

By RESS & Courier

October 21, 2013

Pascale Duguay
Manager, Natural Gas Applications
Ontario Energy Board
Suite 2700, 2300 Yonge Street
Toronto, Ontario
M4P 1E4

Dear Ms. Duguay:

**Re: Union Gas Limited
Panhandle Replacement Project
Board File # EB-2012-0432**

Pursuant to Condition 3.1 of the Board's Conditions of Approval for the above-noted project, please find attached Union's Interim Monitoring Report. I confirm that four copies of this report shall follow by courier to your attention

Sincerely,

[original signed by]

Mary Jane Patrick
Administrative Analyst, Regulatory Projects
Encl.

cc: Z. Crnojacki (Chair, OPCC)
Patrick Sullivan
Regulatory Library

OJIBWAY PARK REPLACEMENT PROJECT

INTERIM MONITORING REPORT

Prepared by: Union Gas Limited
Environmental Planning
October 2013

TABLE OF CONTENTS

Ojibway Park Replacement Project Interim Monitoring Report

	<u>Page No.</u>
1.0 Introduction	1
2.0 Background	3
3.0 Potential Impacts and Mitigation	3
3.1 Condition 1.1)	3
3.2 Condition 1.3)	4
3.3 Condition 1.4).....	4
3.4 Condition 2.4).....	4
3.5 Condition 3.1)	5
3.1.1 Report Circulation.....	5
3.1.2 Landowner Concerns.....	5
3.6 Condition 3.2)	5
3.2.1 Monitoring Programs.....	5
3.2.1.1 Archaeological Assessment	6
3.2.1.2 Tree Removal	6
3.2.1.3 Species at Risk Monitoring.....	7
3.2.1.4 Trail Relocation.....	7
4.0 Condition 4.1).....	7
5.0 Condition 5.1).....	8
6.0 Summary	8

TABLE 1..... Potential Impacts and Mitigation Measures

APPENDIX A..... Location Maps

APPENDIX B..... Conditions of Approval

APPENDIX C..... Photo Inventory

1.0 INTRODUCTION

This Interim Monitoring Report is provided in compliance with the Ontario Energy Board (“Board”) Order EB-2012-0432 granting Union Gas Limited (“Union”) “Leave to Construct” approximately 500 metres of Nominal Pipe Size (NPS) 16 inch diameter natural gas pipeline in order to replace a portion of the existing NPS 16 inch Panhandle Line located within the Ojibway Park Nature Reserve (Ojibway Park) in Lot 50, Concession 1 in the City of Windsor (City).

The pipeline commenced at Union’s existing Panhandle pipeline located near the southeast corner of Titcombe Road and Matchette Road and travelled to a tie-in point on the existing pipeline approximately 500 metres west. A map of the pipeline route is included in Appendix A.

The requirements for and details of this report are outlined in the specific conditions issued by the Board in its Order dated January 31, 2013 as listed below. The Conditions of Approval can be found in Appendix B.

Accordingly, the purpose of this Interim Monitoring Report is to fulfill these conditions.

1.0 Condition 1.1

Union Gas Limited (“Union”) shall construct the facilities and restore the land in accordance with its application and evidence filed in EB-2012-0432 except as modified by this Order and these Conditions of Approval.

Condition 1.3

Union shall implement all the recommendations of the Environmental Report filed in the pre-filed evidence, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee (“OPCC”) review.

Condition 1.4

Union Gas shall advise the Board's designated representative of any proposed material change in construction or restoration procedures and, except in an emergency, Union shall not make such change without prior approval of the Board or its designated representative. In the event of an emergency, the Board shall be informed immediately after the fact.

2.0 Condition 2.4

Union Gas shall furnish the Board's designated representative with all reasonable assistance for ascertaining whether the work is being or has been performed in accordance with the Board's Order.

