

# EAST-WEST TIE TRANSMISSION PROJECT

## Addendum to the Record of Consultation for the Amended Terms of Reference

*Prepared by*  
Dillon Consulting Limited



**DILLON**  
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*For* NextBridge Infrastructure

*May 2014*

***ADDENDUM***  
***TO THE RECORD OF CONSULTATION FOR THE***  
***AMENDED TERMS OF REFERENCE***

*PREPARED FOR:*

**NEXTBRIDGE INFRASTRUCTURE L.P.**

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May 2014

Proponent Responses to Comments Received on the Proposed Terms of Reference

	Comment Received	Response, Actions Taken or Pending (Applicable Sections of the Terms of Reference in <i>italics</i> )
<b>PUBLIC</b>		
	<b>Routing</b>	
	<p>This route for the proposed power line has nothing but negative effects for the Dorion community, my family, and myself so I am against this route. When I look at this proposed route, I see an alternative route around two native reserves: Pays Plat First Nation &amp; Michipicoten First Nation as well as Pukaskwa National Park. Why can't there be an alternative route around Dorion? As taxes payers all we ask is the same consideration.</p>	<p>A special meeting, facilitated by the Clerk of the Township of Dorion was held on March 31, 2014. The purpose of the meeting was to better understand concerns of the municipality and a number of residents. Approximately 50 residents attended the meeting. NextBridge was represented by the Project Manager and the Stakeholder Relations representative. Dillon Consulting Limited was also in attendance to discuss the Environmental Assessment process and a representative of CanACRE was in attendance to discuss property-related questions. Numerous residents expressed concern with the location of the Reference Route. NextBridge committed to considering minor route refinements and studying a more significant alternative in the Dorion area. This alternative route would be developed during the Environmental Assessment process jointly between NextBridge and a committee of local residents with the Township Clerk facilitating the meeting.</p>
	<p>The E-W Tie Reference Route runs through our property. We have raised our objection to this plan in person and via email with NextBridge and Standard Lands staff at every reasonable opportunity (at least 5 separate occasions). Most recently we emailed the following points to Cindy Tindell at her invitation to comment.</p>	<p>In accordance with Provincial direction through the Ontario Energy Board's competitive process for selecting a transmitter, the Provincial Policy Statement and other guidelines, NextBridge intends to use the existing East-West Tie to the extent possible in order to minimize environmental and socio-economic impacts. Three Alternative Routes are currently planned to avoid federal lands (i.e., two First Nation reserves and Pukaskwa National Park). Local route refinements may also be considered to avoid other sensitive land</p>

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		<p>uses along the route and these will be identified through additional consultation and field study to be completed as part of the Environmental Assessment process.</p> <p>A special meeting, facilitated by the Clerk of the Township of Dorion was held on March 31, 2014. The purpose of the meeting was to better understand concerns of the municipality and a number of residents. Approximately 50 residents attended the meeting. NextBridge was represented by the Project Manager and the Stakeholder Relations representative. Dillon Consulting Limited was also in attendance to discuss the Environmental Assessment process and a representative of CanACRE was in attendance to discuss property-related questions. Numerous residents expressed concern with the location of the Reference Route. NextBridge committed to considering minor route refinements and studying a more significant alternative in the Dorion area. This alternative route would be developed during the Environmental Assessment process jointly between NextBridge and a committee of local residents with the Township Clerk facilitating the meeting.</p> <p><i>Section 1 Introduction</i>  <i>Section 4.1.1 Reference Route</i>  <i>Justification</i>  <i>Section 6 Identification and Evaluation of Alternatives</i>  <i>Appendices A through C</i></p>
	<p>1. Consideration should be given to importing hydroelectric power from Manitoba before deciding to import nuclear power from S. Ontario.</p> <p>Stephen Fletcher (Member of Parliament from Winnipeg and a Professional Engineer) has stated that this is a reasonable alternative.</p>	<p>Out of scope for the Environmental Assessment. The Ontario Power Authority, through the Long-Term Energy Plan and other policy documents, has determined that a new East-West Tie is the preferred solution.</p> <p><i>Section 1 Introduction</i></p>



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		<i>Appendices A through C</i>
	<p>2. Failing that, consider routing the E-W Tie along the TransCanada Pipeline right-of-way to the north of us to avoid impacting any residences between Thunder Bay and Nipigon.</p> <p>A similar proposal (at least as it affects Dorion Township) was made by Ontario Hydro in the early 1990s. At that time we collectively raised our concerns. Ontario Hydro ultimately agreed to route the proposed tower line along the TCP gasline right-of-way but that plan never proceeded.</p>	<p>There are technical difficulties with paralleling a natural gas pipeline relating to increased erosion from induced electrical voltage.</p> <p>NextBridge cannot comment on what Ontario Hydro proposed, or did not propose, in the 1990's and what issues led to those proposals.</p>
	<p>3. Failing that, consider using the more southerly Reference Route Alternative through Dorion Township in order to impact fewer residences.</p> <p>This is us being NIMFYs (Not In My Front Yard) but with good reason. Reasonable alternatives exist.</p>	<p>Concerns were identified with the southerly alternatives from the public at Open Houses during the Terms of Reference phase. As well, these routes were located near areas identified by the Ministry of Transportation for highway improvements.</p> <p>Alternatives were considered but they did not provide the same advantages as paralleling the existing East-West Tie on the north side. There will be opportunities to identify local refinements to the route during the Environmental Assessment.</p>
	<p>4. Failing that, design a loop to the north of the Dorion Fish Hatchery in order to avoid impacting us and several neighbours.</p> <p>At least four concerned residents discussed this option with Oliver Romaniuk at the Nipigon Open House on Dec. 3/13. Mr. Romaniuk promised to investigate but has not responded to-date.</p>	<p>Such a loop would add distance and cost to the Project as well as impacting other environmental and socio-economic features.</p> <p>Alternatives were considered but they did not provide the same advantages as paralleling the existing East-West Tie on the north side. As a result of the recent public meeting held in the Township of Dorion on March 31, 2014, minor route refinements will be explored during the Environmental Assessment.</p>
	<p>5. Failing that, erect the E-W Tie on the south (actually south-east) side of the principal Reference Route. I doubt this is feasible however, due to local topography.</p> <p>If it is constructed on the north-west side, it will come very close to crossing over our home and we will be seeking a buy-out.</p>	<p>An evaluation of the north and south side of the Reference Route identified the north as being preferred.</p> <p><i>Appendix E</i></p>

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	We can see the existing tower line from our home in wintertime. It affects our reception of internet and radio signals. The proposed line would almost certainly have to be constructed on our side of that tower line. Signal interference would increase. It would be clearly visible from our home year-round, lowering the aesthetic appeal of our property. Despite intrinsik's assurances (intrinsik appears to be a NextBridge consultant in this project), we have health concerns with EMF radiation. Another, closer tower line would more than double our exposure.	Reception of internet or radio signals should not be affected if the signal strength is strong. Weak signals may be affected. The new facilities would not make an appreciable difference due to the existing infrastructure in the area. If your signal strength is not good you should contact your local internet provider or Hydro One to determine if there is anything not technically correct with existing facilities that could be causing the interference.
	We have reviewed the ToR recently posted on the Project website and note that the principal Reference Route has not changed. Before a final location is established, all reasonable route alternatives should be investigated with an eye toward minimizing impacts on residents and residences. This has not been done; NextBridge is bulldozing this project. Please insist that NextBridge to go back and do their homework.	A number of alternatives have previously been identified for the Township of Dorion and none have been found to be better than the Reference Route. A recent meeting held in the Township of Dorion (March 31, 2014) concluded that NextBridge will review possible route refinements in the area during the Environmental Assessment.
	I have read the Terms of Reference. There are 3 transmission lines going near or through my property. Since I have received literature, brochures etc. I assume that the preferred route is through my property? If so, can you tell me if it would go immediately beside the existing line, or might it go a distance away to the north, i.e. with intact forest between the two lines? If the former, would a full 52+ m of forest have to be cleared? OPG was in there the last couple of years replacing wooden poles on a transmission line beside the main steel towers.	In accordance with Provincial direction through the Ontario Energy Board's competitive process for selecting a transmitter, the Provincial Policy Statement and other guidelines, NextBridge intends to use the existing East-West Tie to the extent possible in order to minimize environmental and socio-economic impacts. Local route refinements may also be required to avoid other sensitive land uses along the route and these will be identified through additional consultation and field study to be completed as part of the Environmental Assessment process. NextBridge did consider alternative routes prior to finalizing the Terms of Reference. These were presented at a series of Open Houses. The proposed Terms of Reference only considers one route, parallel to and north of the existing East-West Tie through the

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		<p>Shuniah area. Minor refinements to the route may be considered during the Environmental Assessment.</p> <p><i>Section 1 Introduction</i>  <i>Section 4.1.1 Reference Route</i>  <i>Justification</i>  <i>Section 6 Identification and Evaluation of Alternatives</i>  <i>Appendices A through C</i></p>
	<p>I own a cabin north of the existing power line. I note from the recent notice that the proposed plan calls for an alternate route to the north around the Pays Plat First Nation (PPFN). Owing to the proximity of the PPFN to my cabin and the proposed location of this alternate route, I am potentially concerned, but am unable to determine from the information that has been provided to me, the exact distance of this alternate route to my cabin.</p> <p>Therefore before making meaningful comments on this proposed Terms of Reference, I am requesting that NextBridge provide me with a detailed map which clearly shows the path this alternate route will take, so that I can determine if I have any concerns regarding the proximity of this alternate route to my cabin.</p>	<p>There will be opportunities during the Environmental Assessment to consider routing around the cabin; should this alternative be selected. At this point, no decision has been made on going through Reserve lands or by-passing the Reserves. Detailed maps are not yet available as the route has not been finalized.</p>
	<p>I been trying to contact NextBridge to obtain additional information and to date no one has responded to my request for additional information or contacted me. I have also contacted the Thunder Bay District Office and they checked the hard copy Terms of Reference report and indicated that a map with the detailed information I am seeking is not in this report. Until I receive the detailed map I have requested, I am unable to make meaningful comments on this EBR proposal. I note that the EBR comment period is up shortly. Therefore, I am asking for assistance to obtain this information from the company.</p>	<p>The purpose of the Terms of Reference is not to deal with site specific issues but to provide a mechanism for doing so during the Environmental Assessment. Detailed maps are not yet available as the route has not been finalized. A NextBridge Lands representative provided the commenter with a map of the Reference Route and location of the commenter's cabin as it was described. The commenter responded and indicated the mapping was incorrect. The NextBridge Lands representative followed up with a telephone call and revised maps were provided. The commenter responded indicating the maps were acceptable and thanked the NextBridge Lands representative for the discussion.</p>
	<p>We have reviewed the ToR recently posted on the Project website and note that the principal Reference Route has not changed, particularly in Dorion. Before a</p>	<p>A number of alternatives have previously been identified for the Township of Dorion and none have been</p>

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	final location is established, all reasonable route alternatives should be investigated with an eye toward minimizing impacts on residents and residences. This has not been done; NextBridge is bulldozing this project. Please insist that NextBridge to go back and do their homework.	found to be better than the Reference Route. A recent meeting held in the Township of Dorion (March 31, 2014) concluded that NextBridge will review possible route refinements in the area during the Environmental Assessment.
	This line should not go through Dorion but be built to bypass Dorion completely.	A special meeting, facilitated by the Clerk of the Township of Dorion was held on March 31, 2014. The purpose of the meeting was to better understand concerns of the municipality and a number of residents. Approximately 50 residents attended the meeting. NextBridge was represented by the Project Manager and the Stakeholder Relations representative. Dillon Consulting Limited was also in attendance to discuss the Environmental Assessment process and a representative of CanACRE was in attendance to discuss property-related questions. Numerous residents expressed concern with the location of the Reference Route. NextBridge committed to considering minor route refinements and studying a more significant alternative in the Dorion area. This alternative route would be developed during the Environmental Assessment process jointly between NextBridge and a committee of local residents with the Township Clerk facilitating the meeting.
	The proposed line in question, from Wawa to Thunder Bay, terminates at a transformer station just East of my property (or so it seems). If this is the case and no further extension is proposed then all is well and good and I am out of the picture. However, if this proposed line continues on West from that transformer station then it will encounter my property, and this property is already chopped up all I can afford to tolerate, by an existing hydro line; land that I pay taxes on but have no use of because of that line, and no benefit from. I hope you can clarify this so I can rest at ease.	The Project as currently proposed is planned to start at the Lakehead Transformer Station near Thunder Bay and travel east to the termination point at the Wawa Transformer Station in Wawa. There are no plans to extend the line further west than the Lakehead Transformer Station at this time.  A NextBridge Lands representative contacted the commenter confirming that the proposed transmission line will start at the Lakehead Transformer Station proceed east to the Marathon



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		Transformer Station, continuing east and terminating at the Wawa Transmission Station. A map was provided showing the proposed route exiting the Lakehead TS near Thunder Bay shown in yellow and red. The Lands representative confirmed, based on the commenter's address, that the property appears to be located north and west of the proposed route. The Lands representative explained that the commenter received the notification, because the property is located within proximity to the proposed route. However the route won't cross the property based on the location of the address.
	<p>I attended a town hall meeting in Dorion last evening, March 31, and have some comments re the proposed East-West Tie Transmission Project. My major concern is the proposed alignment of the line. It was very clear from the presentation that a preferred route has been decided upon and this route closely parallels a present line through our township. The basic problem with this route is that Dorion already has significant populated areas tied up with rights of way. (Three major power lines, two railroads, trans Canada highway with proposed four lanes, Transcanada Pipeline and fibre optics cable). These all tie up land to some extent for present and future use in the community. Also, the hydro lines bring zero benefit to the municipality in the form of taxes or payment in lieu of taxes. Adding one more right of way through our community is just that much more devastating to our community.</p> <p>There is a relatively easy solution. Bypass the populated area of Dorion. In very rough terms, this means only a re-alignment to the west and north of perhaps 2-5 miles, all through crown land and accessed by forest access roads. It would seem that this would be a very viable option and satisfy all requirements. Some years ago, Ontario Hydro proposed an East-West Line that would also have gone through our populated area. A delegation that represented our community that met with Hydro One officials. They were very open, saw our problem and immediately re-routed the potential line out of our way. (I do realize this line</p>	<p>As you are aware, a special meeting, facilitated by the Clerk of the Township of Dorion was held on March 31, 2014. The purpose of the meeting was to better understand concerns of the municipality and a number of residents. Approximately 50 residents attended the meeting. NextBridge was represented by the Project Manager and the Stakeholder Relations representative. Dillon Consulting Limited was also in attendance to discuss the Environmental Assessment process and a representative of CanACRE was in attendance to discuss property-related questions. Numerous residents expressed concern with the location of the Reference Route. NextBridge committed to considering minor route refinements and studying a more significant alternative in the Dorion area. This alternative route would be developed during the Environmental Assessment process jointly between NextBridge and a committee of local residents with the Township Clerk facilitating the meeting.</p>

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	<p>was never built. Not sure why.) Hopefully, NextBridge can see its way to accommodate us in the same way. I am definitely in favour of this line as, hopefully, it will open up opportunities for green energy production, including wind, solar and co-gen using fibres we can grow here. My concern is mostly with the alignment and, if that is resolved to the community's satisfaction, I will be a happy camper.</p>	
	<b>Economic Development and Tourism</b>	
	<p>I attended the meeting on March 31, 2014. Dorion is already criss-crossed by 3 transmission lines, the Trans-Canada Highway, ( currently in line for twinning), the Trans-Canada Pipeline, ( currently under study for twinning), one active railway (CPR) and one inactive ( CNR).</p> <p>The suggested routing for the East-West Tie represents another aesthetically detracting incursion into the hamlet and rural farmlands of the community, which is in the throes of recovering from collapse of the forest industry, and working hard to "sell " Dorion as a tourist destination. Their Dorion Birding Festival, for example, now planning for its 6th year, attracts bird-watching enthusiasts to the sold-out event annually from the region and beyond.</p> <p>This economic re-direction is justified by the natural wonders of the area, which includes both Ouimet and Eagle Canyons, Hurkett Cove Bird Sanctuary, the Bat Caves Wilderness Area, and spectacular waterfalls along the Wolf River. In addition, Dorion is a jumping-off point to numerous lakes and rivers which attract hunters, fishermen and outdoor enthusiasts. On behalf of myself, and I believe a township feeling the negative impacts of both existing and looming new utility infrastructure across our increasingly devalued properties, I ask that you consider a route that will bypass the Township.</p>	<p>As you are aware, a special meeting, facilitated by the Clerk of the Township of Dorion was held on March 31, 2014. The purpose of the meeting was to better understand concerns of the municipality and a number of residents. Approximately 50 residents attended the meeting. NextBridge was represented by the Project Manager and the Stakeholder Relations representative. Dillon Consulting Limited was also in attendance to discuss the Environmental Assessment process and a representative of CanACRE was in attendance to discuss property-related questions. Numerous residents expressed concern with the location of the Reference Route. NextBridge committed to considering minor route refinements and studying a more significant alternative in the Dorion area. This alternative route would be developed during the Environmental Assessment process jointly between NextBridge and a committee of local residents with the Township Clerk facilitating the meeting.</p> <p>Response provided by NextBridge via email on March 20, 2014:</p> <p>A NextBridge Lands representative responded to the commenter to confirm that NextBridge will be taking such comments into consideration as they progress through the route determination process, such as during the March 31, 2014, Town Hall meeting.</p>

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		In addition to the Town Hall meeting, NextBridge land agents will be contacting landowners to set up personal meetings to go over your concerns and discuss the project.
	<b>Mining Claims</b>	
	I own mining claims that will be affected with the transmission. I have concerns regarding that process. I am currently working these mining claims and cannot be interrupted by your process.	<p>The Ministry of the Environment informed the claim holder that the Ministry of Northern Development and Mines has informed NextBridge how it must engage claim holders along the proposed route in the planning process. If claim holders need any information from the Ministry they can contact them at: Mineral Development &amp; Lands Branch, Ministry of Northern Development &amp; Mines, Toll Free 1-888-415-9845.</p> <p>A NextBridge Lands representative spoke with the claim holder. The claim holder indicated concern regarding the interference of the proposed line with his current and planned operations. The NextBridge Lands representative advised that NextBridge is aware of the process that must occur and plan to meet with the claim holder personally to review concerns. The claim holder was also advised that NextBridge's field agents would be in contact to set up a meeting and review the project and concerns. The Lands representative also indicated that they are looking for input so as to limit or avoid impact to operations.</p>
	<b>Existing Infrastructure</b>	
	Why there are so many transmission lines running parallel to each other in this area?	The Lakehead Transformer Station is strategically located in Shuniah, which connects a variety of power lines that service a large area.
	<b>Natural Environment</b>	
	My acreage is a "Managed Forest" and I have done bird and plant surveys on it. Is the EA is interested in the surveys?	NextBridge would be pleased to receive this data and will consider it during the EA.
	I have acreage with mature forest that I appreciate aesthetically and for the animal habitat that it	Comment acknowledged. In accordance with Provincial direction

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	provides. Some of my trees are old growth cedar, white spruce, jackpine and other majestic trees that are fairly uncommon in a largely deforested area. If it is all I am able to ask it would be that this work be carried out with an absolutely minimal footprint. It is bad enough that there will be a swath almost 200 feet wide and half a mile long cut through my wilderness. In addition to this access roads and layout areas will further devastate the property. Will NextBridge share the footprint with the existing Hydro One land and use the existing hydro line for layout? Please acknowledge that you have received my correspondence.	through the Ontario Energy Board's competitive process for selecting a transmitter, the Provincial Policy Statement and other guidelines, NextBridge intends to use the existing East-West Tie to the extent possible in order to minimize environmental and socio-economic impacts.  <i>Section 1 Introduction</i> <i>Section 4.1.1 Reference Route Justification</i> <i>Section 6 Identification and Evaluation of Alternatives</i> <i>Appendices A through C</i>
	<b>Health and Safety</b>	
	Are you aware of the health effects associated with power lines and human health? One only needs to go to the internet and review the information, of the health effects Enviro Canada has highlighted dangers to humans living close to power lines, the magazine "Environment "of November 1978 lists a summary of 45 scientific researches done by various universities & research institutes. All demonstrate adverse effects of power-line radiation on animals as well as humans. Those findings are in line with various other studies carried out not only in North America, but around the world. Power line radiation is dangerous to human health!	We are also not aware of any documented cases of electromagnetic fields having negative effects on human health.
	I strongly object to the high voltage line being erected so close to my residence. The known adverse health implications will destroy the environment for my family and the many other families in Dorion if this line is built here. We have too many high tension lines already going through Dorion affecting the general health of our residents.	We are also not aware of any documented cases of electromagnetic fields having negative effects on human health.
	It was mentioned that most of the structures would be a singly "pole" with guide wires. In remote areas, I have no problem with this structure and, should the company see fit to relocate the route to a satisfactory location, I have no issues. However, I have farmed most of my life around structures in fields. They are a bit of a nuisance but no real hazard. However, these new ones would lend themselves in many ways to problems. It would be much easier to catch one of these guy wires with a machine as compared to the	Guy wires will be covered with coloured sleeves called "guy markers" well above the snow line to make them visible.  Detailed engineering work is being completed on an ongoing basis.

