

Waterdown to Finch Project

Proponent's Response to Information Requests

Filed: 2021-05-05
EB-2021-0096



May 2021

Waterdown to Finch Project

EB-2021-0096

Imperial Oil response to OEB's interrogatories

CONTENTS

ACRONYMS AND ABBREVIATIONS	II
1. OEB-1	1
2. OEB-2	3
3. OEB-3	4
4. OEB-4	6
5. OEB-5	1
6. OEB-6	2

List of Figures

Figure 1: Project Map with expropriation lands

Figure 2: Subject lands & Project workspace requirements

List of Tables

OEB-1: Landowner concerns & mitigations

Appendices

Appendix 1: Record of Communication

ACRONYMS AND ABBREVIATIONS

Imperial	Imperial Oil
KP	Kilometer Posting
OEB	Ontario Energy Board
TWS	Temporary workspace

1. OEB-1

Ref: Application for Expropriation, pages 3-4, paragraphs 13-18; Application for Expropriation, Appendices D-2, D-3

Preamble:

As a reminder, issues around compensation do not fall within the scope of the OEB's section 99 proceeding, and the OEB does not need details related to specific compensation offers.

Imperial Oil stated that its "...preferred approach to acquiring land rights for the Project has been through negotiation of mutually acceptable agreements with landowners" and that it has been engaged in ongoing direct negotiations with the affected landowners along the Project route since February 2019.

Owners of the parcels of land subject to the Application are two corporations (D-2 and D-3). Imperial Oil stated that the affected landowners had been offered or would be offered forms of easements approved by the OEB.

Questions:

Please provide an update on direct negotiations with the two impacted corporations owning the subject lands since the filing of the Application. For each of the affected properties and interests in land please include a complete description of communication and negotiations between Imperial Oil's land agents and the landowners, a brief description of the general nature and content of the information exchanges, issues and concerns raised by the landowners and planned follow ups by Imperial Oil. How is Imperial Oil planning to address these issues and if it is not planning to address these issues, why not?

Response:

Imperial, the landowners and their respective counsel have engaged in ongoing discussions on a without prejudice basis regarding the subject lands. Communications have also been advanced between Imperial's land agent, right of way & claims coordinator, and construction teams and representatives of the landowners and tenants. An updated record of communication is located in [Appendix 1](#).

Issues and concerns raised to date by the landowners and responding mitigation measures are outlined in [Table OEB-1](#) below. Imperial is continuing to work with the landowners and tenants to address their respective concerns.

Table OEB-1: Landowner and Tenant Concerns & Responding Mitigations Measures

Concern	Concern Description	Mitigation Description
Route alignment and future development	The landowners have expressed concern that the location of the easement on the parcel may impact future development plans.	Imperial has worked with the landowners and realigned the pipeline easement along the property lines to address future development concerns. In many cases, Imperial's proposed pipeline is adjacent to existing pipelines owned by other parties.
Compensation	The landowners have expressed concerns regarding compensation and appraisals.	Imperial has engaged in ongoing without prejudice discussions regarding compensation and appraisal matters with counsel to the landowners.

Impact to tenant operations	The landowner and their tenants have expressed concern about the pipeline easement and TWS affecting leased areas and existing agreement utilized by their tenants or lease holders and potential impacts to their operations.	Imperial has met with the tenants (on site and virtually) to ensure access restrictions to their leased areas are minimized and to understand any additional concerns they may have. These discussions are continuing. Imperial will work with the tenants as construction commences to notify them of any access restriction and to minimize impacts to the tenants' operations.
Construction duration	The tenants have expressed concern with the duration of construction occurring on their leased areas.	Imperial has outlined construction requirements and schedules and has continued to proactively provide information regarding the same to the tenants and landowners. Imperial is committed to completing the work as quickly and safely as possible in accordance with the conditions of the LTC Decision.
Damages	The landowners have expressed concern about effects of construction on land and the cost of responding to such effects.	Imperial has and continues to negotiate with landowners and tenants on a without prejudice basis regarding reimbursement for any and all damages which may arise as a result of Imperial's construction activities.
Safety	The landowners and tenants have expressed concern about pipeline safety in relation to a fire on the property.	Imperial does not have an existing operating pipeline on this landowner's parcel. Imperial has realigned the proposed pipeline adjacent to two existing operating pipelines. Furthermore, Imperial's Emergency Response Plan (ERP) provides for response to a variety of scenarios, including the risk of fire. The pipeline will be located a minimum of 1.2 metres below ground.

