

March 14, 2018

BY RESS & Courier

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

Dear Ms. Walli:

**Re: Union Gas Limited (“Union”)  
Community Expansion Project  
Kettle and Stony Point First Nation and Lambton Shores  
Board File # EB-2015-0179**

Pursuant to Condition 6.(a)iv. of the Board’s Conditions of Approval for the community of Kettle and Stony Point First Nation and Lambton Shores attached please find the Post Construction report.

Sincerely,

*[original signed by]*

Shelley Bechard  
Administrative Analyst, Regulatory Projects

cc: Z. Crnojacki  
N. Marconi  
Regulatory Library

**KETTLE POINT/LAMBTON SHORES  
NATURAL GAS PIPELINE PROJECT  
  
POST CONSTRUCTION REPORT**

**Prepared By: Union Gas Limited  
Environmental Planning  
March 2018**

# TABLE OF CONTENTS

## **Kettle Point/Lambton Shores Natural Gas Pipeline Project Post Construction Report**

1.0 Introduction.....	1
2.0 Background.....	3
3.0 Potential Impacts and Mitigation .....	3
3.1 Condition 1.....	3
3.2 Condition 3.....	4
3.3 Condition 4.....	4
3.4 Condition 6.....	4
4.0 Summary .....	8

### **Table 1 – Potential Impacts and Mitigation Measures**

#### **Appendix A – General Location Map**

#### **Appendix B – Conditions of Approval**

#### **Appendix C – Change Requests and Approvals**

#### **Appendix D – Executive Certification**

#### **Appendix E – Photograph Inventory**

## **1.0 INTRODUCTION**

This Post Construction Report is provided in compliance with the Ontario Energy Board (“OEB”) Order EB-2015-0179 granting Union Gas Limited (“Union”) “Leave to Construct” 20.3 kilometres of new natural gas pipeline consisting of 10.4 kilometres of Nominal Pipe Size (NPS) 4 inch plastic pipeline and 9.9 kilometres of NPS 2 inch plastic pipeline to provide natural gas service to Kettle and Stony Point First Nation and the Ipperwash Beach area of Lambton Shores.

The NPS 4 inch plastic pipeline commenced at Union’s existing pipeline/new distribution station at the southwest corner of Army Camp Road and Ravenswood Line. The pipeline travelled west along Ravenswood Line, with one section continuing north along Ipperwash Road to service Ipperwash Beach and another section travelling west along Lakeshore Road to service Kettle and Stony Point First Nation. NPS 2 inch plastic pipeline was installed in both communities. All pipelines were installed within road allowances and Union obtained fee simple rights to construct the distribution station on private land. Please see Appendix A for a map of the entire pipeline route.

The requirements for and details of this report are outlined in the specific conditions issued by the OEB in its Order dated August 10, 2017 and as listed below. The complete Conditions of Approval can be found in Appendix B. The Conditions of Approval addressed in this report are as follows:

### **Condition 1**

Union Gas Limited (Union) shall construct the facilities and restore the land in accordance with the OEB’s Decision and Order in EB-2015-0179 and these Conditions of Approval.

### **Condition 3**

Union shall implement all the recommendations of the Environmental Protection Plan filed in the proceeding.

### **Condition 4**

Union shall advise the OEB of any proposed change to OEB-approved construction or restoration procedures. Except in an emergency, Union shall not make any such change without

prior notice to and written approval of the OEB. In the event of an emergency, the OEB shall be informed immediately after the fact.

### **Condition 6**

Both during and after construction, Union shall monitor the impacts of construction, and shall file with the OEB one paper copy and one electronic (searchable PDF) version of each of the following reports:

- a) a post construction report, within three months of the in-service date, which shall:
  - i. provide a certification, by a senior executive of the company, of Union adherence to Condition 1;
  - ii. describe any impacts and outstanding concerns identified during construction;
  - iii. describe the actions taken or planned to be taken to prevent or mitigate any identified impacts of construction;
  - iv. include a log of all complaints received by Union, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions; and
  - v. provide a certification, by a senior executive of the company, that the company has obtained all other approvals, permits, licenses, and certificates required to construct, operate and maintain the proposed project.
  
