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ONTARIO ENERGY BOARD
OFFICE OF THE BOARD SECRETARY

January 30, 2009

Dear Ms McLennon,

Please find attached our comments on Hydro One's Environmental Assessment Report for its Bruce to Milton Transmission Reinforcement Project submitted as part of the public comment phase of this review.

Our comments are broadly divided into two categories of concerns. The first, and most pressing, are in respect to the failure of the environmental assessment for this project to consider all of the environmental effects that may be caused by Hydro One's proposed project, including the potential impacts on SON Aboriginal and Treaty rights.

We have been clear and consistent in our position that the effects of this project extend beyond those caused by the construction and operation of the line itself. This project is intended to open the Bruce area, and SON territory, to a new era of industrial-scale electricity production, facilitating the development of many individual generation and transmission projects. These are developments that stand to have a profound effect on SON Aboriginal and Treaty rights. It is for this reason that we say the effects of the Project as a whole must be considered, and that SON must be consulted on those effects and the consequences for SON Rights, interests and way of life.

The Ontario Energy Board understood this and issued its Leave to Construct approval on the understanding that the Minister of the Environment, prior to approving this EA, would ensure the adequacy of the consultations for the project as a whole, including related generation projects. Our position is that the Minister must not give his approval until he is satisfied that the required consultations respecting the project as a whole have taken place, or at a minimum, that a meaningful consultation process has been established and is operating effectively. We can inform you here that no such process has yet been established.

Saugeen Ojibway Nations

comments on Hydro One's Environmental Assessment Report for its Proposed Bruce to Milton Transmission Reinforcement Project

January 30, 2009

The following are the Saugeen Ojibway Nations (SON) comments on Hydro One's Environmental Assessment Report (the "Report") for its proposed Bruce to Milton Transmission Reinforcement Project (the "Project").

The comments are divided into two parts. Part A deals with comments relating to the failure of this environmental assessment process, and the Report, to consider all the environmental effects of the Project, including the environmental effects of the electricity generation developments that the Project is proposed to facilitate.

Part B identifies technical and methodological concerns respecting Hydro One's Report on the direct environmental impacts of the construction and operation of the Project itself. As explained below, SON is seeking to reach agreement with Hydro One on issues relating to the direct impacts of the Project and ways in which they can be mitigated.

A. FAILURE OF THIS EA TO CONSIDER ALL ENVIRONMENTAL EFFECTS

i. *Project Intended to Facilitate Development of Numerous Generation Projects*

As stated in Hydro One's Amended Terms of Reference document, dated February 2008, the Project is intended to facilitate the development of a number of electricity generation projects in the Bruce area:

The need for the new Bruce to Milton line is urgent as crucial contracted renewable and nuclear supply from the Bruce area will exceed transmission capacity by the end of 2009. The two "laid-up" generating units, Units 1 and 2, at the Bruce A nuclear plant which Bruce Power is in the process of refurbishing are each rated at approximately 750 MW and are scheduled to return to service in 2009. They will add approximately 1,500 MW of base load generation to the Ontario system, which will improve the Province's reliability of supply.

...

Also, a commitment has been made for approximately 700 MW of wind generation for the Bruce area during the period up to 2011. OPA's latest studies for preparation of the IPSP identify the potential for approximately another 1,000 MW of wind generation in this area.

Together, these new wind and nuclear generation resources would add up to approximately 1,500 MW by 2009 (this is composed of the equivalent of a 750 MW Bruce unit and approximately 700 MW of committed wind power). Total Bruce area

Project is designed and will permit a dramatically altered use of the Bruce area as a region for industrial-scale energy development. This development, and all of the individual projects, are planned for SON traditional territory and have a real potential to adversely effect SON Aboriginal and Treaty rights, and way of life.

Under Ontario's *Environmental Assessment Act*, the current assessment must describe and consider "the environment that will be affected or that might reasonably be expected to be affected, directly or indirectly" by the Project. In addition, there must be a description of both the effects that will be caused or might reasonably be expected to be caused; and, the actions necessary or that might be necessary to prevent, change, mitigate or remedy those effects.

As discussed above, Hydro One's Project is not a stand-alone project. It is the first step in a larger electricity development plan. It has as its purpose to facilitate the development of specific and, in many cases, already identified generation projects. In a case such as this, SON's position is that the *Environmental Assessment Act* requires consideration of the all of the direct and indirect effects of this Project, including the effects of the other known and reasonably foreseeable developments that are planned as part of this Project as a whole.

