
AIRD & BERLIS LLP

Barristers and Solicitors

Scott Stoll
Direct: 416.865.4703
E-mail: sstoll@airdberlis.com

November 16, 2009

BY EMAIL

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

Dear Ms. Walli:

**Re: Enbridge Gas Distribution Inc. ("Enbridge")
York Energy Centre Leave to Construct
Board Proceeding No. EB-2009-0187**

Enclosed is a package of the updated correspondence that has occurred in this proceeding. This should be added to the pre-filed evidence at **Exhibit G, Tab 1, Schedule 1**. An updated exhibit list has also been included and can be filed at **Exhibit A, Tab 1, Schedule 1**.

Enbridge has no comment in respect of the proposed Issues List.

We are in receipt of the email dated November 6, 2009 from the Concerned Citizens of King Township ("CCKT") attaching the Stage 2 Archaeological Assessment (the "**Site Report**") for the York Energy Centre property. Enbridge suggests this correspondence should be treated as a public comment as CCKT has not been granted status by the Board in this proceeding. Enbridge has also received the letter from Mr. Gordon Nettleton, counsel to the proponent York Energy Centre LP, dated November 12, 2009, which confirms the Ministry of Culture's acceptance of the Site Report. Therefore, CCKT's comments in this respect are incorrect and should be disregarded.

Enbridge is in the process of completing a Stage 2 archaeological assessment for the proposed pipeline route which, upon completion, will be filed as evidence in this proceeding. Any relevant evidence to the leave to construct proceeding should be filed in accordance with the Board's procedural order. Furthermore, evidence is to be filed only by Enbridge and parties granted intervenor status in accordance with the Board's *Rules of Practice and Procedure*. Enbridge is committed to complying with the applicable

November 16, 2009

Page 2

regulatory requirements to complete the construction of the proposed pipeline and facilities.

If there are any questions or comments please contact the undersigned at your earliest convenience.

Yours very truly,

AIRD & BERLIS LLP



Scott Stoll

SAS/br

c.c. Norm Ryckman
Rob Rowe
All Participants

5991966.1



EXHIBIT LIST

<u>EXHIBIT</u>	<u>TAB</u>	<u>SCHEDULE</u>	<u>DESCRIPTION</u>
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A – GENERAL

A	1	1	Exhibit List
		2	Application
		2	List of Interested Parties
	3	1	Project Description
		2	Purpose, Need and Timing
		3	Market Forecast
		4	Confirmation of York Energy Centre LP Contract with the Ontario Power Authority
		5	Letter of Support from York Energy Centre LP
		6	Gas Distribution Agreement Between York Energy Centre LP and Enbridge Gas Distribution Inc.

B – ROUTING AND ENVIRONMENTAL

B	1	1	Preferred Route Description
		2	Alternative Route Descriptions
	2	1	Environmental Implementation Plan
		2	Environmental Report
		3	Summary of Environmental Report
			Correspondence

C – FACILITIES AND PROJECT COSTS

C	1	1	Design Specifications
		2	Hydrostatic Test Procedures
		3	Total Estimated Delivery Volumes
	2	1	Total Estimated Project Costs
		2	Proposed Construction Schedule

D – LAND ISSUES

D	1	1	Land Requirements
		2	Permits Required
		3	Negotiations to Date
		4	Affidavit Search of Title

E – ECONOMIC FEASIBILITY

E	1	1	Economic Feasibility
		2	Economic Feasibility Test
		3	Current Rate 125

F- OTHER MATTERS

F	1	1	Aboriginal Consultation
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G - CORRESPONDENCE

G	1	1	Summary of Correspondence After the Filing of the Application.
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SUMMARY OF APPLICATION CORRESPONDENCE

1. On September 3, 2009, Enbridge Gas Distribution ('Enbridge') filed the application for the Proposed York Energy Centre Pipeline Project (EB-2009-0187) with the Ontario Energy Board (the "Board") and all interested parties listed in Exhibit A, Tab 2, Schedule 2 of the evidence. As directed by the Board, on September 23, 2009 all interested parties were issued a copy (via email and/or courier) of the Notice of Application issued by the Board. Below please find a summary of correspondence received regarding the application filed by Enbridge as well as any responses.

Attachment	Date	Organization	Description	Enbridge Response
1	22-Jul-09	TSSA (Oscar Alonso)	Requested the Technical Specifications for this pipeline	Enbridge responded (July 27, 2009) to Mr. Alonso that the technical specifications for YEC were in the process of being finalized. Once the application and evidence has been filed with the OEB, copies of all material will be sent for review.
2	24-Jul-09	Charles Rhodes	Mr. Rhodes requested information on hydrostatic testing and the Enbridge construction manual.	On July 28, 2009, Enbridge sent an email to Mr. Rhodes to answer his questions on the specifications with regards to the hydrostatic pressure test.
3	4-Aug-09	Debbie Schaefer	Requested further details regarding the OEB process.	On August 4, 2009 Enbridge sent an email to Ms. Schaefer with details outlining the OEB process. A similar email was forwarded again on August 10, 2009.
4	14-Aug-09	INAC (April Desmoulin)	INAC will not be providing a review of the proposed project but it is important that Enbridge contact all potentially interested First Nation communities directly to invite them to participate in this review. The letter provides information to help identify First Nations and other Aboriginal groups within the vicinity of the project.	Will be fully dealt with during evidentiary phase of proceedings.
5	31-Aug-09	MNR - Aurora Office (Jean Enneson)	Requested information regarding the Environmental Assessment.	Enbridge responded on August 25, 2009 via telephone with regards to information requested about the Environmental Assessment.

Attachment	Date	Organization	Description	Enbridge Response
	3-Sep-09	ENBRIDGE FILED THE APPLICATION AND EVIDENCE WITH THE OEB AND ALL REQUIRED PARTIES		
6	3-Sep-09	MNR - Aurora Office (Steve Strong)	Concerned about the protection of the Ontario Heritage Resources.	Enbridge followed up with a phone call to Mr. Strong on September 3, 2009.
7	15-Sep-09	Hydro One (Helen An)	Hydro One requested that Enbridge allow appropriate lead-time in the project schedule in the event that the proposed development impacts Hydro One infrastructure which requires relocation or modifications, or needs an outage, that may not be readily available.	
8	16-Sep-09	Concerned Citizens of King Township (Debbie Schaefer)	Requested information on when the deadline for comments from public to be received and who the comments should be sent to.	On September 21, 2009, Enbridge provided the required information about the OEB process.
	23-Sep-09	The Notice of Application was issued to all required parties via email and courier.		
9	25-Sep-09	Concerned Landowner	Landowner would like to pave their driveway but does not want Enbridge to open cut the newly paved driveway shortly there after.	The project manager followed up with a phone call September 28, 2009.
10	1-Oct-09	Transport Canada (Ingrid Epp)	Transport Canada requested that if any of the related project elements or activities may cross or affect a potentially navigable waterway, you are requested to prepare and submit an application in accordance with the requirements as outlined in the Application Guide. It is possible that these works will be in line with the minor works policies for marine construction.	Enbridge filed a response to Ingrid Epp on October 13, 2009.

Attachment	Date	Organization	Description	Enbridge Response
11	1-Oct-09	Concerned Landowner	The landowner expressed concern that the water levels and quality of his hand dug well may be affected due to the proposed construction of the NPS 16 pipeline in front of his property along Lloydtown Aurora Rd.	Enbridge followed up with a phone call (October 1st, 2009)
12	6-Oct-09	York Region School Board	The school is concerned over the location and access of Kettleby Public School in relation to the proposed pipeline, maintaining safe student pedestrian and school bus access during and after construction	Enbridge sent a letter to YRDSB October 27, 2009.
13	7-Oct-09	Metis Nation (James Wagar)	For the Métis Nation of Ontario, Mr. Wagar requested more detailed information and timelines regarding the project.	On October 7, 2009, Enbridge followed up and provided the link to the website and a paper copy of the application and evidence was sent to the address provided.
14	10-Oct-09	S. Beharriell	Sent an email to the OEB requesting information on all environmental information and asked when the hearing would be held.	The OEB sent an email (Oct 21, 2009) to S. Beharriell to inform her that the Board has not determined the type and the schedule for the hearing. Enbridge also sent an email (October 21, 2009) to provide the link to the website and directed her to the environmental section.
15	16-Oct-09	Concerned Citizens of King Township CCKT (Debbie Schaefer)	Letter with various concerns regarding the project	Refer to letter on Oct 23/09 letter sent by Enbridge to the Board for response (see Attachment 20) Will be fully dealt with during evidentiary phase of proceedings.

Attachment	Date	Organization	Description	Enbridge Response
16	21-Oct-09	York Region - Water Resources (Tamara Kondrachova)	York Region filed a letter and provided the following comment: In general, we do not have comments opposing this application. However, the majority of the proposed pipeline lies within the Oak Ridges Moraine (ORM), where various sections crossing thorough high vulnerable aquifer areas. As such, this application and related construction activities must conform to the ORM Conservation Plan (2001), as also specified in the Regional Official Plan.	Refer to letter on Oct 23/09 letter sent by Enbridge to the Board for response (see Attachment 20) Will be fully dealt with during evidentiary phase of proceedings.
17	21-Oct-09	Save the Oak Ridges moraine (STORM)	STORM respectfully requested from the OEB that the pipeline project be halted until such time as the need for the peaker plant, as a component of Ontario's long term energy solution, has been subjected to an environmental assessment.	Refer to letter on Oct 23/09 letter sent by Enbridge to the Board for response (see Attachment 20)
18	22-Oct-09	Lake Simcoe Conservation Authority (LSRCA)	The LSRCA requests that Enbridge provide confirmation as to how the proposed route outlined in the application addresses the considerations outlined in their letter dated April 7, 2009 (sent to Jacques Whitford Stantec Limited)	Enbridge filed a letter with the OEB on Oct 27, 2009 to inform the OEB that EGD had received the letter and the issues raised will be dealt with during the evidentiary and argument phases of the proceeding. Enbridge filed a letter with the LSRCA on November 12, 2009 to address any concerns.
19	22-Oct-09	Ministry of Culture (Alejandro Ciefuentes)	Mr. Ciefuentes requested to be able to review whether or not this project requires an archaeological assessment.	The Board followed up with Mr. Ciefuentes (October 23, 2009) to discuss the OPCC review process. Enbridge also sent an email to Mr. Ciefuentes to provide the link to the website site for the application and evidence and directed him to view the EA report.

Attachment	Date	Organization	Description	Enbridge Response
20	23-Oct-09	Enbridge Letter	Response letter regarding granting status to individuals/groups in the preceeding. Requested Hunter's Green Rate Payers Association membership and interest in the proceedings. Also requested Hunter's Green rate payers submit their evidence ASAP for our timely review. A request was also made to defer a decision on the type of hearing until after the written interrogatory process is completed.	Responds to the following: Hunter's Green Rate Payers Association (Harten Consultants) York District School Board York Energy Centre LP Ms. S. Beharriell Region of York Save the Oak Ridges Moraine Indian and Northern Affairs Canada Concerned Citizens of King Township Inc. Ontario Greenbelt Alliance Global Environmental Action Group (Katherine Parsons)
21	22-Nov-09	Regional Municipality of York (Trevor Catherwood)	Mr. Catherwood saw the letter from York Region Water Resources dated October 21, 2009 regarding the York Energy Centre pipeline project. He wanted to notify Enbridge that proper approvals and circulation must occur for all portions of the pipeline proposed in the York Region road allowance.	Enbridge has previously been in contact with the required departments and will be submitting all drawings through the standard review process for the appropriate approvals.
22	6-Nov-09	Concerned Citizens of King Township CCKT (Debbie Schaefer)	CCKT is requesting that the OEB permit CCKT time to prepare further written submissions including time to permit a review of the Archaeological Report for submission to the OEB.	Will be fully dealt with during evidentiary phase of proceedings.



Bonnie Adams/GAS/Enbridge

10/13/2009 11:13 AM

To oalonso@tssa.org

cc

bcc

Subject Fw: Enbridge Gas Distribution - Environmental Report
:Pipeline to Serve York Energy Centre

Good Morning,

In response to your recent phone message, below please find our email correspondence regarding the above noted.

Please advise if this was the information you were requesting and if I can be of any further assistance in this matter.

Thank You.

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator, Regulatory Affairs
Junior Achievement Corporate Administrator
VPC 5, Post C 12
Phone: (416)495-6409
Fax: (416)495-6072

----- Forwarded by Bonnie Adams/GAS/Enbridge on 10/13/2009 10:53 AM -----



Bonnie Adams/GAS/Enbridge

09/09/2009 09:51 AM

To oalonso@tssa.org

cc

Subject Fw: Enbridge Gas Distribution - Environmental Report
:Pipeline to Serve York Energy Centre

Good Morning,

Further to our correspondence below I wanted to follow up and see if you had received the email I sent on Thursday September 3, 2009 with the notification that Enbridge had filed with the Ontario Energy Board the application and evidence for the EB-2009-0187 York Energy Centre Pipeline Project.

Attached below are the exhibits that describe the technical specifications for the project, please advise if further information is needed.

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator
Telephone: (416) 495-5499
Fax: (416) 495-6072



C-1-1.pdf



C-1-2.pdf

----- Forwarded by Bonnie Adams/GAS/Enbridge on 09/09/2009 09:41 AM -----

**EGD Regulatory
Proceedings/GAS/Enbridge**
Sent by: Bonnie Adams

07/27/2009 01:07 PM

To oalonso@tssa.org
cc James Schofield/GAS/Enbridge@Enbridge
Subject Re: Enbridge Gas Distribution - Environmental Report
:Pipeline to Serve York Energy Centre 📎

Good Afternoon,

The technical specifications for the York Energy Centre pipeline project are in the process of being finalized .

The Company will be filing the application and evidence in mid-August and I will send you a copy of all material for you to review.

If you have any questions, please feel free to contact me.

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator
Telephone: (416) 495-5499
Fax: (416) 495-6072

oalonso@tssa.org



oalonso@tssa.org
07/22/2009 03:48 PM

To EGD Regulatory Proceedings
<EGDRegulatoryProceedings@enbridge.com>
cc
Subject Re: Enbridge Gas Distribution - Environmental Report
:Pipeline to Serve York Energy Centre

Hi Bonnie

I'll appreciate to receive the technical specifications for this pipeline.

Regards,

Oscar Alonso.

EGD Regulatory Proceedings
<EGDRegulatoryProceedings@enb
ridge.com>

Sent by: Bonnie Adams

<Bonnie.Adams@enbridge.com>

To michael.johnson1@ontario.ca, doug.peeling@mta.gov.on.ca, oalonso@tssa.org,
sharon.rew@ontario.ca, Zora.Crnjacki@oeb.gov.on.ca, donna.mundie@omafra.gov.on.ca,
Dan.Panko@ontario.ca, jason.ezer@ontario.ca, graham.martin@orc.gov.on.ca

cc

07/22/2009 10:40 AM

Su Enbridge Gas Distribution - Environmental Report :Pipeline to Serve York Energy Centre
bj
ec
t

To Members of the OPCC:

Enbridge is proposing to construct a pipeline to supply natural gas to the York Energy Centre. The pipeline is proposed to originate from Enbridge's Schomberg Gate Station at 4955 Lloydtown-Aurora Road in Pottageville, ON and would terminate at the York Energy Centre facility to be located at 18781 Dufferin Street in the Township of King, ON.

In accordance with the Ontario Energy Board (the "OEB") Guidelines, Enbridge retained the services of Jacques Whitford Stantec Limited ("Stantec"), an independent environmental consultant, to complete an Environmental Report ("ER") for the proposed project.

The Stantec ER has been completed and can be found on the Enbridge website at www.enbridgegas.com/yorkpipeline

Please advise if you wish to receive a paper copy of the report.

Enbridge expects to file its Leave to Construct Application for the York Energy Centre Pipeline with the OEB by the end of August 2009.

If you have any questions, please feel free to contact me.

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator
Telephone: (416) 495-5499
Fax: (416) 495-6072

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Thank you.



James
Schofield/GAS/Enbridge

08/21/2009 09:03 AM

To :Bonnie Adams/GAS/Enbridge@Enbridge
cc :Edwin Makkinga/GAS/Enbridge@Enbridge, Rob
Rowe/GAS/Enbridge@Enbridge, Janice
Fay/GAS/Enbridge@Enbridge
bcc
Subject Fw: ECM (Enbridge, 2009)

Bonnie,

Please see the correspondence below for the York Energy Centre file regarding the OPCC circulation. I believe this closes the loop regarding [REDACTED] questions and or concerns.

If you have any questions, please contact me.

Regards,

James Schofield, P.Eng.
Project Manager
Engineering Special Projects
Enbridge Gas Distribution
Telephone (416) 495-5763

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----- Forwarded by James Schofield/GAS/Enbridge on 08/21/2009 09:00 AM -----



[REDACTED]
08/20/2009 04:06 PM

To "James Schofield" <James.Schofield@enbridge.com>
cc
Subject Re: Fw: ECM (Enbridge, 2009)

Hello James:

Thank you for your clarification. I urge you to do all necessary to remove gas pockets from the pipeline prior to application of pressure for the strength test. As water pressure is applied during the strength test residual gas will tend to go into solution and the pipe will expand. The integral of volume of additional water added multiplied by the pressure is an indication of the elastic energy stored in the pipeline that could be suddenly released if the pipeline ruptures during the strength test. Personnel safety clearances and protection used during the strength test should be consistent with such a rupture. The exit velocity of a jet of water driven by a 16,784 kPa (2434 psi) pressure difference is about 183.2 m/s.

The public may be inconvenienced during the strength test, but in my view the safety advantages of confirming material strength via a test to 100% of the Specified Minimum Yield Strength (SMYS) outweigh that inconvenience. I hereby support Enbridge's use of a strength test to 100% of SMYS prior to the leak test.

Regards,

----- Original Message -----

From: [James Schofield](#)

To: [REDACTED]

Sent: Thursday, August 20, 2009 12:10 PM

Subject: Re: Fw: ECM (Enbridge, 2009)

[REDACTED]

Thank you for your email. I would like to clarify the hoop stress and pressure test specifications in the email below. Enbridge has selected a standard pipe grade of 359MPa, a standard wall thickness of 9.5mm for the NPS 16 (406.4mm outside diameter) pipeline and a design pressure of 4,500kPa. The pipeline Maximum Operating Pressure (MOP) will also be 4,500kPa.

The hoop stress can be calculated according to the Canadian Standard Association - Oil and Gas Pipeline Systems Z662-07 in section 4.6.5.

$$S_h = \frac{PD}{2t_n} = (4.5 \times 406.4) / (2 \times 9.5) = 96.25 \text{ MPa}$$

S_h

S_h = hoop stress, MPa

P = design pressure, MPa

D = outside diameter of pipe, mm

t_n = pipe nominal wall thickness, mm

This relates to 26.8 % of the pipes Specified Minimum Yield Strength (SMYS). As noted in my previous email this is less than 30% of the SMYS of the pipe.

