



**Alison Evans**  
Advisor, Regulatory Applications  
Regulatory Affairs

tel 416 495 5499  
egiregulatoryproceedings@enbridge.com

**Enbridge Gas Inc.**  
500 Consumers Road  
North York, Ontario M2J 1P8  
Canada

**VIA Email and RESS**

January 13, 2021

Ms. Christine Long  
Registrar  
Ontario Energy Board  
2300 Yonge Street, Suite 2700  
Toronto, Ontario, M4P 1E4

Dear Ms. Long:

**Re: Enbridge Gas Inc. ("Enbridge Gas")  
Ontario Energy Board ("Board") File No.: EB-2018-0013  
Kingsville Transmission Reinforcement Project ("Project")  
Final Monitoring Report and Post Construction Financial Report - REDACTED**

---

On September 20, 2018 the Board issued its Decision and Order for the above noted proceeding which included, as Schedule B, several Conditions of Approval.

Per Schedule B, Section 5. And 6. (b) in the aforementioned Decision and Order, Enbridge Gas is to provide the Board with a Post Construction Financial report concurrent with the final monitoring report no later than fifteen months of the in-service date, or where the deadline falls between December 1 and May 31, the following June 1. Please find enclosed a copy of the Post Construction Financial and Final Monitoring report for the Kingsville Transmission Reinforcement project.

In accordance with the OEB's revised Practice Direction on Confidential Filings effective October 28, 2016, all personal information has been redacted from the Final Monitoring report.

The confidential report will be sent separately via email to the Board.

Please contact me if you have any questions.

Yours truly,

Alison Evans  
Advisor Regulatory Applications  
Regulatory Applications & Strategy

**EB-2018-0013: 2019 KINGSVILLE  
TRANSMISSION REINFORCEMENT  
PROJECT**

**FINAL MONITORING REPORT**

**Prepared By: Enbridge Gas Inc.  
Environment  
January 2021**

# TABLE OF CONTENTS

## **EB-2018-0013: 2019 Kingsville Transmission Reinforcement Project Final Monitoring Report**

1.0 Introduction.....	1
2.0 Background.....	3
3.0 Potential Impacts and Mitigation .....	4
3.1 Condition 1.....	4
3.2 Condition 3.....	4
3.3 Condition 4.....	4
3.4 Condition 6.....	5
4.0 Summary .....	8

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

**Table 2- Complaint Tracking System**

**Appendix A – Project Mapping**

**Appendix B – Conditions of Approval**

**Appendix C – Change Requests and Approvals**

**Appendix D – Executive Certifications**

**Appendix E – Photograph Inventory**

## **1.0 INTRODUCTION**

This Final Monitoring Report is provided pursuant to the Ontario Energy Board (OEB or the Board) Decision and Order for the EB-2018-0013 proceeding. In that Decision and Order (dated September 20, 2018), the Board granted Union Gas Limited (Union) (now Enbridge Gas Inc., “Enbridge”) leave, pursuant to subsection 90(1) of the OEB Act, to construct approximately 19 kilometres of 20 inch diameter (NPS 20) pipeline in the Town of Lakeshore and the Town of Kingsville in the County of Essex (the Project).

The pipeline commenced at an interconnect with the existing Enbridge NPS 20 Panhandle Pipeline in the Town of Lakeshore and travelled beside a hydro corridor and Highway 3 between Belle River Road/ County Road 27 and Graham Side Road. The pipeline ended at a new valve site located near the intersection of Concession Road 3 East and Graham Side Road in the Town of Kingsville. The majority of the Project was constructed in agricultural land within new easement. Enbridge acquired both the new permanent and temporary land rights necessary for the construction of the Project from individual landowners. Please see Appendix A of this report for a map of the entire pipeline route.

The requirements for and details of this Final Monitoring Report are outlined in the specific conditions issued by the OEB in its EB-2018-0013 Decision and Order as listed below. The complete Conditions of Approval (COA) can be found in Appendix B of this report. The COAs addressed in this report are as follows:

### **Condition 1**

Union Limited (Union) shall construct the facilities and restore the land in accordance with the Board’s Decision and Order in EB-2018-0013 and these Conditions of Approval.

### **Condition 3**

Union shall implement all the recommendations of the Environmental Protection Plan filed in the proceeding, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review.

#### **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's 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 fifteen 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's 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; and the rationale for taking such actions.

## **2.0 BACKGROUND**

Union determined that the Project was needed to respond to increasing natural gas demand in the Kingsville-Leamington market as well as increasing demand on the overall Panhandle Transmission System (Panhandle System). The Panhandle System is the primary pipeline to transport gas from Union's Dawn to the Ojibway Valve Site in Windsor. It feeds high pressure distribution pipelines servicing residential, commercial and industrial customers. The purpose of the Project was to reinforce the high-pressure Panhandle System to serve customers in the Kingsville-Leamington market area and serve future development in the market served by the Panhandle.

Union applied to the OEB under section 90(1) of the *Ontario Energy Board Act, 1998* for an order granting leave to construct the Project on January 26, 2018. In the application and pre-filed evidence, Union included a request for recovery of project costs through the application of an Incremental Capital Module (ICM) mechanism. On February 27, 2018, the OEB decided not to hear issues related to an ICM mechanism in the proceeding and asked Union if it still wished to proceed with the remainder of the application. Union confirmed its intention to proceed with its application and seek leave to construct the Project. The OEB commenced its review of Union's leave to construct application on March 5, 2018, and ultimately granted the leave to construct on September 20, 2018.

