

EAST-WEST TIE TRANSMISSION PROJECT

Proposed Environmental Assessment Terms of Reference

SUPPORTING DOCUMENTATION

Prepared by
Dillon Consulting Limited



DILLON
CONSULTING

*For NextBridge Infrastructure
February 2014*

The following is supporting documentation to the proposed Terms of Reference prepared for the East-West Tie Transmission Project (the Project). The purpose of supporting documentation is to provide more detailed information that will assist the Minister of the Environment and other persons in understanding the planning process followed by NextBridge Infrastructure L.P. (NextBridge).

Supporting documentation includes the following:

- Parks Canada Project Description
- Aboriginal Consultation Plan
- Letter from the Ministry of Energy to the Ontario Power Authority Regarding the Duty to Consult

Parks Canada Project Description



EAST-WEST TIE TRANSMISSION LINE THROUGH PUKASKWA NATIONAL PARK

Project Description

Prepared by
Dillon Consulting Limited



*For NextBridge Infrastructure
December 2013*

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DEFINITIONS

AC – Alternating Current – an electric current that reverses direction at regularly recurring intervals with alternately positive and negative values averaging zero. Almost all electrical utilities generate AC electricity as its voltage is easily transformed to higher or lower values.

Conductor – a wire or combination of wires not insulated from one another, designed to carry electric current. The conductor may be bare or insulated.

CSA – Canadian Standards Association

Dead-end Structure – used where transmission line conductors turn at a wide angle or end; insulators are used in series with the conductors; designed to resist the full unbalanced tension that would occur if all conductors were removed from one face of the structure.

Double Circuit – used when transmission lines carry three phase power; double circuit configuration has six conductors (three phases for each circuit); enables the transfer of more power and is used where greater reliability is needed. A double circuit transmission line has two circuits. For a three phase transmission line, such as that used for The Project, there are two circuits with six conductor wires per structure. A double circuit transmission line allows for an increase in reliability, directional flow and power supply.

East-West Tie – “The Project” – the proposed 230 kV transmission line of approximately 400 km in length between Shunia and Wawa, Ontario.

EIA – Environmental Impact Assessment

ELC – Ecological Land Classification

EMF – Electromagnetic Field

Guy Wires – a guy wire is a tensioned cable designed to add stability to a free-standing structure. One end of the cable is attached to the structure and the other is anchored to the ground at a distance from the structure’s base. The tension in the diagonal guy-wire combined with the compressional strength of the structure allows the structure to withstand lateral loads such as wind or the weight of the conductors.

HONI – Hydro One Networks Incorporated

IESO – Independent Electricity System Operator

Insulator – an electrical insulator is a non-electrical conducting material where internal electric charges do not flow freely and therefore does not conduct an electrical current under the influence of an electric field.

kV – KiloVolt (1000 volts)

NERC – North American Electric Reliability Corporation

OEB – Ontario Energy Board

OPA – Ontario Power Authority

Original East-West Tie Line – the existing 230 kV transmission line owned by HONI

PPS – Provincial Policy Statement – a set of provincial agency directives relating to land use and environmental planning.

Reference Route – the proposed East-West Tie (The Project) route that parallels the original East-West Tie Line ROW.

ROW – Right-of-way – a type of easement granted or reserved over the land for the purposes of construction, operation, maintenance, inspection, alteration, removal, replacement, reconstruction, repair and/or expansion of existing services.

Surface Water – water that collects on the surface of the ground, including storm water.

Tangent Structure – the most commonly used type of transmission line structure that supports the conductors (wires) that are used to transport electric power; they are characterized by suspension (vertical) insulators, which support and insulate the conductors and transfer wind and weight loads to the structure.

The Project – refers to the proposed East West Tie project, a 230 kV transmission line of approximately 400 km in length between Shunia and Wawa, Ontario.

Turning Structure – similar to tangent structures but used where transmission line conductors change direction and require a stronger support structure or greater clearance.

TVMP – Transmission Vegetation Management Program

1. INTRODUCTION

The Ontario Energy Board (OEB) selected NextBridge Infrastructure LP (NextBridge) in August 2013 after a competitive bidding process as the designated transmitter for the development phase of The East-West Tie Line (The Project). The Project consists of a double-circuit 230 kV electrical transmission line of approximately 400 km in length between Shunia and Wawa, Ontario. This line is required to increase the reliability of the existing 230 kV transmission system in northwestern Ontario, to replace the former coal-fired generation, and to supply power to anticipated new resource development activities. The Project is targeted for an in-service date of early 2018. The necessity for this facility is supported and well-documented by the Ontario Power Authority (OPA) (see **Section 3**).

The OEB designation process required that bidders consider a route paralleling the existing Hydro One Networks Incorporated (HONI) 230 kV transmission line (known as the original East-West Tie Line) and right-of-way (ROW) for reasons discussed in **Section 5** of this project description. This parallel route is referred to as the Reference Route and traverses approximately 35 kilometers of Pukaskwa National Park (The Park). This project description has been prepared to address the 2012 Canadian Environmental Assessment Act (CEAA), Section 67 requirements of The Parks Canada Environmental Impact Assessment (EIA) Process, as described in Parks Canada's February 2013 Guide. This project description addresses only the section of The Project proposed to traverse The Park adjacent to the original East-West Tie Line ROW. This report is intended to provide Parks Canada with information to determine whether this route could be acceptable and, if so, to determine the EIA requirements for the scope of The Project through The Park.

2. PROPONENT INFORMATION

NextBridge is a joint venture between NextEra Energy Canada, Enbridge Inc. and Borealis Infrastructure, established to participate in the Ontario transmission market. NextBridge is honoured to have been designated by the OEB to develop The Project and looks forward to working with all stakeholders and communities to ensure a successful project. NextBridge's objective is to establish stakeholder and community relationships that will act as a platform for the successful execution of The Project as well as potential future transmission projects in Ontario.

Contact information for The Project is as follows:

Name of Company:	NextBridge Infrastructure LP
Primary Contact:	Oliver Romaniuk, Project Manager – Transmission Development
Address:	390 Bay Street, Suite 1720, Toronto, ON M5M 2Y2
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Email:	Oliver.Romaniuk@nexteraeenergy.com

3. NEED FOR THE PROJECT

Ontario's Long-Term Energy Plan (Ontario, 2010) identified The Project as one of five priority transmission projects necessary to accommodate increasing energy demand, enable renewable energy connections and maintain system stability. The Minister of Energy directed the OEB in 2011 to undertake a designation process to select a transmitter to develop The Project.

The need for The Project is well documented in the following:

- *Integrated Power System Plan* (OPA, 2007)
- *Long-Term Energy Plan* (Ontario, 2010)
- *Long-Term Electricity Outlook for the North-West and Context for East-West Tie Expansion* (OPA, 2011)
- *East-West Tie Feasibility Study* (IESO, 2011)
- *Updated Assessment of the Rationale for the East-West Tie Expansion* (OPA, 2013)

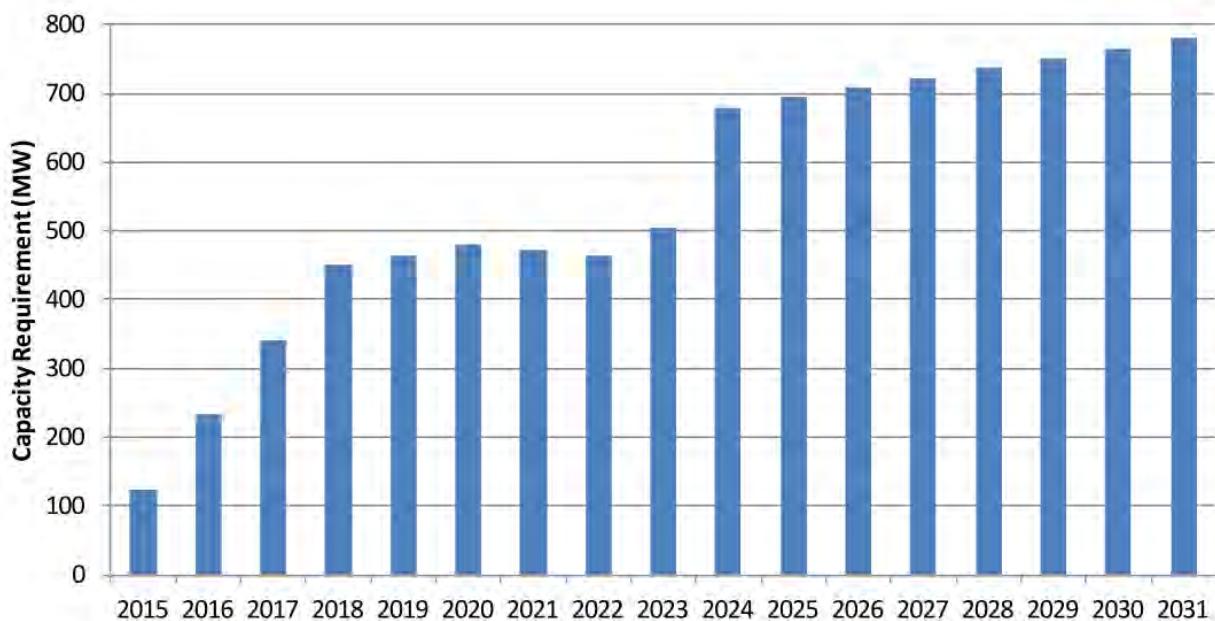
Energy demand in northwestern Ontario is highly correlated to large industrial and resource development/processing activity, the growth (or decline) of which is in turn correlated with world economic and market conditions. The most recent Ontario Power Authority (OPA) (OPA, 2013) report on the rationale for The Project documents the potential for significantly increased demand for electricity in the northwest driven primarily by the mining sector (the forecast growth of this sector contributes close to 70% of the forecast peak demand). In addition, the anticipated recovery of the pulp and paper and forestry sectors, the need to connect remote communities to the grid, population growth and other industrial activities in the northwest contribute to the demand forecast.

To supply this demand, both locally generated and imported (from elsewhere in Ontario) electricity are required. Since the 2011 feasibility study (IESO, 2011), the need for The Project has increased due to changes in electricity generating sources. The Long-Term Energy Plan (Ontario, 2010) documented the government's intention to convert two units at the Thunder Bay coal plant to natural gas and to convert the Atikokan coal plant to biomass. The electricity generated from natural gas at the Thunder Bay Generating Station was identified as needed "not only for local supply to the city of Thunder Bay, but for system reliability in

northwestern Ontario, particularly during periods of low hydroelectric generation" (Ontario, 2010). However, shortly thereafter the plans for conversion to natural gas were suspended by the Ontario government and it was recently announced by the province that the Thunder Bay Generating Station would be converted to advanced biomass, operating at about fifty percent of its original capacity (CBC, 2013). The remaining 50% of the region's energy needs will likely be met by imports from elsewhere in Ontario (via The Project) and the long-term future of the Thunder Bay Generating Station is unknown. Similarly, when the Atikokan biomass plant ceases production in 2024, additional supply will be needed in the region, likely via The Project. The original East-West Tie Line does not have the required capacity.

Capacity requirements for Ontario's northwest are outlined in **Figure 1**. Additional capacity and energy supply is needed to meet forecast peak and energy demands. The capacity shortfall between 2018 and 2023 is expected to be about 500 MW, increasing to almost 700 MW with the retirement of the Atikokan facility in 2024 and increasing gradually thereafter. Overall, The Project would bring the combined (with the original East-West Tie Line) power transfer capabilities from 175 MW to 650 MW (OPA, 2013). It should be noted that these numbers were based on the assumption that the Thunder Bay generating station would cease operation entirely in 2014 and the current announcement that the plant will burn advanced biomass would alter these numbers somewhat.

Figure 1: Expected Northwest Region Capacity Requirements



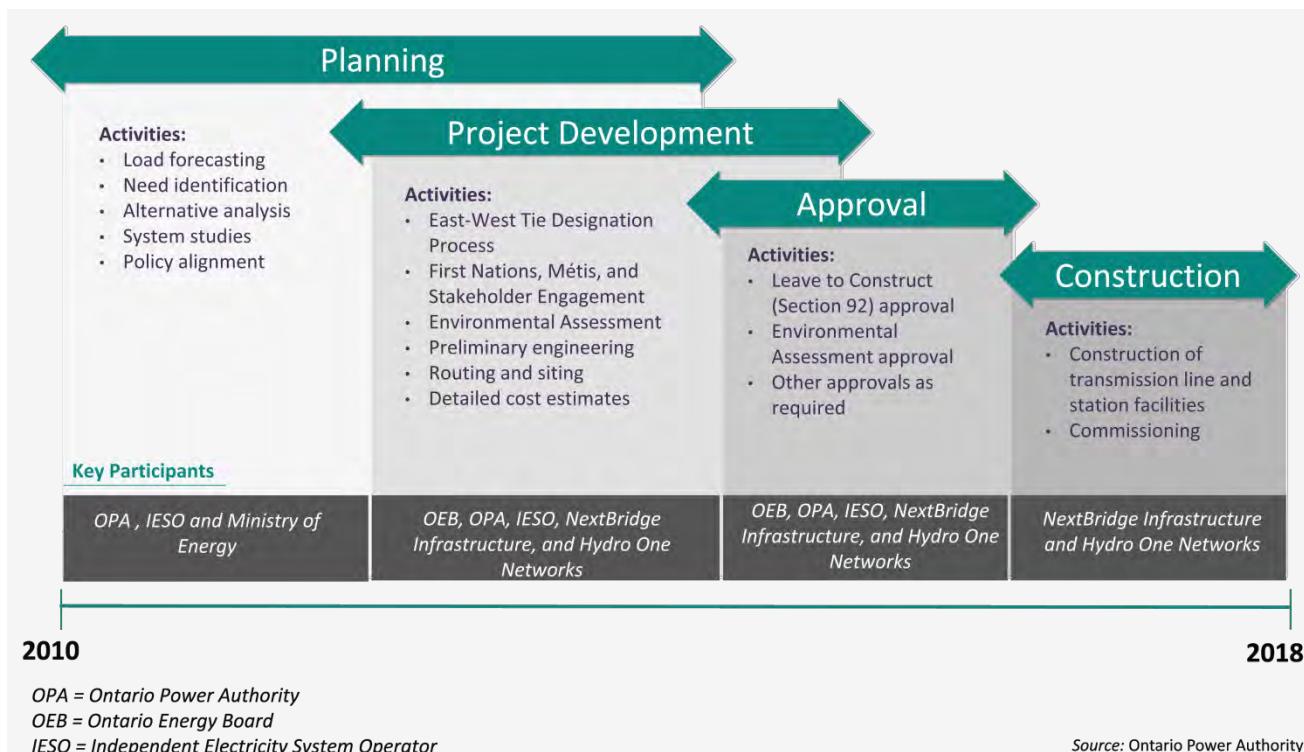
Source: OPA, 2013

The net benefit of The Project (when compared to a no-expansion alternative) is expected to be between \$120 million and \$400 million depending on demand scenarios. A number of other benefits would result from The Project, including: system flexibility; removal of barriers to resource development; reduced congestion payments; reduced losses; improved operational flexibility; increased ability to connect renewable energy to the grid; and decreased reliance on exports or uneconomical dispatch of northwest generators when supply limit is exceeded (OPA, 2013).

4. EA STUDY SCHEDULE

The Environmental Assessment (EA) for The Project commenced in mid-August of 2013 to satisfy the Ontario EA Act and is anticipated to be complete in early 2015. Acquisition of additional approvals is anticipated to commence in early 2015 and be complete by the fall of 2015. The OEB Leave to Construct (LTC) application will be prepared in early 2015 with a decision expected in late 2015. An engineering consultant was selected in October 2013 and engineering studies will continue through 2014 and 2015 with bid packages developed for the construction contractor by early 2016, after which construction will occur through early 2018. The transmission planning and development process is outlined in **Figure 2**. Other agencies to be involved in the “Approval” stage of the process include the Ontario Ministry of the Environment and the Ministry of Natural Resources.

Figure 2: Transmission Planning and Development Process



5. FACILITY DESCRIPTION

The Project will consist of approximately 400 km of 230 kV double circuit alternating current (AC) electrical transmission line extending from the existing HONI Lakehead transformer station, in Shunia near Thunder Bay, to the existing HONI Wawa transformer station with a connection at the Marathon transformer station. The tie-in to the three existing HONI transformer stations will be the responsibility of HONI. Associated required facilities and land rights include, for example, ROWs, access roads, water crossings, laydown areas and temporary workspace for the construction and operation of the transmission line. The Reference Route is considered to be the primary route for the following reasons:

- The OEB stipulated that bidders for The Project were to assume the paralleling of the existing transmission line (the original East-West Tie) in their bid submission;
- The Provincial Policy Statement (PPS) on land use planning supports the use of existing ROWs over greenfield routes; and,
- There is precedent to follow existing facilities with new transmission facilities in Ontario (e.g., Bruce-Milton Line).

NextBridge has identified select portions of the Reference Route that may require alternative routing if approval cannot be obtained through specific areas. These alternate routes include circumventing The Park and two First Nations reserves.

Figure 3 provides an overview of the proposed Reference Route and alternate routes that are currently under consideration. Approximately 35 km of the Reference Route would pass through The Park adjacent to the existing 230 kV line.



