



**uniongas**

A Spectra Energy Company

June 19, 2008

BY COURIER

Ms. Kristi Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street, 26th Floor  
Toronto, Ontario  
M4P 1E4

Dear Ms. Walli:

**RE: Union Gas Limited ("Union")  
East Owen Sound Replacement Exemption Request  
EB-2008-0139**

Please find enclosed updated Schedule 13 to Union's Application and Pre-filed evidence which we filed with the Board on Monday, June 16<sup>th</sup>. I confirm that the only addition to Schedule 13 are the 4 colour pages at the end of the document as they are referred to as Figures in Stantec's report.

Please advise if you have any questions.

Yours truly,

Mary Jane Patrick  
Administrative Analyst, Regulatory Projects  
Encl.

cc: Neil McKay, Manager Facilities Applications  
Zora Crnojacki, Project Advisor



**Stantec**

April 24, 2008

Union Gas Limited  
50 Keil Drive North  
Chatham, Ontario N7M 5M1

**Attention: Doug Schmidt, Environmental Planner**

Dear Mr. Schmidt,

**Reference: Review of Ontario Ministry of Transportation (“MTO”) Environmental Class  
EA Documentation for Meaford to Thornbury Highway 26 Road Upgrades**

## **Introduction**

This letter report provides an analysis and review of potential environmental and socio-economic concerns associated with construction of the Union Gas Limited (UGL) natural gas distribution pipeline within the road allowance for Highway 26 between Meaford and Thornbury, Ontario. Portions of the letter report are based on information documented in a Ministry of Transportation Class Environmental Assessment (EA) report for road works to be conducted on Highway 26 in the same location. The purpose of this analysis is to identify environmental, social and regulatory issues/constraints with implications to proposed pipeline construction activities.

An existing UGL NPS 6-inch natural gas pipeline is located in the northern road allowance that is not consistent with the proposed road improvements. The new NPS 8 inch pipeline is proposed within existing rights-of-way (ROW), see **Figure 1**. Pipeline construction would occur from the Town of Meaford eastward in the ROW on the south side of Highway 26. Nearing Thornbury, the proposed route turns south along the west side of County Road 113 (Alfred Street West) and then eastward along Peel Street on the east side of the ROW. In addition to a review of the Class EA report, route surveys to document potential constraints and sensitive locations were conducted on September 28, 2007 and March 11, 2008.

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## **Background**

During planning for proposed road upgrades, a Class EA consistent with the requirements of the Class EA for Provincial Transportation Facilities (MTO, 2000) was undertaken. The preliminary design study and Class EA are described in the document “Transportation Environmental Study Report – Highway 26, Improvements from Thornbury to Meaford (G.W.P. 57-00-00)” (Stantec, 2006). This report is consistent with the findings and plans associated with these reports.

## **Natural Environment Constraints**

The proposed pipeline route does not impact provincially significant wetlands, locally significant wetlands, provincial or national parks or conservation areas. While there are small wet areas along the route, none have been evaluated using the Ontario Wetland Evaluation System and none are considered to be significant at any level of jurisdiction (Stantec, 2006). However, a number of environmental, socio-economic and cultural issues/constraints were assessed and mitigation measures were identified. The following provides a summary of the identified constraints, comments on their potential implications and discusses mitigation measures where appropriate.

## **Designated Features**

There are two designated natural features along the Highway 26 right-of-way between Meaford and Thornbury. They are:

- East Meaford Creek Shales Earth Science ANSI –This is a 220 hectare valleyland, located in the west half of the alignment, that contains East Meaford Creek (coolwater) (**Figure 1**).The area is important for geologic reasons, as well as, for hosting a variety of Paleozoic fossils. This provincial ANSI is designated by the Ministry of Natural Resources (**see photos 5, 6**).
- Grey County Forest #40, St. Vincent Tract – This is a 30 hectare managed tract of lowland hardwoods (**Figure 1**). The dominant Ecological Land Classification (ELC) community is a fresh-moist ash and white spruce mixed forest, with an ash mineral deciduous swamp inclusion. It is adjacent to and north of the Highway 26 right-of-way in the east half of the alignment and is managed by the County of Grey.

