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RE: Future Gordon Dean Avenue Phases 3 & 4 Municipal Class Environmental Assessment Pre - Public Review Environmental Study Report Comments (submitted via e-mail).

Thank you for the opportunity to comment on the future Gordon Dean Ave. Phases 3&4 Municipal Class Environmental Assessment (EA) Environmental Study Report (ESR), prior to the formal mandatory public review period. Please be advised that the comments contained herein and attached are to be considered preliminary. Final comments will be provided as part of the public review period and are subject to Council endorsement of the study recommendations.

It is staff's practice to seek Council approval before posting an ESR for 30 - day public review. We therefore highly recommend that the Proponent Team wait for Council's endorsement of the Staff recommendation report prior to initiating the formal minimum public 30-day review.

The City of Hamilton has a dual obligation to fulfill when commenting on the Gordon Dean Ave. Class EA. Its primary role is as a commenting body and EA process facilitator; its secondary role is as a land holder and stakeholder within the study area (notably #703 Highway 8). As such, we have the following general comments related to each role with attached detailed comments table, as follows:

1. EA Commenting Body and Process Facilitator

Currently, the Class EA is still deficient in the following areas (that are typically required in a robust standalone study) that is either not included in the ESR or is being proposed to defer to future development:

- a. Built Heritage and Cultural Landscape (not included) – it does not appear that a qualified professional has provided their signed opinion / check list.
- b. Road Design Elements (not included) - vertical alignment, cross section alternative's evaluation, drainage, and stormwater management.

- c. Natural Heritage (proposed to be deferred) – the Report does not follow the City's Environmental Impact Study (EIS) Guidelines, Terms of Reference, process and previously provided comments.

Please advise how the above will be addressed without risk to the Class EA approval and the need to potentially consider new alternatives or revisions to the preferred alignment. In addition, please respond to the detailed comments in the attached spreadsheet.

2. Land Owner / Stakeholder (Municipal Address 703 Highway 8)

The eastern corridor (Alternative 4b) has been chosen as the Preferred Alternative. However, despite it addressing the noted traffic safety and operational concerns identified by City for Alternative 1a, the resultant proposed City-owned land taking presents a significant operational / service impact to the City's Public Works Department (Transportation, Operations and Maintenance as well as the Parks and Cemeteries divisions).

Notwithstanding, City Staff support the Preferred Alternative 4b on the premise that suitable compensation can be made to the City to assure that it is able to proceed with its Operations Plan for 703 Highway 8. In addition to the land taking for the road itself, the location of the road bisects the property such that it renders the City's plan for cemetery expansion infeasible. Although detailed impacts have not been investigated, compensation would, in principle, be based on the ability of the City to acquire land to replace what is lost to the road, and to address the inability to use the remaining lands for cemetery expansion.

Please contact me directly for clarification of any comments and any other questions you may have. Also please advise of your intentions regarding the timing of addressing the City's comments including the 30-day public review vis-à-vis the need for Council's endorsement of the ESR.

Yours truly,



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Maria Pearson, Cllr. Ward 10, City of Hamilton

MF/as attachment

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Overall					
1	Not enough detail provided regarding property impact evaluation/cost	The Project Team has reevaluated all options, taking into consideration the impact on property, specifically the impact on the former Alectra land.	Business Impacts: Please see comment Number 5. The alternative where the east-west road was meandered, and north-south corridor could be adjusted to fit in with the Secondary Plan proposed layout around Alectra Lands is missing – Alternative 1b. Why?	Alternative 1B was eliminated due to discussions held with the City and the Project Team in 2018 regarding the design of the intersection. The roundabout alternative was dismissed and concerns over the angle of intersection was raised. As such, due to safety concerns, Wood has removed Alternative 1b.	<p>Concerned that the extent of the potential property acquisition costs and value implications associated with the alternative options are underestimated and not fully captured in the report.</p> <ol style="list-style-type: none"> The ESR needs to be updated to reflect the City’s ownership of the Alectra lands and should comment what is understood about the acquisition; ie land was purchased for TOM and Parks and Cemetery expansion. <p>For example: It does not appear that consideration was given to the market value of the lands that may need to be acquired in terms of their highest and best use. Much of the surrounding lands would be valued as low to medium residential development land, in line with the Secondary Plan. For a residential property, for example, the cost may not simply be the value of the single detached dwelling, but also the value of the excess land on the basis of its highest and best use as future residential development land. Similarly, while the existing commercial building at 703 Highway 8 does have value on its own, from an appraisal perspective the remainder of the site (the excess land to the north) would be valued by assuming that portion of the property is hypothetically severed for future residential development.</p> <p>The properties directly affected, and/or those adjacent, could also suffer injurious affection as a result of the construction of the road. For example, if a portion of a residential property is required, there may also be a negative value impact to the remainder of the property due to proximity to the road, a less efficient configuration, diminished redevelopment potential, etc. How the partial taking affects the utility of the remainder of the property is an important value consideration. Injurious affection can also apply where no land is taken but a property is negatively impacted due to lost privacy, increased noise, etc. Acknowledge that noise impacts will specifically be addressed during development application stage).</p> <p>There are additional costs that could be incurred, particularly with respect to commercial uses where the acquisition may result in disturbance damages such as relocation costs and compensation for business loss. Similarly, relocation or other costs could be involved in the acquisition of a residential property. These costs and others associated with the compensation claims under the Expropriations Act could be substantial, if required.</p> <p>Given these concerns, it is difficult to assess whether the evaluation of options presented in the report is appropriate, and our recommendation would be that further valuation work is required to better understand the magnitude of the potential property acquisition costs. One final overall comment is that in some instances the language is misleading in that it states land acquisition “may” be necessary or it refers to a “potential”</p>



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					<p>acquisition, when such acquisition would certainly be necessary to proceed with the option in question.</p> <p>Specific comments on some of the evaluation items are below:</p> <ol style="list-style-type: none"> 1. Socio-Economic Impacts – Residential Impacts <ul style="list-style-type: none"> • With respect to options 1A, 2A and 2B it is noted that one residence is <i>likely</i> displaced. Based on the maps of the proposed alignments, it seems like a full buy-out would be required as the residence would be too close to the road. • This section does not address any injurious affection to the adjacent residential properties which would be impacted by their proximity to the road, and potentially by diminished future development potential. 2. Socio-Economic Impacts – Commercial Impacts <ul style="list-style-type: none"> • With respect to options 2A, 2B, 3A and 3B, it is accurate that a significant portion of the former Alectra lands would be displaced, however it should also be recognized that the property also has value as residential development land if the excess land were to be severed from the improved commercial portion. • While the existing building does have commercial value, the impact and potential cost would also include disturbance damages such as business loss, relocation costs, etc. • Options 4A and 4B should not be rated as “good”. The portion of 703 Hwy 8 that would be required for the road was to be used for an expansion of the adjacent cemetery. The costs associated with finding suitable replacement land should be considered. The market value of this land would also likely be based on a highest and best use as residential development land. Please see the letter attached to this table for appropriate provisions. 3. Governance – Impacts to Non-Participating Lands <ul style="list-style-type: none"> • With respect to options 1A, 2A and 2B a full buy-out of the residential property is likely. • The “sliver” of the former Alectra lands noted in 4A and 4B is misleading, as it is actually a small portion of the L-shape and its intended use is to facilitate the expansion of the adjacent cemetery, therefore the City may incur additional costs if alternative cemetery expansion options are necessary. 4. Governance – Ease of Implementation <ul style="list-style-type: none"> • The impact to 703 Highway 8 is not reflected under options 4A and 4B. 5. Governance – Estimated Capital Costs