- b) a final monitoring report, no later than 15 months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1, which shall:
  - i. provide a certification, by a senior executive of the company, of Union adherence to Condition 3;
  - ii. describe the condition of any rehabilitated land;
  - iii. describe the effectiveness of any actions taken to prevent or mitigate any identified impacts of construction;
  - iv. include the results of analyses and monitoring programs and any recommendations arising therefrom; and

- v. include a log of all complaints received by Union, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions.

## **2.0 BACKGROUND**

Union was granted approval to construct the Kettle Point/Lambton Shores Natural Gas Pipeline Project on August 10, 2017. Construction was initiated on September 18, 2017 and the pipeline was placed into service on December 19, 2017. Cleanup and land restoration was completed concurrently to construction, and was completed for the year on December 19, 2017. Cleanup along the pipeline route will continue in spring 2018.

Construction commenced at Army Camp Road and Ravenswood Line with the installation of NPS 4 inch plastic pipeline and continued west along Lakeshore Road to Kettle Point. Construction then continued simultaneously with the installation of NPS 2 inch pipeline in Kettle Point and the installation of NPS 4 inch pipeline along Ipperwash Road and then the installation of NPS 2 inch pipeline in Ipperwash Beach. Construction generally progressed with the following order of operations: flagging/staking, stringing, trenching/HDD, lowering-in, tie-ins, back filling, and clean-up.

Union will return to the right-of-way in spring 2018 to perform a general overview to ensure clean-up and restoration measures were successful and all disturbed areas are stable and re-vegetated. Any areas that require additional restoration measures will be addressed as required.

## **3.0 POTENTIAL IMPACTS AND MITIGATION**

### **3.1 Condition 1**

*Union Gas Limited (Union) shall construct the facilities and restore the land in accordance with the OEB's Decision and Order in EB-2015-0179 and these Conditions of Approval.*

Union has constructed the facilities and restored the land in accordance with the OEB's Decision and Order in EB-2015-0179 and these Conditions of Approval, including the conditions from the change requests approvals as discussed in section 3.3.

### **3.2 Condition 3**

*Union shall implement all the recommendations of the Environmental Protection Plan filed in the proceeding.*

Union has implemented all the recommendations of the Environmental Protection Plan filed in the proceeding. Please refer to Table 1 to confirm Union's adherence to the recommendations and mitigation measures identified in the Environmental Protection Plan.

### **3.3 Condition 4**

*Union shall advise the OEB of any proposed change to OEB-approved construction or restoration procedures. Except in an emergency, Union shall not make any such change without prior notice to and written approval of the OEB. In the event of an emergency, the OEB shall be informed immediately after the fact.*

Union advised the Board of three (3) changes to the Board – approved construction procedures on September 19, 2017 (2) and November 27, 2017 (1). Union received Board approval for the first two change requests on September 29, 2017 and the third change request on November 30, 2017. Union's change requests and Board approvals are presented in Appendix C.

### **3.4 Condition 6**

*Both during and after construction, Union shall monitor the impacts of construction and shall file with the OEB one paper copy and one electronic (searchable PDF) version of each of the following reports:*

- a) a post construction report, within three months of the in-service date, which shall:*
  - i. provide a certification, by a senior executive of the company, of Union adherence to Condition 1;*

One paper copy and one electronic (searchable PDF) version of this Post Construction Report are provided to the Board. This report is certified by Mike Shannon, Vice President of Distribution Operations, that Union has constructed the facilities and restored the land in accordance with the OEB's Decision and Order in EB-2015-0179 and these conditions of Approval and is confirmed by the signed letter of approval found in Appendix D.

- ii. *describe any impacts and outstanding concerns identified during construction;*

Table 1 summarizes the impacts, outstanding concerns identified during construction.

- iii. *describe the actions taken or planned to be taken to prevent or mitigate any identified impacts of construction;*

Table 1 summarizes the actions taken or planned to be taken to prevent or mitigate any identified impacts of construction.

- iv. *Include a log of all complaints received by Union, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions; and*

Union's Complaint Tracking System, which identifies the current status of complaints received as a result of pipeline construction, was in effect. A complaint is identified as a concern raised by a landowner or member of the public that has not been resolved to their satisfaction within three (3) working days. No complaints were received during construction and therefore a log of complaints was not produced.

During construction, a number of concerns were raised to Union and their Contractor. These issues were minor in nature and were dealt with by Union and the Contractor in an expeditious manner.

Union will continue to monitor the state of the land and will address any landowner or public concerns should they arise.