NEXTBRIDGE INFRASTRUCTURE

Lakehead to Wawa Transmission Line Routing
Reference Route and Alternatives

Figure 3: Overview of Proposed & Alternative Routes



- Towns/Communities
- Transformer Stations (TS)
- Reference Route
- Alternative Routes
- Highway
- Local Road
- Railway
- First Nation Reserve
- National Park
- Provincial Parks
- Conservation Reserve
- Woodland
- Waterbody



MAP DRAWING INFORMATION:
DATA PROVIDED BY MNR/
NEXTERA

MAP CREATED BY: SFG
MAP CHECKED BY: MB/MM/JC/JF
MAP PROJECTION: NAD 1983 UTM Zone 16N

0 7.5 15 30 km

SCALE 1:1,000,000



File Location: I:\GIS\138567 - Nextbridge\GIS\MXD\Working
PDR\Figure 2 Overview of Proposed & Alternative Routes.mxd

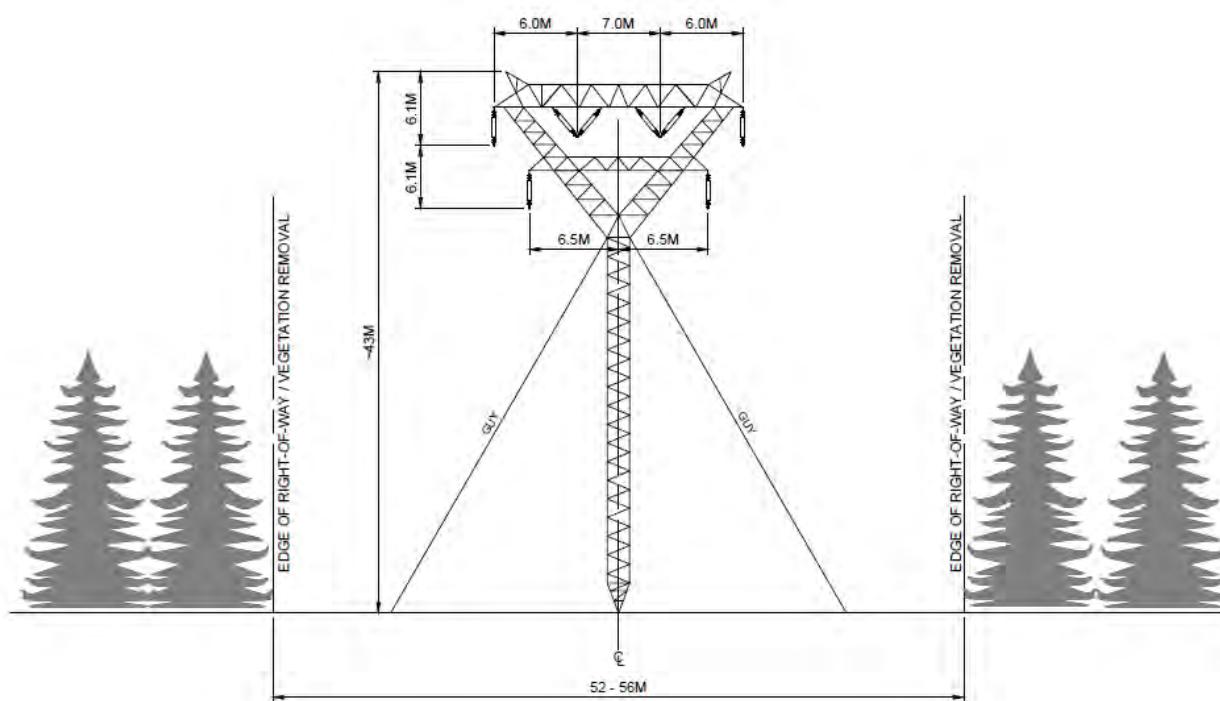
PROJECT: 13XXXX

STATUS: DRAFT

10/30/2013

The preliminary tower design proposes to utilize double-circuit guyed-Y tangent structures for approximately 90% of the line length. Approximately 1012 tangent structures are proposed to be spaced approximately 400 m apart along the transmission line. The remainder of the towers will likely be constructed of self-supporting steel lattice and will be used at turns in the line (turning structures) or where the ROW is too narrow for the guyed-Y structure. A type of cribbed lattice tower may be used in wet areas. Dead-end structures will be located near the transformer stations and are points at which HONI will connect and tie-in the transmission line to the stations. **Figure 4** presents the typical tangent structure that will be used. The height of the structures will be approximately 43 m (about the same height as the original East-West Tie Line) and the typical circular tangent foundation will likely be 1 m in diameter and embedded 1 m underground with 0.33 m of foundation visible above ground. The guyed-Y structure and pin connection allow the foundations to remain shallow. The cleared ROW width will be between approximately 52 m and 56 m. **Figure 5** provides the details of the proposed foundations where D = 1 m, E = 1 m and R = 0.33 m.

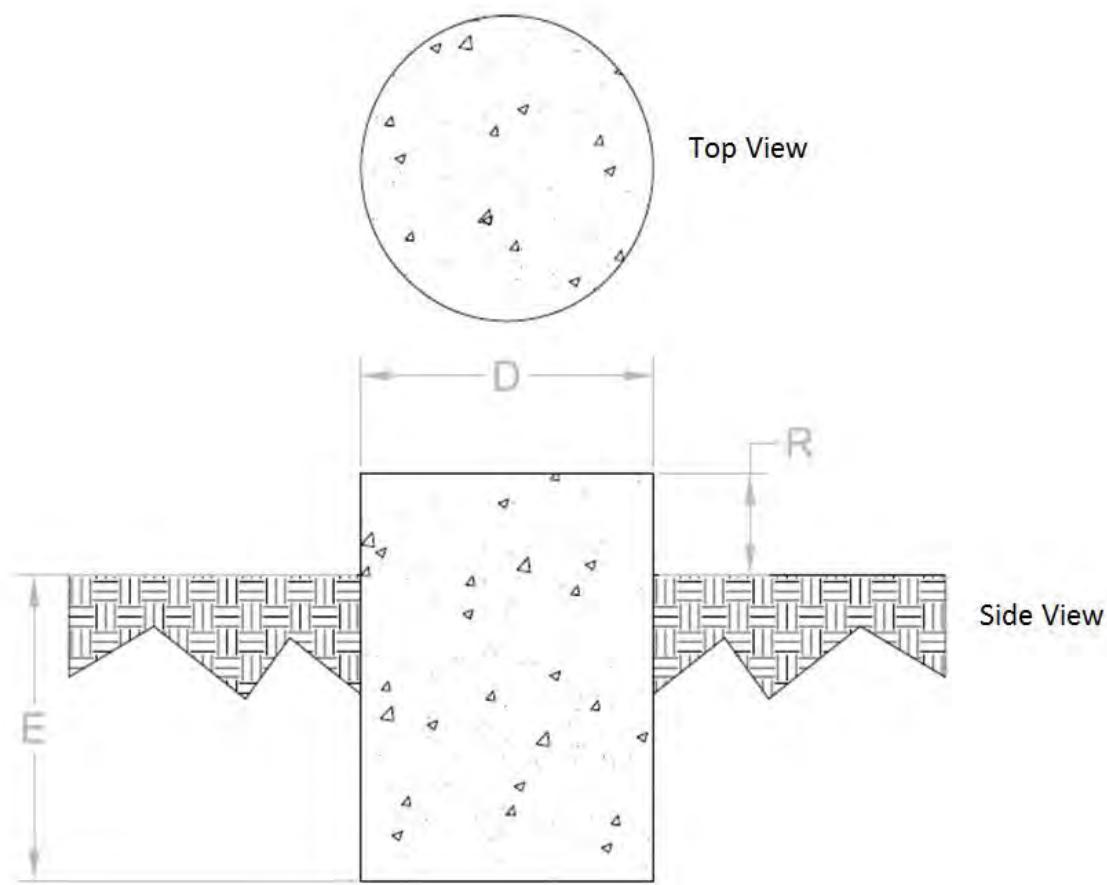
Figure 4: Typical Double Circuit Guyed-Y Structure



Source: NextBridge

The Canadian Standards Association (CSA) sets minimum vertical clearances for power lines. In addition to the minimum vertical clearance required by the CSA, NextBridge will add construction and survey tolerances to ensure that the line is constructed above the code-required minimum. The minimum vertical clearance to the ground is measured at the lowest point of conductor sag between towers. The CSA standard is 5.5 metres beneath 230 kV lines. Where power lines cross roads, ground clearances are increased to 6.1 metres.

Figure 5: Typical Tangent Structure Foundation Design



Source: NextBridge

In addition to the tangent structures and their foundations, access roads and construction laydown areas will be required. Where possible, access roads will utilize the original East-West Tie Line ROW during construction and new roads would be extended from that ROW (which would need to be cleared) to each tower base. Upgrades may be required to existing access roads. New equipment and vehicle crossings will be required at water courses in The Park as it is understood that the crossings on the original East-West Tie Line ROW are no longer useable. The crossing method (e.g. culverts, bridges, matting, etc.) for each of these crossings will be determined on a case by case basis. Approximately 2 to 5 laydown areas will be required in The Park. Tangent structures will be assembled in these areas and equipment/components will be stored prior to delivery (by helicopter) to the appropriate locations along the ROW.

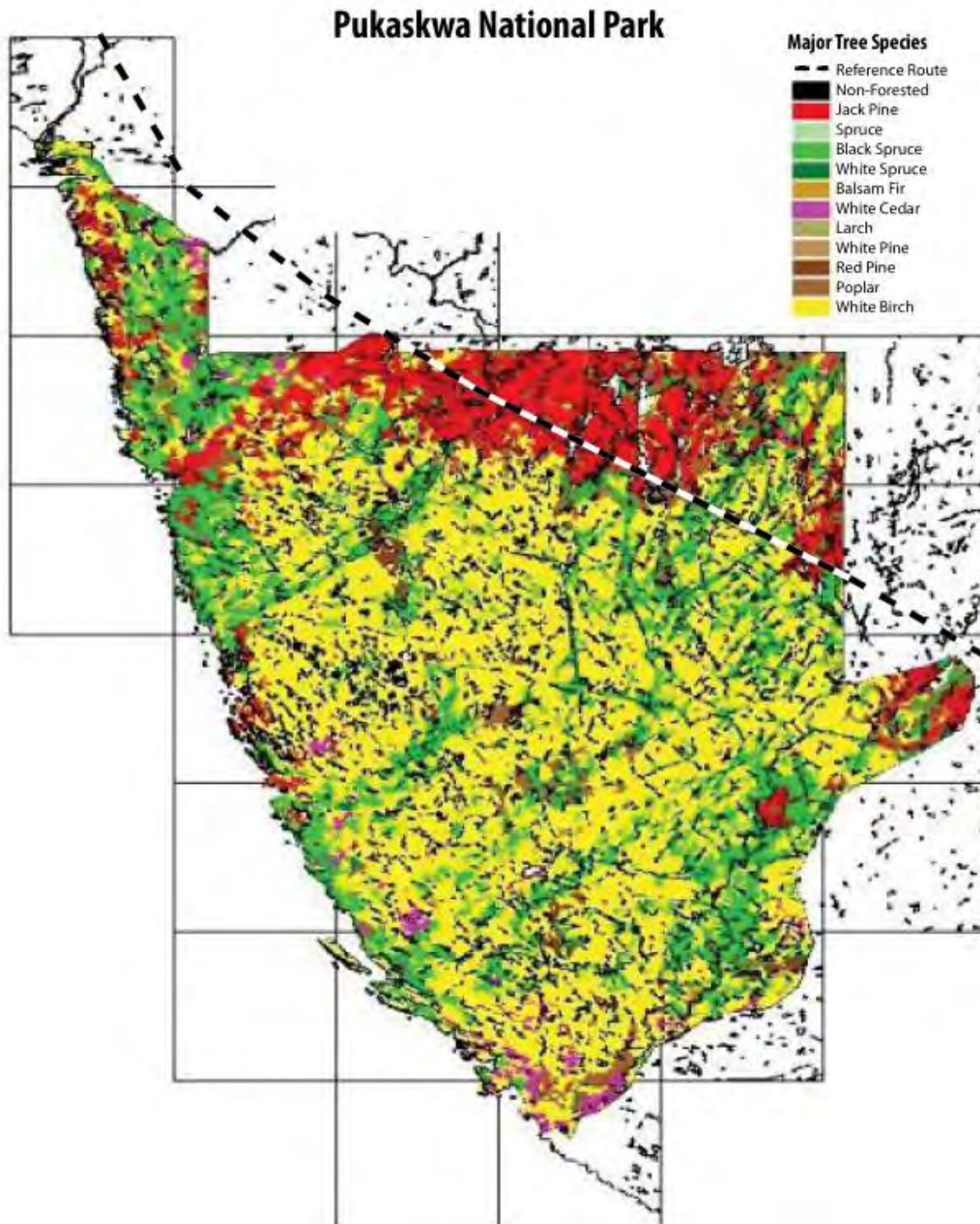
6. EXISTING ENVIRONMENTAL FEATURES

The Park was established by the federal government in February 1978 (Parks Canada, 1995). The Management Plan for The Park provides information on the natural environment, cultural environment, visitor activities, land management and Aboriginal history. The Management Plan is currently under revision and a new Park Management Plan is expected to be released in the very near future. The policy of the new Park Management Plan reinforces the wilderness zoning of the area where the original East-West Tie Line is located (Christine Drake, personal communication, October 24, 2013).

6.1 Natural Environment

The Park is located on the Canadian Shield on Lake Superior, primarily within boreal mixed-wood forest. The most prevalent tree species within The Park are white birch, black spruce, and jack pine (Parks Canada, 1995; ESG International, 2001). **Figure 6** identifies the distribution of major tree species in The Park with the location of The Project overlain. The area that the Reference Route traverses is predominantly a jack pine forest with a mixture of white birch and spruce in the eastern areas.

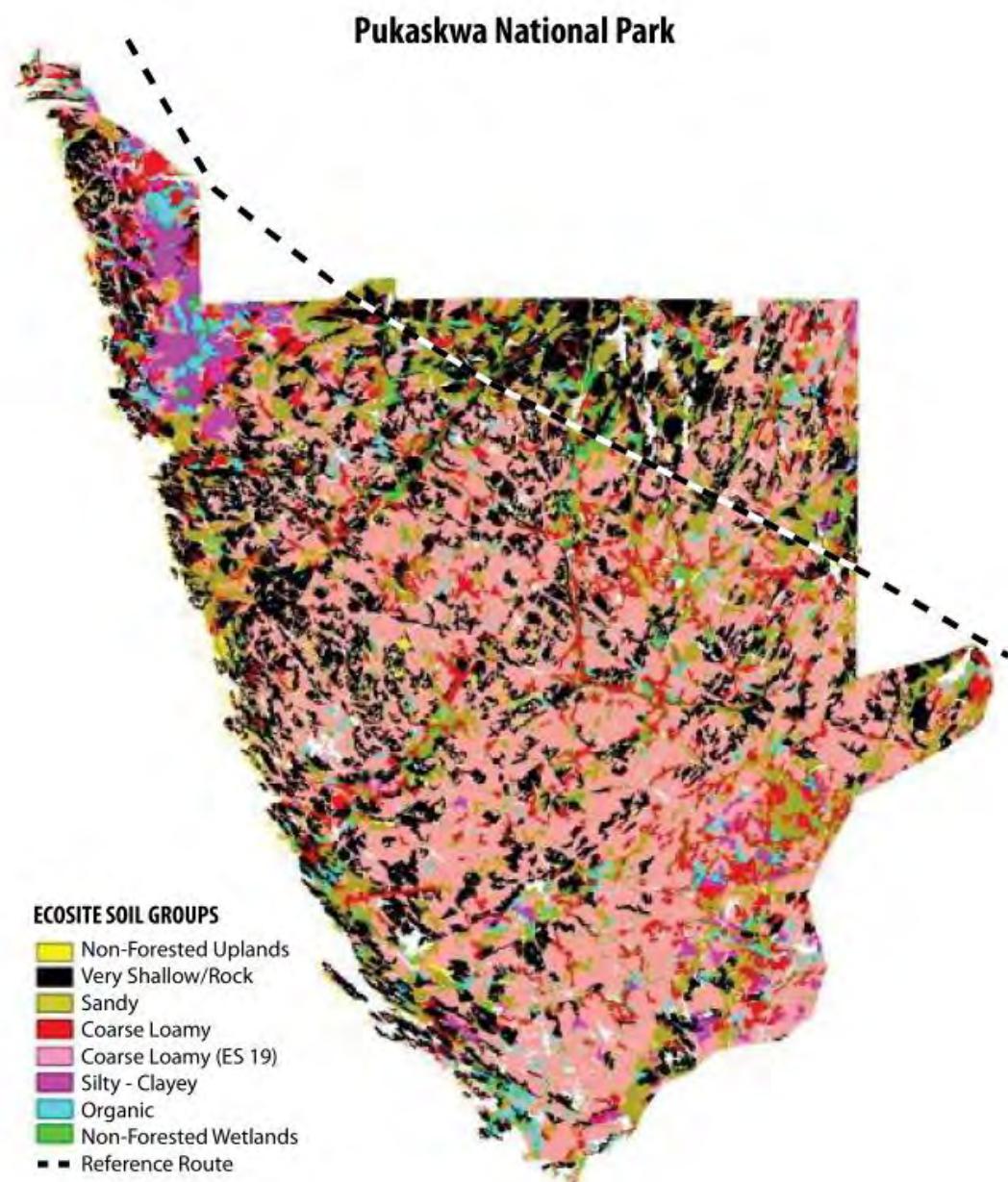
Figure 6: Distribution of Major Tree Species in The Park



Source: ESG International (2001) with Reference Route superimposed.

Thin soils, primarily glacial till, were distributed by glacial action over Precambrian, primarily granitic, bedrock. These conditions are very suitable for the tower type and foundations chosen for The Project. Numerous lakes and rivers, as well as valleys and floodplains, are scattered across The Park. In these locations fine loamy and clayey soils can be found in deeper concentrations. In addition, sandy textured soils are located in a large glaciofluvial outwash area in the northeast portion of The Park (ESG International, 2001). **Figure 7** identifies the ecosite soil groups.

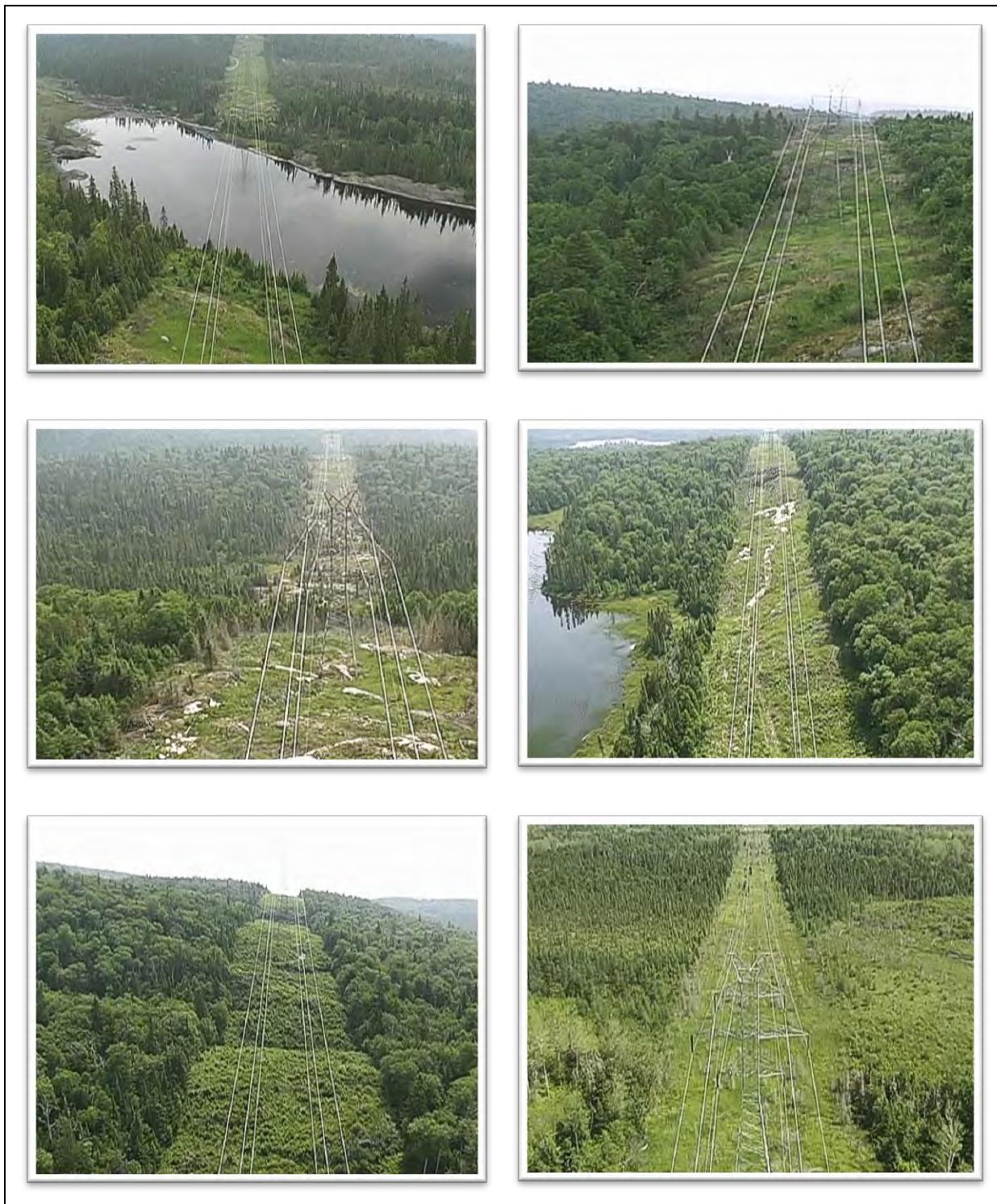
Figure 7: Soil Types in the Park



Source: ESG International (2001) with Reference Route superimposed.