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					<ul style="list-style-type: none"> The potential costs associated with the property acquisitions are not quantified, nor is an order of magnitude provided.
2	<p>Gordon Dean Ave. Cross Section(s) need to be updated and shown/provided. Given that the City of Hamilton has now declared a Climate Change state of Emergency, we would like to request options/direction for sustainable materials use, such as LED lighting, LID considerations, in the final project recommendations.</p>	<p>The Gordon Dean Ave. Cross Sections will be updated and provided. The preliminary design and the ESR will provide further detail regarding any climate change measures and practices. The current criterion is similar to the one used to evaluate the alternatives for the Barton St. EA.</p>	<p>The Purpose of Phase 3 EA process is not just to place alternative locations of the roadway, but to propose and evaluate alternative functional designs of the roadway. Cross Sections and alternatives, interim and long-term solutions should be shown and evaluated for this EA requirements. This is missing entirely from the Tech Memo.</p>	<p>Cross-sections and functional design details of the preferred alternative are provided in Section 6 of the ESR.</p>	<ol style="list-style-type: none"> Cross Section does not reflect alternatives as is required of Phases 3 & 4 EA ESR. There is only one cross section provided without an evaluation of alternative uses of that cross section, including the reasoning behind a Multi-use – Path on both sides of the road. Our previous comments reflected a need for 1.5m sidewalk on the west side and 3.0 m MUP on the east side. How was this preferred cross section determined? Please show all analyses and references in the ESR. Given that the FWSP polices do not allow for the creation individual household driveways onto Gordon Dean, the road functional design should identify dedicated left turn lanes and their appropriate length instead of a continuous centre turning lane for the entire length. Please remove the interim cross-section scenario as it brings no value given that the timelines for full build out are imminent/within the time horizon of the provided TIS. Please adjust ROW width to round 36m. HSR stops – we are in discussions with HSR regarding provisions for future routes and stops. Can provide further input soon.
3	<p>Please provide more details/explanation regarding the basis for the angle of where the various options impact various lands. This was in part asked for during the May 22, 2019 meeting, impacts versus no impacts on all lands, including Alectra lands, which are a departure from the Secondary Plan, etc.</p>	<p>Wood has reassessed the impacts to existing land uses, especially as it relates to the former Alectra lands.</p>	<p>The wording of “Without prejudice” will be removed in the next set of drawings since they don’t apply here.</p>	<p>The wording has been removed from the final version. Final evaluation of alternatives memo is provided in Appendix G of the ESR.</p>	<p>Please see comments to No. 1</p>
4	<p><u>RE: East-West Collector corridor was set by the Secondary Plan.</u> Background/justification for variance on the Secondary Plan approved layout needs to be itemized in the EA analysis. City staff don’t believe that the variance proposed in the provided drawings is a big departure from the Secondary Plan, but a written justification should be provided in the EA drawings/evaluation process. This detail in justification - i.e. more equitable impacts on landowners’ lands, we suggest being documented in the EA evaluation as a differential between straight versus bent option. It seems from our discussions, that the more equitable version would be more beneficial to all concerned, so this should transparent in the documentation.</p>	<p>Wood has reassessed the impacts to existing land uses, especially as it relates to the former Alectra lands. Wood also added a criterion, “Conforms to Secondary Plan” to compare and contrast those alternatives who do (and do not) comply with the Secondary Plan.</p>	<p>Summary has a sentence which reads: “ This portion of lands was previously anticipated within the Approved Fruitland-Winona Secondary Plan” – What is meant by this statement? An explanation is needed.</p>	<p>The sentence has been reworded to provide further clarification – “The displacement of this portion of lands was previously accounted for within the Approved Fruitland-Winona Secondary Plan.”</p> <p>Final evaluation of alternatives memo is provided in Appendix G of the ESR.</p>	<p>Please see response to No.1</p>



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5	There are no alternatives shown which follow the Secondary Plan, as it intended to have Gordon Dean Ave. link to Highway 8 abutting Aletra lands, not impacting them in any way. We would ultimately like to see the range of alternatives and/ or seeing a written justification as to why another alternative without impacts to Aletra lands were not included in this analysis. If there is another piece of information not discussed/understood by staff, please also include this in the amended evaluation.	Alignments have been updated to include an option that follows the Secondary Plan.	<p>General evaluation of each criterion per alternative is not substantiated FOR each alternative separately – in all categories, but rather given as a range. This makes the evaluation process NOT transparent and needs to be amended before going before the public/staff can support it.</p> <p>An EA process is a PLANNING process – i.e. it helps us to make decisions better. You may find that if you answer the questions quantitatively/substantiated manner, as required for the EA process, your preferred alternative may change.</p>	<p>A thorough evaluation of each alternative was completed based on various criterions. Ranges are provided in areas where there are no differences between each alternative. Further detail is provided in the ESR.</p> <p>Final evaluation of alternatives memo is provided in Appendix G of the ESR.</p>	Please see our comment No. 1.
6	We do not see the previous alternatives being included/discussed within the Memo. We believe that this work should still be considered both at the coming PIC and in the EAR, to illustrate how the study moved from the last PIC to the new alternatives - in the new PIC as well as in the ESR document. Given the amount of detail missing from the Memo, City staff are not certain that the intended June 13, 2019 PIC date is achievable.	The memo associated with the evaluation table will be updated to include a review of the Phase 1 and 2 alternatives. A summary of the discussions with the City and the justification will be included.	The Alternative presented with the previous set of drawings proposed Alternative 1b. Why was it now excluded from the evaluation?	See Item #1.	<p>We note that the original alternative was now included in the alternative evaluation, thank you. Please see comment No. 1.</p> <p>The Summary of the Preferred Alternative should provide a more comprehensive rationale for the preferred choice using qualitative and quantitative descriptors that compare to the other alternative(s) – presumably 1a especially because it was displaced as the preferred.....There needs to be discussion about why it’s better than 1a overall, not simply that it meets the need.</p>
Natural Heritage					
9	Natural Heritage Impacts - no detail has been provided to substantiate equal claim to all alternatives.	See responses to comments 6 to 16 below. Furthermore, the updated Evaluation Matrix will provide full details to support the revised ranking of alternatives from an environmental perspective.			<p>a) Page 14: A reference has been made to a Natural Heritage Characterization Assessment prepared by Colville Consulting in 2019. It is important to note that this Report was not prepared in accordance to the City’s Environmental Impact Statement (EIS) Guidelines (revised March 2015) and a Terms of Reference was not approved for this report. Please see link to the Guidelines in comments to Item No. 10.</p> <p>b) Page 37: Section 4.2.3.2 discusses the Hamilton Official Plan. It is important to note that a City-wide Natural Heritage System has been developed and included within the Official Plan. This is missing from the discussion. It is important to include since roads may have negative impacts on the features and functions of this system. In</p>



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					<p>addition, the study area is located within the Fruitland Winona Secondary Plan. This is also missing from the discussion.</p> <p>c) Page 41: Section 4.2.4.3 discusses the Provincial Policy Statement (PPS). It is important to note that the natural environment has been identified as a matter of provincial interest. Policies related to the natural environment are found in sections 2.1 and 2.2 of the PPS. In this case, fish habitat (Watercourse 5.0), habitat for endangered and threatened species (Bobolink, Eastern Meadowlark, Barn Swallow) and significant wildlife habitat (candidate habitat for Snapping Turtle and Monarch) have been identified within the study area and will be impacted as a result of the proposed roads. This is missing from the discussion.</p>
10	<p>Species at Risk - no EIS information has been provided specific to the locations at hand. Use of Watercourse 5 & 6 Report, which was not finalized/Filed with the MOECP (former MOE), is incorrect.</p>	<p>For SAR, no site-specific EIS data is available for the alternatives. The alternative evaluation will be reliant on SAR data available for the Block 1 lands as found within the report <i>Fruitland-Winona Block 1 Servicing Strategy Environmental Assessment and Natural Heritage System Plan</i> (D&A, September 2017).</p>	<p>Watercourse 5 & 5 EA document was never filed with the approving Ministry, therefore has no legal standing and should not be relied upon for information – please see our previous comments in the attached “FINAL Responses to City Comments”.</p>	<p>All references to Watercourse 5 & 6 EA have been removed.</p>	<p>a) Page 56: A map (Map 4-Dougan and Associates Environmental Impact Assessment) illustrating the location of significant species has been provided. We acknowledge and appreciate that this has been provided to our staff. Since, however, this is a public document, there is concern with the illustration of these locations. This map should be removed from the publicly available document.</p> <p>Within the Council adopted Environmental Impact Statement (EIS) Guidelines (revised March 2015), it has been stated that the location of Species at Risk (SAR) should not be included within the EIS. We have provided the excerpt for you below (page 11 of the Guidelines):</p> <p><i>"the area studied for each of the above elements. A map should be provided showing the sampling locations. The presence of a Species at Risk (SAR) should be filed with the Natural Heritage Information Centre (NHIC) in Peterborough and the Hamilton Conservation Authority for inclusion in the Hamilton Natural Heritage Database. NAD 83 or UTM locations of SAR and locally uncommon and rare species should be recorded. Due to the sensitive nature of the data, the location of SAR should not be included in the EIS".</i></p> <p>In addition, on page 5 of these Guidelines, it is noted that when preparing an Environmental Assessment, the proponent should use the EIS Guidelines. These Guidelines can be found at:</p> <p>https://www.hamilton.ca/sites/default/files/media/browser/2015-05-31/eis-guidelines-2015.pdf</p>
11	<p>C10:C21+C10:C12 Evaluation of Alternative Alignments: Overall, Natural Heritage Planning staff</p>	<p>See responses below.</p>	<p>EIS is required for an EA, and the impact on how many trees will be</p>	<p>An EIA has been prepared and is included as part of the ESR (Appendix E). A tree inventory</p>	<p>Please see comment No 9.</p>



