

# **APPENDIX 1-II**

## **EA Report Concordance with the Terms of Reference**

## APPENDIX 1-II EA REPORT CONCORDANCE WITH THE TERMS OF REFERENCE

**Table 1-II-1: Cross Reference of Commitments Made in the Approved Terms of Reference with the Environmental Assessment Report**

Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
1 Introduction	6	The Reference Route and Alternative Routes that are to be examined in the EA are presented in Figure 1. Alternative Routes have been identified around federal lands, including two First Nation reserves and Pukaskwa National Park (Section 6.2.1). Additional Alternative Routes will be identified and evaluated during the EA (Section 6.2).	Section 3 and Appendix 3-I
1.4 Purpose of the Study	12	The purpose of the study is to undertake an EA to confirm the preferred route and concept design for the Project and to identify potential environmental and/or socio-economic effects that could result from the construction and operation of the Project. The EA study will also recommend and document appropriate and necessary mitigation measures to eliminate, or minimize, potential adverse Project-related effects.	<ul style="list-style-type: none"> <li>■ The preferred route is confirmed in Section 3 and Appendix 3-I</li> <li>■ Potential effects (i.e., effects pathways) and mitigation measures are identified in Sections 6 through 21</li> </ul>
		The study will be completed in accordance with the requirements of the <i>EA Act</i> .	Section 1
2.1.1 Provincial EA Process	14	Should the ToR be approved by the Minister of the Environment, it will be used by NextBridge to guide the completion of the EA to ensure that it meets the intent of the <i>EA Act</i> and any other applicable requirements. The results of the EA process will then be documented in an EA Report to be submitted to the Minister of the Environment for review and approval.	Throughout
2.1.2 Other Applicable Provincial EA Processes	14	The Project is also subject to the Ministry of Natural Resources (MNR) EA requirements for disposition of Crown lands in sections of the route that traverse public lands, including provincial parks and conservation reserves. These requirements will be met through the Individual EA process. Discussions with the MNR have commenced and will continue during the EA phase to assist with the disposition of Crown land for the Project and joint use of the existing East-West Tie right-of-way (ROW).	Sections 2, 3, and 6 through 21, and Appendices 2-III and 3-I
2.2.1 Section 67 of CEAA 2012 – Federal Lands	16 to 17	Parks Canada would be required to authorize Project-related activities that may impact the Pukaskwa National Park as per the above and in accordance with CEAA 2012. In the case of the potential crossing of two First Nation reserve lands, Aboriginal Affairs and Northern Development Canada (AANDC) would need to provide authorization. The use of federal lands for the purposes of the Project and potential federal approvals is currently being discussed with the appropriate federal agencies and will be further defined during the EA process.	Sections 1.3 and 2.1, and Appendix 2-III
		Ongoing consultation with AANDC to confirm potential permitting requirements will occur throughout the EA.	
2.4 The Ontario <i>Expropriations Act, 1990</i>	17	NextBridge will negotiate in good faith with landowners and tenants in cases where easements are required for sections of the Project proposed to be located on private property. Easements may also be required to accommodate temporary working space, stockpile areas, and additional space for laydown purposes. In the event that negotiation of easements or other private property rights acquisition is unsuccessful, NextBridge will apply for expropriation permissions under the <i>Expropriations Act, 1990</i> .	Sections 1.3 and 2.1, and Appendix 2-III

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2.5 Other Notifications, Permits and Approvals	18	<ul style="list-style-type: none"> <li>■ As more information is obtained during the EA process, NextBridge will further refine the list of anticipated notifications, permits, and approvals. The EA will document permits, approvals, and notifications required for the Project to proceed.</li> <li>■ 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 this is not possible due to not having enough detailed information, or due to other unforeseen events, NextBridge will undertake these activities following completion of the EA but prior to Project construction.</li> </ul>	Section 1.3.3
3.1 EA Approach	21 to 22	<ul style="list-style-type: none"> <li>■ This EA is proposed to be completed in accordance with subsections 6(2)(c) and 6.1(3) of the <i>EA Act</i>, 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. In accordance with the <i>EA Act</i>, “alternative methods” (i.e., Alternative Routes and local route refinements around sensitive features) will be explored through the EA process.</li> <li>■ In accordance with the <i>EA Act</i>, this EA will include the identification and evaluation of alternative methods (see Section 6). The EA will also include an assessment and evaluation of the advantages and disadvantages of proceeding with undertaking (the Project) against the “do nothing” or null alternative.</li> </ul>	Section 3 and Appendix 3-I
3.1.1 Subsection 6.1 (2) of the <i>EA Act</i>	22	NextBridge will conduct the EA in accordance with the general requirements of subsection 6.1(2) of the <i>EA Act</i> , with the exception of the “purpose of the undertaking” and “alternatives to” the undertaking. The “do nothing” alternative will however be addressed.	Sections 2, 3, and 6 through 21, and Appendix 3-I
		As such, the EA will consider the following: <ul style="list-style-type: none"> <li>■ a description of and statement of the rationale for the undertaking (and Reference Route) and alternative methods of carrying out the undertaking (including Alternative Routes, local refinements to the Reference Route, and alternative designs as described in Section 6 of this ToR);</li> </ul>	Section 3 and Appendix 3-I
		<ul style="list-style-type: none"> <li>■ a description of: <ul style="list-style-type: none"> <li>■ the environment that will be affected or that might reasonably be expected to be affected, directly or indirectly, by the undertaking and the alternative methods of carrying out the undertaking;</li> <li>■ the effects that will be caused or that might reasonably be expected to be caused to the environment, by the undertaking and the alternative methods of carrying out the undertaking;</li> <li>■ 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;</li> </ul> </li> </ul>	Sections 6 through 21; Section 3 and Appendix 3-I
		<ul style="list-style-type: none"> <li>■ an evaluation of the advantages and disadvantages to the environment of the undertaking and the alternative methods of carrying out the undertaking; and</li> </ul>	Section 3 and Appendix 3-I
		<ul style="list-style-type: none"> <li>■ a description of any consultation about the Project undertaken by the proponent and the results of the consultation.</li> </ul>	Section 2 and Appendices 2-II, 2-III and 2-IX

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Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
3.2 EA Report Preparation and Submission	22 to 23	The EA Report will be prepared in accordance with the approved ToR and the requirements of the <i>EA Act</i> . Upon completion of the EA and consultation program, NextBridge will submit the EA Report for review and approval to the Minister of the Environment. As per the MOE's " <i>Code of Practice: Preparing and Reviewing EAs in Ontario</i> (2014a), the EA will generally include the following elements:	Executive Summary
		<ul style="list-style-type: none"> <li>■ <i>“executive summary;</i></li> </ul>	
		<ul style="list-style-type: none"> <li>■ <i>list of studies and report;</i></li> </ul>	Appendix 4-I
		<ul style="list-style-type: none"> <li>■ <i>ToR requirements;</i></li> </ul>	Appendix 1-II
		<ul style="list-style-type: none"> <li>■ <i>identification of proponent;</i></li> </ul>	Section 1.1
		<ul style="list-style-type: none"> <li>■ <i>commitments and monitoring;</i></li> </ul>	Section 23
		<ul style="list-style-type: none"> <li>■ <i>other approvals;</i></li> </ul>	Section 1.3
		<ul style="list-style-type: none"> <li>■ <i>consultation summary; and</i></li> </ul>	Section 2
		<ul style="list-style-type: none"> <li>■ <i>appendices.”</i></li> </ul>	Appendices 1-I through 23-I
		The EA Report will also include information on the following:	Section 1.5
		<ul style="list-style-type: none"> <li>■ purpose and need for the Project based on planning process completed by the OPA (Appendix A);</li> </ul>	Section 1.5
		<ul style="list-style-type: none"> <li>■ rationale for undertaking the Project based on planning process completed by the OPA (Appendix A);</li> </ul>	Section 3 and Appendix 3-I
		<ul style="list-style-type: none"> <li>■ alternative methods of completing the Project (Alternative Routes, local refinements to the Reference Route, and design considerations);</li> </ul>	Section 3.1.4
		<ul style="list-style-type: none"> <li>■ advantages and disadvantages of the Project;</li> </ul>	Sections 6 through 21
		<ul style="list-style-type: none"> <li>■ description of the environmental baseline setting that could potentially be affected by the Project;</li> </ul>	Sections 6 through 21
<ul style="list-style-type: none"> <li>■ identification and assessment of potential positive and negative environmental Project effects (including net effects) on baseline conditions and the development of mitigation measures to eliminate or minimize adverse effects;</li> </ul>	Section 2 and Appendices 2-II, 2-III and 2-IX		
<ul style="list-style-type: none"> <li>■ documentation of the results from the consultation program;</li> </ul>	Section 23.2 and Appendix 23-I		
<ul style="list-style-type: none"> <li>■ future commitments;</li> </ul>	Section 23.1		
<ul style="list-style-type: none"> <li>■ monitoring and follow-up programs; and</li> </ul>	Appendix 4-I		
<ul style="list-style-type: none"> <li>■ an appendix and/or supporting document that includes technical reports completed to support the Project.</li> </ul>	Section 2 and Appendices 2-III and 2-IX		
		A draft EA Report will be prepared and made available for government agency, public, First Nation, and Métis review. Copies of the EA Report will be placed in local municipal offices and other public venues as well as being posted on NextBridge's website. Following the review, the EA Report will be formally submitted to the MOE for approval. The final EA Report will also be available for public review.	