- The strength test pressure is 16,784 kPa (2,434psi), 100 % of the SMYS of the pipe
- The leak test pressure is 140 % of the intended MOP, 6,300 kPa (914psi)

I trust that I have clarified and answered all of your questions in your email below. If you have any further questions, please contact me.

Regards,

James Schofield, P.Eng.
Project Manager
Engineering Special Projects
Enbridge Gas Distribution
Telephone (416) 495-5763

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the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution by any means is prohibited. If you are not the intended recipient, please contact the sender by replying with history to this email and destroy all copies of the original message promptly, including attachments from your computer system and any other electronic or printed records.

[REDACTED]

[REDACTED]

07/28/2009 03:49 PM

To "James Schofield"
<James.Schofield@enbridge.com>

cc

SubjectRe: Fw: ECM (Enbridge, 2009)

Hello James:

Thank you for your below email. There seems to be some confusion around the hoop stress and strength test specifications. For clarity let me show you a small calculation:

Maximum design pressure = 4500 kPa

External diameter = 406.4 mm

Wall Thickness = 9.5mm

Hoop stress at maximum design pressure = $[(406.4 - 2(9.5))/(2(9.5))] \times 4500 \text{ kPa} = 91753 \text{ kPa}$

Specified Minimum Yield Strength (SMYS) = $91753 \text{ kPa} / .3 = 305,843 \text{ kPa} = 305.8 \text{ MPa}$

Nominal Pipe Material SMYS Rating = 359 MPa

Specified Leak Test Pressure = $1.4 \times 4500 \text{ kPa} = 6300 \text{ kPa}$

Hoop stress at specified Leak Test Pressure = $1.4 \times 91753 \text{ kPa} = 128,454.2 \text{ kPa}$

Hoop stress at 1.5 X Maximum Design Pressure = $1.5 \times 91753 \text{ kPa} = 137,629 \text{ kPa}$

In your below email you indicate a hoop stress during the strength test of 16,784 kPa.

This figure indicates that the strength test pressure is only about:

$[(16,754) / (91,753)] \times 4500 \text{ kPa} = .183 \times 4500 \text{ kPa} = 821 \text{ kPa}$.

I suggest to you that there is something fundamentally wrong with the strength test specification. What is the purpose of this strength test? It is only 18.3% of the design operating pressure. If the purpose of the strength test is to confirm compliance with the Specified Minimum Yield Strength (SMYS) then the hoop stress during the strength test should be 305.8 MPa and the hydrostatic strength test pressure should be:
 $4500 \text{ kPa} / .3 = 15,000 \text{ kPa}$.

If the purpose of the strength test is to confirm compliance with 100% of the pipe SMYS rating then the hydrostatic strength test pressure should be:

$(359 \text{ MPa} / 305.8 \text{ MPa}) \times 15,000 \text{ kPa} = 17,609 \text{ kPa}$

In your email there is reference to a pressure of 16,784 kPa. The label is hoop stress at 100% SMYS. Is this figure supposed to be the hydrostatic pressure used for the strength test? This hydrostatic pressure would cause a hoop stress of about 95% of the nominal SMYS pipe rating. In my view, if the pipe withstands a hydrostatic strength test which causes a hoop stress of 95% of the pipe material SMYS, it is very safe.

May I suggest that you clarify the strength test specification and procedure before presenting it to the OEB for leave to construct. I also suggest that you clarify this issue for the Enbridge Construction Manual. I look forward to receipt of an email from you addressing this strength test issue.

Let me caution you that hydrostatic testing of a pipeline at 100% of SMYS is dangerous. If there are any air pockets trapped in the pipeline those air pockets will store a large amount of energy that could be almost explosively released if the pipe ruptured during the strength test. The probability of such a rupture rapidly increases when the hoop stress exceeds 95% of the pipe's rated SMYS.

If Enbridge is going to strength test the pipeline at a hydrostatic pressure that results in a hoop stress of 95% of the pipe's rated SMYS, then there is a remote possibility of a pipe rupture during the strength test. Should such a rupture occur it would be critical to unambiguously identify the non-compliant pipe sections. That identification would be simplified if each pipe section had its serial number stenciled on it between 11:00 o'clock and 1:00 o'clock. To achieve this result with random positioning of the welded pipe seam, the pipe section serial number should be repeated six times around the pipe circumference.

I hope that you find the above comments helpful.
Regards,

----- Original Message -----

From: [James Schofield](#)

Cc: [Bonnie Adams](#)

Sent: Tuesday, July 28, 2009 10:41 AM

Subject: Re: Fw: ECM (Enbridge, 2009)

As per our discussion this morning, I would like to summarize and capture the specifications with regards to the hydrostatic pressure test for the proposed NPS 16 pipeline referred to in the Environmental 'Final Report - Pipeline to serve York

Energy Centre LP - July 16th, 2009' by Stantec. This email is being sent in lieu of providing you our Enbridge Construction Manual (section 28.8), which refers to various testing of components ranging from filling the pipelines, depressurizing, dewatering and pipeline drying. I trust that this answers your questions in the email below with regards to section 28.8 of the Enbridge Construction Manual. I have captured the proposed project specific test parameters below:

- External Diameter - 406.4 mm
- Grade - MPa
- Wall Thickness - 9.5 mm
- Maximum Design Pressure - 4,500 kPa
- Test Medium - Water
- Hoop Stress at design pressure - less than 30% of the Specified Minimum Yield Strength (SMYS)
- Hoop stress at test pressure (Strength Test 4 hours) - 16,784 kPa (2,434psi) 100% (SMYS)
- Leak Test Pressure (1.4 times the Design Pressure) - 6,300 kPa (4 hours)
- The four hour strength test will be followed by a four hour leak test

These test specifications also conform to the Canadian Standards Association (CSA) 'Z662-07 Oil and gas pipeline systems' requirements.

If you have any questions or would like some more information, please contact me.

Regards,

James Schofield, P.Eng.
Project Manager
Engineering Special Projects
Enbridge Gas Distribution
Telephone (416) 495-5763

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▼ Bonnie Adams/GAS/Enbridge

B
o
n
To James
n
Schofield/GAS/Enbridge@Enbridge,
i
Janice Fay/GAS/Enbridge@Enbridge,
e
Edwin
A
Makkinga/GAS/Enbridge@Enbridge
d
a
cc Rob Rowe/GAS/Enbridge@Enbridge
m

Subject: ECM (Enbridge, 2009)

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Good Afternoon,

Below please find the recent correspondence from [REDACTED] with regards to the Environmental Report.

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator, Regulatory Affairs
Junior Achievement Corporate Administrator
VPC 5, Post C 12
Phone: (416)495-6409
Fax: (416)495-6072

Hello Ms. Bonnie Jean Adams: The Stantec FINAL REPORT relating to the pipeline to serve York Energy Centre LP, under the heading HYDROSTATIC TESTING, incorporates by reference Section 28.8 "Mains-Hydrostatic Testing" of the ECM (Enbridge, 2009). However, this document section was not appended to the Stantec report, nor does it appear to be readily available on the Internet. Please email me a copy of this document section. Please also specify both the maximum hydrostatic test pressure to be applied to the York Energy Center pipeline and the rated operating pressure of that pipeline. Please also provide any other information in the Enbridge Construction Manual that refers to the procedures or methodology that Enbridge personnel will use to ensure that the actual yield strength of every pipe length conforms to engineering specifications.

Regards, [REDACTED]



Bonnie Adams/GAS/Enbridge

08/10/2009 01:15 PM

To "Debbie Schaefer" <breezycreeks@sympatico.ca>

cc

bcc

Subject Re: York Energy Centre - Environmental Report: Next Steps



Hello,

The Notice of Application is a notice issued by the OEB that provides details of the project including a map and informs interested parties of how they can participate in this project.

When the OEB issued the Notice I will be sending a copy out to the interested parties list.

Hope this answers your question.

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator, Regulatory Affairs
Junior Achievement Corporate Administrator
VPC 5, Post C 12
Phone: (416)495-6409
Fax: (416)495-6072

"Debbie Schaefer" <breezycreeks@sympatico.ca>



"Debbie Schaefer"
<breezycreeks@sympatico.ca>
>

08/10/2009 12:33 PM

To "Bonnie Adams" <Bonnie.Adams@enbridge.com>

cc

Subject Re: York Energy Centre - Environmental Report: Next Steps

Hello Bonnie
Thanks for sending this.

I almost understand.

ER was filed 7/22/09. So for 45 days questions can be posed.

What is the "application"--see section in red below

Thanks, Debbie Schaefer

----- Original Message -----

From: [Bonnie Adams](#)

To: [breezycreeks](#)

Sent: Monday, August 10, 2009 9:44 AM

Subject: Fw: York Energy Centre - Environmental Report: Next Steps

Good Morning,

Below is the email that I have been trying to send to you.

Please let me know if you have any further questions.

Hope you have a great day!!

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator, Regulatory Affairs

▼ Bonnie Adams/GAS/Enbridge

----- Forwarded by Bonnie Adams/GAS/Enbridge on 08/05/2009 09:25 AM -----

**Bonnie
Adams/GAS/Enbridge**

Tobreezycreeks@sympatico.com

08/04/2009 02:24
PM

cc

Subject York Energy Centre - Environmental Report: Next
Steps

Good Afternoon,

As I mentioned this morning below please find my answers to your questions regarding the application process with the Ontario Energy Board (the "OEB") for this project:

- During the 45 day review period for the Environmental Report, interested parties are able to submit questions to Enbridge regarding the report. Enbridge will promptly respond to your comments, questions and/or any concerns that you may have regarding this project.

- After the application is filed (sometime in August), the OEB will issue a Notice of Application ("Notice") for the project and will direct Enbridge to serve a copy of the Notice to the required parties as well as have the Notice published in the designated newspaper (will be the same as when the Notice was published regarding the Open Houses). Interested parties will have 10 days from day the Notice is published to file a request for Intervenor or Observer status in the proceeding. As mentioned on the phone, a request for intervenor status means that an interested party can actively participate in proceeding and a request for observer status means that an interested party wishes not to actively participate but will monitoring the progress of a

proceeding.

-The Notice issued by the OEB requests that interested parties file Letters of Comment with the OEB within 30 days of the publication of the Notice.

- After intervenor/observer requests and letters have been received the OEB and the due dates have passed, the OEB will issue a Procedural Order to outline the process for the proceeding such as whether or not the proceeding will be an oral or written hearing.

-From the day the application is filed, the OEB has 210 days to issue a Decision and Order if the proceeding is an oral hearing and has 130 days from the day the application is filed to issue a Decision and Order if the proceeding proceeds by way of a written hearing.

Please feel free to contact me if you have any additional questions about the OEB process for this project and/or if you have any questions regarding the Environmental Report.

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator, Regulatory Affairs



Indian and Northern Affairs Canada
Affaires indiennes et du Nord Canada

August 14, 2009

Your file Votre référence

Our file Notre référence

5010-4-1
CIDM # 285550

Dear Bonnie Jean Adams:

RE: Enbridge Gas Distribution - Environmental Report: Pipeline to Serve York Energy Centre

Thank you for your correspondence regarding the above mentioned projects. Indian and Northern Affairs Canada will not be providing a review of the proposed project; however, it is important to contact all potentially interested First Nation communities directly to invite them to participate in this review.

To assist with identifying First Nations and other Aboriginal groups within the vicinity of a specific proposed project, INAC Ontario Region - Environment can provide the following information sources:

- The Chiefs of Ontario website (<http://www.chiefs-of-ontario.org>) provides a directory of contact information for all First Nations and Chiefs, as well as a map of the locations of all Ontario First Nations.
- Natural Resources Canada produced provincial maps, showing all First Nation reserve lands, are available for purchase at:
http://cccm.nrcan.gc.ca/english/canada_land_index_e.asp
- Natural Resources Canada's online *Historical Indian Treaties* map, showing historical First Nation treaties across Canada, is available at:
<http://atlas.nrcan.gc.ca/site/english/maps/historical/indiantreaties/historicaltreaties>
- A search by place name at the Canadian Geographical Names database (http://geonames.nrcan.gc.ca/search/search_e.php) will generate a map which shows any nearby Indian reserve lands in grey.

- The Métis Nation of Ontario (<http://www.metisnation.org/>) may be able to provide information regarding Métis interests with respect to a particular project.
- The Ontario Federation of Indian Friendship Centres website provides a list of all friendship centres in Ontario, at:
<http://www.ofifc.org/Centres/OfficeList.asp?Region='ON'>

For any enquiries regarding land claims in within the project area, please contact Lynn Bernard, Director General of the Comprehensive Claims Branch at (819) 994-7521; Ralph Brant, Director General of Specific Claims Branch at (819) 994-2323 and Franklin Roy, Director General of Litigation Management and Resolution Branch at (819) 997-3582.

Also, please review the *Environmental Assessment and Federal Coordination Standards* document included with this letter for the revised policy and standards associated with both provincial and federal environmental assessments.

Sincerely,



April Desmoulin
Environment Unit
Indian and Northern Affairs Canada
100 Anemki Drive, Suite 101
Thunder Bay, ON.
P7J 1A5

Canada



Bonnie Adams/GAS/Enbridge

08/25/2009 06:06 PM

To James Schofield/GAS/Enbridge@Enbridge, Janice
Fay/GAS/Enbridge@Enbridge, Edwin
Makkinga/GAS/Enbridge@Enbridge
cc Rob Rowe/GAS/Enbridge@Enbridge

bcc

Subject Fw: Question from Jean an Area Biologist in Aurora District
re: YEC LTC

Hello,

Please see correspondence below from Shari Lynn Spratt regarding a message left in the EGD generic mailbox regarding the YEC LTC.

I phoned Jean Enneson back this afternoon to answer any questions she had regarding the report. She had just recently received the email notification that we sent on July 22, 2009 (her supervisor sent it to her) and she just wanted to follow up on what the notification was about. She thought the email was to notify that the EA process had just begun and not that the final report was completed. I directed her to the link to our website for the EA and to call me if she had any further questions and I also provided information regarding the filing process with the OEB.

Also, she requested to be added as the contact for MNR in the Aurora District and that one of our contacts currently listed for that district can be removed.

Please let me know if you have any questions.

Thank You.

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator,Regulatory Affairs
Junior Achievement Corporate Administrator
VPC 5, Post C 12
Phone: (416)495-6409
Fax: (416)495-6072

----- Forwarded by Bonnie Adams/GAS/Enbridge on 08/25/2009 05:57 PM -----



**Shari-Lynn
Spratt/GAS/Enbridge**

08/25/2009 02:25 PM

To Bonnie Adams/GAS/Enbridge@Enbridge, Rob
Rowe/GAS/Enbridge@Enbridge

cc

Subject Question from Jean an Area Biologist in Aurora District re:
YEC LTC

Hello,

Jean _____ left a voice mail message in our generic mailbox. She is an area biologist for the Ministry of Natural Resources in the Aurora District. Jean received the email indicating EGD's intention to supply gas to the York Energy Centre and she has a question in clarification of the role of the LTC application in the environmental assessment.

Jean's number is (905) 713-6071.

Thank you,

Shari Lynn

Shari Lynn Spratt

Regulatory Affairs

Enbridge Gas Distribution Inc.

ph: 416 495-6011

fax: 416 495-6072

shari-lynn.spratt@enbridge.com



**Edwin
Makkinga/GAS/Enbridge**

09/03/2009 02:09 PM

To -Bonnie Adams/GAS/Enbridge@Enbridge

cc rooly.georgopoulos@jacqueswhitford.com, James
Schofield/GAS/Enbridge@Enbridge

bcc

Subject YEC - Call from MNR

Bonnie,

FYI, I received a call from Steve Strong of the MNR Aurora Office regarding the OPCC circulation of the YEC EA. His number is 905-713-7425. He was interested in the regulatory process that we're following as it's different than the standard MOE process. He is concerned about the protection of Ontario Heritage Resources but was reassured when I informed him that we will be installing on existing road allowance and crossing all watercourses by directional drill. I also mentioned that we received the letter from Jean Enneson and that it included details about the Redside Dace (endangered species). He seemed satisfied at this point and may not have any additional comments, but would like to remain informed.

Regards,

Edwin

Project Name	Proposed Pipeline Serving York Energy Centre LP		
Date	5/13/2009	HO No.	10219
Name	Rooly Georgopoulos rooly.georgopoulos@jacqueswhitford.com	Municipality	Township of King
Tel. No.	905-474-7700	Intersection	Highway 9 and Highway 400
Company	Enbridge Gas Distribution Inc.	Land Use	Natural Gas

In our initial review, we have confirmed that Hydro One Transmission facilities rated at 230kV are located within immediate vicinity of the proposed site in your study area. Please also allow appropriate lead-time in your project schedule in the event that proposed development impacts Hydro One infrastructure which requires relocation or modifications, or needs an outage, that may not be readily available.

Potential impacts on Hydro One Distribution facilities, if any in the study area, are usually of a lesser degree and these will be managed through our field offices as per attachment herein provided.

In planning, please note that developments should not reduce line clearances and limit access to our facilities at any time in the study area of your Proposal. Any construction activities must maintain the electrical clearance from the transmission line conductors as specified in the Ontario Health and Safety Act for the respective line voltage.

The integrity of the structure foundations must be maintained at all times, with no disturbance of the earth around the poles, guy wires and tower footings. There must not be any grading, excavating, filling or other civil work close to the structures.

Note that existing rights of ways may have provisions for future lines or already contain secondary land uses (i.e. pipelines, water mains, parking, etc). Please take this into consideration in your planning.

Once details are known and it is established that your development will affect Hydro One facilities including the rights of way, please submit plans that detail your development and the affected Hydro One facilities to:

Kent Taylor, Hydro One Real Estate Management
185 Clegg Road, Markham L6G 1B7
Phone: (905) 946-6230, Fax: (905) 946-6287
kent.taylor@hydroone.com

Please note that the proponent will be responsible for costs associated with modification or relocation of Hydro One facilities, as well as any added costs that may be incurred due to increase efforts to maintain our facilities.