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	is concerned with the evaluation of the impacts on the natural environment.		removed, is also standard practice for an EA alternative evaluation process.	and protection plan will be completed during detailed design.	
12	The evaluation of alternative alignments has been based on “excellent”, “good”, “neutral” and “poor” indicators. In the case of the natural environment, there is concern with this approach. The evaluation does not take into consideration short-term, long-term and cumulative impacts. The spatial extent, magnitude, frequency and duration of impacts should also be considered.	The indicators for the evaluation of alternative alignments have been refined. The short-term, long-term and cumulative impacts, including the spatial extent, magnitude, frequency and duration of these impacts, will be essentially the same for all seven alternatives. The B1SS EA and NHSP report by D&A provides high level impacts for the Block 1 lands and some of these will be adapted for this analysis. Only where there are subtle differences in impacts for the alternatives will these impacts be discussed for the revised environmental evaluation matrix. It should be noted that these road corridor alternatives exist within an approved Secondary Plan; it is not appropriate to discuss impacts of new roads within the current [mostly agricultural] context as the entire Block 1 lands will eventually be developed for residential, commercial, stormwater management and institutional uses, with some natural open space and NHS.	In previous comments (May 22, 2019), there was concern that the evaluation of alignments did not take into consideration the short-term, long-term and cumulative impacts. Within the Wood Comment Response, it has been identified that these impacts will be the same for all seven alternatives. In addition, it has been identified that only subtle differences in impacts will be discussed. Natural Heritage Planning staff is concerned with this approach. All impacts on the Natural Heritage System should be evaluated for all alternatives.	An EIA has been prepared, which looks at direct, indirect and cumulative impacts and includes short- and long-term impact assessment. The EIA is provided in in Appendix E of the ESR. Potential impacts and mitigation are also discussed in Section 7 of the ESR. The alternative assessment table will not be updated to include further detail as this is a high-level summary. Please refer to the EIS for a more detailed impact assessment.	Please see comment No. 9
13	Impacts have been discussed for “natural heritage features”, “Species at Risk”, “avian and wildlife”, “watercourse and aquatic” and “vegetation and wetlands”. There is concern with this approach. It appears that there is a misunderstanding with regards to the Natural Heritage System (NHS). The NHS is not just comprised of Environmentally Significant Areas (ESAs) or Areas of Natural and	The evaluation matrix has been revised. However, it should be noted that all the alternatives cross the NHS (at WC 5.0 and 6.0) at the same location, with the same width Right-of-Way, so anticipated impacts will be identical.	In previous comments (May 22, 2019), there was concern that the impacts of the alignment alternatives had not been discussed with regards to the entire Natural Heritage System (the	See Item #12. Compensation of wetland loss is also discussed in Section 7 of the EIA (provided in Appendix E of the ESR).	e) We acknowledge the comments provided. Our Comments No 9 apply, and additionally, Pages 54 and 55: A discussion of significant features within the area has been provided in Section 4.3.1.5. i. Linkages: The Natural Heritage System within the Fruitland Winona Secondary Plan includes Core Areas, Linkages, vegetation protection zones (VPZ) and restoration areas. A Linkage has been identified along Watercourse 5.0; however, discussions with regards to Linkages is missing from this report.



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	<p>Scientific Interest (ANSIs). The NHS within the Fruitland-Winona Secondary Plan consists of Core Areas (i.e. watercourses, wetlands, Species at Risk), Linkages, Vegetation Protection Zones and Restoration Areas.</p>	<p>Also, it is not possible to provide an impact assessment of the VPZs and Restoration Areas (RAs) as they will be determined through site-specific EISs so they therefore have not been spatially determined. The enhanced channel corridors recommended in the BSS will represent major RAs in their own right, given the predominantly degraded conditions of the existing watercourses. At present, these future VPZs and RAs are existing agricultural, cultural and disturbed habitats and it is premature to assign impacts to VPZs and RAs that will be recommended and designed on the basis of future site-specific EISs. The road corridor (both north-south and east-west) will be already completed so the VPZs and RAs will reflect the built road infrastructure.</p>	<p>Natural Heritage System is comprised of Core Areas, Linkages, Vegetation Protection Zones and Restoration Areas). There is concern that this comment has not been adequately addressed. Discussions of impacts on vegetation protection zones and restoration areas should be included at this stage and not left strictly to the site-specific Environmental Impact Statement (EIS) stage.</p> <p>Compensation of wetland lost – and mitigation locations are not specified – It is our understanding that in this functional design stage of the EA process an indication of location should be provided, no matter that they’re all equivalent impacts.</p>	<p><u>EIS Recommendation and Conclusion:</u> <i>Protection of the relocated Watercourse 5.0 with minimum 15 m Vegetation Protection Zones is recommended. Based on guidance in the Block 1 BSS NHS Plan, new wetlands will comprise a significant portion of the floodplain in the new channel corridor; this will offset wetland losses along the existing creek channels and provide higher functioning wetland habitat.</i></p>	<p>This area will be impacted by the realignment of the watercourse and the proposed culvert.</p> <p>ii. Key Natural Heritage Features: Fish habitat (which is represented by Watercourse 5.0), Significant Wildlife Habitat (candidate habitat for Snapping Turtle and Monarch) and wetlands are considered key natural heritage features. These features are missing from the discussion.</p> <p>iii. Key Hydrologic Features: Wetlands are considered key hydrologic features. It has been stated that wetlands are defined by City of Hamilton policies as being larger than 0.5 hectares. To clarify, the size of wetlands are not specifically identified within the Urban Hamilton Official Plan.</p> <p>iv. Local Natural Areas: It is important to note that unevaluated wetlands are classified as local natural areas. This is missing from the description.</p>
14	<p>The impacts of specific activities such as vegetation removal (i.e. clearing/grubbing), grading, watercourse crossings, installation of services and paving of roads should be included within the evaluation.</p>	<p>While impacts from these activities are not relevant to ranking the alternatives (as they are all essentially equal), a high-level discussion of them will be provided in a revised evaluation matrix. Again, it should be emphasized that the entire road corridors fall within an approved Secondary Plan, with all Block 1 lands being developed except the NHS.</p>	<p>In addition, impacts of specific activities such as vegetation removal (i.e. clearing/grubbing), grading, watercourse crossings, installation of services and paving of roads were not included within the evaluation. Natural Heritage Planning staff is satisfied that this information will be included within the evaluation.</p>	<p>See Item #12.</p>	<p>Please see comment No. 9</p>
15	<p>Mitigation measures that reduce or minimize significant impacts have not been included within the impact evaluation. This is important since it provides an understanding of how negative impacts are mitigated or eliminated.</p>	<p>Mitigation measures will be included within the revised alternative evaluation.</p>	<p>Within previous comments (May 22, 2019), there were concerns that mitigation measures to minimize or reduce the impacts were</p>	<p>See Item #12.</p>	<p>Please see comment No. 9</p>



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			not included within the evaluation. Natural Heritage Planning staff is satisfied that this information will be included within the evaluation.		
16	Species at Risk (SAR): It has been identified that all of the proposed alignments would not negatively impact SAR (“good” indicator-small corridor between SAR habitat and roadway; some steps taken to mitigate risk to SAR). There is concern with this approach. The proposed alignments will impact SAR by further removing and fragmenting habitat. It is the opinion of Natural Heritage Planning staff that the evaluation should be revised to “poor” (large area of SAR habitat removed).	SAR impacts will be ranked as low, medium or high. These will be defined for Bobolink/Eastern Meadowlark as: low – less than 4 ha of suitable habitat being removed; medium – 4 to 30 ha (the maximum allowed per ESA Section 23.6); high – greater than 30 ha (no regulatory exemption allowed per 23.6; Overall Benefit permit required). All alternatives will thus be categorized as low. Furthermore, any remaining habitat for SAR (including Category 3 (foraging habitat) for Barn Swallow) will be lost to development per the approved Secondary Plan, requiring compensation by the site-specific development proponent.	In previous comments (May 22, 2019), there was concern that there would be impacts on SAR by removing and fragmenting habitat. Natural Heritage Planning staff is satisfied that SAR will be considered in the revised evaluation matrix.	See Item #12.	Please see above comments.
17	Habitat for SAR (i.e. Bobolink) has been identified within the proposed road realignments (not just the right-of-way). It is important to take SAR into consideration early in the process. SAR is now under the jurisdiction of the Ministry of Environment, Conservation and Parks (MECP). Correspondence from MECP has not been provided. If they are all equal then this needs to be acknowledged that all alternatives will be impacted equally, but SAR consideration specifics need to be included in the evaluation.	Consultation with MNRF took place as part of the B1SS EA and NHSP report (D&A September 2017). Earlier studies in the block by Stantec (2009), North-South Environmental (2010), and Aquafor Beech (2013), as summarized in this report, also consulted MNRF regarding SAR. SAR will be considered in the revised evaluation matrix.	In previous comments (May 22, 2019), there was concern that correspondence from the Ministry of Environment, Conservation and Parks (MECP) had not been provided. While it has been noted within Wood’s Comment Response, that the Ministry of Natural Resources and Forestry (MNRF) had been consulted in previous studies, it is important to include any Ministry correspondence.	See Item #12. All agency correspondence is included in Appendix C of the ESR.	Pages 83-89: An evaluation of alternatives has been provided. While it is appreciated that the evaluation has been revised to include a more robust review of the impacts on the Natural Heritage System, there is concern with the evaluation. <ul style="list-style-type: none"> Core Areas: Within the evaluation, it has been identified that Core Areas include Significant Woodlands and Provincially Significant Wetlands (PSW). It is important to note that Watercourse 5.0, Significant Wildlife Habitat, Species at Risk and wetlands (other than PSWs) are Core Areas. It has been identified that all 7 alternatives would not directly impact these features (categorized as “excellent”). While the area is subject to proposed development there will be impacts on these features and their functions. The category should be changed from “excellent” to “neutral” (impacts are likely and can be mitigated). SAR: It has been identified that all 7 alternatives would not negatively impact SAR (“excellent”). There is concern with this approach since the alignments will impact SAR by further removing and fragmenting habitat. Since SAR are under the jurisdiction of the



