

## **4.0 Public Consultation Program**

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Public consultation is a critically important component of an environmental assessment, and an essential requirement of the *OEB's Guidelines (2003)*. Public consultation is the process of identifying and informing the public about the project, soliciting information regarding their values and the local environmental and socio-economic circumstances, and receiving advice about key project decisions before those decisions are finalized. This study included the meaningful participation of government agencies, interest groups, the general public, and potentially affected landowners through various communication channels including three Public Information Sessions. Additional communication about the project was undertaken through direct agency and landowner meetings, as well as telephone, email, facsimile and written correspondence.

The public consultation program included the following objectives:

- Identify interested and potentially affected parties;
- Inform and educate the public about the nature of the project, potential impacts and how to participate in the public consultation process;
- Provide a forum for the identification of issues;
- Identify how public input will be used in the planning stages of the project; and,
- Summarize issues for resolution, and resolve as many issues as possible.

The public consultation process for the project was divided into three phases. The main goal of the first phase was to identify and notify the relevant public and stakeholders about the project and to present the alternative routes to the public and to solicit their input. The focus of the second phase was to present the Preliminary Preferred Route to the public and to solicit their input. The third phase involved the presentation of the alternative Preferred Route to the public, the development of the specific mitigation measures, and confirmation of the Preferred Route.

The main goal subsequent to the presentation of the Preferred Route focuses on the review of the ER and ongoing availability of the study team for questions and concerns from agencies and landowners.

## **4.1 IDENTIFYING, NOTIFYING, AND UPDATING THE PUBLIC**

Newspaper advertisements and mailings were used to notify residents within the Study Area about the project, and to invite them to become involved in the ER study through the Public Information Session held on May 16, 2007. Newspaper advertisements also helped identify other groups, persons, associations, or government agencies that could be affected, either directly or indirectly, in a positive or negative manner, during the planning, construction, or operation stages of the pipeline.

Agency contact letters and project newsletters were developed to notify and introduce the public and agencies to the project, and to identify how they could be included in the decision-making process.

The Study Area is located entirely in the City of Thorold. The parties listed below were considered when identifying the initial relevant public:

- All residents in the Study Area (through newspaper advertisements, mailbox drop-off (unaddressed admail) and Public Information Sessions);
- The general public and businesses in and around the Study Area (through newspaper advertisements and Public Information Sessions);
- Agencies, First Nations, stakeholders and institutions e.g. NPCA, MNR, and Indian and Northern Affairs Canada ("INAC") (through direct mailing, and newspaper advertisements);
- Interest groups in the Study Area (through direct mailings, newspaper advertisements, and Public Information Sessions); and,
- Members of Municipal, Provincial, and Federal government (through direct mailings).

### **4.1.1 Project Newsletters**

Newsletters were developed for distribution at each of the three Public Information Sessions to inform the public of the study process. Each newsletter identified key issues on which public and agency advice was being sought, and included important contact information for members of the project team.

The first newsletter was provided to First Public Information Session attendees on May 16, 2007. The first project newsletter introduced the project, outlined a tentative project schedule, described the purpose of the First Public Information Session, and presented the alternative routes. Through the first newsletter, Stantec asked for input into selection of the Preliminary Preferred Route and the study process. Issues discussed in the first newsletter included an introduction to the project, how to get involved, and route selection possibilities. A copy of the first project newsletter can be found in **Appendix B5**.

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The second project newsletter was provided to Second Public Information Session attendees on June 26, 2007. The second project newsletter explained what occurred at the First Public Information Session, what is to be presented at the Second Public Information Session, where attendees could obtain information about the project, the events that will occur after the Second Public Information Session as well as general project information and details for contacting project representatives. A copy of the second project newsletter can be found in **Appendix B5**.

The third project newsletter was provided to Third Public Information Session attendees on March 18, 2008. The third project newsletter explained what occurred since the Second Public Information Session, what is to be presented at the Third Public Information Session, where attendees could obtain information about the project, the events that will occur after the Third Public Information Session as well as general project information and details for contacting project representatives. A copy of the third project newsletter can be found in **Appendix B5**.