The current environmental assessment process has given no consideration to the environmental effects of this Project as a whole. That is, this EA process has given no consideration at all to the generation projects the current Project is intended to facilitate. Nor has it considered the possible effects of subsequent transmission facilities that will be required as a result of these new generation projects.

It is clear that if these broader environmental effects are not considered here, as part of the assessment of this Project, that they will not be fully or even adequately considered as part of subsequent assessments of individual projects. Subsequent reviews will be for individual generation projects for which the nexus to other electricity projects and developments will be less clear and direct. It is this Project that will lead to very substantial regional environmental effects, and consequently, it is here that these effects must be considered. This is what is necessary for a fair, transparent and effective environmental review of the Project, that the full range of potential environmental effects of these projects together be considered, including those effects that relate to impacts on SON rights and interests.

iii. *All Environmental Effects of Project must be Considered through a comprehensive EA and Consultation Process*

SON has consistently opposed a narrow environmental review of this Project and emphasized the need for a more comprehensive approach. In our formal comments on the draft Terms of Reference on October 4, 2007, we made our concerns and position clear in a letter signed by David McLaren, Coordinator of our Environmental Office:

The Environmental Assessment will evaluate the effects on the socio-economic environment (page 35f). For First Nations, the Project could, over time, have a huge impact on their way of life.

The impact is analogous to the effects of pipelines. Research from the US shows that sprawl follows in the wake of constructing water pipelines [reference omitted]. The

They also noted that the province had taken a unilateral position on its draft paper re: consultation in the EA Process. Saugeen and Nawash have taken the position that they will not accept these. What is required is individual consultation with the First Nations. Content is very important – appearance is not enough.

...

The OPA noted that the IPSP is a plan, while the Bruce transmission line, at this time, is a project that needs to proceed ahead of the IPSP process. The FN responded that the distinction was not relevant to them – projects are all linked.

...

The Chief noted that Hydro One, OPA, Bruce Power and OPG should recognize that all these energy projects are linked in the area. Everything is linked and projects can't be separated. (Filed as part of EB-2007-0050, Ex. C, Tab 1, Sched. 6.1, Attachment A)

At that meeting it was suggested that the Ontario Power Authority, as the electricity planning authority for Ontario, should be involved in the consultation process in order to address SON's broad concerns about energy development in their territory. Although, a senior representative of the OPA was in attendance for this meeting, the OPA never contacted or followed-up with SON on this suggested process.

SON has made strong and consistent efforts to establish a process with the Ontario Government that would look at the effects of this Project and related generation and transmission projects in a comprehensive way, and could assess the potential impacts on SON rights, interests and way of life. In April 2008, we met with the then Minister of Energy, the Honourable Gerry Phillips. At the time, we came to an agreement that such a process was appropriate and began negotiations on a Memorandum of Understanding. Those negotiations have stalled through no lack of effort on the part of SON.

The Ontario Government is now on the cusp of the final approval of this Project without any process in place through which the Ontario Government could address the concerns of SON relating to the very substantial industrial-scale energy development planned for its territory – development that is made possible only by the construction of Hydro One's Project.

iv. The Crown's Constitutional Obligation to Consult SON on the Project as a Whole

Independent of the requirements of a review under the *Environmental Assessment Act*, the Government of Ontario has a constitutional duty and legal obligation, based on the honour of the Crown, to consult SON broadly with respect to the effects of the Project as a whole and their potential impact on SON Aboriginal and Treaty rights.

The framework of the duty to consult was developed by the Supreme Court of Canada in its *Haida Nation* and *Taku River Tlingit* decisions in 2004, and the *Mikisew Cree* decision in 2005. The duty arises when the Crown has real or constructive knowledge of the potential existence of an Aboriginal or Treaty right or interest, and contemplates conduct that might adversely affect it.

The duty requires appropriate consultation with the affected Aboriginal people, with a view to substantially addressing their concerns by the adoption of appropriate accommodation measures. It requires the Crown to deal with the relevant substantive issues in a meaningful way, since it entails a duty to accommodate when appropriate. Such consultation is to be conducted with the intention of substantially addressing the concerns of the Aboriginal peoples whose lands are at issue. As the Supreme Court has said, "the controlling question in all situations is what is

consultations respecting this Project as a whole, including the consultation on related electricity generation projects.

vi. *Minister Should Not Approve EA until Consultation Process is Established*

The Minister of the Environment's approval of the Environmental Assessment is the final major approval required for this Project and is tantamount to an authorization to begin construction. As such, the Minister of the Environment is now the agent of the Crown that will make a decision giving final authorization of the Project. It is for this reason that the Ontario Energy Board determined that the Minister was the agent of the Crown best positioned to assess the record of consultation respecting the Project as a whole.