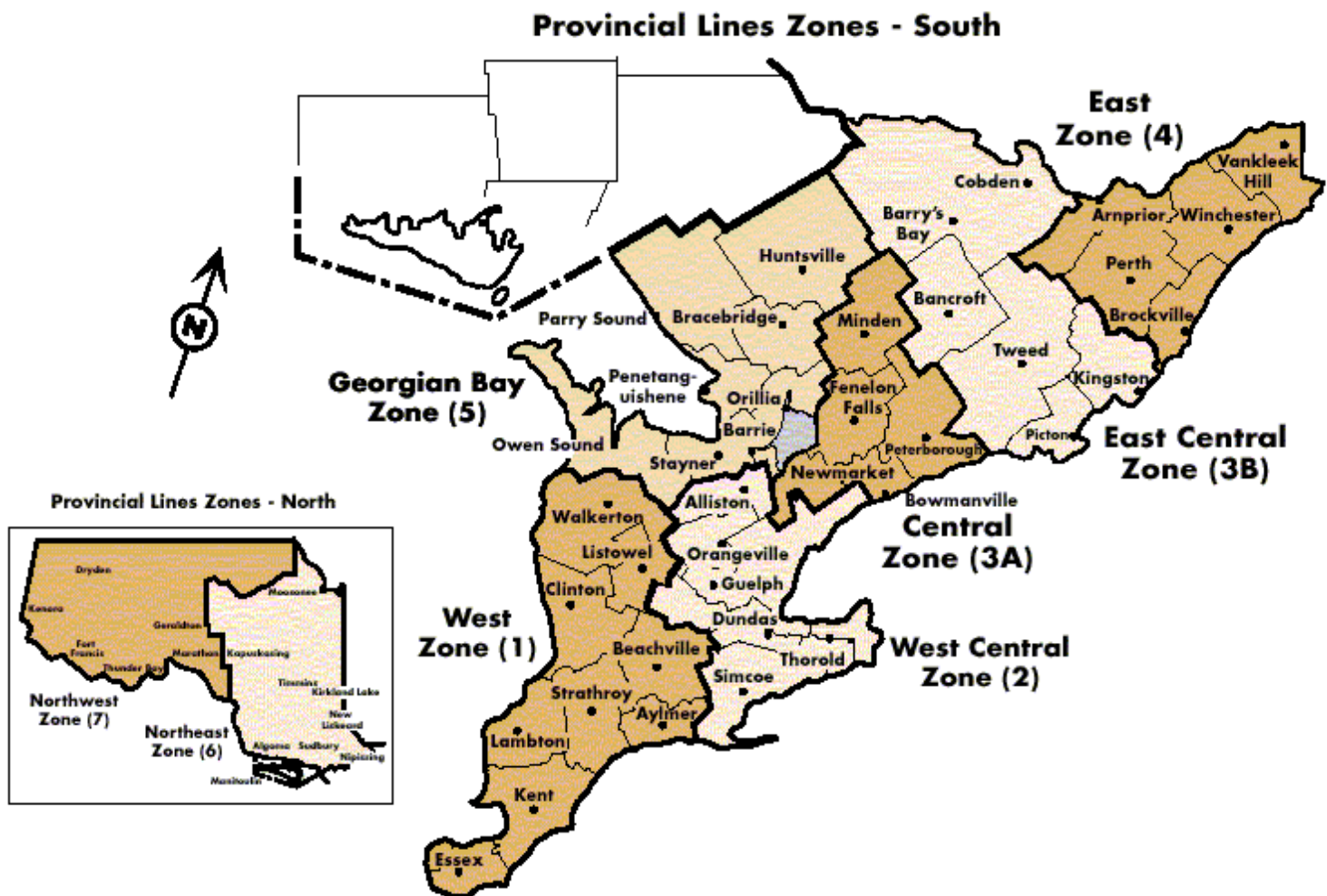
Please be advised that this is only a preliminary assessment based on current information. Upon receipt of more detailed plans Hydro One Networks Inc. will provide additional comments.

If you have questions or concerns regarding specific clearances or Hydro One right of way situations, please feel free to contact:

Charles S. Esendal, P.Eng., MBA
Transmission Lines and RoW Sustainment
Hydro One Networks, Inc.
483 Bay Street, TCT15, North Tower
Toronto, Ontario, M5G 2P5
Phone: (416) 345-5931
charles.esendal@HydroOne.com

Hydro One Initial Contact List

Zone #	Zone Name	Telephone #	Fax #	E-mail
1	West	800-957-7756 X 3252	519-423-6971	zone1scheduling@HydroOne.com
2	West Central	905-627-6050	905-627-6059	WestCentralZoneScheduling@HydroOne.com
3A	Central	888-871-3514 x 3341	705-743-9890	zone3ascheduling@HydroOne.com
3B	East Central	866-646-4619	613-967-3582	eastcentralzonescheduling@hydroone.com
4	East	866-288-8874 or 613-267-2154	613-267-7248	EastZoneScheduling@HydroOne.com
5	Georgian Bay	888-238-2398 and press 2	705-727-4803	zone5scheduling@HydroOne.com
6	Northeast	888-835-9444 x 309	705-566-8093	zone6scheduling@HydroOne.com
7	Northeast	807-346-3823	800-932-6171	northwestzonescheduling@hydroone.com





Bonnie Adams/GAS/Enbridge

09/21/2009 10:49 AM

To "Debbie Schaefer" <breezycreeks@sympatico.ca>

cc

bcc Edwin Makkinga/GAS/Enbridge@Enbridge

Subject Fw: EB-2009-0187

Good Morning,

Further to Edwin's email below,

The application and evidence was filed with the Ontario Energy Board (the "Board") on September 3, 2009 and Enbridge is currently waiting to receive the Notice of Application from the Board. Once the Board issues the Notice of Application interested parties will have the opportunity to file comments with the Board as well as request intervenor status in this proceeding. Intervenor status means that you will have the opportunity to provide comments on the application/evidence and will receive notifications of any material issued by the Board as well as from Enbridge and other intervenors.

The Notice of Application will provide details on how to file any comments and how to submit a request for intervenor status. All requests will need to be submitted to the Board as well as to Enbridge.

You will receive a notification by email from Enbridge when the Board issues the Notice of Application, please feel free to contact me if you have any questions when you receive the Notice.

Please advise if you have any additional questions regarding this proceeding.

Thank You.

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator, Regulatory Affairs
Junior Achievement Corporate Administrator
VPC 5, Post C 12
Phone: (416)495-6409
Fax: (416)495-6072

----- Forwarded by Bonnie Adams/GAS/Enbridge on 09/21/2009 10:23 AM -----



**Edwin
Makkinga/GAS/Enbridge**

09/18/2009 07:39 AM

To "Debbie Schaefer" <breezycreeks@sympatico.ca>

cc

Subject Re: EB-2009-0187 

Ms. Schaefer,

Thanks for your email. Yes, the Leave To Construct application for the Pipeline To Serve The York Energy Centre LP has been submitted to the Ontario Energy Board.

At this point the Environmental Assessment portion of the project has been completed. I have forwarded your email on to our Regulatory Affairs department who deal with the Application to the OEB process from this point forward. They will be able to provide details around submitting comments to the OEB, etc.

Regards,

Edwin Makkinga, B.Sc., CCEP
EHS Specialist
Enbridge Gas Distribution (Environment, Health and Safety)
5th Floor, 500 Consumers Road,
North York, ON M2J 1P8

Phone (416) 495-6789

Fax (416) 495-5523

"Debbie Schaefer" <breezycreeks@sympatico.ca>



"Debbie Schaefer"
<breezycreeks@sympatico.c
a>

09/16/2009 01:16 PM

To "Edwin Makkinga" <Edwin.Makkinga@enbridge.com>

cc

Subject EB-2009-0187

I see from the website that the application for "leave to construct" was submitted September 3rd.


- i) what is the deadline for comments from public to be received.
- ii) to whom does one send such comments.

Thank you, Debbie Schaefer
Chair, Concerned Citizens of King Township



James Schofield/GAS/Enbridge

09/28/2009 02:12 PM

To Bonnie Adams/GAS/Enbridge@Enbridge
cc Janice Fay/GAS/Enbridge@Enbridge, Peter Jurgeneit/GAS/Enbridge@Enbridge
bcc
Subject Re: EB-2009-0187 YEC 

Bonnie,

I have spoken to [REDACTED] this afternoon and provided her with an answer regarding what side of the road the proposed NPS 16 pipeline along Lloydtown Aurora Rd will be situated.

[REDACTED] concern:

[REDACTED] is would like to pave her driveway but does not want Enbridge to opencut the newly paved driveway shortly there after.

Answer:

At this point in time a preferred side of the road has not been selected (North/South). I mentioned that we would be in contact with her when York Region has provided permits 'approving' the proposed line location within the road allowance along Lloydtown Aurora Rd . This may take until April of 2010.

Outcome:

[REDACTED] will delay the paving of her driveway until we notify [REDACTED] with what side of the road the pipeline will be situated.

If you have any questions, please contact me.

Regards,

James Schofield, P.Eng.
Project Manager
Engineering Special Projects
Enbridge Gas Distribution
Telephone (416) 495-5763

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Bonnie Adams/GAS/Enbridge



Bonnie Adams/GAS/Enbridge

09/28/2009 09:28 AM

To James Schofield/GAS/Enbridge@Enbridge
cc
Subject EB-2009-0187 YEC

Good Morning,

Just wanted to follow up with you about a voice mail message I forwarded to you on Friday afternoon regarding the YEC project. The message was from [REDACTED]

Please let me know if you received this message.

I am out of the office today but can be reached by email.

Thank You.

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator, Regulatory Affairs
Junior Achievement Corporate Administrator
VPC 5, Post C 12
Phone: (416)495-6409
Fax: (416)495-6072



500 Consumers Road
North York, Ontario
M2J 1P8
PO Box 650
Scarborough ON
M1K 5E3

Rob Rowe
Manager, Upstream Regulation
Tel: 416-495-5738
Fax : 416-495-6072
Email: rob.rowe@enbridge.com

October 13, 2009

VIA COURIER

Ingrid Epp
Environmental Assistant
Environment and Engineering
Transport Canada – Ontario Region (PHE)
4900 Yonge Street
North York, Ontario
M2N 6A5

Re: Enbridge Gas Distribution Inc. ("Enbridge")
EB-2009-0187 Pipeline to Serve the Proposed York Energy Centre

Thank you for your email of October 1, 2009 regarding the proposed Pipeline to serve the proposed York Energy Centre.

We have reviewed the letter and have discussed the same with our environmental consultant, Jacques Whitford Stantec Limited ("JWSL"), who conducted the hydrological assessment for the Pipeline.

Please note, the proposed method of construction by Enbridge is the horizontal directional drilling method which will maximize environmental protection to the extent possible. Information about horizontal directional drilling is available in the environmental report. It ensures that the normal stream flow is maintained and that navigability is uninterrupted.

In addition, a review of the water courses along the preferred route of the pipeline during the spring/summer of 2009 was performed by JWSL. The review indicated that the water courses were not considered navigable because of upstream/downstream obstructions and water levels. Therefore, based on these comments, and the understanding of the requirements of the *Navigable Waters Protection Act*, we are of the view that permits under the *Navigable Waters Protection Act* are not required.

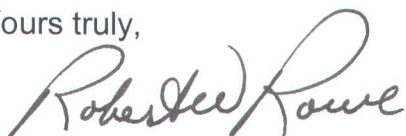
If Transport Canada is of a different view, please provide the information upon which Transport Canada has relied to arrive at such a view so that we may review our

October 13, 2009
Page 2 of 2

information. If Enbridge does not hear anything further, we will assume Transport Canada is in agreement with the views of Enbridge stated herein.

I trust this is satisfactory.

Yours truly,

A handwritten signature in dark ink, appearing to read "Robert W. Rowe". The signature is fluid and cursive, with the first and last names being more prominent.

Robert W. Rowe
Manager, Upstream Regulation

C.C: Scott Stoll, Aird & Berlis
Norm Ryckman, Director, Regulatory Affairs
James Schofield, Project Manager, Engineering Special Projects
Edwin Makkinga, Specialist, Environment, Health & Safety



Bonnie Adams/GAS/Enbridge

11/13/2009 11:14 AM

To

cc

bcc

Subject Fw: Enbridge Pipeline to Serve Proposed York Energy
Centre NEATS 18814

From: Epp, Ingrid [mailto:ingrid.epp@tc.gc.ca]

Sent: October 1, 2009 2:42 PM

To: Scott Stoll

Subject: Enbridge Pipeline to Serve Proposed York Energy Centre NEATS 18814

Mr. Stoll,

Thank you for your letter regarding the above referenced environmental assessment.

We have reviewed the information, and note the following:

Transport Canada is responsible for the administration of the *Navigable Waters Protection Act*, which prohibits the construction or placement of any "works" in navigable waters without first obtaining approval. If any of the related project elements or activities may cross or affect a potentially navigable waterway, you are requested to prepare and submit an application in accordance with the requirements as outlined in the attached Application Guide. It is possible that these works will be in line with the minor works policies for marine construction.

Please consult the pipeline crossing guidelines for more information, available at:

<http://www.tc.gc.ca/MarineSafety/tp/Tp14593/menu.htm>.

Any questions about the NWPA application process should be directed to the Navigable Waters Protection Program at 1-866-821-6631 or NWPOntario@tc.gc.ca.

<<Annex A Navigable Waters Protection Act Application Addresses.doc>> <<TC Application Form.pdf>> <<TC Application Guide.pdf>>

Please note that certain approvals under the *Navigable Waters Protection Act* or *Railway Safety Act* trigger the requirement for a federal environmental assessment under the Canadian Environmental Assessment Act. You may therefore wish to consider incorporating CEAA requirements into your provincial environmental assessment.

The same e-mail message has also been sent to Mr. Norm Ryckman.

Please contact me should you wish to discuss this further.

Regards,

Ingrid Epp
Environmental Assistant

Environment and Engineering
Transport Canada - Ontario Region (PHE)
4900 Yonge Street, North York, ON M2N 6A5
tel: 416-952-3379
email: ingrid.epp@tc.gc.ca



 Please consider the environment before printing this email. TC Application Form.pdf TC Application Guide.pdf



Annex A Navigable Waters Protection Act Application Addresses.doc



James Schofield/GAS/Enbridge

10/02/2009 02:59 PM

To Bonnie Adams/GAS/Enbridge@Enbridge

cc Peter Jurgeneit/GAS/Enbridge@Enbridge, Janice Fay/GAS/Enbridge@Enbridge, Edwin Makkinga/GAS/Enbridge@Enbridge

bcc

Subject Resident Inquiry - York Energy Centre Pipeline Project

Bonnie,

I have spoken to [REDACTED] on October 1st, 2009 and provided him with an answer regarding testing his well prior to and after construction along Lloydtown Aurora Rd.

His concern:

That water levels and quality of [REDACTED] hand dug well may be affected due to the proposed construction of the NPS 16 pipeline in front of his property along Lloydtown Aurora Rd. [REDACTED] would like to have his well tested prior to and after construction along Lloydtown Aurora Rd.

Answer:

That I would relay this information to our Environmental Health & Safety Department and that they would arrange to have [REDACTED] well tested. The testing would only occur shortly before construction begins in front of [REDACTED] property (May 2010 - April 2011).

Outcome:

Enbridge would contact [REDACTED] to coordinate the testing of [REDACTED] well as mentioned above. I received a contact email address (annarita@starlanehomes.com) for communication purposes. [REDACTED] was pleased with our conversation and would be satisfied if we tested [REDACTED] well for change in water level and quality.

Regards,

James Schofield, P.Eng.
Project Manager
Engineering Special Projects
Enbridge Gas Distribution
Telephone (416) 495-5763

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Enbridge Gas Distribution Inc.
500 Consumers Road
North York, Ontario, M2J-1P8
Canada
www.enbridge.com/gas

Edwin Makkinga
EHS Specialist
Environment, Health and Safety
Tel 416 495 6789
Fax 416 495 5523
edwin.makkinga@enbridge.com

October 27, 2009

File Number:

Jane Ross
York Region District School Board
Education Centre - Aurora
60 Wellington Street West, Box 40
Aurora, ON
L4G 3H2

Dear Ms Ross:

**RE: Enbridge Gas Distribution Inc. ("Enbridge")
EB-2009-0187 Pipeline to Serve the Proposed York Energy Centre**

Thank you for your letter of October 6, 2009 regarding the proposed Pipeline to serve the proposed York Energy Centre.

We have reviewed the letter and the concerns regarding student safety and access to Kettleby Public School during the construction and operation of the proposed Pipeline.

Enbridge currently plans to install the proposed pipeline on the south side of Lloydtown-Aurora Road in the vicinity of Kettleby Public School. Therefore, the majority of construction activity will occur on the opposite side of the road on which the School is located. Student safety and public access will be ensured through the use of barriers consistent with Ontario Regulation 851 (http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_900851_e.htm) and traffic control measures according to the Ontario Ministry of Transportation Book 7 Field Edition (http://www.otc.org/PDF/Training_2008_08_18_Book_7_TempCond.pdf).

Worker and public safety is Enbridge's priority during the construction and operation of its natural gas distribution system. During all pipeline construction activity a dedicated pipeline safety inspector will be onsite to ensure that pertinent health and safety protocols and procedures are enforced.

Enbridge plans to begin construction of the Pipeline in the spring/summer of 2010 subject to approval from both York Region and the Ontario Energy Board.

Sincerely,

Edwin Makkinga, B.Sc., CCEP



EDUCATION CENTRE – AURORA

60 Wellington Street West, Box 40
Aurora, Ontario L4G 3H2
Tel: 905.727.3141 905.895.7216 905.722.3201 416.969.8131

Filed: 2009-11-16
EB-2009-0187
Exhibit G
Tab 1
Schedule 1
Page 2 of 2
Attachment 12

Fax: 905.727.0775
Website: www.yrdsb.edu.on.ca

October 6, 2009

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Attention: Board Secretary
E-mail: boardsec@oeb.gov.on.ca

RE: EB-2009-0187

We have been advised that Enbridge Gas Distribution has filed an application with the Ontario Energy Board for an order granting leave to construct approximately 16.7km of 16 inch diameter Extra High Pressure steel pipeline connecting Enbridge's Schomberg Gate Station at 4955 Lloydtown-Aurora Road to York Energy Centre at 18781 Dufferin Street. We understand that the proposed pipeline will be located along existing road, utility and/or right of ways.

A portion of the alignment is located in the road right of way in front of Kettleby Public School which is located at 3286 Lloydtown-Aurora Road. Kettleby Public School has an enrolment of approximately 180 elementary students and the school's only access is from Lloydtown-Aurora Road. Ensuring student safety and access to Kettleby Public School during construction and operation of the pipeline is the Board's priority.

We understand Enbridge follows regulations set out by Canadian Standards Association in the design, construction and operation of the proposed pipeline including extensive corrosion and leak prevention programs that will be ongoing.

The York Region District School Board was not one of the parties on the Agency Contact List in the Environmental Report prepared by Stantec and as a result, did not have the opportunity to comment on the route selection process. We understand all affected landowners/residents will be notified in advance of construction activity in their area and appropriate mitigation measures taken. Due to the location and access of Kettleby Public School in relation to the proposed pipeline, maintaining safe student pedestrian and school bus access during and after construction is requested by the Board. We will be happy to provide any relevant information to Enbridge and its consultants to work towards ensuring student safety and mitigate any issues with regards to maintaining access to Kettleby Public School during construction.

