

**VIA EMAIL and RESS**

November 16, 2023

Nancy Marconi  
Registrar  
Ontario Energy Board  
2300 Yonge Street, Suite 2700  
Toronto, Ontario, M4P 1E4

Dear Nancy Marconi:

**Re: Enbridge Gas Inc. (Enbridge Gas)  
Ontario Energy Board (OEB) File No. EB-2023-0175  
Watford Pipeline Project  
Interrogatory Responses**

---

In accordance with the OEB's Procedural Order No. 1, dated October 4, 2023, enclosed please find the interrogatory responses of Enbridge Gas.

If you have any questions, please contact the undersigned.

Sincerely,

*[Original Signed By]*

Eric VanRuymbeke  
Sr. Advisor – Leave to Construct Applications

c.c.: Guri Pannu (Enbridge Gas Counsel)

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Ontario Energy Board Staff (STAFF)

Interrogatory

Reference:

Letter of Comment

Preamble:

Following publication of the Notice of Application, the OEB received a letter of comment.

Question(s):

Please file a response to the matters raised in the letter of comment. Going forward, please ensure that responses to any matters raised in subsequent comments or letters that Enbridge Gas receives are filed in this proceeding. Please ensure that the name and contact information is redacted for public filings. All responses must be filed before the argument (submission) phase of this proceeding.

Response:

In response to the matters raised in the letter of comment filed September 18, 2023, regarding roads being shut down or detoured, Enbridge Gas may require lane reductions along the pipeline route, however, no full road closures are expected. Every effort will be made to minimize traffic and pedestrian disruptions.

Enbridge Gas will ensure that it files responses to any future comments or letters received in this proceeding with the OEB.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Ontario Energy Board Staff (STAFF)

Interrogatory

Reference:

Exhibit B, Tab 1, Attachment 1, Page 1

Preamble:

Waste Management of Canada Corporation (WM) plans to build upgrading and compression facilities at the Twin Creeks Environmental Centre that will be used to convert landfill gas into Renewable Natural Gas (RNG). WM requested that Enbridge Gas construct new pipeline facilities to connect the Twin Creeks Environmental Centre RNG facility in the Township of Warwick to Enbridge Gas's existing system in the Municipality of Brooke-Alvinston to facilitate the injection of RNG supply volumes.

Enbridge Gas stated that there are no existing pipelines in the immediate vicinity of the Twin Creeks environmental Centre and that the nearest pipelines cannot accommodate the volume of RNG requested by WM.

The Municipality of Brooke-Alvinston has requested that residents be kept up to date on possible use of the pipeline in the future.

Question(s):

- a) Please provide Enbridge Gas's comments on the potential use of the proposed pipeline to serve additional loads in the Municipality of Brooke-Alvinston and the Township of Warwick.
- b) Please elaborate on how the proposed RNG injection volumes were established.
- c) Does Enbridge Gas intend to purchase RNG volumes produced by WM. If so, please confirm that Enbridge Gas is not seeking any approvals with respect to the purchase of RNG volumes as part of this proceeding.

Response:

- a) Due to the pressure of the pipeline, no direct connections are permitted. Once this pipeline is constructed and in-service, there may be property owners along the pipeline route who would like to connect to the natural gas system. In these cases, a separate project with separate, smaller natural gas distribution pipe would be required.
- b) The RNG injection volumes were provided by WM.
- c) Enbridge Gas is not seeking any approvals with respect to the purchase of the RNG volumes as part of this proceeding. In EB-2022-0200, Exhibit 4, Tab 2, Schedule 7 of the Company's 2024 Rebasing proceeding, Enbridge Gas has sought approval to begin procuring low carbon energy, including RNG. Pending the outcome of the Company's 2024 Rebasing proceeding, Enbridge Gas will proceed with a competitive procurement process to procure RNG as part of that program.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Ontario Energy Board Staff (STAFF)

Interrogatory

Reference:

Exhibit B, Tab 1, Schedule 1, Page 1  
Exhibit D, Tab 1, Schedule 1, Attachment 1, Page 1

Preamble:

Enbridge Gas stated that pending OEB approval, construction of the proposed pipeline and RNG injection station is projected to commence in April 2024 to meet the required in-service date of December 2024.

Question(s):

- a) Please describe in more detail the rationale for the proposed construction start and required in-service date.
- b) Please discuss any associated risks and impacts if the construction start and/or in-service date is delayed.

Response:

- a) To ensure that the weather and ground conditions are favorable to complete construction activities, construction commencement is typically proposed in the spring. For this reason and to meet the required in-service date for the Project, the targeted construction start date for the Project is Spring 2024. WM is coordinating the in-service date with Enbridge Gas to ensure that when RNG volumes are produced, they are able to be injected into the Enbridge Gas system.
- b) If the OEB grants leave to construct the Project in February 2024 there would be no impact to the proposed construction schedule and in-service date. Delayed receipt of OEB approval beyond February 2024 would have a direct impact on the Project construction schedule and would increase the risk of Enbridge Gas failing to meet the requested in-service date. Under such conditions, Enbridge Gas would attempt

to mitigate these impacts and risks through various options including a compressed construction schedule (longer workdays and/or 6-day work weeks) or winter construction. However, such mitigation activities would result in increases to total Project costs, the magnitude of which can only be estimated once the OEB decision and order has been issued and will not be fully known until Project construction is completed.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Ontario Energy Board Staff (STAFF)

Interrogatory

Reference:

Exhibit E, Tab 1, Schedule 1,

Preamble:

Enbridge Gas prepared a Discounted Cash Flow (DCF) analysis for the Project that shows that the project has a Net Present Value (NPV) of \$0 and Profitability Index (PI) of 1.0.

Enbridge Gas and WM have executed a M13 service contract that includes a monthly service charge of \$166,149 to be paid by WM.

Section 1(b) of the executed M13 contract titled Initial Monthly Service Charge, provides as follows:

Within twenty (20) Business Days of the six (6) month anniversary of the Commencement Date, Enbridge Gas will prepare and deliver to the Shipper a notice setting out the monthly service charge, recalculated on the basis of the actual costs incurred by Enbridge to construct, install and operate the meter station and connect such station to Enbridge's pipeline and distribution system, such calculations made in a manner consistent with Enbridge's then current feasibility policy, parameters, and guidelines all in accordance with the then current Service Charge for the remainder of the Initial Term will be invoiced in accordance with the Monthly Service Charge set out in the notice

Question(s):

- a) Please confirm that the monthly service charge will be recalculated in a manner that ensures that, over a 20-year period, the total actual project costs will be recovered from WM. If not, how will Enbridge Gas handle any additional Project costs.

- b) Please confirm that WM's contractual obligations ensure that regardless of the duration of the operation of the RNG facility, the total actual project cost will be recovered from WM. If not, how will Enbridge Gas handle any additional Project costs.

Response:

- a) Confirmed.
- b) Confirmed.



ENBRIDGE GAS INC.

Answer to Interrogatory from  
Ontario Energy Board Staff (STAFF)

Interrogatory

Reference:

Exhibit F, Tab 1, Schedule 1, Attachment 1

Preamble:

Enbridge Gas retained Dillon Consulting Ltd. to complete an environmental report (ER). Alternative route B was added to the ER and selected as the preferred pipeline route following feedback from the Municipality of Brooke-Alvinston. A Notice of Project Change was sent to Indigenous communities, agencies, landowners, interest groups and potentially affected stakeholders and public information sessions were held. The ER was circulated to the Ontario Pipeline Coordinating Committee (OPCC), Lambton County, the St. Clair Region Conservation Authority, the Brooke-Alvinston Council and the Township of Warwick on May 11, 2023. The evidence includes a consultation log and correspondence.

Question(s):

- a) Please elaborate on how the preferred pipeline route, Alternative Route B, addresses the concerns raised by the Municipality of Brooke-Alvinston.
- b) Please provide an update on the status of line item 2.1 and line item 28.4 of the Agency Correspondence Log in the ER.
- c) Please provide an update on the status of the TSSA's review of the Project.
- d) Please discuss whether the questions raised by the Ministry of Environment in line item 30.5 of the Agency Correspondence Log in the ER have been answered and/or resolved.
- e) Please update the consultation log and correspondence with any new OPCC comments since the application was filed.

- f) Please describe any outstanding issues or concerns identified during the consultation. If concerns or issues have been identified, please also describe the measures with the timeline Enbridge Gas plans to undertake to address these issues and concerns.
- g) Please provide an update on the status of each permit/approval including when Enbridge Gas expects to receive the required permit/approval.
- h) Please advise whether Enbridge Gas has identified any other permits/approvals required for the Project other than those listed in the application. If so, please provide a description of the required permit/approval.

Response:

- a) Correspondence between Enbridge Gas and the Municipality of Brooke-Alvinston is listed in the ER Appendix G – Agency Correspondence Line Items 32.1 to 34.2. In summary, the Municipality of Brooke-Alvinston raised concerns due to possible infrastructure conflicts along the Preliminary Preferred Route and suggested Alternative Route B as the preferred route option. After consultation and the Draft ER was completed, Alternative Route B was determined to be the preferred route for the pipeline, addressing the concerns of the Municipality of Brooke-Alvinston.
- b) Regarding item 2.1 of the ER's Agency Correspondence Log, the Transport Canada (TC) self-assessment was reviewed, and it was determined that the project does not trigger a requirement for consultation with TC. Regarding Item 28.4, all properties owned by the Ministry of Government and Consumer Services were determined to be within the study area of an alternative route and are not anticipated to be impacted via construction of the project along the preferred route.
- c) The TSSA has not provided the final review letter as of November 15, 2023. The TSSA Application for Review of Pipeline Project was submitted on August 28, 2023. After submission, the TSSA indicated via automatic email that processing times may be delayed beyond targets (approximately 120 business days for engineering). Given this information, approval is still expected prior to construction in Spring 2024. A follow up email to the TSSA was sent on October 31, 2023, to request an update.
- d) On November 3, 2023, the Ministry of Energy (MOE) advised Enbridge Gas that the MOE was waiting to hear back from certain communities and that, following a review of the filed evidence, Enbridge Gas had answered all of the MOE's questions to

date. Please see response at Exhibit I.STAFF-8, part d). Enbridge Gas continues to correspond with the MOE to resolve standing issues identified to the MOE by Indigenous communities.

e-f) There have been no additional correspondence with the OPCC since filing the Application.

g) Table 1 outlines potential permits/approvals required prior to construction and their respective status.

Table 1

Ministry	Authorization/Approval	Status
Ontario Energy Board	Leave to Construct	Pending. Expected Q1 2024.
St. Clair Region Conservation Authority (SCRCA)	SCRCA Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses	Enbridge Gas will submit an application once project design has been finalized and will obtain a permit prior to construction in an SCRCA regulated area.
Ministry of the Environment, Conservation and Parks ("MECP").	Permitting under the Endangered Species Act, 2007 (SO 2007, c. 6) and Ontario Regulation (O. Reg.) 242/08	Enbridge Gas will determine if a permit or approval is required through consultation with the MECP once project design has been finalized.
MECP	Registration under the Environmental Activity and Sector Registry ("EASR") or Permit to Take Water ("PTTW").	Enbridge Gas will determine if an EASR or PTTW is required once project design has been finalized.
Ministry of Energy	Sufficiency Letter	MOE advised Enbridge Gas that they continue its reach out to Indigenous communities on the Watford project.
Ministry of Citizenship and Multiculturalism ("MCM")  (Formerly Ministry of Tourism, Culture & Sport)	Submission of Stage 1 and Stage 2 Archaeological Assessments ("AA") for Acceptance into the Ontario Public Registry of Archaeological Reports	A Stage 1 AA was submitted and accepted by the Ministry on August 21, 2023. A Stage 2 AA is currently ongoing and acceptance of the Stage 2 AA report into the Registry is expected prior to construction.
MCM	Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment (CHRECPIA)	A CHRECPIA is in progress and expected to be submitted prior to construction.

County of Lambton	Municipal Consent	Enbridge Gas has had ongoing communication with the County of Lambton and will apply for the necessary permits once project design has been finalized. Enbridge Gas does not foresee any delays in obtaining the permits in time for construction.
Municipality of Brooke-Alvinston	Municipal Consent	Enbridge Gas has had ongoing communication with the Municipality of Brooke-Alvinston and will apply for the necessary permits once project design has been finalized. Enbridge Gas does not foresee any delays in obtaining the permits in time for construction.
Township of Warwick	Municipal Consent	Enbridge Gas has had ongoing communication with the Township of Warwick and will apply for the necessary permits once project design has been finalized. Enbridge Gas does not foresee any delays in obtaining the permits in time for construction.
Canadian National Railway	Crossing Permit	Enbridge Gas will apply for the crossing permit once project design has been finalized. Enbridge Gas does not foresee any delays in obtaining the permit in time for construction.
Sun-Canadian Pipeline	Crossing Permit	Enbridge Gas will apply for the crossing permit once project design has been finalized. Enbridge Gas does not foresee any delays in obtaining the permit in time for construction.

h) Enbridge Gas has not identified any other permits/approvals other than those listed in the application. Additional permits/approvals may be identified once project design is finalized.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Ontario Energy Board Staff (STAFF)

Interrogatory

Reference:

Exhibit F, Tab 1, Schedule 1, Page 4  
Exhibit F, Tab 1, Schedule 1, Attachment 1

Preamble:

TMHC Inc. undertook a Stage 1 Archeological Assessment (AA) of the study area. The stage 1 AA was submitted to the Ministry of Cultural Heritage (MCM) for review on March 20, 2023. Enbridge Gas notes that a Stage 2 AA of the preferred route was to be completed in summer/fall 2023 and submitted to the MCM for review to be entered into the Ontario Public Register of Archeological Reports.

Enbridge Gas notes that the Cultural Heritage Screening Report on the preferred route is to be completed in the summer/fall of 2023 and submitted to the MCM before the start of Project construction.

Question(s):

Please advise whether the Stage 2 AA and Cultural Heritage Screening Report have been completed and reviewed by MCM. If not, please indicate when Enbridge Gas expects to receive these approvals.

Response:

A Cultural Heritage Screening Report (CHSR) was completed for the Project and can be found in Appendix B of the Environmental Report. The CHSR was reviewed by the OPCC's representative from the MCM. Per recommendation in the CHSR, completion of a Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment (CHRECPIA) is underway. A Stage 2 AA is also underway. Enbridge Gas expects to have the CHRECPIA and Stage 2 AA completed and reviewed by the MCM prior to the commencement of Project construction.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Ontario Energy Board Staff (STAFF)

Interrogatory

Reference:

Exhibit G, Tab 1, Schedule 1, Page 1  
Exhibit F, Tab 1, Schedule 1, Attachment 1, 2

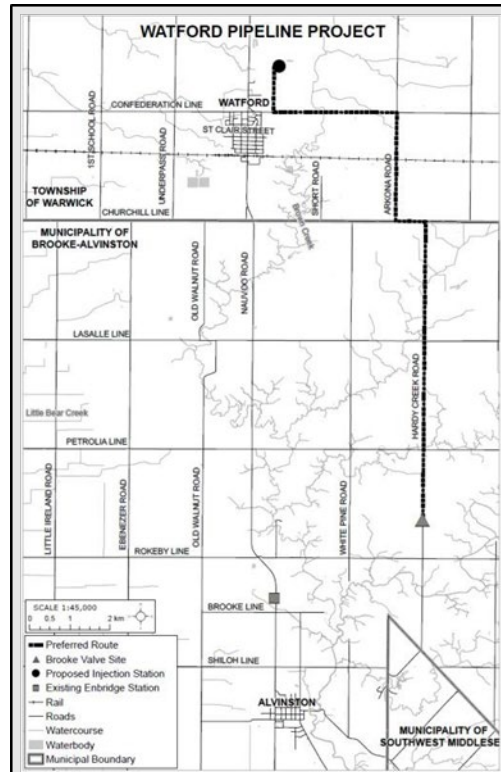
Preamble:

The preferred route starts at the existing Enbridge Gas mainline block valve station at 3943 Hardy Creek Road in the Municipality of Brooke-Alvinston and continues north for 7.5 kilometres; it then turns west along Churchill Line for 750 metres, then turns north to run along Arkona Road for 2.7 kilometres, and then turns north and runs for approximately 1.1 kilometres along private property and a private laneway to enter the Customer Site at 5768 Nauvoo Road.

Enbridge Gas stated that it is initiating negotiations with landowners regarding land rights required for the Project and has not identified any opposition to the Project.

Enbridge Gas noted that it expects to have all required land rights in place prior to commencing Project construction.

The preferred route for the Project follows the public road allowance for the majority of the proposed pipeline. Permanent easement will also be required for the Project.



Question(s):

- a) Please elaborate on where the new pipeline would tie into Enbridge Gas's Brooke Valve site on Hardy Creek Road.
- b) Please clarify whether there is an existing pipeline on Brooke Line and Rokeby Line. If so, please discuss whether the new pipeline would tie into the existing network on Brooke Line and Rokeby Line.
- c) Please provide an update on the status and prospect of land negotiations where permanent and temporary easements are required. Please include any concerns raised by landowners and Enbridge Gas's responses.
- d) Please discuss any expected delays with respect to obtaining the required land rights for the Project and its impact to the construction start and in-service date.

Response:

- a) The proposed NPS 6 pipeline would tie into the existing NPS 10 header at the Brooke Valve Site on Hardy Creek Road.
- b) There are existing Enbridge Gas pipelines on Brooke Line and Rokeby Line with maximum operating pressures of 420 kPag and 1,380 kPag. The proposed NPS 6 pipeline will have a maximum operating pressure of 6,160 kPag, consistent with the Brooke Valve Site. The proposed pipeline will not tie into the existing Enbridge Gas pipelines on Brooke Line and Rokeby Line due to the maximum operating pressure differences.
- c-d) Enbridge Gas has initiated negotiations with all landowners where permanent and temporary land rights are requested for the Project. If temporary land use rights are delayed, alternative plans for construction using available road allowance may be considered to prevent impacts to the proposed in-service date.



ENBRIDGE GAS INC.

Answer to Interrogatory from  
Ontario Energy Board Staff (STAFF)

Interrogatory

Reference:

Exhibit H, Tab 1, Schedule 1, Attachment 6

Preamble:

The Ministry of Energy's (MOE) Delegation Letter identified five Indigenous communities that Enbridge Gas should consult in relation to the Project:

- Aamjiwnaang First Nation
- Bkejwanong (Walpole Island First Nation) (WIFN)
- Chippewas of Kettle and Stony Point First Nation (CKSPFN)
- Chippewas of the Thames First Nation
- Oneida Nation of the Thames.

The ER was circulated to Indigenous communities on June 8, 2023. The evidence includes a consultation log and correspondence.

Question(s):

- a) Please provide an update on the status of Enbridge Gas's response to the questions and concerns raised by WIFN and CKSPFN. Please provide a summary of any replies from WIFN and CKSPFN.
- b) Please update the logs on Indigenous consultation activities since the application was filed. Please summarize any issues and concerns raised since the application was filed.
- c) If any issues were raised, please describe Enbridge Gas's plans, actions and commitments to address these concerns and resolve the outstanding issues.
- d) Please update the evidence with any correspondence between the MOE and Enbridge Gas, after the application was filed, regarding the MOE's review of Enbridge Gas's Indigenous consultation activities.

- e) Please indicate when Enbridge Gas expects to receive a letter of opinion from the MOE.
- f) Please comment on any issues arising from the Project that could adversely impact constitutionally protected Aboriginal or treaty rights. Have any Indigenous communities identified any Aboriginal or treaty rights that could be adversely impacted by the project. If any potential adverse impacts have been identified, please comment on what Enbridge Gas is doing to address these issues.

Response:

- a) The questions and concerns raised by WIFN and CKSPFN that were identified in the ICR log and associated summary have been addressed by Enbridge Gas, as described in that log.

As described and summarized in Exhibit H-1-1, Attachment 6 at Item 5.3, a WIFN representative expressed concerns with the river systems on the alternative route and requested a tour of the site once established. The alternative route was not filed with the OEB as the Primary Preferred Route. Enbridge Gas agreed to a site tour. There have been no further questions or concerns raised in relation to this alternative route.

Subsequent to the filing of the Application, WIFN provided comments on the Environmental Report (ER). Please see response at part b) for a summary of those comments.

As described and summarized in Exhibit H-1-1, Attachment 6 (Items 2.9, 2.11, 2.13, 2.15), Enbridge Gas has had ongoing discussions with CKSPFN regarding the Project, which involved Enbridge Gas responding to a number of questions and comments. Subsequent to the filing of the Application, CKSFN provided comments on the ER and Enbridge Gas has replied to those comments. Please see response at part b) for a summary of those comments and Enbridge Gas's responses. In addition, Enbridge Gas has responded to a number of TFG interrogatories, which have been filed on the record of this proceeding.

- b-c) Please see Attachment 1 and 2. Summaries of the comments received from Indigenous groups since the Application was filed are highlighted in the final column of the updated log, as are Enbridge Gas's responses to those comments, with relevant correspondence provided in Attachment 2. The following provides a summary of comments received and Enbridge Gas's responses to date as well as plans for ongoing engagement.

### Aamjiwnaang First Nation

- Enbridge Gas has received comments from AFN regarding the ER. AFN's comments addressed topics such as: soil resources; species at risk (SAR); designated natural areas and vegetation; and archaeological and cultural heritage resources.

Enbridge Gas provided responses back for AFN's review, providing further explanation of its assessment, as well as the planned mitigation measures, in relation to soil resources, vegetation, species at risk and watercourse crossings. Enbridge Gas committed to offering AFN the opportunity to participate in Stage 2 Fieldwork and noted that a representative from Enbridge Gas Supply Chain Management had met with AFN to discuss opportunities on Enbridge Gas projects.

- On November 9, 2023, AFN provided comments back to Enbridge Gas and has requested to meet in December to review the responses. These subsequent comments addressed the following: mitigation measures for consideration in the event that invasive species or SAR plants are observed during construction and in instances where temporary workspace is required in areas of native vegetation; mitigation measures to minimize indirect effects on the habitat of Bobolink and Eastern Meadowlark and the species themselves; the ongoing identification of SAR; and the involvement of AFN in monitoring. Enbridge Gas plans to meet with AFN to discuss these additional comments. The mitigation measures identified by AFN are within the suite of mitigation measures that Enbridge Gas will consider implementing based on an assessment of the conditions at the time of construction. In addition, Enbridge Gas' EPP will identify the specific steps to be taken in the event that SAR are encountered during construction. Enbridge Gas will provide AFN monitoring opportunities, including during any bat roosting sweeps and in the event that there are in-water work activities.
- Enbridge Gas will continue to provide updates and engage with AFN on the Project.
- Capacity funding has been provided to AFN for their engagement in this Project.

### Chippewas of Kettle and Stony Point First Nations

- Enbridge Gas has received comments from CKSPFN regarding the ER. CKSPFN comments addressed topics such as: the Project purpose, the need for other potential permits, approvals or notifications; the determination of the

study area; the CKSPFN's assertions to title and rights to the waterways and lakebeds in their traditional territory and CKSPFN's subsurface assertion declaring title and rights to the subsurface with CKSPFN's traditional territory; impacts to groundwater, current and future climate conditions in the region; air quality and greenhouse gases in the region; aquatic environment assessments and aquatic species at risk; timing of ELC studies; impacts to forests and woodlands; the importance of the Kettle Point Formation geology, impacts on wildlife habitat; species at risk; clarifications regarding the history of the region and the involvement of elders and knowledge keepers; archaeological resources and assessments; temporary workspace and laydown areas; contaminated soils; dewatering plans; MECP- issued permits; disposal of contaminated groundwater; atmospheric environment; site restoration and monitoring reports; water crossing plans and impacts on the aquatic environment; effects on wetlands; invasive species; vegetation and tree removal plans; wildlife encounters; workforce impacts; cumulative effects; accidents and malfunctions; environmental inspection.

Enbridge Gas provided responses back for CKSPFN's review. Enbridge Gas provided further information regarding the Project and provided additional explanation of its assessment as well as the planned mitigation measures, in relation to myriad of subject areas that were the focus of CKSPFN's comments, including species at risk, watercourses and groundwater, wildlife, aquatic species, the subsurface environment, air quality and atmospheric environment, cumulative effects, and archaeological resources. In the responses, Enbridge Gas emphasized its commitment to ongoing consultation with CKSPFN. Enbridge Gas agreed to share tree removal plans prior to tree removal as well as information regarding large wildlife encounters and incidents, species at risk encounters, the identification of a nests during construction activities, the discovery of archaeological resources during construction, reportable spills, and monitoring reports. Enbridge Gas has offered to meet again to review the responses and address any issues or concerns CKSPFN might have.

- As CKSPFN is engaged in the OEB proceeding for the Project, questions are also being addressed through the Interrogatory process.
- Enbridge Gas will continue to provide updates and engage with CKSPFN on the Project.
- Capacity funding has been provided to CKSPFN for their engagement on this Project.

### Chippewas of the Thames First Nation

- Enbridge Gas has received comments from COTTFN regarding the ER. COTTFN comments addressed topics such as: the description of the history of the area; archaeological fieldwork; the environmental inspector; training and employment opportunities; training for construction workers; vegetation compensation; watercourse crossings; Project-life; and leak detection and response plans.
- Enbridge Gas provided responses back for COTTFN's review. Enbridge Gas provided more information and further explanation of: the cumulative effects assessment and the associated narrative; the role of the Environmental Inspector; species at risk identification and avoidance during construction; the replacement of vegetation; HDD watercourse crossings and the reasoning behind the choice of route; leak detection and leak response plans. Enbridge Gas committed to inviting the COTTFN to participate in the Stage 2 fieldwork and indicated its willingness to further discuss potential opportunities for COTTFN citizens to participate in environmental fieldwork. Enbridge Gas has offered to meet to review the responses and address any issues or concerns COTTFN might have.
- Enbridge Gas will continue to provide updates and engage with COTTFN on the Project.
- Capacity funding has been provided to COTTFN for their engagement in this Project.

### Oneida Nation of the Thames

- Enbridge Gas will continue to provide updates and engage with Oneida Nation on the Project.
- Capacity funding has been offered to Oneida Nation for their engagement in this Project.

### Walpole Island First Nation

- Enbridge Gas has received comments from WIFN regarding the Environmental Report. WIFN comments addressed topics such as: potential permits, approvals or notifications; land use evaluation; route selection; bird nesting sweeps; handling herpetofauna; cumulative effects; tree removal; accidents and malfunctions; and employment and economy opportunities. Enbridge Gas is working to provide responses back for WIFN's review. Enbridge Gas will offer to meet to review the responses and address any issues or concerns WIFN might have.

- Enbridge Gas will continue to provide updates and engage with WIFN on the Project.
- Capacity funding has been provided to WIFN for their engagement in this Project.

d-e) Please see Attachment 3. The MOE advised Enbridge Gas that they continue to reach out to Indigenous communities on the Watford Project. Since there is an Indigenous intervenor, the MOE's intent is to review the submissions and responses from Enbridge Gas as well as OEB staff to ensure the MOE has all the available information to make an assessment. The aim will be to submit the Letter of Opinion as close to the end of record as possible, which will likely be soon after December 14.

f) In the CKSPFN comments on the ER, CKSPFN referenced its subsurface and water rights assertion, which declares CKSPFN ownership and jurisdiction of the subsurface pore space and lakebeds and waterways within the study area. CKSPFN noted the need to protect watercourses in the area and requested further information regarding plans for crossings and work near surface water features. In response, Enbridge Gas provided information on the planned mitigation measures for surface waters, including watercourse crossings. With the implementation of mitigation measures, no significant adverse residual effects on surface water are anticipated during construction or operation of the Project. CKSPFN noted the need to consult with them on all subsurface investigations. Enbridge Gas noted that all subsurface investigations were included within the ER. Construction of the Project will occur within the existing road allowance which will minimize and mitigate environmental effects, including subsurface disturbance.

While no other specific potential impacts of the Project on either asserted or established rights have been identified, as noted above, Enbridge Gas has responded to a number of comments and recommendations of the First Nations identified in the MOE Delegation letter. Enbridge Gas will continue to engage with each of the five First Nation communities identified by the MOE as being potentially affected as appropriate throughout the lifecycle of the Project.