The Board specifically noted its expectation that the Minister would ensure the adequacy of consultations prior to granting approval, and that a "process of assessment of the duty to consult (including the duty to accommodate where appropriate) will be completed prior to the commencement of the project and in a practical and workable manner." Accordingly, it is SON's position that the Minister must not give his approval of this EA until he is satisfied that the required consultations respecting the Project as whole have taken place, or at a minimum, that a meaningful consultation process has been established, is operating effectively, and that it would not be compromised by the start of construction of the Project.

As of right now, SON can definitively state that no consultation on the broader issues has yet occurred, and no meaningful consultation process has been established to address the effects of this Project as a whole on SON Aboriginal and Treaty rights, SON interests or SON way of life.

However, SON is actively trying to establish a comprehensive consultation process with the Government of Ontario and will continue to do so. It is our belief that, through an appropriate process, mitigation and accommodation measures could be implemented that would address SON's concerns and allow the Government of Ontario to meet its constitutional obligations to SON. It is critical that the current EA approval process does not jeopardize our efforts in this regard.

d. Concerns respecting mitigation of known construction impacts

Designated environmentally sensitive areas, provincial wetlands and hazard lands will be crossed by the Project. It is critical that key sensitive areas are identified to allow for necessary mitigation measures to be implemented, for example, shifting tower location outside of sensitive wetlands. Greater detail is required in best management practices to ensure the best construction practices and buffers to limit impact where intrusion cannot be avoided. Where intrusions may cause unacceptable impacts on sensitive areas, Hydro One must specify alternate approaches.

e. Concerns respecting ongoing monitoring

More detail is required respecting Hydro One's monitoring program. SON's participation in post construction monitoring must be clarified to allow it to protect its long term interest in the health of the wildlife communities during the life of the Project, as well as during eventual decommissioning.

f. Maintaining opportunity for incorporation of SON Traditional Knowledge

Opportunities for the incorporation of SON traditional knowledge of flora and fauna into the EA process must be maintained. For example, a specific application for traditional knowledge is when guiding the type of native plants used to restore habitats, and when shaping future sanctuary areas as part of Hydro One's BioDiversity Initiative program.

ii. *Cultural Heritage Resource (Archaeological) Issues*

a. Current guidelines and practices unlikely to identify cultural heritage sites

Practices employed by Hydro One consultants have failed to identify culturally significant sites within the study area. For example, Stage 1 background research has consisted of a superficial examination of the area's historical records and past archaeological investigations. A more comprehensive Stage 1 study of the transmission corridor would have revealed the existence of a camp along the corridor that was used in the early-20th century by Saugeen residents to collect medicinal plants. It is unlikely that this ritual site would have been recognized by HONI's archaeologists during their field investigation.

b. Existing standards and best practices have not been followed

The Ministry of Culture mandates that active agricultural fields and pastures must be ploughed and weathered prior to the Stage 2 field investigation. The examination of a ploughed field provides greater confidence that cultural material will be discovered. Hydro One consultants have not employed these practices, implementing a much less reliable test-pitting strategy in ploughable fields. Test-pitting tends not to locate small sites that were only used for a short period of time – including burials.

c. Uneven quality of archaeological work from Hydro One consultants

APPENDICES

Comments on Hydro One Network Inc.'s Draft Environmental Assessment for the Bruce to Milton Transmission Reinforcement Project

Prepared for the Saugeen Ojibway Nations

INTRODUCTION

The Bruce to Milton Transmission Reinforcement Project is just one in a series of electricity-related development projects planned on land that overlaps with SON traditional territory. The expanded transmission line is intended to service an increase in nuclear generating capacity from the Bruce plant and to augment renewable energy capacity, particularly from wind, in the Bruce region.

The proposed transmission line reinforcement project involves expanding the right-of-way (ROW) associated with the existing transmission line and placing a new 180 km 500kV line parallel to the existing line. The project traverses four counties (Bruce, Grey, Wellington, Dufferin) and will involve clearing 280 ha of woodland, crossing significant natural areas such as provincially significant wetlands and constructing over 720 transmission towers (500 in SON territory alone).

