

January 22, 2018

BY RESS & Courier

Ms. Kristen Walli
Board Secretary
Ontario Energy Board
Suite 2700, 2300 Yonge Street
Toronto, Ontario
M4P 1E4

Dear Ms. Walli:

**Re: Union Gas Limited (“Union”)
Panhandle NPS 16 Replacement (Lakeshore) Project
Board File # EB-2013-0420**

Pursuant to Condition 3.3 of the Board’s Conditions of Approval for the above-noted project, attached please find the final monitoring report.
Sincerely,

[Original Signed By]

Shelley Bechard
Administrative Analyst, Regulatory Projects
:sb
Encl.

cc: Z. Crnojacki
N. Marconi
Reg Library

**PANHANDLE REPLACEMENT (LAKESHORE) PROJECT
FINAL MONITORING REPORT**

BOARD ORDER EB-2013-0420

Prepared by: Union Gas Limited
Environmental Planning
January 2018

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Final Monitoring Report

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1.0 INTRODUCTION

This Final Monitoring Report is provided in compliance with the Ontario Energy Board (“Board”) Order EB-2013-0420 granting Union Gas Limited (“Union”) “Leave to Construct” approximately 13 kilometres of Nominal Pipe Size (NPS) 20 inch diameter natural gas pipeline in the Town of Lakeshore in the County of Essex.

Union did not complete the entire project in 2014 separating the project into 3 phases to better balance the construction and costs over a three year period. Phase 1 which was completed in 2014 replaced the pipeline between East Puce River Road and Golfview Drive for a distance of approximately 11 kilometres. Phase 2 completed in 2015 included the pipeline section between West Puce Road and Golfview Drive. Phase 3 completed in 2016 consisted of the remaining section from East Puce River Road to west of West Puce River Road which included the crossing of the Puce River. 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 March 28, 2013 as listed below. The Conditions of Approval can be found in Appendix B.

Accordingly, the purpose of this Final 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-2013-0420 except as modified by this Order and these Conditions of Approval.

Condition 1.3

Union Gas 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 Gas 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 3.3

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.

4.0 Condition 4.1

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

Phase 1

Union was granted approval to construct the NPS 16 Panhandle Replacement Project on March 28, 2013. Construction was initiated for Phase 1 on June 18, 2014 with the pipeline placed into service on September 23, 2014 and cleanup for the year completed on November 14, 2014. Construction progressed from East Puce River Road in a westerly direction to Golfview Drive with the following order of operations: topsoil removal, stringing, welding, joint coating, directional drilling, trenching, lowering-in, tie-ins, backfilling, testing, clean-up and post construction tiling.

Union returned to the right-of-way of Phase 1 in spring 2015 to complete the following activities: post construction tiling, repair any subsidence on the right-of-way, ensure there is adequate stability and re-vegetation on all watercourse crossings, perform a general overview of the right-of-way and complete any additional clean-up that may be required.

Phase 2

Construction was initiated for Phase 2 on August 3, 2015 with the pipeline placed into service on November 18, 2015 and cleanup for the year completed on November 30, 2015. Construction progressed from East Puce River Road in a westerly direction to Golfview Drive with the following order of operations: topsoil removal, stringing, welding, joint coating, directional drilling, trenching, lowering-in, tie-ins, backfilling, testing, clean-up and post construction tiling.

Union returned to the right-of-way of Phase 2 in spring 2016 to complete the following activities: post construction tiling, repair any subsidence on the right-of-way, ensure there is adequate stability and re-vegetation on all watercourse crossings, perform a general overview of the right-of-way and complete any additional clean-up that may be required.

Phase 3

Construction was initiated for Phase 3 on May 2, 2016 with the pipeline placed into service on November 18, 2016 and cleanup for the year completed on November 30, 2016. Construction progressed from East Puce River Road in a westerly direction to west of West Puce River Road with the following order of operations: topsoil removal, stringing, welding, joint coating, directional drilling, lowering-in, tie-ins, backfilling, testing, clean-up and post construction tiling.