Construction was initiated on May 21, 2019 and was placed into service on October 24, 2019. Construction generally progressed with the following order of operations: flagging/staking, right-of-way preparation/clearing (including installations of temporary accesses across watercourses for travel along the right-of-way), grading/topsoil stripping, trenching, stringing of new pipeline,

welding, joint coating, lowering-in, tie-ins, backfilling, and clean-up and restoration. Clean-up and land restoration in 2019 was completed on November 1, 2019.

Enbridge returned to the right-of-way in spring 2020 to evaluate the success of the 2019 clean-up and restoration measures and identify any areas that required additional clean-up and restoration measures. Clean-up and restoration in 2020 was initiated on June 15<sup>th</sup> and was completed on October 5<sup>th</sup>. During this time, Enbridge also ensured that the banks of all watercourses were stabled and re-vegetated. Clean-up and restoration measures were successful and there are no outstanding concerns.

### **3.0 POTENTIAL IMPACTS AND MITIGATION**

#### **3.1 Condition 1**

*Union Limited (Union) shall construct the facilities and restore the land in accordance with the Board's Decision and Order in EB-2018-0013 and these Conditions of Approval.*

Enbridge constructed the facilities and restored the land in accordance with the OEB's Decision and Order in the EB-2018-0013 proceeding and the Conditions of Approval.

#### **3.2 Condition 3**

*Union shall implement all the recommendations of the Environmental Protection Plan filed in the proceeding, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review.*

Enbridge implemented all the recommendations of the Environmental Protection Plan (Environmental Report) filed in the proceeding and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review. Please refer to Table 1 to confirm Enbridge's adherence to the recommendations and mitigation measures identified in the Environmental Report.

#### **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.*

Enbridge advised the Board of two (2) changes to OEB-approved construction or restoration procedures on December 19, 2018 and August 22, 2019. Enbridge received Board approval for the change requests on December 24, 2018 and August 27, 2019, respectively. Enbridge's change requests and Board approvals are provided in Appendix C of this report.

### **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's 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.*

A Post Construction Report that satisfied the above conditions was completed and submitted to the Board within three months of the in-service date in January 2020.



- 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's adherence to Condition 3;*

One paper copy and one electronic (searchable PDF) version of this Final Monitoring Report are being filed with the Board. This report is certified by Jim Redford, Vice President of Energy Services, that Enbridge has implemented all the recommendations of the Environmental Protection Plan (Environmental Report) filed in the EB-2018-0013 proceeding and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review. This is confirmed by the executive certification which is provided in Appendix D of this report.

- ii. describe the condition of any rehabilitated land;*

All disturbed land has been returned to at least pre-construction conditions. The land that was disturbed during construction was successfully re-vegetated or was returned to a suitable state for agricultural operations and no further clean-up is required. Please see Appendix E for a photo log of the restored land.

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

The actions taken to prevent or mitigate any identified impacts of construction were successful and are outlined in Table 1 of this report.

- iv. include the results of analyses and monitoring programs and any recommendations arising therefrom; and*

The project area was subject to a Species at Risk Study, Archaeological Assessment, and a Heritage Impact Study prior to construction and are described in Table 1.

More specifically, the Species at Risk Study found that portions of the Project were located in habitat that was potentially suitable for Eastern Foxsnake and Gray Ratsnake and there were multiple Butternut Trees identified in vicinity to the pipeline right-of-way but would not be impacted by construction. Awareness training was developed for these species for all onsite personnel, and additional mitigation measures were developed to protect the snake species during construction. The mitigation measures were adhered to and no species were harmed during construction.

One location along the pipeline route was subject to a Stage 3 Archaeological Assessment. The Assessment resulted in the documentation of a Euro-Canadian artifact assemblage dating from the late 19<sup>th</sup> century to the early 20<sup>th</sup> century. As 80% of the artifact assemblage did not represent a period of use that dates to before 1870, the site did not retain cultural heritage value or interest as per Section 3.4 of the Ministry of Tourism, Culture and Sport's (MTCS) 2011 Standards and Guidelines for Consultant Archaeologists. Therefore, in accordance with Section 7.9.4 Standard 5 of the MTCS' 2011 Standards and Guidelines for Consultant Archaeologists, it was determined that the cultural heritage value or interest of this location was sufficiently documented and Stage 4 mitigation of impacts was not required for the site. In addition to this, the extent of the Stage 3 unit excavations at this location was determined by: a) sterile units; b) repetitive low yields on the periphery of the site (e.g., 10 or fewer non-diagnostic artifacts per unit) in comparison to high yielding units in the centre of the site; and c) the western boundaries of the Project's study area. Test units along the western edge of the location were high yielding, suggesting that the site continued westward and the full extent of the site remained undetermined. Therefore, a temporary protective fence was installed along the western limits of the location during construction and construction activities in the area were monitored by a licensed archaeological consultant to prevent potential impact to the site outside of the Project's boundaries. There were no impacts to the site outside of the Project's boundaries.

The Heritage Impact Assessment revealed that vibration impacts may occur at 913 Road 3 East, Kingsville. The consultant developed a mitigation plan for this property which included vibration monitoring and temporary fencing which successfully protected the house from negative impacts.

Enbridge's Well Monitoring Program was also implemented which provided the opportunity for interested landowners with water wells to have their wells sampled and analyzed prior to construction. No water well complaints were received during construction.

- 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.*

Enbridge's Complaint Tracking System (Table 2), which identifies the current status of complaints received as a result of pipeline construction, was in effect.

During construction, various concerns other than that listed in Table 2 were raised to Enbridge and their Contractor. These issues were minor in nature and were dealt with by Enbridge and the Contractor in an expeditious manner.