The original East-West Tie line in The Park passes through and over these environmental features. **Figure 8** shows photos of typical conditions found along the original East-West Tie line taken during an aerial reconnaissance in 2012. The original East-West Tie line has a ROW width of approximately 50 m.

Figure 8: Typical Photos of Various Conditions Found Along the Original East-West Tie Line



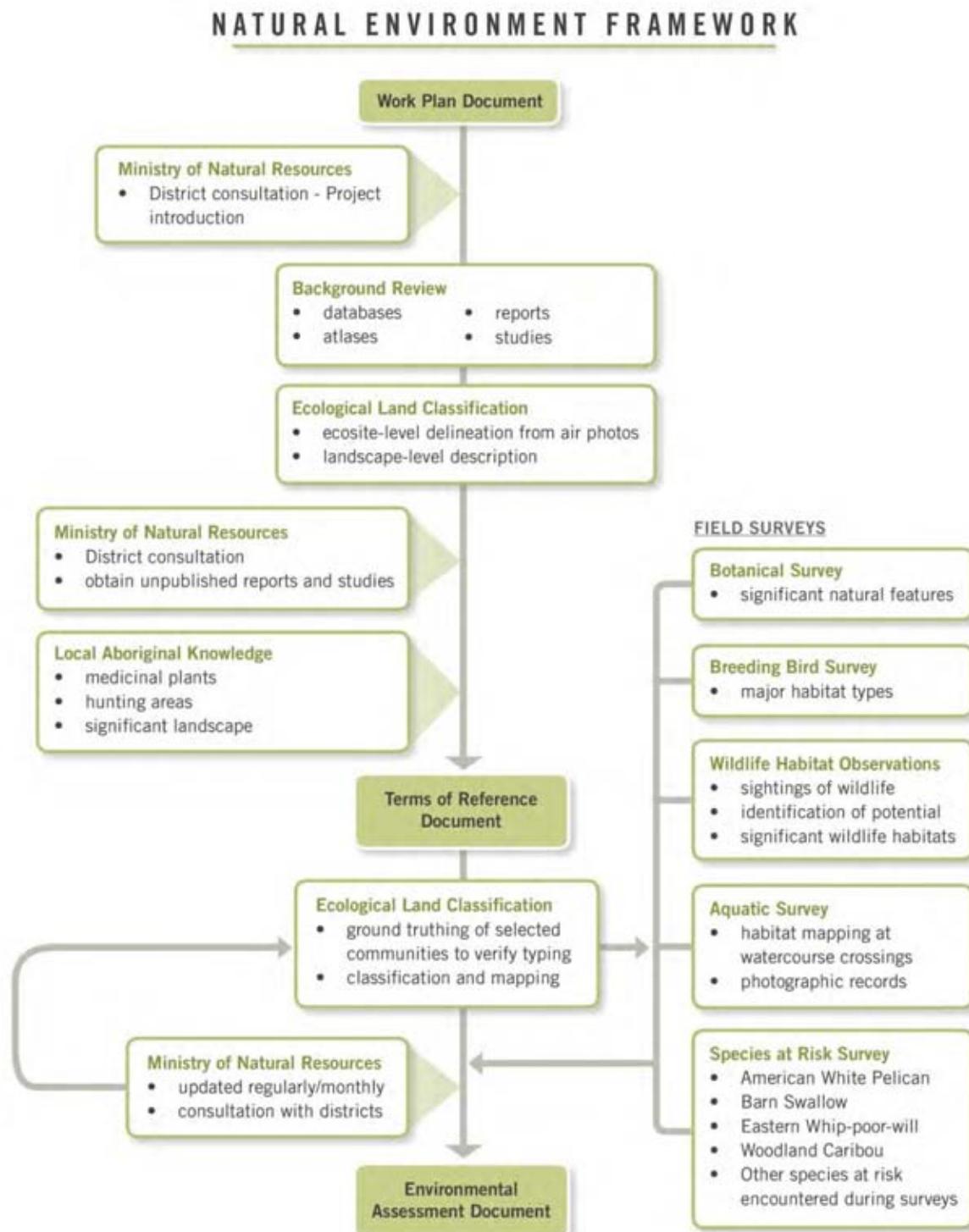
The vast majority of The Park is categorized as Zone II Wilderness in The Park Management Plan (Parks Canada, 1995). The original East-West Tie line was constructed prior to the establishment of The Park and the associated ROW exists as a license of occupation within the Zone II Wilderness Area.

The management goal of Zone II Wilderness areas is the perpetuation of ecosystems and ecological processes and the conservation of a natural region in a wilderness state (Christine Drake, personal communication, October 25, 2013). Specifically, the objective of the Management Plan is to: “*manage the ecosystem of which The Park is a part to ensure the integrity of that ecosystem.... [and] protect the natural resources and processes in The Park, in particular those that are representative of the Central Boreal Uplands and the Great Lakes shoreline*” (Parks Canada, 1995).

Although categorized as Zone II Wilderness by the Pukaskwa Management Plan, The Park has not been designated as a Wilderness Area under the *National Parks Act*. It is understood that The Park will seek designation as a Wilderness Area under the International Union for Conservation of Nature (IUCN) in the near future.

Detailed natural heritage studies will be conducted as part of the EA to help align Park management objectives with the Project’s development and to determine appropriate mitigation measures. The planned studies and their relationship with the overall EA process are outlined in **Figure 9**. A natural heritage field program work plan is in development and will be made available to agencies for review and comment prior to the commencement of work. Possible effects of the planned biological field work activities in the wilderness area while collecting data will also have to be considered.

Figure 9: Environmental Assessment Natural Heritage Studies



6.2 Cultural Environment

The cultural environment, as it pertains to The Park, includes evidence of historic uses (archaeological and cultural heritage sites), documented historical and current Aboriginal use of The Park and current public use. An objective of The Park is to: *"protect and preserve regionally and nationally significant cultural resources... including archaeological and historical artifacts, cultural landscapes, and sites related to Aboriginal use and the historic development of The Park and the region"* (Parks Canada, 1995).

6.2.1. Cultural Heritage and Archaeology

A Cultural Resource Management Plan for The Park, established in 1984, provides guidance on the identification, evaluation, protection and monitoring of cultural heritage resources. Input on these activities is currently provided by the Robinson Huron Treaty Group. Archaeological sites (both above and below ground) and historic structures and features have been identified in The Park. An example includes the Pukaskwa Pits, which are rock-lined pits located on cobblestone beaches. They are associated with Ojibwa culture. Both pre-European contact archaeological sites and evidence of European land use and settlement are present in The Park.

Areas adjacent to major watercourses are considered to have archaeological potential. There are undoubtedly other areas of cultural significance that would also require study, especially in areas where towers would be located (because of ground disturbance). The Project's location will be subject to a Stage 1 Archaeological Assessment to identify areas of archaeological potential. Such areas would then be subject to a Stage 2 Assessment, which involves test pitting at regular intervals to determine the absence or presence of artifacts. Stage 3 and possibly Stage 4 Assessments could be required should artifacts be found. These assessments involve documentation of the artifacts and salvage or avoidance and protection of the identified resources. The Project's location will also be assessed for cultural heritage features that may be undocumented by The Park.

6.2.2. Aboriginal Land Uses

The Pukaskwa area was occupied as early as 5000 B.C. by Aboriginal peoples and currently The Park's lands are subject to the Robinson-Superior Treaty of 1850. Parks Canada works closely with nearby reserves and the Robinson-Superior Treaty Group. Aboriginal peoples continue to use The Park for a variety of activities including employment, traditional use and training.

A cultural Aboriginal youth camp that operates just to the northeast of the Reference Route (Christine Drake, personal communication, October 25, 2013) is of specific interest to The Project. The camp uses a chain of lakes for canoe trips that are situated in proximity to the original East-West Tie Line (Lurch, Birch, and Lower Birch Lakes). Maintaining access to these lakes and the camp and ensuring that the experience of these locations is not degraded by The Project construction and operation will be of importance.

6.2.3. Public Land Uses

The Park is actively used by individuals seeking a wilderness experience and is the only national wilderness Park in Ontario. The Park is remote and attracts visitors interested in rustic camping, hiking and paddling. The

Park has seen attendance of between approximately 7,000 and 16,000 people annually since 2008 (Parks Canada, 2013). Park resources are focused on four high-priority groups: day users, campers, organized educational groups and back-country wilderness adventurers. Main attractions include the White River suspension bridge and viewing area at the north end of The Park, white water paddling on the White and Pukaskwa Rivers, backwoods camping and the scenic stretch of coast along Lake Superior, including Hattie Cove.

Primitive campsites are located at Widgeon Lake (adjacent to the Reference Route) and the Lurch-Birch-Louis Lakes complex (within approximately 5 km of the Reference Route). At these locations the focus is on isolation from other users, closeness to nature, an unmodified natural environment and tranquility. Access is only by non-motorized means.

A warden station is located on Willow Lake and a patrol cabin is located on Widgeon Lake (Parks Canada, 1995); both lakes are directly adjacent to the Reference Route. An active trapping cabin is also located on Willow Lake and is accessed through the original East-West Tie Line ROW (Parks Canada, personal communication, October 24, 2013).

7. CONSTRUCTION

Typical transmission line construction involves the following: surveying/assessing; clearing and grading; foundation installation; structure assembly and erection; conductor stringing; and reclamation. Construction activities have the potential to impact the environment. Potential impacts will be avoided if possible, then minimized and/or mitigated as necessary.

7.1 Activities

7.1.1. Surveying and Assessing

As part of the EA and preparation for construction, a variety of studies, tests and assessments will take place. These could include:

- Legal and engineering surveys;
- Soil testing;
- Environmental work and biological assessments; and
- Archaeological assessments.

Access to The Project's location is required in order to conduct these studies. The majority of the Reference Route from Shunia to Wawa will be accessed via the original East-West Tie Line access roads and the existing ROW. However, within The Park the access roads and ROW have been allowed to re-vegetate and may not provide suitable access. Therefore, ROW access may be required. This could involve cutting a centreline along the ROW of the Reference Route within The Park, wide enough for an ATV for the purpose of studies.

Detailed test pitting on a regular grid system would be conducted in areas of high archaeological potential that would be disturbed by construction. An access permit from Parks Canada would be required to obtain access to the lands for survey/assessment purposes.

7.1.2. Clearing and Grading

Limits of clearing will be defined by applicable codes, rules and regulations to maintain safe and reliable operation of the line. Clearing will be required for access roads, the ROW and laydown areas (which may consist of a temporary widening of the ROW in certain areas). Engineering will provide clearing limits within a construction package and surveyors will stake and flag limits in the field that will identify the clearing boundaries.

It is anticipated that clearing of the vegetation in the ROW will be performed utilizing a mixture of hand-clearing and machine-clearing methods. Rules, regulations, terrain, ease of access, and cost will be thoroughly evaluated to identify and select the appropriate method(s). See **Figure 10** for an example of a cleared transmission line ROW.

Clearing of vegetation will be conducted in the winter months and merchantable timber will be stacked on log decks prior to transport in the spring. It is anticipated that other harvested vegetation, including non-merchantable timber, will be mulched. These activities will be conducted in consultation with the Forest Management Plan holder and will be in compliance with applicable agreements, rules and regulations. Areas for truck loading, skidders and other equipment will be required.

Grading will be minimal and limited primarily to access roads, construction laydown areas and tower locations. It will be undertaken where necessary to safely construct and operate the line. There are a significant number of water courses within The Park. Bridges and/or culverts would be established over/under water courses. Grading and clearing work required at creek crossings or tributaries will be performed in strict adherence to applicable rules and regulations.

A temporary access road would be developed along the new (cleared) ROW which would allow for the operation of all-wheel drive vehicles in order to gain access during construction. No foreign materials (e.g., gravel) will be used for the temporary road.

Figure 10: Typical ROW Clearing and Tower Foundation Installation



Source: M. Buszynski, personal photo taken during construction of HONI's Eastern Ontario Project.

7.1.3. Foundation Installation

Foundation sizes, minimal surface disturbance and cost were the main drivers in choosing the guyed Y structure as the primary structure to be utilized by NextBridge.

Installation will begin by performing additional grading work required to safely and correctly perform the installation of the foundation. It may be necessary to blast a hole in which to pour the concrete foundation in the bedrock. Once the area is prepped for installation, a drilling unit will be mobilized to the site. Contingent upon access and terrain, it is expected that the mobilization of the equipment and materials will either occur using reasonable conventional ground access or be air lifted into the area.

Once equipment and materials have been mobilized, drilling to attach the concrete foundations to the bedrock (pier foundations) and installation of anchor foundations (for guy wires) will commence. Typically the concrete foundation would be pinned to the rock, which necessitates drilling holes below the base and grouting in reinforcing steel. Crews will assemble rebar anchor bolt cages, install these cages in excavations and assemble forms to support the pouring of the concrete. Main structure foundations will then be poured. It is anticipated that concrete will either be mixed on site or delivered by truck or helicopter. Anchor foundations will require drilling for rods followed by concrete grouting (with a small on-site concrete mixer).

While every attempt will be made to locate tower foundations out of wetlands, it may be necessary to locate some structures in wet conditions. The tower foundation may be larger and set in rock cribs in this case.

7.1.4. Structure Assembly and Erection

Assembly of the lattice structures is expected to take place in strategically-placed laydown areas throughout the Project location. NextBridge will use portions of the ROW to perform this activity wherever terrain and access allows but may require some additional temporary easement. It is expected that crews will assemble the structures at these laydown areas by bolting together latticed portions in a sequenced fashion until the entire structure has been assembled, inspected and is ready for delivery.

It is anticipated that a large percentage of these structures will be delivered to the install locations and erected utilizing a helicopter. The helicopter will arrive at a laydown area and will connect to the structure assembly via appropriately rated lift cables. Once connected, the helicopter will deliver the structure to the appropriate location where there will be a multi-member team awaiting arrival. The helicopter will then set the structure on the foundation and the crews will attach holding components to the foundation. After the structure is in place the crews will then install and tension guy wires. Once secure, the helicopter will return to the assembly yard for the next delivery.

7.1.5. Conductor Stringing

Stringing efforts will begin upon completing an adequate sequential portion of the structure assembly and erection. Reels of conductor, optical ground wire and overhead ground wire will be delivered to pre-identified conductor-stringing locations. Delivery method is contingent upon terrain and access. The equipment will then be staged at the identified locations in preparation for stringing activities to commence.

A rope line will be pulled via helicopter and threaded through dollies that were installed on the tangent structures prior to erection. The transmission line (conductor) will then be attached to the end of the rope and will be pulled via pulling machine through the dollies. As the conductor is pulled back, adequate tension will be applied throughout the duration of the pull to maintain appropriate safe clearance above ground. Once the conductor has been pulled in, the crews will tension the conductor to the required sag specification. Crews will then install a compression dead-end fitting on the end of the conductor and attach it to the dead-end structures at the ends of the lines.

Separate crews will traverse the ROW from structure to structure to perform clip-in activities. This consists of removing the stringing dollies and installing components that permanently attach the conductor to the structure insulators. It is anticipated that this will be performed by tower climbing, bucket trucks, and helicopter. In this fashion, the skywires (which are lightning arrestors located at the top of each structure on each outward side) and the conductors (which transmit electricity) will be strung without touching the ground. This minimizes any damage to the ground, the conductors or skywires.

7.1.6. Reclamation

It is anticipated that reclamation activities will take place throughout the duration of The Project and that the final reclamation work will be undertaken after all other activities have been completed on the line segment. This will ensure that reclaimed areas will be completed prior to the operational phase.

Reclamation activities will be performed in accordance with all applicable laws, regulations and terms of ROW agreements. They will consist of grading, drainage installation, re-seeding, stabilization of stream banks and other necessary activities required to return disturbed areas back to pre-existing conditions (where reasonably practical) while maintaining access and appropriate drainage. The goal of re-seeding will be to re-establish a native cover crop such as ground juniper or other low-growing shrubs to stabilize soils and to limit the establishment of fast-growing tree species such as poplar and white birch.

7.2 Potential Impacts

Potential impacts of construction can generally be summarized as including the following:

- Erosion and sedimentation from clearing/grading along the ROW;
- Soil compaction and/or mixing of top soil and sub soil;
- Loss of productive forest area and change in plant composition;
- Disturbance to sensitive wildlife and/or plants;
- Loss of wildlife habitat due to clearing and the disruption of forest interior bird species and other species that require isolation such as grey wolves and caribou;
- Wildlife migration routes could be temporarily disrupted and/or additional predation could result;
- Introduction of weeds or non-native species during construction or re-vegetation;
- Disruption of traditional land uses (e.g., Aboriginal youth camp);
- Interference between wilderness users and survey/construction crews;
- Noise from drilling, blasting, helicopters, pulling/tensioning machines and other equipment;
- Air emissions and dust from equipment on-site which could temporarily affect wildlife; and,
- Spills from construction equipment (e.g., high pressure hose rupture, spills during refuelling).

More detailed potential impacts will be determined based on field studies. These will be described in the EA. As previously mentioned, potential impacts will be avoided if possible, then minimized and/or mitigated as necessary.

7.3 Mitigation

Prior to disturbance taking place, appropriate surface water controls will be installed. These will be maintained and monitored in accordance with applicable rules and regulations.

