

**GO Transit Georgetown South Corridor
Environmental Assessment Terms of Reference
Response to Comments – Mike Sullivan Mediation Request**

Submission Details (name, format submitted, date)	Comment	Response Details (who responded, format, date)		Change to the ToR (Y/N)
<p>Mike Sullivan, Weston Community Co-alition</p> <p>E-mail July 7th, 2006</p>	<p>This letter is to formally advise that the members of the Weston Community Coalition, along with other representatives, will not agree that there has been proper public consultation in the development of the Terms of Reference for the combination Air-Rail Link/Georgetown GO expansion project. As a result, we are asking the ministry to appoint a mediator pursuant to article 6(5) of the act, to attempt to resolve issues between the parties.</p> <p>As you know, this a large and complex Environmental Assessment. GO Transit will be studying all possible alternatives for a transit link between Pearson Airport and Union Station. At the same time, and as a part of the same EA, GO will be studying the expansion of GO service along the Georgetown Corridor. Some of the infrastructure requirements along that corridor are only necessary if the transit link is built along that corridor.</p> <p>GO Transit has therefore expanded the scope of the public consultation to include a geographic area from Eastern Mississauga, north into Brampton, east to approximately Yonge St, and south to Lake Ontario.</p> <p>At issue between the Weston Community Coalition and GO Transit are:</p> <ul style="list-style-type: none"> • Who is being consulted with • Poor communications with participants (whether through incompetence or deliberate actions, I do not know) • Failure to respond to questions and concerns in the course of consultation • Confusing and misleading statements both verbal and written • Deliberately short timeframes for discussion and dialogue 			<p>N</p>

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	<p>Herewith is a fuller description of the events which have led us to make this request.</p>			
	<p>Structural Issues</p> <p>GO Transit was asked by representatives of the community to form a Public Liaison Committee approximately 14 months ago. That request was initially rebuffed, but once the public notice of the study was published we were advised that GO would be forming such a committee. However, the composition of this committee was a serious issue between the parties. GO Transit advised that they would be inviting public representatives from a wide geographic area, and specifically inviting representatives of the Toronto Board of Trade, the Toronto Tourism Commission, and the Toronto Hoteliers Association to be part of the Public Liaison Committee. Their representatives expressed a wish to limit the number of public representatives at the table to 20 or less. Most of their invitees have never shown up. However, when other community representatives asked to be part of this committee, including councilors, school board trustees, and Historical Society representatives, they were refused. One of the reasons given was that Weston had too many participants already. However, the Expansion itself is only along the Weston subdivision, and it therefore makes sense that participation from Weston be heavier for that part of the study. In any event, the other invitees are not attending. The last meeting had 6 or 7 representatives of the public. The public gallery outnumbered the committee by a wide margin.</p>		<p>The Public Liaison Committee (PLC) has been formed to provide an additional forum for the Project Team to obtain input from residents, businesses and other stakeholders and to ensure public views are given serious and respectful consideration. The Project Team feels that it is important to have representation from the broader study area as alternatives outside the Georgetown Corridor are being considered.</p> <p>The Project Team has made efforts to get full representation out to each meeting and has been accommodating to the Weston Community in terms of membership. Two Historical Societies representing Weston issues requested to be added to the PLC.</p> <p>The Project Team suggested that it would be appropriate for the groups to select one member to sit on the committee. With regards to the participation for City Councilors and School Trustees, it has been noted that the PLC is not a political committee and that it is not appropriate for elected officials to be members. Elected officials have never been excluded from attending as observers, and like all observers they have been given the opportunities to share their views at the end of the meetings.</p> <p>As you have pointed out, the attendance at each of the PLC meetings has not included representatives</p>	<p>N</p>