- v. *provide a certification, by a senior executive of the company, that the company has obtained all other approvals, permits, licenses, and certificates required to construct, operate and maintain the proposed project.*

Mike Shannon, Vice President of Distribution Operations, has certified that the company has obtained all other approvals, permits, licences, and certificates required to construct, operate and maintain the project and is confirmed by the signed letter of approval in Appendix D.

Union obtained the following environmental permits for construction:

**Ausable Bayfield Consevation Authority**

- Watercourse Crossings – Development, Interference With Wetlands and Alterations to Shorelines and Watercourses – Permit No. 2017-46

**St. Clair Region Conservation Authority**

- Watercourse Crossings – Development, Interference With Wetlands and Alterations to Shorelines and Watercourses – Permit No. 11283

Permit No.	Watercourse Name	Location	Crossing Method
2017-46	10 <sup>th</sup> Concession Drain	Lot 22, Concession 10, Bosanquet Township	HDD
11283	Walden Drain	Lot 22, Concession 10, Bosanquet Township	HDD

11283	Duffus Drain	Lot 56, East of Lake Rd, Bosanquet Township	HDD
11283	From Duffus Drain	Lot 5, Concession 18, Bosanquet Township	HDD
11283	Fuller Campbell Drain	Lot 5, Concession 18, Bosanquet Township	HDD
11283	Ipperwash Drain	Lot 5, Concession 18, Bosanquet Township	HDD

### Ministry of Tourism, Culture and Sport

- Archaeology clearances under the MTCS File Number 0002990

<b>Project Information Form Number</b>	<b>Stage</b>	<b>Location</b>
P316-0311-2015	1 - 2	Pipeline Route
P316-0334-2017	2	Distribution Station

*b) a final monitoring report, no later than 15 months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1, which shall:*

- provide a certification, by a senior executive of the company, of Union adherence to Condition 3;*
- describe the condition of any rehabilitated land;*

- iii. describe the effectiveness of any actions taken to prevent or mitigate any identified impacts of construction;*
- iv. include the results of analyses and monitoring programs and any recommendations arising therefrom; and*
- v. include a log of all complaints received by Union, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions.*

One paper copy and one electronic (searchable PDF) version of the final monitoring report will be filed with the Board no later than fifteen months after the in-service date.

#### **4.0 SUMMARY**

This Post Construction Report has been prepared as per conditions in the Board Order EB-2015-0179. The report provides confirmation that Union has complied with the Conditions of Approval, and provides a description of the identified impacts of construction and the actions taken to mitigate such impacts. It is anticipated that these actions will effectively eliminate any long-term impacts to the environment.

Clean-up and land restoration of the pipeline route will continue in spring 2018.

A Final Monitoring Report will be prepared to evaluate the success of the restoration measures and identify any areas that require additional restoration, if necessary.

## **Table 1**

### **Potential Impacts and Mitigation Measures**

**Table 1: Potential Impacts and Mitigation Measures**

<b>Issue</b>	<b>Potential Impact</b>	<b>Mitigation Measure</b>
Paved/Gravel Driveways and Roadways	Disruption to local traffic, landowners and tenants	<ul style="list-style-type: none"> <li>- All roadways and driveways were bored if practical.</li> <li>- If it was not possible to bore driveways and roads, steel plates were on site to provide access to landowners and tenants.</li> <li>- The Company kept at least one lane of traffic open during construction and traffic controls were implemented as required.</li> <li>- For driveways that required cutting, the excavation was filled with sand and granular material and compacted.</li> <li>- Driveways were repaired as soon as possible.</li> </ul>
Traffic	Disruption to local citizens	<ul style="list-style-type: none"> <li>- At least one lane of traffic was maintained at all times.</li> <li>- Flag persons and warning devices were used to notify traffic of construction in accordance with Ministry of Transportation standards.</li> </ul>
Public Safety	Public safety concerns	<ul style="list-style-type: none"> <li>- Company inspectors ensured public safety on the construction site.</li> <li>- Proper signage and flag persons were used where required.</li> </ul>
Commercial/Retail Businesses and Recreational Areas	Disruption to businesses	<ul style="list-style-type: none"> <li>- Access to businesses was maintained at all times.</li> <li>- The land around businesses and recreational areas was restored as soon as possible.</li> </ul>
Construction Noise	Disturbance to local citizens	<ul style="list-style-type: none"> <li>- Construction was carried out during daylight hours whenever possible.</li> <li>- Equipment was properly muffled.</li> </ul>
Nuisance Dust	Disturbance to local citizens	<ul style="list-style-type: none"> <li>- Dust was controlled as required.</li> </ul>
Construction Equipment	Disturbance to local citizens	<ul style="list-style-type: none"> <li>- Equipment was stored off road shoulders when not in use.</li> </ul>
Landowner Concerns	Disruption to landowners (Municipality)	<ul style="list-style-type: none"> <li>- The Company provided the Municipality with the telephone numbers of supervisory personnel.</li> </ul>
Fences	Disruption to landowners  Loss of control of animals inside fenced areas	<ul style="list-style-type: none"> <li>- No fences were removed or damaged during construction.</li> </ul>
Front Yards	Disruption to landowners	<ul style="list-style-type: none"> <li>- Landowners and tenants were notified</li> </ul>