2. OEB-2

Ref: Application for Expropriation, Appendix A (map): Imperial Waterdown to Finch Project

Questions:

a) On the map of the Project route filed in Appendix A, please mark general locations of the properties that are subject of the Application.

See Figure 1.

b) For each of the properties that are subject of the Application, provide a map using a photo (satellite) image as a base, at the scale 1:12,000, showing the existing pipeline, approved pipeline route, boundaries of the existing easement areas, boundaries of required easement areas, property boundaries, type of easement required (i.e. temporary or permanent), current land use and any other feature or information relevant for the location.

See Figure 2.

3. OEB-3

Ref: Application for Expropriation, paragraph 20, page 5 and 6; Application for Expropriation, Appendix B: Description of Rights Sought – New Permanent Easement; Appendix C: Description of Rights Sought – Temporary Workspaces; Appendices D-2, D-3

Preamble:

Imperial Oil has stated that it has taken "...reasonable steps to minimize the impact of the proposed expropriation on the subject properties and it has taken appropriate steps to minimize the disruption to property owners and interest holders by requesting property interests that are no larger and no more extensive than necessary". Temporary Workspaces rights are sought for the term of 5 years.

Questions (and Responses):

- a) Please describe the impacts of the easements on the landowners and tenants of the subject lands.

Response:

Impacts to the temporary easement and workspace will be limited to the duration of construction and may include noise and impacts to access.

Following ongoing discussions with landowners and tenants, Imperial has determined that during operation of the pipeline, impacts will be limited to access along Imperial's permanent easement along subject lands for inspection and maintenance activities.

- b) Please specify and describe the "reasonable steps" and "appropriate steps" that Imperial Oil has taken or will take to minimize the impact of the proposed expropriations on the subject properties and disruption to property owners and interest holders. Please describe separately the actions that Imperial Oil has taken or will take during:

- i) Construction

Response:

The duration of construction will be minimized to the extent possible; Imperial is committed to completing the work as quickly and safely as possible.

Imperial has met with tenants, tenant's counsel and landowners' counsel to discuss access restrictions to leased areas and potential mitigation, and to understand any additional concerns they may have. Imperial will work with tenants as construction commences to notify them of, and where possible mitigate impacts associated with, any access restrictions, in order to minimize impacts to the tenants' schedule and operations.

- ii) Operation and maintenance

Response:

No impact to access by tenants at the subject properties is anticipated. During operation of the pipeline, impacts will be limited to travel along Imperial's permanent easement for inspection and maintenance activities. In the event that Imperial's maintenance activities will impact access at the subject properties, Imperial will work with the landowners and tenants to determine suitable mitigation measures.

- c) The requested Temporary Workspace Easement terms are for 5 years duration. What is the rationale for the longer term of this easement, that extend past the planned in-service date of the Project?

Response:

The duration of the Temporary Workspace Easement is specified in the agreement as approved by the OEB in the decision granting leave to construct in EB-2019-0007 (the "LTC Decision"). In compliance with the conditions of the LTC Decision, access will be required to the temporary easement and workspace post-construction to monitor successful restoration. If work scope in this area is completed prior to the 5-year term, subject lands may be returned.

- d) Please explain the criteria and standards that Imperial Oil applied to determine the size of the required permanent and temporary easements.

Response:

Temporary easement and workspace requirements were determined based on the construction methodology in this area and the minimum space required for safe equipment operation during construction. Permanent easement requirements were determined based on the area required to safely access and maintain the pipeline throughout operation. Temporary easement, workspace and permanent easement requirements (including width and location) were considered in both the LTC Decision and the decision of the OEB in EB-2020-0219 (the "**Realignment Decision**").

- e) Under normal operational circumstances, how frequently and for what specific purposes does Imperial Oil foresee that it will access the permanent and temporary easements after the Project is constructed?

Response:

Post-construction, access to the temporary easement and workspace will be for the purposes of confirming adequate restoration and will be conducted on a seasonal basis, in compliance with the terms of the LTC Decision.

Under normal operational circumstances, access to the permanent easement will be for visual inspection and monitoring and will be conducted in accordance with Imperial's maintenance program.

4. OEB-4

Ref: Application for Expropriation, page 2, paragraph 6

Preamble:

Imperial Oil's Project is a "...proactive replacement of an important segment" of an existing pipeline. The new pipeline will be located along and in proximity of the existing pipeline that will be decommissioned and taken out of service.