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	free standing structures, especially when working at night. I realize these guy wires will be substantial but a 150 horsepower tractor with a heavy implement behind also has a lot of power and I would not like to think of matching the two. Also, in agricultural and populated areas, these rights of way are used by snow machines in the winter. No matter how the guy wires are marked, they are much more hazardous than the free standing structures. I would hope that where there is even a slim chance for local snow machines or agricultural equipment to be involved that the free standing structures would be used.	
	<b>Relocation</b>	
	If I have to move my home to the farthest portion on my property to get away from the danger because I don't want to live under power lines and suffer the negative effects, who is going to pay for me to relocate, put a new well in, sewer system, hydro line, make a new road into a new location, open up a lot, buy the permits to do so?	<p>If primary residences, farm buildings, and/or commercial/industrial buildings are located within the Project corridor, NextBridge will offer a one-time option to either acquire the landowner's entire property parcel on which the corridor is situated or to acquire only the portion of the property that is on the corridor and provide compensation for the loss of the primary residence or buildings, including reasonable relocation costs.</p> <p>In cases where a landowner requests an independent market value analysis, the landowner will be reimbursed up to \$7,500 for such an analysis, upon the landowner notifying NextBridge of the request, in writing. The independent appraisal must be completed by an AACI-accredited appraiser and must be in a form that meets the requirements of section 25 of the <i>Ontario Expropriations Act</i>.</p>
	<b>Property Value</b>	
	The project will reduce our property value.	The construction of an additional transmission line will not appreciably change the aesthetics nor have any studies that we are aware of been shown to demonstrate a negative influence on property values.
	There is the issue of decreased property value on land with a large power line crossing it. If this goes through I'll have two lines on my property. Who is going to pay for my loss? When you look on the internet on	The construction of an additional transmission line will not appreciably change the aesthetics nor have any studies that we are aware of been



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	property with power lines on or near them, few if any are willing to purchase them. Any land owner who is fortunate enough to sell takes a substantial loss.	shown to demonstrate a negative influence on property values.
	We have too many high tension lines already going through Dorion affecting property values and building sights.	The construction of an additional transmission line will not appreciably change the aesthetics nor have any studies that we are aware of been shown to demonstrate a negative influence on property values.
<b>Public Review and Notification</b>		
	I just received the Terms of Reference Review notification. These documents should have been in my hands months ago. Two days is not enough time to read, evaluate, digest & respond, intelligently regarding this project.	Letters and newspaper notices were developed to advise that the Terms of Reference was being made available for public comment for a period of 31 days beginning February 28, 2014 and ending March 31, 2014 at the following locations: Municipal Offices Township of Dorion – 170 Dorion Loop Rd., Dorion Township of Nipigon – 52 Front St., Nipigon Town of Marathon – 4 Hemlo Dr., Marathon Township of Red Rock – 42 Salls St., Red Rock Township of Schreiber – 204 Alberta St., Schreiber Municipality of Shuniah – 420 Leslie Ave., Thunder Bay Township of Terrace Bay – 1 Selkirk Ave., Terrace Bay City of Thunder Bay – 500 Donald St. E., Thunder Bay Municipality of Wawa – 40 Broadway Ave., Wawa Township of White River – 102 Durham St., White River Ministry of the Environment Offices Environmental Approvals Branch – 2 St. Clair Ave. W., Floor 12A, Toronto Thunder Bay District Office – 435 James St. S., Suite 331, Thunder Bay Public Libraries Brodie Resource Library (TBPL), 216 Brodie St. S., Thunder Bay County Park Branch (TBPL), 1020

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		<p>Dawson Rd., Thunder Bay  Dorion Public Library, 170 Dorion Loop Rd., Dorion  Nipigon Public Library, 52 Front St., Nipigon  Red Rock Public Library, 42 Salls St., Red Rock  Schreiber Public Library, 314 Scotia St., Schreiber  Terrace Bay Public Library, 13 Selkirk Ave., Terrace Bay  Marathon Public Library, 22 Peninsula Rd., Marathon  Wawa Public Library, 40 Broadway Ave., Wawa  White River Public Library, 123 Superior St., White River  Proponent's Office  NextBridge Infrastructure, 390 Bay St., Suite 1720, Toronto  Project Website</p> <p>The Terms or Reference was also made available on the Project website at <a href="http://www.nextbridge.ca">www.nextbridge.ca</a>.</p> <p>A NextBridge Lands representative contacted the commenter to express regret that the documents hadn't been received earlier.</p>
<b>MUNICIPALITY AND ELECTED REPRESENTATIVE COMMENTS</b>		
	Member of Provincial Parliament, Michael Gravelle, Thunder Bay – Superior North, Letter Dated March 7, 2014 to The Hon. Bob Chiarelli, Ministry of Energy, and Colin Anderson, CEO, Ontario Power Authority	
	<p>Provides a copy of a letter that was sent to his office, a deputation to Dorion Township Council, and a letter from Mr. Ed Chambers, Reeve, Township of Dorion addressed to Ms. Cindy Tindell, Director, NextBridge, as sent by two constituents in Dorion. This literature relates to objections to the proposed Dorion section of the Project. The MPP will be keeping track of the consultation phase and all statements made by Dorion Council and residents.</p> <p>1) Attached letter sent by constituents in Dorion – provides notice of Dorion objections to the Project to Minister Gravelle's office. Indicates that the Reference Route parallels an existing transmission line and crosses almost directly over existing homes in Dorion and Shuniah. Indicates that residents made a</p>	<p>Comment acknowledged.</p> <p>In accordance with Provincial direction through the Ontario Energy Board's competitive process for selecting a transmitter, the Provincial Policy Statement and other guidelines, NextBridge intends to use the existing East-West Tie to the extent possible in order to minimize environmental and socio-economic impacts.</p> <p>Local route refinements may also be required to avoid other sensitive land uses along the route and these will be identified through additional consultation and field study to be</p>

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	deputation to Council on February 4 and that Council sent a letter of concern to NextBridge. Requests support from Minister Gravelle.	<p>completed as part of the Environmental Assessment process.</p> <p>A final route will be developed based on consultation and field studies to be completed as part of the Environmental Assessment.</p> <p>A special meeting, facilitated by the Clerk of the Township of Dorion was held on March 31, 2014. The purpose of the meeting was to better understand concerns of the municipality and a number of residents. Approximately 50 residents attended the meeting.</p> <p>NextBridge was represented by the Project Manager and the Stakeholder Relations representative. Dillon Consulting Limited was also in attendance to discuss the Environmental Assessment process and a representative of CanACRE was in attendance to discuss property-related questions. Numerous residents expressed concern with the location of the Reference Route. NextBridge committed to considering minor route refinements and studying a more significant alternative in the Dorion area. This alternative route would be developed during the Environmental Assessment process jointly between NextBridge and a committee of local residents with the Township Clerk facilitating the meeting.</p> <p><i>Section 1 Introduction</i>  <i>Section 4.1.1 Reference Route Justification</i>  <i>Section 6 Identification and Evaluation of Alternatives</i>  <i>Appendices A through C</i></p>
	<p>2) Attached deputation made to Dorion Council February 4, 2014 – Deputation made on behalf of several Dorion residents representing the NOW Energy Working Group, none of whom support the Project through Dorion.</p> <p>Main concerns include:</p> <ul style="list-style-type: none"> <li>- The plan contains alternative routes to avoid Pays</li> </ul>	<p>Alternative Routes to avoid the two First Nation Reserves are required as federal lands cannot be acquired without the consent of the landowner. Minor route refinements can however be considered in Dorion during the Environmental Assessment process. The exact location</p>

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	<p>Plat First Nation and Michipicoten/Pukaskwa. Why not Dorion?</p> <ul style="list-style-type: none"> <li>- 3 transmission lines, 2 railway corridors, the TransCanada Pipeline and a planned twinning of Highway 11/17 already bisect Dorion. We've done our share toward provincial infrastructure.</li> <li>- We expect Council to strongly represent our objections to NextBridge, our MPP and the media</li> <li>- Council was asked to contact Shuniah to determine level of concern there.</li> </ul>	<p>of the Project will be determined through the Environmental Assessment.</p>
	<ul style="list-style-type: none"> <li>- One family was planning to build a log home in 2014 but are reluctant to proceed. Will this line cross over their new home?</li> <li>- One family was considering selling but now face devaluation due to this limbo</li> <li>- One family already has 2 lines dividing their property and don't want more</li> </ul>	<p>There is no documentation that we are aware of which demonstrates that transmission lines devalue nearby properties.</p>
	<ul style="list-style-type: none"> <li>- Importing Manitoba power should be investigated before building the East-West Tie</li> </ul>	<p>Out of scope for the Environmental Assessment. The Ontario Power Authority has determined through the Long-Term Energy Plan and other policy documents that a new East-West Tie is the preferred solution.</p>
	<ul style="list-style-type: none"> <li>- NextBridge has not investigated any options beyond their Principal Reference Route</li> </ul>	<p>A number of alternatives have been identified and evaluated and NextBridge will also consider minor route refinements during the Environmental Assessment process to avoid sensitive environmental and/or socio-economic features.</p> <p><i>Section 6 Identification and Evaluation of Alternatives</i></p>
	<ul style="list-style-type: none"> <li>- A similar proposal was abandoned in the early 1990s. At that time it was agreed that the new transmission line would parallel the northern TransCanada Pipeline but it was never constructed.</li> </ul>	<p>Out of scope for the Environmental Assessment. NextBridge cannot comment on what Ontario Hydro proposed in the 1990's.</p>
	<ul style="list-style-type: none"> <li>- What kind of tax benefit does Dorion receive from all these lines?</li> </ul>	<p>Dorion receives grants in lieu of taxes.</p>
	<ul style="list-style-type: none"> <li>- There are many other issues that can be raised later including electromagnetic wave exposure, property assessment and taxation impact. We reserve the right to add additional issues as discussions continue</li> </ul>	<p>NextBridge is open to discussing residents' concerns during the Environmental Assessment process.</p>
	<p>3) Attached letter from Dorion Township to NextBridge Infrastructure related to comments on the Draft Terms of Reference including:</p> <ul style="list-style-type: none"> <li>- after listening to a presentation by NextBridge to</li> </ul>	<p>Paralleling the existing East-West Tie has been determined to have the least overall environmental and socio-economic impact. Minor route</p>

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	<p>Council in November 2013, attending an open house in Nipigon in December 2013 and talking to many residents, Council requests that any corridor through Dorion be limited to an area with the absolute minimum impact on our residents and community</p> <ul style="list-style-type: none"> <li>- has another Reference Route alternative north of what is now the Reference Route been considered?</li> <li>- at a Council meeting on February 4, 2014, a group of concerned citizens made a deputation and indicated that they did not support the proposed right-of-way through the Township of Dorion. Please find attached draft minutes of that meeting and an attachment of their deputation. Their concerns and recommendations will be considered by Council. Results of those discussions will be submitted during the Environmental Assessment process.</li> <li>- presently our community is transgressed by 3 main transmission lines, the TransCanada Highway, the TransCanada Pipeline, and one active CPR Railway line, and a decommissioned CNR corridor. A 4 lane highway is scheduled to go through our community within a few years. We are concerned that the proposed East-West transmission line through Dorion will have yet another negative economic impact. We are very determined to protect residential, farm lands, and sensitive areas in our community. Please refer to the attached map.</li> </ul>	<p>refinements, including through Dorion, will however be considered during the Environmental Assessment process. A special meeting, facilitated by the Clerk of the Township of Dorion was held on March 31, 2014. The purpose of the meeting was to better understand concerns of the municipality and a number of residents. Approximately 50 residents attended the meeting. NextBridge was represented by the Project Manager and the Stakeholder Relations representative. Dillon Consulting Limited was also in attendance to discuss the Environmental Assessment process and a representative of CanACRE was in attendance to discuss property-related questions. Numerous residents expressed concern with the location of the Reference Route. NextBridge committed to considering minor route refinements and studying a more significant alternative in the Dorion area. This alternative route would be developed during the Environmental Assessment process jointly between NextBridge and a committee of local residents with the Township Clerk facilitating the meeting.</p>
	<ul style="list-style-type: none"> <li>- Council is reviewing the Terms of Reference and plans to attend the open houses this summer and fall with additional comments.</li> <li>- Council will be facilitating a Town Hall meeting as soon as possible (late February or March 2014). We will be inviting representatives from NextBridge to attend. At this meeting local residents may express their concerns and ask questions. We will also be attending the two open houses later this year. Could one of the two open houses planned for Nipigon be held in Dorion? It is apparent to us that Dorion has more concerns than Nipigon.</li> <li>- We will also be gathering information from other agencies that may have concerns about the East-West Tie going through sensitive areas in Dorion – i.e., the Lakehead Region Conservation Authority and the Thunder Bay Field Naturalists.</li> </ul>	<p>A special meeting, facilitated by the Clerk of the Township of Dorion was held on March 31, 2014. The purpose of the meeting was to better understand concerns of the municipality and a number of residents. Approximately 50 residents attended the meeting. NextBridge was represented by the Project Manager and the Stakeholder Relations representative. Dillon Consulting Limited was also in attendance to discuss the Environmental Assessment process and a representative of CanACRE was in attendance to discuss property-related questions. Numerous residents expressed concern with the location of</p>



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		<p>the Reference Route. NextBridge committed to considering minor route refinements and studying a more significant alternative in the Dorion area. This alternative route would be developed during the Environmental Assessment process jointly between NextBridge and a committee of local residents with the Township Clerk facilitating the meeting.</p> <p>Dorion will be considered as a potential site for a future Open House during the Environmental Assessment.</p>
	Township of Dorion, Ed Chambers, Reeve, Letter Dated April 1, 2014 to David Bell, Special Project Officer, Ministry of the Environment	
	<p>Dorion is a very small community in northern Ontario that has lost a significant tax base within the downturn of the Forest Industry.</p> <p>We are now attracting people that want to enjoy a rural lifestyle and the many attractions in our community such as Ouimet Canyon, Eagle Canyon, Hurkett Cover Conservation Area, the Greenwich Wind Farm, and the Dorion Fish Culture Station.</p> <p>However, a high percent of our residential area is becoming intersected by several corridors – i.e., 3 transmission lines, Trans-Canada Pipeline, CPR Railroad, dismantled CNR corridor, the TransCanada Highway and a proposed 4-lane highway.</p> <p>The proposed reference route for the East-West Tie passes through a residential area and adds to the width of the existing corridor. Residents are expressing their concerns about the negative impact that the new line will have on their health, interest in improving property, and their general rural lifestyle including fishing and bird watching in areas with minimal disturbance.</p> <p>Of course, this attitude will no doubt have a negative impact on our tax base – affecting all of our residents. Council also feels that others will be discouraged to buy property, build homes and settle in this residential area of Dorion.</p> <p>As a result of a well-attended Town Hall meeting last evening, a variety of environmental issues were</p>	<p>As you are aware, a special meeting, facilitated by the Clerk of the Township of Dorion was held on March 31, 2014. The purpose of the meeting was to better understand concerns of the municipality and a number of residents. Approximately 50 residents attended the meeting. NextBridge was represented by the Project Manager and the Stakeholder Relations representative. Dillon Consulting Limited was also in attendance to discuss the Environmental Assessment process and a representative of CanACRE was in attendance to discuss property-related questions. Numerous residents expressed concern with the location of the Reference Route. NextBridge committed to considering minor route refinements and studying a more significant alternative in the Dorion area. This alternative route would be developed during the Environmental Assessment process jointly between NextBridge and a committee of local residents with the Township Clerk facilitating the meeting.</p>

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	<p>discussed. We trust that these will be addressed. Also, the Municipality will collaborate with Dillon Consulting regarding a route that will reduce the impact to our residents. We expect that NextBridge will consider this proposal.</p> <p>In summary, we strongly recommend that the final route passing through Dorion have the absolute minimal impact on our residential area.</p>	
<b>AGENCY COMMENTS</b>		
	Linda Pim, Ministry of Agriculture, Food and Rural Affairs, Email Dated March 12, 2014 to Dave Bell, Special Project Officer, Ministry of the Environment	
	Returned MOE Acknowledgement of Receipt Form indicating that they are satisfied that the proposed Terms of Reference will address their mandate, but wish to be involved in the preparation of the EA and monitor progress by remaining on the circulation list.	Comment acknowledged.
	Ministry of Northern Development & Mines, Brian Laine, Senior Lands Technician (Acting), Letter Dated March 13, 2014 to Dave Bell, Special Project Officer, Ministry of the Environment	
	<p>I am responding to the proposed NextBridge Terms of Reference document dated February 24, 2014. Of particular concern is a statement on page 15 under Table 1: Potential Notifications, Permits and Approvals. The statement in relation to our Ministry indicates that it is a permanent withdrawal of staking rights under the Mining Act. This is not the case. It is a withdrawal of surface rights under Section 35 of the Mining Act for the reasons stated below:</p> <p><i>This area is withdrawn during the assessment of a proposed hydro transmission line corridor under the Environmental Assessment Act and the public land disposition review and approval process by the Ministry of Natural Resources.</i></p> <p>The Withdrawal Order does not affect pre-existing tenure and does not prevent staking of new mining claims as it is only a withdrawal of surface rights during this review and assessment period.</p>	<p>Comment acknowledged and will be incorporated into the Environmental Assessment Report. NextBridge has submitted an amendment to its withdrawal order (April 2, 2014) to include the revised Alternative Route around Pukaskwa Park to the Ministry of Natural Resources (Gary Davies).</p> <p><i>Section 2.5 Other Notifications, Permits and Approvals, Table 1, Page 15</i></p>
	Ministry of Environment, David Bell, Special Project Officer, Letter Dated March 31, 2014 to Carrie Wiklund, Senior Environmental Analyst, Enbridge Pipelines Inc.	
1	<p>Section 2.1.1, Page 8</p> <p>Draft TOR</p> <p>Change “Once the ToR is approved” ... to “Should the ToR be approved...”</p>	Comment accepted; change made.
2	<p>Section 2.0</p> <p>Draft TOR</p>	

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	<p>Identify in the ToR that all permits and approvals will be outlined in the EA.</p> <p>Follow-Up MOE understand that some permits may be required for baselines studies to support the EA (cross reference comment 3 and 4).</p> <p>Action: Acknowledge that NextBridge will ensure that stakeholders understand which permits may be needed prior to EA approval and which permits may be required post EA approval.</p>	<p>Comment accepted; change made.</p> <p>NextBridge will continue to appropriately inform stakeholders regarding which permits are required prior to EA approval and which permits may be required following EA approval.</p>
3	<p>Section 2.1.2, Page 8 Other applicable approvals Draft TOR MOE notes that the text indicates that the EA process will be used to fulfil other EA processes.</p> <p>Comment: MOE acknowledges the integrations of potential EA requirements for disposition of Crown land and activities in Provincial Parks. Integration of any MNR comment in this regard is important for the final ToR.</p> <p>Follow-Up Action: Please confirm with the Ministry of Natural Resources and Infrastructure Ontario (IO) that the Individual EA will meet any MNR or IO EA requirements required for the undertaking.</p> <p>Please confirm with the Ministry of Natural that any permits required for studies that may have Class EA requirements will proceed under the Class EA process.</p> <p>Cross reference comment number 2 and 4.</p>	<p>Comment noted; no change required.</p> <p>NextBridge acknowledges that MNR and IO requirements related to the undertaking will be met through the Individual EA.</p> <p>NextBridge will confirm with the Ministry of Natural Resources that any permits required for studies that may have Class EA requirements will proceed under the applicable Class EA process.</p> <p>See response to Comment 2 and 4.</p>
4	<p>Section 2.5, Page 12 Draft TOR The ToR text indicates that: NextBridge may initiate permit and approval activities (including related consultation with interested individuals) and applications concurrently with the EA process to provide government agencies with ample review time and to meet the Project schedule. Where</p>	

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	<p>this is not possible due to not having enough detailed information, or due to other unforeseen events, NextBridge will undertake these activities prior to Project construction.</p> <p>Comment: Does this mean that permits level information and details will be integrated in to the EA or that permits will be submitted or concurrently with the EA? Note- Unless permits are required for specific pre-construction studies, Provincial Ministries have a policy of not granting permits until an EA is approved. Circulating a schedule or a list of these permits and their purpose once the EA commences could help clarify the intentions.</p> <p>Follow-Up Comment: Change noted on Page 13.</p> <p>Action: Acknowledge that NextBridge is aware of the general permitted and restricted activities listed under the EA Act sections 12.2(1) and 12.2(2).</p>	<p>Where possible, permits will be submitted concurrently with the EA. Should this not be possible, they will be submitted for approval prior to construction. Where additional information is required for the permit application, it will be sourced concurrently with EA study, but not necessarily incorporated into the EA. Comment accepted; a list of required permits will be provided in the EA report.</p> <p>NextBridge is aware of the general permitted and restricted activities listed under the EA Act sections 12.2(1) and 12.2(2).</p>
5	<p>Section 3.1.1 Considerations Draft TOR MOE notes that there appears to be two categories of Alternative methods because, alternative methods are mentioned in bullet number 1 and in bullet number 3.</p> <p>Comment: The types of methods being considered in bullets one and three should be clarified.</p> <p>Follow-Up Action: Acknowledge that routes (reference route and the alternative routes) are a type of alternative method.</p> <p>Cross reference Glossary p 71.</p> <p>Cross reference comment 10.1.</p> <p>See MOE comment 15 on the screening and evaluation of alternatives in the EA.</p>	<p>No Response</p> <p>Acknowledge that routes (reference route and the alternative routes) are a type of alternative method.</p> <p>Cross reference Glossary p 71.</p> <p>Cross reference comment 10.1.</p>
6	<p>Section 3.1.1 Draft TOR</p>	

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	<p>The Text correctly identifies that you will need to identify: the actions necessary or that may reasonably be expected to be necessary to prevent, change, mitigate or remedy the effects upon or the effects that might reasonably be expected upon the environment, by the undertaking and the alternative methods of carrying out the undertaking;</p> <p>Comment: Define this term in the ToR as the text typically mentions mitigation only.</p> <p>Follow-Up Action: Commitment that NextBridge will explain the concept of: preventing, changing, mitigating or remedying effects in the EA.</p> <p>Commitment that while Section 7 refers to “mitigation” NextBridge will consider all ways to address negative environmental effects in the EA.</p> <p>Comment: The glossary (p. 73) defines mitigation broadly in the future you may wish to include the terminology; prevent, change or remedy along with mitigation.</p>	<p>Comment accepted; <i>clarification provided in Section 3.1.1 and cross reference to Section 6 (Alternatives).</i></p> <p>NextBridge is committed to preventing, avoiding, and mitigating effects to the greatest extent reasonably possible. NextBridge will ensure the concept of preventing, changing mitigating or remedying effects is explained in the EA.</p> <p>Comment noted; the EA will include additional potential methods to address negative environmental effects.</p> <p>Comment noted</p>
7	<p>Section 3.2, Page 17 Draft TOR RE supporting documentation to the EA. The last bullet in the list indicates that supporting documentation will be in an appendix.</p> <p>Comment: There are options for including technical reports and other supporting documents in an EA. They can be in an appendix or supporting documents. Note that a list of studies will need to be in the EA in accordance with the EA Regulations (Regulation 334 2(1)).</p>	<p>Comment accepted; a list of studies will be submitted as part of the EA in accordance with applicable Regulations.</p>
8	Section 3.4, Page 18	



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	<p>Flexibility Draft TOR MOE notes that it is beneficial to provide for flexibility in a ToR to allow for alterations to aspects of the proposal without requiring a proponent to start the process over again.</p> <p>Comment: Insert a commitment for in the “Section 9 consultation plans” indicating how you will engage or consult with any person who may be affected by such unforeseen project changes as described in s 3.4.</p> <p>Follow-Up Comment: MOE understand the text on Page 53 and 58 to mean that, should there be unforeseen changes; NextBridge will notify and use the appropriate <u>consultation</u> methods outlined in sections 9.3.1-9.3.10.</p> <p>Action: MOE would like a commitment that NextBridge will <u>consult</u> with any person that is <u>directly</u> affected by a potential change and an assurance that NextBridge will seek their input.</p>	<p>Comment accepted; <i>change made in Section 9.3 and 9.4.</i></p> <p>Confirmed.</p>
9	<p>Section 4.1 Page 19 Draft TOR Re the overview of the proposed undertaking.</p> <p>Comment: This section would benefit from a brief chronology (like a bulleted list) that summarizes the earlier planning in support of the “Purpose” and the proposed reference route selection.</p> <p>Follow-Up MOE meant that for the purpose of the EA this section could be simplified with a chronological list. No Action.</p>	<p>Comment noted; please refer to the bulleted list on pg. 20 of the ToR.</p> <p>Not required.</p>
10	<p>Section 5.3, Page 27 Draft TOR The text indicates the study area will include approximately 500 meters on either side of the reference route.</p> <p>Comments: Please provide a rationale for selecting a 1 kilometer</p>	<p>Comment accepted; clarification</p>

