

MINUTES OF MEETING

FILE: 15-2673 FWRN/MNECA CLC meeting #1

DATE: October 23, 2015, 1:00-3:00pm

LOCATION: Hidden Bench Winery, 4152 Locust Lane, Beamsville ON

PRESENT:

Harald Thiel, MNECA	Marc Weatherill, Boralex
Curtis Fielding, MNECA	Grace Pasceri, Boralex
John Christie, MNECA	Bill Somerville, Enercon
Marcia Christie, MNECA	Shiloh Berriman, Enercon
Nancy Mott, NEC	Bryan Tripp, Stantec
Walter Neubauer, Town of Lincoln	Karla Kolli, Dillon Consulting (CLC Facilitator)
Diane Maceira, Town of Lincoln	Michael Seasons, Dillon Consulting
Adam Rosso, Boralex	

DISTRIBUTION: All attendees & FWRN website

1. Introduction

Karla Kolli introduced herself as the new independent facilitator for the CLC. It was noted that this role was introduced in response to requests from the committee that the facilitator have no past connection to the project. Each meeting participant was invited to introduce themselves and state their interest in the project (e.g. business owner, resident, project team member, etc.).

2. Meeting Overview

This meeting serves as the first official CLC meeting (the September 1st meeting was recorded as a pre-meeting). The purpose of the meeting is to approve the CLC Terms of Reference (ToR) and provide an opportunity for the project team to share transmission line engineering designs with CLC members. A copy of the revised ToR, minutes from the previous meeting (September 1, 2015) and various engineering drawings were provided in hard copy for meeting attendees.

3. Terms of Reference Approval

A draft CLC ToR was brought forward at the previous meeting. Suggested changes were requested by September 15, 2015. Changes received from NEC have been incorporated and

minor changes were made by the facilitator. Boralex noted that no other comments had been received prior to this meeting.

The changes made include: consistent naming as the MNECA CLC; insertion of “Transmission Line” as appropriate to reflect the focus of the CLC; change from “two meetings annually” to “monthly meetings for the duration of construction” in response to a request at the first meeting; and editorial/document structure changes to reflect a final document.

Members of the MNECA CLC briefly reviewed the revised ToR document. A member of MNECA CLC requested that an explicit statement be added regarding the fact that the ToR and CLC itself constituted conditions of approval pursuant to the Niagara Escarpment Commission (NEC) development permit to which the Project is subject. The Project team agreed to make such changes.

It was agreed that the CLC ToR can be considered approved.

Action: Facilitator to accept track changes, add the requested statement, distribute the CLC ToR as a final approved document; and distribute to NEC for their approval as per the NEC Development Permit.

4. Meeting Minute Review – Sept 1, 2015

Members of the CLC briefly reviewed minutes from the previous meeting. The following revisions/clarifications to the minutes were discussed:

- The last bullet in the notes suggests that MNECA is to advise as to whom they would like on the committee. It was clarified that this refers to the public CLC established for the project.
- Section 9 of the notes references ‘NEC permits’. It should be clarified that the NEC Development Permit has already been issued and what is required prior to construction is submissions to NEC to show that the conditions of that Development Permit have been met.
- A member of MNECA requested that the minutes note that the busy season for local wineries and vineyards extends from June 1 – Oct 31.

Action: Dillon to revise and reissue the September 1, 2015 minutes.

At the previous meeting, comments were also requested on the Complaints Resolution Protocol for the project. No comments were received.

Action: The final Complaint Resolution Protocol will be made available to MNECA CLC as a final document.

5. Engineering Drawings - Overview

Stantec gave an overview of a series of engineering drawings pertaining to the design of the transmission line.

A MNECA CLC member asked for clarification as to whether the engineering drawings being presented were final. It was noted the drawings presented were either sealed or at the ninety-percent completion status, meaning they were effectively ready for submission to the relevant municipal approval authorities (and thus still subject to revision as necessary).

A MNECA CLC member noted that based on the last meeting it was interpreted that the drawings would be available shortly after the meeting. While it was recognized that members did receive them a few days in advance of this meeting, it was noted that the amount of time was not considered sufficient to review detailed technical material.

a. Drawing 1 – Cable Conduits

Stantec presented drawings detailing the ductwork to be installed underground, through which transmission infrastructure and associated cabling would be installed.

A member of the MNECA CLC asserted that previous project owners had committed verbally to design elements including complete redundancy, so as to avoid any future road works (and thus disruption of local businesses).

