

## **APPENDIX 2 – INDIGENOUS CONSULTATION RECORDS AND SUPPORTING DOCUMENTATION**



June 6, 2020

**VIA EMAIL – dan.delaquis@ontario.ca**

Ministry of Energy, Northern Development and Mines  
Mr. Dan Delaquis - Manager, Indigenous Energy Policy  
77 Grenville Street, 6th floor Toronto ON M7A 2C1

Dear Mr. Delaquis,

**RE: SCPL East Sixteen Mile Crossing Replacement**

The purpose of this letter is to inform the Ministry of Energy, Northern Development and Mines that Sun Canadian Pipe Line Limited has identified the need to replace a segment of an existing pipeline near Trafalgar Road and south of Britannia Road in the Town of Milton. Accordingly, we will be submitting an application to the Ontario Energy Board and following the *Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario 7th Edition 2016*.

Attachment 1 provides project description details for your review and aid in commentating on the obligations of the Crown's duty to consult for intra-provincial pipelines.

This important project is required for maintaining the integrity of the pipeline. We would appreciate expediting review and comment as soon as possible. Please do not hesitate to contact me with any questions.

Regards,

Susan J. Jackson  
Manager Environment, Health & Safety

## **Attachment 1: East Sixteen Mile Crossing Replacement Project**

### **Project Summary**

Sun-Canadian Pipe Line (SCPL) has identified the need to replace approximately 500m segment of an existing 12 inch diameter pipeline (TRL system) near Trafalgar Road and south of Britannia Road in the Town of Milton. The existing pipeline segment crosses under East Sixteen Mile creek and has become exposed in several locations in the watercourse due to ongoing erosion and creek meander. This project intends to install a new segment of 12 inch diameter pipe via horizontal directional drilling at a greater depth to eliminate the environmental risks of the current pipe exposure.

### **Project Information**

SCPL's TRL system supplies finished petroleum products including gasoline, jet fuel, and diesel fuels to terminals in Southern Ontario. The TRL system originates in Sarnia and has connections to distribution terminals in London, Pearson Airport, and Toronto. This system is critical to ensuring adequate supply of fuels products throughout the Greater Toronto Area.

The current segment of the TRL system that requires replacement is located in the Town of Milton. Drill entry is located on Piper's Heath golf course in Town of Milton. Drill exit is located on PAO Tree Nursery in Town of Milton. See Figure 1 below for existing and proposed pipeline routing as well as coordinates of the two temporary work locations. The drill entry and drill exit sites are both located on previously disturbed lands. Both sites will be accessed by existing roads. Temporary matting will be used at both work locations to minimize disturbance.

### **Indigenous Engagement**

Earlier this month, we reached out to the Mississauga of the Credit and Six Nations of the Grand River by phone and by email to briefly introduce the project. While most administrations remain temporarily closed for the COVID-19 outbreak, we did receive a positive acknowledgement from the Mississauga of the Credit First Nation to participate in project discussions of the project in the near future.

### **Authorizations and Recommendations Required**

This project is being planned in accordance with OEB regulations and will request a "Leave to Construct" under subsection 90 from the OEB. An environmental assessment will be completed as part of that process. Engagement with landowners, Indigenous communities, Conservation Halton, and the municipality will also be enacted. Other authorization, notification, permits, and/or approvals may be required and identified as part of this process.

### **Project Activities**

Design of the new pipe segment will be done to ensure safe and reliable long-term operation of the pipeline system as well as compliance with Technical Standards and Safety Authority (TSSA) regulations and Canadian Standards Association (CSA) Z662 standard. Design of the horizontal directional drill plan

will be done to prevent drill fluid losses and ensure proper control of the drill path. Major phases of this project include engineering design, environmental assessment, landowner/Indigenous engagement, approvals, contractor selection, and construction/decommissioning.

Public consultation will be undertaken as part of the Leave to Construct process. Landowners impacted by this proposed work will be engaged and access agreements and/or easement agreements will be put in place. Identified landowners and tenants impacted by this work include:

- York Trafalgar Golf Corp
- [REDACTED]
- [REDACTED]
- [REDACTED]
- Terra Greenhouses
- PAO Nursery

Construction will require temporary work sites at the drill entry and exit points. Both work sites have existing road access. Brush clearing and temporary matting will be needed to ensure a safe work space. The new pipe segment will be assembled, hydrotested, and installed from the drill exit location. The TRL pipeline system will then be shut down and drained, and the new pipe segment will be tied in at the drill entry and exit locations. The existing pipe removed from service will be cleaned, capped, and filled with grout. All work locations will then be backfilled and returned to their original condition.

### **Potential Environmental Effects and Mitigation Measures**

The Environmental Assessment will assess physical, natural and socio-economical features potentially impacted by construction activities (such as minor brushing and ground disturbance at the drill entry and exit). Mitigation measures will be recommended as part of the screening to minimize potential adverse effects to the environment. The mitigation recommendations, together with SCPL project management processes, should effectively serve to protect environmental features within the proposed work locations.

It is anticipated that the majority of adverse and/or socio-economic effects will be construction-related temporary and transitory, and likely avoided by locating the drill sites outside of the creek valley and on previously disturbed areas.

### **Project Benefits**

This project will eliminate the environmental risk due to exposed pipe in the East Sixteen Mile Creek watershed. It will ensure continued reliable operation of the TRL system to allow fuel supply to be maintained to the Greater Toronto Area.

### **Contact Information**

Regulatory Affairs, Indigenous Relations and Environment Matters:  
 Susan Jackson  
[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)  
 647-465-8159

Technical Contact:

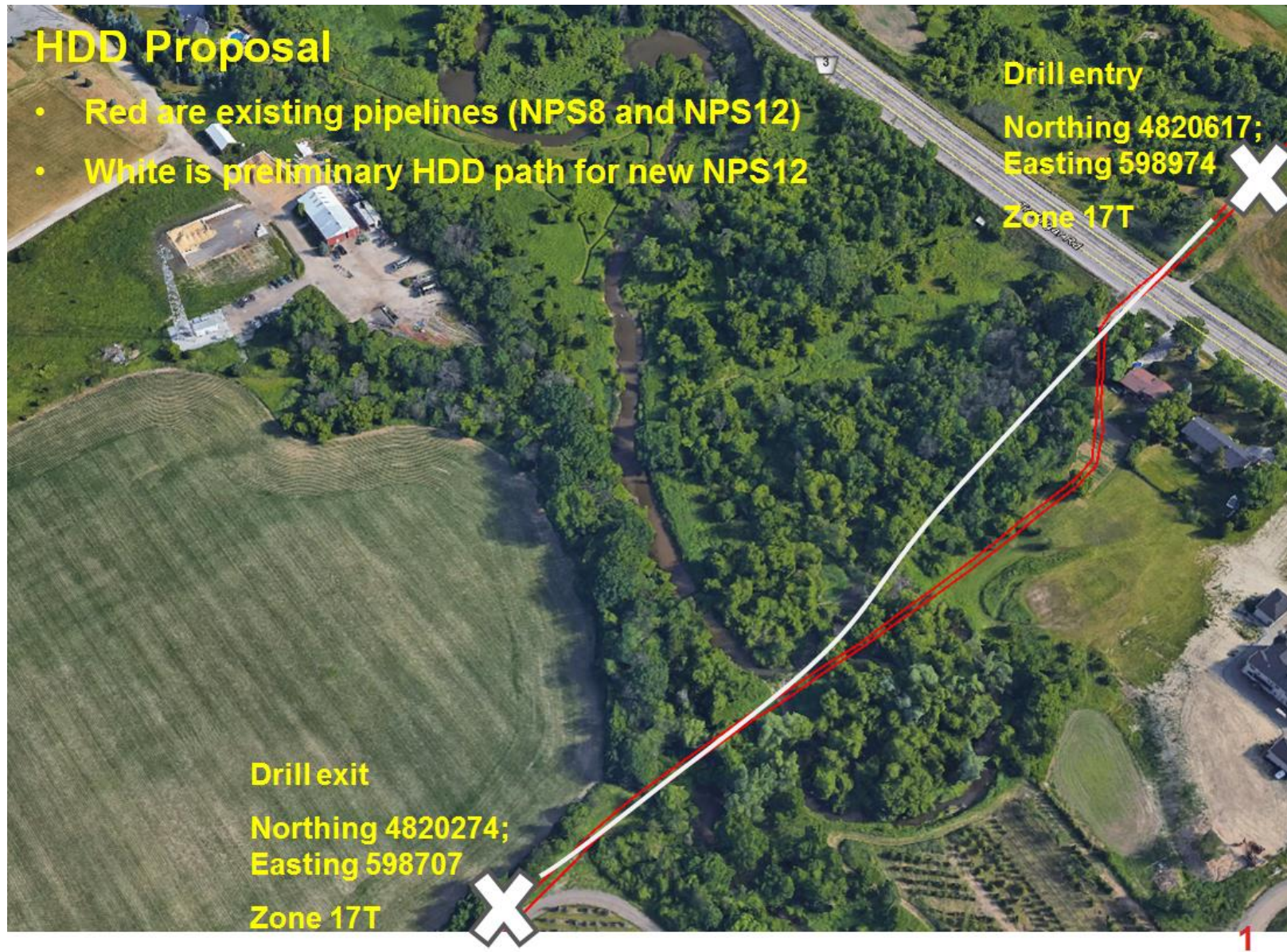
Peter Martens

[pmartens@sun-canadian.com](mailto:pmartens@sun-canadian.com)

289-230-4350



Figure 1: Map of HDD proposal



**From:** [Susan Jackson](#)  
**To:** [Mark LaFrampe](#)  
**Subject:** East 16 Mile Creek - MCFN  
**Attachments:** [image001.png](#)

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Mark;

As discussed briefly by phone, Sun-Canadian Pipe Line (SCPL) has identified the need to replace approximately 500m segment of an existing pipeline near Trafalgar Road and south of Britannia Road in the Town of Milton. The existing pipeline segment crosses under East Sixteen Mile creek needs to be protected from the watercourse due to ongoing erosion and creek meander. This project intends to install a new segment of pipe by horizontal directional drilling at a greater depth to eliminate the environmental risks.

The purpose of this email to introduce this initiative with the Mississauga's of the Credit and to let you know that we will be reaching out to consult with MCFN (via the Department of Consultation and Accommodation) on this project. Also, we intend on applying to the Ontario Energy Board for this work which involves notification to the Ministry of Energy, Northern Development and Mines for their determination of Duty to Consult. We anticipate this Ministry will also be notifying MCFN of our application.

We look forward to working with MCFN on this project. Please do not hesitate to contact me if you have any questions at this time.

Regards,  
Susan Jackson  
Manager EHS  
Sun Canadian Pipe Line  
647-465-8159



**From:** [Susan Jackson](#)  
**To:** [hdi2@bellnet.ca](mailto:hdi2@bellnet.ca); [traceghdi@gmail.com](mailto:traceghdi@gmail.com)  
**Subject:** East 16 Mile Creek - HCC  
**Attachments:** [image001.png](#)

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Good Morning Tracey;

Sun-Canadian Pipe Line (SCPL) has identified the need to replace approximately 500m segment of an existing pipeline near Trafalgar Road and south of Britannia Road in the Town of Milton. The existing pipeline segment crosses under East Sixteen Mile creek needs to be protected from the watercourse due to ongoing erosion and creek meander. This project intends to install a new segment of pipe by horizontal directional drilling at a greater depth to eliminate the environmental risks.

The purpose of this email to introduce this initiative with the Haudenosaunee Confederacy Council (HCC) and to let you know that we will be reaching out to consult with HCC via the Haudenosaunee Development Institute on this project. Also, we intend on applying to the Ontario Energy Board for this work which involves notification to the Ministry of Energy, Northern Development and Mines for their determination of Duty to Consult. We anticipate this Ministry will also be notifying HDI of our application.

Please do not hesitate to contact me if you have any questions at this time.

Regards,  
Susan Jackson  
Manager EHS  
Sun Canadian Pipe Line  
647-465-8159





VIA EMAIL

July 28, 2020

Susan Jackson  
Manager Environment, Health & Safety  
Sun-Canadian Pipe Line  
150 – 6th Avenue S.W.  
Calgary, Alberta T2P 3E3

**Re: SCPL East Sixteen Mile Crossing Replacement**

Dear Susan Jackson:

Thank you for your email dated June 11, 2020 notifying the Ministry of Energy, Northern Development and Mines (ENDM) of Sun-Canadian Pipe Line's intention to apply to the Ontario Energy Board (OEB) for Leave to Construct for the SCPL East Sixteen Mile Crossing Replacement (the Project).

I understand that Sun-Canadian Pipe Line is has identified the need to replace approximately 500m segment of an existing 12-inch diameter pipeline (TRL system) near Trafalgar Road and south of Britannia Road in the Town of Milton. The existing pipeline segment crosses under East Sixteen Mile creek and has become exposed in several locations in the watercourse due to ongoing erosion and creek meander. This project intends to install a new segment of 12-inch diameter pipe via horizontal directional drilling at a greater depth to eliminate the environmental risks of the current pipe exposure.

On behalf of the Government of Ontario (the Crown), ENDM has reviewed the information provided by Sun-Canadian Pipe Line with respect to the Project and assessed it against the Crown's current understanding of the interests and rights of Aboriginal communities who hold or claim Aboriginal or treaty rights protected under Section 35 of Canada's Constitution Act 1982 (Indigenous Communities) in the area. In doing so, ENDM has determined that the Project may have the potential to affect such Indigenous communities.

The Crown has a constitutional duty to consult and, where appropriate, accommodate Indigenous communities when the Crown contemplates conduct that might adversely impact established or asserted Aboriginal or Treaty rights. These consultations are in addition to consultation imposed by statute.

While the legal responsibility to meet the duty to consult lies with the Crown, the Crown may delegate the day-to-day, procedural aspects of consultation to project Proponents. Such a delegation by the Crown to Proponents is routine practice for ENDM.

I am writing to advise you that on behalf of the Crown, ENDM is delegating the procedural aspects of consultation in respect of the Project to Sun-Canadian Pipe Line (Proponent) through this letter. ENDM expects that the Proponent will undertake the procedural aspects of consultation with respect to any regulated requirements for the proposed Project. The Crown will fulfill the substantive aspects of consultation and retain oversight over all aspects of the process for fulfilling the Crown's duty.

Please see the appendix for information on the roles and responsibilities of both the Crown and the Proponent.

Based on the Crown's assessment of First Nation and Métis community rights and potential project impacts, the following Indigenous communities should be consulted on the basis that they have or may have constitutionally protected Aboriginal or Treaty rights that may be adversely affected by the Project.

<b>Community</b>	<b>Mailing Address</b>
Mississaugas of the New Credit First Nation	2789 Mississauga Road R.R. #6 Hagersville, ON N0A 1H0
Six Nations of the Grand River *	Six Nations of the Grand River Elected Council PO Box 5000 Ohsweken, Ontario N0A 1M0  Haudenosaunee Confederacy Chiefs Council P.O Box 714 Ohsweken, ON N0A 1M0
Huron Wendat**	255, place Chef Michel Laveau Wendake, QC G0A 4V0

*\*Please note, proponents are required to consult with both, Six Nations Elected Council and Haudenosaunee Confederacy Chiefs Council (HCCC). Please copy Haudenosaunee Development Institute (HDI) on all correspondence to Haudenosaunee Confederacy Chiefs Council (HCCC).*

*\*\*interests are specific to archeological resources*

This rights-based consultation list is based on information that is subject to change. Consultation is ongoing throughout the duration of the project, including project development and design, consultation, approvals, construction, operation and decommissioning. First Nation and Métis communities may make new rights assertions

at any time, and further project related developments can occur that may require additional First Nation and/or Métis communities to be notified and/or consulted. If you become aware of potential rights impacts on Indigenous communities that are not listed above at any stage of project, please bring this to the attention of ENDM with any supporting information regarding the claim at your earliest convenience.

