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Appendix A: Consultation Plan



Niagara Region

Niagara Escarpment Crossing
Individual Environmental Assessment
Terms of Reference

Consultation Plan

June 2023

Prepared by:



Version	Changes / Updates	Authors	Date
1	Draft Document Submitted to Niagara Region	KM, GT, ID, AB	May 23, 2023
2	Updated Document Based on Niagara Region Comments Received June 7, 2023,	KM, GT, ID, AB	June 13, 2023
3	Final Based on Region's acceptance of Revised June 15, 2023	GT	June 15, 2023

Land Acknowledgement

Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation. There are many First Nations, Métis and Inuit peoples from across Turtle Island that live and work in Niagara today. The Regional Municipality of Niagara stands with all Indigenous peoples, past and present, in promoting the wise stewardship of the lands on which we live.

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Appendix A: Indigenous Government and Community Organization Engagement

1 Introduction

This document outlines the Consultation Plan that will be followed as part of carrying out the Niagara Escarpment Crossing Individual Environmental Assessment Terms of Reference (NEC IEA ToR (Project)). The Regional Municipality of Niagara (Niagara Region) has initiated the Project to provide a north-south transportation link between Queen Elizabeth Way and Regional Road 20 (future Smithville Bypass), including a crossing of the Niagara Escarpment, suitable to accommodate commercial vehicles and other transportation modes. The preliminary study area for the proposed north-south transportation link and escarpment crossing includes portions of the Town of Grimsby, Town of Lincoln, and Township of West Lincoln in Niagara Region.

The Project will be carried out in accordance with the *Environmental Assessment Act* (EA Act) as an IEA. An IEA represents a two-step approval process with the first step being the preparation of a Terms of Reference (ToR). The ToR is a document that will set out the framework or work plan for the planning and decision-making process to be followed during preparation of the Environmental Assessment (EA) and includes such aspects as the alternatives that will be considered and the consultation activities that will be carried out. A ToR is submitted to the Ontario Minister of the Environment, Conservation and Parks (Minister) for approval. If approved by the Minister, then the preparation of the EA follows as the second step of the process and must be done in accordance with the ToR.

This Consultation Plan has been prepared in accordance with requirements for consultation during the ToR step as defined by the *EA Act*, and Ministry of the Environment, Conservation and Parks (MECP) Codes of Practice for Preparing and Reviewing Terms of Reference (2014) and Codes of Practice for Consultation in Ontario's Environmental Assessment Process (2014).

As part of preparing this Consultation Plan, GHD and CIMA+ conducted a participant analysis in collaboration with the Niagara Region and the broader consultant team on April 19, 2023, to better understand participant issues and perspectives and to focus proposed consultation efforts on more critical items of importance. A thorough understanding of participant issues and perspectives will result in a better prepared EA that, in turn, is intended to result in fewer outstanding concerns being submitted to the Minister, increasing approval certainty, and reducing delays. This Consultation Plan will be implemented by the Project Team, consisting of the Region, CIMA+ and GHD.

Specifically, this Consultation Plan includes the following sections:

- Section 2: Principles and goals that will guide participant consultation during the Project
- Section 3: Key decision-making milestones that will guide the ToR and consultation
- Section 4: Participants anticipated to be involved in the Project based on Niagara Region consultation history, regulatory and legislative requirements, and GHD and CIMA+ provincial and local EA experience
- Section 5: A participant sensitivity analysis, documenting the potential perspectives and concerns of the participant groups listed in Section 4
- Section 6: Consultation activities for engaging the participants during the ToR
- Section 7: Key messages that will be used to communicate about the Project
- Section 8: Approach for implementing the Plan including a protocol for external participant communications, and roles and responsibilities amongst Project Team members

2 Consultation Principles and Objectives

2.1 Guiding Principles

Seven consultation principles have been established for guiding the development, implementation, and monitoring of this Plan based on the GHD and CIMA+ environmental assessment and consultation experience **Table 2-1**. By establishing these principles upfront, the Project Team will ensure that the *EA Act* requirements associated with consultation are achieved, that MECP expectations as expressed through their Codes of Practice are met, outstanding concerns/issues potentially before the Minister are minimized, and Niagara Region strong and positive relationship with their community is maintained.

Table 2-1: Consultation Principles

Consultation Principles	
Inclusivity:	The consultation process will be clear, open, and inclusive
Flexibility:	There will be multiple consultation opportunities using a variety of flexible participation methods
Accessibility:	Information about the Project will be accessible to all participants
Clarity:	Information will be presented using simple, non-technical language and visual aids to foster full understanding by the public
Responsiveness:	The Project Team will be responsive to issues and opportunities raised by participants while allowing for additional dialogue to take place if required
Respect:	Mutual respect will be encouraged and maintained among all participants throughout all aspects and phases of the EA process
Transparency:	The consultation activities, as well as issues, opportunities, and how they were considered by the Region, will be documented, and made available to the public

These seven guiding principles also reflect best practices for public participation established by the International Association for Public Participation (IAP2). The IAP2 is an organization and approach tailored to improving and promoting best practices in public consultation and engagement. Now widely accepted as the foundation for meaningful and effective engagement, the IAP2 approach is used to gather input and establish participant buy-in through an understandable, creative, collaborative, and accessible consultation approach.

The IAP2 approach is rooted in core values that include, for example, the following:

1. Those who are affected by a decision have a right to be involved in the decision-making process.
2. Promote sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers.

3. Seek out and facilitate the involvement of those potentially affected by or interested in a decision.
4. Provide participants with the information they need to participate in a meaningful way.
5. Communicate to participants how their input affected the decision.

Furthermore, the IAP2 approach recognizes that not all participants share the same level of involvement, commitment, interest, or decision-making ability and therefore may be engaged in different manners.

The IAP2 identifies five levels of engagement as shown in **Figure 2-1**. It also recommends that various audiences and their level of involvement be defined early in the engagement process. The following are examples of the types of consultation activities associated with each level of involvement:

- Inform: Websites, newsletters, statutory notices
- Consult: Public Information Centres
- Involve: One-on-one meetings, Advisory Committees
- Collaborate: Workshops, review of project-related reports
- Empower: Agency approval processes

As facilitators of the consultation process for this Project, CIMA+ and GHD are members of the International Association of Public Participation (IAP2), and as such hold themselves accountable to the IAP2 Code of Ethics (**Table 2-2**).