The proposed route is outside the boundaries of the Niagara Escarpment Plan and is not within Niagara Escarpment Development Control.

## **Comment**

The proposed pipeline alignment is within the south side of the Highway 26 right-of-way. Therefore pipeline construction is anticipated to have no effect on these designated features.

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**Aquatic Habitats and Communities**

Thirteen culverts were identified crossing the alignment, see **Figure 1**. Of these, three watercourses support warm-water baitfish habitat and one watercourse has the potential to support cool-water habitat. The nine other drainage features do not flow during drier periods of the year. **Table 1** is a Summary Chart of Drainage Features. Watercourses identified as containing or potentially containing fisheries habitat are described below:

- Near Meaford, **Whitelaw's Creek (WC# 3, Figure 1)** comes from the south on the east side of Side Road 13. It is an intermittent waterway flowing west along Highway 26 in the south road-side ditch for approximately 100m and then crosses beneath Highway 26 in an open-bottom concrete culvert. Fisheries data collected by Stantec indicate that the watercourse supports warmwater baitfish. The following species were collected: creek chub and northern redbelly dace. The Ministry of Natural Resources (MNR) had no species data available. In this area, the proposed route is bordered by light industrial and commercial land uses to the west and a rural farm to the east of Side Road 13 (**see photo 3**).
- **East Meaford Creek, Workman's Creek (WC# 5, Figure 1)** is the only watercourse within the study limits that may contain cold-water habitat. According to both MNR and Grey Sauble Conservation Authority file records, this watercourse is named Workman's Creek, although MTO project information refers to it as East Meaford Creek, in keeping with its associated *East Meaford Creek Shales Area of Natural and Scientific Interest* (ANSI) designation. There is a steep drop in an existing concrete culvert presenting a barrier to fish migration.

While the MNR has no fish species list available for East Meaford Creek at this location, there is some anecdotal history that the watercourse may be a migration route for rainbow trout. However, this information has not been confirmed and further; the Ministry of Natural Resources has indicated that it is not considered to be a sensitive watercourse. This watercourse is considered to have habitat with the potential to support coolwater sportfish species (i.e., salmonids); however, no fish species were observed during Stantec fisheries investigations that included bait traps and backpack electrofishing. (**See photos 5, 6**).

- An **Unnamed Tributary to Georgian Bay (WC# 12, Figure 1)**, flowing north on the east side of the Christie Beach Road, was wet at the time of survey; although flow was very low. This watercourse exhibited characteristics indicating a warm-water fishery (**see photo 13**). Bait traps were set by Stantec and no fish were captured. The MNR had no species data available.
- The **Northwest Tributary to Little Beaver Creek (WC# 13, Figure 1)** is the only drainage feature in the alignment that is within the Little Beaver Creek subwatershed. Land-use around the drainage feature is agriculture; apple orchard and open field (**see photo 14**). Fish species that inhabit the main branch of Little Beaver Creek may also have access to the Northwest Tributary during high flows.

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Fisheries data collected by Stantec indicate that the watercourse supports warmwater baitfish. The following species were collected: blacknose dace, brook stickleback, fathead minnow, bluntnose minnow, creek chub and northern redbelly dace. The MNR had no species data available.

**Comment**

All work proximal to waterways should begin with the installation of sediment control measures, as appropriate to protect the waterway against sedimentation. Sediment control measures are discussed in the following sections of this report. If a drainage feature is wet / flowing, the Horizontal Directional Drill (HDD) method should be used. A benefit of the HDD is that, typically, there is no disturbance to riparian or in-stream areas. If an HDD crossing technique is deemed not practical, a dam and pump procedure including appropriate sediment control measures will then be utilized. Union will contact the Grey Sauble Conservation Authority (GSCA) prior to initiating the dam and pump procedure.

All open cut and dam / pump crossings are to be completed in one day including the installation of all mitigation measures. If crossings can not be completed in this time frame the GSCA is to be notified.