Question:

Please describe the timing and the scope of the activities associated with the decommissioning and abandonment of the existing pipeline on the properties subject to this Application. How will Imperial Oil minimize and manage the potential impacts of these activities to reduce the disturbances to the landowners and the properties?

Response:

The existing pipeline is not located on the properties subject to this Application. As such, no decommissioning or abandonment activities in respect of the existing pipeline apply to the subject properties.

5. OEB-5

Ref: Imperial Oil Letter to the OEB, dated November 20, 2020; Application for Expropriation, page 7, paragraph 26

Preamble:

Imperial Oil notified the OEB in a letter dated November 20, 2020 that it would start construction of the Project at KP 0 to KP 11 within the City of Hamilton and the City of Burlington “as early as December 1, 2020.”

Imperial Oil requested the OEB’s decision on the Application by June 1, 2021.

Questions (and Responses):

- a) What are the dates planned for construction start along the route segments where each property is located? How long is the anticipated construction along these properties?

Response:

Planned construction is dependent on securing all necessary agreements and permits and will be finalized in coordination with the construction contractor, once awarded. The current plan is outlined below and is subject to change pending receipt of all approvals.

Previously, construction in this area was planned for April 2021. The schedule has now been updated to reflect a construction start as early as summer 2021. Duration of construction is estimated for approximately five non-consecutive months over the term of the agreement for both properties. Imperial will notify the landowners of schedule updates prior to construction occurring on the subject properties.

- b) How will Imperial Oil manage the project activities and timelines in the event that a decision in the current proceeding is not issued by June 1, 2021?

Response:

Receiving a decision by June 1, 2021 aligns with the current schedule for construction as approved in the LTD Decision and will allow the project to be completed within expected timelines. If a decision is not issued by June 1, 2021, construction timelines may be impacted with corresponding delays on other Project parcels.

6. OEB-6

Preamble

Imperial Oil applied for an order granting it the authorization to expropriate certain rights for certain lands pursuant to section 99 of the OEB Act. The OEB Act permits the OEB, when making an order, to “impose such conditions as it considers proper.”

Questions

OEB staff has prepared the following draft Conditions of Approval. If Imperial Oil does not agree to any of the draft conditions of approval noted below, please identify the specific conditions that Imperial Oil disagrees with and explain why. For conditions in respect of which Imperial Oil would like to recommend changes, please provide the proposed changes and an explanation of the change.

Response:

Imperial does not object to and does not have any recommendations for proposed changes to the draft Conditions of Approval.

Appendix 1: Updated Record of Communication

Stakeholder	Date of Contact	Contact Type	Description
2394561 ONTARIO INC. & 1112308 ONTARIO INC. WTFN4076, PIN 074240121 WTFN4077, PIN 074240190	February 21- March 9, 2020	In Person and Telephone	Discussion between Imperial's land agent and the tenants' representative to provide project introduction and to discuss matters relating to easements and concerns regarding future development.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	March 11-12, 2020	Telephone	Discussion between the agent and the landowners' representative to provide project introduction and to discuss matters relating to easements and concerns regarding future development.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	March 13, 2020	Email	The agent provided property mapping and update regarding leave to construct application and proposed mitigation measures related to easements.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	March 26, 2020	Email	The agent emailed a copy of Imperial's Grant of Easement and Temporary Workspace Lease Agreement to the landowner's representative.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	March 30-April 3, 2020	Telephone	Discussion between the agent and landowners' representative regarding property access for the purpose of civil sweeps.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	April 7, 2020	Email	Agent notified landowners' representative of timing of civil sweeps.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	April 13-14, 2020	Email	The agent emailed the landowners' representative the Grant of Easement Agreement, the Temporary Workspace Lease Agreement, the General Permitting Letter and the Distribution of Funds documents. The agent advised that results of sweeps would inform the availability of mitigation measures to accommodate future developments.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	April 21-27, 2020	Email	The agent emailed the landowners' representative a copy of the Permit to Take Water. The landowners' representative introduced the agent to their lawyer and

