

July 12, 2016

RESS

Ms. Pascale Duguay
Facilities Applications
Ontario Energy Board
2300 Yonge Street, Suite 2700
Toronto, Ontario
M4P 1E4

Dear Ms. Duguay:

**Re: Union Gas Limited (“Union”)
2016 Leamington Expansion Project
Board File # EB-2016-0013**

Please find attached two Change Requests for the above-noted project.

Union believes that these changes are not significant and would appreciate your timely review and approval of these requests.

In the event that you have any questions or would like to discuss in more detail, please do not hesitate to contact me at 519-436-5457.

Sincerely,

W. T. (Bill) Wachsmuth, RPF
Senior Administrator, Regulatory Projects

cc: Zora Crnojacki, OEB Project Advisor

ONTARIO ENERGY BOARD

LEAVE TO CONSTRUCT CHANGE REQUEST

Project Name: 2016 Leamington Expansion Project

OEB File Number: EB-2016-0013

Change Request: #1

Description and Rationale for Change

Union is planning to connect the proposed pipeline to the existing Mersea Rd 6 Station. The Mersea Rd 6 Station is along the pipeline route and the new connection will allow operational flexibility such that the station can be fed from the new NPS 12 pipeline or the existing NPS 8 Leamington North pipeline.

Construction and Restoration Practices

There will be no additional construction or restoration practices other than those identified in Union's pre-filed evidence.

Environmental

No new environmental mitigation measures will be required.

Consultation

Union has discussed this change with the Municipality of Leamington and they have not identified any issues associated with this change.

Lands

No new additional land rights are required.

Costs

The addition of this work results in an estimated \$100,000 increase. These additional costs will be recovered from the contingency identified in Union's pre-filed evidence.

Schedule

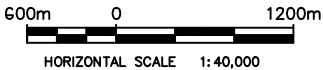
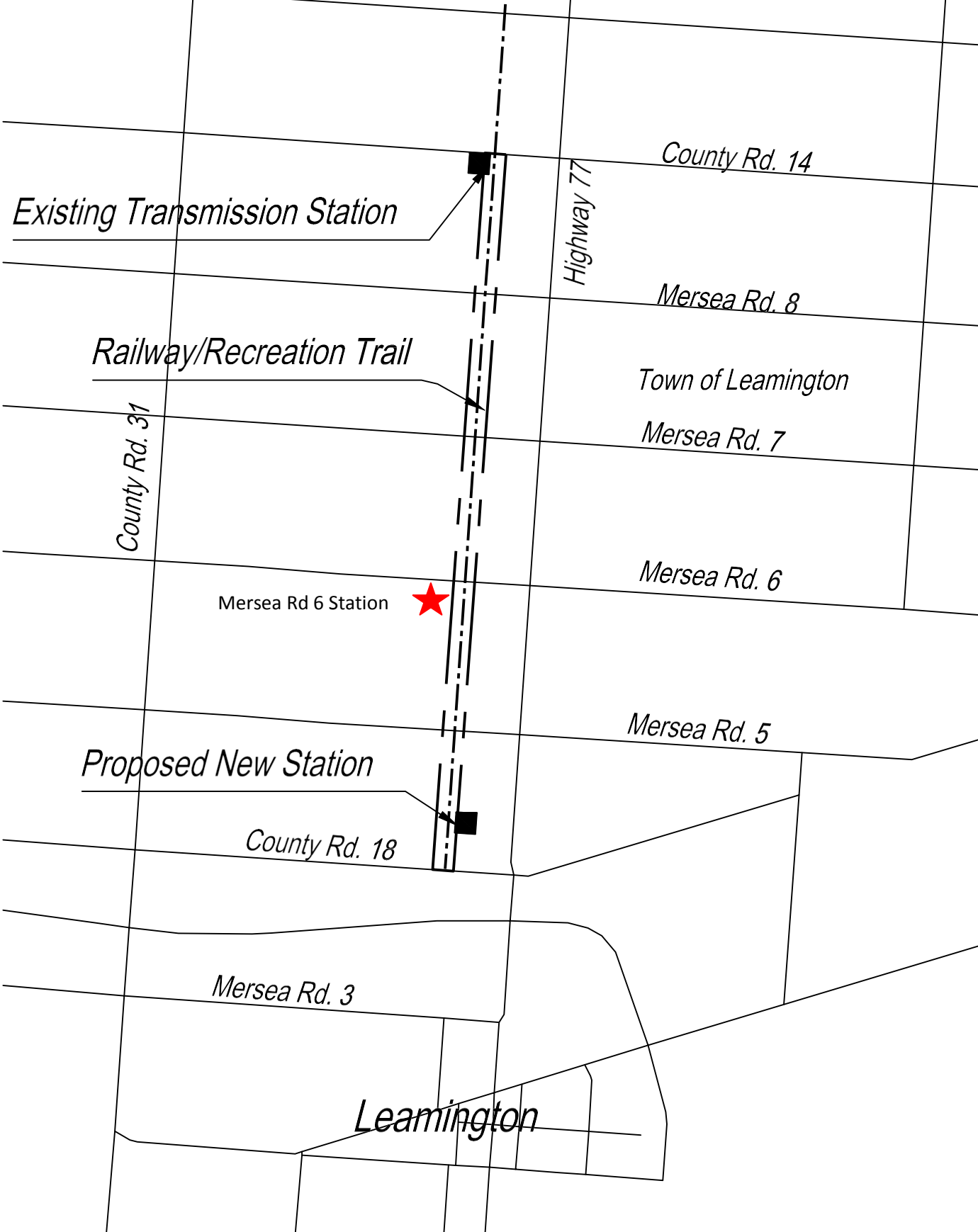
This work can be completed within the current project schedule.