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

## **4.0 SUMMARY**

This Final Monitoring Report has been prepared pursuant to the Conditions of Approval contained in the OEB Decision and Order for the EB-2018-0013 proceeding. This report provides confirmation that Enbridge has implemented all the recommendations of the Environmental Protection Plan (Environmental Report) filed in the proceeding and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review. This report also describes the condition of any rehabilitated land, describes the effectiveness of any actions taken

to prevent or mitigate any identified impacts of construction, includes the results of analyses and monitoring programs and any recommendations arising therefrom, and also includes a log of all complaints received by Enbridge and the actions taken to address such complaints. Lastly, the report confirms that Enbridge successfully rehabilitated the land disturbed from construction and there are no outstanding concerns. It is anticipated that the mitigation measures and rehabilitation efforts implemented during construction will effectively eliminate any long-term impacts to the environment.

## **Table 1**

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

Activity/Component	Potential Impacts/Concerns	Mitigation Measures
a) Pre-pipeline Construction	<ul style="list-style-type: none"> <li>Pipeline construction may be disruptive to landowners.</li> </ul>	<ul style="list-style-type: none"> <li>Prior to pipeline construction, the Lands Relations Agent and Construction Superintendent met with all directly affected landowners to discuss construction and identify any concerns that may need to be addressed.</li> </ul>
b) Surveying	<ul style="list-style-type: none"> <li>Surveying may be disruptive to the landowners.</li> <li>Woodlot damage.</li> </ul>	<ul style="list-style-type: none"> <li>Landowners and tenants were notified of intent to enter their property.</li> <li>All woodlot damages were settled with landowners or tenants as required.</li> </ul>
c) Accesses	<ul style="list-style-type: none"> <li>Crossing of watercourses.</li> <li>Vehicular traffic may cause soil rutting, compaction or mixing.</li> </ul>	<ul style="list-style-type: none"> <li>Permits from the Essex Region Conservation Authority were obtained and the conditions were followed prior to construction of accesses across watercourses.</li> <li>Culverts and clear span bridges were utilized in the construction of accesses to ensure existing drainage patterns were maintained.</li> <li>Sediment fencing, erosion control matting, and vegetative covers (i.e. grasses) were used alongside watercourses to minimize run-off and erosion.</li> <li>Geotextile fabric was used where required for new temporary access roads to provide additional stability, minimize compaction, and minimize topsoil mixing with granular material.</li> </ul>
d) Clearing	<ul style="list-style-type: none"> <li>The removal of trees and vegetation.</li> </ul>	<ul style="list-style-type: none"> <li>Landowners were eligible for the Enbridge Tree Replacement Program.</li> <li>Tree cut from woodlots will be</li> </ul>

Activity/Component	Potential Impacts/Concerns	Mitigation Measures
		<p>replaced at a 2:1 per area basis.</p> <ul style="list-style-type: none"> <li>• The harvesting of trees was minimized as much as practical.</li> <li>• All tree clearing was done outside the migratory bird nesting season (April 1 – August 31).</li> <li>• Specification CSPL-03 was followed.</li> </ul>
e) Grading	<ul style="list-style-type: none"> <li>• Grading may be necessary for the construction of access roads or work areas. On agricultural lands, grading has the potential to impact soil productivity by disrupting tile drains and causing soil mixing, rutting and compaction, particularly during wet soil conditions.</li> </ul>	<ul style="list-style-type: none"> <li>• Grading was not conducted on wet soils.</li> <li>• Topsoil was stripped and stockpiled on the edge of the easement.</li> <li>• Topsoil stripping was monitored to ensure there was adequate separation of topsoil and subsoil.</li> <li>• Specification CSPL-05 was followed.</li> </ul>
f) Stringing	<ul style="list-style-type: none"> <li>• Stringing trucks may impact soil productivity due to soil compaction, rutting, and mixing.</li> </ul>	<ul style="list-style-type: none"> <li>• Specification CSPL-11 was followed.</li> </ul>
g) Trenching	<ul style="list-style-type: none"> <li>• Trenching may cause soil mixing (topsoil and subsoil mixing), which may impact soil productivity.</li> </ul>	<ul style="list-style-type: none"> <li>• Trenching followed Specification CSPL-06.</li> <li>• Prior to trenching, topsoil was separated from subsoil as per Specifications CSPL-04 and CSPL-05.</li> </ul>
h) Backfilling	<ul style="list-style-type: none"> <li>• Improper backfilling may cause topsoil/subsoil mixing.</li> </ul>	<ul style="list-style-type: none"> <li>• Specification CSPL-17 was followed.</li> </ul>
i) Hydrostatic Testing	<ul style="list-style-type: none"> <li>• Discharge of hydrostatic test water may cause erosion at the point of discharge and may impact the receiving environment.</li> </ul>	<ul style="list-style-type: none"> <li>• Measures were used to prevent erosion at the point of discharge.</li> <li>• Water sampling and analysis was completed to ensure that all hydrostatic test water met the applicable water quality standards</li> </ul>

Activity/Component	Potential Impacts/Concerns	Mitigation Measures
		prior to being released into the environment.
j) Site Restoration	<ul style="list-style-type: none"> <li>Improper site restoration may affect soil productivity.</li> </ul>	<ul style="list-style-type: none"> <li>Restoration followed Specification CSPL-19.</li> <li>Disturbed areas were restored back to pre-construction conditions or better through topsoil replacement, re-grading, soil decompaction, seeding, and erosion control where required.</li> <li>The Lands Relations Agent has ensured and will continue to ensure that the landowners are satisfied with the restoration measures completed on their property.</li> </ul>
k) Fuel Storage and Handling	<ul style="list-style-type: none"> <li>Improper fuel storage and handling may cause spillage and possible contamination of soil.</li> </ul>	<ul style="list-style-type: none"> <li>Fuel was not stored near watercourses or wetlands (i.e. within 50 m).</li> <li>Fuel was stored within impervious containment.</li> <li>Spill clean-up material (i.e. absorbent pads) was stored on-site and available at all times.</li> </ul>
l) Liquid and Solid Waste Handling	<ul style="list-style-type: none"> <li>Liquid waste, solid waste, and lubricants must be properly handled, stored and disposed of to avoid potential contamination of the surrounding area.</li> </ul>	<ul style="list-style-type: none"> <li>Liquid and solid wastes were properly stored, handled, and disposed of at an approved location.</li> <li>The area was cleared of all debris and litter during and after construction.</li> </ul>
m) Fence Removal	<ul style="list-style-type: none"> <li>Fences were removed during construction.</li> </ul>	<ul style="list-style-type: none"> <li>Temporary fences were erected per Specification CSPL-01 and fences were repaired to Specification CSPL-19.</li> </ul>
n) Archaeology, Cultural Heritage Landscapes, and	<ul style="list-style-type: none"> <li>Disturbance of heritage resources.</li> </ul>	<ul style="list-style-type: none"> <li>Archaeological Assessments were completed prior to construction.</li> <li>Direction was given to stop</li> </ul>