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3.3 EA and Project Management Principles	23	The EA will be conducted in a manner consistent with the MOE's (2014a) EA principles, including: <ul style="list-style-type: none"> <li>consult with potentially affected and other interested persons;</li> </ul>	Section 2 and Appendices 2-II, 2-III, 2-IV and 2-IX
		<ul style="list-style-type: none"> <li>consider a reasonable range of alternatives (including alternative methods and the "do nothing" alternative);</li> </ul>	Section 3 and Appendix 3-I
		<ul style="list-style-type: none"> <li>consider aspects of the environment;</li> </ul>	Sections 6 through 21
		<ul style="list-style-type: none"> <li>systematically evaluate net environmental effects; and</li> </ul>	Sections 6 through 21
		<ul style="list-style-type: none"> <li>provide clear, complete documentation.</li> </ul>	Sections 1 through 25
		In addition, the EA will be guided by the MOE's (2014a) project management principles to assist in navigating the EA process successfully including: <ul style="list-style-type: none"> <li>timeliness;</li> <li>clarity and consistency;</li> <li>openness and transparency;</li> <li>coordination of approvals;</li> <li>best available information;</li> <li>appropriate level of detail; and</li> <li>minimize potential harm and enhance benefits to the environment.</li> </ul>	Sections 1 through 25
3.4 Providing Flexibility in the ToR to Accommodate New Circumstances	24	Additional consultation with Aboriginal communities, agencies, the public, and interest groups will be undertaken during the EA, specifically with respect to route identification, as well as the criteria and indicators used in evaluating the route.	Section 2 and Appendices 2-II, 2-III and 2-IX
		Significant changes to the Project from the description in this document will first be discussed with the MOE prior to implementation.	Section 2 and Appendices 2-II and 2-III
4.1 Overview of the Undertaking	25	Additional Alternative Routes will be identified and evaluated during the EA.	Section 3 and Appendix 3-I
4.1.1 Reference Route Justification	26	<ul style="list-style-type: none"> <li>The Reference Route generally follows the existing East-West Tie ROW. Alternative Routes will be identified and evaluated during the EA. Local refinements to the Reference Route will also be considered to avoid identified sensitive features (as discussed in Section 6).</li> <li>Final siting will be determined during the EA and will be based primarily on environmental (location of sensitive natural features such as wetlands, lakes and other features), socio-economic (proximity to local communities, property requirements, stakeholder input), and technical considerations and constraints.</li> </ul>	Section 3 and Appendix 3-I
		NextBridge will also be required to negotiate easements and acquire interest in private property to construct the Project and will consider local refinements to the Reference Route in specific locations to minimize potential adverse effects. The need for local refinements to the Reference Route to mitigate potential environmental and socio-economic effects of the Project will be determined during the EA and will be based on field study, consultation with applicable agencies, Aboriginal communities and other stakeholders, and selected evaluation criteria and indicators discussed in Section 6 and Appendix D.	Sections 2 and 3, and Appendices 2-III, 2-IX and 3-I

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4.2 Construction, Operation and Abandonment	28	Should a decision be made to abandon, or retire the Project at a future point in time, a detailed review of the potential effects and mitigation measures existing at that time will be provided. Activities that would typically be completed to facilitate the abandonment or retirement of a project of this type would include removing towers and transmission line cables and ground reclamation. If a decision is made to abandon or retire the Project, applicable municipal, provincial, and federal regulations and standards in place at that time will be adhered to.	Section 4.3.3
5 Description of Existing Environmental Conditions	29 to 31	The EA will contain more detailed and comprehensive mapping based on primary and secondary data that is to be collected.	Appendices 5-I-A, 5-I-B, and 5-II
		The features maps will be further developed as part of the EA and will serve as the baseline for route evaluation and for assessing the potential Project effects resulting from the phases of the Project.	Sections 3 and 6 through 21, and Appendices 3-I and 6-I through 19-I
		While this ToR provides some baseline information, additional data are required and will be provided in the EA Report, along with the effects assessment and mitigation measures, and will be supplemented with field studies (to commence in early 2014) and input received from government agencies, First Nation and Métis communities, and other stakeholders. Collected data will be input into a GIS mapping system. The EA will consider available 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), as well as agency, Aboriginal, and other stakeholder input.	Sections 2 and 6 through 21
		Field studies will generally consist of spring, summer, and fall floral and faunal investigations. These studies will be finalized in consultation with the MNR.	Sections 2 and 6 through 21; Appendices 2-III, 6-I, 12-I, 12-II, 13-II and 14-II
5.1.1 Records Reviewed as Part of the Terms of Reference	31	The following table outlines some of the key secondary source information used in preparation of this ToR (References are also included in Section 10). Additional secondary source information will be included in the EA Report, as appropriate.	Sections 6 through 21 and Section 25
5.3 Preliminary Study Area	33	Detailed field work will, however, be more focused and confined to directly affected areas including proposed tower locations. These areas will be identified through consultation with relevant agencies as appropriate.	Appendices 2-III, 6-I, 12, I, 12-II, 13-II and 14-III
		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. Study area boundaries are anticipated to be finalized shortly after the commencement of the EA and will be used primarily for the purposes of collecting baseline information and assessing potential Project effects. It should also be noted that in some cases larger, or separate study areas, will be developed to address some of the potential environmental and socio-economic features including, but not limited to, Woodland Caribou, archaeology, air/noise, socio-economics and Alternative Routes, to allow for greater accuracy in the prediction of Project effects and development of mitigation measures.	Section 2, Section 5.2.2, Sections 6 through 21, and Appendices 2-III and 2-IX