Yours truly,

A handwritten signature in black ink, appearing to read "Jane Ross", is written over a horizontal line.

Jane Ross
Manager of Accommodation
Planning & Property Development

CC: Edwin Makkinga edwin.makkinga@enbridge.com
Ross Virgo ross.virgo@yrdsb.edu.on.ca
Fiona Allan fiona.allan@yrdsb.edu.on.ca



"James Wagar"
<JamesW@metisnation.org>

10/07/2009 08:33 AM

To "Bonnie Adams" <Bonnie.Adams@enbridge.com>

cc "Brian Tucker" <BrianT@metisnation.org>, "Melanie Paradis"
<MelanieP@metisnation.org>

bcc

Subject RE: Metis Nation of Ontario - York Energy Centre LTC -
Notice of Application

Thank you Bonnie,

The contact person for the Métis Nation of Ontario when you file applications with the Ontario Energy Board is the Director of Lands, Resources and Consultation – Melanie Paradis
email:melanieP@metisnation.org

Miigwetch - Merci - Thank You

James W. Wagar

Consultation Assessment Coordinator
Lands, Resources and Consultation
Métis Nation of Ontario
75 Sherbourne St., Suite 222
Toronto, Ontario M5A 2P9

Toll Free: 888.466.6684

Tel: 416.977.9881 ext.107

Cell: 905.447.6612

Fax: 416.977.9911

JamesW@metisnation.org



Please consider the environment before printing this email.

From: Bonnie Adams [mailto:Bonnie.Adams@enbridge.com]

Sent: October 6, 2009 5:46 PM

To: James Wagar

Cc: Brian Tucker; Melanie Paradis

Subject: Re: Metis Nation of Ontario - York Energy Centre LTC - Notice of Application

Hello,

In response to your email below and your recent phone message, the application and evidence for this proceeding can be found on the Enbridge website at www.enbridgegas.com/yorkpipeline

As you have requested, I will also send you a paper copy of all material for your records to the address you provided.

Please do not hesitate to contact me at anytime if you required further information about this project and the process followed by the Ontario Energy Board (outlined in the Notice of Application)

Also, please advise who should be the contact person for the Metis Nation when will file applications with the Ontario Energy Board?

Thank You

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator, Regulatory Affairs
Junior Achievement Corporate Administrator
VPC 5, Post C 12
Phone: (416)495-6409
Fax: (416)495-6072

▼ "James Wagar" <JamesW@metisnation.org>

"James Wagar"
<JamesW@metisnation.org>

10/06/2009 12:02 PM

To <Bonnie.Adams@enbridge.com>

cc "Melanie Paradis" <MelanieP@metisnation.org>, "Brian Tucker" <BrianT@metisnation.org>

Subject Metis Nation of Ontario - York Energy Centre LTC -
tNotice of Application

Bonnie Jean Adams,

Thank you for your email notice.

For the Métis Nation of Ontario, could you please provide us with more detailed information and timelines regarding your project. You can find the address below.

To further familiarize yourself on the Metis Nation of Ontario please visit www.metisnation.org and review the attached "Duty to Consult" brochure.

I look forward to hearing from you. If you have any questions please do not hesitate and contact me.

Miigwetch - Merci - Thank You

James W. Wagar

Consultation Assessment Coordinator
Lands, Resources and Consultation
Métis Nation of Ontario
75 Sherbourne St., Suite 222
Toronto, Ontario M5A 2P9

Toll Free: 888.466.6684
Tel: 416.977.9881 ext.107
Cell: 905.447.6612
Fax: 416.977.9911

JamesW@metisnation.org



Please consider the environment before printing this email.

From: Melanie Paradis
Sent: September 25, 2009 4:36 PM
To: Brian Tucker; James Wagar
Subject: FW: EB-2009-0187 Enbridge Gas Distribution: York Energy Centre LTC - Notice of Application

James,

Can you please look into this and request additional information?

Melanie Paradis
Director of Lands, Resources and Consultation
Metis Nation of Ontario
75 Sherbourne St., Suite 222
Toronto, ON M5A 2P9

Office: 416-977-9881 x 114
Fax: 416-977-9911
Mobile: 519-591-9219
Guelph Office: 519-265-8002

From: Bonnie Adams [<mailto:Bonnie.Adams@enbridge.com>]

Sent: September 24, 2009 4:42 PM

To: vanlop1@parl.gc.ca; julia.munroco@pc.ola.org; gsorbara.mpp.co@liberal.ola.org; Louise.Knox@ceaa-acee.gc.ca; greens@inac-ainc.gc.ca; Sheila.Allan@ec.gc.ca; Chantal.larochelle@dfo-mpo.gc.ca; paul.savoie@dfo-mpo.gc.ca; boivinm@dfo-mpo.gc.ca; kitty_ma@hc-sc.gc.ca; mousse@tc.gc.ca; naren.doshi@gtaa.com; catherine.carcone@ic.gc.ca; wai.kok1@ontario.ca; doug.peeling@mto.gov.on.ca; oalonso@tssa.org; sharon.rew@ontario.ca; Zora.Crnojacki@oeb.gov.on.ca; donna.mundie@omafra.gov.on.ca; Dan.Panko@ontario.ca; jason.ezer@ontario.ca; graham.martin@orc.gov.on.ca; agatha.garciawright@ontario.ca; theresa.fancy@ontario.ca; dorothy.moszynski@ontario.ca; chunmei.liu@ontario.ca; alex.blasko@ontario.ca; George.Rocoski@ontario.ca; david.cooper@ontario.ca; ray.valaitis@ontario.ca; john.erskine-kellie@ontario.ca; carol.healy@ontario.ca; robert.morton@ontario.ca; rick.jennings@ontario.ca; rob.mazzotta@ontario.ca; marek.wiesek@ontario.ca; winston.l.wong@ontario.ca; James.Hamilton@ontario.ca; tony.ierullo@HydroOne.com; john.mackenzie@orc.gov.on.ca; shawn.cronkwright@powerauthority.on.ca; Deborah.Langelaan@powerauthority.on.ca; howard.wetston@oeb.gov.on.ca; Tom.Chrzan@ontario.ca; steven.strong; jean.enneson@ontario.ca; ron.allen@ontario.ca; jim.watson@ontario.ca; betty.morgan@ontario.ca; gilbertg@inac-ainc.gc.ca; pam.wheaton@ontario.ca; francois.lachance@ontario.ca; surinder.singh.gill@ontario.ca; martin.rukavina@ontario.ca; bruce.macgregor@york.ca; bryan.tuckey@york.ca; patrick.draper@york.ca; erin.mahoney@york.ca; andrea.adley-mcginnis@york.ca; kathleen.llewellyn-thomas@york.ca; regional.chair@york.ca; scott.stover@york.ca; Paul.Belton@york.ca; tammy.silverstone@york.ca; scott.stover@york.ca; joann.simmons@york.ca; ssomerville@king.ca; cpurcell@king.ca; planninginfo@king.ca; mayor@king.ca; jsmyth@king.ca; jrpk@king.ca; csomerville@king.ca; bburbidge@king.ca; sjarvis@king.ca; kingribbit@gmail.com; g.wood@lsrca.on.ca; b.booth@lsrca.on.ca; f.pinto@lsrca.on.ca; j.burkart@lsrca.on.ca; c.sharp@lsrca.on.ca; info@greenbeltalliance.ca; info@conservationontario.ca; stop-info@stop-emf.ca; leslie@yrea.org; gloria@yrea.org; manager@thefarmline.ca; brian.peterkin@ontario.ca; brian.peterkin@ontario.ca; info@kingchamber.ca; president@ofa.on.ca; online@king.ca; carolines@ontarionature.org; catherine.axford@heritagetrust.on.ca; info@greenbelt.ca; markc@ontarionature.org; hmdcs@hmdcs.ca; barbara.heidenreich@heritagetrust.on.ca; ysnclub@yahoo.ca; cckt@kingtoday.ca; jreaume@rogers.com; jreaume@rogers.com; nogeneratorinking@king-ca.ca; jbmarsden@eagle.ca; info@chimnissing.ca; dbigcanoe@georginaisland.com; chief@ramafirstnation.ca; manager@curvelakefn.com; info@hiawathafn.ca; tgauthier@scugogfirstnation.com; bryanlaforme@newcreditfirstnation.com; rphillips@aiai.on.ca; rcornelius@aiai.on.ca; Bob Waldon; ruth@redlinesystems.ca; keparsons@xplor.net; patsspiritallive@aol.com; gkindree@zing-net.ca; jkanbergs0628@rogers.com; ccordone@comswgr.com; cindy.brown@scotiabank.com; radeonut@sympatico.ca; lesandcarolann.trabert@sympatico.ca; Richard_Johnson@telus.com; g.vogan@sympatico.ca; sdagostino@thomsonrogers.com;

sdonato1@gmail.com; annaritar@starlanehomes.com; lamberti8639@rogers.com;
crhodes@sympatico.ca; ugaldh@mcmaster.ca; Melanie.Boivin@dfo-mpo.gc.ca;
info@lsrca.on.ca; sylviaadbowman@sympatico.ca

Subject: Fw: EB-2009-0187 Enbridge Gas Distribution: York Energy Centre LTC -
Notice of Application

On September 3, 2009 Enbridge filed an application with the Ontario Energy Board (the "Board") for an order granting leave to construct a natural gas distribution pipeline and related facilities in the Township of King in the Regional Municipality of York.

On September 22, 2009 the Board issued the Notice of Application and Letter of Direction for this proceeding. The Board has directed Enbridge to serve a paper version of the Notice of Application and Enbridge's Application on all interested parties that are directly and indirectly affected by the project.

Attached below please find the Notice of Application and a copy of Enbridge's application for the EB-2009-0187 proceeding.

The application and evidence for this proceeding can be found on the Enbridge website at www.enbridgegas.com/yorkpipeline

Please contact the undersigned if you have any questions.

Please contact me if you have any questions.

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator
Telephone: (416) 495-5499
Fax: (416) 495-6072

(See attached file: noa_Enbridge_20090922.pdf)(See attached file: A-2-1 - Application.PDF)(See attached file: Duty_to_Consult_Guide.pdf)



Bonnie Adams/GAS/Enbridge

10/21/2009 09:29 AM

To sbeharriell@rout.com

cc

bcc

Subject EB-2009-0187 Enbridge Gas Distribution: York Energy
Centre LTC - Application and Evidence

Good Morning,

In response to your recent email correspondence to the Ontario Energy Board (the "Board") with regards to the above noted project. attached below please find the Notice of Application and a copy of Enbridge's application filed with the Board.

The application and evidence for this proceeding can be found on the Enbridge website at www.enbridgegas.com/yorkpipeline

The environmental report for this project can be found at Exhibit B, Tab 2, Schedule 2 of the evidence.

Please advise if you would prefer to receive a copy of the evidence in a different format such as a CD or paper copy.

Please contact me if you have any additional questions.

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator
Telephone: (416) 495-5499
Fax: (416) 495-6072



noa_Enbridge_20090922.pdf



A-2-1 - Application.PDF

Message: D09-14180

From: [BoardSec](#)
To: [Shelly-Anne Connell](#)
Cc:
Sent: 10/20/2009 at 3:20 PM
Received: 10/20/2009 at 3:20 PM
Subject: FW: EB-2009-0187

John Pickernell

Assistant Board Secretary

Ontario Energy Board

416-440-7605

Fax: 416-440-7656

Website: www.oeb.gov.on.ca

Official Correspondence: BoardSec@oeb.gov.on.ca

Address:

P.O. Box 2319

2300 Yonge Street 27th Floor

Toronto, ON

M4P 1E4

From: Maloney Aguirre
Sent: October 20, 2009 3:11 PM
To: BoardSec
Subject: EB-2009-0187

Ref# 2009-0011599

Susan Beharriell

(905)859-6961

sbeharriell@routcom.com

4770 15th Sideroad

King City, ON L7B 1K4

Best time to reach: No Preference

Please provide all environmental information regarding
the 18 KM gas pipeline route in connection with file # EB-2009-0187 submitted 20
Sep 2009.

Could you also please provide an estimate regarding when the hearing
may be held? Before the end of 2009? In the first quarter of 2010?

Thank you

for your prompt attention to this matter.

sincerely,

Susan Beharriell

Reduce Your Carbon Footprint, Please Think Before You Print.



"Debbie Schaefer"
<breezycreeks@sympatico.ca>
a>

10/16/2009 01:31 PM

To <boardsec@oeb.gov.on.ca>

cc <EGDRegulatoryProceedings@enbridge.com>,
<sstoll@airdberlis.com>

bcc

Subject file EB-2009-0187

On behalf of the Concerned Citizens of King Township I am forwarding you a letter with an attachment regarding the application by Enbridge for leave to construct a natural gas pipeline to supply York Energy Centre file EB-2009-0187. Two hard copies will follow by mail to the OEB and one hard copy to those on the copy list.

concerned citizens of king township inc.

P.O. Box 875, King City, Ontario L7B 1A9

www.kingtoday.ca

October 15, 2009

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

Fax: 416-440-7656

Email: boardsec@oeb.gov.on.ca

Web Portal: www.errr.oeb.gov.on.ca

Dear Ms. Walli:

**RE: Enbridge Notice of Application for Leave to Construct Natural Gas Pipeline to Supply Gas to the York Energy Centre
File No. EB-2009-0187**

I am writing on behalf of Concerned Citizens of King Township ("CCKT") in relation to the above-captioned matter. Please accept these comments as CCKT's written submission on Enbridge's Notice of Application ("Application") for leave to construct a natural gas distribution pipeline and related facilities ("pipeline") in King Township to supply gas to the proposed York Energy Centre ("YEC").

Prematurity

1. As set out in the reasons below, we believe that Enbridge's Application ought to be turned down because it is premature.

(a) As a result of outstanding site plan and other approvals required for the YEC, which could affect the ultimate location or configuration of the pipeline as it connects to the YEC, or in fact its ultimate approvability, we believe the Application is premature. Because many of the YEC documents are in the early stages of review, Enbridge cannot know what conditions will be attached to the YEC project nor the final form of the development, should it be approved at all, which could impact its pipeline. At this time there is no reasonable certainty of the proposed YEC project proceeding given that key aspects of the YEC proposal are uncertain, such as financing, and therefore an Application for leave to construct a pipeline supplying gas to the YEC is also premature.

Greenbelt Plan

2. At the present time we have no confirmation that the YEC or the pipeline are in fact permitted at their proposed location within the Protected Countryside of the Greenbelt. There are serious questions outstanding concerning the YEC's and the pipeline's compliance with key provincial policies including the Greenbelt Plan.

3. Under section 4.2.1.1 of the Greenbelt Plan, a pipeline (infrastructure) [1] would be permitted in the Protected Countryside provided it meets one of two objectives:

(a) It supports agriculture, recreation and tourism, rural settlement areas, resource use or the rural economic activity that exists and is permitted within the Greenbelt; or

(b) It serves the significant growth and economic development expected in southern Ontario beyond the Greenbelt by providing for the *appropriate infrastructure connections* among urban growth centres and between these centres and Ontario's borders[2].

4. It is our position that the pipeline is not an "infrastructure connection among urban growth centres and between those centers and Ontario's borders" and therefore does not comply with 4.2.1.1 (b).

5. Further, even if the pipeline was permitted as of right as accessory to the YEC in the Greenbelt, it is our view that the YEC itself is not permitted in the Greenbelt as it is a generation facility, not an "infrastructure connection", and therefore a pipeline servicing the YEC does not comply with section 4.2.1.1(b) either.

6. It is our position that a natural gas pipeline does not meet the objectives outlined in 4.2.1.1 (a) either given its impact on the rural and agricultural character of this area.

7. Given that the pipeline does meet the objectives of section 4.2.1.1 of the Greenbelt Plan, it is our position that it is not permitted within the Protected Countryside.

Oak Ridges Moraine Conservation Plan[\[3\]](#)

8. At the present time we have no confirmation that the pipeline is in fact permitted or appropriate along its proposed route through lands subject to the Oak Ridges Moraine Conservation Plan[\[4\]](#) (“ORMCP”). These include lands designated “countryside”, “natural linkage” and “natural core”.

9. The ORMCP defines infrastructure to include gas pipelines. Pursuant to section 41 (2) of the ORMCP, an application for a transportation, infrastructure or utilities use with respect to land in a “natural linkage area” shall not be approved unless:

(a) the need for the project has been demonstrated and there is no reasonable alternative and

(b) the applicant demonstrates that the following requirements will be satisfied, to the extent that is possible while also meeting all applicable safety standards:

1. The area of construction disturbance will be kept to a minimum.
2. Right of way widths will be kept to the minimum that is consistent with meeting other objectives such as stormwater management and with locating as many transportation, infrastructure, and utility uses within a single corridor as possible.
3. The project will allow for wildlife movement.
4. Lighting will be focused downwards and away from Natural Core Areas.
5. The planning, design and construction practices adopted will keep any adverse effects on the ecological integrity of the Plan Area to a minimum.

10. We do not have satisfactory evidence from the Environmental Report that Enbridge has met the above requirements.[\[5\]](#)

11. Further, an application for a transportation, infrastructure or utilities use with respect to land in a “natural core area” shall not be approved unless the applicant demonstrates that,

- (a) the requirements of subsection 41 (2) have been met;
- (b) the project does not include and will not in the future require a highway interchange or a transit or railway station in a Natural Core Area; and
- (c) the project is located as close to the edge of the Natural Core Area as possible.

12. We do not have satisfactory evidence from the Environmental Report that Enbridge has met the above requirements[6].

13. CCKT requests that the Applicant be required to demonstrate how the pipeline meets the requirements of section 41 of the ORMCP.

Conclusion

14. The Ontario Energy Board must deny the Application. As outlined above, the Application is premature given the incomplete status of a number of approvals required for the YEC and the absence of confirmation that the pipeline complies with the Greenbelt Plan or ORMCP.

I would be happy to discuss any of the above comments.

Yours very truly,

Debbie Schaefer
P.O. Box 875,
King City, ON
L7B 1A9

Email: cckt@kingtoday.ca

cc: Enbridge Gas Distribution Inc.
P.O. Box 650
Scarborough, Ontario
M1K 5E3
Attention: Norm Ryckman

Email: EGDRegulatoryProceedings@enbridge.com

Fax: 416-495-6072

Counsel for the Applicant

Mr. Scott Stoll
Aird & Berlis LLP

Suite 1800, Box 754
Brookfield Place, 181 Bay Street
Toronto, ON
M5J 2T9

Email: sstoll@airdberlis.com

Fax: 416-863-1515

-
- [1] Definition of “infrastructure” in Greenbelt Plan enclosed
 - [2] Section 4.2.1 General Infrastructure Policies of the Greenbelt Plan, enclosed.
 - [3] Oak Ridges Moraine Conservation Plan, [O. Reg. 140/02](#) section 41, enclosed.
 - [4] Environmental Report, EB-2009-0187, Figure 3-3
 - [5] *Ibid.* 3-25, enclosed



- [6] *Ibid.* 3-25, enclosed OEB 101509 enclosures.pdf

4.2 Infrastructure

Infrastructure is important to economic well-being, human health and quality of life in southern Ontario and the Greenbelt.