3.0 Condition 3.1

Both during and after construction, Union Gas shall monitor the impacts of construction, and shall file four copies of both an interim and final monitoring report with the Board. The interim monitoring report shall be filed within six months of the in-service date and the final monitoring report shall be filed within fifteen months of the in-service date. Union shall attach a log of all complaints that have been received to the interim and final monitoring reports. The log shall record the times of all complaints received, the substance of each complaint, the actions taken in response, and the reasons underlying such actions.

Condition 3.2

The interim monitoring report shall confirm Union adherence to Condition 1.1 and shall include a description of the impacts noted during construction and the actions taken or to be taken to prevent or mitigate the long-term effects of the impacts of construction. This report shall describe any outstanding concerns identified during construction.

4.0 Condition 4.1

Union Gas shall offer the form of easement agreement approved by the Board to each landowner, as may be required, along the route of the proposed work.

5.0 Condition 5.1

Union Gas shall obtain all other approvals, permits, licences, and certificates required to construct, operate and maintain the proposed project, shall provide a list thereof, and shall provide copies of all such written approval, permit, licences, and certificates upon the Board's request.

2.0 BACKGROUND

Union was granted approval to construct the Ojibway Park Replacement Project on January 31, 2013. Construction was initiated in February 13, 2013 with the pipeline placed into service on April 24, 2013 and cleanup for the year completed on April 27, 2013. Construction progressed from the west on the Windsor Raceway and Ojibway properties with the following order of operations: tree removal, welding, joint coating, trenching, directional drilling, tie-ins, backfilling, testing and clean-up.

Union will return to the right-of-way in spring 2014 to perform a general overview and complete any additional clean-up that may be required.

3.0 POTENTIAL IMPACTS AND MITIGATION

3.1 Condition 1.1

Union Gas Limited ("Union") shall construct the facilities and restore the land in accordance with its application and evidence filed in EB-2012-0432 except as modified by this Order and these Conditions of Approval.

Union has complied with all conditions imposed by the Board during construction of the pipeline and worked closely with park staff and property owners to restore the land according to the evidence in support of its application.

3.2 Condition 1.3

Union shall implement all the recommendations of the Environmental Report filed in the pre-filed evidence, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee (“OPCC”) review.

Union has implemented all recommendations and mitigation measures outlined in the Environmental Study Report (ER) and the Ministry of Natural Resources Letter of Advice along with all directives identified by the OPCC.

3.3 Condition 1.4

Union Gas shall advise the Board’s designated representative of any proposed material change in construction or restoration procedures and, except in an emergency, Union shall not make such change without prior approval of the Board or its designated representative. In the event of an emergency, the Board shall be informed immediately after the fact.

There were no changes to construction or restoration procedures during this project.

3.4 Condition 2.4

Union Gas shall furnish the Board’s designated representative with all reasonable assistance for ascertaining whether the work is being or has been performed in accordance with the Board’s Order.

This Interim Monitoring report shall confirm that the work has been performed according to the Board’s Order.

3.5 Condition 3.1

Both during and after construction, Union Gas shall monitor the impacts of construction, and shall file four copies of both an interim and final monitoring report with the Board. The interim monitoring report shall be filed within six months of the in-service date and the final monitoring report shall be filed within fifteen months of the in-service date. Union shall attach a log of all complaints that have been received to the interim and final monitoring reports. The log shall record the times of all complaints received, the substance of each complaint, the actions taken in response, and the reasons underlying such actions.

3.1.1 Report Circulation

Four (4) copies of this Interim Monitoring Report are provided to the Board.

3.1.2 Landowner Concerns

Union's complaint tracking system, which identifies the current status of landowner complaints received as a result of pipeline construction, was/is in effect.

A complaint is identified as a concern raised by a landowner, which has not been resolved to the landowner's satisfaction within three (3) working days. There were no complaints entered into the complaint tracking system.

The final monitoring report will address any outstanding issues if they should arise. Union will continue to monitor the state of the land and environment and will address any landowner concerns, if they should arise.