<b>Table 1: Potential Impacts and Mitigation Measures</b>		
<b>Issue</b>	<b>Potential Impact</b>	<b>Mitigation Measure</b>
	and tenants	<ul style="list-style-type: none"> <li>- prior to construction.</li> <li>- Lawns and yards were restored to original condition.</li> </ul>
Mailboxes	Disruption to landowners and tenants	<ul style="list-style-type: none"> <li>- Landowners were notified of mailbox disruption when required.</li> <li>- Mailboxes were restored as soon as possible and temporary alternatives were provided if necessary.</li> </ul>
Underground Utilities	Disruption of services	<ul style="list-style-type: none"> <li>- Locates were obtained from all utilities.</li> <li>- Any damages to utilities were repaired as soon as possible.</li> </ul>
Archaeology	Disturbance of heritage resources	<ul style="list-style-type: none"> <li>- An Archaeological Assessment was completed prior to construction.</li> <li>- No artifacts were encountered during construction.</li> </ul>
Water Wells	Disruption to water supply	<ul style="list-style-type: none"> <li>- A hydrogeological investigation was conducted prior to construction.</li> <li>- No water well problems were reported during construction.</li> </ul>
Trees	Damage to trees  Disturbance to wildlife	<ul style="list-style-type: none"> <li>- Tree removal did not occur as part of construction.</li> </ul>
Watercourse Crossings	Water quality concerns	<ul style="list-style-type: none"> <li>- Union complied with all permit conditions from the Ausable Bayfield Conservation Authority and St. Clair Region Conservation Authority.</li> <li>- Union adhered to all Company specifications and the Fisheries and Oceans Canada – endorsed Generic Sediment Control Plan for Horizontal Directional Drill for watercourse crossings.</li> </ul>
Natural Areas	Sedimentation run-off	<ul style="list-style-type: none"> <li>- Sediment barriers (i.e. silt fencing and filter socks) were used in areas where there was potential for run-off.</li> </ul>
Vegetative Cover	Loss of vegetative cover leading to soil erosion	<ul style="list-style-type: none"> <li>- Cover was restored by seeding as soon as possible.</li> </ul>
Soils: Erosion	Introduction of sediment/silt to adjacent lands	<ul style="list-style-type: none"> <li>- Disturbed soils were restored as soon as possible after construction.</li> </ul>
Roadside Ditches	Water quality concerns	<ul style="list-style-type: none"> <li>- Ditches were returned to pre-construction condition as quickly as possible.</li> <li>- Rock rip rap/straw bale check dams</li> </ul>

<b>Table 1: Potential Impacts and Mitigation Measures</b>		
<b>Issue</b>	<b>Potential Impact</b>	<b>Mitigation Measure</b>
		were installed as required.
Spills	Public safety issue	- No spills were identified during construction.
Contaminated Soils	Dealing with contaminated materials  Public safety issue	- No contaminated soils were identified during construction.
Cemeteries	Disturbance to unmarked grave sites and disruption to services	- Archaeological Assessments were conducted around cemeteries to prevent potential impacts. - Construction was suspended during services.
Site Restoration	Disturbance to public and private properties	- The construction area was restored as soon as possible upon completion of pipe installation.