There is already extensive local and regional *infrastructure* within the Greenbelt to serve its settlements, agricultural and resource sectors and the rural economy. Existing *infrastructure* must be maintained and new *infrastructure* will be needed to continue serving existing and permitted land uses within the Greenbelt.

In addition, major *infrastructure* serving national, provincial and inter-regional needs traverses the Greenbelt. It is also anticipated that new and/or expanded facilities will be needed in the future to serve the substantial growth projected for southern Ontario.

4.2.1 General Infrastructure Policies

For lands falling within the Protected Countryside, the following policies shall apply:

1. All existing, expanded or new *infrastructure* subject to and approved under the *Canadian Environmental Assessment Act*, the *Environmental Assessment Act*, the *Planning Act*, the *Aggregate Resources Act*, the *Telecommunications Act* or by the National or Ontario Energy Boards, or which receives a similar environmental approval, is permitted within the Protected Countryside, subject to the policies of this section and provided it meets one of the following two objectives:
 - a. It supports agriculture, recreation and tourism, rural settlement areas, resource use or the rural economic activity that exists and is permitted within the Greenbelt; or
 - b. It serves the significant growth and economic development expected in southern Ontario beyond the Greenbelt by providing for the appropriate *infrastructure* connections among urban growth centres and between these centres and Ontario's borders.
2. The location and construction of *infrastructure* and expansions, extensions, operations and maintenance of *infrastructure* in the Protected Countryside, are subject to the following:
 - a. Planning, design and construction practices shall minimize, wherever possible, the amount of the Greenbelt, and particularly the Natural Heritage System, traversed and/or occupied by such *infrastructure*;
 - b. Planning, design and construction practices shall minimize, wherever possible, the *negative impacts* and disturbance of the existing landscape, including, but not limited to, impacts caused by light intrusion, noise and road salt;
 - c. Where practicable, existing capacity and coordination with different *infrastructure* services is optimized so that the rural and existing character of the Protected Countryside and the overall urban structure for southern Ontario established by Greenbelt and any provincial growth management initiatives are supported and reinforced;
 - d. New or expanding *infrastructure* shall avoid *key natural heritage features* or *key hydrologic features* unless need has been demonstrated and it has been established that there is no reasonable alternative; and
 - e. Where *infrastructure* does cross the Natural Heritage System or intrude into or result in the loss of a *key natural heritage feature* or *key hydrologic feature*, including related *landform features*, planning, design and construction practices shall minimize *negative impacts* and disturbance on the features or their related functions, and where reasonable, maintain or improve *connectivity*.
3. *Infrastructure* serving the agricultural sector, such as agricultural irrigation systems, may need certain elements to be located within the *vegetation protection zone* of a *key natural heritage*

Infrastructure

Means physical structures (facilities or corridors) that form the foundation for development or resource use. *Infrastructure* includes: sewage and water systems, sewage treatment systems, waste management systems, electric power generation and transmission including *renewable energy systems*, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Transportation, infrastructure and utilities

41. (1) Transportation, infrastructure and utilities uses include,

- (a) public highways;
- (b) transit lines, railways and related facilities;
- (c) gas and oil pipelines;
- (d) sewage and water service systems and lines and stormwater management facilities;
- (e) power transmission lines;
- (f) telecommunications lines and facilities, including broadcasting towers;
- (g) bridges, interchanges, stations and other structures, above and below ground, that are required for the construction, operation or use of the facilities listed in clauses (a) to (f); and
- (h) rights of way required for the facilities listed in clauses (a) to (g). O. Reg. 140/02, s. 41 (1).

(2) An application for a transportation, infrastructure or utilities use with respect to land in a Natural Linkage Area shall not be approved unless,

- (a) the need for the project has been demonstrated and there is no reasonable alternative; and
- (b) the applicant demonstrates that the following requirements will be satisfied, to the extent that is possible while also meeting all applicable safety standards:
 - 1. The area of construction disturbance will be kept to a minimum.
 - 2. Right of way widths will be kept to the minimum that is consistent with meeting other objectives such as stormwater management and with locating as many transportation, infrastructure and utility uses within a single corridor as possible.
 - 3. The project will allow for wildlife movement.
 - 4. Lighting will be focused downwards and away from Natural Core Areas.
 - 5. The planning, design and construction practices adopted will keep any adverse effects on the ecological integrity of the Plan Area to a minimum. O. Reg. 140/02, s. 41 (2).

(3) An application for a transportation, infrastructure or utilities use with respect to land in a Natural Core Area shall not be approved unless the applicant demonstrates that,

- (a) the requirements of subsection (2) have been met;
- (b) the project does not include and will not in the future require a highway interchange or a transit or railway station in a Natural Core Area; and
- (c) the project is located as close to the edge of the Natural Core Area as possible. O. Reg. 140/02, s. 41 (3).

(4) Except as permitted in subsection (5), with respect to land in a key natural heritage feature or a hydrologically sensitive feature, all new transportation, infrastructure and utilities uses and all upgrading or extension of existing transportation, infrastructure and utilities uses, including the opening of a road within an unopened road allowance, are prohibited. O. Reg.

140/02, s. 41 (4).

(5) Transportation, infrastructure and utilities uses may be permitted to cross a key natural heritage feature or a hydrologically sensitive feature if the applicant demonstrates that,

- (a) the need for the project has been demonstrated and there is no reasonable alternative;
- (b) the planning, design and construction practices adopted will keep any adverse effects on the ecological integrity of the Plan Area to a minimum;
- (c) the design practices adopted will maintain and, where possible, improve or restore key ecological and recreational linkages, including the trail system referred to in section 39;
- (d) the landscape design will be adapted to the circumstances of the site and use native plant species as much as possible, especially along rights of way; and
- (e) the long-term landscape management approaches adopted will maintain and, where possible, improve or restore the health, diversity, size and connectivity of the key natural heritage feature or hydrologically sensitive feature. O. Reg. 140/02, s. 41 (5).

(6) Service and utility trenches for transportation, infrastructure and utilities shall be planned, designed and constructed so as to keep disruption of the natural groundwater flow to a minimum. O. Reg. 140/02, s. 41 (6).

Stantec

FINAL REPORT

Pipeline to Serve York Energy Centre LP

Environmental Features In The Study Area

July 16, 2009

Oak Ridges Moraine Conservation Act

The Oak Ridges Moraine ("ORM") is a significant landform located in Southern Ontario that stretches 160 km between the Trent River in the east and the Niagara Escarpment in the west. The ORM divides watersheds into those that drain south into Lake Ontario and those that drain north into Lake Simcoe and it forms the headwaters of many of these watercourses. In total, the ORM includes 190,000 ha of land that forms a significant part of the natural heritage of southern Ontario. In order to protect the special features contained within the ORM, the Province of Ontario enacted the ORMCP and the *Oak Ridges Moraine Conservation Act* ("ORMCA") to provide land use policy and resource management direction to provincial ministers, ministries, agencies, municipalities, planning authorities, landowners and other stakeholders on how the ORM's ecological and hydrological features and functions are to be protected. Any decisions made under the *Planning Act*, including Official Plans, are to conform to this plan (MMAH, 2001). Under the ORMCP, land use is divided into four categories: Natural Core Areas, Natural Linkage Areas, Countryside Areas and Settlement Areas. These areas are described as:

- Natural Core Areas – are lands with the greatest concentration of key natural heritage features that are critical to maintaining the integrity of the ORM.
- Natural Linkage Areas – are areas that provide critical natural and open space linkages between the Natural Core areas and along rivers and streams.
- Countryside Areas – are areas that provide an agricultural and rural transition and buffer between Natural Core Areas and Natural Linkage Areas, and the urbanized Settlement Areas.
- Settlement Areas – are areas that include a range of existing communities planned by municipalities to reflect community needs and values.

The study area for this Project includes all four of these land use designations. Although development is restricted in many of the land use designations, the development of a new natural gas pipeline is allowed when the need for the pipeline has been established and that there is no reasonable alternative for the proposed route (MMAH, 2001).

The need for the new pipeline has been established through the Ontario Power Authority's request to construct the YEC LP. The route selection process described in this report has been conducted to ensure compliance with the ORMCA and ORMCP. As the preferred route is located within existing road RoWs, the effects of the Project to the surrounding sensitive areas is anticipated to be minimal as these areas are already disturbed and are generally cleared of natural vegetation communities.



Environmental Promotion and Protection Branch
Environmental Services Department

October 21, 2009

Attention: Mr. Norm Ryckman
Enbridge Gas Distribution Inc.
P.O. Box 650
Scarborough ON M1K 5E3

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

Dear Mr. Ryckman:

**Re: Application with Ontario Energy Board filed on September 22, 2009
EB-2009-0187 Pipeline to serve the Proposed York Energy Centre
(Natural gas pipeline from Schomberg Gate Station in King Township
to York Region Energy Centre in Ansonrveltdt)**

It is our understanding that Enbridge Gas Distribution Inc. has filed an application with the Ontario Energy Board on September 22, 2009 regarding proposed natural gas pipeline that connects Schomberg Gate Station and the proposed York Region Energy Centre. As per your submission, it is our understanding the pipeline route begins at 4955 Lloydtown-Aurora Road proceeds along Jane Street, Highway 9, Dufferin Street ending at the proposed York Region Energy Centre, located at 18781 Dufferin Street. The proposed pipeline is 16.7 kilometre long built with 406 millimeter diameter extra high pressure steel pipe.

York Region Water Resources staff received the Notice of Application on September 24 and reviewed the information provided. It is our understanding that various York Region departments have provided their comments directly to you and as such our comments reflect only the opinions within Water Resources business unit. In general, we do not have comments opposing this application. However, the majority of the proposed pipeline lies within the Oak Ridges Moraine (ORM), where various sections crossing thorough high vulnerable aquifer areas. As such, this application and related construction activities must conform to the ORM Conservation Plan (2001), as also specified in the Regional Official Plan.

October 21, 2009
Enbridge Gas Distribution
Natural gas pipeline to serve the proposed York Region Energy Centre

2

We hope that this letter is sufficient and meets your needs at this time. If you have any questions or concerns please contact Tamara Kondrachova directly at 905-830-4444 at extension 5027.

Sincerely,

Tamara Kondrachova, M.Sc. (Eng.). P.Geo
Hydrogeologist, Source Protection,
Water Resources

TK/WK/tk

Copy to: Vick Bilkhu, Development Coordinator, Transportation Services, York Region
Paul Belton, Manager, Development Review, Planning, York Region
Andrea Adley-McGinnis, Water and Wastewater Capital Delivery, York Region



October 15, 2009

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

Sent By: Fax: 416-440-7656

Sent by Email: boardsec@oeb.gov.on.ca and to Web Portal: www.errr.oeb.gov.on.ca

Dear Ms. Walli:

RE: Enbridge Notice of Application for Leave to Construct Natural Gas Pipeline to Supply Gas to the York Energy Centre

File No. EB-2009-0187

I am writing on behalf of Save the Oak Ridges Moraine (STORM) Coalition. STORM is an incorporated not-for-profit organization founded in 1989 to ensure that land and resource use decisions take into account the significance and fragility of the moraine's ecological and hydrological features and functions. STORM works at the local and regional levels to ensure that municipalities, provincial ministries and agencies make good planning decisions that respect the environmental significance of the moraine. STORM's years of experience in policy and planning advocacy on the moraine and its well-developed network of local and regional contacts were critical to the campaign that saved (legislatively) the Oak Ridges Moraine.

STORM participated in the York North peaker plant selection process, initially because a number of the potential sites were located within the Oak Ridges Moraine Plan Area. STORM supported the citizen's group MegaWHAT! which was effective in bringing a number of issues to the table. We continue to support the efforts of Concerned Citizens of King Township (CCKT) to question, among other things, the need for the project and the ability of the process to conform to both the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan. To that end STORM supports the October 16, 2009 submission of CCKT.

In addition to the concerns raised by CCKT, STORM questions the validity of the entire process undertaken so far. The basis for this concern lies with the way that the different components of the overall project are separated into discrete parts – separate assessments are undertaken for the plant selection process, the construction of the plant, the siting and

construction of the connecting gas pipeline, the trenching required for the electrical connector etc. With no umbrella assessment of the need for and potential impacts of the project itself, the cumulative social and ecological impacts of all the different parts cannot be determined. Furthermore, the opportunity to objectively explore alternatives to any one of the preferred solutions (an essential and unalienable core feature of the environmental assessment process) of each successive component becomes increasingly impossible. This has the effect of closing down real public participation and a full examination of the trade-offs that both the local and the wider community are prepared to accept.

The scale and long-term consequences of choosing this particular solution, as one part of Ontario's energy security, requires a much different assessment process. It is simply not sufficient to jump from the abstract 'vision' developed during the 20-year master plan into a series of one-off environmental assessments with no intervening process to examine the appropriateness of the peaker plant option itself.

This is the message that concerned citizens have been communicating from the very beginning of the selection process and there will continue to be opposition to the way that these large projects are undertaken. STORM would therefore respectfully request that the current pipeline project being undertaken by Enbridge be halted until such time as the need for the peaker plant, as a component of Ontario's long term energy solution, has been subjected to an overall and robust environmental assessment.

Thank you for this opportunity to comment.

Sincerely,

QuickTime™ and a
TIFF (LZW) decompressor
are needed to see this picture.

Debbe Crandall
Executive Director



Bonnie Adams/GAS/Enbridge

11/12/2009 11:12 AM

To b.booth@lsrca.on.ca

cc

bcc

Subject EB-2009-0187 York Energy Centre Pipeline Project - Letter
from Enbridge Gas Distribution.

Good Morning,

Thank you for your letter dated October 22, 2009 regarding the proposed Pipeline to serve the proposed York Energy Centre.

In response to your concerns, attached below please find a letter from Enbridge Gas Distribution.

If you have any further concerns or comments regarding the proposed project, please contact Edwin Makkinga at (416)495-6789 or edwin.makkinga@enbridge.com

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator, Regulatory Affairs
Junior Achievement Corporate Administrator
VPC 5, Post C 12
Phone: (416)495-6409
Fax: (416)495-6072



20091112 EGD Ltr - LSRCA.pdf



Enbridge Gas Distribution Inc.
500 Consumers Road
North York, Ontario, M2J-1P8
Canada
www.enbridge.com/gas

Edwin Makkinga
EHS Specialist
Environment, Health and Safety
Tel 416 495 6789
Fax 416 495 5523
edwin.makkinga@enbridge.com

November 12, 2009

Beverley G. Booth
Lake Simcoe Region Conservation Authority
120 Bayview Parkway
Box 282
Newmarket, ON
L3Y 4X1

Dear Ms Booth:

**RE: Enbridge Gas Distribution Inc. ("Enbridge")
EB-2009-0187 Pipeline to Serve the Proposed York Energy Centre**

Thank you for your letter of October 22, 2009 regarding the proposed Pipeline to serve the proposed York Energy Centre.

We have reviewed the letter and the concerns regarding several watercourses and their associated hazards, Provincially Significant and "other" wetlands (PSW), biological and physical environmentally significant areas (ESAs), provincially significant life science and earth science Areas of Natural and Scientific Interest (ANSIs) identified within the study area associated with the completion of the environmental assessment.

The final pipeline route selected by Jacques Whitford Stantec Limited (Stantec) was done in compliance with the Oak Ridges Moraine Conservation Act, the Oak Ridges Moraine Conservation Plan and the Greenbelt Act (refer to Section 6.3.2 of the Stantec EA report). The pipeline is proposed to be installed entirely within the existing road allowance which will minimize any impacts to adjacent sensitive areas. PSWs were also avoided through the selection of the final route (refer to Section 6.2.3 of the Stantec EA report).

Enbridge plans to utilize horizontal directional drilling (HDD) techniques to install the pipeline beneath any watercourses, associated Fill Regulated Areas and adjacent to two (2) ANSI's (refer to Section 6.2.1 and 6.2.3 of the Stantec EA report). In addition, hydrological and geotechnical assessments of all watercourse crossings will be completed prior to construction to determine the most appropriate HDD path and identify any additional requirements for the protection of these sensitive features (refer to Appendix B of the Stantec EA report). Enbridge has developed a contingency plan for HDD activities in the vicinity of sensitive watercourses and can be provided to LSRCA upon request. Prior to construction all necessary permits and approvals will be obtained from the LSRCA in accordance with O. Reg. 179/06.

2009-11-12

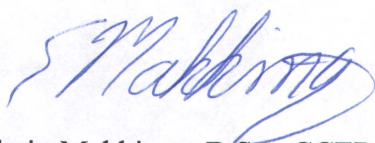
Page 2

Environmental protection is one of Enbridge's top priorities during the construction and operation of its natural gas distribution system. During all pipeline construction activity a dedicated pipeline inspector will be onsite to ensure that pertinent environmental protocols and procedures are enforced. Enbridge Environment, Health and Safety staff will also conduct routine site visits to ensure environmental compliance.

Enbridge plans to begin construction of the Pipeline in the spring/summer of 2010 subject to approval from both York Region and the Ontario Energy Board.

If you have concerns or comments regarding any of the above, please contact me at (416) 495-6789 or edwin.makkinga@enbridge.com.

Sincerely,



Edwin Makkinga, B.Sc., CCEP



Sent by Facsimile 1-416-495-6072

October 22, 2009

File No.: EB-2009-0187

IMS No.: PEAA313C4

Tel: 905-895-1281
 1-800-465-0437
 Fax: 905-853-5881
 E-Mail: info@lsrca.on.ca
 Web: www.lsrca.on.ca

120 Bayview Parkway
 Box 282
 Newmarket, Ontario
 L3Y 4X1

Ms. Bonnie Jean Adams
 Regulatory Coordinator
 Enbridge Gas Distribution Inc.
 500 Consumers Road
 North York, ON M2J 1P8

Dear Ms. Adams:

**Re: Enbridge Gas Distribution Inc.
 Notice of Application and Hearing
 Leave To Construct Natural Gas Pipeline To Supply Gas To
 York Region Energy Centre - EB-2009-0187
 Township of King, Regional Municipality of York**

Thank you for providing the Lake Simcoe Region Conservation Authority (LSRCA) with a Notice of Application and Hearing filed by Enbridge Gas Distribution Inc. with the Ontario Energy Board for an order granting leave to construct approximately 16.7 kilometers of 406 millimetre diameter extra high pressure steel pipeline to deliver natural gas to the York Energy Centre LP.