Crews will be required to host daily environmental/safety tailgate meetings as part of standard work practices to identify the site-specific risks. Crews transporting fuel or working with heavy machinery will carry spill response kits for the unlikely event of a spill.

NextBridge will ensure that Environmental Inspectors are present throughout construction to actively monitor and influence work to assist with ensuring environmental compliance with the Environmental

Protection Plan, environmental permits, contract documents, NextBridge environmental policies, and commitments made during the planning and application process of the Project.

Other typical mitigation measures include:

- Minimizing the amount of vegetation clearing overall and minimizing clearing widths in proximity to watercourses;
- Creating sediment traps to reduce/eliminate runoff discharge and using well-established best management practices for erosion and sediment control;
- Leaving vegetation buffers (i.e., no grading) at water crossings until right before the area is to be constructed;
- Stabilization of streambanks with rip-rap or other stone to prevent collapse;
- Eliminating the need for grubbing, where possible;
- Clearing under frozen conditions to minimize compaction and mixing of soils;
- Implementing timing restrictions for construction in areas of known wildlife breeding;
- Sharing the original East-West Tie Line ROW for access where possible;
- Cleaning equipment prior to arriving at the site to minimize the introduction of weeds or non-native species;
- Restoration with a vegetative cover as quickly as possible after work is complete and ensuring seeds are weed-free;
- Creation of a spills prevention program including spill kits in designated re-fuelling areas;
- Minimizing work hours to mitigate noise impacts to park users;
- Minimizing noise through the use of mufflers on construction vehicles and equipment;
- Monitoring of the ROW at regular intervals and also after severe weather events;
- Separating topsoil from subsoil during grading and storing them separately for re-application; and,
- Use of swamp mats in wet/soft areas to minimize disturbance.

NextBridge will coordinate with HONI on the installation of transmission line fault locators and ensure optimal grounding and shielding to reduce the potential for line outages.

NextBridge also has a “Neutral Footprint” policy derived from Enbridge’s policy to plant one tree for every tree removed for new facilities and to conserve one acre of land for every acre of wilderness permanently impacted by the project (Enbridge, 2013). A copy of the policy is below:



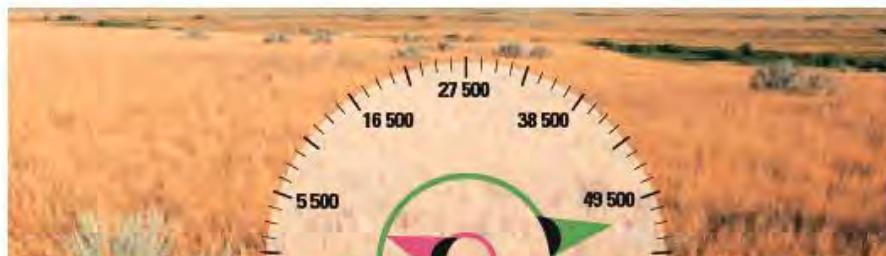
IN MAY 2009, AT ENBRIDGE'S ANNUAL GENERAL MEETING IN TORONTO, Enbridge's former President & CEO, Patrick D. Daniel, announced an ambitious plan to stabilize Enbridge's environmental footprint at January 2009 levels. Enbridge's Neutral Footprint commitments are the result of that vision. They are designed to reduce the company's environmental impact where it is felt most: on the trees we remove, the natural habitat we permanently impact, and the energy we consume to power our operations, within five years of the impacts occurring.



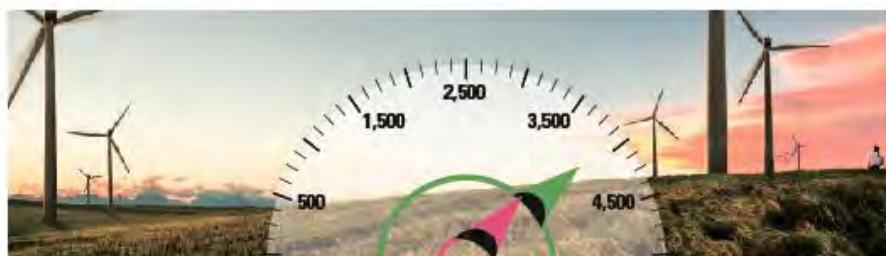
We will plant a tree for every tree we remove to build new facilities.



We will conserve an acre of land for every acre of wilderness we permanently impact.



We will generate a kilowatt of renewable energy for every kilowatt our operations consume.



¹ Because Enbridge's electricity consumption fluctuates from year to year, we base this commitment on our long-term forecast.
² From facilities existing and under construction

Source: Enbridge, 2013

8. OPERATIONS/MAINTENANCE

Operation of The Project consists of electrification of the line and ongoing/emergency maintenance as required once the line is in service. Operations and maintenance activities have the potential to impact the environment. Potential impacts will be avoided if possible, then minimized and/or mitigated as necessary.

8.1 Activities and Potential Impacts

8.1.1. Line Operation

High voltage transmission lines, when operating, can result in corona discharge and electric/magnetic fields. These potential impacts are considered to be minimal and already occur as a result of the existing line. With regard to corona and their effects, Ontario Hydro (1985) provides the following:

"When the electric field intensity at the surface of a conductor exceeds the dielectric breakdown strength of air, the air in the immediate vicinity of the conductor becomes ionized. This phenomena is known as corona discharge. The corona discharge manifests itself by bluish tufts or streamers of light, occasionally visible at night, appearing around the surface of the conductor. These are more or less concentrated at irregularities (e.g. nicks, scratches, contaminating particles) on the conductor surface. Corona discharge is accompanied by a hissing or crackling sound. In foul weather, the added irregularities caused by rain, freezing rain or snow on the conductor surface may result in increased corona activity."

"Corona on a transmission line may result in power losses, audible noise, radio noise, TV interference (TVI) in isolated cases and the production of minute quantities of oxidants (ozone and nitrous oxides)."

Health Canada (2012) has stated: "Health Canada does not consider that any precautionary measures are needed regarding daily exposures to EMF [electric magnetic fields]... at ELF [extremely low frequencies]. There is no conclusive evidence of any harm caused by exposures at levels found in Canadian homes and schools, including those located just outside the boundaries of power line corridors". Further, the line passes through undeveloped areas within The Park, and as such, EMF effects or concerns are not expected.

8.1.2. Maintenance

Once constructed, the facility will require ongoing maintenance. A Transmission Vegetation Management Program (TVMP) is required by the North American Electric Reliability Corporation (NERC) Standard FAC-003-1 for transmission lines operating at 200 kV and higher. The purpose of the plan is to improve the reliability of electric transmission systems by preventing outages from vegetation located on transmission ROWs, minimizing outages from vegetation located adjacent to ROWs, and maintaining clearances between transmission lines and vegetation on and along transmission ROWs (NERC, 2006). Industry best practices will

also be considered. **Table 1** provides a summary of the anticipated maintenance activities and potential associated impacts.

Table 1: Summary of Anticipated Maintenance Activities and Potential Associated Impacts

Maintenance Activity	Frequency	Potential Impact
Detailed structure climbing inspections	6+ year cycle	Noise from equipment used to transport workers to the towers.
Line hardware and insulator thermography	As needed	Noise from aircraft flyovers.
Comprehensive Vegetation Management (NERC -FAC-003)	Bi-annually by air and ground patrol	Potential mechanical cutting of vegetation or application of herbicide may impact wildlife habitat.
ROW Inspections	Bi-annually by air and ground patrol	Noise from equipment used to transport workers to the towers. This activity may also require the ongoing maintenance of the ROW with associated potential impacts (e.g., wildlife habitat disturbance).
Visual Ground Patrol	Bi-annually	Noise from equipment used to transport workers to the towers.

Maintenance activities also have the potential to impact competing/adjacent uses such as wilderness camping. Access for ground patrols will require that an access road along the ROW be maintained.

8.1.3. Line Repairs and Event Response

Occasionally emergencies occur requiring an immediate response. These emergencies may include events such as tower collapse resulting from tornadoes, ice storms, fires and other natural events. An immediate response is required and may involve the use of helicopters or heavy equipment. Any damages to the environment as a result would be mitigated post-restoration of the transmission line facilities. These emergencies generally are localized in nature. Mitigation measures are tailored to the specific requirements of the event. The impact of not responding quickly can result in serious effects on people who depend on electricity for heating in winter, air conditioning in summer and for economic development and commerce.

8.2 Mitigation Measures

The majority of potential impacts during the operation stage are as a result of standard maintenance activities. Noise would be mitigated in the same way as construction noise, by the use of mufflers on construction equipment and vehicles, minimizing work hours and implementing timing restrictions for activities in areas of known wildlife breeding.

The vegetation management plan will outline in detail the best management practices and mitigation methods to be used when cutting/clearing along the ROW or applying herbicides. Application of chemical

herbicides will be restricted to the ROW width and will not be used within 50 m of any water course. Spraying will be minimized on windy days. Many of the mitigation measures listed in **Section 7.3** may also apply to vegetation clearing during maintenance activities: clearing under frozen conditions; implementing timing restrictions for wildlife as necessary, use of erosion/sediment controls if necessary; and implementation of a spills prevention plan. Additional details will be available in the EA.

Significant maintenance activities as a result of emergencies would have potential impacts more closely resembling those of construction activities and the mitigation measures listed in **Section 7.3** would be used as appropriate.

9. OTHER CONSIDERATIONS

9.1 Aboriginal Communities

As discussed in **Section 6.2**, The Park has a history of Aboriginal land use. In addition to First Nation settlements, the Métis have traditionally used lands within The Park. It should be noted that there are no active Aboriginal land claims on Park lands. It is understood that Parks Canada and The Park have good relationships with surrounding Aboriginal communities. The Pic River First Nation is adjacent to the northwestern end of The Park and Pic Moberl and Michipicoten First Nations are nearby. In addition, The Park is also located within the lands covered by the Robinson Superior Treaty and The Park maintains good relations with the Grand Chief, who is also the Chief of the Fort William First Nation in Thunder Bay.

NextBridge recognizes that Aboriginal communities may have an interest in The Project and in the portion of the line that traverses The Park. The Ministry of Energy has identified 18 Aboriginal Communities (14 First Nations and 4 Métis organizations) with potential interest in The Project and NextBridge will emphasize a collaborative engagement approach and work with Aboriginal communities to align interests over the near and long term. Aboriginal communities with an expressed interest will be engaged.

NextBridge has established an Aboriginal Advisory Board to provide guidance on conducting the Aboriginal engagement program for The Project. Proposed engagement activities with Aboriginal communities include:

- Regular meetings with Chiefs and Councils and Métis leadership;
- Discussions with Elders;
- Requests for feedback on historical and heritage interest and work opportunities;
- Meetings with Consultation Directors and Economic Development Officers;
- Employment of Environmental and Construction Monitors based on community recommendations;
- Capacity funding to support understanding and training;
- Community communication meetings/meals, with Q&A sessions;
- Newsletters and video meetings; and,
- Sustained interaction using company staff and knowledgeable consultants.

NextBridge has already been in contact with several First Nations and the Métis Nation of Ontario. Engagement activities are ongoing.

9.2 Other Jurisdictions

The Project is subject to an Individual EA under the Ontario *Environmental Assessment Act (Ontario Regulation 116/01* – known as the Electricity Projects Regulation). In addition to a provincial Individual EA, there are numerous permits and approvals at various levels of government that will be required prior to construction. The design of The Project must also satisfy applicable requirements including: Chapter 4 of the market rules; Ontario Resource and Transmission Assessment Criteria; NERC Transmission Planning Standards: TPL-001-2; NPCC Directory 1 Design and Operation of the Bulk Power System (IESO, 2012); and preparation of a System Impact Assessment.

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Aboriginal Consultation Plan

Aboriginal Consultation Plan for the East-West Tie Transmission Project

NextBridge Infrastructure

January 2, 2014



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Executive Summary

NextBridge Infrastructure (NextBridge), through its general partner Upper Canada Transmission, Inc., has been designated by the Ontario Energy Board (OEB) as the transmitter that will develop a high voltage transmission line known as the East-West Tie (EWT). The EWT will be an approximately 400 km long, double-circuit 230 kilovolt electric power transmission line from the Lakehead Transformer Station (TS) near Thunder Bay to the Wawa TS near Wawa, Ontario. NextBridge is honoured to have been designated by the OEB to develop the East-West Tie Line, and looks forward to working with all stakeholders and communities to ensure a successful project, on time and on budget.

On behalf of the province, the Ontario Ministry of Energy (ENERGY) has provided NextBridge a list of fourteen First Nations and four Métis communities to be consulted for the purposes of the Crown's constitutional duty to consult and accommodate. NextBridge has also engaged external Aboriginal relations consultants to provide advice and recommendations concerning consultation and potential accommodation strategies for the project. Our approach for engaging these communities and entering into consultations is based on the following guiding principles:

- Understanding the Communities
 - NextBridge will collaborate with First Nation and Métis communities to better understand their rights and asserted rights as well as their concerns for the people affected by our work in the areas where we will operate. We will show respect for traditional ways and land, cultural heritage resources, the environment, and traditional knowledge.
- Commitment to Effective Policies and Procedures
 - We have strong, established and effective policies and procedures;
 - NextEra's First Nation and Métis Relationship Policy;
 - Enbridge's Aboriginal and Native American Policy;
- Communication and Transparency
 - We form good working relationships through:
 - Open dialogue;
 - Communicating key project information and updates; and
 - Being attentive to the communities' concerns about project impacts or questions about project benefits.

NextBridge recognizes that First Nations and Métis communities have specific rights that are constitutionally protected, and that the EWT development may adversely affect these rights. The duty to consult and, if necessary, accommodate First Nations in Canada flows from the acknowledgement of Aboriginal and Treaty rights under Section 35 of the *Constitution Act*,

1982¹ and has been further defined by various Supreme Court of Canada decisions. While the duty to consult and accommodate rests with the Crown, in some cases procedural aspects of the duty to consult have been delegated to proponents. This is the case with this project.

This Aboriginal Consultation Plan sets out a process that will be continually enhanced, with the benefit of community input. NextBridge proposes to carry out a dual stream consultation/participation process, where one of the streams will focus on consulting with the communities as to whether there are any expected or potential impacts on their rights, and what strategies may be undertaken to mitigate and/or avoid these impacts. This work stream is being named the “consultation” stream, and will be carried out by NextBridge staff and external consultants with input from the communities through a series of individual meetings with the eighteen identified communities. A second commercial ‘participation’ stream is being developed in parallel to the ‘consultation’ stream.

NextBridge will give full and fair consideration to the views and concerns expressed by the communities, about the perceived potential impacts of the project on Aboriginal and treaty rights and will seek workable ways to substantially address the concerns raised by the communities. NextBridge will also give consideration to any information otherwise available to NextBridge about the rights and interests of the communities that may be impacted by the proposed EWT.

The Duty to Consult and Accommodate

The Supreme Court of Canada judgments have determined that the Crown is required to consult and where appropriate accommodate Aboriginal peoples when it has knowledge of an established or credibly asserted Aboriginal or Treaty right, and contemplates conduct that may have an appreciable adverse impact on the right in question.

In Canada, rights-based consultation with First Nation and Métis communities is distinct from other consultation that may be carried out with stakeholders such as the general public, landowners and municipalities. For example, consultation may be carried out as a matter of policy or on an interests basis under Ontario’s *Environmental Assessment Act* (EAA), which prescribes a proponent-driven consultation approach. By contrast, the duty to consult, and if necessary accommodate, rests with the Crown and the Crown is ultimately responsible for ensuring that the duty has been met. The depth and breadth of the consultation process and determining what, if any accommodation is required is dependent on the nature of the

¹ Aboriginal Consultation Guide for preparing a Renewable Energy Act Application, Ministry of the Environment Fall 2013 PIBS 9909e © Queen’s Printer for Ontario, 2011

ABORIGINAL CONSULTATION PLAN FOR THE EAST-WEST TIE TRANSMISSION PROJECT

proposed action, and the degree to which the action may impact Aboriginal or Treaty Rights. These are both determined by the Crown.

The Crown is delegating certain procedural aspects of the consultation and accommodation through a Memorandum of Understanding (MOU) between the Crown (represented by the Ministry of Energy) and NextBridge dated November 4th, 2013. This includes discussions regarding the transmission development process with the eighteen identified First Nations and Métis communities from the MOU and any expected or potential impact on Aboriginal or treaty rights. NextBridge and the Crown have committed to carry out their respective consultation obligations under the MOU, which is attached as Appendix A of this plan.

In addition, NextBridge will be carrying out a full program of interest-based consultation as required for an individual environmental assessment under Part II of the EAA. For the purposes of the consultation of First Nations and Métis communities under the EAA NextBridge proposes to use the same list of communities provided to it by the Ministry of Energy in the MOU for the purposes of rights based consultation.

Introduction

This Aboriginal Consultation Plan for the development of the East-West Tie transmission (EWT) line was created to guide the consultation activities with the eighteen First Nations and Métis communities that have been identified.

NextBridge Infrastructure (NextBridge) acknowledges that consultation with Aboriginal communities is one of the most important activities to be carried out during project development, and in particular during the Environmental Assessment process, in order to understand, identify, record and mitigate identified and documented impacts to or within Aboriginal traditional lands. Utilizing First Nation and Métis input through participation in the collection of Traditional Ecological Knowledge (TEK) and Traditional Land Use (TLU) information (discussed later in this document), NextBridge will endeavour to plan the construction, select the route and maintain the line in the manner that has the least overall impacts.

NextBridge Infrastructure

NextBridge is a partnership between affiliates of NextEra Energy Canada (NextEra), Enbridge Inc., and Borealis. Together the NextBridge partners are well-positioned to deliver transmission projects on-time and on-budget, bring additional resources and innovative ideas to transmission project development, construction and operations in Ontario and support competition in transmission to drive economic efficiency in Ontario's transmission sector for the benefit of the Ontario electricity ratepayer.