# **Appendix A**

## **General Location Map**

## Kettle Point & Lambton Shores – Community Expansion Key Plan



## **Appendix B**

### **Conditions of Approval**

**Leave to Construct Conditions of Approval  
Application under Section 90 of the *Ontario  
Energy Board Act, 1998***

**Union Gas Limited  
EB-2015-0179**

1. Union Gas Limited (Union) shall construct the facilities and restore the land in accordance with the OEB's Decision and Order in EB-2015-0179 and these Conditions of Approval.
2.
  - a) Authorization for leave to construct shall terminate 12 months after the decision is issued, unless construction has commenced prior to that date.
  - b) Union shall give the OEB notice in writing:
    - i. of the commencement of construction, at least 10 days prior to the date construction commences;
    - ii. of the planned in-service date, at least 10 days prior to the date the facilities go into service;
    - iii. of the date on which construction was completed, no later than 10 days following the completion of construction; and
    - iv. of the in-service date, no later than 10 days after the facilities go into service.
3. Union shall implement all the recommendations of the Environmental Protection Plan filed in the proceeding.
4. Union shall advise the OEB of any proposed change to OEB-approved construction or restoration procedures. Except in an emergency, Union shall not make any such change without prior notice to and written approval of the OEB. In the event of an emergency, the OEB shall be informed immediately after the fact.
5. Union shall file, in the proceeding where actual capital costs of the project are proposed to be included in rate base, a Post Construction Financial Report, which shall indicate the actual capital costs of the project and shall provide an explanation of any significant variances from the cost estimates filed in this proceeding.
6. Both during and after construction, Union shall monitor the impacts of construction, and shall file with the OEB one paper copy and one electronic (searchable PDF) version of each of the following reports:
  - a) a post construction report, within three months of the in-service date, which shall:

- 
- i. provide a certification, by a senior executive of the company, of Union adherence to Condition 1;
    - ii. describe any impacts and outstanding concerns identified during construction;
    - iii. describe the actions taken or planned to be taken to prevent or mitigate any identified impacts of construction;
    - iv. include a log of all complaints received by Union, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions; and
    - v. provide a certification, by a senior executive of the company, that the company has obtained all other approvals, permits, licenses, and certificates required to construct, operate and maintain the proposed project.
  - b) a final monitoring report, no later than 15 months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1, which shall:
    - i. provide a certification, by a senior executive of the company, of Union adherence to Condition 3;
    - ii. describe the condition of any rehabilitated land;
    - iii. describe the effectiveness of any actions taken to prevent or mitigate any identified impacts of construction;
    - iv. include the results of analyses and monitoring programs and any recommendations arising therefrom; and
    - v. include a log of all complaints received by Union, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions.

## **Appendix C**

### **Change Requests and Approvals**



September 19, 2017

**RESS & COURIER**

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4

Dear Ms. Walli,

**Re: Union Gas Limited ("Union")  
Community Expansion Project  
Board File # EB-2015-0179**

Please find attached three change requests, for the above-noted project.

Union believes that these changes are not significant and would appreciate your timely review and approval of this request, as construction is in progress. Confidential copies of the redacted schedules are being couriered to the Board separately.

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

Sincerely,

*[original signed by]*

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

cc: Zora Crnojacki, OEB  
Nancy Marconi, OEB  
Ritchie Murray, OEB

## **REQUEST TO VARY**

**Project Name:** Kettle and Stony Point First Nation and Lambton Shores  
Community Expansion Project

**OEB file Number:** EB-2015-0179

**Request to Vary:** 1

### **Description and Rationale for Change**

Union requires a different area of land for construction of the proposed station at the north end of the proposed facilities. In Union's original application it assumed a square piece of property would be available at the corner of Army Camp Road and Ravenswood Line. Union was not aware that the municipality had obtained land at this corner and that the corner was now "daylighted". Union is proposing to construct the station within the private property adjacent to the "daylighted" road allowance.

### **Construction and Restoration Practices**

Union's standard construction practices will be followed for construction of the station facilities.

### **Environmental**

No new environmental mitigation measures will be required.

### **Consultation**

Union has discussed this change with the affected landowner and the municipality. No concerns have been identified.

### **Lands**

The landowner has sold Union the property required for the station.

### **Costs**

Union had always proposed the station at this location changing the shape and size of the property Union purchased did not result in any additional costs.

### **Schedule**

This change will not result in a change to the in-service date of the project.

### **Attachments**

A survey drawing showing the new location of the station is attached at Schedule 1.