The LSRCA requests that you provide confirmation as to how the proposed route outlined in the application noted above addresses the considerations outlined in our letter dated April 7, 2009. This letter is attached for your reference.

If you have any questions regarding these comments, please do not hesitate to contact me.

Regards,

Beverley G. Booth, MSc, MCIP, RPP
 Manager, Planning

A

Encl. (1)

Watershed

For Life

- c. Rooly Georgopoulos – Jacques Whitford Stantec Limited – 1-905-479-9326 Fax
- Paul Kulyk – Township of King – 1-905-833-2300 – Fax
- Councillor J. Rupke – Township of King and member of LSRCA Board of Directors
- Councillor V. Hackson – Town of East Gwillimbury and Chair of LSRCA Board of Directors
- Gayle Wood – CAO – LSRCA
- Michael Walters – Director of Watershed Management – LSRCA

FILE COPY

Sent by Facsimile 1-905-479-9326

April 7, 2009

File No. : Project No. 1049283

IMS Nos. : PEAA313C2

Mr. Rooly Georgopoulos, B.Sc.
Project Manager
Jacques Whitford Stantec Limited
7271 Warden Avenue
Markham, ON L3R 5X5

Tel: 905-895-1281
1-800-465-0437
Fax: 905-853-5881
E-Mail: info@lsrca.on.ca
Web: www.lsrca.on.ca

120 Bayview Parkway
Box 282
Newmarket, Ontario
L3Y 4X1

Dear Mr. Georgopoulos:

**Re: Notice of Commencement of Environmental Assessment
Enbridge Gas Distribution Inc.
Natural Gas Pipeline to Serve York Energy Centre LP
Township of King, Regional Municipality of York**

This letter is in response to your Notice of Study Commencement for Environmental Assessment for a natural gas pipeline to serve the proposed York Energy Centre LP (YEC). The proposed gas pipeline is a 16 inch to 20 inch diameter steel pipeline which would originate from Enbridge's Schomberg Gate Station at 4955 Lloydtown-Aurora Road in Pottageville, and terminate at the YEC facility at 18781 Dufferin Street in King Township.

Based on the key plan provided in your notice, we note that within the study area there are several watercourses and their associated hazards (e.g. floodplains), Provincially Significant and "other" wetlands, biological and physical environmentally significant areas (ESAs), provincially significant life science and earth science Areas of Natural and Scientific Interest (ANSIs). We note that parts of the study area are within the Oak Ridges Moraine Conservation Plan area as well as the Greenbelt Plan area.

The alternative to be selected must address the following:

- surface water and groundwater protection
- fish habitat protection
- minimization of vegetation removal
- floodplain management
- erosion and sediment control
- avoidance of wetlands, ANSIs and ESAs wherever possible
- wildlife habitat protection/mitigation
- site restoration

A

Watershed

for Life

Mapping is available from our office. Please contact Darren Campbell at 905-895-1281, extension 249, in this regard.



April 7, 2009
File No.: Project No.1049283
IMS Nos. : PEAA313C2
Mr. Rooly Georgopoulos, B.Sc.
Jacques Whitford Stantec Ltd.
Page 2 of 2

The study area is partially located within the natural core, natural linkage and countryside designation of the ORMCP and the specific provisions of the Plan regarding transportation, infrastructure and utilities for this designation should be addressed. Please refer to Section 41 of the ORMCP to ensure that your study/evaluation/assessment satisfies the requirements of the Plan.

The study area is partially located within the Greenbelt Plan area.. Please refer to Section 4.2 of the Greenbelt Plan to ensure that your study/evaluation/assessment satisfies the requirements of the Plan.

Parts of the lands within the study area are regulated by the LSRCA. As such, a permit under Ontario Regulation 179/06 of the *Conservation Authorities Act* will be required for any development within the regulated areas. An evaluation of any proposed works may also be required under our Level III fish habitat agreement with the Federal Department of Fisheries and Oceans (DFO).

If you have any further questions, please do not hesitate to contact me. Please reference the above file numbers in future correspondence.

Yours truly,

A handwritten signature in cursive script that reads "Jackie Burkart".

Jackie Burkart
Senior Planner

JB/ph


c. Mr. Paul Kulyk, Township of King, 1-905-833-2300 - Fax



**Bonnie
Adams/GAS/Enbridge**

10/22/2009 04:15 PM

To "Cifuentes, Alejandro (MCL)"
<Alejandro.Cifuentes@ontario.ca>
cc Zora.Crnojacki@oeb.gov.on.ca, Rob
Rowe/GAS/Enbridge@Enbridge
bcc

Subject Re: Pipeline to Serve the Proposed York Energy Centre, Tnp
of King- Enbridge Gas Distribution (EB-2009-0187) 

Good Afternoon Mr. Cifuentes,

In response to your email, Enbridge Gas Distribution ("Enbridge") retained the services of Jacques Whitford Stantec Limited ("Stantec"), an independent environmental consultant, to complete an Environmental Assessment ("EA") for the proposed project.

I have spoken with Zora Crnojacki (Project Advisor, OEB) and as she has suggested, below please find the link to the application and evidence filed by the Enbridge. The environmental assessment can be found at Exhibit B, Tab 2, Schedule 2.

www.enbridgegas.com/yorkpipeline

Please feel free to contact me if you have any questions.

Thank You.

Sincerely,

Bonnie Jean Adams
Regulatory Coordinator, Regulatory Affairs
Junior Achievement Corporate Administrator
VPC 5, Post C 12
Phone: (416)495-6409
Fax: (416)495-6072

"Cifuentes, Alejandro (MCL)" <Alejandro.Cifuentes@ontario.ca>



**"Cifuentes, Alejandro (MCL)"
<Alejandro.Cifuentes@ontario.ca>**

10/22/2009 10:43 AM

To "Bonnie Adams" <Bonnie.Adams@enbridge.com>
cc

Subject Pipeline to Serve the Proposed York Energy Centre, Tnp of
King- Enbridge Gas Distribution (EB-2009-0187)

Dear Ms. Adams,

Thank you for contacting the Ministry of Culture (MCL). As part of the Environmental Assessment Act Process, the Ministry of Culture has an interest in the conservation of cultural heritage resources including:

- archaeological resources
- built cultural resources; and
- cultural heritage landscapes.

We have received the Notice of Study Commencement and more information is required:

The subject property of this EA project may have archaeological potential based on provincial archaeological criteria. The criteria are:

- a known archaeological site or within 250 meters of a known site
- within 300 meters of a primary water source (lakeshore, river, large creek)
- within 200 meters of a secondary water source (stream, spring, marsh, swamp)
- within 300 meters of a ancient water source (beach ridge, river bed)
- on elevated topography (knolls, drumlins, plateaux)
- on pockets of sandy soil in a clay or rocky area
- on unusual land formations (mounds, caverns, waterfalls)
- extractive area (for food or scarce resources)
- non-aboriginal settlement (monuments, cemeteries)
- historic transportation (road, rail, portage)
- designated property
- local knowledge
- recent disturbance (confirmed extensive and intensive = low potential)

An archaeological assessment by an archaeologist licensed under the Ontario Heritage Act may therefore be required for this project prior to any ground disturbance and/or site alterations. The assessment report(s) must be in compliance with the Ministry of Culture's *Standards and Guidelines for Consultant Archaeologists*. The licensed archaeologist will forward all completed archaeological assessment reports to the Ministry of Culture for review by an Archaeological Review Officer.

If it is within your interest that I review whether or not this project requires an archaeological assessment please send me via email (preferable) some site maps of the area, exact location, and more information of the activities to be completed for this project. I have also attached our Ministry's standard checklist for determining archaeological potential if you want to perform this yourself. Make sure that you return the completed checklist to MCL for review.

In addition, I have attached our Ministry's standard checklist for determining whether a heritage impact assessment is required. Please complete the checklist and if indicated, hire a consultant to carry out a Heritage Impact Assessment. Please return the completed checklist, with any additional relevant information, such as maps and photos, to my attention.

The heritage impact assessment should also be forwarded to the local municipality and local heritage organizations for their review and comment. The report and its recommendations should be considered as part of the EA decision making process.

For more information, refer to Ministry of Culture *Info Sheet #5: Heritage Impact Assessment and Conservation Plans*: http://www.culture.gov.on.ca/english/heritage/Toolkit/heritage_PPS_infoSheet.pdf

Please do not hesitate to contact me if you have any questions

Regards,

Alejandro Cifuentes
Heritage Planner
Ministry of Culture
Programs and Services Branch - Culture Services Unit
400 University Avenue, 4th Floor
Toronto, Ontario M7A 2R9
T 416-314-7159
F 416-212-1802
Alejandro.Cifuentes@ontario.ca



Built & Cultural Heritage Checklist.doc



Arch. Potential Checklist.doc

October 23, 2009

BY EMAIL

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

Dear Ms. Walli:

**Re: Enbridge Gas Distribution Inc. ("Enbridge")
York Energy Centre Leave to Construct
Board Proceeding No. EB-2009-0187**

We are writing in response to the letters from the Board granting status to certain individuals and groups in this proceeding.

Observers

Global Environmental Action Group. Enbridge accepts that Observer status has been granted to the Global Environmental Action Group.

Ontario Greenbelt Alliance. Enbridge accepts that Observer status has been granted to the Ontario Greenbelt Alliance.

Letters of Comment

Concerned Citizens of King Township Inc. We have received the letter and will respond to the issues raised during the evidentiary and argument portion of the proceeding.

Indian and Northern Affairs Canada. Enbridge has received the letter and from Indian and Northern Affairs Canada and can submit that Enbridge has made appropriate inquiries in this respect. This will be more fully dealt with during the evidentiary phase of the proceeding.

STORM. Enbridge has received the letter from STORM and notes that much of the letter deals with issues that are not part of a leave to construct proceeding.

October 23, 2009

Page 2

Region of York. We have received the letter and will address the issues raised during the evidentiary and argument portion of the proceeding.

Ms. S. Beharriell. A copy of the requested information has been provided.

Proposed Intervenor

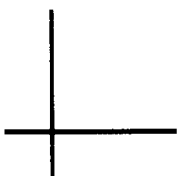
York Energy Centre LP. Enbridge does not take issue with the intervention of the York Energy Centre LP.

York District School Board (the “**YDSB**”). Enbridge does not take issue with the intervention of the York District School Board. Enbridge had provided information to the Kettleby Public School regarding the public information. However, Enbridge has modified its process for future projects to ensure the school and the appropriate school board both receive notice. Enbridge has provided a response to YDSB indicating where further information may be obtained regarding access and construction techniques. Also, it is Enbridge’s intention to situate the pipeline on the opposite side of the road in the area of the Kettleby Public School.

Hunter’s Green Rate Payers Association(the “**Association**”). Enbridge would like to comment upon the request for intervenor status of the Association. First, Rule 23.03(a) requires a person applying for intervenor status to provide certain information (description of group, membership, interest and grounds) and the information provided to date is incomplete. Enbridge is not aware of the Association or its membership and therefore the basis for the “impact” claimed in the Association’s letter is unclear. Therefore, prior to confirming the status of the Association, Enbridge would request that further information be provided regarding its membership and interest in this proceeding. We appreciate the Board’s reminder to the Association of the nature of the issues in a leave to construct proceeding.

By understanding the specific interests of the Association, Enbridge will be better able to respond which will provide for a more efficient proceeding. Further, it has been indicated that the Association intends to file evidence in this proceeding. Enbridge would request that the Association’s evidence be filed as soon as possible in order that we may review it in a timely manner. Enbridge would request that the Board defer a decision as to the need for an oral or written hearing until after the completion of a written interrogatory process.

If there are any questions in respect of the above, please contact the undersigned at your earliest convenience.



October 23, 2009
Page 3

Yours very truly,

AIRD & BERLIS LLP

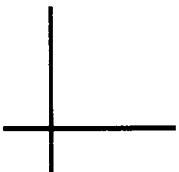


Scott Stoll

SAS/br

c.c. Norm Ryckman
Rob Rowe

5891611.1






James
Schofield/GAS/Enbridge

11/02/2009 08:58 AM

To -Bonnie Adams/GAS/Enbridge@Enbridge

cc -Peter Jurgeneit/GAS/Enbridge@Enbridge, Janice
Fay/GAS/Enbridge@Enbridge, Rob
Rowe/GAS/Enbridge@Enbridge

bcc

Subject Re: Fw: Enbridge Gas service for the Power Centre in Twp
King 

Bonnie,

Please see the correspondence below regarding the York Energy Centre pipeline project:

I spoke to Trevor Catherwood this morning and provided him with information to his comments regarding the proposed NPS 16 pipeline along York Region road allowance.

His concern:

Trevor saw the letter from York Region Water Resources dated October 21, 2009 regarding the York Energy Centre pipeline project. He wanted to notify Enbridge that proper approvals and circulation must occur for all portions of the pipeline proposed in the York Region road allowance.

Answer:

Enbridge has been in contact with York Region's "Corridor Approvals and Records, Roads, Transportation and Works Department" from the beginning of this project (early 2009). I informed him that Enbridge will be submitting all drawings through the standard review process for the appropriate approvals. We will be organizing a meeting with Steve Murphy in this month to review the draft drawings.

Outcome:

He would like Enbridge to continue all communications and correspondence with the "Corridor Approvals and Records, Roads, and Transportation and Works Department" (Scott Stover - Manager). He requires no involvement moving forward.

If you have any questions, please contact me.

Regards,

James Schofield, P.Eng.
Project Manager
Engineering Special Projects
Enbridge Gas Distribution
Telephone (416) 495-5763

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Rob Rowe/GAS/Enbridge

Rob Rowe/GAS/Enbridge

10/29/2009 02:16 PM

To James Schofield/GAS/Enbridge@Enbridge

cc Peter Jurgeneit/GAS/Enbridge@Enbridge

Subject Fw: Enbridge Gas service for the Power Centre in Twp King

Please see the correspondence below regarding the YEC pipe from York Region. I spoke with Trevor Catherwood today and he indicated he is interested in seeing plan and profile drawings that would lead to the receipt of a road occupancy permit. Please give Trevor a call and find out the specifics of what he requires. His phone number is 905-895-2744 ext 5753.

Ciao, Rob

----- Forwarded by Rob Rowe/GAS/Enbridge on 10/29/2009 02:12 PM -----



**Norm
Ryckman/GAS/Enbridge**
10/27/2009 09:43 AM

To Rob Rowe/GAS/Enbridge@Enbridge
cc Trevor.Catherwood@york.ca
Subject Fw: Enbridge Gas service for the Power Centre in Twp King

Rob, can you please follow up with Trevor regarding the York Region power plant application. Trevor would like to ensure that we are fully aware of the requirements and process involved so that the project proceeds smoothly. Trevor can be reached at 1-905-895-2744 ext 5753.

Trevor, Rob can be reached at 416-495-5738 and my contact information is shown below.

Norm Ryckman
Director, Regulatory Affairs
500 Consumers Road
P.O. Box 650
Scarborough, Ontario
M1K 5E3

Office (416) 753-6280
Fax (416) 753-6292
email norm.ryckman@enbridge.com

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----- Forwarded by Norm Ryckman/GAS/Enbridge on 10/27/2009 09:36 AM -----



"Catherwood, Trevor"
<Trevor.Catherwood@york.ca>
>
10/27/2009 09:18 AM

To <norm.ryckman@enbridge.com>
cc
Subject Enbridge Gas service for the Power Centre in Twp King

As per your request.

Trevor Catherwood C.E.T.
Development Review Technologist
Transportation Services Department
Tel: 1-877-464-9675 x 5753
Fax: 905-895-7523

From: Kemp, Wendy
Sent: Wednesday, October 21, 2009 3:32 PM
To: 'EGDRegulatoryproceedings@enbridge.com'
Cc: Belton, Paul; Adley-McGinnis, Andrea; Bilkhu, Vick; Kondrachova, Tamara
Subject: EB-2009-0187

<<YORK-#1243786-v2-Letter_Enbridge_gas_pipeline_York_Energy_Centre.pdf>>
Please find attached comments on the natural gas pipeline for the Proposed York Energy Centre.

Wendy Kemp, M.Sc
Manager, Water Resources
Environmental Protection & Promotion
Environmental Services
Regional Municipality of York
17250 Yonge Street, Newmarket ON L3Y 6Z1
(Tel) 905-830-4444 ex5141



(Fax) (905) 830-6927 YORK-#1243786-v2-Letter_Enbridge_gas_pipeline_York_Energy_Centre.pdf



"Debbie Schaefer"
<breezycreeks@sympatico.ca>
>

11/06/2009 06:28 PM

To <Boardsec@oeb.gov.on.ca>

cc <acarroll.mpp@liberal.ola.org>, "Scott Somerville"
<ssomerville@king.ca>, <dvandriel@pristinepower.ca>,
<EGDRegulatoryProceedings@enbridge.com>,
bcc

Subject proposed York Energy Centre--archaeology

On behalf of the Concerned Citizens of King Township I am forwarding you a letter regarding the proposed gas-fired generator known as the York Energy Centre and Enbridge's proposed gas pipeline to supply this generator.

concerned citizens of king township inc.

P.O. Box 875, King City, Ontario L7B 1A9

www.kingtoday.ca

BY EMAIL

November 6, 2009

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

Email: Boardsec@oeb.gov.on.ca

Dear Ms. Walli:

**RE: York Energy Centre LP application for an electricity generation license
File No. EB-2009-0242 and Enbridge Notice of Application for Leave to Construct Natural
Gas Pipeline to Supply Gas to the York Energy Centre
File No. EB-2009-0187**

I am writing on behalf of Concerned Citizens of King Township ("CCKT") in relation to the above-captioned matters. CCKT has previously made submissions to the Ontario Energy Board ("OEB") concerning these matters, **dated September 21, 2009 and October 15, 2009**. It has come recently to our attention that that York Energy Centre LP's ("YEC") Application for an Electricity Generation Licence and/or Enbridge's Application for Leave to Construct a

Natural Gas Pipeline to Supply Gas to the YEC, would result in the alteration of an archaeological site contrary to section 48 (1) 2 of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended (the "Act") and section 2.6.2 of the Provincial Policy Statement. The Board is required to make its decisions consistent with the Provincial Policy Statement according to Section 3(5) of the Planning Act. This information was not available to us at the time of our earlier submissions.

It is clear based on the YEC's Stage 2 Archaeological Assessment dated May, 2009 ("Archaeological Report") that all or part of the YEC property may be an archaeological site within the meaning of the regulations under the Act. The Archaeological Report indicates that artefacts were discovered on the YEC property during the Stage 2 assessment, including a possible pestle, random flake scraper and side notched point. A copy of the Archaeological Report is attached hereto. Further evidence that all or part of the YEC property may be an archaeological site has been demonstrated by the 1982 study conducted by Andrew Stewart, then of the Royal Ontario Museum^[1].