**Enbridge Gas Inc. Indigenous Consultation Log for the Watford Pipeline Project**

**Log from June 27, 2023 – November 10, 2023**

<b>Aamjiwnaang First Nation (“AFN”)</b>					
<b>Line Item</b>	<b>Date</b>	<b>Method</b>	<b>Summary of Enbridge Gas Inc. (“Enbridge Gas”) Consultation Activity</b>	<b>Summary of Community’s Consultation Activity</b>	<b>Issues or Concerns raised and how addressed by Enbridge Gas</b>
1.11	August 9, 2023	Email		An AFN representative emailed the Enbridge Gas representative to provide AFN’s comments on the Project environmental report (ER).	AFN’s comments addressed topics such as: soil resources; species at risk; designated natural areas and vegetation; and archaeological and cultural heritage resources.  See Attachment 2 to this Exhibit.
1.12	August 9, 2023	Email	An Enbridge Gas representative emailed the AFN representative to confirm receipt of the ER comments and advise they would begin to work to gather responses.		
1.13	August 31, 2023	Email	An Enbridge Gas representative emailed the AFN representatives to provide notice that the Stage 2 fieldwork for the Project was to be conducted soon. The Enbridge Gas representative advised that the final dates for the fieldwork were being determined and monitor agreements would be provided in the coming weeks.		
1.14	October 13, 2023	Email	An Enbridge Gas representative emailed the AFN representative to advise that Enbridge Gas was still working on the responses to their ER comments and would be sending them out soon.		
1.15	October 18, 2023	Email	Timmins Martelle Heritage Consultants (TMHC), acting on behalf of Enbridge Gas, emailed the COTTFN representative to advise that the Stage 2 fieldwork would be commencing once locates and field conditions would allow.		
1.16	October 18, 2023	Email		An AFN representative emailed the Enbridge Gas representative to advise that they will reach out to Tri-Tribal Monitoring Services (TTMS) to determine their	

				interest in participating in the Stage 2 fieldwork.	
1.17	October 18, 2023	Email		A TTMS representative emailed an Enbridge Gas representative to advise they were interested in participating in the Stage 2 fieldwork.	
1.18	October 24, 2023	Email	An Enbridge Gas representative emailed the AFN representatives to provide the responses to AFN's comments on ER. The Enbridge Gas representative offered to have a meeting to review the comments.		Enbridge Gas provided its response to the AFN comments on the ER. In the response, Enbridge Gas provided further explanation of its assessment, as well as the planned mitigation measures, in relation to soil resources, vegetation, species at risk and watercourse crossings. Enbridge Gas committed to offering AFN the opportunity to participate in Stage 2 Fieldwork and recognized that a representative from Enbridge Gas Supply Chain Management had met with AFN to discuss opportunities on Enbridge Gas projects.  See Attachment 2 to this Exhibit.
1.19	October 24, 2023	Email		An AFN representative emailed the Enbridge Gas representative to confirm receipt of the response and advised they would review and get back to Enbridge Gas.	
1.20	October 30, 2023	Email	An Enbridge Gas representative emailed the TTMS representative to provide a monitor agreement for the Stage 2 fieldwork.		
1.21	November 2, 2023	Email	An Enbridge Gas representative emailed the AFN representative to provide a monthly update on current Enbridge Gas Leave to Construct Projects.		
1.22	November 9, 2023	Email		An AFN representative emailed an Enbridge Gas	AFN's additional comments addressed the following: mitigation measures for consideration in the event



				representative to provide responses to Enbridge Gas's response to AFN's comments on the ER. AFN requested a meeting in December to discuss.	that invasive species or SAR plants are observed during construction and in instances where temporary workspace is required in areas of native vegetation; mitigation measures to minimize indirect effects on the habitat of Bobolink and Eastern Meadowlark and the species themselves; the ongoing identification of SAR; and the involvement of AFN in monitoring.  See Attachment 2 to this Exhibit.
1.23	November 10, 2023	Email	An Enbridge Gas representative emailed an AFN representative to acknowledge receipt of the responses and requested some meeting dates that worked best for AFN to meet.		
<b>Chippewas of Kettle and Stony Point First Nation ("CKSPFN")</b>					
<b>Line Item</b>	<b>Date</b>	<b>Method</b>	<b>Summary of Enbridge Gas Inc. ("Enbridge Gas") Consultation Activity</b>	<b>Summary of Community's Consultation Activity</b>	<b>Issues or Concerns raised and how addressed by Enbridge Gas</b>
2.20	June 29, 2023	Email		A CKSPFN representative emailed an Enbridge Gas representative to request all Project documentation - emails and documents that are available for review.	CKSPFN representative asked for all Project documentation - emails and documents that are available for review.
2.21	June 29, 2023	Email	An Enbridge Gas representative emailed the CKSPFN representative to confirm the receipt of the email and advise they would work to gather the information. The Enbridge Gas representative provided the link to the ER as it was available for review.		
2.22	July 10, 2023	Email	An Enbridge Gas representative emailed the CKSPFN representatives providing the following documents: <ul style="list-style-type: none"> <li>Detailed description of the nature and initial scope of the Project;</li> <li>Maps of the Project location</li> <li>Slides for the Virtual Open Houses;</li> </ul>		An Enbridge Gas representative emailed the CKSPFN documentation in response to the June 29, 2023 CKSPFN request.

			<ul style="list-style-type: none"> <li>• Description and map advising of a change in scope of the Project;</li> <li>• ER link;</li> <li>• Capacity Funding letter; and</li> <li>• CKSPFN consultation log</li> </ul>		
2.23	July 28, 2023	Email		A TFG representative, acting on behalf of CKSPFN, emailed the Enbridge Gas representative to provide the signed capacity funding agreement for the Project.	
2.24	July 28, 2023	Email		A CKSPFN representative emailed an Enbridge Gas representative to provide comments on the ER.	CKSPFN's comments addressed topics such as: the Project purpose, the need for other potential permits, approvals or notifications; the determination of the study area; the CKSPFN's assertions to title and rights to the waterways and lakebeds in their traditional territory and CKSPFN's subsurface assertion declaring title and rights to the subsurface with CKSPFN's traditional territory; impacts to groundwater, current and future climate conditions in the region; air quality and greenhouse gases in the region; aquatic environment assessments and aquatic species at risk; timing of ELC studies; impacts to forests and woodlands; the importance of the Kettle Point Formation geology, impacts on wildlife habitat; species at risk; clarifications regarding the history of the region and the involvement of elders and knowledge keepers; archaeological resources and assessments; temporary workspace and laydown areas; contaminated soils; dewatering plans; MECP- issued permits; disposal of contaminated groundwater; atmospheric environment; site restoration and monitoring reports;

					<p>water crossing plans and impacts on the aquatic environment; effects on wetlands; invasive species; vegetation and tree removal plans; wildlife encounters; workforce impacts; cumulative effects; accidents and malfunctions; environmental inspection.</p> <p>See Attachment 2 to this Exhibit.</p>
2.25	July 31, 2023	Email	An Enbridge Gas representative emailed the CKSPFN representative to confirm receipt of the CKSPFN ER comments and advised that Enbridge Gas would begin working on responses.		
2.26	August 3, 2023	Email		A representative from CKSPFN administration emailed an Enbridge Gas representative to request a conversation on how Enbridge Gas's consultation on Projects relates to First Nations in the area.	
2.27	August 8, 2023	Phone	An Enbridge Gas representative had a discussion with the representative from CKSPFN administration. The CKSPFN representative advised that the CKSPFN Chief and administration were examining the CKSPFN protocol for engaging proponents, and aligning work plans and scheduling with their consultants at Three Fires Group (TFG).		
2.28	August 14, 2023	Email	An Enbridge Gas representative emailed the representative from CKSPFN administration requesting a meeting to discuss Enbridge Gas Project consultation, past involvement with TFG and First Nations consultation in the region. The Enbridge Gas representative provided some dates for in person meetings.		
2.29	August 16	Email		A representative from CKSPFN administration emailed the Enbridge Gas	

				representative to confirm a date for the meeting.	
2.30	August 31, 2023	Email	An Enbridge Gas representative emailed all the CKSPFN representatives to provide notice that the Stage 2 fieldwork for the Project was to be conducted soon. The Enbridge Gas representative advised that the final dates for the fieldwork were being determined and monitor agreements would be provided in the coming weeks.		
2.31	September 19, 2023	In person meeting	Enbridge Gas representatives met with representatives from CKSPFN administration to discuss Enbridge Gas Project consultation, past involvement with TFG and First Nations consultation in the region. The CKSPFN representatives requested that all communications to <a href="mailto:consultation@kettlepoint.org">consultation@kettlepoint.org</a> also be provided to the Chief, Band Manager and Communication Specialist.		The CKSPFN representatives requested that all communications to <a href="mailto:consultation@kettlepoint.org">consultation@kettlepoint.org</a> be provided to the Chief, Band Manager and Communication Specialist.
2.32	September 28, 2023	Email		A CKSPFN administration representative emailed an Enbridge Gas representative requesting the Stage 1-2 archaeological assessments, environmental assessments and any information that had been provided to TFG. The CKSPFN representative requested a meeting to get an understanding of the Project and learn more as CKSPFN is the closest First Nation treaty right holder to the Project.	CKSPFN requested the Stage 1-2 archaeological assessments, environmental assessments and any information that had been provided to TFG. CKSPFN requested a meeting to get an understanding of the Project and learn more as CKSPFN is the closest First Nation treaty right holder to the Project.
2.33	October 2, 2023	Email	An Enbridge Gas representative emailed the CKSPFN administration representative to advise that the Stage 1-2 assessment had not yet been scheduled but that Enbridge Gas would reach out to both		Enbridge Gas advised that the Stage 1-2 assessment had not yet been scheduled.  Enbridge Gas provided the link to the ER.

			<a href="mailto:consultation@kettlepoint.org">consultation@kettlepoint.org</a> , Chief, Band Manager and the CKSPFN representative to advise of timing. The Enbridge Gas representative provided the link to the ER and advised they would send the additional information that had been provided to TFG. The Enbridge Gas representative provided dates for a meeting to discuss the Project.		Enbridge Gas offered a meeting to discuss the Project further.
2.34	October 2, 2023	Email	The Enbridge Gas representative emailed the CKSPFN administration representative the notification letter and shape file as per their request.		The Enbridge Gas representative emailed the CKSPFN administration representative the notification letter and shape file as per their request.
2.35	October 2, 2023	Email	The Enbridge Gas representative emailed the CKSPFN administration representative a consultation log as well as the ER comments received from CKSPFN.		The Enbridge Gas representative emailed the CKSPFN administration representative a consultation log as well as the ER comments received from CKSPFN.
2.36	October 3, 2023	Email		A CKSPFN administration representative emailed the Enbridge Gas representative to confirm receipt of the information provided. The CKSPFN representative confirmed a time to meet.	
2.37	October 4, 2023	In-person meeting	Enbridge Gas representatives met with a CKSPFN administration representative to discuss the Project. The representatives discussed the scope of the Project. The Enbridge Gas representative provided an overview of how a Leave to Construct project proceeds and the OEB process for the Project.		
2.38	October 13, 2023	Email	An Enbridge Gas representative emailed the CKSPFN representative to advise that Enbridge Gas was still working on the responses to their ER comments and that they would be sent for their review prior to the October 31, 2023 due date for interrogatories in the OEB process.		
2.39	October 18, 2023	Email	TMHC, acting on behalf of Enbridge Gas, emailed the CKSPFN		

			representatives to advise that the Stage 2 fieldwork would be commencing once locates and field conditions would allow.		
2.40	October 19, 2023	Email		A CKSPFN administration representative emailed the TMHC representative to advise they would like to participate in the fieldwork studies on behalf of CKSPFN administration. They advised that TFG might also send a monitor.	
2.41	October 20, 2023	Email	An Enbridge Gas representative emailed the CKSPFN representatives to provide the responses to CKSPFN's comments on the ER. The Enbridge Gas representative offered to have a meeting to review the comments.		Enbridge Gas provided a response to the CKSPFN comments and questions on the ER. In the response, Enbridge Gas provided further information regarding the Project and provided additional explanation of its assessment as well as the planned mitigation measures, in relation to myriad of subject areas that were the focus of CKSPFN's comments, including species at risk, watercourses and groundwater, wildlife, aquatic species, the subsurface environment, air quality and atmospheric environment, cumulative effects, and archaeological resources. In the responses, Enbridge Gas emphasized its commitment to ongoing consultation with CKSPFN. Enbridge agreed to share tree removal plans prior to tree removal as well as information regarding large wildlife encounters and incidents, species at risk encounters, the identification of a nests during construction activities, the discovery of archaeological resources during construction, reportable spills, monitoring reports.

					See Attachment 2 to this Exhibit.
2.42	October 30, 2023	Email		A CKSPFN administration representative emailed the Enbridge Gas representative to seek the dates for the fieldwork and to ask if TFG had responded to the monitor request.	
2.43	October 30, 2023	Email	An Enbridge Gas representative emailed the CKSPFN administration representative to advise that the dates had not yet been set for the Stage 2 fieldwork but they would be notified when those dates were determined. The Enbridge Gas representative advised that TFG had not yet responded to the monitor request.		
2.44	October 30, 2023	Email	An Enbridge Gas representative sent the CKSPFN administration representative a monitor agreement for the CKSPFN administration representative.		
2.45	October 30, 2023	Email		The CKSPFN administration representative emailed the Enbridge Gas representative asking to get out to see some of the assessments for the Project site up close. The CKSPFN administration representative asked when the agreement needs to be returned to Enbridge Gas.	
2.46	October 31, 2023	Email	An Enbridge Gas representative emailed the CKSPFN administration representative to advise that the agreement would be required prior to the monitor fieldwork date.		
2.47	November 2, 2023	Email	An Enbridge Gas representative emailed the CKSPFN administration representative to advise that, until the Project was approved by the OEB, there was nothing to see on the site. The Enbridge Gas representative		

			advised that a site visit would be arranged in 2024 if the Project was approved.		
2.48	November 2, 2023	Email	An Enbridge Gas representative emailed the CKSPFN representatives to provide a monthly update on current Enbridge Gas Leave to Construct Projects.		
<b>Chippewas of the Thames First Nation ("COTTFN")</b>					
<b>Line Item</b>	<b>Date</b>	<b>Method</b>	<b>Summary of Enbridge Gas Inc. ("Enbridge Gas") Consultation Activity</b>	<b>Summary of Community's Consultation Activity</b>	<b>Issues or Concerns raised and how addressed by Enbridge Gas</b>
3.5	July 13, 2023	Email		A COTTFN representative emailed an Enbridge Gas representative to provide comments on the ER.	COTTFN's comments addressed topics such as: the description of the history of the area; archaeological fieldwork; the environmental inspector; training and employment opportunities; training for construction workers; vegetation compensation; watercourse crossings; Project-life; and leak detection and response plans.  See Attachment 2 to this Exhibit.
3.6	August 31, 2023	Email	An Enbridge Gas representative emailed the COTTFN representatives to provide notice that the Stage 2 fieldwork for the Project was to be conducted soon. The Enbridge Gas representative advised that the final dates for the fieldwork were being determined and monitor agreements would be provided in the coming weeks.		
3.7	September 8, 2023	Email		A COTTFN representative emailed the Enbridge Gas representative to seek a timeline for receiving Enbridge Gas's response to COTTFN's comments on the ER.	
3.8	September 13, 2023	Email	An Enbridge Gas representative emailed the COTTFN representative to advise that the comments had been sent to the environmental consultant and they would be sent as soon as they were complete. The Enbridge Gas		



			representative requested a meeting to discuss Enbridge Gas Projects and engagements.		
3.9	September 13-25, 2023	Multiple emails	An Enbridge Gas representative and a COTTFN representative sent multiple emails back and forth setting up a time and location for a meeting. Meeting set for October 4, 2023.		
3.10	October 4, 2023	Meeting	An Enbridge Gas representative met with the COTTFN representatives to discuss ongoing Enbridge Gas projects.		
3.11	October 6, 2023	Email	An Enbridge Gas representative emailed the COTTFN representative to provide the Notice of Change as the comments on the ER stated that it had not been received by COTTFN.		
3.12	October 6, 2023	Email		A COTTFN representative emailed the Enbridge Gas representative to advise that the Notice of Change had been uploaded into Nations Connect in July.	
3.13	October 13, 2023	Email	An Enbridge Gas representative emailed the COTTFN representative to provide the responses to COTTFN's comments on the ER. The Enbridge Gas representative advised that the response would be uploaded to Nations Connect as well.		Enbridge Gas provided a response to the COTTFN comments on the ER. In the response Enbridge provided more information and further explanation of: the cumulative effects assessment and the associated narrative; the role of the Environmental Inspector; species at risk identification and avoidance during construction; the replacement of vegetation; HDD watercourse crossings and the reasoning behind the choice of route; leak detection and leak response plans. Enbridge Gas committed to inviting the COTTFN to participate in the Stage 2 fieldwork and indicated its willingness further discuss potential opportunities for COTTFN citizens to participate in environmental fieldwork.

					See Attachment 2 to this Exhibit.
3.14	October 18, 2023	Email	TMHC, acting on behalf of Enbridge Gas, emailed the COTTFN representative to advise that the Stage 2 fieldwork would be commencing once locates and field conditions would allow.		
3.15	October 18, 2023	Email		A COTTFN representative emailed the Enbridge Gas representative to provide the agreement to participate in the Stage 2 assessment.	
3.16	October 19, 2023	Email	An Enbridge Gas representative emailed the COTTFN representative to provide a signed copy of the agreement to participate in the Stage 2 assessment fieldwork.		
3.17	October 19, 2023	Email		A COTTFN representative emailed the Enbridge Gas representative a signed copy of the agreement.	
3.18	November 2, 2023	Email	An Enbridge Gas representative emailed the COTTFN representative to provide a monthly update on current Enbridge Gas Leave to Construct projects.		
<b>Oneida Nation of the Thames (“Oneida Nation”)</b>					
<b>Line Item</b>	<b>Date</b>	<b>Method</b>	<b>Summary of Enbridge Gas Inc. (“Enbridge Gas”) Consultation Activity</b>	<b>Summary of Community’s Consultation Activity</b>	<b>Issues or Concerns raised and how addressed by Enbridge Gas</b>
4.6	August 31, 2023	Email	An Enbridge Gas representative emailed the Oneida representatives to provide notice that the Stage 2 fieldwork for the Project was to be conducted soon. The Enbridge Gas representative advised that the final dates for the fieldwork were being determined and monitor agreements would be provided in the coming weeks.		
4.7	September 25, 2023	Email		An Oneida Nation representative emailed the Enbridge Gas representative on a different topic and introduced	

				themselves as the interim Environmental Consultations Coordinator.	
4.8	October 12, 2023	Email	An Enbridge Gas representative emailed the Oneida Nation representative to request a time to visit to introduce themselves and provide updates on Enbridge Gas projects.		
4.9	October 18, 2023	Email	TMHC, acting on behalf of Enbridge Gas, emailed the Oneida Nation representative to advise that the Stage 2 fieldwork would be commencing once locates and field conditions would allow.		
4.10	November 2, 2023	Email	An Enbridge Gas representative reached out to the Oneida Nation representative to request a meeting to introduce themselves and provide information on Enbridge Gas projects.		
4.11	November 2, 2023	Email	An Enbridge Gas representative emailed the Oneida Nation representative to provide a monthly update on current Enbridge Gas Leave to Construct projects.		
<b>Walpole Island First Nation (WIFN)</b>					
<b>Line Item</b>	<b>Date</b>	<b>Method</b>	<b>Summary of Enbridge Gas Inc. ("Enbridge Gas") Consultation Activity</b>	<b>Summary of Community's Consultation Activity</b>	<b>Issues or Concerns raised and how addressed by Enbridge Gas</b>
5.8	June 28, 2023	Email		A WIFN representative emailed an Enbridge Gas representative the third party proposal for the Project.	
5.9	June 28, 2023	Email	An Enbridge Gas representative emailed the WIFN representative to advised they had reviewed the proposal and would provide capacity funding to cover the costs.		
5.10	August 31, 2023	Email	An Enbridge Gas representative emailed the WIFN representatives to provide notice that the Stage 2 fieldwork for the Project was to be conducted soon. The Enbridge Gas representative advised that the final dates for the fieldwork were being determined and monitor agreements would be provided in the coming weeks.		

5.11	September 12, 2023	Email	An Enbridge Gas representative emailed the WIFN representative to follow up on the status of the WIFN ER comments.		
5.12	September 22, 2023	Email		A WIFN representative emailed the Enbridge Gas representative to provide WIFN's comments on the ER.	WIFN's comments addressed topics such as: potential permits, approvals or notifications; Land Use Evaluation; route selection, bird nesting sweeps; handling herpetofauna; cumulative effects, tree removal; accidents and malfunctions, and employment and economy opportunities.  See Attachment 2 to this Exhibit.
5.13	September 22, 2023	Email	An Enbridge Gas representative emailed the WIFN representative to confirm receipt of WIFN's ER comments and advised that Enbridge Gas would begin working on responses.		
5.14	October 18, 2023	Email	TMHC, acting on behalf of Enbridge Gas, emailed the WIFN representatives to advise that the Stage 2 fieldwork would be commencing once locates and field conditions would allow.		
5.15	October 18, 2023	Email		A WIFN representative emailed the TMHC representative to advise WIFN would like to participate in the Stage 2 fieldwork.	
5.16	October 30, 2023	Email	An Enbridge Gas representative emailed the WIFN representative to provide a monitor agreement for the Stage 2 fieldwork and requested it to be signed and returned.		
5.17	November 2, 2023	Email	An Enbridge Gas representative emailed the WIFN representatives to provide a monthly update on current Enbridge Gas Leave to Construct projects.		



23L-03958

## **Environmental Report Review**

Enbridge Watford Gas Pipeline Project  
Assessment

**Prepared for:**

Aamjiwnaang First Nation

**Prepared by:**

Vertex Professional Services Ltd.

**Date:**

July 2023

**Environmental Report Review**  
**Enbridge Watford Gas Pipeline Project**

Prepared for:

**Aamjiwnaang First Nation**

978 Tashmoo Avenue

Sarnia, Ontario N7T 7H5

Prepared by:

**Vertex Professional Services Ltd.**

4240 Blackfoot Trail SE

Calgary, Alberta T2G 4E6

*Abdi Kabadeh* \_\_\_\_\_

Abdi Kabadeh, M.Sc., PAg

SENIOR ENVIRONMENTAL & REGULATORY PLANNER, REPORTING

July 20, 2023 \_\_\_\_\_

Date

\_\_\_\_\_  
Jesse Dirom

MANAGER OF ENVIRONMENT, REPORT REVIEW

July 20, 2023 \_\_\_\_\_

Date

## Executive Summary

Aamjiwnaang First Nation retained Vertex Professional Services Ltd. (Vertex) to review the Environmental Report (ER) prepared by Enbridge Gas (Enbridge) for the Watford Gas Pipeline Project (the “Project”). The Project involves the construction of a new injection station and approximately 15 to 20 km of 4-inch or 6-inch steel pipeline. The majority of the pipeline would be installed within existing road rights-of-way. Easements may be required to install pipeline on private property. A typical depth of ground cover over the pipeline will be 0.9 to 1.2 m. Temporary workspace and laydown areas will be required adjacent to the pipeline to facilitate the movement and storage of construction equipment. Enbridge Gas has identified a Preliminary Preferred Route and two alternative routes.

The ER was completed in accordance with the Ontario Energy Board (OEB) *Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario* (Environmental Guideline; 2016).

To effectively assess the ER, a concordance table was developed to compare requirements of the OEB’s Environmental Guideline (2016) against Enbridge’s ER. Where requirements were met, the letter ‘Y’ was marked in the column under the heading ‘meeting requirement’, and the letter ‘N’ was marked when requirements were not met, or information provided was not sufficient. Where the letter ‘N’ was marked, explanation was provided in the comment section of the concordance table.

The ER report satisfied the requirements of OEB’s Environmental Guideline (2016) for comprehensive environmental reporting. Vertex provided additional recommendations in some areas in the report where it was deemed important to Aamjiwnaang First Nation.

**Table of Contents**

**1.0 Introduction ..... 1**

**2.0 Scope of Work ..... 1**

**3.0 Methods..... 2**

**4.0 Report Summary ..... 2**

    4.1 Routing and Site Selection ..... 2

    4.2 Environmental and Socio-economic Features ..... 3

    4.3 Effects Assessment and Proposed Mitigation ..... 3

        4.3.1 Groundwater Resources ..... 3

        4.3.2 Soil Resources ..... 4

        4.3.3 Agricultural Resources ..... 4

        4.3.4 Surface Water ..... 5

        4.3.5 Fish and Fish Habitat and Aquatic Species at Risk ..... 5

        4.3.6 Designated Natural Areas and Vegetation ..... 6

        4.3.7 Wildlife and Wildlife Habitat ..... 7

        4.3.8 Species at Risk ..... 7

        4.3.9 Indigenous Interests ..... 8

        4.3.10 Air Quality and Noise ..... 8

        4.3.11 Landfills and Contaminated Sites ..... 8

        4.3.12 Archaeological Resources ..... 9

        4.3.13 Cultural Heritage Resources ..... 9

    4.4 Cumulative Effects ..... 9

    4.5 Environmental Monitoring and Contingency Plans ..... 10

**5.0 Conclusions and Recommendations ..... 11**





## 1.0 Introduction

Aamjiwnaang First Nation (the “Nation”) retained Vertex Professional Services Ltd. (Vertex) to review the Environmental Report (ER) prepared by Enbridge Gas for the Watford Gas Pipeline Project (the “Project”). The project involves the construction of a new injection station and approximately 15 to 20 km of 4-inch or 6-inch steel pipeline. The majority of the pipeline would be installed within existing road rights-of-way (ROW). Easements may be required to install pipeline on private property. Typical depth of ground cover over the pipeline will be 0.9 to 1.2 m. Temporary workspace and laydown areas will be required adjacent to the pipeline to facilitate the movement and storage of construction equipment.

Enbridge has identified a Preliminary Preferred Route (PPR) and two alternative routes:

- The PPR ties into the existing Enbridge Gas Watford Transmission Station on Nauvoo Road. The route continues south along Nauvoo Road for 300 m, turns west along the Brooke Line for 1.8 km, turns north along Old Walnut Road, Lasalle Line, Churchill Line and Underpass Road for 13.9 km, turns east along Confederation Line for 2.5 km and then turns north for 1 km to enter the Customer Site at 5768 Nauvoo Road
- Alternative Route A (Alt Route A) starts at the existing Enbridge Gas station on Nauvoo Road and continues north for 10.9 km, turns east along Bond Street and private property for 700 m, then turns north onto the Canadian National Railway ROW and private property for 1.3 km before entering the Customer Site at 5768 Nauvoo Road for another 1 km
- Alternative Route B (Alt Route B) starts at the existing Enbridge Gas mainline bloc valve station at 3943 Hardy Creek Road and continues north for 7.5 km, turns west along Churchill Line for 750 m, turns north along Arkona Road for 2.7 km, turns west along Confederation Line for 3.1 km, turns north along private property and a private laneway to enter the Customer Site at 5768 Nauvoo Road

A Concordance Table was developed to determine if the ER prepared for the Project met the requirement of Ontario Energy Board’s (OEB) *Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario* (2016; Environmental Guideline[2016]) in identifying, assessing, and developing mitigation measures to address potential environmental and socio-economic impacts associated with the Project.

An OEB Leave-to-Construct application and approval is a prerequisite for a pipeline project to proceed. The OEB is Ontario’s independent regulator of the electricity and natural gas sectors whose role is to serve and protect the interest of the public. The application to OEB is required to include information about the proposed project such as environmental report and mitigation measures, facility alternatives, project design and construction, and consultation with Indigenous communities. The ER was evaluated based on the OEB’s Environmental Guideline (2016).

## 2.0 Scope of Work

The following scope of work was established for the ER Review to determine whether:

- Enbridge Gas has identified preferred and alternative routes for the pipeline after evaluating environmental constraints associated with each route
- Enbridge has identified potential environmental and socio-economic effects associated with the Project
- Mitigation measures to reduce environmental and socio-economic effects are developed
- An appropriate environmental inspection, monitoring and follow-up program is developed
- Enbridge Gas has conducted consultation with Indigenous communities to understand interest and concerns of the Project
- The ER was prepared in accordance with OEB's Environmental Guideline (2016)

### 3.0 Methods

A Table of Concordance was developed to compare the OEB's Environmental Guideline (2016) requirements against the ER. Each section of the ER was reviewed and assessed for compliance with the OEB Environmental Guideline (2016) focusing on potential environmental impacts associated with the project and proposed mitigation measures.

### 4.0 Report Summary

An OEB Leave-to-Construct application and approval is a requirement for any energy related project to proceed. The OEB is Ontario's independent regulator of the electricity and natural gas sectors who serves to protect the public interest. The application to the OEB must include information on the proposed project including environmental report and mitigation measures, facility alternatives, project design and construction, and consultation with Indigenous communities.

The ER was completed in accordance with the OEB's Environmental Guideline (2016).

#### 4.1 Routing and Site Selection

Chapter 4 of the OEB's Environmental Guideline (2016) route for site selection, requires the ER to contain detailed descriptions of the environmental features within the proposed Project location that may be impacted by the Project either directly or indirectly and to consider alternative routes. The report should clearly explain the rationale for selecting the study area. The description of the study area should address all environmental components including natural, social, economic, cultural and built, and identify potential constraints and challenges.