Based on sampling data collected by Stantec and information provided by the Ministry of Natural Resources and the Grey Sauble Conservation Authority, fish communities at Whitelaw's Creek (WC#3), Unnamed Tributary to Georgian Bay (WC#12), and Northwest Tributary to Beaver Creek (WC#13) consist of warm-water species. As such, no activity will be permitted between April 1 and June 30 in water or in riparian zones at Whitelaw's Creek (WC#3), Unnamed Creek (WC#12) or the Northwest Tributary to Little Beaver Creek (WC#13). Contrastingly, East Meaford Creek is reported to support cool-water species. A cool-water construction window would not allow in-stream works between March 31 and June 15. As the East Meaford Creek is a cool-water drainage feature that the MNR does not consider to be a sensitive watercourse, if cool-water species are identified within the watercourse, a fall closing of the window would be enforced. During site investigations, no rare or critical fish habitats were identified.

**Table 1 Summary Chart of Drainage Features**

<b>Watercourse Identification</b>	<b>Dry or Wet at Time of Survey</b>	<b>Water Regime (Warm, Cold)/Window</b>
WC#1 Tributary to Whitelaw's Creek	Dry	Warm /April 1- June 30
WC#2 Tributary to Whitelaw's Creek	Dry	Warm/ April 1- June 30
WC#3 Whitelaw's Creek	Wet	Warm/ April 1- June 30
WC#4 Tributary to East Meaford Creek	Dry	Warm/ April 1- June 30

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**Table 1 Summary Chart of Drainage Features**

<b>Watercourse Identification</b>	<b>Dry or Wet at Time of Survey</b>	<b>Water Regime (Warm, Cold)/Window</b>
WC#5 East Meaford Creek	Dry	Cool/ March 31- June 15
WC#6 Tributary to Georgian Bay	Dry	Warm/ April 1- June 30
WC#7 Tributary to Georgian Bay	Dry	Warm/ April 1- June 30
WC#8 Tributary to Georgian Bay	Dry	Warm/ April 1- June 30
WC#9 Tributary to Georgian Bay	Dry	Warm/ April 1- June 30
WC#10 Tributary to Georgian Bay	Dry	Warm/ April 1- June 30
WC#11 Tributary to Georgian Bay	Dry	Warm/ April 1- June 30
WC#12 Tributary to Georgian Bay	Wet	Warm/ April 1- June 30
WC#13 Northwest Tributary to Little Beaver Creek	Wet	Warm/ April 1- June 30

**TERRESTRIAL FEATURES**

Twenty species of reptiles and amphibians have been recorded in the vicinity of the alignment. Three of these species (i.e., eastern Massasauga rattlesnake, eastern milksnake, and ribbonsnake) are considered to be significant species. Their habitat was not identified within the Highway 26 right-of-way. Two records (1924, 1975) indicate the presence of the provincially and federally threatened Massasauga rattlesnake in the area. However, this is the historical range; the species is not likely to be found there today. There are historic records of two other Species of Special Concern the eastern ribbonsnake (1938) and the milksnake (1940).

**Comment**

The federal Species at Risk Act and the provincial Endangered Species Act offer protection for the habitats of threatened species. Species of Special Concern are not protected by any provincial or federal legislation. However, the MNR ensures that the habitats of these species are given regard during planning and development activities. Since the proposed route is entirely within existing rights-of-way, there is little potential for impact to these species or their habitats by this pipeline construction project.

**VEGETATION COMMUNITIES AND WILDLIFE HABITAT**

Twenty-seven vegetation communities were identified within the immediate area. None of these communities is considered to be significant at national or provincial scales. Sugar maple and American beech are common throughout the region, and are often associated with basswood, red and white ash, yellow birch, red maple, red, white, and bur oaks. There may be minimal tree removal within the ROW to construct this pipeline. This operation will be undertaken outside of the avian breeding/nesting window with only those trees necessary being removed.

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Two historical deer wintering yards were identified proximal to the proposed route (**Figure 1**). One of the areas identified is located within the vicinity of on-going land development for a residential subdivision on Lora Bay Road, although the ecological function of the deer yard area is being protected as part of the development. The other deer yard is associated with the County of Grey managed forest #40, St. Vincent Tract, north of and adjacent to the Highway 26 right-of-way. No removal of deer yard habitat is anticipated within the existing cleared right-of-way to construct this pipeline.

