A COST-EFFECTIVE METHOD OF ACHIEVING MEANINGFUL CITIZEN PARTICIPATION IN PUBLIC ROADWAY PIPELINE STUDIES

Mario E. Buszynski, M.C.I.P.
Manager, Environmental Sciences Division
Jacques Whitford Environment Limited

ABSTRACT

Many proponents of gas pipeline studies using the public roadway for their facilities have trouble encouraging public participation. Problems resulting from a lack of public involvement are documented. A public participation process designed to gather meaningful public input is presented through a case study of a public roadway pipeline study in southern Ontario. Techniques are outlined to effectively stimulate public interest and document the public involvement process. Recommendations are made as to the transferability of this process to other jurisdictions.

INTRODUCTION

This paper presents a case study in effectively soliciting public input to a pipeline routing process in southern Ontario, Canada.

Distribution pipeline planning studies in Ontario are regulated by the Ontario Energy Board (OEB) under the Ontario Energy Board Act, R.S.O. 1999, c.0.13.

The "Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario (OEB, 1995) contain a section on public participation requirements. The proponent is encouraged to "consult with interested parties during all stages...in order to obtain input before irreversible decisions are made." Specifically, the proponent is required to identify affected parties, inform them as to the nature of the undertaking and how they may be affected, receive their input and ensure that it is factored into any decisions that are made.

Jacques Whitford Environment Limited (JWEL) was retained by The Consumers' Gas Company Ltd. (Consumers) to conduct a route selection and environmental and socio-economic impact assessment (EA) study. The goal of this study was to find a suitable location for a NPS 8 pipeline to reinforce the existing gas supply to Dufferin and Simcoe Counties and the Caledon and Orangeville areas of Southern Ontario (Fig. 1).

Consumers has their own guidelines (Environmental Management Manual for Environmental Protection During Pipeline Construction, GP051, May, 1994) for conducting these types of EA studies and their consultants are expected to adhere to these guidelines. Public Involvement requirements are found in Section 3 which is titled "The Importance of Public Participation". The most significant concepts that are enunciated include: "The recognition of the legitimacy of public concerns, an attitude of partnership in project planning, recognition of the values of others as important, and that a consensus is most likely to be achieved through negotiation and compromise amongst all those involved in the process."2

PAST PROBLEMS IN SOLICITING PUBLIC INPUT

Many pipeline companies in Ontario have had problems in soliciting public input to public roadway studies that recommend locating new facilities within a road allowance. This is not limited to hydrocarbon pipelines. All roadside utility studies as well as municipal class EA studies for road improvements have experienced this poor public response.

A lack of public input at the front end of the study may result in significant problems in the later stages of the study. Two examples of recent pipeline studies in Ontario illustrate this project.

The first example involves a study to locate a new NPS16 natural gas pipeline in a town east of Toronto. The preferred route was located in an Ontario Hydro transmission right-of-way which back ed onto large residential subdivisions incorporating parks and public open space. Newspaper advertisements were not effective in stimulating public interest and it was only in later stages of the project that public interest was heightened. This necessitated an additional meeting to address public concerns.

The second example involves a recent Ontario Energy Board Hearing for a supply pipeline through a town in southwestern Ontario. The town retained an independent consultant to review the public consultation process and the social impact analysis used by the proponent.

It was found that only 10 people attended the first public meeting held to review data and alternate route locations and only one filled out the exit questionnaire. The second public meeting, held to review the preferred route alignment and mitigation measures attracted 33 people, many with significant concerns about the route selected. Only four questionnaires were returned.

In the opinion of the Peer Review Consultant's evidence at the OEB Hearings, insufficient public response during the identification and evaluation of alternate routes was a serious deficiency in this study.

It may also have resulted in problems in the later stages of the study which led to increased public confrontation.

Other challenges in developing an effective public involvement program are found in areas such as Elmira, where the large Mormon population shuns public meetings and prefers to express their opinions individually and/or through their local church.

THE STUDY AREA

The area chosen for study, between Orangeville and the TransCanada PipeLines right-of-way paralleling Highway #400, was approximately 1,000 square kilometres in size. It is located in an area which possesses significant natural and cultural features.

- The Niagara Escarpment, designated as a World Biosphere Reserve, runs through the study area in a north-south direction.
- The Oak Ridges Moraine, a provincially significant feature, is the source area for many major rivers which run through the Greater Toronto Area.
- High quality agricultural lands and large farm operations occupy the central and eastern portions of the study area.
- Provincially significant wetlands and areas of wildlife habitat are scattered throughout.
- The beautiful scenery, combined with a rural environment and closeness to the Greater Toronto Area, has created a large group of estate residential commuters living in the rural parts of the study area while the many towns and villages attract local artisans and industry such as the Honda Motor plant in Alliston.

Public involvement played a significant, if indirect, role in study area definition. Comments were solicited from relevant regulatory agencies such as the Ministry of Natural Resources, local Conservation Authorities, municipalities, and the Ministry of Agriculture, Food and Rural Affairs. These agencies were asked to identify significant natural and soci-cultural areas of constraint which would help to define the study area. The identification of public interest groups and issues which were raised by these groups in similar past studies was a key element of the study area identification stage. This exercise did not add cost to the study since these approval agencies had to be contacted anyway. The proper questions, however, added a significant amount of information to the data base which is often overlooked in similar studies. Nearly 50 interest groups were identified in the general area, of which 24 were affected by the study area that was chosen.