ENDM is assuming a coordinating role within government in relation to rights-based Aboriginal consultation on the Project. We recommend contacting the following ministry representatives if you have any questions or concerns relating to a specific ministry's mandate:

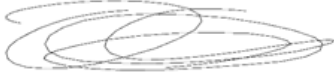
<b>Ministry/Contact</b>	<b>Phone/Email</b>
<b>Ministry of Energy, Northern Development and Mines</b>  Kristen Bromfield – Policy Advisor, Indigenous Energy Policy Unit	(416) 735-3297 <a href="mailto:kristen.bromfield@ontario.ca">kristen.bromfield@ontario.ca</a>
<b>Ministry of Environment, Conservation and Parks</b>  Peter Brown – Consultation Advisor, Environmental Assessment and Permissions Division	(416) 314-0149 <a href="mailto:peter.brown@ontario.ca">peter.brown@ontario.ca</a>
<b>Ministry of Transportation</b>  Donna Bigelow - Team Lead, Indigenous Relations Branch	(647) 537-9423 <a href="mailto:donna.bigelow@ontario.ca">donna.bigelow@ontario.ca</a>
<b>Ministry of Government and Consumer Services</b>  Uyen Ha – Senior Policy Advisor, Infrastructure Projects - Realty	(437) 994-8446 <a href="mailto:Uyen.ha@ontario.ca">Uyen.ha@ontario.ca</a>
<b>Ministry of Heritage, Sport, Tourism and Culture Industries</b>  Karla Barboza - Team Lead, Heritage, Tourism and Culture Division	(416) 314-7120 <a href="mailto:karla.barboza@ontario.ca">karla.barboza@ontario.ca</a>

### **Acknowledgement**

By accepting this letter, the Proponent acknowledges this Crown delegation and the procedural consultation responsibilities enumerated in the appendix. If you have any questions about this request, you may contact Kristen Bromfield (see above).

I trust that this information provides clarity and direction regarding the respective roles of the Crown and Sun-Canadian Pipe Line. If you have any questions about this letter or require any additional information, please contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Delaquis', with a stylized, overlapping loop structure.

Dan Delaquis  
Manager, Indigenous Energy Policy

C: Ontario Pipeline Coordinating Committee (OPCC)

## **APPENDIX: PROCEDURAL CONSULTATION**

### **Roles and Responsibilities Delegated to the Proponent**

On behalf of the Crown, please be advised that your responsibilities as Project Proponent for this Project include:

- providing notice and information about the Project to Indigenous communities, with sufficient detail and at a stage in the process that allows the communities to prepare their views on the Project and, if appropriate, for changes to be made to the Project. This can include:
  - accurate, complete and plain language information including a detailed description of the nature and scope of the Project and translations into Aboriginal languages where appropriate;
  - maps of the Project location and any other affected area(s);
  - information about the potential negative effects of the Project on the environment, including their severity, geographic scope and likely duration. This can include, but is not limited to, effects on ecologically sensitive areas, water bodies, wetlands, forests or the habitat of species at risk and habitat corridors;
  - a description of other provincial or federal approvals that may be required for the Project to proceed;
  - whether the Project is on privately owned or Crown controlled land;
  - any information the Proponent may have on the potential effects of the Project, including particularly any likely adverse impacts on established or asserted Aboriginal or treaty rights;
  - a written request asking the Indigenous community to provide in writing or through a face-to-face meeting:
    - any information available to them that should be considered when preparing the Project documentation;
    - any information the community may have about any potential adverse impacts on their Aboriginal or treaty rights; and
    - any suggested measures for avoiding, minimizing or mitigating potential adverse impacts;
    - information about how information provided by the Indigenous community as part of the consultation process will be collected, stored, used, and shared for their approval;
  - identification of any mechanisms that will be applied to avoid, minimize or mitigate potential adverse impacts;
  - identification of a requested timeline for response from the community and the anticipated timeline for meeting Project milestones following each notification;

- an indication of the Proponent's availability to discuss the process and provide further information about the Project;
- the Proponent's contact information; and
- any additional information that might be helpful to the community;
- following up, as necessary, with Indigenous communities to ensure they received Project notices and information and are aware of the opportunity to comment, raise questions or concerns and identify potential adverse impacts on their established or asserted rights;
- gathering information about how the Project may adversely affect Aboriginal or treaty rights;
- bearing the reasonable costs associated with the procedural aspects of consultation (paying for meeting costs, making technical support available, etc.) and considering reasonable requests by communities for capacity funding to assist in participating in the consultation process;
- considering and responding to comments and concerns raised by Indigenous communities and answering questions about the Project and its potential impacts on Aboriginal or treaty rights;
- as appropriate, discussing and implementing changes to the Project in response to concerns raised by Indigenous communities. This could include modifying the Project to avoid or minimize an impact on an Aboriginal or treaty right (e.g. altering the season when construction will occur to avoid interference with mating or migratory patterns of wildlife); and
- informing Indigenous communities about how their concerns were taken into consideration and whether the Project proposal was altered in response. It is considered a best practice to provide the Indigenous community with a copy of the consultation record as part of this step for verification.

If you are unclear about the nature of a concern raised by an Indigenous community, you should seek clarification and further details from the community, provide opportunities to listen to community concerns and discuss options, and clarify any issues that fall outside the scope of the consultation process. These steps should be taken to ensure that the consultation process is meaningful and that concerns are heard and, where possible, addressed.

You can also seek guidance from the Crown at any time. It is recommended that you contact the Crown if you are unsure about how to deal with a concern raised by an Indigenous community, particularly if the concern relates to a potential adverse impact on established or asserted Aboriginal or treaty rights.

The consultation process must maintain sufficient flexibility to respond to new information, and we request that you make all reasonable efforts to build positive relationships with all Indigenous communities potentially affected by the Project. If a community is unresponsive to efforts to notify and consult, you should nonetheless make attempts to update the community on the progress of the Project, the environmental assessment (if applicable) and other regulatory approvals.

If you reach a business arrangement with an Indigenous community that may affect or relate to the Crown's duty to consult, we ask that that Crown be advised of those aspects of such an arrangement that may relate to or affect the Crown's consultation obligations, and that the community itself be apprised of the Proponent's intent to so-apprise the Crown. Whether or not any such business arrangements may be reached with any community, the Crown expects the Proponent to fulfill all of its delegated procedural consultation responsibilities to the satisfaction of the Crown.

If the Crown considers that there are outstanding issues related to consultation, the Crown may directly undertake additional consultation with Indigenous communities, which could result in delays to the Project. The Crown reserves the right to provide further instructions or add communities throughout the consultation process.

### **Roles and responsibilities assumed directly by the Crown**

The role of the Crown in fulfilling any duty to consult and accommodate in relation to this Project includes:

- identifying for the Proponent, and updating as appropriate, the Indigenous communities to consult for the purposes of fulfillment of the Crown duty;
- carrying out, from time to time, any necessary assessment of the extent of consultation or, where appropriate, accommodation, required for the project to proceed;
- supervising the aspects of the consultation process delegated to the Proponent;
- determining in the course of Project approvals whether the consultation of Indigenous communities was sufficient;
- determining in the course of Project approvals whether accommodation of Indigenous communities, if required, is appropriate and sufficient.

### **Consultation Record**

It is important to ensure that all consultation activities undertaken with Indigenous communities are fully documented. This includes all attempts to notify or consult the community, all interactions with and feedback from the community, and all efforts to respond to community concerns. Crown regulators



require a complete consultation record in order to assess whether Aboriginal consultation and any necessary accommodation is sufficient for the Project to receive Ontario government approvals. The consultation record should include, but not be limited to, the following:

- a list of the identified Indigenous communities that were contacted;
- evidence that notices and Project information were distributed to, and received by, the Indigenous communities (via courier slips, follow up phone calls, etc.). Where a community has been non-responsive to multiple efforts to contact the community, a record of such multiple attempts and the responses or lack thereof.
- a written summary of consultations with Indigenous communities and appended documentation such as copies of notices, any meeting summaries or notes including where the meeting took place and who attended, and any other correspondence (e.g., letters and electronic communications sent and received, dates and records of all phone calls);
- responses and information provided by Indigenous communities during the consultation process. This includes information on Aboriginal or treaty rights, traditional lands, claims, or cultural heritage features and information on potential adverse impacts on such Aboriginal or treaty rights and measures for avoiding, minimizing or mitigating potential adverse impacts to those rights; and
- a summary of the rights/concerns, and potential adverse impacts on Aboriginal or treaty rights or on sites of cultural significance (e.g. burial grounds, archaeological sites), identified by Indigenous communities; how comments or concerns were considered or addressed; and any changes to the Project as a result of consultation, such as:
  - changing the Project scope or design;
  - changing the timing of proposed activities;
  - minimizing or altering the site footprint or location of the proposed activity;
  - avoiding impacts to the Aboriginal interest;
  - environmental monitoring; and
  - other mitigation strategies.

As part of its oversight role, the Crown may, at any time during the consultation and approvals stage of the Project, request records from the Proponent relating to consultations with Indigenous communities. Any records provided to the Crown will be subject to the *Freedom of Information and Protection of Privacy Act*, however may be exempted from disclosure under section 15.1 (Relations with

Aboriginal communities) of the Act. Additionally, please note that the information provided to the Crown may also be subject to disclosure where required under any other applicable laws.

The contents of what will make up the consultation record should be shared at the onset with the Indigenous communities consulted with and their permission should be obtained. It is considered a best practice to share the record with the Indigenous community prior to finalizing it to ensure it is a robust and accurate record of the consultation process.



August 12, 2020

Haudenosaunee Confederacy Chiefs Council  
c/o Haudenosaunee Development Institute  
P.O. Box 714  
Ohsweken, ON N0A 1M0  
HaudenosauneeConfederacy.ca

SENT VIA EMAIL

Haudenosaunee Confederacy Council,

**Reference: Sun-Canadian Pipe Line Replacement Project – Notice of Commencement: NPS 12 E16M Creek Pipeline Replacement Project**

Sun-Canadian Pipe Line Company Limited (Sun-Canadian) owns and operates the NPS12 pipeline which crosses East Sixteen Mile Creek in Milton, Ontario. Sun-Canadian is proposing to replace the existing pipeline in the vicinity of the crossing with new deeper pipe and eliminate three areas of shallow soil cover. Part of the proposed pipeline replacement will be constructed outside of the existing right-of-way within a new alignment to account for the installation of the pipe by a horizontal directional drill. Construction of the replacement pipeline could begin as early as Summer 2021 and be complete by the end of 2021, subject to approval by the Ontario Energy Board.

As an integral part of this project, Sun-Canadian has hired Stantec Consulting Ltd. to undertake an environmental study of the construction and operation of the proposed pipeline and related facilities. The environmental study will fulfill the requirements of the Ontario Energy Board's (OEB) Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario (2016). The environmental study process includes consultation and engagement with landowners, municipalities, agencies, Indigenous communities, and other interested parties through notices, mail outs, and meetings.

An Environmental Report, summarizing the results of the environmental study, will accompany Sun Canadian's application to the OEB, whose review and approval is required before the proposed project can proceed. The Environmental Report for the proposed project is anticipated to be completed and submitted to the OEB as early as fall of 2020 as part of the overall project application.

The Haudenosaunee Confederacy Council is invited to provide comments regarding the proposed project. Specifically, Stantec and Sun-Canadian are seeking any information available from your community that should be considered when preparing the Project documentation, information about any potential adverse impacts that the proposed project may have on constitutionally protected aboriginal or treaty rights and any measures for avoiding, minimizing or mitigating those potential adverse impacts. Stantec and Sun Canadian are also seeking background environmental and socio- economic information that may be useful in compiling an inventory.

We would be pleased to hold a virtual meeting (during these COVID-19 times) with you to introduce the project and discuss the topics outlined above. Please let us know if you are interested in meeting this September and if so, provide potential meeting dates that accommodate your schedule.

Regards,

S. Jackson  
Manager, Environment Health and Safety  
Sun-Canadian Pipe Line

**Attachment:** Map of Proposed Pipeline Route



c. Tracey General, Haudenosaunee Development Institute  
Todd Williams, Haudenosaunee Development Institute  
Peter Martens, Pipeline Engineer, Sun Canadian Pipe Line



August 12, 2020

Maxime Picard  
Huron-Wendat  
255 place chef Michel Laveau  
Wendake, QC G0A 4V0  
administration@cnhw.qc.ca

SENT VIA EMAIL

Dear Mr. Picard,

**Reference: Sun-Canadian Pipe Line Replacement Project – Notice of Commencement: NPS 12 E16M Creek Pipeline Replacement Project**

Sun-Canadian Pipe Line Company Limited (Sun-Canadian) owns and operates the NPS12 pipeline which crosses East Sixteen Mile Creek in Milton, Ontario. Sun-Canadian is proposing to replace the existing pipeline in the vicinity of the crossing with new deeper pipe and eliminate three areas of shallow soil cover. Part of the proposed pipeline replacement will be constructed outside of the existing right-of-way within a new alignment to account for the installation of the pipe by a horizontal directional drill. Construction of the replacement pipeline could begin as early as Summer 2021 and be complete by the end of 2021, subject to approval by the Ontario Energy Board.

As an integral part of this project, Sun-Canadian has hired Stantec Consulting Ltd. to undertake an environmental study of the construction and operation of the proposed pipeline and related facilities. The environmental study will fulfill the requirements of the Ontario Energy Board's (OEB) Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario (2016). The environmental study process includes consultation and engagement with landowners, municipalities, agencies, Indigenous communities, and other interested parties through notices, mail outs, and meetings.

An Environmental Report, summarizing the results of the environmental study, will accompany Sun Canadian's application to the OEB, whose review and approval is required before the proposed project can proceed. The Environmental Report for the proposed project is anticipated to be completed and submitted to the OEB as early as fall of 2020 as part of the overall project application.

The Huron-Wendat First Nation is invited to provide comments regarding the proposed project. Specifically, Stantec and Sun Canadian are seeking any information available from your community that should be considered when preparing the Project documentation, information about any potential adverse impacts that the proposed project may have on constitutionally protected aboriginal or treaty rights and any measures for avoiding, minimizing or mitigating those potential adverse impacts. Stantec and Sun-Canadian are also seeking background environmental and socio- economic information that may be useful in compiling an inventory.

We would be pleased to hold a virtual meeting (during these COVID-19 times) with you to introduce the project and discuss the topics outlined above. Please let us know if you are interested in meeting this September and if so, provide potential meeting dates that accommodate your schedule.

Regards,

S. Jackson  
Manager, Environment Health and Safety  
Sun-Canadian Pipe Line

**Attachment:** Map of Proposed Pipeline Route



c. Administration, Huron-Wendat First Nation  
Peter Martens, Pipeline Engineer, Sun Canadian Pipe Line



August 12, 2020

Mark LaForme  
Mississauga of the Credit First Nation  
2789 Mississauga Road, R. R. #6  
Hagersville ON N0A 1H0  
mark.laforme@mcfn.ca

SENT VIA EMAIL

Dear Mr. LaForme,

**Reference: Sun-Canadian Pipe Line Replacement Project – Notice of Commencement: NPS 12 E16M Creek Pipeline Replacement Project**

Sun-Canadian Pipe Line Company Limited (Sun-Canadian) owns and operates the NPS12 pipeline which crosses East Sixteen Mile Creek in Milton, Ontario. Sun-Canadian is proposing to replace the existing pipeline in the vicinity of the crossing with new deeper pipe and eliminate three areas of shallow soil cover. Part of the proposed pipeline replacement will be constructed outside of the existing right-of-way within a new alignment to account for the installation of the pipe by a horizontal directional drill. Construction of the replacement pipeline could begin as early as Summer 2021 and be complete by the end of 2021, subject to approval by the Ontario Energy Board.

As an integral part of this project, Sun-Canadian has hired Stantec Consulting Ltd. to undertake an environmental study of the construction and operation of the proposed pipeline and related facilities. The environmental study will fulfill the requirements of the Ontario Energy Board's (OEB) Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario (2016). The environmental study process includes consultation and engagement with landowners, municipalities, agencies, Indigenous communities, and other interested parties through notices, mail outs, and meetings.

An Environmental Report, summarizing the results of the environmental study, will accompany Sun Canadian's application to the OEB, whose review and approval is required before the proposed project can proceed. The Environmental Report for the proposed project is anticipated to be completed and submitted to the OEB as early as fall of 2020 as part of the overall project application.

Mississauga of the Credit First Nation is invited to provide comments regarding the proposed project. Specifically, Stantec and Sun Canadian are seeking any information available from your community that should be considered when preparing the Project documentation, information about any potential adverse impacts that the proposed project may have on constitutionally protected aboriginal or treaty rights and any measures for avoiding, minimizing or mitigating those potential adverse impacts. Stantec and Sun-Canadian are also seeking background environmental and socio- economic information that may be useful in compiling an inventory.