Figure 2-1: IAP2 Spectrum of Public Participation

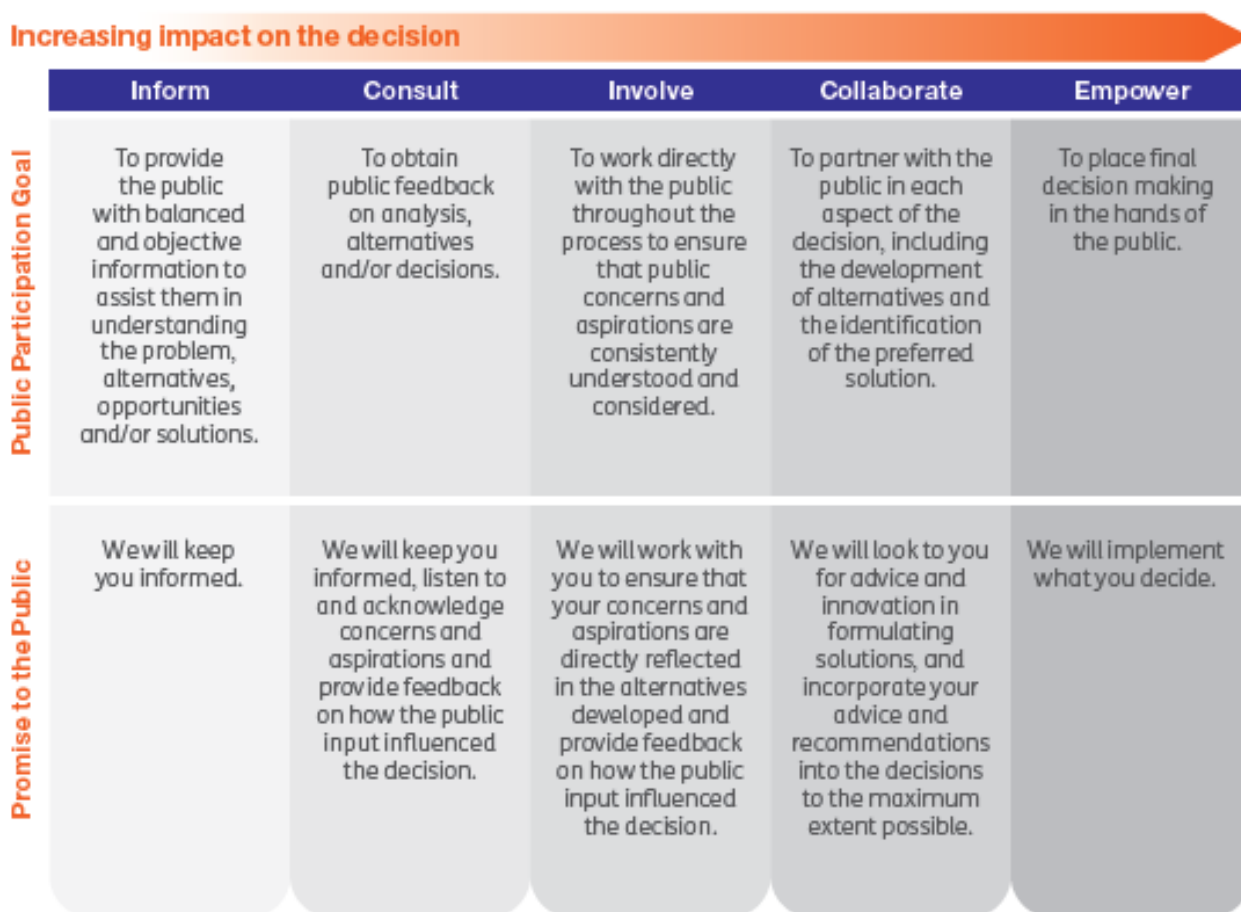


Table 2-2: IAP2 Code of Ethics

IAP2 Code of Ethics
<p>Purpose: We support public participation as a process to make better decisions that incorporate the interests and concerns of all affected participants and meet the needs of the decision-making body</p>
<p>Role of the Practitioner: We will enhance the public participation in the decision-making process and assist decision-makers in being responsive to the public concerns and suggestions</p>
<p>Trust: We will undertake and encourage actions that build trust and credibility for the process among all the participants</p>
<p>Defining the Role of the Public: We will carefully consider and accurately portray the public's role in the decision-making process.</p>
<p>Openness: We will encourage the disclosure of all information relevant to the public's understanding and evaluation of a decision.</p>
<p>Access to the Process: We will ensure that participants have fair and equal access to the public participation process and the opportunity to influence decisions.</p>
<p>Respect for Communities: We will avoid strategies that risk polarizing community interests or that appear to "divide and conquer."</p>
<p>Advocacy: We will advocate for the public participation process and will not advocate for interest, party or project outcome.</p>
<p>Commitments: We ensure that all commitments made to the public, including those by the decision-maker, are made in good faith.</p>
<p>Support of the Practice: We will mentor new practitioners in the field and educate decision-makers and the public about the value and use of public participation.</p>

2.2 Consultation Objectives

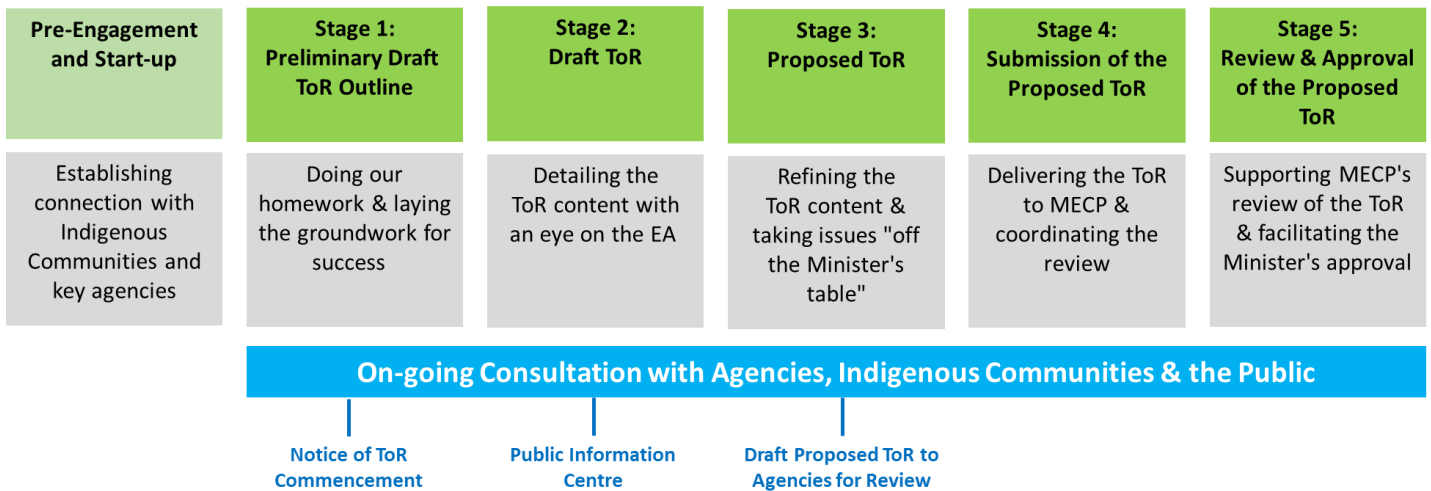
With the preceding principles in mind, several objectives for the consultation program have been developed for the Project. The objectives were developed in collaboration with Niagara Region at a working session held on April 19, 2023. The consultation objectives will aid in directing the consultation activities for the Project:

1. Enhance public awareness and the communication of information, including:
 - Awareness of the need for a new Escarpment crossing
 - Understanding of the scope of the ToR and EA steps of the Project
2. Provide multiple consultation opportunities
 - Ensure diverse community members are included in ways that meet their needs
 - Ensure participants are involved at appropriate decision-making milestones during the ToR process
3. Provide participants the opportunity to provide meaningful input
 - Identify values shared by participants
 - Ensure participants are provided opportunity to provide input on aspects of the Project they are interested in and/or affected by
 - Endeavor to address issues and concerns prior to submission of the proposed ToR to MECP
4. Provide clear direction for the EA in consultation with participants including
 - Coordination with other Niagara Region projects and plans
 - Establishment of Alternatives To the Undertaking
 - Discipline workplans, including criteria and indicators

3 Key Decision-Making Milestones

A wide variety of consultation activities will be carried out throughout the preparation of the ToR. The consultation activities will provide multiple opportunities and a wide range of methods for review agencies, Indigenous communities, and public participants to be involved and provide comments for consideration. Consultation activities will take place during each stage of the ToR process, each involving a key consultation milestone as outlined in **Figure 3-1**.

Figure 3-1: Key ToR Decision-Making Milestones



4 Participants

A preliminary list of participants was developed as part of initiating the Project reflecting GHD and CIMA+ provincial and local EA experience. The participants were divided into three broad groups corresponding with the MECP Codes of Practice, with sub-groups added, as appropriate, to specifically reflect this Project (**Table 4-1**).

Table 4-1: Project Participants

Participant Group	Participant
Review Agencies	
Federal, Provincial and Regional Agencies and Utilities	Ministry of the Environment, Conservation and Parks
	Ministry of Transportation
	Ministry of Agriculture, Food and Rural Affairs
	Niagara Escarpment Commission
	Niagara Peninsula Conservation Authority (NPCA)
	GO Transit and Metrolinx
	Ministry of Economic Development, Job Creation and Trade
	Ministry of Citizen and Multiculturalism
	Ministry of Municipal Affairs and Housing
	Infrastructure Ontario
	Ministry of Natural Resources and Forestry
	Niagara Parks Commission
	Niagara Transit Commission
	Ontario Provincial Police Niagara Detachment
	District School Board of Niagara and Niagara Catholic District School Board
	Niagara Student/School Transportation Service
	Niagara Region Emergency Medical Services
	Utilities (Hydro One Networks Inc., Enbridge, Trans-Northern Pipelines Inc., TC Energy)
	Rail companies (CN, CPR, Trillium Railway)

Participant Group	Participant
Local and Regional Staff, Elected Official and Committees	Town of Grimsby, Town of Lincoln, and Town of West Lincoln staff
	Regional and Local Councils
Indigenous Governments and Community Organizations (Appendix A)	
Indigenous Governments	Mississaugas of the Credit First Nation
	Six Nations of the Grand River
	Haudenosaunee Confederacy Chiefs Council
	Métis Nation of Ontario
Local Indigenous Community Organizations	<p>Indigenous community organizations, including members of Niagara Indigenous Community Executives (NICE)</p> <ul style="list-style-type: none"> - Fort Erie Native Friendship Centre - Indigenous Diabetes Health Circle - Niagara Chapter of Native Women - Niagara Regional Native Centre - Niagara Region Métis Council - NPAAMB Indigenous Youth Employment and Training
Public	
Organizations and interest groups	Chambers of Commerce, BIAs, and Downtown Associations
	Ontario Trucking Association and local trucking companies
	Local agricultural associations and grape grower associations
	Local environmental associations
	Local active transportation groups
	Landowners and development interests
	Migrant workers
	Greenbelt Foundation
	Additional local interest groups and associations as appropriate
Residents and the general public	Residents and property owners potentially impacted by alternative alignments
	Residents within the preliminary study area
	Other residents in Grimsby, Lincoln, and West Lincoln

5 Participant Sensitivity Analysis

Once participants were identified, the Project Team reviewed each participant group and identified:

- Their anticipated areas of interest, views and perspectives based on previous involvement in projects related to the Niagara Escarpment crossing or issues of similar interest and the Project Team understanding of the participant.
- The level of interest the participant or participant group is anticipated to have on the Project.
- The level of influence the participant or participant group is anticipated to have on the Project.
- Their anticipated level of involvement on the IAP2 Spectrum.

This participant mapping will aid Niagara Region in understanding key participant views and needs ahead of the Notice of Commencement of the ToR. It will also help Niagara Region identify the level of involvement of each participant and the types of consultation activities that will be responsive to their needs, interests, and level of influence. Mapping participants on an interest/influence matrix can aid in identifying the level of involvement of a participant or participant group (**Figure 5-1**):

- Collaboration and/or empowerment is typically suitable for participants with high interest and influence.
- Consultation and involvement are typically suitable for participants with high interest and low-medium influence or low-medium interest and high influence.
- Participants with low-medium interest and low-medium influence are typically only required to be informed.

It is noted that the interests, perspectives, level of interest and level of influence may change during the Project. Consultation activities will be reviewed and adapted as necessary, to reflect these changes.