### **Migratory Birds**

Actively nesting barn swallows were observed inside the concrete culverts at WC#2 Southwest Tributary to Whitelaw's Creek, WC#3 Whitelaw's Creek, and WC#13 Northwest Tributary to Little Beaver Creek within the Highway 26 corridor. All species of swallows are considered to be migratory species and are protected under the *Migratory Birds Convention Act* (1994). Although no tree clearing is anticipated for the pipeline construction, other migratory birds may nest in trees near the right-of-way.

### **Comment**

Where the HDD crossing method is used, no impacts to culverts or nests are anticipated. As well, this project is planned for fall construction which is outside of bird nesting periods.

In addition, standard protocol for highway construction in Ontario is to address the nesting habitat concern by blocking the culverts prior to nesting time. Assuming pipeline construction activities occur within the envelope of the road construction the mitigation developed should incorporate all pipeline construction activities as well.

## **SOCIAL AND ECONOMIC ENVIRONMENTS**

The social/economic environment along the pipeline route is generally rural in nature, with agricultural operations including apple orchards. Scattered recreational, commercial and residential uses are common along the route. Lands in Meaford, west of Swarthmore Drive are designated as Urban Fringe.

Dust and noise are known to occur during pipeline construction activities. Often, right-of-way dust is created on non-vegetated agricultural lands; however, this project is located within a ROW where sweeping can be effective at reducing air borne particulates. Noise is not anticipated to be a common concern in this rural highway setting however all equipment should be properly muffled to minimize noise as much as possible.

### **Agricultural Operations and Tile Drainage**

As indicated in the County of Grey Official Plan (2000), agriculture is the dominant land use. There are several large orchards (generally apple) and associated fruit/country markets. To substantiate the importance of agricultural land in the area, The County of Grey has designated lands to preserve and support agriculture. Lands designated as Special Agricultural are located



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within the area, west of the East Meaford Creek ANSI, westerly to the west intersection of Swarthmore Drive/Sideroad 13 (**Figure 1**).

Construction is proposed to occur adjacent to two agricultural fields that are reported to contain tile drainage infrastructure (**Figure 1**). An agricultural field located on the south east corner of 13<sup>th</sup> Sideroad, adjacent to the Town of Meaford, is randomly tile drained. A second field is mapped as systematically tile drained. It is located adjacent to and south of Highway 26 in the field on the west side of County Road 113. Another randomly tile drained field is mapped on the Raven Golf Club at Lora Bay, adjacent to Highway 26 on the north side of Highway 26 between Lora Bay Road and County Road 113, just west of Thornbury. This third field is north of the highway and outside of the construction area.

**Comment**

Pipeline construction on the south side of Highway 26 and within the existing right-of-way is not anticipated to have significant effects on agricultural operations. The precise location of the drainage tiles should be determined prior to construction to ensure that they are not disturbed by pipeline construction.

**Commercial/Industrial**

The proposed project is located in rural areas of the Municipality of Meaford and the Town of the Blue Mountains; however, there are several commercial businesses along the route. In general, commercial businesses are clustered near Meaford, and include a commercial plaza that includes a grocery store. Access to all commercial/industrial properties will remain intact during construction. These businesses may experience an increase in sales during the construction period and are not anticipated to be negatively affected by the pipeline or its' construction.

**Community and Residential**

In the County of Grey Official Plan (2000), the lands surrounding the right-of-way are designated primarily as Rural. There are a number of residences scattered along the alignment. The residences are both permanent and seasonal. Some are associated with agricultural operations or small businesses. A cluster of residential land development, known as Lora Bay, exists north of Highway 26 along Christie Beach Road. Further development is expected to occur in this area. As the proposed project is to be within an established right-of-way no negative impacts to communities or residences are anticipated with access maintained during construction.

**Recreational**

*Golf Course*

The Raven Golf Club at Lora Bay is located on the north side of Highway 26, west of the Town of Thornbury (**Figure 1**). The southern boundary of the golf course is adjacent to Highway 26. At this location, some additional land is required for the highway improvement; however, the proposed pipeline is planned to be constructed on the south side of the ROW and no impact to the golf course resulting from the pipeline construction is anticipated.