We would be pleased to hold a virtual meeting (during these COVID-19 times) with you to introduce the project and discuss the topics outlined above. Please let us know if you are interested in meeting this September and if so, provide potential meeting dates that accommodate your schedule.

Regards,

S. Jackson  
Manager, Environment Health and Safety  
Sun-Canadian Pipe Line





**Attachment:** Map of Proposed Pipeline Route

c. Peter Martens, Pipeline Engineer, Sun Canadian Pipe Line



August 12, 2020

Lonny Bomberry  
Six Nations Lands & Resources  
Six Nations of the Grand River Elected Council  
PO Box 5000  
Oshweken, ON  
lonnybomberry@sixnations.ca

SENT VIA EMAIL

Dear Mr. Bomberry,

**Reference: Sun-Canadian Pipe Line Replacement Project – Notice of Commencement: NPS 12 E16M Creek Pipeline Replacement Project**

Sun-Canadian Pipe Line Company Limited (Sun-Canadian) owns and operates the NPS12 pipeline which crosses East Sixteen Mile Creek in Milton, Ontario. Sun-Canadian is proposing to replace the existing pipeline in the vicinity of the crossing with new deeper pipe and eliminate three areas of shallow soil cover. Part of the proposed pipeline replacement will be constructed outside of the existing right-of-way within a new alignment to account for the installation of the pipe by a horizontal directional drill. Construction of the replacement pipeline could begin as early as Summer 2021 and be complete by the end of 2021, subject to approval by the Ontario Energy Board.

As an integral part of this project, Sun-Canadian has hired Stantec Consulting Ltd. to undertake an environmental study of the construction and operation of the proposed pipeline and related facilities. The environmental study will fulfill the requirements of the Ontario Energy Board's (OEB) Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario (2016). The environmental study process includes consultation and engagement with landowners, municipalities, agencies, Indigenous communities, and other interested parties through notices, mail outs, and meetings.

An Environmental Report, summarizing the results of the environmental study, will accompany Sun Canadian's application to the OEB, whose review and approval is required before the proposed project can proceed. The Environmental Report for the proposed project is anticipated to be completed and submitted to the OEB as early as fall of 2020 as part of the overall project application.

Six Nations of the Grand River First Nation is invited to provide comments regarding the proposed project. Specifically, Stantec and Sun Canadian are seeking any information available from your community that should be considered when preparing the Project documentation, information about any potential adverse impacts that the proposed project may have on constitutionally protected aboriginal or treaty rights and any measures for avoiding, minimizing or mitigating those potential adverse impacts. Stantec and Sun-Canadian are also seeking background environmental and socio- economic information that may be useful in compiling an inventory.

We would be pleased to hold a virtual meeting (during these COVID-19 times) with you to introduce the project and discuss the topics outlined above. Please let us know if you are interested in meeting this September and if so, provide potential meeting dates that accommodate your schedule.

Regards,

S. Jackson  
Manager, Environment Health and Safety  
Sun-Canadian Pipe Line



**Attachment:** Map of Proposed Pipeline Route

c. Dawn LaForme, Six Nations of the Grand River First Nation  
Peter Martens, Pipeline Engineer, Sun Canadian Pipe Line







# SUN-CANADIAN PIPE LINE COMPANY LIMITED

NPS 12 E16M CREEK PIPELINE REPLACEMENT  
PROJECT

# INTRODUCTION



- The purpose of the meeting is for Sun-Canadian Pipe Line Limited to introduce and share information regarding the proposed Project and to hear from the Huron-Wendat Nation as to how they wish to participate in the Project.

# AGENDA

- Introductions – Sun-Canadian Pipe Line Limited, Huron-Wendat Nation
- Project Overview – Sun-Canadian Pipe Line Limited
- Project Input – Huron-Wendat Nation
  - Any information available, including background environmental and socio-economic information, from Huron-Wendat Nation that should be considered when preparing project documentation.
  - Any information the Huron-Wendat Nation may have about potential adverse impacts on your Aboriginal or treaty rights.
  - Any measures the Huron-Wendat Nation has for avoiding, minimizing or mitigating those potential adverse impacts.
  - How the Huron-Wendat Nation would like to be involved in the Project.
  - Any information provided will be stored on secure servers and will be included in the Environmental Report which forms part of the application for the Project.



# SUN-CANADIAN PIPE LINE COMPANY LIMITED



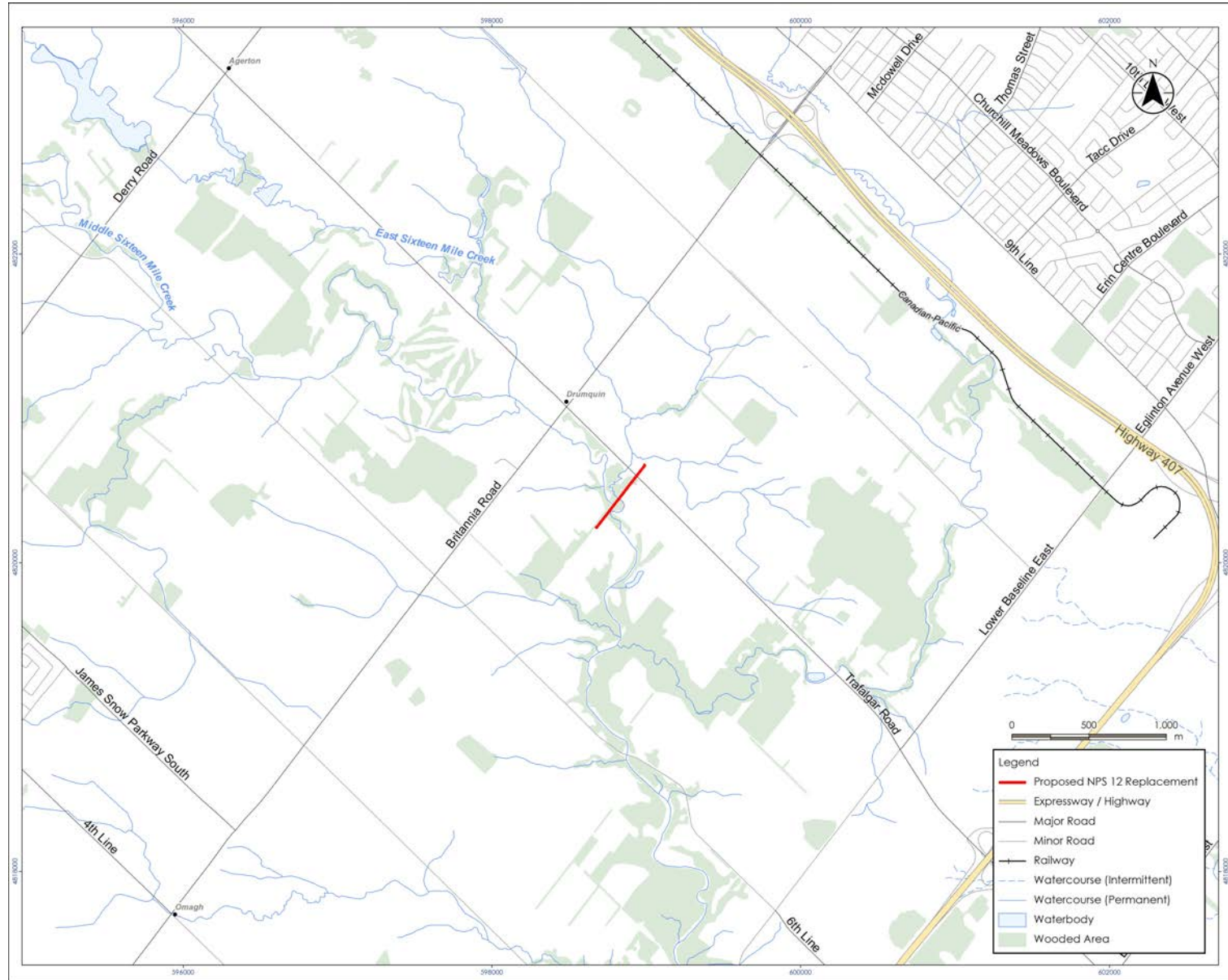
- Sun-Canadian Pipe Line was founded in 1953 to safely transport refined petroleum products for its owners from refineries in the Sarnia area to marketing plants in London, Hamilton, and the Toronto area in an environmentally sound and efficient manner.

# PROJECT OVERVIEW



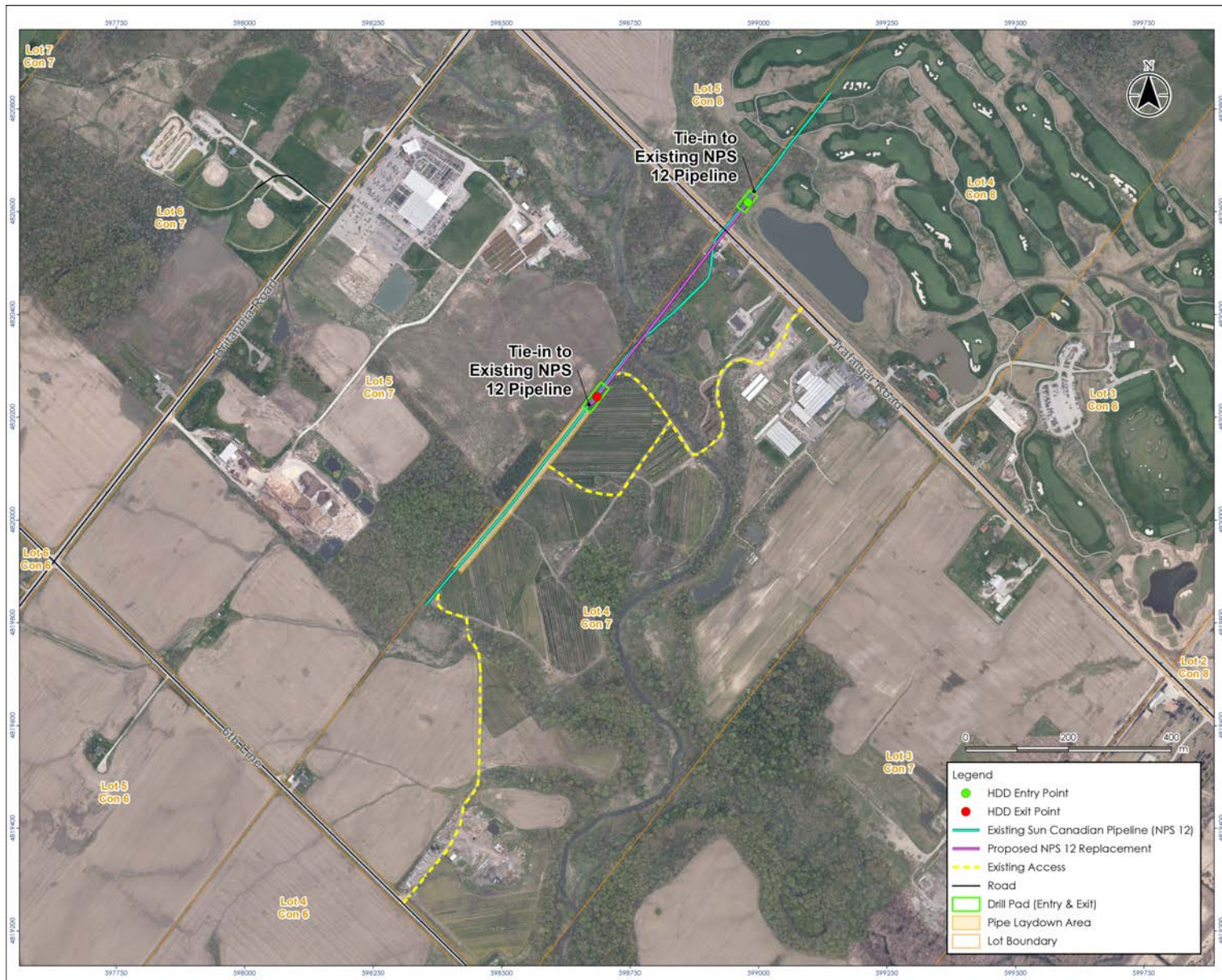
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- Sun-Canadian is proposing to replace a portion of the existing pipeline with a new, deeper pipeline and eliminate three areas of shallow cover in East Sixteen Mile Creek.
- A section of the replaced pipe will be constructed outside the existing right-of-way (RoW); to be installed using Horizontal Directional Drilling (HDD).
- If approved by the Ontario Energy Board (OEB), construction of the replaced pipeline could begin as early as Summer 2021 and be complete by the end of 2021.

# PROJECT AREA OVERVIEW





# PROJECT LOCATION



# ONTARIO ENERGY BOARD PROCESS

**The Ontario Energy Board (OEB) is the body that regulates hydrocarbon projects in Ontario, in the public interest. The application to the OEB will include information on the Project including:**

- The need for the Project
- Environmental Report and mitigation measures
- Pipeline design and construction
- Land requirements
- Consultation with Indigenous Communities
- Consultation with various stakeholders including landowners and government agencies

**The OEB will then hold a public hearing to review the Project.**

**If the OEB determines that the Project is in the public interest it will approve construction of the Project.**

Additional information about the OEB process can be found at: [www.ontarioenergyboard.ca](http://www.ontarioenergyboard.ca)

# ENVIRONMENTAL STUDY PROCESS



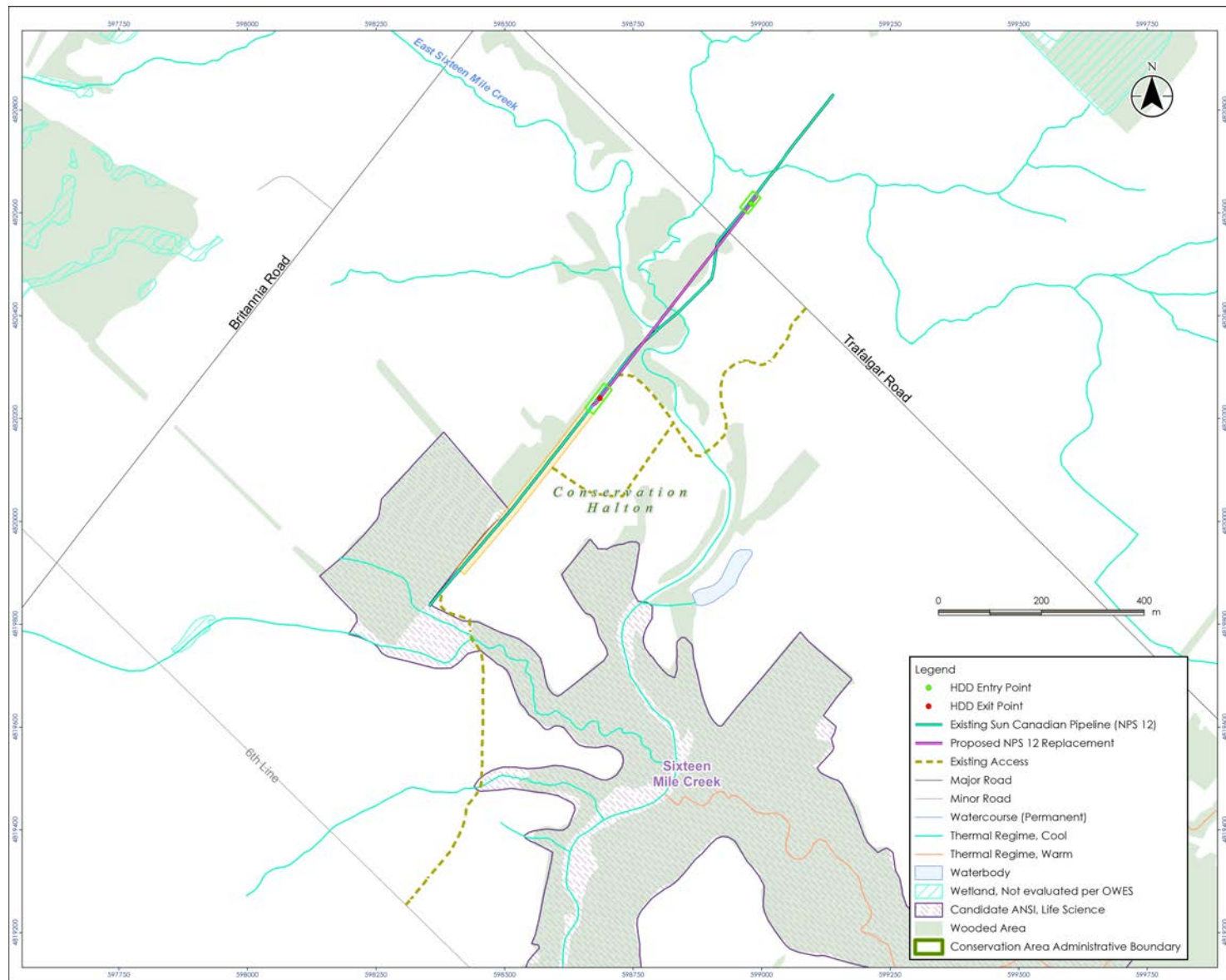
**The environmental study and Environmental Report will be completed as per the OEB's "*Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario (2016)*."**

## **The study will:**

- Consult and engage with Indigenous communities to understand interests and potential impacts.
- Undertake consultation with landowners, municipalities and agencies to understand the views of interested and potentially affected parties.
- Identify potential impacts of the Project
- Develop environmental mitigation and protective measures to avoid or reduce potential impacts.
- Develop appropriate environmental inspection, monitoring and follow-up programs, as necessary.