Figure 5-1: Interest / Influence Matrix

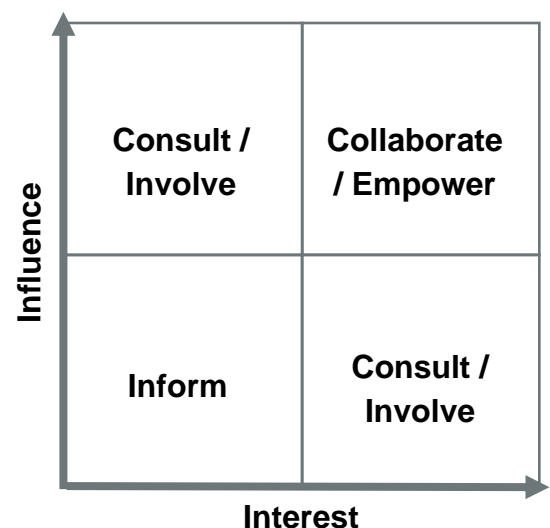


Table 5-1: Participant Analysis

Participant / Participant Group	Anticipated Areas of Interest, Perspectives, and Potential Concerns	Level of Interest	Level of Influence	Proposed Level of Involvement
Agencies				
All review agencies	<ul style="list-style-type: none">- As members of the MECP Government Review Team (GRT), review agencies will be asked to review and comment on the draft and proposed ToR and EA- Review agencies may also have a future role to play in future permits and approvals- Region has opportunity to promote project through Niagara Week held with the Province, including MPP which typically annually in spring	Low - High	Med - High	Inform and Involve; Collaborate and Empower, if requested
Any review agency may request greater involvement, or the project team may determine that greater consultation is warranted. The following review agencies have been identified as				
Ministry of Environment, Conservation and Parks (MECP)	<ul style="list-style-type: none">- Minister is the approver of the ToR and EA, based on review /recommendations of MECP staff- MECP Project officer is “one-window”- MECP staff provide technical review	High	High	Empower
Ministry of Transportation (MTO)	<ul style="list-style-type: none">- Historically has shown limited interest in the Project and limited advice and guidance; however, very dependent on staff member- Project team will need to show benefits of Project to the overall system capacity- Will review for adherence to design standards (e.g., QEW interchanges)	Low	High	Collaborate
Ministry of Agriculture, Food and Rural Affairs (OMAFRA)	<ul style="list-style-type: none">- Impacts on prime agricultural land and agricultural infrastructure- High interest in Greenbelt- Impact on tender fruit industry and agritourism	High	High	Collaborate
Niagara Escarpment Commission (NEC)	<ul style="list-style-type: none">- NEC approval will be required following the EA through a development permit- Region must demonstrate that new corridor is essential and there is no other reasonable alternative; proposed strategy is to scope NEC comments to policy- Prefer for infrastructure to be concentrated	High	High	Collaborate
Niagara Peninsula Conservation Authority (NPCA)	<ul style="list-style-type: none">- Historically involved when there are potential impacts to watershed- Mandate under <i>Conservation Act</i> recently changed	Med	Medium	Involve
Town of Grimsby, Town of Lincoln, and Town of West Lincoln Staff	<ul style="list-style-type: none">- Supportive of escarpment crossing, with primary objective being diversion of trucks and commercial traffic from downtown cores	High	Medium	Collaborate

Participant / Participant Group	Anticipated Areas of Interest, Perspectives, and Potential Concerns	Level of Interest	Level of Influence	Proposed Level of Involvement
	<ul style="list-style-type: none">- West Lincoln wants a connection to Smithville; will need to take timing of Smithville bypass into consideration- Potential for Grimsby and Lincoln to advocate for corridor outside of their own boundaries; strategy to identify shared wins- Staff will comment on project aspects within their jurisdiction (e.g., traffic and transportation, planning, etc.)			
Regional and Local Councils	<ul style="list-style-type: none">- Historically supportive of escarpment crossing to divert trucks from downtown cores.	High	High	Empower
Indigenous Governments and Community Organizations				
Mississaugas of the Credit First Nation	<ul style="list-style-type: none">- Archaeological impacts- Ecological impacts (e.g., land, water, etc.)- Impacts on migration patterns- Impacts on water and groundwater- Impacts on land access- Impacts to treaty and constitutional rights	Medium	High	Collaborate
Six Nations of the Grand River		Medium	High	Collaborate
Haudenosaunee Confederacy Chiefs Council, represented by the Haudenosaunee Development Institute		Medium	High	Collaborate
Métis Nation of Ontario		Medium	High	Collaborate
Indigenous community organizations, including Niagara Indigenous Community Executives (NICE) members	<ul style="list-style-type: none">- Interests and perspective anticipated to be similar to the Indigenous Governments listed above, noting that Indigenous community organizations represent Indigenous people living in Niagara.	Medium	Medium	Involve/Consult
Public				
Chambers of Commerce, BIAs and Downtown Associations	<ul style="list-style-type: none">- Redirecting commercial traffic and trucks away from downtown cores- Improved efficiency of commercial vehicle logistics	Medium	Medium	Involve
Ontario Trucking Association, local trucking companies and local aggregate companies	<ul style="list-style-type: none">- Travel time to QEW- Preference for western alignment vs. eastern as most direct- Integration with existing network, road geometry, intersection operation	Medium	Low-Medium	Involve

Participant / Participant Group	Anticipated Areas of Interest, Perspectives, and Potential Concerns	Level of Interest	Level of Influence	Proposed Level of Involvement
Local agricultural associations, Ontario Grape Grower Association, and migrant workers	<ul style="list-style-type: none">- Impacts to local agriculture and vineyards- Opportunities to improve agritourism- Impacts on transportation access	Medium	Medium	Involve
Local environmental associations; Greenbelt Foundation	<ul style="list-style-type: none">- Effects on the natural environment and ecological impacts on escarpment	Medium	Medium	Involve
Local active transportation groups	<ul style="list-style-type: none">- Opportunities to improve active transportation	Medium	Low-Medium	Involve
Landowners and development interests (e.g., Smithville Landowners Group)	<ul style="list-style-type: none">- Transportation connections to future developments	Medium-High	Medium	Involve
Residents and property owners potentially impacted by alternatives and within the study area	<ul style="list-style-type: none">- Property acquisitions or other direct impacts- Potential concerns about traffic volumes and safety- Potential concerns about impacts to views, property use and enjoyment, noise and vibration, air quality, etc.- Redirecting commercial traffic and trucks away from downtown cores- Potential for NIMBY opposition to specific alignments	Medium – High depending on impact	Medium	Involve
General public in Grimsby, Lincoln, and West Lincoln	<ul style="list-style-type: none">- Potential concerns about traffic volumes and safety- Potential concerns about impacts to views, property use and enjoyment, noise and vibration, air quality, etc.- Redirecting commercial traffic and trucks away from downtown cores- Potential concerns about urban growth	Low	Low	Inform/Involve

6 Proposed Consultation Activities

Consultation activities are proposed to satisfy the requirements of the EA Act, fulfill the consultation objectives identified in **Section 2.2**, and respond to the participant sensitivity analysis documented in **Section 5**. Consultation activities are aligned to the key decision-making milestones identified in **Section 3**.

The consultation ‘roadmap’ shown in **Table 6-1** includes the proposed consultation activities for each decision-making milestone for each of the three participant groups: review agencies, Indigenous Governments and Community Organizations, and the public. The tools and tactics are tailored to each participant group and based on the consultation objectives and each participant groups’ unique needs. Each proposed consultation activity is described in **Table 6-2** in more detail.

As noted in **Section 5**, the roadmap is intended to be flexible and adaptive to the changing interests or needs of participants, and/or specific Project issues as they arise.

Table 6-1: Consultation Roadmap

	Pre-Engagement and Start-Up	Stage 1: Preliminary Draft ToR Outline	Stage 2: Draft ToR	Stage 3: Proposed ToR	Stage 4: Submission of Proposed ToR	Stage 5: Review and Approval of Proposed ToR
	Spring 2023	Late Spring 2023	Fall 2023	Winter 2023/2024	Spring 2024	Fall 2024
Statutory Notices		<ul style="list-style-type: none">- Notice of Commencement of the ToR	<ul style="list-style-type: none">- Notice of Public Information Centre and Draft ToR		<ul style="list-style-type: none">- Notice of Submission of the Proposed ToR	
Review Agencies	<ul style="list-style-type: none">- Individual meetings (MECP, MTO, and NEC)- Group meeting with Grimsby, Lincoln and West Lincoln staff	<ul style="list-style-type: none">- Circulate Notice- MECP Meeting- Meetings with agencies, as required	<ul style="list-style-type: none">- Circulate Notice and Draft ToR to Agencies- MECP Meeting- Draft ToR Webinar- Meetings with agencies, as required	<ul style="list-style-type: none">- MECP Meeting- Individual meetings with agencies, as required- Individual meetings with key agencies (MTO, and NEC)- Group meeting with Grimsby, Lincoln and West Lincoln staff	<ul style="list-style-type: none">- Circulate Notice- MECP Meeting	<ul style="list-style-type: none">- Respond to comments on ToR and support MECP, as requested, to obtain Minister approval
Indigenous Governments and Community Organizations	<ul style="list-style-type: none">- Meetings with each Indigenous Government and with Niagara Indigenous Community Executive (NICE), as requested	<ul style="list-style-type: none">- Circulate Notice- Meetings with each Indigenous Government, as requested- Meetings with NICE, as required	<ul style="list-style-type: none">- Circulate Notice and Draft ToR to each Indigenous Government- Meetings with each Indigenous Government, as requested- Meetings with NICE, as required	<ul style="list-style-type: none">- Meetings with each Indigenous Government, as requested- Meetings with NICE, as required	<ul style="list-style-type: none">- Circulate Notice	
Public		<ul style="list-style-type: none">- Circulate Notice- Launch webpage and social media	<ul style="list-style-type: none">- Circulate Notice- Post Draft ToR on webpage for public review- Public Information Centre	<ul style="list-style-type: none">- Presentation to Regional Committee & Council following PIC, prior to ToR submission	<ul style="list-style-type: none">- Circulate Notice- Webpage and social media updates	<ul style="list-style-type: none">- Presentation to Regional Committee & Council following approval