Activity/Component	Potential Impacts/Concerns	Mitigation Measures
Built Heritage Resources		<p>construction if an artifact was encountered and to notify the Ministry of Tourism, Culture and Sport.</p> <ul style="list-style-type: none"> <li>• A Cultural Heritage consultant was retained to determine if impacts to cultural heritage landscapes and/or built heritage resources were anticipated and is described in more detail in section 3.4 of this report.</li> </ul>
o) Species at Risk	<ul style="list-style-type: none"> <li>• Impacts to species and their habitat.</li> </ul>	<ul style="list-style-type: none"> <li>• Enbridge obtained a Letter to Proponent from the Ministry of Natural Resources and Forestry and adhered to its conditions to mitigate impacts to Gray Ratsnake, Eastern Foxsnake, and Butternut.</li> <li>• There were no impacts to species at risk during construction.</li> </ul>
p) Watercourse Crossings	<ul style="list-style-type: none"> <li>• Impacts to water quality, fish, and bank stabilization.</li> </ul>	<ul style="list-style-type: none"> <li>• Enbridge obtained permits from the Essex Region Conservation Authority and a clearance from Fisheries and Oceans Canada for watercourse crossings.</li> <li>• Watercourses were crossed following Union's DFO-endorsed sediment control plans for Dam &amp; Pump.</li> <li>• Watercourses were restored back to pre-construction conditions or better. The banks were seeded and covered with erosion control blankets immediately after backfill to ensure bank stabilization/re-vegetation.</li> </ul>
q) Water Wells	<ul style="list-style-type: none"> <li>• Disruption to water supply.</li> </ul>	<ul style="list-style-type: none"> <li>• If water quality/quantity concerns occurred as a result of construction activities, the Company would supply potable water until the situation was</li> </ul>

Activity/Component	Potential Impacts/Concerns	Mitigation Measures
		<p>corrected.</p> <ul style="list-style-type: none"> <li>• Enbridge implemented its standard well monitoring program.</li> </ul>
r) General Construction Work	<ul style="list-style-type: none"> <li>• Noise from the pipeline equipment and/or service vehicles may disrupt nearby residents.</li> <li>• Dust from pipeline equipment could be a disturbance to landowners and the public.</li> <li>• Pipeline equipment could damage underground utilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Noise was controlled to the greatest extent possible to minimize the disruption to nearby residents.</li> <li>• All equipment was properly muffled.</li> <li>• Municipal noise by-laws were adhered to.</li> <li>• Dust on the right-of-way was controlled with a water truck as required.</li> <li>• Locates were obtained from all utilities.</li> <li>• Any damages to utilities were repaired as soon as possible.</li> </ul>

## **Table 2**

### **Complaint Tracking System**

**2019 Kingsville Transmission Reinforcement Project: Summary of Complaints**

<b>Date</b>	<b>Property ID</b>	<b>Landowner</b>	<b>Complaint</b>	<b>Resolution</b>	<b>Status</b>
June 7, 2019	Adjacent property		Landowner claimed pipeline construction caused their property to have wet areas. They said they were unable to mow their lawn or let dogs out in 2 of the 3 fenced areas on the property. They said this had not happened in 20+ years of living on the property.	<p><b>June 11, 2019:</b> After the landowner spoke with the Enbridge Environmental Inspector (EI) on June 7<sup>th</sup> and raised the issue, the Enbridge Lands Relations Agent (LRA) met with the landowner on June 11<sup>th</sup>. After the meeting, the LRA brought the Enbridge Soils Consultant (SC) to the site to evaluate the land situation. The SC walked the property and stated that the wet areas have nothing to do with construction activities and more to do with the water table being the highest its been since 1986 and the lands backing onto the woodlot located near the Matlock Drain.</p> <p><b>June 18, 2019:</b> LRA received another phone call from the landowner. They still felt construction was responsible for the wet areas, and that construction must have done something to impact the water table. The LRA confirmed to the landowner that construction has been adhering to permit conditions for water taking, and Enbridge is confident that construction activities have not caused their property to be wetter than normal.</p>	Resolved.