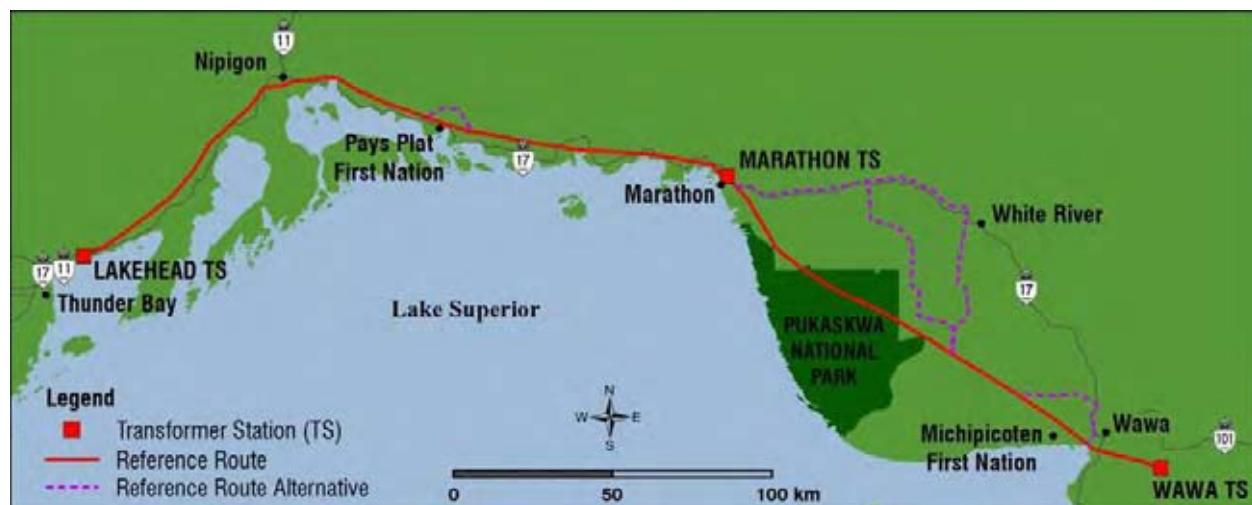
Our Consultation Plan is rooted in NextEra's First Nation and Métis Relationship Policy (Appendix F: NextEra Energy First Nation and Métis Relationship Policy) and Enbridge's Aboriginal and Native American Policy (Appendix G: Enbridge Aboriginal and Native American Policy) and adheres to regulatory and permitting requirements. In adhering to the principles set out in these policies, NextBridge will conduct all consultation in an open and transparent manner.

Project Background

In November 2010, the Ontario Government published its Long Term Energy Plan which identified five priority transmission projects, one of which was a new high voltage electricity transmission line running between Thunder Bay and Wawa, Ontario called the East-West Tie (EWT). The Ontario Power Authority (OPA) confirmed the need for the new EWT, stating that the primary driver for the line is the need to ensure long-term system reliability in north-western Ontario, bringing the system up to the Independent Electricity System Operator's (IESO) reliability criteria, which must comply with North American power compliance criteria. The existing East-West Tie is a 400 km double circuit 230 kV transmission line connecting Wawa

ABORIGINAL CONSULTATION PLAN FOR THE EAST-WEST TIE TRANSMISSION PROJECT

Transformer Station and Lakehead Transformer Station in the Municipality of Shuniah, near Thunder Bay, which plays a critical role in maintaining a reliable supply to the Northwest.



The new EWT is anticipated to generally parallel the existing double-circuit 230 kV transmission line between these two points with possible alternatives to avoid potentially sensitive features. A reference route has been identified along with possible alternatives.

Set out below are two tables. The first shows key dates in proposed project schedule (in particular, those relating to the environmental assessment and leave-to-construct approval). The second shows NextBridge's planned schedule for Aboriginal consultation.

Proposed Project Schedule

ACTIVITY	PROPOSED TIMING
Notice of Commencement*	November 2013
File Terms of Reference (TOR) for Environmental Assessment (EA)	February 2014
Continued input into TOR process as the Aboriginal consultation process unfolds	February 2014 – July 2014
Approval of TOR for EA	July 2014
Submit Environmental Assessment	January 2015
Leave to construct filed with the Ontario Energy Board	January 2015

ABORIGINAL CONSULTATION PLAN FOR THE EAST-WEST TIE TRANSMISSION PROJECT

Environmental Assessment Approved	December 2015
Leave to Construct Granted	December 2015
Construction of Line	January 2016 – March 2018
In service date	First Half 2018

* A copy of the Notice of Commencement of Terms of Reference is located in Appendix B. This Notice was published beginning November 15, 2013 in the following local newspapers: Algoma News, Marathon Mercury, Nipigon Red Rock Gazette, Thunder Bay Chronicle Journal, Thunder Bay's Source, Terrace Bay Schreiber News, and Wawa-News.com.

Planned Schedule for Aboriginal Consultation

ACTIVITY	PROPOSED TIMING
Initial introductory letters to communities	August and November 2013
Initial community leadership meetings	December 2013 To be completed by early Q1 2014
Refined design of First Nations and Métis consultation with community input	January 2014
Engage communities on corridor specific studies – identified concerns to be integrated into EA documents	February 2014
Complete community specific near term funding agreements	February/March 2014
Community consultation and engagement	March to September 2014
Ongoing community meetings to discuss project; employments of archeological and environmental monitors, as appropriate	January 2016 – Early 2018
Monitoring of project	In service in 2018 and ongoing

Community Identification

In a May 31, 2011 letter to the Ontario Power Authority (OPA), ENERGY identified eighteen Aboriginal communities to be consulted by the OPA in early consultation on the EWT. These same communities have been identified in the consultation MOU between NextBridge and the Crown of November 2013. The eighteen communities identified are:

FIRST NATION/MÉTIS	NAME	TREATY AREA
First Nation	Michipicoten First Nation	Robinson Superior Treaty
First Nation	Pic Mober First Nation	Robinson Superior Treaty
First Nation	Ojibways of Pic River	Robinson Superior Treaty
First Nation	Pays Plat First Nation	Robinson Superior Treaty
First Nation	Red Rock Indian Band	Robinson Superior Treaty
First Nation	Fort William First Nation	Robinson Superior Treaty
First Nation	Ojibways of Garden River	Robinson Huron Treaty
First Nation	Ojibways of Batchewana	Robinson Huron Treaty
First Nation	Missanabie Cree First Nation	Treaty 9
First Nation	Animiigoo Zaagi'igan Anishinaabek (Lake Nipigon First Nation)	Robinson Superior Treaty
First Nation	Biinjitiwaabik Zaaging Anishinaabek (Rocky Bay First Nation)	Robinson Superior Treaty
First Nation	Bingwi Neyaashi Anishinaabek (Sand Point First Nation)	Robinson Superior Treaty
First Nation	Ginoogaming First Nation	Treaty 9
First Nation	Long Lake #58 First Nation	Treaty 9
Métis	Red Sky Métis Independent	

	Nation	
Métis	Superior North Shore Métis Council	
Métis	Greenstone Métis Council	
Métis	Thunder Bay Métis Council	

All eighteen communities will be consulted, in accordance with the “Proposed Approach to Consultation” outlined in the next section (Aboriginal Engagement Planning). All eighteen will be provided with information, and will be engaged in a direct dialogue, in order to allow both NextBridge and each Aboriginal community to understand the potential impacts (if any) of the EWT Project on any Aboriginal or treaty rights or interests.

As consultation unfolds, NextBridge expects that some Aboriginal communities will take greater interest in the EWT Project than others, and seek deeper consultation or potentially accommodation. Often, the extent of consultation sought by a community will depend upon a number of factors, including:

- Proximity to the Proposed EWT Project. This can be especially true of long linear projects which are expected to have minimal, if any, impacts to air, water or migratory species beyond the very narrow Project footprint. NextBridge notes that Pays Plat and Michipicoten First Nations may have EWT Project run through their respective Reserves.
- Rights Claims of Aboriginal Community. NextBridge would expect those communities with outstanding claims related to the Project area to seek deeper consultation.
- Stated Interests of the Aboriginal community. This may be expressed in meetings or in writing by an Aboriginal community during the consultation process, or it may be a factor taken into account in a community’s Consultation Protocol or similar type of document.
- Environmental Assessment Work. During the work on the environmental assessment and participation by Aboriginal communities in that work (e.g., traditional knowledge), further information will be gained about both the Aboriginal rights, interests and traditional uses in the Project area, as well as the potential impacts of the Project.

The above list of factors is not exhaustive. Moreover, it is NextBridge's intention to engage in good faith consultation with Aboriginal communities seeking to understand the EWT Project, convey their views and concerns about the EWT Project, and discuss appropriate mitigation or accommodation. At law (and as per the Consultation MOU between NextBridge and the Crown), it is ultimately the Crown's responsibility to assess the adequacy of consultation on rights-based impacts as well as any necessary accommodation. Insofar as NextBridge consults on an interests basis during the EA process, it is for the Ministry of the Environment to determine the adequacy of consultation in accordance with the EAA.

First Nation Organizations

Many of the fourteen First Nations are represented by tribal councils and/or Provincial Territorial Organizations (PTOs), which provide services to their affiliated First Nations, but do not themselves possess any Aboriginal or treaty rights. NextBridge will carry out consultation directly with the First Nation leadership (Chief and Council or their delegated representatives), but will keep a number of regional tribal councils and PTOs copied on notification letters to their member First Nations.

Métis Nation of Ontario (MNO)

Three of the four identified Métis community representatives are members of the MNO. The MNO will be copied on notification letters to its members.

Aboriginal Engagement Planning

Proposed Approach to Consultation

A transmission line is a long-term asset that can continue to operate upwards of fifty years or more. NextBridge is approaching consultation on the same long-term basis, and wants to build a long term, mutually beneficial relationship with impacted Aboriginal communities that is built on trust. NextBridge recognizes that trust takes time to build, and consultation and continuing dialogue with the communities will be ongoing throughout the project development process and into the operations and maintenance phase, not just during the environmental assessment and permitting processes during project development.

NextBridge plans to engage with the identified First Nation and Métis communities based on the foundations of respect, open communication and cooperation. NextBridge will meet with the eighteen identified communities to jointly discuss the potential impacts that the project may have on the communities, and their Aboriginal and treaty rights and interests.

This will include dialogue about the traditional practices and traditional land uses in which the communities currently engage and any traditional knowledge that has been mapped or collected by the community that may contribute to both the environmental assessment process, and a greater understanding of the potential EWT Project impacts. The EA will also include various field studies to identify and possibly mitigate/avoid identified potential impacts, which will feed into properly planning the EWT Project and determining the optimal routing for the transmission line.

Many Aboriginal communities have established internal consultation protocols or procedures to ensure that the elders, youth and other holders of traditional knowledge each have an opportunity to hear and consider potential impacts of new project development. NextBridge will work with the communities to follow their individual internal protocols and procedures to the extent reasonably possible, provide capacity funding if appropriate and will respect the confidentiality aspects of any information provided to NextBridge in a manner consistent with the MOU.

The consultation work will focus on communicating the issues and options for route selection that are under consideration by the EWT Project development team to the community members and receiving any feedback.

Consultation by NextBridge will be guided by the MOU and the Principles of Consultation set out in Appendix D.

Section 28(2) Permits

A separate series of meetings will be required with the Pays Plat and Michipicoten First Nations, as the proposed route for the EWT Project passes through each of their Reserve lands. Meetings to discuss the proposed routing, as well as negotiations regarding compensation to the two communities for the land taken out of use by the communities will be necessary. Some communities require a community referendum to approve Section 28(2) permits.

Aboriginal Engagement/Consultation Process

Information Exchange

NextBridge recognizes that each of the eighteen identified communities has its own unique history, set of protocols, and traditional ways of getting things done. In addition to what meets each community's needs, NextBridge is also willing to provide support, where appropriate, in the form of:

- Disseminating project information to Chiefs and Councils, and Métis leadership

- Arranging for project information sessions for Chiefs and Councils, Métis leadership, youth, elders and/or Aboriginal communities at large, by hosting forums
- Facilitating Aboriginal engagement in archeological assessments

NextBridge will work with each of the communities to develop an appropriate process to make sure that each Aboriginal community and its members will have access to all of the information concerning the EWT in a form that is understandable to them.

Traditional Ecological Knowledge and Traditional Land Use Information

NextBridge believes that the development of the EWT will not be successful without the active engagement of those Aboriginal communities that hold traditional ecological knowledge (TEK) and traditional land use information (TLU) about the EWT Project area. This information will be essential to completing the environmental assessment process for the EWT in a timely, appropriate, and cost effective manner. NextBridge will work with the communities to identify TEK/TLU information and to mitigate and/or avoid potential impacts that arise from routing, construction and operations.

TEK is based upon the experience of many generations of community members, is geographically specific, and is usually transmitted orally. It is defined by an Aboriginal community's traditional land base, environment, region, culture and language. All members of a community hold TEK collectively, although some members may have been given the responsibility for its communication. TLU is based on who is using the land today, and for what purpose. It is the intent of the NextBridge to actively involve relevant Aboriginal staff and TEK/TLU holders in developing the content of the required regulatory reports and submissions, as well the plan on how to collect this information.

NextBridge will work with First Nation and Métis communities to help define the process to identify, collect and evaluate existing TEK/TLU information and potentially develop additional TEK/TLU information relating to the proposed EWT Project area.

Other information to be considered includes but is not limited to:

- Historical land use in the area
- Treaties signed by the Crown (in this case the Robinson Superior Treaty and Treaty #9)
- Unresolved claims
- Published maps of traditional territories

- Cultural heritage resources, including archaeological resources, built heritage resources and cultural heritage landscapes

Project Development and Key Regulatory Processes

OEB Leave to Construct

Aboriginal engagement of all eighteen communities for the purposes of NextBridge's regulatory submissions has commenced with EWT Project notification, and will continue throughout the regulatory process where consultation with potentially affected Aboriginal communities will be important in determining the final route and location of EWT Project infrastructure.

NextBridge has commenced and will continue to file monthly reports with the OEB, pursuant to the OEB's designation decision. A leave-to-construct application is anticipated to be filed with the OEB by the end of January 2015. NextBridge will continue working with communities during and after construction to ensure that their concerns are being adequately addressed.

Environmental Approvals

The EWT Project is subject to an Individual Environmental Assessment (EA) in accordance with Ontario's EAA. The Individual EA consists of two stages: (a) the Terms of Reference (TOR); and (b) the preparation of the EA.

NextBridge issued a Notice of Commencement for the TOR in November 2013. The TOR will outline the workplan that NextBridge plans to follow to address the requirements of the EAA, and will include details about what is to be studied, how the EA will be conducted and the process that will be followed. NextBridge is seeking input about the TOR from various interests including the eighteen First Nation and Métis communities identified by the Crown. Currently it is planned that the TOR will be submitted to the Ministry of the Environment in February 2014. It is anticipated that the present document Aboriginal Consultation Plan will form the basis for the draft Aboriginal consultation chapter of the TOR.

If approved by the Ministry of the Environment, the TOR will provide the framework for the second step in the process, the preparation of the EA document. Members of the First Nation and Métis communities will be encouraged to participate in the EA process. NextBridge plans to formally submit the EA document with the Ministry of Environment in January 2015, and anticipates that the EA will be approved by December 2015.

NextBridge will seek to establish an Advisory Panel comprised of local First Nation and Métis representatives and/or archeological and environmental monitors. NextBridge will work with communities to encourage direct participation from representatives where needed.

Additional regulatory approvals and permit applications may be required throughout the planning and construction process of this project (e.g. Transport Canada, Fisheries and Oceans Canada, Conservation Authorities, etc.).

On-Reserve Assets - 28(2) Permits

As noted above, NextBridge will engage and work with both Michipicoten First Nation and Pays Plat First Nation with respect to the issuance of a permit pursuant to subsection 28(2) of the *Indian Act*. Both communities will be asked to assist NextBridge in creating a community specific plan for determining the process for approval.

Aboriginal Engagement/Consultation Tools

Staff and Community Meetings

The Aboriginal consultation process for the EWT Project will involve timely, honest and open dialogue between NextBridge representatives and community members, leadership and staff. It is critical that all parties participate in the consultations in good faith. The objective of the consultation work stream is to provide easily understandable information about the EWT Project to the communities so that they can participate in determining what, if any impacts the project will have on their community. At the same time, NextBridge representatives will be listening to and collecting input from the communities that will assist in project planning.

A series of meetings with the identified Aboriginal communities will be held to discuss the issues of concern, and to facilitate discussion and understanding of whether, and if so, to what extent, the EWT Project may potentially cause impacts to rights and interests, including traditional land uses, harvesting patterns, customs, practices and traditions (e.g., food harvesting, trapping, medicinal plant gathering, cultural activities) of the community members.

The information shared by the communities will be collected and incorporated where appropriate in the planning for the EWT, and any required regulatory processes. The materials and data that are gathered will also be used to establish the extent of potential impacts of the EWT Project on the community (if any). NextBridge will provide a written summary of all meetings to the community leadership, and will provide copies of any relevant documents requested. The communities will be provided with a reasonable opportunity to review and provide input into written summaries of meetings and other relevant documents. These materials will be included in the consultation record, subject to any information identified by the communities as sensitive TEK/TLU-related information.

Project Announcements and Notifications to All Interested Parties

The following routine project announcements/notifications will be provided to the Aboriginal communities, and will include the following information:

- Project title
- Name of the proponent
- Brief description of the project
- Map showing proposed project location
- Statement that the project is subject to the requirements of the *Environmental Assessment Act*
- An invitation to participate in the project
- Contact information for the person to whom requests for additional information can be addressed, as well as comments
- An indication that there will be additional opportunities to be informed and involved in the project
- Notices about public open houses, with their dates, times and locations noted.

The EWT Project has a website, located at www.nextbridge.ca, and project information will be routinely posted to the website for distribution. NextBridge will also publish a series of newsletters about the EWT Project, which will be distributed to the communities.

Specific information materials and communication processes and activities will be designed to reach out to Aboriginal communities over and above the EWT Project announcements and notifications to all interested parties.

Open Houses for all Interested Parties

The initial open house notices were published in local newspapers in an attempt to reach as many people as possible within the local area, and are also posted on the EWT Project website, located at www.nextbridge.ca. First Nations and Métis community members and leadership were invited to attend the initial open houses, and will be invited to any or all the public open houses and meetings geared toward the general public going forward, as NextBridge has planned a series of them as the project development proceeds.

ABORIGINAL CONSULTATION PLAN FOR THE EAST-WEST TIE TRANSMISSION PROJECT

At the open houses, the following information is provided on large poster boards in easily understandable language:

- Introduction to NextBridge and its consultants
- Project overview including detailed maps of the proposed project routing
- Outline of the Class Environmental Assessment Process
- Next steps for the EA process
- Outline of the transmission development process including Leave to Construct
- How to provide information such as a question or a comment.

The initial round of public Open Houses was held in the following locations:

THUNDER BAY

December 2, Current River Community Centre, 450 Dewe Avenue, Thunder Bay, 4-8 pm

NIPIGON

December 3, Nipigon Legion Branch #32, 102 Fifth Street, Nipigon, 4-8pm

MARATHON

December 4, Marathon High School, 14 Hemlo Drive, Marathon, 4-8pm

WAWA

December 5, Michipicoten Memorial Community Centre, 3 Chris Simon Drive, Wawa, 4-8pm

WHITE RIVER

December 10, Royal Canadian Legion Branch #169, 108 Winnipeg Street , 4-8pm

TERRACE BAY

December 11, Terrace Bay Cultural Centre, 13 Selkirk Avenue, 4-8pm

The open houses allow anyone to seek any information needed about the EWT Project, to ask questions, and express their concerns. First Nation and Métis community members have been invited to attend these sessions as we work with these communities to develop individual engagement plans.