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5.4.1 Physiography, Geology, Surficial Geology and Soils	34	The EA will document existing conditions for the physical environment including physiography, geology, soils, and surficial geology using desktop studies with published data sources. Ontario Geological Survey mapping as well as other existing databases such as the Northern Ontario Engineering Terrain Studies will be consulted in conducting the EA.	Section 6
		The project team will identify and categorize areas of potential soil contamination (where data are available), and should they be identified in an area where construction of tower bases is to occur, soil sampling will be completed as necessary.	Section 6 and Appendix 4-II
5.4.2 Surface and Groundwater Conditions	35	Baseline conditions for surface and groundwater conditions will be documented as part of the EA using published data including Environment Canada's Water Survey of Canada, GIS mapping, and field study (as applicable). Wells within the study area that could potentially be impacted by the Project will also be identified and provided in the EA Report using the MOE water wells records and input received from landowners. The potential for surface and groundwater effects will also be reviewed using historical data.	Sections 7 and 8
5.4.3 National Parks	36	Should the decision be changed to allow a route through the [Pukaskwa National] Park, then the EA will identify and provide baseline conditions for the portion of Pukaskwa National Park that may potentially be affected by the Project. Potential Project effects and mitigation will also be developed and provided in the EA Report. Should Parks Canada's decision be final, the Reference Route through Pukaskwa National Park will be removed from consideration as a possible route in the EA.	Section 3 and Appendix 3-I
5.4.4 Provincial Parks, Conservation Reserves and Areas of Natural and Scientific Interest	37	The EA will identify and provide baseline conditions through desktop and field work for those sections of provincial parks, conservation reserves, ANSIs, and other environmentally sensitive areas (such as National Marine Conservation Areas) that may potentially be affected by the Project. Potential Project effects and mitigation will also be developed and provided in the EA Report. Local route refinements to avoid protected areas will also be evaluated during the EA.	Sections 3 and 6 through 21, and Appendix 3-I
5.4.5 Vegetation	38	The EA will contain a description of vegetation located in the study area using desktop and field studies. Anticipated field studies to be completed during the EA include ecological land classification (ELC) and botanical surveys, and are subject to consultation with regulatory agencies. ELC and botanical surveys will be completed to establish vegetation communities and vegetation present in the study area. Information obtained from these surveys will be used to verify secondary source data.	Section 12 and Appendices 12-I, 12-II, 12-V, 12-VI and 12-VII
5.4.6 Fish and Fish Habitat	39	The EA Report will document existing baseline conditions for fish and fish habitat that could potentially be affected by the Project within the study area. Features to be documented include watercourses and water bodies using desktop (including GIS mapping) and field studies. Fish species known to inhabit watercourses and other aquatic features in the study area will also be identified using MNR records and other published data, as appropriate.	Section 13 and Appendices 13-1 and 13-II
5.4.7 Wetlands	39	The EA Report will identify, document, and map the locations of wetlands within the study area using desktop studies (including GIS mapping) and will supplement field studies, as necessary. For the purpose of this Project, wetlands will be assumed to be significant (i.e., possessing significant ecological, botanical, or hydrological features), if unevaluated, to avoid the need to undertake a full evaluation using provincial procedures.	Section 12 and Appendices 12-II, 12-III and 12-V
5.4.8 Wildlife and Wildlife Habitat	39	Baseline conditions for wildlife and wildlife habitat will be provided in the EA Report using desktop analysis and field study. Wildlife and wildlife habitat that could be impacted as a result of the Project will be identified. Field studies to be completed for the EA may include breeding bird surveys, incidental wildlife surveys, and other seasonal surveys, subject to consultation with regulatory agencies.	Sections 2 and 14, and Appendices 2-III, 12-I, 14-II, 14-III and 14-IV

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5.4.9 Species at Risk	39	Provincial and federal Species at Risk that have the potential to be affected by the Project will be identified and documented in the EA Report. 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.	Sections 2 and 12 through 14, and Appendix 2-III
5.4.10 Air Quality	40	Characterization of current air quality conditions in the study area will be based on data collected at the MOE's air monitoring stations. The EA will document baseline conditions for air quality in the study area using the closest air quality monitoring stations to the Project. The EA will also include the identification of potential receptors and evaluation of air quality against regulatory standards.	Section 9
5.4.11 Acoustic Environment	40	The EA will provide baseline conditions for existing noise levels using previously published reports (if any). Noise receptors will also be identified within the study area as part of the EA, and potential noise emissions will be evaluated against regulatory guidelines. Mitigation measures will be developed as necessary.	Section 11
5.4.12 Preliminary Potential Effects to the Natural Environment	40	The following table provides an overview of the preliminary potential effects to the natural environment associated with the Project during construction and operation that will be assessed as part of the EA. The potential effects described below are preliminary and will be further defined during the EA.	Sections 6 through 21
5.5 Socio-Economic Environment	41	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, and economic development interests, as well as cultural heritage values and traditional land and resource uses.	Sections 15 through 19
5.5.1 Provincial and Municipal Policy	42	Official Plans and other strategic policy direction regarding land use and economic development will be reviewed as part of the EA. The EA will provide additional data relating to sensitive land uses and requirements of provincial land use policy. Consultation with government agencies and other stakeholders will be undertaken as part of the EA to identify and confirm secondary data and potential effects.	Sections 2, 18 and 19, and Appendix 2-III
5.5.2 Population and Demographics	43	The EA Report will document additional detail relating to population and demographics, and a skills assessment and will include a characterization of existing municipalities and communities in the area using primary and secondary sources including local official plans, mapping, and input received from stakeholder consultation.	Section 18 and Appendix 2-III
5.5.3 Cultural Heritage Resources	43	<ul style="list-style-type: none"> <li>■ A Stage 1 archaeological assessment will be completed for the Project as part of the EA to identify areas of high archaeological potential. The Stage 1 assessment will provide information about the geography and history of the area, previous archaeological fieldwork, and an overview of current land conditions along the Reference Route and Alternative Routes. The Stage 1 assessment will also provide recommendations for additional surveys for all, or parts, of the route that display high archaeological potential.</li> <li>■ Additional study (i.e., Stage 2, 3, and 4 assessments) may also be required but will depend on the conclusions made in the Stage 1 archaeological assessment. Built heritage and cultural heritage landscapes potentially affected by the Project will also be identified, as necessary. Results will be documented in the EA Report and used for planning and design purposes. Further, historical information available from municipal officials and/or other interested stakeholders (i.e., municipal heritage committees) will also be sought and taken into account as part of the EA.</li> </ul>	Sections 15 and 16, and Appendices 2-III, 15-I-A, and 5-I-B

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5.5.4 Traditional Land and Resource Use	44	Engagement is currently underway with First Nation and Métis communities, as well as the Ministry of Aboriginal Affairs, and AANDC, to further identify these, and any other, interests and potential effects to traditional land and resource use.	Sections 2 and 17, and Appendices 2-III and 2-IX
		NextBridge will consider First Nation and Métis interests during Project planning and design and will provide the results of the consultation program in the EA Report. NextBridge will also share data (i.e. vegetation species communities in a particular area) with First Nation and Métis communities and consider information they provide, such as, but not limited to, traditional ecological knowledge, that will allow NextBridge to better characterize potential effects on traditional land and resource use, where possible. NextBridge will also consider First Nation- and Métis-specific criteria and indicators in the evaluation of alternative methods for carrying out the undertaking.	Sections 2, 3 and 17 and Appendices 2-IX and 3-I
5.5.5 Human Health and Aesthetics	44 to 45	The EA Report will provide a summary of baseline conditions and potential effects associated with noise (Section 5.4.11), air quality (Section 5.4.10), and water conditions (Section 5.4.2), all of which have the potential to affect human health.	Sections 7, 8, 9, 11 and 21
		The EA Report will also document an appropriate monitoring program, as necessary.	Section 23
		To address and alleviate concerns related to Electromagnetic Fields (EMF), NextBridge will continue to monitor scientific studies and results as they relate to EMF exposure and provide this information to Project stakeholders. Information relating to EMF exposure will also be provided in the EA Report and will rely primarily on Health Canada's scientific expertise.	Section 4.3.2.7 and Appendix 2-V
5.5.5.2 Visual Assessment	44	<ul style="list-style-type: none"> <li>■ The EA will include a characterization of the existing landscape in which the Project will be located.</li> <li>■ Visual illustrations (where possible) will be developed to illustrate the anticipated location, height, and design of the Project. The focus of the exercise will be existing viewpoints that are valued by the public and those identified through consultation activities as playing a main role in the aesthetic appeal and character of a specific area (i.e., potential visual effects within Pukaskwa National Park). Data used as part of this exercise may include aerial images and digital data (frames) obtained through remote sensing technology (i.e., Lidar data). A description of the existing environment, the results of the visual impact assessment, as well as mitigation measures will be developed and provided in the EA Report.</li> </ul>	Section 20
5.5.6 Infrastructure and Services	45	Preliminary consultation with the Ministry of Transportation (MTO) has identified the need for an encroachment permit in the event that the Project is within 400 m of the ROW of a controlled access highway (e.g. Highway 17). The required setback for transmission lines is 14 m from Class I and II highways and 0.3 m from other highway classifications. Further consultation with MTO will be conducted through the EA.	Sections 1.3.3 and 2 and Appendix 2-III
		The EA Report will document existing infrastructure and local community services in the area that could potentially be affected by the Project along with mitigation measures. Existing infrastructure will include transmission lines, roads, highways, pipelines, rail lines, and other features identified. Community services may include schools, medical and emergency services facilities, residential settlement areas, public institutions, places of worship, and community gathering areas, as well as municipal, provincial, and national parks. Hotels, restaurants, and other amenities that can support construction staff will also be identified. NextBridge is currently consulting with stakeholders to better understand existing facilities and potential Project effects.	Sections 18 and 19