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	<p>study area along the Reference Route and Alternative Routes for the purpose of the ToR. Text indicates that studies may be more focused. Please identify how decision will be made for focused studies. Text indicates that some environmental components may be evaluated based on a different study area like caribou. Please identify any other environmental components that will have different study area.</p> <p>Follow-Up Comment: MOE understands from the text on page 28 that the 500m width on either side of the proposed routes is a preliminary study area based on former unreferenced provincial transmission studies.</p> <p>Action: Confirm that NextBridge intends to adjust the study area where appropriate and will confirm this in the EA with Stakeholder input.</p> <p>Cross reference comment 10.1</p> <p>Additional Follow Up</p>	<p>provided.</p> <p>Comment accepted; clarification provided.</p> <p>Comment accepted; clarification provided.</p> <p>NextBridge will adjust the study area where appropriate and will seek input from stakeholders on such changes.</p> <p>Section 5.3 states: Study area boundaries will be refined as part of the EA based on input from Project stakeholders (i.e., through comments received from agencies, Aboriginal communities and the public related to the draft and proposed ToR), and predicted Project-related environmental and socio-economic effects. See response to Comment 10.1.</p>
10.1	<p>Appendix E Comparative Route analysis February ToR The route analysis in Appendix E was not provided in the original ToR submitted to MOE on January 2014. MOE expects that a range of routes will be selected and evaluated using the criteria and indicators verified in the EA.</p> <p>Action: Respond to the following questions:</p> <p>10.1a What is the purpose of route analysis contained in Appendix E? Was this analysis to determine which side of the existing ROW to focus the baselines studies?</p> <p>10.1b What input was sought on this analysis and what were the comments on the analysis? The ToR text</p>	<p>10.1a) The comparative route analysis was prepared to provide rationale for the determination regarding which side of the existing ROW to focus baseline studies.</p> <p>10.1b) The analysis was conducted by NextBridge and their consultants based</p>

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	<p>indicates that the analysis was done with information provided by government agencies. Which government agencies provided information and what was their input?</p> <p>c10.1c confirm that this is a preliminary analysis that will be revised once criteria and indicators are verified in the EA.</p> <p>10.1d Acknowledge that, as NextBridge indicated in section 3.1.1 of the ToR, the analyses of alternative methods (route analysis) will be part of the EA and will have public, aboriginal, and government input.</p> <p>Cross reference comment 10</p>	<p>on secondary sources including, but not limited to environmental constraint mapping (MNR data); input received through consultation activities (e.g., meetings with Ontario Parks); aerial imagery; and topographic mapping. Government agency input will continue to be sought through the EA.</p> <p>10.1c) This analysis identified a preliminary preferred approach to focus the field program (i.e., side of the existing ROW). As criteria and indicators are refined through the EA, and new information becomes available, this analysis may be revisited and the study area/approach may be modified accordingly if appropriate to do so.</p> <p>10.1d) As identified in Section 3.1.1, alternative methods (i.e., route analysis) will form part of the EA and involve public, Aboriginal, agency and stakeholder input.</p> <p>See response to Comment 10</p>
11	<p>Section 5.3, Page 27 Draft TOR Text indicates that “...input from Project stakeholders...” will be solicited to determine and refine study boundaries. Text says that “Study area boundaries are anticipated to be finalized shortly after the commencement of the EA”</p> <p>Comment: Please identify how this will be done and also include these activities and/or steps in the section 9 Consultation plans.</p> <p>Follow-Up Cross reference Comments 10.1 and 20</p>	<p>Comment accepted; <i>clarification provided in Section 5.3, 9.3 and 9.4.</i></p> <p>See response to Comments 10.1 and 20</p>
12	<p>Section 5.5.1, Page 35 Provincial and Municipal Policy Draft TOR MOE notes that this section references the Crown land Use Policy Atlas (CLUPA).</p>	

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	<p>Comment: The Reference route and the alternative routes traverses several Province Forest Management Units (FMU) <a href="http://www.efmp.lrc.gov.on.ca/eFMP/home.do">http://www.efmp.lrc.gov.on.ca/eFMP/home.do</a> ). MOE recommends that NextBridge consult with MNR planners and/or foresters during the EA to identify any further considerations, beyond those in the CLUPA, such as any long term management directions from relevant FMU are appropriately considered in routing evaluation/decisions and where necessary in effects assessment.</p> <p>Comment: This comment also applies to Section 6 Assessment of Alternatives.</p>	<p>Comment accepted; <i>clarification provided in Section 5.5.1 and Section 6.3.</i></p>
13	<p>Section 5.5.6, Page 36 (Cultural and Heritage resources and others) Draft TOR As per the definition of Environment, “cultural heritage values and resources” are broader than archeological resources.</p> <p>Comments: MOE recommends that NextBridge discusses the cultural criteria with the Ministry of Culture Tourism and Sport (MTCS) to ensure that there is appropriate consideration of cultural resources for both the evaluation of alternatives (Section 6) the effects assessment and aboriginal community understanding.</p> <p>The term Cultural Heritage values and resources is used in a number of location throughout the ToR, please ensure that reference to cultural heritage values and resources in Section 6, Section 7 and 9.4 (page 55) are consistent with the EA Act.</p>	<p>Comment accepted; the term “cultural heritage” has been included in the Glossary Section. NextBridge will continue to consult with MTCS regarding the assessment of cultural heritage resources.</p> <p>Comment accepted; <i>clarification provided in Section 6.3, 7.1 and 9.4.3</i></p>
14	<p>Section 6.1 Page 41 Draft TOR Text indicates that the evaluation criteria will be developed during the EA.</p> <p>Comment: Please ensure this activity is identified in your Consultation plans in section 9.</p>	<p>Comment noted; <i>clarification is provided in Section 6.1. No change made to Section 9.</i></p>
15	Section 6.2.1, Page 41	

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	<p>Draft TOR</p> <p>Re the range of alternatives.</p> <p>Comment:</p> <p>How was the range of alternatives selected? Please include a description on how alternative routes were selected or screened. Such as:</p> <p>How were alternative routes selected?</p> <p>Were any other routes identified?</p> <p>Did you exclude any possible routes that did not meet the section 6.2 criteria?</p> <p>Follow-Up</p> <p>Question:</p> <p>Did any stakeholders ask about or identify any alternative routes that NextBridge did not consider?</p> <p>Action:</p> <p>For the EA, please describe any routes that were identified but did not meet the criteria listed in the ToR (example a route along the TransCanada highway).</p> <p>Action:</p> <p>Alternatives screening analysis (routes) should either be in the ToR or a step in the EA with Consultation . ToR Code or Practice p.31</p>	<p>Comments accepted; <i>additional information regarding route selection is incorporated into Section 6.2.1 and 6.2.2.</i></p> <p>During the preparation of the ToR, the Township of Dorion requested an Alternative Route along the TransCanada Pipeline approximately 35 km north of the Reference Route. This Alternative Route was considered, however it was not carried forward. A meeting was held in Dorion following the submission of the ToR, which resulted in a commitment by NextBridge to consider minor route modifications as well as a potential Alternative Route to be identified by the community, represented by the Reeve of the Township. This will be explored through the EA.</p> <p>Ontario Parks has requested that an alternatives assessment around Provincial Parks and Conservation Reserves be conducted as part of the EA.</p> <p>The EA will also identify Alternative Routes that were identified by NextBridge but did not meet the criteria outlined in the ToR (e.g., the TransCanada Pipeline route).</p>
16	<p>Section 7, Page 45</p> <p>Potential Affects assessment</p> <p>Draft TOR</p> <p>Comment:</p> <p>Re terminology and clarity, please identify how environmental “features” (p.45) differ from environmental “components” and environmental “criteria”.</p>	<p>Comment accepted.</p> <p>The term “environmental component” has been removed and replaced with “environmental features” throughout the ToR. “Environmental criteria”, noted on page 20, has been replaced by</p>



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	<p>Follow-Up Comment 16 and 17</p> <p>MOE notes that NextBridge is receptive to adding environmental features should they be identified through consultation or field work (p 47).</p> <p>Action: As per Comment 20, MOE recommends that NextBridge include an EA process step to confirm/verify environmental features with the public and Aboriginal communities. This would ensure that additional environmental features are verified and not continually and identified.</p> <p>Cross reference comment 20.</p>	<p>“evaluation criteria” to provide clarity. Appendix D, which includes some environmental features, has been updated to reflect the title “evaluation criteria”.</p> <p>NextBridge intends to confirm/verify environmental features identified, as well as identify new features, through consultation activities throughout the EA. Known environmental features will be identified at public open house meetings (as appropriate based on the sensitivity of the information).</p> <p>See response to Comment 20.</p>
17	<p>Section 7, Page 45 Potential effects assessment Draft TOR Text indicates that environmental features will be confirmed in the EA.</p> <p>Comment: Please indicate in the ToR when environmental features will be confirmed.</p> <p>Follow-Up Cross reference comment 16.</p>	<p>Comment accepted; <i>clarification provided in Section 7.1.</i></p> <p>See response to Comment 16.</p>
18	<p>Section 8, Page 47, Commitments and Monitoring Draft TOR Comment: Please include with the ToR a list of any relevant commitments made during the development of the ToR. This could alternatively be included in Section 9.2 “Consultation during the EA ToR” .</p>	<p>No specific commitments were made during the ToR process regarding Environmental monitoring.</p>
19	<p>Consultation Plan for the EA (Section 9) Draft TOR In accordance with the EA Act, CoP ToR and the CoP Consultation in Ontario’s EA Process (Consultation), the ToR must include a consultation plan for the EA, outlining the proposed consultation methods, committing to undertake consultation related to key decision-making milestones, and identifying how input will be obtained and an issue resolution strategy. Further the EA is to include a description of any consultation about the undertaking and the results of</p>	<p>Comment accepted; a section from the Aboriginal Participation Plan has been added that should clarify the meanings of “consultation” and “participation”. “Engagement” is used inclusive of activities with Aboriginal communities; both consultation and participation. “Consultation” is used to describe activities that are undertaken in order to</p>

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	<p>the consultation.</p> <p>Comment: The terms “consultation”, “participation” and “engagement” are used in section 9. MOE suggests wording be simplified.</p> <p>Follow-Up To what extent does NextBridge plan to use the EA process and EA consultation process to fulfill the procedural aspects of Crown consultation delegated by the Crown? The response makes it appear that there may be more than one consultation process. Is this the intent?</p> <p>MOE would like to ensure that any comments and directions on matters related to EA consultation are received by the appropriate consultation lead(s).</p> <p>Note EA consultation is mandatory. MOE is interested in how any delegated aspects of the Duty to Consult would be integrated into EA consultation. Make sure that when you are in communities you ensure they are aware that EA consultation is not delegated.</p> <p>NB see MOE Code of Practice Consultation</p>	<p>fulfill the delegated Duty to Consult from the Crown. “Participation” is used to describe activities that provide an economic benefit to communities (such as jobs, training, commercial investment etc.)</p> <p>NextBridge views that the EA consultation process becomes an integral part of the overall delegated formal consultation process with Aboriginal communities. Information from EA consultation will also inform and help shape the implementation of economic participation. For example, TEK and TLU data received as part of the EA will be useful in informing the work of Aboriginal personnel employed to monitor archaeological research and analysis along the route.</p>
20	<p>Consultation Plan for the EA (Section 9) Draft TOR MOE notes that there are commitments throughout the ToR to confirm or finalize certain planning tools such as: confirming study boundaries (section 5.3); confirming evaluation criteria (section 6.1); confirming detailed criteria and indicators (section 6.3); and, confirming environmental features (section 7). Comment: Please identify the steps or activities in the Consultation plans so that Government reviewers, the public, Aboriginal communities or persons will know when their input will be sought.</p>	<p>Some of these confirmation activities will be done through ground-truthing and other studies and are not directly related to consultation.</p> <p>Consultation activities and points of contact are outlined in Section 9, such as public participation at open houses or review of EA documentation. Information provided to project staff during these activities that may assist in confirming planning tools will be considered during the EA.</p> <p>Comment noted; no change required. An additional section named</p>

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	<p>Comment: Context the ToR is the framework for the EA and is meant to outline a process to identify issues early and resolve them in the planning of the project.</p> <p>Follow-Up MOE accepts the revision in section 6.1.</p> <p>Action: MOE opinion is that this project will have a high level of public and Aboriginal interest (see figure page 17 Code of Practice Consultation in Ontario's Environmental Assessment Process). Therefore please address the remainder of the original comments by: identifying the process steps or activities in the Consultation plans when input will be sought on: confirming study boundaries (section 5.3); confirming detailed criteria and indicators (section 6.3); and, confirming environmental features (section 7). If Nextbridge's opinion differs from MOE's on the level of interest please provide a rationale.</p> <p>Action Identify the process steps or activities in the consultation plans when (phase) input will be sought on: confirming study boundaries (section 5.3); confirming detailed criteria and indicators (section 6.3); and, confirming environmental features (section 7).</p> <p>See ToR Code of Practice</p>	<p>"Information Exchange" has been added to the Aboriginal section to provide clarity.</p> <p>It is agreed that there will be a high degree of interest in the Project. Feedback received from agencies, the public and Aboriginal communities during the draft and proposed ToR phases, as well as future open houses, will be used to finalize study area boundaries, criteria and indicators and features.</p> <p>This input has been sought on a preliminary basis through the ToR phase and will continue to be through consultation activities during the EA. For example, the public open house meetings in the summer and fall of this year, newsletters, and meetings with agencies, municipalities and interest groups. During the consultation process for the EA, and the overall delegated Duty to Consult, NextBridge will be speaking to communities on an ongoing basis and tailoring outreach based on the needs of each community and their own consultation protocols, where applicable. Communities will be provided with information on project activities related to the EA, as well as opportunities and milestones for input.</p>
21	<p>Section 9.3.3 , Page 53 Draft TOR French Language- Comment MOE notes that you have committed to providing French language notices.</p>	<p>Comment noted; French language notices will be provided as described in the ToR.</p>
22	<p>Sections 9.3 and 9.4 Draft TOR MOE notes that a draft EA will be made available to the public 9.3.11, on p. 60 the text says that Aboriginal communities will also be given an opportunity to</p>	<p>Comment accepted; <i>changes have been made to the 2 sections in order to prove a link to both activities.</i></p>

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	<p>comment on Draft EA documentation</p> <p>Comment: The Draft Review opportunity is difficult to find in section 9.4, you may wish to parallel the activities in the two consultation plans.</p> <p>Follow-Up Action: Acknowledge that comments received during the EA, including the Draft EA review, will be addressed prior to submitting the Final EA to MOE.</p> <p>Comment Ensure that you provide yourself appropriate time for stakeholders to review, and for NextBridge to incorporate any comments.</p>	<p>NextBridge will endeavour to address comments received during the EA phase prior to submitting the Final EA to MOE.</p>
23	<p>Section 9.4 Draft TOR MOE notes that Energy will be providing additional comments on this section.</p> <p>Follow-Up See Comment 20 above.</p> <p>Question: Will NextBridge be offering to develop consultation plans with each with Aboriginal community? For the EA component/phase what would be in one of these consultation plans.</p> <p>Comment Ensure that any EA consultation protocols you negotiate include all the elements of an EA consultation plan. See Code of Practice Consultation.</p>	<p>Comments were received from the Ministry of Energy, accepted and incorporated into the Terms of Reference.</p> <p>NextBridge will be guided by the consultation protocols and preferences as defined by each community, so each community will have a tailored version of a core consultation approach. For the EA phase, each community is invited to provide relevant TEK/TLU with NextBridge offering capacity funding to support its delineation, compilation and reporting. When deemed appropriate by the community, meetings with Elders, the Council and even full community meetings are being supported as part of the EA/formal consultation process. For example, with one community, NextBridge held both a Council and a community meeting from which flowed agreement with capacity funding to update and share TLU/TEK which is being fulfilled by a special multi-day meeting of community, with Elders and members participating in</p>

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		mid-April to provide NextBridge a written report of their input by the end of May or before. Similar agreements are being discussed with other communities.
24	<p>Section 9.5, Page 62 Draft TOR Issue resolution strategy.</p> <p>Comment: Please identify the point(s) of contact(s) where stakeholders and aboriginal persons or communities can enter the issues resolution strategy (process).</p>	<p>Comment accepted; <i>additional text has been incorporated into Section 9.5.</i></p>
25	<p>Section 9.2 and Record of Consultation Draft TOR Proponents must consult with interested and affected persons in an environmental assessment. The consultation and the results must be described and presented in a “Record of Consultation”. The Record of Consultation must include, among other things, comments raised and the proponent’s responses, details about how comments/issues were considered during the process and incorporated in the ToR and list any outstanding concerns.</p> <p><u>Comments:</u> A ToR Record of Consultation was not reviewed.</p> <p>Ensure that Section 9.2 (p. 50) summarizes what consultation activities occurred during the preparation of the ToR and the results. Section 9.3 mentions Open House round 1. Please describe Round 1, the purpose topics and how input was incorporated into the ToR. Describe any one-on-one activities and any results.</p> <p>In section 9.2 page 50, and the accompanying Record of Consultation, provide a summary of comments raised, the your responses, identifying how issues were considered in the process and any outstanding concerns, including comments received during the review of the draft ToR in the consultation section of the ToR.</p> <p>In the accompanying Record of Consultation,</p>	<p>Comment noted; the RoC will be submitted with the ToR.</p> <p>Comment noted; this information is summarized in the RoC. The ToR describes the consultation plan for the EA. Comment accepted; <i>clarification provided in Section 9.3.10.</i> Comment accepted; this information is summarized in the RoC.</p> <p>Comment noted; this information has been summarized in the RoC. The Code of Practice for Consultation states that, “the RoC is for past consultation that took place during the preparation of the ToR.” To avoid duplication, we have only provided this information in the RoC. The Record of Consultation has</p>

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	<p>comments should be arranged as follows: general public should be arranged by type (for example, put all water quality comments together); Aboriginal communities, the comments should be organized by the community or organization rather than by issue type; and, Regulatory bodies (Government Review Team) the comments should be organized by the Ministry rather than by the issue type. A Record of Consultation is required for the EA as well as the ToR.</p> <p>See updated Code of Practice Consultation (2014)</p> <p>Follow-Up MOE provided preliminary comments on the ROC on March 24.</p> <p>NextBridge Response on March 27, 2014</p> <p>In general the consultation record should relate to the environmental assessment.</p>	<p>been arranged as requested. Comment noted.</p> <p>Comment noted.</p> <p>Comment noted.</p> <p>A Record of Consultation will be prepared for the EA. The ToR has been updated based on the updated Code of Practice</p> <p>Comment noted.</p>
	Lakehead Region Conservation Authority, Mervi Henttonen, General Manager, Letter Dated March 6, 2014 to Carrie Wiklund, Senior Environmental Analyst, NextBridge Infrastructure	
	<p>In response to the Proposed Environmental Assessment Terms of Reference, dated February 2014 regarding the proposed NextBridge Infrastructure East-West Tie Transmission Project in the Township of Dorion and the Municipality of Shuniah, Staff provide the following comments.</p> <p>The proposed project is within the Township of Dorion and the Municipality of Shuniah which are both member municipalities of the Authority. As watershed advisors to our member municipalities, the ability of structures to pass flood flows and potential erosion/sedimentation are components of our input. There are various water crossings (i.e. Wolf River, Spring Creek, Coldwater Creek, Anderson Creek, MacKenzie River, Blind Creek, Wild Goose Creek and various unnamed creeks), as shown on the attached maps, which may be subject to the Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations, O. Reg. 180/06. In general, any development (i.e. temporary or permanent water crossings, tower locations, etc.) within or adjacent to</p>	<p>Comment acknowledged. The need for permits from the Lakehead Conservation Authority and other regulators will be determined through additional consultation to be undertaken as part of the Environmental Assessment process. NextBridge, although a private entity, is conducting an activity under the direction of a Provincial Ministry and /or Agency through a public/private partnership, and therefore may not be bound by the Conservation Authorities Act.</p> <p><i>Section 2.5 Other Notifications, Permits and Approvals</i></p>



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	<p>the shore-zone and/or river or creek bank may require a permit under the Authority's Regulations.</p> <p>The Conservation Authorities Act does not contain a subsection that specifically "binds the Crown"; therefore, activities of Provincial Ministries, Federal Departments and Crown Agencies or "Crown Corporations" are not bound by the Act. Additionally, as stated in the Conservation Authority Act Section 28 Exceptions (10) no regulation made under subsection (1), (c) "shall interfere with any rights or powers of any board or commission that is performing its function for or on behalf of the Government of Ontario" and (d) "shall interfere with any rights or powers under the Electricity Act, 1998 or the Public Utilities Act, 1998, c. 15, Sched. E, s.3 (8); 1998, c. 18, Sched. I, s. 12".</p> <p>Further review will be required to determine whether or not NextBridge, as a private company, is considered to be conducting an activity of the Provincial Ministry and /or Agency, and therefore not bound by the Act. If the Act does apply and permits are required under the Conservation Authorities Act, then the exceptions would be taken into consideration during the permit review process.</p> <p>It is noted that whether the Act applies to the project or not, voluntary compliance with the review process requirement is a possibility for the Crown and their Agencies; however, they are within their legal rights to refuse to participate in the voluntary review process. As of November 25, 2013 amendments to the Federal Fisheries Act came into force, which have resulted in the previous agreements between Conservation Authorities and the Department of Fisheries and Oceans (DFO) becoming null and void. The Lakehead Region Conservation Authority no longer reviews projects on behalf of the DFO and no longer issues Letters of Advice regarding mitigating impacts to fish and fish habitat. Contact information for the DFO has been attached.</p>	
	Canadian Nuclear Safety Commission, Sarah Watt, Email Dated March 21, 2014 to David Bell, Special Project Officer, Ministry of the Environment	
	CNSC was sent your letter to the Government Review Team in regards to the NextBridge Transmission line project. CNSC has no comments and does not require any further involvement in this	Comment acknowledged. NextBridge will revise the circulation list.