**2019 Kingsville Transmission Reinforcement Project: Summary of Complaints**

<b>Date</b>	<b>Property ID</b>	<b>Landowner</b>	<b>Complaint</b>	<b>Resolution</b>	<b>Status</b>
				<p><b>June 21, 2019:</b> Enbridge Construction Superintendent met with the landowners and agreed to pump any excess water from easement/temporary land use areas to a swale in the Ministry of Transportation woodlot, so it eventually would flow into the Matlock Drain. The Construction Superintendent also committed to installing a new tile drain along the eastern property line of the property adjacent to the property in question. If the property was still wet after a week, consideration would be given to installing a pump in the landowners' backyard to help drain the water.</p> <p><b>July 23, 2019:</b> Follow-up meeting with the LRA and landowner. Landowner confirmed that there had been no issues since the previous meeting.</p>	
April 15, 2020	K001		LRA text messaged the landowner advising them 2nd Year Clean-up Crew accessing lands within the next few days to evaluate clean-up requirements. In response to text message, LRA received email from landowner requesting no	<p><b>April 23, 2020:</b> LRA emailed landowner acknowledging receipt of email they sent April 15th and confirmed 2nd Yr. Clean-up Crew did not enter lands as requested until outstanding matters resolved.</p> <p><b>May 20, 2020:</b> Onsite meeting held with landowner present along with Enbridge's Assistant Construction</p>	Resolved (May 20, 2020).

**2019 Kingsville Transmission Reinforcement Project: Summary of Complaints**

Date	Property ID	Landowner	Complaint	Resolution	Status
			<p>one enter the lands until a mutually agreed upon agreement is submitted to landowner outlining and addressing issues/damages voiced earlier about their concerns; and come to, what they feel would be a fair compensation mechanism, for lands not being restored in 2019.</p>	<p>Superintendent and Soil Consultant; walked lands with landowner to address issues and concerns and compensation that would be paid. Further to meeting, LRA emailed landowner summary of issues and concerns voiced and Enbridge's position to address them during 2nd Year Clean-up activities.  <b>July 15, 2020:</b> As discussed at May 20th meeting, LRA emailed landowner confirming Enbridge would be starting to pump water off the work areas so subsoil could dry-out prior to decompacting soil.  <b>July 27, 2020:</b> As discussed at May 20th meeting, LRA emailed landowner confirming water was pumped off and lands were dry enough for landowner to spray weeds as requested before topsoil was restored.  <b>September 9, 2020:</b> LRA met with landowner to sign Release Agreement for the agreed upon compensation for 2019-2020 crop loss and weed spraying completed by the landowner.  <b>December 3, 2020:</b> Landowner compensated further as agreed upon at May 20th meeting for ripping, cultivating and land leveling after post-</p>	

**2019 Kingsville Transmission Reinforcement Project: Summary of Complaints**

<b>Date</b>	<b>Property ID</b>	<b>Landowner</b>	<b>Complaint</b>	<b>Resolution</b>	<b>Status</b>
				construction tiling completed on lands in mid-October.	
June 15, 2020	K020		LRA received a call from the new landowner of the property, traded by Enbridge to the landowner. The landowner requested the previous woodlot area beside house be restored during 2nd year clean-up so they could mow it - currently too rough and has numerous low areas where water ponds.	<p><b>July 9, 2020:</b> LRA contacted Sunparlour Lawn Care who did the maintenance and clean-up work in 2019 when Enbridge bought property, about the cost to restore the woodlot area beside house.</p> <p><b>July 23, 2020:</b> LRA received call back from Sunparlour rep who claimed it was too big of a project for what they're equipped to restore.</p> <p><b>August 14, 2020:</b> LRA requested another company (Quinlan Inc.) to check lands along with K005 property and quote the cost to pulverize, fine grade and seed previous woodlot area.</p> <p><b>August 27, 2020:</b> After receiving the quote, the LRA instructed them to proceed with restoration of woodlot area.</p>	Resolved.
June 30, 2020	Adjacent property		LRA received a phone call from K022 landowner advising that neighbouring landowner was upset they will be impacted again during 2nd Year Clean-up, with dirt and dust.	<p><b>July 7, 2020:</b> LRA met with neighbouring landowner confirming there will be minimal dirt and dust during 2nd Year Clean-up; leveling and grading of low areas on farm lands that were restored in 2019 and completion of post-construction tiling only. LRA reiterated to the landowner that offer still stands from 2019 - willing to</p>	Resolved.