# NATURAL FEATURES





# AQUATIC RESOURCES

Sun-Canadian recognizes the importance of protecting aquatic resources during construction and will implement recognized mitigation measures to reduce possible environmental effects.

- The Study Area contains two (2) watercourses – Sixteen Mile Creek and East Sixteen Mile Creek.
- The pipeline will only cross East Sixteen Mile Creek and will be crossed using the HDD method.
- Silver Shiner, an aquatic Species at Risk (SAR) under the Endangered Species Act (ESA) has been identified through background data review in East Sixteen Mile Creek.
- Standard erosion and sediment control measures will be used during construction to reduce potential impacts to fish and fish habitat.
- Monitoring will be in place for inadvertent returns of drilling mud during HDD installation process.

# TERRESTRIAL RESOURCES

Preliminary field studies conducted by a terrestrial biologist identified the following features:

- **Species at Risk:** one (1) Butternut was identified at the southwest end of the Pipe Laydown Area.
- **Significant Wildlife Habitat:** large diameter trees observed in the Pipe Laydown Area and adjacent to the HDD Entry Pit Location (potential to provide candidate bat maternity roost habitat). Potential habitat for turtles in East Sixteen Mile Creek, however no potential turtle nesting habitat was observed.
- **Migratory Bird Nesting Habitat:** potential for migratory birds to nest throughout the Study Area.
- **Natural Vegetation Communities:** mid-aged to mature sugar maple forest (edge of the forest, overlaps with the Pipe Laydown Area) and small coniferous plantation (Scot's Pine) adjacent to the south end of the Pipe Laydown Area were identified. These vegetation communities are common in the province.
- **Designated Natural Heritage Features:** no designated natural heritage features identified in the Study Area.

Mitigation measures will be implemented to protect terrestrial resources and further developed through consultation with regulatory authorities during the permitting process.

# ARCHAEOLOGY



- A Stage 1 and Stage 2 Archaeological Assessment (AA) will be conducted.
- Sun-Canadian invites your community to participate in the Stage 2 AA (further details to be provided when available).

# PROJECT SCHEDULE

## 2020

### Summer

- Start the environmental planning process
- Initiation of environmental field studies

### Fall

- Stage 1 and 2 Archaeological Assessment
- Complete Environmental Report
- Circulate Environmental Report to your community for comments
- Complete OEB filing application

## 2021

### Spring

- Receive OEB approval, complete permitting, pipeline design and construction plan

### Summer

- Begin construction

### Fall

- Conclude construction
- Site cleanup and restoration
- Pipeline in service

## 2022

- Post-construction monitoring



## MEETING MINUTES

### E16 Mile Creek Pipeline Segment Replacement Project - Meeting #1

Wednesday September 9, 2020 - VIA MS Teams

#### Attendees:

##### Huron-Wendat:

M. Picard – Project Coordinator

##### Sun-Canadian Pipe Line (SCPL):

S. Jackson – Manager Environment, Health and Safety

P. Martens – Pipeline Engineer

#### Regrets:

M. Vincent – Project Coordinator, Huron Wendat

## SUMMARY NOTES OF MEETING

### PRESENTATION BY SCPL :

- Purpose: The purpose of the meeting is for Sun-Canadian Pipe Line Limited to introduce and share information regarding the proposed Project and to hear from the Huron-Wendat as to how they wish to participate in the Project.
- Presentation (power point): “NPS 12 E16M Creek Pipeline Segment Replacement Project” with project details, and mapping.

### QUESTION & ANSWER:

- Q-HW: What is the overall length of the pipeline system, the length of the pipe segment and access routes to the drill sites?
  - A-SCPL: Overall length of pipeline system: NPS12 is approximately 300 kms long; NPS 8 is approximately 240 km long; proposed pipe (NPS 12) segment replacement length is approximately 500 m long; access roads are along existing drives (shown in slide 7) with the exception of approximately 100 m which will be matted.
- Q-HW: Does SCPL have a policy for archaeological sites and protecting cultural resources?
  - A-SCPL: SCPL aims to meet or exceed regulatory standards for archaeological sites which includes the protection of cultural resources. SCPL has worked successfully with the Huron-Wendat on archaeology for another project just recently in the summer and fall of 2019.

### SUMMARY OF COMMENTS:

- Huron-Wendat:
  - The Huron-Wendat expect the project design to preserve cultural resources as necessary. This may include additional measures resulting from any Stage 3 or beyond findings.
  - The Huron-Wendat confirms its interests in this project remain with archaeology only. Accordingly, the Huron-Wendat will participate in all archaeology associated with this project – SCPL to ensure its archaeological consultant works with Huron-Wendat.

- There are no further questions or comments from the Huron-Wendat at this time

# **SUN-CANADIAN PIPE LINE COMPANY LIMITED**

## **NPS 12 E16M CREEK PIPELINE REPLACEMENT PROJECT**

# INTRODUCTION



- The purpose of the meeting is for Sun-Canadian Pipe Line Limited to introduce and share information regarding the proposed Project and to hear from the Six Nations of the Grand River as to how they wish to participate in the Project.



# AGENDA

- Introductions – Sun-Canadian Pipe Line Limited, Six Nations
- Project Overview – Sun-Canadian Pipe Line Limited
- Project Input – Six Nations
  - Any information available, including background environmental and socio-economic information, from Six Nations that should be considered when preparing project documentation.
  - Any information the Six Nations may have about potential adverse impacts on your Aboriginal or treaty rights.
  - Any measures the Six Nations has for avoiding, minimizing or mitigating those potential adverse impacts.
  - How the Six Nations would like to be involved in the Project.

# SUN-CANADIAN PIPE LINE COMPANY LIMITED



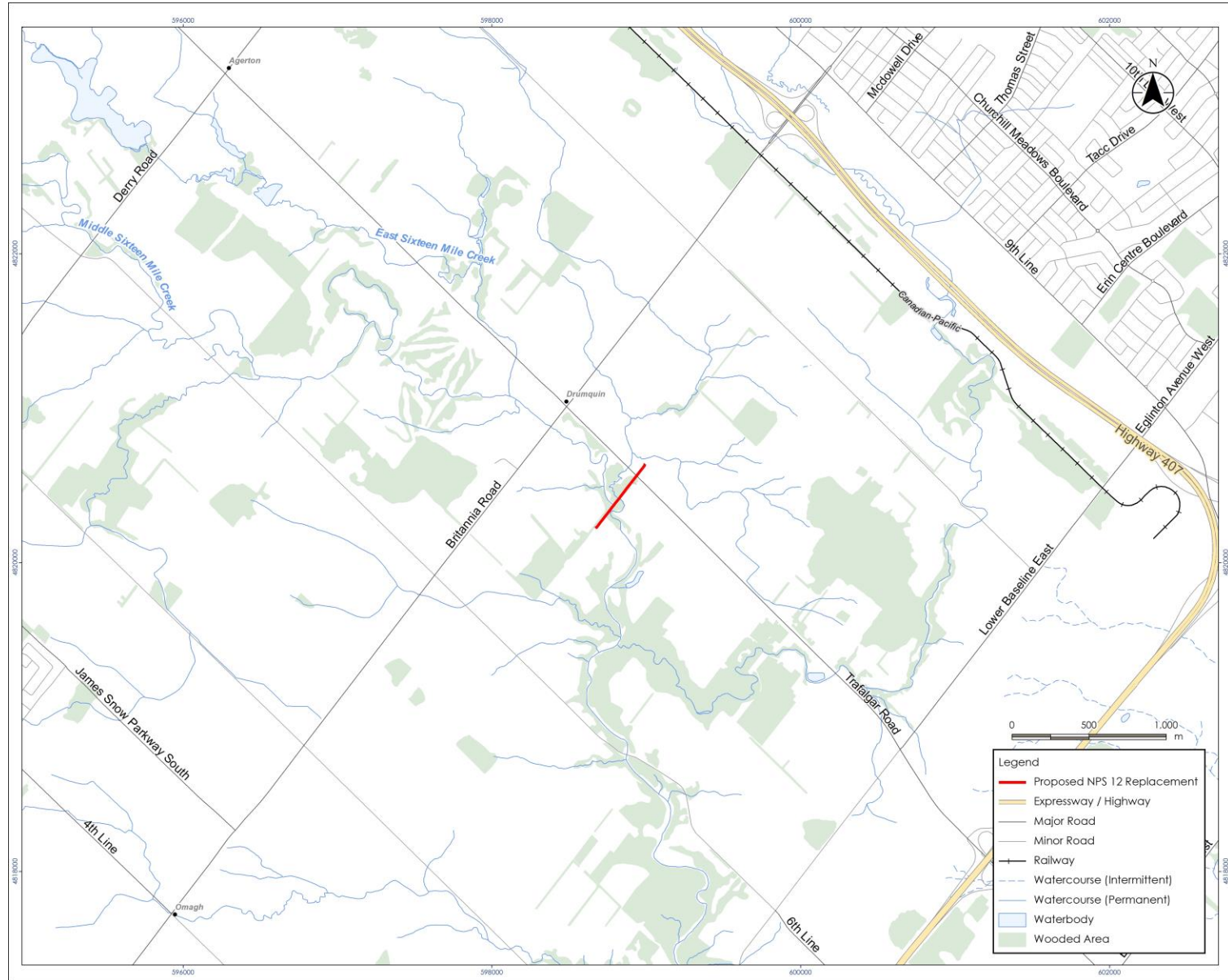
- Sun-Canadian Pipe Line was founded in 1953 to safely transport refined petroleum products for its owners from refineries in the Sarnia area to marketing plants in London, Hamilton, and the Toronto area in an environmentally sound and efficient manner.
- Sun-Canadian Pipe Line operates two mainline systems
  - NPS12 system runs ~300km from Sarnia to London/Pearson/Toronto
  - NPS8 system runs ~240km from Sarnia to Hamilton

# PROJECT OVERVIEW



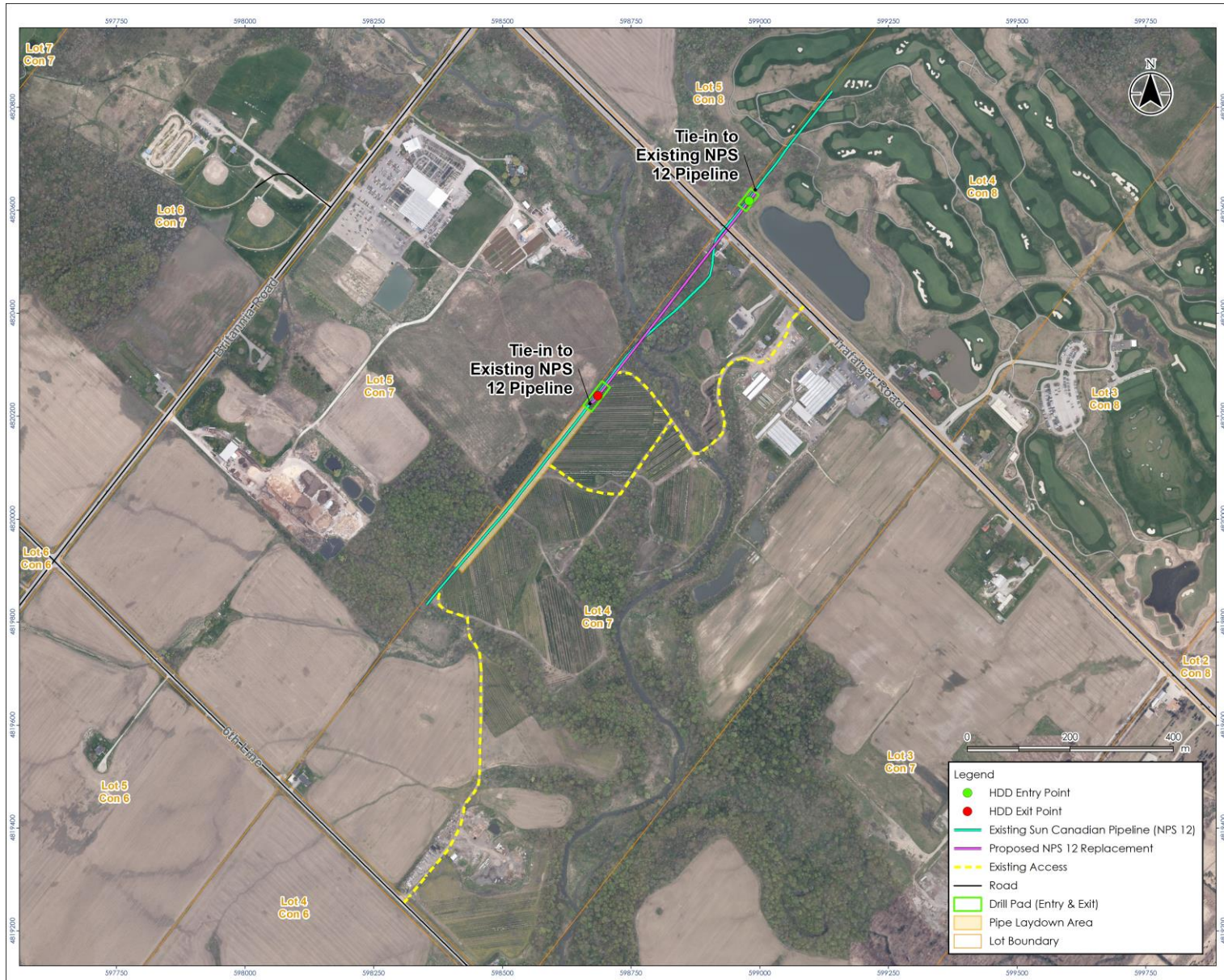
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- A section of the replaced pipe will be constructed outside the existing right-of-way (RoW); to be installed using Horizontal Directional Drilling (HDD) with likely bore diameter of 18”
- If approved by the Ontario Energy Board (OEB), construction of the replaced pipeline could begin as early as Summer 2021 and be complete by the end of 2021.