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	proposal. This is based on a review of the project description for the NextBridge New East-West Tie Transmission Project (project) in the Terms of Reference and the Designated Project List under CEAA 2012, the project is not listed in items 31-38 of the schedule and is therefore not linked to the Canadian Nuclear Safety Commission.	
	Ministry of the Environment, Dave Bell, Special Project Officer, Email Dated March 24, 2014 to Carrie Wiklund and Jennifer Tidmarsh, NextBridge Infrastructure	
	<p>1) Delivery of ToR to Aboriginal communities NextBridge indicated that the ToR was to be hand delivered to Aboriginal communities. <i>Action:</i> Please provide records and or a description how this was completed (who did it, when, and who were provided the documents).</p> <p>2) Format of the Record of Consultation When MOE reviewed the Draft ToR, we did not get an opportunity to review the Record of Consultation (comments February 10, 2014). <i>Action:</i> please reorganize Consultation Record (Log) for Aboriginal communities that: - describes NextBridge's actions since August 2013 up to the submission of the final ToR On February 28. - this log should be organized by Aboriginal community (separate from GRT) and should include: o Who in the community you consulted; o how you consulted the Aboriginal communities (methods times places), o when and how comments were received (ie written, oral both) o NextBridge's responses to the comments; and, o list of any outstanding issues by each community. This could be submitted as separate tables.</p> <p>3) Content of the Record of Consultation Section 5 of the RoC (page 111) says that NextBridge has not formally consulted with Aboriginal communities. The Environmental Assessment Act (section 5.1) requires that proponent's consult on the preparation of the ToR. <i>Action:</i> Please clarify this statement.</p>	<p>March 27, 2014: NextBridge provided a response to the Ministry of Environment including interaction logs and an explanation of "consultation." March 27, 2014: Ministry of Environment indicated the response provided clarity on the questions and asked two follow up questions including: 1) Is NextBridge working to develop a consultation approach/framework (plan) with each Aboriginal community? 2) Would the consultation approach/framework include a provision for the Environmental Assessment phase and activities as well as other permitting? March 27, 2014: NextBridge provides the following response: The answer to your 2 questions can be found in our Aboriginal Consultation Plan (copied here) submitted to the Ontario Energy Board, but in essence the answer is yes to both. We intend to individually tailor plans for each community based on their own protocols, interests and needs. As part of these plans, we will include provisions for support in the Environmental Assessment process as a whole and any other permits.</p>
	Infrastructure Ontario, Lisa Myslicki, Letter Dated March 25, 2014 to NextBridge Infrastructure	
	As you may be aware, Infrastructure Ontario (IO) is responsible for managing real property that is owned by the Ministry of Infrastructure (MOI).	Comments acknowledged. NextBridge has been working with Infrastructure Ontario on an ongoing basis relating to the Project and potential impacts to

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	<p>In order to determine if IO property is within your study area, IO requires that the proponent of the project conducts a title search, which will confirm ownership, or by reviewing the parcel register. Please contact IO if any government lands are known to occur within your study and are proposed to be impacted.</p> <p>Infrastructure Ontario must complete due diligence for any realty activity on IO managed lands and this should be incorporated into all project timelines. IO managed lands can include within the title but is not limited to variations of the following: Her Majesty the Queen/King, Ontario Lands Corporation, Public Works, Hydro One, PIR, MGS, MBS, MOI, MTO, MNR and MEI. <i>Please note that IO has land holdings in the project study area. The proposed activities will impact IO managed properties and/or the activities of tenants present on IO-managed lands. Prior to entering into any realty agreement, all of the due diligence requirements below (some legislated) will be triggered and require to be satisfied.</i></p> <p>General Impacts Negative environmental impacts associated with the project design and construction, such as the potential for dewatering, dust, noise and vibration impacts, and impacts to natural heritage features/habitat and functions, should be avoided and/or appropriately mitigated in accordance with applicable regulations best practices and Ministry of Natural Resources (MNR) and Ministry of the Environment (MOE) standards. Avoidance and mitigation options that characterize baseline conditions and quantify the potential impacts should be present as part of the EA project file. Details of appropriate mitigation, contingency plans and triggers for implementing contingency plans should also be present.</p> <p>Impacts to Land Holdings Negative impacts to land holdings, such as the taking of developable parcels of IO managed land or fragmentation of utility or transportation corridors, should be avoided. If the potential for such impacts is present as part of this undertaking, you should contact the undersigned to discuss these issues at the earliest possible stage of your study.</p>	<p>Infrastructure owned or managed lands. During the Environmental Assessment, NextBridge will identify Infrastructure Ontario lands that may be impacted by the Project. A draft copy of the Environmental Assessment Report will be circulated to Infrastructure Ontario.</p> <p>Cultural heritage resources will be identified and analyzed as part of the Environmental Assessment (archaeology, cultural heritage landscapes and built heritage). Copies of the technical reports can be provided to Infrastructure Ontario upon completion. It is anticipated that the Environmental Assessment being completed for the Project will meet the requirements of Ministry of Infrastructure's Class Environmental Assessment.</p> <p>It is acknowledged that the purchase of Ministry of Infrastructure-owned/Infrastructure Ontario-managed lands or disposal of rights and responsibilities (e.g. easement) for Infrastructure Ontario-managed lands triggers the application of the Ministry of Infrastructure Class Environmental Assessment and that if any of these realty activities affecting Infrastructure Ontario-managed lands are being proposed as part of any alternative, that Infrastructure Ontario's Sales and Marketing Group should be contacted. Peter Reed will be removed from the mailing list and replaced with Lisa Myslicki and Ainsley Davidson if they are not already listed.</p> <p>On April 4, 2014 the NextBridge Lands representative, Rebecca Loosley, spoke with Ainsley Davidson, Senior Planner of Infrastructure Ontario. Infrastructure Ontario had previously been provided with mapping showing the location of lands titled to the Ministry of</p>

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	<p>If takings are suggested as part of any alternative these should be appropriately mapped and quantified within EA report documentation. In addition, details of appropriate mitigation and or next steps related to compensation for any required takings should be present. IO requests circulation of the draft EA report prior to finalization if potential impacts to IO-managed lands are present as part of this study.</p> <p>Heritage Management Process &amp; Class Environmental Assessment (EA) Process</p> <p>Should the proposed activities impact cultural heritage features, on IO managed lands, a request to examine cultural heritage issues which can include the cultural landscape, archaeology and places of sacred and secular value could be required. The IO (formerly Ontario Realty Corporation) Heritage Management Process should be used for identifying and conserving heritage properties in the provincial portfolio (this document can be downloaded from the Heritage section of our website: <a href="http://www.ontariorealty.ca/What-We-Do/Heritage.htm">http://www.ontariorealty.ca/What-We-Do/Heritage.htm</a>). Through this process, IO identifies, communicates and conserves the values of its heritage places. In addition, the Class EA ensures that IO considers the potential effects of proposed undertakings on the environment, including cultural heritage.</p> <p>Potential Triggers Related to MOI's Class EA</p> <p>The IO is required to follow the MOI Class Environmental Assessment Process for Realty Activities Not Related to Electricity Projects (MOI Class EA). The MOI Class EA applies to a wide range of realty and planning activities including leasing or letting, planning approvals, disposition, granting of easements, demolition and property maintenance/repair. For details on the IO Class EA please visit the Environment and Heritage page of our website found at: <a href="http://www.infrastructureontario.ca/WorkArea/DownloadAsset.aspx?id=2147483686">http://www.infrastructureontario.ca/WorkArea/DownloadAsset.aspx?id=2147483686</a>.</p> <p>Please note that completion of any EA process does not necessarily provide an approval for IO's EA processes across unless the process incorporates IO's applicable Class EA requirements.</p>	<p>Infrastructure for their review and comment. Ainsley Davidson indicated that she would be providing her comments in writing. Ms. Loosley provided an outline of the proposed process that NextBridge would be undertaking as far as timing of acquisition. Ms. Davidson indicated she would provide Ms. Loosley with a point of contact in their Real Estate Group. Noted one Radio Station Tower on Mon Abri Lane in Dorion Township to possibly be of concern but would follow up in writing.</p> <p>Pending receipt and review of updated mapping, no concerns other than the Radio Station Tower have been identified.</p> <p>On April, 7, 2014, Ainsley Davidson indicated that Infrastructure Ontario was completing their review of lands from a programming and planning perspective and will forward any additional concerns for NextBridge's consideration. It was also indicated that Jon Brohman from Infrastructure Ontario will manage any potential transactions associated with the Project.</p>

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	<p><i>If the MOI Class EA is triggered, and deferral to another ministry's or agency's Class EA or individual EA is requested, the alternative EA will be subject to a critical review prior to approval for any signoff of a deferral by the proponent. The alternative EA needs to fulfill the minimum criteria of the MOI Class EA.</i></p> <p>When evaluating an alternative EA there must be explicit <i>reference to the corresponding undertaking in the MOI Class EA</i> (e.g., if the proponent identifies the need to acquire land owned by MOI, then "acquisition of MOI-owned land", or similar statement, must be referenced in the EA document). Furthermore, sufficient levels of consultation with MOI's/IO's specific stakeholders, such as the Ontario Ministry of Natural Resources, must be documented with the relevant information corresponding to MOI's/IO's undertaking and the associated maps. In addition to archaeological and heritage reports, a Phase I Environmental Site Assessment (ESA), on IO lands should also be incorporated into the alternative EA study.</p> <p>Deficiencies in any of these requirements could result in an inability to defer to the alternative EA study and require completing MOI's Class EA prior to commencement of the proposed undertaking. In summary, the purchase of MOI-owned/IO-managed lands or disposal of rights and responsibilities (e.g. easement) for IO-managed lands triggers the application of the MOI Class EA. If any of these realty activities affecting IO-managed lands are being proposed as part of any alternative, please contact the Sales and Marketing Group through IO's main line (Phone: 416-327-3937, Toll Free: 1-877-863-9672), and contact the undersigned at your earliest convenience to discuss next steps.</p> <p>Specific Comments</p> <p>If an EA for this project is currently being undertaken and the undertaking directly affects all or in part any IO-managed property, please send the undersigned a copy of the DRAFT EA report and allow sufficient time (minimum of 30 calendar days) for comments and discussion prior to finalizing the report to ensure that all MOI Class EA requirements can be met through the EA study. Please remove IO from your circulation list with respect to this project if there are no IO managed</p>	

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	lands in the study area.  <b>Additional Emailed Dated March 31, 2014:</b> Infrastructure Ontario submitted comments on the ToR on March 25 (attached). Any correspondence regarding the EA can be send to Lisa Myslicki and myself, and Peter Reed can be removed from your distribution list. Please let me know if you have any questions.	
	Ministry of Tourism, Culture and Sport, Joe Muller and Amy Didrikson, Letter Dated March 26, 2014 to David Bell, Special Project Officer, Ministry of the Environment	
	<p>Thank you for providing the Ministry of Tourism, Culture and Sport (MTCS) with the Proposed Terms of Reference Final Notice and Record of Consultation for this project. For the undertaking, it is the mandate of MTCS, under the Ontario Heritage Act (OHA), to conserve, protect and preserve Ontario’s cultural heritage, including:</p> <ul style="list-style-type: none"> <li>- Archaeological resources;</li> <li>- Built heritage resources, including bridges and monuments; and,</li> <li>- Cultural heritage landscapes.</li> </ul> <p>Under the EA process, a determination of the project’s potential impact on these cultural heritage resources is required. As a follow-up to the general comments provided in our correspondence of February 10, 2014, on the draft Terms of Reference for the project, we are providing some supplemental observations on the Record of Consultation as circulated, as they pertain to the Proposed Terms of Reference.</p> <p><b>Comments on the Record of Consultation (and Proposed Terms of Reference)</b> We appreciate the proponent for acknowledging our previous comments and incorporating amendments as suggested. The following supplementary observations are made, as they arise in part from these changes.</p> <p><b>P100, MTCS7 – Cultural and Heritage Resources (p38 in Proposed ToR)</b> The response states that the retained archaeologist will “ascertain whether there are archaeological, built heritage and cultural heritage resources.” Licensing as an archaeologist by the Province of Ontario does not qualify for accreditation as a heritage consultant specializing in built heritage or cultural heritage</p>	<p>Comments acknowledged and will be incorporated in the Environmental Assessment Report as necessary. A built heritage and/or cultural heritage landscape specialist will be engaged to identify and evaluate built heritage and cultural heritage landscapes during the Environmental Assessment.</p>



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	landscapes. The archaeologist retained to date is a member of the Canadian Association of Heritage Professionals (CAHP) as an Archaeologist/ anthropologist, rather than a built heritage and cultural heritage landscape specialist. Formal acknowledgement that the latter specialist(s) will be retained to identify and evaluate built heritage and cultural heritage landscapes is advised.	
	<p><b>P102 MTCS14 – Glossary (p71 in Proposed ToR)</b> For consistency please include definitions for archaeology and archaeological potential here.</p>	<p>Definitions include the following adapted from the Provincial Policy Statement (2014): Archaeological resources: includes artifacts, archaeological sites, marine archaeological sites, as defined under the <i>Ontario Heritage Act</i>. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the <i>Ontario Heritage Act</i>.</p> <p>Areas of archaeological potential: means areas with the likelihood to contain archaeological resources. Methods to identify archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used.</p>
	Environment Canada, Denise Fell, Email Dated March 28, 2014 to David Bell, Special Project Officer, Ministry of the Environment	
	<p>Environment Canada (EC) has reviewed the Terms of Reference (ToR) for the proposed East-West Tie Transmission project in relation to the comments we provided directly to the proponent on the draft ToR on February 10, 2014 (see attached,) and we are generally satisfied that the ToR has been revised accordingly in response to our comments.</p> <p>We note that in Section 5.4.9-Species at Risk it is stated: “consultation with the MNR is being undertaken to determine the need for field studies to be completed during the EA specific to Species at Risk.” Further, Appendix D-Record of Consultation contains discussions between the proponent and the MNR regarding the intended provision of a detailed caribou work plan to MNR at the end of January, 2014 for</p>	<p>Comments acknowledged. A copy of the final caribou work plan will be provided for information purposes.</p>

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	MNR's review. EC is satisfied with the proponent's approach of consulting MNR regarding caribou field studies, but given our departmental interest in boreal caribou we would appreciate receiving a copy of the work plan.	
	Ministry of Natural Resources, Grant Ritchie, Manager, Regional Resources Section, Northeast Region, Letter Dated March 31, 2014 to Dave Bell, Special Projects Officer, Ministry of the Environment	
	<p><b>1) Cover Letter</b></p> <p>Overall MNR is concerned about the scoped approach this Terms of Reference (ToR) appears to be taking, and is not confident we will be able to address our mandates and legislative requirements if this project moves forward as described. The attached table outlines MNR's consolidated comments, to which we would like to highlight the following points.</p> <p>Follow-Up</p> <p>The Bruce-Milton line did not cross crown land. Only one aquatic two tree species at risk were encountered along this line. The projects are significantly different in this regard; as such, MNR concerns about mandates and legislative requirements stand and have not been addressed with this response.</p> <p>Public Lands Act; Provincial Parks and Conservation Reserves Act; and, Species at Risk Act considerations have not been addressed in this TOR.</p> <p>Please describe how major differences (tenure, available values and species at risk -particularly caribou, requiring continuous habitat that is threatened with linear disturbance such as transmission line) will be accommodated in the approach as described in the TOR.</p>	<p>The approach taken in this Terms of Reference is consistent with the approach taken by Hydro One in their approved Terms of Reference for the Bruce to Milton Transmission Line Project. The Ministry of Natural Resources was able to address their mandates and legislative requirements on this project.</p> <p>The scoped approach taken in the ToR is not related to the amount of Crown land crossed by the Project. The scoped approach is a process used to exclude extraneous alternatives from analysis based upon government direction to closely follow the existing East-West Tie between Thunder Bay and Wawa. While not naming them specifically, the requirements of provincial and federal legislation as it relates to the EA are included in the ToR. The specific details will be addressed in the EA. The purpose of the ToR is to provide direction, not specific details on aspects of the natural and socio-economic environment.</p>
	<p><b>Route Selection / Alternatives:</b></p> <p>MNR has not been engaged in discussions regarding potential environmental impacts or other items NextBridge will need to consider when selecting a route; yet, it appears that a preferred route has been selected for confirmation (Section 1.4 Purpose of the Study). Appendix E of the ToR further describes a comparative route analysis from which the preferred route was determined – MNR was not engaged in</p>	<p>In accordance with Provincial direction through the Ontario Energy Board's competitive process for selecting a transmitter, the Provincial Policy Statement and other guidelines, NextBridge intends to use the existing East-West Tie to the extent possible in order to minimize environmental and socio-economic impacts.</p>

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	discussions leading up to this analysis, as a result our data and local knowledge was not requested, considered or assessed. MNR has significant concerns with this analysis, and resulting decision, taking place outside of the Environmental Assessment (EA) process without opportunity for public, agency or Aboriginal engagement.	<p>Three Alternative Routes are currently planned to avoid federal lands (i.e., two First Nation reserves and Pukaskwa National Park).</p> <p>Local route refinements may also be considered to avoid other sensitive land uses along the route and these will be identified through additional consultation and field study to be completed as part of the Environmental Assessment process.</p> <p>Appendix E contains a comparative route analysis that was completed primarily to focus field work commencing in the spring 2014. As indicated in Appendix E, desktop data obtained by the Project Team from agencies included official plans, orthophotographics, and detailed environmental constraint mapping that included Ministry of Natural Resources data from Land Information Ontario (LIO). A review of the Crown Land Use Policy Atlas was also undertaken as mentioned in Section 5.5.1 of the Terms of Reference. The preferred side of the corridor to be paralleled will be revisited and confirmed during the Environmental Assessment as additional data becomes available.</p> <p>Comments received from the agencies and during public Open Houses held during the Terms of Reference phase were also taken into account as part of the comparative analysis.</p> <p>This process follows the same process used in the completion of the Ministry of Environment approved Terms of Reference for the Bruce to Milton Transmission Line.</p> <p><i>Section 1 Introduction</i></p> <p><i>Section 4.1.1 Reference Route Justification</i></p>

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	<p>Follow-Up Response does not address comment.</p> <p>The Bruce-Milton line undertook analysis ahead of field work to engage the public, agencies, etc... in analysis of route refinements and possible alternatives (EA appendix C: route refinement analysis). This is not what is being suggested in the East-West TOR as written.</p> <p>The Bruce-Milton TOR notes (Pg28) “Data will be collected and mapped for environmental features within the study area to identify the preferred location for the final route alignment”.</p> <p>Is the same process for the Bruce-Milton (consultation and resulting analysis to identify a route for further study) going to take place as the basis of field work study? When are these discussions scheduled to take place?</p>	<p><i>Section 6 Identification and Evaluation of Alternatives</i></p> <p><i>Appendices A through C</i></p> <p>Six open houses were held to obtain information from agencies, Aboriginal communities, landowners and other stakeholders related to the ToR. NextBridge has also undertaken a number of meetings with the MNR during the ToR process, as it has with other agencies and Aboriginal communities. Feedback received as part of this consultation was taken into account as part of the analysis and also included publicly available desktop information from the MNR and other agencies. NextBridge is using the Reference Route which is based on a planning process completed by the OEB process. Detailed discussion regarding natural environment fieldwork is currently underway with the MNR.</p>
	<p>The ToR describes how the EA will focus on mitigation within the identified 500 m corridor, with alternate routes only identified for Federal lands. On January 28, 2014 MNR sent a letter to NextBridge describing existing management direction and provincial parks policy related to transmission corridors. It appears this information was not considered in the development of this ToR.</p> <p>While the EA Act requires that a reasonable range of alternatives be examined in the EA, MNR also requires consideration of reasonable alternatives when making decisions on the issuance of permits under the Endangered Species Act and Provincial Park and Conservation Reserves Act. This consideration should be completed and documented upfront in the EA planning stage. (Note: there may be other instances where alternatives need to be explored, to be determined as the project details unfold).</p> <p>MNR strongly believes that route identification, selection and confirmation should take place through</p>	<p>To clarify your comment, the identified corridor is not 500 metres wide but rather has an approximate 1 kilometre span (i.e., 500 metres on either side).</p> <p>The information contained in the letter dated January 28, 2014 was taken into account as part of the development of the Terms of Reference. As indicated in the Terms of Reference, local refinements to the Reference Route to avoid sensitive environmental and/or socio-economic features (including provincial parks) will be identified and reviewed during the Environmental Assessment.</p> <p>As indicated in the Terms of Reference, the Project is being completed in accordance with subsections 6(2)(c) and 6.1(3) of the Environmental Assessment Act, also referred to as a “focused”</p>

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	<p>the EA, and would like to participate in this process. To be meaningfully engaged in a route confirmation process, there is a need to look beyond the 500 m corridor as identified within this ToR for assessment of alternatives and a full range of mitigation options.</p>	<p>Environmental Assessment. This Environmental Assessment is proposed to be completed in accordance with subsections 6(2)(c) and 6.1(3) of the Environmental Assessment Act, as it will meet the requirements of subsection 6.1(2), and will not include an assessment of “alternatives to” with the exception of the “do nothing” alternative. The Project Team will however seek Ministry of Natural Resources input on local route refinements that may be necessary to avoid sensitive environmental and/or socio-economic features during the Environmental Assessment.</p> <p>NextBridge is following provincial government direction and the process followed for the Bruce to Milton Transmission Line project. The requirement is to plan a new transmission line that ties into the Lakehead Transformer Station near Thunder Bay, the Marathon Transformer Station and the Wawa Transformer Station using the Reference Route which the provincial government has determined through a planning process and provincial policy that generally paralleling the existing East-West Tie is preferred.</p> <p><i>Section 1 Introduction</i></p> <p><i>Section 3.1 Environmental Assessment Approach</i></p> <p><i>Section 6.2.2 Local Refinements to the Reference Route</i></p> <p><i>Appendices A through C</i></p>
	<p>Follow-Up Response does not address the comment.</p>	
	<p>Alternatives must be assessed for protected areas. This includes assessment of alternate routes outside of the protected area as a requirement of legislation.</p>	<p>The EA will include an alternatives assessment that looks at avoiding (i.e., going around) provincial parks, provincial reserves and other protected areas crossed by the Reference Route.</p>

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	Describe what provincial Parks or Conservation Reserves were crossed for the Bruce-Milton route, provide rationale for route refinement vs. alternative route discussions based on this project.	The Bruce to Milton and East-West Tie are two separate projects and rationale for route refinements versus alternative route discussions will be dependent upon input from agencies, Aboriginal communities and the public, as well as the specifics of the situation.
	<p><b>Impact Assessment and Baseline Data:</b></p> <p>MNR is concerned that the timelines allotted for baseline data collection, interpretation and assessment will not provide enough information and detail for decision making. We have expressed this concern on several occasions and have yet to be engaged in field work discussions for activities that have (in some cases) already started.</p> <p>As described and further outlined in this Terms of Reference, less than one complete season of data collection is scheduled for approximately 10% of the project area size, in order to meet an ambitious EA deadline. MNR would expect the proponent collect at least one complete season of field work to establish baseline information from which to authorize activities and make decisions on a project of this size (more, should extensive uncertainty or sensitive features have the potential to be impacted). MNR is concerned the limited amount of data collection proposed will not provide a robust enough set of information from which to reasonably predict potential environmental impacts and make decisions.</p> <p>As a ministry we are committed to the conservation of biodiversity and associated management of our natural resources in a sustainable manner. To meet MNR's legislative requirements and mandated activities, MNR needs to be engaged more regularly on a project of this scale.</p>	<p>The Project Team has been working with Justin Standeven and Nicole Galambos of the Ministry of Natural Resources as a “one-window” approach to consultation as the Project spans multiple Ministry regions and districts. Note that the Terms of Reference does not make reference to the timing of (i.e., less than one season) or the size of the area (i.e., 10 percent) where the collection of field data is proposed. A Proposed Natural Environment Work Plan, which included proposed field studies and geographic locations of such studies, was submitted to the Ministry of Natural Resources in early 2014 and correspondence with the Ministry has already occurred. Additional supplementary information was also submitted to Nicole Galambos in early March 2014 at her request. Consultation (including additional meetings) is continuing with the Ministry of Natural Resources as it relates to the proposed Natural Environment Work Plan with the first of two meetings scheduled for mid-April 2014. An agreement on the Work Plan is anticipated prior to the 2014 spring field season.</p> <p>The only field work that has been started to date is related to Caribou studies. The scope of work associated with the field component of the Caribou studies was discussed with and agreed to by Ministry of Natural Resources staff in February, 2014, prior to the start of this field work.</p>
	MNR would like to become more engaged in discussions with the proponent and their consultants	The Project Team has attempted to contact local districts on several