The project is required to go through a provincial-level Environmental Assessment (EA). The Terms of Reference (ToR) for this EA were approved by the Ministry of Environment and the Ontario Energy Board has granted a Leave to Construct for the project, pending the EA decision. The Draft EA is currently under review.

Overviews of main concerns and recommendations are first summarized in lists then expanded upon in more detail.

Guide to acronyms:

HONI – Hydro One Networks Inc.
SON – Saugeen Ojibway Nation
EA – Environmental Assessment
ToR – Terms of Reference (for the EA)
ROW – Right-of-Way
SAR – Species at Risk
COSSARO – Committee on the Status of Species at Risk in Ontario

MAIN CONCERNS - DETAILS

1. Insufficiency of biological field surveys

The access limitations imposed by the Early Access Permits have been the major barrier to field wildlife surveys. No surveys have been done by HONI at peak wildlife observations times (evening and early morning), resulting in extremely limited observations that make it impossible to properly assess the environmental impacts of the undertaking. For example, without early morning surveys for birds such as wood warblers, a baseline of bird productivity cannot be established with which to compare post-project bird communities. HONI has acknowledged the problem of field survey timing and has agreed (verbal agreement with SON consultants) to conduct some peak-time surveys in 2009 on selected public lands. However, there is no evidence that an attempt has been made to resolve the access permit issue so that private lands can also be surveyed at peak times.

HONI's statement in the Draft EA that four-season field surveys were done is misleading, given that different sections were surveyed in different seasons, with no sections surveyed in all seasons. We do note, however, that Hydro One added a winter track and deer yard assessment component to their Terms of Reference in response to SON concerns.

The access restrictions, coupled with the short timeline of the EA process, also prevented SON consultants from performing wildlife surveys to their satisfaction.

Vegetation communities and vascular plants were well-surveyed and characterized in the Draft EA; however, on-the-ground confirmation of function and habitat value is still needed. For example, if a deciduous swamp community was identified during the ecological land classification, confirmation is needed to determine if it is actively supporting frog populations before potential impacts can be properly assessed.

SON consultants participated in auditing through a sampling of habitats and would like to continue this joint effort with Hydro One in 2009. The audits provided a basis for comments at the local level on areas where tower flexibility could be considered to conserve greater riparian and upland forested areas.

2. Inadequacy of study area extent; lack of consideration of impacts on landscape connectivity; lack of consideration for habitat fragmentation impacts.

Most of the study area is confined to the proposed ROW expansion footprint only (i.e. 53-61m swath to be cleared). Significant natural areas that intersect or fall within 120m of the ROW are also included for study; this is a positive feature of the Draft EA. The rationale for study area boundaries, however, is vague; a set of indicators is referred to in the ToR (p. 30), but nowhere in the document is it mentioned what the study area boundaries are for given indicator values. This seems to represent a lack of transparency in the assessment methodology.

Limiting the study area to the ROW expansion footprint fails to allow assessment of how landscape connections (wildlife migration corridors, etc.) may be impacted. The lack of a broader landscape approach to impacts on wildlife (i.e. at a regional scale that better reflects wildlife movements) is problematic, particularly given SON interests in the

for SAR have been carried out in critical areas. Further, no justification has been given for failure to adhere to the ToR on this point.

Species inventories described in the Draft EA rely heavily on wildlife atlases for determining potential presence of sensitive species, but there is no specific location information provided for the atlas-derived species in relation to the proposed ROW.

In a similar vein, mitigation efforts for SAR are identified in the Draft EA (p. 277) as "protection of any identified SAR and its habitat with a primary focus on avoidance". Avoidance should be the only focus; however, it is difficult to avoid species for which adequate surveys have not been done, as discussed above.

Examples of concerns related to specific species include a Bald Eagle sighting reported by a landowner that has not, to date, been followed up to establish the location of this bird's breeding grounds. Southern Ontario Bald Eagles are endangered (on the COSSARO list) and, therefore, protected by the Ontario Endangered Species Act, as is their habitat.

Inventories performed by SON consultants at peak times revealed the presence of sensitive species such as Chorus frogs that were not found during HONI's field surveys, indicating that the limited field survey issue (lack of fieldwork at peak times of day and in more than one season in a given area) is at the heart of many of these concerns. Sensitive and at-risk species were likely missed by the limited field surveys and hence cannot be accounted for in impact assessments and mitigation plans.

