (LRCA) on the ToR.
November 16, 2020	Email	Comments received from MNRF on the ToR.
November 16, 2020	Email	Comments received from the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) on the ToR.
November 16, 2020	Email	Comments received from ENDM on the ToR.
November 16, 2020	Email	Comments received from MECP on the ToR.
November 16, 2020	Email	Comments received from MHSTCI's Sport, Recreation and Community Program Division on the ToR.
November 27, 2020	Email	Hydro One responses to comments on the ToR provided to MECP.
November 30, 2020	Meeting	Teleconference with MECP and MNRF to review comments received from the MNRF on the ToR.
November 30, 2020	Meeting	Teleconference with MECP to review comments received from the MECP Species at Risk Branch on the ToR.
November 30, 2020	Email	Letter received from Impact Assessment Agency of Canada (IAAC).
December 4, 2020	Email	Hydro One responses to comments on the ToR provided to MECP.
December 11, 2020	Email	MECP requested clarification on Hydro One responses to comments on the ToR.



Date	Consultation Method	Purpose
December 18, 2020	Email	Hydro One clarification on responses to comments on the ToR provided to MECP.
January 28, 2021	Email	Follow-up comments on the ToR received from the MNRF.
February 16, 2021	Email	Follow-up comments on the ToR received from the MECP Species at Risk Branch.
March 4, 2021	Email	Hydro One provided responses addressing outstanding comments on the ToR.
March 31, 2021	Meeting	Teleconference with MHSTCI to discuss the approach for the Stage 1 Archaeological Assessment.
April 29, 2021	Meeting	Teleconference with MECP and MNRF to discuss comments on the ToR.

2.2.5 Communication with Other Stakeholders

Table 3 provides a high-level summary of key consultation milestones completed with other stakeholders throughout the ToR process between September 12, 2020 and June 1, 2021. Additional information, including a record of consultation with stakeholders, is included in **Appendix D**, with selected supporting information in **Appendix D-1**.

Table 3: Summary of Key Other Stakeholder Consultation Milestones

Date	Consultation Method	Purpose
Regularly from September 17, 2020 to June 1, 2021	Email	Feedback received from members of the public.
October 16, 2020	Email/Canada Post	Notification to advise that the ToR had been submitted to the MECP.
November 11, 2020	Email	Comments received from Treasury Metals on the ToR



Date	Consultation Method	Purpose
December 1, 2020	Email/Canada Post	Project update postcard distributed.
April 20, 2020	Meeting	Meeting with Treasury Metals to discuss the Goliath Gold Project.

2.3 Other Project Communications

This section describes stakeholder consultation activities, notifications or correspondence that have taken place during the period between September 12, 2020 and June 1, 2021, but not specifically related to the Proposed ToR.

2.3.1 Presentations with Municipalities

Emails were sent to the Mayors of municipalities within the Study Area, requesting possible dates for Project update meetings in May 2021. A copy of the presentation shared with Municipalities is included in **Appendix B-1**.

On May 10, 2021, Hydro One held a meeting with the Town of Atikokan to provide a Project update. Positive comments were received about the Project and the potential opportunities it may lead to, such as economic growth.

On May 17, 2021, Hydro One made a presentation at the Township of Ignace's live virtual Council meeting to provide a Project update. No questions were received; however, the Project update was appreciated. The Town of Atikokan staff advised that they looked forward to hearing more updates as the Project progresses.

On May 18, 2021, Hydro One held a meeting with the Township of O'Connor to provide a Project update. Questions raised during the meeting related to job inquires, whether the transmission line would follow the existing infrastructure and if the EA would include an assessment of animal populations. Concerns were documented regarding visual impacts and impacts to residences, and electromagnetic fields. A positive reaction was received regarding potential increase in broadband capabilities associated with the Project. Overall, the Township of O'Connor staff noted that they were appreciative of the meeting and advised that they looked forward to hearing more as the Project progresses.