Stakeholder	Date of Contact	Contact Type	Description
			requested that discussions concerning the agreements go through their lawyer.
2394561 ONTARIO INC. & 1112308 ONTARIO INC	May 6-14, 2020	Telephone and Email	Discussions between the agent and the landowners' counsel regarding the Project, agreements, and potential property impacts.
2394561 ONTARIO INC. & 1112308 ONTARIO INC	May 26-June 2, 2020	Telephone and Email	Discussions between the agent and the landowners' counsel regarding agreements, compensation, and site-specific conditions.
2394561 ONTARIO INC. & 1112308 ONTARIO INC	June 22, 2020	Email	The agent provided the landowners' counsel with revised Individual Ownership Plan, the Grant of Easement Agreement and the Temporary Workspace Lease Agreement and confirmed mitigation measures to address future development concerns by realigning the pipeline easement.
2394561 ONTARIO INC. & 1112308 ONTARIO INC	July 7, 2020	Telephone	Discussions between the agent and the landowners' counsel regarding compensation, the Grant of Easement and the Temporary Workspace Lease Agreements and potential property impacts.
2394561 ONTARIO INC. & 1112308 ONTARIO INC	July 14, 2020	Email	The agent followed up with the landowners' counsel regarding the questions received during the July 7, 2020 meeting.
2394561 ONTARIO INC. & 1112308 ONTARIO INC	July 16, 2020	Email	The agent sent the landowners' counsel the Expropriation Notification letter. The agent emphasized the desire to come to a negotiated settlement.
2394561 ONTARIO INC. & 1112308 ONTARIO INC	July 21, 2020	Telephone	Discussions between the agent and the landowners' counsel regarding agreements, valve location and appearance, duration of construction, impact to tenants, and mitigation measures.
2394561 ONTARIO INC. & 1112308 ONTARIO INC	August 6, 2020	Email	The agent sent landowners' counsel follow up information regarding valve location. The agent requested a meeting with the landowners' representative and tenants to discuss construction methods along with Imperial's construction team.

Stakeholder	Date of Contact	Contact Type	Description
2394561 ONTARIO INC. & 1112308 ONTARIO INC	August 19-27, 2020	Email	The agent provided additional information regarding valve location to landowners' counsel and requested a meeting to discuss construction methods with Imperial's construction team.
2394561 ONTARIO INC. & 1112308 ONTARIO INC	September 3, 2020	Email	The agent emailed landowners' counsel to provide information regarding upcoming archaeological work on the properties and requested a meeting to discuss agreements and construction matters.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	September 4-10, 2020	Email and Mail	Imperial sent by registered mail, and the agent emailed the landowners' representative a Notice of Motion to Vary letter from the Ontario Energy Board.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	September 16, 2020	Email	The agent emailed the landowner's representative the Notice of Entry Upon Land to conduct required archaeological and monumenting work during the week of September 21 st .
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	September 17, 2020	Telephone	Discussions between the agent and landowners' counsel regarding the Temporary Workspace Lease Agreement and the Grant of Easement Agreement, valve placement and impact to tenants.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	September 18, 2020	Email	Discussions between agent and landowners' counsel regarding monumenting and archaeological work on the properties and the Grant of Easement and Temporary Workspace Lease Agreement.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	October 2, 2020	Email	The emailed the landowners' counsel to request information regarding anticipated impacts on tenants in order to assist Imperial in designing appropriate mitigation measures.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	October 14, 2020	Email	The agent emailed confirmation to landowners' counsel that the valve had been removed from the property and expressed Imperial's desire to come to a negotiated settlement. The agent asked the landowners' counsel to set up a meeting between Imperial, the landowner's representatives, and their tenants.

Stakeholder	Date of Contact	Contact Type	Description
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	October 19, 2020	Email	Imperial's legal counsel contacted landowners' counsel to discuss land access agreements.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	October 22, 2020	Teleconference	Imperial's legal counsel and the landowners' counsel met by teleconference and discussed land access agreements and landowner questions and concerns
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	October 24, 2020	Email	The landowners' counsel contacted the agent and Imperial's counsel to summarize the information requested by landowners' counsel during the October 22 meeting and to request further details on appraisal.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	November 3, 2020	Email	The landowners' counsel emailed the agent and Imperial's counsel to follow up on their request of October 23, 2020. Imperial's counsel responded by email and provided requested information, including construction scope and duration, revised agreements and appraisal reports. The landowners' counsel emailed Imperial's counsel and agent to request further details on appraisals. Imperial's counsel emailed landowner's lawyer to confirm receipt.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	November 4, 2020	Email	The agent responded to the landowners' counsel questions and requested certain additional information.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	November 5, 2020	Email	The landowners' counsel emailed the agent in response to their email from November 4 regarding appraisals and agreements.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	November 6, 2020	Email	The agent responded to the landowners' counsel request for information regarding appraisals and agreements and provided rationale for the proposed pipeline alignment.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	November 12, 2020	Email	Imperial legal counsel emailed landowners' counsel to follow up on information provided and on the revised agreements provided by Imperial.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	November 30, 2020	Email	Imperial's legal counsel contacted the landowners' counsel regarding the Temporary Workspace Lease Agreement and the Grant of