Table 6-2: Consultation Activities

Consultation Activity	Description
Statutory Notices	<ul style="list-style-type: none">- Statutory Project notices under the <i>EA Act</i> include the Notice of Commencement of the ToR, Notice of Public Information Centre and Draft ToR, and Notice of Submission of the Proposed ToR. Notices will be clearly written, meet the requirements of the MECP Codes of Practice, and include all pertinent information for the IEA process. In order to minimize potential confusion on the scope of the ToR step of the Project, all three notices will provide clear information on the scope and purpose of the ToR.- The Notices will be distributed through the following means:- Advertisements in Niagara This Week and NewsNow Niagara, with the Notice of Public Information Centre published in two editions.- Mailed by unaddressed Neighbourhood Mail to residents and businesses within the Preliminary Study Area- Emailed to participants on the Project contact list.- Posted on the Region's Project webpage.
Meetings with Individual Agencies and Draft ToR Webinar	<ul style="list-style-type: none">- Meetings will be held with the MECP Project Officer at each milestone to provide them with an update on the Project and keep them apprised of any emerging issues.- Individual meetings will be held with key agencies, such as Niagara Escarpment Commission, MTO, and staff from local municipalities, during the pre-engagement Project phase, to introduce the project and discuss a schedule for future meetings during the ToR process.- All agencies will be invited to a Draft ToR Webinar to present the Draft ToR, including proposed discipline workplans, evaluation indicators and criteria. Additional follow up meetings may be held with individual agencies if they submit comments on the Draft ToR.- Additional meetings will be held with other agencies on an as needed basis, to discuss issues pertaining to their mandates- All meetings will be virtual unless otherwise requested by agencies.
Meetings with Indigenous Governments and community organizations	<ul style="list-style-type: none">- The Niagara Region will request meetings Indigenous Governments during the Pre-Engagement stage to discuss how they wish to be consulted during the ToR. If Indigenous Governments are interested in being involved in the development and review the ToR, additional meetings may be held during Stage 1 to discuss the scope of the ToR and proposed Alternatives To the Undertaking, Stage 2 to present the Draft ToR, and, if required, during Stage 3 to review how comments on the ToR have been considered.- In addition, during pre-engagement, the project team will request a meeting with Niagara Indigenous Community Executives (NICE) with the aim of establishing a plan for consultation with Indigenous community organizations. If community organization are interested in reviewing the ToR, additional meetings may be held during Stage 2, and, if required, during Stage 3 to review how comments on the ToR have been considered.
Circulation of Draft ToR	<ul style="list-style-type: none">- The Draft ToR will be made available to agencies and Indigenous communities for comment during Stage 3. The Project Team will offer to meet with agencies and Indigenous communities to present the Draft Proposed ToR and sections of relevance. The Draft ToR will also be posted on the website to give the public the opportunity to review. The objective of circulating a draft is to minimize comments during the MECP review of the ToR and facilitate an efficient review and approval process.
Project Webpage and Social Media	<ul style="list-style-type: none">- A webpage on the Region's website will serve as a primary online information hub and include a description of the Project, Project updates, FAQs, Project contact information, notices, the Draft ToR, and the Proposed ToR, Project updates will additionally be distributed via the Region's social media accounts.

Consultation Activity	Description
Public Information Centres	<ul style="list-style-type: none">- One Public Information Centre (PIC) is planned for the ToR step, to be held during Stage 2 (Draft ToR). The purpose of the PIC will be to provide information on the IEA process and the scope of the ToR and present and receive feedback on the following:- The Project purpose and rationale for a new Niagara Escarpment transportation crossing (e.g., Undertaking)- The proposed Alternatives To the Undertaking- The Preliminary Study Area and initial description of the potentially affected environment- The discipline specific workplans including the preliminary evaluation criteria and indicators- The PIC will be held virtually via Zoom and will involve a presentation followed by a moderated question and answer session. The PIC materials will also be posted on the website and the public will have an opportunity to provide comments following the PIC. Local and Regional Councilors will be invited to a preview of the PIC presentation 1-2 days in advance of the PIC.- It will be important to manage expectations of the public and key participants during the ToR step. It is anticipated that this Project will have a high level of public interest, and residents may not realize the limited scope of the ToR. As part of advertising the PIC, a press release will be provided to the media to explain, in plain language the scope and purpose of the ToR and what will be presented at the PIC.
Presentations to Regional and Local Councils	<ul style="list-style-type: none">- In order to keep Local Municipal and Regional Councils informed, reports will be made for information at key milestones during the ToR. Two presentations to Regional Council are currently proposed:- Stage 3: Following the PIC, prior to submission of the proposed ToR- Stage 5: Following ToR approval- Presentations to Local Municipal Councils will be provided at the request of local municipal staff. In addition to formal presentations, Region staff will provide briefings to Councillors on an as needed basis.
Ongoing Communication with Participants	<ul style="list-style-type: none">- The Project Team will review and respond to comments provided by participants during the ToR. A project specific email address established by Niagara Region will be the primary means of communication. All correspondence will be acknowledged, and responses will be provided in a timely manner in the format they are received (i.e., emails will be responded to by email, letters by letter, etc.).
All content intended for publication on the Niagara Region website will be compliant with the <i>Accessibility for Ontarians with Disabilities Act, 2005</i> , including statutory notices, PIC content and the ToR document.	

7 Key Messages

We anticipate that many of the comments, questions and feedback received from those consulted will be centered around a few primary themes based on our current knowledge of the Project and participants. **Table 7-1** identifies the anticipated key themes, the concerns or comments that may be associated with those themes, and the Project Team's preliminary approaches to formulating responses and proactively messaging around them. Key messages can be conveyed to audiences in several ways including, for example statutory notices, webpage content, PIC content and FAQs, presentations to participants, Council presentations, etc. We will monitor emerging feedback themes in the comment tracking table and develop strategic messages that can be incorporated into individual responses, as appropriate.

Table 7-1: Anticipated Themes and Key Messages

Key Themes	Potential Concerns and Comments	Inputs to Key Messaging
Community safety	<ul style="list-style-type: none">- How much will this new crossing address the current issues with truck traffic through downtown cores and residential neighbourhoods, in particular safety and operations?- How long are we going to study this known problem?- When can the needed crossing finally be built?	<ul style="list-style-type: none">- Benefits of a north-south link and escarpment crossing to redirect regional truck movements away from downtown core.- Benefits to community residents and tourism industry.- Shared objectives among Region and lower tier municipalities.- The ToR does not determine whether a new crossing will be constructed, only how the EA will be conducted.- The Minister of the Environment, Conservation and Parks must approve both the ToR and the EA for the proposed Niagara Escarpment Crossing in order for it to proceed to construction.
Potential increase in truck traffic	<ul style="list-style-type: none">- A north-south crossing will attract more trucks from the QEW	<ul style="list-style-type: none">- The purpose of the new crossing is to centralize truck traffic on a facility that is built to accommodate this type of traffic. Currently trucks use smaller roads through downtown Grimsby and Lincoln and in residential areas not designed for heavy truck traffic.- The north-south crossing itself will not generate new truck traffic, it will address the issue of increased regional truck movements through communities.
IEA process	<ul style="list-style-type: none">- How long does the IEA process take?- How does the IEA process differ from a Class EA process?- What is the purpose and scope of a ToR?- Who has the final approval say?	<ul style="list-style-type: none">- The ToR identifies the proposed Alternatives To the Undertaking, not specific crossing alignments which will be developed during the actual EA step.- The ToR does not determine whether a new crossing will be constructed, only how the EA will be conducted.- The ToR also begins the consultation process and will include a plan for consulting during the EA step, such as who will be consulted on what decisions.- No environmental investigations or engineering design will be undertaken during the ToR step.- The Minister of the Environment, Conservation and Parks must approve both the ToR and the EA for the proposed Niagara Escarpment Crossing in order for it to proceed to construction.
Growth	<ul style="list-style-type: none">- Will the new crossing result in additional urban development?- Will the new crossing result in additional / expanded pits and quarries being developed?	<ul style="list-style-type: none">- Regional growth is mandated by the Province through the Places to Grow Act and Growth Plan.- Growth in population and the tourism industry means more people and non-vehicular activity in local communities, which is desirable from a community vibrancy perspective.- The purpose of the new crossing is to address existing issues with regional truck traffic as well as accommodate future growth.- The multi-modal link will not only accommodate commercial traffic but support local and tourism traffic as well.- Currently trucks use smaller roads through downtown Grimsby and Lincoln and in residential areas not designed for heavy truck traffic.