Maps

A map showing the location of the Mersea Rd 6 Station is attached at Schedule 1.

Town of Leamington Phase II Pipeline Project

EB-2016-0013
Change Request 1
Schedule 1



LEGEND:
--- Proposed Pipeline Route

ONTARIO ENERGY BOARD

LEAVE TO CONSTRUCT CHANGE REQUEST

Project Name: Leamington Expansion Phase II Project

OEB File Number: EB-2016-0013

Change Request: #2

Description and Rationale for Change

Union is proposing to change the installation method for the crossing of County Road 18 from a directional drill to an open cut. Due to the complexity of the horizontal directional drill and the number of existing utilities along County Road 18 and the tie-in location just off the shoulder of the road an open cut of County Road 18 is now the preferred construction technique.

Construction and Restoration Practices

The construction and restoration of County Road 18 will follow Union's standard construction practices. Union will also follow the County of Essex's standards for open cutting a County Road.

Environmental

As there is a regulated watercourse adjacent to County Road 18 Union requires a permit from Essex Region Conservation Authority ("ERCA") to install the road crossing using an open cut method. A copy of the permit from ERCA is attached as Schedule 1.

Consultation

Union has consulted with the County of Essex and the Municipality of Leamington and ERCA. Union will also work with MTO to develop alternate routes for when County Road 18 will be closed. There have been no concerns identified with this proposed change.

Lands

No additional land rights are required.

Costs

The addition of this work results in an estimated \$25,000 increase. These additional costs will be recovered from the contingency identified in Union's pre-filed evidence.

Schedule

This work can be completed within the current project schedule.

Maps

A map showing the location of the County Road 18 crossing is attached at Schedule 2.



Essex Region
Conservation
Authority



360 Fairview Avenue West, Suite 311, Essex, ON, Canada, N8M 1Y6 | P 519-776-5209 | F 519-776-8688 | erca.org | ourgreenlegacy.org

Partner Municipalities

April 28, 2016

Town of Amherstburg

Town of Essex

Town of Kingsville

Town of Lakeshore

Town of Lasalle

Municipality of
Leamington

Township of Pelee

Town of Tecumseh

City of Windsor

Municipality of Leamington
c/o Union Gas Limited
50 Kiel Drive N
Chatham ON N7M 5M1

Dear: Union Gas Limited

Re: Application for Permit #286 - 16
Leamington Phase II-Open cut pipeline replacement under the 4th
Concession Road Drain
Municipality of Leamington

This is to inform you that your application has been approved. Your permit is enclosed. This permit is issued based on the fact that the proposed work complies with ERCA policies under Section 28 of the Conservation Authorities Act. Please sign your permit, return a copy to this office by mail, e-mail or fax, and retain a copy for your records.

