



Vanessa Innis
Manager, Regulatory Applications
& Strategy

Tel 416-495-5499
Fax 416-495-6072
EGDRegulatoryProceedings@enbridge.com

Enbridge Gas Inc.
50 Keil Dr N,
Chatham, Ontario N7M 5J5
Canada

July 12, 2019

VIA EMAIL, RESS AND COURIER

Ms. Kirsten Walli
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Enbridge Gas Inc. (Enbridge)
Ontario Energy Board File: EB-2018-0188
Chatham-Kent Rural Project – Conditions of Approval**

The OEB granted leave to construct of the Chatham-Kent Rural Project in its Decision and Order dated July 11, 2019 subject to the Conditions of Approval attached as Schedule B to the Decision.

Condition 2(b)(i) states that Enbridge Gas must give the OEB notice in writing for the commencement of construction, at least ten days prior to the date construction commences.

Enbridge Gas respectfully requests to begin construction immediately in order to ensure the in-service date of the project is preserved and submits that no party will be adversely affected by this timing. In its July 11, 2019 Decision in EB-2018-2063 the OEB granted similar relief to EPCOR Natural Gas Limited Partnership.

Enbridge Gas further submits that on page 8 of the Decision and Order it states “the OEB accepts OEB staff’s submission that since a Stage 2 AA has not yet been completed, leave to construct should be conditional on Enbridge Gas filing with the OEB a clearance letter from the MTCS for the Proposed Project.” This is further referenced as Condition 4. The Stage 2 clearance letters from the MTCS dated May 14, 2019 and July 12, 2019 are enclosed as Attachment 1 and Attachment 2.

Please contact me at 519-436-5334 if you have any questions.

Yours truly,

(Original Signed)

Vanessa Innis
Manager, Regulatory Applications & Strategy

cc: N. Marconi
A. Manzano
Industrial Gas Users Association (IGUA)
Anwaatin

Ministry of Tourism, Culture and Sport

Archaeology Programs Unit
Programs and Services Branch
Culture Division
401 Bay Street, Suite 1700
Toronto ON M7A 0A7
Tel.: (519) 675-6898
Email: Shari.Prowse@ontario.ca

Ministère du Tourisme, de la Culture et du Sport

Unité des programmes d'archéologie
Direction des programmes et des services
Division de culture
401, rue Bay, bureau 1700
Toronto ON M7A 0A7
Tél. : (519) 675-6898
Email: Shari.Prowse@ontario.ca



May 14, 2019

Parker S. Dickson (P256)
Stantec Consulting
171 Queens London ON N6A 5J7

RE: Review and Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "Stage 2 Archaeological Assessment: Chatham-Kent Rural Pipeline Expansion Project, Various Lots and Concessions, Geographic Townships of Camden and Chatham, former Kent County, now Municipality of Chatham-Kent, Ontario ", Dated Mar 6, 2019, Filed with MTCS Toronto Office on Mar 11, 2019, MTCS Project Information Form Number P256-0540-2018, MTCS File Number 0008493

Dear Mr. Dickson:

This office has reviewed the above-mentioned report, which has been submitted to this ministry as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, R.S.O. 1990, c 0.18.¹ This review has been carried out in order to determine whether the licensed professional consultant archaeologist has met the terms and conditions of their licence, that the licensee assessed the property and documented archaeological resources using a process that accords with the 2011 *Standards and Guidelines for Consultant Archaeologists* set by the ministry, and that the archaeological fieldwork and report recommendations are consistent with the conservation, protection and preservation of the cultural heritage of Ontario.

The report documents the Stage 2 archaeological assessment of the study area as depicted in Figures 12.1-12.14 of the above titled report and recommends the following:

The Stage 2 archaeological assessment of the study area identified two new archaeological locations: Location 1 and Location 2.