Stakeholder	Date of Contact	Contact Type	Description
			Easement Agreement. There was no response from the landowners' counsel.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	December 15, 2020	Telephone	The landowners' counsel contacted the agent and Imperial's counsel to discuss expropriation.
2394561 ONTARIO INC.	December 16, 2020	Email	Imperial legal counsel responded to an inquiry from landowner's lawyer's dated December 15, 2020 and proposed a call to discuss the tenant's operations on the property as well as the landowners' and tenants' concerns. The landowners' counsel responded and suggested a meeting time.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	December 23, 2020	Telephone	Imperial's counsel spoke with the landowners' counsel concerning tenant concerns, the expropriation process, and agreements. The landowners' counsel provided information regarding tenant property uses and discussed agreements.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	January 7, 2021	Email	Imperial's counsel emailed the landowners' counsel regarding appraisal process and agreements.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	January 11, 2021	Email	Imperial's counsel responded to the landowners' counsel request for information regarding appraisal.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	January 13, 2021	Telephone and Email	Imperial's Right of Way & Claims Coordinator contacted the landowner. The Right of Way & Claims Coordinator emphasized the need to move forward with archaeological work on the property and that Imperial would be issuing a Notice of Entry upon the Land. The Right of Way & Claims Coordinator requested that the Temporary Workspace Lease and the Grant of Easement be reviewed. Imperial's legal counsel subsequently sent the landowners' counsel a right of entry notice in order to enter onto the property to carry out archaeological work.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	January 14, 2021	Email	Imperial's legal counsel sent the landowners' counsel appraisal information. The landowners' counsel responded with certain clarifying questions.

Stakeholder	Date of Contact	Contact Type	Description
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	January 27, 2021	Email	Imperial's legal counsel and landowners' counsel exchanged emails regarding appraisal matters, expropriation agreements, and tenants.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	January 29, 2021	Email	Imperial's legal counsel exchanged emails with the landowners' counsel regarding appraisals, tenants, and agreements.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	January 29, 2021	Email	Imperial's Right of Way & Claims Coordinator emailed the landowner requesting comments on the Temporary Workspace Lease and Grant of Easement.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	February 10, 2021	Telephone	Imperial's legal counsel spoke with the landowners' counsel concerning appraisals, the Temporary Workspace Lease and the Grant of Easement agreement and their tenants. The landowners' counsel provided contact information for the tenants.
2394561 ONTARIO INC.	February 10, 2021	Telephone	The agent spoke with the tenants' representative about the project and how the tenants use the property. The tenants' representative provided information regarding the property use and proposed mitigation measures to limit disruption to tenant operations.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	February 12, 2021	Email	The landowners' counsel corresponded with Imperial's counsel regarding appraisal matters.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	February 18, 2021	Email	The Imperial's legal counsel responded in an email to the landowners' counsel regarding appraisal and agreement matters.
2394561 ONTARIO INC.	February 22, 2021	Email	The agent emailed the tenants' representative with Imperial's work plan for the property. The agent outlined the expectations for the work on the property from the time that work starts. The agent did not receive a response
2394561 ONTARIO INC.	March 4, 2021	Email	The tenant emailed the agent proposing certain mitigation measures to limit impact of tenant operations.

