

Ministry of Tourism, Culture & Sport

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February 8, 2013

Zora Crnojacki,
Ontario Pipeline Coordination Committee,
Ontario Energy Board
2300 Yonge St, Suite 2601
Toronto, ON M4P 1E4

Project: Union Gas Limited Pipeline Project, Owen Sound Replacement Project
EB-2012-0430
Location: Region of Waterloo
MTCS File: 42EA016

Dear Zora Crnojacki:

Thank you for providing the Ministry of Tourism, Culture and Sport (MTCS) with the Environmental Report for the above project. I am confirming with my letter about this undertaking the mandate of MTCS, under the *Ontario Heritage Act (OHA)*, to conserve, protect and preserve Ontario's cultural heritage, including:

- Archaeological resources;
- Built heritage (including bridges and monuments); and,
- Cultural heritage landscapes.

Under the Ontario Energy Board (OEB) *Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario* ("the Guidelines") applicants are directed in Section 4.3.4 to make a determination of the undertaking's impact on these cultural heritage resources, and by Section 4.2 to be consistent with the *Provincial Policy Statement (PPS Section 2.6)*. Section 5.3 of the Guidelines also provides advice on mitigating above ground features (built heritage and/or cultural heritage landscape). The following observations on how cultural heritage resources have been addressed by this draft of the Environmental Report are followed by specific recommendations.

Archaeological Resources

On examination of the Environmental Report and Appendices, it is understood that an archaeological assessment of the project area will be conducted in advance of construction activities. Aside from terminology discussed below, MTCS has no further comments.

Built Heritage and Cultural Heritage Landscapes

Built heritage and cultural heritage landscapes do not appear to be addressed in this Environmental Report. Section 4.3.4 of the Guidelines includes a table for screening to determine whether the project may impact built heritage and/or cultural heritage landscapes. I am providing the attached MTCS "Screening for Impacts to Built Heritage and Cultural Heritage Landscapes" checklist to aid in this screening: municipal clerks for the Region and City encompassing this project can provide information on property registered or designated under the *Ontario Heritage Act*. If the project may impact these cultural heritage resources, MTCS recommends that a Heritage Impact Assessment (HIA – see MTCS [Info Sheet #5: Heritage Impact Assessments and Conservation Plans](#)) be prepared by a qualified consultant. Completed HIAs are sent to MTCS and staff of the local municipalities for review, and are made available to local heritage organizations with an interest.

Executive Summary

The last paragraph on page II identifies a municipal role in advising the proponent on cultural heritage resources and archaeological potential. As below, later sections of this report do not provide detail on any built heritage or cultural heritage landscapes that may fall within the study area.

Section 3.4 Cultural Environment

This section does not address built heritage or cultural heritage landscapes. As noted above, the local municipal government can be contacted for this information.

Section 3.4.1 Archaeology/Heritage

It is recommended that the wording be revised to indicate that archaeology will be carried out prior to land- or soil-disturbance, and that the project area identified as encompassing the pipeline footprint as well as other areas subject to permanent or temporary impacts, such as access routes, and staging and stockpiling areas.

Section 8.6 Archaeology and Heritage Resources

As noted in comments on Sections 3.4 and 3.4.1, this section does not address built heritage or cultural heritage landscapes, and it is suggested that wording on the timing and scope of archaeology carried out be amended.

Appendix C Agency Consultation

On page 144 of the PDF document, correspondence from Infrastructure Ontario (IO) identifies the Heritage Management Process to be used when there is potential for impacts to cultural heritage resources on IO managed lands. Table 1 of this Appendix indicates that a review will be conducted to determine whether any IO managed lands are impacted. If so, a review of these lands for cultural heritage resources including archaeology, built heritage and cultural heritage landscapes would be warranted.

Appendix E Municipality Consultation

On page 209 of the PDF document, correspondence from the Region of Waterloo identifies built heritage resources at 1192 Fischer-Hallman Road, suggesting that an evaluation of potential impacts to built heritage is warranted.

Final Environmental Report Documentation Comments

HIA and AA reports and their recommendations are part of this project. Any determinations that no heritage resources are impacted and no technical studies are warranted should be documented, summarized, and incorporated in the final Environmental Report. Please continue to circulate MTCS through the review process for this EA project. Thank you for the opportunity to provide comment, and please contact me for any questions or clarification.

Sincerely,

Joseph Muller
Heritage Planner
416-314-7145
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Copy: Norm Dumouchelle, Union Gas

Disclaimer: The Ministry of Tourism, Culture and Sport reserves the right to review projects for their potential to impact archaeology, built heritage and cultural heritage landscapes, and recommend archaeological and/or heritage impact assessments.

Please notify MTCS at 416-212-0644 or toll free at 1-866-454-0049 if archaeological resources are impacted by EA project work. All activities impacting archaeological resources must cease immediately, and a licensed archaeologist is required to carry out a determination of their nature and significance.

If human remains are encountered, the Cemeteries Regulation Unit of the Ministry of Consumer Services must be contacted (1-800-889-9768). In situations where human remains are associated with archaeological resources, MTCS should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the *OHA*.