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					Ministry of Environment, Conservation and Parks (MECP), further compensation may be required. The category should be changed from “excellent” to “neutral”.
18	Vegetation: There are trees that would need to be removed to facilitate all proposed alternative alignments. The impacts of the removal of these trees have not been discussed, and how different alternatives would have different impacts. In addition, vegetation is associated with Watercourse 5.0. There is concern that impacts on the vegetation along the watercourse have not been evaluated.	An impact assessment for tree and vegetation removal will be included with the evaluation matrix, appropriate to a preliminary design stage. Note that impacts to vegetation along WC 5.0 and 6.0 will be the same for all seven alternatives as they cross at the same location and are the same width. Also, beyond WC 5.0 and 6.0, the tree impacts will be along hedgerows, Hawthorn Deciduous Shrub Thicket, and Oak-Hardwood Deciduous Forest. For the deciduous forest (which was not included in the Secondary Plan NHS), the amount of habitat lost is the same for all seven alternatives, so it has no bearing on the ranking of alternatives. Note that a tree inventory was not conducted as part of the Block 1 BSS so the number and species (along with size, health, etc.) of individual trees being lost to each alternative is not known. A tree survey should be completed as part of detailed design for the preferred alternative.	Vegetation: In previous comments (May 22, 2019), there was concern that the impacts of the removal of trees associated with the alignments had not been discussed. In addition, there was concern that the impacts on the vegetation associated with Watercourse 5.0 had not been discussed. Natural Heritage Planning staff is satisfied that an impact assessment for tree and vegetation removal will be included within the evaluation matrix, however there is concern that the impacts on the vegetation along the watercourse will not be included.	See Item #11 and 12.	<p>1. Pages 119-120: Future Commitments</p> <ul style="list-style-type: none"> ii. Species at Risk (SAR): On pages 49-50, it has been identified that the MECP should be consulted to confirm the next steps regarding SAR (Bobolink, Eastern Meadowlark, Barn Swallow and bat species). This is missing from the future commitments list. iii. New Channel Design: It has been identified that a hydrologic and hydraulic assessment of the Watercourse 5.0 crossing will be undertaken to confirm the location of the culvert and associated channel realignment. It is important that the new channel be designed with inputs from an ecologist (as outlined on page 99). iv. Vegetation Restoration/Landscape Plan: It has been identified that vegetation restoration/landscaping will occur along Watercourse 5.0. It is important that the landscape plan include Gordon Dean Avenue since a multi-use trail has been identified. In addition, the recommendations (i.e. planting more native trees) from the Environmental Impact Assessment (EIA) prepared by Dougan and Associates should be considered. A monitoring plan should also be included. v. Tree Inventory/Protection Plan: It is important that the tree inventory/protection plan be prepared using the City’s Tree Protection Guidelines (revised October 2010). A screening for Butternut and further assessment of Hawthorns is to be included within this Plan. vi. Salvage/Transplant of Native Plants: Within the Dougan and Associates EIA, it has been identified that locally uncommon plants (Waxy-fruited Hawthorn-<i>Crataegus pruinosa</i>) and other native species (<i>Cornus</i> spp., <i>Salix</i> spp., <i>Rosa Carolina</i>, <i>Comandra umbellate</i> and <i>Potentilla simplex</i>) should be salvaged and planted within the vegetation protection zone (VPZ) or enhancement areas. This is missing from the list of commitments. A Salvage/Transplant Plan is required to be submitted prior to the removal of this vegetation. vii. Monitoring Plan: Within the Dougan and Associates EIA, it has been identified that a Monitoring Plan addressing the performance of the Watercourse 5.0 crossing and channel is to be developed during detail design. This is missing from the commitments list. <p>2. Environmental Impact Assessment:</p> <ul style="list-style-type: none"> a) Pages 12-14 Field Inventories: It has been identified that no new field inventories were undertaken for this project (evaluation was based on the inventories completed as part of the Block 1 Servicing Strategy; BSS1). It is important to note that the studies started for the BSS1 in 2015, which is 5 years ago. <ul style="list-style-type: none"> i. Breeding Bird Surveys: Breeding bird surveys are to be completed between May 24 and July 10. The first survey is



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					<p>to be completed between May 24 and June 15 and the second survey is to be completed between June 15 and July 10. There is concern that all of the breeding bird surveys in 2015 occurred within the first survey window with the first survey being completed outside of this window (May 21st). While a second survey was completed in late June 2019 (June 27th), this is four years after the original survey.</p> <p>i. Wetlands: Based on Table 1 (page 13), wetlands were delineated August 6, 2015 and refined on November 12, 2015. Further clarification is required on where refinement occurred and why it occurred in the late fall (not in spring or summer). In addition, it has been identified within the report that further refinement occurred on June 27, 2019; however, this timing is missing from the table.</p> <p>b) Pages 2-12 Policy Review:</p> <p>i. Page 5 (Migratory Birds Convention Act): Timing for removal of trees and vegetation has been referenced as April 1 to August 31. In Hamilton, the timing of March 31 to August 31 is used.</p> <p>ii. Pages 6-7 (Provincial Policy Statement (PPS)):</p> <ul style="list-style-type: none"> • On page 6, it is stated "<i>planning authorities are encouraged to identify natural heritage features and areas that complement, link and enhance natural systems</i>". There is concern with this reference. It appears that this reference may not be from the PPS but from the 2006 Growth Plan for the Greater Golden Horseshoe (4.2.1 Natural Heritage Systems). The Growth Plan has since been updated. Within the PPS, natural heritage systems are to be identified within Ecoregions 6E and 7E (policy 2.1.3) (Hamilton is located in Ecoregion 7E). • Watercourse 5.0 is representative of fish habitat (indirect habitat) and is included within the PPS (policy 2.1.6). This is missing from the discussion on page 7. <p>iii. Page 12 (City of Hamilton Tree By-laws): Section 2.3.2 (City of Hamilton Tree By-laws) has been included within the discussion. To clarify, the information provided discusses the City’s Tree Protection Guidelines (revised October 2010) and is not specific to the City’s Tree By-laws. While it is important to note that these Guidelines are to be used to develop the Tree Protection Plan during detailed design, this is a guidance document and should not be referenced in this section of the report.</p>
Natural Heritage: Aquatic					
19	Based on information provided in Appendix A (Table 1), a small pond has been identified within the former Alectra lands. It has been identified that this pond should be assessed for aquatic features.	The pond was assessed by D&A staff on June 24, 2019 and categorized as mineral marsh and open aquatic; the	In previous comments (May 22, 2019), there was concern that a small pond on the former	See Item #12.	Noted thank you.



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	There is concern that this assessment has not been included within the evaluation.	size was less than 0.5 ha (0.028 ha) so the feature is not to be included as NHS. It will be considered in the revised alternative evaluation as options 4a and 4b involve removing this feature.	Alectra lands was not included within the evaluation. Natural Heritage Planning staff is satisfied that this will be included within the evaluation. In previous comments (May 22, 2019), there was concern that the impacts of crossing that watercourse had not been provided within the evaluation. There is concern that this has not been addressed within the Wood Comment Response.	The small pond has been included in the EIA (Table 3 and Map 3).	
Groundwater impacts					
20	What is the basis of the claim that no changes are anticipated for any of the design options?	The creation of roads on the property will affect the site water balance by creating impervious surfaces and the magnitude of the effect will be dependent upon the area of the impervious surfaces. This is expected to decrease evapotranspiration, decrease infiltration of precipitation and increase surface runoff, thus resulting in some decrease of recharge to groundwater and potentially a localized lowering of the groundwater table. As indicated in the Hydrogeology Report this can be mitigated to some extent by directing runoff from the impervious areas towards pervious areas. As the alternative proposed road alignments are very similar in extent and location no significant difference in effects on groundwater between the alternative road locations are expected.	Groundwater impacts: It is staff’s understanding that Hamilton Conservation Authority and City discussions about the EIS are still ongoing so this needs to be flushed out before finalization of the evaluation criteria and ESR/finalization of the EA.	Noted.	It is our understanding that negotiations are ongoing with the impacted land owners regarding appeals pertaining to land use. It is also noted that watershed impacts are now delayed until Block 1 SS process. Any findings due to details which tip the evaluation scale towards a different alternative as a result of later studies than that which is finalized within this ESR/study process may trigger an amendment and re-open comment and appeal process for all stakeholders/public.