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*Georgian Trail*

A public recreational feature along Highway 26 is the Georgian Trail, a multi-purpose, shared-use trail that accommodates walking, cycling, and cross-country skiing (**Figure 1**). The Georgian Trail runs parallel to Highway 26 between Thornbury and Meaford, on the north side of the highway, along a former Canadian National Railway. The use and enjoyment of this trail is not anticipated to be negatively impacted by the pipeline or its construction.

**Comment**

Although there are no identified watercourses flowing onto the golf course, care should be taken to ensure that dust, erosion and sediment do not impact the operating conditions of this business. If an unanticipated interruption to access is experienced to commercial or industrial traffic or to local residents or hikers along the Georgian Trail, traffic and pedestrians etc. should be permitted to pass safely.

Assuming pipeline construction activities occur within the envelope of the road construction the mitigation developed should encompass all pipeline construction activities.

**Archaeology and Cultural Resources**

Stage I and II Archaeological Assessments have been completed as part of the MTO Class EA. The final report is on file with the Ontario Ministry of Transportation. The Stage I assessment focused on heritage resources registered in the Ontario Ministry of Culture Archaeological Sites Database within two kilometers of the project. As a result five locations were identified. Three were labeled as find spots and two were labeled undetermined.

As stated in the report, Belden's 1880 map of The County of Grey shows that the route for Highway 26 has been altered somewhat over the past 100 years. A map of St. Vincent Township shows three homes and a school along the route that became Highway 26. The four structures identified during the archival search were singled out for special examination during the assessment. No archaeological materials were found in the vicinity of the three homesteads. However, in the area where the East Gravel Road School (Findspot 1) is believed to have been, a quantity of artifacts including ceramics, window glass, brick, and nails were recovered.

A stone-lined well was also found at that location. The school, known as the "East Gravel Road School", the "Low School" and later the "Swarthmore School" was closed due to lack of pupils in 1941. This area is now heavily overgrown with secondary growth forest.

**Comment**

Highway construction has been designed to avoid impacts to the archaeological site (Findspot 1) identified in the Stage 1 and Stage 2 Archaeological Assessment by staying within the existing Ministry of Transportation right-of-way in the vicinity of the site. It is recommended that the archaeological site be protected during construction by labeling the site as an ESA on construction drawings.

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Should human remains be identified during any construction or future maintenance operations, all work in the vicinity of the discovery shall be immediately suspended. Notification will be made to the Ontario Provincial Police, or local police, who will conduct a site investigation and contact the district coroner. Notification will also be made to the Registrar of Cemeteries, Ministry of Consumer and Commercial Relations (416-326-8404). Should other cultural heritage values (archaeological or historical materials or features) be identified during operations, all activity in the vicinity of the recovery shall be suspended and the Ministry of Culture archaeologist contacted.

There do not appear to be any built heritage resource constraints to this proposed pipeline construction project. The Ministry of Culture has provided Archaeological Clearance for this project.

### **Sediment and Erosion Control**

Any encroachment into aquatic habitat will need to be quantified when design details are confirmed during the detail design phase. General mitigation measures are provided herein; however, specific details will need to be added when the environmental impact assessment is finalized.

Various mitigation techniques will be employed during construction to reduce the risk of impacts to natural environment features. Mitigation measures for sediment erosion and dust control will be implemented to prevent sediment and dust from entering aquatic resources.

The primary principles associated with sedimentation and erosion protection measures are to: (1) minimize the duration of soil exposure; (2) retain existing vegetation, where feasible; (3) encourage re-vegetation; (4) divert runoff away from exposed soils; (5) keep runoff velocities low; and to (6) trap sediment as close to the source as possible. To address these principles, the following mitigation measures are proposed:

- No equipment will be permitted to enter any aquatic resources during construction;
- Silt fencing will be used along all construction areas adjacent to aquatic resources and the boundaries of the site. Additionally, straw bale flow checks, rock flow checks, or silt fence flow checks should be installed in all ditches immediately upstream of their discharge into any aquatic resources;
- All excavated materials requiring stockpiling (fill, topsoil, etc.) will be stabilized and kept a safe distance from any sensitive natural features. The perimeter of the stockpiles will be encircled with silt fencing;
- All exposed soil areas will be stabilized and re-vegetated, through the placement of seeding, mulching or sodding, immediately upon completion of construction activities;
- Refueling of equipment will be carried out a minimum of 50 metres away from any aquatic resources to avoid potential impacts, in the event that an accidental spill occurs;

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- Straw bale dams will be placed in advance of sewer (catchment) inlets;
- In addition to the specified requirements, additional silt fence, straw bales, and rip-rap should be moved on site prior to grading operations to provide a contingency supply in the case of an emergency; and
- All sediment and erosion controls should be monitored regularly (weekly and following rain events) and properly maintained as required. Excess trapped sediments and controls are to be removed only after the soils of the construction area have been stabilized and adequately re-vegetated.