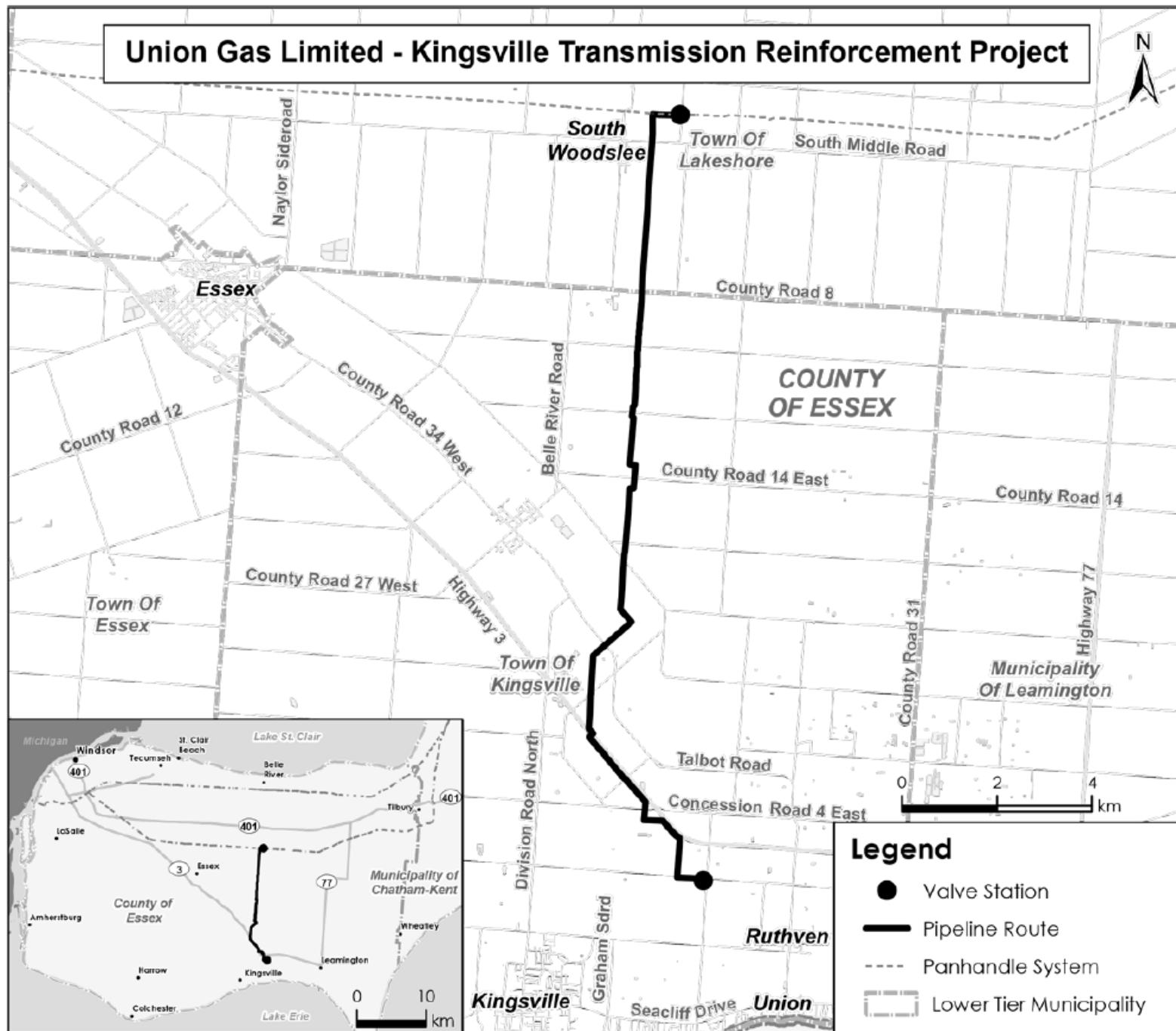
**2019 Kingsville Transmission Reinforcement Project: Summary of Complaints**

<b>Date</b>	<b>Property ID</b>	<b>Landowner</b>	<b>Complaint</b>	<b>Resolution</b>	<b>Status</b>
				<p>compensate the landowner to have house and deck power washed by company of their choice.</p> <p><b>November 18, 2020:</b> LRA followed up with the landowner to inquire if they had house and deck power washed. Landowner claimed they did the work themselves - LRA paid the landowner an agreed upon compensation for doing the work themselves.</p>	
August 14, 2020	K005		LRA received a call from a landowner claiming the grassed berm restored in 2019 was rough and full of weeds - unable to maintain and mow berm as they've done in the past.	<p><b>August 14, 2020:</b> LRA contacted Quinlan Inc. as requested by the landowner to check berm and quote the cost to pulverize, fine grade and seed berm area.</p> <p><b>August 27, 2020:</b> further to receiving quote from Quinlan Inc., LRA instructed them to proceed with restoration of berm.</p>	Resolved.



# **Appendix A**

## **Project Mapping**



## **Appendix B**

### **Conditions of Approval**

**Leave to Construct Conditions of Approval**  
**Union Gas Limited**  
**EB-2018-0013**

1. Union Limited (Union) shall construct the facilities and restore the land in accordance with the Board's Decision and Order in EB-2018-0013 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 ten days prior to the date construction commences;
  - ii. of the planned in-service date, at least ten 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, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review.
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. Concurrent with the final monitoring report referred to in Condition 6(b), Union shall file a Post Construction Financial Report, which shall indicate the actual capital costs of the project and shall provide an explanation for any significant variances from the cost estimates filed in this proceeding. Union shall also file a copy of the Post Construction Financial Report in the proceeding where the actual capital costs of the project are proposed to be included in rate base or any proceeding where Union proposes to start collecting revenues associated with the project, whichever is earlier.
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's 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, licences, and certificates required to construct, operate and maintain the proposed project.
  - b) a final monitoring report, no later than fifteen 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's 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 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**



December 19, 2018

BY RESS

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”)  
Kingsville Transmission Reinforcement Project  
EB-2018-0013**

Please find attached Change Request 1, for the above-noted project.

Union believes that these changes are not significant and would appreciate your timely review and approval of this request.

In the event that you have any questions or would like to discuss in more detail, please do not hesitate to contact me at 519-436-4601.

Sincerely,

*[original signed by]*

Mark A. Murray J.D.  
Manager, Regulatory Projects & Land Acquisition

cc: Zora Crnojacki, OEB



## **REQUEST TO VARY**

**Project Name:** Kingsville Reinforcement Project

**OEB File Number:** EB-2018-0013

**Change Request:** 1

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

Union is proposing changes to the dimensions and locations of temporary land use areas ("Land Rights") at various locations along the pipeline route to facilitate pipeline construction.

### **Construction and Restoration Practices**

There are no changes proposed for the construction of the proposed facilities.

### **Environmental**

No new environmental mitigation measures will be required.

### **Consultation**

Union has met with the directly affected landowners with respect to the Land Rights and no issues have been identified.

### **Lands**

Union has acquired the necessary Land Rights from the landowners.

### **Costs**

These changes will not result in an increase to the project budget.

### **Schedule**

These changes will not result in any change to the project in-services date.

### **Maps**

A chart setting out the changes in land rights, which are identified in red is attached at Schedule 1.

Maps showing the location of the Land Rights which are identified as red cross-hatched areas are attached at Schedule 2. The top half of each individual map identifies the land rights previously included in Union's application, as Tab 13 Schedule 1, and the bottom half of each map identifies the additional Land Rights requested.