#### **4.1.2 Mailouts**

Unaddressed admail, distributed on May 7, 2007, invited recipients to attend the First Public Information Session. Direct mailouts were sent to all agencies, First Nations and stakeholders that potentially had an interest in the project. Residents in the Study Area received letters of invitation that were delivered door to door through unaddressed admail. A copy of the landowner and agency invitations can be found in **Appendix B5**. For the Second and Third Public Information Sessions the same delivery methods were used as described above. These letters were sent out on June 12, 2007, and March 3, 2008.

#### **4.1.3 Newspaper Ads**

Notices of the Public Information Sessions for the project were published in three local newspapers within the Study Area. The First Public Information Session was advertised on May 4, 2007 (Niagara This Week) and May 11, 2007 (Niagara This Week, Thorold - Niagara News, and The Standard). The advertisements identified the project and the Study Area. They were intended to generate public interest in the proposed pipeline and the Public Information Session.

The Second Public Information Session was advertised on June 15, 2007 (Niagara This Week) and June 22, 2007 (Niagara This Week, Thorold - Niagara News, and The Standard). The advertisement identified that a Preliminary Preferred Route had been chosen. The advertisement also invited all interested parties to attend the Second Public Information Session, to give them an opportunity to indicate any areas where site-specific protection or mitigation measures are required, and to comment on the project and construction procedures.

The Third Public Information Session was advertised on March 12, 2008 (Thorold - Niagara News) and March 14, 2008 (Niagara This Week, and The Standard). The advertisement identified that an alternative Preferred Route was being considered.

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Copies of all newspaper notices are included in **Appendix B5**.

Once Enbridge has applied to the OEB for Leave to Construct the proposed pipeline, they will be directed by the OEB to publish a Notice of Application in local newspapers.

## **4.2 RECEIVING INPUT FROM THE PUBLIC**

The public provided invaluable input through two key mechanisms: the three Public Information Sessions and exit questionnaires. The public provided input regarding important features within the Study Area and which routing factors were most important in the route selection process. All comments and input were considered in the route selection and ER process.

### **4.2.1 Agency Contacts**

An agency contact letter requested all interested agencies to provide Stantec with pertinent information that may affect the routing, construction, or operation of the proposed natural gas pipeline. This letter was circulated to agencies on April 25, 2007. Specific information was sought regarding policies, guidelines, and legislation that may affect the outcome of the ER. A copy of this letter is provided in **Appendix B2**.

A copy of all correspondence between Stantec and agencies is attached in **Appendix B3** and a summary of all correspondence between Stantec and stakeholders can be found in **Appendix B1**. Recommendations and findings from corresponding agencies have been incorporated into the ER as required.

Enbridge sent correspondence announcing the project to local municipal and business leaders, MPs, MPPs, councillors, and adjoining municipalities in a letter dated April 25, 2007.

### **4.2.2 First Public Information Session**

The First Public Information Session was held at Fire Station Two - Thorold South, just inside the western border of the Study Area, on May 16, 2007, from 6:00 p.m. to 9:00 p.m. The purpose of the Information Session was to provide landowners, agencies, First Nations and other stakeholders an opportunity to:

- View the environmental features mapping and background data collected to date;
- Ask questions and provide comments on the planning process; and,
- Comment on the study methodology and the alternative routes.

Stantec and Enbridge representatives were present at the First Public Information Session to provide information, answer questions, and receive comments. The sign-in book for the Information Session contained 10 signatures. Each attendee was offered a newsletter and an exit questionnaire, the questionnaire was to be completed and returned to Stantec.

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Analysis of the Information Session registration book indicates that five attendees recorded an address within the Study Area. Questions and comments discussed with members of the public regarding the pipeline were mainly related to the proposed timing of the project and location of the Preliminary Preferred Route. A representative from Rolling Meadows Developments attended the Public Information Session and updated Enbridge and Stantec on details of a proposed development within the Study Area. This development consists of residential, industrial and commercial land uses and includes the construction of a golf course and a village centre. Subsequently, the land use mapping presented at the First Public Information Session was updated to include the land use mapping outlined in the Rolling Meadows proposal and was presented at the Second Public Information Session.