Dillon Consulting (Dillon) conducted combinations of desktop studies and site reconnaissance to assess potential environmental impacts (direct/indirect) associated with the Project during the pipeline route selection. The desktop study area included an area covering 250 m width, consisting of 125 m on each side of the potential pipeline route considered.

Dillon conducted the features mapping exercise in accordance with OEB's Environmental Guideline (2016), consisting of topographical features, natural environment features, natural hazard information and relevant land use planning information. The field reconnaissance study area covered a total of 60 m width comprising 30 m on each side of the potential route considered.

Enbridge Gas identified a PPR and two alternative routes (Alt Route A and Alt Route B) for the Project. Both the PPR and Alt Route A would tie into the existing Enbridge Gas Watford transmission station on Nauvoo Road. Alt Route B was not previously considered but was suggested during a public consultation session with stakeholders. Following this suggestion, the route was added into the assessment study by Dillon. Alt Route B would tie into the existing Enbridge Gas Brooke Value site on Hardy Creek Road.

Enbridge Gas recognized that locating the pipeline within previously disturbed land would reduce potential environmental impact and therefore considered the pipeline routes to be within disturbed land.

## **4.2 Environmental and Socio-economic Features**

Dillon assessed the impact the Project could have on the environment and socio-economic features by taking inventory of the nature and socio-economic features of the proposed location for the Project. The information obtained was used to develop maps identifying features that could potentially be impacted by the Project. Mitigation measures to eliminate or minimize impacts to the environmental and socio-economic features were developed as part of the ER, which confirms compliance with the OEB guidelines.

## **4.3 Effects Assessment and Proposed Mitigation**

The potential impact of the physical, natural and socio-economic environment within the proposed Project location was assessed, and mitigation measures proposed. The criteria for assessing and evaluating significant environmental impacts are provided in section 6.0 of the ER.

### **4.3.1 Groundwater Resources**

The OEB guidelines require avoidance of groundwater recharge areas and spring sources when selecting the preferred route. The Project location is within the jurisdiction of the St. Clair Region Conservation Authority (SCRCA) and is within the St. Clair Watershed. The proposed pipeline routes are partially located in areas of potential groundwater recharge. The pipeline will be installed using a combination of open-cut trenching and trenchless techniques at a depth of approximately 0.9 to 1.2 m. The preferred routes appear to have an underground well at a depth of 1.2 metres below ground surface (mbgs) and 33.8 mbgs, which has the potential to be impacted. Bentonite slurry may be produced if trenchless methods are used during construction causing the slurry to seep into porous subsurface formations and contaminate groundwater quality. Bentonite slurry is considered industrial waste and must be managed properly.

If recommended mitigation measures in Table 6-2 of the ER are successfully implemented, significant adverse effects on groundwater can be avoided. Recommended mitigation measures included minimizing the generation of bentonite slurry by screening, reusing bentonite on-site where applicable, frequently monitoring the application of bentonite slurry on-site, retaining an independent hydrogeologist to assess impact on groundwater quality, implementing a well monitoring plan during construction, obtaining dewatering permits including allowable discharge and withdrawal volume and implementing an associated water quality monitoring plan, and regular monitoring during discharge activities to ensure no sediment laden effluent is discharged to watercourse or other sensitive environments.

#### **4.3.2 Soil Resources**

The OEB does not require detailed soil survey data if the site is located in a road allowance or a previously disturbed area that will not be returned to agriculture. The pipeline will be installed within, or immediately adjacent to, municipal road ROW. Additionally, the soils and subsoils in the Project footprint have been heavily disturbed by past utility and road works, and related infilling. The soils underlying the road base were considered to comprise fine-grained clay, with areas of coarse and fine-grained till deposits comprising silt and sand. Confirmation of soil type, either within disturbed or non-disturbed areas, was not reported and a soils field assessment was not conducted. A search for historical contamination was conducted and the potential for past or project-related leaks or spills to affect soils was considered.

Potential impact to soil resources during the construction and operation of the project include reduction in soil capacity, reduction in soil thickness, change in soil distribution, and changes to surface and subsurface drainage patterns. Elements that could be attributed to soil loss include erosion, accidental contaminant spill, and mechanical impact such as from mixing, compaction and rutting activities. Changes in topography cause changes in surface and subsurface drainage patterns. Once the thickness of soil is compromised, distribution of soil through wind or water erosion is increased. The only mitigation presented for soils was related to the discovery of historical contamination during construction and spills or leaks from equipment or machinery resulting in contamination of the surrounding environment. Additional mitigation measures regarding erosion, changes in topography, and mixing, compaction and rutting activities should be considered.

#### **4.3.3 Agricultural Resources**

The project occurs in an area that is largely agricultural and rural residential in nature, with some industrial land use. According to the OEB, provincial policy prioritizes the protection of prime agricultural areas. Municipal official plan land use schedules typically show the location of prime agricultural areas. The PPR was compared against Alt Route A and Alt Route B for total prime agricultural land, as defined by the Ontario Ministry of Agriculture, Food and Rural Affairs. As the project occurs along road ROW and other disturbed areas, it largely falls within lower priority agricultural lands, as advised by the OEB.

The OEB recommends that hydrocarbon project construction consider the following impacts on agriculture:

- Loss or deterioration of agricultural land
- Interruption of crop planting or harvesting and disruption to livestock facilities and pastureland
- Traffic, access and safety issues
- Nuisance impacts (e.g., noise, light, dust)
- Changes to ground or surface water quality or quantity relied on by farms
- Impacts to drainage or irrigation systems, or elements of the agri-food network

While some of the potential project-related effects were considered generally in other sections (i.e., Section 6.3.3 Population, Employment and Economic Activities [Traffic], Section 6.3.4 Human Occupancy and Resource Use [Noise], Section 7.4.1 Increase in Air Emissions [dust]) others were not discussed (i.e., effects to agricultural lands, interruptions/disruptions, changes to surface water quality or quantity, impacts to drainages). As per the OEB guidance, all potential project-related effects on agriculture should be discussed. Enbridge recognizes that

short-term adverse impacts may occur and is committed to applying timely mitigation measures, as well as working with landowners to resolve issues in a timely manner.

#### **4.3.4 Surface Water**

The OEB guideline briefly recommends that surface water be considered in that changes to quality or quantity may affect farms and/or drinking water sources. Well Head Protection Areas (WHPAs) and Intake Protection Zones (IPZs) have been identified as areas that are particularly sensitive to surface water contamination; the Project does not overlap any WHPAs or IPZs.

Sediment erosion could have a negative impact on surface water quality. Erosion of soil into watercourses could be caused by stormwater runoff, dewatering discharge and equipment use. The potential for spills and flood events leading to soil erosion, sedimentation and contamination of water quality is predicted and mitigation measures developed.

#### **4.3.5 Fish and Fish Habitat and Aquatic Species at Risk**

Potential impacts to fish and fish habitat caused by the Project include temporary and permanent loss of fish habitat, including other biotic habitat such as invertebrates, and fish mortality risk. Habitat concerns include surface water quality, alteration to stream flow, and alteration or loss of habitat function. Enbridge took a conservative approach in assuming that all watercourses that transect the Project provide fish habitat. It should be clarified whether this includes the various drains.

Sediment and erosion control measures must be in place, and upgraded and maintained such that release of sediment is managed at the location of the activity. The generation of sediment-laden or turbid water as a result of activities must not result in serious harm to fish. Erosion and sediment control measures appropriate to site conditions and the nature of the development are to be properly installed, inspected regularly and maintained in good repair until all disturbed soil surfaces have become stabilized and/or revegetated.

Streambeds should be maintained or re-contoured to approximate the pre-construction profile, and the quantity and quality of stream flow should be maintained. Trenching, lowering-in and backfill should be conducted to the satisfaction of an Environmental Inspector or Monitor.

Stockpiled materials should be stored a minimum of 30 m from watercourses. Refueling and maintenance of equipment should be a minimum of 30 m from watercourses. Equipment must be properly maintained and hazardous materials properly handled and stored to prevent spills. Spills must be immediately contained and cleaned up in accordance with regulatory requirements and company procedures. Controls must be in place to contain potential inadvertent return of drilling fluid and/or migration of drilling fluid to watercourses. Enbridge will develop an Emergency Protection Plan (EPP), which contains emergency response protocol.

Enbridge will consult with the SCRC and other relevant agencies (e.g., Ministry of Natural Resources and Forestry and Fisheries and Oceans Canada) to determine fisheries timing windows and will schedule isolated crossings to protect sensitive fish life stages.

A Fisheries and Oceans Canada permit must be obtained for any in-water works and follow recommendations provided in the permit including waterbody crossing techniques. Recommendations on minimizing adverse effects caused by the Project on fish and fish habitat and aquatic species at risk (SAR) including a fish and wildlife rescue plan, erosion and sediment control plan, and riparian vegetation removal plan must be successfully implemented to minimize the potential for fish mortality or harm, alteration, disruption or destruction of fish habitat. This is particularly important for Brown Creek and Hardy Creek as those waterbodies have been identified as providing habitat for the Northern Sunfish, a federal and provincial SAR.

#### **4.3.6 Designated Natural Areas and Vegetation**

There are no Areas of Natural and Scientific Interest within the study area of the PPR. One Environmentally Significant Area (ESA), the Brooke Township Sydenham Woods, occurs within the footprint but on the east side of Hardy Creek Road. The Brooke Township Sydenham Woods consist of deciduous forest and is designated as a significant woodland according to the official plans of the Municipality of Brooke Alvinston and Lambton County. The Project was designed to avoid this ESA; however, there could still be indirect effects to wildlife (e.g., sensory disturbance or impacts to wildlife movement).

The majority of the study area is agricultural, with small areas of commercial and industrial use and rural residential properties. Areas of native vegetation in the study area consist mainly of deciduous forest and swamp communities, typically beyond the road ROW, and occasional hedgerows. The Project will be installed within, or immediately adjacent to, existing road ROW. Roadside vegetation typically consists of plants with minor ecological value.

Site preparation activities including vegetation clearing and site grading, excavation, soil removal and stockpiling all have the potential to cause negative impacts on vegetation and the ecological communities. Large vegetation clearing or grubbing is not expected to take place on the Project, but routine maintenance activities involving removal of vegetation through means of mowing and mechanical trimming of previously disturbed areas is expected. Construction activities such as temporary laydown areas and equipment encroachment may result in temporary loss or alteration of vegetation. Construction activities could also result in the introduction or spread of invasive species and/or weeds. Leaks or spills may also affect native vegetation. No significant impact to vegetation or the ecological community is expected when recommended mitigation measures are successfully implemented.

This topic is very important to the Nation and, therefore, Vertex recommends that Enbridge develop a Vegetation Management Plan to identify potential impacts to vegetation that may result from the Project, and outline mitigation measures to prevent adverse environmental effects to terrestrial ecosystems over both the short and long term. The Vegetation Management Plan should aim to ensure no adverse impacts to at-risk plant species (e.g., American Chestnut, Blue Ash, Butternut, Common Hop-tree, Dense Blazing-star, Drooping Trillium, Eastern Flowering Dogwood, False Hop Sedge, Green Dragon, Kentucky Coffee-tree, Large Whorled Pogonia, Pawpaw, Purple Twayblade, Riddell's Goldenrod, Spoon-leaved Moss and Willow-leaved Aster), woodlands and to other plants, habitats and ecosystems important to SAR or identified through consultation.

Care must be taken to prevent the introduction of invasive species to the worksite. The area must be surveyed to identify invasive species present prior to and throughout the construction phase of the Project. All temporary stockpiles should be immediately covered with tarping, matting and/or vegetation to prevent erosion and

establishment of invasive plants. Care should be taken to ensure topsoil and other material brought to site, as well as equipment, are free of invasive species and their propagules (i.e., seeds).

Other recommendations proposed by Enbridge, including obtaining appropriate permits and limiting vegetation removal to the extent possible, should also be implemented.

#### **4.3.7 Wildlife and Wildlife Habitat**

The assessment of wildlife and wildlife habitat was a desktop exercise and preliminary field investigation; however, details surrounding any field investigations specific to wildlife (and SAR) are not apparent in the ER. The preliminary field investigations were conducted in October and February, not the appropriate timing window for most wildlife species. In a description of ROW preparation, brief mention is made of wildlife sweeps occurring prior to construction to ensure the area is clear of wildlife or to place wildlife exclusion fencing around observed wildlife features (e.g., active nests). A quick wildlife sweep may not be sufficient to mitigate project-related effects on wildlife, especially if a targeted wildlife field survey has not been previously conducted.

As outlined in the OEB Environmental Guidelines (2016), the Project route should avoid existing deer winter concentration areas, moose late winter habitat, provincially and locally significant wetland areas, traditional plant use areas, critical habitat for fur-bearing animals (e.g., dens), moose aquatic feeding areas, known raptor nesting sites and rare, vulnerable and endangered species or locally significant species (e.g., trumpeter swans, great grey owls). The ER does not appear to outline whether these areas and features will be identified and subsequently avoided or, if they cannot be avoided, site-specific mitigation is not provided (beyond general mitigation provided in Table 6-7 of the ER). As field investigations were preliminary and no specific wildlife surveys appear to have been completed in support of the ER (e.g., to identify any specific wildlife features or wildlife habitat), potential impacts to wildlife and wildlife habitat are uncertain.

The OEB Environmental Guidelines (2016) indicate that the effects of altering wildlife corridors and habitat fragmentation should be addressed in any ER. While the ER considers, in a general way, the potential effects to wildlife including loss and/or degradation of wildlife habitat and mortality, harm and/or disturbance/displacement of wildlife, wildlife corridors are briefly mentioned and dismissed. Habitat fragmentation is not specifically addressed.

Vertex recommends that the Nation be involved in future field study investigations that may have wildlife and/or wildlife habitat concerns where site-specific mitigation or monitoring may be required. If there are existing preliminary field investigation studies of wildlife and wildlife habitat within the proposed Project area, they should be available to the Nation. The potential project-related effects on wildlife movement corridors and habitat fragmentation should be assessed in more detail. The protocol for wildlife sweeps, and the associated mitigation measures, should be discussed in more detail with the Nation.

#### **4.3.8 Species at Risk**

Species at risk are not specifically addressed in the OEB Environmental Guidelines (2016), other than being mentioned in the context of considering habitat during route selection and watercourse sensitivity. Regardless, the ER considers an assessment of potential Project effects to SAR, including fish, vegetation and wildlife. The

assessment of SAR in the ER was a desktop exercise and no mention was made of further site investigations. Site investigations should be conducted during the appropriate habitats and timing windows to properly develop site specific mitigations for any SAR, particularly wildlife SAR. Given that no field investigations appear to have been completed in support of the ER (e.g., to identify any specific SAR or SAR habitat), potential impacts to SAR are uncertain.

A review of SAR records as presented in the ER indicated that there was the potential for 43 SAR to occur within the vicinity of the project; a further screening exercise indicated that habitat for 17 of these species exists in the vicinity of the Project. The condensed list included seven birds, three herptiles, one lepidopteran, four mammals and two vascular plants. However, this number may not be stringent enough as some SAR occurrence records were discarded due to age of last sighting. Species at risk by definition are rare and can be difficult to observe and should not be discounted by desktop analysis alone. To assess the potential effects on SAR, additional studies including ecological land classification, botanical inventories, bat acoustic surveys, and breeding bird surveys should be conducted to assess potential habitat in the field and potentially record SAR observations.

Vertex recommends that the Nation be involved in future preliminary field investigations and any existing recent or future field survey studies that may have SAR concern. In areas where site-specific mitigation or monitoring may be required, it should be made available to the Nation.

#### **4.3.9 Indigenous Interests**

The OEB guidelines instruct applicants of Hydrocarbon Projects to consult Indigenous communities whose Aboriginal or treaty rights may be impacted by the Project. Applicants are also required to notify Indigenous communities and other interested parties about the proposed Project and to hold public engagement to talk about the Project's planning process and to consider feedback obtained from the engagement during the write-up of the ER.

Enbridge created a Project-specific webpage that was made accessible to the public and posted all Project related information including Project schedules and process plan. A Project-specific email was also created to communicate directly with stakeholders on matters related to the Project. Additionally, two virtual public meetings were hosted by Dillon to explain the nature of the Project and answer any question posed by the public. Enbridge committed to post the final ER report on the Project website once it is submitted to OEB for approval. Enbridge is committed to continue engagement with Indigenous communities as the project moves forward.

#### **4.3.10 Air Quality and Noise**

The anticipated sources of air and noise pollution from the Project are fuel combustion and dust associated with vehicles and equipment used during construction. Impact on air and noise pollution are expected to be low in magnitude, short-term in duration, reversible and not significant.

#### **4.3.11 Landfills and Contaminated Sites**

Project activities that may cause adverse effects on the Project site include improper storage and disposal of construction waste as well as accidental spills of hydrocarbon materials. The OEB's Environmental Guideline (2016) requires precautions to be taken when handling fuel within 30 m of waterbodies. Enbridge has partnered with



Waste Management Corporation of Canada to manage all waste generated by the Project activities. The landfill is equipped with drainage system and lagoons to manage surface water on-site and prevent leachate to groundwater. All waste will be disposed of in accordance with the Ministry of Environment and Ministry of Natural Resources.

#### **4.3.12 Archaeological Resources**

As per the OEB's Environmental Guidelines (2016), the *Ontario Heritage Act* provides for the conservation, protection and preservation of the heritage of Ontario. As per the *Ontario Heritage Act*, the OEB's Environmental Guidelines (2016) require that an archaeological assessment must be conducted for every project by a licensed archaeology consultant. A staged approach to the assessment for each project has been recognized as the most effective approach.

Enbridge contracted TMHC Inc. to conduct a Stage 1 Archaeological assessment consisting of a record review of current land use, known archaeological sites and historical and modern maps of the proposed Project location. After the archaeological survey, it was concluded that the majority of the proposed Project area is extensively disturbed and potentially does not contain archaeological values. However, original ground (undisturbed areas) within the PPR of the municipal road ROW, located, approximately 176.66 ha, is expected to contain archaeological findings and is subject to a Stage 2 survey. Enbridge committed to conduct Stage 2 archaeological survey of this area once the detailed design of the Project is completed. The study report will be submitted to the Ministry of Citizenship and Multiculturalism (MCM) for revision and approval prior to commencement of Project construction.

#### **4.3.13 Cultural Heritage Resources**

As per the OEB's Environmental Guidelines (2016), the *Ontario Heritage Act* provides for the conservation, protection and preservation of the heritage of Ontario. Pipeline proponents are required to demonstrate diligence in the assessment of potential impacts to Cultural Heritage Resources by:

- Recognizing cultural heritage resources that may be affected by pipeline development, identifying significant cultural heritage resources and understanding their cultural heritage value or interest
- Assessing the effects or impacts that could result from proposed pipeline development
- Protecting cultural heritage resources by appropriate conservation, avoidance and mitigation

Cultural heritage resources are identified as either built heritage resources or cultural heritage landscapes. To identify cultural heritage resources, TMHC Inc. completed a Cultural Heritage Screening Report, which confirmed that there are no federally designated heritage properties within the proposed Project location. The screening also confirmed that the Ontario Heritage Trust does not have any conservation easements or Trust owned properties within or adjacent to the Project site.

Old structures (40 years old) were identified within 50 m of the PPR, which could have cultural heritage values or interest. Other notable features identified within proximity to the Project site include various bridges, Hardy Creek and Brown Creek, the Watford Cemetery Cairn, the Watford Municipal Cemetery, and Mount Carmel Cemetery.

## **4.4 Cumulative Effects**

The OEB's Environmental Guidelines (2016) recognize that environmental effects from multiple existing or approved projects can interact and combine with each other over time and space. While individual projects may produce effects that are determined to be insignificant, when combined with effects from other projects they may become more important. In the ER, cumulative effects were assessed qualitatively (i.e., not measured, or quantified), which is permissible under the OEB's Environmental Guidelines (2016).

The potential cumulative effects associated with the Project in addition to identified existing activities and foreseeable developments in the region were assessed in accordance with OEB's Environmental Guidelines (2016) through the establishment of boundaries for a cumulative effect Study Area and evaluating residual effect of specific environmental parameters (i.e., air, noise, water quality, vegetation, wildlife, wetland). Though the assessment was inconclusive in determining total cumulative effect caused by the Project activities, the report concludes no non-reversible or permanent significant cumulative effect is expected from the Project if recommendations provided are implemented.

#### **4.5 Environmental Monitoring and Contingency Plans**

As outlined in the OEB's Environmental Guidelines (2016) it is expected that commitments made in the ER will be adhered to by the applicant/development proponent. Conditions of approval include, in part, that post-construction interim and final monitoring reports will be filed with the OEB. These monitoring reports are not necessarily compendiums of detailed monitoring programs or quantitative data but rather compilations of what was observed by environmental inspectors on-site during construction (and possibly how any challenges were rectified or fixed). The OEB generally receives the interim monitoring report 6 months after final tie-ins are completed; the final monitoring report is prepared prior to November 1 after the first full growing season following construction.

In some situations, the OEB may require specific monitoring programs to determine potential adverse impacts to sensitive locations or environmental features. No specific monitoring programs (other than general inspections of construction activities and water wells) appear to be planned at this time.

Recommendations and commitments made in the ER and other permits and reports are to be incorporated into a Construction Environmental Protection Plan (CEPP) that will detail construction activity and include site and feature-specific mitigation. The ER report does not specifically outline what will be monitored by the environmental inspectors; this may include sediment erosion and slope stability, watercourse crossings, vegetation, wildlife, SAR, cultural and heritage resources, and stakeholder relations. Specific methods or plans are not provided in the ER; Vertex recommends these be included in the EPP.

Section 10.0 of the ER states that Enbridge may employ environmental inspectors to be present on-site as needed to monitor construction activities; however, Vertex recommends that the environmental inspectors to be on-site at all times when construction activities are conducted so they are able to respond to accidental hydrocarbon spills and ensure the EPP is implemented and is effective. It is also important that environmental inspectors are on-site during work in the vicinity of watercourses and drains to ensure that proper erosion and sediment control measures are in place. The environmental monitor can assist in determining adverse project-related effects, recommending additional mitigation and verifying that the construction site is returned to pre-construction conditions.

Vertex recommends that the Nation be involved in the development of the EPP and that their comments and input be considered. The Nation should also be involved in future field studies to determine sensitive environmental locations or features that may require ongoing monitoring.

## 5.0 Conclusions and Recommendations

While the ER generally aligned with OEB's Environmental Guideline (2016) for energy project applications submitted to the OEB for approval, there are several instances where Vertex provided recommendations regarding the ER considered to be important to the Nation. Certain recommendations are also based on discussions with Aamjiwnaang representatives in the context of the proposed Project and ER. These include the following:

- Additional mitigation measures to avoid erosion, changes in topography, and mixing, compaction and rutting of soils should be added to the mitigation and monitoring plan. Spill Contingency Plan and Erosion and Sediment Control plans should be incorporated into the construction EPP to be developed before construction begins and implemented to prevent adverse effects to water quality including groundwater
- Vegetation clearing and disruption of traditionally significant species is of concern to the Nation. As such, limiting vegetation removal to the extent possible and implementing invasive species management is important. Vertex recommends that the Nation be involved in the planning and procurement of native species where opportunities exist for seeding and restoration of cleared vegetations. Also, consideration should be given to the Nation to provide seed or vegetation for vegetation restoration initiatives
- Wildlife and wildlife habitat are of concern to the Nation. Sensitive wildlife habitat and/or features must be carefully identified so that the appropriate mitigation measures and monitoring programs can be put in place. Wildlife corridors and the potential for habitat fragmentation need to be considered. Appropriately timed surveys for SAR and migratory birds, as well as wildlife sweeps prior to construction, should be conducted to prevent disturbance. Any identified species or features should be protected with a species appropriate buffer and timing restriction. The Nation should be involved in future field study investigations that may have wildlife and/or wildlife habitat concerns where site-specific migration or monitoring may be required. Also, if there are existing preliminary field investigation studies of wildlife and wildlife habitat within the proposed project area, they should be available to the Nation
- Any work in the vicinity of watercourses and drains should have an environmental inspector on-site. The environmental inspector will ensure that measures and standards to avoid and mitigate impacts to fish and fish habitat, including impacts to aquatic SAR, are effective. The quantity and quality of stream flow must be maintained at all times in watercourses and drains
- Surface and groundwater are important to the Nation. As such, Vertex recommends that the Nation be given the opportunity to review and comment on all in-water work plans, erosion and sediment control plan, and emergency spill prevention and response plan before construction
- The Nation should be consulted on timing and completion of the Stage 2 archaeological assessment. There is concern that anything found of archaeological significance may not be provided to the Nation as the finding maybe regarded common to all six indigenous communities living in the region and not specific to the Nation

- The Nation should seek or request opportunities for local business and community members to participate in the Project where practicable. Training and workshops could be made available to the Nation so they can qualify for higher paying technical positions
- Territorial lands have not been as well studied as Reserve lands with respect to Traditional Land Use or Traditional Knowledge. The capacity of the Nation to extend beyond the boundaries of the reserve to assess potential Project impacts to their territorial lands is required

DRAFT

Enbridge Gas Inc. (Enbridge Gas) Response to Aamjiwnaang First Nation (AFN) comments received July 2023 re: Environmental Report (ER) on the Watford Gas Pipeline Project (Project)				
No.	Section	Comment	Recommendation	Enbridge Gas Response
5.0	Conclusions and Recommendations	While the ER generally aligned with OEB's Environmental Guideline (2016) for energy project applications submitted to the OEB for approval, there are several instances where Vertex provided recommendations regarding the ER considered to be important to the Nation. Certain recommendations are also based on discussions with Aamjiwnaang representatives in the context of the proposed Project and ER. These include the following:		
4.3.2	Soil Resources		Additional mitigation measures to avoid erosion, changes in topography, and mixing, compaction and rutting of soils should be added to the mitigation and monitoring plan. Spill Contingency Plan and Erosion and Sediment Control plans should be incorporated into the construction EPP to be developed before construction begins and implemented to prevent adverse effects to water quality including groundwater	<p>In the revised version of the ER that was updated based on comments from the OPCC and filed with the OEB on August 1, 2023, additional context was included on soils, as the Project will require temporary workspace on agricultural lands. In the ER, dated July 2023, Rev.1, Section 4.1.1.2 Soils, there is information provided on the soil capability of the Project area and in Section 6.1.2, Table 6-1, an effect was added in relation to compaction and rutting and mitigation measures are provided for erosion and sediment control. This potential effect was identified as the most likely impact on soils from the use of agricultural lands for temporary workspace (where no physical ground disturbance is planned). The Environmental Protection Plan that will be developed for the construction phase of the Project will include mitigation measures related to erosion and sediment control and spills.</p> <p>The revised version of the ER can be found here:  <a href="https://www.enbridgegas.com/-/media/Extranet-Pages/About-Enbridge-Gas/Projects/Watford-Pipeline-Project/224780_Watford_ER_Rev1_AODA_Redacted_Secured.ashx?rev=5fc645bcf5c94763aff38a749c782eb9&amp;hash=8073974BF38BB5E34CB9CBE74D05ED91">https://www.enbridgegas.com/-/media/Extranet-Pages/About-Enbridge-Gas/Projects/Watford-Pipeline-Project/224780_Watford_ER_Rev1_AODA_Redacted_Secured.ashx?rev=5fc645bcf5c94763aff38a749c782eb9&amp;hash=8073974BF38BB5E34CB9CBE74D05ED91</a></p>
4.3.6	Designated Natural Areas and Vegetation		Vegetation clearing and disruption of traditionally significant species is of concern to the Nation. As such, limiting vegetation removal to the extent possible and implementing invasive species management is important. Vertex recommends that the Nation be involved in the planning and procurement of native species where opportunities exist for seeding and restoration of cleared vegetations. Also, consideration should be given to the Nation to provide seed or vegetation for vegetation restoration initiatives	<p>The results of the tree inventory and SAR habitat suitability surveys conducted in August 2023 indicated that there are no at-risk plant species within the Project work areas (and none of the species on the list provided by AFN). As the construction footprint of the pipeline will occur within the existing municipal road ROW, direct impacts to naturally occurring ecological features (forests, woodlands, wetlands) are not anticipated. Temporary workspace is proposed in agricultural lands and maintained road shoulders. As vegetation alteration or removal is not anticipated in areas other than roadside vegetation, a Vegetation Management Plan is not considered to be necessary.</p> <p>To avoid and/or mitigate against the potential introduction or spread of invasive species and weeds during construction, the ER identified that construction equipment is to arrive on site clean and free of soil and/or vegetation, and that an Ontario native seed</p>