Questions and comments will be collected at each meeting with the communities. Comment cards will be supplied with NextBridge's mailing address, so that community leaders and members can submit the cards at the end of the meetings, or if preferred, take them home and

mail them in at a later date. Meeting participants will be able to ask questions or make comments to the NextBridge representatives and their consultants directly. If the questions cannot be answered at that time, the question, and the contact information of the person asking the questions will be documented, and then followed up within a timely manner.

Consultation and Capacity Funding Agreements for Aboriginal Communities

Consultation Agreements

NextBridge respects the relationship that First Nations and Métis have with the land, and also recognizes that First Nations and Métis communities have unique perspectives on a variety of environmental issues and the use of land and resources. The ongoing resource and capacity constraints that currently face many First Nations and Métis communities will require NextBridge to take steps to ensure that the communities are able to fully participate in consultation, including providing meaningful and timely input that can be integrated into the project planning and EA process. NextBridge is willing to provide a reasonable amount of funding to provide for these needs.

After an introductory meeting with each community to introduce the EWT Project (Proposed Agenda in Appendix C), the next step in the consultation process is negotiating and signing Consultation or Capacity Funding Agreements with each of the communities, which will set out such matters as work plans, information sharing protocols, and potential capacity funding that will allow the communities to more meaningfully participate in the consultation process.

A Consultation Agreement lays out the framework within which consultation with a community will be conducted on the basis of community preferences and protocols. Normally such an agreement would be of limited duration and could include identifiable objectives such as funding for community communication efforts, education for the community on the project, and training for community members to assist in project development (i.e. to become archeological and environmental monitors). The nature of these activities would be based on the specific needs of the community.

Funding is provided on a fair and equitable basis, according to the size of the community and the proposed use of funds.

The initial engagement phase of consultation started in November 2013, and consultation will proceed throughout the project planning and development process, and through the construction phase. As EWT Project development proceeds, the focus of discussions will change from introductions to the Project to input into the EA and Leave to Construct processes, to monitoring of construction.

NextBridge will utilize Consultation Agreements to formulate a work-plan that ensures the engagement of Aboriginal communities during the EWT Project. Work-plans will be designed to support both internal and external community discussions with a goal to creating awareness and developing an understanding of the EWT Project. As the project moves into construction, NextBridge will continue to build upon its relationship with the communities, meeting formally on a regular basis.

Capacity Funding Agreements

If a Consultation Agreement cannot be completed with a community, NextBridge will seek to consult with the community on the basis of the guiding Principles of Consultation noted in Appendix D, as appropriate. In this circumstance, NextBridge may also seek to enter into a Capacity Funding Agreement, which would normally cover the capacity funding aspects found in a Consultation Agreement.

Consultation Record Keeping and Data Management

Data from community meetings, open houses and correspondence will be logged into the PRAXIS data management system. The requirements of the MOU will be fulfilled, including submission of a monthly report to the Ontario government reporting on the ongoing consultation. A monthly project report will be submitted to the OEB that will be available to the public on the OEB website.

Aboriginal Engagement Team

Working Group

NextBridge has formed an Aboriginal Working Group which consists of members of its Aboriginal Engagement Team (see below), the Aboriginal Advisory Board and selected members of the project operations working group.

NextBridge has formed an Aboriginal Advisory Board to advise the company on its proposed approach to First Nation and Métis engagement. This Board meets four times per year, and includes Senator Gerry Bedford, Judith Moses from Six Nations and John Beaucage, the former Grand Council Chief of the Union of Ontario Indians (Robinson Superior and Robinson Huron Treaty members). Each of the AAB members has an excellent understanding of the issues faced by First Nations and Métis communities, and is able to provide strong guidance to the NextBridge Aboriginal Engagement team. The role of the AAB is to act as a sounding board, however it does not purport to offer specific local knowledge of the project or the project area; this knowledge can only be gained by direct consultation with the relevant communities.

Representatives from provincial government ministries may be invited to Aboriginal Advisory Board meetings to support discussions, where appropriate.

Consideration is being given to forming an Elders/Traditional Knowledge Holder advisory committee comprised of holders of Traditional Knowledge in the directly impacted communities.

Aboriginal Engagement Team Members

Responsibilities

The Aboriginal Engagement Team is accountable for carrying out NextBridge's obligations to First Nations and Métis people in the project area, and for working with the communities to build long-term positive relationships with the eighteen identified Aboriginal communities in proximity to the proposed project area.

In addition to engaging with Aboriginal communities the team will interact with external stakeholders such as government agencies, industry associations, and Aboriginal organizations.

Team Members

D. Brian Hay

D. Brian Hay is the Director of Aboriginal Relations for NextEra Energy, and will head up the Aboriginal Engagement Team for NextBridge.

Prior to joining NextEra, Brian was Director and Special Advisor, First Nations and Métis Relations, with the Ontario Power Authority (OPA), responsible for developing and implementing OPA's Aboriginal engagement and consultation program. He was previously OPA's founding Director of Communications and Public Affairs, responsible for media, community, government and stakeholder relations as well as issues management and editorial services.

Mr. Hay has more than 35 years' management experience in strategic planning, project management, crisis management, risk communications, and public affairs with major Canadian and international retail, financial, mining, petroleum and government organizations. Working with Preston Manning, Brian helped found the Economic Development Discussion Group in Edmonton in 1976 to encourage participation of Alberta First Nation and Métis people in the orderly and responsible development of the oil sands.

He is also a retired Major with the Canadian Army (Reserve), having served in the public affairs, civil/military and intelligence sections. Major Hay initiated the first Land Force Central Area multi-cultural family dinner for serving members and their families from more than 40 different national communities.

He holds an Honours B.A. in Philosophy and Political Science and an M.A. in Behavioural Political Science from McMaster University.

Jennifer Tidmarsh

Jennifer Tidmarsh is the Project Director, Community Engagement for NextBridge Infrastructure.

Before joining NextBridge, Jennifer was the Director of First Nations and Métis Relations at the Ontario Power Authority (OPA). She was responsible for facilitating and integrating all aspects of Aboriginal involvement into the work of the organization. Prior to that position, Jennifer was the Senior Advisor to the CEO and has also been involved in designing and managing the Aboriginal Renewable Energy Fund (AREF) and the Community Energy Partnerships Program (CEPP) for the OPA.

She has also worked in the industrial/commercial sector promoting energy efficient and environmentally sustainable programs. Her work has included a short appointment in Bangladesh working for the Canadian International Development Agency.

Teresa Homik

Teresa Homik is the Manager, Aboriginal Affairs, National Policies and Programs for Enbridge Pipelines Inc.

Teresa has been responsible for Enbridge's National Policies and Programs management since 2007. She has also been responsible for strategic Aboriginal relationship building at the National level, and has provided Aboriginal Affairs risk management support for renewable and alternate energy project acquisitions, including Gas Midstream, and ongoing Aboriginal Affairs support for Enbridge-owned renewable energy projects during construction, particularly in Ontario.

Prior to joining Enbridge Teresa's legal practice focused exclusively on Treaty and Aboriginal Rights and land claims issues for First Nations, Government (INAC and the Indian Claims Commission), and Industry clients. Teresa has held leadership roles within the Aboriginal Law Section of the Canadian Bar Association, and was editor of the national newsletter of the Aboriginal Law Section of the Canadian Bar Association from 2000 to 2007. Teresa served on the Board of Directors of the Association of Women Lawyers (Calgary) between 2000 to 2010.

Teresa holds an undergraduate Degree in Political Studies and French Literature, and earned her law degree from the University of Manitoba.

Kath Hammond

Kath Hammond is the Vice President of Legal at Borealis. Ms. Hammond joined Borealis in April 2012 and is based in the Toronto office in the Legal group. Prior to joining Borealis, Ms. Hammond was at Ontario Power Generation Inc. for 11 years where she held a number of legal and business roles, including Assistant General Counsel; Director, Business Development for Hydroelectric; and Director, Commercial Strategy for the Darlington Nuclear Refurbishment Project. While at OPG, she gained valuable experience working with Aboriginal communities on the development of various hydroelectric projects. Prior to joining OPG, Ms. Hammond was a member of the corporate group at Torys LLP in Toronto. Ms. Hammond holds a B.A., Economics from Huron College, and University of Western Ontario. She undertook a LL.B. at the University of Toronto.

Oliver Romaniuk

Oliver Romaniuk is a Project Manager at NextEra Energy Transmission LLC. He is responsible for managing the development process for new competitive transmission projects in North America and is a registered Professional Engineer in Ontario.

Oliver Romaniuk's academic background focused on power system analysis, economics and control. Since entering the power industry in 2002, he has participated in alternative energy system design and project management for smart metering, residential demand response and cogeneration pilot projects for a number of Ontario's largest distribution utilities. He returned to the University of Waterloo in September 2006 to pursue a Master's Degree in Electrical Engineering with Toronto Hydro Energy Services Inc. as the sponsoring corporation. After graduating Oliver has been with NextEra Energy in transmission development, focusing on competitive transmission procurement processes and supporting NextEra's Canadian wind generation group with transmission interconnection support. The team was recently awarded over 600MW of Ontario Feed-in-Tariff contracts. Oliver is a Registered Professional Engineer in the Province of Ontario.

Marvin Pelletier – Consultant to NextBridge

As a member of Fort William First Nation and owner of mPower North, an Aboriginal consultancy business specializing in community development in the mineral and energy sector, Marvin has 25 years' experience working with First Nation communities and industry on business development issues. As the senior manager for Fort William First Nation, Marvin

established the First Nation's Development Corporation while overseeing the organizational and economic development of on-reserve projects. Marvin launched Fort William's first 5-year strategic plan which resulted in the development of joint ventures with Resolute (Bowater Sawmill), Wasaya Airlines, Dilico, SkyPower and Sequoia Energy. These projects led to a variety of training partnerships and programs that led to the creation and relocation of more than 300 jobs to Fort William First Nation lands. The strategy enabled a total capital investment of \$160M to flow towards on-reserve development within a 10-year period. Marvin was a member of the working group that led the creation and implementation of the First Nation Commercial and Industrial Development Act. Marvin's experience with his own community includes the development of permits and initiating the first Additions To Reserve of heavy industrial lands for the development of a \$80M sawmill.

mPower North clients include Ontario First Nation's in Treaty 3, 9, 5 and the Robinson Superior Treaty area. mPower North currently supports Nigigoonsiminikaaning First Nation on the Osisko Hammond Reef and Rainy River Resources gold projects and Atikokan Resolute Sawmill. North of Thunder Bay mPower North has assisted with the development multi First Nation agreements between Robinson Superior First Nations and Panoramic for early exploration on platinum project. The mineral exploration activity has also led to the creation of several joint ventures in the service sector and the creation of a First Nation Junior Exploration Company in Fort Hope Ontario.

More recently Marvin through mPower North has worked with First Nation communities in the far north on projects that include infrastructure, all season roads, transmission grids, industrial and waterpower developments. This work involved the drafting funding applications and the development of partnerships between First Nations and industry. mPower North Energy files include assisting First Nations with diesel displacement options and the development of the Beren's River Bridge. In 2012-13 mPower North contracted with Aboriginal Affairs and Northern Development Canada to engage First Nations interested in On-Reserve mineral exploration. Currently mPower North provides services to Maawandoon Inc. a TransCanada contractor on the Energy East Pipeline Project.

Joe Donio – Consultant to NextBridge

Joe Donio has 20 years of professional experience with over 12 years in senior management positions and is currently working with mPower North. His proven experience in Aboriginal engagement and leading complex negotiations is evident in his work as Development Manager at Animiigoo Zaagi'igan Anishibaabek. Joe led a team to secure over \$15 Million in public and private sector funding to support the upgrading and training of First Nations' citizens, during which time he developed mutually beneficial relationships with many industry representatives.

Joe is currently Vice President (and a past President) of Lake Nipigon First Nations Economic Development Corporation where he has led the development of a corporate entity to represent six First Nations in developing a commercial relationship with Ontario Power Generation to develop a hydroelectric facility.

Joe is also involved in corporate governance as the Secretary/Treasurer to the Nokiiwin Tribal Council Inc.

Merv McLeod, B.P.A. – Consultant to NextBridge

As a Partner in McLeod Wood Associates Inc., Merv McLeod has significant policy experience in both First Nation and non-First Nation government entities. He has also worked extensively with private sector organizations to complete development projects, specifically in the energy and forestry sectors. Merv has excellent contacts within the Aboriginal community, particularly in Northern Ontario, in addition to his extensive knowledge of the Ontario energy sector and remote community issues. Originally from Moose Factory, Merv is a member of the Kashechewan First Nation.

Merv's work as a Policy Advisor for Nishnawbe-Aski Nation and the Ministry of Northern Development and Mines has given him a detailed understanding of the basic infrastructure issues facing remote and northern communities throughout Ontario. Merv's work in the energy sector has included transmission planning and development, water power development, and general advisory services, for First Nations and private sector clients.

Merv has a wide range of contacts throughout Ontario within the Aboriginal community, and is a sought after speaker at conferences and a respected advisor for First Nations and private business.

Nancy Wood and Merv McLeod were the 2008 recipients of the Partnership of the Year award from the Nishnawbe-Aski Development Fund.

Nancy Wood, B.A., M.B.A. – Consultant to NextBridge

Nancy Wood has more than a decade of experience in business planning, project development, and project management with First Nations communities, including electricity transmission, electrical distribution, infrastructure development, and transportation projects. Nancy is a Partner at McLeod Wood Associates Inc. and specializes in business planning and development, and in training Boards of Directors and management teams. Nancy also has expertise in project management, and manages the Western James Bay Winter Road annually.

Nancy gained policy experience while employed by the provincial government and has augmented this experience with further studies and practical experience. Her work at the Ontario Ministry of Northern Development and Mines included communications, and policy and planning.

Her management studies have equipped her with the ability to perform strategic analyses of business issues, and she excels at business plan creation and review. Most recently, Nancy has focused on Ontario's electricity sector, and assisting First Nation organizations in strategic business planning.

Nancy Wood and Merv McLeod were the 2008 recipients of the Partnership of the Year award from the Nishnawbe-Aski Development Fund.

APPENDIX A – Consultation MOU between NextBridge and Crown

MEMORANDUM OF UNDERSTANDING

between

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO
AS REPRESENTED BY
THE MINISTER OF ENERGY (the "Minister")**

and

NEXTBRIDGE INFRASTRUCTURE LP

(Each a "Party" and together, the "Parties")

WHEREAS the Ministry of Energy and NextBridge wish to clarify their respective roles and responsibilities regarding consultation on the Project, as defined;

NOW THEREFORE the Parties agree as follows:

1. DEFINITIONS

- 1.1. In this MOU, the following terms have the respective meanings set out below.
 - (a) "**Aboriginal Communities**" means the First Nations and Métis communities identified by the Ministry to be consulted on the Project, being those communities identified in Appendix A and any other communities subsequently identified to NextBridge by the Ministry;
 - (b) "**Consultation Plan**" means a plan as may be amended from time to time made pursuant to this MOU to consult Aboriginal Communities on the Project;
 - (c) "**Crown**" means Her Majesty the Queen in right of Ontario;
 - (d) "**Duty**" means any constitutional duty that the Crown may have to consult and, where appropriate, accommodate Aboriginal Communities with respect to the Project;
 - (e) "**Project**" means the East West Tie line consisting of a 230 kV double circuit electricity transmission line approximately 400 km in length running from Lakehead TS in Thunder Bay to Wawa TS;
 - (f) "**Ministry**" means the Ministry of Energy or any successor thereof;
 - (g) "**MOU**" means this memorandum of understanding;

- (h) “**NextBridge**” means NextBridge Infrastructure LP and any authorized designate of NextBridge Infrastructure LP, including Upper Canada Transmission, Inc.; and
- (i) “**Section 35 Rights**” means established or credibly asserted Aboriginal or treaty rights.

2. PURPOSE

2.1. The purposes of this MOU are to:

- (a) clarify the roles and responsibilities of the Crown and NextBridge with respect to consultation of the Aboriginal Communities on the Project; and
- (b) provide mechanisms for effective communication and coordination between NextBridge and the Crown on matters relating to consultation on the Project.

2.2. The Parties acknowledge that:

- (a) the Crown bears any Duty that may be owed in relation to the Project;
- (b) NextBridge is responsible for carrying out procedural aspects of consultation that are delegated to it by the Crown; and
- (c) this MOU shall be governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein and, for greater certainty, is subject to all applicable regulations and regulatory regimes.

3. RESPONSIBILITIES OF THE CROWN

3.1. The Crown is responsible for determining whether consultation is required on the Project, advising NextBridge of the same, and, if consultation is required, the following:

- (a) identifying the Aboriginal Communities to be consulted based on an assessment of whether their Section 35 Rights may be adversely affected by the Project, and providing NextBridge with the names of said Aboriginal Communities;
- (b) advising the Aboriginal Communities that it has delegated procedural aspects of consultation on the Project to NextBridge;

- (c) any preliminary and ongoing assessment of the depth of consultation required with the Aboriginal Communities;
 - (d) co-ordinating a review of the proposed Consultation Plan by relevant provincial ministries;
 - (e) receiving reports and information from NextBridge and overseeing consultation of the Aboriginal Communities on the Project with respect to fulfilling the Duty;
 - (f) satisfying itself that the consultation process in relation to the Project is adequate, which may include contacting the Aboriginal Communities directly to discuss the adequacy of the consultations;
 - (g) determining whether accommodation of any adverse impacts of the Project on the Section 35 Rights of the Aboriginal Communities is required, and if so, its adequacy.
- 3.2 Notwithstanding sub-sections 3.1 and 4.1, neither the Crown nor NextBridge shall be taken as having agreed, or conceded, that any matter set out herein is a mandatory aspect or requirement of the Duty, nor that a particular aspect of consultation is an aspect of the Duty that cannot be carried out by NextBridge.