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	as this project moves forward. We look forward to participating in the route selection process, as we have extensive local knowledge, data and understanding of the resource. As well, we have current knowledge of planned and occurring activities within the area.	occasions and have been told by the Ministry of Natural Resources to use the “one-window” approach. As such, the Project Team is depending on the circulation of Project-related material and invitations to meetings through the one-window approach, however, as the field work commences we would like to modify the approach to include appropriate district staff on focused discussions. The Project Team looks forward to receiving local knowledge from and engaging in additional discussions with Ministry of Natural Resources’ staff.
	<p><b>2) Comment Table</b></p> <p><b>Route Changes:</b></p> <p>It appears that the routes presented in this version of the Terms of Reference have changed somewhat. The Alternative route crossing White Lake Forest Reserve has been dropped, the Reference route has been moved east such that it will not cross Pukaskwa River Provincial Park near Gibson Lake, and the Alternative route has been dropped such that there will be no crossing of Pukaskwa River Provincial Park near 600 road. Please confirm these changes.</p>	The only change is to the north-south portion of the Alternative Route around Pukaskwa National Park to avoid the constraints identified by the Ministry of Natural Resources. Further refinements to this portion of the Alternative Route may occur in the Environmental Assessment through discussions with the Ministry of Natural Resources and the Forest Management Agreement holders as a significant amount of the area is proposed to be cut by 2018.
	MNR is concerned that this route change (if accurate as per above) was not communicated; as a result MNR is not clear which route we should be considering as we continue to review and comment on other related documents (e.g., field work plans, Geotechnical maps currently being assessed). MNR needs confirmation on the study area moving forward. With these changes, the new route no longer aligns with the mining withdrawal areas that were previously submitted on behalf of the proponent; clarification of the project area is needed.	<p>The Ministry of Natural Resources should focus on the route provided in the proposed Terms of Reference. Mapping and related material provided to the Ministry following submission of the proposed Terms of Reference also includes the revised route.</p> <p>Discussions will be held with the Ministry of Natural Resources related to withdrawal of the surface rights of the new area from mining and release of the previous area where the change has occurred.</p> <p>A letter requesting an amendment to the existing withdrawal order was made on April 2, 2014 and sent via email to Gary Davies, Regional Planning Coordinator, Operations Northwest</p>

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		Region.  <i>Appendix E: Comparative Route Analysis</i>
	<p><b>Timelines:</b></p> <p>There is concern with the proposed timelines to have a complete EA submitted to MOE by January 2015. The reference in the Project Plan to a limited amount of field data collected (one field season) with limited data analysis and discussion is very concerning as there is uncertainty regarding the depth and breadth of the information that will be collected, and the ability of that information to demonstrate the potential impacts of the project and guide mitigation.</p> <p>These concerns were discussed at the initial MNR meeting with NextBridge in the fall 2013; given 300+ water-crossings along the route, it will be difficult for fisheries field work to be completed in a single season, particularly if NextBridge is considering the field season to be spring and summer only, thereby missing the fall migration (this is MNR's understanding as per information and discussions to date with the proponent). Several years' of fisheries data collected over all seasons in order to establish a proper baseline is recommended. Other examples requiring comprehensive study:</p> <ul style="list-style-type: none"> <li>- Breeding Bird Surveys – spring to early summer (June/July)</li> <li>- Spawning Surveys – Spring/Fall (species dependent)</li> <li>- ELC Surveys – Season of application (some species used in classification may have early/late blooming seasons); Possible late growing season due to lake effect of Lake Superior.</li> </ul> <p>There is significant concern from MNR that limiting data collection to one field season will fail to capture the scope of potential impacts due to the inability to assess species/environments during appropriate seasons.</p>	<p>The proposed timelines have been established based the Ontario Power Authority's Project operation date of 2018.</p> <p>The proposed Natural Environment Work Plan, which includes data collection methodology, is currently being reviewed in consultation with the Ministry of Natural Resources. Additional meetings are being arranged with the Ministry during the month of April 2014 through Nicole Galambos. Further, the Project Team will be providing Ministry staff with monthly reporting during the field season.</p> <p>Transmission line effects on the natural and socio-economic environment have been well-documented, as have mitigation measures. NextBridge will follow industry best management practices and consult with the Ministry of Natural Resources at significant points in the process.</p> <p>The field program as proposed will extend to the end of September. Should significant issues be identified, it could extend into October. There is no in-water work proposed for Project construction; therefore, the collection of in-water data is not necessary. Existing access will be primarily used and in rugged areas, access will be via helicopter. Towers will be flown in by helicopter. The access plan will be reviewed by the Ministry of Natural Resources. Should upgrades to bridges or culverts be required, they will follow standard Ministry water crossing guidelines. This Project is not like a mine development, where years of baseline aquatic work are undertaken as a precaution to a change in water</p>

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	<p>Follow-Up Response does not address Concern</p> <p>Please provide the studies on the well-documented effects of transmission lines in comparable areas.</p> <p>Please describe why four seasons (Spring, Summer, Fall and Winter) of data collection was determined deemed necessary for the Bruce-Milton line vs. two seasons (spring and summer) proposed for this (in some places) greenfield development in continuous caribou habitat.</p> <p>Please provided studies and rational to support comment regarding the “major concern”. Are these studies comparable? Did they occur within the aquatic systems in the project area.</p>	<p>chemistry. The major concern with this type of development relates to potential sedimentation/siltation and can be mitigated using standard measures.</p> <p>Hydro One has developed extensive standard mitigation measures for aspects of their construction and operation activities across the province based on anticipated or predicted project effects.</p> <p>NextBridge is proposing four seasons of data collection for areas of the natural environment that may be affected by construction and operation of the Project. A winter caribou field survey was completed in early 2014. The survey also included incidental wildlife observations. Additional field work is planned for spring, summer and fall. A small section of the Project from White River south to the existing East-West Tie crosses an area that is mostly proposed to be logged by 2018 in the forest management plan for the area and as such the Project is planned to follow existing logging roads to the extent possible. It is our understanding that the Project follows an area of discontinuous caribou habitat and as such an aerial survey was completed to document baseline conditions with respect to caribou. Based on field work, potential effects to caribou and associated habitat will be identified along with suitable mitigation measures as part of the EA.</p> <p>Based on extensive experience with similar projects, consultation feedback, existing literature and anticipated Project activities, the major concern referred to is the potential for construction to cause sedimentation on nearby watercourses. This will be mitigated by standard erosion and</p>

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		sedimentation control methods. An effects assessment will be completed during the EA to identify potential effects and associated mitigation measures.
	<p><b>Section 1.0, Page 1</b></p> <p>Text should be clarified that the “alternate route” around Pukaskwa is in fact the reference route (as for further text in the ToR identifying Pukaskwa National Park is not willing to entertain development through the area). As such, the wording needs to be altered to reflect the fact this reference route does not parallel the existing line for a large portion of the project.</p>	<p>As indicated in the Terms of Reference (Section 2.2.1), NextBridge is currently exploring Parks Canada’s decision to not accommodate the construction of a transmission line through Pukaskwa National Park. Until such time that this decision is fully explored, the route through Pukaskwa National Park will form the Reference Route.</p> <p>The east-west portion of the Alternative Route around Pukaskwa National Park, between the Marathon Transformer Station and White River, also follows an existing transmission line.</p> <p><i>Section 2.2.1 Section 67 of Canadian Environmental Assessment Act 2012 – Federal Lands</i></p>
	<p><b>Figure 2, Page 6</b></p> <p>The figure is missing a critical component – long term monitoring and reporting during and post-construction. Please add this as a part of the project. Given the project lifespan of “50 years or longer” (page 6), long term monitoring, assessment and further mitigation will be a critical component of this project. Particularly the maintenance that will include the use of mechanical and chemical vegetation control for an extended period of time (as per discussions between NextBridge and MNR – the use of herbicides is expected for long term vegetation management).</p> <p>Follow-Up Response does not address concern.</p> <p>If this is a standard figure it should be noted as such with additional information about monitoring and reporting.</p>	<p>Figure 2 provides an overview of the Transmission Development Process as provided by the Ontario Power Authority. It is not intended to serve as an overall project schedule.</p> <p>As indicated in Section 8 of the Terms of Reference, the Environmental Assessment Report will include a section related to construction and post-construction monitoring.</p> <p><i>Section 8: Commitments and Monitoring</i></p> <p>See previous comment. The figure was prepared by the OPA. Section 8 of the ToR addresses Commitments and Monitoring.</p>

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	<p><b>Section 1.4, Page 7</b></p> <p>This ToR, as written, assumes the route has been selected and will be confirmed through the EA. This is not the case as public, agencies and Aboriginal peoples have not yet had the opportunity to discuss impacts, contribute to know values and concerns in the vicinity of the initially proposed route. The EA should be used to select the route, not to confirm a previously selected corridor. There is a need to look beyond the identified (narrow) corridor to select and confirm a route; then to assess the appropriate corridor for impacts.</p> <p>MNR suggests the study purpose be re-written to capture this, suggested purpose: “to select a route and confirm concept design for the project, to identify and develop mitigation measures to address potential environmental and/or socio-economic effects that could result from the construction, operations and long term maintenance of the project”.</p> <p>Follow-Up Response does not address concern.</p> <p>Selection of a possible route location must happen through the EA to be able to assess all known values and information. The assessment of alternative routes (through the EA) will be particularly important for eventual Species at Risk permits, as the route is proposed to create new linear features throughout most of a continuous caribou range – impacts on this</p>	<p>In accordance with Provincial direction through the Ontario Energy Board’s competitive process for selecting a transmitter, the Provincial Policy Statement and other guidelines, NextBridge intends to use the existing East-West Tie to the extent possible in order to minimize environmental and socio-economic impacts.</p> <p>Three Alternative Routes are currently planned to avoid federal lands (i.e., two First Nation reserves and Pukaskwa National Park).</p> <p>Local route refinements may also be considered to avoid other sensitive land uses along the route and these will be identified through additional consultation and field study to be completed as part of the Environmental Assessment process.</p> <p>The study is consistent with the process undertaken for the Bruce to Milton Transmission Line project. Alternative methods are identified in Section 6 of the Terms of Reference.</p> <p><i>Section 1 Introduction</i> <i>Section 4.1.1 Reference Route Justification</i> <i>Section 6 Identification and Evaluation of Alternatives</i> <i>Appendices A through C</i></p> <p>Where Species at Risk are identified within the study area, local refinements to the Reference Route will be considered. The Reference Route parallels the existing East-West Tie for the most part and is located in discontinuous caribou range. Potential effects will be identified and mitigation measures will be developed to address</p>

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	range and the caribou within must be considered.	concerns related to caribou in this area as part of the EA.
	<p><b>Section 2.5, Page 13</b></p> <p>Previous experience has demonstrated moving forward concurrently with permits/approvals and the EA process does not always create efficiencies or permit “ample review time” for government agencies as this paragraph suggests. As an example, MNR has been asked to review Geotechnical and Field Work planning information for this project at the same time as the ToR; however the route in this ToR appears to have changed from that originally proposed, data and background information was not available and the assessment of this ToR and other material has taken longer that it would have if a sequential process were in place. Suggest that this paragraph be removed or reworded to reflect additional timelines concurrent analysis will require.</p> <p>Follow-Up Response does not address concern.</p>	<p>The Project is in the preliminary stages and a detailed schedule of other permits and approvals is not yet available and is subject to further consultation with regulators. As additional information becomes available, timelines associated with other permits and approvals will be refined.</p> <p>The section is open ended in terms of when the permits will be applied for. An early understanding of permit requirements may help to alleviate conflicts with Environmental Assessment review requirements.</p> <p>Timelines for permits will be considered as the EA is undertaken. Most permits cannot be approved until the EA has been approved.</p>
	<p><b>Table 1, Page 13</b></p> <p><i>...if commercial, recreational, or Aboriginal fisheries are impacted...</i></p> <p>MNR’s interpretation of the definition of “fishery” under the Fisheries Act relates to the fact that the recreational fishery in Ontario is open-access; anyone with a fishing licence can fish on any Crown water-body. Therefore, all Crown waters support recreational fisheries.</p> <p>MNR will expect detailed fisheries information and expects to be engaged as the field work plans are developed.</p> <p>Follow-Up Response does not reflect concern.</p> <p>MNR definition of fishery is being described here – noting that the TOR is understating that all crown waters support recreational fisheries.</p>	<p>NextBridge appreciates this information and will mention it in discussions with Fisheries and Oceans Canada should they make a determination that approvals under the Fisheries Act are required.</p> <p>As is being indicated during ongoing meetings with the MNR, the majority of watercourses will not be affected by Project construction or operation. Where a watercourse is proposed to be</p>

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	MNR and DFO have existing agreements in place regarding fisheries, this comment is important.	affected, NextBridge will discuss appropriate mitigation strategies with the MNR including observing appropriate timing windows for construction and use of best management practices for mitigation. This is not a ToR issue and will be addressed during the EA.
	<b>Section 2.4, Page 12</b> As previously discussed with MNR, there are requirements for “consent” as a prerequisite for access through several sections of this transmission line, for any initial testing and field work.	NextBridge understands that consent is required for access to several sections of the transmission line for testing and/or field work.
	<b>Table 2.5, Page 14</b> In Table 1 under Potential Notification, Permits, or Approvals - for MNR there are references for the needs of provincial park but not conservation reserves. - Bullet 4 says Research Authorization for provincial parks and conservation reserves (for work to be completed in provincial parks). It should also say for work to be completed in conservation reserves. - Bullet 9 says approval to cross provincial parks as per PPCRA. Approval will also be needed to cross conservation reserves. - Bullet 10 refers to amendment to management direction for applicable provincial parks and nature reserves. Conservation reserves will also need to have their management direction amended if there is to be a crossing of them.	Comment acknowledged. Will be incorporated into the Environmental Assessment Report.
	<b>The Ministry of Natural Resources provided additional comments April 4, 2014 on the above original comment:</b> The TOR and EA need to clearly document MNR’s disposition requirements In order to avoid further EA requirements under A Class Environmental Assessment for Provincial Parks and Conservation Reserves when permitting stage is reached by the proponent. Therefore the TOR MUST be amended to indicate: - A work permit will be required for construction work carried out in provincial parks and conservation reserves. - A Crown lease or land use permit may be issued under PPCRA for portions of corridor in provincial parks and conservation reserves.	Section 2.1.2 of the Terms of Reference documents other applicable provincial Environmental Assessment processes including the Ministry of Natural Resources’ requirements for disposition of Crown lands for provincial parks and conservation reserves.  The permits list provided in the Terms of Reference (Section 2.5) included input and revision during the draft Terms of Reference stage by the Ministry of Natural Resources. An updated list will be provided as part of the Environmental Assessment.



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	<ul style="list-style-type: none"> <li>- A Research Authorization will be required for field work to be completed in provincial parks and conservation reserves.</li> <li>- Approval to cross provincial parks and conservation reserves is required under section 20 and 21 of the PPCRA</li> </ul>	<p><i>Section 2.1.2 Other Applicable Provincial Environmental Assessment Processes</i></p> <p><i>Section 2.5 Other Notifications, Permits and Approvals</i></p>
	<p><b>Section 2.5, Page 14</b></p> <p>This comment was also made on the draft Terms of Reference:</p> <p>Table 1 – A work permit under the Provincial Parks and Conservation Reserves Act will be required for construction work carried out in provincial parks. Crown lease or land use permit may be issued under PPCRA for portions of corridor in provincial parks. This will not affect the EA but proponent needs to be aware of this at permitting stage.</p>	<p>Comment acknowledged. Will be incorporated into the Environmental Assessment Report.</p>
	<p><b>The Ministry of Natural Resources provided additional comments April 4, 2014 on the above original comment:</b></p> <p>The TOR and EA need to clearly document MNR's disposition requirements In order to avoid further EA requirements under A Class Environmental Assessment for Provincial Parks and Conservation Reserves when permitting stage is reached by the proponent. Therefore the TOR MUST be amended to indicate:</p> <ul style="list-style-type: none"> <li>- A work permit will be required for construction work carried out in provincial parks and conservation reserves.</li> <li>- A Crown lease or land use permit may be issued under PPCRA for portions of corridor in provincial parks and conservation reserves.</li> <li>- A Research Authorization will be required for field work to be completed in provincial parks and conservation reserves.</li> <li>- Approval to cross provincial parks and conservation reserves is required under section 20 and 21 of the PPCRA</li> </ul>	<p>Section 2.1.2 of the Terms of Reference documents other applicable provincial Environmental Assessment processes including the Ministry of Natural Resources' requirements for disposition of Crown lands for provincial parks and conservation reserves.</p> <p>The permits list provided in the Terms of Reference (Section 2.5) included input and revision during the draft Terms of Reference stage by the Ministry of Natural Resources. An updated list will be provided as part of the Environmental Assessment.</p> <p><i>Section 2.1.2 Other Applicable Provincial Environmental Assessment Processes</i></p> <p><i>Section 2.5 Other Notifications, Permits and Approvals</i></p>
	<p><b>Section 3.1.1, Page 17</b></p> <p>MNR desires this EA contain an evaluation to determine a proposed route (see comments on Appendix E where the proponent attempted to do this without agency or public/Aboriginal consultation - this assessment did not include local information and has not considered any input or values information the</p>	<p>In accordance with Provincial direction through the Ontario Energy Board's competitive process for selecting a transmitter, the Provincial Policy Statement and other guidelines, NextBridge intends to use the existing East-West Tie to the extent possible in</p>

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	<p>MNR has to provide, as an example). MNR believes a proposed route should be selected through the EA process, including determination of alternate routes/route refinements after field study and consultation (assessment of alternatives is also required as per the Provincial Park and Conservation Reserve Act, and for Endangered Species permits, see below).</p> <p>MNR also believes, given the lifespan and maintenance requirements of this project, the EA should evaluate and consider construction, operation and long term maintenance of the project.</p> <p>Follow-Up Response does not address concern.</p> <p>More supporting rational is required to justify why the Bruce-Milton project and this have the same potential impacts, legislative requirements and mandate considerations of the MNR.</p> <p>The East-West project is largely on crown land where MNR has stewardship responsibilities and mandates that must be upheld. The Bruce project was largely on private lands where authorizations, approvals, permitting and occupation permission from the crown were not required, or not the same.</p>	<p>order to minimize environmental and socio-economic impacts.</p> <p>Three Alternative Routes are currently planned to avoid federal lands (i.e., two First Nation reserves and Pukaskwa National Park).</p> <p>Local route refinements may also be considered to avoid other sensitive land uses along the route and these will be identified through additional consultation and field study to be completed as part of the Environmental Assessment process.</p> <p>The study is consistent with the process undertaken for the Bruce to Milton Transmission Line project. Alternative methods are identified in Section 6 of the Terms of Reference.</p> <p><i>Section 1 Introduction</i></p> <p><i>Section 4.1.1 Reference Route Justification</i></p> <p><i>Section 6 Identification and Evaluation of Alternatives</i></p> <p><i>Appendices A through C</i></p> <p><i>Section 8 Commitments and Monitoring</i></p> <p>The Project is following the planning precedent established by the Bruce to Milton project and government direction. This Project is similar to the Bruce to Milton project as both are new transmission lines. It is understood that this Project includes Crown lands and is located in northern Ontario and as such NextBridge is committed to working with the MNR to address concerns.</p>
	<p><b>Section 4.1, Page 20</b></p> <p>Paragraph 2 states “Alternative Routes, which do not</p>	<p>Comment acknowledged. The Environmental Assessment will include</p>

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	<p>parallel the existing East-West Tie ROW, have been identified to avoid two First Nation reserves and Pukaskwa National Park.”</p> <p>The Provincial Parks and Conservation Reserves Act states:</p> <p><b>Utility corridors</b></p> <p>Section 20 (2) Subject to the policies of the Ministry and the approval of the Minister, with or without conditions, utility corridors, including but not limited to utility corridors for electrical transmission lines, are permitted in provincial parks and conservation reserves. 2006, c. 12, s. 20 (2).</p> <p>Conditions of approval in Section 21 of the PPCRA are:</p> <p>21. In approving the development of a facility for the generation of electricity under subsection 19 (2), (3) or (4) or approving a resource access road or trail or a utility corridor under section 20, the Minister must be satisfied that the following conditions are met:</p> <ol style="list-style-type: none"> <li>1. There are no reasonable alternatives.</li> <li>2. Lowest cost is not the sole or overriding justification.</li> <li>3. Environmental impacts have been considered and all reasonable measures will be undertaken to minimize harmful environmental impact and to protect ecological integrity. 2009, c. 12, Sched. L, s. 21.</li> </ol> <p>In addition identifying alternative routes to avoid First Nation reserves and Pukaskwa National Park, <b>this EA must also identify reasonable alternatives to the existing HONI right of way that goes through existing provincial parks and conservation reserves.</b> If conditions in Section 21, as listed above, are not met, then the Minister of Natural Resources cannot approve the right of way through provincial parks and conservation reserves.</p> <p>Follow-Up Concern is not addressed.</p> <p>All of these items – including no reasonable alternatives – must be met. Alternative routes around protected areas must be assessed to meet legislation (this includes going outside the reference route in some cases).</p>	<p>an assessment of local refinements to the Reference Route to avoid provincial parks and conservation reserves.</p> <p>The EA will include an alternatives assessment that looks at avoiding (i.e., going around) provincial parks, provincial reserves and other protected areas crossed by the Reference Route.</p>

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	<p><b>Section 4.1.1, Page 21</b></p> <p>This section has the potential to be misleading given the most recent letter from Pukaskwa National Park that twinning the line through the protected area is not an option moving forward. As a result “greenfield” routes around the park are now being considered as the reference route. This point should be made clear.</p> <p>Perhaps some additional clarifying text can also be added to describe the difference between “local refinement” and “alternative route” – they both seem to be talking about the same thing, moving the presented corridor.</p>	<p>As indicated in the Terms of Reference (Section 2.2.1), NextBridge is currently exploring Parks Canada’s decision to not accommodate the construction of a transmission line through Pukaskwa National Park. Until such time that this decision is fully explored, the route through Pukaskwa National Park will form the Reference Route as indicated in the Terms of Reference.</p> <p>The east-west portion of the Alternative Route around Pukaskwa National Park between the Marathon Transformer Station and White River also follows an existing transmission line.</p> <p>From White River going south to re-connect with the Reference Route, the Alternative Route will pass through an area primarily identified for logging by 2018 in the Forest Management Plan. Discussions are currently being held with the Ministry of Natural Resources and the Forest Management Agreement holders in order to align the route with main haul roads to the extent possible.</p> <p>Alternative routes have been identified in the Terms of Reference. Local refinements will be considered as the result of encountering significant environmental and/or socio-economic constraints.</p> <p>Section 2.2.1 Section 67 of Canadian Environmental Assessment Act 2012 – Federal Lands</p>
	<p><b>Section 4.1.2, Page 22</b></p> <p><i>Access roads and construction laydown areas will be required...Where necessary, new roads would be extended...Watercourse crossing methods will be determined on a case by case basis.</i></p> <p>Given MNRs understanding (from the preliminary meeting with NextBridge in fall 2013), the construction or upgrading of access roads is likely to pose a greater fisheries concern than the hydro line itself, however</p>	<p>The Project is in the preliminary stages and detailed design is not available at this time as it will be based on confirmation of a Preferred Route, completion of the Environmental Assessment and additional consultation with regulators and other interested parties. As additional information becomes available during the</p>