Exit questionnaires were developed to solicit input from attendees at the First Public Information Session. The questionnaire requested input regarding the route selection process, site-specific features, route preference and any other comments or feedback. The questionnaires were distributed at the First Public Information Session (with self-addressed stamped envelopes for return to Stantec). A total of two questionnaires were returned either during the First Public Information Session or by mail.

Out of the two exit questionnaires received at the First Public Information Session, no responses indicated that there were environmental features in the Study Area which were incorrectly mapped, omitted, or that were important to consider. The main concerns addressed were safety and the potential for disruption to previously undisturbed areas.

A summary of the returned questionnaires from the First Public Information Session is included in **Appendix B6**.

#### **4.2.3 Second Public Information Session**

The Second Public Information Session was held at the Fire Station Two - Thorold South on May 16, 2007, from 6:00 p.m. to 9:00 p.m. The sign-in sheet recorded that 8 people attended the Second Public Information Session and this number was confirmed by counting the attendees as they entered the facility. There were six attendees who registered their attendance on the sign-in sheet that are landowners within the Study Area. There was one attendee who registered their attendance on the sign-in sheet that owns land along the Preliminary Preferred Route. The purpose of the Second Public Information Session was to discuss the Preliminary Preferred Route, to give the public an opportunity to identify any necessary site-specific protection or mitigation measures and to provide an opportunity to address concerns with directly affected stakeholders.

Questions and comments discussed with attendees related to the duration of construction and potential impacts to property.

Exit questionnaires were developed to solicit input from attendees of the Second Public Information Session. The questionnaire requested input regarding the alignment of the Preliminary Preferred Route, any environmental features that require special consideration, and

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any other comments or feedback. The questionnaires were distributed at the Second Public Information Session (with self-addressed stamped envelopes for return to Stantec). Three questionnaires were returned either during the Second Public Information Session or through the mail.

Exit questionnaire responses indicated that the potential impact of the pipeline on property value was a concern. A summary of the complete questionnaires received from Second Public Information Session attendees is included in **Appendix B6**.

#### **4.2.4 Third Public Information Session**

The Third Public Information Session was held at the Fire Station Two - Thorold South on March 18, 2008, from 6:00 p.m. to 9:00 p.m. The sign-in sheet recorded that four people attended the Third Public Information Session and this number was confirmed by counting the attendees as they entered the facility. There were three attendees who registered their attendance on the sign-in sheet that are landowners within the Study Area. The purpose of the Third Public Information Session was to discuss the alternative Preferred Route, to give the public an opportunity to identify any necessary site-specific protection or mitigation measures and to provide an opportunity to address concerns with directly affected stakeholders.

Questions and comments discussed with attendees related to the duration of construction and potential impacts to property mainly dealt with the construction of the proposed Thorold CoGen L.P.

Exit questionnaires were developed to solicit input from attendees of the Third Public Information Session. The questionnaire requested input regarding the alignment of the alternative Preferred Route, any environmental features that require special consideration, and any other comments or feedback. The questionnaires were distributed at the Third Public Information Session (with self-addressed stamped envelopes for return to Stantec). One exit questionnaire was returned during the Third Public Information Session.

The exit questionnaire response provided information relating to the Regional trunk watermain to be constructed along Allanburg Road commencing north of the water tower southward. A summary of the completed questionnaire received from the Third Public Information Session is included in **Appendix B6**.

#### **4.2.5 Stakeholder Consultation**

Following distribution of the agency contact letters, Stantec made and received various phone calls and letters from interested parties including representatives of the City of Thorold, the MNR, and the Ontario Realty Corporation ("ORC").

The City of Thorold indicated that they were in support of the project, and provided Stantec with information relating to a housing development within the Study Area. The City provided Stantec with a basic map of the new development showing the location of proposed roadways within the

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development. They stated that they would like more detailed plans with respect to sections of the pipeline that may be utilizing the municipal road allowance.