Key Themes	Potential Concerns and Comments	Inputs to Key Messaging
		<ul style="list-style-type: none">- Prior to being developed pits and quarries are subject to separate approval processes. The ToR will not change these approval processes.
Niagara Escarpment	<ul style="list-style-type: none">- Impacts to the Niagara Escarpment- Impacts to the Bruce Trail and how a trail crossing will be maintained- Wildlife connectivity- Cultural significance / World biosphere reserve- Ecological impacts- Visual impacts	<ul style="list-style-type: none">- Niagara Region will work closely with the Niagara Escarpment Commission to protect the Niagara Escarpment.- One way to protect the Escarpment is to centralize infrastructure that runs through the escarpment. The Niagara Escarpment Crossing will mean trucks can use a single road built to accommodate this type of traffic, rather than on multiple smaller roads not designed for heavy truck traffic.- During the Environmental Assessment stage, Niagara Region will conduct a detailed review and assessment of the natural, built, and cultural environments, including impacts to wildlife, fish and fish habitat, vegetation, impacts on the cultural importance of the Niagara Escarpment, and visual impacts. These will include monitoring of existing conditions, modelling of potential impacts, and development of mitigation measures.- Maintaining a safe Bruce Trail crossing will be specifically examined.- Road ecology design principles will be applied in understanding wildlife movement, identifying potential target species, and then designing appropriate mitigation measures, as applicable.
Agriculture	<ul style="list-style-type: none">- Impacts to agricultural land uses and businesses including tender fruit and grape industry, and agritourism (e.g., impacts such as removal of agricultural lands, loss of farms/businesses, fragmentation, etc.)	<ul style="list-style-type: none">- Niagara Region will work closely with the Ministry of Agriculture and local agricultural associations to protect agriculture, vineyards, and orchards.- A new crossing will provide opportunities to bring more tourists across the escarpment and benefit agritourism.- A new crossing will help redirect commercial traffic to a more appropriate route.- A new crossing will improve transportation access for supply and distribution of agricultural goods.
Park Road and Bartlett Avenue Residents	<ul style="list-style-type: none">- Impacts to sensitive land uses- Increased vehicular traffic in neighbourhoods where the north-south link may be planned- Nuisance related effects (e.g., short-term construction related effects such as noise, vibration, dust, etc.)- Visual impacts of new crossing and loss of mature vegetation	<ul style="list-style-type: none">- During the Environmental Assessment stage, Niagara Region will assess the pros and cons of each alignment, taking into consideration impacts on local residents and businesses.- This assessment will include several environmental studies, such as air, noise, and traffic studies. These environmental studies will include monitoring of existing conditions, modelling of potential impacts, and development of mitigation measures.- This assessment will also consider impacts to existing communities, including visual impacts.
Property	<ul style="list-style-type: none">- Decrease in property values adjacent/near the new crossing- Property impacts of the new crossing (full and partial property takings)	<ul style="list-style-type: none">- Potential impacts to properties will be factored into the decision-making process and assessed during the Environmental Assessment.

Key Themes	Potential Concerns and Comments	Inputs to Key Messaging
Development Interest	<ul style="list-style-type: none">- Opportunity for new crossing to facilitate urban development (e.g., Smithville)	<ul style="list-style-type: none">- The Regional and Municipal Official Plans guide land use decisions and development strategies. They contain the community-specific goals and objectives and establish policies to direct the form, location, nature, and rate of growth and change for the future.- While a north-south link is intended to provide for improved community safety and a more efficient regional multi-modal link, the link in itself will not ‘facilitate’ development in areas not already designated for growth.
Cost	<ul style="list-style-type: none">- How much will the new crossing cost?- Who will pay for the new crossing?	<ul style="list-style-type: none">- While high level cost estimates have been made for Regional budgeting purposes, an up-to-date cost estimate will be developed based on the preferred undertaking identified during the Environmental Assessment.- Funding for this project is expected to come from federal, provincial and Region sources.

8 Implementation Protocols and Reporting

8.1 Roles and Responsibilities

Consultation during the ToR will be implemented through a coordinated effort by the Project Team. A “one-window” approach will be used for corresponding with participants. **Table 8-1** outlines the proposed Project Team contacts for each participant group.

The roles and responsibilities related to participant consultation are summarized in **Table 8-2**.

Table 8-1: Project Team Contacts for Participant Groups

Participant Group	Project Team Contact
Indigenous Governments and Community Organizations	Niagara Region’s Government Relations Specialist (Rachael Ball-Condron) will support when required. Niagara Region’s Project Manager (Maged Elmadhoon) is remaining the primary contact Niagara Region’s Indigenous Relations Advisor (Brian Kon) will facilitate an initial meeting with Indigenous community organizations. Once introductions are made, Niagara Region’s Project Manager (Maged Elmadhoon) will become the primary contact
Niagara Region and Local Municipal Staff	Niagara Region
Local Municipal Staff	Niagara Region
Local Municipal Councils	Local Municipal staff
All other review agencies	CIMA+ / GHD
Media inquiries	Niagara Region
Public and other participants	Niagara Region via project-specific email address

Table 8-2: Project Team Roles and Responsibilities

Element	Roles and Responsibilities	
	CIMA+ / GHD	Niagara Region
Consultation materials, PIC, and meetings	<ul style="list-style-type: none"> - Develop draft PIC content, including coordination with subject matter experts. - Lead planning, coordination and logistics for PIC and participant meetings - Develop meeting agendas, presentations, and summaries. 	<ul style="list-style-type: none"> - Circulate draft PIC materials for review and provide consolidated comments - Review and approve PIC and meeting agendas, presentations and summaries
Communications and notifications	<ul style="list-style-type: none"> - Prepare draft notifications - Prepare draft website content - Coordinate unaddressed "Neighbourhood mail" - Send notifications to review agencies 	<ul style="list-style-type: none"> - Publish newspaper advertisements - Update website and post to social media - Issue press releases - Send emails to project contact list via dedicated project email address - Send notifications to indigenous communities and local municipal contacts
Responses to comments and tracking	<ul style="list-style-type: none"> - Project team contact identified in Table 8-1 acknowledges receipt of comment 	<ul style="list-style-type: none"> - Project team contact identified in Table 8-1 acknowledges receipt of comment

Element	Roles and Responsibilities	
	CIMA+ / GHD	Niagara Region
	<ul style="list-style-type: none"> - Prepare draft response and provide to the Region to review as part of biweekly progress meetings - Project team contact responds in the format in which comment was received, and forward CIMA+ project email address. - Forward all comments and responses to dedicated CIMA+ project email address for tracking purposes - Track communications as per Section 8.2. 	<ul style="list-style-type: none"> - Forward comments to CIMA+ / GHD to prepare a draft response - Review and approve draft responses as part of biweekly progress meetings - Project team contact responds in the format in which comment was received, copying CIMA+ project email address. - Forward all comments and responses to dedicated CIMA+ project email address for tracking purposes
Documentation of outcomes	<ul style="list-style-type: none"> - Maintain participant and communication database as per Section 8.2 and maintain record of all consultation activities. - Prepare ToR Consultation Record in accordance with <i>EA Act</i> and MECP Codes of Practice. 	<ul style="list-style-type: none"> - Review and approve ToR Consultation Record.

8.2 Participant and Communications Database

As part of the EA process, MECP requires documentation of a proponent's consultation efforts with external participants (e.g., who was contacted, how were they contacted, when they were contacted, comments received/issues raised, responses provided, and issue resolution attempts). As a result, it is critical to the eventual approval of the Project that a comprehensive tracking of all consultation efforts be efficiently and fully documented for on going and future reference purposes.

As a result, all participants, communications with participants (e.g., telephone calls, emails, and correspondence), and consultation events (e.g., PIC, meetings) will be entered into a tracking log by CIMA+ / GHD during the Project. The tracking log will identify the theme of each comment and will include any commitments made to participants or follow up actions agreed to. Specifically, the database will fulfil the following functions:

- Record all comments/inputs received by the Project Team (e.g., telephone calls, emails, correspondence, and completed PIC comment forms) from external participants.
- Record all approved responses issued to external participants (e.g., letters and emails).
- Tracking the dates of incoming/outgoing communications.
- Updating the contact information of interested participants.

The preceding efforts allow for tracking and reporting of critical issues and enables the Project Team to proactively address potential risks to Project approval. The tracking log will enable CIMA+ / GHD to efficiently produce the Record of Consultation required for submission to the Minister as part of the ToR step and provides accurate documentation of all participant communications for future reference during the EA.

8.3 Monitoring of Consultation Plan

The results from carrying out the Consultation Plan will be monitored by CIMA+ / GHD during the Project following key milestones to ensure that the consultation activities, key messages, and Project Team's roles and responsibilities remain valid and relevant for proactively engaging external participants. This monitoring will be undertaken by:

- A review of the results and outcomes of consultation activities (e.g., attendance at the PIC, comments received, discussions with participants, and type and significance of concerns/issues raised); and
- Monitoring of social media and online news sites.

Monitoring of social media and online news sites will be undertaken through GHDPulse, and include local and regional news sources, broadcast media and social media. The purpose of this monitoring is to:

- Alert the Project Team to important news stories immediately to ensure appropriate action can be taken
- Identify how the media and popular local online outlets are responding to the Project messaging and highlight emerging concerns being raised by the media and residents as early as possible
- Understand the overall reach, knowledge of, and interest in the Project

Ongoing monitoring may identify that the interests, perspectives, level of involvement or level of influence of participants have changed during the Project. Consultation activities will be reviewed and adapted as necessary, to reflect these changes.

As per the Codes of Practice for Preparing a Reviewing Terms of Reference in Ontario, The ToR will include a plan that outlines the consultation activities that, at a minimum, will take place during the preparation of the environmental assessment. The Consultation Plan will include:

- The consultation methods proposed
- How input from interested persons will be obtained
- A description of key decision-making milestones during the preparation of the environmental assessment when consultation will occur
- An issues resolution strategy

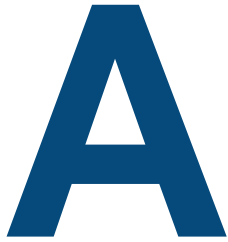
The results from monitoring the ToR Consultation Plan will be reviewed and considered as part of developing the EA Consultation Plan.