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21	<p>Some of the lands abutting Watercourse 5 are still under appeal of the Fruitland-Winona Secondary Plan, and they are irrelevant to Gordon Dean Ave itself., therefore it is not appropriate to depend on or make conclusions or comments based on this watercourse as part of this EA. This is best left for the Block 1 SS, and after the LPAT appeals are concluded. Watercourse 5 & 6 EA also was not completed/ filed with MOECP so should not be used as a basis for decision making.</p>	<p>Comment acknowledged. Watercourse 5 is currently degraded and per the current BSS recommendations will be replaced with an upgraded channel corridor. Irrespective of the final disposition of the channel in the LPAT appeal, a road crossing is required.</p>	<p>Natural Assessment Reports for Block 1 SS – were only provided in first drafts to staff and HCA and have not been finalized. Staff feel that the information relied upon there is incomplete and cannot be relied upon for the evaluation - PIC.</p>	<p>An EIA specific to Gordon Dean Avenue has been prepared and included in Appendix E of the ESR. The EA will not rely upon the Natural Assessment Report for Block 1 SS.</p> <p>See Item #12.</p>	<p>It is noted that</p> <ol style="list-style-type: none"> 1. not all issues have been resolved for this ESR, and 2. that some study points are still being delayed to Block 1 Servicing Strategy process. We have the following for your consideration: <ol style="list-style-type: none"> a) Page 17: Section 3.3.3 indicates that the only Core Area mapped is Watercourse 5.0. b) It is important to note that there are a few Core Areas (i.e. habitat for threatened and endangered species, significant wildlife habitat) that are not included on the Schedules of the Official Plan (Volumes 1 and 2). c) Pages 20 and 21: Reference has been made to the BSS1. Since this study is ongoing and has not been approved, it may be premature to provide conclusions from this report, except to provide commitment to add required information. d) Page 36: With regards to SAR, it is noted that with the removal of the open areas for the roads there will be substantial amounts of foraging habitat within the area and surrounding lands. There is concern with this approach since it suggests that the areas elsewhere will have appropriate carrying capacity. e) Page 47: It has been identified that 5.06 ha of vegetation will be removed. This includes deciduous forest, hedgerow, reed canary grass mineral meadow marsh, cattail mineral shallow marsh and fresh-moist mixed meadow. While it has been identified that a variety of habitats will be created within the realigned channel (associated with the BSS1), there is concern that the time lag from removal to planting has not been discussed. f) Page 55: A Monitoring Plan addressing the performance of the Watercourse 5.0 crossing and channel is to be developed during detail design. There is concern that the timeframe for monitoring (i.e. 1, 2, 5 years) has not been identified. In addition, a monitoring plan for the restoration plantings has not been identified. g) Mapping: <ol style="list-style-type: none"> i. Maps 1 and 2 illustrate the study area. A notation should be provided on the maps clarifying why the east-west collector road (Collector B) does not extend to Jones Road. ii. Map 4 illustrates significant species. Since this is a public document, there is concern with identifying the location of significant species. This map should be removed. – as per above SAR comments. h) Linkages: The Natural Heritage System within the Fruitland Winona Secondary Plan includes Core Areas, Linkages, vegetation protection zones (VPZ) and restoration areas. A Linkage has been identified along Watercourse 5.0. There is concern that discussions with regards to this feature and its functions is missing from the report. We recognize that discussions outside of this report/study process are ongoing



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					regarding land use designations appeal of Fruitland-Winona Secondary Plan with some of the land owners.
Socio-economic Impacts					
22	The Category of "Acquisition of Non-participating Lands" is incorrect as far as EA Act, and Municipal Engineers Association's Municipal Class Environmental Assessment Document (Last amended in 2015) is concerned. The evaluation under the MCEA document needs to consider impacts to all properties. It is recognized that the land owners within Block 1 have approached land owners adjacent to Alectra lands and they were not willing to sell/potentially making implementation difficult. This was not shown in the evaluation, and if implementation needs to be a category that is included in the evaluation, then unwillingness to sell from those land owners and the City should be indicated for all property owners.	The existing evaluation included a category for the Ease of Implementation, which took into consideration the number of properties impacted and the possible expropriation required. The category "Acquisition of Non-participating Lands" has been renamed to "Impacts of Non-participating Lands" and the criteria has been altered to include the following options: Poor Significant impact and acquisition required Good Some impact but no acquisition required Excellent No impacts and no acquisition required This will take into account the amount (in hectares) of land impacted and will also consider the impact on the former Alectra lands.			Please see our comment to No. 1
Acquisition of Non-participating Lands					
23	Evaluation of Acquisition of Non-participating Lands is incorrect in judging Options 3a & 3b to be excellent. Material loss of civic property is apparent if a City property were affected, and ideally all land transactions would be first carried out on a willing buyer and willing seller highest and best use value basis. The City is not willing to sell at this time, since it has purchased the land for specific civic use purposes and intends to use the entire purchased property for uses other than a road. The land required from ALL properties, should be evaluated equitably.	The Project Team was unaware of the purposes of the former Alectra lands, however we recognize the City as an important stakeholder and understand the value of civic property. As mentioned in comment 19, this category has been updated and reevaluated to include impact to the former Alectra lands.	Please define rankings / provide background and details. For information pertaining to impacts on public lands the market value would be different than residential if the zoning is different. This needs to be provided in detail.	Further detail regarding impact on land is provided in Section 7 of the ESR.	Please see comment to No. 1
24	Further, impact to business/institutions should be marked as poor, for categories 2-4, since they	This category will be updated appropriately, as requested	Socio-Economic Impacts: claims that impacts on	Option 1 and 4 are deemed "good" because there is no	Please see our comment to No. 1



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	would all have greater impacts on Alectra properties than alternative 1.	to take into consideration the impact on the former Alectra land.	business of Options 1 & 4 as “Good” – City staff disagree.	business displacement. However, the Project Team recognizes the impact on the former Alectra Lands. This impact is minor and will occur at the edge of the Alectra property. In comparison, Options 2a – 3b are determined to be “poor” because there is a significant displacement of lands north of the former Alectra lands and will impact business structure, which has commercial value.	
25	We also ask that another alternative should be added or wording which explains why the precise following of the Fruitland-Winona Secondary Plan for Gordon Dean Ave. is not possible, for any lands, if that is the case. An alternative which precisely follows the Secondary Plan needs to be included since that is the starting point of Phase 3 – Phases 1 & 2 outlined the location, which we are in the process of fine tuning - usually involving minor changes only. We understand that some changes were implemented as a result of City request for change of intersection of Gordon Dean and mid-block West-East collector. City staff believe that the Wood team has carried out all the necessary work to provide all required information, but this needs to be expressed in the documentation as well, so that the decision making can be transparent and easily understood by all.	The memo associated with the evaluation table will be updated to include a review of the Phase 1 and 2 alternatives. A summary of the discussions with the City and the justification will be included.	Impacts to Non-residential Lands – please provide values (we recognize that they’re provided in the summary table). Currently, lands indicate that there is slightly more land (0.04ha) required for Alternative 1, but one more dwelling to purchase for Alternatives 4a & 4b. The description of both “poor” and “medium” impact provided is the same “acquisition required” ...more details are required for your conclusion of their rankings. City staff recognize that more detail is provided in the “FINAL Response to City Comments”, but those details, incorporating our comments, should be indicated to substantiate the ranking claim to the public at the PIC. We also believe that it is currently inaccurate.	Further detail requested relevant to the cost associated with Option 4a and 4b are provided in Section 5 of the ESR. Also, this “FINAL Response to City Comments” table is also be included in Appendix C of the ESR.	Please see our comment to No. 1.
26	We applaud the provided detail of land area provided as to required land taking, to accurately	Noted. Thank you.			Please see our comment to No. 1



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	identify how much land would be taken from all lands impacted by the proposed road.				
Emergency Services					
27	One of the future uses of the Alectra property, is the City's intent to place an EMS station within its lands. Any taking away of Alectra lands which would result in impacts to the future EMS function, would therefore give a possibly different rating than it presently has. EMS station presence would improve any option where the road does not take away former Alectra lands/impede its functional use.	The evaluation will reflect the fact that an EMS is planned at the former Alectra site.			Please note that the EMS site is not a confirmed proposed land use. Please remote emergency services off the evaluation process.
Noise Level Impacts					
28	Please provide the analytical basis, for this evaluation. This impact was considered during the Fruitland Road Phases 1 & 2 EA process and The Fruitland-Winona Secondary Plan's policies. Based on previous discussions on this project, it was our understating that precise noise levels would be determined and applied at Subdivision Application level. Perhaps this can be included here/in the evaluation/ESR.	The noise study will be completed during the draft plan stage. More detailed assessments will be completed during detailed design.	Mitigative higher noise levels analyses – bottom of pg. 13 – Insufficient level of detail provided in the evaluation. Should indicate what is stated in the Response to City Comments document. Comment No. 22 – Noise Level Impacts – needs to be better reflected in the evaluation – Tech Memo/PIC panels.	As mentioned in Wood August 2019 response, a noise study will be undertaken during the draft plan stage. Further information will be available during detailed design. Impacts are discussed in Section 7 and Future Commitments are discussed in Section 8 of the ESR.	Noted, thank you.
Community / Recreational Features Impacts					
29	City staff recommend that this be separated into two categories. One is Community, the other Recreational.	The categories will be separated into community and recreational, as suggested.	Access to Community Services –Why is there a difference between alternatives? Please provide an explanation - details.	As per the detailed evaluation of alternatives (Appendix A of the Evaluation of Alternatives Memo), the difference in alternatives is due to the following: <ul style="list-style-type: none"> Route 1: Direct access to potential community features located on former Alectra lands. (Excellent) Route 2a-3b: Displacing significant portion of lands north of former Alectra lands will remove some potential community features. (Poor) Route 1: Direct access to potential community features located on former Alectra lands. (Excellent) 	Noted, thank you. The answers provided on June 25 mention Route 1 twice. Is this a typo? If so, could you please re-send with corrected response?