4. RESPONSIBILITES OF NEXTBRIDGE

4.1. NextBridge is responsible for:

- (a) preparing and executing a Consultation Plan for the Project that sets out how NextBridge will fulfill its responsibilities under this MOU;
- (b) sharing with the Ministry, for its review, its Consultation Plan for the Project;
- (c) providing Aboriginal Communities with timely notice of the Project for the purposes of considering possible impacts on their Section 35 Rights;
- (d) providing Aboriginal Communities with information about the Project and the role that NextBridge will play in Crown consultation on the Project;
- (e) following up on the notice and provision of information in paragraphs (c) and (d) immediately above if NextBridge has not received a timely response or acknowledgement from an Aboriginal Community;
- (f) explaining to Aboriginal Communities the regulatory and approval processes that apply to the Project;

- (g) taking all reasonable steps to foster positive relationships with Aboriginal Communities;
 - (h) offering Aboriginal Communities reasonable assistance, including financial assistance where appropriate and as determined by NextBridge, to participate in consultation on the Project;
 - (i) meeting with, and receiving and considering correspondence or other written materials from Aboriginal Communities in order to identify any concerns they may have regarding the potential impact of the Project on their Section 35 Rights;
 - (j) where appropriate, discussing with Aboriginal Communities accommodation, including mitigation, of potential adverse effects of the Project on their Section 35 Rights;
 - (k) where appropriate, developing and proposing appropriate accommodation measures, in consultation with the Crown;
 - (l) recording all activities undertaken to fulfill any Duty in relation to the Project;
 - (m) filing documents, attending regulatory hearings, presenting records and other appropriate evidence of activities undertaken by the Crown and NextBridge to fulfill any Duty in relation to the Project, and making both written and oral submissions, as appropriate, regarding the fulfillment of any Duty; and
 - (n) all ancillary activities associated with fulfilling the responsibilities of NextBridge under this MOU.
- 4.2. Notwithstanding section 4.1 above, a ministry with an approval role for the Project, or any responsible official, agent, decision-maker or regulatory body of the Crown, may participate in the matters enumerated therein as may be required.

5. RECORD KEEPING AND INFORMATION SHARING

- 5.1. NextBridge will keep records of all of its activities in relation to fulfilling any Duty and share the said records with the Ministry upon request.
- 5.2. NextBridge will share its Consultation Plans, reports or other documentation compiled in respect of any Duty relating to the Project, with the Ministry upon

reasonable request, subject to applicable confidentiality restrictions consistent with sub-sections 5.7 and 5.8.

5.3. NextBridge will advise the Ministry in a timely manner of:

- (a) any actual, potential or alleged adverse impact of the Project on established or asserted Section 35 Rights, whether NextBridge becomes aware of such impact or assertion through its consultation activities or otherwise; and
- (b) any notice or statement by any Aboriginal Community that some or all of its Section 35 Rights concerns in connection with the Project have been resolved, or that the Duty has been fulfilled.

5.4. NextBridge will notify the Ministry before providing significant capacity funding to Aboriginal Communities or before funding significant initiatives or reports that may relate to the Section 35 Rights of the Aboriginal Communities.

5.5. NextBridge will provide the Ministry with timely notice before taking positions or making appearances before judicial, quasi-judicial or regulatory tribunals or boards, or before filing or making written submissions to any such tribunal, board, agency or official, in relation to matters relevant to the fulfillment of any Duty.

5.6. NextBridge will provide the Ministry with a monthly update on its consultation activities related to the Project, and with any additional summary reports or briefings on its consultation activities as may be reasonably requested by the Ministry.

5.7. NextBridge will share with the Ministry the provisions of any commercial arrangements between NextBridge and Aboriginal Communities that:

- (a) secure the support of the Aboriginal Communities for the Project;
- (b) are directed at mitigating or compensating for possible adverse effects of the Project on Section 35 Rights; or
- (c) otherwise potentially affect the obligations of the Crown to the Aboriginal Communities;

but NextBridge is not otherwise required to share details of its commercial arrangements.

5.8. In any commercial arrangements NextBridge enters into with Aboriginal Communities, NextBridge will use commercially reasonable efforts to exclude confidentiality provisions that prevent it from fulfilling its obligations to share

information with the Ministry in accordance with this MOU, including section 5.7 thereof.

- 5.9. Notwithstanding sections 5.7 and 5.8, NextBridge shall ensure that any business or other arrangements it enters into with Aboriginal Communities permit NextBridge to fulfill its obligations under section 5.3, or, in the alternative, require the said Aboriginal Communities to advise the Ministry directly, in writing, of any resolution of their Section 35 Rights concerns or if they agree that the Duty has been fulfilled.
- 5.10. The Ministry will share information received from NextBridge with other Ontario ministries and regulatory agencies, where necessary. Commercially sensitive NextBridge information will be protected in accordance with applicable laws.
- 5.11. The Ministry will share with NextBridge records of Crown activities in relation to fulfilling any Duty, as required to ensure that NextBridge can fulfill its obligations pursuant to this MOU.
- 5.12. The Parties will ensure that the Aboriginal Communities are made aware of any provincial government programs or funding available to assist the Aboriginal Communities to participate in consultation on the Project.

6. CONSULTATION PLAN

- 6.1. NextBridge will prepare a Consultation Plan for the Project and present it to the Ministry for its review by November 30, 2013 or such other subsequent date as the Ministry may advise.
- 6.2. The Consultation Plan shall set out the manner in which NextBridge proposes to carry out its responsibilities under this MOU, such Consultation Plan to include the identification of significant steps and a timetable for their completion.
- 6.3. For greater certainty, the Parties acknowledge that the requirements for satisfying any Duty in the context of a statutory process applicable to the Project are within the jurisdiction of the ministry, board, agency or decision-maker having responsibility to administer that statute, and therefore:
 - (a) it is for the responsible ministry, board, agency or decision-maker to satisfy itself in relation to fulfilment of the Crown's duty within the context of its approval, permit or authorization powers; and
 - (b) the content of the Consultation Plan shall reflect, and is subordinate to, the procedures and decisions of the responsible ministry, board, agency or decision-maker.

7. COORDINATION

- 7.1. The responsibilities outlined in this MOU shall be carried out, to the extent possible, in a coordinated manner so as to avoid duplication of effort by Aboriginal Communities, NextBridge, the Ministry, and provincial ministries, boards and agencies.

8. GENERAL

- 8.1 This MOU may be amended in writing at any time by agreement of the Parties.
- 8.2 This MOU may be terminated at any time by the Minister by providing notice in writing, or upon the agreement of the Parties.

Dated this 4th day of November, 2013

NEXTBRIDGE INFRASTRUCTURE LP by its General Partner, Upper Canada Transmission, Inc.	HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, as represented by the Minister of Energy
Per:  Cindy Tindell Director	Per:  Serge Imbrogno Deputy Minister

7. COORDINATION

- 7.1** The responsibilities outlined in this MOU shall be carried out in the manner, sequence and according to mutual terms to avoid conflict between the Ministry, Nextbridge, the Ministry and private contractors by means of谅解备忘录.

8. GENERAL

- 8.1** This MOU may be amended in writing at any time by agreement of the Parties.
- 8.2** This MOU may be terminated at any time by the Minister's terminating notice or written or upon the agreement of the Parties.

Marked: _____ day of _____, 2011

NEXBRIIDGE INFRASTRUCTURE LP HER MAJESTY THE QUEEN IN
BE ITS General Partner, Upper Canada LIGHT OF ONTARIO, as represented by
Transgasco Inc. the Minister of Energy

For _____
John T. St. John
Deputy Minister

For _____
John T. St. John
Deputy Minister

Appendix A

List of Aboriginal Communities

1. Animiibiigoo Zaagi'igan Anishinaabek First Nation (Lake Nipigon Ojibway)
2. Biinjitiwaabik Zaaging Anishinaabek First Nation (Rocky Bay)
3. Bingwi Neyaashi Anishinaabek (Sand Point First Nation)
4. Fort William First Nation
5. Ginoogaming First Nation
6. Long Lake No. 58 First Nation
7. Michipicoten First Nation
8. Missanabie Cree First Nation
9. Ojibways of Batchewana
10. Ojibways of Garden River
11. Ojibways of Pic River (Heron Bay First Nation)
12. Pays Plat First Nation
13. Pic Moberg First Nation
14. Red Rock Indian Band
15. Greenstone Métis Council
16. Red Sky Independent Métis Nation
17. Superior North Shore Métis Council
18. Thunder Bay Métis Council

APPENDIX B – Notice of Commencement of Terms of Reference

Notice of Commencement of Terms of Reference and Open Houses

New East West Tie Transmission Project

NextBridge Infrastructure

NextBridge Infrastructure (NextBridge) – a partnership between NextEra Energy Canada, Enbridge Inc., and Borealis Infrastructure – has initiated the Terms of Reference for the Environmental Assessment under the *Environmental Assessment Act* to construct an approximately 400 km long, double-circuit 230 kilovolt electric power transmission line from the Lakehead Transformer Station (TS) near Thunder Bay to the Wawa TS near Wawa, Ontario. The line is anticipated to generally parallel the existing double-circuit 230 kV transmission line between these two points with possible alternatives to avoid potentially sensitive features.



The Ontario Power Authority (OPA), the provincial agency responsible for long-term electricity planning, identified the expansion of the transmission system between Wawa and Thunder Bay in order to maintain a reliable, long-term supply of electricity to northwestern Ontario. The new East West Tie was recommended based on forecasted electricity demand and changes to the electricity supply in the area, as well as technical, economic, and other considerations. The new East West Tie was included as a priority project in the Government of Ontario's 2010 Long Term Energy Plan.

NextBridge will require easement interests to accommodate the approximately 56 metre (184 foot) permanent right-of-way required for the installation of the new line and will endeavour to select the route with the least overall impacts. The majority of activity will be contained within the permanent right-of-way, however, in some instances, additional work space and access may be required for construction. To identify the final route, NextBridge will be considering the valuable feedback from potentially affected stakeholders along the proposed routes. During the route selection process, factors such as hunting, trap lines, gathering activities, bird nesting sites, waterways, tourism, agricultural operations, environmental features, and impacts to residents and businesses will be considered. It is important to note that all routes are considered viable alternatives at this time; however, only one transmission line will be built.

The Process

This study will be carried out in accordance with the requirements of the *Environmental Assessment Act*. The first step in the process is the preparation of a Terms of Reference (TOR). The TOR outlines the work plan NextBridge will follow to address the requirements of the *Environmental Assessment Act*. If approved by the Minister of the Environment, the TOR will provide the framework for the second step of the process, the preparation of the Environmental Assessment (EA). Submission of the TOR is anticipated in early 2014 and the EA in early 2015. The target in-service date is the first half of 2018.

Consultation

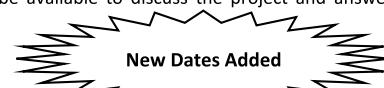
Members of the community, public, agencies, First Nations and Métis communities, and other interested persons are encouraged to actively participate in the planning process by contacting project staff with questions, comments and by attending Open Houses for the project. Consultation opportunities, such as Open Houses, will be held throughout the planning process and will be advertised through mailings, newspaper notices, and through postings at www.nextbridge.ca.

The first round of Open Houses will provide an opportunity to learn about and provide input on the proposed project, EA process, development of the TOR, studies to be undertaken and route options. A NextBridge project team will be available to discuss the project and answer questions. Additional rounds of Open Houses will be held as the project moves forward.

The first round of Open Houses will be held as follows:

December 2 Thunder Bay	December 3 Nipigon	December 4 Marathon	December 5 Wawa	December 10 White River	December 11 Terrace Bay
Current River Community Centre	Nipigon Legion Branch #32	Marathon High School	Michipicoten Memorial Community Centre	Royal Canadian Legion Branch #169 108 Winnipeg Street	Terrace Bay Cultural Centre 13 Selkirk Avenue
450 Dewe Avenue	102 Fifth Street	14 Hemlo Drive	3 Chris Simon Drive	4pm to 8pm	4pm to 8pm
4pm to 8pm	4pm to 8pm	4pm to 8pm	4pm to 8pm		

Information presented at the Open Houses will be made available at www.nextbridge.ca for review and comment.



For further information on the proposed project please contact:

Oliver Romaniuk, Project Manager, NextBridge Infrastructure
390 Bay Street, Suite 1720, Toronto, ON, M5H 2Y2
Phone: 1-888-767-3006
Email: info@nextbridge.ca
Fax: 416-364-2533
www.nextbridge.ca

All personal information included in a submission – such as name, address, telephone number and property location – is collected, maintained and disclosed by the Ministry of the Environment for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act* or is collected and maintained for the purpose of creating a record that is available to the general public as described in s.37 of the *Freedom of Information and Protection of Privacy Act* (FIPPA). Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Ministry of the Environment's Freedom of Information and Privacy Coordinator at (416) 327-1434.

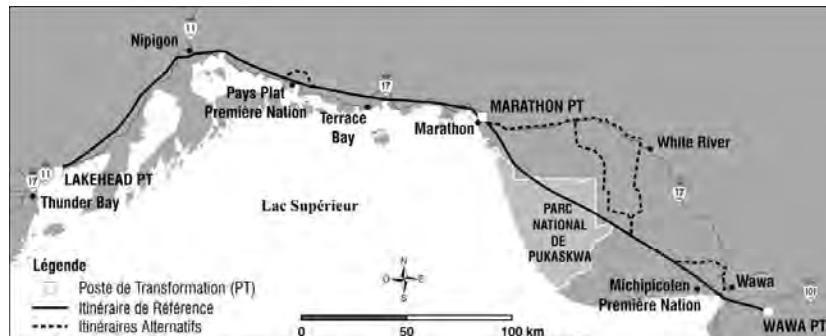
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Avis de début du mandat et journées portes ouvertes

Projet de transmission sur la nouvelle ligne d'interconnexion Est-Ouest

NextBridge Infrastructure

NextBridge Infrastructure (NextBridge) – un partenariat entre NextEra Energy Canada, Enbridge Inc. et Borealis Infrastructure – a débuté le cadre de référence de l'évaluation environnementale en vertu de la *Loi sur les évaluations environnementales* pour la construction d'une ligne double de transport d'électricité de 230 kilovolts d'une longueur d'environ 400 km, allant du poste de transformation Lakehead, près de Thunder Bay, au poste de transformation Wawa, situé près de Wawa, en Ontario. La ligne devrait généralement être en parallèle avec la ligne double de transport de 230 kV qui existe déjà entre ces deux points, avec des solutions de rechange possibles pour éviter des caractéristiques potentiellement sensibles.



L'Office de l'électricité de l'Ontario, l'organisme provincial chargé de la planification à long terme de l'électricité, a identifié l'expansion du système de transport d'électricité entre Wawa et Thunder Bay pour maintenir un approvisionnement d'électricité fiable et à long terme pour le nord-ouest de l'Ontario. La nouvelle ligne d'interconnexion Est-Ouest a été recommandée en se basant sur la demande en électricité prévue et sur les changements à l'approvisionnement en électricité dans la région, ainsi que sur des facteurs techniques, économiques, et d'autres considérations. La nouvelle ligne d'interconnexion Est-Ouest a été incluse comme projet prioritaire dans le Plan énergétique à long terme du gouvernement de l'Ontario publié en 2010.

NextBridge aura besoin d'intérêts de servitude pour tenir compte de l'emprise permanente d'environ 56 mètres (184 pieds) requise pour l'installation de la nouvelle ligne et la société s'efforcera de choisir l'itinéraire qui entraînera globalement le moins d'impacts. La majorité des activités seront contenues dans l'emprise permanente, mais il est possible qu'un espace de travail et des accès supplémentaires soient requis dans certains cas pour la construction. Pour identifier l'itinéraire final, NextBridge prendra en considération les commentaires utiles fournis par les intervenants qui pourraient être affectés le long des itinéraires proposés. Pendant le processus de sélection de l'itinéraire, des facteurs tels que la chasse, les sentiers de piégeage, les activités de récolte, les sites de nidification des oiseaux, les voies d'eau, le tourisme, les activités agricoles, les caractéristiques écologiques et les impacts sur les résidents et les entreprises seront pris en considération. Il est important de noter que bien que tous les itinéraires soient considérés comme étant des solutions de rechange viables à l'heure actuelle, une seule ligne de transport sera construite.

Le processus

Cette étude sera effectuée en respectant les exigences de la *Loi sur les évaluations environnementales*. La première étape du processus consiste en la préparation d'un mandat. Le mandat précise le plan de travail qui sera suivi par NextBridge pour respecter les exigences de la *Loi sur les évaluations environnementales*. S'il est approuvé par le ministre de l'Environnement, le mandat fournira le cadre requis pour la deuxième étape du processus, à savoir la préparation de l'évaluation environnementale (EE). La soumission du mandat est prévue pour le début de l'année 2014 et celui de l'EE pour le début de l'année 2015. La mise en service pourrait avoir lieu lors du premier semestre de 2018.

Consultation

Les membres des communautés, du public, des organismes et des communautés des Premières Nations et Métisses, ainsi que les autres parties intéressées, sont encouragées à participer activement au processus de planification en prenant contact avec le personnel du projet pour poser des questions et faire des commentaires et en assistant aux journées portes ouvertes dans le cadre du projet. Des occasions de consultation, telles que des journées portes ouvertes, seront tenues pendant tout le processus de planification. Elles seront annoncées dans des envois postaux, des avis dans les journaux et des avis publics sur www.nextbridge.ca.

La première ronde de journées portes ouvertes donnera l'occasion aux gens de se renseigner sur le projet prévu, le processus d'EE, l'élaboration du mandat, les études à effectuer et les itinéraires possibles, et de faire des commentaires à cet égard. Une équipe de projet de Nextbridge sera disponible pour discuter du projet et répondre aux questions. Des rondes supplémentaires de journées portes ouvertes seront organisées au fur et à mesure de l'avancement du projet.

La première ronde de journées portes ouvertes se tiendra aux dates suivantes :

2 décembre	3 décembre	4 décembre	5 décembre	10 décembre	11 décembre
Thunder Bay	Nipigon	Marathon	Wawa	White River	Terrace Bay
Current River	Nipigon Legion	Marathon	Michipicoten Memorial	Royal Canadian Legion	Terrace Bay
Community Centre	Branch #32	High School	Community Centre	Branch #169	Cultural Centre
450 Dewe Avenue	102 Fifth Street	14 Hemlo Drive	3 Chris Simon Drive	108 Winnipeg Street	13 Selkirk Avenue
De 16 h à 20 h	De 16 h à 20 h	De 16 h à 20 h	De 16 h à 20 h	De 16 h à 20 h	De 16 h à 20 h



Les renseignements présentés lors des journées portes ouvertes seront disponibles sur www.nextbridge.ca à des fins d'examen et de commentaire.

Pour obtenir de plus amples renseignements sur la proposition de projet, veuillez prendre contact avec :

Oliver Romanuk, chargé de projet, NextBridge Infrastructure

390, rue Bay, bureau 1720, Toronto (Ontario) M5H 2Y2

Téléphone : 1 888 767-3006 Courriel : info@nextbridge.ca Télécopieur : 416 364-2533

www.nextbridge.ca

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Tous les renseignements personnels inclus dans une soumission, tels que le nom, l'adresse, le numéro de téléphone et l'emplacement de la propriété, sont recueillis, conservés et divulgués par le ministère de l'Environnement à des fins de transparence et de consultation. Ces renseignements sont recueillis en vertu de la *Loi sur les évaluations environnementales* ou sont recueillis et conservés dans le but de créer un dossier qui sera mis à la disposition du grand public, tel que décrit dans l'article 37 de la *Loi sur l'accès à l'information et la protection de la vie privée*. Les renseignements personnels feront partie d'un dossier public qui sera à la disposition du grand public, sauf si vous demandez qu'ils soient tenus confidentiels. Pour obtenir de plus amples informations, veuillez prendre contact avec la coordonnatrice ou le coordonnateur de l'accès à l'information et de la protection de la vie privée au 416 327-1434.