Further illustrating this point is the finding of another SAR, the Jefferson salamander, during spring 2008 wildlife audits performed by SON consultants with HONI participation. This occurred through field checks of ponds adjacent to deciduous woodlots. Thereafter, it was possible to assess ponds and routes to potential summer breeding habitat and begin to plan for accommodating this species. More of this type of work is required to ensure that impacts on SAR are adequately assessed, and that these impacts are mitigated.

The Spotted Turtle is called a threatened species on p. 271 of the Draft EA when, in fact, it is endangered under the federal Species at Risk Act, Schedule 1 (it has been correctly identified as such elsewhere in the Draft EA).

There is a general lack of clarity in the Draft EA when discussing SAR issues. For example, p. 257 of the Draft EA seems to indicate that there were only two SAR found on the proposed ROW, while at other points the full complement of five confirmed SAR is mentioned.

4. Unsatisfactory assessment of clearing and construction impacts on wildlife.

HONI has acknowledged that displacement of wildlife will occur (p. 254 of the Draft EA) but is not satisfied with claims that the habitat of reptiles, amphibians and small mammals will only be "temporarily altered" by access roads and work sites; the establishment of geotextile and granular road surfaces over subterranean species chamber openings limits exit areas for voles, moles, shrews, salamanders, skink, snakes, etc.

Elsewhere in the Draft EA (p. 241), HONI readily reports that ROW clearing effects include ~~"loss or fragmentation of woodlands and associated loss of wildlife habitat"~~, as woodlands are replaced by herbaceous and/or grassland communities after construction. We are concerned about the lack of attention given thus far to the effects of edge habitat creation and loss of woodland.

5. Insufficient detail on planned mitigation efforts

Verbal agreements have been made between HONI and SON consultants regarding the adjustment of tower placement, in some cases, for impact mitigation.

We are concerned with the lack of detail provided for the Biodiversity Initiative. While it is laudable, in principle, to aim for no net habitat loss, and possibly habitat gain in the region, it is problematic that no concrete plans for this initiative have been made available for evaluation as part of the Draft EA.

Furthermore, claims that the losses of woodland habitat (Draft EA, p. 209) will be offset by the creation of new non-forest habitats such as grasslands, etc. are simply misleading. Forests and non-forest habitats support very different species and are not interchangeable. The planting of new trees may eventually replace the lost woodland habitat, but not in a time period relevant to present-day wildlife. On-site mitigation and avoidance of woodland loss, where possible, is thus most important. This problem also underscores the importance of taking a broader landscape/regional view of habitat loss and the cumulative impacts of various development projects slated for the region, to ensure that wildlife have adequate opportunity to disperse to intact habitat. Overall, mitigation of woodland habitat loss has not been adequately dealt with in the Draft EA.

Also of particular concern is the expanded ROW's traverse of Glammis Bog. SON consultants inventoried peak breeding events of Wood frogs and Chorus frogs, and unique wetland plants such as *Habaneria*, *Platanthera*, and *Drosera*, that require further attention. The bog also supports many mammals of special interest to SON (e.g. wolf, fox, deer, porcupine).

6. Opportunities for the incorporation of SON traditional uses of wildlife and plant species into the EA must be maintained.

It will be necessary as the EA process continues to incorporate consideration of species that are important to SON and thus relevant to traditional land rights. Natural areas along the ROW support communities of fur-bearers and other animals important to SON due to traditional harvest and spiritual uses.

Many of the 18 confirmed mammals in the study area (Virginia opossum, eastern cottontail, snowshoe hare, eastern chipmunk, woodchuck, grey squirrel, red squirrel, beaver, white-footed mouse, muskrat, meadow vole, coyote, red fox, raccoon, long-tailed weasel, mink, striped skunk and white-tailed deer) are of special interest to SON, due to traditional harvest and spiritual uses. SAR, such as the Least bittern and Spotted turtle, are also of interest to SON. An assessment of how these species of interest to SON in particular will be impacted will need to be considered as the EA progresses.

below the Niagara Escarpment. Because of this, all efforts should be made to: locate Native cultural sites and, when found, to extract as much cultural and chronological information from them as possible.

At the time of the release of the Draft EA, Ministry of Culture archaeological assessments within the SON section of the HONI corridor remained incomplete. Issues of archaeological methodology have been presented by the SON to HONI as early as March 27, 2008. While some have been addressed, others have been disregarded.

also involve the determination of woodland areas sizable enough to be important for wildlife migration and movement. This type of analysis would help to target areas for further field surveys so that significant wildlife habitat can be confirmed and focused on for mitigation. Also, HONI's data on winter wildlife tracks could be provided to facilitate evaluation of impacts on habitat connectivity and wildlife migration.