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5.5.7 Economy and Resource Use	45 to 46	The EA will document the predominant economic activities that occur within, and in proximity to, the study area, as well as positive and negative Project-related effects and associated mitigation measures.	Section 18
		Sustainable Forest Licence holders (for sections of the route located within identified forest management units on Crown lands), as well as mining claim holders and other Crown land users, will also be identified and provided with Project notification, to the extent possible. Further consultation with affected stakeholders will be conducted through the EA.	Section 2 and Appendix 2-III
		There are also tourism-based outfitters in the area that focus on hunting and fishing, relying on remoteness and wilderness experiences in many cases; in addition to tourism and local business associated with parks (provincial and national) and conservation areas (as identified in Section 5.4.3 and 5.4.4). The EA will document and assess potential effects to existing recreational areas in the study area.	Section 19
		Renewable energy development plays a significant role in northwestern Ontario. Examples include existing and planned wind power developments in the Shuniah area, potential solar power developments in the Nipigon area, and waterpower developments on rivers between Nipigon and Wawa. The EA will document and assess the potential effects to existing and planned renewable energy developments in the study area.	Section 18
5.5.7.1 Property Values	46	NextBridge is committed to continued open and fair consultation with potentially affected landowners. NextBridge has provided early Project notification to individuals with private lands located along the Reference Route and Alternative Routes. Consultation will continue with these individuals and will evolve to include potentially affected landowners located along local route refinements that may be identified during the EA process. A market valuation will be completed that will assess and determine the basis of compensation along the route. Compensation will include consideration for land value, damages to the lands (if any) within the proposed taking or easement, and where applicable, damages to the remaining lands otherwise referred to as injurious affection.	Section 2 and Appendices 2-III and 2-V
5.5.8 Preliminary Potential Effects to the Socio-Economic Environment	46	Table 5 provides an overview of the preliminary potential effects to the socio-economic environment associated with the Project during construction and operation that will be assessed as part of the EA. While potential effects described below are preliminary, they are being provided to facilitate review of this ToR and will be further refined during the EA.	Sections 15 through 20
6 Identification and Evaluation of Alternatives	48	As previously mentioned, the EA will be “focused” and thus completed in accordance with subsections 6(2)(c) and 6.1(3) of the EA Act. With the exception of the “do nothing alternative,” the EA will not include an evaluation of “alternatives to.” The “do nothing” alternative will be compared against the Project to confirm the recommended undertaking. “Alternative methods” of carrying out the Project (Alternative Routes, local route refinements, and designs) will be considered, assessed, and evaluated in the EA.	Section 3 and Appendix 3-I
6.1 Alternatives to the Undertaking	48	The EA will include an assessment and evaluation of the “do nothing” alternative compared against the recommended undertaking of the Project. This comparative evaluation of the Project against the “do nothing” alternative provides for a final confirmation that on balance the advantages/disadvantages of proceeding with the undertaking exceed those of not proceeding with it. This evaluation will confirm the rationale for the undertaking. This evaluation will be undertaken through discussions with the OPA to re-confirm their recommendation of transmission as the preferred option for supplying the northwest with power.	Section 3 and Appendix 3-I

## APPENDIX 1-II EA REPORT CONCORDANCE WITH THE TERMS OF REFERENCE

**Table 1-II-1: Cross Reference of Commitments Made in the Approved Terms of Reference with the Environmental Assessment Report**

Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
6.2 Alternative Methods for Carrying Out the Undertaking	48 to 49	There are a number of linear corridors that are located between Thunder Bay and Wawa. The EA will identify these corridors, evaluate them in terms of their environmental, social, economic, and technical attributes, and select a preferred route.	Section 3 and Appendix 3-I
		The alternative methods to be identified, assessed and evaluated in the EA include the following: <ul style="list-style-type: none"> <li>■ An assessment of Alternative Routes between Lakehead Transformer Station (TS) and Wawa TS;</li> <li>■ Alternative Routes around federal lands;</li> <li>■ Alternative Routes around provincial parks, conservation reserves, and protected areas;</li> <li>■ local refinements of the Reference Route; and</li> <li>■ alternative designs.</li> </ul>	Section 3 and Appendix 3-I
	49	Additional information on each alternative method is provided below and will be further expanded upon and refined during the EA process. When developing these alternatives, NextBridge will consider the following (MOE, 2014): <ul style="list-style-type: none"> <li>■ do they provide a viable solution to the problem or opportunity to be addressed?</li> <li>■ are they proven technologies?</li> <li>■ are they technically feasible?</li> <li>■ are they consistent with other relevant planning objectives, policies, decisions, and provincial government priority initiatives?</li> <li>■ could they affect any sensitive environmental or socio-economic features?</li> <li>■ are they practical, financially realistic, and economically viable?</li> <li>■ are they within the ability of the proponent to implement?</li> <li>■ can they be implemented within the study area?</li> <li>■ are they appropriate to the proponent doing the study?</li> <li>■ are they able to meet the purpose of the EA Act?</li> </ul>	Section 3 and Appendix 3-I
		NextBridge has and will continue to consult Aboriginal communities, the general public, interest groups, and agencies during the EA process. Feedback received during the ToR phase has been incorporated into the route selection process and criteria and indicators. Meetings are currently being held with interested parties relating to routing and evaluation criteria and indicators. A second round of Open House meetings, following the commencement of the EA, will also be held to further consult on the route selection and evaluation criteria and indicators. Feedback received during this time will be incorporated (where applicable) into the evaluation. A third set of Open House meetings will be used to display the results of route selection and evaluation, an effects assessment on the preferred route, and mitigation measures to be employed during construction, as well as commitments and monitoring.	Section 2 and Appendices 2-III, 2-V and 2-IX

## APPENDIX 1-II EA REPORT CONCORDANCE WITH THE TERMS OF REFERENCE

**Table 1-II-1: Cross Reference of Commitments Made in the Approved Terms of Reference with the Environmental Assessment Report**

Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
6.2.1 Alternative Routes around Federal Lands	49 to 50	<ul style="list-style-type: none"> <li>■ Federal lands that have been identified along the Reference Route include two First Nation reserves (Michipicoten First Nation and Pays Plat First Nation) and the Pukaskwa National Park. The federal government (AANDC and Parks Canada) is currently being consulted to determine if routing through federal lands will be permissible. As previously mentioned, NextBridge will be exploring the recent decision by Parks Canada to not allow the Project through Pukaskwa National Park. If the federal government does not permit these lands to be included and assessed as part of the EA, then the route through these federal lands will no longer be considered and the Alternative Route around these federal lands will be assessed. Alternatively, if the federal government informs NextBridge that these lands may be assessed as part of the EA, then NextBridge will continue to consider these routes in the evaluation.</li> <li>■ The Alternative Route identified around Pukaskwa National Park follows existing transmission infrastructure in an east-west direction. West of White River, the Alternative Route travels in a southerly direction to connect with the Reference Route. The Alternative Route around Pukaskwa National Park was refined to minimize environmental, physical, technical, and socio-economic effects. Alternative Routes will continue to be refined as necessary as part of the EA.</li> </ul>	Sections 2 and 3 and Appendices 2-III and 3-I
6.2.2 Alternative Routes around Provincial Parks, Conservation Reserves and Protected Areas	50	Based on discussions with the MNR, it was determined that rather than automatically paralleling sections of the existing East-West Tie through provincial parks, conservation reserves, and protected areas, an assessment will be completed of alternatives that avoid them. This assessment will be completed during the EA and its purpose will be to determine if it is more environmentally, socially, economically, and technically feasible for the Reference Route to detour around these areas. This process will include consultation with Aboriginal communities, the general public, interest groups, and agencies during the EA.	Sections 2 and 3 and Appendices 2-III, 2-V, 2-IX and 3-I, Section 19-IV
6.2.3 Local Refinements to the Reference Route	50	<ul style="list-style-type: none"> <li>■ A number of local refinements to the Reference Route were identified between Thunder Bay and Nipigon. These refinements followed other existing transmission infrastructure. In addition to consulting with agencies, Aboriginal communities and other stakeholders regarding the ToR, NextBridge used public Open Houses to gather information related to these local refinements. It is possible that further route refinements may be proposed and considered in this area during the EA. For example, as a result of a public meeting held in Dorion during the ToR public review period, NextBridge committed to working with the community to identify and evaluate local refinements to the Reference Route in the area of this community.</li> <li>■ Additional local refinements to the Reference Route in other areas as well as for the Alternative Routes may also be identified during the EA process to avoid sensitive environmental and/or socio-economic features, for technical reasons (i.e., to avoid existing infrastructure or reduce the number of transmission line crossovers), or to address specific landowner concerns. Local refinements requested by landowners or other stakeholders to avoid their property will be reviewed on a case by case basis as switching from one side of the existing East-West Tie to the other is not necessarily feasible.</li> </ul>	Sections 2 and 3 and Appendices 2-III, 2-IX and 3-I