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			from <i>all</i> of the community/neighbourhood groups. We have attempted to have full attendance at these meetings, however, we do recognized the challenges that individual members have given their personal time commitments.	
	<p>Communication Issues</p> <p>A number of participants have complained on several occasions that they were not getting any notice of these meetings. One participant on the Committee was never invited to the 2nd meeting, found out about the third by accident and attended, re-advised them of her contact information at that meeting, and yet was again not contacted about the fourth meeting. The councilor for the York-South Weston Ward has had serious difficulty getting notices. Contact to several other members has been sporadic. As we are not in contact with the bulk of the public representatives who were originally invited, we have no way of knowing if their lack of attendance is a result of poor communications, but given the problems we are aware of it is likely that these problems continued.</p>		<p>There were some early communication issues as the Public Liaison Committee was being formed.</p> <p>All PLC members are now notified of the meetings via e-mail and through the website. A date is normally agreed upon for the next meeting at the prior meeting.</p> <p>The Project Team can look to have a draft agenda circulated to the committee members and posted on the website prior to each PLC meeting.</p>	N

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	<p>Another problem is GO's insistence that members of the public get their information from a website. Weston and Mount Dennis are poor communities, generally, and a majority of the residents do not have ready access to the internet, nor can they download huge files and print them. When GO conducted the Public Information Centre at the end of June, we specifically asked in advance of those centres that copies of the draft Terms of Reference be given to the public at the meeting. We understood GO to be agreeing with that request. GO now denies they did. In any event, there were not enough copies to go around at the PIC. GO advised at the PIC that people could get copies from their website. When some members of the public complained that they did not have access, GO finally agreed to send copies to any member of the public who registered with them at the meeting. However, it was impossible for many at the meeting to comment on the Terms of Reference at the meeting, without the opportunity to see it. Not all registered, so not all will get to see the document.</p>		<p>We acknowledge your point that all residents of Weston may not have access to the internet. The intention of the Project website is to make information available to the general public. Internet access, while not universal, is available in most public libraries, and covers a much broader area than local newspaper notifications. All newspaper notifications made reference to the study website address.</p> <p>Regarding your concern that members of the public were not able to review the Terms of Reference, please note that this document was made available through a number of methods and in hard copy and electronic format.</p> <ul style="list-style-type: none"> • The draft Terms of Reference was available for anyone who requested it at the June meetings. • Copies of the draft Terms of Reference were available at the following libraries as of July 7th: Weston, Mount Dennis, Rexdale, Blackcreek and the Central Toronto Reference library. • The draft Terms of Reference was mailed to all persons on the project mailing list prior to the September 13th meeting. • The draft Terms of Reference was available for anyone who requested it at the September 13th meeting. <p>With respect to the comment that the Project Team agreed to provide copies to all attending the June Public Meetings it should be noted that this issues came up at PLC Meeting #3 (See Page 17 of the</p>	N

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			minutes of that meeting). The Project Team's response was that a summary of the Terms of Reference would be provided and we were under the impression that the PLC felt this was an appropriate approach. The presentation slides were intended to be this summary.	
	GO also has not made it easy to find the website. It was not published as part of the newspaper ad advising of the meetings, and the documents are not obvious on the site itself. It is not on the GO Transit website, and there is not link from that website to the project website, which has a long and difficult name (www.georgetownpearsonstudy.ca). Google searches using air-rail link, Union Pearson, or Blue 22 do not find this site. Finally, many of the documents on the website are enormous pdf files, of 6 MB for only 21 pages. Individuals with slow connections will have difficulty downloading these files, and those with slow computers will have difficulty seeing these files.		We acknowledge that the website was inadvertently left out of the notices for the June public meeting and we apologize for that error. However the website was noted on the initial newspaper advertisements, the newsletter and the material handed out at the June Public Meetings. In addition, the website was identified on the advertisements for the September follow-up meeting. GO Transit has also provided a link to the project website from the main GO Transit website. With regards to file sizes on the website, the largest files that we could find were the "Halcrow Group's Final Report to Transport Canada, "Air Rail Link	N