# PROJECT AREA OVERVIEW





# PROJECT LOCATION



# ONTARIO ENERGY BOARD PROCESS

**The Ontario Energy Board (OEB) is the body that regulates hydrocarbon projects in Ontario, in the public interest. The application to the OEB will include information on the Project including:**

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- Land requirements
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- Consultation with various stakeholders including landowners and government agencies

**The OEB will then hold a public hearing to review the Project.**

**If the OEB determines that the Project is in the public interest it will approve construction of the Project.**

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# ENVIRONMENTAL STUDY PROCESS



**The environmental study and Environmental Report will be completed as per the OEB's "*Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario (2016)*."**

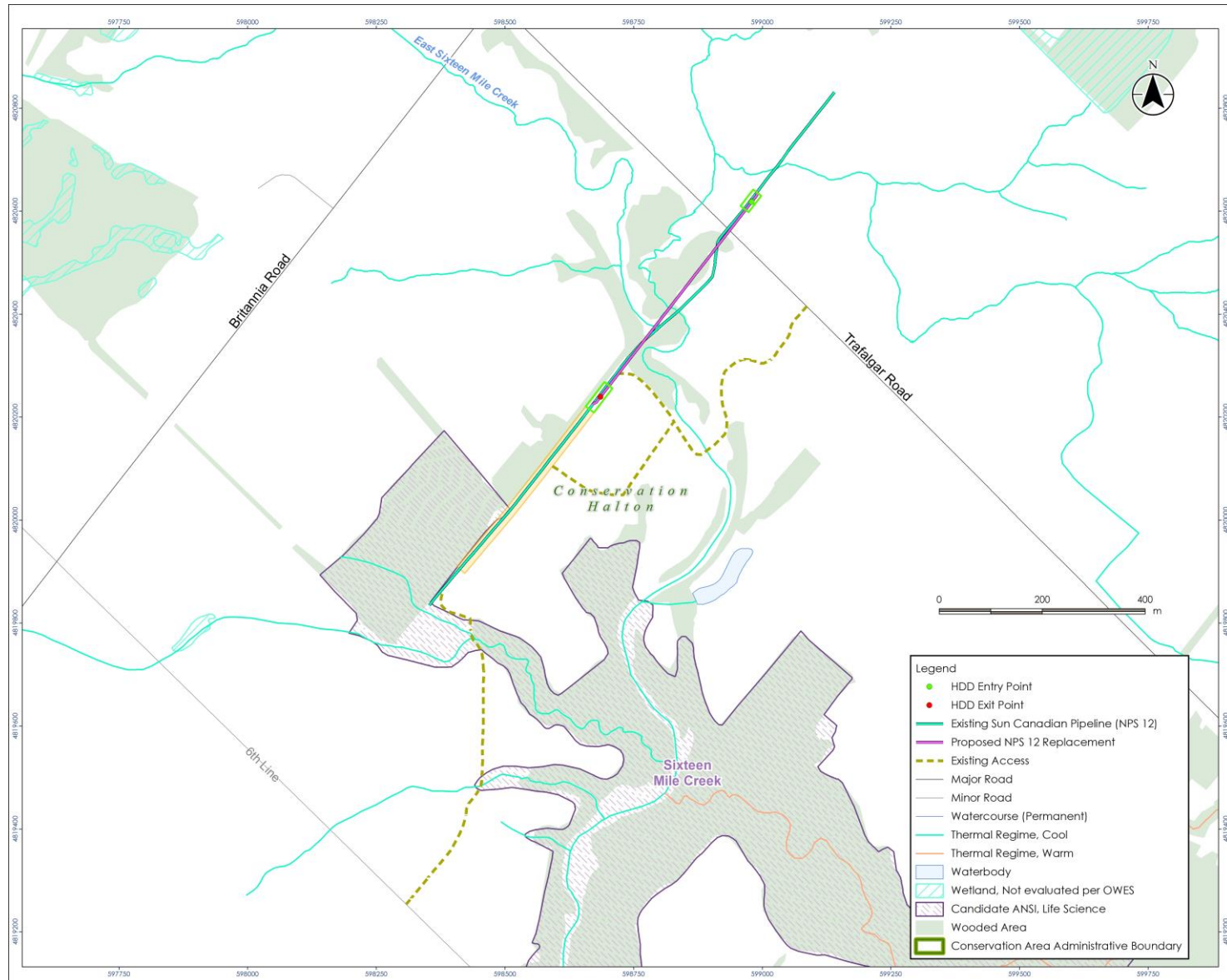
## **The study will:**

- Consult and engage with Indigenous communities to understand interests and potential impacts.
- Undertake consultation with landowners, municipalities and agencies to understand the views of interested and potentially affected parties.
- Identify potential impacts of the Project
- Develop environmental mitigation and protective measures to avoid or reduce potential impacts.
- Develop appropriate environmental inspection, monitoring and follow-up programs, as necessary.

**Any information provided by the Six Nations will be stored on secure servers and will be included in the Environmental Report which forms part of the application for the Project.**



# NATURAL FEATURES





# AQUATIC RESOURCES

Sun-Canadian recognizes the importance of protecting aquatic resources during construction and will implement recognized mitigation measures to reduce possible environmental effects.

- The Study Area contains two (2) watercourses – Sixteen Mile Creek and East Sixteen Mile Creek.
- The pipeline will only cross East Sixteen Mile Creek and will be crossed using the Horizontal Directional Drilling (HDD) method.
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# TERRESTRIAL RESOURCES

Preliminary field studies conducted by a terrestrial biologist identified the following features:

- **Species at Risk:** one (1) Butternut was identified at the southwest end of the Pipe Laydown Area.
- **Significant Wildlife Habitat:** large diameter trees observed in the Pipe Laydown Area and adjacent to the Horizontal Directional Drilling (HDD) Entry Pit Location (potential to provide candidate bat maternity roost habitat). Potential habitat for turtles in East Sixteen Mile Creek, however no potential turtle nesting habitat was observed.
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- **Natural Vegetation Communities:** mid-aged to mature sugar maple forest (edge of the forest, overlaps with the Pipe Laydown Area) and small coniferous plantation (Scot's Pine) adjacent to the south end of the Pipe Laydown Area were identified. These vegetation communities are common in the province.
- **Designated Natural Heritage Features:** no designated natural heritage features identified in the Study Area.

Mitigation measures will be implemented to protect terrestrial resources and further developed through consultation with regulatory authorities during the permitting process.

# ARCHAEOLOGY



- A Stage 1 and Stage 2 Archaeological Assessment (AA) will be conducted.
- Sun-Canadian invites your community to participate in the Stage 2 AA (our aim is to complete field work this year).

# PROJECT SCHEDULE

## 2020

### Summer

- Start the environmental planning process
- Initiation of environmental field studies

### Fall

- Stage 1 and 2 Archaeological Assessment
- Complete Environmental Report
- Circulate Environmental Report to your community for comments
- Complete OEB filing application

## 2021

### Spring

- Receive OEB approval, complete permitting, pipeline design and construction plan

### Summer

- Begin construction

### Fall

- Conclude construction
- Site cleanup and restoration
- Pipeline in service

## 2022

- Post-construction monitoring

# QUESTIONS AND/OR COMMENTS

Such as:

- Any information available, including background environmental and socio-economic information, from Six Nations that should be considered when preparing project documentation.
- Any information the Six Nations may have about potential adverse impacts on your Aboriginal or treaty rights.
- Any measures the Six Nations has for avoiding, minimizing or mitigating those potential adverse impacts.
- How the Six Nations would like to be involved in the Project.



23 September 2020

Re: Sun-Canadian Pipe Line Company Limited: NPS 12 E16M Creek Pipeline Replacement Project

Sge:noh, Sekon, Hello:

Six Nations of the Grand River territory is the largest First Nation in Canada with a population of over 27,000 people. Since European contact, significant treaties were made between the Haudenosaunee (People of the Six Nations) and settlers and the Crown, which are recognized and affirmed in Section 35 of the *Canadian Constitution Act, 1982*.

These treaties which were all conducted on a Nation to Nation basis, include but are not limited to:

- Guswenta or Two Row Wampum Treaty, 1613: Outlines the relationship that settlers are to have with the Haudenosaunee people while they reside (or develop) on Haudenosaunee territory;
- Fort Albany Treaty also known as Nanfan Treaty, 1701: Sets out the borders of the Beaver Hunting Grounds for the purposes of hunting, fishing and gathering and harvesting medicines and food, in which the Haudenosaunee people are to thrive on and enjoy forever.
- Treaty of Niagara, 1764: Includes at least 24 signatory Nations, including the Haudenosaunee and the Crown. This treaty is the result of and can be taken into consideration with the Royal Proclamation of 1763. It was understood and mutually agreed on that although the Crown assumed sovereignty of what is known today as Canada, the land was to stay in the possession of its rightful titleholders, Indigenous people.
- Haldimand Proclamation Treaty, 1784: A tract of land granted to the Haudenosaunee people, six miles on either side of the Grand River, in Southern Ontario, from its mouth to its source and consisting of roughly 950,000 acres.
- Jay Treaty, 1794: Made between Great Britain and the United States and stipulates that Indigenous people may travel freely across international boundaries.

Six Nations of the Grand Rivers' "Aboriginal" and Treaty Rights throughout Southern Ontario are well documented through archaeological findings, historical facts and written Treaty

Agreements. The Haldimand Treaty and the 1701 Fort Albany/Nanfan Treaty have been recognized in past court proceedings and are presented as factual evidence in the ongoing litigation between Six Nations of the Grand River and Crowns Canada and Ontario.

Due to loss of land through questionable means, the people of the Six Nations were forced onto a smaller parcel of land which is known today as Six Nations of the Grand River Territory, Reserve No. 40, consisting of roughly 46, 000 acres and is located within the boundaries of the Haldimand Tract. To address loss of land, Six Nations filed litigation against both Crown Canada and Crown Ontario in 1995. These land claims continue to be stalled in the courts, by both governments while Six Nations continues to be subjected to encroachment on their lands by extensive development.

### Stewardship

According to Indigenous ways of knowing, developers and their associates, including municipalities, need to be held to the highest standard when it comes to land stewardship. They have a responsibility to take care of the land for as long as that development and project exists. When we refer to “land” we also include: waters and wetlands; air; resources; wildlife; birds and other winged species; and, aquatic life.

In order to live a more sustainable lifestyle we must minimize our adverse impacts in regards to waters, land, resources and air. We cannot keep pushing animals to the brink of extinction, particularly by continually destroying their natural habitat. This also means that any development, construction, or associated activity related to the proposed project should not be conducted during mating, nesting or hibernating seasons of any species that lives within the project development area.

Indigenous lives are governed by the laws of respect for Mother Earth and we as Haudenosaunee people must remain adamant that any person or group that develops within our treaty territories, must respect and adhere to these same laws.

All of this goes far beyond an environmental stance, it is traditional Indigenous knowledge, culture and ways of knowing to ensure everyone who resides on and engages in development and/or construction on Haudenosaunee Treaty lands is held to the same and highest standard. This, in essence, makes developers, agencies and/or governments “co-stewards” of the natural environment on which these project(s) reside.

### Environment

In terms of adverse impacts to the environment, Six Nations of the Grand River feels that a replacement/mitigation ratio of 10:1 is well within the parameters of conscious environmental stewardship. For instance, for every one fish that may not survive the construction process, ten fish should be the replacement ratio. For every one tree that needs to be removed, regardless of the current state of health of that tree, ten healthy trees should be planted to mitigate that loss and if a specific habitat whether it is bird, reptilian, fish, or wildlife is destroyed, the potential for more habitats of the same kind should replace it.



Kayanase is an ecological restoration and native plant and seed business based out of Six Nations of the Grand River Territory. Please refer to their website for recommendations on Indigenous plant species (<https://kayanasegreenhouse.weebly.com/>).

### Wildlife

Part of the role of the Wildlife Manager of the Six Nations of the Grand River is to review hunting and fishing licenses for Six Nations community members. Every year thousands of Six Nations community members exercise their right to hunt, trap, fish, and gather medicines within both the Haldimand Tract and Nanfan/Fort Albany Treaty areas. This is both a right and a practice that would have been exercised throughout the year, each year since time immemorial.

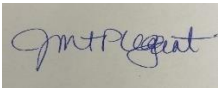
Today, hunters, trappers, anglers, spear fishers and medicine gatherers do not tend to share the exact locations of their hunting/fishing/medicine gathering areas for cultural reasons. Six Nations may not be able to provide specific frequency or duration associated with harvesting traditional activities in the vicinity of the Project area but these practices would have been a part of their day-to-day lives. It also important to note that Haudenosaunee people have always practiced responsible and sustainable hunting, fishing and medicine gathering practices. That is, there are times of the year when hunting was allowed of certain species. There were certain types of fish that would not be harvested, ie pregnant and spawning fish. There are also traditional Haudenosaunee guidelines as to what types of animals should not be killed, including but not limited to: those that are pregnant, babies and pack elders.

### Conclusion

We encourage all levels of government, developers and their affiliates to act honourably when engaging with the Six Nations of the Grand River and to familiarize yourselves with the culture and history of our people and to do so utilizing appropriate sources of knowledge and information that is respectful and truthful.

Thank you for taking our concerns into consideration.

Sincerely,



Jen MtPleasant  
Consultation Point Person  
Consultation & Accommodation Process Team  
Lands & Resources Department  
Six Nations of the Grand River Elected Council

# **SUN-CANADIAN PIPE LINE COMPANY LIMITED**

## **NPS 12 E16M CREEK PIPELINE SEGMENT REPLACEMENT PROJECT**

# INTRODUCTION



- The purpose of the meeting is for Sun-Canadian Pipe Line Limited to introduce and share information regarding the proposed Project and to hear from the Mississauga's of the Credit First Nation of the Grand River as to how they wish to participate in the Project.

# AGENDA

- Introductions – Sun-Canadian Pipe Line Limited, MCFN
- Project Overview – Sun-Canadian Pipe Line Limited
- Project Input – MCFN
  - Any information available, including background environmental and socio-economic information, from MCFN that should be considered when preparing project documentation.
  - Any information the MCFN may have about potential adverse impacts on your Aboriginal or treaty rights.
  - Any measures the MCFN has for avoiding, minimizing or mitigating those potential adverse impacts.
  - How the MCFN would like to be involved in the Project.

# SUN-CANADIAN PIPE LINE COMPANY LIMITED



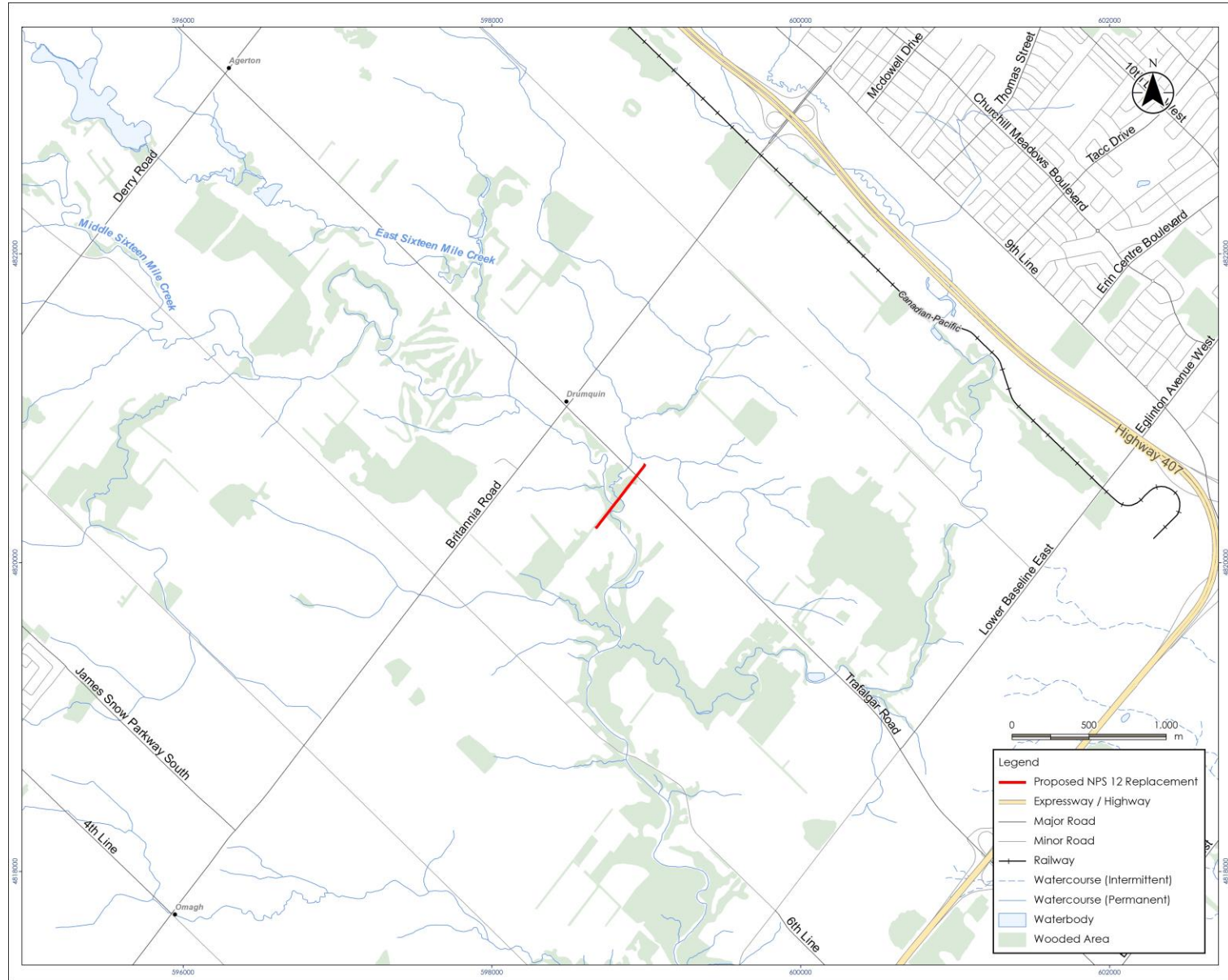
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- Sun-Canadian Pipe Line operates two mainline systems
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  - NPS8 system runs ~240km from Sarnia to Hamilton