Enbridge Gas Inc. (Enbridge Gas) Response to Aamjiwnaang First Nation (AFN) comments received July 2023 re: Environmental Report (ER) on the Watford Gas Pipeline Project (Project)				
No.	Section	Comment	Recommendation	Enbridge Gas Response
				mix free of weed species is to be used in support of revegetation efforts. Enbridge Gas will reach out to AFN to discuss the sourcing of local native seed mixes.
4.3.8	Species at Risk		<p>Wildlife and wildlife habitat are of concern to the Nation. Sensitive wildlife habitat and/or features must be carefully identified so that the appropriate mitigation measures and monitoring programs can be put in place. Wildlife corridors and the potential for habitat fragmentation need to be considered. Appropriately timed surveys for SAR and migratory birds, as well as wildlife sweeps prior to construction, should be conducted to prevent disturbance. Any identified species or features should be protected with a species appropriate buffer and timing restriction. The Nation should be involved in future field study investigations that may have wildlife and/or wildlife habitat concerns where site-specific migration or monitoring may be required. Also, if there are existing preliminary field investigation studies of wildlife and wildlife habitat within the proposed project area, they should be available to the Nation</p>	<p>Ecological communities were determined through a combination of aerial imagery interpretation, comparison with MNRF designated and/or identified features (wetlands, woodlands, watercourses, waterbodies), and confirmed to the ELC community level through roadside assessment. These ELC surveys were completed to determine the surrounding natural environment and habitat features adjacent to the pipeline route. As the construction footprint of the pipeline will occur within the existing municipal road ROW, direct impacts to naturally occurring ecological features (forests, woodlands, wetlands) are not anticipated. Temporary workspace is proposed in agricultural lands and maintained road shoulders. As vegetation alteration or removal is not anticipated in areas other than roadside vegetation, a three-season botanical inventory was not considered to be necessary.</p> <p>Dillon took a conservative approach in the ER when determining the potential for candidate Significant Wildlife Habitat that was based on a review of available desktop data (e.g., MNRF) and aerial imagery in combination with roadside surveys. The preliminary field investigations included habitat assessments for aquatic SAR (fish and mussel species) in all watercourses located in the Project footprint, the results of which are summarized in Section 4.2.2 of the ER. In Section 4.2.6 of the ER, it is noted that no animal movement corridors were identified within the Study Area.</p> <p>Dillon reviewed historic records of SAR known to occur in the general vicinity of the Study Area. Following an initial habitat characterization for these 43 potentially occurring SAR, 17 species were identified to potentially occur based on the existing habitat features in the Study Area. As construction will occur within the existing road ROW and HDD will be utilized to avoid disturbance in sensitive environmental areas, the potential for Project impacts to species and their habitats is considered low. Dillon completed a targeted SAR habitat suitability survey during the growing season to determine potential habitat presence and/or suitability for the SAR that have potential to interact with the Project during construction. This included:</p> <ul style="list-style-type: none"> <li>- Butternut identification</li> <li>- Eastern Flowering Dogwood identification</li> <li>- Habitat suitability for Bobolink and Eastern Meadowlark</li> <li>- Habitat suitability for Blanding’s Turtle</li> <li>- Habitat suitability for Eastern Foxsnake</li> </ul> <p>Dillon did not identify Butternut or Eastern flowering dogwood during the field survey. Potential nesting habitat for Blanding’s Turtle was not observed within the Project Footprint and although overwintering habitat exists within the Project Footprint, these areas will not be impacted as the planned construction method in these areas is HDD. Small hedgerows, mainly consisting of sparse trees with minimal associated thicket</p>

Enbridge Gas Inc. (Enbridge Gas) Response to Aamjiwnaang First Nation (AFN) comments received July 2023 re: Environmental Report (ER) on the Watford Gas Pipeline Project (Project)				
No.	Section	Comment	Recommendation	Enbridge Gas Response
				<p>habitat were observed within the Project Footprint, but due to the disturbed and disconnected nature of the features, they were assessed as having low foraging habitat suitability for Eastern Foxsnake. Overall the Project Footprint has low SAR habitat suitability for Butternut, Eastern Flowering Dogwood, Blanding’s Turtle, and Eastern Foxsnake.</p> <p>Potential habitat for Bobolink and Eastern Meadowlark was observed adjacent to the Project Footprint. While no work will occur within the potential habitat, there is potential for indirect effects on the habitat as a result of the Project. Appropriate mitigation measures will be applied in order to minimize the impacts of the Project on the potential Bobolink and Eastern Meadowlark habitat.</p> <p>A few potential bat roosting trees were identified with proposed temporary workspace areas and Enbridge Gas is planning to avoid removal of these trees. Should avoidance of the potential bat roosting trees not be possible, Enbridge Gas will engage AFN to participate as a monitor during bat roosting sweeps.</p> <p>An Environmental Protection Plan will be prepared for the construction phase of the Project and will outline appropriate steps to take in the event that SAR are encountered during construction. The construction schedule will take into account applicable restricted activity periods for wildlife and wildlife sweeps will be conducted during construction in accordance with regulatory guidance.</p>
4.3.8	Species at Risk		Any work in the vicinity of watercourses and drains should have an environmental inspector on-site. The environmental inspector will ensure that measures and standards to avoid and mitigate impacts to fish and fish habitat, including impacts to aquatic SAR, are effective. The quantity and quality of stream flow must be maintained at all times in watercourses and drains	<p>See response to comment above, outlining ELC surveys completed during preliminary field investigations and the SAR habitat suitability surveys conducted.</p> <p>Aquatic habitat assessments were conducted during the preliminary field investigations and it was determined that there is low habitat suitability for aquatic SAR at the pipeline watercourse crossing locations. Currently, all watercourse crossings are anticipated to be constructed via HDD and no in-water works are planned for the Project.</p>
--			Surface and groundwater are important to the Nation. As such, Vertex recommends that the Nation be given the opportunity to review and comment on all in-water work plans, erosion and sediment control plan, and emergency spill prevention and response plan before construction	Currently, all watercourse crossings are anticipated to be constructed via HDD and no in-water works are planned for the Project. Standard erosion and sediment control measures will be incorporated into the Project-specific EPP; a stand-alone plan will not be developed, since there are no planned in-water works. Enbridge Gas will share their spill response plan with AFN prior to construction.
4.3.1 2	Archaeological Resources		The Nation should be consulted on timing and completion of the Stage 2 archaeological assessment. There is concern that anything found of archaeological significance may not be provided to the Nation as the finding maybe regarded common	Dillon is working with TMHC to complete the Stage 2 fieldwork for the Project. TMHC and Enbridge Gas will reach out to AFN to coordinate participation of an AFN monitor in the fieldwork later this fall.

Enbridge Gas Inc. (Enbridge Gas) Response to Aamjiwnaang First Nation (AFN) comments received July 2023 re: Environmental Report (ER) on the Watford Gas Pipeline Project (Project)				
No.	Section	Comment	Recommendation	Enbridge Gas Response
			to all six indigenous communities living in the region and not specific to the Nation	
--			The Nation should seek or request opportunities for local business and community members to participate in the Project where practicable. Training and workshops could be made available to the Nation so they can qualify for higher paying technical positions	The Enbridge Gas representative for Supply Chain Management - Indigenous Engagement has met with AFN to discuss opportunities on Enbridge Gas Projects.
4.3.1 3	Cultural Heritage Resources		Territorial lands have not been as well studied as Reserve lands with respect to Traditional Land Use or Traditional Knowledge. The capacity of the Nation to extend beyond the boundaries of the reserve to assess potential Project impacts to their territorial lands is required	Enbridge Gas would be happy to discuss the completion of an Indigenous Knowledge, Land Use study, extending beyond the boundaries of the reserve, with AFN.



Enbridge Gas Inc. (Enbridge Gas) Response to AFN comments received July 2023 re: Revision of Environmental Report for Watford Gas Pipeline Project (Project)					
No.	Section	Comment	Recommendation	Enbridge Gas Response	Vertex/AFN Response
4.3.2	Soil Resources		Additional mitigation measures to avoid erosion, changes in topography, and mixing, compaction and rutting of soils should be added to the mitigation and monitoring plan. Spill Contingency Plan and Erosion and Sediment Control plans should be incorporated into the construction EPP to be developed before construction begins and implemented to prevent adverse effects to water quality including groundwater.	<p>In the revised version of the ER that was updated based on comments from the OPCC and filed with the OEB on August 1, 2023, additional context was included on soils, as the Project will require temporary workspace on agricultural lands. In the ER, dated July 2023, Rev.1, Section 4.1.1.2 Soils, there is information provided on the soil capability of the Project area and in Section 6.1.2, Table 6-1, an effect was added in relation to compaction and rutting and mitigation measures are provided for erosion and sediment control. This potential effect was identified as the most likely impact on soils from the use of agricultural lands for temporary workspace (where no physical ground disturbance is planned). The Environmental Protection Plan that will be developed for the construction phase of the Project will include mitigation measures related to erosion and sediment control and spills.</p> <p>The revised version of the ER can be found here:  <a href="https://www.enbridgegas.com/-/media/Extranet-Pages/About-Enbridge-Gas/Projects/Watford-Pipeline-Project/224780_Watford_ER_Rev1_AODA_Redacted_Secured.aspx?rev=5fc645bcf5c94763aff38a749c782eb9&amp;hash=8073974BF38BB5E34CB9CBE74D05ED91">https://www.enbridgegas.com/-/media/Extranet-Pages/About-Enbridge-Gas/Projects/Watford-Pipeline-Project/224780_Watford_ER_Rev1_AODA_Redacted_Secured.aspx?rev=5fc645bcf5c94763aff38a749c782eb9&amp;hash=8073974BF38BB5E34CB9CBE74D05ED91</a></p>	supported
4.3.6	Designated Natural Areas and Vegetation		Vegetation clearing and disruption of traditionally significant species is of concern to the Nation. As such, limiting vegetation removal to the extent possible and implementing invasive species management is important. Vertex recommends that the Nation be involved in the planning and procurement of native species where opportunities exist for seeding and restoration of cleared vegetations. Also, consideration should be given to the Nation to provide seed or vegetation for vegetation restoration initiatives.	<p>The results of the tree inventory and SAR habitat suitability surveys conducted in August 2023 indicated that there are no at-risk plant species within the Project work areas (and none of the species on the list provided by AFN). As the construction footprint of the pipeline will occur within the existing municipal road ROW, direct impacts to naturally occurring ecological features (forests, woodlands, wetlands) are not anticipated. Temporary workspace is proposed in agricultural lands and maintained road shoulders. As vegetation alteration or removal is not anticipated in areas other than roadside vegetation, a Vegetation Management Plan is not considered to be necessary.</p> <p>To avoid and/or mitigate against the potential introduction or spread of invasive species and weeds during construction, the ER identified that construction equipment is to arrive on site clean and free of soil and/or vegetation, and that an Ontario native seed mix free of weed species is to be used in support of revegetation efforts. Enbridge Gas will reach out to AFN to discuss the sourcing of local native seed mixes.</p>	Even though invasive species or SAR plants are not identified during the field reconnaissance in August 2023, mitigation measures must be put in place in the event they are observed during construction and operation of the Project. Site preparation and construction of temporary workspace have the potential to negatively affect vegetation and ecological communities. Loss or damage to vegetation and degradation of ecological communities

					<p>has the potential to alter the structure and ecological function of communities, as well as change species composition and diversity. We recommend following additional measures for topsoil and grade management:</p> <ul style="list-style-type: none"> <li>▪ Matting is to be utilized within the TWS in the event that there is no existing or improved access and/or there is potential for rutting and the admixing of topsoil and subsoil to occur</li> <li>▪ Use of the TWS should be suspended when rutting may result in the admixing of subsoil with topsoil and/or if the quality of topsoil is otherwise compromised. Alternative measures should be considered (i.e., leaving the TWS to dry and/or install matting)</li> <li>▪ If the access and TWS are wet at the time of construction, access mats may be considered to avoid admixing of topsoil and subsoil and the</li> </ul>
--	--	--	--	--	---

					<p>overall degradation of the quality of topsoil</p> <ul style="list-style-type: none"> <li>▪ Topsoil should be stripped from the excavation and stored separately from subsoil</li> <li>▪ Subsoil and topsoil are to be stockpiled in a secure location to limit the potential for wind/water erosion or sediment transport</li> <li>▪ Should excess soil be generated during construction, the contractor is to comply with O. Reg. 406/19, “On-Site and Excess Soil Management” , as amended, for any storage, movement, transportation and/or disposal of soil materials, whether suspected to be contaminated or not; this includes slurry generated by hydro vacuum excavation</li> </ul>
4.3.8	Species at Risk (SAR)		Wildlife and wildlife habitat are of concern to the Nation. Sensitive wildlife habitat and/or features must be carefully identified so that the appropriate mitigation measures and monitoring programs can be put in place. Wildlife corridors and the potential for habitat	Ecological communities were determined through a combination of aerial imagery interpretation, comparison with MNR designations and/or identified features (wetlands, woodlands, watercourses, waterbodies), and confirmed to the ELC community level through roadside assessment. These ELC surveys were completed to determine the surrounding natural environment and habitat features adjacent to the pipeline route. As the construction footprint of the pipeline will occur within the existing municipal road ROW, direct impacts to naturally occurring ecological features (forests, woodlands,	AFN requests that the Project stay within the existing municipal road ROW. If any temporary workspace or alteration/clearing is required in areas of native vegetation (i.e., not in

			<p>fragmentation need to be considered. Appropriately timed surveys for SAR and migratory birds, as well as wildlife sweeps prior to construction, should be conducted to prevent disturbance. Any identified species or features should be protected with a species appropriate buffer and timing restriction. The Nation should be involved in future field study investigations that may have wildlife and/or wildlife habitat concerns where site-specific migration or monitoring may be required. Also, if there are existing preliminary field investigation studies of wildlife and wildlife habitat within the proposed project area, they should be available to the Nation</p>	<p>wetlands) are not anticipated. Temporary workspace is proposed in agricultural lands and maintained road shoulders. As vegetation alteration or removal is not anticipated in areas other than roadside vegetation, a three-season botanical inventory was not considered to be necessary.</p> <p>Dillon took a conservative approach in the ER when determining the potential for candidate Significant Wildlife Habitat that was based on a review of available desktop data (e.g., MNRF) and aerial imagery in combination with roadside surveys. The preliminary field investigations included habitat assessments for aquatic SAR (fish and mussel species) in all watercourses located in the Project footprint, the results of which are summarized in Section 4.2.2 of the ER. In Section 4.2.6 of the ER, it is noted that no animal movement corridors were identified within the Study Area.</p> <p>Dillon reviewed historic records of SAR known to occur in the general vicinity of the Study Area. Following an initial habitat characterization for these 43 potentially occurring SAR, 17 species were identified to potentially occur based on the existing habitat features in the Study Area. As construction will occur within the existing road ROW and HDD will be utilized to avoid disturbance in sensitive environmental areas, the potential for Project impacts to species and their habitats is considered low. Dillon completed a targeted SAR habitat suitability survey during the growing season to determine potential habitat presence and/or suitability for the SAR that have potential to interact with the Project during construction. This included:</p> <ul style="list-style-type: none"> <li>- Butternut identification</li> <li>- Eastern Flowering Dogwood identification</li> <li>- Habitat suitability for Bobolink and Eastern Meadowlark</li> <li>- Habitat suitability for Blanding’s Turtle</li> <li>- Habitat suitability for Eastern Foxsnake</li> </ul> <p>Dillon did not identify Butternut or Eastern flowering dogwood during the field survey. Potential nesting habitat for Blanding’s Turtle was not observed within the Project Footprint and although overwintering habitat exists within the Project Footprint, these areas will not be impacted as the planned construction method in these areas is HDD. Small hedgerows, mainly consisting of sparse trees with minimal associated thicket habitat were observed within the Project Footprint, but due to the disturbed and disconnected nature of the features, they were assessed as having low foraging habitat suitability for Eastern Foxsnake. Overall the Project Footprint has low SAR habitat suitability for Butternut, Eastern Flowering Dogwood, Blanding’s Turtle, and Eastern Foxsnake.</p> <p>Potential habitat for Bobolink and Eastern Meadowlark was observed adjacent to the</p>	<p>agricultural lands or maintained road shoulders), a wildlife sweep should be conducted by a qualified wildlife biologist immediately prior to construction, and the appropriate mitigation measures developed (e.g., timing restrictions or project setbacks/buffers). Particular attention should be given to migratory bird nests, raptor nests, dens and any other features important to SAR. AFN should be notified of the sweep, given the opportunity to monitor and provided with any results of the sweep or survey.</p> <p>The field assessment was conducted in October and February. This is not the optimal time to identify vegetation SAR, wildlife SAR or wildlife SAR habitat. If any Project activities occur in native vegetation, appropriate surveys or at the very least a wildlife/vegetation sweep should be conducted to ensure that there are no SAR in the area. If SAR are identified, appropriate mitigation measures should be implemented.</p>
--	--	--	---	--	---

				<p>Project Footprint. While no work will occur within the potential habitat, there is potential for indirect effects on the habitat as a result of the Project. Appropriate mitigation measures will be applied in order to minimize the impacts of the Project on the potential Bobolink and Eastern Meadowlark habitat.</p> <p>A few potential bat roosting trees were identified with proposed temporary workspace areas and Enbridge Gas is planning to avoid removal of these trees. Should avoidance of the potential bat roosting trees not be possible, Enbridge Gas will engage AFN to participate as a monitor during bat roosting sweeps.</p> <p>An Environmental Protection Plan will be prepared for the construction phase of the Project and will outline appropriate steps to take in the event that SAR are encountered during construction. The construction schedule will take into account applicable restricted activity periods for wildlife and wildlife sweeps will be conducted during construction in accordance with regulatory guidance.</p>	<p>Enbridge noted that there is habitat for Bobolink and Eastern Meadowlark adjacent to the Project footprint. What mitigation measures will be used to minimize indirect effects on this habitat and/or these species?</p> <p>Avoiding the removal of trees, especially trees that might provide roosting habitat for bats, is important to the AFN. AFN is interested in monitoring any bat survey sweeps if required. AFN should receive a copy of the bat survey protocol prior to the survey for review.</p> <p>How will SAR be identified as part of the EPP? Project personnel are not likely qualified to identify SAR. If wildlife is encountered during construction activities, those activities should cease until the animal moves away from the site. If an animal is using the area for nesting or denning, a species-specific timing restriction and buffer should be implemented. Project personnel should be encouraged to report wildlife observations on wildlife sighting cards. AFN</p>
--	--	--	--	--	---

					<p>should be notified of any significant wildlife observations.</p> <p>AFN notes that all watercourse crossings will be conducted via HDD with no in-water works planned. As such, aquatic habitat and stream flow should not be affected. If the construction methodology for watercourse crossings changes, AFN should be notified and provided with the opportunity to monitor in-water work activities.</p>
4.3.12	Archaeological Resources		<p>The Nation should be consulted on timing and completion of the Stage 2 archaeological assessment. There is concern that anything found of archaeological significance may not be provided to the Nation as the finding maybe regarded common to all six indigenous communities living in the region and not specific to the Nation.</p> <p>The Nation should seek or request opportunities for local business and community members to participate in the Project where practicable. Training and workshops could be made available to the Nation so they can qualify for higher paying technical positions.</p>	<p>Dillon is working with TMHC to complete the Stage 2 fieldwork for the Project. TMHC and Enbridge Gas will reach out to AFN to coordinate participation of an AFN monitor in the fieldwork later this fall.</p> <p>The Enbridge Gas representative for Supply Chain Management - Indigenous Engagement has met with AFN to discuss opportunities on Enbridge Gas Projects.</p>	<p>Supported</p> <p>Supported</p>

4.3.13	Cultural Heritage Resources		Territorial lands have not been as well studied as Reserve lands with respect to Traditional Land Use or Traditional Knowledge. The capacity of the Nation to extend beyond the boundaries of the reserve to assess potential Project impacts to their territorial lands is required.	Enbridge Gas would be happy to discuss the completion of an Indigenous Knowledge, Land Use study, extending beyond the boundaries of the reserve, with AFN.	Supported. AFN to provide guidance on educating Indigenous land significance/history.
--------	-----------------------------	--	---	---	---



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

July 28, 2023

Lauren Whitwham  
Senior Advisor, Community & Indigenous Engagement  
Enbridge Gas Inc.

**RE: Chippewas of Kettle and Stony Point First Nation (CKSPFN) Consultation Comments – Watford Pipeline Project**

The Chippewas of Kettle and Stony Point First Nation (CKSPFN) Consultation has reviewed the Watford Pipeline Project – Environmental Report prepared by Dillon Consulting for Enbridge Gas Inc. dated May 2023. CKSPFN Consultation have provided outstanding concerns, comments, and questions in the following Table 1 (see below).

Table 1. CKSPFN Consultation Comments on Watford Pipeline Project – Environmental Report (May 2023).

<b>Section</b>	<b>Reference Text</b>	<b>CKSPFN Consultation Comment</b>
1.2 Project Purpose and Rationale	<i>The RNG facilities are expected to supply enough renewable natural gas to heat the equivalent of up to 35,000 Ontario homes.</i>	<p>Who will be the primary consumers of RNG?</p> <p>Will the construction of RNG pipelines and injection stations impact residential natural gas rates? If yes, are rates anticipated to increase or decrease?</p> <p>How will Enbridge Gas Inc. include RNG production, specifically the supply and demand of RNG, into its existing rate evaluation process?</p> <p>Will Enbridge Gas Inc. consumers in Ontario have a choice to purchase RNG?</p>
1.4.3 Other Potential Permits,	N/A	Why does Enbridge Gas Inc. exclude approvals from First Nation governments?





*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

<p>Approvals, or Notifications</p>		<p>For instance, at CKSPFN, Band Council Resolution #2851 and #3121 requires a company who use or who plan to use any part of the applicable subsurface area and/or water, must seek express permission from the government of the First Nation for the proposed usage. Any company who fails to seek express permission shall be deemed by the First Nation as a violation of its rights and title and laws.</p> <p>Why does Enbridge Gas Inc. exclude requirements set out in Articles from the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)? The exclusion of UNDRIP requirements violates Enbridge's Indigenous Peoples Policy, which governs Enbridge's interactions with Indigenous peoples throughout the consultation and accommodation process.</p>
<p>2.1.1 Identification of Study Area and Environmental Inventory</p>	<p><i>The first step of the Study involved identifying the Study Area for the Project.</i></p>	<p>CKSPFN Consultation wishes to remind Enbridge Gas Inc. that CKSPFN maintains jurisdiction over its territory, specifically the "Study Area," and holds the responsibility to care for the lands, waters, and all of Creation.</p>
	<p><i>To address potential adverse effects on indirectly-affected [...] width of 250 metres (Figure 2-2).</i></p>	<p>CKSPFN Consultation requires evidence-based rationale for each of the distances used to determine the study area boundaries. If guidelines were used to determine boundaries, please include a reference to said guidelines and explain how the reference was interpreted to set a study area boundary.</p>
	<p><i>To confirm potential adverse effects on directly-affected [...]</i></p>	<p>Again, CKSPFN Consultation requires evidence-based rationale for each of the distances used to determine the study area boundaries. If guidelines were used to</p>



## Chippewas of Kettle & Stony Point First Nation

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

	<i>required to accommodate pipeline construction.</i>	determine boundaries, please include a reference to said guidelines and explain how the reference was interpreted to set a study area boundary.
3.1 Objectives	<i>The objectives of the consultation and engagement program were to: [...].</i>	<p>Why does Enbridge Gas Inc. fail to consider Band Council Resolutions, specifically the express permission of First Nation governments, when making Project approval decisions?</p> <p>Why does Enbridge Gas Inc. fail to consider requirements set out in UNDRIP Articles when making Project approval decisions?</p>
4.1.1.2 Soils	<i>The Project is located in a rural setting that is primarily comprised of agricultural land, although the potential pipeline routes pass through the Town of Watford.</i>	<p>This language ignores that the Project is located on the unceded territory of CKSPFN, as well as other Anishinaabeg First Nations. Furthermore, this language ignores historical events around colonization, specifically, the implementation of colonial policies such as the <i>Drainage Act</i>, which favoured agricultural expansion, as well as the (often violent) displacement of First Nations peoples from their lands during the settlement of European people.</p> <p>CKSPFN Consultation wishes to remind Enbridge Gas Inc., as well as Dillon Consulting that these historical events are not a choice that CKSPFN made in their own best interest, it was imposed as a way to coercively remove the lands from CKSPFN.</p>
4.1.2 Bedrock	<i>Underlying the overburden soils within the Study Area are a sequence of Devonian-aged sedimentary rocks (Kettle Point Formation).</i>	The Kettle Point Formation geology located within the Study Area is of significance to CKSPFN, as it is unique to only three locations in the entire world. Kettle Point is named for its unusual spherical rock formations that erode from the underlying



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

		<p>shale beds along the shores of Lake Huron. The uniqueness of these shale land formations within our Nation makes their preservation a high priority.</p> <p><a href="https://kettlepoint.org/history-culture/">https://kettlepoint.org/history-culture/</a></p>
4.1.3 Ground water	<p><i>The Study Area lies within the jurisdiction of the SCRCA and is within the St. Clair Watershed.</i></p>	<p>This language ignores historical events around the colonization and (often violent) displacement of First Nations peoples from their lands during the settlement of European people. Furthermore, the language in this sentence is not an accident of history, or a choice that CKSPFN made in their own best interest, it was imposed as a way to coercively remove the lands, as well as the stewardship responsibilities from CKSPFN.</p> <p>We wish to remind Enbridge Gas Inc., as well as Dillon Consulting that CKSPFN maintains jurisdiction over its traditional territory and continues to assert title and rights to the waterways and lakebeds. Viewed holistically, this includes the Study Area, as well as the groundwater in its traditional territory.</p>
	<p><i>The operation of a natural gas pipeline is not identified as a drinking water threat under the Ontario Clean Water Act (SO 2006, c. 22); [...].</i></p>	<p>CKSPFN Consultation identifies the construction and operation of any activity in the territory as a threat to water that sustains all relatives, which includes drinking water. This is especially if the activity involves potential impacts to groundwater. Trenching for pipeline infrastructure has a potential impact on surface and groundwater, which presents a drinking water threat.</p>
4.2.1.1 Climate	N/A	<p>The model used to describe the climatic conditions near the Project are outdated. Furthermore, Dillon Consulting fails to</p>



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

		<p>mention the impacts of climate change on climate averages in the region.</p> <p>Further information, containing empirical evidence, should be used to describe the current and possible future climate conditions in the region.</p>
4.2.1.2 Air Quality and Greenhouse Gases	<p><i>Although the 10-year trend shows a general improvement in air quality, [...], and sulphur dioxide in some Ontario communities (MECP 2022).</i></p>	<p>Drawing on regionally specific air quality data within the vicinity of the Project Area will demonstrate that the provincial AAQC is exceeded throughout the summer months.</p> <p>Furthermore, climate-related events, such as wildfires, are disproportionately impacting the frequency of AAQC exceedances in southwestern Ontario.</p>
	<p><i>Sarnia (urban station)</i></p>	<p>The language in this paragraph fails to acknowledge daily exceedances of other pollutants such as benzene, 1,3-butadiene, benzo(a)pyrene, sulphur dioxide, ozone, and fine particulate matter. Furthermore, this paragraph fails to acknowledge the health-related risks, as well as the increased level of hospitalizations and mortality associated with daily exceedances and long-term exposure to air pollution.</p>
4.2.2 Aquatic Environment	<p><i>As part of the preliminary field investigations [...] and aquatic habitat assessments were completed.</i></p>	<p>CKSPFN Consultation understands that early assessments might be needed to inform project planning and permit applications. However, the completion of aquatic habitat assessments during the month of October and February will not capture the full range of biodiversity, especially specific species that have distinct life cycles. For instance, surveys for breeding amphibians might be best conducted during their breeding season.</p>



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

<p>4.2.2.1 Surface Water</p>	<p><i>The Project is located within the jurisdiction of the SCRCA, [...], and northeastern Lake St. Clair.</i></p>	<p>This language ignores historical events around the colonization and (often violent) displacement of First Nations peoples from their lands during the settlement of European people. Furthermore, the language in this sentence is not an accident of history, or a choice that CKSPFN made in their own best interest, it was imposed as a way to coercively remove the lands, as well as the stewardship responsibilities from CKSPFN.</p> <p>CKSPFN Consultation wishes to remind Enbridge Gas Inc., as well as Dillon Consulting that CKSPFN maintains jurisdiction over its traditional territory and continues to assert title and rights to the waterways and lakebeds. Viewed holistically, this includes the Study Area, as well as the watersheds of all streams draining into southern Lake Huron, the St. Clair River, and northeastern Lake St. Clair.</p>
	<p><i>A total of fourteen subwatersheds are located [...] area of 1,396 square kilometres.</i></p>	<p>CKSPFN Consultation wishes to remind Enbridge Gas Inc. of CKSPFN's water assertion (BCR #2851), making declaration of title and rights to the waterways and lakebeds within CKSPFN's traditional territory.</p>
	<p><i>Brown Creek (PPR-Crossing 7) – Fish were observed in this section of the watercourse.</i></p>	<p>A 1km Aquatic Species at Risk map found the Northern Sunfish (Special Concern) within the outlined area. A 5km Aquatic Species at Risk map found numerous endangered mussel species within the outlined area. It's important to note here that Brown Creek is attached to Hardy Creek that hosts numerous SAR freshwater mussels.</p>
<p>4.2.5.1 Ecological Land Classification</p>	<p><i>The ecological community polygon boundaries [...] on October 11 and 12,</i></p>	<p>CKSPFN Consultation understands that early assessments might be needed to inform project planning and permit applications.</p>



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

	<i>2022, and February 10, 2023.</i>	However, the completion of ELC surveys during the month of October and February may not capture the full range of ecological communities, as well as the biodiversity within them with distinct life cycles. As such, CKSPFN Consultation request that ELC surveys be completed over three seasons (spring, summer, and fall).
4.2.5.2 Woodlands	<i>Significant woodlands exist within the Study Area in association with all three potential pipeline routes.</i>	CKSPFN Consultation request to be provided with a feedback mechanism to facilitate input on concerns related to significant woodlands for this Project.  Separately, CKSPFN Consultation request that Enbridge Gas Inc. report to CKSPFN Consultation on Pillar 4 - Environmental stewardship and safety: "review and revise Enbridge's approach to Indigenous inclusion in the environmental review processes", which is included in Enbridge's - 2022 Indigenous Reconciliation Action Plan (IRAP). To date, CKSPFN Consultation has not received updates from Enbridge Gas Inc. on its IRAP.
4.2.6.4 Wildlife Habitat	<i>Based on the initial site assessments conducted in October 2022 and February 2023, [...], and candidate reptile hibernacula.</i>	The timing of ELC surveys raises issues about the validity of results and subsequent conclusions regarding seasonal concentration areas.  As such, CKSPFN Consultation request that surveys be completed over three seasons (spring, summer, and fall).
	<i>Based on the initial site assessment conducted in October 2022 and February 2023, [...], and woodland raptor nesting habitat.</i>	Again, the timing of ELC surveys raises issues about the validity of results and subsequent conclusions regarding rare vegetation communities or specialized habitats.