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			<p>from Lester B. Pearson International Airport to Union Station, Revenue and Ridership Study," May 2002" (approximately 5 MB) and "IBI Group's Final Report to Transport Canada, "Rapid Transit Access to Lester B. Pearson International Airport," February 1999" (approximately 2.2 MB). These reports were added at the request of the PLC. File sizes are larger because these are not GO Transit documents and we had to scan them to place them on the website.</p>	
	<p>Process Issues</p> <p>For the first meeting of the PLC, the suspicion of members of this committee was that it was pro forma, and that the plan was to avoid real consultation in this forum. At the very first meeting, I expressed serious concern that the process (which had scheduled only 4 hours for meetings of this Committee) would never actually permit any such consultation. The agendas have been very heavy on process issues and very light on any actual consultation on the content of the terms of reference. The only issues discussed in any detail were the description of the project and the array of potential alternatives to be studied and those were really only discussed at the 2nd and 3rd meetings. We were only given copies of a draft terms of reference 48 hours in advance of the 3rd meeting, but managed to read it and prepare my comments and questions. When I asked to discuss the terms of reference in more detail at the third meeting (which was the last scheduled meeting), I was advised to put my issues in writing for discussion at the 4th meeting. I did that. At the 4th meeting, their agenda was process issues only, and had no time for discussion by the group on the terms of reference. The agenda had also been</p>		<p>We do agree that the first PLC meeting was 'heavy on process issues'. However, the Independent Facilitator felt it was important to spend time discussing the format, mandate and structure of the PLC. Having said that, the primarily focus of consultation during the ToR Stage are process issues (i.e. purpose of the study, the range and types of alternatives to be considered, the process to generate and evaluate alternatives and the way to consult stakeholders during the process).</p> <p>We had an extensive discussion of the study purpose at PLC #1 that has resulted in modifications to the ToR. The focus of PLC #2 was range and types of alternatives. Once again this resulted in significant discussions and modifications to the ToR. PLC #3 focused on the evaluation process and a preliminary outline of the ToRs. Once again changes were made to the Draft ToR that was released to the broader public in advance of the June Public Meetings. We acknowledge that the members of the PLC were not given longer than 48 hours prior to the PLC #3 to review the</p>	N

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	<p>shortened by ½ hour from what had been advertised. When I attempted to discuss the Terms of Reference and my written comments and questions, I was asked to limit it to my single most important issue. I was also advised that none of the project team could properly respond as they had never read my questions or comments, despite the fact that I had sent it a full three weeks in advance of the meeting. When I asked for an additional meeting of the PLC to discuss these questions and concerns, I was very clearly told no. I left the meeting being uncertain as to how or when or even if a discussion on these important matters will take place. We were only advised that there would be responses to the comments.</p>		<p>evaluation discussion paper and preliminary outline of the ToR, however we felt that the presentation and subsequent discussion was valuable and noted that comments and questions on the document are welcome at any point.</p> <p>We agree that PLC #4 did not function efficiently. To address this, we met with you to discuss your comments in detail on July 17 and arranged an additional PLC meeting for July 31. At both of those meetings we provided responses to your questions and comments and discussed ways to incorporate some of your suggestions into the version of the ToR that will be submitted to MOE.</p>	
	<p>The Weston Public Information Centre was to solicit comments from the general public on the Terms of Reference. As I mentioned before, GO failed to provide copies to all who attended. When this oversight was pointed out, they advised that it was available on the website, and after some prodding, that they would mail it to persons who had registered, who would then be able to comment after the fact, but would certainly not be able to ask any questions of the proponent in a public meeting. By fortune, and not design, the meetings ran long, and GO agreed to hold another PIC in Weston in September. The notice for that meeting on their website lists it as Thursday, September 13, 2006. September 13 is a Wednesday. In addition, they have advised us that the public only has until August 11 to comment on the Terms of Reference. The mailing of the Terms of Reference document will apparently contain instructions to that effect. This effectively nullifies the September PIC, as members of the public will not come to comment if they have been told the comment period is over.</p>		<p>See previous response regarding distribution of the draft ToR at the June Meeting.</p> <p>With regards to your comment regarding when comments on the draft ToR will be considered our letter stated:</p> <p><i>"We would appreciate your comments on the draft Terms of Reference by August 11, 2006. This will allow the Project Team to address most of the substantial comments from the public and agencies in a timely fashion. Any additional comments arising from the September public meeting will also be considered before we complete our final Terms of Reference document.</i></p> <p><i>The continuation of the June 21st, 2006 meeting will be held on September 13, 2006 at the Faith Sanctuary (1901 Jane Street) starting at 6:30</i></p>	N