3.6 Condition 3.2

The interim monitoring report shall confirm Union's adherence to Condition 1.1 and shall include a description of the impacts noted during construction and the actions taken or to be taken to prevent or mitigate the long-term effects of the impacts of construction. This report shall describe any outstanding concerns identified during construction.

In fulfilment of Condition 3.2, Table 1 summarizes the construction effects and general mitigation measures carried out during construction. All mitigation techniques used throughout construction will also be implemented during cleanup activities as required.

3.2.1 Monitoring Programs

3.2.1.1 Archaeological Assessment

Union retained the services of D.R Poulton and Associates to carry out a Stage 1 and Stage 2 archaeological study along the route. The study indicated that the majority of the undeveloped lands within the general area had the potential for First Peoples archaeological sites. A Stage 2 assessment was completed on September 27, 2012 along the pipeline easement. The archaeological assessment results found no archaeological resources and recommended that no additional assessments were necessary.

3.2.1.2 Tree Removal

To accommodate the area required for construction it was necessary to remove individual trees both within Ojibway Park and on the Windsor Raceway properties. Park staff was consulted in the timing of the operation and tree selection process. The Windsor Raceway property is designated as Natural Heritage within the City of Windsor's Official Plan and as such Union staff consulted with the Manager of Forestry and Horticulture for the City of Windsor and a representative of the Raceway concerning access and tree selection. Only those trees necessary were removed.

Tree clearing operations were conducted in February of 2013 to avoid the avian nesting period with Eastern Cottonwood comprising the majority of the tree species removed. Due to the fast growing nature and large canopy of the Cottonwood, City and Park staff preferred these trees were removed to open the canopy to allow sunlight to reach the forest floor to enhance the growing conditions for tall grass prairie flora some of which may be Species at Risk (SAR).

3.2.1.3 Species At Risk Monitoring

Union Gas retained the services of Stantec Consulting Ltd. to submit an Information Gathering Form to the Ministry of Natural Resources to determine if an Endanger Species Act 2007 permit was required. A permit was not required and the project was approved by the Ministry of Natural Resources (MNR). All precautionary measures outlined in the Letter of Advice received from the MNR and the Environmental Report were initiated during construction to avoid conflicts with SAR.

3.2.1.4 Trail Reconstruction

Through negotiations with the City and Park staff, Union agreed to move the existing nature trail over the new easement and aid in the re-establishment of growth on the existing trail which will be abandoned. Following cleanup, Park staff reseeded the disturbed areas with a variety of native tall grass prairie seeds to establish a larger population within the area.

4.0 Condition 4.1

Union Gas shall offer the form of easement agreement approved by the Board to each landowner, as may be required, along the route of the proposed work.

All landowners affected by construction have received the same easement agreement as approve by the Board.

5.0 Condition 5.1

Union Gas shall obtain all other approvals, permits, licences, and certificates required to construct, operate and maintain the proposed project, shall provide a list thereof, and shall provide copies of all such written approval, permit, licences, and certificates upon the Board's request.

Union Gas obtained the following environmental permits for construction:

Ministry of Natural Resources – Letter of Advice AYL-L-013-13 authorizing construction of the project following mitigation program.

Ministry of the Environment – Permit to Take Water - Reference Number 1715-948SFB

City of Windsor – Letter from John Miceli, Executive Director of Parks and Facilities approving works within the Ojibway Complex.

6.0 SUMMARY

This Interim Monitoring Report has been prepared as per conditions in the Board Order EB-2012-0432. The report provides an outline of Unions' compliance with the commitments of its witnesses, the measures implemented during construction to minimize disturbance to the environment and a description of Unions' monitoring programs. It is anticipated that these measures will effectively eliminate any long-term impacts to the environment.

A review of the pipeline route will be undertaken in the spring of 2014 to determine if any additional clean-up will be required. Should additional clean-up be required, it will be completed as soon as conditions allow in spring 2014.