## **REQUEST TO VARY**

**Project Name:** Kettle and Stony Point First Nation and Lambton Shores  
Community Expansion Project

**OEB file Number:** EB-2015-0179

**Request to Vary:** 3

### **Description and Rationale for Change**

Union has been working with the Municipality of Lambton Shores and the Kettle and Stony Point First Nation to refine the pipeline plan for the project area. These discussions have resulted in a number of changes to the plan which was filed in March 2017. A map showing the revised pipeline plan can be found at Schedule 1.

In some instances Union is proposing to pipe both sides of some streets to shorten service connections. Whereas in other instances Union is proposing to pipe only one side of the street. Other changes have also been implemented in order to make construction more efficient.

In reviewing the revised plan Union can confirm that every resident and business who had access to natural gas service in the original plan, still has access to natural gas service.

### **Construction and Restoration Practices**

Union's standard construction practices will be followed for construction of the pipeline facilities.

### **Environmental**

No new environmental mitigation measures will be required.

### **Consultation**

Union has discussed this change with the municipality and the First Nation. No concerns have been identified.

### **Lands**

No additional permanent or temporary easements are required to implement this change.

### **Costs**

These changes will not result in any costs increases to the project.

### **Schedule**

This change will not result in a change to the in-service date of the project.

### **Attachments**

A drawing showing the new location for the pipelines is attached at Schedule 1.

Ontario Energy Board  
P.O. Box 2319  
27<sup>th</sup> Floor  
2300 Yonge Street  
Toronto ON M4P 1E4  
Telephone: 416-481-1967  
Facsimile: 416-440-7656  
Toll free: 1-888-632-6273

Commission de l'énergie  
de l'Ontario  
C.P. 2319  
27<sup>e</sup> étage  
2300, rue Yonge  
Toronto ON M4P 1E4  
Téléphone: 416-481-1967  
Télécopieur: 416-440-7656  
Numéro sans frais: 1-888-632-6273



**BY E-MAIL**

September 29, 2017

Bill Wachsmuth  
Union Gas Limited  
Senior Administrator, Regulatory Projects  
50 Keil Drive North  
P.O. Box 2001  
Chatham ON N7M 5M1  
[bwachsmuth@uniongas.com](mailto:bwachsmuth@uniongas.com)

Dear Mr. Wachsmuth:

**Re: Community Expansion Project – EB-2015-0179  
Request to Vary  
Change Request Nos. 1, 2 and 3**

The Ontario Energy Board (OEB) is in receipt of your letter dated September 19, 2017 in which Union Gas Limited (Union) advised the OEB of three changes to the Community Expansion Project (Change Request Nos. 1, 2 and 3).

As the Manager, Applications Policy and Climate Change, I have been delegated the authority of the OEB under section 6 of the Ontario Energy Board Act, 1998 to determine whether Union's proposals will result in material changes to the leave to construct granted by the OEB in the EB-2016-0179 proceeding. I have been further granted the authority to approve any changes that I have concluded are not material.

I address each of the three change requests in the following sections.

### **Change Request No. 1**

This request pertains to the Kettle and Stony Point First Nation and Lambton Shores Community Expansion Project. It involves the relocation of a pressure regulating station. The location originally intended for the station is located in the apex of the south west corner of the intersection of Army Camp Road and Ravenswood Line. Subsequent to its LTC application, Union has learned that the apex is required by the municipality to provide "daylighting", or the ability for motorists to have an unobstructed view

throughout the intersection. As a result, Union proposes to reorient and relocate the station within the private property adjacent to the “daylighted” road allowance.

Union has indicated the following:

1. This change will not modify the project’s construction methods, environmental mitigation measures, costs or schedule
2. Union has discussed the change with affected landowners and the municipality; no concerns were identified
3. Union has purchased the necessary land

Based on my review of the information provided, I find that the described change does not materially impact the leave granted by the OEB to construct the pipeline. I hereby approve the proposed change.

### **Change Request No. 2**

This request pertains to the Milverton Rostock Wartburg Community Expansion Project. In an effort to minimize disturbance to business, Union proposes to serve certain areas of downtown Milverton by using side streets and laneways rather than using main streets as originally proposed. Additionally, Union is proposing to serve two new subdivisions off the Milverton distribution system sooner than originally planned.