Union returned to the right-of-way in the spring of 2017 to complete the following activities: repair any subsidence on the right-of-way, ensure there is adequate stability and re-vegetation near the watercourse crossing, perform a general overview of the right-of-way 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-2013-0420 except as modified by this Order and these Conditions of Approval.

Union complied with all conditions imposed by the Board during construction of the pipeline and has restored the land according to the evidence in support of its application.

3.2 Condition 1.3

Union Gas 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) 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 Gas shall not make such change without prior approval of the Board or it's designated representative. In the event of an emergency, the Board shall be informed immediately after the fact.

As indicated in the previously filed Interim Monitoring Report, Union Gas forwarded a letter dated July 12, 2016 to the OEB with two (2) "Requests to Vary" for the project. The changes included;

- 1a) That the entire project would not be completed as proposed in the pre-file evidence and the project would be divided into 2 phases. However due to the first attempt to cross the Puce River being unsuccessful, a third phase was added. Phase 1 which was completed in the summer of 2014 involved the replacement of the NPS 16 inch with a new NPS 20 inch between East Puce River Road and Golfview Drive, a distance of approximately 11 kilometres. Phase 2 would be completed in the summer of 2015.
- 1b) A change in the location of the pipeline as presented in the pre-filed evidence occurring between East Puce River Road and Renaud Line. Originally the pipeline was to be constructed on lands owned by Ontario Hydro however due to conditions imposed by Hydro, it was determined that the most efficient and cost effective solution would be to relocate the pipeline approximately 20 metres south onto land owned by the Town of Lakeshore.
- 2) Union's first attempt to cross the Puce River using a horizontal directional drill was not successful. Union developed a new plan for the crossing of the Puce River involved damming a short section of the river using aqua dams while directional drilling is taking place. In order to implement the plan it was necessary for Union to obtain additional temporary land rights for the installation of temporary dams and access to the construction area. Copies of the letters sent to the Ontario Energy Board informing them of the changes were included in the previously filed Interim Monitoring Report.

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 Final Monitoring Report as well as the previously filed 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 eighteen months of the in-service date. Union Gas 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 Final 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. During construction, issues that were minor in nature were raised to Union and their contractor. These

were dealt with by Union or the Contractor in an expeditious manner. To date no complaints have been received by Union Gas for the Panhandle Replacement (Lakeshore) Project constructed under Board Order EB-2013-0420. Union will continue to monitor the state of the land and environment and will address any additional landowner concerns, if they should arise.

3.6 Condition 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.

The entire right of way and in particular areas in close proximity to the watercourse were checked for stability, subsidence and vegetation re-establishment in spring of 2017 and found to be successfully rehabilitating and protected with proper sediment control devices to aid in the rehabilitation process. No deficiencies in compliance were identified. No post construction monitoring programs were required or performed.

4.0 Condition 4.1

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:

❖ Essex Region Conservation Authority - Watercourse Crossings

- For Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Ontario Regulation 148/06.
 - Application for Permit - No. 20/14 - Watercourse Crossings
 - Application for Permit – No. 557-16