**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**

December 24, 2018

Mark A. Murray, J.D.  
Manager, Regulatory Projects and Land Acquisition  
Union Gas Limited  
50 Keil Drive North  
P.O. Box 2001  
Chatham ON N7M 5M1  
[mmurray@uniongas.com](mailto:mmurray@uniongas.com)

Dear Mr. Murray:

**Re: Kingsville Reinforcement Project, EB-2018-0013  
Request to Vary  
Change Request No. 1**

The Ontario Energy Board (OEB) is in receipt of your letter dated December 19, 2018, in which Union Gas Limited (Union Gas) requests approval from the OEB for a change to the Kingsville Reinforcement Project (Change Request No. 1).

Union Gas proposes to change the dimensions and locations of temporary land use areas along the pipeline route to facilitate pipeline construction.

Union Gas notes that the proposed changes in temporary land use dimensions and locations will not cause any changes in construction or restoration practices, environmental impacts, construction schedule, or project budget. Union Gas also indicated that it met with all directly affected landowners and that no issues were identified; and that all land rights have been acquired. The in-service date for the pipeline remains unchanged.

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 Union Gas' proposal will result in material changes to the leave to construct granted by the OEB in EB-2018-0013 proceeding. I have been further granted the authority to approve any changes that I have concluded are not material.

Based on my review of the information provided, I find that the described changes to the dimensions and locations of temporary land use areas along the pipeline route are not material. I hereby approve the proposed change.

Yours truly,

*Original Signed by*

Nancy Marconi  
Manager, Applications Supply and Infrastructure



Joel Denomy  
Technical Manager  
Regulatory Affairs

tel 416 495 5676  
EGregulatoryproceedings@enbridge.com

Enbridge Gas Inc.  
500 Consumers Road  
North York, Ontario M2J 1P8  
Canada

**VIA Email, RESS and Courier**

August 22, 2019

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

Dear Ms. Walli:

**Re: Enbridge Gas Inc. (Enbridge Gas)  
Ontario Energy Board (Board) File No.: EB-2018-0013  
Kingsville Transmission Reinforcement Project - Request to Vary**

---

Please find attached a Request to Vary Form as submitted by Enbridge Gas for the Kingsville Transmission Reinforcement Project ("the Project"). The Request to Vary involves a change to the time allotted for the Project's hydrostatic test.

As stated in the pre-filed evidence for the Project, the plan was to test the proposed pipeline hydrostatically with water for a period of 24 hours. This was consistent with Union Gas's ("Union") specification at the time. Union filed the Kingsville Reinforcement application and pre-filed evidence with the Ontario Energy Board ("OEB") prior to amalgamating with Enbridge Gas Distribution to form Enbridge Gas.<sup>1</sup>

Enbridge Gas has since reviewed its specification for hydrostatic testing and has implemented a change to the duration of test. More specifically, rather than conduct the test for 24 hours, the test period is now 8 hours. This change also adheres to the requirements of the CSA Z662 Code, specifically clause 8.7.5 Duration of Tests.

Enbridge Gas submits this change is not significant and as noted above, is permitted by Code. For these reasons, Enbridge Gas respectfully requests a timely review and approval of this request.

Please contact the undersigned if you have any questions.

Yours truly,

(Original Signed)

Joel Denomy  
Technical Manager

c.c.: N. Marconi (OEB Staff)  
A. Manzano (OEB Staff)

---

<sup>1</sup> Amalgamation to form Enbridge Gas Inc. effective January 1, 2019.

## REQUEST TO VARY

Project Name: Kingsville Transmission Reinforcement Project

OEB File Number: EB-2018-0013

Change Request: 1

### Description and Rationale for Change

Enbridge Gas Inc. ("Enbridge Gas") is proposing to use an 8-hour hydrostatic test rather than 24 hours as noted in the pre-filed evidence (Exhibit A, Tab 11, p. 6) for the Kingsville Transmission Reinforcement Project (the "Project"). The 24-hour hydrostatic test was consistent with the internal specification at the time the application for the Project was filed with the Ontario Energy Board. Following a review of the internal specification, the test duration was changed from 24 hours to 8 hours. Enbridge Gas submits this change adheres to the requirements of the CSA Z662 Code, specifically clause 8.7.5 Duration of Tests. This section allows for a variety of test durations ranging from one hour to 24 hours depending upon the site-specific circumstances. In the case of the Kingsville Project, an 8-hour hydrostatic test is permitted by the CSA Z662 Code and, is an acceptable method for testing the proposed pipeline.

### Construction and Restoration Practices

No impact to construction and/or restoration practices

### Environmental

No new environmental mitigation will be required

### Consultation

No additional consultation required

### Lands

No impact to lands

### Costs

No impact to costs

### Schedule

No impact to the in-service date

### Attachments

No attachments required for this Request to Vary



Ontario  
Energy  
Board | Commission  
de l'énergie  
de l'Ontario

**BY E-MAIL**

August 27, 2019

Mr. Joel Denomy  
Technical Manager, Regulatory Affairs  
Enbridge Gas Inc.  
500 Consumers Road  
Willowdale, ON M2J 1P8  
[Joel.Denomy@enbridge.com](mailto:Joel.Denomy@enbridge.com)

Dear Mr. Denomy

**Re: Enbridge Gas Inc.  
Kingsville Transmission Reinforcement Project  
Ontario Energy Board File Number EB-2018-0013  
Request to Vary, Change Request No. 1**

The Ontario Energy Board (OEB) is in receipt of your letter dated August 22, 2019, in which Enbridge Gas Inc. (Enbridge Gas) advised the OEB of a change to the Kingsville Transmission Reinforcement Project (Project). The OEB approved the Project, subject to certain conditions of approval, by a Decision and Order dated September 20, 2018. At the time of the application, Enbridge Gas was acting as Union Gas Limited (Union Gas). Enbridge Gas Distribution Inc. and Union Gas amalgamated effective January 1, 2019, to become Enbridge Gas.