As part of the work, the following mitigation measures shall be implemented to avoid any adverse effects to the waterway:

1. Work will not be conducted at times when flows are elevated due to local rain events, storms or seasonal floods. Work will be done in the dry.

2. All disturbed soils on both banks and within the channel, including spoil, must be stabilized immediately upon completion of work. The restoration of the site must be completed to a like or better condition to what existed prior to the works. The spoil material must be spread an appropriate distance from the top of the drain bank to ensure that it is not washed back into the drain.

3. To prevent sediment entry into the Drain, in the event of an unexpected rainfall, silt barriers and/or traps must be placed in the channel during the works and until the site has been stabilized. All sediment and erosion control measures are to be in accordance with related Ontario Provincial Standards. It is incumbent on the proponent and his/her contractors to ensure that sediment and erosion control measures are functioning properly and are maintained/upgraded as required.

4. Silt or sand accumulated in the barriers/traps must be removed and stabilized on land once the site is stabilized.

5. All activities, including maintenance procedures, should be controlled to prevent the entry of petroleum products, debris, rubble, concrete or other deleterious substances



Union Gas Limited
April 28, 2016

into the water. Vehicular refueling and maintenance should be conducted away from the water.

Please be advised that any impacts to fish and fish habitat which result from a failure to implement this proposal as described or from failure to incorporate appropriate mitigation measures could lead to corrective action such as enforcement. In addition, under the new *Fisheries Act*, there is a requirement to notify DFO of any harmful alteration or disruption, or any destruction of fish habitat that has not been authorized.

Based on the above information your application has been approved. Your permit is enclosed. This permit is issued based on the fact that the proposed work complies with our policies associated with construction of this type. Please note that the issuance of this permit does not release the proponent from the responsibility of obtaining any other permits and/or approvals that may be required under federal, provincial or municipal legislation. The ERCA permit should be on site when the works are being undertaken.

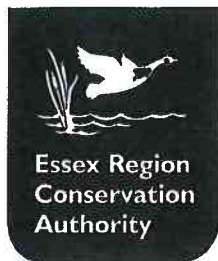
If you have any questions, please contact the undersigned at this office at (519)776-5209

Yours truly,



Cynthia Casagrande
Regulations Coordinator
/dj

C/ Bechara Daher, *Manager of Building Services* Municipality of Leamington
Municipality of Leamington



Essex Region Conservation Authority

360 Fairview Avenue West, Essex, Ontario, N8M 1Y6
phone: 776-5209 fax: 776-8688 email: regs@erca.org



Ministry of
Natural
Resources

Ontario

PERMIT FOR FILL, CONSTRUCTION AND/OR ALTERATION TO WATERWAYS/SHORE LANDS

Permit No.
286 - 16

This permit is issued under the authority and provisions of the following indicated Provincial Act(s) and their regulations, and is subject to the limitations and provisions thereof and is also subject to the terms and conditions herein.

Section 28, Conservation Authorities Act as amended

In accordance with the above referenced legislation permission has been granted to:

Name of Permittee	Municipality of Leamington	Telephone
Address	111 Erie Street N, Leamington, Ontario	
Location of Works	4th Concession Road Drain	
Legal description	Lot	Concession
Municipality	Municipality of Leamington	

For the following works:

Development (Placement and grading of fill for the open cut replacement of a section of natural gas pipeline as part of the Leamington Phase II project) within the regulated area of 4th Concession Road Drain

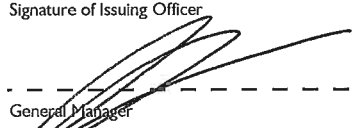
For the period commencing April 2016 and expiring April 2018

Subject to the following general and specific conditions:

General Conditions: **See Reverse Side.**

- Specific Conditions:
- The Permittee shall keep this permit or a true copy thereof on the work permit area.
 - The person in charge of the operation conducted under this permit shall produce and show this permit or the true copy kept on the work permit area to any representative of the ERCA or The Crown when requested by same.
 - Other conditions as listed on the reverse side of this permit, as well as the information contained in Schedule(s) "B" attached, form part of this permit and must be implemented in order that the true intent of the permit be achieved.