We have no evidence that the YEC has obtained a licence which would permit the alteration of this archaeological site.

In addition, CCKT also has concerns with the archaeological studies underway for the Enbridge natural gas pipeline to service the YEC (OEB File No. EB-2009-0187) and will provide further comments in this regard in the future. To the extent the gas pipeline traverses the YEC site our concerns are the same. The construction of the gas pipeline will also contravene section 48 (1) 2 of the Act.

As a result of the above, we request that the OEB permit CCKT time to prepare further written submissions on this point, including time to permit a peer review of the Archaeological Report for submission to the OEB in both of the above-captioned matters.

Yours truly,

Debbie Schaefer
Chair
cckt@kingtoday.ca

enclosure: The 2009 Stage 2 Report of Proposed York Energy Centre

cc: Minister of Culture, Aileen Carroll
5th floor, Mowat Block
900 Bay St., Toronto
ON M7A 1L2

Email: acarroll.mpp@liberal.ola.org

cc: Scott Somerville. C.A.O, King Township

2075 King Road
King City,
ON L7B 1A1

Email: ssomerville@king.ca

cc: Arie D. Van Driel
York Energy Centre LP
Suite 2250
350-7th Avenue S.W.
Calgary, AB T2P 3N9

Email: dvandriel@pristinepower.ca

cc: Enbridge Gas Distribution Inc.
P.O. Box 650
Scarborough, Ontario
M1K 5E3
Attention: Norm Ryckman

Email: EGDRegulatoryProceedings@enbridge.com

cc: Mr. Scott Stoll
Aird & Berlis LLP
Suite 1800, Box 754
Brookfield Place, 181 Bay Street
Toronto, ON
M5J 2T9

Email: ssoll@airdberlis.com



[1] Referenced on page 1 and 2 of the Archaeological Report. YEC Stage 2 Archeo Report (1).pdf

**The 2009 Stage 2
Archaeological Assessment of the
Proposed York Energy Centre,
18781 Dufferin Street,
65R-23427,
King Geographic Township,
Regional Municipality of York,
Ontario**

Prepared for

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and

The Ontario Ministry of Culture

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TABLE OF CONTENTS

<i>Project Personnel</i>	<i>iv</i>
<i>Acknowledgments</i>	<i>iv</i>
<i>Executive Summary</i>	<i>v</i>
1.0 INTRODUCTION	1
2.0 LOCATION AND DESCRIPTION	3
3.0 STAGE 2 ARCHAEOLOGICAL ASSESSMENT	5
3.1 Methods	5
3.2 Results	6
3.3 Artifact Analysis	7
3.4 Evaluation of Significance	8
4.0 RECOMMENDATIONS	9
5.0 REFERENCES CITED	11

List of Figures

Figure 1	Location of the Proposed York Energy Centre	13
Figure 2	Archaeological Survey Coverage and Techniques	14
Figure 3	Archaeological Site Locations	15

List of Plates

Plate 1	Central Portion of Ploughed Field, View East	17
Plate 2	Northern Portion of Ploughed Field, View East	17
Plate 3	Western Portion of Ploughed Field, View West toward House	17
Plate 4	Test Pitting of Laneway in Progress, View West	17
Plate 5	Southern Portion of Landscaped House Lot, View South	17
Plate 6	Southern Portion of Landscaped House Lot, View West-Northwest	17
Plate 7	Artifacts Recovered from the York Energy Centre Property	18

Appendix

2009 Stage 2 Artifact Catalogues

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Acknowledgments

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- *Robert von Bitter*, Archaeological Data Coordinator, Culture Services Unit, Ontario Ministry of Culture.

EXECUTIVE SUMMARY

On March 31, 2009 York Energy Centre L.P. and Dillon Consulting Limited contracted D.R. Poulton & Associates Inc. (DPA) to carry out a Stage 2 archaeological survey of the proposed York Energy Centre. The property in question is located in the Regional Municipality of York, in King Geographic Township, Ontario (Figure 1). This report details the rationale, methods and results of the 2009 Stage 2 archaeological survey of the proposed York Energy Centre.

The present assessment follows a Stage 1 archaeological assessment of the proposed power generating plant. It was carried out by D.R. Poulton & Associates Inc. and was completed in September of 2008 (DPA 2008). The Stage 1 assessment was conducted on behalf of York Energy Centre L.P. and Dillon Consulting Limited.

As detailed in the 2008 Stage 1 report, the background study determined that most of the proposed York Energy Centre property was covered by a past archaeological project. It was a 1982 research-oriented survey of the Schomberg Basin that was directed by Andrew Stewart, then of the Royal Ontario Museum (Stewart 1982). The 1982 survey discovered two discrete sites within the subject property. They were collectively designated as the Rough site (982-156) and were interpreted as dating to the Late Paleo-Indian period. They were also considered to be part of a group of discrete loci that were collectively registered as the Sisler site (BaGv-11).

As detailed in Section 3.0 of this report, the Stage 2 survey was conducted on April 13, 2009. The survey covered the vast majority of the subject property, including all of the lands subject to potential impact from the proposed development. It resulted in the discovery of three isolated findspots, each of which consisted of a single artifact. One is a scraper. The second is a projectile point. The third is a rough and ground stone pestle. None of these isolated findspots is considered to represent a significant archaeological resource or a planning concern.

The 2009 survey did not discover any artifacts whatsoever at either of the two Rough site loci, despite the fact that survey conditions were excellent and that the survey personnel had foreknowledge of the 1982 discovery of artifacts at these loci. Based on the negative evidence of the 2009 survey, and on the limited quantity of artifacts discovered in 1982, both loci of the Rough site are considered to be isolated find spots rather than more substantial sites such as lithic scatters. As such, they are not considered to represent significant archaeological resources or planning concerns.

It is recommended that the Ministry of Culture issue a letter accepting the present report into the Provincial archaeological report registry. Given the negative results of the archaeological assessment, it is also recommended that the letter include a statement confirming that the Ministry is in agreement that there are no outstanding archaeological concerns for the proposed York Energy Centre, and confirming that the Ministry concurs with the various recommendations presented in this report.

1.0 INTRODUCTION

The York Energy Centre is being proposed in response to the Minister of Energy's directive to the Ontario Power Authority (OPA) to procure approximately 350 MW of new gas-fired peaking generation in Northern York Region. The proponent for the proposed power generating station is York Energy Centre L.P.

On March 31, 2009 Dillon Consulting Limited contracted D.R. Poulton & Associates Inc. (DPA) to carry out a Stage 2 archaeological survey of the proposed York Energy Centre. The property in question is located in the Regional Municipality of York, in King Geographic Township, Ontario (Figure 1). This report details the rationale, methods and results of the Stage 2 archaeological survey of the proposed York Energy Centre.

The present assessment follows a Stage 1 archaeological assessment of the proposed power generating plant. It was carried out by D.R. Poulton & Associates Inc. and was completed in September of 2008 (DPA 2008). The Stage 1 assessment was conducted on behalf of York Energy Centre L.P. and Dillon Consulting Limited.

As detailed in the 2008 Stage 1 report, the background study determined that most of the proposed York Energy Centre property was covered by a past archaeological project. It was a 1982 research-oriented survey of the Schomberg Basin that was directed by Andrew Stewart, then of the Royal Ontario Museum (Stewart 1982). During the course of the 2008 Stage 1 assessment, Dana Poulton of D.R. Poulton & Associates Inc. requested that the Ministry of Culture provide a copy of the report on the 1982 survey. The Ministry was unable to comply with that request, as Andrew Stewart has not signed a waiver allowing consultants and researchers permission to access his reports through the Ministry. Poulton then requested that the Royal Ontario Museum provide a copy. In response, Mima Kapches, Curator of New World Archaeology at the ROM, suggested that Poulton request a copy from the author, Andrew Stewart (now of Strata Consulting). In response to a request for a copy of the report, Stewart provided excerpts from the report. The information cited in the present report that relates to the 1982 survey and its discoveries in the vicinity of the subject property is based on those excerpts, and on the Site Record Form for the greater Sisler site (see below) that is on file at the Ministry. A brief summary of the pertinent data is presented below.

The ROM survey was carried out more than a decade before what is now the Ontario Ministry of Culture formally adopted technical guidelines for archaeological resource assessments. It focussed on a search along the relic shoreline of post-glacial Lake Algonquin for sites of the Palco-Indian period. The relic shoreline is the height of land visible in the distance in Plates 1 and 2. The 1982 survey discovered two discrete sites within the subject property. They were collectively designated as the Rough site (982-156) and were interpreted as dating to the Late Paleo-Indian period. They were also considered to be part of a group of discrete loci that were collectively registered as the Sisler site (BaGv-11).

As described in the 2008 report, the original site record form and the 1982 report show that one locus of the Rough site was situated in the northwest portion of the property; the other was located in the east-central portion of the property. Both locations are situated below the

relic shoreline of Lake Algonquin; the other loci of the greater Sisler site are located several hundred metres to the east and northeast, above the relic shoreline; they comprise finds in four separate fields and a gravel pit, and were designated as Loci A, B, C and D of the Sisler site. The finds at both of the Rough site locations consisted of water-worn flakes, including utilized flakes; that indicates they pre-date the high water levels in the Lake Algonquin basin.

The excerpts from the 1982 report that were provided by Stewart do not include data on the artifacts that were recovered from each of the two loci of the Rough site. However, the catalogue does present data on the artifacts. It states that a total of four artifacts were recovered from the two loci. Catalogue #1 is described as "*utilized flake, waterworn.*" Catalogue #2 is described as "*flake.*" Catalogue #3 is described as "*fragment.*" Catalogue #4 is described as "*worked flake, waterworn.*" In addition, the sketch map of the greater Sisler site, which also shows the two loci of the Rough site, identified each of those loci as "WF" in a circle. Based on that, it is evident that the specimen described as "*utilized flake, waterworn*" was recovered from one of the loci and the specimen described as "*worked flake, waterworn*" was recovered from the other locus.

The 2008 Stage 1 assessment of the proposed York Energy Centre determined that the two discrete occurrences collectively designated as the Rough site in 1982 represented potentially significant archaeological resources and planning concerns. The background study also determined that the entire property had at least a moderate potential for as-yet undiscovered First Nations archaeological remains, including the portion of the property that was covered by the 1982 survey. In consequence, the Stage 1 assessment recommended that a Stage 2 archaeological survey of the property be conducted.

The Ministry designated this project as PIF #P316-011-2009. The 2009 Stage 2 survey of the property was conducted under Archaeological Consulting Licence P316, issued by the Province of Ontario to Sherri Pearce of DPA. It was carried out in accordance with the provisions of the Ontario Heritage Act (Government of Ontario 1990) and with the technical guidelines for archaeological assessment formulated by the Ontario Ministry of Culture, Tourism and Recreation (now Ministry of Culture) (MCTR 1993).

Permission for access to the property for the Stage 2 survey and to remove and curate artifacts was granted by the landowner, York Energy Centre L.P. The records pertaining to this project are currently housed in the corporate offices of D.R. Poulton & Associates Inc. In the event the opportunity arises, however, the project archive will be transferred to a suitable long-term repository.

2.0 LOCATION AND DESCRIPTION

The proposed York Energy Centre is located at 18781 Dufferin Street in the Township of King, Regional Municipality of York, Ontario. The property is located in the southwest quadrant of Lot 9, Concession 2 W.Y.S., in the North Part of King Geographic Township. Figure 1 shows the subject location of the property. Figure 2 is an aerial photograph of the property and vicinity; it shows the extent of the 2009 archaeological survey coverage and the techniques used. Figure 3 is site plan of the York Energy Centre; it shows archaeological site locations relative to the various facilities involved in the proposed development.

The subject property has a surface area of approximately 15.3 hectares (37.8 acres). It is located on the east side of Dufferin Street, approximately 1.1 kilometres north of Highway 9. It is bounded to the north and east by agricultural fields, to the south by agricultural fields and a woodlot, and to the west by Dufferin Street. The main portion of the property is rectanguloid in shape and is oriented east-west. It is divided into three separate fields. The proposed development also includes an east-west oriented dirt lane. It extends westward from the northwest corner of the property and provides access to the property from Dufferin Street.

The property is situated a few hundred metres south of the point where the Holland Canal crosses Dufferin Street. It is located within lands that would originally have been a part of the Holland Marsh. The Holland River is the closest water course to the property and it is located 0.5 kilometres west of the property at its closest point.

Holland Marsh formed an arm in post-glacial Lake Algonquin, which included present-day Lake Simcoe. The Holland Marsh has a length and width of 15 kilometres and 4 kilometres, respectively, and covers a surface area of 29 square kilometres. The marsh was drained between 1925 and 1930 for use as an extensive market garden. The Holland Marsh Drainage Canal System surrounds the entire marsh.

In this area, the main relic shoreline of post-glacial Lake Algonquin is approximately 228-230 metres (740 or 750 feet) above sea level (Storck 1979: 88). It follows the height of land located directly east of the subject property. The property is located just below that contour line, to the west of it. During the period when Lake Algonquin was in existence, ca. 9500 B.C., the property would have been at or just below the shoreline of the lake. It would have been inundated during the Main Stage of Lake Algonquin.

The proposed York Energy Centre is contained within the Schomberg clay plains physiographic region (Chapman and Putnam, 1984: 176-177). This portion of the Schomberg clay plains is developed on a drumlinized till plain. While smaller drumlins are buried by the clay plain, larger ones rise above it. Well-drained soils account for 75% of the surface area of the Schomberg clay plains.

Figure 3 shows a detail of the facilities involved in the proposed York Energy Centre. As illustrated, in addition to the proposed power generating station itself, they include an access road to connect the generating station to Dufferin Street. Based on the Site Plan (Figure 3), the

plant site area has a surface area of 1.4 hectares and the switch area has a surface area of 0.7 hectares.

The arable portions of the subject property consist of three separate fields. They are separated by channelized swales that drain westward into the pond that is located within the existing residential lot.

The field conditions within the property at the time of survey are evident from Plates 1-6. Plates 1 and 2 are views of the arable portion of the property looking east; the relic shoreline of former Lake Algonquin is visible in the distance in both plates. Plate 3 is a view of the arable portion of the property looking toward the house on the existing residential lot in the western extremity of the property.

Plate 4 is of the test pit survey of the laneway in progress, looking west. Plate 5 is a view of the southern portion of the existing residential lot looking south; the pond is visible in this view, as is the woodlot in the distance. Finally, Plate 6 is a view of the southern edge of the residential lot looking west-northwest; the creek that flows into the pond and that defines the southern edge of the lot is visible in this view, as is a portion of the woodlot to the left.

3.0 STAGE 2: ARCHAEOLOGICAL ASSESSMENT

3.1 Methods

The proposed York Energy Centre is contained within what is termed the overall Pristine property. The Stage 2 archaeological survey of the property was conducted on April 13, 2009 by a crew of three under the direction of Sherri Pearce. The weather was sunny, clear and cool and lighting conditions were excellent.

The agricultural fields that comprise the vast majority of the property had been ploughed the previous fall and were winter-weathered. In consequence, conditions for the observation of cultural remains in the arable portions of the property were excellent. Figure 3 shows the archaeological survey coverage and techniques. Figure 3 shows the site locations.

The majority of the Stage 2 survey involved a systematic pedestrian survey conducted at a five-metre interval. When an artifact was found, its location was marked by a survey flag and an intensive surface examination was then conducted at a one-metre interval in order to better define the nature and extent of the occurrence. The intensive surface examination was carried out for a distance of up to 50 metres beyond the original discovery (depending on where the find was relative to the property line) or, in the case of multiple finds, beyond the outermost find.

A minor amount of the survey consisted of test pit survey at a five-metre interval. The area subject to test pitting was limited to an existing laneway that provided access to the fields from Dufferin Street. The test pit survey involved the excavation of pits approximately 30 centimetres in diameter. All pits were excavated to subsoil and all excavated soil was screened through six-millimetre mesh screen; all test pits were back filled immediately upon completion. The test pit survey of the existing laneway showed that soils in that area were disturbed.

As a rule, the 2009 survey covered all portions of the overall Pristine property with two notable exceptions. One consisted of the existing house lot, which is located in the western extremity of the property. The existing residential lot includes the house, a driveway, a lawn and a pond. The residential lot has been landscaped. The pond, which is situated south of the house, is fed by a channelized creek that flows into it from the southeast. As the existing residential lot has been disturbed by landscaping, it was not included in the test pit survey.

The other area that was not included in the survey is the woodlot in the extreme southwest corner of the property. It is situated immediately south and west of the pond and is bounded to the northeast by the channelized creek that flows into the pond. The fact that the Pristine property formed part of the Holland Marsh before it was drained in the early 20th century suggests that this wooded area may have been flooded and inhabitable in the past; if that is the case, it would have no potential for archaeological remains. A close inspection of this woodlot was not conducted during the course of the April 13, 2009 survey. As such, it remains to be determined whether all or part of the woodlot is poorly-drained or whether any part of it would have been habitable and has a potential for as-yet undiscovered archaeological remains.

In any event, as illustrated in Figure 3, the woodlot falls outside the Greenbelt Natural Heritage Line; it forms part of the Ansnorveldt Provincially Significant Wetland. As such, this small corner of the property will not be impacted by any of the facilities involved in the proposed York Energy Centre and was not a concern for the archaeological survey.

In summary, the pedestrian survey covered lands with a total surface area of approximately 11.9 hectares; they represent about 77.8% of the 15.3-hectare property. The test pit survey of the laneway covered additional lands with a total surface area of approximately 0.20 hectares; they represent about 1.3% of the property. Altogether, the survey covered lands with a combined surface area of 12.1 hectares; they represent about 79.1% of the property. The survey included all portions of the property that are subject to potential impact from the proposed development.

Lands with a combined surface area of 3.2 hectares were not included in the survey. As previously stated, they also included the landscaped residential lot, which had a surface area of 1.35 hectares. They also included the small woodlot in the southwest corner of the property, which had a surface area of 0.23 hectares. Finally, they included the channelized swales, the creek and the pond, which had a combined surface area of 1.62 hectares. These three categories of land represent about 20.9% of the property.

3.2 Results

The Stage 2 survey of the York Energy Centre property resulted in the discovery of individual artifacts at three separate locations. One is a scraper. The second is a projectile point. The third is a possible rough and ground stone pestle. Despite the fact that a close-interval survey was conducted around each of these finds, no additional artifacts were discovered in the areas surrounding them. In consequence, the negative results of the one-metre interval surface examination demonstrate that each of the discoveries represents an isolated find spot. The locations of the find spots were recorded with a GPS unit. In addition, the location of the projectile point was recorded using the compass and pace method.