Boralex noted that reliability of the transmission line formed a crucial component in the overall project profitability, thus redundancy is important to Boralex as well and that investments have been made in risk mitigation during the engineering design phase.

Stantec noted that the conductors would be encased in concrete, mitigating risk of failure. If future works were to be required, they would likely be centred on conductor splicing in the accessible underground junction boxes, and not the length of conductors themselves. All parties agreed that redundancy measures included in the design seemed appropriate.

Action: Engineering team to confirm whether conduit is large enough to pull out old conductors if installation of new ones is required.

A member of MNECA questioned why the conduit design did not include conductors and communications/control cabling in a single conduit (as opposed to 2 conduits for conductors, and 2 conduits for communications/control cabling). Boralex noted that such a unitary design would be far too risky in that it would create a single point of failure for the entire system; e.g. if the conduit failed, SCADA control as well as electrical transmission would fail. All parties agreed the multiple-conduit design made sense.

A member of MNECA CLC asked how underground excavation would take place around existing natural gas lines. He noted that natural gas is important for local business operations, and any

unexpected loss of supply would mean losses incurred by those businesses. It was requested that residents and businesses be given forewarning of any natural gas shut-off.

Boralex/Enercon noted that prior warning was standard practice and that temporary emergency generators would be an option if the need arose.

Action: Boralex/Enercon to provide advance warning of natural gas disruption.

Enercon noted that new construction inspectors would be starting in the next few weeks. Members of the CLC agreed that it would be prudent to have these inspectors attend a CLC meeting.

Action: Construction inspectors to attend a future CLC meeting.

b. Drawing 2 – Cable Crossing Details

Stantec noted that cable construction will involve digging trenches on either side of the road, however the side on which the trenching was to occur would switch depending on the specific features in that area. Directional drilling will be used under culverts. The design calls for 8 underground cable junction vaults to be installed between runs of cabling. The junction vaults are approximately 7 metres by 2 metres.

Boralex noted that current plans called for road resurfacing only where needed, as opposed to resurfacing of the entire road surface. A member of MNECA CLC asserted that the original owners made a verbal commitment to resurface the entire road, and widen to accommodate bike lanes. The representative from the Town of Lincoln later noted that there is an existing road use agreement to which the Project is subject. The details of this agreement were not available at the meeting however he commented that it was his recollection that it required resurfacing of all roads on which trenching works would take place.

c. Drawing 3 – Duct Bank Plan & Profile

The Town of Lincoln noted that they may inspect culverts located along the path of construction to see if it makes sense to replace them while construction is going on, however none have been identified for replacement at this point.

The Town of Lincoln also voiced general concern about risks associated with the use of directional drilling. Stantec noted that any such concerns can be addressed during the municipal review of the engineering drawings.

The NEC requested that they be able to inspect all drawings prior to construction. It was confirmed that NEC and the Region of Niagara (who will act on behalf of the local municipalities) will review and approve the drawings prior to construction.

During the discussion it was confirmed that legal surveys have been completed for all properties identified along the transmission line construction route. A member of MNECA CLC

requested that property owners be notified of the property line through marking in the field and asked if it was also possible for individual property owners to gain access to the geospatial data used in the survey process.

Action: Boralex will mark the property line and look into disseminating digital coordinate data as it relates to survey points for individual property owners who request it.

6. NEC Development Permit Conditions

Boralex presented a table used by the Project team to track development permit conditions and the progress made to date on each respective condition. Boralex noted that they plan to have all conditions met within 2 weeks.

A member of MNECA CLC noted that she had not received any correspondence regarding well testing on her property, despite repeated assurances from Project staff in the past. Boralex agreed to review its internal well testing logs to ensure all relevant properties have been tested.

Action: Boralex to follow up with the member of MNECA to investigate status of well testing on her property. Boralex to also bring list of completed well tests to the next meeting so MNECA CLC members can confirm that all properties are captured.

7. Project Construction Update

The following construction-related items were discussed:

Staging Areas - Stantec presented a basic conceptual rendering of the duct excavation process and associated staging areas, noting that the defined work area was limited to the roadway and gravel shoulder(s).

Boralex noted that aggregate material (e.g. gravel, dirt) will be brought into the staging areas on a daily/nightly, just-in-time (JIT) basis as it is needed, thus avoiding piles of construction material onsite for extended periods of time.