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Community Uses					
30	City bought the Alectra property for the following Community Uses: A move of a Public Works yard from another Stoney Creek location, an EMS station, and an expansion of the existing Cemetery to the east of the property. With this category in place, and the amount of space needed, the Alectra lands were purchased (just finalized in mid-April 2019), for the purpose of utilizing it for various Public Works and EMS uses. Until the purchase was completed, and negotiations were ongoing the information was confidential, therefore could not be disclosed to the public. Now that the transaction is complete, City staff believe that any impacts on this property will have large impacts/ cost to the Community, financially and in services that it would provide for a long time to come. This makes Option 1 the least likely to cause impacts to the former Alectra Lands, and therefore of the greatest benefit of the options provided, to the Community.	The Project Team will re-evaluate the alternatives based on the potential community benefits the former Alectra lands are anticipated to provide.			Please see our Comment No. 1
31	We request that the EA evaluation re-introduce an option which does not take the N-W corner of former Alectra lands out/impacts its function.	The Project Team will re-evaluate the alignment options to consider an alignment that avoids the north-west corner of the former Alectra lands.			Please see comment NO. 6
Recreational					
32	Wood staff’s earlier questions about impacts to the planned Community Park, as a result of changes to the Gordon Dean Ave. intersection with the proposed East-West Corridor will be answered when the future unit numbers from subdivision plans are known and confirmed/approved. Once approved, park dedication will be re-evaluated and re- determined, as per standard practice. Right now, staff have no concerns and we are to proceed with the understanding that this is to be determined.	Noted.	Recreational Features Impacts? - More details required. Context is not well understood/explained. How is “recreation” defined?	As per the detailed evaluation of alternatives (Appendix A of the Evaluation of Alternatives Memo), recreational features are defined as the future community centre and recreational facility, identified in the Block 1 Plan.	Noted, thank you.
Urban Design					
33	Please provide the facts that this evaluation is based on. None were provided in the Memo. Please remove from the evaluation/provide a general preamble statement which would explain that all options are to be considered the same, if that is the case. F- W Secondary Plan calls for Urban Design to be considered. A Phase 3 & 4 EA requires functional design to provide cross sections, which will include some level of detail in	Removed from analysis as the ESR will address this element as part of its recommendations and next steps.			It does not appear that Urban Design has been mentioned/specified in the recommendations. Please amend or point out its location, if missed.



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	its evaluation and/or as part of the Environmental Study Report Recommendations/Next Steps.				
Economic					
34	Capital Costs are not the only sub-category to be considered. It is incorrect to state that the only option that has a poor rating is Route 4a, and 4b, with the Memo being understood to be based on the assumption that it's based on entirely impacts only to the land owners who bought into the Block 1 SS process. The evaluation should be based on accurate real estate property assessments and/or other factors, as appropriate, equitably for all alternatives. City staff are happy to assist with review of such evaluations, when provided.	Noted. We will reassess based on accurate real estate assessments.	Cost claims for Alternative 1 versus Alternatives 4 a & b – ARE THEY equivalent if the road size is the same, and there is a difference of 2 versus 1 house. An EA process needs to provide a more precise facts/information in the evaluation to provide the correct preferred alternative.	Cost evaluation is provided in Section 5 and cost estimate for the preferred alternative is provided in Section 6 of the ESR.	Please see our Comment to No. 1
35	Business impacts should not be rated as good, when there are potential impacts to a business/industrial property - former Alectra lands, City Yard, in question. Such impacts to this type of property, whether City owned or not, would have long term implications to the City/tax payer. So, we would recommend that for economic evaluation a three-pronged approach could be taken. Short term, medium- and long-term impacts to provide for better precision and accuracy of evaluation.	The Project Team reassessed the capital costs by developing detailed infrastructure costs for each alternative. Land acquisition costs are not included in the overall costs but are described quantitatively. As a result of recent discussions with the City, the Project Team has a better understanding of the costs associated with purchasing the former Alectra lands from the City given their planned future uses. This is reflected in the second iteration of the evaluation. A comparison of short-term, medium-term and long-term impacts across all of the alternatives proved to be too cumbersome without adding significant value to the overall evaluation.			Please see comment No. 1 A thorough evaluation would add value and may change the preferred alternative and provide valuable information for next steps. Detailed cost evaluation is what Council usually ask staff for, when the City is a study's proponent. It appears to be missing from the evaluation including impacts on remaining land owners. In the EA process, if no clear alternative emerges based on general information, the proponent must delve deep enough for a clear fact - based preferred alternative to emerge.
36	Short term would include current land value and construction costs, medium term would consider phasing of construction/implementation. Development of areas north of the proposed West-East Collector would allow for return on investment without having to build the entire length of Gordon Dean Ave. at the same time. Occupancy of Alectra Lands is also possible.				
37	Medium Term - Phasing - it could be correlated with the needs of development along the Southern portion of Gordon Dean - South of East-West corridor. Alectra Lands will be occupied, and Public Works can function fully with two access points from Highway 8.				
38	Long term impacts evaluation should include benefits to the tax payers based on the long-term municipal benefit and significant ability for adaptive reuse of the property in question for many municipal purposes. The long-term economic implications of land such as former Alectra lands far supersedes those of residential benefits. There is tax benefit on all properties long term, but business use also provides employment.		Transit Supportive Development – need to provide a drawing and alternatives to the layout – road ROW – interim versus full build out with and without future RT (it is not certain what form of Rapid Transit will be	Section 5 of the ESR includes information related to transit supportive development. Since Barton St. EA and Highway 8 EA is both being completed by Wood and by the same Transportation Engineer, Wood will ensure	Noted, thank you, however, please note that some of the information contained in the ESR has not been yet finalized/approved by staff for release to the public. Due to the confidentiality agreement that Wood. Signed with the City, we have not given permission to release detailed in that indicates direction and findings from those studies. The only information that can be released to your other clients/public, are those which were provided at PIC#1 – background/existing information or that which is indicated by other background reports.



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	<p>This is one of the reasons why the studies leading up to Gordon Dean Ave Phases 3 & 4 EA have avoided impacting Alectra lands. The long-term implications should also include the consideration of the necessity of Rapid Transit and Truck Route use for the future road.</p>		<p>there so just Rapid Transit is sufficient) – just like we are doing for Barton EA. Suggest the same strategy - curbs/underground infrastructure to be placed only once with other forms of transportation all available sooner, and full ROW available now – as a cost saving measure and ease of implementation of transit sooner rather than later. An example of interim use of additional asphalt may be parking/electric vehicle parking/car share parking, etc. Having said that, City staff will not be providing the cross-section specifics or evaluation – that is for your team to do. We wanted to also make sure that when connected to Barton and Highway 8 the same modes of transportation are still supported along those corridors.</p>	<p>that the transportation design is consistent throughout this area.</p>	<p>It is appreciated that the interim and ultimate solutions were considered with our comments in mind – curbs being in the same location. However, please see our Comments to No. 2.</p>
Sustainability					
39	<p>Is the intent of this category to cover for climate change category required of EA projects? Please elaborate/provide direction for "Incorporate innovative products/practices". In light of the City of Hamilton's Council's declaration of Climate Change Emergency in March 2019, all specific developer input/ideas are welcome. This stage of the EA process allows for some detail - Functional Design. Please provide this in your revisited cross-section and write up at ESR.</p>	<p>The preliminary design and the ESR will provide further detail regarding any climate change measures and practices. The current criterion is similar to the one used to evaluate the alternatives for the Barton St. EA.</p>	<p>Category 5: Sustainability: We do not see the level of detail here which would show WHICH impacts will be the same for all alternatives. (We recognize that they were explained in greater detail in the Response to City Comments spreadsheet – why aren't they included in the full evaluation process? They need to be.). It is</p>	<p>The ESR includes more detail and include the ROW layouts as well (Section 5 and 6, and Appendix H). The road design considers the long-term rapid transit corridor. Cross-sections were included at PIC #2 and all legal obligations as per the MCEA document for Phase 3 were fulfilled.</p>	<p>Please note comment no. 2. Appendix I speaks at length to Climate Change and mentions Low Impact Development measures but does not provide any details/direction. Is it possible to provide a list of options that would be applicable for this corridor at this time? We are not asking for the same level of detail as we are holding ourselves to, that we're asking for of the same consultant for Barton and Fifty Road Phases 3 & 4 EA, as well as Highway 8 Phases 3 & 4 EA. We are asking for a list of possible options that would then be vetted during subsequent processes appropriate to the study's general location, e.g. soil types used within boulevard.</p>



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			<p>mentioned in comments, that the level of detail would be akin to that which will be presented for Barton and Fifty Road EA – Phase 3. It is Not the same. We will be expecting a greater level of detail at our next Barton and Fifty Road EA PIC at Phase 3 PIC – we are expecting to have alternative ROW lay outs and their evaluations. There are variances in the potential layouts, and the consideration of longer term Rapid Transit Corridor – to be graphically shown, which needs to be at PIC stage for Phase 3, not just ESR, etc., which have been discussed previously. It is the provision of THESE alternatives AS WELL AS alternative road locations, that fulfills the legal requirements of the Phase 3 of the EA process. The road cross section options requires public input at the coming PIC – not at ESR/Completion stage. Please refer to the MEA – Municipal Class EA document last amended in 2015, on page A-22 for direction.</p>		
Operations and Safety					
40	Other than the provided drawings (without cross sections), and without further detail, the claims stating that all are "good" are not considered substantiated. More details are needed. Long term - e.g. at updated ESR stage, the TIS and/or other transportation specifics need to be provided for input/comment and reference in this evaluation, for	Noted. Further details will be included in the ESR. A safety assessment is currently being completed by Wood and will be included in the ESR and detailed in the evaluation.	The Updated TIS was not discussed in the Tech Memo, although asked for originally, and we know it has a bearing on this process – so it’s expected to be included in the ESR but available	The Updated TIS is included in the ESR (Appendix D). Road ROW width and interim and ultimate cross sections are all provided in Section 6 of the ESR.	Please see comment No. 2