Union has indicated the following:

1. These changes will not modify the project’s construction methods, environmental mitigation measures, or schedule
2. These changes will increase the first year project costs by \$40,000; however, the 10-year project costs are not materially changed as some of these pipelines were planned to be constructed in later years
3. Union has discussed the changes with affected landowners and the municipality; no concerns were identified
4. With one exception, Union has acquired additional land rights and filed copies of the executed landowner agreements. The form of easement agreement for the additional Land Rights was approved by the OEB in its February 23, 2017 Decision and Order in Union’s Panhandle Replacement Project (EB-2016-0186). The one exception is a landowner who is currently out of the country but has committed in an email to signing an easement agreement by the end of September, 2017
5. Every resident and business who would have had access to gas under the original plan will have access to gas if the changes are approved

Based on my review of the information provided, I find that the described changes do not materially impact the leave granted by the OEB to construct the pipeline. I hereby approve the proposed changes.

**Change Request No. 3**

This request pertains to the Kettle and Stony Point First Nation and Lambton Shores Expansion Project. It involves changes intended to make construction more efficient (for example installing pipe on both sides of certain streets to shorten service connections).

Union has indicated the following:

1. These changes will not modify the project's construction methods, environmental mitigation measures, project costs or schedule
2. The proposed changes do not alter the project's permanent or temporary land use requirements as construction remains within the previously disturbed portions of the road allowance
3. Union has discussed the changes with the municipality and the First Nation; no concerns were identified
4. Every resident and business who would have had access to gas under the original plan will have access to gas if the changes are approved

Based on my review of the information provided, I find that the described changes do not materially impact the leave granted by the OEB to construct the pipeline. I hereby approve the proposed changes.

Yours truly,

*Original Signed by*

Pascale Duguay  
Manager, Applications Policy and Climate Change



November 27, 2017

**RESS & COURIER**

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4

Dear Ms. Walli,

**Re: Union Gas Limited ("Union")  
Community Expansion Project  
Board File # EB-2015-0179**

Please find attached Change Request #5, for the above-noted project.

Union believes that this change is not significant and would appreciate your timely review and approval of this request, as construction is in progress. Confidential copies of Schedule 2 are being couriered to the Board separately.

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

Sincerely,

*[original signed by]*

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

cc: Zora Crnojacki, OEB  
Nancy Marconi, OEB  
Ritchie Murray, OEB

## **REQUEST TO VARY**

**Project Name:** Kettle and Stony Point First Nation and Lambton Shores  
Community Expansion Project

**OEB file Number:** EB-2015-0179

**Request to Vary:** 5

### **Description and Rationale for Change**

Union has had requests to provide natural gas service to four additional roads within the boundaries of the Kettle and Stony Point First Nation and Lambton Shores Project Area. These requests can be completed without changing the Project economics filed as part of Union's pre-filed evidence.

Three of the areas; Wolfe Drive, Culbert Street, and West Ipperwash Beach Road will be constructed on or adjacent to existing roadways. The fourth area will be constructed along a private laneway for which Union was able to obtain signed easements from the affected landowners. A map showing the location of these areas can be found at Schedule 1.

### **Construction and Restoration Practices**

Union's standard construction practices will be followed for construction of the proposed pipelines.

### **Environmental**

No new environmental mitigation measures will be required.

### **Consultation**

Union has discussed this change with the affected landowners, Municipality and Kettle and Stony Point First Nation. They did not identify any concerns.

### **Lands**

Union requires three easements to construct the pipeline along the private laneway. Copies of these signed easements can be found at Schedule 2.

### **Costs**

Construction of these additional pipelines will increase the Project costs by approximately \$100,000. A DCF analysis has been completed using these additional costs and the revenues associated with the additional customers that will be attached in these four areas and the PI of the Project remains positive.

### **Schedule**

This change will not result in a change to the in-service date of the project.

### **Attachments**

A drawing showing the location of the proposed pipeline is attached at Schedule 1. Copies of the signed easements are attached at Schedule 2.