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			<p><i>pm. Following this session, we will review and consider any additional comments received, complete the Terms of Reference and then submit it to the Ontario Minister of the Environment for a decision on approval. As part of the approval process the Minister will initiate an additional (30 calendar day) public and agency review of the document prior to making a decision. This will provide another opportunity for public input."</i></p> <p>Although comments regarding the draft Terms of Reference were encouraged by August 11th, 2006, any comments/input at the September 13th, 2006 meeting and a week following the September 13th meeting will also be considered and addressed (to ensure those attending the meeting have time to comment).</p> <p>We apologize that the website advertised the public meeting as Thursday September 13th instead of Wednesday September 13th. The newspaper notice advertised the correct date as well as the letters that were sent.</p>	
	<p>The draft Terms of Reference document which was distributed at the meeting was changed from the preliminary draft' which was discussed by those of us on the PLC. We were scrambling at the PIC to try and figure out what had changed. We have asked on several occasions that the changes be identified in a document, but to date we have not had such a 'redlined' document for our perusal.</p>		<p>At PLC # 3 we distributed a Preliminary Outline of the Terms of Reference. This document was revised based on the comments that were received at the meeting and reissued to the broader public as the draft Terms of Reference. Our intent to do this is clearly noted on Page 16 of the minutes of PLC #3.</p>	N

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	<p>It would appear that these words are not necessarily to be adhered to, particularly 'discussion', participation, and 'consultation'. We will not be having any discussion on our concerns about most of the Terms of Reference document itself, participation has been deliberately limited, and consultation seems to mean that we can make comments but not enter into any meaningful dialogue on those comments.</p> <p>We understand and accept that the process of 'consultation' with the public does not imply that the decisions about the Terms of Reference are made jointly. However, when one engages in consultation, one expects a verbal dialogue, answers to questions, and acknowledgement that the comments are heard and understood. We have had precious little of that so far.</p>			

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	<p>Quoting from the GeorgetownPearsonStudy website on the topic of public consultation –</p> <p>Public input is vital to the success of this study. The sharing of community perspectives strengthens the Individual Environmental Assessment process by helping the project team make the best recommendations.</p> <p>The team understands that people want real opportunities to be heard and to influence the study and its outcome.</p> <p>To help maximize public input, the project team commits to:</p> <ul style="list-style-type: none"> - Getting the word out — providing information to help foster discussion and promote meaningful participation; - Creating reasonable access — providing structured (e.g., public meetings, workshops) and less formal opportunities (e.g., input by e-mail) that allow for widespread public involvement; - Considering all input — assessing ideas on their merits, and respecting the diversity of views; - Being accountable — sharing consultation summaries and project reports, and acknowledging receipt of all correspondence and written submissions; - Acting with purpose — being clear about the intended outcome of a consultation opportunity and its role in the overall project and decision-making process; - Promoting a cooperative consultation environment — demonstrating respect for open dialogue and due process; - Maintaining project integrity — adhering to the requirements of the IEA process and ensuring an efficient approach that considers scheduling and financial realities. 		<p>We acknowledge your frustration with the time allotted for public consultation events. However, at the PLC and public meetings there is always an opportunity after the meeting is adjourned to discuss specific issues with members of the Project Team. In addition, while public consultation is focused at these meetings, comments and discussions regarding the draft Terms of Reference are encouraged at any point during the process.</p>	

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	<p>The track record so far does not bode well for the consultation process if and when the Terms of Reference are approved by your ministry and the actual study begins. GO has indicated that it intends to continue with a Public Liaison committee in that stage. I do not want to continue to participate in a sham. We therefore need your help to right this matter, and for that I believe we will need the services of a third party.</p> <p>We therefore urge you to appoint a mediator now, before the Terms of Reference is finally submitted to the minister for her approval, in order to ensure that consultation as required by the act takes place on the Terms of Reference itself.</p>		<p>We welcome your input into how the Proponent can improve consultation with the Public Liaison Committee, and how the role and purpose of the PLC can be developed as the EA progresses.</p>	<p>N</p>