Among the OEB's conditions of approval was the following:

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.

The change involves a reduction in the time allotted for the Project's hydrostatic test.

In its application for the Project, Enbridge Gas stated:

All of the design, installation and testing of the proposed pipeline and station modifications will be completed in accordance with the requirements of Ontario Regulation 210/01, Oil and Gas Pipeline Systems under the *Technical Standards and Safety Act, 2000*. This regulation governs the installation of pipelines in the Province of Ontario. The design meets or exceeds the requirements of current CSA Z662-15 Standard in accordance with the Code Adoption document under the Ontario Regulations.<sup>1</sup>

Enbridge Gas indicated that the hydrostatic test would be 24 hours in duration. This duration was consistent with Union Gas' specifications at the time.

In its August 22, 2019 change request, Enbridge Gas advised that the amalgamated utility has reviewed its specifications for hydrostatic testing as they relate to the requirements of the CSA Z662 standard, and specifically clause 8.7.5 – Duration of Tests. This section allows for a variety of test durations ranging from one hour to 24 hours depending upon the site-specific circumstances. Enbridge Gas asserted that in the case of the Project, an 8 hour hydrostatic test is permitted by the CSA Z662 standard and is an acceptable method for testing the proposed pipeline.

Enbridge Gas submits that the change will not modify the project's originally proposed construction or restoration methods, environmental mitigation measures, stakeholder consultations, land requirements, project cost, or project schedule.

As the Manager, Supply and Infrastructure Applications, I have been delegated, under section 6 of the *Ontario Energy Board Act, 1998*, the authority of the OEB to determine whether Enbridge Gas' proposal will result in material changes to the natural gas pipeline in respect of which leave to construct was granted by the OEB in the EB-2018-0013 proceeding. I have been further granted the authority to approve any changes that I have concluded are not material.

---

<sup>1</sup> EB-2018-0013, Application, Exhibit A, Tab 11, page 1

Based on my review of the information provided, I find that the change proposed by Enbridge Gas is not material. I hereby approve the proposed change.

Yours truly,

*Original signed by*

Nancy Marconi  
Manager, Supply and Infrastructure Applications



## **Appendix D**

### **Executive Certifications**



**Kingsville Transmission Reinforcement Project**

**EB-2018-0013**

I hereby certify Enbridge Gas Inc. has constructed the facilities and restored the land in accordance with the OEB's Decision and Order in Schedule B, **EB-2018-0013**, Section 6 (b).

2021-01-09

Date

Jim Redford  
Senior Executive

Condition 6 (b)

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:

- b) A final monitoring report, no later than fifteen months after the in-service date, or, where the deadline falls between December 1 and May 1, the following June 1, which shall:
  - i. Provide a certification, by a senior executive of the company, of Union's 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.

Condition 3

Union shall implement all the recommendations of the Environmental Protection Plan filed in the proceeding, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review.

# **Appendix E**

## **Photograph Inventory**



1. Silt fencing and erosion control measures are left in place around watercourse crossings until the banks are fully stable and re-vegetated.



2. Watercourse crossings are monitored the year following construction and if the banks are stable and re-vegetated, erosion control measures can be removed.





3. Rip-rap is used in select areas for additional stability on steep banks along roadsides. Clean-up work could also not continue until soils were dry.



4. Once the topsoil is restored back to agricultural fields, stones and debris are picked and the soil is disked, decompacted, and re-graded.





5. The last stage of agricultural field restoration is tile drainage, and the fields are restored to at least pre-construction conditions.



6. Non-agricultural fields are seeded and restored to the landowner's satisfaction.

Post Construction Financial Report  
2019 Kingsville Transmission Reinforcement Project

In compliance with the Ontario Energy Board Order EB-2018-0013 and Condition 5, the following is a report on the capital pipeline and station cost for the 2019 Kingsville Transmission Reinforcement Project.

The Project actual cost was \$28,179,259 or 27% lower than estimated. The following explains the significant variances.

	Baseline \$\$			Actual \$\$ *			Variance \$\$			Variance %		
	Mainline	Station	Total	Mainline	Station	Total	Mainline	Station	Total	Mainline	Station	Total
(1) Materials	5,514,000	2,210,000	7,724,000	4,857,359	4,075,070	8,932,428	- 656,641	1,865,070	1,208,428	-12%	84%	16%
(2) Construction and Labour	76,917,000	6,014,000	82,931,000	57,824,204	10,088,613	67,912,817	- 19,092,796	4,074,613	- 15,018,183	-25%	68%	-18%
(3) Contingencies	12,365,000	1,234,000	13,599,000	-	-	-	- 12,365,000	- 1,234,000	- 13,599,000	-100%	-100%	-100%
(4) Interest During Construction	1,332,000	130,000	1,462,000	689,392	2,104	691,496	- 642,608	- 127,896	- 770,504	-48%	-98%	-53%
<b>Total</b>	<b>96,128,000</b>	<b>9,588,000</b>	<b>105,716,000</b>	<b>63,370,954</b>	<b>14,165,786</b>	<b>77,536,741</b>	<b>- 32,757,046</b>	<b>4,577,786</b>	<b>- 28,179,259</b>			<b>-27%</b>

\* Actual amounts include a forecast of approximately \$900K for additional clean-up work that may be required in 2021.

- (1) Materials were higher due to design changes and additional material required for the Stations.
- (2) Construction and Labour was lower due to the negotiation of land costs and expropriation costs not being utilized. As well as environmental and contractor risks not being realized.
- (3) Contingency was not utilized since risks and other forecast costs came in lower than estimated.
- (4) Original Interest During Construction calculation accounted for the use of contingency and risks which did not occur.