PUBLIC INVOLVEMENT OBJECTIVES

Early and frequent consultation with the public and government agencies was an integral part of the study. The objectives of the consultation process were:

- to identify potentially affected parties early in the process;
- to provide information to all parties at key decision points in the process; and,
- to obtain input from all parties that could be used in the decision-making process.

The following discussion focuses on the methods that were employed to achieve the Public Involvement objectives and how they were undertaken in a cost-effective fashion. Although regulatory agency involvement is generally considered to be public involvement, for the purposes of this paper, public involvement refers to those actions taken which involve the general public only.

CONTACT DOCUMENTATION

A standard form (Fig. 2) was developed to document telephone and meeting contacts with the general public. Not only did the form identify the name, address and telephone number of the individual or organization representative and whom they contacted, it identified the purpose of contact and a summary of discussion. Space on the form was provided for follow-up actions and the identification of who was responsible for taking action.
A space was also provided to identify those persons who should be circulated with a copy of the contact.

These forms were provided to all members of the study team (Consumers and JEWEL) staff at the outset of the study so that everyone would be aware of public concerns and comments throughout the process and that these would be documented and used in decision-making. It also ensured that a complete record of all public contact was available for OB. Hearings.

MAILING LIST

A master list of groups and individuals interested in the study was kept and updated as the study progressed. The list started with the 24 groups identified as the result of the regulatory agency contact program. The people who attended the public open house meetings and signed in were also put on the mailing list, as were people who phoned in requesting information. The mailing list had a total of 130 names on it at the completion of the study and was used to generate public response throughout the study.

DIRECT MAILING

Although this was primarily a public roadway study, a decision was made to drop off meeting notices in mailboxes in order to ensure that indirectly affected property owners along the alternates and the preferred route would be aware of what was being proposed. It was also felt that a large number of estate residential commuters may not subscribe to the local papers and thus miss reading the public meeting notices. Meeting notices were also displayed in municipal offices and meeting places. Follow-up through the exit questionnaire indicated that the direct mail technique attracted a significant number of attendees to these meetings (Fig. 3).

It was possible to schedule the drop-offs at the same time that other work was being done in the area so that an economy of scale could be achieved.

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**Figure 2: Contact Documentation Form**

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NEWSPAPER ADVERTISEMENTS

Newspaper advertisements were placed in a number of local papers to ensure that anyone reading a paper in the study area would see the notice. Not only was a map showing the study area, alternates and preferred route placed in the ad, a written description of the location of the preferred route was included since some people are not good at reading maps. The importance of public input in the decision-making process was also stressed. These items didn't cost any more money but helped to attract more people to the public open house meetings.

EXIT QUESTIONNAIRES

The exit questionnaire used at the first public open house meeting was designed to rank peoples' preferences for the natural environment, the socii-cultural and cost-technical considerations. This was a departure from most exist questionnaires which generally ask the public to identify preferences between alternate routes.

The public was asked to indicate the level of importance (from a low of one to a high of five) of the criteria used to identify preliminary alternate routes. The results provided a local set of values which were compared to the ones used to identify the preliminary alternates.

The public was also asked to indicate the level of importance of the factors used to compare alternates and select the preferred route.

These two questions provided a clear picture of public values and the tradeoffs that they were willing to make. It was of critical importance that a reasonable sample size be obtained to make these responses adequate. There was a strong emphasis on having people fill out the questionnaires at the public open house meeting. Questionnaires and information packages were also distributed to those people who phoned in and requested information.

The responses indicated that the public placed a high importance on the following route identification criteria:
• Locate in an existing corridor;
• Be compatible with municipal plans;
• Minimize the number of water crossings;
• Minimize the potential effects on the natural environment;
• Avoid special land use areas such as landfill sites and cemeteries;
• Minimize potential effects on significant geological features and mineral resources; and,
• Minimize potential disruptions to recreational areas.

When evaluating alternate routes, the public placed the highest emphasis on avoiding impacts to the natural environment while impacts on the socii-cultural environment were given a medium to low ranking. Technical and cost constraints received a medium importance ranking. This ranking may reflect the public perception that construction impacts are relatively short term, most can be effectively mitigated, and some temporary disruption is acceptable to increase the availability of gas service.

With a minimum of extra cost, this study achieved a clear picture of public values in the area through the design of the questionnaire. The public response to the criteria for route identification and selection of a preferred route was an effective tool which could be used to help support the decisions that were made.
SELECTION OF THE PREFERRED ROUTE

The success of the public involvement program can be measured by the response to the 45 kilometre long preferred route. Of the 60 people who met to review the preferred route and recommended environmental mitigation, 34 completed an exit questionnaire (Fig. 4). Twenty-eight were in favour of the location of the preferred route while six had some concerns which were largely alleviated by project staff. Many of these concerns related to the clearing of vegetation. Once they realized that minimal clearing would take place in the public roadway, their concerns were alleviated.

SUMMARY

While it may not be possible to alleviate every public concern, the support shown by the public for the preferred route indicates that this study met the objectives for public involvement set out at the beginning of this paper. The increased costs to achieve this level of public participation in a public roadway pipeline study were insignificant due to conducting multiple tasks at the same time, proper administrative procedures being in place, and the sensitivity and commitment of the project staff to the objectives for public participation.

Most, if not all of the components of this public involvement program are transferrable to other jurisdictions. The key components include:

• early definition of public interest groups;
• use of multiple methods to reach all interested parties;
• clear communication as to what is being proposed;
• complete documentation of public contacts, and;
• public contact at key decision-making points throughout the process.