Figure 3 shows the location of the find spots relative to each other and to the two loci of the Rough site. It will be noted that none of the three isolated find spots discovered in 2009 correlates with either of the two loci of the Rough site recorded in 1982. No artifacts whatsoever were found at either of the Rough site loci during the course of the 2009 survey.

An analysis of the artifacts from the three isolated find spots is presented in the Section 3.3 of the report. Descriptions of the findspots follow.

The findspots are separated by some distance and are most likely not related to one another. The scraper was found in the western third of the property, at approximately the middle of the field on a north-south axis, at NAD 27 17T0617295 4880946. The error factor for this reading was ± 3 metres and the elevation is 210 metres above sea level.

The projectile point was discovered in the southern portion of the field, approximately 200 metres east of the scraper and 30 metres north of the fence that marks the southern limit of the

property. The GPS reading for this location was NAD 27 17T0617295 4880946. The error factor for the reading was ± 3 metres and the elevation is 207 metres above sea level.

The stone pestle was found approximately 55 metres east of the projectile point. The GPS reading for the location was NAD 27 17T0617570 4880981. The error factor for this reading was ± 6 metres and the elevation is 207 metres above sea level.

3.3 Artifact Analysis

Both of the chipped stone artifacts found in 2009 are made of a high quality Onondaga chert. Primary sources of Onondaga chert crop out in the Fort Erie area and along the northeast shore of Lake Erie, about 150 kilometres southeast of the proposed York Energy Centre property as the crow flies. Secondary deposits of Onondaga chert are present in the form of cobbles in the bluffs further west, along the north-central Lake Erie shore. The former represents the most likely source of the Onondaga chert represented at the two isolated find spots in the subject property that consisted of chipped stone artifacts. In contrast to two of the four artifacts recovered from the collective Rough site in 1982, neither of the chipped stone artifacts found in 2009 is waterworn.

The scraper (Plate 7, top right) is made on a biface thinning flake. The flake measures 27.8mm in length, 24.5mm in width, and 3.2mm in thickness. The specimen is a random flake scraper and has been worked on two sides. The first is located on the dorsal distal edge of the flake and is very slightly concave in shape; this modification measures 11.5mm in length with a height of 1.9mm. The second area of modification is located on the ventral lateral edge and is 14.9mm long with a height of 2.6mm and the modification is straight.

The projectile point (Plate 7, top right) is complete, but at some point the tip broke off and the distal end of the blade was retouched for use as a scraper. As such, the original length of the projectile point would be longer than the recorded length presented below. The specimen is corner-notched, the lateral blade edges are slightly convex and the plan view is plano-convex. The point base is slightly convex and both the base and the notches have been moderately ground. The notches appear to have been made by the removal of one thick round flake as opposed to the removal of several smaller flakes. One of the shoulder tangs has been broken off. The measurements of the point are as follows: length 41.8mm+; width 32.9mm at the shoulder; thickness 8.0mm at the shoulder and 4.3mm at the tip; inter-notch width 15.2mm; notch height 9.4mm; base height 9.2mm; base width 17.8mm; and blade length 33.9mm+. The area of retouch on the tip of the point is convex in shape and measures 11.2mm in length and 2.7mm in height.

The projectile point does not fit any recognizable point form. The most common medium-sized corner-notched projectile points in this region are of the Middle Archaic Brewerton corner-notched type. However, this projectile point is most similar morphologically to the Snyders type (KEWA 88-3). Snyders points date to the Middle Woodland period, ca. 200 B.C. to 50 A.D., and are most common in Ontario being made of exotic cherts such as Upper Mercer chert and Flint Ridge chalcedony. Snyders points are known to have been made of Onondaga chert, such as is the specimen described above.

It should be noted that the metrics for the projectile point are slightly smaller than the recorded average for the Snyders type: this type has an average length of 55-75mm, with a width of 40-60mm, an inter-notch width of 19-25mm and a maximum thickness of 8-9mm. It is possible that the point recovered from the York Energy Centre is a more utilitarian form of a Snyders point and this may be the reason that it is smaller than average. Another characteristic of Snyders points is that they have a very high length to width ratio; the length to width ratio of the specimen collected at the York Energy Centre is 1.27 to 1. This lower than average ratio could reflect the fact that the specimen from the York Energy Centre property has been reworked.

The rough and ground stone artifact (Plate 7, left) has been tentatively identified as a pestle. It is an elongated tubular stone of high limestone content. No obvious pecking can be observed on the artifact but the edges on either end of the stone are rounded and are somewhat smoothed. Aside from the obvious plough scars on the sides of the artifact, there are several sharp narrow "scratch" marks. These scratch marks appear random and are not ordered in any way. It should be reiterated that the assignment of this object as a pestle is tentative at best. It is possible that the scratch marks were made while abrading platforms for the removal of flakes, or that the stone was used as a sharpening tool. This artifact measures 85.7mm in length and has a diameter of 31.8mm.

3.4 Evaluation of Significance

The most common criterion for evaluating the significance of an archaeological site is its information potential: that means the extent to which it can provide meaningful insights into the past. As a rule, isolated findspots are not considered to have enough information potential to represent significant archaeological resources or planning concerns. The three isolated findspots discovered during the course of the 2009 survey of the proposed York Energy Centre are no exception.

As stated in Section 3.2, above, the 2009 survey did not discover any artifacts whatsoever at either of the Rough site loci, despite the fact that survey conditions were excellent and that the survey personnel had foreknowledge of the previous discovery of artifacts at these loci in 1982. Based on the negative evidence of the 2009 survey, and on the limited quantity of artifacts discovered at the loci in 1982, both loci of the Rough site are considered to be isolated find spots rather than more substantial sites such as lithic scatters. As such, they are not considered to represent significant archaeological resources or planning concerns.

4.0 RECOMMENDATIONS

As stated in Section 1.0 of this report and detailed in the Stage 1 report by D.R. Poulton & Associates (2008), the background study determined that most of the proposed York Energy Centre property was covered by a past archaeological project. It was a 1982 research-oriented survey of the Schomberg Basin that was directed by Andrew Stewart of the Royal Ontario Museum. The survey focussed on a search along the relic shoreline of post-glacial Lake Algonquin for sites of the Paleo-Indian period, ca. 9500-8000 B.C. The 1982 survey discovered two discrete sites within the subject property. They were collectively designated as the Rough site (982-156).

As detailed in Section 3.0 of the report, the Stage 2 survey was conducted on April 13, 2009. The survey covered the vast majority of the subject property, including all of the lands subject to potential impact from the proposed development. It resulted in the discovery of three isolated findspots, each of which consisted of a single artifact. One consists of a scraper. The second consists of a projectile point. The third consists of a rough and ground stone pestle. None of these isolated findspots is considered to represent a significant archaeological resource or planning concern.

Further to the above, the 2009 survey did not discover any artifacts whatsoever at either of the Rough site loci, despite the fact that survey conditions were excellent and that the survey personnel had foreknowledge of the previous discovery of artifacts at these loci in 1982. Based on the negative evidence of the 2009 survey, and on the limited quantity of artifacts discovered at the loci in 1982, both loci of the Rough site are considered to be isolated find spots rather than more substantial sites such as lithic scatters. As such, they are not considered to represent significant archaeological resources or planning concerns.

The only portion of the property that was not included in the survey and has not been confirmed to have no potential for archaeological remains is the 0.23-hectare woodlot in the extreme southwest corner of the property. As detailed in Section 4.2 of this report, it remains to be determined whether all or part of the woodlot is poorly-drained or whether any part of it would have been habitable and has a potential for as-yet undiscovered archaeological remains. Regardless, the woodlot forms part of the Ansnorveldt Provincially Significant Wetland and falls outside the proposed development. As such, it will not be affected by the construction or subsequent operation of the proposed York Energy Centre.

Beginning in the 1980s, it was standard practice for the Ontario Ministry of Culture to review archaeological assessment reports and then to issue letters of clearance for proposed developments. That system has changed and the Ministry no longer issues letters of clearance. Rather, Archaeological Review Officers of the Ministry now review reports to ensure that the assessment and the report satisfy consulting licence requirements under the Ontario Heritage Act (R.S.O. 1990) and other legislation, and that they conform to existing standards and guidelines. If the report and the assessment do so conform, the pertinent Archaeological Review Officer then issues a letter confirming that, and accepting the report into the Provincial registry of archaeological reports.

Further to the above, it is recommended that the Ministry of Culture issue a letter accepting the present report into the Provincial archaeological report registry. Given the negative results of the archaeological assessment, it is also recommended that the letter include a statement confirming that the Ministry is in agreement that there are no outstanding archaeological concerns for the proposed York Energy Centre, and confirming that the Ministry concurs with the various recommendations presented in this report.

The above conclude the property-specific recommendations of this report. Nevertheless, it should be emphasized that no archaeological assessment can be considered to totally negate the potential for deeply buried cultural remains, including human burials. In recognition of that fact, the archaeological assessment technical guidelines formulated by the Province of Ontario require that all reports on archaeological assessments include recommendations to address the possibility that deeply buried remains may be encountered during topsoil stripping and construction (MCTR 1993:12).

In accordance with the above, it is recommended that archaeological staff of the Ontario Ministry of Culture be notified immediately if any deeply buried archaeological remains should be discovered during future earthmoving or other construction-related impacts within the proposed York Energy Centre property. The subject property falls within what the Ministry designates the Central East Region. The Ministry's contact person for this region is Malcolm Horne, Archaeological Review Officer, Culture Programs Unit (telephone 416 314-7146; email address Malcom.Horne@ontario.ca). In the event that human remains should be encountered, it is similarly recommended that the development proponent immediately contact Malcolm Horne of the Ministry of Culture as well as Michael D'Mello, the Registrar of the Cemeteries Regulation Unit of the Ontario Ministry of Small Business and Consumer Services (telephone 416 326-8404; email address Michael.D'Mello@ontario.ca).

5.0 REFERENCES CITED

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D.R. Poulton & Associates Inc.

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Stewart, Andrew

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FIGURES

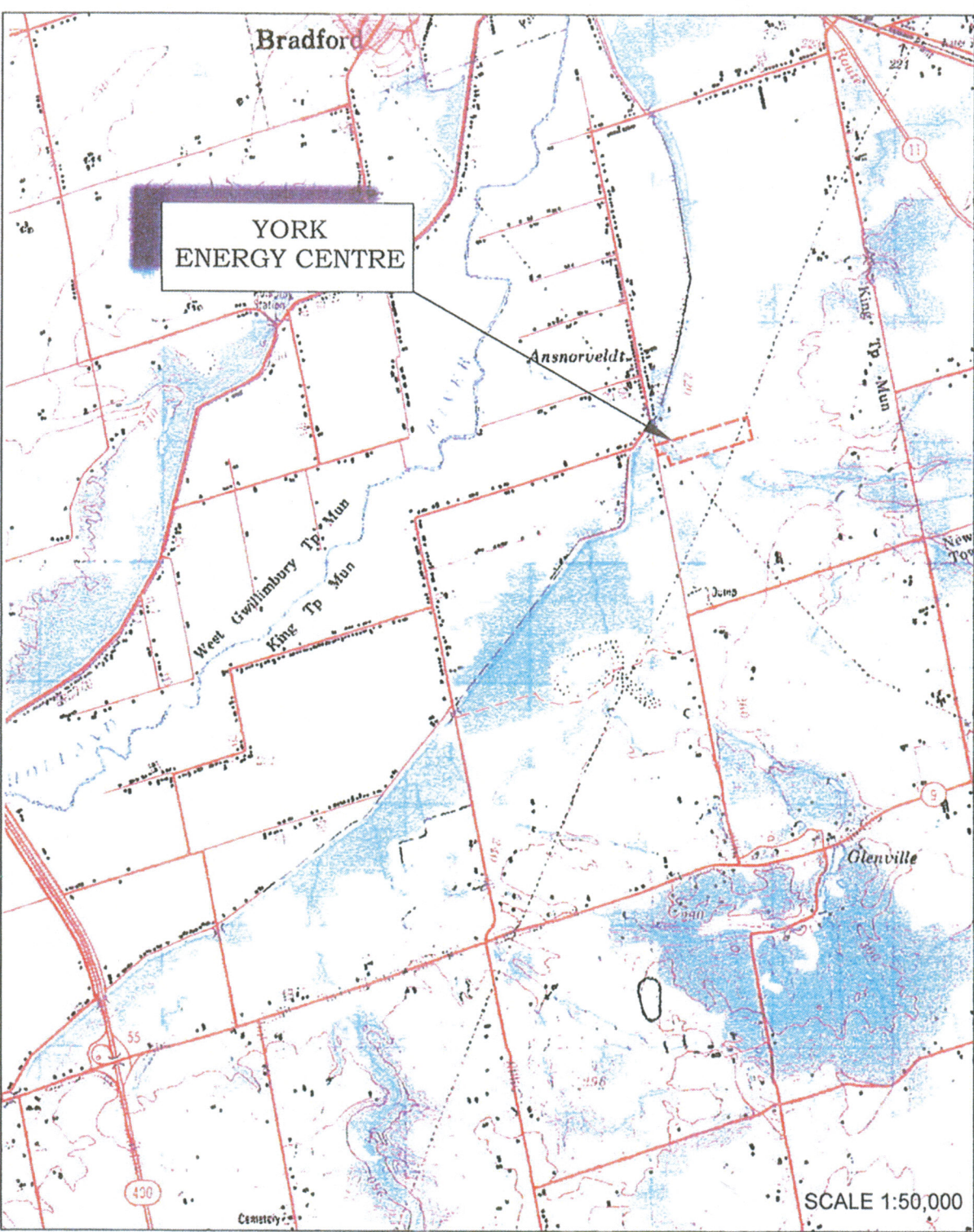


Figure 1 Location of the Proposed York Energy Centre



Legend

Transmission Line
Property Boundary

SURFACE SURVEY

LOW AND WET

LANDSCAPED

LANEWAY, TEST PITTED

0 65 130
1:3,500

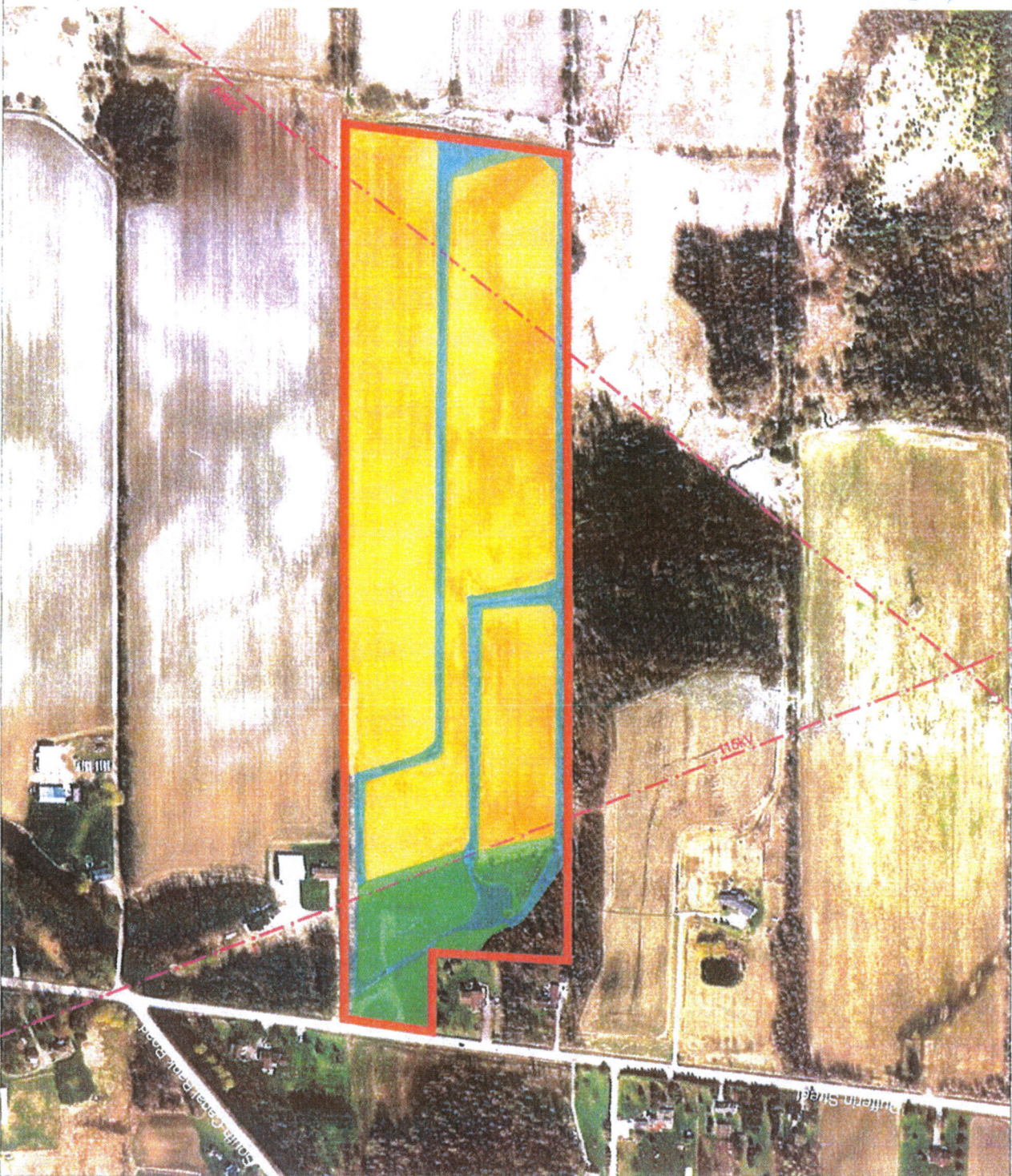
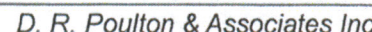


Figure 2 Archaeological Survey Coverage and Techinques



PLATES



Plate 1 Central Portion of Ploughed Field, View East



Plate 2 Northern Portion of Ploughed Field, View East



Plate 3 Western Portion of Ploughed Field, View West toward House



Plate 4 Test Pitting of Laneway in Progress, View West



Plate 5 Southern Portion of Landscaped House Lot, View South



Plate 6 Southern Portion of Landscaped House Lot, View West-Northwest



Plate 7 Select Artifacts from the York Energy Centre

- a Possible Pestle
- b Random Flake Scraper
- c Side Notched Point

Appendix

2009 Stage 2 Artifact Catalogues

	Date	Material	GPS Reading
Random flake scraper	April 13, 2009	Onondaga chert	NAD 27 17T0617295 4880946 ± 3 metres
Corner-notched projectile point		Onondaga chert	NAD 27 17T0617295 4880946 ± 3 metres
Pestle		Limestone	NAD 27 17T0617570 4880981 ± 6 metres