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

		As such, CKSPFN Consultation request that surveys be completed over three seasons (spring, summer, and fall).
	<i>Based on the initial site assessment conducted in October 2022 and February 2023, [...], no animal movement corridors were identified.</i>	According to the County of Lambton Official Plan - Map 2 - Natural Heritage System <sup>1</sup> , the Project Area is situated in a Primary Corridor, also known as Group "C" Features. According to the County of Lambton, Group "C" Features include but are not limited to "primary corridors, including core areas" and "linkage features." Furthermore, "for many species, corridors and the linkages within them are critical for maintaining gene flow, which is linked to their ability to handle stress."
4.2.7.2 Potential for Species at Risk in the Study Area	<i>However, when taking into account the field investigation results for the Study Area, [...] support 17 of the 43 SAR identified in the initial records review (see Table 4-3).</i>	Preliminary field investigations were completed in October 2022 and February 2023 respectively. The timing of these surveys raises issues about the validity of results (i.e., SAR identified in the Study Area), as well as subsequent conclusions (i.e., decision to support the removal of 26 SAR species in the Study Area).  CKSPFN Consultation request that three seasonal surveys (spring, summer, and fall) be completed prior to removing any of the 43 SAR identified within the Study Area.
	<i>The MECP will be consulted during detailed design [...] under the Endangered Species Act, 2007.</i>	Enbridge Gas Inc. must also consult and provide CKSPFN Consultation with all related detailed design plans to ensure that CKSPFN Consultation's concerns are captured to support potential permitting and/or approvals. This request aligns with

<sup>1</sup> <https://www.lambtononline.ca/en/business-and-development/resources/Documents/PlanningandDevelopment/OfficialPlan/Map-2-Lambton-County-Official-Plan---Natural-Heritage-System-Map-2.pdf>



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

		<p>Enbridge Gas Inc. Pillar 4 - Environmental stewardship and safety: "review and revise Enbridge's approach to Indigenous inclusion in the environmental review processes", which is included in Enbridge's - 2022 Indigenous Reconciliation Action Plan (IRAP).</p> <p>CKSPFN Consultation must be provided with the opportunity to send environmental monitors to observe species-specific surveys, with proper capacity funding provided.</p>
<p>4.3.4.1 Culture, Tourism, and Recreation</p>	<p><i>The County of Lambton and the Township of Warwick have a rich culture rooted in history and the arts. The area is known for its wineries, arts, Victorian architecture, agricultural history, and a culture rooted from oil pioneers of the 1800s (Tourism Sarnia-Lambton n.d.a).</i></p>	<p>The implication in this section is that Indigenous Peoples weren't active in the area as 'users of the land.' This section should be adjusted to reflect the fact the Indigenous Peoples were clearly harnessing the lands and resources both Pre- and Post-Contact. Furthermore, the language in this paragraph, while accurate at its base, elides over the history of colonialist occupation and cultural genocide. This could be characterized as further erasure of First Nations experiences.</p> <p>Were local Elders and/or knowledge keepers consulted about this statement?</p>
	<p><i>The County's history can be experienced through the Lambton Heritage Museum, which houses over 25,000 historic artifacts from Lambton County and displays feature exhibits throughout the year.</i></p>	<p>Again, while the description is technically accurate it also elides the violent removal of Anishinabek from their land and, the removal of sacred artifacts from Indigenous peoples.</p>





*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

<p>4.3.4.2 Neighbourhoods and Residences</p>	<p><i>The Study Area is largely agricultural and rural residential in nature with some industrial land use.</i></p>	<p>This language, while accurate at its base, elides over the history of colonialist occupation and cultural genocide. Furthermore, the language in this sentence is not an accident of history, or a choice that CKSPFN made in their own best interest, it was imposed as a way to coercively remove the lands, as well as the stewardship responsibilities from CKSPFN.</p>
<p>4.3.5.1 Existing Linear Infrastructure</p>	<p><i>All of the potential pipeline routes cross an active CNR rail corridor.</i></p>	<p>Please provide CKSPFN Consultation with pipeline crossing specifications, including applicable permits.</p>
<p>4.3.6 Indigenous Community Land and Resource Use</p>	<p><i>To date, consultation with Indigenous communities has not resulted in the identification of potential impacts of the Project on Aboriginal or Treaty Rights or on Indigenous use of land and resources in the Study Area.</i></p>	<p>The implication in this section is that Indigenous Peoples weren't active in the area as 'users of the land.' This section should be adjusted to reflect the fact the Indigenous Peoples were clearly harnessing the lands and resources both Pre- and Post-Contact regardless of consultation completed to date. Furthermore, the language in this paragraph could be characterized as further erasure of First Nations experiences, especially in regard to "Indigenous use of land and resources in the Study Area."</p> <p>Did Enbridge Gas Inc. attempt to engage with Indigenous historians, local Elders and/or knowledge keepers?</p>
<p>4.3.7.1 Archaeology</p>	<p><i>A Stage 2 Archaeological Assessment [...] and approval prior to Project construction.</i></p>	<p>Please provide CKSPFN Consultation with the results of the Stage 2 AA for review and to comment if a Stage 3 and 4 mitigation is required.</p>
<p>5.2 Temporary Workspace and Laydown Areas</p>	<p><i>Enbridge Gas will work with the local municipalities, [...], as required.</i></p>	<p>Please provide CKSPFN Consultation with all temporary workspaces and laydown areas (including detailed plans) associated with the PPR.</p>



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

		CKSPFN Consultation should be informed as soon as possible if workspaces and/or laydown areas change location.
Table 6-1: Assessment of Potential Effects of the Project on Surficial Geology and Soils	<i>The contractor should proceed with construction cautiously and be aware of the potential for contaminated soils.</i>	Could you please clarify whether Enbridge Gas Inc. will supply contractors with sheets and/or information pertaining to contamination to ensure compliance with procedures for handling suspect soils?
	<i>Additional subsurface investigations (confirmatory and waste classification samples) should take place in areas suspected of having soil contamination.</i>	Please provide CKSPFN Consultation with all subsurface investigations in the Project Area.
	<i>If suspect soils are identified, implement the Suspect Soils Procedure.</i>	Please notify CKSPFN Consultation if suspect soils are identified during construction activities.
Table 6-2: Assessment of Potential Effects of the Project on Groundwater	<i>Register under the EASR where dewatering [...] is required.</i>	Could you please clarify whether Enbridge Gas Inc. will consult with CKSPFN Consultation to discuss plans to direct excess water away from sensitive natural features before dewatering begins?  CKSPFN Consultation would like to remind Enbridge Gas Inc. that CKSPFN holds and claims Aboriginal and Treaty Rights protected under Section 35 in the Project Area. For instance, dewatering activities may potentially impact protected and asserted Aboriginal and Treaty Rights, as well as members use of land and resources in the Study Area.
	<i>Obtain a PPTW from the MECP [...] is required.</i>	CKSPFN Consultation wishes to remind Enbridge Gas Inc. of CKSPFN's water assertion (BCR #2851), making declaration



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

		<p>of title and rights to the waterways and lakebeds within CKSPFN's traditional territory.</p> <p>Knowing the above, please provide CKSPFN Consultation with MECP-issued permits, such as the PTTW.</p>
	<i>Potentially contaminated groundwater [...] applicable regulatory requirements.</i>	Please provide CKSPFN Consultation with the applicable regulatory requirements to manage and dispose of contaminated groundwater.
6.2.1 Atmospheric Environment	<i>On a larger scale, [...] natural gas system.</i>	<p>Repurposing methane produced from landfills generally results in a net decrease in GHG emissions. However, Enbridge Gas Inc. continues to source natural gas through high emitting conventional methods and continues expanding high emitting infrastructure in CKSPFN's traditional territory.</p> <p>Knowing the above, Enbridge Gas Inc. must continue to look for renewable opportunities to decarbonize its existing assets and advance national, as well as international GHG reduction goals.</p>
Table 6-3: Assessment of Potential Effects of the Project on the Atmospheric Environment	<i>Long-term net decrease in GHG emissions from landfill operations</i>	CKSPFN Consultation questions the validity of this statement, given that the recovery and conversion of landfill gas does not reduce the direct GHG emissions that occur from sources that are controlled or owned by Enbridge Gas Inc. Moreover, this statement fails to consider the direct and indirect emissions associated with the proposed owned assets (i.e., injection station and pipeline), as well as the direct and indirect emissions of existing infrastructure owned by Enbridge Gas Inc.



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

		Knowing the above, Enbridge Gas Inc. should verify such statements before publicly disclosing a long-term net decrease in GHG emissions associated with the Project.
Table 6-4: Assessment of Potential Effects of the Project on the Aquatic Environment	<i>Undertake site restoration works immediately following construction and in accordance with the Site Restoration section of the LUG C&amp;M Manual.</i>	Could you please confirm whether Enbridge Gas Inc. will complete survival inspections after construction to ensure affected areas have been rehabilitated?
	<i>Develop site-specific water crossing plans in consultation with Enbridge Gas prior to conducting any in-water work.</i>	Could you please clarify whether Enbridge Gas Inc. will supply CKSPFN Consultation with site-specific water crossing plans? Further, can CKSPFN Consultation comment on the site-specific plans?  CKSPFN Consultation would like to remind Enbridge Gas Inc. that CKSPFN holds and claims Aboriginal and Treaty Rights protected under Section 35 in the Project Area. For instance, any in-water work activities may potentially impact protected and asserted Aboriginal and Treaty Rights, as well as members use of land and resources in the Study Area.
	<i>Consult with SCRCA and other relevant agencies (e.g., MNR and DFO) to determine appropriate timing windows.</i>	Time isolated crossings should not be limited to fish life stages and must include freshwater mussels.
	<i>Time isolated crossings to protect fish life stages [...] to determine appropriate timing windows.</i>	As mentioned above, time isolated crossings should not be limited to fish life stages and must include freshwater mussels.



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

	<i>A qualified Fish Biologist or technician must complete a fish salvage [...] where isolated crossing techniques are used.</i>	Could you please clarify whether a qualified fish biologist or technician will complete a freshwater mussel salvage prior to and during dewatering where isolated crossing techniques are used?
	<i>Release captured fish to pre-determined areas of similar or better habitat, where possible, preferably downstream of the work site.</i>	Could you please clarify whether Enbridge Gas Inc. will provide CKSPFN Consultation with information regarding the pre-determined areas to release captured fish and/or freshwater mussels?
6.2.3 Wetlands	<i>Unevaluated deciduous swamp communities [...] of the Preferred Route.</i>	CKSPFN Consultation welcomes Enbridge Gas Inc. incorporation of unevaluated wetlands into its Environmental Report. Further, CKSPFN Consultation appreciates that mitigation measures have been proposed for unevaluated wetlands.
	<i>Where possible, wetlands will be crossed using trenchless construction methods.</i>	To minimize the potential hazards of HDD (Horizontal Directional Drilling) fluid release to nearby wetlands, it is essential to carefully plan drilling activities while taking into account the critical life cycle events of species that depend on these wetlands. The region harbors various herpetofauna species that rely on wetlands for various stages of their life cycle.
Table 6-5: Assessment of Potential Effects of the Project on Wetlands	<i>Sweep wetland areas prior to and during construction [...] or wildlife observations.</i>	CKSPFN Consultation requests that sweeps for wildlife occur immediately before planned activities (e.g., 24-48 hours).
	<i>Allow for natural revegetation, unless otherwise requested by a landowner.</i>	We wish to remind Enbridge Gas Inc. that disturbed lands favours the establishment of invasive species, such as phragmites. Measures should be introduced to allow for



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

		natural vegetation that limits the spread of invasive species.
6.2.4 Areas of Natural and Scientific Interest and Other Environmentally Significant Areas	<i>As such, an assessment of potential adverse effects of the Project on the ANSIs and other ESAs component is not deemed warranted.</i>	CKSPFN Consultation wishes to remind Enbridge Gas Inc. that despite direct disturbance being avoided through Project design, drains can be re-purposed as habitat by wildlife and this habitat function must not be forgotten or minimized.
Table 6-6: Assessment of Potential Effects of the Project on Vegetation	<i>Protect vegetation adjacent to the working area from construction traffic and/or materials storage.</i>	Tree protection zones should be implemented adjacent to working areas.
	<i>If tree removals are planned, a tree inventory should be conducted to inform permitting requirements.</i>	CKSPFN Consultation requests that Enbridge Gas Inc. share tree removal plans before removing trees.
	<i>Depending on the location of potential tree removal(s), [...] for compensation.</i>	We wish to remind Enbridge Gas Inc. that CKSPFN Consultation must be consulted to ascertain appropriate measures for tree removals and compensation.
	<i>All equipment should arrive to the site clean [...] of invasive species and weeds.</i>	Could you please clarify whether Enbridge Gas Inc. will review the contractors' equipment cleaning procedures?
Table 6-7: Assessment of Potential Effects of the Project on Wildlife and Wildlife Habitat	<i>Nuisance and large wildlife encounters or incidents involving wildlife should be reported to the MNRF/MECP.</i>	Please share large wildlife encounters or incidents with CKSPFN Consultation.
	<i>Suspend construction if active habitat is</i>	If active habitat is discovered, please report to CKSPFN Consultation.



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

	<i>discovered [...] cannot be maintained.</i>	
	<i>Nest sweeps are valid for 7 days.</i>	CKSPFN Consultation requests that nest sweeps occur immediately before planned activities (e.g., 24-48 hours).
	<i>If a nest is found during construction activities, stop work and notify the Environmental Inspector or Enbridge designate.</i>	The Environmental Inspector or Enbridge designate must also inform CKSPFN Consultation.
	<i>If potential bat roosting trees require removal [...], additional surveys may be required. Contact a qualified individual prior to clearing.</i>	Enbridge Gas Inc. must contact CKSPFN Consultation before the removal of potential bat roosting trees. Further, CKSPFN Consultation must be provided with reasonable capacity funding to complete bat roosting sweeps before tree removal.
6.2.7 Species at Risk	<i>Desktop review and field studies determined that there are 17 SAR [...], and 2 botanical species. No SAR species were observed during the October 2022 and February 2023 site assessments.</i>	Preliminary field investigations were completed in October 2022 and February 2023 respectively. The timing of these surveys raises issues about the validity of results (i.e., SAR identified in the Study Area), as well as subsequent conclusions (i.e., decision to support the removal of 26 SAR species in the Study Area).  CKSPFN Consultation request that three seasonal surveys (spring, summer, and fall) be completed prior to assessing the Study Area's potential to removing any of the 43 SAR identified within the Study Area.
	<i>None of the watercourses that transect the Study Area have documented occurrence records of aquatic SAR listed provincially or federally.</i>	However, it should be noted that a DFO – Aquatic Species at Risk map shows that the Northern Sunfish (Carolinian population) may transect the immediate Study Area.



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

Table 6-8: Assessment of Potential Effects of the Project on Species at Risk	<i>MECP and ECCC should be consulted during detailed design [...] under the ESA and SARA, respectively.</i>	CKSPFN Consultation requests to also be consulted during the detailed design process to support potential permitting and/or approvals under the ESA and SARA, respectively.
	<i>Document SAR encounters and notify appropriate regulatory authorities.</i>	CKSPFN Consultation requests to be notified of SAR encounters.
	<i>Where Butternut and/or Eastern Flowering Dogwood is observed, work areas may be amended to protect the species from harm.</i>	Work areas should be amended to conform with O. Reg. 832/21.
6.3.3 Population, Employment and Economic Activities	<i>The Project will employ a small workforce for a short period of time and no permanent jobs will be created or lost as a result of the Project.</i>	CKSPFN Consultation wishes to table concerns regarding the 231 Calls for Justice formulated by the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) that were issued in the final report of The National Inquiry on June 3, 2019. As Enbridge Gas Inc. is aware, Highway 401 through southwestern Ontario is a key gateway for human trafficking - sex trafficking and labour trafficking - reported in a study by the Canadian Centre to End Human Trafficking published in 2021. CKSPFN Consultation is concerned that a temporary workforce and construction activities associated with the proposed Project can, unless mitigation measures are put in place, accelerate sex trafficking, and labour trafficking in the region.
Table 6-11: Assessment of Potential Effects of the Project on	<i>Should previously undocumented archaeological resources [...] notify the</i>	If archaeological resources (including burials) are discovered, Enbridge Gas Inc. must notify CKSPFN Consultation.





*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

Cultural Heritage Resources	<i>Environmental Inspector and Enbridge Environmental Advisor.</i>	
7.0 Cumulative Effects Assessment	N/A	While CKSPFN Consultation understands that much of the Cumulative Effects Assessment is governed by guidelines and standards by the Ontario Energy Board, modification to the spatial and temporal boundaries to abrogate commitment to the colonial cumulative effects assessment process is one way of decolonizing approaches to evaluating cumulative effects and strengthening Enbridge's current and future mitigation strategies for proposed Project(s).
7.2.1 Past and Present Activities and Disturbances	N/A	CKSPFN Consultation have some concerns about language in this section that are common to many other reports. This section in the report follows the same tendencies of most historical narratives: centering Europeans as individuals and First Nations peoples as an amorphous group without individual identities. This is borne out as well by the Post-Contact land histories, whereby European Canadian names and histories are centred and Indigenous histories are elided. As a result, the violence and criminal activity of colonial actors have been severely downplayed, echoing the colonial narrative of the atrocities that occurred.
	<i>Agricultural and industrial development and activities;</i>	It should be noted that southern Ontario have experienced an estimated loss of more than 68% of its wetlands due to development, agriculture, and other anthropogenic factors (Penfound and Vaz,



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

		<p>2022)<sup>2</sup>. Furthermore, Penfound and Vaz (2022) confirm that agricultural expansion (as a result of European settlement), as well as agricultural tile drainage is spatially correlated with high levels of wetland loss in southern Ontario.</p> <p>It should be further noted that CKSPFN did not consent to agricultural and industrial development, as well as the drainage of its lands in favour of agricultural expansion.</p>
<p>7.2.1.1 Lambton County</p>	<p><i>Prior to the 1830s, Lambton County was sparsely occupied by people of European descent.</i></p>	<p>The implication in this section is that Indigenous Peoples weren't active in the area as 'users of the land.' This section should be adjusted to reflect the fact the Indigenous Peoples were clearly harnessing the lands and resources both Pre- and Post-Contact. Furthermore, the language in this paragraph, while accurate at its base, elides over the history of colonialist occupation and cultural genocide. This could be characterized as further erasure of First Nations experiences.</p> <p>Did Enbridge Gas Inc. attempt to consult with Indigenous historians, local Elders and/or knowledge keepers?</p>
	<p><i>In the twelve years from 1858 to 1860 following the discovery of oil in Oil Springs, [...], Ontario (Ford 2015).</i></p>	<p>It should be noted here that the oil and gas infrastructure was built and operated without CKSPFN's consent.</p>
	<p><i>Agriculture and oil and gas operations [...] is still largely rural in nature.</i></p>	<p>We wish to remind Enbridge Gas Inc. of CKSPFN's subsurface assertion (BCR#3132) making declaration of title and rights to the subsurface within CKSPFN's traditional territory.</p>

<sup>2</sup> <https://trid.trb.org/view/1898321>



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

<p>7.2.1.2 Brooke Township</p>	<p><i>Fourteen years later, the Township only had a total of 169 settlers. The decade between the first two censuses [...] or American descent.</i></p>	<p>Again, the implication in this section is that Indigenous Peoples weren't active in the area as 'users of the land.' This section should be adjusted to reflect the fact the Indigenous Peoples were clearly harnessing the lands and resources both Pre- and Post-Contact. Furthermore, the language in this paragraph, while accurate at its base, elides over the history of colonialist occupation and cultural genocide. This could be characterized as further erasure of First Nations experiences.</p> <p>Were local Elders and/or knowledge keepers consulted about this section?</p>
	<p><i>The poorly-drained Township lands became more habitable [...] in the 1870s (Elford 1967).</i></p>	<p>It should be noted here that agricultural expansion, especially the drainage of “poorly- drained” lands, occurred without CKSPFN's consent.</p>
<p>7.2.1.3 Warwick Township</p>	<p><i>Settlement in Warwick Township began in the early 1830s.</i></p>	<p>Again, the implication in this section is that Indigenous Peoples weren't active in the area as 'users of the land.' This section should be adjusted to reflect the fact the Indigenous Peoples were clearly harnessing the lands and resources both Pre- and Post-Contact. Furthermore, the language in this paragraph, while accurate at its base, elides over the history of colonialist occupation and cultural genocide. This could be characterized as further erasure of First Nations experiences.</p> <p>Were local Elders and/or knowledge keepers consulted about this section?</p>
	<p><i>Much of the Township's vast forested areas had disappeared by 1869, due to wood being used to fuel the stream engines in</i></p>	<p>It should be noted here that the disappearance of forested areas occurred without CKSPFN's consent.</p>



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

	<i>mills, boats, and railway engines.</i>	
7.2.1.4 Watford	<i>The Village of Watford was first settled in 1851.</i>	Again, the implication in this section is that Indigenous Peoples weren't active in the area as 'users of the land.' This section should be adjusted to reflect the fact the Indigenous Peoples were clearly harnessing the lands and resources both Pre- and Post-Contact. Furthermore, the language in this paragraph, while accurate at its base, elides over the history of colonialist occupation and cultural genocide. This could be characterized as further erasure of First Nations experiences.  Were local Elders and/or knowledge keepers consulted about this section?
7.3 Residual Effects Carried forward in the Cumulative Effects Assessment	N/A	Sex trafficking and human trafficking must also be carried forward in the Cumulative Effects Assessment.
7.4.1 Increase in Air Emissions	<i>The Project will act cumulatively with existing activities [...], it is expected that air contaminant concentrations will quickly attenuate.</i>	Could Enbridge Gas Inc. please confirm if this statement takes fugitive emissions into account as well?
	<i>The purpose of the Project is to capture and convert landfill gas that would otherwise be flared so that it may be used for other purposes, effectively global GHG emissions.</i>	It should be noted here that substituting RNG for conventional natural gas generally results in a net decrease in GHG emissions. However, Enbridge Gas Inc. continues to source natural gas through high emitting conventional methods.



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

<p>7.4.3.1 Riparian Habitat</p>	<p><i>Riparian vegetation stabilizes streambanks, buffers streams from sediment contained in surface runoff, [...] affords safe habitat for smaller fish.</i></p>	<p>The following sentence should read: “Riparian vegetation stabilizes streambanks, buffers streams from sediment contained in surface runoff, [...] affords safe habitat for smaller fish <i>and freshwater mussels.</i>”</p>
	<p><i>In consideration of the relatively high level of existing riparian disturbance and alterations due to anthropogenic activities, the total cumulative effect on riparian habitat in the Study Area is predicted to be high in magnitude and significant.</i></p>	<p>According to Enbridge's Indigenous Reconciliation Action Plan, Enbridge intends to establish partnership(s) with Indigenous-led organizations and relevant industry peers to meet its commitment of facilitating Indigenous inclusion and perspectives in sustainability strategy and policies. Given that most municipal road ROWs in southwestern Ontario have experienced high levels of existing riparian disturbance and alterations due to anthropogenic activities, Enbridge should modernize its riparian habitat recovery strategies and policies (in cooperation with First Nations) to advance ecological restoration initiatives in the area.</p>
<p>7.4.4 Alteration of Wetland Habitat, Hydrological, and/or Biogeochemical Function</p>	<p><i>Disturbance to a small portion of a wetland may not have a noticeable effect within larger wetland complexes and overall wetland function is expected to be maintained in these instances.</i></p>	<p>CKSPFN Consultation wishes to remind Enbridge Gas Inc. that the St. Clair watershed is only covered by 1.1% of wetlands. Disturbances to any wetland is considered noticeable, given the cumulative alteration, destruction, and removal of wetlands in CKSPFN's traditional territory without its consent.</p>
<p>7.4.6.2 Wildlife Movement</p>	<p><i>Given the extensive loss and alteration of wildlife habitat [...] total cumulative effect on wildlife movement patterns is considered</i></p>	<p>Again, according to Enbridge's Indigenous Reconciliation Action Plan, Enbridge intends to establish partnership(s) with Indigenous-led organizations and relevant industry peers to meet its commitment of facilitating Indigenous inclusion and perspectives in sustainability strategy and</p>



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

	<i>high and, consequently, significant.</i>	policies. Given that most municipal road ROWs in southwestern Ontario have experienced high levels of existing riparian disturbance and alterations due to anthropogenic activities, Enbridge should modernize habitat, specifically riparian habitat, recovery strategies and policies (in cooperation with First Nations) to improve ecological connectivity.
7.4.6.3 Wildlife Mortality Risk	<i>Risk of wildlife mortality [...], limiting vehicle speeds in Project construction zones, relocating wildlife observed [...], if needed.</i>	The cumulative impacts of relocation on previously relocated wildlife should be considered in these cumulative effects assessment.
8.1 Accidents and Malfunctions Considered	<i>Monitoring the pipeline remotely and through in-line inspections, integrity digs, and leak surveys.</i>	Please share annual leak detection surveys with CKSPFN Consultation.
Table 8-1: Potential Effects, Mitigation Measures, and Potential Residual Effects of Accidents and Malfunctions	<i>Any significant spills shall be reported to the appropriate authorities [...], as appropriate.</i>	Please report all spills (including significant spills) to CKSPFN Consultation.
Table 9-1: Potential Effects, Mitigation Measures, and Potential Residual Effects of Effects on the Environment on the Project	<i>Postpone work during severe weather events that may pose a hazard to safety and/or result in damage to Project infrastructure and equipment.</i>	CKSPFN Consultation recommends that the decision to postpone work should not be restricted solely to severe weather conditions but should also encompass days with poor Ambient Air Quality Index (AAQI) readings.



*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

10.0 Inspection and Monitoring Recommendations	<i>It is Dillon's recommendation that Enbridge Gas employ the services of an Environmental Inspector to be presented as needed during the construction of the pipeline.</i>	CKSPFN Consultation agrees with Dillon's recommendation. If Enbridge Gas Inc. employs the services of an Environmental Inspector, please share CKSPFN Consultation's contact information with the Inspector.
10.1 Pre-Construction	<i>A pictorial record of conditions is compiled to compare restoration efforts with pre-construction conditions.</i>	CKSPFN Consultation request to receive a pictorial record of conditions prior to construction. Furthermore, CKSPFN Consultation desires to stay updated on the restoration planning and obligations subsequent to construction. Our expectation is that any disturbed areas will be restored to a condition superior to their original state. Additionally, we request a commitment from Enbridge Gas Inc. to eliminate any invasive species present within the Project area.
10.3.1 Monitoring Reports	<i>As per OEB guidelines, the Interim Monitoring Report is required within 3 months [...], the following June 1.</i>	Please share all monitoring reports with CKSPFN Consultation.
10.3.1.2 Final Monitoring Report	<i>The Final Monitoring Report should also address any potential cumulative effects [...] construction through sensitive areas.</i>	Enbridge Gas Inc. is expected to provide input regarding the long-term monitoring of pipeline integrity at a frequency that guarantees the absence of fugitive emissions seeping into the groundwater, soil, and air. All monitoring plans should explicitly address this potential concern.