On May 19, 2021, Hydro One held a meeting with the Mayor and Clerk of the Township of Conmee to provide a Project update. Questions were received regarding whether the Project would connect to other transmission lines in northern Ontario, whether the power from the Project would feed into southern Ontario, and whether the Project would help address transportation costs for businesses to connect to 3-phase power. Overall, there was a positive response to the Project, due to the broadband possibility and Hydro One's community fund sponsorship.

2.3.2 Other Communications

Hydro One established the Waasigan Community Roundtable (the Roundtable) to ensure a continuous feedback loop between Hydro One and municipal officials and staff, industry, businesses, educational institutions, and Indigenous communities throughout all stages of the Project. Members of the Roundtable act in an advisory capacity to Hydro One to ensure that local developments, knowledge, interests and values are considered throughout the various stages of the project. Copies of the Roundtable agendas and meeting minutes are available in **Appendix D-1**.

The members of the Roundtable include representatives from the following:

- Canadian Union of Skilled Workers;
- City of Dryden;
- Confederation College;
- Laborers' International Union of North America;
- Lakehead University;
- Municipality of Shuniah;
- Northwestern Ontario Prospectors Association;
- Thunder Bay Chamber of Commerce;
- Thunder Bay Community Economic Development Commission;
- Town of Atikokan; and,
- Township of O'Connor.

Indigenous communities are invited to participate in the Roundtable. To date, Indigenous communities have respectfully declined to participate and continue to be engaged on the Project.

On November 18, 2020, Hydro One hosted the inaugural Roundtable meeting via Webex. The agenda included member introductions, review of guiding principles document for the Roundtable, and a Project overview presentation.



On March 10, 2021, Hydro One held the second Roundtable meeting. Topics discussed included a Project update and upcoming engagements, an overview of the Independent Electricity System Operator (IESO), Hydro One's approach to planning, and a group discussion.

3.0 Indigenous Engagement

This section describes the engagement and consultation activities undertaken with Indigenous communities, as well as the input that was received. Hydro One considers Indigenous communities to be First Nations, Inuit and Métis Groups of Canada, as identified in the *Constitution Act, 1982*, inclusive of their communities, nations and organizations. **Section 3.1** identifies the Indigenous communities that Hydro One has engaged with during development of the ToR. **Section 3.2** describes the engagement activities and feedback received related to the Proposed ToR during the period between September 12, 2020 and June 1, 2021. **Section 3.3** describes other Project engagement during that period that is not specifically related to the Proposed ToR.

3.1 Identification of Indigenous Communities

As described in the “Waasigan Transmission Line Terms of Reference – Record of Consultation”, dated October 2020, the Crown has a duty to consult and, where appropriate, accommodate Indigenous peoples whenever a Crown decision or activity could impact established or asserted Aboriginal and Treaty rights. Procedural aspects of the Crown’s duty to consult Indigenous peoples can be delegated by the Crown to the proponent (i.e., Hydro One). It is the responsibility of the Crown to determine whether the duty to consult has been triggered and if so, the appropriate depth of consultation to be undertaken. If the Crown has determined that consultation is required with respect to the Project, then the Crown will:

- Advise Hydro One in a timely manner of the Indigenous communities to be consulted;
- Notify the identified Indigenous communities it has delegated procedural aspects of consultation on the Project to Hydro One; and,
- Undertake any preliminary and ongoing assessment of the depth of consultation required for each identified Indigenous community.

ENDM delegated the procedural aspects of the Crown’s duty to consult to Hydro One via a letter dated October 25, 2018. ENDM determined Hydro One’s proposed Project may have the potential to affect First Nation and Métis communities, nations and organizations who hold or claim Aboriginal or Treaty rights protected under Section 35 of Canada’s *Constitution Act, 1982*.



The Crown listed the following Indigenous communities, also shown on **Figure 1-1**, that should be consulted:

- Eagle Lake (Migisi Sahgaigan) First Nation;
- Fort William First Nation;
- Nigigoonsiminikaaning First Nation;
- Ojibway Nation of Saugeen;
- Lac des Mille Lacs First Nation;
- Lac La Croix First Nation;
- Lac Seul First Nation;
- Seine River First Nation;
- Wabigoon Lake First Nation (herein referred to as Wabigoon Lake Ojibway Nation);
- Métis Nation of Ontario Atikokan and Area Métis Council;
- Métis Nation of Ontario Northwest Métis Council;
- Métis Nation of Ontario Thunder Bay Métis Council; and,
- Red Sky Métis Independent Nation.