5.1 LOCATION 1

The Stage 2 assessment of Location 1 resulted in the recovery of an isolated Indigenous projectile point. The projectile point is of indeterminate type and is not temporally diagnostic. The cultural heritage value or interest of Location 1 is judged to be sufficiently documented. Location 1 does not fulfill the criteria for a Stage 3 archaeological investigation as per Section 2.2 of the MTCS' 2011 *Standards and Guidelines for Consultant Archaeologists* (Government of Ontario 2011). Therefore, no further archaeological assessment is recommended for Location 1.

5.2 LOCATION 2

The Stage 2 assessment of Location 2 resulted in the recovery of an isolated tertiary flake of Onondaga chert. The cultural heritage value or interest of Location 2 is judged to be sufficiently documented. Location 2 does not fulfill the criteria for a Stage 3 archaeological investigation as per Section 2.2 of the MTCS' 2011 Standards and Guidelines for Consultant Archaeologists (Government of Ontario 2011). Therefore, no further archaeological assessment is recommended for Location 2.

5.3 REGISTERED ARCHAEOLOGICAL SITES

Three registered archaeological sites are located within 50 metres of the study area: AdHn-9, AdHn-10, and AdHn-11. No archaeological resources related to these registered sites were identified during the Stage 2 survey of the study area. Therefore, there are no further archaeological assessment recommendations for these sites as they are not located within the study area. In general, Alder Heritage Assessments (1997), recommended Stage 3 assessment for the Butler site (AdHn-9) and upon further review of the data from and CanEenrco East site (AdHn-10) and CanEnerco West site (AdHn-11), Stantec has determined that both sites retain further cultural heritage value or interest and Stage 3 archaeological assessment is recommended if they are to be impacted by any future development.

In addition to the recommendations noted above, portions of the study area for the Project have not been subject to Stage 2 archaeological assessment. Moreover, the Stage 1 archaeological assessment (Stantec 2018) determined that much of the lands within the broad Stage 1 study area (and, thus, outside of the Stage 2 study area) retain potential for the identification of archaeological resources and have not been subject to Stage 2 archaeological assessment. Therefore, Stage 2 archaeological assessment is required for the portions of the study area which have not been subject to Stage 2 assessment (Figure 12). Further, if any additional lands outside of the current study area are to be impacted by construction of the Project or any future development, a Stage 2 archaeological assessment is required.

The objective of any further Stage 2 archaeological assessment will be to document archaeological resources within the applicable lands and to determine whether these archaeological resources require further assessment. The Stage 2 archaeological assessment will consist of pedestrian survey and test pit survey as applicable for the environmental context. The pedestrian survey of agricultural fields will entail the systematic walking of open ploughed fields at five metre intervals as outlined in Section 2.1.1 of the MTCS' 2011 Standards and Guidelines for Consultant Archaeologists (Government of Ontario 2011).

Areas to be subjected to test pit survey that are within woodlots, scrubland, residential lawn, or areas that cannot be ploughed will be assessed according to Section 2.1.2 of the MTCS' 2011 Standards and Guidelines for Consultant Archaeologists (Government of Ontario 2011). If the archaeological field team judges any lands to be low and wet, steeply sloped, or disturbed during the course of the Stage work, those areas will not require assessment, but will be photographically documented instead in accordance with Section 2.1 of the MTCS' 2011 Standards and Guidelines for Consultant Archaeologists (Government of Ontario 2011).

Based on the information contained in the report, the ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 *Standards and Guidelines for Consultant Archaeologists* and the terms and conditions for archaeological licences. This report has been entered into the Ontario Public Register of Archaeological Reports. Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.

Should you require any further information regarding this matter, please feel free to contact me.