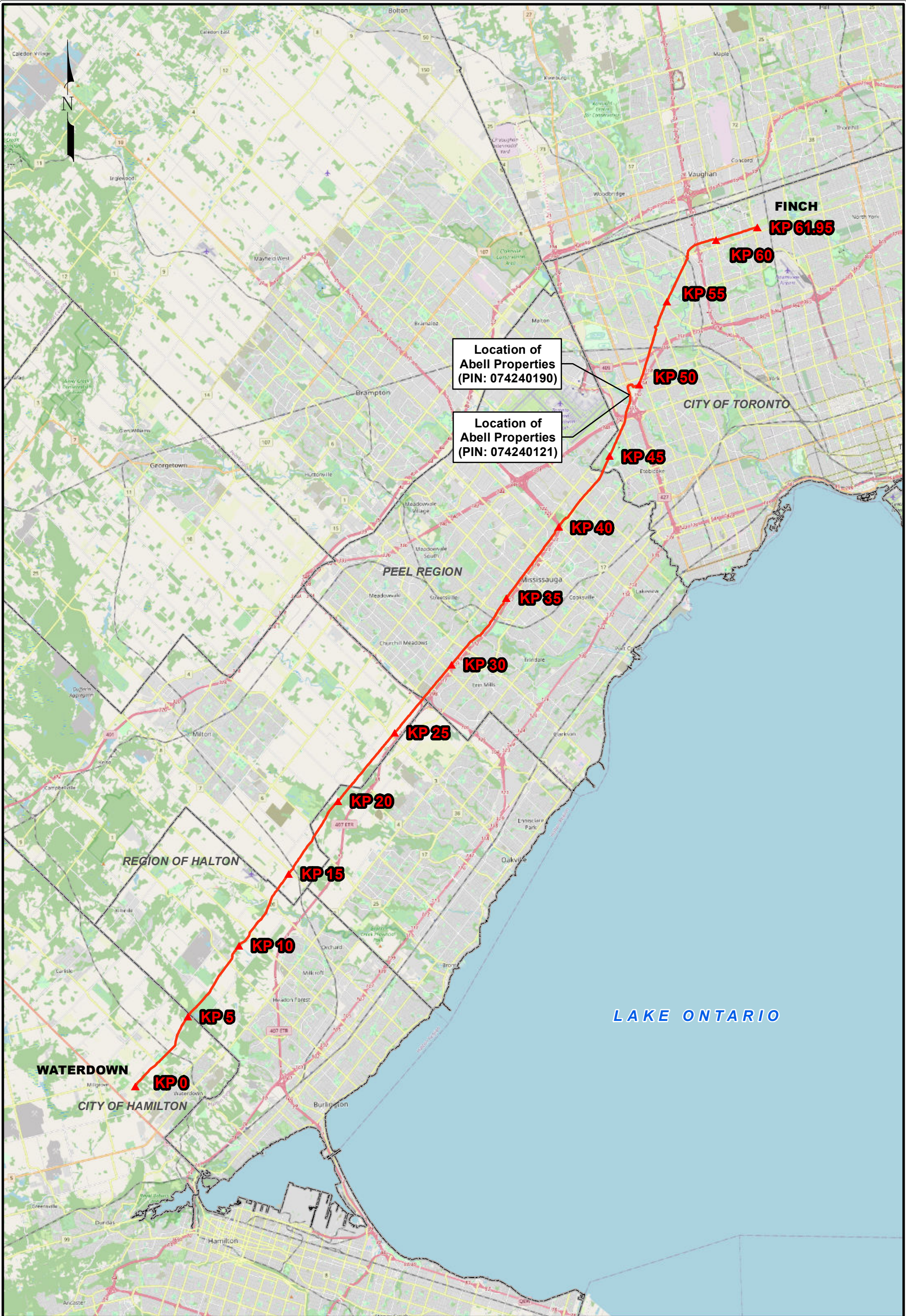
Stakeholder	Date of Contact	Contact Type	Description
2394561 ONTARIO INC.	March 9, 2021	Email	The tenant contacted the agent by email to request an update on proposed mitigation measures.
2394561 ONTARIO INC.	March 10, 2021	Email	The agent responded to the tenant's emails concerning mitigation measures. The agent advised that while Imperial was unable to implement all of the proposed mitigation measures, it provided additional information on the way in which impacts would be minimized on tenant operations. The agent advised that Imperial has confirmed that it would work with the tenant to ensure that tenant operations were not impacted. The agent advised that, if for some reason tenant access was restricted, Imperial committed to work with tenant operators. The agent advised that they would be in touch as more information became available.
2394561 ONTARIO INC.	March 15, 2021	Telephone	The tenant called the agent in response to the agent's email on March 11, 2021 and provided additional information regarding its construction expectations. The tenant requested a meeting with Imperial's construction crew. The agent said that they would suggest times for such a meeting.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	March 17, 2021	Email	Imperial's Right of Way & Claims Coordinator emailed the landowner. The Right of Way & Claims Coordinator advised that Imperial was still pursuing amicable resolution to the land acquisition. The Right of Way & Claims Coordinator further advised that Imperial's representatives were in contact with the tenants. The Right of Way & Claims Coordinator advised that Imperial would be beginning the expropriation application before the Ontario Energy Board with respect to the property. The Right of Way & Claims Coordinator advised that Imperial intended to continue to negotiate with the landowners.
2394561 ONTARIO INC.	March 18, 2021	Email	The agent emailed the tenant offering several times for a possible meeting with Imperial's construction team and requested information regarding tenant property use the tenant had