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	fulsome detailed comments from City staff long term.		for the public/staff for comment before project completion, if asked for. Road ROW width and interim as well as ultimate cross sections are not provided – therefore claims of exact impacts are not substantiated.		
Implementation					
41	<p>City staff disagree with the implementation evaluation, since the only reference to expropriation within the Fruitland-Winona Secondary Plan is in reference to park land, not a road. Please see the Fruitland-Winona Secondary Plan in UHOP, section 7.4.17.5, policy, which clearly states as follows: 7.4.17.5 The following policy shall apply to the lands designated as Community Park located on the south side of Barton Street, east of Collector Road “A”:</p> <p>a) The City shall acquire lands for the Community Park in accordance with any Council approved acquisition policies, plans, strategies and By-laws. Notwithstanding the foregoing, however, the City shall not acquire lands for the Community Park by means of expropriation. For your convenience please see the link to the UHOP as stated: https://d3fplf1m7bbt3.cloudfront.net/sites/default/files/media/browser/2015-01-15/urbanhamiltonofficialplan-volume2-chapterb7-stoneycreeksecondaryplans-dec2018.pdf</p> <p>We have also provided separately the links (City website), to the copies of Planning Committee of Council Meeting Minutes of April 15, 2014, and City Council Minutes from April 23, 2014, to illustrate this point as well.</p>	Noted. The Project Team will reassess the Ease of Implementation category based on this information.			Noted, thank you. Please refer to the letter, which this table is appended to.
Recommendations					
42	Please note that the discussion regarding "expropriation" within the document is incorrect. City would not be a willing seller of former Alectra land due to long term community plans in this location, accessible currently from Highway 8, and other costly domino effects resulting from inability to use the Alectra as its future Public works yard, extended cemetery, and EMS station, etc.	Noted.	Overall evaluation Table: Governance cont'd: Why are Routes 1 and Route 4 deemed to have the same /expropriation impacts? Suggest removing the term "expropriation" out of the	Route 1 and 4 are deemed to have the same acquisition impacts as they will not be impacting the former Alectra Lands.	Noted, thank you. Please let us know if you wish to discuss comments in No. 1, where expropriation is mentioned. Implementation is never a certainty, which is why phasing of implementation for the entire road/Block is not appropriate to mention within an ESR.



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			evaluation and just mention “land acquisition” in the formal evaluation. Expropriation is the final option if the road is built by the City and there is no willing seller and willing buyer. We anticipate that the developers will be building this road – not the City. Based on what we have discussed with the Wood/landowners’ team in the past, expropriation is not the only alternative for Route 4 a & b.	Noted. We have removed the term expropriation from the evaluation. It is determined that developers will be constructing the north portion of the road.	
43	Confidential contractual obligations do not permit disclosure of specific impacts if the former Alectra Lands are functionally* impacted in any way. Characteristically, staff know that the consequences of non-completion of purchase of lands being sold/vacated by operations yard which is planned to relocate to former Alectra lands, will have significant financial impact to the City, and the tax payers potentially in the millions of dollars.	Noted.			
44	* Functional Impact in Real Estate terms means impacts to the property which prevent intended use of it. For example, taking away a portion of the north-west corner of the former Alectra property would result in an inability of the cemetery to offer full services at this location. Impacts to a future EMS station (mid-property) would require a purchase of land somewhere else instead of placement along these lands. Impacts to a building/accessibility to the yard/buildings within the entire property would render a domino effect and loss of time from its functionality. The existing building on the former Alectra property is in the planning process of being occupied/Public Works Yard in the process of being moved ASAP - fall 2019. At the same time, if the impacts can be minimized, i.e. the ROW can incorporate existing tree line, which would both mitigate natural heritage impacts from the EA perspective, and the ROW can minimally impact the rest of the property if that is the outcome of the evaluation.	Noted.	Incorporate Innovative products/practices – would be sufficient as a TO DO in the ESR and provide a list of possibilities just like we are doing for Barton EA – no matter what we built it’s ALL going to need to consider innovation, sustainability and climate change.	Innovative practices and products will be explored during detailed design.	Please see comments No. 1
	NEW ITEMS – ESR Review – Executive Summary				



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	EXECUTIVE SUMMARY				
45	...highlighted -" Although the City of Hamilton is not the proponent of this study, they provided technical oversight to support meeting the Class EA process and confirm that the selected design reflects the City of Hamilton's values, standards and objectives. Reword to say:				Since discussions are still ongoing, please reword to: "... City staff have been closely consulted during the study process".
46	Consultation Schedule page ii - "Study mailing list".				- Please clarify this pertains to public/all impacted area land owners or agencies or both. City of Hamilton staff will have provided/shared their agency list, but they have not, and would not be permitted due to privacy protection policies and City's agreement with EMPAC, to release any private person's information to a third party. Please amend wording to clarify.
47	Proponency for EA or implementation				The proponent has undertaken this EA in its entirety. It is therefore inappropriate and irrelevant to talk about a responsibility for this EA or its implementation with another party. An EA document, unless formally integrated is intended as a standalone document, and implementation designation is to be determined once that point is reached, irrelevant to an ESR. Implementation discussions should take place outside of the EA process.
49	Multi-Use Path on both sides of the roadway				Please see the City of Hamilton's Cycling Master Plan - Pg. 154/159 https://www.hamilton.ca/sites/default/files/media/browser/2018-10-24/tmp-review-update-final-report-oct2018.pdf shows no need for cycling - MUP function on both sides of the roadway. Please change the Cross Section to reflect a 1.5m sidewalk on the west side and 3 m MUP on the east side.
50	LED reference for Lighting – Sidewalk and Roadway Lighting Guideline				LED lighting should not be considered an above standard feature as this is the new City standard for street lights. Also, placement of lights should be considered in detailed design as per City's Development Engineering Guidelines and included in the study recommendations: https://www.hamilton.ca/sites/default/files/media/browser/2020-05-27/2019_cdegfp_published_jan_2020.pdf Please see M.18 in Appendix R – Sidewalk and Roadway Lighting Guideline.
51	Pg. vii -Construction Implementation				Please see comment NO. 47
52	Pg. viii - Natural Environment Terrestrial Resources				Please explain the statement " Detailed Design of Collector B crossing will consider the accommodation of maintenance of wildlife and terrestrial corridor functions at least within the area between Highway 8 and Barton Street". It reads that some of the functions will be accommodated in Block 1 but others won't - more detail is needed for this specific EA, or a firmer commitment - beyond "will consider" - to be changed to "will accommodate".
53	Pg. x - Cultural Heritage & Built Heritage and Cultural Landscapes				1. Please note that Ministry of Heritage, Tourism, Sport and Culture Industries (MHTSC) usually requires a Check list for cultural heritage features to be considered and confirmed/proven as not being impacted (as is the case here) signed by a qualified professional. This appears to be missing from this report. City staff were also asked to supply such documentation after making similar statements during

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					Fruitland Road EA process. Suggest checking with the Ministry to confirm/resolve prior to posting for 30-day review. 2. Archaeology Stage 1 is noted as included via link to the City website. We advise that you include the report in an appendix of the ESR, in case that the City web page is changed/ taken out - harder to reference.
	ENVIRONMENTAL STUDY REPORT – BODY of the REPORT				
54	Pg. 3 – Background and History – RE: City Hamilton publishing Notice of Study Commencement.				Request amending to say that “the City of Hamilton issued a published a combined notice for Block 2 SS, for which it was a proponent, with Block 1 (and Gordon Dean Ave. PIC), to efficiently use time of everyone involved.”
55	Pg. 7 – EA Process				Phases 1 & 2 have been completed during the Fruitland Road EA process, so Gordon Dean Ave. EA is only required to complete Phases 3 & 4 and only those are applicable. It is not clear if phases 1 & 2 were planned/ intended to be revisited here?
56	Pg. 10 - Project Team Organization, last paragraph before "Project Study team"				Suggest amending wording to say "...given that Gordon Dean Ave. and West-West Collector fall within Block 1 Servicing Strategy which the land owners are the proponent".
57	Pg. 10 - bottom paragraph of "Fruitland Road..."				Suggest changing "Tributary #5" to "Watercourse 5.0"
58	Pg. 14 - Highway 8 - top bullet & detailed references and BFI EA references				Re confirmed lane numbers on “Highway 8, as per latest discussions within Barton and Fifty Road EA and Highway 8 EA.” Please refrain from/remove inputting recommendations for Highway 8 as it is still in progress. This is not yet public knowledge and should also not be divulged to your clients in Block 1 SS at this point, due to the confidentiality agreement that Wood has with COH for both BFI EA and Highway 8 EAs, a mentioned above.
59	Pg. 20 – Public Engagement and City of Hamilton - providing contact information of land owner and private persons’ information				Please correct this per comment No. 46
60	Pg. 20 – Notice of Study Commencement				The Notice was published by the City because it coincided with the publication of its own Notice of PIC and Study Commencement for Block 2SS - please see the copy of it. The way it is stated it sounds like COH just published the notice on behalf of the land owners by itself -without anything else. Please correct. The notice was not published by the City of Hamilton because staff were coordinating the PIC for Block 2 SS with Block 1 SS and Gordon Dean EA to maximize staff, consultant and public’s time and resources.” Under the context of COH municipal planning” ...please remove sentence - it is confusing.
61	Table 3.3 – PIC#2 – Summary of Comments and Responses				Summary makes references to section numbers but none area visible in the summary? Please provide original responses or consider rewording.
62	3.4.1 - pg. 27 &28 - Identification of Indigenous Communities - City of Hamilton identifies 5 Indigenous Groups throughout its lands.				1. There appears to be no correspondence with the Ministry of Environment, Conservation and Parks, (MECP) to confirm the Indigenous List - as per MCEA direction. 2. City of Hamilton staff also provided phone information for follow up and our standard mailing list – it impacts the entire Hamilton area. No phone follow - up was mentioned – was it carried out? Did the Indigenous Communities themselves confirm “no capacity to comment” during COVID? Please include a record of this.