8.4 ToR Record of Consultation

As per Section 6(3) of the *EA Act*, the consultation carried out during the preparation of ToR and the results will be documented in a Record of Consultation. The Record of Consultation is considered by the Minister in making the decision about whether to approve the proposed ToR. The Record of Consultation will:

- Identify all persons consulted during the ToR preparation and how they were identified
- Describe the consultation activities which took place, including methods, schedule of events, notification that was given about the activity, and materials used
- Describe how interested Indigenous Communities were identified and how they were consulted
- Describe any outstanding concerns.
- Present a summary of the comments received from review agencies and Indigenous communities and how those comments were considered (tabular format by individual review agency)
- Present a summary of the comments received from Indigenous communities and how those comments were considered (tabular format by individual Indigenous community)
- Present a summary of the issues raised by the public based on the comments received and how those issues were considered (tabular format by issue)

The Record of Consultation will include meeting summaries and copies of written comments (e.g., letters) received as appendices.



Appendix A: Indigenous Government and Community Organization Engagement

Introduction

Our approach to Indigenous engagement reflects our recognition of Indigenous peoples as rightsholders, and therefore is guided by the ethos that we will provide the means necessary for Indigenous Communities to participate on their own terms, understand and identify issues of concern within the project, and identify any potential impact to treaty and/or traditional rights that must be addressed.

Indigenous engagement activities have been highlighted in other parts of this Plan; however, this section of the Plan provides a more detailed look and guiding principles and approach to Indigenous Engagement.

Legislative Framework

Section 35 of the Constitution Act that recognizes and affirms 'Aboriginal rights', defines who aboriginal peoples of Canada are (First Nations, Métis and Inuit), provides flexibility in defining existing and future rights, and applies rights equally among men and women. Two key points about this legislative context:

- Section 35 recognizes Aboriginal rights but did not create them – they are existing rights and future rights
- Section 35 affirms Aboriginal rights but does not define them. These have been defined through key Supreme Court of Canada decisions

The constitutionally protected rights of Indigenous peoples differentiate them from interested parties. Indigenous peoples are 'rightsholders'. For Indigenous peoples, being referred to as stakeholders is a misnomer and offensive. We can refer to Indigenous peoples as 'partners', 'governments', 'nations', 'representatives' or 'communities', as appropriate.

While the legal framework has been established through the Constitution Act, it is only through a series of important Supreme Court decisions over the past 40 years that we come to understand the meaning and application of law and we have seen the introduction of terms like 'Duty to Consult' and efforts to define meaningful consultation and accommodation.

These legal explorations are ongoing and therefore our understanding and application of the law and our best practices continue to evolve.

For our purposes we will not spend time on establishing 'what rights exist' but rather, we will focus on how rights are to be protected through our work. From an Indigenous

perspective, our project will be viewed through two lenses: does the project infringe on Aboriginal or treaty rights (including any current land claims) and does the project cause concern in terms of other interests (e.g., cultural heritage and archaeology, water quality, natural environmental). The latter is typically where we reside in terms of our engagement efforts.

It is noted that term *Aboriginal* is now only used in reference to the Constitution Act. *Indigenous* is an internationally recognized collective noun; nationally it is used to encompass First Nations, Inuit and Métis peoples. It is also the term currently used by the Provincial and Federal Governments.

Engagement, Consultation and Accommodation

While the term *engagement* does not reference a specific legal process, it is based on the recognition of rights, respect, cooperation, and partnership as the foundation relationship building. Engagement can take many forms, and include different levels of decision-making, responsibility, and involvement with Indigenous partners – the style and outcomes are context-specific. We see engagement as an ongoing process of two-way communication, information-sharing, relationship building and understanding about a project, policy or action. It encompasses a wide variety of activities that vary in purpose, length and scope.

The term *consultation* in the Indigenous context invokes the Duty to Consult, a legal requirement of the Crown to consult with Indigenous peoples when their Aboriginal or treaty rights guaranteed by Section 35 of the Constitution have the potential to be adversely affected, or when required by statute, modern treaty, or self-government agreement provisions.

Notwithstanding, some Indigenous Communities view any engagement as *consultation* since the purpose is ultimately to determine the potential for Aboriginal and treaty rights infringement.

All this to say – we intentionally use the term *engagement* when referring to Indigenous Community outreach and relationship building activities.

Accommodation encompasses the measures taken to avoid, mitigate or otherwise address the impact of a proposed project on Indigenous Community issues or concerns. It may involve modifying decisions or activities to address concerns and / or providing capacity for participation in the project. Practically speaking, accommodation in the context of the IEA may involve:

- Capacity funding to participate in meetings, review documentation (ToR, EA)
- Participation of community representatives in project activities such as Archaeological, ecological investigations, training/employment (EA and Implementation)
- Accommodating specific requests, for example, the opportunity to harvest medicinal plants from a site, prior to construction (EA and Implementation)
- Mitigation measures
- Ongoing environmental monitoring (EA and beyond)

Indigenous Knowledge

Indigenous knowledge may include information, data, wisdom, perspectives, cultures, languages, values, and worldviews of Indigenous peoples.

Engagement should be planned in a manner that ensures Indigenous groups have the opportunity to contribute, if they so choose, their knowledge, information and analyses to activities and decisions related to the IEA.

Indigenous knowledge is the sole property of the knowledge-holders and must be treated confidentially and with sensitivity, in accordance with their wishes, and consideration should be given to compensating members for knowledge sharing.

Indigenous knowledge-holders may define or characterize their knowledge, what it means to their communities, and how it could be best applied in a given activity or decision.

If Indigenous Knowledge is shared during the course of the IEA, information will not be shared with any other party and will not form part of the public record, unless specific and explicit permission from the knowledge holder is granted to do so.

Niagara Region Context

Niagara has long been a meeting place for many Nations. A place with rich land, fruitful partnerships, and prosperous trade. It is considered by many to be the location where the first agreement was signed between First Nations and Europeans. In recent years, Niagara Region has recognized the need to return to the spirit of the Two Row

Wampum, and build peace, respect, and friendship between settlers and First Nations, Métis, and Inuit in Niagara (NRIAP, 2022).

Indigenous outreach and engagement will be consistent with and build upon current Niagara Region practice.

Indigenous Governments and Community Organizations

There are three First Nations that are important for engagement on land planning and use in Niagara.

- Haudenosaunee Confederacy Chiefs Council
- Mississaugas of the Credit First Nation
- Six Nations of the Grand River

The Métis Nation of Ontario are a self-governing body responsible for Métis citizen that live in Ontario. They operate through local offices and the Niagara Regional Métis Council.

NICE members include representatives from the following Indigenous community organizations:

- Fort Erie Native Friendship Centre
- Indigenous Diabetes Health Circle
- Niagara Chapter of Native Women
- Niagara Regional Native Centre
- Niagara Region Métis Council
- NPAAMB Indigenous Youth Employment and Training

Land Acknowledgement

The Niagara Region land acknowledgement was recently updated (2021), in consultation with Indigenous leaders, historians, First Nations and community members. This can be read at the start of meetings, webinars, training sessions or other opportunities. Providing a land acknowledgement is an opportunity for participants at an event or meeting to take the time to recognize and show respect for the First Nations on whose land we live and work.

Terms and Pronunciation

Hatiwendaronk: hat-ee-wen-DA-ronk

Haudenosaunee: hoe-den-no-SHOW-nee

Anishinaabe: ah-nish-uh-NAH-bay

Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation. There are many First Nations, Métis and Inuit peoples from across Turtle Island that live and work in Niagara *today*. *The Regional Municipality of Niagara stands with all Indigenous peoples, past and present, in promoting the wise stewardship of the lands on which we live.*

Guiding Principles

The Indigenous engagement program sets out culturally appropriate and sensitive approaches to achieving the following basic objectives with First Nations and Métis communities:

- Build and/or strengthen relationships between Indigenous communities and Niagara Region
- Share information on the Niagara Escarpment Crossing IEA
- Undertake a collaborative engagement process that meets the needs of Indigenous communities
- Obtain input and feedback from Indigenous communities
- Ensure that the IEA process is respectful of the rights and interests of Indigenous people

Our pre-engagement and all subsequent engagement with Indigenous communities will be centred around these key values and commitments:

- Respect - We will always be respectful in our time together
- Meaningful - You will tell us when engagement is meaningful
- Collaborative - We will be collaborative in how we work together
- Co-developed - The engagement process will be co-developed according to your needs and best practices

Engagement Program Framework

Overall Proposed Strategy

Our 'working' Indigenous Community engagement strategy is summarized in the earlier sections of this Plan and in **Table 6-1**. The strategy is based on our first approximation of the form that engagement may take based on the Region's RFP. We have included outreach and opportunity for individual meetings throughout each stage of the Terms of Reference preparation. Additional details on activities and strategy are provided in the table, below.

While the overall strategy provides a starting point, we recognize that ultimately individual engagement approaches will be co-developed with each Indigenous Government, following their specific protocols, preferences, staff capacity and based on their level of interest in the study.

We will not assume that the proposed strategy will be completely acceptable, nor will we assume that an approach that works for one group, will work for another. Our engagement approaches will be flexible and continuously evaluated and adjusted as the Project Team and our Indigenous partners learn what works best and as our technical knowledge of the study area evolves.