## APPENDIX 1-II EA REPORT CONCORDANCE WITH THE TERMS OF REFERENCE

**Table 1-II-1: Cross Reference of Commitments Made in the Approved Terms of Reference with the Environmental Assessment Report**

Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
6.2.4 Alternative Designs	50 to 51	<p>Alternative methods to be examined in the EA will also include alternative designs to the Project. Alternative designs may need to be considered 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). Should the need for the alternative design originate from these concerns, NextBridge will resolve it with the affected individual or group. Should alternative designs result in the need for regulatory permits, they will be discussed with appropriate agencies. 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:</li> <li>■ establishing height requirements to minimize potential adverse effects to aesthetics in the area;</li> <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>	Sections 2 and 3 Appendices 2-III, 2-IX and 19-IV
6.3 Evaluation of Alternative Methods	51	<p>The identified Alternative Routes and designs will be assessed and evaluated to select, on balance, the alternative that has more advantages than disadvantages. The evaluation will take into account potential effects and mitigation that could be implemented to minimize or avoid the effects. The evaluation of alternative methods will be based on a set of evaluation criteria. Table 6 provides the general principles that would be followed in making decisions regarding route evaluation and selection. A list of detailed criteria and indicators to be used to evaluate alternative methods is provided in Appendix D. The evaluation criteria will be confirmed during the course of the EA 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. Data used for the evaluation will consider both primary and secondary sources as necessary. The final methodology and results of the evaluation will be provided in the EA.</p>	Section 3 and Appendix 3-I

## APPENDIX 1-II EA REPORT CONCORDANCE WITH THE TERMS OF REFERENCE

**Table 1-II-1: Cross Reference of Commitments Made in the Approved Terms of Reference with the Environmental Assessment Report**

Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
7.1 Potential Effects Assessment	53 to 54	Once an evaluation of the Alternative Routes and local route refinements and alternative designs has been undertaken, an effects assessment of the preferred route and transmission line design will be undertaken. The effects assessment will identify both potential positive and negative environmental and socio-economic effects potentially caused by the Project and will identify mitigation measures to eliminate, or minimize, the negative effects. The assessment of effects will be clear, logical, and traceable. Table 7 presents a list of the environmental and socio-economic features that will be assessed in the EA. The final list of environmental and socio-economic features to be assessed will be confirmed in the EA. NextBridge is receptive to adding additional environmental and socio-economic features should they be identified through field work or consultation. NextBridge will work with Aboriginal communities, the general public, interest groups, and agencies during the EA to refine the preliminary list of criteria and indicators to accommodate particular interests.	Sections 2 and 6 through 21, and Appendices 2-III, 2-V and 2-IX
		The assessment of potential Project-related effects will generally follow the process outlined below: <ul style="list-style-type: none"> <li>■ review the Project's characteristics including construction, operations, and maintenance activities;</li> <li>■ consider the baseline environmental conditions that would be affected by Project activities;</li> <li>■ identify the potential interactions between the Project and the environment and describe potential environmental and socio-economic effects considering the extent, duration, interrelationships, and magnitude (considerations to be finalized during the EA) of the potential direct and indirect effects (adverse and positive). This step will include using prediction techniques including for example component specific evaluations, field study, and the reviewing input received from the consultation program;</li> <li>■ identify, develop, and describe environmental and socio-economic mitigation measures to eliminate, or minimize, potential effects. This work would be undertaken using utility best management practices including environmental policies of NextBridge, as well as Hydro One and operational statements of provincial and federal regulators;</li> <li>■ determine the net effects that are likely to remain once prescribed mitigation measures are implemented; and</li> <li>■ identify the overall advantages and disadvantages.</li> </ul>	Sections 4 through 24
		The assessment will also consider potential cumulative effects of the project in combination with past, present and reasonably foreseeable future activities, where possible.	Sections 5 through 21
7.2 Mitigation Measures	54	Standard and customized (site-specific) mitigation measures will be developed for the Project to minimize potential adverse Project-related effects and described in the EA Report. As an example, prior to disturbances taking place, appropriate surface water controls will be installed, maintained, and monitored in accordance with proven best management practices. Mitigation measures will be developed in consultation with Aboriginal communities, the general public, interest groups and agencies, as necessary, and will be provided in contract specifications to be adhered to by NextBridge staff and contractors.	Sections 6 through 21, Appendix 4-II and Appendix 5-I

## APPENDIX 1-II EA REPORT CONCORDANCE WITH THE TERMS OF REFERENCE

**Table 1-II-1: Cross Reference of Commitments Made in the Approved Terms of Reference with the Environmental Assessment Report**

Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
8.1 Environmental Commitments	55	The Project will be undertaken in accordance with corporate environmental policies and procedures, applicable legislation, and industry best management practices and will be designed to have the least impact on the natural and socio-economic environments to the extent possible.	Sections 4 and 6 through 21
		<p>The EA will include a list of environmental commitments to be made by NextBridge with respect to:</p> <ul style="list-style-type: none"> <li>■ development and implementation of mitigation measures;</li> <li>■ completion of additional field studies (if required), and receipt of regulatory approvals, prior to construction (if any);</li> <li>■ development and implementation of an environmental monitoring program that considers the phases of the Project; and</li> <li>■ continued stakeholder, First Nation, and Métis consultation.</li> </ul>	Section 23 and Appendix 23-I
8.2 Environmental Monitoring	55 to 56	<ul style="list-style-type: none"> <li>■ A detailed construction and post-construction monitoring plan will be developed during the EA phase of the Project and included in the EA Report to ensure environmental commitments are met.</li> <li>■ NextBridge will employ the services of an Environmental Inspector(s) during construction of the Project to assist with monitoring. The Environmental Inspector(s) will be familiar with transmission line construction techniques, best management practices, and applicable legislation. The inspector(s) will also be familiar with the commitments made in this ToR and the EA Report and will identify actual Project-related environmental effects, and the effectiveness of mitigation and reclamation measures.</li> <li>■ NextBridge will aim to: <ul style="list-style-type: none"> <li>■ integrate agency, Aboriginal, and stakeholder feedback and concerns received during the ToR and EA phases into the monitoring program and identify and manage potential environmental effects resulting from the Project;</li> <li>■ implement a worker training program to ensure the construction team and contractor are aware of applicable NextBridge corporate environmental policies and programs, practices; and</li> <li>■ establish and aim to achieve Project environmental objectives and targets and ensure corrective action is taken when required.</li> </ul> </li> <li>■ The monitoring plan will be implemented throughout the phases of the Project.</li> </ul>	Section 23 and Appendices 2-III, 2-IX and 4-II
9.1 Purpose of the Consultation Plan for the EA	57	<ul style="list-style-type: none"> <li>■ NextBridge is committed to consulting with interested community members, First Nation and Métis communities, elected officials and municipal staff, government agencies, landowners, and the general public in a clear and mutually respectful manner throughout the life of the Project.</li> <li>■ NextBridge will engage interested individuals/groups, governments, First Nation and Métis communities, regulators, and landowners through honest, regular, and open communication, seeking and respecting each party's input. NextBridge is committed to timely and meaningful dialogue, and believes that input received will be critical to a successful project that seeks to address the needs of those involved.</li> </ul>	Section 2 and Appendices 2-III and 2-IX
9.2 Consultation on the Terms of Reference	58	Should the ToR be approved by the MOE and the Project progress to the EA, a separate Record of Consultation will document consultation activities and input received during the EA.	Appendices 2-III and 2-IX

## APPENDIX 1-II EA REPORT CONCORDANCE WITH THE TERMS OF REFERENCE

**Table 1-II-1: Cross Reference of Commitments Made in the Approved Terms of Reference with the Environmental Assessment Report**

Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
9.3 EA Stakeholder Consultation Plan	58 to 59	<ul style="list-style-type: none"> <li>▪ NextBridge will use a proactive, plain language, public communication and consultation plan to support two-way communication with potentially affected parties. NextBridge's philosophy is to be as transparent as possible with individuals, communities, and groups.</li> <li>▪ This Consultation Plan is designed to integrate with the steps of the EA process as shown in Figure 5. It is expected that the plan will be updated and refined based on feedback obtained as the EA process evolves. Should significant unforeseen changes to the Project occur (i.e., changes to the study area, overall design), NextBridge will notify stakeholders using the appropriate method identified in Sections 9.3.1 through 9.3.10.</li> </ul>	Section 2 and Appendices 2-III and 2-IX
	59	NextBridge will consult the Aboriginal communities, general public, interest groups, and agencies during the EA process. In addition to meetings, newsletters and activities that have taken place during the ToR phase, a second round of Open House meetings will be held to consult on the route selection process, the results of background studies, preferred Alternative Routes, local route refinement decisions and criteria and indicators. A third set of Open House meetings, in addition to further individual discussions, will be used to display the route selection and evaluation, preferred route, effects assessment and mitigation measures for the preferred route, construction activities and commitments and monitoring.	Section 2 and Appendices 2-III, 2-V and 2-IX
9.3.1 Stakeholder Identification	60	<ul style="list-style-type: none"> <li>▪ NextBridge will consult with potentially affected stakeholders in a manner that is respectful of their needs and expected levels of interest. The following stakeholders will be consulted during the EA: <ul style="list-style-type: none"> <li>▪ the general public that may have an interest in the study area and/or the Project;</li> <li>▪ landowners and residents that could be affected along the Reference Route, Alternative Routes, and local route refinements to be considered in the EA;</li> <li>▪ townships, towns and municipalities that the Reference Route, Alternative Routes, and local route refinements pass through;</li> <li>▪ government agencies with an interest in the Project; and</li> <li>▪ other stakeholders and interest groups with a potential interest in the Project.</li> </ul> </li> <li>▪ A stakeholder contact list for the Project has been developed as part of the ToR stage consultation activities. This stakeholder list will be updated throughout the course of the EA.</li> </ul>	Section 2 and Appendices 2-III, 2-IV and 2-IX

## APPENDIX 1-II EA REPORT CONCORDANCE WITH THE TERMS OF REFERENCE

**Table 1-II-1: Cross Reference of Commitments Made in the Approved Terms of Reference with the Environmental Assessment Report**

Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
9.3.3 Project Notices	60 to 61	<ul style="list-style-type: none"> <li>■ Public notices will be published in local newspapers throughout the regional study area. Notices will meet the requirements established by the MOE in their Code of Practice (MOE, 2014b). Four notices are anticipated during the EA: Notice of Commencement of the EA and Open Houses (Round 2); Notice of Open Houses (Round 3) Notice of Draft EA Review, and Notice of Submission of the EA.</li> <li>■ Newspapers identified for publication include: <ul style="list-style-type: none"> <li>■ Algoma News;</li> <li>■ Marathon Mercury;</li> <li>■ Nipigon Red Rock Gazette;</li> <li>■ Ontario News North;</li> <li>■ Thunder Bay Chronicle Journal;</li> <li>■ Thunder Bay's Source;</li> <li>■ Terrace Bay Schreiber News; and</li> <li>■ Wawa-News.com.</li> </ul> </li> <li>■ Other local print and/or electronic media in northwestern Ontario identified during the EA may also be used. Notices will also be distributed via Canada Post and emailed to the stakeholder contact list. French language notices will also be available.</li> </ul>	Section 2 and Appendices 2-III and 2-VIII
9.3.4 Project Website	61	Project information, notices, newsletters, updates, and other documents will be posted on the website to provide a means for stakeholders to access project information at their convenience.	Section 2 and Appendix 2-III
9.3.5 Newsletters	61	<p>Newsletters will be developed and distributed to the stakeholder mailing list, be available at public events, and posted on the Project website release of newsletters are proposed to correspond with the Project commencement and key milestone events to provide additional information and invitation to events. The following summarizes the anticipated Newsletters. Additional newsletters may be prepared if necessary.</p> <ul style="list-style-type: none"> <li>■ Newsletter 1 – Introduce the Project, provide background information, describe the EA process, and let recipients know how they can participate in the EA. (Newsletter 1 was issued during the development of the ToR and will continue to be available during the EA).</li> <li>■ Newsletter 2 – Invite participation in the second round of Open Houses and provide information on the background study results (anticipated time frame – spring/summer 2014).</li> <li>■ Newsletter 3 – Invite participation in the third round of Open Houses and provide information on the preferred route, potential effects, and proposed mitigation (anticipated time frame – fall 2014).</li> </ul>	Section 2 and Appendices 2-III and 2-VI
9.3.6 Project Hotline	61	A dedicated toll free telephone number, 1-888-767-3006, has been established for the Project. Messages left on the hotline will be reviewed regularly and forwarded to relevant proponent/study team members for appropriate action. Project- related comments and inquiries made through the hotline will be documented.	Section 2 and Appendices 2-III and 2-IX
9.3.7 Project Email	62	A dedicated email address, info@nextbridge.ca, has been established for the Project. Messages and comments sent to the email address will be reviewed regularly and forwarded to relevant Project team members for appropriate action. Project related comments and inquiries made via email will be documented.	Section 2 and Appendices 2-III and 2-IX

## APPENDIX 1-II EA REPORT CONCORDANCE WITH THE TERMS OF REFERENCE

**Table 1-II-1: Cross Reference of Commitments Made in the Approved Terms of Reference with the Environmental Assessment Report**

Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
9.3.8 Land Agents	62	A team of land agents will be available to provide personal, one-window contact with potentially affected landowners and tenants to be as responsive as possible to landowner and tenant needs. It is expected that land agents will help landowners understand the Project approval process and address property-specific questions. This relationship will continue through post-EA, Leave to Construct, construction, and reclamation Project phases. A dedicated French language land agent will respond to inquiries and work with French speaking landowners and tenants.	Section 2 and Appendix 2-III
9.3.9 Meetings and Presentations	62	Meetings with municipal staff and elected officials, as well as federal and provincial agencies and authorities will be held throughout the EA as required for Project planning purposes. Requests for meetings and presentations from other stakeholders will also be entertained.	Section 2 and Appendix 2-III
9.3.10 Open Houses	62	<ul style="list-style-type: none"> <li>■ Open House meetings will be held in communities along the Project route to provide community members a forum to understand more about the Project, speak directly with NextBridge subject-matter experts, and for NextBridge representatives to gather community input on the Project. Display panels and maps will describe and illustrate Project elements and the planning process. Information presented at the Open Houses will be made available on the Project website.</li> <li>■ Two additional rounds of public Open Houses are planned for the EA stage of the Project. Anticipated timeframe and discussion topics are as follows: <ul style="list-style-type: none"> <li>■ Open House Round 2 – Present the results of background studies, preferred alternative routes, and local route refinement decisions (spring/summer 2014); and</li> <li>■ Open House Round 3 – Preferred route, effects and mitigation, and construction activities (fall 2014).</li> </ul> </li> <li>■ Attendees at the Open Houses will have the opportunity to submit comment forms at the event and comments can also be made directly to NextBridge via email, mail, fax, and telephone hotline. Attempts will be made to document comments provided verbally to Project staff during one-on-one conversations at Open Houses; however, given the nature of these conversations, it is not possible to guarantee comments provided in this manner will be comprehensively captured. As such, parties are always advised to submit written feedback wherever possible.</li> </ul>	Section 2 and Appendices 2-III, 2-V and 2-IX
9.3.11 Review of the Draft EA Report	63	Interested stakeholders will have the opportunity to review the draft EA Report. Notice that the draft EA Report is available for review will be advertised and distributed to those on the stakeholder contact list at the commencement of the review period. Copies of the draft document will be made available for review on the Project website. Agencies and identified Aboriginal communities will be provided with required copies of the draft document for circulation and review. Comments will be accepted via email, letter, fax, and phone call to the Project hotline.	Section 2 and Appendices 2-III, 2-VIII and 2-IX
		Following incorporation of comments received, a final EA will be prepared. Notice of Submission will be advertised and distributed to those on the stakeholder contact list when the final EA is submitted to the MOE. A formal review period of the EA Report will commence at that time providing stakeholders with an opportunity to submit comments on the EA Report to MOE. Copies of the EA will be available for review locally, sent to key stakeholders, and posted on the Project website as with the draft.	Section 2 and Appendices 2-III, 2-VIII and 2-IX