Ontario Energy Board  
P.O. Box 2319  
27<sup>th</sup> Floor  
2300 Yonge Street  
Toronto ON M4P 1E4  
Telephone: 416-481-1967  
Facsimile: 416-440-7656  
Toll free: 1-888-632-6273

Commission de l'énergie  
de l'Ontario  
C.P. 2319  
27<sup>e</sup> étage  
2300, rue Yonge  
Toronto ON M4P 1E4  
Téléphone: 416-481-1967  
Télécopieur: 416-440-7656  
Numéro sans frais: 1-888-632-6273



**BY E-MAIL**

November 30, 2017

Bill Wachsmuth  
Senior Administrator, Regulatory Projects  
Union Gas Limited  
50 Keil Drive North  
P.O. Box 2001  
Chatham ON N7M 5M1  
[bwachsmuth@uniongas.com](mailto:bwachsmuth@uniongas.com)

Dear Mr. Wachsmuth:

**Re: Community Expansion Project, EB-2015-0179  
Request to Vary  
Change Request No. 5**

The Ontario Energy Board (OEB) is in receipt of your letter dated November 27, 2017 in which Union Gas Limited (Union Gas) advised the OEB of a change to the Community Expansion Project (Change Request No. 5).

Union proposes to provide service to four additional roads within the boundaries of the Kettle and Stony Point First Nation and Lambton Shores Project Area. Union submits that this change will not modify the project's originally proposed construction or restoration methods, environmental mitigation measures, or project schedule. Project costs will increase by approximately \$100,000, however the project profitability index will remain positive. Three of the additional pipeline installations will be constructed on or adjacent to existing roadways. The fourth installation will be constructed along a private laneway for which Union has signed easement agreements with the three affected landowners.

As the Manager, Applications Supply and Infrastructure, I have been delegated the authority of the OEB under section 6 of the *Ontario Energy Board Act, 1998* to determine whether any proposed changes to OEB-approved construction or restoration procedures are material, and to approve any changes that I have concluded are not material.

Based on my review of the information provided, I have determined that the change proposed by Union Gas is not material. I approve the proposed change.

Yours truly,

*Original Signed by*

Nancy Marconi  
Manager, Applications Supply and Infrastructure

## **Appendix D**

### **Executive Certification**

Kettle Point/Lambton Shores Natural Gas Pipeline Project

EB-2015-0179

February 28, 2018

I hereby certify that Union Gas Limited has constructed the facilities and restored the land in accordance with the OEB's Decision and Order in EB-2015-0179 and the Conditions of Approval, as per Condition 6 (a) (i).



Mike Shannon

VP Distribution Operations

2018 Feb 28

Date

Condition 6 (a) (i)

6. Both during and after construction, Union shall monitor the impacts of construction, and shall file with the OEB one paper copy and one electronic copy (searchable PDF) version of each of the following reports:
  - a) a post construction report, within three months of the in-service date, which shall:
    - i. provide certification, by a senior executive of the company, of Union adherence to Condition 1;

Condition 1

Union Gas Limited (Union) shall construct the facilities and restore the land in accordance with the OEB's Decision and Order in EB-2015-0179 and these Conditions of Approval.



Kettle Point/Lambton Shores Natural Gas Pipeline Project

EB-2015-0179

February 28, 2018

I hereby certify that Union Gas Limited has obtained all other approvals, permits, licenses, and certificates required to construct, operate, and maintain the project as per Condition 6 (a) (v).

Mike Shannon

VP Distribution Operations

2018 FEB 28

Date

Condition 6 (a) (v)

6. Both during and after construction, Union shall monitor the impacts of construction, and shall file with the OEB one paper copy and one electronic copy (searchable PDF) version of each of the following reports:
  - a) a post construction report, within three months of the in-service date, which shall:
    - v. provide certification, by a senior executive of the company, that the company has obtained all other approvals, permits, licenses, and certificates required to construct, operate and maintain the proposed project.

**Appendix E**

**Photograph Inventory**



1. Pipeline marker installed at the location of a former bore pit. Horizontal directional drilling greatly reduces disturbance as only bore pits need to be excavated. The bore pits are backfilled and seeded immediately following construction.



2. Horizontal directional drilling on a residential property. Safety fencing is installed around bore pits if left unattended. Front lawns are restored to original condition immediately following construction.



3. Typical construction scene during horizontal directional drilling. Equipment and vehicles are parked on the shoulder of the road to maintain traffic.



4. Installing the pipeline at a driveway crossing via horizontal directional drill. This method allows driveways to remain open during construction for residents.



5. Installing the new pipeline after the pilot hole has been drilled.



6. Silt fencing was installed at all watercourses to prevent sediment from entering due to construction activities.



7. At least one lane of traffic was maintained at all times during construction. Flag persons and warning devices were used to notify traffic of construction in accordance with Ministry of Transportation standards.



8. Locates are obtained prior to construction to identify and uncover all underground utilities to avoid disrupting existing services.