Sincerely,

Shari Prowse
Archaeology Review Officer

cc. Archaeology Licensing Officer
Norm Dumouchelle, Union Gas Limited
Zora Crnojacki, Ontario Energy Board

¹*In no way will the ministry be liable for any harm, damages, costs, expenses, losses, claims or actions that may result: (a) if the Report(s) or its recommendations are discovered to be inaccurate, incomplete, misleading or fraudulent; or (b) from the issuance of this letter. Further measures may need to be taken in the event that additional artifacts or archaeological sites are identified or the Report(s) is otherwise found to be inaccurate, incomplete, misleading or fraudulent.*

Ministry of Tourism, Culture and Sport

Archaeology Programs Unit
Programs and Services Branch
Culture Division
401 Bay Street, Suite 1700
Toronto ON M7A 0A7
Tel.: (519) 675-6898
Email: Shari.Prowse@ontario.ca

Ministère du Tourisme, de la Culture et du Sport

Unité des programmes d'archéologie
Direction des programmes et des services
Division de culture
401, rue Bay, bureau 1700
Toronto ON M7A 0A7
Tél. : (519) 675-6898
Email: Shari.Prowse@ontario.ca



Jul 12, 2019

Parker S. Dickson (P256)
Stantec Consulting
171 Queens London ON N6A 5J7

RE: Review and Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "Stage 2 Archaeological Assessment: Chatham-Kent Rural Pipeline Expansion Project, Additional Lands, Various Lots and Concessions, Geographic Townships of Camden and Chatham, former Kent County, now Municipality of Chatham-Kent, Ontario ", Dated Jun 7, 2019, Filed with MTCS Toronto Office on Jun 12, 2019, MTCS Project Information Form Number P256-0571-2019, MTCS File Number 0008493

Dear Mr. Dickson:

This office has reviewed the above-mentioned report, which has been submitted to this ministry as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, R.S.O. 1990, c 0.18.¹ This review has been carried out in order to determine whether the licensed professional consultant archaeologist has met the terms and conditions of their licence, that the licensee assessed the property and documented archaeological resources using a process that accords with the 2011 *Standards and Guidelines for Consultant Archaeologists* set by the ministry, and that the archaeological fieldwork and report recommendations are consistent with the conservation, protection and preservation of the cultural heritage of Ontario.

The report documents the Stage 2 archaeological assessment for the subject property depicted in Figures 9.1 to 9.14 of the above noted report. The report recommends the following:

The Stage 2 assessment of Location 3 (AdHn-37) resulted in the recovery of five pieces of chipping detritus and two utilized flakes in an area measuring approximately 23 metres by 7 metres. Five artifacts were recovered from positive test pits within an area measuring approximately 15 metres by 5 metres.

Two additional artifacts were recovered on the ground surface within five metres of a positive test pit. Given these considerations, as well as the interest expressed in the site by participating Indigenous groups, Location 3 (AdHn-37) retains further cultural heritage value or interest. Location 3 (AdHn-37) fulfills the criteria for a Stage 3 archaeological investigation as per Section 2.2 Standard 1.a.ii.(2) and Section 2.2 Guidelines 1, 2, and 3 of the MTCS' 2011 *Standards and Guidelines for Consultant Archaeologists* (Government of Ontario 2011). Therefore, a Stage 3 archaeological assessment is recommended for Location 3 (AdHn-37) to further evaluate the site's cultural heritage value or interest.

The Stage 3 archaeological assessment of Location 3 (AdHn-37) will be conducted according to the

procedures outlined in the MTCS' 2011 Standards and Guidelines for Consultant Archaeologists (Government of Ontario 2011). Correspondence with the MTCS confirms that because the site was identified by test pitting within a linear corridor of less than 10 metres in width, a Stage 3 Controlled Surface Pickup (CSP) will not be required in this specific instance (see MTCS correspondence in Supplementary Documentation). The Stage 3 archaeological assessment of Location 3 (AdHn-37) for the Project will be limited to the Revised Stage 2 Study Area and will consist of the hand excavation of one-metre by one-metre test units every five metres in systematic levels and into the first five centimetres of subsoil. Additional one-metre test units, amounting to 20% of the grid total, will be placed in areas of interest within the site extent. Excavated soil will be screened through six millimetre mesh. Recovered artifacts will be recorded and catalogued by the corresponding grid unit designation. If a subsurface cultural feature is encountered, the plan of the exposed feature will be recorded and geotextile fabric will be placed over the unit before backfilling the unit.