I agree to carry out or cause to be carried out the work(s) indicated above in compliance with the general and specific conditions set out herein, and in accordance with the information contained in the application and any accompanying plans. I realize that should I carry out the work(s) contrary to the terms of this permit that this permit may be revoked.

Signature of Issuing Officer	Signature of Applicant
	
General Manager	

Dated at Essex, Ontario this **28th** day of **April 2016**.

GENERAL CONDITIONS

The applicant, by acceptance of, and in consideration of the issuance of this permit, agrees to the following conditions:

1. This Permit does not preclude any other legislation, federal or provincial, or necessary approvals from the local municipality.
2. Authorized representatives of the Essex Region Conservation Authority and The Crown may, at any time, enter onto the lands which are described herein in order to make any surveys, examinations, investigations or inspections which are required for the purposes of ensuring that the work (s) authorized by this Permit are being carried out according to the terms of this Permit.
3. The applicant agrees:
 - (a) To indemnify and save harmless the Essex Region Conservation Authority and The Crown and its officers, employees, or agents, from and against all damage, loss, costs, claims, demands, actions and proceedings arising out of, or resulting from any act or omission of the owner and/or applicant or of any of his or her agents, employees or contractors relating to any of the particulars, terms or conditions of this Permit;
 - (b) That this Permit shall not release the applicant from any legal liability or obligation and remains in force subject to all limitations, requirements and liabilities imposed by law;
 - (c) That all complaints arising from the execution of the works authorized under this Permit shall be reported prior to the expiration of this Permit by the applicant to the Essex Region Conservation Authorization. The applicant shall indicate any action which has been taken, or is planned to be taken, if any, with regard to each complaint;
 - (d) That this Permit is valid only during the specified time prescribed on the front of the Permit and is subject to review upon expiration. This Permit does not guarantee future renewal, approval or authorization.
4. This Permit is not assignable.
5. The applicant agrees that, should the works be carried out contrary to the terms of this Permit, the Essex Region Conservation Authority and/or a Public Lands Officer may enter onto the property and cause the terms to be satisfied, at the expense of the applicant.



Essex Region Conservation Authority

360 Fairview Ave. W., Essex, ON, N8M 1Y6, p: (519)776-5209, f: (519)776-8688, www.erca.org

2012 APPLICATION FOR PERMIT FOR DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATION TO SHORELINES AND WATERCOURSES

<input checked="" type="checkbox"/> Section 28 - Conservation Authorities Act as amended <input type="checkbox"/> Section 14 - Public Lands Act as amended <input type="checkbox"/> Section 35 - Fisheries Act	APPLICATION FEE 500 pd.	APPLICATION NUMBER 286-16
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Applicant/Owner:

Name MUNICIPALITY OF LEAMINGTON	Telephone
Complete Mailing Address - Street No. & Name, Town/City	Postal Code

Contractor/Agent: (if applicable)

Name Union Gas Limited	Telephone 519.436.4600 x.5004631
Complete Mailing Address - Street No. & Name, Town/City 50 Keil Drive, Chatham ON	Postal Code N7M 5M1

Location of Proposed Works:

Municipality City of Leamington	Waterway 4th Concession Road Drain (SC-9)
Municipal Street Address County Rd 14 - County Rd 18	Legal Description: (Lot/Plan/Concession) Lot 6, Concession 4 - 8