In addition, ENDM recommended Hydro One include Grand Council Treaty #3 and the Métis Nation of Ontario (MNO) head office on correspondence.

A follow-up letter was received from ENDM, dated April 15, 2020, as an amendment to the original letter, identifying two additional Indigenous communities that have, or may have, constitutionally protected Aboriginal or Treaty rights that may be adversely affected by the Project. The Crown listed the following additional communities that should be consulted:

- Couchiching First Nation; and,
- Mitaanjigamiing First Nation.

The following additional Indigenous communities have expressed interest in the Project and will also be included in Project engagement:

- MNO Sunset Country Métis Council;
- MNO Kenora Métis Council;
- MNO Greenstone Métis Council; and,
- MNO North Superior Métis Council.

Hydro One is committed to engaging and consulting with these identified Indigenous communities and to developing collaborative working relationships with each of these groups through the EA process, to the Project in-service date and beyond. A copy of the Indigenous communities contact list used is included in **Appendix E**. Should additional Indigenous communities come forward and



assert their rights with regard to the Project, Hydro One will engage them and inform ENDM of the assertion.

Further to the above, at the time of preparing this report, eight First Nation communities have organized an entity called the Gwayakocchigewin Limited Partnership (GLP). The GLP is a partnership of First Nations that was formed to facilitate discussions regarding engagement and participation related to the Project. The GLP is comprised of the following First Nation communities:

- Eagle Lake First Nation;
- Fort William First Nation;
- Lac La Croix First Nation;
- Lac Seul First Nation;
- Nigigoonsiminikaaning First Nation;
- Ojibway Nation of Saugeen
- Seine River First Nation; and,
- Wabigoon Lake Ojibway Nation.

The GLP and its environmental consultants have coordinated and provided comments from member communities on the ToR.

3.2 Proposed Terms of Reference Release and Follow-up

This section describes engagement activities, notifications or correspondence that have taken place with Indigenous communities during the period of September 12, 2020 to June 1, 2021, in relation to the submission of the Proposed ToR in October 2020.

Indigenous communities received an advance notice of the Proposed ToR submission on October 1 and 8, 2020. The October 8, 2020 email that was sent to Indigenous communities included the Notice of Submission, a letter from the MECP, Acknowledgement of Receipt form, and a link to access electronic documents, including the Proposed ToR, Record of Consultation, and a plain language guide of the ToR (English and Ojibwe). The Proposed ToR was also made available for download on the Project website on October 16, 2021. Hard copies of the Proposed ToR and the plain language guide (English and Ojibwe) were provided to Indigenous communities. Follow-up emails and phone calls were made to confirm that Indigenous communities had received the Proposed ToR and could access all documents. An initial 30-day review period was provided for the Proposed ToR. The MECP facilitated the review process of the Proposed ToR. Receiving of and



responding to comments on the Proposed ToR continued into May 2021. Several meetings were held to discuss comments made on the Proposed ToR and Hydro One's responses.

A summary of the nature of comments received from Indigenous communities and organizations on the Proposed ToR is provided in **Section 4.0**.

3.2.1 Notice of Submission of Proposed Terms of Reference – October 2020

On October 1, 2020, emails were sent to Indigenous communities to advise of Hydro One's preparations to submit the Proposed ToR. A general Project area map was provided as an electronic email attachment. The emails provided a general overview of the Project and advised that the ToR would be made available for review in the coming weeks. Hydro One advised that one hardcopy of the ToR and USB flash drives containing the ToR and supporting documentation would be mailed to the communities. A copy of the email is provided in **Appendix F-1**.

On October 8, 2020, the Notice of Submission of the ToR was sent via email as an electronic attachment to Indigenous communities to advise that Hydro One would be submitting the ToR on October 16, 2020. The purpose of the notification was to provide advanced notice of the submission and access to the electronic documents. A copy of the email is provided in **Appendix F-1**.

