March 13, 2020

Christine Long, Secretary
Ontario Energy Board,
P.O. Box 2319, 27th Floor
2300 Yonge Street,
Toronto, Ontario
M4P 1E4

Dear Ms. Long:

Re: EB-2019-0159 Dawn Parkway Expansion Project

Further to the Procedural Order No. 2 dated March 6, 2020, particularly paragraphs 2 and 3 of page 18 of the Order, the City of Hamilton ("Hamilton") submits the following:

(a) Submissions related to Hamilton's proposed evidence

Hamilton's proposed evidence relates to issue No. 10. Hamilton proposes to file evidence that would suggest appropriate conditions to ensure that the proposed pipeline adequately protects the interests of the City of Hamilton, in the following broad categories:

- Cultural Heritage;
- Natural Heritage;
- Municipal Infrastructure;
- Emergency Response; and,
- Source Water Protection.

It is anticipated that Hamilton's proposed conditions will be filed at a later date, either before or as part of the filing of Hamilton's evidence.

(b) Withdrawal of requests for interrogatories previously submitted

Hamilton had previously filed a submission that requested information by way of interrogatories that are now inconsistent with the issues and scope of hearing fixed by Procedural Order No. 2. The two requests that are inconsistent with the Procedural Order are as follows, and Hamilton's requests for the following interrogatories are therefore withdrawn:

1. *Given the lifespan of the proposed pipeline being beyond 2050; and, as it falls fully within the municipal boundaries of the City of Hamilton, how does Enbridge Gas Inc., proposed Leave to Construct Application address the City of Hamilton's declared Climate Emergency and subsequent policies and goals?*

2. *How is Enbridge planning to help achieve Hamilton's community-wide GHG emission reduction targets?*

(c) Resubmission of Requests for Interrogatories

Hamilton requests information and documentation from Enbridge Gas Inc. in response to the following interrogatories, which interrogatories are relevant to the issues noted below:

Interrogatories related to issues 1, 2, and 3

3. *When and how does Enbridge plan to increase the supply of Renewable Natural Gas (RNG) within its existing network?*

Interrogatories related to Issue 6

4. *How can decisions on the impacts of the project and the preferred route be made before detailed field data (i.e. Ecological Land Classification, fish habitat assessment, species at risk, Significant Wildlife Habitat) are available?*

5. *Are decisions being made without complete and current data?*

6. *Was the local data in the Hamilton Natural Heritage Database/Nature Counts used?*

7. *Is it reasonable to assume that all potential impacts on natural features, SAR and SWH can be mitigated when the process is well-advanced ("prior to construction")? Will it be too late to properly avoid or mitigate impacts?*

8. *Will forest habitat along the proposed pipeline route be assessed as Significant Wildlife Habitat (bat maternity colonies, woodland raptor nesting habitat, and woodland area-sensitive breeding bird habitat)?*

9. *Where are Significant Woodlands located along the pipeline route (show on Figure 12) and how will they be impacted?*

10. *What size of tree will be compensated?*

11. *What size of nursery stock will be planted?*

12. *Does the proposed removal of vegetation and trees and the tree replacement policy (1:1) adequately address the loss of canopy cover and the time lag for the canopy to re-establish? If a large tree is to be removed and only one small caliper tree planted to compensate, how does this address the temporary loss of canopy and ecological benefits?*

13. *Would a more robust tree planting program better mitigate impacts of vegetation loss arising from the project?*

14. *Is trenchless technology (tunnelling) under sensitive features (stream crossings, wetlands) being considered as a way of minimizing disturbance and impacts?*

15. *What on-going maintenance requirements are proposed (e.g. periodic vegetation removal, site alteration) and how will these impact natural features?*

16. *What are the cumulative impacts of expanding the width of the pipeline corridor on the Natural Heritage System and how are they being addressed? How wide will the area of disturbance be?*

Respectfully submitted on the part of the City of Hamilton.

Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

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