# PROJECT OVERVIEW



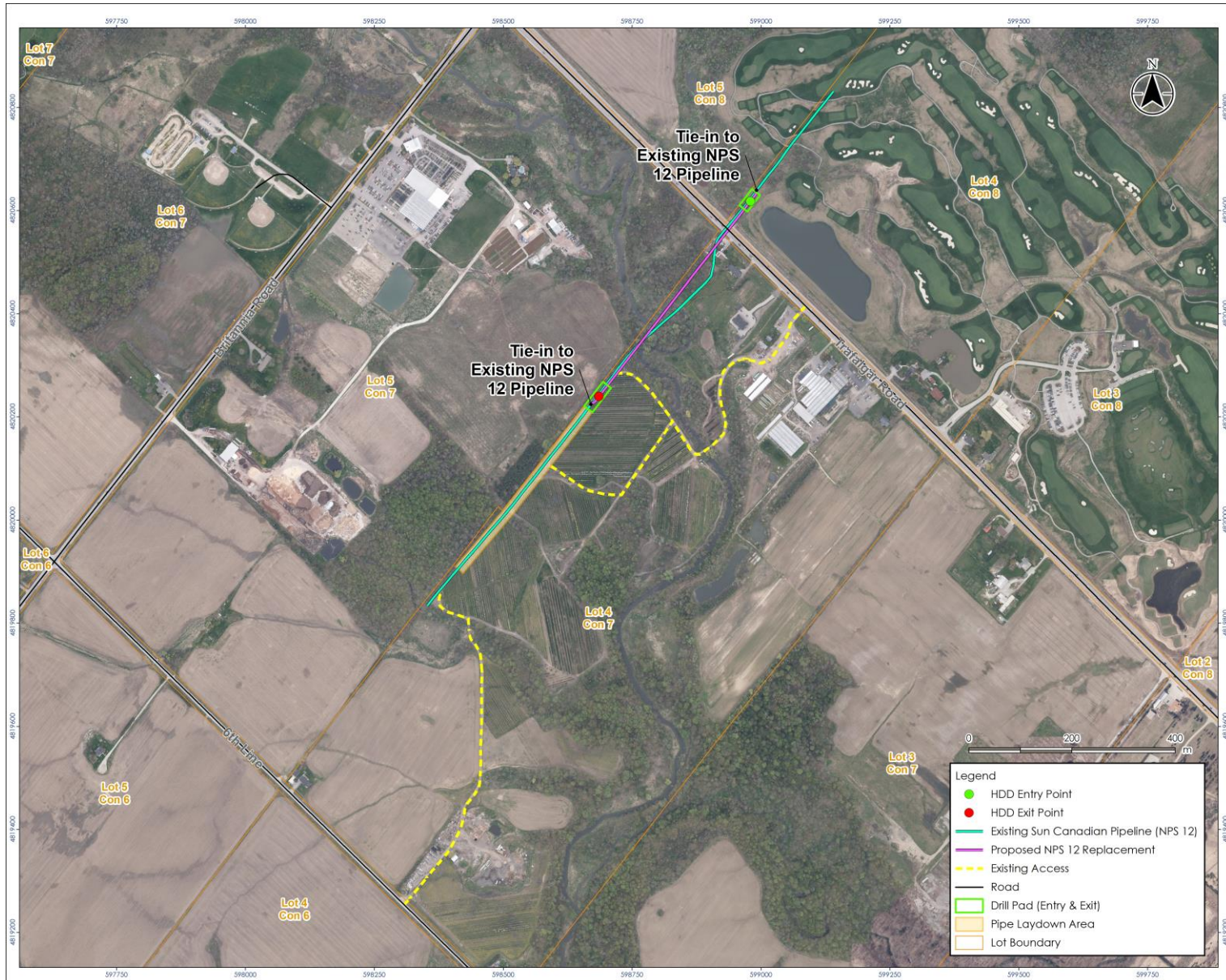
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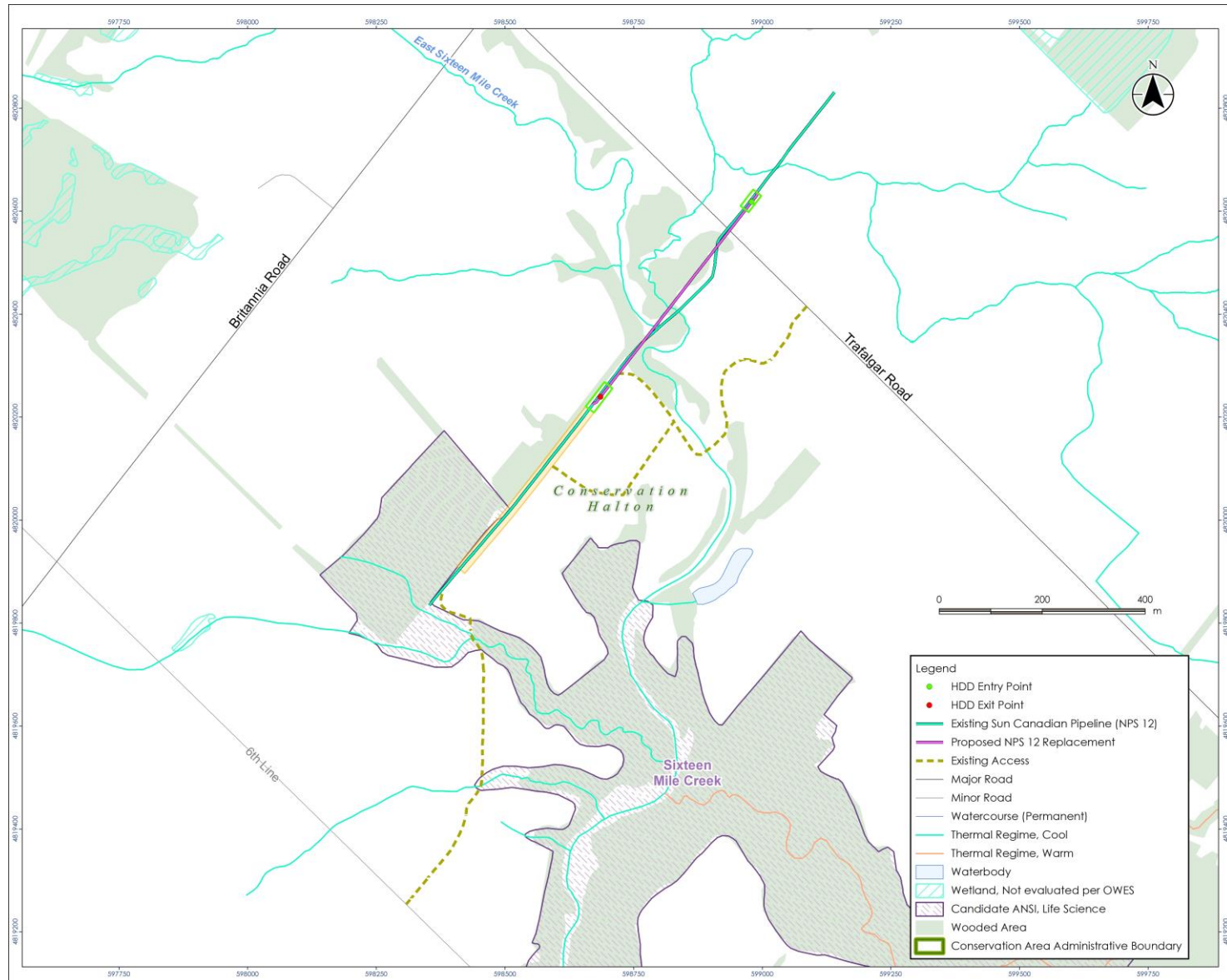
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- Develop appropriate environmental inspection, monitoring and follow-up programs, as necessary.

**Any information provided by the MCFN will be stored on secure servers and will be included in the Environmental Report which forms part of the application for the Project.**



# NATURAL FEATURES



# AQUATIC RESOURCES

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# ARCHAEOLOGY



- A Stage 1 and Stage 2 Archaeological Assessment (AA) will be conducted.
- Sun-Canadian invites your community to participate in the Stage 2 AA (our aim is to complete field work this year).



# PROJECT SCHEDULE

## 2020

### Summer

- Start the environmental planning process
- Initiation of environmental field studies

### Fall

- Stage 1 and 2 Archaeological Assessment
- Complete Environmental Report
- Circulate Environmental Report to your community for comments
- Complete OEB filing application

## 2021

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- Receive OEB approval, complete permitting, pipeline design and construction plan

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- Conclude construction
- Site cleanup and restoration
- Pipeline in service

## 2022

- Post-construction monitoring

# QUESTIONS AND/OR COMMENTS

Such as:

- Any information available, including background environmental and socio-economic information, from MCFN that should be considered when preparing project documentation.
- Any information the MCFN may have about potential adverse impacts on your Aboriginal or treaty rights.
- Any measures the MCFN has for avoiding, minimizing or mitigating those potential adverse impacts.
- How the MCFN would like to be involved in the Project.

**From:** [Susan Jackson](#)  
**To:** ["Mark LaForme"](#); ["Fawn Sault"](#); ["Megan DeVries"](#)  
**Subject:** E16M - Initial Consultation Meeting Minutes - MCFN  
**Attachments:** [E16M Meeting Minutes MCFN October 5 2020.pdf](#)  
[110904260\\_MCFN.pdf](#)

---

Hi Mark;

Thank you're your time yesterday to hear about SCPL's pipeline segment replacement project. Please find attached for your review minutes from that meeting plus the presentation. Please let me know if there is any further comment or questions at this time.

Next steps that MCFN will be invited to participate in include: Stage 1 & 2 archaeology (hopefully before this November) and review of the draft Environmental Report from Stantec.

Again, if at any time during this process there are questions or concerns, please do not hesitate to reach out to me.

Regards,

Susan

647-465-8159



## MEETING MINUTES

### E16 Mile Creek Pipeline Segment Replacement Project - Meeting #1

Monday October 5, 2020 - VIA MS Teams

#### Attendees:

##### Mississauga's of Credit River:

M. LaForme – Director, DOCA

F. Sault – Consultation Manager

M. DeVries – Archaeological Coordinator

##### Sun-Canadian Pipe Line (SCPL):

S. Jackson – Manager Environment, Health and Safety

## SUMMARY NOTES OF MEETING

#### PRESENTATION BY SCPL :

- Purpose: The purpose of the meeting is for Sun-Canadian Pipe Line Limited to introduce and share information regarding the proposed Project and to hear from the Mississauga's of the Credit First Nation of the Grand River as to how they wish to participate in the Project.
- Presentation (power point): "NPS 12 E16M Creek Pipeline Segment Replacement Project" with project details, and mapping.

#### QUESTION & ANSWER:

- Q-MCFN: What is the name of the golf course at the drill entry location?
  - A-SCPL: Piper's Health Golf Club <http://pipersheath.com/>
- Q-MCFN: When did the environmental survey take place? When will the report from this survey be available?
  - A-SCPL: The survey was on July 28. The survey report is complete and will be included in the Environmental Report.

#### SUMMARY OF COMMENTS:

- MCFN:
  - requests participation in all environmental studies and monitoring
  - will participate in the planned Stage 1&2 archaeology (under current monitor agreement)
  - has no further questions or comments at this time



**From:** [Susan Jackson](#)  
**To:** [Lonny Bomberry](#)  
**Cc:** "[Robin Linn](#)"; [Jen Mtpleasant \(jenmtpleasant@sixnations.ca\)](mailto:jenmtpleasant@sixnations.ca); [Dawn LaForme](#); [Tanya Hill-Montour](#)  
**Subject:** East 16 Mile Creek - Six Nations - Meeting Minutes  
**Attachments:** [E16M Meeting Minutes SNGR Sept22 2020.pdf](#)  
[110904260 SixNations 20200921.pdf](#)

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Hi Lonny;

Thank you to you and your staff for taking the time to meet with me on September 22 to discuss SCPL's East 16M creek proposed project. Attached for your review are minutes of this initial meeting. Also attached is the presentation.

Please note that next steps include involving Six Nations in the Stage 1 and 2 archaeological assessment (estimated to take place early November) and providing Six Nations with the Environmental Assessment for your review and comment.

Please do not hesitate to reach out to me at any time to discuss this project.

Regards,

Susan Jackson

Manager, Environment Health and Safety  
Sun-Canadian Pipe Line Ltd.





## MEETING MINUTES

### E16 Mile Creek Pipeline Segment Replacement Project - Meeting #1

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Tuesday September 22, 2020 - VIA MS Teams

#### Attendees:

##### Six Nations of the Grand River (SNGR):

L. Bomberry – Director, Lands & Resources  
Robbin Vanstone – Land Use Officer  
Jen Mt. Pleasant – Consultation Point Person  
Dawn LaForme – Secretary/Receptionist  
Tanya Hill-Mountour – Archaeological Coordinator

##### Sun-Canadian Pipe Line (SCPL):

S. Jackson – Manager Environment, Health and Safety

#### Regrets:

H. Hill – Chief, SNGR  
N. Wright - Councilor  
W. Bomberry – Wildlife Manager  
P. Monture – Lands and Treaty Rights Consultant

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## SUMMARY

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#### **PRESENTATION BY SCPL:**

- Purpose: The purpose of the meeting is for Sun-Canadian Pipe Line Limited to introduce and share information regarding the proposed Project and to hear from the SNGR as to how they wish to participate in the Project.
- Presentation (power point): “NPS 12 E16M Creek Pipeline Segment Replacement Project” with project details, and mapping.

#### **QUESTION & ANSWER:**

- Q-SNGR: We have been hearing news in Sarnia about First Nations objective to refineries, how is SCPL handling those issues?
  - A-SCPL: Sun Canadian does not control, operate or own a refinery, we are distribution ('shippers') only. This project is located solely in the Town of Milton, Ontario.
- Q-SNGR: What are the refined petroleum products?
  - A-SCPL: Jet, gasoline and diesel fuels.

- Q-SNGR: Is the access a road or not?
  - A-SCPL: All access to drill exit location is with existing roads. Access to drill entry will be via public road except for final ~100m to drill site, which will be matted. The existing access to the drill exit pit is shown with dashed yellow lines on the Project Location figure in the presentation and labelled as “Existing Access”.
- Q-SNGR: what is the name of the golf course that the entrance point is on?
  - A-SCPL: Piper’s Health Golf Course
- Q-SNGR: what specific measures will Sun Canadian take to protect the Silver Shiner?
  - A-SCPL: Both work sites will have appropriate erosion and sediment controls in place around them. A drilling fluid release contingency plan will be prepared and kept on-site to effectively address inadvertent releases of sediment through frac-outs, or other releases of sediment laden water from the project site. Spills containment and clean-up procedures will be implemented immediately in the unlikely event of a spill. If a sediment spill occurs within the watercourse, adequate isolation of the release will be provided to contain the sediment. Additional measures will include having a supply of materials readily available that can be used to isolate an inadvertent release during drilling operations (i.e sand bags, straw bales, silt fencing)
- Q-SNGR: What will be the impact of this project to the Silver Shiner?
  - A-SCPL: There is no expected impact on Silver Shiner due to depth of bore under East Sixteen Mile Creek. One of the primary reasons for selecting horizontal directional drilling installation is to avoid disruption to the creek system. The points of entry and exit for horizontal directional drilling will be outside the limits of the East Sixteen Mile Creek valley. Therefore, there will be no disturbance in the active channel of the watercourse, nearshore habitats, or floodplain and riparian areas. No areas considered to be fish habitat or habitat for Silver Shiner will be disturbed.
- Q-SNGR: is SCPL working with Conservation Halton on this project?
  - A-SCPL: Conservation Halton is part of the OEB review process and will be sent a copy of the Environmental Report for review and comment, if requested. Additionally SCPL will be working with Conservation Halton during the permitting process. All conditions of permit approval will be implemented.
- Q-SNGR: Can you provide information on the drilling fluids, how they will be managed and where/how they will be disposed of?
  - A-SCPL: Bentonite and polymers shall be the only approved lubricants permitted for horizontal directional drilling. Any additives used shall be chemically inert, biodegradable and non-toxic. No petroleum-based additives shall be permitted. No fluid will be approved or utilized that does not comply with permit requirements and environmental regulations. As previously mentioned a drilling fluid release contingency plan will be prepared and kept on-site. If inadvertent surface releases of drilling fluids occur, they shall be immediately contained with hand placed barriers (i.e. straw bales, sand bags, silt fencing, etc.) and collected using pumps as practical. If the amount of the surface return is not great enough to allow practical collection, the affected area shall be diluted with fresh water and the fluid will be allowed to dry and dissipate naturally. If the amount of the surface return exceeds what can be contained with hand placed barriers, then small collection sumps (less than 3 cubic metres) may be used. If the amount of the surface return exceeds that which can be contained and collected using small sumps, horizontal directional drilling operations shall be suspended until surface return volumes can be brought under control.