3.2.2 Project Update Postcard

On October 15, 2020, Project postcards were sent via email, as an electronic attachment, to Indigenous communities to provide an update on the Project and an overview of upcoming Project activities. A copy of the Project update postcard is provided in **Appendix F-1**.

3.2.3 Communication with Indigenous Communities

This section provides a high-level summary of Indigenous community engagement related to the ToR process and submission of the ToR between September 12, 2020 and June 1, 2021. Throughout the ToR process, Hydro One has been communicating with Indigenous communities regularly, including follow-up on the ToR review, offers to meet, and discussions related to Indigenous Knowledge gathering, was ongoing during this period. A record of consultation with all Indigenous communities is provided in **Appendix F**, with selected supporting information, including copies of the comments received from Indigenous communities, in **Appendix F-1**.

On November 16, 2020, a member of Animbiigoo Zaagi'igan Anishinaabek (AZA) residing in the Study Area submitted comments on the Proposed ToR to the MECP. On February 24, 2021,



Chief Nelson of AZA provided a letter of support for the comments provided on the Proposed ToR. Copies of the correspondence, including comments received, are provided in **Appendix F-1**. Throughout the process of the ToR, Hydro One has been in correspondence with AZA to advise that their comments would be considered in the route evaluation stage of the EA and that Hydro One is committed to continuing to mitigate concerns raised by the community and its members.

On November 20, 2020, the GLP submitted its comments on the Proposed ToR to the MECP. On December 1, 2020, and May 26, 2021, the GLP emailed the MECP to provide its objection to the Proposed ToR. Copies of these records and additional communication between Hydro One and GLP are provided in **Appendix F-1**. Throughout the process of developing the ToR, Hydro One has been communicating regularly with GLP via phone calls, email and Project update meetings, and has provided confirmation to GLP that their comments were received and will be taken into consideration during the EA process.

On November 30, 2020, Grand Council Treaty #3 submitted comments to the MECP on the Proposed ToR. Copies of the correspondence, including comments received from Grand Council Treaty #3, are provided in **Appendix F-1**. Throughout the ToR process, Hydro One has been communicating regularly with Grand Council Treaty #3 via phone calls, email and Project update meetings, and has provided confirmation to Grand Council Treaty #3 that their comments were received and will be taken into consideration during the EA process.

On November 19, 2020, Hydro One emailed the MECP to advise that Mitaanjigamiing First Nation had noted during a Project meeting that they were planning to submit comments on the Proposed ToR. A copy of the email between Hydro One and the MECP is provided in **Appendix F-1**. While no comments were received, Hydro One has continued to communicate with Mitaanjigamiing First Nation via phone, email, and meetings to provide regular Project updates and gather feedback from the community.

On November 23, 2020, January 18, 2021 and April 28, 2021, the MNO submitted comments to the MECP on the Proposed ToR. Copies of the correspondence, including comments received from the MNO, are provided in **Appendix F-1**. Throughout the ToR process, Hydro One has been communicating regularly with the MNO via phone calls, email and Project update meetings, and has provided confirmation to MNO that their comments were received and will be taken into consideration during the EA process.

On March 23, 2021, Lac des Mille Lacs First Nation confidentially submitted comments to Hydro One on the Proposed ToR and alternative routes. Throughout the ToR process, Hydro One has



been communicating regularly with Lac des Mille Lacs First Nation via phone calls, email and Project update meetings, and has provided confirmation to Lac des Mille Lacs First Nation that their comments were received and will be taken into consideration during the EA process.

3.3 Other Project Communications

This section describes engagement activities, notifications or correspondence that have taken place with Indigenous communities between September 12, 2020 and June 1, 2021 in relation to the Project, but not specifically related to the Proposed ToR.

3.3.1 Project Update – October 2020

On October 2, 2020, Hydro One provided Indigenous communities with a Project update via email. Hydro One provided an overview of the first survey planned for the 2020 field program and attached an electronic notice to inform communities of the schedule for the bat hibernacula habitat screening portion of the wildlife field program. Hydro One additionally provided a link to a Project Feedback Survey to gather feedback from community members about the ways they would like to receive information about the Project, and topics of interest for consideration in the EA.