In general, this report demonstrates good writing and sound ecological principles. However, CKSPFN Consultation has reservations about a recurring issue found in many other Environment Reports, rather than being specific to this one. The report tends to follow the same historical narrative pattern, wherein Europeans are prominently featured as individuals, while First Nations peoples are depicted as an undifferentiated group lacking individual histories and identities.



---

*Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

---

While CKSPFN Consultation understands that much of the content is governed by standards by the Province of Ontario and Ontario Energy Board, alterations to language and environmental reporting to abrogate commitment to the colonial tone and underpinnings is a meaningful step towards advancing CKSPFN's rights, as well as Enbridge's reconciliation journey with Indigenous peoples.

Miigwetch,  
CKSPFN Consultation

[consultation@kettlepoint.org](mailto:consultation@kettlepoint.org)



**Watford Pipeline Project – Enbridge Gas Inc. (Enbridge Gas) Responses to Chippewas of Kettle and Stony Point First Nation**

<b>Enbridge Gas Responses to CKSPFN Comments on the Watford Pipeline Project Environmental Report</b>		
<b>Source</b>	<b>CKSPFN Comment/Recommendation</b>	<b>Enbridge Gas Response</b>
1.2 Project Purpose and Rationale	<p>Text: “The RNG facilities are expected to supply enough renewable natural gas to heat the equivalent of up to 35,000 Ontario homes.”</p> <p>Who will be the primary consumers of RNG? Will the construction of RNG pipelines and injection stations impact residential natural gas rates? If yes, are rates anticipated to increase or decrease? How will Enbridge Gas Inc. include RNG production, specifically the supply and demand of RNG, into its existing rate evaluation process? Will Enbridge Gas Inc. consumers in Ontario have a choice to purchase RNG?</p>	<p>The primary physical consumption of the RNG will be by Enbridge Gas customers through the existing gas distribution system. However, on a nominal basis, Enbridge Gas is not privy to the commercial contracts that the producer has entered into to sell the RNG or environmental attributes. Enbridge Gas is only able to procure RNG with cost recovery assurance for the Voluntary Program as approved in EB-2020-0066 which, as structured, does not support procurement of RNG on long-term contracts. Enbridge Gas has proposed to evolve this program to enable access for Ontario businesses and residential customers as part of the Rebasing proceeding EB-2022-0200 at exhibit 4.2.7. Should this proposal receive approval, Enbridge Gas will issue a competitive bid process for RNG procurement.</p> <p>The construction of the RNG pipelines and injection stations will not have any impact on residential natural gas rates as it is being paid for by the customer.</p> <p>Enbridge Gas has proposed to meet customer demand for RNG through the low-carbon energy procurement proposal in the 2024 Rebasing proceeding, EB-2022-0200. Through this proposal, Enbridge Gas has proposed a voluntary program to allow large-volume system sales customers to voluntarily elect to be supplied by RNG that it procures, as well as a potential for all system sales customers to have access to any unelected RNG supply.</p>

<p>1.4.3 Other Potential Permits, Approvals, or Notifications</p>	<p>Why does Enbridge Gas Inc. exclude approvals from First Nation governments?</p> <p>For instance, at CKSPFN, Band Council Resolution #2851 and #3121 requires a company who use or who plan to use any part of the applicable subsurface area and/or water, must seek express permission from the government of the First Nation for the proposed usage. Any company who fails to seek express permission shall be deemed by the First Nation as a violation of its rights and title and laws. Why does Enbridge Gas Inc. exclude requirements set out in Articles from the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)? The exclusion of UNDRIP requirements violates Enbridge's Indigenous Peoples Policy, which governs Enbridge's interactions with Indigenous peoples throughout the consultation and accommodation process.</p>	<p>Enbridge Gas is of the view that it has identified the appropriate permits, approvals or notifications for the Project. Enbridge Gas is committed to engaging meaningfully with potentially affected Indigenous Nations on an ongoing basis throughout the lifecycle of the Project, including the operational phase, which is consistent with the respect for the unique rights of Indigenous Peoples, Treaties and UNDRIP contemplated in Enbridge's Indigenous Peoples Policy.</p> <p>In terms of subsurface areas or water resources mitigations, please see Table 6-4: Assessment of Potential Effects of the Project on the Aquatic Environment.</p> <p>We look forward to continuing to engage with TFG, CKSPFN and other Nations on the proposed Project, including its operations phase. If there are specific measures that CKSPFN would like to see initiated, we would be happy to discuss further.</p>
<p>2.1.1 Identification of Study Area and Environmental Inventory</p>	<p>Text: "The first step of the Study involved identifying the Study Area for the Project."</p> <p>CKSPFN Consultation wishes to remind Enbridge Gas Inc. that CKSPFN maintains jurisdiction over its territory, specifically the "Study Area," and holds the responsibility to care for the lands, waters, and all of Creation.</p>	<p>Thank you for the comment. Enbridge Gas is committed to engaging meaningfully with potentially affected Indigenous Nations on an ongoing basis throughout the lifecycle of the Project, including the operational phase.</p>
<p>2.1.1 Identification of Study Area and Environmental Inventory</p>	<p>Text: "To address potential adverse effects on indirectly-affected [...] width of 250 metres (Figure 2-2)."</p> <p>CKSPFN Consultation requires evidence based rationale for each of the distances used to determine the study area boundaries. If guidelines were used to determine boundaries, please include a reference to said guidelines and explain how the reference was interpreted to set a study area boundary.</p>	<p>Dillon selected 250 m for the desktop Study Area boundary as this is a generally accepted study area used by Dillon in past OEB Environmental Reports (ERs) and is based on Dillon's professional experience on projects of similar size and scope. The Project footprint boundary is based on a typical construction footprint and includes a buffer to capture potential temporary workspace.</p>

<p>2.1.1 Identification of Study Area and Environmental Inventory</p>	<p>Text: “To confirm potential adverse effects on directly-affected [...]required to accommodate pipeline construction.”</p> <p>Again, CKSPFN Consultation requires evidence-based rationale for each of the distances used to determine the study area boundaries. If guidelines were used to determine boundaries, please include a reference to said guidelines and explain how the reference was interpreted to set a study area boundary.</p>	<p>Please see the response above.</p>
<p>3.1 Objectives</p>	<p>Text: “The objectives of the consultation and engagement program were to: [...].”</p> <p>Why does Enbridge Gas Inc. fail to consider Band Council Resolutions, specifically the express permission of First Nation governments, when making Project approval decisions? Why does Enbridge Gas Inc. fail to consider requirements set out in UNDRIP Articles when making Project approval decisions?</p>	<p>Enbridge respects the concerns of First Nations and will work to address any specific concerns identified. Enbridge Gas engages with potentially affected Indigenous Nations early on in the development of the Project so that First Nations can, through their representatives, identify any questions or concerns regarding the Project, including any potential impact on Indigenous interests, and propose any mitigation measures. This is consistent with Enbridge’s respect for the unique rights of Indigenous Peoples, Treaties and UNDRIP.</p>
<p>4.1.1.2 Soils</p>	<p>Text: “The Project is located in a rural setting that is primarily comprised of agricultural land, although the potential pipeline routes pass through the Town of Watford.”</p> <p>This language ignores that the Project is located on the unceded territory of CKSPFN, as well as other Anishinaabeg First Nations. Furthermore, this language ignores historical events around colonization, specifically, the implementation of colonial policies such as the Drainage Act, which favoured agricultural expansion, as well as the (often violent) displacement of First Nations peoples from their lands during the settlement of European people. CKSPFN Consultation wishes to remind Enbridge Gas Inc., as well as Dillon Consulting that these historical events are not a choice that CKSPFN made in their own best interest, it was imposed as a way to coercively remove the lands from CKSPFN.</p>	<p>Thank you for providing this information. Potential effects and mitigation measures to protect soils are summarized in Table 6-1: Assessment of Potential Effects of the Project on Surficial Geology and Soil of the ER. Through the implementation of mitigation measures, no significant adverse residual effect on soils are anticipated</p>

<p>4.1.2 Bedrock</p>	<p>Text: “Underlying the overburden soils within the Study Area are a sequence of Devonian aged sedimentary rocks (Kettle Point Formation).”</p> <p>The Kettle Point Formation geology located within the Study Area is of significance to CKSPFN, as it is unique to only three locations in the entire world. Kettle Point is named for its unusual spherical rock formations that erode from the underlying shale beds along the shores of Lake Huron. The uniqueness of these shale land formations within our Nation makes their preservation a high priority. <a href="https://kettlepoint.org/history-culture/">https://kettlepoint.org/history-culture/</a></p>	<p>Enbridge Gas acknowledges this comment and thanks CKSPFN for this contribution to our understanding of the cultural value of this formation.</p>
<p>4.1.3 Ground water</p>	<p>Text: “The Study Area lies within the jurisdiction of the SCRCA and is within the St. Clair Watershed.”</p> <p>This language ignores historical events around the colonization and (often violent) displacement of First Nations peoples from their lands during the settlement of European people. Furthermore, the language in this sentence is not an accident of history, or a choice that CKSPFN made in their own best interest, it was imposed as a way to coercively remove the lands, as well as the stewardship responsibilities from CKSPFN. We wish to remind Enbridge Gas Inc., as well as Dillon Consulting that CKSPFN maintains jurisdiction over its traditional territory and continues to assert title and rights to the waterways and lakebeds. Viewed holistically, this includes the Study Area, as well as the groundwater in its traditional territory.</p>	<p>Thank you for providing this information.</p> <p>Potential effects and mitigation measures on groundwater are summarized in Table 6-2: Assessment of Potential Effects of the Project on Groundwater of the ER. Through the implementation of mitigation measures, no significant adverse residual effect on groundwater are anticipated</p>
<p>4.1.3 Ground water</p>	<p>Text: “The operation of a natural gas pipeline is not identified as a drinking water threat under the Ontario Clean Water Act (SO 2006, c. 22); [...]”</p> <p>CKSPFN Consultation identifies the construction and operation of any activity in the territory as a threat to water that sustains all relatives, which includes drinking water. This is especially if the activity involves potential impacts to groundwater. Trenching for pipeline infrastructure has a potential impact on surface and groundwater, which presents a drinking water threat.</p>	<p>The ER acknowledges that, while the operation of a natural gas pipeline is not identified as a drinking water threat under the Ontario Clean Water Act (SO 2006, c. 22), nor in the Thames-Sydenham and Region Source Protection Plan (2015), construction activities, such as excavation, have the potential to interact with groundwater.” Enbridge Gas recognizes that physical activities (e.g., excavating, trenching, soil removal, and backfilling, etc.) may impact groundwater.</p> <p>Potential effects and mitigation measures for groundwater resources are summarized in Section 6.1.4 of the ER. Through the implementation of mitigation measures, no significant adverse residual effects on groundwater are anticipated.</p>

<p>4.2.1.1 Climate</p>	<p>The model used to describe the climatic conditions near the Project are outdated. Furthermore, Dillon Consulting fails to mention the impacts of climate change on climate averages in the region. Further information, containing empirical evidence, should be used to describe the current and possible future climate conditions in the region.</p>	<p>At the time of writing the ER, data on climatic averages was only available for the 30 year period from 1981-2010.</p> <p>Reference:  <a href="https://climate.weather.gc.ca/climate_normals/">https://climate.weather.gc.ca/climate_normals/</a> (Accessed August 21, 2023; web page last modified date of July 14, 2023)</p> <p>Given the scope of the Project, the context provided in the ER on climate in the Project area is sufficient to understand the potential effects of meteorological events and climate on the Project. Further context on severe weather and natural hazards (such as flooding) as a result of climate change was provided and assessed in Section 9.0 of the ER (Effects of the Environment on the Project).</p>
<p>4.2.1.2 Air Quality and Greenhouse Gases</p>	<p>Text: “Although the 10-year trend shows a general improvement in air quality, [...], and sulphur dioxide in some Ontario communities (MECP 2022).”</p> <p>Drawing on regionally specific air quality data within the vicinity of the Project Area will demonstrate that the provincial AAQC is exceeded throughout the summer months. Furthermore, climate-related events, such as wildfires, are disproportionately impacting the frequency of AAQC exceedances in southwestern Ontario.</p>	<p>The statement from the ER references general provincial trends and was provided for context before presenting the regional data. More regionally specific air quality data was provided in subsequent paragraphs based on data from the Sarnia and Grand Bend AQHI monitoring stations. The data on air quality from the stations was provided as a 10-year trend (2010 to 2019), as this shows air quality averages that are representative of the region throughout varied climatic conditions rather than at a specific point in time. It was noted under the Grand Bend station summary that Ontario’s one-hour AAQC for ozone was exceeded on eight occasions between 2010 and 2019. Given the scope of the Project, the context provided in the ER on regional air quality trends was deemed sufficient to understand the potential effects of the Project’s contribution to effects on air quality in the area.</p>
<p>4.2.1.2 Air Quality and Greenhouse Gases</p>	<p>Text: “Sarnia (urban station)”</p> <p>The language in this paragraph fails to acknowledge daily exceedances of other pollutants such as benzene, 1,3-butadiene, benzo(a)pyrene, sulphur dioxide, ozone, and fine particulate matter. Furthermore, this paragraph fails to acknowledge the health related risks, as well as the increased level of hospitalizations and mortality associated with daily exceedances and long-term exposure to air pollution.</p>	<p>Emissions from Project construction are not anticipated to result in an exceedance of AQHI criteria and no effects on human health are expected to occur as a result of Project activities.</p>

<p>4.2.2 Aquatic Environment</p>	<p>Text: “As part of the preliminary field investigations [...] and aquatic habitat assessments were completed.”</p> <p>CKSPFN Consultation understands that early assessments might be needed to inform project planning and permit applications. However, the completion of aquatic habitat assessments during the month of October and February will not capture the full range of biodiversity, especially specific species that have distinct life cycles. For instance, surveys for breeding amphibians might be best conducted during their breeding season.</p>	<p>All watercourse crossings will be constructed via trenchless construction methods (i.e., HDD), which will significantly reduce the potential of the Project to impact aquatic species. Along with utilizing HDD, the pipeline is planned to be constructed within the municipal right-of-way (ROW), limiting potential impacts to watercourses, wetlands, and aquatic habitat.</p> <p>The aquatic habitat assessments were completed to determine the potential for watercourses in the Project footprint to provide suitable fish and mussel habitat. Details and results of these habitat assessments for fish and mussels are summarized in the ER.</p> <p>A conservative approach will be applied, where all aquatic habitats located within 30 m of the Project construction footprint will assume potential presence of turtle and anuran species, with appropriate mitigation measures applied, such as the installation of dual purpose exclusionary fencing/sediment erosion control fencing.</p>
<p>4.2.2.1 Surface Water</p>	<p>Text: “The Project is located within the jurisdiction of the SCRCA, [...], and northeastern Lake St. Clair.”</p> <p>This language ignores historical events around the colonization and (often violent) displacement of First Nations peoples from their lands during the settlement of European people. Furthermore, the language in this sentence is not an accident of history, or a choice that CKSPFN made in their own best interest, it was imposed as a way to coercively remove the lands, as well as the stewardship responsibilities from CKSPFN. CKSPFN Consultation wishes to remind Enbridge Gas Inc., as well as Dillon Consulting that CKSPFN maintains jurisdiction over its traditional territory and continues to assert title and rights to the waterways and lakebeds. Viewed holistically, this includes the Study Area, as well as the watersheds of all streams draining into southern Lake Huron, the St. Clair River, and northeastern Lake St. Clair.</p>	<p>Thank you for providing this information. Enbridge Gas would be pleased to discuss any additional concerns you may have regarding the Project, including any potential impact on Indigenous interests, and any recommendations regarding potential mitigation measures in relation to watersheds.</p> <p>Potential effects and mitigation measures to protect surface water are summarized in Table 6-4: Assessment of Potential Effects of the Project on the Aquatic Environment.</p>
<p>4.2.2.1 Surface Water</p>	<p>Text: “A total of fourteen subwatersheds are located [...] area of 1,396 square kilometres.”</p> <p>CKSPFN Consultation wishes to remind Enbridge Gas Inc. of CKSPFN's water assertion (BCR #2851), making declaration of title and rights to the waterways and lakebeds within CKSPFN's traditional territory.</p>	<p>Enbridge Gas is aware of CKSPFN's water assertion and acknowledges the importance of the subwatersheds to CKSPFN.</p>

<p>4.2.2.1 Surface Water</p>	<p>Text: “Brown Creek (PPRCrossing 7) – Fish were observed in this section of the watercourse.”</p> <p>A 1km Aquatic Species at Risk map found the Northern Sunfish (Special Concern) within the outlined area. A 5km Aquatic Species at Risk map found numerous endangered mussel species within the outlined area. It’s important to note here that Brown Creek is attached to Hardy Creek that hosts numerous SAR freshwater mussels.</p>	<p>Dillon completed a habitat assessment for aquatic SAR (fish and mussel species) in all watercourses located in the Project footprint. For Brown Creek, suitable habitat features for Northern Sunfish and SAR mussels were not observed at the crossing location. All watercourse crossings will be constructed via trenchless construction methods (i.e., HDD), which will significantly reduce the potential of the Project to impact aquatic species. Mitigation measures for the aquatic environment are provided in Section 6.2.2, Table 6-4 of the ER.</p>
<p>4.2.5.1 Ecological Land Classification</p>	<p>Text: “The ecological community polygon boundaries [...] on October 11 and 12, 2022, and February 10, 2023.”</p> <p>CKSPFN Consultation understands that early assessments might be needed to inform project planning and permit applications. However, the completion of ELC surveys during the month of October and February may not capture the full range of ecological communities, as well as the biodiversity within them with distinct life cycles. As such, CKSPFN Consultation request that ELC surveys be completed over three seasons (spring, summer, and fall).</p>	<p>Ecological communities were determined through a combination of aerial imagery interpretation, comparison with MNRD designated and/or identified features (wetlands, woodlands, watercourses, waterbodies), and confirmed to the ELC community level through roadside assessment.</p> <p>These ELC surveys were completed to determine the surrounding natural environment and habitat features adjacent to the pipeline route. As the construction footprint of the pipeline will occur within the existing municipal road ROW, direct impacts to naturally occurring ecological features (forests, woodlands, wetlands) are not anticipated. Temporary workspace is proposed in agricultural lands and maintained road shoulders. As vegetation alteration or removal is not anticipated in areas other than roadside vegetation, a three-season botanical inventory is not considered necessary.</p>
<p>4.2.5.2 Woodlands</p>	<p>Text: “Significant woodlands exist within the Study Area in association with all three potential pipeline routes.”</p> <p>CKSPFN Consultation request to be provided with a feedback mechanism to facilitate input on concerns related to significant woodlands for this Project. Separately, CKSPFN Consultation request that Enbridge Gas Inc. report to CKSPFN Consultation on Pillar 4 - Environmental stewardship and safety: "review and revise Enbridge's approach to Indigenous inclusion in the environmental review processes", which is included in Enbridge's - 2022 Indigenous Reconciliation Action Plan (IRAP). To date, CKSPFN Consultation has not received updates from Enbridge Gas Inc. on its IRAP.</p>	<p>The Project will be constructed within the existing municipal road ROW and impacts to forest and woodland communities, including those identified as ‘Significant Woodlands’, are not anticipated.</p> <p>Enbridge Inc. is publicly reporting on its progress against the commitments set out in the IRAP, starting with its 2022 Sustainability Report, . The 2022 Sustainability Report can be found here:</p> <p><a href="https://www.enbridge.com/stories/2023/may/enbridge-releases-22nd-sustainability-report">https://www.enbridge.com/stories/2023/may/enbridge-releases-22nd-sustainability-report</a></p>

<p>4.2.6.4 Wildlife Habitat</p>	<p>Text: “Based on the initial site assessments conducted in October 2022 and February 2023, [...], and candidate reptile hibernacula.”</p> <p>The timing of ELC surveys raises issues about the validity of results and subsequent conclusions regarding seasonal concentration areas. As such, CKSPFN Consultation request that surveys be completed over three seasons (spring, summer, and fall).</p>	<p>Due to property access constraints, a full survey of the Study Area was not feasible to identify potential presence of hibernacula features. As such, Dillon took a conservative approach and assumed potential presence of these features within the Study Area. The construction of the pipeline will occur in the existing municipal road ROW; no potential hibernacula features were identified in the existing road allowance. Impacts to reptile hibernacula are not anticipated as a result of the Project.</p>
<p>4.2.6.4 Wildlife Habitat</p>	<p>Text: “Based on the initial site assessment conducted in October 2022 and February 2023, [...], and woodland raptor nesting habitat.”</p> <p>Again, the timing of ELC surveys raises issues about the validity of results and subsequent conclusions regarding rare vegetation communities or specialized habitats. As such, CKSPFN Consultation request that surveys be completed over three seasons (spring, summer, and fall).</p>	<p>Dillon took a conservative approach in the ER when determining the potential for candidate Significant Wildlife Habitat that was based on a review of available desktop data (e.g., MNRF) and aerial imagery in combination with roadside surveys. Construction of the Project will occur within the existing road allowance and woodland features will not be directly impacted by the Project. The construction schedule will take into account applicable restricted activity periods for wildlife and wildlife sweeps will be conducted during construction in accordance with regulatory guidance.</p>
<p>4.2.6.4 Wildlife Habitat</p>	<p>Text: “Based on the initial site assessment conducted in October 2022 and February 2023, [...], no animal movement corridors were identified.”</p> <p>According to the County of Lambton Official Plan - Map 2 - Natural Heritage System<sup>1</sup>, the Project Area is situated in a Primary Corridor, also known as Group "C" Features. According to the County of Lambton, Group "C" Features include but are not limited to "primary corridors, including core areas" and "linkage features." Furthermore, "for many species, corridors and the linkages within them are critical for maintaining gene flow, which is linked to their ability to handle stress."</p>	<p>Enbridge Gas acknowledges this information. Project construction will occur within the existing road allowance; as such, impacts to animal movement corridors are not anticipated.</p>
<p>4.2.7.2 Potential for Species at Risk in the Study Area</p>	<p>Text: “However, when taking into account the field investigation results for the Study Area, [...] support 17 of the 43 SAR identified in the initial records review (see Table 4-3).”</p> <p>Preliminary field investigations were completed in October 2022 and February 2023 respectively. The timing of these surveys raises issues about the validity of results (i.e., SAR identified in the Study Area), as well as subsequent conclusions (i.e., decision to support the removal of 26 SAR species in the Study Area). CKSPFN Consultation request that three seasonal surveys (spring, summer, and fall) be completed prior to removing any of the 43 SAR identified within the Study Area.</p>	<p>Dillon reviewed historic records of SAR known to occur in the general vicinity of the Study Area. Following an initial habitat characterization for these 43 potentially occurring SAR, 17 species were identified to potentially occur based on the existing habitat features in the Study Area.</p> <p>As construction will occur within the existing road ROW and HDD will be utilized to avoid disturbance in sensitive environmental areas, the potential for Project impacts to species and their habitats is considered low. Dillon completed a targeted SAR habitat suitability survey during the growing season to determine potential habitat</p>



		<p>presence and/or suitability for the SAR that have potential to interact with the Project during construction. This included:</p> <ul style="list-style-type: none"> <li>- Butternut identification and assessment</li> <li>- Eastern Flowering Dogwood identification</li> <li>- Habitat suitability for Bobolink and Eastern Meadowlark</li> <li>- Habitat suitability for Blanding’s Turtle</li> <li>- Habitat suitability for Eastern Foxsnake</li> </ul> <p>Dillon did not identify Butternut or Eastern flowering dogwood during the field survey. Potential nesting habitat for Blanding’s Turtle was not observed within the Project Footprint and although overwintering habitat exists within the Project Footprint, these areas will not be impacted as the planned construction method in these areas is HDD. Small hedgerows, mainly consisting of sparse trees with minimal associated thicket habitat were observed within the Project Footprint, but due to the disturbed and disconnected nature of the features, they were assessed as having low foraging habitat suitability for Eastern Foxsnake. Overall the Project Footprint has low SAR habitat suitability for Butternut, Eastern Flowering Dogwood, Blanding’s Turtle, and Eastern Foxsnake.</p> <p>Potential habitat for Bobolink and Eastern Meadowlark was observed adjacent to the Project Footprint. While no work will occur within the potential habitat, there is potential for indirect effects on the habitat as a result of the Project. Appropriate mitigation measures will be applied in order to minimize the impacts of the Project on the potential Bobolink and Eastern Meadowlark habitat. These mitigation measures can be found in Table 6-8: Assessment of Potential Effects of the Project on Species at Risk of the ER.</p> <p>Further, an Environmental Protection Plan will be prepared for the construction phase of the Project and will outline appropriate steps to take in the event that SAR are encountered during construction.</p>
--	--	--

<p>4.2.7.2 Potential for Species at Risk in the Study Area</p>	<p>Text: “The MECP will be consulted during detailed design [...] under the Endangered Species Act, 2007.”</p> <p>Enbridge Gas Inc. must also consult and provide CKSPFN Consultation with all related detailed design plans to ensure that CKSPFN Consultation's concerns are captured to support potential permitting and/or approvals. This request aligns with Enbridge Gas Inc. Pillar 4 - Environmental stewardship and safety: "review and revise Enbridge's approach to Indigenous inclusion in the environmental review processes", which is included in Enbridge's - 2022 Indigenous Reconciliation Action Plan (IRAP). CKSPFN Consultation must be provided with the opportunity to send environmental monitors to observe species-specific surveys, with proper capacity funding provided.</p>	<p>Dillon completed SAR habitat suitability surveys. Some potential bat roosting trees (snag trees) were identified in temporary work space areas. If these trees are identified for removal during the bat active period, then bat exit surveys would be required. No other species-specific surveys are anticipated to be required. Should it be determined that bat exit surveys are required, Enbridge Gas plans to reach out to Indigenous Nations to identify monitoring opportunities.</p>
<p>4.3.4.1 Culture, Tourism, and Recreation</p>	<p>Text: “The County of Lambton and the Township of Warwick have a rich culture rooted in history and the arts. The area is known for its wineries, arts, Victorian architecture, agricultural history, and a culture rooted from oil pioneers of the 1800s (Tourism Sarnia-Lambton n.d.a).”</p> <p>The implication in this section is that Indigenous Peoples weren't active in the area as 'users of the land.' This section should be adjusted to reflect the fact the Indigenous Peoples were clearly harnessing the lands and resources both Pre- and Post-Contact. Furthermore, the language in this paragraph, while accurate at its base, elides over the history of colonialist occupation and cultural genocide. This could be characterized as further erasure of First Nations experiences. Were local Elders and/or knowledge keepers consulted about this statement?</p>	<p>Thank you for this information. Enbridge Gas would be pleased to discuss any additional concerns CKSPFN may have regarding the Project, including any potential impact on Indigenous interests, and any recommendations regarding potential mitigation. This consultation assists Enbridge Gas with understanding CKSPFN perspectives, which we understand may be informed by local Elders and/or knowledge keepers.</p>
<p>4.3.4.1 Culture, Tourism, and Recreation</p>	<p>Text: “The County’s history can be experienced through the Lambton Heritage Museum, which houses over 25,000 historic artifacts from Lambton County and displays feature exhibits throughout the year.”</p> <p>Again, while the description is technically accurate it also elides the violent removal of Anishinabek from their land and, the removal of sacred artifacts from Indigenous peoples.</p>	<p>Thank you for this information.</p>