- *Incorporate a broader landscape/regional perspective on habitat for sensitive and at-risk species to assist in assessing the impact of the expanded ROW; or, provide justification for why a broader perspective is not being considered.* The already highly fragmented nature of the area's forest requires care regarding links between remaining forest patches and core forest patches. This is essential. A ranking of the woodlands to be crossed would assist in assessing impact. Documenting characteristics of woodlands such as proximity to other woodlands, linkages among woodlands, uncommon characteristics, and economic and social values is recommended. It is also important to consider the availability of breeding sites across the landscape to truly assess impacts. For instance, minimum forest patch sizes noted for Ruffed Grouse (Draft EA Appendix E, p.24) can be related to how many patches (if any) fall across the proposed widening, and how many patches may be reduced enough in size to fall below the minimum.
- *Commit to continued consultation with SON in the assessment of impacts on landscape connectivity and migrating wildlife.*

Mitigation and Monitoring

- *Provide more detail on the Biodiversity Initiative and Environmental Monitoring programs so that their adequacy can be properly evaluated.*
- *Provide an explanation for the proposed bird breeding window (when vegetation clearing is to be avoided) of May to July, rather than the standard April to August window to comply with the Migratory Bird and Game Act.*
- *Provide more information on how the displacement of wildlife will be mitigated during tower construction and vegetation clearing.* For example, ideally, key habitats would be attended during clearing and construction for species collection and transfer to adjacent habitat not slated for alteration (e.g. collect sample breeding salamanders and relocate within their home range, but set back from site alteration).
- *Provide details on how special care will be ensured for the maintenance of any actively nesting birds in the summer period for which water crossings are proposed* (Draft EA, p. 269). Water crossings are proposed for the low-flow periods of summer, which is excellent for herpetofauna, but other wildlife must also be considered (for example as is required under the Migratory Bird and Game Act).
- *Provide details on planned mitigation if the 9m deep tower cement pads encounter shallow groundwater and require dewatering.* Where plans discharge into vegetated non-agricultural areas (Draft EA, p. 239), Best Management Practices to safeguard wetland and/or woodland vegetation need review.

Appendix

The following list of suggestions for improvement of mitigation and monitoring plans should be taken into consideration:

- Survey the 6m access roads of geotextile and gravel before construction for sensitive species; survey the tower cement footing location for sensitive species
- Add the following to point 3 of the list of principles on which proposed mitigation measures are based (regarding timing of construction activities; Draft EA p. 219): "Wetland riparian vegetation removal to occur outside of key herpetofaunal wildlife breeding periods".
- Commit to using water to suppress construction dust rather than chemical application (Draft EA, p. 226) with respect to effects on wildlife.
- Combine monitoring of wetland areas after one growing season for wetland vegetation grow-back with the wildlife monitoring required to survey for any active bird nests.
- Undertake a monitoring protocol to confirm the rate of returning birds, as a follow-up to pre-construction bird nest surveys. Many birds, during nest periods, will not abandon their nest, but will not return the following year, constituting a loss.
- Augment Figures 5.10 and 5.11 in the Draft EA with a cross section specific to riparian area crossings, showing the oversized culvert and backfill substrate for safe herpetofaunal and small mammal passage. SON consultants inventoried a number of locations, including Glammis Bog crossings, where significant breeding events of Wood and Chorus Frogs, and subsequent travel needs from the breeding grounds to adjacent forest, were observed.
- Maximize the conservation of vegetation layers across the proposed corridor to mitigate noise effects (e.g. retain White Cedar wherever possible in riparian or tableland forest as it does not grow tall enough to interfere with tower and line clearing maintenance).
- Ensure seasonal flexibility in the heavy machinery operation limits of 7 a.m. to 7 p.m. so that dawn and dusk periods are avoided. This is meant to avoid the effect of both the lighting and noise pollution for early morning birds, dusk courting birds, and crepuscular forest and riparian zone species adapted to hunting and courting under cover of dark.
- Leave a portion of felled tops and brush piles per hectare for wildlife shelter, as a modification of the general Best Management Practices described in the Draft EA (p. 276) which include cutting and piling wood neatly.
- Incorporate a gene bank or native plant sanctuary into restoration plans, for species including those recommended by SON during meetings with HONI

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RE:	Saugeen Ojibway Nations – Comments on Hydro One's Environmental Assessment Report	

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