On October 15, 2020, Hydro One emailed Indigenous communities to provide a Project update postcard (**Section 3.2.2**) and an electronic notice of the schedule for the aerial reconnaissance portion of the wildlife field program. Hydro One also reminded Indigenous communities that the ToR was available for review and comment from October 16 to November 16, 2020 and advised that hard copies of the ToR and USB flash drives with copies of the ToR and supporting documentation had been sent to communities.

3.3.2 Field Program Update – November 2020

On December 4, 2020, Hydro One emailed Indigenous communities to provide a field program update, including an electronic attachment of the summary of the findings from the October 2020 field aerial reconnaissance program and information regarding the potential bat hibernacula screening field program.

3.3.3 Stage 1 Archaeological Assessment Update – December 2020

On December 9, 2020, Hydro One provided an overview of the details of the planned Stage 1 archaeological assessment for the Project to be considered in the alternative route evaluation. Hydro one encouraged participation from Indigenous communities and advised of the opportunities available to participate throughout the archaeological assessment process.



3.3.4 Project Update – February 2021

On February 11, 2021, Hydro One sent an electronic notice via email to Indigenous communities to provide information regarding the Early Contractor Involvement (ECI) process. Hydro One advised of the two ECI contractors that had been selected for the development phase of the Project.

3.3.5 Spring Newsletter – March 2021

On March 31, 2021, Hydro One shared a community newsletter via email to Indigenous communities. The newsletter provided information regarding the status of the ToR, updates about the ECI process, the Waasigan Training and Skills Development Program (TSDP), and employment opportunities for future field surveys.

4.0 Proposed Terms of Reference Release Summary

Hydro One submitted the Proposed ToR to the MECP on October 16, 2020. The MECP facilitated the review process of the Proposed ToR, including an initial 30-day review period from October 16 to November 16, 2020. Receiving of and responding to comments on the Proposed ToR continued into May 2021. During the Proposed ToR review period, comments were received from the following:

Federal Agencies:

- Impact Assessment Agency of Canada

Provincial Agencies:

- Infrastructure Ontario;
- Lakehead Region Conservation Authority;
- Ministry of Agriculture, Food and Rural Affairs;
- Ministry of Energy, Northern Development and Mines;
- Ministry of Heritage, Sport, Tourism and Culture Industries (Heritage Planning Unit; Tourism Policy Unit; and Sport, Recreation and Community Program Division);
- Ministry of Natural Resources and Forestry;
- Ministry of the Environment, Conservation and Parks (including Species at Risk Branch);
and
- Ministry of Transportation.



Indigenous Communities:

- Eagle Lake First Nation (represented by GLP);
- Fort William First Nation (represented by GLP);
- Lac La Croix First Nation (represented by GLP);
- Lac Seul First Nation (represented by GLP);
- Nigigoonsiminikaaning First Nation (represented by GLP);
- Ojibway Nation of Saugeen (represented by GLP)
- Seine River First Nation (represented by GLP);
- Wabigoon Lake Ojibway Nation (represented by GLP);
- Lac des Mille Lacs First Nation;
- Grand Council Treaty #3;
- Animbiigoo Zaagi'igan Anishinaabek First Nation; and
- Métis Nation of Ontario.

Other Stakeholders:

- Members of the public; and
- Treasury Metals.

4.1 Summary of Comments Received

Comments received on the Proposed ToR can be found in **Appendices C-1, D-1 and F-1**. Hydro One's responses to comments on the ToR were provided to the MECP for them to consider and share with the commenters. A high-level summary of the key comments received on the Proposed ToR is provided below. Minor amendments were made to the ToR in response to comments received, where warranted.