- Q-SNGR: when will the detailed mitigation efforts be available? We want to input into these prior.
  - A-SCPL: Detailed mitigation measures will be available in the draft Environmental Report that will be circulated for review and comment. Mitigation measures may be refined and built upon during the permitting process based on consultation and feedback from regulatory agencies and other stakeholders.
- Q-SNGR: How many trees will be taken down? How many will be put back up?
  - A-SCPL: We are targeting and expect to achieve minimum tree removal aside from tree nursery trees. All tree removal will be occurring on private property and replacement details will be determined through consultation with those individuals.
- Q-SNGR: how will SCPL identify a leak in the pipe if it is 20 metres underground?
  - A-SCPL: SCPL maintains a leak detection system at all times during pipeline operation. Depth of pipe has no impact on the operation of our leak detection. In addition, the new pipe run is fully pressure tested prior to installation and again once it is in place underground.
- Q-SNGR: How far below the surface will the new segment of pipe be?
  - A-SCPL: approximately 20 metres deep average for the straight portion of the pipe. However the pipe could be as deep as approximately 25 metres and as shallow as 16.4 metres through this stretch. At the drill entry and exit locations, the pipe will be more than 5 metres deep after approximately 20 metres of horizontal distance.

#### **DISCUSSION:**

- SNGR commends SCPL for reaching out to the Six Nations early on in the project and are looking forward to working with SCPL on this project
- SNGR would like to participate in this project:
  - via construction monitoring during the construction phase of this project
  - archaeology

**From:** [Susan Jackson](#)  
**To:** ["Tracey General"](#); ["Janice Bomberry"](#)  
**Cc:** ["hdi2@bellnet.ca"](#)  
**Subject:** E16M - Invitation for on site attendance to participate in Bat Study - December 7th

---

Greetings;

I hope you are well. Our consultant (Stantec) has coordinated a site visit for December 7<sup>th</sup> to survey the areas of potential bat maternity roosting habitat now that the leaves are off the trees. Could you please confirm if you would like to have a representative attend the site or would like a copy of the consultants findings?

Thank you,

Susan Jackson

Sun-Canadian Pipe Line

647-465-8159

**From:** [Maxime Picard](#)  
**To:** [Susan Jackson](#)  
**Subject:** Re: E16M - Invitation for On site visit for Bat Study - December 7th  
**Date:** Tuesday, December 1, 2020 11:00:12 AM

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Absolutely Susan.



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**De:** "Susan Jackson"  
**À:** "Maxime Picard"  
**Envoyé:** Mardi 1 Décembre 2020 10:52:24  
**Objet:** RE: E16M - Invitation for On site visit for Bat Study - December 7th

Hi Maxime – are you okay if we proceed?

Thank you for the quick reply.

Susan

---

**From:** Maxime Picard  
**Sent:** Tuesday, December 01, 2020 10:51 AM  
**To:** Jackson, Susan  
**Subject:** Re: E16M - Invitation for On site visit for Bat Study - December 7th

Good morning Susan,  
Unfortunately we will not be able to participate on field for those project studies.  
Many thanks for the offer.  
Regards,  
Maxime



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**De:** "Susan Jackson" <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>

**À:** "Maxime Picard" <[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)>

**Envoyé:** Mardi 1 Décembre 2020 10:47:42

**Objet:** E16M - Invitation for On site visit for Bat Study - December 7th

Hi Maxime;

I hope you are well. Our consultant (Stantec) has coordinated a site visit for December 7<sup>th</sup> to survey the areas of potential bat maternity roosting habitat now that the leaves are off the trees. Could you please confirm if you would like to have a representative attend the site or would like a copy of the consultants findings?

Thank you,

Susan

647-465-8159

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**From:** Maxime Picard <[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)>

**Sent:** Tuesday, November 03, 2020 7:28 AM

**To:** Jackson, Susan <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>

**Subject:** Re: East 16 Mile Creek - Ontario - HW Letter of Commencement

That sounds fair Susan.

Thanks for the update.

Stay safe,

Maxime



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**De:** "Susan Jackson" <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>

**À:** "Maxime Picard" <[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)>

**Envoyé:** Mardi 3 Novembre 2020 06:56:39

**Objet:** RE: East 16 Mile Creek - Ontario - HW Letter of Commencement

Good Morning Maxime – we are currently working through all the various stakeholders (including land owners). As this part of the process continues, it does not look good for getting the archaeology done this season (depending on weather here for the next while). The archaeology will not be scheduled without ensuring Huron-Wendat have been invited. I am sorry I can provide more concrete timing but for sure I (or TMHC) will contact you as soon as we have a date that we can get on site.

Thank you for reaching out and thank you for your patience.

Regards,

Susan

647-465-8159

---

**From:** Maxime Picard <[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)>

**Sent:** Thursday, October 29, 2020 3:09 PM

**To:** Jackson, Susan <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>

**Subject:** Re: East 16 Mile Creek - Ontario - HW Letter of Commencement

Good afternoon Susan,

We haven't heard from Timmins Martelle yet.

Is that normal ?

Thanks and stay safe,

Maxime



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**De:** "Susan Jackson" <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>

**À:** "Maxime Picard" <[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)>

**Envoyé:** Vendredi 2 Octobre 2020 11:16:59

**Objet:** Re: East 16 Mile Creek - Ontario - HW Letter of Commencement

Hi Maxime, here is an update:

- archaeology stage 1 & 2 will be done by Timmins Martelle. They will be reaching out to you very shortly to schedule the monitor. They aim for onsite work beginning of November but possibly before. SCPL has agreed to test pit in between borehole entry and exit

Please do not hesitate to contact me with any questions.

Thank you

Susan

647-465-8159

On Oct 1, 2020, at 2:12 AM, Maxime Picard  
<[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)> wrote:

Hi Susan,

Thanks for the quick reply.

I will unfortunately be away from the office for the next few days.

An email update would be appreciated.

Best,

Maxime

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**De:** "Susan Jackson" <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>

**À:** "Maxime Picard" <[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)>

**Envoyé:** Mercredi 30 Septembre 2020 08:32:46

**Objet:** RE: East 16 Mile Creek - Ontario - HW Letter of Commencement

Good Morning Maxime;

We are continuing to have introductory project meetings with other Nations. In anticipation of completing those meetings we are hoping to kick off on-site archaeology. Is there a phone number I can reach you at to provide you with more details? Alternatively, please call me at 647-465-8159

Thank you,

Susan

---

**From:** Maxime Picard <[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)>

**Sent:** Tuesday, September 29, 2020 2:30 PM

**To:** Jackson, Susan <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>

**Subject:** Re: East 16 Mile Creek - Ontario - HW Letter of Commencement

Good morning Susan,

Hope you are keeping well.

What are the latest news on this project ?

Thanks and best regards,

Maxime

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**De:** "Maxime Picard" <[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)>

**À:** "Susan Jackson" <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>

**Envoyé:** Mardi 1 Septembre 2020 08:11:33

**Objet:** Re: East 16 Mile Creek - Ontario - HW Letter of Commencement

Good morning Susan,

I am available for the most part of the day.

You can join me at : 418-262-1681.

Regards,

Maxime

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**De:** "Susan Jackson" <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>

**À:** "Maxime Picard" <[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)>

**Envoyé:** Lundi 31 Août 2020 17:04:31

**Objet:** RE: East 16 Mile Creek - Ontario - HW Letter of Commencement

Good afternoon Maxime; I just have a few questions about the logsitics. Are you available for a quick phone call tomorrow to help me set up this meeting?

Regards,

Susan

647-465-8159

---

**From:** Maxime Picard <[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)>

**Sent:** Monday, August 31, 2020 1:59 PM

**To:** Jackson, Susan <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>

**Cc:** melanievincent21 <[melanievincent21@yahoo.ca](mailto:melanievincent21@yahoo.ca)>

**Subject:** Re: East 16 Mile Creek - Ontario - HW Letter of Commencement

Good afternoon Susan,

Any news on a possible date for our meeting ?

Thanks,

Maxime

Image removed by sender.



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**De:** "Maxime Picard" <[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)>

**À:** "Susan Jackson" <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>

**Cc:** "melanievincent21" <[melanievincent21@yahoo.ca](mailto:melanievincent21@yahoo.ca)>

**Envoyé:** Lundi 24 Août 2020 11:02:48

**Objet:** Re: East 16 Mile Creek - Ontario - HW Letter of Commencement

Good morning Susan,

Thanks for following-up.

A conference call will be fine to initiate the discussions.

The week of September 14th is also open for us.

Best,

Maxime

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**De:** "Susan Jackson" <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>

**À:** "Maxime Picard" <[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)>

**Cc:** "melanievincent21" <[melanievincent21@yahoo.ca](mailto:melanievincent21@yahoo.ca)>

**Envoyé:** Lundi 17 Août 2020 10:37:51

**Objet:** RE: East 16 Mile Creek - Ontario - HW Letter of Commencement

Greeting's Maxime;

Thank you for this initial date. Before I send out an email invitation, do you prefer to meet virtually through MS Teams or by phone only? For MS Teams, we will need email addresses for anyone who want to attend so they can see the visuals. I will try to set this meeting up for September 7<sup>th</sup> but wondered if you had a second back up date after the 7<sup>th</sup>?

Thank you,

Susan

647-465-8159

---

**From:** Maxime Picard <[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)>

**Sent:** Thursday, August 13, 2020 11:09 AM

**To:** Jackson, Susan <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>

**Cc:** Melanie Vincent <[melanievincent21@yahoo.ca](mailto:melanievincent21@yahoo.ca)>

**Subject:** Re: East 16 Mile Creek - Ontario - HW Letter of Commencement

Good morning Susan,

First of all let me thank you for your letter and notification on the East 16 Mile Creek Project.

The Huron-Wendat Nation will be pleased to collaborate with you and SCPL on this project.

Please note that we will effectively request to be part of any archaeological fieldwork and studies initiated as part of this initiative.

Could you please clarify where you are with the archaeological studies at this time ?

We are definitely open to schedule a conference call in September.

What about the week of September 07th ?

Thanks and best regards,

Maxime Picard

Image removed by sender.



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**De:** "Jackson, Susan" <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>

**À:** "Maxime Picard" <[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)>

**Cc:** "administration" <[administration@cnhw.qc.ca](mailto:administration@cnhw.qc.ca)>

**Envoyé:** Mercredi 12 Août 2020 11:42:52

**Objet:** East 16 Mile Creek - Ontario - HW Letter of Commencement

Good Afternoon Mr. Picard;

The purpose of this email is to introduce this initiative with the Huron-Wendat and notify your Nation that SCPL has applied for Leave to Construct (under the Ontario Energy Board) to the Ministry of Energy, Northern Development and Mines. They have replied to us with a delegation of procedural aspects of the Crown's duty to consult - attached for your information.

The Project: Sun-Canadian Pipe Line (SCPL) has identified the need to replace approximately 500m segment of an existing pipeline near Trafalgar Road and south of Britannia Road in the Town of Milton, Ontario. The existing pipeline segment crosses under East Sixteen Mile creek and needs to be protected from the watercourse due to ongoing erosion and creek meander. This project intends to install a new segment of pipe by horizontal directional drilling at a greater depth to eliminate the environmental risks. Please find attached our project commencement letter to the Huron-Wendat First Nation and map identifying the site location.

While the delegation letter from the Ministry identifies that the Huron-Wendat are to be consulted on interests specific to archaeological resources, Sun-Canadian would like to hear from the Huron-Wendat directly, if and how beyond archaeology, they may

wish to participate in this project. I would invite the Huron-Wendat to a virtual meeting any date convenient to them this September (with the exception of Sept 28-30th) to provide an overview of the project and hear directly from the Huron-Wendat on this matter. Please advise if there is a date in September that is convenient (except Sept. 28-30<sup>th</sup>). Alternatively, please feel free to call me directly to discuss the project at any time.

We are looking forward to working again with the Huron-Wendat.

Regards,

Susan Jackson

Manager, Environment Health and Safety

647-465-8159

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**From:** Jackson, Susan <sjackson@sun-canadian.com>  
**Sent:** Friday, February 05, 2021 1:11 PM  
**To:** hdi2@bellnet.ca; Tracey General <traceyghdi@gmail.com>  
**Cc:** Martens, Peter <pmartens@sun-canadian.com>  
**Subject:** E16M - Environmental Report For Your Comment\_HCCC

February 5, 2021

SENT VIA Email

**Reference: Sun-Canadian Pipe Line Replacement Project – Environmental Report: NPS12 East Sixteen Mile Creek Pipeline Replacement Project**

Sun-Canadian Pipe Line Company Limited (Sun-Canadian) owns and operates the NPS12 pipeline which crosses East Sixteen Mile Creek in Milton, Ontario. Sun-Canadian is proposing to replace approximately 480 metres of the existing pipeline in the vicinity of the creek crossing with a new section of pipe which will be installed at a depth that will eliminate three existing areas of shallow depth of cover. Part of the proposed pipeline replacement will be constructed outside of the existing easement within a new alignment to accommodate the installation of the pipeline by Horizontal Directional Drill. Construction of the replacement pipeline could begin as early as Summer 2022 and be completed by the end of 2022, subject to approval by the Ontario Energy Board (OEB).

As an integral part of this project, Sun-Canadian has hired Stantec Consulting Ltd. to undertake an environmental study of the construction and operation of the proposed pipeline and related facilities. The environmental study will fulfill the requirements of the OEB's *Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario (2016)*. An Environmental Report (ER), summarizing the results of the environmental study is available for your review at: <http://sun-canadian.com/media-releases/>.

Please forward any comments you may have regarding the ER and project to the undersigned. Your comments would be appreciated by April 8, 2021.

Regards

S. Jackson

Manager  
EHS

Sun Canadian Pipeline  
Ltd.

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**From:** [Martens, Peter](#)  
**To:** [Candido, Mike](#)  
**Subject:** FW: E16M - Environmental Report For Your Comment\_HWFN  
**Date:** Friday, February 5, 2021 1:46:13 PM

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**From:** Jackson, Susan <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>  
**Sent:** Friday, February 05, 2021 1:11 PM  
**To:** Maxime Picard <[maxime.picard@cnhw.qc.ca](mailto:maxime.picard@cnhw.qc.ca)>; [administration@cnhw.qc.ca](mailto:administration@cnhw.qc.ca)  
**Cc:** Martens, Peter <[pmartens@sun-canadian.com](mailto:pmartens@sun-canadian.com)>  
**Subject:** E16M - Environmental Report For Your Comment\_HWFN

February 5, 2021

SENT VIA Email

**Reference: Sun-Canadian Pipe Line Replacement Project – Environmental Report: NPS12 East Sixteen Mile Creek Pipeline Replacement Project**

Sun-Canadian Pipe Line Company Limited (Sun-Canadian) owns and operates the NPS12 pipeline which crosses East Sixteen Mile Creek in Milton, Ontario. Sun-Canadian is proposing to replace approximately 480 metres of the existing pipeline in the vicinity of the creek crossing with a new section of pipe which will be installed at a depth that will eliminate three existing areas of shallow depth of cover. Part of the proposed pipeline replacement will be constructed outside of the existing easement within a new alignment to accommodate the installation of the pipeline by Horizontal Directional Drill. Construction of the replacement pipeline could begin as early as Summer 2022 and be completed by the end of 2022, subject to approval by the Ontario Energy Board (OEB).