<p>4.3.4.2 Neighbourhoods and Residences</p>	<p>Text: “The Study Area is largely agricultural and rural residential in nature with some industrial land use.”</p> <p>This language, while accurate at its base, elides over the history of colonialist occupation and cultural genocide. Furthermore, the language in this sentence is not an accident of history, or a choice that CKSPFN made in their own best interest, it was imposed as a way to coercively remove the lands, as well as the stewardship responsibilities from CKSPFN.</p>	<p>Thank you for providing this information.</p>
<p>4.3.5.1 Existing Linear Infrastructure</p>	<p>Text: “All of the potential pipeline routes cross an active CNR rial corridor”</p> <p>Please provide CKSPFN Consultation with pipeline crossing specifications, including applicable permits.</p>	<p>The rail crossing will be designed according to applicable codes and standards, including but not limited to TC E-10. Permits will be obtained from the rail authority prior to construction.</p>
<p>4.3.6 Indigenous Community Land and Resource Use</p>	<p>Text: “To date, consultation with Indigenous communities has not resulted in the identification of potential impacts of the Project on Aboriginal or Treaty Rights or on Indigenous use of land and resources in the Study Area.”</p> <p>The implication in this section is that Indigenous Peoples weren't active in the area as 'users of the land.' This section should be adjusted to reflect the fact the Indigenous Peoples were clearly harnessing the lands and resources both Pre- and Post-Contact regardless of consultation completed to date. Furthermore, the language in this paragraph could be characterized as further erasure of First Nations experiences, especially in regard to “Indigenous use of land and resources in the Study Area.” Did Enbridge Gas Inc. attempt to engage with Indigenous historians, local Elders and/or knowledge keepers?</p>	<p>Thank you for your comment. Enbridge Gas would be pleased to discuss any additional concerns CKSPFN may have regarding the Project, including any potential impact on Indigenous interests and use of land and resources, and any recommendations regarding potential mitigation. This consultation assists Enbridge Gas with understanding CKSPFN perspectives, which we understand may be informed by local Elders and/or knowledge keepers.</p>
<p>4.3.7.1 Archaeology</p>	<p>Text: “A Stage 2 Archaeological Assessment [...] and approval prior to Project construction”</p> <p>Please provide CKSPFN Consultation with the results of the Stage 2 AA for review and to comment if a Stage 3 and 4 mitigation is required.</p>	<p>The Stage 2 fieldwork assessment has not started. Timmins Martelle Heritage Consultants (TMHC) sent an email to CKSPFN on October 18 to invite them to participate in the fieldwork. Once the fieldwork has been completed and the report is finalized, Enbridge Gas will provide a copy to CKSPFN.</p>

<p>5.2 Temporary Workspace and Laydown Areas</p>	<p>Text: “Enbridge Gas will work with the local municipalities, [...], as required.”</p> <p>Please provide CKSPFN Consultation with all temporary workspaces and laydown areas (including detailed plans) associated with the PPR.</p> <p>CKSPFN Consultation should be informed as soon as possible if workspaces and/or laydown areas change location.</p>	<p>Preliminary temporary workspaces associated with the PPR are available in G-1-1 Attachment 1. Finalized temporary workspaces will be available when the design phase is complete.</p>
<p>Table 6-1: Assessment of Potential Effects of the Project on Surficial Geology and Soils</p>	<p>Text: “The contractor should proceed with construction cautiously and be aware of the potential for contaminated soils.”</p> <p>Could you please clarify whether Enbridge Gas Inc. will supply contractors with sheets and/or information pertaining to contamination to ensure compliance with procedures for handling suspect soils?</p>	<p>Enbridge Gas has a Suspect Soils Procedure that is supplied to contractors prior to construction. Contractors are trained in the identification of potentially contaminated soils and groundwater and the procedures for managing them if they are encountered during construction.</p>
<p>Table 6-1: Assessment of Potential Effects of the Project on Surficial Geology and Soils</p>	<p>Text: “Additional subsurface investigations (confirmatory and waste classification samples) should take place in areas suspected of having soil contamination.”</p> <p>Please provide CKSPFN Consultation with all subsurface investigations in the Project Area</p>	<p>The ER outlines the findings with respect to soil contamination to date. If additional subsurface investigations take place, Enbridge Gas provides information and sampling data to the landowner of the property.</p>
<p>Table 6-1: Assessment of Potential Effects of the Project on Surficial Geology and Soils</p>	<p>If suspect soils are identified, implement the Suspect Soils Procedure.</p> <p>Please notify CKSPFN Consultation if suspect soils are identified during construction activities.</p>	<p>See comment above for response.</p>
<p>Table 6-2: Assessment of Potential Effects of the Project on Groundwater</p>	<p>Text: “Register under the EASR where dewatering [...] is required.”</p> <p>Could you please clarify whether Enbridge Gas Inc. will consult with CKSPFN Consultation to discuss plans to direct excess water away from sensitive natural features before dewatering begins? CKSPFN Consultation would like to remind Enbridge Gas Inc. that CKSPFN holds and claims Aboriginal and Treaty Rights protected under Section 35 in the Project Area. For instance, dewatering activities may potentially impact protected and asserted Aboriginal and Treaty Rights, as well as members use of land and resources in the Study Area.</p>	<p>The ER discusses Enbridge Gas dewatering plans and examples of typical mitigation measures for dewatering that will be in the EPP include:</p> <ul style="list-style-type: none"> <li>• Excavation dewatering can only be carried out while personnel are on-site or nearby, allowing for regular inspection and maintenance of the pumping and discharge system.</li> <li>• Monitor water discharge to ensure there is no erosion/sedimentation that may impact natural features or roadways.</li> <li>• Discharge water to an approved well-vegetated upland area through a filter bag. Discharge is not to occur within 30 m of surface water features (watercourses). Protect the ground at the discharge location with a sheet of plywood, geotextile or similar</li> </ul>

		<p>means to prevent scouring/erosion.</p> <ul style="list-style-type: none"> <li>• Beyond this primary treatment, a series of treatments (called a “treatment train”) may need to be employed if the quality of the water being discharged is still impaired relative to the receiving water. In general, groundwater that is being de-watered should be directed towards a vegetated flow path or depression. Other measures in the treatment train include: <ul style="list-style-type: none"> <li>• Pumping to upland vegetated areas;</li> <li>• Small temporary holding ponds;</li> <li>• Vegetated swales and check dams;</li> <li>• Bio-log retention areas; and,</li> <li>• Erosion control blankets.</li> </ul> </li> <li>• Should dewatering exceed 50,000 L per day, an EASR (or PTTW if exceeding 400,000 L/day) will be obtained and conditions of the permit will be met.</li> </ul> <p>To the extent that CKSPFN has specific areas of concern, Enbridge would ask CKSPFN to identify them so that appropriate mitigation measures can be implemented.</p>
<p>Table 6-2: Assessment of Potential Effects of the Project on Groundwater</p>	<p>Text: “Obtain a PPTW from the MECP [...] is required.”</p> <p>CKSPFN Consultation wishes to remind Enbridge Gas Inc. of CKSPFN's water assertion (BCR #2851), making declaration of title and rights to the waterways and lakebeds within CKSPFN's traditional territory. Knowing the above, please provide CKSPFN Consultation with MECP-issued permits, such as the PTTW.</p>	<p>Should a PTTW be required, Enbridge Gas will provide CKSPFN CKSPFN Consultation with MECP-issued PTTW permit.</p>
<p>Table 6-2: Assessment of Potential Effects of the Project on Groundwater</p>	<p>Text: “Potentially contaminated groundwater [...] applicable regulatory requirements.”</p> <p>Please provide CKSPFN Consultation with the applicable regulatory requirements to manage and dispose of contaminated groundwater.</p>	<p>Enbridge Gas will follow the requirements as outlined in the Ontario Environmental Protection Act and Ontario Regulation 347 for the appropriate disposal of contaminated groundwater.</p>
<p>6.2.1 Atmospheric Environment</p>	<p>Text: “On a larger scale, [...] natural gas system.”</p> <p>Repurposing methane produced from landfills generally results in a net decrease in GHG emissions. However, Enbridge Gas Inc. continues to source natural gas through high emitting conventional methods and continues expanding high emitting infrastructure in CKSPFN's traditional territory. Knowing the above, Enbridge Gas Inc. must continue to look for renewable opportunities to decarbonize its existing assets and advance national, as well as international GHG</p>	<p>Thank you for your comment.</p>

	reduction goals.	
Table 6-3: Assessment of Potential Effects of the Project on the Atmospheric Environment	<p>Text: “Long-term net decrease in GHG emissions from landfill operations”</p> <p>CKSPFN Consultation questions the validity of this statement, given that the recovery and conversion of landfill gas does not reduce the direct GHG emissions that occur from sources that are controlled or owned by Enbridge Gas Inc. Moreover, this statement fails to consider the direct and indirect emissions associated with the proposed owned assets (i.e., injection station and pipeline), as well as the direct and indirect emissions of existing infrastructure owned by Enbridge Gas Inc.</p> <p>Knowing the above, Enbridge Gas Inc. should verify such statements before publicly disclosing a long-term net decrease in GHG emissions associated with the Project.</p>	Thank you for your comment.
Table 6-4: Assessment of Potential Effects of the Project on the Aquatic Environment	<p>Text: “Undertake site restoration works immediately following construction and in accordance with the Site Restoration section of the LUG C&amp;M Manual.”</p> <p>Could you please confirm whether Enbridge Gas Inc. will complete survival inspections after construction to ensure affected areas have been rehabilitated?</p>	In order to assess the effectiveness of restoration programs within the rights-of-way used for pipeline construction and, in keeping with the intent of the OEB Guidelines, environmental monitoring reports will be prepared including a Post-Construction (Interim) Monitoring Report and a Final Monitoring Report. As per OEB Guidelines, the Post-Construction (Interim) Monitoring Report is required within 3 months after energization, while the Final Monitoring Report is to be prepared no later than 15 months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1.
Table 6-4: Assessment of Potential Effects of the Project on the Aquatic Environment	<p>Text: “Develop site-specific water crossing plans in consultation with Enbridge Gas prior to conducting any in-water work.”</p> <p>Could you please clarify whether Enbridge Gas Inc. will supply CKSPFN Consultation with site-specific water crossing plans? Further, can CKSPFN Consultation comment on the site-specific plans? CKSPFN Consultation would like to remind Enbridge Gas Inc. that CKSPFN holds and claims Aboriginal and Treaty Rights protected under Section 35 in the Project Area. For instance, any in-water work activities may potentially impact protected and asserted Aboriginal and Treaty Rights, as well as members use of land and resources in the Study Area.</p>	<p>Currently, all watercourse crossings are anticipated to be via HDD, no in-water works are planned for the Project. Enbridge Gas obtains watercourse crossing permits from the local Conservation Authority and all permits, and associated conditions are followed.</p> <p>If CKSPFN has recommendations regarding specific mitigation measures, Enbridge Gas would be happy to meet with CKSPFN representatives to discuss.</p>

<p>Table 6-4: Assessment of Potential Effects of the Project on the Aquatic Environment</p>	<p>Text: “Consult with SCRCA and other relevant agencies (e.g., MNRF and DFO) to determine appropriate timing windows.”</p> <p>Time isolated crossings should not be limited to fish life stages and must include freshwater mussels</p>	<p>SAR mussel species are not anticipated to occur at the pipeline watercourse crossing locations, as no suitable habitat was identified during field studies. No in-water work is planned for Project construction and impacts to aquatic species are anticipated to be avoided through the use of HDD. Should there be a need at some point during operations where Enbridge Gas needs to complete an integrity operation within a watercourse, the applicable timing windows for fish and mussel species will be taken into account.</p>
<p>Table 6-4: Assessment of Potential Effects of the Project on the Aquatic Environment</p>	<p>Text: “Time isolated crossings to protect fish life stages [...] to determine appropriate timing windows.”</p> <p>As mentioned above, time isolated crossings should not be limited to fish life stages and must include freshwater mussels.</p>	<p>See response to comment above.</p>
<p>Table 6-4: Assessment of Potential Effects of the Project on the Aquatic Environment</p>	<p>Text: “A qualified Fish Biologist or technician must complete a fish salvage [...] where isolated crossing techniques are used.”</p> <p>Could you please clarify whether a qualified fish biologist or technician will complete a freshwater mussel salvage prior to and during dewatering where isolated crossing techniques are used?</p>	<p>As all watercourse crossings are anticipated to be via HDD, no in-water works are planned for the Project. Should this change and in-water works are required, in addition to a fish salvage, a mussel salvage will be completed by a qualified biologist, where mussels are present. SAR mussel species are not anticipated to occur at the watercourse crossing locations located in the Project footprint, as no suitable habitat was identified during field studies.</p> <p>Should a fish or mussel salvage be required for unanticipated in-stream work during construction or operations and maintenance (i.e., integrity digs), the following steps are generally taken. Qualified Biologists will look upstream and downstream of the work area (where access is permitted and within the same hydraulic system) to look for locations with suitable habitat for release. In general, fish are released downstream of the work area. Mussels, due to their sedentary nature and therefore higher sensitivity to sedimentation, will be released, when possible, upstream of the work area. If it is determined that the flows upstream will be too low during construction, due to the implementation of flow bypass, then a suitable location downstream of the work area will be chosen for mussel release.</p>

<p>Table 6-4: Assessment of Potential Effects of the Project on the Aquatic Environment</p>	<p>Text: “Release captured fish to pre-determined areas of similar or better habitat, where possible, preferably downstream of the work site.”</p> <p>Could you please clarify whether Enbridge Gas Inc. will provide CKSPFN Consultation with information regarding the pre-determined areas to release captured fish and/or freshwater mussels?</p>	<p>See response to comment above.</p> <p>Should a fish and/or mussel salvage be required for unanticipated in-stream work, Enbridge Gas will consult with CKSPFN regarding the release locations for the aquatic species.</p>
<p>6.2.3 Wetlands</p>	<p>Text: “Unevaluated deciduous swap communities [...] of the Preferred Route.”</p> <p>CKSPFN Consultation welcomes Enbridge Gas Inc. incorporation of unevaluated wetlands into its Environmental Report. Further, CKSPFN Consultation appreciates that mitigation measures have been proposed for unevaluated wetlands.</p>	<p>Thank you for your comment.</p>
<p>6.2.3 Wetlands</p>	<p>Text: “Where possible, wetlands will be crossed using trenchless construction methods.”</p> <p>To minimize the potential hazards of HDD (Horizontal Directional Drilling) fluid release to nearby wetlands, it is essential to carefully plan drilling activities while taking into account the critical life cycle events of species that depend on these wetlands. The region harbors various herpetofauna species that rely on wetlands for various stages of their life cycle.</p>	<p>Thank you for your comment.</p>
<p>Table 6-5: Assessment of Potential Effects of the Project on Wetlands</p>	<p>Text: “Sweep wetland areas prior to and during construction [...] or wildlife observations.”</p> <p>CKSPFN Consultation requests that sweeps for wildlife occur immediately before planned activities (e.g., 24-48 hours).</p>	<p>Enbridge Gas will ensure an EI is on site for the sensitive features.</p>
<p>Table 6-5: Assessment of Potential Effects of the Project on Wetlands</p>	<p>Text: “Allow for natural revegetation, unless otherwise requested by a landowner”</p> <p>We wish to remind Enbridge Gas Inc. that disturbed lands favours the establishment of invasive species, such as phragmites. Measures should be introduced to allow for natural vegetation that limits the spread of invasive species.</p>	<p>This mitigation measure applies specifically to marsh wetlands, where seeding is not recommended. All other areas of the Project Footprint will be restored to their pre-construction condition. To prevent/reduce the potential for weeds and invasive species, the following measures in Table 6-6 of the ER will be implemented:</p> <ul style="list-style-type: none"> <li>• All equipment should arrive to the site clean and free of soil and/or vegetation to prevent the introduction and spread of invasive species and weeds.</li> <li>• Ontario native seed mixes that are free of weed species should be used for revegetation.</li> </ul>



<p>6.2.4 Areas of Natural and Scientific Interest and Other Environmentally Significant Areas</p>	<p>Text: "As such, an assessment of potential adverse effects of the Project on the ANSIs and other ESAs component is not deemed warranted."</p> <p>CKSPFN Consultation wishes to remind Enbridge Gas Inc. that despite direct disturbance being avoided through Project design, drains can be re-purposed as habitat by wildlife and this habitat function must not be forgotten or minimized.</p>	<p>Thank you for your comment.</p>
<p>Table 6-6: Assessment of Potential Effects of the Project on Vegetation</p>	<p>Text: "Protect vegetation adjacent to the working area from construction traffic and/or materials storage."</p> <p>Tree protection zones should be implemented adjacent to working areas.</p>	<p>Dillon completed a tree inventory to determine where trees may be impacted by construction and to delineate Tree Protection Zones (TPZs). This information will be used to inform construction planning and avoidance of trees and their critical root zones will be implemented, wherever feasible, to limit the disturbance.</p>
<p>Table 6-6: Assessment of Potential Effects of the Project on Vegetation</p>	<p>Text: "If tree removals are planned, a tree inventory should be conducted to inform permitting requirements."</p> <p>CKSPFN Consultation requests that Enbridge Gas Inc. share tree removal plans before removing trees</p>	<p>Prior to removing trees, Enbridge Gas will share tree removal plans for the Project with CKSPFN.</p>
<p>Table 6-6: Assessment of Potential Effects of the Project on Vegetation</p>	<p>Text: "Depending on the location of potential tree removal(s), [...] for compensation."</p> <p>We wish to remind Enbridge Gas Inc. that CKSPFN Consultation must be consulted to ascertain appropriate measures for tree removals and compensation.</p>	<p>Prior to removing trees, Enbridge Gas will share tree removal plans for the Project with CKSPFN.</p>
<p>Table 6-6: Assessment of Potential Effects of the Project on Vegetation</p>	<p>Text: "All equipment should arrive to the site clean [...] of invasive species and weeds."</p> <p>Could you please clarify whether Enbridge Gas Inc. will review the contractors' equipment cleaning procedures?</p>	<p>The contractor will be required to follow our EPP, which includes equipment washing procedures.</p>
<p>Table 6-7: Assessment of Potential Effects of the Project on Wildlife and Wildlife Habitat</p>	<p>Text: "Nuisance and large wildlife encounters or incidents involving wildlife should be reported to the MNRF/MECP"</p> <p>Please share large wildlife encounters or incidents with CKSPFN Consultation.</p>	<p>Large wildlife encounters or incidents will be shared with CKSPFN, should they occur.</p>

<p>Table 6-7: Assessment of Potential Effects of the Project on Wildlife and Wildlife Habitat</p>	<p>Text: “Suspend construction if active habitat is discovered [...] cannot be maintained.”</p> <p>If active habitat is discovered, please report to CKSPFN Consultation.</p>	<p>If active large wildlife habitat is encountered, Enbridge Gas will share this information with CKSPFN.</p>
<p>Table 6-7: Assessment of Potential Effects of the Project on Wildlife and Wildlife Habitat</p>	<p>Text: “Nest sweeps are valid for 7 days.”</p> <p>CKSPFN Consultation requests that nest sweeps occur immediately before planned activities (e.g., 24-48 hours).</p>	<p>Enbridge Gas will ensure an EI is on site for the sensitive features.</p>
<p>Table 6-7: Assessment of Potential Effects of the Project on Wildlife and Wildlife Habitat</p>	<p>Text: “If a nest is found during construction activities, stop work and notify the Environmental Inspector or Enbridge designate.”</p> <p>The Environmental Inspector or Enbridge designate must also inform CKSPFN Consultation.</p>	<p>Enbridge Gas will send CKSPFN a summary report at the end of August 31, 2023 detailing the findings of the Migratory Bird window.</p>
<p>Table 6-7: Assessment of Potential Effects of the Project on Wildlife and Wildlife Habitat</p>	<p>Text: “If potential bat roosting trees require removal [...], additional surveys may be required. Contact a qualified individual prior to clearing.”</p> <p>Enbridge Gas Inc. must contact CKSPFN Consultation before the removal of potential bat roosting trees. Further, CKSPFN Consultation must be provided with reasonable capacity funding to complete bat roosting sweeps before tree removal.</p>	<p>Dillon completed a tree inventory to determine where trees may be impacted by construction and to delineate TPZs, identify SAR (Butternut, Eastern Flowering Dogwood), and identify potential locations of tree removals. A few potential bat roosting trees were identified within proposed temporary workspace areas and Enbridge Gas is planning to avoid removal of these trees. Should avoidance of the potential bat roosting trees not be possible, Enbridge Gas will provide CKSPFN with an opportunity to participate as a monitor during bat roosting sweeps.</p>
<p>6.2.7 Species at Risk</p>	<p>Text: “Desktop review and field studies determined that there are 17 SAR [...], and 2 botanical species. No SAR species were observed during the October 2022 and February 2023 site assessments.”</p> <p>Preliminary field investigations were completed in October 2022 and February 2023 respectively. The timing of these surveys raises issues about the validity of results (i.e., SAR identified in the Study Area), as well as subsequent conclusions (i.e., decision to support the removal of 26 SAR species in the Study Area). CKSPFN Consultation request that three seasonal surveys (spring, summer, and fall) be completed</p>	<p>Ecological communities were determined through a combination of aerial imagery interpretation, comparison with MNRF designated and/or identified features (wetlands, woodlands, watercourses, waterbodies), and confirmed to the ELC community level through roadside assessment. These ELC surveys were completed to determine the surrounding natural environment and habitat features adjacent to the pipeline route. As the construction footprint of the pipeline will occur within the existing road ROW, direct impacts to naturally occurring ecological features (forests, woodlands, wetlands) are not anticipated. Temporary workspace is proposed in</p>

	<p>prior to assessing the Study Area's potential to removing any of the 43 SAR identified within the Study Area.</p>	<p>agricultural lands and maintained road shoulders. As vegetation alteration or removal is not anticipated in areas other than roadside vegetation, a three-season botanical inventory was not considered to be necessary.</p> <p>Dillon reviewed historic records of SAR known to occur in the general vicinity of the Study Area. Following an initial habitat characterization for these 43 potentially occurring SAR, 17 species were identified to potentially occur based on the existing habitat features in the Study Area. As construction will occur within the existing road ROW and HDD will be utilized to avoid disturbance in sensitive environmental areas, the potential for Project impacts to species and their habitats is considered low. Dillon completed a targeted SAR habitat suitability survey during the growing season to determine potential habitat presence and/or suitability for the SAR that have potential to interact with the Project during construction. This included:</p> <ul style="list-style-type: none"> <li>- Butternut identification and assessment</li> <li>- Eastern Flowering Dogwood identification</li> <li>- Habitat suitability for Bobolink and Eastern Meadowlark</li> <li>- Habitat suitability for Blanding's Turtle</li> <li>- Habitat suitability for Eastern Foxsnake</li> </ul> <p>Dillon did not identify Butternut or Eastern flowering dogwood during the field survey. Potential nesting habitat for Blanding's Turtle was not observed within the Project Footprint and although overwintering habitat exists within the Project Footprint, these areas will not be impacted as the planned construction method in these areas is HDD. Small hedgerows, mainly consisting of sparse trees with minimal associated thicket habitat were observed within the Project Footprint, but due to the disturbed and disconnected nature of the features, they were assessed as having low foraging habitat suitability for Eastern Foxsnake. Overall the Project Footprint has low SAR habitat suitability for Butternut, Eastern Flowering Dogwood, Blanding's Turtle, and Eastern Foxsnake.</p> <p>Potential habitat for Bobolink and Eastern Meadowlark was observed adjacent to the Project Footprint. While no work will occur within the potential habitat, there is potential for indirect effects on the habitat as a result of the Project. Appropriate mitigation measures will be applied in order to minimize the impacts of the</p>
--	--	---

		<p>Project on the potential Bobolink and Eastern Meadowlark habitat.</p> <p>Further, an Environmental Protection Plan will be prepared for the construction phase of the Project and will outline appropriate steps to take in the event that SAR are encountered during construction.</p>
6.2.7 Species at Risk	<p>Text: “None of the watercourses that transect the Study Area have documented occurrence records of aquatic SAR listed provincially or federally.”</p> <p>However, it should be noted that a DFO – Aquatic Species at Risk map shows that the Northern Sunfish (Carolinian population) may transect the immediate Study Area.</p>	<p>Dillon completed a habitat assessment for aquatic SAR (fish and mussel species) in all watercourses located in the Project footprint. For Brown Creek, suitable habitat features for Northern Sunfish were not observed at the proposed crossing location.</p>
Table 6-8: Assessment of Potential Effects of the Project on Species at Risk	<p>Text: “MECP and ECCC should be consulted during detailed design [...] under the ESA and SARA, respectively”</p> <p>CKSPFN Consultation requests to also be consulted during the detailed design process to support potential permitting and/or approvals under the ESA and SARA, respectively.</p>	<p>Following the SAR habitat suitability survey, if it is determined that the Project has the potential to impact SAR and/or SAR habitat is identified, appropriate agency consultation will be conducted, necessary permits will be obtained, and appropriate mitigation measures will be included in the EPP, prior to construction.</p> <p>If a permit under the ESA or SARA is required, Enbridge Gas will consult with Indigenous communities as required.</p>
Table 6-8: Assessment of Potential Effects of the Project on Species at Risk	<p>Text: “Document SAR encounters and notify appropriate regulatory authorities.”</p> <p>CKSPFN Consultation requests to be notified of SAR encounters.</p>	<p>Enbridge Gas will notify CKSPFN of SAR encounters during construction.</p>
Table 6-8: Assessment of Potential Effects of the Project on Species at Risk	<p>Text: “Where Butternut and/or Eastern Flowering Dogwood is observed, work areas may be amended to protect the species from harm.”</p> <p>Work areas should be amended to conform with O. Reg. 832/21.</p>	<p>Dillon completed a SAR habitat suitability survey and tree inventory on August 28, 2023, and no Butternut or Eastern Flowering Dogwood were identified within the Project work areas. Should Butternut or Eastern Flowering Dogwood be identified in Project work areas, appropriate buffers and mitigation measures will be implemented to conform with the description of the species’ regulated habitat, as per O. Reg. 832/21. In the event that appropriate buffers and/or mitigation measures cannot be employed, necessary permits and/or approvals will be obtained from appropriate regulatory agencies prior to site alteration.</p>

<p>6.3.3 Population, Employment and Economic Activities</p>	<p>Text: “The Project will employ a small workforce for a short period of time and no permanent jobs will be created or lost as a result of the Project.”</p> <p>CKSPFN Consultation wishes to table concerns regarding the 231 Calls for Justice formulated by the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) that were issued in the final report of The National Inquiry on June 3, 2019. As Enbridge Gas Inc. is aware, Highway 401 through southwestern Ontario is a key gateway for human trafficking - sex trafficking and labour trafficking - reported in a study by the Canadian Centre to End Human Trafficking published in 2021. CKSPFN Consultation is concerned that a temporary workforce and construction activities associated with the proposed Project can, unless mitigation measures are put in place, accelerate sex trafficking, and labour trafficking in the region.</p>	<p>The small Project workforce will primarily be drawn from union halls in the areas governing the physical geography of the work. In addition, any contractor that is a part of this Project must comply with, at minimum, Enbridge Gas’s policies, which include Enbridge Inc.’s Statement on Business Conduct, which addresses conduct expectations.</p>
<p>Table 6-11: Assessment of Potential Effects of the Project on Cultural Heritage Resources</p>	<p>Text: “Should previously undocumented archaeological resources [...] notify the Environmental Inspector and Enbridge Environmental Advisor.”</p> <p>If archaeological resources (including burials) are discovered, Enbridge Gas Inc. must notify CKSPFN Consultation.</p>	<p>Enbridge Gas will notify CKSPFN if archaeological resources, including burials, are discovered during construction.</p>
<p>7.0 Cumulative Effects Assessment</p>	<p>While CKSPFN Consultation understands that much of the Cumulative Effects Assessment is governed by guidelines and standards by the Ontario Energy Board, modification to the spatial and temporal boundaries to abrogate commitment to the colonial cumulative effects assessment process is one way of decolonizing approaches to evaluating cumulative effects and strengthening Enbridge's current and future mitigation strategies for proposed Project(s).</p>	<p>The nature of the Project, together with the current environmental setting, establish the extent of interactions between the Project and the environment. Those interactions form the basis on which effects are predicted, and for understanding the appropriate level of detail needed about the setting, interactions, and predicted effects. In accordance with federal EA guidance (CER Filing Manual, 2020), the level of effort and scale of the cumulative effects assessment should be appropriate to:</p> <ul style="list-style-type: none"> <li>• the nature and context of the project under assessment;</li> <li>• its potential residual effects; and</li> <li>• the environmental and socio-economic setting.</li> </ul> <p>Given the scope of the Project, the environmental setting, and its location in existing municipal road ROWs, the cumulative effects assessment boundaries were deemed sufficient to assess the Project’s contribution to total cumulative effects, as described in Section 7.1.2 of the ER.</p>