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					3. * Please see the information below this table and provide an explanation/update and follow up with those groups during the 30 day public review.
63	Pg. 62 – Archeology Stage 1 - 4				There is mention of Archaeological potential for all alternatives. It should be noted in the ESR that the construction of the eastern alternative should be conducted without encroachment onto existing Mountview Gardens Cemetery. Stage 2 Archaeological Report should also mention this. Encroachment onto active cemeteries would entail a list of agreements prior to construction.
64	Table 3.4 - Summary of Meetings with the City of Hamilton				The staff provided input that closer to 90o degree also had flexibility of 85-90 on an arterial roadway, as per City's published Development Engineering Design Guidelines – please see link above.
65	Table 3.4 - Summary of Meetings with the City of Hamilton				<ol style="list-style-type: none"> The highlighted statement that the curved alignment will have a substantial impact on landowners and land usage and advised that a straight alignment is the safest, is not currently reflected in the evaluation analysis, as land impacts and land use are not mentioned in detail in the evaluation. As it is, the only thing that seems to tip the scale in favour of the easterly alignment in the evaluation, are noise impacts. Greater details are needed for clarity of why the eastern alternative is preferred. Please clarify the general reference to "Category 7" etc? It is hard to follow what this is pertaining to. Where are they described in the ESR - for reference and understanding of the reader?
66	ESR - s 5.3.1 - Preferred Alignment				Bullet #4 - Avoidance of need to displace existing business and planned civic uses has not been achieved in this case. Planned civic use arose since the Secondary Plan approval, the City of Hamilton purchased the said lands, with the intent of expanding the existing Mountview Gardens Cemetery to the east, across to west - into 703 highway 8 property. Please see the letter accompanying this table for additional consideration.
67	Table 5.3 - Evaluation of Alignment Alternatives				Please see comment No. 1
68	s 4.2 - Socio-economic Environment of the City of Hamilton.				<p>This information is City wide and does not bring value to understanding the impacts to Stoney Creek, its Urban Boundary Expansion Lands, this study area or process. If no further specific information is available to the proponent, staff suggest:</p> <ol style="list-style-type: none"> Referring to the Fruitland-Winona Secondary Plan Background Report that would have been submitted to Council, although this is not necessary for this study. If this information is not to be included further in the rest of the report for purposes of exploring alternative options for road alignment, suggest removing altogether and replacing with reference to the Fruitland-Winona Secondary Plan (FWSP) instead.
69	Pg. 38 – S. 4.2.3.2 – Hamilton Official Plan (2013)				Please refer to the Urban Hamilton Official Plan – Fruitland- Winona Secondary Plan – map references where the RT network is embedded and approved by Council.



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70	Appendix A – Public Consultation				<p>1. Various e-mails were provided to members of the public in answer to their question, but those e-mails indicate that further follow up needed to take place. There doesn't seem to be any follow up - e-mails or meeting minutes to many of the conversations other than acknowledgement of receipt? Were they followed up on? If so, the record of those discussions needs to be included (all discussions should be recorded/included for the ESR even if the follow up was via phone call – in a log format). If not followed up – why not?</p> <p>2. Thank you for protecting the privacy of those members of the public with whom engagement took place.</p>
71	Appendix B - Agency Comments				<p>June 27, 2019 - Land Owners meeting minutes stated that the City was not acting impartially in our comments to the Tech Memo. We were not aware of these statements until preliminary ESR review stage. Stating that we wore 2 hats means that we are representing corporate interests (land owner and public service provider) as well as that of an approving agency, which means the evaluation and impacts of the alternatives have become more complex. It should not mean our comments are to be disregarded, as indicated by the proponent’s meetings. Please see the letter accompanying this table.</p>
72	Appendix G - Evaluation Memo				<ol style="list-style-type: none"> 1. Why was the original option not included in the evaluation memo i.e. changed slightly from Secondary Plan - follow to 90o angle intersection with West-East collector, but then go around Alectra lands fully? Is this has been considered and for some reason abandoned for any reason (e.g. curvature too sharp for safe turns, land impacts etc, further mention should be made in the body of the Report and in this Memo if full evaluation was not carried out. 2. The impacts on value of impacted lands and their development - See Comment No.1 and our letter. 3. Public Engagement - Appendix A minutes of City Staff and Fruitland-Winona Development Group indicated the land impacts to land owners, but the substantiation of this was not provided in writing or graphically to City staff. We would appreciate seeing this for the full understanding of the issues/greater transparency of the EA process and it would add to the transparency of the process overall.



• City of Hamilton Standard Mailing List for Indigenous Groups to be contacted within City of Hamilton area:

			Metis Consultation Unit	Metis Nation of Ontario	500 Old St. Patrick Street Unit #3	Ottawa, ON	K1N 9G4	Tel: (613) 798-1488 Fax: (613)725-4225	http://www.metisnation.org/home.aspx RussellO@metisnation.org	Alternate Email Contact for Notice: Mr. Russell Ott Consultation Intake Clerk Metis Nation of Ontario 311-75 Sherbourne Street Toronto, ON, M5A 2P9 Phone: 416-977-9881 ext: 100 Fax: 416-466-6684 RussellO@metisnation.org	Mandatory Contact for all mail-outs as per an email from the MECP.
			Ministry of Indigenous Affairs	Ministry of Indigenous Affairs	9 - 160 Bloor Street East	Toronto, ON	M7A 2E6		-		
DeVries	Megan	Ms.	Archaeological Operations Supervisor	Department of Consultation and Accomodation (DOCA) of the Mississaugas of the Credit First Nation	4065 Highway 6	Hagersville, ON	N0A 1H0	Phone: 905-768-4260 megan.devries@mncfn.ca	http://mncfn.ca/doc-a-2/	Email Notices	Mandatory Contact for all mail-outs as per the City's Indigenous Archaeological Monitoring Policy.
General	Paul	Mr.	Lands & Resources	Six Nations Eco-Centre	1721 Chiefswood Road Iroquois Village Plaza Unit 109 PO Box 5000	N0A 1H0	N0A 1M0	519-445-0330 pgeneral@sixnations.ca	http://www.sixnations.ca/LandsResources/contactUs.htm	Email Notices	
Hill	Mark	Chief		Six Nations of the Grand River Territory	1695 Chiefswood Road P.O. Box 5000	Oshweken, ON	N0A 1M0	Chief Mark Hill Tel: (519) 732-2905 Email:markhill@sixnations.ca arleenmaracle@sixnations.ca and lonnybomberry@sixnations.ca Fax: 519-445-4208			Mandatory Contact for all mail-outs as per an email from the MECP.



MacNaughton	Allen	Chief	Haudenosaunee Development Institute	Haudenosaunee Confederacy Council	2634 6th Line Road RR #2	Oshweken, ON	N0A 1M0	Phone: 519-445-4222 Fax (519) 753-3449	-		Mandatory Contact for all mail-outs as per an email from the MECP (MECP mis-spelled his name).
LaForme	Stacey	Chief		Mississaugas of the Credit First Nation	2789 Mississauga Road RR #6	Hagersville, ON	N0A 1H0	Email: Stacey.LaForme@newcreditfirstnation.com Phone: 905-768-1133 ext. 240		Email Notices	Mandatory Contact for all mail-outs as per an email from the MECP.
Picard	Maxime	Ms.	Project Coordinator (Ontario Based Inquiries)	Huron-Wendat Nation at Wendake	255 Place Chef Michel-Laveau	Wendake, QC	G0A 4V0	Phone: 418-843-3767 ext 2105 Fax: 418-842-1108 maxime.picard@cnhw.qc.ca Tina Durand, Executive Secretary to Grand Chief Konrad Sioui Email: tina.durand@cnhw.qc.ca	http://www.wendake.ca/		Mandatory Contact for all mail-outs as per the City's Archaeology Management Plan (AMP).
Thomas	Joanne	Ms.	Consultant Supervisor	Six Nations Land and Resource Department, Land Use Unit	2498 Chiefswood Road PO Box 5000	Oshweken, ON	N0A 1M0	519-753-0665 (x 5411) jthomas@sixnations.ca	http://www.sixnations.ca/LandsResources/contactUs.htm	Email Notices	Mandatory Contact for all mail-outs as per the City's Indigenous Archaeological Monitoring Policy.
Williams	Todd	Mr.	Program Coordinator	Haudenosaunee Development Institute	16 Sunrise Court Suite 600 PO Box 714	Oshweken, ON	N0A 1M0	Email: hdi2@bellnet.ca Phone: 519-445-4222 Fax (519) 445-2389	https://www.haudenosauneeconfederacy.com/departments/haudenosaunee-development-institute/		Mandatory Contact for all mail-outs as per the City's Indigenous Archaeological Monitoring Policy.