Construction Timing - Boralex noted that trench works are currently planned to be undertaken from November 9, 2015 to December 15, 2015. It was emphasized that while best efforts have been made, the timelines are subject to change based on a number of factors (e.g. completion and execution of relevant permits, weather, and what is found onsite during construction).

A member of MNECA CLC voiced the opinion that it was highly unlikely that the NEC development permit conditions would be fulfilled and that the Town/Region would be finished their review by early November and emphasized that no construction activities should proceed until permitting and approvals was complete.

The NEC representative noted that the project team has been working hard to meet the conditions of the development permit; however, many conditions rely on third-party agency

approval prior to NEC approval. The representative also stressed for clarity that the NEC will only act to enforce conditions pursuant to the development permit, and as such any verbal agreements made between parties which were not included in the permit are not within the domain of the NEC to enforce.

All agreed that permit conditions and any other required review and approvals must be in place prior to construction.

Boralex noted that it would be prudent to have a separate discussion regarding the past verbal agreements concerning project construction by the previous project owners.

Action: Boralex to arrange a further discussion on past verbal commitments.

Lane/Road Closures - Boralex explained that the trenching and installation process would be undertaken by 3 crews at a time, allowing for construction impacts to be kept to a limited area and to shorten the overall duration of construction. Trenching will require lane closures. Due to their size and design, installation of the cable junction vaults will necessitate full road closures. It is anticipated that each vault installation will require 7 days of road closures, totaling 4 weeks for all vault installations. It was noted that in all cases residents will have access to their driveways. It was also noted that the information on possible closures was recently received by Boralex and that discussion with the contractor is scheduled to happen over the next week.

A member of MNECA CLC strenuously noted that road closures will have a negative impact on local businesses and demanded compensation in return for any lost business. The member also requested that the construction team provide detailed construction detour maps in order to understand the impact on road traffic and accessibility. It was noted that based on discussions with the previous project owner no impacts on businesses were to be incurred. MNECA CLC members also indicated that they would expect to see a construction plan that included information on detours, emergency access, school bus access, etc.

The representative from NEC noted that all relevant public agencies will be applying the proper due diligence with regard to approving the project's planned road closures.

Action: Boralex will provide greater detail on proposed road closures (e.g. drawings of trenching operations and placement of cement trucks) and plans for construction for discussion at the next meeting.

Construction Hours of Work - Boralex noted that in order to expedite the construction process so as to minimize impacts to local business and residents, they will seek permission from the local authorities to extend construction working hours. Currently the project is approved to construct from 8:00am to 5:00pm on weekdays and 9:00am to 5:00pm on weekends; they will seek permission to extend this to 7:00am to 9:00pm all week.

A member of MNECA CLC noted that Saturdays should be seen as the peak business period for local wineries, thus construction during Saturdays would have the greatest negative impact on local businesses. MNECA agreed that a reasonable solution would be to undertake trenching work over longer hours during the week (Monday to Friday).

Construction Notice - The representative of the Town of Lincoln suggested that it would be prudent for the Project team to distribute some form of public notice beyond basic newspaper notices, such as a construction newsletter, to households and businesses in the area to keep them abreast of construction progress and updates. Boralex noted that a newsletter/notice had been distributed to residents and businesses along the route and a follow-up notice can be distributed.

Action: Boralex to distribute a newsletter/notice to those on the transmission line construction route with information on construction timing and Shiloh Berriman's contact information.

Construction Concerns & Complaints - The representative of the Town of Lincoln requested clarification on where complaints regarding construction should be forwarded. Enercon noted that Shiloh Berriman is the central point of contact for all project-related complaints.

8. Other Items

The representative of the Town of Lincoln noted that several public agencies had sought clarification on to whom they should refer communication to as it relates to MNECA. MNECA agreed that Harald Thiel should be considered their main point of contact.

It was suggested that the Region of Niagara be invited to future meetings.

Action: Boralex to extend and invite to the next meeting the Region.

9. Next Meeting

All members agreed that the next meeting should be held sooner than the normal monthly cycle. The goal of this meeting would be to review a more detailed plan for construction. A tentative date of November 6, 2015 was set for the pre-construction CLC meeting.

All members agreed that pertinent meeting information (e.g. agenda, previous meeting minutes) should be distributed no later than the day before planned meeting dates.

The meeting adjourned at 3:00pm.

Project Contact Information

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