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	<p>there does not seem to be any consideration of in the ToR. The number, type and location of water-crossings, as well as timing of construction, will be affected by the fish species located in these watercourses.</p> <p>Water crossings will be a significant part of this proposed project. Development of new access routes, replacement or establishment of new water crossings and construction of laydown areas are all activities with the potential to impact aquatic species and habitats. Consideration of Impacts to fish and fish habitat, as well as to wetlands and wetland hydrology should reflected in the ToR. Construction protocol is also required (timing of construction, expected types of crossings (culverts, bridges, oversized culverts, spans etc.) some preliminary thought to watercourse crossing methods should be demonstrated in the ToR. Water crossing maintenance and access will also have significant importance in the long-term maintenance of the transmission line, and this should also be reflected in the ToR.</p> <p>Further, MNR is concerned about the effects of new or improved access on previously remote or near-remote fisheries; increased harvest pressure and introduction of non-native species through bait bucket dumping have both been flagged as fisheries issues associated with new access.</p> <p>MNR expects to see more information on how the EA will assess effects of construction and longer term maintenance (e.g., in recent discussions NextBridge indicated the y would be using herbicides and mechanical clearing for long term vegetation management).</p> <p>Follow-Up Comment not addressed</p> <p>Provide rational for not including more information on aquatic impacts and proposed approach to assessing these impacts in the ToR.</p>	<p>Environmental Assessment, it will be made available for review to the appropriate regulators for comment.</p> <p>Consideration of impacts to fish and fish habitat and wetlands was provided in the Terms of Reference (Section 5.4). We acknowledge the importance of providing due consideration to access roads, and changes to watercourse crossings associated with access roads. Information relating to the construction and operational phase are provided in Section 4.2 of the Terms of Reference. Additional information will be provided in the Environmental Assessment Report.</p> <p>The Reference Route parallels existing transmission facilities for most of its length. The only portion where transmission facilities are not paralleled is south of White River. Most of this area is proposed to be logged by 2018. As such, access to this area will be present regardless of Project development.</p> <p>Both construction and operation of the Project will be addressed as part of the Environmental Assessment.</p> <p><i>Section 4.2 Construction, Operation and Abandonment</i></p> <p><i>Section 5.4 Natural Environment</i></p> <p>The ToR provides information relating to baseline conditions, potential effects and the effects evaluation with respect to aquatics. As previously indicated, additional information will be provided in the EA.</p>
	<p><b>Section 4.2, Page 23</b></p> <p>Through previous discussions, MNR understands the</p>	<p>Plans to address long term maintenance of vegetation along the right-of-way</p>

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	long term maintenance of vegetation will occur through the use of chemicals. This should be explicitly noted under “operations” that chemical application will form part of the vegetation management plan. The application of herbicides has the potential to concern stakeholders, transparency and assessment of potential effects is needed.	have not been finalized. This information will be made available upon finalization for comment and will be incorporated into the Environmental Assessment as applicable.
	<p><b>Section 5.1, Page 24</b></p> <p>MNR has not provided NextBridge or their consultants with any data (as indicated). We have attempted to negotiate a data sharing agreement; however one is not in place. This has severely limited MNR’s ability to provide input and engage; there are extensive outstanding data gaps that MNR would like to assist with filling. As a result the text in this section that describes how the use of collected data “assist(s) the project team and stakeholders in understanding the exiting conditions ....and how the environment may be affected...” is misleading. The EA would be used to collect data and understand existing conditions from which project decisions can be made.</p>	<p>Information provided in the Terms of Reference was based on a preliminary background review and was used to preliminarily identify potential project affects. As stated in Section 5.1 of the Terms of Reference, additional data is required, and will be provided in the Environmental Assessment. Sources the Project Team has and will be using throughout the Environmental Assessment are included in (but are not limited to) Section 5.1.1 of the Terms of Reference, Table 2: Key Records Reviewed. This includes Ministry of Natural Resources data obtained through several sources, most notably Land Information Ontario (LIO) and the Natural Heritage Information Centre (NHIC). The Project Team is currently discussing with the Ministry of Natural Resources additional data that may be available for use during the Environmental Assessment.</p> <p>It is recognized that the Ministry of Natural Resources has additional data and information. The Project Team and the Ministry of Natural Resources (through Nicole Galambos) are currently finalizing a data sharing agreement to allow for the Ministry of Natural Resources to provide additional data to the Project Team.</p> <p>Publicly available data provides the majority of desktop data that a proponent requires to complete the Terms of Reference. The additional data that the Ministry of Natural Resources has may be valuable for use in the field study program and in completing the</p>

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	<p>Follow-Up</p> <p>Comment not addressed – request change in the ToR so that it is not misleading. No rationale has been provided to describe response to this concern.</p>	<p>Environmental Assessment.</p> <p>Section 5.1 Data Collection Methodology</p> <p>Section 5.1.1 Records Reviewed as Part of the Terms of Reference</p> <p>The ToR is not misleading. NextBridge has used a large amount of publicly available MNR data to develop the ToR including Land Information Ontario, the Crown Land Use Policy Atlas and the Natural Heritage Information Centre. NextBridge has now negotiated a data sharing agreement with the MNR (approval on the agreement is expected this week). This will allow the MNR to provide additional data to the Project team.</p>
	<p><b>Section 5.1, Page 26</b></p> <p>As described throughout MNRs comments, field work must focus beyond the narrow identified reference route corridor to provide meaningful evaluation and a full range of mitigation options.</p>	<p>As described in Section 5.3 of the Terms of Reference, a preliminary study area has been established for the Project which includes approximately 500 metres on either side of the Reference Route and Alternative Routes (1 kilometre span). The study area generally allows for the documentation of existing baseline conditions, prediction of potential environmental effects, and development of appropriate mitigation measures with a reasonable degree of accuracy. The study area may be expanded in some areas where local route refinements may be required due to environmental or technical constraints (i.e., topography), or for the assessment of specific features such as archaeological resources, cultural landscapes, viewshed analysis and Woodland Caribou. Detailed field work will, however, be more focused and confined to a smaller area. The scope (which include the study area) of</p>



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		<p>proposed natural environment field work is currently being discussed with the Ministry of Natural Resources.</p> <p><i>Section 5.3 Preliminary Study Area</i></p>
	<p><b>Section 5.1.1 Table 2, Page 26</b></p> <p>Records reviewed should include specific Ecoregional Criteria Schedules Reviewed (3E and 4E), as well as additional draft schedules provided by MNR. Should also include assessment of existing cultural heritage assessment guidelines (more information provided in Appendix E comments).</p> <p>It is MNRs understanding that Land Information Ontario (LIO) and the Natural Heritage Information Center (NHIC) were the key records reviewed (digital layers). We would also hope the proponent has reviewed two main on-line crown resources: Crown Land Use Planning Atlas, and CLAIMaps to assess tenure and existing land use planning direction.</p> <p>Follow-Up</p> <p>Note the MNR was not asked for this information prior to submission of the TOR. It was provided as soon as requested, during the review of the ToR.</p>	<p>The Ecoregion 3E and 4E Criteria schedules will be considered and included as part of the Environmental Assessment. Note that the 4E schedule was not available to the Project Team until after the submission of the Terms of Reference. Schedules in addition to 3E and 4E have not been provided to the Project Team; however, the Project Team will review them when, and if, they are provided.</p> <p>The Project Team has also reviewed the Crown Land Use Planning Atlas, CLAIMaps and Forest Management Plans.</p> <p>This discussion is more relevant to the fieldwork program to be carried out during the EA, not the actual ToR.</p> <p>Based on MNR direction, NextBridge has, and will continue to, submit data requests to the MNR using the “one window” approach, which includes a regional planner in Timmins as the MNR liaison.</p>
	<p><b>The Ministry of Natural Resources provided additional comments April 4, 2014 on the above original comment:</b></p> <p>Use the Crown Land Use Policy Atlas to confirm all land use designations that may be affected. There may be some proposed or recommended provincial parks or conservation reserves that the proponent should be aware of and consider during EA. There may be some Forest Reserves that the proponent should be aware of and consider during EA. Forest Reserves are areas with natural heritage value that are intended to be added to the adjacent provincial park or conservation reserve</p>	<p>The Crown Land Use Policy Atlas was reviewed as part of the Terms of Reference. Most of the data illustrated in this type of information will be considered during the Environmental Assessment in more detail.</p> <p><i>Section 5.5.1 Provincial and Municipal Policy</i></p>

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	when the mining tenure lapses through normal processes.	
	<p><b>Section 5.2, Page 27-28</b></p> <p>Project activities identified as potentially affecting the natural and socio-economic environment. This section also needs to include the following as project activities:</p> <ul style="list-style-type: none"> <li>- Long-term maintenance of the transmission line (including the use of mechanical and chemical controls)</li> <li>- Aggregate development</li> <li>- Movement of materials and workers between tower sites</li> </ul> <p>Follow-Up Response does not address comment.</p> <p>MNR indicated these items must be considered, response is discussion through the EA “as necessary”. How are these concerns going to be addressed. What does “as necessary” mean, how are aggregates and the Aggregate Resources Act going to be considered, how will construction activities and their impacts be measured, assessed and resulting mitigation measures or route adjustments be made?</p>	<p>Comments acknowledged. These items will be discussed as part of the Environmental Assessment, as necessary.</p> <p>Potential effects and mitigation measures relating to the operation and construction of the Project will be addressed in the EA. The ToR addresses vegetation management in Section 4.2.</p>
	<p><b>Section 5.3, Page 28</b></p> <p>This comment was also made on the draft TOR: Preliminary study area may need to be larger than “500 m on either side of the Reference Route and Alternative Routes” in situations where the line may be visible (affecting recreation dependent on aesthetics) from more than 500 m away; or to accommodate other sensitive environmental features.</p>	<p>As described in Section 5.3 of the Terms of Reference, a preliminary study area has been established for the Project which includes approximately 500 metres on either side of the Reference Route and Alternative Routes (1 kilometre span). The study area generally allows for the documentation of existing baseline conditions, prediction of potential environmental effects, and development of appropriate mitigation measures with a reasonable degree of accuracy. The study area may be expanded in some areas where local route refinements may be required due to environmental or technical constraints (i.e., topography), or for the assessment of specific features such as archaeological resources, cultural landscapes, viewshed analysis and</p>

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	<p>Follow-Up Does not address concern.</p> <p>How will a broader area be assessed if only a narrow area is going to be studied? This does not address MNRs concerns that a broader study area is required to assess re-location of the line as a mitigation measure.</p>	<p>Woodland Caribou. Detailed field work will, however, be more focused and confined to a smaller area. The scope (which include the study area) of proposed natural environment field work is currently being discussed with the Ministry of Natural Resources.</p> <p><i>Section 5.3 Preliminary Study Area</i></p> <p>Section 6.2.2 of the ToR demonstrates that local refinements to the Reference Route will be considered should environmental or technical constraints that cannot be mitigated be identified. As previously indicated, the study area will be expanded to accommodate the local route refinement.</p>
	<p><b>Section 5.4.3, Page 31</b></p> <p>MNR is interested in how it was determined that Pukaskwa park “is the most significant” protected area along the reference route, as there has not yet been an opportunity to discuss the protected area system and features within the other 15+ protected areas along the route.</p>	<p>All provincial and federal parks and reserves are considered to be significant for the purposes of this Project. However background research has identified Pukaskwa National Park as having the largest geographical extent and includes a significant portion of the Lake Superior shoreline (approximately 75 km) when compared to other provincial parks and reserves along the Reference Route.</p>
	<p><b>Section 5.4.4, Page 31</b></p> <p>This section also identifies candidate ANSIs, and should reflect this. MNR is curious why the Enhanced Management Areas (EMA) and Signature Sites along the reference route are not identified or discussed?</p> <p>It appears the area is located within the Great Lakes Heritage Coast Signature Site, one of 9 such areas featured in the Ontario’s Living Legacy Land Use Strategy (1999); also appears the route may pass through some Enhanced Management Areas.</p> <p>MNR is unclear if the South Michipicoten River-Superior Shoreline Conservation Reserve (C1517) is included in this project area? Please clarify (mapped</p>	<p>Enhanced management areas are a Crown land use designation that is used to provide more detailed land use direction in areas of special features or values. Enhanced management areas and signature sites were reviewed at a high level based on available data however they are too detailed for the general level of discussion undertaken in the Terms of Reference. More detailed information is currently being collected and will be used to inform the Environmental Assessment. If the Ministry of Natural Resources has</p>

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	product may help – map provided is too course to be able to make these determinations).	additional information relating to these features, the Project Team looks forward to receiving it and incorporating it as applicable.  Based on a review of available mapping, the South Michipicoten River-Superior Shoreline Conservation Reserve is not located within the Study Area.
	<b>Section 5.4.5, Page 33</b>  MNR would like the focus of ELC/botanical surveys to be on the rare communities – as noted there is potential for these communities to occur throughout the study area. In discussions to date, it is suggested that looking at representation is planned, this approach targets the most populous communities, resulting in sampling that misses the most unique or rare communities. Some discussion about approach to data collection that focuses on identification of unique/rare features is desired.	This detailed level of information is not appropriate for the Terms of Reference but would be considered during the Environmental Assessment. The proposed Natural Environment Work Plan is currently being reviewed in consultation with the Ministry of Natural Resources. Additional meetings are being arranged with the Ministry during the month of April 2014 through Nicole Galambos. It is anticipated that an agreement will be reached prior to the commencement of the 2014 spring field work season.
	<b>Section 5.4.6, Page 33-34</b>  <i>Features to be documented include watercourses and waterbodies using desktop and field studies.</i>  There are 300+ water courses and another 100+ waterbodies being crossed by the project that may experience significant environmental effects as a result of this project. MNR questions whether NextBridge will be able to conduct “desktop and field studies” and have all of their baseline studies completed by the end of this summer.  It is already late March, MNR would like to discuss the proposed methodology and site selection, and review applications for Scientific Collectors’ Permits – yet none of these discussions or meetings have taken place. MNR is extremely concerned that the proponent’s quick timelines will affect the quality of baseline fish and fish habitat documentation collected for this project.	The proposed Natural Environment Work Plan is currently being reviewed in consultation with the Ministry of Natural Resources. Additional meetings are being arranged with the Ministry during the month of April 2014 through Nicole Galambos. It is anticipated that an agreement will be reached prior to the commencement of the 2014 spring field work season.  NextBridge does not anticipate in-water work associated with the construction of the Project. Any improvements that may be required with respect to access road development (i.e., new bridges or culverts) will be discussed with the Ministry of Natural Resources and follow their guidelines. In these areas we anticipate conducting a habitat assessment and following applicable timing windows for construction.
	<b>Section 5.4.9, Page 34</b>	The list provided in the Terms of Reference is preliminary. A more

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	<p>Some e-mail discussion with consultants and the proponent to date have also noted Lake Sturgeon (threatened) and Little Brown Bat (endangered), yet they are not included in this list. Grey Fox should also be added.</p> <p>Differentiation between Endangered, Threatened and Special Concern species should be made as there are implications under the ESA for each. If special concern species are to be included in this list, the list should be more robust.</p> <p>Discussions with the MNR specific to species at risk have not taken place and this list as presented is likely incomplete.</p> <p>Follow-Up</p> <p>The ToR should describe the known species in the area – vs. preliminary list, as this will have impacts on how the EA is conducted, the types of studies and information that is collected and how the public is engaged.</p> <p>Comment regarding the status of species has not been addressed. There are differences, as noted, that should be made clear.</p>	<p>comprehensive review of background information has occurred since the submission of the Term of Reference. A more detailed list of provincially endangered and threatened species at risk with the potential to occur in the area of the Project (as identified through background information) has since been provided to Ministry of Natural Resources staff since the submission of the Terms of Reference. The Project Team has also identified that restricted records exist in the area of the Project. Meetings with the Ministry of Natural Resources are currently being arranged during the month of April 2014 through Nicole Galambos. It is anticipated that through these meetings, a detailed list of species at risk will be compiled, which will then be included as part of the Environmental Assessment Report.</p> <p>The list contained in the ToR is preliminary. We will expand the list during the EA based on additional information obtained during the consultation program, including meetings currently being held with the MNR.</p> <p>A data sharing agreement with the MNR is now being finalized.</p>
	<p><b>Section 5.4.12, Page 35</b></p> <p>The overview of preliminary potential effects to the natural environment associated with the project during construction, operation and maintenance that will be assessed as part of the EA.</p> <p>Long Term Maintenance of the transmission line will be an integral component of the EA.</p>	<p>Comments acknowledged. This will be addressed in the Environmental Assessment Report, as applicable.</p>
	<p><b>Section 5.4.12, Page 35-36 (Table 4)</b></p> <p>Table 4: Preliminary Potential Effects – Natural</p>	<p>Comments acknowledged. This will be addressed in the Environmental</p>

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	<p>Environment</p> <p>Physiography, Geology, Surficial Geology and Soils – soil erosion</p> <p>Fish and Fish Habitat – access development and increased resource use</p> <p>Wildlife, Wildlife Habitat and Species at Risk – access development and increased resource use</p> <p>As discussed in prior comments, effects associated with creating or improving angler access as a potential effect to fish and fish habitat.</p> <p>Also add effects of long term chemical use to control vegetation.</p>	<p>Assessment Report, as applicable.</p>
	<p><b>Section 5.4.12, Page 36</b></p> <p>This comment was also made on the draft TOR:</p> <p>Table 4 – the effects of construction activities on the acoustic environment will be an important consideration in PPs near recreational use areas. Even if the TOR is not adjusted, the EA must consider this.</p>	<p>Comments acknowledged. This will be addressed in the Environmental Assessment Report, as applicable.</p>
	<p><b>Section 5.5.1, Page 36-37</b></p> <p><i>“In accordance with the PPS, the Project is planned to be located in an existing ROW”</i></p> <p>The Project will not be “in” the existing ROW as noted, it is proposed to be adjacent to the existing ROW increasing the current size of the existing ROW and resulting in new, greenfield development as the project is detouring around Pukaskwa National Park. This statement is misleading and should be altered; as well, a description of the significance of different approaches to assessing greenfield vs. twinning of the project should be added.</p> <p>Follow-Up</p> <p>Concern was not addressed.</p> <p>Statement remains and is misleading. Response does not justify leaving as is. Project does not state “widening” as the purpose (Bruce-Milton ToR describes the project as “widening”), but generally paralleling within 500m of existing, and new development around</p>	<p>The Terms of Reference indicates that the Project will be located “in an existing right-of-way to the extent possible.” This implies some overlap with the existing East-West Tie on Crown land. In areas where this is not possible, the Project will generally parallel the existing right-of-way which will be widened. As previously indicated, the Alternative Route around Pukaskwa National Park follows an existing transmission line for the majority of the route with the exception of the north-south section, a significant portion of which is to be logged by 2018.</p> <p>NextBridge disagrees. Unless there is a specific environmental or technical constraint to require a local route refinement, the Project will parallel the existing East-West Tie to Marathon, parallel an existing 115 kV line to White River (as a result of the refusal by Parks Canada to allow the Project to parallel</p>

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	Pukaskwa.	the existing East-West Tie through Pukaskwa National Park) and parallel the existing East-West Tie to Wawa.
	<b>Section 5.52, Page 37, 38</b> Population and Demographics does not include any mention of Aboriginal populations in the project area. Aboriginal peoples make up a major growing population in the province and many live in proximity to the area of the undertaking.	Aboriginal populations will be described in the Environmental Assessment.
	<b>Section 5.5.8 and 6.2.2, Page 41 and 44</b> This comment was also made on the draft TOR: Table 5 – provincial policy. On January 28, 2014 a letter was sent to the proponent describing the provincial parks policy related to transmission corridors, and the management direction regarding transmission corridors for each park that will be affected. The proponent should use this to plan where there might need to be local route refinements (sec. 6.2.2). Local route refinements need to be considered for Black Sturgeon River and Ruby Lake. Also, the proponent should be aware that management direction (plan/statement) will need to be amended for the following parks if the new transmission line is constructed in: Kama Hill, Gravel River, Neys, Red Sucker Point. Route refinements are not shown on any maps in final TOR, but “local route refinements” mentioned as consideration in sec.6.2.2. Even if the TOR is not adjusted, the EA must consider this.	Comments acknowledged. This will be addressed in the Environmental Assessment Report, as applicable.
	<b>The Ministry of Natural Resources provided additional comments April 4, 2014 on the above original comment:</b>  Depending on final route selection, management direction of provincial parks and conservation reserves may need to be amended. The amendment process will allow MNR to consult about whether consideration of new utility corridors is appropriate. Consultation requires direct notification to interested and affected parties and First Nations. It also requires posting a notice on the Environmental Bill of Rights registry, for which it takes 6 – 8 weeks to seek approvals. The results of the proposed amendment to management direction MAY be new utility corridors	Comment acknowledged. Section 2.5 of the Terms of Reference indicates that amendment to management direction for applicable provincial parks and nature reserves may be required.  <i>Section 2.5 Other Notifications, Permits and Approvals</i>



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	<p>should not be considered in some/all provincial parks or conservation reserves. Consultation on the proposed amendment to management direction(s) should be co-ordinated with Nextbridge's consultation on the EA, therefore Nextbridge needs to keep MNR apprised of timeframes. Also the amendment will need to be approved BEFORE any construction begins.</p> <p><b>Follow-Up</b> MNR wants to make it clear, that amendments to management direction <u>may not</u> go forward if public consultation opposes transmission line construction in protected areas.</p> <p>The proponent should have an alternate route or back up plan identified, as is a requirement of the Act to assess alternatives this shouldn't be a concern.</p>	<p>The EA will include an alternatives assessment that looks at avoiding (i.e., going around) provincial parks, provincial reserves and other protected areas crossed by the Reference Route. Additionally, in discussion with Ontario Parks, provincial waterway parks allow for transmission facilities should an alternatives assessment determine that paralleling the existing East-West Tie is the most feasible alternative.</p>
	<p><b>Section 6.2, Page 43</b></p> <p>The scoped assessment of alternatives, as presented will likely not provide for the consideration of MNR's mandate and interests in the final EA. We would like to see alternatives presented around parks, conservation reserves and other environmentally sensitive areas. We have also noted through discussion and elsewhere in these comments that a study area greater than 500 m is needed to assess and establish appropriate "local refinements" and request the reference route be expanded, at a minimum. This is particularly concerning for the new greenfield route by-passing Pukaskwa National Park.</p>	<p>To clarify your comment, the study area has an approximate 1 kilometre span (i.e., 500 metres on either side).</p> <p>In accordance with Provincial direction through the Ontario Energy Board's competitive process for selecting a transmitter, the Provincial Policy Statement and other guidelines, NextBridge intends to use the existing East-West Tie to the extent possible in order to minimize environmental and socio-economic impacts.</p> <p>Three Alternative Routes are currently planned to avoid federal lands (i.e., two First Nation reserves and Pukaskwa National Park).</p> <p>Local route refinements may also be considered to avoid other sensitive land uses along the route and these will be identified through additional consultation and field study to be completed as part of the Environmental Assessment process.</p> <p>The study area may be expanded in some areas where local route refinements may be required due to</p>