4.1.1 Agencies

Copies of the comments received from agencies are provided in **Appendix C-1**. Key comments provided by agencies included:

- Expectation for additional natural heritage field surveys to fill gaps in existing baseline information to support the assessment and comparative evaluation of alternative routes;
- The need for agency input from the MECP Species at Risk Branch and MNRF on the field study work plans prior to their implementation;
- Comments on the need for further detail related to the draft species at risk assessment criteria and indicators presented in the Proposed ToR appendices;



- General comments on the draft evaluation criteria for the alternative route evaluation and net effects assessment criteria;
- A request for Project design details, including details on water crossings, to be included in the EA so that the Project can be adequately assessed;
- Concerns about the feasibility of Alternative Route 2A as it appears to be located on the current landscape of the former Steep Rock site mine and would require consideration for the mine's anticipated future state once rehabilitation is complete;
- The need to consider impacts on remote tourism operators;
- The need to assess visual impacts on all lands, not just inside provincial parks;
- The need to address site-specific effects and mitigation measures, as well as the cumulative net effects following mitigation measures at the Project level;
- That landownership be considered in route evaluation;
- That existing infrastructure, including provincial facilities such as highways and any corridors that are being protected for future needs, need to be considered as part of the alternative route evaluation; and,
- The need to consider impacts on agricultural land and operations.

4.1.2 Other Stakeholders

Comments were submitted by members of the public during the proposed ToR review period. Most of these comments were submitted by landowners that live in the vicinity of existing infrastructure corridors that parallel the proposed alternative routes expressing concerns about impacts to their property and the local natural environment from the development of a new transmission line. Concerns were received from landowners in the Lappe area, west of Thunder Bay, regarding Alternative Route 1A that follows an existing pipeline corridor. As well, a question was raised regarding the proximity of the alternative routes to Quetico Provincial Park. Comments received from members of the public, as well as responses by Hydro One, are provided in **Appendix D**.

Treasury Metals provided comments during the Proposed ToR review period pertaining to the transmission line right-of-way, construction timelines and land tenure, in relation to its Goliath Gold Project. Comments received from Treasury Metals, as well as responses by Hydro One, are provided in **Appendix D**. Supporting documents for the comments received from Treasury Metals are provided in **Appendix D-1**.



4.1.3 Indigenous Communities

The following provides a summary of the key comments made by First Nations, the GLP and Grand Council Treaty #3:

- Request for additional information on the field studies that will be undertaken to support the alternative route evaluation;
- That Traditional Knowledge/Traditional Land and Resource Use (TK/TLRU) studies should be incorporated into the Stage I Archaeological Assessment and prior to any major decisions, such as selection of the preferred route, and that Indigenous communities, particularly youth, need to be involved in archaeological work;
- Questions regarding Hydro One's role as the proponent for this Project;
- That a commitment to prepare a Project Transfer Document outlining all of the EA commitments be included in the ToR;
- Questions about, and request to expand, the Study Area;
- Request for the Project footprint to be minimized as much as possible to avoid impacts;
- That clearing and maintenance of the transmission line right-of-way be done without the use of herbicides;
- That special care be given to species at risk, and that efforts be made above and beyond the requirements set out in Ontario's Endangered Species Act, 2007 and the federal Species at Risk Act;
- That there will be opportunities for Indigenous communities to provide input into the routing process/decision; and,
- The expectation that Indigenous knowledge (IK), including TK/TLRU, will be considered at all key decision milestones during the EA and that Indigenous communities be consulted at each milestone prior to moving to the next step in the process.

The following provides a summary of some of the key comments made by the MNO:

- Request for inclusion of Métis-specific criteria and indicators in the draft list of assessment criteria and indicators;
- The expectation that the EA will include an assessment of potential impact on Métis rights.
- The expectation for engagement with the MNO on the approach/data to complete the assessment for Métis-specific criteria and indicators;
- Request for more details on how air quality effects and greenhouse gas emissions will be assessed;



- Comments to highlight that there are differences in definitions between Indigenous Knowledge, traditional land use and Section 35 rights, and that these differences need to be considered in the EA;
- Interest in how potential noise effects will be assessed;
- Comment that there is a critical area of Métis use in the vicinity of an alternative route;
- The need to consider net economic impacts (negative and positive) on local Métis communities affected by the Project; and,
- That the assessment of cumulative needs to be properly scoped.

Additional information, including a record of consultation with Indigenous communities, is included in **Appendix F**, with selected supporting information in **Appendix F-1**.