Pre-Engagement

As current best-practice, and consistent with our guiding principles, we recommend pre-engagement or initial outreach to Indigenous Communities in advance of the formal Notice of Commencement being issued. Pre-engagement is about taking time to understand Indigenous Communities and confirm with them how they view the project and their role in it. Pre-engagement gives space to having conversations about:

- Primary staff contacts and capacity building needs
- Preferred frequency and mode of contact e.g., weekly phone calls, monthly meetings, meetings only at technical milestones
- Preferred level of engagement e.g., kept informed, involved in decision-making, collaborating on outcomes and how best to provide technical information and anticipated delivery schedule
- The ToR process and the types of formal notices that the Indigenous Community can expect along with acknowledgement that our engagement with them goes well beyond the formal notices

Indigenous Engagement Strategy

ToR Stage	Indigenous Engagement Program Activities	Strategy Notes
Pre-Engagement and Stage 1	<ul style="list-style-type: none"> - Background Research - Development of Engagement Plan - Initial outreach to First Nations, Métis Nation and NICE. - Notice of Commencement - Establish capacity funding agreements, as appropriate/applicable - Meet with Indigenous Governments and NICE, as requested 	<ul style="list-style-type: none"> - Engagement Plan to be informed by the previous Region outreach and then tailored approaches co-developed with each Indigenous Government and NICE - Initial meeting will focus on introducing the project team, sharing information about the project process and building an understanding of how each Nation wishes to be engaged and participate moving forward
Stage 2 Draft ToR	<ul style="list-style-type: none"> - Follow-up communication from Notice of Commencement - Ongoing communications through email, phone calls, information packages - Provide Draft ToR Notice and Document - Provide copy of Public Information Centre package, as applicable - Offer opportunity to meet with Project Team 	<ul style="list-style-type: none"> - Provide Draft ToR and brief update on the study progress - Provide Notice as a formality but take the opportunity to provide an informal update to the project in the cover email - Provide the PIC package both as an email attachment and link to the project webpage - Review study progress and key decisions and obtain feedback, discuss concerns - Meeting content to focus 'walking through' the Draft ToR

Niagara Region | Niagara Escarpment Crossing
Individual Environmental Assessment - Terms of Reference
Consultation Plan

ToR Stage	Indigenous Engagement Program Activities	Strategy Notes
Stage 3 Proposed ToR	<ul style="list-style-type: none"> - Ongoing communications through email, phone calls, information packages - Provide update on ToR document including the updated document (Proposed ToR) - Provide copy of Public Information Centre package, as applicable - Offer opportunity to meet with Project Team - Notice of Submission of Proposed ToR 	<ul style="list-style-type: none"> - Provide update and how Indigenous feedback on the Draft ToR was considered in the Proposed ToR - Provide update with respect to process / submission to MECP - Any meetings are likely to focus on reviewing the package that will be going to MECP - Review how Indigenous community feedback has been considered in the study
Stages 4 and 5 Review and Approval	<ul style="list-style-type: none"> - MECP will engage Indigenous Communities directly - To Be Determined 	<ul style="list-style-type: none"> - Respond to MECP inquiries

Communications

Our approach to communications with Indigenous Communities considers the following:

- Initial outreach should follow any protocols or instructions set out by each Indigenous Community. Each Indigenous Community website will be reviewed to confirm how they wish to receive initial outreach (e.g., some Communities now have online portals to receive initial project information while other communities may specify that consultation staff, and not the Chief, are to receive project notices).
- Where appropriate and considering the bullet above, formal notices should be accompanied by a cover email written in plain and conversational language that offers context for the notice attachment.
- When sending emails to multiple staff members within one Indigenous Community, all staff should be copied on one email for open and transparent communications.
- Verbal and written communication will be in plain and conversational language, avoiding acronyms and jargon.
- Currently, we tend to see email as the most reliable mode for communications. Hard copy letters may be sent in duplicate but should not be the only mode.
- Proactively providing information: we will offer draft technical reports as a matter of course. We will not wait to be asked for information and we will not assume that Indigenous Community staff will request reports if they are interested. We will make clear the full suite of supporting technical studies and offer any draft reports that may be of interest.
- All communications should include an offer to meet, at Indigenous Community request. Where the Project Team deems a meeting may be beneficial, a specific request to meet will be made to each Community (i.e., we will not wait to be asked to meet if we feel there is important information to be shared or decisions to be made).
- When arranging meetings, we will collaborate with Indigenous Community staff to find mutually agreeable dates / times and formats. We will co-develop an agenda and confirm how the topics of conversation are best discussed (e.g., slide deck, maps, plans etc.). Our objective is to minimize the uncertainty of meeting format for attendees and avoid assuming we know how Indigenous Community members and staff wish to receive information.

- For virtual meeting planning, consider technology limitations and provide teleconference numbers in addition to virtual platform access.
- All correspondence and outreach to Indigenous Communities will come through the Region Project Manager. The core project management team (CIMA+ / GHD) will prepare the draft correspondence for the Region review and consideration.

Engagement Methodologies

There are several engagement and outreach tactics and tools that may be employed.

Outreach to First Nation and Métis Councils - This includes all formal and informal contact and communication with First Nations and Métis Council staff and advisors. Formal contact will be in the form of letters sent via mail and email. Day-to-day contact will be carried out through email and phone.

Meetings with Consultation staff and/or Advisors - Most pre-engagement and engagement meetings will be dedicated, small group meetings among the Project Team and First Nation Staff and/or their advisors and Métis Councils. Subject matter experts from the Project Team and Niagara Region will provide technical information and be available to answer questions. We have made provision for these meetings in the strategy, but the meeting format will be co-developed and confirmed with each Community.

Written submissions - First Nation and Métis Councils will be requested to provide written comments, feedback and input on the draft Terms of Reference. Submission deadlines for written submissions should be co-developed by First Nations and Métis Council leadership.

Meetings/presentation to Chiefs and Councils and Métis Councils – On occasion, the Project Team may be asked to make a presentation to Band Council or Métis Community Councils as part of the agenda of a regular meeting, special meeting, or a meeting called specifically to discuss the project. Subject matter experts from the Project Team and Niagara Region will provide technical information and be available to answer questions.

Engagement Record

It is critical that our Indigenous Community contact list is current and diligently checked throughout the project. We will track the occurrence and dates of Band Council elections (typically on a 2-to-3-year cycle) and update Chief names and contact information, when appropriate. We will regularly confirm and update staff names, roles and contact information. When we learn of staff changes through other projects, we will carry those changes over to the NEC ToR Indigenous Community contact list.

CIMA+ will compile, maintain and track all Indigenous outreach and engagement activities and correspondence with each Indigenous Community over the course of the ToR process and will specifically include:

- Records of all meetings, agenda, and minutes
- Substantive outgoing and incoming correspondence
- Formal notices
- Tracking of Indigenous Community concerns and issues, and how these have been considered or addressed over the course of the study.

As discussed earlier in this Plan, a tracking system has been established to log all correspondence as it is received. Each piece of correspondence from each Indigenous Community is given a unique identifier number for tracking and filing. This system allows for correspondence from each Community to be tracked chronologically for easy reference and use.

Niagara Escarpment Crossing CEA ToR - Contact List -
Agencies and Utilities
Updated: October 2024

ID	Group	First Name	Last Name	Job Title	Representing	Email
A-01	Provincial	Catherine	Sutherland	Project Officer	Ministry of the Environment Conservation and Parks	catherine.sutherland@ontario.ca
	Provincial	Simon	Zhao	Project Officer	Ministry of the Environment Conservation and Parks	simon.zhao@ontario.ca
A-01	Provincial	Taylor	Buck	District Supervisor, Niagara District Office	Ministry of the Environment Conservation and Parks	taylor.buck@ontario.ca
A-01	Provincial	Nick	Colella	Manager(Acting), Environmental Assessment Services	Ministry of the Environment Conservation and Parks	Nick.Colella@ontario.ca
A-01	Provincial	Jon	Averill	Senior Advisor / Outreach Program Support	Ministry of the Environment Conservation and Parks	jon.averill@ontario.ca
A-01	Provincial	Andrew	Evers	Supervisor, Team 2	Ministry of the Environment Conservation and Parks	andrew.evers@ontario.ca
A-02	Provincial	Pam	Foster	Director Environmental Programs and Assessment	GO Transit and Metrolinx	pam.foster@metrolinx.com
A-03	Provincial	Amaraine	Laven	Senior Strategic Advisor	Niagara Escarpment Commission	necgeorgetown@ontario.ca
A-03	Provincial	Rosi	Zirger	Senior Planner	Niagara Escarpment Commission	rosi.zirger@ontario.ca
A-03	Provincial				Niagara Escarpment Commission	nec@ontario.ca
A-04	Provincial	Nancy	Rutherford	Rural Planner	Ministry of Agriculture, Food and Rural Affairs	nancy.rutherford@ontario.ca omafra.eanotices@ontario.ca
A-05	Provincial	Erin	Thompson	Manager. Corporate Policy Coordination Unit, Policy Planning and Strategy Branch	Ministry of Economic Development, Job Creation and Trade	erin.thompson@ontario.ca
A-05	Provincial	Nathan	Hammill	Manager Corporate Policy Coordination Unit Policy	Ministry of Economic Development, Job Creation and Trade	nathan.hammill@ontario.ca
A-06	Provincial	Karla	Barboza	Team Lead, Heritage Planning Unit	Ministry of Citizen and Multiculturalism	karla.barboza@ontario.ca
A-06	Provincial	Liam	Smythe	Heritage Planner	Ministry of Citizen and Multiculturalism	Liam.Smythe@ontario.ca
A-07	Provincial	Heather	Watt	Manager; Community Planning and Development (West)	Ministry of Municipal Affairs and Housing - Western Municipal Services Office	heather.watt@ontario.ca
A-08	Provincial	Katherine	Hotrum	Director Environmental Projects	Infrastructure Ontario	katherine.hotrum@infrastructureontario.ca
A-08	Provincial	Joanna	Craig	Portfolio Analyst, Land Use Planning, Development Planning	Infrastructure Ontario	joanna.craig@infrastructureontario.ca
A-08	Provincial				Infrastructure Ontario	noticereview@infrastructureontario.ca
A-09	Provincial	Keith	Johnston	Environmental Planning Team Lead(A)	Ministry of Northern Development, Mines, Natural Resources and Forestry	keith.johnston@ontario.ca
A-10	Provincial	Gillian	Hartman	Regional Planning Coordinator	Ministry of Natural Resources and Forestry	SR.Planning@Ontario.ca