A Final Monitoring Report will be prepared to evaluate the success of the measures and if necessary outline areas in need of additional restoration.

“Table 1”

Potential Impacts and Mitigation Measures

TABLE 1: MITIGATION SUMMARY

Issue	Potential Impact	Proposed Mitigation
a) Archaeology	Disturbance to cultural heritage resources.	<ul style="list-style-type: none"> • Prior to any activities associated with the project, an archaeological survey was completed and concluded that the pipeline corridor was free from archaeological concern. No artifacts were found during construction.
b) Landowner Concerns	Disruption to landowners	<ul style="list-style-type: none"> • Union provided the landowners with the telephone numbers of Company personnel. • A Landowner Relations Program was established to track complaints during construction. • To date there have been no complaints entered into the complaint tracking system.
c) Species at Risk	Potential Impacts	<ul style="list-style-type: none"> • Followed recommendations outlined in Environmental Review and MNR Letter of Advise.
d) Recreational Areas	Disruption to recreational use	<ul style="list-style-type: none"> • Access to trails maintained. • Restored area as soon as possible after construction. • Scheduled construction with Ojibway Park staff.
e) Public Safety	Public safety concerns	<ul style="list-style-type: none"> • Company inspectors ensured public safety on construction site. • Ensured proper signage and flag persons if required.
f) Construction Noise	Disturbance to landowners and public	<ul style="list-style-type: none"> • Construction was carried out during daylight hours whenever possible. • Ensured equipment was properly muffled.
g) Construction Equipment	Disruption to landowner and public	<ul style="list-style-type: none"> • Equipment was stored off road shoulders and public trails when not in use.
h) Traffic	Disruption to local citizens	<ul style="list-style-type: none"> • At least one lane of traffic was maintained at all times. • Flag persons and warning devices were used to notify traffic of the construction zone in accordance with Ministry of Transportation standards.
i) Underground Utilities	Disruption of services	<ul style="list-style-type: none"> • Obtained “locates” from all utilities. • If utilities are damaged, repair as soon as possible.
j) Fuel Storage and Handling	Improper fuel storage and handling may cause spillage and possible contamination of soil.	<ul style="list-style-type: none"> • Fuel was not stored near watercourses (i.e. Within 100 metres) • Spill clean-up materials were stored on site and available in the event of a spill. Spills or leakage were to be reported to the appropriate authority immediately (Ministry of the Environment Spills Action Centre at 1-800-268-6060) • No reportable spills were recorded during construction.

Appendix A

Location Maps

GENERAL LOCATION MAP

OJIBWAY PARK REPLACEMENT PROJECT



CITY OF WINDSOR

PIN: 012660357
THE CORPORATION OF
THE CITY OF WINDSOR
OJIBWAY PARK

PROPOSED NPS 16 GAS PIPELINE
APPROXIMATELY 200.0m (656ft)