Stantec also recommends that Indigenous communities interested in the Stage 3 archaeological assessment of Location 3 (AdHn-37) be engaged. Indigenous engagement practices conducted during the course of the Stage 3 archaeological assessment will be completed in accordance with the MTCS' 2011 Standards and Guidelines for Consultant Archaeologists (Government of Ontario 2011) and the MTCS' draft technical bulletin on Engaging Aboriginal Communities in Archaeology.

5.2 REGISTERED ARCHAEOLOGICAL SITES

Three registered archaeological sites are located within 50 metres of the Revised Stage 2 Study Area: AdHn-9, AdHn-10, and AdHn-11. No archaeological resources related to these registered sites were identified during the Stage 2 survey of the Revised Stage 2 Study Area. Therefore, there are no further archaeological assessment recommendations for these sites as they are not located within the Revised Stage 2 Study Area. In general, Alder Heritage Assessments (1997), recommended Stage 3 assessment for the Butler site (AdHn-9) and upon further review of the data from and CanEenrco East site (AdHn-10) and CanEnerco West site (AdHn-11), Stantec has determined that both sites retain further cultural heritage value or interest and Stage 3 archaeological assessment is recommended if they are to be impacted by any future development.

5.3 SUMMARY OF RECOMMENDATIONS

To summarize, one archaeological location, Location 3 (AdHn-37), was identified during the Stage 2 archaeological assessment of the Revised Stage 2 Study Area. Location 3 (AdHn-37) retains further cultural heritage interest or value and Stage 3 archaeological assessment is recommended for the site.

If any additional lands outside of the Revised Stage 2 Study Area are to be impacted by construction of the Project or any future development, a Stage 2 archaeological assessment is required. The objective of any further Stage 2 archaeological assessment will be to document archaeological resources within the applicable lands and to determine whether these archaeological resources require further assessment.

The Stage 2 archaeological assessment will consist of pedestrian survey and test pit survey as applicable for the environmental context. The pedestrian survey of agricultural fields will entail the systematic walking of open ploughed fields at five metre intervals as outlined in Section 2.1.1 of the MTCS' 2011 Standards and Guidelines for Consultant Archaeologists (Government of Ontario 2011). Areas to be subjected to test pit survey that are within woodlots, scrubland, residential lawn, or areas that cannot be ploughed will be assessed according to Section 2.1.2 of the MTCS' 2011 Standards and Guidelines for Consultant Archaeologists (Government of Ontario 2011). If the archaeological field team judges any lands to be low and wet, steeply sloped, or disturbed during the course of the Stage 2 field work, those areas will not require assessment, but will be photographically documented instead in accordance with Section 2.1 of the MTCS' 2011 Standards and Guidelines for Consultant Archaeologists (Government of Ontario 2011).

Based on the information contained in the report, the ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 *Standards and Guidelines for*

Consultant Archaeologists and the terms and conditions for archaeological licences. This report has been entered into the Ontario Public Register of Archaeological Reports. Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.

Should you require any further information regarding this matter, please feel free to contact me.

Sincerely,

Shari Prowse
Archaeology Review Officer

cc. Archaeology Licensing Officer
Norm Dumouchelle, Union Gas Limited
Zora Crnojacki, Ontario Energy Board

¹*In no way will the ministry be liable for any harm, damages, costs, expenses, losses, claims or actions that may result: (a) if the Report(s) or its recommendations are discovered to be inaccurate, incomplete, misleading or fraudulent; or (b) from the issuance of this letter. Further measures may need to be taken in the event that additional artifacts or archaeological sites are identified or the Report(s) is otherwise found to be inaccurate, incomplete, misleading or fraudulent.*