

October 5, 2018

**RESS, EMAIL & COURIER**

Ontario Energy Board  
P.O. Box 2319  
27th Floor, 2300 Yonge Street  
Toronto, ON M4P 1E4

Attention: Ms. K. Walli, Board Secretary

Dear Ms. Walli:

**Re: Wataynikaneyap Power LP - Application for Leave to Construct  
Transmission Facilities (EB-2018-0190) – Minor Routing Refinements**

We are legal counsel to Wataynikaneyap Power GP Inc. and Wataynikaneyap Power LP (together, “WPLP”). WPLP filed the above-referenced application on June 8, 2018. The Board issued a Letter of Direction on September 14, 2018, with publication and service of the Notice of Application being completed by September 26, 2018. WPLP is hereby updating its application to reflect certain minor refinements to the transmission line routing and facility locations that were contemplated in the application as initially filed, along with other minor changes to reflect development activities carried out during the 4 months since filing.

**Background**

The application seeks leave to construct transmission facilities based on particular transmission line routing and locations for associated stations and ancillary facilities. In the application, WPLP acknowledged that there were minor differences between the routing and locations for certain of its facilities proposed in the application, as compared to those under consideration in the relevant environmental assessment (EA) processes. WPLP noted its intention to bring all routing and locations into alignment through minor changes that would be reflected in the final EA documents and through an update to the evidence in the present application, which was expected to be filed in July 2018. The update was delayed due to time needed to consider and reflect changes through the EA and community engagement process, with input from WPLP’s newly engaged owner’s engineer.

As explained in Exhibit D, Tab 3, Schedule 1 of the application, under the heading *Route Refinement in Alternative Construction Areas*, at the time of filing WPLP had identified certain discrete locations, referred to as “Alternative Construction Areas”, where the specific routing continued to be subject to refinement to mitigate potential environmental and constructability issues that had been identified, as well as to reflect feedback from a final round of EA engagement that was then being undertaken. The need for the refinements arose from analysis of high-resolution imagery and contour mapping, which provided greater clarity on terrain and

ground conditions. As this information showed that the initially planned centerline for the transmission line routing would run through areas of sub-optimal terrain, WPLP engaged a consultant to prepare highly detailed mapping of terrain and contour information. Using this information, WPLP identified the Alternative Construction Areas and subjected those areas to further consideration for routing and design improvements to address environmental and constructability considerations, as well as additional feedback gathered through additional engagement and consultation efforts.

The Alternative Construction Areas were shown in the application using red shading along the transmission line routing for the Pickle Lake Remote Connection Lines and the Red Lake Remote Connection Lines in Exhibit D, Tab 2, Schedule 1, Figures 2(b) and (c), respectively. As explained in Exhibit D, Tab 3, Schedule 1, it was anticipated that if the refined routing remained within the 440 meter-wide corridor for which WPLP carried out an Environmental Effects Assessment under its EA process, the refinement would be accommodated through administrative revisions to the final Environmental Study Report (ESR). In locations where necessary or desirable to move the transmission line outside of the 440 meter-wide corridor, but within the 2 km wide EA corridor, it was anticipated that WPLP would need to review its environmental effects assessment model to determine if the relocation would affect the results of the draft ESR, that it may be required to carry out further engagement and consultations, and that it would then incorporate the changes into the final ESR.

In addition to the routing refinements within the Alternative Construction Areas (and consequential changes to access road routing within those areas), Exhibit D, Tab 3, Schedule 1 of the application noted WPLP's expectation that it would be relocating the planned substation at the Wawakapewin First Nation to address concerns raised as to alignment of the location with the community's infrastructure and growth plans. WPLP advised that two potential alternative locations were under review at the time of filing.

## **Amendments**

WPLP has completed its review of the Alternative Construction Areas, along with other areas where community and stakeholder feedback, as well as constructability reviews, identified opportunities to further minimize environmental impacts, enhance constructability and address input received. Based on that process, WPLP:

- in respect of the Line to Pickle Lake portion of the project, is making six minor routing changes, of which three are to address identified deviations from the EA limits of work and three are to improve constructability and/or address stakeholder concerns;
- in respect of the Pickle Lake Remote Connection Lines portion of the project, is making twenty-three minor routing changes, of which one is to address a stakeholder concern, seven are primarily to improve constructability, thirteen are primarily to address input from engagement and two are to address environmental concerns;
- in respect of the Red Lake Remote Connection Lines portion of the project, is making twelve minor routing changes, of which one is to address environmental concerns, ten are to improve constructability and one is to address input from engagement; and
- in respect of all portions of the project, is making minor changes to the specific routing and locations of ancillary facilities such as access roads, construction laydown areas and

construction camps to reflect the revised transmission line routing and field verification of existing roads, and to address stakeholder concerns (particularly from the Ministry of Natural Resources and Forestry), environmental concerns (particularly relating to Caribou habitat) and input from engagement with First Nations, who expressed concerns about creating public access to their traditional lands.

In addition to the amended routing and changes to ancillary facility locations, other minor changes have been made to the application to reflect development activities carried out during the 4 months that have elapsed since filing.

The above-noted transmission line routing changes are described in detail in the table provided in Schedule 'A' attached hereto, which references the highly detailed plan and profile drawings from Exhibit D, Tab 2, Schedule 1, Figure 3. The other minor changes are described in the table provided in Schedule 'B' attached hereto, which reference the affected sections of the evidence. The table in Schedule 'B' also identifies the additional amended maps that have been provided, which depict the revised routing and locations for access roads, construction laydown areas and construction camps.

### **Impacts of the Amendments**

WPLP has determined that none of the routing or design changes cause the proposed transmission facilities to be located outside of the 2 km wide EA corridor.<sup>1</sup> As such, for purposes of the EA process, it is anticipated that all changes to the proposed Remote Connection Lines will be accommodated through administrative revisions to the final ESR. To this end, WPLP is in the process of including the required routing refinements in its final ESRs under the EA processes for each of the Pickle Lake Remote Connection Lines and the Red Lake Remote Connection Lines. By amending the application as herein described, the transmission line routing as contemplated under each of the EA processes and the leave to construct application will be brought into alignment.

Importantly, no new landowners are affected by any of the amendments. As such, the changes are all of a minor nature and should not be considered material in the context of the project or the overall application. The changes are also of a scale that does not impact the project map that was included in the Notice of Application, which was recently published and served. Consequently, no new parties need to be served with the Notice of Application as a result of the amendments. Furthermore, given that the discovery phase of the proceeding has not yet commenced, it is WPLP's view that the amendments do not require any additional procedural steps, nor do they affect any party's participation or ability to participate in the proceeding.

Certain of the routing changes on the Red Lake Remote Connection Lines affect the landowner line list in Exhibit F, Tab 1, Schedule 1, Appendix 'A', by shifting the line off of certain previously affected parcels and onto certain newly affected parcels. However, all of these previously affected and newly affected parcels are owned by the same landowner. WPLP has met with that landowner to discuss the revised routing and the rationale for the changes (being to improve constructability by avoiding wetlands identified from geomorphological review), and that

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<sup>1</sup> Although line segments near the relocated Wawakapewin TS have shifted by more than 2 km, the EA corridor in this location had carried multiple 2 km corridor routing options near the community and, as such, the amended routing for the proposed transmission facilities remains within the EA corridor.





