### **Water Well Monitoring**

To help ensure that residents along the route alignment do not experience a change to water quality or quantity from domestic wells, Union's Standard Water Well Monitoring Program will be implemented, which involves retaining the services of a hydrogeologist to identify the wells that require monitoring.

### **SUMMARY**

Natural environment features have been identified proximal to the alignment of the natural gas pipeline along Highway 26 between Meaford and Thornbury. Ensuring that the watercourses are protected by standard construction practices including the sediment and erosion control measures discussed in this document, migratory birds are protected, the golf course and other businesses' issues are addressed, agriculture is not disrupted, archaeological resources are not disturbed, and that the designated features are not impacted will help to ensure that no significant effects result from the pipeline construction. Aligning the pipeline within the existing MTO right-of-way minimizes the potential of negative effects to the natural environment relating to the pipeline construction.

Please contact me directly if you have any questions or comments.

Sincerely,

**STANTEC CONSULTING LTD.**



Steve Thurtell

**Project Manager**

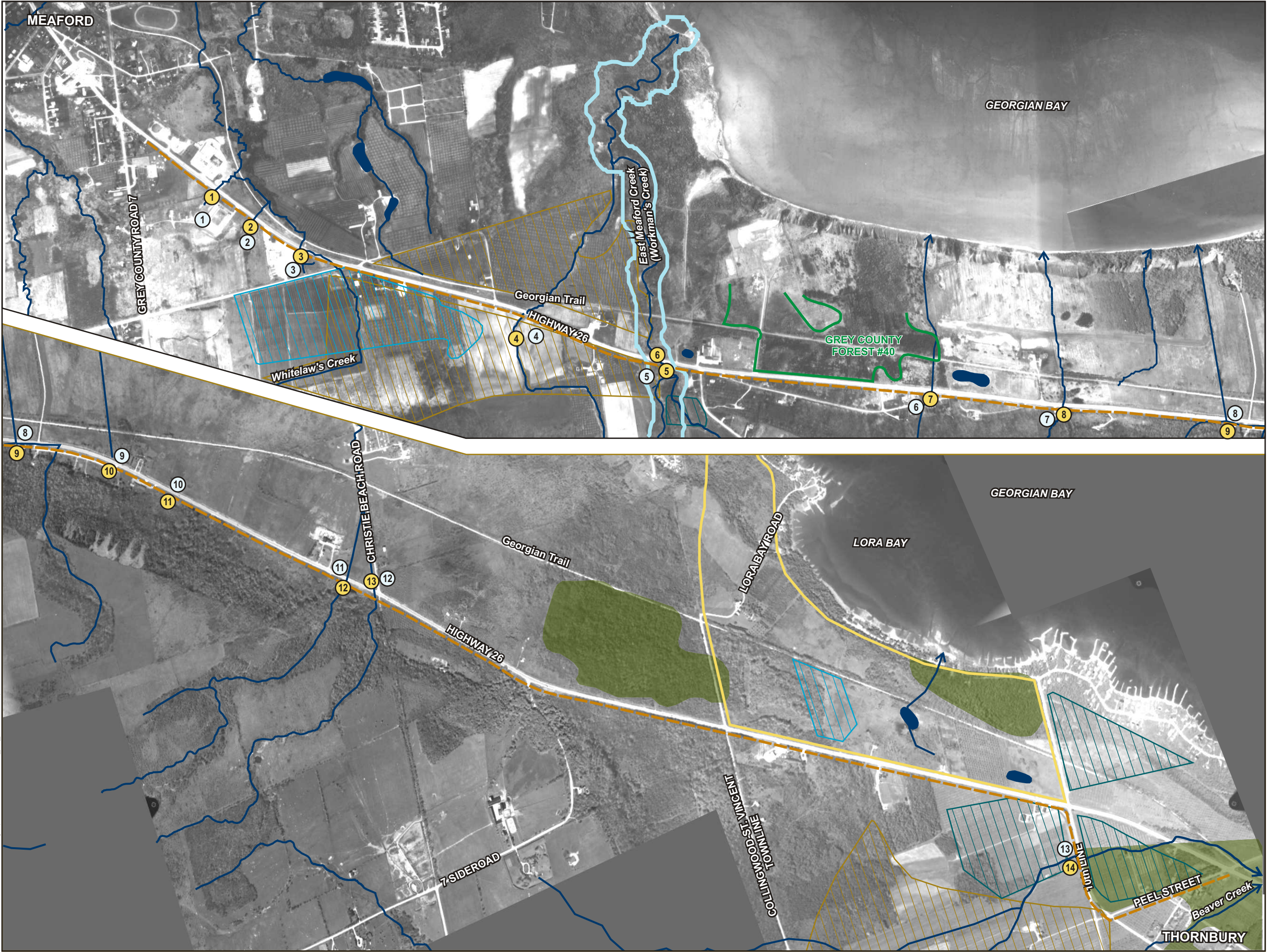
Tel: (519) 836-6050

Fax: (519) 836-2493

[Steve.Thurtell@stantec.com](mailto:Steve.Thurtell@stantec.com)

Attachments: Features Maps  
Photographic Records

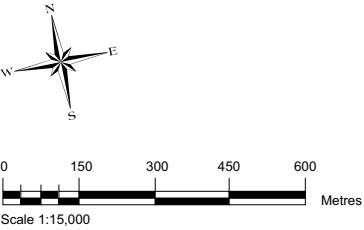




- Proposed Route
- Photo Reference
- Watercourse Crossing
- Golf Course
- Random Drainage
- Systematic Drainage

AGENCY INFORMATION:

- Historical Deer Yards (Ministry of Natural Resources, 2005)
- Drainage Features (Grey Sauble Conservation Authority, 2005)
- East Meaford Creek Shales ANSI (Grey Sauble Conservation Authority, 2005)