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	<p>Follow-Up Response does not address concern.</p> <p>MNR may not be able to authorize the proposed line location unless alternatives are explored. These an exploration of impacts associated with alternative locations/ routes will be required to address provincial park and conservation reserves as per the Act (noted above) and to meet permitting requirements for species at risk – Caribou being a large concern as linear corridors are known to have long term adverse impacts to habitat as populations (increases predation, etc.). There is no mention of these requirements in the TOR.</p> <p><b>If these items are not addressed through the EA, a separate assessment process is likely to be required before MNR would be able to issue authorizations and approvals.</b></p> <p>The TOR should be clear about these requirements, and the EA conducted accordingly. As currently written, the TOR does not meet MNR's mandated and legislated needs.</p>	<p>environmental or technical constraints (i.e., topography), or for the assessment of specific features such as archaeological resources and Woodland Caribou.</p> <p><i>Section 1 Introduction</i></p> <p><i>Section 4.1.1 Reference Route Justification</i></p> <p><i>Section 6 Identification and Evaluation of Alternatives</i></p> <p><i>Appendices A through C</i></p> <p>The EA will include an alternatives assessment that looks at avoiding (i.e., going around) provincial parks, provincial reserves and other protected areas crossed by the Reference Route.</p>
	<p><b>Section 6.2.1, Page 44</b></p> <p><i>Based on the criteria in Section 6.2, it was determined that an easterly sub-route was preferred....route...refined to minimize environmental, physical, technical and socio-economic effects</i></p> <p>MNR expresses concerns with this type of evaluation taking place outside of an EA, without agency, public or Aboriginal consultation. MNR data and local</p>	<p>The process used to develop the Terms of Reference for the Project closely follows that used for the Bruce to Milton Transmission Line project, which was approved by the Ministry of Environment and subsequently built.</p>

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	<p>knowledge was not utilized by the proponent and was not considered in this evaluation.</p> <p>Follow-Up Response does not address concern.</p> <p>Please respond to concern – why was this study conducted outside of the EA? What Aboriginal information and ministry information was used to guide this? What are the risks associated with not having known information (MNR sensitive values information) assessed through this process?</p> <p>Was more information known in the Bruce-Milton line to conduct this study? Were crown lands involved with little known values information?</p> <p>Habitat schedules and criterion to identify significant habitat – are there differences north to south? How were data gaps addressed,</p>	<p>An Alternative Route was required around Pukaskwa National Park. This alternative was refined slightly to avoid a provincial park and better align it with previously disturbed areas (i.e., logging road development). Publicly available data as well as information obtained from several open house meetings was used during the development of the ToR. The MNR's focus should be on the Reference Route, Alternative Routes, and local route refinements (which will be identified during the EA). Local route refinements will be used to account for additional environmental features that may be identified.</p> <p>The EA will also include an alternatives assessment that looks at avoiding (i.e., going around) provincial parks, provincial reserves and other protected areas crossed by the Reference Route.</p>
	<p><b>Section 6.2.2, Page 44</b></p> <p>The list provided to develop alternatives is limiting, particularly MNR suggests changing</p> <ul style="list-style-type: none"> <li>- “implemented within the study area” – as previously noted, the study area is too small to provide adequate assessment of options and a suite of mitigation measures</li> <li>- “financially realistic...” – as per the Provincial Park and Conservation Reserve Act, this is not an appropriate evaluation/decision making measure</li> </ul>	<p>The list provided in Section 6.2 of the Terms of Reference is quoted from the Ministry of Environment's (2014) Code of Practice: Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario. The list is not exhaustive and is intended to provide the proponent with guidance when developing alternatives.</p>
	<p><b>The Ministry of Natural Resources provided additional comments April 4, 2014 on the above original comment:</b></p> <p>“Financially realistic” is an appropriate decision-making measure, however as per section 21 of the PPCRA it cannot be the “sole or overriding justification” in provincial parks and conservation reserves.</p>	<p>Comment acknowledged. This only forms one of several criteria as noted in the Terms of Reference.</p> <p><i>Section 6.2 Alternative Methods for Carrying Out the Undertaking</i></p>

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	<p><b>Section 6.2.2, Page 44</b></p> <p><i>In addition to consulting with agencies....NextBridge...gathered information. Based on information gathered from stakeholders and a preliminary review using the criteria in Section 6.2, it was determined that the reference route was preferred in the area between....</i></p> <p>MNR (a stakeholder) was not engaged to provide data to make this assessment, no “consultation” with MNR has taken place. There have been limited opportunities for public or agency input, and no review opportunities on the selection of a reference route location. MNR believes this assessment and ultimate route selection should take place through a transparent and open EA process where consultation on potential routes and alternatives can take place.</p> <p>As an example, Black Sturgeon River Provincial Park falls within this route, however the existing park management plan says new utility corridors will not be permitted, and therefore the refinement route must be moved to avoid the park.</p>	<p>The local refinements between Thunder Bay and Nipigon were identified at the commencement of the Project, were preliminary in nature and followed other existing infrastructure. A high level screening was completed and in combination with input received thus far, it was determined that the Reference Route was more acceptable. This however does not limit the possibility of having additional local route refinements in this area as well as in other areas of the Reference Route to avoid sensitive environmental and/or socio-economic features. Local route refinements will be identified during the Environmental Assessment.</p>
	<p><b>Section 6.2.2, Page 44</b></p> <p>Local Refinements to the Reference Route: MNR hope the E.A. will identify local refinements around the conservation reserves and provincial parks it may be planning to cross. Kama Cliffs and Gravel River Conservation Reserves are fairly large and require a fair bit of planning to locate alternative route around these protected areas.</p>	<p>Local refinements to the Reference Route and Alternative Routes will be identified and evaluated during the Environmental Assessment to avoid sensitive environmental and/or socio-economic features.</p> <p><i>Section 6.2.2 Local Refinements to the Reference Route</i></p>
	<p><b>Section 6.2.2, Page 44</b></p> <p><i>A comparative route analysis of both sides of the reference route and alternative route.... Was undertaken in order to select the preferred side...on which to locate....analysis identifies that locating the reference route on the north side... is generally preferred</i></p> <p>This analysis and any route selection should form a major component of the EA, not be conducted before hand without public, agency or Aboriginal involvement. See notes on Appendix E, this study is missing critical information to be completed accurately.</p>	<p>In accordance with Provincial direction through the Ontario Energy Board’s competitive process for selecting a transmitter, the Provincial Policy Statement and other guidelines, NextBridge intends to use the existing East-West Tie to the extent possible in order to minimize environmental and socio-economic impacts.</p> <p>Three Alternative Routes are currently planned to avoid federal lands (i.e., two First Nation reserves and Pukaskwa National Park).</p>

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		<p>Local route refinements may also be considered to avoid other sensitive land uses along the route and these will be identified through additional consultation and field study to be completed as part of the Environmental Assessment process.</p> <p>Appendix E contains a comparative route analysis that was completed primarily to focus field work commencing in the spring 2014. As indicated in Appendix E, desktop data obtained by the Project Team from agencies included official plans, orthophotographics, and detailed environmental constraint mapping that included Ministry of Natural Resources data from Land Information Ontario (LIO). A review of the Crown Land Use Policy Atlas was also undertaken. The preferred side of the corridor to be paralleled will be revisited and confirmed during the Environmental Assessment as additional data becomes available.</p> <p>Comments received from the agencies and during public Open Houses held during the Terms of Reference phase were also taken into account as part of the comparative analysis.</p> <p>This process follows the same process used in the Terms of Reference approved by the Ministry of Environment for the Bruce to Milton Transmission Line.</p> <p><i>Section 1 Introduction</i></p> <p><i>Section 4.1.1 Reference Route Justification</i></p> <p><i>Section 6 Identification and Evaluation of Alternatives</i></p> <p><i>Appendices A through C</i></p>

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	<p>Follow-Up Response does not address comment.</p> <p>More justification is needed to explain how this analysis and selection of a preferred route can occur outside of the EA and still meet in intent of the environmental assessment.</p> <p>Consultation through the EA is how a full picture of information and values would be collected for assessment. To complete an assessment without this information has the potential to direct field work and baseline data collection to areas not suitable for a transmission line in the first place.</p> <p>Please provide rational, justification, examples of other studies in this geographic area where this was done. Comments to support this approach from MNR and other agencies with crown resource stewardship mandates.</p>	<p>Please see above and our original response to this question.</p> <p>Perhaps consultation between the MNR, the Ministry of Energy and the OPA is warranted.</p>
	<p><b>Section 7.2, Page 48</b></p> <p>This comment was also made on the draft TOR.</p> <p>Mitigation measures identified at this stage for Pukaskwa National Park in the Parks Canada Project Description will generally suffice for provincial parks, however the following modifications/enhancements will be required: Restoring a vegetation cover in provincial parks must be completed using local plant/seed sources with no non-native or invasive species. To mitigate noise impacts to park users, plan construction to avoid seasons of high use. Locate and/or design the transmission line to mitigate aesthetic impacts to park visitors visiting areas because of the views they offer (e.g. viewpoints on hiking trails, campground beaches, popular fishing lakes). Note that other mitigation measures may be needed once the actual project description/EA including provincial parks is available. Finally, construction and operation/maintenance must not create any new access to a provincial park. Pukaskwa NP Project Description was not provided with the final TOR. The EA must consider these mitigation measures plus the ones identified in the Pukaskwa NP PD for all provincial parks.</p>	<p>Mitigation measures will be developed during the Environmental Assessment and reflect concerns expressed by the Ministry of Natural Resources.</p>

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	<p><b>Section 8.1, Page 49</b></p> <p>“Continued Aboriginal Community involvement” should be added. Aboriginal Communities are not stakeholders.</p>	<p>Section 8.1 of the Terms of Reference is general and applies to Aboriginal and non-Aboriginal groups. A detailed Aboriginal Engagement and Consultation Plan is provided in Section 9.4 of the Terms of Reference which underscores NextBridge’s commitment to consult with Aboriginal communities.</p> <p><i>Section 8.1 Environmental Commitments</i> <i>Section 9.4 Aboriginal Engagement and Consultation Plan</i></p>
	<p><b>Section 8.2, Page 50</b></p> <p>Environmental Monitoring: how and where will Nextbridge conserve “an acre of land for every acre of wilderness that is permanently impacted”?</p> <p>Follow-Up Response does not address comment.</p> <p>How and where will this commitment be fulfilled?</p>	<p>The purpose of this statement is to provide an environmental commitment. The monitoring plan to be provided as part of the Environmental Assessment will contain additional detail.</p> <p>The commitment has been made. The location will be determined with the government at a future date.</p>
	<p><b>Section 9.3, Page 53</b></p> <p>This comment was also made on the draft TOR.</p> <p>So far MNR has done 2 mail outs on behalf of the proponent. Will this continue throughout the EA, or is/can the proponent ask recipients to indicate if they want to receive further notices? If this hasn’t occurred yet, but is a possible approach MNR could provide some wording about MNR interests with the project (or possible effects of the projects on MNR’s mandate). This will not affect the TOR or the EA.</p>	<p>On subsequent mail outs, NextBridge will provide wording agreeable to the Ministry of Natural Resources with respect to recipients indicating if they wish to receive subsequent mail outs.</p>
	<p><b>Section 9.4</b></p> <p>The approach being contemplated in the TOR has direct connections to Ontario’s key priorities for Ontario’s Aboriginal Agenda and also for potential resource benefit sharing opportunities. The TOR speaks of these aspects however does not reference any connected to Ontario’s policy in this subject area.</p>	<p>Comment acknowledged. This section of the Terms of Reference has been reviewed by the Ministry of Energy and the Ontario Energy Board.</p>
	<p><b>Glossary, Page 74</b></p>	<p>Comment acknowledged. The definition was taken from the following Ministry of</p>



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	Provincially Significant Wetland – the definition provided here is misleading. There are many wetlands that the province has not identified (with no PSW designation due to lack of evaluation) which are considered valuable. Lack of designation is not an indicator of lesser value provincially.	Natural Resources document: Ministry of Natural Resources. 2013b. Significant Wetlands and the Ontario Wetland Evaluation System. Retrieved November 26, 2013 from: <a href="http://www.mnr.gov.on.ca/stdprodcons/ume/groups/lr/@mnr/@biodiversity/documents/document/stdprod_091597.pdf">http://www.mnr.gov.on.ca/stdprodcons/ume/groups/lr/@mnr/@biodiversity/documents/document/stdprod_091597.pdf</a> .
	<b>Glossary, Page 74</b> Species at Risk – designation may be both Provincially (Ontario) and Federally (Canada) Endangered – not engendered	Comment acknowledged.
	<b>Appendix D, D-1</b> General Comments What is meant by the term “indicator”? Indicators of what? If this is intended to mean indicators of impacts additional specific information needs to be added to this table to make it more comprehensive rather than “number and length of the route through the feature” Potential Effects – a more descriptive list of potential effects was provided in table 4 page 35 – why are these potential effects not reflected in this table? (Many of these potential effects in Table 4 apply to more than one of the criteria provided in the table in Appendix D)	As per the Ministry of Environment’s (2012) Code of Practice: Preparing and Reviewing Terms of Reference for Environmental Assessments on Ontario, the proponent should develop a preliminary list of criteria to assess the effects of alternatives on the environment. As required, the criteria should have one or more indicators that will identify how the potential environmental effects can be measured. As indicated in both the Terms of Reference and Code of Practice, the list of criteria and indicators is preliminary and will be further refined during the Environmental Assessment as necessary. The Terms of Reference provides a preliminary list of potential effects and should be read as a whole. It is possible and expected that potential effects overlap with respect to environmental and socio-economic features.
	<b>Appendix D, D-2</b> Other considerations: - Natural Heritage Features: should have change to function or use as a potential effect - Wetlands: change to function or use as a potential effect - Species at risk: damage or destruction to habitat as	Section 6.3 of the Terms of Reference states that the evaluation criteria will be confirmed during the course of the Environmental Assessment and may include additions or deletions based on new information that is obtained by the Project Team in relation to the areas of

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	<p>potential effect (legislative concerns)</p> <p>- Fish and Fish Habitat and Wildlife and Wildlife Habitat should have access development and increased resource use (fishing/hunting) listed as potential effects.</p>	<p>the route being evaluated. These considerations will be incorporated into the Environmental Assessment, where applicable.</p> <p><i>Section 6.3 Evaluation of Alternative Methods</i></p>
	<p><b>Appendix E, 1.0, E-1</b></p> <p><i>Alternative routes...were reviewed from a natural, socio-economic, physical and technical perspective, and were refined as a result of this analysis</i></p> <p>How could this assessment have taken place when the complete picture of natural, socio-economic and physical picture remains unknown? The MNR has not provided information on values or known environmental features in the area. The public and Aboriginal communities have not had the opportunity to input or review this work and their local knowledge remains unknown. The route should be determined through consultation, as a part of the EA process, not beforehand.</p> <p>Follow-Up</p> <p>As per above notes – provide rationale for following Bruce-Milton approach in significantly different landscape.</p>	<p>The evaluation was based upon a certain level of information being available and follows the format of that used by Hydro One in the Bruce to Milton Transmission Line project. The public and Aboriginal communities have had an opportunity to participate and in some cases (i.e., Township of Dorion) have provided comments that will result in a further evaluation of which side of the existing East-West Tie the Project should be built on and whether a better option exists. The Terms of Reference leaves the Environmental Assessment open to consider minor refinements to the Reference Route and Alternative Routes.</p> <p>Local knowledge will be incorporated into the Environmental Assessment, as applicable. Should local knowledge result in a change to the Reference Route, the Terms of Reference was developed to accommodate this.</p> <p>The MNR's focus should be on the Reference Route, Alternative Routes, and local route refinements (which will be identified during the EA). Local route refinements will be used to account for additional environmental features that may be identified.</p>
	<p><b>Appendix E, 2.0</b></p> <p>Section states the method of this study was to select criteria based on available data and a desktop analysis. MNR does not have a data sharing agreement in place with the proponent or consultants, as such a complete</p>	<p>Section 6.3 of the Terms of Reference states that the evaluation criteria will be confirmed during the course of the Environmental Assessment and may include additions or deletions based on</p>

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	<p>picture of available data was not considered – affecting the stated methods. Desktop data does not include the (often) more important local knowledge; the methodology for this assessment is incomplete without the complete picture.</p>	<p>new information that is obtained by the Project Team in relation to the areas of the route being evaluated. These considerations will be incorporated into the Environmental Assessment, where applicable.</p> <p>The evaluation was based upon a certain level of information being available and follows the format of that used by Hydro One in the Bruce to Milton Transmission Line project. The public and Aboriginal communities have had an opportunity to participate and in some cases (i.e., Township of Dorion) have provided comments that will result in a further evaluation of which side of the existing East-West Tie the Project should be built on or whether a better option exists. The Terms of Reference leaves the Environmental Assessment open to consider minor refinements to the Reference Route and Alternative Routes.</p> <p>Local knowledge will be incorporated into the Environmental Assessment, as applicable. Should local knowledge result in a change to the Reference Route, the Terms of Reference was developed to accommodate this.</p> <p><i>Section 6.3 Evaluation of Alternative Methods</i></p>
	<p><b>Appendix E, 2.0, E-3</b></p> <p>Why hasn't lake sturgeon (threatened) been included as an indicator under Species At Risk? The project route crosses several known lake sturgeon rivers, including the Black Sturgeon and the Pic; this particular reproductive population of sturgeon has been identified as "disproportionately important" to the conservation of sturgeon in Lake Superior.</p> <p>The only species at risk identified was caribou, although several species are known within the study area – it is unclear why this was the only species selected. Again, this type of analysis should take place</p>	<p>Section 6.3 of the Terms of Reference states that the evaluation criteria will be confirmed during the course of the Environmental Assessment and may include additions or deletions based on new information that is obtained by the Project Team in relation to the areas of the route being evaluated. These considerations will be incorporated into the Environmental Assessment, where applicable.</p>

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	<p>through a process where knowledge and values can be shared – MNR suggests this analysis be redone through the EA process.</p> <p>Follow-Up Response does not address comment.</p> <p>Why was lake sturgeon not included as an indicator under Species at Risk?</p>	<p><i>Section 6.3 Evaluation of Alternative Methods</i></p> <p>The criteria and indicators provided in the ToR include Species at Risk. A preliminary list of Specific at Risk that may be present in the study area has been provided to the MNR and is currently being discussed. The list will be further developed based on field work and specific Species at Risk will be provided in the EA along with information relating to potential effects and mitigation.</p>
	<p><b>Appendix E, E-4</b></p> <p>Table 2: Comparative Analysis Reference Route - This table gives a very specific land area for Area of Conservation Reserves within the proposed ROW (ha) 59.30 (North side of existing ROW) and 48.10 (South side of existing ROW). This would mean there is a specific detailed corridor to calculate these figures. However, they are not shown or mapped in these terms of reference. In contrast, Section 5.4.4 on page 31 is very vague about the locations of the routes that are looked at. The text states “there are provincial parks, conservation reserves, and Areas of Natural and Scientific Interest (ANSIs) located in, or in proximity to, the study area...” These terms of reference should include some detailed maps of the right of way that is being considered close to protected areas.</p>	<p>As indicated in Section 2 of the Comparative Route Analysis (Appendix E), an approximately 56 metre wide right-of-way located directly adjacent to the existing transmission facilities was used for the purposes of the analysis. This was multiplied by the area crossed to come up with an approximate area.</p> <p>The Terms of Reference was prepared according to the Ministry of Environment’s (2012) Code of Practice: Preparing and Reviewing Terms of Reference for Environmental Assessments on Ontario and other Ministry of Environment guidance documents. The Code of Practice indicates that a map should be provided (on its own 8.5 inches by 11 inches page). In keeping with the intent of the Code of Practice, as well as other recently submitted Terms of Reference documents for other projects, a map in this format was submitted.</p> <p><i>Appendix E Comparative Route Analysis</i></p>
	<p><b>Appendix E, 4-8</b></p> <p>Summary of comments from both Table 1 and 3: There may be no scenic viewpoints within the ROW but</p>	<p>Section 6.3 of the Terms of Reference states that the evaluation criteria will be confirmed during the course of the Environmental Assessment and may</p>

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	<p>a more useful indicator would be the number of scenic viewpoints from which the E-W Tie will be visible; or the “impact” as a result of this project.</p> <p>It does not appear that an assessment of potential cultural/archeological potential was complete, has Ministry of Culture been engaged?</p> <p>“n/a” is not an accurate representation of the number of archeological sites within the proposed area. This is unknown until further consultation and data gathering moves forward. As noted above, it can be expected that there would be a high potential to encounter these areas given the proximity to water and historical fur trade routes.</p> <p>Tables indicate that the “area of traditional land uses/harvest areas within the proposed ROW” is “n/a”, this statement is inaccurate and misleading. The entire route on crown land will be allocated to uses like trapping, baitfish harvesting, bear management area and possibly commercial fishing therefore it is unclear how the indicator results can be “n/a” instead of some area (hectares). The MNR could provide more details on this.</p> <p>Section 5.4.4 identifies several ANSI and candidate ANSIs in the study area – yet this table is showing “n/a”, this is conflicting information, the proper values should be listed.</p> <p>“Area of mapped unevaluated wetlands” is an indicator, however the text of the ToR stated these areas would be treated as significant wetlands because the evaluation has not yet been completed. MNR agrees these wetlands should be treated as significant if there are no plans to complete the evaluation. Table has potential to be misleading with these areas listed separately.</p> <p>Seed collection lands – has the seed orchard layer been accessed to assess this? Have discussions with the many Sustainable Forest License holders taken place to determine if there are significant seed collection investments or genetic trials within this area? What does “n/a” mean? Are these features present or not?</p> <p>Updates are required to the area of mapped potential significant wildlife habitat; as discussed with the consultants – there was no assessment of significant habitats as per draft MNR guidance while the ToR and this analysis took place. MNR has since provided some</p>	<p>include additions or deletions based on new information that is obtained by the Project Team in relation to the areas of the route being evaluated. These considerations will be incorporated into the Environmental Assessment, where applicable.</p> <p>The evaluation was based upon a certain level of information being available and follows the format of that used by Hydro One in the Bruce to Milton Transmission Line project. The Terms of Reference leaves the Environmental Assessment open to consider minor refinements to the Reference Route and Alternative Routes as well as additional data received as a result of ongoing discussions with applicable agencies and field work.</p> <p>As indicated in Appendix E, “n/a” means that complete desktop data was not available at the time of undertaking the analysis. Should more pertinent detailed data become available during the course of the Environmental Assessment, it will be incorporated, as applicable.</p> <p><i>Section 6.3 Evaluation of Alternative Methods</i></p> <p><i>Appendix E Comparative Route Analysis</i></p>