APPENDIX C – Proposed Agenda for Initial Community Meetings

Proposed Agenda

Introductory meetings with First Nations and Métis Communities

- Introduction
- Overview of proposed project:
 - Explanation of transmission and how it works
 - Proposed project, explaining the need for the project
 - Location and duration of project
 - Anticipated zone of influence
 - Summary of project work to date
 - Required permits
- Identification of known project specific environmental, social and economic values and potential effects to be used in the Individual EA and the TOR – including any existing TEK or TLU studies
- Overview of Leave to Construct process
- Proposed approaches to:
 - Aboriginal consultation and participation
 - Data and information collection
 - Discussion about consultation agreements/MOU
- Roles and responsibilities

APPENDIX D – Details of Consultation and Capacity Funding Agreements & Principles of Consultation

Consultation Agreements

All eighteen Aboriginal communities will be offered a Consultation Agreement, which may include:

- A jointly agreed upon work plan – including a proposed schedule of meetings, location, timing, parties involved
- An outline and agreement on methods of consultation – i.e. feasts, open meetings, site visits
- Identification of designated community contacts
- Providing for capacity funding, if appropriate on the principles outlined below which will allow it to meaningfully participate in the consultation process
- A listing of the permits and applications that will be sought for the project
- Sharing information, as requested, in plain language format regarding the OEB's regulatory process and the Environmental Assessment process regarding the project
- An agreement regarding funding third party expert reviews of reports and documentation about the project
- If relevant traditional ecological knowledge and traditional land use knowledge exists and is made available to NextBridge, an agreement about how it will be used and disclosed to outside parties
- Providing opportunity to develop traditional knowledge studies and/or engage in archaeological assessments and/or heritage impact assessment studies (including built heritage resources and cultural heritage landscapes), where needed by the project, and to share the findings of those studies with the community.
- Development of a protocol for the management of an archaeological site, including Aboriginal engagement, should archaeological remains be uncovered during construction activities
- An agreement on how information is formatted, presented and exchanged, and how information is going to be shared internally and externally
- An agreement on a process for feedback which will allow the community members opportunities to identify issues and concerns, and ask questions about the project
- A process setting out how NextBridge will address the issues, concerns and questions raised by the communities about the project and identify how the issues and concerns were addressed
- An agreement on future information exchanges beyond this consultation process
- An agreement on definitions
- An agreement on a method of dispute resolution

Principles of Consultation

Even if a Consultation Agreement is not signed, NextBridge will adhere to the principles below. If an agreement is signed the principles under which the consultation between the identified First Nations and Métis communities and NextBridge will take place may include:

- Recognizing that each community has its own way of carrying out consultation, so therefore NextBridge will adapt its consultation plans for each community specifically.
- NextBridge is seeking to build a long-term mutually beneficial relationship with the communities, and will carry out its consultation and participation programs in a manner that will encourage the development of trust and mutual respect.
- Consultation will take place in a timely manner that acknowledges that First Nations and Métis community members; leadership and advisors are busy and have many other demands upon their time and resources.
- Any information provided to the communities will be provided in plain language that can be easily understood.
- NextBridge will ensure that all publicly available information is also made available to the communities.
- The communities will be given a reasonable amount of time to prepare and express their views on the information and issues raised by NextBridge at meetings or at community consultation sessions.
- Traditional ecological knowledge and traditional land use information is proprietary to the First Nation and will be treated accordingly
- Records of letters, meetings, open houses, phone calls and informal discussions will be logged into the consultation record and information that is appropriate will be integrated into the EWT project plans.
- NextBridge will retain all reports and records of consultation efforts, which may be used in future approvals and permitting processes.
- A monthly report will be submitted to the Ontario government reporting on the ongoing consultation.
- Capacity funding will be provided under a Capacity Funding Agreement pursuant to the principles set out below

Principles of Capacity Funding (applicable to both Consultation Agreements and Capacity Agreements)

- NextBridge will, where a budget for the costs is agreed to in advance, reimburse the community for the reasonable costs of consultation, based on the consultation plan and schedule including:
 - Reasonable administration costs to facilitate the organization of the consultation in the community
 - Meeting room rental, refreshments, audio and visual aids, translation services (if deemed to be necessary)

ABORIGINAL CONSULTATION PLAN FOR THE EAST-WEST TIE TRANSMISSION PROJECT

- Reasonable and comparable honoraria and expenses, according to community custom or protocol (at the request of the community)
- Travel expenses where consultation activities take place away from the community, for one or more community representatives to travel to the meeting(s)
- Reasonable costs for shared technical or professional assistance in reviewing technical documents such as the EA reports

APPENDIX E – Section 28(2)

The Process for a Section 28(2) Permit is as follows;

Proponent approaches the First Nation and presents sketches and Terms of Reference for negotiations for land use for a Permit under Section 28(2) of the *Indian Act* issued by Aboriginal Affairs and Northern Development Canada (AANDC).

- Identify Lot and Usage
- Determine who pays for the cost of developing the permit
- Costs include:
 - o Survey
 - o Developing the Lease
 - o Drafting BCR, Correspondence to AANDC
 - o CEAA Screening
 - o Development of a Consultation Plan
 - o Development of a Work plan
 - o Negotiation of Community Benefits
 - o Site Drainage Plan
 - o Infrastructure connections
 - o Lot appraisal (if required for rent calculation)
 - o First Nation staff time
- First Nation presents AANDC with a letter of intent and Lands and Trusts Services (LTS) from AANDC responds with draft BCR and Permit
- FN prepares a Band Council Resolution to initiate the permit process
- Proponent or AANDC commissions for Federal Survey
- Legal Survey Division writes proper description for surveyor
- Canadian Land Surveyor (CLS) surveys the subject property identified in the sketch
- Proponent approves draft survey plan
- First Nation approves draft survey plan
- CLS sends "Preliminary Survey Plan" to Natural Resources Canada /Legal Surveys Division for review.
- Cadastral Services, Ottawa affixes "Provisional" stamp
- Cadastral Services sends copies of Survey Plan to First Nation, AANDC for approval/objections/comments
- Regional office returns "Plan Comments," approved at regional office.
- Cadastral Services distribute completed survey plans with CLSR number to all parties
- First Nation develops BCR referencing Survey Plan and stating terms and conditions e.g. land description of land and proposed purpose of land use and the term of the agreement with the beginning and ending dates and specific conditions (Work plan, Regulatory, Community Consultation).
- The First Nation drafts a lease setting out conditions

ABORIGINAL CONSULTATION PLAN FOR THE EAST-WEST TIE TRANSMISSION PROJECT

- Proposed usage
- Environmental conditions (CEAA Screening)
- Length of lease in years
- Attach survey
- Financial compensation (lease)
- Infrastructure compensation (payment in Lieu of Taxes)
- Lot Appraisal if required
 - a) Community Consultation Plan
 - b) Record of Community Consultation
 - c) The approved location of activities
 - d) An approved work plan and exploration schedule
 - e) The required community approvals or ratification methods
 - f) The required legislative approvals
 - g) The required environmental permits and approvals
 - h) Site remediation plan
 - i) Compliance monitoring
 - j) Work assessment and final project reporting
- FN sends BCR to AANDC Lands and Trust Services
- AANDC records BCR and responds to First Nation
- AANDC develops Section 28(2) Permit based on BCR
- Permittee returns all 4 copies to AANDC for Minister approval/signature
- AANDC sends signed Permit to Indian Land Registry Office (LRO) in Ottawa for registration and number.
- LTS AANDC distributes a copy of Permit to all parties.

APPENDIX F – NextEra Energy First Nation and Métis Relationship Policy

NextEra Energy Canada, ULC

NextEra Energy Canada, ULC is an indirect, wholly-owned subsidiary of NextEra Energy Resources, LLC, North America's leading generator of renewable energy from the wind and sun with more than 8,800 wind turbines in operation in North America. NextEra Energy Resources is the largest generator of wind energy in North America with nearly 90 wind projects in 17 U.S. states and three Canadian provinces capable of generating more than 8,500 MW of energy, enough to power nearly two million homes.



NextEra Energy Canada, ULC First Nation and Métis Relationship Policy



5500 N. Service Road, Suite 205
Burlington, ON L7L 6W6
905-335-4904
toll-free: 1-877-257-7330
www.NextEraEnergyCanada.com

012012 22358



PRINCIPLES

During the course of developing, constructing, operating and decommissioning its renewable energy projects in Canada, NextEra Energy Canada (“NEEC”) will be guided by the following principles:

1. Fostering a collaborative working relationship with potentially impacted First Nation and Métis communities as early as practicable.
2. Understanding and recognizing applicable aboriginal and treaty rights and interests.
3. Understanding and respecting the cultural integrity of First Nation and Métis communities potentially impacted by NEEC's projects.
4. Fulfilling all delegated obligations to consult and (where applicable) accommodate First Nation and Métis communities.
5. Being open to discuss a broader relationship with potentially impacted First Nation and Métis communities and host First Nation and Métis communities.



In putting these principles into practice, NEEC is committed to the following practices:

PRINCIPLE 1

Forming a Collaborative Working Relationship

- » providing notification to potentially impacted First Nation and Métis communities as early as possible
- » providing relevant project information (including information about project impacts) to potentially impacted First Nation and Métis communities in a timely manner and in a format that is meaningful
- » establishing a mutually-agreeable schedule for regularly meeting with Chief and Council or Métis leadership (or their appointed representatives) through the project development and construction phase
- » offering to hold an open house in each potentially-impacted First Nation or Métis community
- » establishing a mutually-agreeable arrangement for the exchange of information during project operations and decommissioning

PRINCIPLE 2

Understanding and Recognition of Rights and Interests

- » early in the project development phase, assessing the nature of any existing aboriginal or treaty rights or unresolved First Nation or Métis claims in the project area
- » learning about First Nation and Métis interests and traditional practices (e.g., harvesting practices, sacred sites, etc.) in the project area
- » providing support to potentially impacted First Nation and Métis communities to allow such communities to undertake a meaningful review of the NEEC project
- » where applicable, employing mutually acceptable methods to identify the community interests of potentially impacted First Nation and Métis communities

PRINCIPLE 3

Understanding and Respecting Cultural Integrity

- » providing training on First Nation and Métis history and law to NEEC employees with project development responsibilities in Canada
- » ensuring that work at project sites does not cause avoidable impacts to archaeological resources
- » maintaining an archaeological protocol that can be tailored to individual projects depending upon circumstances
- » where feasible, involving local First Nation and/or Métis communities or individuals in archaeological field work and construction monitoring

PRINCIPLE 4

Fulfilling Delegated Consultation and Accommodation Obligations

- » meeting all legally-binding consultation requirements delegated from government
- » taking into consideration any consultation protocol or policy developed by any potentially impacted First Nation and Métis community
- » where applicable, accommodating impacted First Nation and Métis communities

PRINCIPLE 5

Considering a Broader Relationship

- » where applicable, considering opportunities for aboriginal scholarships, cultural funding and/or training in the renewable energy sector
- » where applicable, providing employment opportunities for communities (e.g., advance job postings, targeted recruitment, preferential hiring for qualified members, etc.) to: (a) members of potentially impacted First Nation and Métis; and (b) host First Nation and Métis communities
- » where applicable, providing business opportunities (e.g., communicating project needs, unbundling supply contracts, support for training, preferential contracting, subcontractor requirements, etc.) to qualified, cost-competitive First Nation and Métis businesses

APPENDIX G – Enbridge Aboriginal and Native American Policy



Aboriginal and Native American Policy

Enbridge recognizes the history, uniqueness and diversity of Aboriginal and Native American Peoples. Positive relationships with Aboriginal and Native American Peoples, based on mutual respect and trust, will help them and us to realize our aspirations, and will help Enbridge to reach our strategic business objectives.

Enbridge commits to forging mutually beneficial relationships with Aboriginal and Native American Peoples in proximity to its projects and operations. To achieve this, Enbridge will be governed by the following principles:

- We recognize the legal and constitutional rights possessed by Aboriginal and Native American Peoples in the respective jurisdictions in which they reside.
- We respect the traditional ways, Aboriginal and Native American heritage sites, and the relationship that Aboriginal and Native American Peoples have with the land and the environment.
- We engage in forthright and sincere consultation with Aboriginal and Native American peoples about Enbridge's projects and operations which have an impact upon their legally and constitutionally protected rights.
- We commit to working with Aboriginal and Native American peoples to achieve sustainable benefits for them resulting from Enbridge's projects and operations, including opportunities in training and education, employment, procurement, business development, and community investment.
- We foster understanding and respect for local Aboriginal and Native American Peoples among Enbridge's employees and contractors.

In order to put the above principles into action, Enbridge commits to the following:

- Enbridge will offer the opportunity to First Nations and Native Americans to purchase equity in certain new green field projects, where appropriate.
- Enbridge will offer sole-sourced contracting opportunities to qualified Aboriginal and Native American suppliers and contractors where appropriate, and will encourage joint venture opportunities between Aboriginal/Native American

businesses and non-Aboriginal/Native American businesses when it builds capacity and supports mutual business interests.

- Enbridge will implement measures to enable Aboriginals and Native Americans to become part of our permanent workforce at a level that is representative of regional demographics, and encompasses a wide spectrum of career levels.
- Enbridge will enter into Agreements with Aboriginal and Native American peoples, where appropriate, to support training, environmental stewardship, community investment and other initiatives that will help build and sustain Aboriginal and Native American communities.
- Enbridge will continue to invest in Aboriginal and Native American communities in keeping with our broader commitment to Corporate Social Responsibility.

This commitment is a shared responsibility involving Enbridge and its subsidiaries, employees and contractors, and we will conduct business in a manner that reflects the above principles. Enbridge will provide ongoing leadership and resources to ensure the effective implementation of the above principles, including the development of implementation strategies and specific action plans.

**Letter from the Ministry of Energy to the
Ontario Power Authority Regarding Duty to
Consult**

Ministry of Energy

880 Bay Street
3rd Floor
Toronto ON M7A 2C1

Tel: (416) 326-1759
Fax: (416) 325-7023

Ministère de l'Énergie

880, rue Bay
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Toronto ON M7A 2C1

Tél: (416) 326-1759
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Transmission and Distribution Policy Branch

May 31, 2011

Michael Lyle
General Counsel and Vice President
Legal, Aboriginal and Regulatory Affairs
Ontario Power Authority
120 Adelalde Street West, Suite 1600
Toronto, ON M5H 1T1

Dear Mr. Lyle:

Re: East-West Tie

Further to our discussions on the above-referenced project, this letter is to confirm the Crown and Ontario Power Authority (OPA) roles in any duty to consult on the proposed East-West tie project during the period prior to any Ontario Energy Board (Board) transmitter designation.

The Crown has decided to delegate certain procedural aspects of consultation to the OPA since the OPA is establishing the rationale, scope and timing of the East-West tie project and will be submitting a report on the project to the Board by the end of June. We understand that the OPA is already conducting a consultation process on the Integrated Power System Plan (IPSP) which will include all of the Aboriginal communities that may be affected by the East-West tie project. If timing requirements associated with the preparation of the report permit the coordination of discussions on the East-West tie project with IPSP consultations, this approach may facilitate rational use of Crown and Aboriginal community resources.

Crown Role

A list of communities (List) to consult on the East-West tie project has been provided to the OPA previously and is attached. Should the OPA determine that discussions on the East-West tie project can be coordinated with its consultations on the IPSP, the Crown will send letters to the relevant communities indicating that the OPA process for carrying out any duty to consult on the IPSP will include the process through which the Crown consults on the East-West tie project prior to any Board transmitter designation decision.

.../cont'd

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Ministry officials, as appropriate and required, will accompany OPA staff in meetings on the East-West Tie project.

OPA Role

In meetings with communities on the List, we understand that the OPA will ensure the agenda provides for discussion of the Project and any Board transmitter designation process.

Community representatives should be offered the opportunity to provide input on the Project and the Board's possible designation of a transmitter. Community representatives should also be advised on how to obtain more information from the Board on the transmitter designation process and how they can participate in it.

The OPA will include a record of these discussions in its report on the preliminary assessment of need for the Project, which the Board has requested be submitted no later than June 30th, 2011.

I trust that this reflects our discussions regarding the respective roles of the Ministry and the OPA in addressing any duty to consult on the East-West tie project.

Sincerely



Jon Norman
Director

- c. MaryAnn Aldred, General Counsel, Ontario Energy Board
Peter Landmann, Counsel, Ministry of Energy
Kaili Sermat-Harding, Director, Strategic Policy Branch, Ministry of Energy

Attachment: FIRST NATION AND MÉTIS COMMUNITY CONSULTATION LIST
East-West Tie Transmission Project, 2011

First Nation	Address
1. Animbiigoo Zaagi'igan Anishinaabek First Nation (Lake Nipigon Ojibway)	PO Box 120 Beardmore, ON P0T 1G0
2. Binjiliwaabik Zaaging Anishinaabek First Nation (Rocky Bay)	501 Spirit Bay Road MacDiarmid, ON P0T 2B0
3. Bingwi Neyaashi Anishinaabek (Sand Point First Nation)	146 Court Street South Thunder Bay, ON P7B 2X6
4. Fort William First Nation	90 Anemki Drive, Suite 200 Thunder Bay, ON P7J 1L3
5. Gineogaming First Nation	PO Box 89 Longlac, ON P0T 2A0
6. Long Lake No. 58 First Nation	PO Box 609 Longlac, ON P0T 2A0
7. Michipicoten First Nation	RR 1, PO Box 1, Site B Wawa, ON P0S 1K0
8. Missanabie Cree First Nation	1748 Highway 17 East, Bell's Point Garden River, ON P6A 6Z1
9. Ojibways of Batchewana	236 Frontenac Street Sault Ste Marie, ON P6A 5K9
10. Ojibways of Garden River	RR4, 7 Shingwauk Street Garden River, ON P6A 6Z8
11. Ojibways of Pic River (Heron Bay First Nation)	PO Box 193 Heron Bay, ON P0T 1R0
12. Pays Plat First Nation	10 Central Place Pays Plat, ON P0T 3C0
13. Pic Moberl First Nation	PO Box 717 Moberl, ON P0M 2J0
14. Red Rock Indian Band	PO Box 1030 Nipigon, ON P0T 2J0

Métis Organization	Address
1. Greenstone Métis Council	PO Box 825, 205 Clarke Avenue Geraldton, ON P0T 1M0
2. Red Sky Independent Métis Nation	406 East Victoria Avenue Thunder Bay, ON P7C 1A5
3. Superior North Shore Métis Council	26 Princess Street Terrace Bay, ON P0T 2W0
4. Thunder Bay Métis Council	226 May Street South Thunder Bay, ON P7E 1B4