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# Hamilton

March 25, 2020

Christine Long, Secretary  
Ontario Energy Board,  
P.O. Box 2319, 27<sup>th</sup> 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, the City of Hamilton ("Hamilton") submits the following Interrogatories:

Hamilton requests information and documentation from Enbridge Gas Inc. in response to the following interrogatories with relevant issues identified, based on the evidence filed and registered with the Ontario Energy Board:

**General Interrogatory related to all evidence filed and issues 1, 2, and 3**

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

**The following Interrogatories are related to Issue 6 and The Stantec Dawn-Parkway System Expansion: Kirkwall-Hamilton Pipeline Section: Environmental Repot (June 21, 2019):**

The Stantec Dawn-Parkway System Expansion: Kirkwall-Hamilton Pipeline Section: Environmental Repot (June 21, 2019) relied on existing field data, background information, a field reconnaissance site visit on August 10, 2016, and aerial reconnaissance on December 5, 2016 to evaluate the impacts and proposed route options. Detailed field studies to confirm species-at-risk (SAR) and Significant Wildlife Habitat (SWH) are proposed "prior to construction" because "these supplemental studies are not expected to change the conclusions regarding potential adverse residual impacts". SAR and SWH screenings were completed in the Stantec report and numerous areas of potential SAR habitat and candidate SWH were identified along the proposed pipeline route.

2. *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?*
3. *Are decisions being made without complete and current data?*

4. *Was the local data in the Hamilton Natural Heritage Database/Nature Counts used?*
5. *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?*
6. *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)?*

**The following Interrogatory relates to the Significant Woodlands Section of the Stantec report - Figure 12.**

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

**The following Interrogatory relates to the Tree Replacement Program Section of the Stantec Report. In particular, the report provides limited details on the tree replacement program. Since "free to grow" is defined as a plant which is 1 metre tall, it appears that very small caliper nursery stock are proposed.**

8. *What size of tree will be compensated?*
9. *What size of nursery stock will be planted?*
10. *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?*
11. *Would a more robust tree planting program better mitigate impacts of vegetation loss arising from the project?*

**The following interrogatories pertain to natural areas in general as discussed in the Stantec Report:**

12. *Is trenchless technology (tunnelling) under sensitive features (stream crossings, wetlands) being considered as a way of minimizing disturbance and impacts?*
13. *What on-going maintenance requirements are proposed (e.g. periodic vegetation removal, site alteration) and how will these impact natural features?*

**The following interrogatory pertains to cumulative natural heritage impacts in general as discussed in the Stantec Report:**

- 14. 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?*

**The following interrogatories pertain to the Stantec Report Addendum ESR (Appendix H – Mitigation Photomosaics):**

Environmentally Significant Areas (ESAs) are locally significant natural areas which have been identified by the City of Hamilton based on criteria such as significant ecological function, significant hydrological function, and significant earth science feature. ESAs have not been identified on the figures provided in Appendix H. In Hamilton, ESAs are important representations of regional biodiversity and ecological functions which are protected through policies in the Rural Hamilton Official Plan. Therefore, to properly assess ecological impacts in the municipality, ESA boundaries should be shown on the figures, along with provincially significant features. The boundaries of ESAs are available from the City of Hamilton and local species occurrences in the Hamilton Natural Heritage Database can be obtained by contacting the Ecologist at the Hamilton Conservation Authority.

15. Per Figure 1.3, on the east side, there is a large area of proposed disturbance (project development area) near the crossings of Spencer Creek (SC1 and SC2). Could this area be reduced or shifted to the north, into existing agricultural fields, to minimize impacts to Beverly Swamp Provincially Significant Wetland?
16. Do the access laneways shown on the figures already exist? Or, is additional disturbance/vegetation removal required to construct or expand them?
17. On Figure 1.9, why does the route shift to the north near Highway No. 6? Why does the route deviate from the existing route, passing through a local wetland?

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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