Stakeholder	Date of Contact	Contact Type	Description
			previously advised that it would provide. There was no response from the tenant.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	March 19, 2021	Mail	Imperial sent by courier the Notice of Expropriation to the landowners.
2394561 ONTARIO INC.	March 19, 2021	Telephone	The agent followed up their email to the tenant from March 18, 2021. The agent left a message regarding these topics and asked the tenant for input. There was no response from the tenant.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	March 24, 2021	Email	The tenant's counsel contacted the agent to advise of its representation of the tenant and to request a meeting between Imperial's construction team, the tenant, the landowner and all representatives. The landowners' counsel wrote asking if the agent could propose several times. The agent responded that they would get some possible meeting times from the construction crew and the agent would relay those times to counsel.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	March 25, 2021	Email	Imperial's legal counsel emailed landowners' counsel regarding the status of expropriation agreements and confirmed that Imperial had filed an updated expropriation application with the Ontario Energy Board. Imperial's counsel wrote that they hoped to continue to negotiate and resolve the easement and workspace agreements. Imperial's counsel included copies of the expropriation notices as attachments.
2394561 ONTARIO INC.	March 26, 2021	Email	The agent sent the tenant notification of the OEB expropriation process. The agent confirmed Imperial still hoped to negotiate the agreement to an amicable resolution. The agent followed up regarding the scheduling of the requested meeting with Imperial's construction team. There was no response from the tenant. Later in the day the agent wrote to the tenant and landowners' counsel proposing times and dates for the meeting Imperial did not receive a response to its correspondence.




Stakeholder	Date of Contact	Contact Type	Description
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	March 29, 2021	Email	The tenant's counsel, landowners' counsel and agent organized a meeting for Wednesday March 31 at 2:30.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	March 31, 2021	Meeting	The agent met with the tenant's counsel prior to the construction meeting and discussed the property and its use. The agent reiterated that Imperial's construction team could accommodate tenant's operations. Imperial's construction crew attended the meeting along with the tenant's site manager. The site manager provided information regarding site use and the tenant-proposed mitigation measure. The construction team provided new information regarding duration of on-site construction. The tenant's site manager requested as much advance notice as possible for each section of the build. The construction crew advised that they did not have dates at this point.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	March 31, 2021	Zoom Meeting	The agent, tenants, landowners' counsel and Imperial's construction team attending a Zoom meeting. The tenant expressed concerns about pipeline safety, proximity to the building, length of time of the impact of construction on the property, tree trimming, and deliveries by truck. The construction crew provided additional information to respond to the tenant's concerns.
2394561 ONTARIO INC.	April 19, 2021	Email	The tenant's counsel contacted Imperial's counsel to follow up on information provided during construction meeting and raise concerns regarding tenant operations during construction and construction timing.

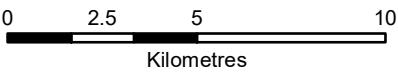
Stakeholder	Date of Contact	Contact Type	Description
2394561 ONTARIO INC.	April 26, 2021	Telephone	The agent called and left a message for the tenant's site manager to request a telephone meeting. There was no response from the tenant.
2394561 ONTARIO INC.	April 27, 2021	Telephone	The agent called and left a message for the tenant's site manager to request a telephone meeting. There was no response from the tenant.
2394561 ONTARIO INC. & 1112308 ONTARIO INC.	April 29, 2021	Email	Imperial's counsel wrote to the landowners' counsel regarding the agreements and appraisal.

FIGURE 1



LEGEND

-  Kilometre Post
-  Proposed Route
-  Region



WATERDOWN TO FINCH PROJECT (NPS 12)
OVERVIEW ROUTE MAP (1:200,000)
GTA, ONTARIO

SCALE: 1 cm=2 km **SHEET:** 1 OF 1

FIGURE 2