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ID	Group	First Name	Last Name	Job Title	Representing	Email
A-10	Provincial	Amanda	McCloskey	Land Use Planning Supervisor	Ministry of Natural Resources and Forestry	SK.Planning@Ontario.ca
A-10	Provincial	Samual	Short	Regional Planner	Ministry of Natural Resources and Forestry	Sam.Short@ontario.ca
A-11	Provincial	Cheryl	Davis	Manager(A) Environmental Policy Office, Transportation Planning Branch	Ministry of Transportation	cheryl.davis@ontario.ca
A-11	Provincial	Rina	Kulathinal	Head, Project Delivery, Engineering Program Delivery Central	Ministry of Transportation	rina.kulathinal@ontario.ca
A-11	Provincial	Xin	Weng	Area Manager, Hamilton/Niagara, Project Delivery, Central Region	Ministry of Transportation	xin.weng@ontario.ca
A-12	Provincial			Detachment Commander	Ontario Provincial Police Niagara Detachment	OPP.Niagara.Detachment@opp.ca
A-13	Municipal	Adam	Arbour		Niagara Transit Commission	adam.arbour@nrtransit.ca
A-14	Municipal	Taran	Lennard	Watershed Planner	Niagara Peninsula Conservation Authority (NPCA)	tlennard@npca.ca
A-14	Municipal	David	Deluce	Senior Manager	Niagara Peninsula Conservation Authority (NPCA)	ddeluce@npca.ca
A-14	Municipal	Sarah	Mastroianni	Senior Manager	Niagara Peninsula Conservation Authority (NPCA)	smastroianni@npca.ca
A-15	Municipal	Sandro	Dannunzio	Staff Sergeant	Niagara Regional Police Service	9173@nrps.on.ca
A-15	Municipal	Daneil	Nadeau	Detective Sergeant	Niagara Regional Police Service	9158@nrps.on.ca
A-15	Municipal	Rob	Laplane	1 District Commander	Niagara Regional Police Services	rob.laplane@niagarapolice.ca
A-16	Municipal	Richard	Stark	Senior Planner	District School Board of Niagara	richard.stark@dsbn.edu.on.ca
A-16	Municipal	Michelle	McPhee	Jr. Planner	District School Board of Niagara	michelle.mcphee@dsbn.org
A-17	Municipal	Kim	Majcher	Manager of Transportation	Niagara Catholic District School Board	
A-18	Municipal	Mark	Doyle		Niagara Student/School Transportation Service	Mark.Doyle@nsts.ca
A-19	Municipal	Richard	Ferron	Chief/Director Emergency Med Servs	Niagara Region Emergency Medical Services	richard.ferron@niagararegion.ca
Town of Grimsby						
A-20	Municipal	Sarah	Kim	Acting Chief Administrative Officer		skim@grimsby.ca cao@grimsby.ca

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ID	Group	First Name	Last Name	Job Title	Representing	Email
A-20	Municipal	Victoria	Steele	Director of Legislative Services / Town Clerk		vsteele@grimsby.ca
A-20	Municipal	Katie	Viccica	Deputy Clerk		kviccica@grimsby.ca
A-20	Municipal	Nicole	Divok	Executive Assistant to the Mayor and CAO		ndivok@grimsby.ca
A-20	Municipal	Walter	Basic	Assistant Director, Planning		wbasic@grimsby.ca
A-20	Municipal	Sarah	Sweeny	Director of Parks, Recreation and Culture		ssweeney@grimsby.ca
A-20	Municipal	Marvin	Ingebrigtsen	Manager of Engineering Services		mingebrigtsen@grimsby.ca
A-20	Municipal	Brandon	Wartman	Director of Public Works		bwartman@grimsby.ca
A-20	Municipal	Michael	Palomba	Senior Transportation Engineering Technologist		mpalomba@grimsby.ca
Town of Lincoln						
A-21	Municipal	Michael	Kirkopoulos	CAO		MKirkopoulos@lincoln.ca
A-21	Municipal				Clerks & Legislative Services	clerks@lincoln.ca
A-21	Municipal	Dave	Graham	Director of Public Works	Public Works	dgraham@lincoln.ca
A-21	Municipal	Diane	Maceira	Manager of Technical Services		dmaceira@lincoln.ca
A-21	Municipal	Walter	Neubauer			wneubauer@lincoln.ca
Township of West Lincoln						
A-22	Municipal	Donna	DeFilippis	Chief Administrative Officer	Office of the CAO	ddefilippis@westlincoln.ca
A-22	Municipal	Joanne	Scime	Director of Legislative Services/Clerk	Clerk's Department	jscime@westlincoln.ca
A-22	Municipal	Jessica	Dyson	Deputy Clerk	Clerk's Department	jdyson@westlincoln.ca
A-22	Municipal	Brian	Treble	Director of Planning & Building	Planning and Development	btreble@westlincoln.ca
A-22	Municipal	Mike	DiPaola	Director of Public Works and Recreation	Public Works Department	mdipaola@westlincoln.ca
A-22	Municipal	Ray	Vachon	Project Manager	Public Works Department	rvachon@westlincoln.ca

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ID	Group	First Name	Last Name	Job Title	Representing	Email
A-22	Municipal	Beth	Audet		Communications	baudet@westlincoln.ca
A-22	Municipal	Gerrit	Boerema			gboerema@westlincoln.ca
U-01	Utilities				Hydro One Networks Inc.	secondarylanduse@hydroone.com
U-01	Utilities	Sun	Honxia	Engineering Officer	Hydro One Networks Inc.	Susan.SUN@HydroOne.com
U-02	Utilities	Joanne	Van Panhuis		Enbridge	_joanne.vanpanhuis@enbridge.com
U-03	Utilities				Trans-Northern Pipelines Inc.	info@tnpi.ca
U-04	Utilities	Kaitlin	Webber	Planner	TC Energy	tcenergy@mhbcplan.com
U-05	Rail	Salar	Zulfiquar	Senior Public Works Officer Public Works East	CN	salar.zulfiquar@cn.ca
U-06	Rail	Tom	Twigge	Director Project and Public Works	CPR	tom_twigge@cpr.ca cc: liam_roney@cpr.ca

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ID	First Nation	Title	Name	Email
FN-01	Mississaugas of the Credit First Nation (MCFN)	Chief	Chief R. Stacey Laforme	
		Director, Department of Consultation and Accommodation	Mark LaForme	Mark.LaForme@mncfn.ca
		Consultation Manager	Abby LaForme	Abby.LaForme@mncfn.ca
		Archaeological Operations Supervisor	Adam LaForme	adam.laforme@mncfn.ca
FN-02	Six Nations of the Grand River	Chief	Chief Mark Hill	
		Lands & Resources Director	Lonny Bomberry	lonnybomberry@sixnations.ca
		Consultation Supervisor (Land Use unit)/Land Use Officer	Peter Graham	LRCS@sixnations.ca
		Wildlife and Stewardship Manager	Lauren Jones	laurenjones@sixnations.ca
		Wildlife and Stewardship Management Assistant	Lauren Vanderlingen	wsma@sixnations.ca
		Land Use Officer	Daylon Gee	lrlo2@sixnations.ca
		Consultation Administrative Assistant	Dawn Russell	dawnrussell@sixnations.ca
		Archaeological Supervisor	Tanya Hill-Montour	tanyahill-montour@sixnations.ca
FN-03	Haudenosaunee Confederacy Chiefs Council (HCCC)	Haudenosaunee Development Institute (HDI)		info@hdi.land
		Monitoring Program Coordinator	Todd Williams	toddwilliams@hdi.land williams.todde@gmail.com
			Aaron Detlor	aaron@detlorlaw.com
		VP Buisness Development and Client Relationships	Rae Lumsdon	rae@hdito.com
FN-04	Metis Nation of Ontario	Métis Consultation Unit		consultations@metisnation.org
	MNO Niagara Region Metis Council	President	Derrick Pont	pontdj@hotmail.com
	MNO Region 9	Councillor	Peter Rivers	rivers_peter@hotmail.com

Niagara Indigenous Community Executives (NICE)

ID	Group/Organization Name	Name	Role	Email	Administrative Notes
	Fort Erie Native Friendship Centre	Jennifer Dockstader	Executive Director	ExecutiveDirector@fenfc.org	
	Niagara Chapter Native Women	Wendy Sturgeon	Executive Director	edncnw@gmail.com	
	Niagara Region Métis Council	Derrick Pont	President	pontdj@hotmail.com	
	Niagara Regional Native Centre	Dawn Moughtin	Acting Co-Executive Director	aed@nrnc.ca	email no longer working 7/4/24
	Niagara Regional Native Centre	Jessica Riel-Johns	Acting Co-Executive Director	aed@nrnc.ca	
	NPAAMB Indigenous Youth Employment and Training	Jason Shawana	Executive Director	jason@npaamb.com	