Proposed Works to be Undertaken

See Schedule "B" attached - PARTS

CONSTRUCTION OF BREAKWALL, DOCK, BOAT HOUSE/LAUNCH/RAMP etc.			
area:	length:	width:	OFFICE USE Floodproofing Elevation:
Construction Details:			
CONSTRUCTION OF A DWELLING, GARAGE, ADDITION, OTHER STRUCTURE			
area:	length:	width:	OFFICE USE Floodproofing Elevation:
Setback from Waterway:			
Drainage Details (ie. side yard swales, retaining walls):			
PLACEMENT & GRADING OF FILL			
Dimensions of area to be filled	length:	width:	depth:
Type of materials to be used	<input type="checkbox"/> sand <input type="checkbox"/> earth <input type="checkbox"/> gravel <input type="checkbox"/> armour stone <input type="checkbox"/> other		
Erosion/silting prevention (describe)			
OTHER			
Due to increased development in the City of Leamington area, Union Gas is proposing to install approx. 6.7km of new NPS 12" (323.9mm OD) of natural gas pipeline and approx. 300m of NPS 16" (406.4mm OD) natural gas pipeline to supply the increased demand for natural gas. Union Gas will be altering the crossing method to the 4th Concession Road Drain (SC-9) to a Dam & Pump operation.			

Attach two (2) copies of plans depicting:

- 1) Location of property in relation to surrounding buildings, streets, roadways, etc. (plot plan)
- 2) Size, location and dimensions of property - all existing structures
- 3) Location, dimensions and elevation of all proposed structures, and fill
- 4) Elevation of any windows, doors, vents, or other exterior openings in relation to final grade

The above submission must be in complete final form before it will be scheduled for consideration by the Board of Directors. This application, if approved, does not preclude any approvals by any other existing laws and regulations. Any false or mis-leading statement contained in this application may result in withdrawal of any permit issued on the basis of this application.

Personal information on this form is collected under the authority of Conservation Authorities Act, RSO 1980, and will be used only by programme administration. Questions about the collection of personal information should be directed to: ERCA, 360 Fairview Avenue West, Essex, Ontario, N8M 1Y6
2010 application form

Applicant's Signature

April 11th, 2016

Date

STREAM CROSSING REVIEW

(8 SHEETS) Schedule 1

PROJECT NAME: Leamington Phase II (Amendment)

App # 286-16

Municipality of Leamington c/o

Union Gas LTD.

Schedule 'B'

Part 7 of 8

PROJECT DESCRIPTION

Due to the increased development within the City of Leamington area, Union Gas Limited (Union) is proposing to install approximately 6.7 kilometres of new NPS 12 inch diameter natural gas pipeline and approximately 300m of new NPS 16 inch diameter pipeline to supply the increased demand for natural gas.