EXISTING NPS 10 MAINLINE
TO BE ABANDONED ON THE
OJIBWAY PARK PROPERTY

EXISTING NPS 10 MAINLINE
TO BE ABANDONED ON THE
OJIBWAY PARK PROPERTY

TITCOMBE ROAD
STATION 054+001

TITCOMBE ROAD

EXISTING NPS 10 MAINLINE
TO BE ABANDONED IN PLACE ON
HER MAJESTY THE QUEEN PROPERTY

EXISTING NPS 16 MAINLINE

PROPOSED 15.3m (50ft) EASEMENT

PROPOSED 15.3m (50ft) EASEMENT

PROPOSED 15.3m (50ft) EASEMENT

PIN: 012660350
10000000 ONTARIO LTD
1000000000 PAVING

PIN: 012660492
2205500 ONTARIO LTD
WINDSOR RACEWAY

PIN: 012644971
HER MAJESTY THE QUEEN

LOT 50
CONCESSION 1

SPRUCEWOOD ROAD

MATCHETTE ROAD

WEAVER RD

SCHEDULE 1

Appendix B

Conditions of Approval

EB-2012-0432

**Union Gas Limited
Leave to Construct Application**

Conditions of Approval

1 General Requirements

- 1.1 Union Gas Limited ("Union") shall construct the facilities and restore the land in accordance with its application and the evidence filed in EB-2012-0432 except as modified by this Order and these Conditions of Approval.
- 1.2 Unless otherwise ordered by the Board, authorization for Leave to Construct shall terminate December 31, 2014, unless construction has commenced prior to that date.
- 1.3 Union shall implement all the recommendations of the Environmental Report filed in the pre-filed evidence, and all the recommendations and directives identified by the members of the Ontario Pipeline Coordinating Committee ("OPCC").
- 1.4 Union shall advise the Board's designated representative of any proposed material change in construction or restoration procedures and, except in an emergency, Union shall not make such change without prior approval of the Board or its designated representative. In the event of an emergency, the Board shall be informed immediately after the fact.
- 1.5 Within 15 months of the final in-service date, Union shall file with the Board Secretary a Post Construction Financial Report. The Report shall indicate the actual capital costs of the project and shall explain all significant variances from the estimates filed in the proceeding.

2 Project and Communications Requirements

- 2.1 The Board's designated representative for the purpose of these Conditions of Approval shall be the Manager, Natural Gas Applications.
- 2.2 Union shall designate a person as project engineer and shall provide the name of the individual to the Board's designated representative. The project engineer will be responsible for the fulfillment of the Conditions of Approval on the construction site. Union shall provide a copy of the Order and Conditions of Approval to the project engineer, within seven days of the Board's Order being issued.

- 2.3 Union shall give the Board's designated representative and the Chair of the OPCC ten days written notice in advance of the commencement of the construction.
- 2.4 Union shall furnish the Board's designated representative with all reasonable assistance for ascertaining whether the work is being or has been performed in accordance with the Board's Order.
- 2.5 Union shall file with the Board's designated representative notice of the date on which the installed pipelines were tested, within one month after the final test date.
- 2.6 Union shall furnish the Board's designated representative with five copies of written confirmation of the completion of construction. A copy of the confirmation shall be provided to the Chair of the OPCC.

3 Monitoring and Reporting Requirements

- 3.1 Both during and after construction, Union shall monitor the impacts of construction, and shall file four copies of both an interim and a final monitoring report with the Board. The interim monitoring report shall be filed within six months of the in-service date, and the final monitoring report shall be filed within fifteen months of the in-service date. Union shall attach a log of all complaints that have been received to the interim and final monitoring reports. The log shall record the times of all complaints received, the substance of each complaint, the actions taken in response, and the reasons underlying such actions.
- 3.2 The interim monitoring report shall confirm Union's adherence to Condition 1.1 and shall include a description of the impacts noted during construction and the actions taken or to be taken to prevent or mitigate the long-term effects of the impacts of construction. This report shall describe any outstanding concerns identified during construction.
- 3.3 The final monitoring report shall describe the condition of any rehabilitated land and the effectiveness of any mitigation measures undertaken. The results of the monitoring programs and analysis shall be included and recommendations made as appropriate. Any deficiency in compliance with any of the Conditions of Approval shall be explained.