## APPENDIX 1-II EA REPORT CONCORDANCE WITH THE TERMS OF REFERENCE

**Table 1-II-1: Cross Reference of Commitments Made in the Approved Terms of Reference with the Environmental Assessment Report**

Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
9.4 Aboriginal Engagement and Consultation Plan	63 to 64	<ul style="list-style-type: none"> <li>■ NextBridge and the Crown have committed to carry out their respective consultation obligations under the MOU. NextBridge has also engaged external Aboriginal relations consultants to provide advice and recommendations concerning consultation and potential accommodation strategies for the Project. NextBridge's approach for engaging these communities and entering into consultations is based on the following guiding principles:               <ul style="list-style-type: none"> <li>■ Understanding the Communities                   <ul style="list-style-type: none"> <li>– NextBridge will collaborate with First Nation and Métis communities to better understand their rights and asserted rights as well as their concerns for the people affected by our work in the areas where we will operate. We will show respect for traditional ways and land, cultural heritage resources, the environment, and traditional knowledge.</li> </ul> </li> <li>■ Commitment to Effective Policies and Procedures                   <ul style="list-style-type: none"> <li>– We have strong, established and effective policies and procedures;</li> <li>– NextEra's First Nation and Métis Relationship Policy; and</li> <li>– Enbridge's Aboriginal and Native American Policy.</li> </ul> </li> <li>■ Communication and Transparency                   <ul style="list-style-type: none"> <li>– We form good working relationships through:                       <ul style="list-style-type: none"> <li>• Open dialogue;</li> <li>• Communicating key project information and updates; and</li> <li>• Being attentive to the communities' concerns about Project impacts or questions about Project benefits.</li> </ul> </li> </ul> </li> </ul> </li> <li>■ This Aboriginal Consultation Plan sets out a process that will be continually enhanced, with the benefit of community input. NextBridge proposes to carry out a dual stream consultation/participation process, where one of the streams will focus on consulting with the communities as to whether there are any expected or potential impacts on their rights, and what strategies may be undertaken to mitigate and/or avoid these impacts. This work stream is being named the "consultation" stream, and will be carried out by NextBridge staff and external consultants with input from the communities through a series of individual meetings with the eighteen identified communities. A second commercial "participation" stream is being developed in parallel to the "consultation" stream and is described below.</li> <li>■ NextBridge will give full and fair consideration to the views and concerns expressed by the communities about the perceived potential impacts of the Project on Aboriginal and treaty rights and will seek workable ways to substantially address the concerns raised by the communities. NextBridge will also give consideration to any information otherwise available to NextBridge about the rights and interests of the communities that may be impacted by the Project.</li> <li>■ Should significant unforeseen changes to the Project arise (i.e., changes to the study area, overall design), NextBridge will notify Aboriginal communities using the appropriate method identified in Section 9.4.5, as applicable.</li> </ul>	Section 2 and Appendix 2-IX

## APPENDIX 1-II EA REPORT CONCORDANCE WITH THE TERMS OF REFERENCE

**Table 1-II-1: Cross Reference of Commitments Made in the Approved Terms of Reference with the Environmental Assessment Report**

Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
9.4.1 Community Identification	66	<ul style="list-style-type: none"> <li>■ All eighteen communities will be consulted, in accordance with the “Proposed Approach to Consultation” outlined in the following section. All eighteen will be provided with information, and will be engaged in a direct dialogue, in order to allow both NextBridge and each Aboriginal community to understand the potential impacts (if any) of the Project on any Aboriginal or treaty rights or interests. This will become part of the Record of Consultation.</li> <li>■ Moreover, it is NextBridge’s intention to engage in good faith consultation with Aboriginal communities seeking to understand the Project, convey their views and concerns about the Project, and discuss appropriate mitigation or accommodation.</li> <li>■ <b>First Nation Organizations</b> <ul style="list-style-type: none"> <li>■ NextBridge will carry out consultation directly with the First Nation leadership (Chief and Council or their delegated representatives), but will keep a number of regional tribal councils and PTOs copied on notification letters to their member First Nations.</li> </ul> </li> <li>■ <b>Métis Nation of Ontario (MNO)</b> <ul style="list-style-type: none"> <li>■ Three of the four identified Métis community representatives are members of the MNO. The MNO will be copied on notification letters to its members.</li> </ul> </li> </ul>	Section 2 and Appendix 2-IX
9.4.2 Proposed Approach to Aboriginal Consultation and Participation	67	<ul style="list-style-type: none"> <li>■ NextBridge recognizes that trust takes time to build, and consultation and continuing dialogue with the communities will be ongoing throughout the Project development process and into the operations and maintenance phase, not just during the environmental assessment and permitting processes during Project development. NextBridge plans to engage with the identified First Nation and Métis communities based on the foundations of respect, open communication, and cooperation. NextBridge will meet with the eighteen identified communities to jointly discuss the potential impacts that the Project may have on the communities, and their Aboriginal and treaty rights and interests.</li> <li>■ This will include dialogue about the traditional practices and traditional land and resource uses in which the communities currently engage and any traditional knowledge that has been mapped or collected by the community that may contribute to both the environmental assessment process, and a greater understanding of the potential Project impacts. The EA will also include various field studies to identify and possibly mitigate/avoid identified potential impacts, which will feed into planning the Project and determining the optimal routing for the transmission line.</li> <li>■ NextBridge will work with the communities to follow their individual internal protocols and procedures to the extent reasonably possible, provide capacity funding if appropriate and will respect the confidentiality aspects of any information provided to NextBridge in a manner consistent with the Memorandum of Understanding (MOU).</li> <li>■ The consultation work will focus on communicating the issues and options for route selection that are under consideration by the Project development team to the community members and receiving any feedback. Consultation by NextBridge will be guided by the MOU and the Consultation Principles set out in the Aboriginal Consultation Plan provided as a supporting document to this ToR.</li> </ul>	Sections 2 and 17 and Appendix 2-IX
		<p><b>Section 28(2) Permits</b></p> <p>A separate series of meetings will be required with the Pays Plat and Michipicoten First Nations, as the proposed route for the Project passes through each of their Reserve lands. Meetings to discuss the proposed routing, as well as negotiations regarding compensation to the two communities for the land taken out of use by the communities, will be necessary. Some communities require a community referendum to approve Section 28(2) permits.</p>	Section 2 and Appendix 2-IX

## APPENDIX 1-II EA REPORT CONCORDANCE WITH THE TERMS OF REFERENCE

**Table 1-II-1: Cross Reference of Commitments Made in the Approved Terms of Reference with the Environmental Assessment Report**

Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
9.4.3 Information Exchange	68	<ul style="list-style-type: none"> <li>■ In addition to what meets each community's needs, NextBridge is also willing to provide support, where appropriate, in the form of:               <ul style="list-style-type: none"> <li>■ disseminating project information to Chiefs and Councils, and Métis leadership;</li> <li>■ arranging for project information sessions for Chiefs and Councils, Métis leadership, youth, elders, and/or Aboriginal communities at large, by hosting forums; and</li> <li>■ facilitating Aboriginal engagement in archeological assessments.</li> </ul> </li> <li>■ NextBridge will work with each of the communities to develop an appropriate process to make sure that each Aboriginal community and its members will have access to all of the information concerning the Project in a form that is understandable to them.</li> </ul>	Section 2 and Appendix 2-IX
9.4.4 Use of Traditional Ecological Knowledge and Traditional Land Use Information	68	<ul style="list-style-type: none"> <li>■ NextBridge believes that the development of the Project will not be successful without the active engagement of those Aboriginal communities that hold traditional ecological knowledge (TEK) and traditional land use (TLU) information about the Project area. This information will be essential to completing the environmental assessment process for the Project in a timely, appropriate, and cost-effective manner. NextBridge will work with the communities to identify TEK/TLU information and to mitigate and/or avoid potential impacts that arise from routing, construction, and operations.</li> <li>■ It is the intent of the NextBridge to actively involve relevant Aboriginal staff and TEK/TLU holders in developing the content of the required regulatory reports and submissions, as well the plan on how to collect this information.</li> <li>■ NextBridge will work with First Nation and Métis communities to help define the process to identify, collect, and evaluate existing TEK/TLU information and potentially develop additional TEK/TLU information relating to the Project area.</li> <li>■ Other information to be considered includes but is not limited to:               <ul style="list-style-type: none"> <li>■ historical land use in the area;</li> <li>■ treaties signed by the Crown (in this case the Robinson Superior Treaty and Treaty #9);</li> <li>■ unresolved claims;</li> <li>■ published maps of traditional territories; and</li> <li>■ cultural heritage resources, including archaeological resources, built heritage resources, and cultural heritage landscapes.</li> </ul> </li> </ul>	Sections 2, 15, 16 and 17 and Appendix 2-IX