As an integral part of this project, Sun-Canadian has hired Stantec Consulting Ltd. to undertake an environmental study of the construction and operation of the proposed pipeline and related facilities. The environmental study will fulfill the requirements of the OEB's *Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario (2016)*. An Environmental Report (ER), summarizing the results of the environmental study is available for your review at: <http://sun-canadian.com/media-releases/>.

Please forward any comments you may have regarding the ER and project to the undersigned. Your comments would be appreciated by April 8, 2021.

Regards,

S. Jackson

Manager EHS

Sun Canadian Pipeline Ltd.

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**From:** [Martens, Peter](#)  
**To:** [Candido, Mike](#)  
**Subject:** FW: E16M - Environmental Report For Your Comment\_MCFN  
**Date:** Friday, February 5, 2021 1:46:21 PM

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**From:** Jackson, Susan <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>  
**Sent:** Friday, February 05, 2021 1:11 PM  
**To:** Mark LaForme <[Mark.LaForme@mncfn.ca](mailto:Mark.LaForme@mncfn.ca)>  
**Cc:** Martens, Peter <[pmartens@sun-canadian.com](mailto:pmartens@sun-canadian.com)>; Fawn Sault <[Fawn.Sault@mncfn.ca](mailto:Fawn.Sault@mncfn.ca)>  
**Subject:** E16M - Environmental Report For Your Comment\_MCFN

February 5, 2021

SENT VIA Email

**Reference: Sun-Canadian Pipe Line Replacement Project – Environmental Report: NPS12 East Sixteen Mile Creek Pipeline Replacement Project**

Sun-Canadian Pipe Line Company Limited (Sun-Canadian) owns and operates the NPS12 pipeline which crosses East Sixteen Mile Creek in Milton, Ontario. Sun-Canadian is proposing to replace approximately 480 metres of the existing pipeline in the vicinity of the creek crossing with a new section of pipe which will be installed at a depth that will eliminate three existing areas of shallow depth of cover. Part of the proposed pipeline replacement will be constructed outside of the existing easement within a new alignment to accommodate the installation of the pipeline by Horizontal Directional Drill. Construction of the replacement pipeline could begin as early as Summer 2022 and be completed by the end of 2022, subject to approval by the Ontario Energy Board (OEB).

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Please forward any comments you may have regarding the ER and project to the undersigned. Your comments would be appreciated by April 8, 2021.

Regards,

S. Jackson

Manager EHS

Sun Canadian Pipeline Ltd.

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**From:** [Martens, Peter](#)  
**To:** [Candido, Mike](#)  
**Subject:** FW: E16M - Environmental Report For Your Comment\_SNEC  
**Date:** Friday, February 5, 2021 1:46:25 PM

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**From:** Jackson, Susan <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>  
**Sent:** Friday, February 05, 2021 1:11 PM  
**To:** Lonny Bomberly <[lonnybomberly@sixnations.ca](mailto:lonnybomberly@sixnations.ca)>  
**Cc:** Dawn LaForme <[dlaforme@sixnations.ca](mailto:dlaforme@sixnations.ca)>; Martens, Peter <[pmartens@sun-canadian.com](mailto:pmartens@sun-canadian.com)>  
**Subject:** E16M - Environmental Report For Your Comment\_SNEC

February 5, 2021

SENT VIA Email

**Reference: Sun-Canadian Pipe Line Replacement Project – Environmental Report: NPS12 East Sixteen Mile Creek Pipeline Replacement Project**

Sun-Canadian Pipe Line Company Limited (Sun-Canadian) owns and operates the NPS12 pipeline which crosses East Sixteen Mile Creek in Milton, Ontario. Sun-Canadian is proposing to replace approximately 480 metres of the existing pipeline in the vicinity of the creek crossing with a new section of pipe which will be installed at a depth that will eliminate three existing areas of shallow depth of cover. Part of the proposed pipeline replacement will be constructed outside of the existing easement within a new alignment to accommodate the installation of the pipeline by Horizontal Directional Drill. Construction of the replacement pipeline could begin as early as Summer 2022 and be completed by the end of 2022, subject to approval by the Ontario Energy Board (OEB).

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Regards,

S. Jackson

Manager EHS

Sun Canadian Pipeline Ltd.

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## LETTER OF PROJECT PARTICIATION

**Date: October 4, 2021**

### **Project: NPS 12 East Sixteen Mile Creek Pipeline Replacement**

To Whom It May Concern,

*The Haudenosaunee Confederacy Chiefs Council (HCCC) has legislated the Haudenosaunee Development Institute (HDI) to represent HCCC interest in development of lands within areas of Haudenosaunee jurisdiction. This includes Haldimand Proclamation (Haldimand Tract Treaty) and 1701 Treaty Area (Nanfan Treaty).*

I the undersigned, confirm on behalf of HDI Environmental Division show interest in the above-mentioned project. The HDI Environmental Division requests to be involved and informed about:

- The progress of this project,
- Natural impact studies e.g., aquatic, terrestrial and botanical surveys
- Species at risk (SARS)
- Archaeological Reports
- Archaeological Field Assessments (Stage 2, 3 & 4)
- Applicable permits
- Environmental management plan (EMP)
- Stormwater management plan (SWMP)
- Erosion and sediment control plan (ESCP)
- Site inspections to ensure these measures are being followed through.

As part of our rights as Haudenosaunee and people of the land, we encourage to have a representee from HDI Environmental Division or Archaeology Division to be involved. We have the ongoing obligations to ensure the protection of our cultural and natural resources for the next faces to come. This is our duty and responsibility of our rights as Haudenosaunee People.

The HDI Environmental Division has worked on numerous projects in the past and have overseen a variety of development within our treaty territory. As part of HDI Environmental Division we provide monitors for any field work and site inspections. Being able to witness and report active field conditions and contingency plans is a key part of HDI quality assurance (QA).



The monitoring provides a way ensuring all guidelines are met throughout the whole process of the project and strengthens the areas most sensitive to the Haudenosaunee people.

HDI Environmental Division asks the Sun-Canada Pipe Line Company to have a meeting to further discuss involving HDI Environmental Division on the project and minimal weekly inspections. We hope we can navigate through these issues towards a relationship of respect, partnership, and mutual benefit. You may contact myself on my cell < 519 – 802 – 9402 > or my email < janicewilliams@hdi.land>.

Nya: weh/Thank-You,

Raechelle Williams  
HDI Environmental Supervisor  
Haudenosaunee Development Institute  
16 Sunrise Court, Suite 600 Ohsweken, ON  
P.O. Box 714  
Ph: 519-445-4222  
(Direct): 519-802-9402  
Email: janicewilliams@hdi.land



**From:** Susan Jackson  
**To:** Candido, Mike; Peter Martens  
**Subject:** FW: East 16 Mile Creek - HCC  
**Date:** Friday, October 22, 2021 12:25:45 PM  
**Attachments:** [image001.png](#)  
[FW\\_ E16M - Environmental Report For Your Comment\\_HCCC.pdf](#)

FYI

**From:** Susan Jackson  
**Sent:** Friday, October 22, 2021 12:21 PM  
**To:** 'Raechelle Williams' <[janicewilliams@hdi.land](mailto:janicewilliams@hdi.land)>  
**Cc:** Todd Williams <[williams.todde@gmail.com](mailto:williams.todde@gmail.com)>; Tracey General <[traceyghdi@gmail.com](mailto:traceyghdi@gmail.com)>; Brian Doolittle <[ganowa@me.com](mailto:ganowa@me.com)>  
**Subject:** RE: East 16 Mile Creek - HCC

Hi Raechelle;

As discussed in our meeting SCPL has previously reached out to HDI to get their input into the E16M project. SCPL welcomes HDI environmental monitors to attend the construction phase. Please forward an agreement for us to review.

Yes, SCPL works with HDI on identifying HDI's interests prior to integrity digs and we have been working closely with Todd for a few years now.

Thank you,  
Susan

**From:** Raechelle Williams <[janicewilliams@hdi.land](mailto:janicewilliams@hdi.land)>  
**Sent:** Friday, October 22, 2021 1:10 PM  
**To:** Susan Jackson <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>  
**Cc:** Todd Williams <[williams.todde@gmail.com](mailto:williams.todde@gmail.com)>; Tracey General <[traceyghdi@gmail.com](mailto:traceyghdi@gmail.com)>; Brian Doolittle <[ganowa@me.com](mailto:ganowa@me.com)>  
**Subject:** Re: East 16 Mile Creek - HCC

Hello Susan,

I spoke with Todd about the agreement that is already placed with HDI. He confirmed and said the agreement is only for Archaeology and we will need to make another one for Environmental.

Also, is the Sun-Canadian Pipe Line involved in any integrity digs?

Raechelle Williams  
HDI Environmental Supervisor  
Haudenosaunee Development Institute  
16 Sunrise Court, Suite 600 Ohsweken, ON  
P.O. Box 714  
Ph: 519-445-4222  
(Direct): 519-802-9402



<<< Effective October 1, 2021, the Haudenosaunee Development Institute offices will be located at 44 Sixth Line Road, Ohsweken, Ontario >>>

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On Mon, Oct 4, 2021 at 2:09 PM Raechelle Williams <[janicewilliams@hdi.land](mailto:janicewilliams@hdi.land)> wrote:

Sge: no/Hello Susan,

My name is Raechelle Williams and I recently left you a voicemail this afternoon. As part of the Haudenosaunee Development Institute (HDI) Environmental Division, I was hoping we could set up a meeting regarding the NPS 12 East Sixteen Mile Creek Pipeline Replacement Project. I have recently been promoted to the HDI Environmental Supervisor position and I was unaware of this project until I came across it on the internet. Reviewing the EA report prepared by Stantech, I noticed HDI was not included during the Indigenous Input. At this time, HDI has high concerns for this project.

Please see attached letter for HDI Environmental Division to be involved.

Nya: weh/Thank-You,

Raechelle Williams  
HDI Environmental Supervisor  
Haudenosaunee Development Institute  
16 Sunrise Court, Suite 600 Ohsweken, ON  
P.O. Box 714  
Ph: 519-445-4222  
(Direct): 519-802-9402



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----- Forwarded message -----

**From:** Todd Williams <[williams.todde@gmail.com](mailto:williams.todde@gmail.com)>  
**Date:** Mon, Oct 4, 2021 at 8:18 AM  
**Subject:** Fwd: East 16 Mile Creek - HCC  
**To:** Janice Williams <[janice.r.n.w23@gmail.com](mailto:janice.r.n.w23@gmail.com)>

fyi

----- Forwarded message -----

**From:** Jackson, Susan <[SUSJACKSON@suncor.com](mailto:SUSJACKSON@suncor.com)>  
**Date:** Fri, Oct 9, 2020 at 7:59 AM  
**Subject:** RE: East 16 Mile Creek - HCC  
**To:** Todd Williams <[williams.todde@gmail.com](mailto:williams.todde@gmail.com)>, Jackson, Susan <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>  
**Cc:** [traceyghdi@gmail.com](mailto:traceyghdi@gmail.com) <[traceyghdi@gmail.com](mailto:traceyghdi@gmail.com)>

Hi Todd; How about Friday Oct 16<sup>th</sup> at 10am? If that works, please send a list of names, titles and emails of who will attend and I will send them a calendar invite and meeting details.

Thank you,  
Susan

**From:** Todd Williams <[williams.todde@gmail.com](mailto:williams.todde@gmail.com)>  
**Sent:** Thursday, October 08, 2020 4:47 PM  
**To:** Jackson, Susan <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)>  
**Cc:** [traceyghdi@gmail.com](mailto:traceyghdi@gmail.com)  
**Subject:** Re: East 16 Mile Creek - HCC

Hi Susan,

Can you suggest a time and date to do a meeting over the internet

Thanks Todd

On Tue, Sep 22, 2020 at 1:53 PM Jackson, Susan <[sjackson@sun-canadian.com](mailto:sjackson@sun-canadian.com)> wrote:

Hi Todd – any chance to look at this yet? The spots are filling up quick. We have already met with other Nations and would very much like to meet with HDI.

Let me know what we can do here.

Thank you,  
Susan

---

**From:** Jackson, Susan  
**Sent:** Wednesday, September 16, 2020 12:53 PM  
**To:** '[williams.todde@gmail.com](mailto:williams.todde@gmail.com)' <[williams.todde@gmail.com](mailto:williams.todde@gmail.com)>  
**Cc:** '[traceyghdi@gmail.com](mailto:traceyghdi@gmail.com)' <[traceyghdi@gmail.com](mailto:traceyghdi@gmail.com)>  
**Subject:** FW: East 16 Mile Creek - HCC

Hi Todd – as discussed today, can we set up a meeting for any day next week Oct 21, 23, 24 or 25 (except Tuesday Oct 22) - to discuss HCCC's interests and input into this project? Alternatively October 2, 5, 6, 7 or 8 would work on our side.

Let me know which is your preferred date and time, plus a list of emails of who will attend so I can send out the invitation to all with some materials.

Thank you,  
Susan  
647-465-8159

---

**From:** Jackson, Susan  
**Sent:** Wednesday, August 12, 2020 11:42 AM  
**To:** '[hdi2@bellnet.ca](mailto:hdi2@bellnet.ca)' <[hdi2@bellnet.ca](mailto:hdi2@bellnet.ca)>; '[traceyghdi@gmail.com](mailto:traceyghdi@gmail.com)' <[traceyghdi@gmail.com](mailto:traceyghdi@gmail.com)>  
**Cc:** '[williams.todde@gmail.com](mailto:williams.todde@gmail.com)' <[williams.todde@gmail.com](mailto:williams.todde@gmail.com)>  
**Subject:** RE: East 16 Mile Creek - HCC

Good Afternoon Tracey;

I would to update you since my last communication (email June 5, 2020) with regards to our project at East 16 Mile Creek:

Firstly, as previously notified, Sun Canadian did proceed with a notice of application for Leave to Construct (under the Ontario Energy Board) to the Ministry of Energy, Northern Development and Mines. They have replied to us with a delegation of procedural aspects of the Crown's duty to consult - which is attached for your information.

Secondly, please find attached our project commencement letter to Haudenosaunee Confederacy Council of the Grand River (HCC) and map identifying the site location. I would like to invite the Haudenosaunee Confederacy Council to a virtual meeting any date this September (with the exception of Sept 28-30th). I will invite a representative from Stantec to present an overview of the project, and will be looking forward to discussing any aspect you may wish to discuss. In this meeting, we would like to hear how HCC would like to participate in this project. Please provide some dates in September and a list of emails of HCC and/or Haudenosaunee Development Institute representatives that would attend this initial meeting. Alternatively, please feel free to call or email me to discuss this project.

We are looking forward to working again with the Haudenosaunee Confederacy Council of the Grand River.

Warm regards,  
Susan Jackson  
Manager, Environment Health and Safety  
647-465-8159

---

**From:** Jackson, Susan  
**Sent:** Friday, June 05, 2020 10:42 AM  
**To:** '[hdi2@bellnet.ca](mailto:hdi2@bellnet.ca)' <[hdi2@bellnet.ca](mailto:hdi2@bellnet.ca)>; '[traceyghdi@gmail.com](mailto:traceyghdi@gmail.com)' <[traceyghdi@gmail.com](mailto:traceyghdi@gmail.com)>  
**Subject:** East 16 Mile Creek - HCC

Good Morning Tracey;

Sun-Canadian Pipe Line (SCPL) has identified the need to replace approximately 500m segment of an existing pipeline near Trafalgar Road and south of Britannia Road in the Town of Milton. The existing pipeline segment crosses under East Sixteen Mile creek needs to be protected from the watercourse due to ongoing erosion and creek meander. This project intends to install a new segment of pipe by horizontal directional drilling at a greater depth to eliminate the environmental risks.

The purpose of this email to introduce this initiative with the Haudenosaunee Confederacy Council (HCC) and to let you know that we will be reaching out to consult with HCC via the Haudenosaunee Development Institute on this project. Also, we intend on applying to the Ontario Energy Board for this work which involves notification to the Ministry of Energy, Northern Development and Mines for their determination of Duty to Consult. We anticipate this Ministry will also be notifying HDI of our application.

Please do not hesitate to contact me if you have any questions at this time.

Regards,  
Susan Jackson  
Manager EHS  
Sun Canadian Pipe Line  
647-465-8159

cid:image001.png@01D66FEE.3A23C290



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