- Grey County Managed Forests (County of Grey, 2005)
- Special Agriculture (The Grey County Official Plan, 2000)



PREPARED FOR:  
UNION GAS LIMITED  
MEAFORD TO THORNBY PIPELINE

FIGURE NO.  
1.0

TITLE  
FEATURES MAP

Initiated: April, 2008  
Revised:





Photo 1: WC #1 - Tributary to Whitelaw's Creek, south side of Highway 26.



Photo 2: WC #2 - Tributary to Whitelaw's Creek, south side of Highway 26.



Photo 3: WC #3 - Whitelaw's Creek, south side of Highway 26.



Photo 4: WC #4 - Tributary to East Meaford Creek, south side of Highway 26.



Photo 5: WC #5 - East Meaford Creek, south side of Highway 26.

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MEAFORD TO THRONBURY PIPELINE

FIGURE NO.  
**1.0**

TITLE  
**PHOTOGRAPHIC  
RECORD**

PAGE  
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Initiated: April, 2008.  
Revised:



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Photo 6: WC #5 - East Meaford Creek, north side of Highway 26.



Photo 7: WC #6 - Tributary to Georgian Bay, south side of Highway 26.



Photo 8: WC #7 - Tributary to Georgian Bay, south side of Highway 26.



Photo 9: WC #8 - Tributary to Georgian Bay, south side of Highway 26.



Photo 10: WC #9 - Tributary to Georgian Bay, south side of Highway 26.

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MEAFORD TO THRONBURY PIPELINE

FIGURE NO.  
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Initiated: April, 2008.  
Revised:





Photo 11: WC #10 - Tributary to Georgian Bay, south side of Highway 26.



Photo 12: WC #11 - Tributary to Georgian Bay, south side of Highway 26.



Photo 13: WC #12 - Tributary to Georgian Bay, south side of Highway 26.



Photo 14: WC #13 - Northwest Tributary to Little Beaver Creek, east side of Highway 26.

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MEAFORD TO THRONBURY PIPELINE

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