The MNR informed Stantec that there is Type 2 fish habitat within the Study Area. They also informed Stantec that there are wooded areas within the Study Area that are approximately 10 hectare ("ha") in size and suggested that a complete flora/fauna survey is completed if vegetation clearing is required as part of the project. The MNR also stated that the alternative Preferred Route appears as though it would have less impact than the original Preferred Route since it follows existing road allowances.

The ORC provided information to Stantec regarding potential negative impacts to ORC tenants and lands, and indicated that mitigation measures and avoidance of negative impacts should be included in the ER. They also indicated potential triggers related to ORC's class EA and stated that if the ORC Class EA is triggered, consideration should be given to the ORC's undertaking in Stantec's ER. The ORC also provided a map illustrating the location of the Niagara Detention Centre.

A summary table displaying information, questions, and concerns received from stakeholders, as well as responses, is located in **Appendix B1**. Copies of correspondence with stakeholders and landowners are located in **Appendix B3** and **Appendix B4**.

#### **4.2.6 First Nations Consultation**

To ensure that any adverse effects on existing or asserted Aboriginal treaty rights were identified during the course of the study, Stantec consulted with First Nations proximal to the Study Area, as well as various departments within INAC. The consultation approach adopted by Stantec is consistent with the OEB's proposed Aboriginal Consultation Policy (EB-2007-0617).

INAC was contacted on June 12, 2007 to seek information regarding the status of lands within the Study Area. INAC replied to Stantec's letter request on July 11, 2007. The letter notified Stantec that INAC no longer responds to these types of letters by providing contact information for First Nations groups who may have an interest in the project. They now ask that potentially interested First Nations groups are identified and notified by the proprietor of the project. Stantec followed up with this request by investigating if there are any First Nations interests in the Study Area.

An email with a map showing the Study Area was sent to INAC's Litigation Management and Resolution Branch on July 12, 2007, INAC's Comprehensive Claims Branch on July 13, 2007, and INAC's Specific Claims Branch on July 17, 2007. A response from INAC's Specific Claims Branch was received on July 19, 2007, indicating that there are no land claims in the Study Area that they are aware of. A response from INAC's Comprehensive Claims Branch was received on July 23, 2007, indicating that there are no lands claims in the Study Area that they are aware of. A response from INAC's Litigation Management and Resolution Branch was received on July 30, 2007, indicating that their inventory does not include active litigation in the Study Area.



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A fax was received from the Association of Iroquois and Allied Indians (“A.I.A.I.”) on September 6, 2007 stating that they do not have any information to provide to us regarding site selection or technological alternatives and that the existence of land claims and other First Nation activities should be sought. This information has been collected; therefore no further action is required.

A summary of agency correspondence is included in **Appendix B1** and copies of this correspondence are included in **Appendix B3**.

### **4.3 COMPILATION AND INCORPORATION OF INPUT**

At each stage in the public consultation process, input received from the public and agencies was compiled, reviewed, and incorporated into project mapping and ER decision-making. Responses were provided to relevant agency comments and all questions and concerns received from the public, either by letter, email, or telephone. Information and input provided by the public and agencies were considered throughout the process in identifying and describing environmental features within the Study Area, evaluating the route alternatives, selecting and refining the Preferred Route, and developing appropriate mitigation measures. Incorporation of public input assisted in decision making throughout alternative route generation, Preferred Route selection and fine-tuning, and development of mitigation plans.

#### **4.3.1 Follow-up**

Known issues identified during the public consultation program have been resolved through clarification by project team members, or through selection of a Preferred Route that minimized potential impacts upon environmental or socio-economic features. Ongoing meetings with directly affected landowners are expected to resolve any outstanding issues.

Following completion, the ER will be circulated to relevant agencies, directly affected landowners, and members of the public who have requested a copy for review. Enbridge will continue to work to resolve issues of interest and concern to landowners and other stakeholders, through a combination of individual meetings with landowners and interested parties and through other project initiatives. Communication channels will remain open throughout the regulatory, construction and operational phases of the project.