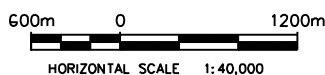
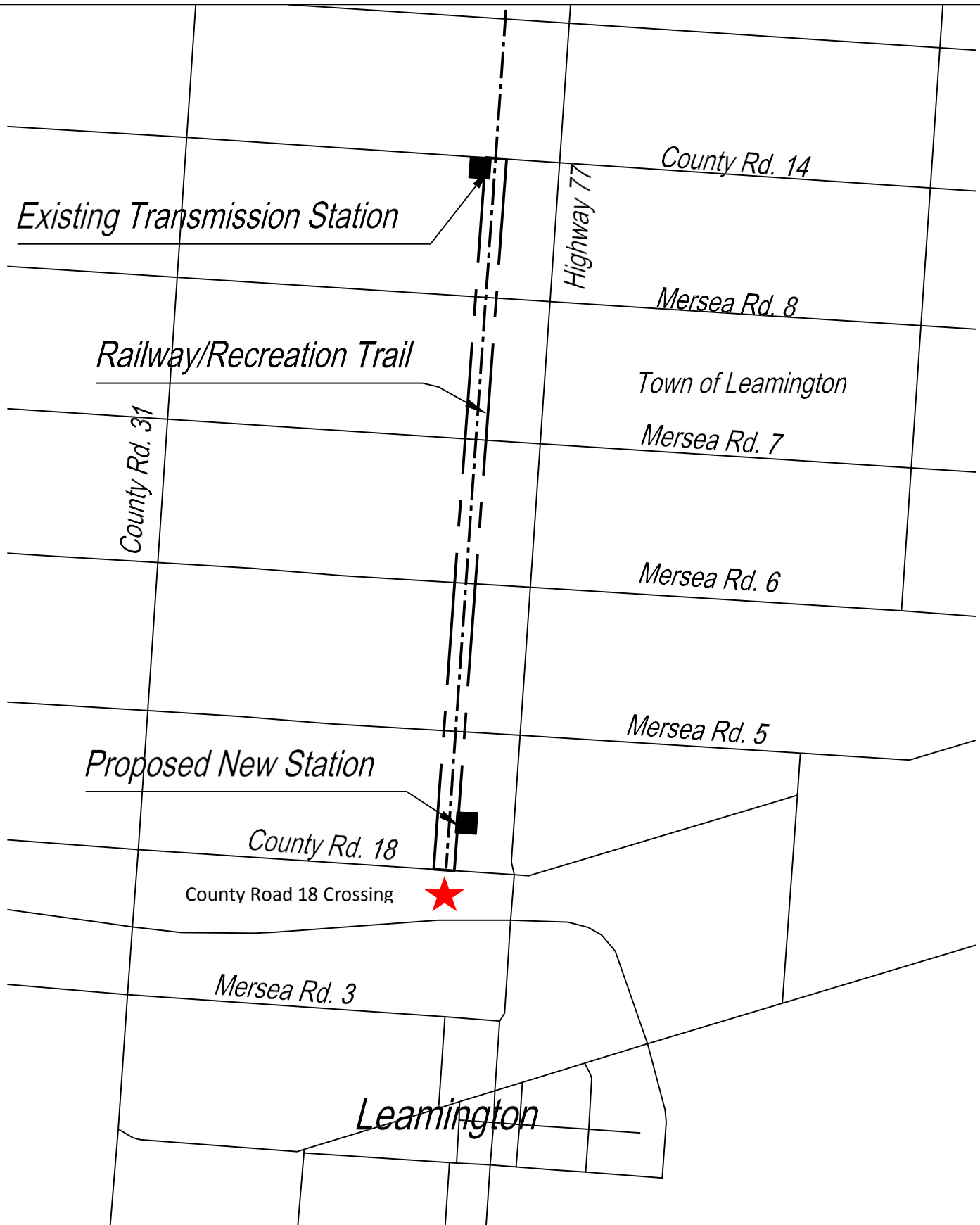
The new NPS 12 pipeline will commence at the existing County Rd. 14 Transmission Station on Lot 5, Concession 8, Township of Mersea and proceed south within the abandoned rail easement owned by the Corporation of the Municipality of Leamington to Lot 6, Concession 4, Township of Mersea in the County of Essex where it will tie into a new station. From the station the new NPS 16 pipeline will proceed south to County Rd. 18 where it will tie into existing NPS 10 and NPS 6 inch pipelines. Please see attached maps.

The original application Reference # Lot 6, Concession 4-8, Township of Mersea, City of Leamington #56-15-500-3500 was approved by the Essex Region Conservation Authority (ERCA) on January 4, 2016. It was stated in the application that all watercourses would be crossed using the horizontal directional drill (HDD) method. Upon further review however it was determined that following an HDD at this location, the tie-in to the existing NPS 10 inch natural gas pipeline on the south side of County Rd. 18 would be very deep and not feasible. Union Gas staff met on site with John Bradbury and Pete Bziuk of the Roads Department from the County of Essex to discuss the open cut of County Rd. 18. The County representatives agreed to allow the road to be open cut. All work is scheduled to occur between July 1 and November 15, 2016.

Dam and Pump

Due to the change in construction the 4th Concession Road Drain (SC-9) will now be crossed using the Dam and Pump method during the crossing of County Rd. 18. This crossing method will follow and fall under the DFO-OGLA AGREEMENT 2008. Union will adhere to the Union Gas/DFO endorsed Generic Sediment Control Plan for Dam & Pump Crossings which is considered a "dry crossing". Following the installation of the upstream dam, the water will be allowed to flow downstream carrying with it any fish that may be within the crossing area. Once the water has dissipated, the downstream dam will be installed and any remaining fish between the dams will be collected using nets and transferred downstream.

The crossing will be performed in three days between July 1, 2016 and October 31, 2016 at a minimum depth of 1.2 metres below the creek bed. The length of time needed to perform the crossing is necessary as a result of incorporating the road and watercourse crossings at the same time. Union will provide 48 hours notification to ERCA prior to the start of the watercourse crossing. The banks of the creek will be returned to as close to the original grade as possible following construction.



LEGEND:
--- Proposed Pipeline Route