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Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
9.4.5 Aboriginal Engagement Tools	69 to 70	<ul style="list-style-type: none"> <li>■ The following tools will be used to engage with Aboriginal communities during the EA for the Project.               <ul style="list-style-type: none"> <li>■ <b><u>Staff and Community Meetings</u></b> <ul style="list-style-type: none"> <li>– A series of meetings with the identified Aboriginal communities will be held to discuss the issues of concern and to facilitate discussion and understanding of whether, and if so, to what extent, the Project may potentially cause impacts to rights and interests, including traditional land uses, harvesting patterns, customs, practices, and traditions (e.g., food harvesting, trapping, medicinal plant gathering, cultural activities) of the community members.</li> <li>– The information shared by the communities will be collected and incorporated where appropriate in the planning for the Project, and any required regulatory processes. The materials and data that are gathered will also be used to establish the extent of potential impacts of the Project on the community (if any). NextBridge will provide a written summary of meetings to the community leadership, and will provide copies of relevant documents requested. The communities will be provided with a reasonable opportunity to review and provide input into written summaries of meetings and other relevant documents. These materials will be included in the consultation record, subject to any information identified by the communities as sensitive TEK/TLU-related information.</li> </ul> </li> </ul> </li> </ul>	Sections 2 and 17 and Appendix 2-IX

## APPENDIX 1-II EA REPORT CONCORDANCE WITH THE TERMS OF REFERENCE

Table 1-II-1: Cross Reference of Commitments Made in the Approved Terms of Reference with the Environmental Assessment Report

Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
9.4.5 Aboriginal Engagement Tools (cont'd)	69 to 70	<ul style="list-style-type: none"> <li>■ <b><u>Project Announcements and Notifications to Interested Parties</u></b> <ul style="list-style-type: none"> <li>– The following routine Project announcements/notifications will be provided to the Aboriginal communities through the Stakeholder Consultation Plan as noted in Section 9.3, and will include the following information:                             <ul style="list-style-type: none"> <li>• project title;</li> <li>• name of the proponent;</li> <li>• brief description of the Project;</li> <li>• map showing proposed Project location;</li> <li>• statement that the Project is subject to the requirements of the <i>EA Act</i>;</li> <li>• an invitation to participate in the Project;</li> <li>• contact information for the person to whom requests for additional information can be addressed, as well as comments;</li> <li>• an indication that there will be additional opportunities to be informed and involved in the Project; and</li> <li>• notices about public Open Houses, with their dates, times, and locations noted.</li> </ul> </li> <li>– The Project has a website, located at <a href="http://www.nextbridge.ca">www.nextbridge.ca</a>, and Project information will be routinely posted to the website for distribution. The Project website, email and hotline will be available to provide access to information and opportunity to provide comment throughout the EA. First Nations and Métis organizations will also receive notification of the opportunity to review and provide comment on the Draft and Final EA, see Section 9.3 for details.</li> <li>– NextBridge will also publish a series of newsletters about the Project, which will be distributed to the communities. Specific information materials and communication processes and activities will be designed to reach out to Aboriginal communities over and above the Project announcements and notifications to all interested parties.</li> </ul> </li> <li>■ <b><u>Open Houses for all Interested Parties</u></b> <ul style="list-style-type: none"> <li>– First Nations and Métis community members and leadership have been invited to attend any or all the public Open Houses and meetings geared toward the general public. The Open Houses allow anyone to seek any information needed about the Project, to ask questions, and express their concerns. First Nation and Métis community members have been invited to attend these sessions as we work with these communities to develop individual engagement plans. NextBridge understands that in order to appropriately consult with communities and assess potential impacts, there needs to be a forum tailored to each individual community's needs.</li> <li>– At the Open Houses, the following information will be provided on large poster boards in easily understandable language:                             <ul style="list-style-type: none"> <li>• introduction to NextBridge and its consultants;</li> <li>• overview of the Project including detailed maps of the proposed Project routing;</li> <li>• outline of the EA process;</li> <li>• next steps for the EA process;</li> <li>• outline of the transmission development process including Leave to Construct; and</li> <li>• how to provide information such as a question or a comment.</li> </ul> </li> </ul> </li> </ul>	Section 2 and Appendices 2-III, 2-V, 2-VI, 2-VIII and 2-IX

## APPENDIX 1-II EA REPORT CONCORDANCE WITH THE TERMS OF REFERENCE

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Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
9.4.6 Consultation and Capacity Funding Agreements for Aboriginal Communities	70 to 71	<ul style="list-style-type: none"> <li>■ <b><u>Consultation Agreements</u></b> <ul style="list-style-type: none"> <li>– The ongoing resource and capacity constraints that currently face many First Nations and Métis communities will require NextBridge to take steps to ensure that the communities are able to fully participate in consultation, including providing meaningful and timely input that can be integrated into the Project planning and EA process. NextBridge is willing to provide a reasonable amount of funding to provide for these needs.</li> <li>– After an introductory meeting with each community to introduce the Project, the next step in the consultation process is negotiating and signing Consultation or Capacity Funding Agreements with each of the communities, which may set out such matters as work plans, information sharing protocols, and potential capacity funding that will allow the communities to more meaningfully participate in the consultation process.</li> </ul> </li> <li>■ <b><u>Capacity Funding Agreements</u></b> <ul style="list-style-type: none"> <li>– If a Consultation Agreement cannot be completed with a community, NextBridge will seek to consult with the community on the basis of the guiding Principles of Consultation noted in the Aboriginal Consultation Plan provided as a supporting document to this ToR, as appropriate. In this circumstance, NextBridge may also seek to enter into a Capacity Funding Agreement, which would normally cover the capacity funding aspects found in a Consultation Agreement.</li> </ul> </li> <li>■ <b><u>Consultation Record Keeping and Data Management</u></b> <ul style="list-style-type: none"> <li>– Data from community meetings, Open Houses, and correspondence will be logged into the PRAXIS data management system. The requirements of the MOU with the Ministry of Energy will be fulfilled, including submission of a monthly report to the Ontario government reporting on the ongoing consultation. A monthly Project report will be submitted to the Ontario Energy Board (OEB) that will be available to the public on the OEB website.</li> </ul> </li> </ul>	Section 2 and Appendix 2-IX
9.5 Documentation and Issues Resolution Strategy	72	<ul style="list-style-type: none"> <li>■ Issue identification will continue through consultation with interested community members, First Nation and Métis communities, elected officials and municipal staff, government agencies, landowners, and other stakeholders throughout the EA process as outlined in this plan.</li> <li>■ A stakeholder tracking database will be employed to record stakeholder contact information create mailing lists for notification activities. Input obtained from stakeholder consultation and Aboriginal community engagement activities and submitted through the Project hotline and email will also be documented and tracked through this database.</li> <li>■ Comments and input received throughout the EA will be documented in a summary table and included in the Record of Consultation for the EA. Issues will be considered by NextBridge and responses developed. Where appropriate, prevention and mitigation strategies will also be developed. Issues, responses, and required prevention and mitigation strategies will be documented as part of the EA and will be available for public and agency review through the EA process. If issues persist after these efforts, the next step in the issues resolution strategy will be to initiate or continue discussions, including face-to-face meetings, to further explore potential solutions. If resolution cannot be reached, mediation by a neutral, mutually acceptable third party will be considered. Issues that could not be resolved will be noted along with documentation of attempts to resolve the issues.</li> </ul>	Section 2 and Appendices 2-III and 2-IX

**APPENDIX 1-II  
EA REPORT CONCORDANCE WITH THE TERMS OF REFERENCE**

**Table 1-II-1: Cross Reference of Commitments Made in the Approved Terms of Reference with the Environmental Assessment Report**

Terms of Reference Section Reference	Terms of Reference Page Number	Description of Commitment Made in Terms of Reference	EA Report Section Where Commitment is Addressed
Appendix E: Comparative Route Analysis	Appendix E, Page 12	Alternative Routes will continue to be refined as necessary as part of the EA.	Section 3 and Appendix 3-I