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Ms. K. Walli, Board Secretary

Ontario Energy Board

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DETAILS:

**RE: EB-2009-0242 Responses to queries re Interrogatories from Enbridge Gas
Distribution Inc. to Harten Consulting**

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Friday January 22, 2010.

Ms. Kristen Walli, Board Secretary
Ontario Energy Board
P.O. Box # 2319
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Sent by: Fax: (416) 440-7656
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EB-2009-0187

IN THE MATTER OF the *Ontario Energy Board Act*, 1998,
S.O. 1998, c. 15, (Schedule B);

AND IN THE MATTER OF an Application by Enbridge
Gas Distribution Inc. for an Order pursuant to section 90 (1)
of the *Ontario Energy Board Act*, 1998, granting leave
to construct a gas pipeline in the Region of York.

**Submission of Responses to Enbridge Gas Distribution Inc.
Queries of Harten Consulting Interrogatories**

Interrogatory #1.

Is the reference to Section 98 correct? If not what is the proper reference?

Harten Response:

The reference to Section 98 is incorrect. The proper reference should be Section 34 only
of the *Ontario Water Resources Act*.

Interrogatory #2

Reference: Harten, Exhibit S

The article references the fact the pipe was installed at great depth. Enbridge understands the sewer pipe was installed at depths of up to 50 meters using the tunnelling construction method. Further, Enbridge understands the diameter of the pipe is up to 3.5 metres in diameter.

Question:

a) Can HGRA confirm the tunnelling method of construction was used for installation of the pipe?

If Enbridge's information is not correct, please provide method of construction.

b) Please confirm that Enbridge's understanding of the depth of construction is correct. If Enbridge's information is not correct, please provide the depth of construction.

c) Please confirm Enbridge's understanding of the size of pipe is correct. If Enbridge's information is not correct, please provide the size of pipe.

Harten Response:

Exhibit S is included as an example of the dewatering effects a pipeline in the Oak Ridges Moraine area can have. The article discusses the potential impacts of dewatering as a result of the pipeline installation on drying up of wells, and the impact on aquifers and hydrology. The purpose of the article is to demonstrate the need for adequate studies in connection with the installation of pipeline in sensitive areas.

Harten neither confirms nor denies the information issues raised by Enbridge in a, b, and c above, since Exhibit S does not disclose the requested information but is captioned, "*Moraine drain sucks wells, streams and wetlands dry.*"

We would comment however that depths of **up to 50 metres**, as referenced by Enbridge, did not appear in the referenced article. Our investigations indicate an average depth of these types of installations is usually a small fraction of that number.

Interrogatory #3

Reference: Harten, Page 5

“Stantec has concluded that wildlife corridors and linkages have already been fragmented by the existing road network, and that as a result of the marginal habitat provided by the road Row’s habitats along the preferred route are not anticipated as a significant wildlife habitat... We disagree with these conclusions...”

Question

a) Does Harten have any existing reports to support Harten’s position? If so, please file such reports.

Harten Response:

Harten relies on its observations, knowledge, and studies drawn from reports and literature.

Among the studies drawn from are: Opportunities for Wildlife Connectivity between Algonquin Park, Ontario and the Adirondack Park, New York, Ministry of Natural Resources’s: Natural Heritage Report: ANSNORVELDT WETLAND COMPLEX, and Natural Areas Report: HOLLAND MARSH, The National Academy of Sciences, Colloquium Paper “Disrupting evolutionary processes: The effect of habitat fragmentation on collared lizards in the Missouri Ozarks”.

Harten relies on its knowledge of the scientific factors that effect habitat and fragmented habitat in particular. Adaptation to fragmented habitat is species specific obviously the effect on the Jefferson salamander to fragmentation would be different than the impact on deer. Species vary in adaptation to fragmented habitat. Demographic, biological and geographic factors linked to food supplies, security, human density, and other variables all have impacts.

Species specific issues cannot be generically addressed as in the statement we have quoted from the Stantec Report. Further, such factors as the width of an existing road and its construction are relevant to the development of linkage corridors by various species over a period of time. The cumulative effect of additional fragmentation by the installation of a pipeline may have a profound effect in destroying existing habitats linkages and patterns of behaviour.

Harten Response Continued:

Our observations in tracking the preferred pipeline route show right of way areas, as per photo Harten Exhibit F 1, that indicate a presence of flora and accompanying fauna. Further, Enbridge has not precisely located the right of ways Row's where it intends to install pipeline along the preferred route.

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