4 Easement Agreements

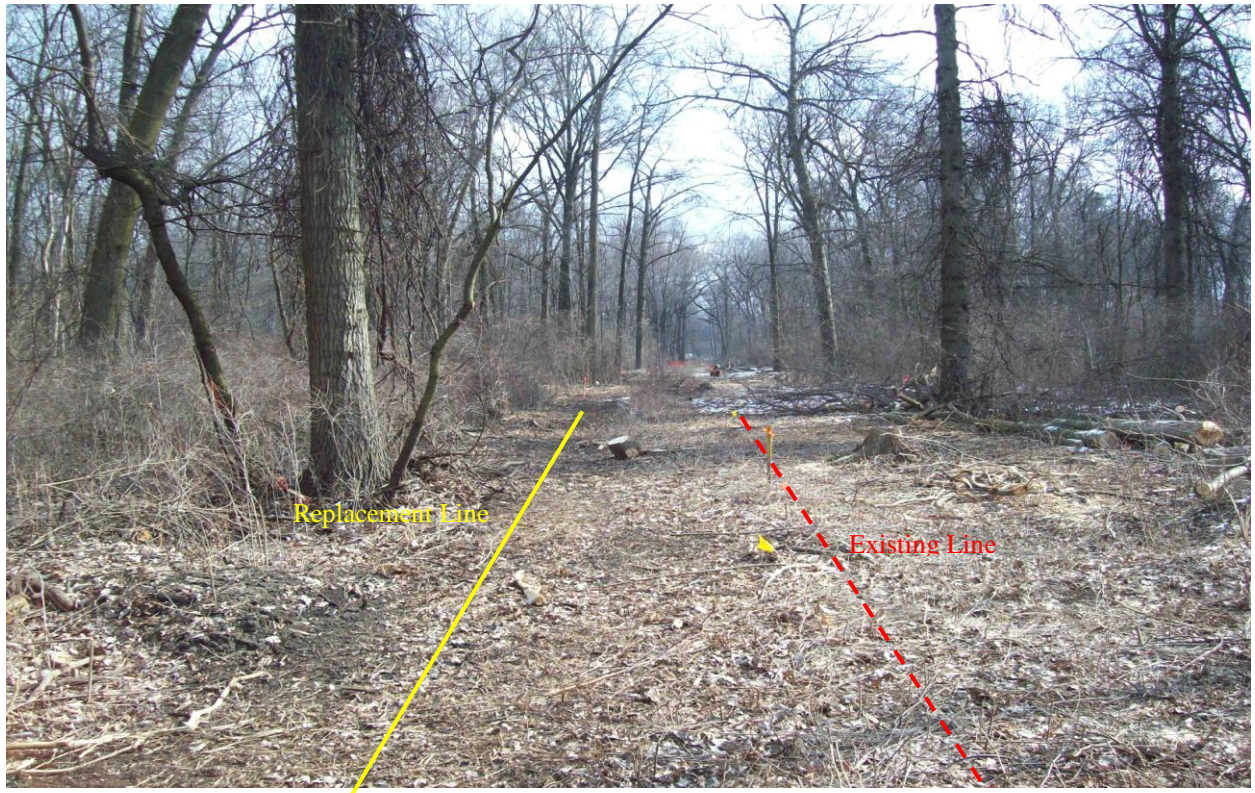
- 4.1 Union shall offer the form of agreement approved by the Board to each landowner, as may be required, along the route of the proposed work.

5 Other Approvals and Agreements

- 5.1 Union shall obtain all other approvals, permits, licences, and certificates required to construct, operate and maintain the proposed project, shall provide a list thereof, and shall provide copies of all such written approvals, permits, licences, and certificates upon the Board's request.

Appendix C

Photo Inventory



The existing easement was maintained over the years therefore only those trees necessary were removed within the replacement line easement.



The new pipeline was installed using the horizontal directional drill method. This allowed for the least amount of disturbance to the park and Species at Risk.



The pipe was stung out across the race track property, welded together and pulled into place as one section.



During installation the pipe is placed on rollers located both on the ground as well as attached to machinery. This allows for a smooth motion during the pulling process.



As illustrated above the existing pipeline was exposed and the new line installed beneath. Once the pull is completed the new pipe will be tied into the existing and the old pipeline within the park was abandoned.



During installation the pipe coating is “jeeped” to check for imperfections. An electrically charged spring is placed around the pipe and will detect any flaws which are immediately repaired.



Through consultation with City and Park staff, Union agreed to relocate the existing trail to the new pipeline easement.



The affected area is completely re-vegetated two months following construction.