❖ **Ministry of Natural Resources – Species at Risk**

- Letter of Advice – AYL-L-005-14

❖ **Ministry of Natural Resources**

- Wildlife Scientific Collectors Authorization - #1083957

❖ **Ministry of the Environment and Climate Change**

- **Permit To Take Water - # 8742-9VVJ62**

❖ **Ministry of Tourism, Culture and Sport**

- **Letter of Compliance - File Number 0000649**

5.0 SUMMARY

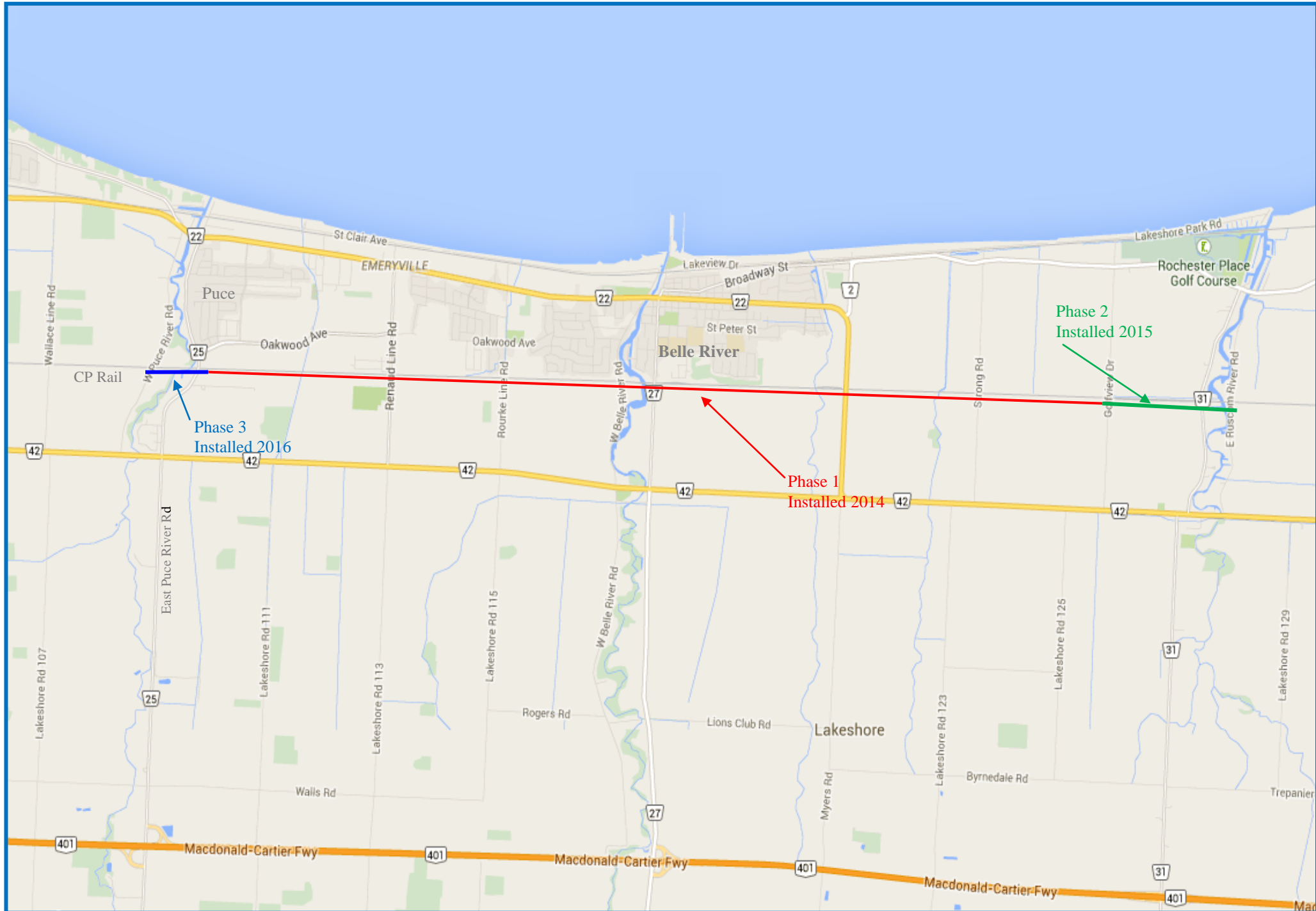
This Final Monitoring Report has been prepared as per conditions in the Board Order EB-2013-0420. The report in conjunction with the previously filed Interim Monitoring Report provides an outline of Unions' compliance with the commitments of its witnesses, the measures implemented during construction 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.

Appendix A

Location Map

GENERAL LOCATION MAP

PANHANDLE REPLACEMENT (LAKESHORE) PROJECT



Appendix B

Conditions of Approval

**Union Gas Limited
Leave to Construct Application**

**Board Staff Proposed
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-2013-0420 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 Ontario Pipeline Coordinating Committee ("OPCC") review.
- 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 Other Approvals and Agreements

- 4.1 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.