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	<p>draft guidance and is providing additional criterion schedules for the majority of the route.</p> <p>Habitat for other species at risk should also be provided.</p> <p>Follow-Up Response does not address concerns.</p> <p>Has Min of culture data been assessed? Why are ANSI areas identified not included as mapped area? Has seen orchard data or SLF data been used?</p> <p>If not – why? What might the impacts been of excluding this known information.</p>	<p>Ministry of Culture data has been accessed in relation to the Stage 1 Archaeological Assessment undertaken for the Project.</p> <p>The detailed data referred to by the MNR will be considered in more detail during the EA as indicated in the ToR and as applicable (i.e., whether there is potential to affect it).</p>
	<p><b>Appendix E, Section 4, Page 10</b></p> <p>With regard to the Gravel River Conservation Reserve, the text states “More of this reserve is located on the north side of the Reference Route however the most significant area of the reserve (i.e., Gravel River) is located on the south side of the Reference Route.”</p> <p>What analysis has been carried out to determine the most significant area of this reserve and where it is?</p> <p>Follow-Up Comment not addressed – what was the analysis to determine the most significant area of the conservation reserve?</p>	<p>As indicated in Appendix E, desktop data obtained by the Project Team from agencies included official plans, orthophotographics, and detailed environmental constraint mapping that included Ministry of Natural Resources data from Land Information Ontario (LIO). This data was used to support the analysis. The side of the corridor will be revisited and confirmed during the Environmental Assessment if additional pertinent data becomes available. One of the objectives of the analysis was to maximize the distance between the Project and significant environmental and socio-economic features including the Gravel River to the extent possible.</p> <p><i>Appendix E Comparative Route Analysis</i></p> <p>This was determined based upon the most significant meanders being located on the south side of the Reference Route which, from a biology standpoint, are more significant.</p>
	<p><b>Appendix E, Section 5, Page E-13</b></p> <p><i>Comparative analysis determined....north side of the</i></p>	<p>Appendix E contains a comparative route analysis that was completed</p>

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	<p><i>reference route.... Was slightly preferred from an environmental, socio-economic and technical perspective</i></p> <p>MNR feels strongly that this analysis is not complete and should not form the basis of any determination in regard to impacts on environmental or socio-economic factors. An assessment of environmental impacts like this should take place through the Environmental Assessment process, where members of the public, special interests, users, Aboriginal peoples and crown agencies can contribute their knowledge and local understanding of the environment. To complete this analysis without engagement or consultation outside of the EA process is not transparent, misses inclusion of critical information and available data.</p> <p>MNR has not had the opportunity to comment or become involved in this analysis. Our local knowledge, existing data and understanding about resource uses and the local environment was not assessed. MNR would like to become involved in a thorough analysis of potential social, environmental and economic impacts associated with selection of a study route for the East-West Tie project.</p> <p>Follow-Up</p> <p>Concern is not addressed. No compelling justification has been provided as to why it is appropriate to conduct this assessment outside of the EA.</p> <p>At a minimum the MNR would expect to be engaged in this type of analysis – as it guides the rest of the EA.</p>	<p>primarily to focus field work commencing in the spring 2014. As indicated in the Appendix E, desktop data obtained by the Project Team from agencies included official plans, orthophotographics, and detailed environmental constraint mapping that included Ministry of Natural Resources data from Land Information Ontario (LIO). The side of the corridor will be revisited and confirmed during the Environmental Assessment if additional pertinent data becomes available. Comments received from the agencies and during public Open Houses held during the Terms of Reference phase were also taken into account as part of the comparative analysis. The Project Team looks forward to receiving local knowledge from and engaging in further discussions with Ministry of Natural Resources staff.</p> <p>Appendix E Comparative Route Analysis</p> <p>Please refer to the precedent established by the Bruce to Milton EA. MNR data was used to complete this analysis. As indicated, the side of the corridor will be revisited and confirmed during the EA if additional pertinent data becomes available.</p>
	<p><b>Appendix 4, Page 11</b></p> <p>Sec 4 – other considerations. Information about White Lake PP and Nimoosh PP is not clear.</p>	<p>It is unclear what this comment refers to as there is no Appendix 4 however we have assumed this comment refers to Appendix E and as such additional information is provided as follows for clarification purposes:</p> <p>Nimoosh Waterway Provincial Park – a section of the Nimoosh River parallels the Reference Route on the south side for approximately 1 kilometre. This compares with an approximate 25</p>



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	<p>Follow-Up Concern is not addressed.</p> <p>There is no possible way that a provincial park can be a section of a national park.</p> <p>Provincial parks are provincial jurisdiction; national parks are Federal Jurisdiction.</p> <p>Tenure should be clear. MNR is not clear what this is saying.</p>	<p>metre span of the same watercourse on the north side of the Reference Route in this area.</p> <p>White Lake Provincial Park – a section of Pukaskwa National Park is located along the south side of the Reference Route approximately 30 kilometre southwest of White Lake Provincial Park. Use of the north side of the existing East-West Tie will maximize distance between the Project and the Park.</p> <p><i>Appendix E Comparative Route Analysis</i></p> <p>Correct, White Lake Provincial Park is north of Pukaskwa National Park. Provincial parks are provincially managed and national parks are federally managed.</p>
	<b>3) Letter Dated January 28, 2014</b>	Comments noted and will be taken into account during the Environmental Assessment as applicable.
	NAV CANADA, Alex Trandafilovski, Land Use Specialist, Aeronautical Information Services, Email dated May 4, 2014 to Dave Bell, Special Projects Officer, Ministry of the Environment	
	<p>In order to assess this file we would need more information. Can you or somebody from NextBridge fill out the attached spreadsheet with the following?</p> <p>Geographical coordinates, ground elevations and heights above the ground for major structures along the proposed route including the substations.</p>	The permit application will be submitted prior to construction.
	Ministry of Transportation, Cindy Brown, Head of Corridor Management, Letter dated May 15, 2014 to Dave Bell, Special Projects Officer, Ministry of the Environment	
	In Section 2.5 Table 1, Notifications, Permits and Approvals, the Ministry of Transportation (MTO) was listed as one of the agencies from whom permits and approvals were to be obtained.	The permit application will be submitted prior to construction.

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	<p>These permit requirements under the <i>Public Transportation and Highway Improvement Act</i> are outlined below.</p> <p>The <i>Public Transportation and Highway Improvement Act</i> sets out various requirements for access to a provincial highway and for development adjacent to it. These requirements are as follows:</p> <ul style="list-style-type: none"> <li>• An Entrance Permit is required for any entrance onto a provincial highway, including a temporary entrance to construct or service such a proposed development.</li> <li>• A Building and Land Use Permit is required for: <ul style="list-style-type: none"> <li>○ Any development/construction occurring within 45 m of the right-of-way limit of any provincial highway, and also within 180 m of the intersection of a side road with a Kings highway and 395 m of the intersection of a side road with a controlled access highway.</li> <li>○ To erect or alter any power line, pole line, or other transmission line within 400 m of the limit of a controlled access highway (e.g. Highway 17).</li> </ul> </li> <li>• An Encroachment Permit is required for any work within, under, or over a provincial highway right-of-way.</li> <li>• A Sign Permit is required for all signage erected within 400 m of the limit of a provincial highway.</li> </ul>	
	<p>In the second paragraph of Section 5.5.6 Infrastructure Services, states that the required setback for transmission lines is 14 m for Class I and II highways and 0.3 m from all other highway classifications. MTO would like to clarify that since the transmission line consists of towers, the required set back will be 14 m from all class of highway to the nearest encroaching part such as a guy wire, concrete anchors or overhanging structure.</p>	<p>Comments noted and will be taken into account during the Environmental Assessment as applicable.</p>
<b>FIRST NATIONS AND MÉTIS COMMENTS</b>		
	<p>Métis Nation of Ontario, Aly Alibhai, Director, Lands, Resources and Consultations, Letter Dated March 19, 2014 to Michael Power, Project Director, NextBridge Infrastructure</p>	
	<p>The MNO has been identified as having interests in the NextBridge East-West Tie project area that may be affected by the Project. As part of the EA process for</p>	<p>Once the Stage 1 archaeological assessment is received by the Ministry of Tourism, Culture and Sport and the</p>

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	the EWT Project, NextBridge will be completing a Stage 1 Archaeological Assessment as required by the Ontario Heritage Act, 1990. Based on the conclusions of the Stage 1 assessment, additional study assessments may be required. The MNO requests that NextBridge share its timelines for the archaeological assessment process with MNO, and requests that NextBridge share the results of all stages of its archaeological assessment with MNO by providing copies of the completed assessment to us in the a timely fashion.	Ministry has placed the document on the public registry, then NextBridge can make a copy available. NextBridge supports making public information widely available and this can be shared with the Métis Nation of Ontario.
	Métis Nation of Ontario, Christopher Graham, PST Law (acting for Métis Nation of Ontario) and Aly Alibhai, Director of Lands, Resources and Consultations, Letter Dated March 31, 2014 to Dave Bell, Special Projects Officer, Ministry of the Environment	
	Submitted comments including three supporting documents (summarized below): Written comments on the Terms of Reference dated March 31, 2014, prepared by Aly Alibhai; Written comments on the proposed Terms of Reference dated March 30, 2014, prepared by the Calliou Group; and Métis Nation of Ontario Report on Potential Evaluation Criteria for the Project's Environmental Assessment based on a Métis Nation of Ontario community workshop.	See below
	<i>Summary of written comments on the Terms of Reference dated March 31, 2014, prepared by Aly Alibhai:</i> 1. Project timelines: We have previously raised concerns about the Project's timelines being exceedingly ambitious. MNO's concern over timelines is driven by the importance of the EA to discharging the Crown's duty to consult.	1. Project timelines are based on the Ontario Energy Board milestones. Ontario Power Authority reporting (October 2013) acknowledges that an early 2018 in-service date is appropriate for the East-West Tie Project (was originally targeted for 2017). The overall Project schedule, including the Environmental Assessment, is driven by this in-service date.  <i>Section 5.5.4 Traditional Land and Resource Use</i> <i>Section 9.4 Aboriginal Engagement and Consultation Plan</i>
	2. Quality of consultation: The proponent's consistent responses to the MNO's comments are concerning. Rarely does the proponent provide any reasons for rejecting the MNO's comment or suggestion, and when the proponent does provide reasons there are, at best, perfunctory.	2. NextBridge is currently negotiating a Memorandum of Understanding and funding agreement on consultation with the Métis Nation of Ontario, which responds to the Métis Nation of Ontario's expressed views and addresses fully the request of the Métis

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		<p>Nation of Ontario for full and complete input and participation in the development and completion of the Terms of Reference and the Environmental Assessment itself.</p> <p><i>Section 5.5.4 Traditional Land and Resource Use</i> <i>Section 9.4 Aboriginal Engagement and Consultation Plan</i></p>
	<p>3. Approach to the ToR: The submissions from Calliou Group refer to a specific commitment from the proponent to the MNO to include a placeholder in the ToR for Métis-specific VCs. The MNO is concerned, however, that this commitment has not been incorporated into the ToR and that it may only be addressed by the proponent through mention in the RoC.</p>	<p>3. A “Traditional Land and Resource Use” criterion has been provided in the Terms of Reference, which applies to First Nation and Métis communities. This is the placeholder for Métis-specific values, which will be addressed in the Environmental Assessment along with those of First Nations. NextBridge has also committed to consulting with Aboriginal communities, including Métis communities, in Section 9.4 of the Terms of Reference.</p> <p><i>Section 5.5.4 Traditional Land and Resource Use</i> <i>Section 9.4 Aboriginal Engagement and Consultation Plan</i></p>
	<p>4. Coordination of consultation: The MNO has sought clarification on how Crown consultation in relation to the Project would be dealt with between the MOE and the Ministry of Energy. The MNO remains concerned that the ToR does not clarify how Crown consultation will occur for the Project.</p>	<p>4. This comment should be addressed by the Ministry of Environment and Ministry of Energy. It is not the purpose of the Terms of Reference to clarify how Crown consultation will occur for the Project.</p> <p><i>Section 5.5.4 Traditional Land and Resource Use</i> <i>Section 9.4 Aboriginal Engagement and Consultation Plan</i></p>
	<p><i>Summary of written comments on the proposed Terms of Reference dated March 30, 2014, prepared by the Calliou Group:</i></p> <p>1. NextBridge did not substantively alter the ToR to</p>	<p>1. The “Traditional Land and Resource Use” criterion addresses this. The Environmental Assessment will detail Métis and First Nation values and assess</p>

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	include placeholders for MNO valued ecological components, or what are termed “evaluation criteria” in the Code of Practice.	the transmission facilities against these, as applicable.  <i>Section 5.5.4 Traditional Land and Resource Use</i> <i>Section 9.4 Aboriginal Engagement and Consultation Plan</i>
	2. MNR has now undertaken an internal workshop to identify Métis-specific evaluation criteria. MNO requires NextBridge and the regulator to include these in the final ToR.	2. These will be incorporated into the Environmental Assessment, as applicable. See #2 above.  <i>Section 5.5.4 Traditional Land and Resource Use</i> <i>Section 9.4 Aboriginal Engagement and Consultation Plan</i>
	3. The proponent’s statements do not address MNO’s comment on the lack of evaluation criteria which are necessary to identify effects to the Métis way of life. Traditional land and resource use is only one component of this. Suggested wording is provided.	3. The Terms of Reference includes flexibility to development additional evaluation criteria during the Environmental Assessment, for example to address the Métis way of life.  <i>Section 5.5.4 Traditional Land and Resource Use</i> <i>Section 9.4 Aboriginal Engagement and Consultation Plan</i>
	4. MNO members will be impacted differently than other land users because MNO members have constitutionally protected Aboriginal rights which the EWT Project will affect. This is why it is crucial that the proponent follow through on its commitment to work with MNO to identify project interactions with Métis-specific interests, and why this commitment must be reflected in the ToR.	4. The Terms of Reference has made the commitment to do so through the “Traditional Land and Resource Use” criterion.  <i>Section 5.5.4 Traditional Land and Resource Use</i> <i>Section 9.4 Aboriginal Engagement and Consultation Plan</i>
	5. The proponent must identify MNO-specific criteria and indicators for inclusion in the assessment and the ToR must be updated to reflect this commitment. Indicators used in the effects assessment must include species relevant to MNO members.	5. The criteria and indicators identified in the Terms of Reference do not represent a final list. Section 7.1 states that “The final list of environmental and socio-economic features to be assessed will be confirmed in the Environmental Assessment.” See #2 above.  <i>Section 5.5.4 Traditional Land and Resource Use</i>

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		<i>Section 9.4 Aboriginal Engagement and Consultation Plan</i>
	6. MNO requests amendment to Table 7 to ensure evaluation criteria and indicators specific to Métis rights and interests are assessed.	6. Table 7 includes Traditional Land and Resource Use, which covers First Nation and Métis community interests for the purposes of the Terms of Reference. The Environmental Assessment will incorporate detailed Aboriginal criteria and indicators, as applicable.  <i>Section 5.5.4 Traditional Land and Resource Use</i> <i>Section 9.4 Aboriginal Engagement and Consultation Plan</i>
	7. The proponent must explicitly commit to using appropriate criteria and indicators in its assessment to give MNO confidence that the proponent takes MNO rights seriously and that it will produce a credible assessment of Project effects on those rights. MNO would be more confident in the proponents approach if the ToR committed to develop and include evaluation criteria and indicators reflective of specific Métis interests. MNO requires a placeholder that reflects this commitment in Appendix D for Métis-specific information.	7. See responses above.  <i>Section 5.5.4 Traditional Land and Resource Use</i> <i>Section 9.4 Aboriginal Engagement and Consultation Plan</i>
	<i>Summary of Métis Nation of Ontario Report on Potential Evaluation Criteria for the Project:</i> The report included information pertaining to general Métis rights and interests and evaluation criteria; summaries of meetings held with members to establish MNO-specific criteria, including applicable themes and categories; and an overview of two criteria selected including 1) Métis way of life; and 2) Harvesting.	A Traditional Land and Resource Use criterion has been provided in the Terms of Reference, which applies to First Nation and Métis communities. NextBridge has also committed to consulting with Aboriginal communities in Section 9.4 of the Terms of Reference. The Traditional Land and Resource Use criterion provides flexibility to incorporate new information that is received by stakeholders through the Environmental Assessment process. It is anticipated that Aboriginal interests will be incorporated in this section (both Métis Nation of Ontario and First Nation interests) to the extent possible. The Métis Nation of Ontario have provided two criteria: (1) Way of Life; and (2) Harvesting. Once we have similar criteria and indicators from potentially affected First Nations they

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		<p>will be incorporated into the Traditional Land and Resource Use section for the purposes of the Environmental Assessment, as applicable.</p> <p><i>Section 5.5.4 Traditional Land and Resource Use</i></p> <p><i>Section 9.4 Aboriginal Engagement and Consultation Plan</i></p>
<b>INTEREST GROUP COMMENTS</b>		
	Ontario Waterpower Association, Paul Norris, President, Letter Dated March 11, 2014 to Dave Bell, Special Projects Officer, Ministry of the Environment	
	<p>Thank you for the opportunity to provide input to the Draft Terms of Reference for the Environmental Assessment of the NextBridge Infrastructure East-West Tie Transmission Project. The Ontario Waterpower Association (OWA) has been actively engaged in a number of transmission proposals in northern Ontario (e.g. Watay, Sagatay). Most recently, with support from the Ministries of Energy and Natural Resources and the Ontario Power Authority, the OWA commissioned an evaluation and assessment of waterpower potential in Far North Ontario, linked to the proposed extension of transmission infrastructure to connect remote communities and the Ring of Fire. Given the inherent relationship between grid expansion and the potential liberation of new waterpower development opportunities, it is imperative, in my view, that the ToR and subsequent Environmental Assessment specifically include waterpower potential as a “value” to be considered in the process, as has been the case in other northern transmission projects. The draft ToR refers to “the ability to remove barriers to renewable generation” and speaks to NextBridge’s corporate commitment to “generating a kilowatt of renewable energy for every kilowatt consumed during operation”, however makes no reference to waterpower potential as a socioeconomic or environmental value to be assessed. There are known active development proposals in reasonable proximity to the proposed transmission line(s) and, as illustrated in the Figure below, significant untapped potential that could become commercially viable.</p> <p>The OWA strongly recommends that “waterpower potential” be included as a value to be considered in</p>	<p>Comment acknowledged.</p> <p>Existing waterpower facilities and potential waterpower sites will be incorporated into the data collection undertaken during the Environmental Assessment, to the extent possible. In order for facilities to connect with the Project, they will need to be of a size (number of megawatts) that is economic to build a transformer station and switching yard. While the new facilities should provide capacity to incorporate these developments, proponents will require discussion with the Ontario Waterpower Authority and other applicable regulators.</p>



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	the EA process. I would be pleased to provide the proponent with additional information in this regard to facilitate appropriate analysis.	
	Northwatch, Brennain Lloyd, Letter Dated April 15, 2014 to Dave Bell, Special Project Officer, Ministry of the Environment	
	<b>Recommendation # 1:</b> The Environmental Assessment for the East-West Tie Transmission Project must include a clear description of the “need” for the project, and this statement of need must be supported by evidence that goes beyond hearsay or hypothesis.	No response required. MOE to address.
	<b>Recommendation # 2:</b> The Environmental Assessment for the East-West Tie Transmission Project must include a detailed discussion of alternative means of meeting the established ‘need’ for the project.	No response required. MOE to address.
	<b>Recommendation #3:</b> The Environmental Assessment for the East-West Tie Transmission Project must include a clear description of the “need” for the project, which is supported by evidence brought forward by the proponent and that evidence must be tested prior to its acceptance or rejection by a responsible decision-maker	No response required. MOE to address.
	<b>Recommendation #4:</b> The proponent should include a full examination of alternative means (methods) of carrying out the undertaken in their Environmental Assessment study.	<p>Section 6.2 of the Proposed ToR (Alternative Methods for Carrying Out the Project) indicates that alternative methods to be identified, assessed and evaluated in the EA will include alternative designs, as well as Alternative Routes and local refinements of the Reference Route.</p> <p>Section 6.2.3 of the Proposed ToR (Alternative Designs) further indicates that alternative designs may be required to accommodate specific landowner, First Nation, Métis, individual, community, or other stakeholder concerns, or to minimize Project effects on an environmental or socio-economic feature (i.e., as a mitigation tool). Typical alternative designs which may be explored further in the EA, if warranted, include:</p> <ul style="list-style-type: none"> <li>▪ type of transmission line towers;</li> <li>▪ specific siting of transmission line towers including: <ul style="list-style-type: none"> <li>▪ establishing height</li> </ul> </li> </ul>

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		<p>requirements to minimize potential adverse effects to aesthetics in the area;</p> <ul style="list-style-type: none"> <li>determining tower span lengths to avoid, or minimize, adverse effects to sensitive natural or socio-economic features; and,</li> <li>location, alignment, and potential future use of access roads.</li> </ul>
	<p><b>Recommendation #5:</b> The examination of alternative means (methods) of carrying out the undertaken in their environmental assessment study should include consideration of a number of different design options, including single-circuit designs</p>	<p>As described in Section 1.2 of the Proposed ToR (Background on the Project), the OPA considered a series of design options and concluded that the Project should include the construction of a new double-circuit 230 kV overhead transmission line.</p> <p>NextBridge cannot comment on “different design options” put forward in other bids by other applicants.</p>
	<p><b>Recommendation #6:</b> The Environmental Assessment should include a vegetation management plan, a plan for the decommissioning or abandonment of the transmission line, include an expanded study area along the reference route and alternative routes, and include a must include a thorough examination of the potential socio-economic effects of alternatives to the project and alternative means of carrying out the project</p>	<p><b>Transmission Vegetation Management Program and Facility Abandonment</b> Section 4.2 of the Proposed ToR (Construction, Operation and Abandonment) provides information relating to the Transmission Vegetation Management Program and facility abandonment. Additional information relating to both of these items will be provided during the EA.</p> <p><b>Expanded Study Area</b> As described in Section 5.3 of the Proposed ToR (Preliminary Study Area), a preliminary study area has been established for the Project which includes approximately 500 m on either side of the Reference Route and Alternative Routes (1 km span). The study area generally allows for the documentation of existing baseline conditions, prediction of potential environmental effects, and development of appropriate mitigation</p>

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		<p>measures with a reasonable degree of accuracy. The study area may be expanded in some areas where local route refinements may be required due to environmental or technical constraints (i.e., topography), or for the assessment of specific features such as archaeological resources, cultural landscapes, viewshed analysis and Woodland Caribou.</p> <p>Required buffers from sensitive environmental features will be determined based on secondary information sources (i.e., published data sources, electronic databases, aerial photographs, published literature and journals, and map interpretation), primary sources (i.e., field reconnaissance, field surveys), past project experience, as well as agency, and other stakeholder input.</p> <p><b>Socio-Economic Assessment</b> Section 5.5 of the Proposed ToR (Socio-Economic Environment) indicates that a Socio-Economic Impact Assessment will be conducted as part of the EA to further investigate details of population and demographics, existing and designated land uses, settlements, economic development interests, as well as cultural heritage values and traditional land and resource uses.</p> <p>Further, Section 6.3 of the Proposed ToR (Evaluation of Alternative Methods) identifies the general socio-economic routing considerations that will be taken into account when making decisions regarding the route evaluation and selection.</p> <p>Appendix D of the Proposed ToR also provides a list of detailed socio-economic criteria and indicators that will be used to evaluate alternative</p>

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		<p>methods of carrying out the Project.</p> <p>As indicated in Section 3.1 of the Proposed ToR (EA Approach) the “Alternatives To” the Project will not be reviewed as part of the EA with the exception of the “Do Nothing” alternative as a separate, more defined planning process was already undertaken by the OPA.</p>