<p>7.2.1 Past and Present Activities and Disturbances</p>	<p>CKSPFN Consultation have some concerns about language in this section that are common to many other reports. This section in the report follows the same tendencies of most historical narratives: centering Europeans as individuals and First Nations peoples as an amorphous group without individual identities. This is borne out as well by the Post-Contact land histories, whereby European Canadian names and histories are centred and Indigenous histories are elided. As a result, the violence and criminal activity of colonial actors have been severely downplayed, echoing the colonial narrative of the atrocities that occurred.</p>	<p>Thank you for your comment.</p>
<p>7.2.1 Past and Present Activities and Disturbances</p>	<p>Text: "Agricultural and industrial development and activities;"</p> <p>It should be noted that southern Ontario have experienced an estimated loss of more than 68% of its wetlands due to development, agriculture, and other anthropogenic factors (Penfound and Vaz, 2022)<sup>2</sup>. Furthermore, Penfound and Vaz (2022) confirm that agricultural expansion (as a result of European settlement), as well as agricultural tile drainage is spatially correlated with high levels of wetland loss in southern Ontario. It should be further noted that CKSPFN did not consent to agricultural and industrial development, as well as the drainage of its lands in favour of agricultural expansion.</p>	<p>Thank you for this additional information.</p>
<p>7.2.1.1 Lambton County</p>	<p>Text: "Prior to the 1830s, Lambton County was sparsely occupied by people of European descent."</p> <p>The implication in this section is that Indigenous Peoples weren't active in the area as 'users of the land.' This section should be adjusted to reflect the fact the Indigenous Peoples were clearly harnessing the lands and resources both Pre- and Post-Contact. Furthermore, the language in this paragraph, while accurate at its base, elides over the history of colonialist occupation and cultural genocide. This could be characterized as further erasure of First Nations experiences. Did Enbridge Gas Inc. attempt to consult with Indigenous historians, local Elders and/or knowledge keepers?</p>	<p>Thank you for your comment. Enbridge Gas would be pleased to discuss any additional concerns CKSPFN may have regarding the Project, including any potential impact on Indigenous interests and use of land and resources, and any recommendations regarding potential mitigation. This consultation assists Enbridge Gas with understanding CKSPFN perspectives, which we understand may be informed by local Elders and/or knowledge keepers.</p>
<p>7.2.1.1 Lambton County</p>	<p>Text: "In the twelve years from 1858 to 1860 following the discovery of oil in Oil Springs, [...], Ontario (Ford 2015)."</p> <p>It should be noted here that the oil and gas infrastructure was built and operated without CKSPFN's consent.</p>	<p>Enbridge Gas acknowledges your comment.</p>

<p>7.2.1.1 Lambton County</p>	<p>Text: "Agriculture and oil and gas operations [...] is still largely rural in nature."</p> <p>We wish to remind Enbridge Gas Inc. of CKSPFN's subsurface assertion (BCR#3132) making declaration of title and rights to the subsurface within CKSPFN's traditional territory.</p>	<p>Enbridge Gas is aware of CKSPFN's subsurface assertion.</p>
<p>7.2.1.2 Brooke Township</p>	<p>Text: "Fourteen years later, the Township only had a total of 169 settlers. The decade between the first two censuses [...] or American descent."</p> <p>Again, the implication in this section is that Indigenous Peoples weren't active in the area as 'users of the land.' This section should be adjusted to reflect the fact the Indigenous Peoples were clearly harnessing the lands and resources both Pre- and Post-Contact. Furthermore, the language in this paragraph, while accurate at its base, elides over the history of colonialist occupation and cultural genocide. This could be characterized as further erasure of First Nations experiences. Were local Elders and/or knowledge keepers consulted about this section?</p>	<p>Thank you for your comment. Enbridge Gas would be pleased to discuss any additional concerns CKSPFN may have regarding the Project, including any potential impact on Indigenous interests and uses of land and resources, and any recommendations regarding potential mitigation. This consultation assists Enbridge Gas with understanding CKSPFN perspectives, which we understand may be informed by local Elders and/or knowledge keepers.</p>
<p>7.2.1.2 Brooke Township</p>	<p>Text: "The poorly-drained Township lands became more habitable [...] in the 1870s (Elford 1967)."</p> <p>It should be noted here that agricultural expansion, especially the drainage of "poorly- drained" lands, occurred without CKS'FN's consent.</p>	<p>Enbridge Gas acknowledges your comment.</p>
<p>7.2.1.3 Warwick Township</p>	<p>Text: "Settlement in Warwick Township began in the early 1830s."</p> <p>Again, the implication in this section is that Indigenous Peoples we'en't active in the area 's 'users of the la'd.' This section should be adjusted to reflect the fact the Indigenous Peoples were clearly harnessing the lands and resources both Pre- and Post-Contact. Furthermore, the language in this paragraph, while accurate at its base, elides over the history of colonialist occupation and cultural genocide. This could be characterized as further erasure of First Nations experiences. Were local Elders and/or knowledge keepers consulted about this section?</p>	<p>Thank you for your comment. Thank you for your comment. Enbridge Gas would be pleased to discuss any additional concerns CKSPFN may have regarding the Project, including any potential impact on Indigenous interests and uses of land and resources, and any recommendations regarding potential mitigation. This consultation assists Enbridge Gas with understanding CKSPFN perspectives, which we understand may be informed by local Elders and/or knowledge keepers.</p>

<p>7.2.1.3 Warwick Township</p>	<p>Text: “Much of the Township’s vast forested areas had disappeared by 1869, due to wood being used to fuel the stream engines in mills, boats, and railway engines.”</p> <p>It should be noted here that the disappearance of forested areas occurred without CKSPFN's consent.</p>	<p>Enbridge Gas acknowledges your comment.</p>
<p>7.2.1.4 Watford</p>	<p>Text: “The Village of Watford was first settled in 1851.”</p> <p>Again, the implication in this section is that Indigenous Peoples weren't active in the area as 'users of the land.' This section should be adjusted to reflect the fact the Indigenous Peoples were clearly harnessing the lands and resources both Pre- and Post-Contact. Furthermore, the language in this paragraph, while accurate at its base, elides over the history of colonialist occupation and cultural genocide. This could be characterized as further erasure of First Nations experiences. Were local Elders and/or knowledge keepers consulted about this section?</p>	<p>Thank you for your comment. Thank you for your comment. Enbridge Gas would be pleased to discuss any additional concerns CKSPFN may have regarding the Project, including any potential impact on Indigenous interests and uses of land and resources, and any recommendations regarding potential mitigation. This consultation assists Enbridge Gas with understanding CKSPFN perspectives, which we understand may be informed by local Elders and/or knowledge keepers.</p>
<p>7.3 Residual Effects Carried forward in the Cumulative Effects Assessment</p>	<p>Sex trafficking and human trafficking must also be carried forward in the Cumulative Effects Assessment.</p>	<p>The small Project workforce will primarily be drawn from union halls in the areas governing the physical geography of the work. In addition, any contractor that is a part of this Project must comply with, at minimum, Enbridge Gas’s policies, which include Enbridge Inc.’s Statement on Business Conduct, which addresses conduct expectations.</p>
<p>7.4.1 Increase in Air Emissions</p>	<p>Text: “The Project will act cumulatively with existing activities [...], it is expected that air contaminant concentrations will quickly attenuate.”</p> <p>Could Enbridge Gas Inc. please confirm if this statement takes fugitive emissions into account as well?</p>	<p>The quoted statement in this section of the ER is in reference to cumulative effects of non-GHG air emissions. Fugitive emissions, as defined by Environment and Climate Change Canada (ECCC) are emissions of GHGs “from accidental leaks or equipment failures [that] may result from deterioration of equipment, especially seals and fittings, or improper installation or operation of equipment” (ECCC, 2022). The accidental release of gas was considered in Section 8.0 Accidents and Malfunctions of the ER.</p>



<p>7.4.1 Increase in Air Emissions</p>	<p>Text: “The purpose of the Project is to capture and convert landfill gas that would otherwise be flared so that it may be used for other purposes, effectively global GHG emissions.”</p> <p>It should be noted here that substituting RNG for conventional natural gas generally results in a net decrease in GHG emissions. However, Enbridge Gas Inc. continues to source natural gas through high emitting conventional methods.</p>	<p>Thank you for your comment.</p>
<p>7.4.3.1 Riparian Habitat</p>	<p>Text: “Riparian vegetation stabilizes streambanks, buffers streams from sediment contained in surface runoff, [...] affords safe habitat for smaller fish.”</p> <p>The following sentence should read: “Riparian vegetation stabilizes streambanks, buffers streams from sediment contained in surface runoff, [...] affords safe habitat for smaller fish and freshwater mussels.”</p>	<p>Enbridge Gas agrees that riparian vegetation generally affords safe habitat for smaller fish and freshwater mussels.</p>
<p>7.4.3.1 Riparian Habitat</p>	<p>Text: “In consideration of the relatively high level of existing riparian disturbance and alterations due to anthropogenic activities, the total cumulative effect on riparian habitat in the Study Area is predicted to be high in magnitude and significant.”</p> <p>According to Enbridge's Indigenous Reconciliation Action Plan, Enbridge intends to establish partnership(s) with Indigenous-led organizations and relevant industry peers to meet its commitment of facilitating Indigenous inclusion and perspectives in sustainability strategy and policies. Given that most municipal road ROWs in southwestern Ontario have experienced high levels of existing riparian disturbance and alterations due to anthropogenic activities, Enbridge should modernize its riparian habitat recovery strategies and policies (in cooperation with First Nations) to advance ecological restoration initiatives in the area.</p>	<p>Restoration of riparian habitat to pre-construction conditions or better is planned to be completed as soon as possible after construction of the Project.</p> <p>In order to assess the effectiveness of restoration programs within the rights-of-way used for pipeline construction and, in keeping with the intent of the OEB Guidelines, environmental monitoring reports will be prepared including a Post-Construction (Interim) Monitoring Report and a Final Monitoring Report. As per OEB Guidelines, the Post-Construction (Interim) Monitoring Report is required within 3 months after energization, while the Final Monitoring Report is to be prepared no later than 15 months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1.</p> <p>Enbridge Gas would welcome any specific suggestions from First Nations in terms of riparian habitat recovery strategies.</p>

<p>7.4.4 Alteration of Wetland Habitat, Hydrological, and/or Biogeochemical Function</p>	<p>Text: “Disturbance to a small portion of a wetland may not have a noticeable effect within larger wetland complexes and overall wetland function is expected to be maintained in these instances.”</p> <p>CKSPFN Consultation wishes to remind Enbridge Gas Inc. that the St. Clair watershed is only covered by 1.1% of wetlands. Disturbances to any wetland is considered noticeable, given the cumulative alteration, destruction, and removal of wetlands in CKSPFN's traditional territory without its consent.</p>	<p>The assessment predicts the magnitude of the Project’s contribution to cumulative effects in both shrubby/herbaceous and treed wetlands, should wetland disturbance occur during Project construction or operations. The probability of wetlands being impacted by Project activities is very low, since the Project will be constructed within existing road ROWs, utilize HDD for watercourse/wetland crossings, and no direct disturbance to wetlands or waterbodies is anticipated.</p>
<p>7.4.6.2 Wildlife Movement</p>	<p>Text: “Given the extensive loss and alteration of wildlife habitat [...] total cumulative effect on wildlife movement patterns is considered high and, consequently, significant.”</p> <p>Again, according to Enbridge's Indigenous Reconciliation Action Plan, Enbridge intends to establish partnership(s) with Indigenous-led organizations and relevant industry peers to meet its commitment of facilitating Indigenous inclusion and perspectives in sustainability strategy and policies. Given that most municipal road ROWs in southwestern Ontario have experienced high levels of existing riparian disturbance and alterations due to anthropogenic activities, Enbridge should modernize habitat, specifically riparian habitat, recovery strategies and policies (in cooperation with First Nations) to improve ecological connectivity.</p>	<p>Restoration of riparian habitat is generally completed as soon as possible after construction and is completed to meet pre-construction conditions or better.</p> <p>In order to assess the effectiveness of restoration programs within the rights-of-way used for pipeline construction and, in keeping with the intent of the OEB Guidelines, environmental monitoring reports will be prepared including a Post-Construction (Interim) Monitoring Report and a Final Monitoring Report. As per OEB Guidelines, the Post-Construction (Interim) Monitoring Report is required within 3 months after energization, while the Final Monitoring Report is to be prepared no later than 15 months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1.</p> <p>Enbridge Gas would welcome any specific suggestions from First Nations in terms of riparian habitat recovery strategies.</p>

<p>7.4.6.3 Wildlife Mortality Risk</p>	<p>Text: “Risk of wildlife mortality [...], limiting vehicle speeds in Project construction zones, relocating wildlife observed [...], if needed.”</p> <p>The cumulative impacts of relocation on previously relocated wildlife should be considered in these cumulative effects assessment.</p>	<p>It is generally not possible to know if encountered wildlife have been previously relocated, and, therefore, assessing the cumulative impact of relocation would involve a high degree of uncertainty. Relocation of wildlife may be necessary if and when wildlife is encountered during project activities. Reasons for wildlife relocation are primarily to relocate out of harm’s way, or during specific construction activities such as dewatering of waterbodies or watercourses. All relocation of wildlife is completed by qualified professionals (e.g., wildlife biologist, wildlife rehabilitator) with the appropriate authorizations, and through the application of appropriate and approved wildlife handling protocols. In situations where wildlife need to be relocated, wildlife are relocated in habitats in the immediate vicinity to the wildlife encounter. Wildlife are placed in similar habitat features, and wherever possible, contiguous with the feature the wildlife was encountered in or moving from. Wildlife handling is typically a last resort measure that would only be implemented in situations where preventative measures (e.g., pre-stressing, wildlife proofing, avoiding sensitive timing windows) and best practice wildlife management protocols (e.g., removing attractants such as food waste and garbage, waiting for wildlife to leave on their own, herding wildlife away from work sites) are not effective.</p>
<p>8.1 Accidents and Malfunctions Considered</p>	<p>Text: “Monitoring the pipeline remotely and through inline inspections, integrity digs, and leak surveys”</p> <p>Please share annual leak detection surveys with CKSPFN Consultation.</p>	<p>Enbridge Gas commits to providing information on the leak detection survey for the Watford Pipeline Project once it has been complete.</p>
<p>Table 8-1: Potential Effects, Mitigation Measures, and Potential Residual Effects of Accidents and Malfunctions</p>	<p>Text: “Any significant spills shall be reported to the appropriate authorities [...], as appropriate.”</p> <p>Please report all spills (including significant spills) to CKSPFN Consultation.</p>	<p>Enbridge Gas will notify CKSPFN of any reportable spills stemming from the Project.</p>

<p>Table 9-1: Potential Effects, Mitigation Measures, and Potential Residual Effects of Effects on the Environment on the Project</p>	<p>Text: “Postpone work during severe weather events that may pose a hazard to safety and/or result in damage to Project infrastructure and equipment.”</p> <p>CKSPFN Consultation recommends that the decision to postpone work should not be restricted solely to severe weather conditions but should also encompass days with poor Ambient Air Quality Index (AAQI) readings</p>	<p>Thank-you for the comment.</p>
<p>10.0 Inspection and Monitoring Recommendations</p>	<p>Text: “It is Dillon’s recommendation that Enbridge Gas employ the services of an Environmental Inspector to be presented as needed during the construction of the pipeline.”</p> <p>CKSPFN Consultation agrees with Dillon's recommendation. If Enbridge Gas Inc. employs the services of an Environmental Inspector, please share CKSPFN Consultation's contact information with the Inspector.</p>	<p>Enbridge Gas will provide the Environmental Inspector the CKSPFN Consultation Department contact information. Enbridge Gas is committed to open communication with CKSPFN throughout the lifecycle of the Project.</p>
<p>10.1 Pre-Construction</p>	<p>Text: “A pictorial record of conditions is compiled to compare restoration efforts with preconstruction conditions.”</p> <p>CKSPFN Consultation request to receive a pictorial record of conditions prior to construction. Furthermore, CKSPFN Consultation desires to stay updated on the restoration planning and obligations subsequent to construction. Our expectation is that any disturbed areas will be restored to a condition superior to their original state. Additionally, we request a commitment from Enbridge Gas Inc. to eliminate any invasive species present within the Project area.</p>	<p>Enbridge Gas plans to restore the Project area to pre-construction condition or better and the restoration will be documented within the Interim and Final Monitoring Reports to the Ontario Energy Board (OEB).</p> <p>Once they are filed with the OEB, the Interim (Post-Construction) Monitoring Report and Final Monitoring Report will be publicly available through the Ontario Energy Board (OEB) website under the Project case number EB-2023-0175. Enbridge Gas can share the monitoring reports with CKSPFN directly upon their submission to the OEB.</p> <p>If invasive species are discovered during Project work and are within the boundaries of Project ground disturbance activities, the invasive species will be removed.</p>
<p>10.3.1 Monitoring Reports</p>	<p>Text: “As per OEB guidelines, the Interim Monitoring Report is required within 3 months [...], the following June 1.”</p> <p>Please share all monitoring reports with CKSPFN Consultation.</p>	<p>Once they are filed with the OEB, the Interim (Post-Construction) Monitoring Report and Final Monitoring Report will be publicly available through the Ontario Energy Board (OEB) website under the Project case number EB-2023-0175. Enbridge Gas can share the monitoring reports with CKSPFN directly upon their submission to the OEB.</p>

<p>10.3.1.2 Final Monitoring Report</p>	<p>Text: “The Final Monitoring Report should also address any potential cumulative effects [...] construction through sensitive areas.”</p> <p>Enbridge Gas Inc. is expected to provide input regarding the long-term monitoring of pipeline integrity at a frequency that guarantees the absence of fugitive emissions seeping into the groundwater, soil, and air. All monitoring plans should explicitly address this potential concern.</p>	<p>Enbridge Gas will have an integrity management program for the Project, with one of the primary goals being to prevent a critical level Loss of Primary Containment. The long-term monitoring plan and its frequency will be set for the Project after the construction is completed.</p>
---	---	--



**Deshkan Ziiibiing**  
Chippewas of the Thames  
First Nation Treaties, Lands  
and Environment

320 Chippewa Road  
Muncey, ON, NOL 1Y0  
Tel: 519-289-5555  
Fax: 519-289-2230  
info@cottfn.com

July 13, 2023

Dear: Kevin Berube

We received the Environmental Report for the Enbridge Gas Watford Pipeline Project on June 9, 2023. The proposed project is located within the Huron Tract and the Longwoods Treaty area, to which Chippewas of the Thames First Nation (COTTFN) is a signatory. It is also located within the Big Bear Creek Additions to Reserve (ATR) land selection area, as well as COTTFN Traditional Territory.

Following our review of the Environmental Report, we have the following questions and comments:

*Notification*

- We do not see a record of the Notice of Change indicating the new preferred route – Alt Route B. Please clarify how that notice was delivered (e.g. to which email address). The shape files we have also do not include that route. Please provide updated shape files.

*History and Archaeology*

- The Dillon Report summarizes County history from the Stage 1 Archaeological Assessment completed by TMHC. However, the summarized section only includes European settler history. It completely leaves out the Indigenous and Treaty history that is mentioned in the TMHC report. While the intention may have been to highlight the history of industrial disturbances in the Study Area, it has the effect of erasing Indigenous history and presence in the narrative of the report. It is not acceptable to only reference European settler history.
- We request to participate in the stage 2 archaeological fieldwork with AFLs. We understand from the report that site AfHI-14 is close to the Project Area. We expect close care to be taken in this area.

*Environment*

- Dillon's report recommends having an Environmental Inspector on site. Would this individual be contracted from a third party, or would they be an employee of Enbridge Gas?
- Enbridge's Indigenous People's Policy commits to actively benefiting Indigenous communities through training and employment. We are looking for ways to provide training and opportunities for COTTFN citizens in the environmental field. We would like to explore the possibility of a job shadowing role or training with the Environmental Inspector. It is also beneficial to COTTFN to have eyes on the ground during the project construction and monitoring.
- What training is required for construction workers on species at risk and species of concern? Anything beyond identification sheets?
- What are your commitments for compensating for vegetation removal? As a standard, we request that proponents compensate at least 3:1 for any vegetation removed.





**Deshkan Ziibing**  
Chippewas of the Thames  
First Nation Treaties, Lands  
and Environment

320 Chippewa Road  
Muncey, ON, NOL 1Y0  
Tel: 519-289-5555  
Fax: 519-289-2230  
info@cottfn.com

- We are interested in any further aquatic study results. To confirm, will all water crossings be trenchless crossings?

We are concerned that the new preferred route involves the highest number of water crossings. While not all water crossings entail the same impact, all crossings carry risks to the water and living beings within it. Could you elaborate on the decision to choose the route with the most water crossings?

#### *Project Details*

- What is the expected lifetime of this pipeline? How long is the landfill expected to produce a meaningful amount of RNG?
- Has Enbridge signed a service contract with Waste Management? If so, when?

#### *Safety*

- Will odorants be added to the gas to help detect leaks?
- Please provide the response plan in case of a leak or eruption.

We look forward to Enbridge's timely responses to these questions and concerns.

To implement meaningful consultation, COTTFN has developed its own protocol – the Wiindmaagewin Consultation Protocol. As per 'Appendix C' of the Wiindmaagewin, we will be submitting an invoice for the time spent reviewing and responding to the Environmental Report. That invoice will come from COTTFN's Finance Department.

Sincerely,

Jennifer Mills  
Energy Sector Consultation Coordinator  
Chippewa of the Thames First Nation  
320 Chippewa Road, Muncey, ON, NOL 1Y0  
(519) 289-5555 Ext 236  
consultation@cottfn.com



**Watford Pipeline Project – Enbridge Gas Inc. (Enbridge Gas) Responses to Chippewas of the Thames First Nation**

Enbridge Gas Responses to COTTFN Comments on the Watford Pipeline Project Environmental Report		
Item	COTTFN Comments/ Questions	Enbridge Gas Responses
Notification	We do not see a record of the Notice of Change indicating the new preferred route – Alt Route B. Please clarify how that notice was delivered (e.g. to which email address). The shape files we have also do not include that route. Please provide updated shape files.	Enbridge Gas sent the Notice of Project Change to COTTFN by email on February 15, 2023. The Notice of Project Change letter provided notice of the addition of Alternative Route B to the potential Project routes being assessed in the ER.  Enbridge Gas resent the email and shape file to COTTFN on Friday October 6, 2023.
History and Archeology	The Dillon Report summarizes County history from the Stage 1 Archaeological Assessment completed by TMHC. However, the summarized section only includes European settler history. It completely leaves out the Indigenous and Treaty history that is mentioned in the TMHC report. While the intention may have been to highlight the history of industrial disturbances in the Study Area, it has the effect of erasing Indigenous history and presence in the narrative of the report. It is not acceptable to only reference European settler history.	The purpose of the history provided in Section 7 is to frame the narrative for the cumulative effects assessment. In the ER, Dillon implemented a method of cumulative effects assessment where we describe the total cumulative effect (since the earliest recorded disturbance - which is usually European settlement - to present day) and then assess the Project’s incremental contribution to the total cumulative effect. The Indigenous settlement history in the Stage 1 report does not indicate any significant alteration of the lands (removal of vegetation, wetlands, etc.), and the land is largely considered pristine until European settlers arrived; however, Dillon will consider including background on Indigenous settlement in future reports where there is information available from the Indigenous communities.
History and Archeology	We request to participate in the stage 2 archaeological fieldwork with AFLs. We understand from the report that the site AfHI-14 is close to the Project Area. We expect close care to be taken in this area.	The Stage 2 fieldwork assessment has not started. Enbridge Gas will invite COTTFN to participate in the fieldwork.
Environment	Dillon’s report recommends having an Environmental Inspector on site. Would this individual be contracted from a third party, or would they be an employee of Enbridge Gas?	Enbridge Gas typically contracts a third-party, such as Dillon Consulting, to provide an Environmental Inspector to attend the project site on a regular basis during construction.



Enbridge Gas Responses to COTTFN Comments on the Watford Pipeline Project Environmental Report		
Item	COTTFN Comments/ Questions	Enbridge Gas Responses
Environment	Enbridge’s Indigenous People’s Policy commits to actively benefiting Indigenous communities through training and employment. We are looking for ways to provide training and opportunities for COTTFN citizens in the environmental field. We would like to explore the possibility of a job shadowing role or training with the Environmental Inspector. It is also beneficial to COTTFN to have eyes on the ground during the project construction and monitoring.	Enbridge Gas would be happy to discuss potential opportunities for COTTFN citizens to participate in environmental fieldwork.
Environment	What training is required for construction workers on species at risk and species of concern? Anything beyond identification sheets?	The Environmental Inspector will present key mitigation measures from the EPP at the construction kick-off meeting, including how to identify species at risk (SAR) and what do to if potential SAR or their habitat are identified during construction. Sensitive environmental areas and areas of known SAR or SAR habitat will be clearly flagged or marked for construction and an Environmental Inspector will be on site for work in these areas to ensure appropriate mitigation measures are in place and adhered to. It is anticipated that SAR and their habitat will be largely avoided as the pipeline horizontal directional drilling (HDD) is the planned method of construction under watercourses and wetlands and in the vicinity of woodlands.
Environment	What are your commitments for compensating for vegetation removal? As a standard, we request that proponents compensate at least 3:1 for any vegetation removed.	Enbridge Gas will replace vegetation at a 3:1 ratio.
Environment	We are interested in any further aquatic study results. To confirm, will all water crossings be trenchless crossings?  We are concerned that the new preferred route involves the highest number of water crossings. While not all water crossings entail the same impact, all crossings carry risks to the water and living beings within it. Could you elaborate	Enbridge Gas is currently planning to conduct all watercourse crossings via HDD and no in-water works are anticipated.  The reasons that Alternative Route B was chosen as the Preferred Route, despite the higher number of watercourse crossings, are outlined in Section 5.1 of the ER and include the following:

Enbridge Gas Responses to COTTFN Comments on the Watford Pipeline Project Environmental Report		
Item	COTTFN Comments/ Questions	Enbridge Gas Responses
	on the decision to choose the route with the most water crossings?	<ul style="list-style-type: none"> <li>• It is in proximity to the fewest number of wetlands and other distinctive natural ELC communities (for example, forest, meadow communities, etc.);</li> <li>• It is in proximity to the fewest areas of potential Candidate Significant Wildlife Habitat for bat maternity colonies, turtle overwintering habitat, raptor wintering areas, and sensitive bird breeding habitat;</li> <li>• It passes by the fewest number of residences and businesses;</li> <li>• It is located in an area of less total prime agricultural land (lands classified as having prime agricultural soils [Class 1, 2, and 3 soils], as defined by OMAFRA);</li> <li>• It is not located within 125 metres of an identified heritage property or adjacent to a burial site and/or cemetery; and lastly,</li> <li>• Based on feedback received during engagement and consultation activities, it is the preferred route from the perspective of several stakeholders.</li> </ul> <p>In addition to the above, Alternative Route B is the shortest route option. As noted above, Enbridge Gas is currently planning to conduct all watercourse crossings via HDD and no in-water works are anticipated.</p>
Project Details	What is the expected lifetime of this pipeline?	The OEB assumes an average service life of 55 years for pipelines of this type in this area.
	How long is the landfill expected to produce a meaningful amount of RNG?	Twin Creeks landfill is expected to produce a meaningful amount of landfill gas for approximately 20 years after landfill closure. Currently the site has 8 years of capacity remaining before landfill closure.
Project Details	Has Enbridge signed a service contract with Waste Management? If so, when?	The M13 Transportation and Producer Balancing Service and Name Change Service Contract between Enbridge Gas Inc. and Waste Management of Canada Corporation was signed on April 19, 2023.

Enbridge Gas Responses to COTTFN Comments on the Watford Pipeline Project Environmental Report		
Item	COTTFN Comments/ Questions	Enbridge Gas Responses
Safety	Will odorants be added to the gas to help detect leaks?	Odorant will not be added to the gas within the Watford Pipeline as it feeds an unodorized gas system. Enbridge Gas will conduct yearly pipeline leak detection surveys to detect leaks.
Safety	Please provide the response plan in case of a leak or eruption.	Enbridge Gas takes steps to ensure the safe and reliable operation of their natural gas pipelines, including continuously monitoring the entire network and performing regular field surveys to detect leaks and confirm corrosion prevention methods are working as intended. If a natural gas release is detected or reported, Enbridge Gas promptly responds by dispatching a trained response team and isolates and repairs the leak or damage.

Neegan Burnside Ltd. 15 Townline Orangeville ON L9W 3R4 CANADA  
telephone (519) 941-1181 fax (519) 941-8120 web [www.neeganburnside.com](http://www.neeganburnside.com)



September 19, 2023

Via: Email

Larissa Wrightman  
Project Review Coordinator  
Walpole Island Heritage Centre  
R.R. No. 3  
Wallaceburg ON N8A 4K9

Dear Larissa:

**Re: Review of Enbridge Gas Watford Pipeline Project Environmental Report  
Project No.: 300057149.0000**

Neegan Burnside Ltd. (Neegan Burnside) was retained by Bkejwanong (Walpole Island First Nation; WIFN) to provide a technical review of the Enbridge Gas Watford Pipeline Project Environmental Report (ER).

Neegan Burnside understands that WIFN maintains title to its unceded lands and continues to assert and exercise its inherent Indigenous and Treaty Rights to the lands of its "reserve" and territory. These rights include, but are not limited to, hunting, fishing, trapping, harvesting and gathering, as well as the protection and management of ecological, spiritual, and cultural values and sites associated with WIFN's stewardship and governance rights.<sup>1</sup> This also includes asserting Aboriginal title to subsurface resources along with the Aboriginal right to use these resources, since they were never knowingly shared when the First Nation and the British Crown entered into treaties to allow for homes to be built and land to be farmed by settlers.

The proposed Watford Pipeline Project will involve:

- Construction of a new injection station.
- 15 to 20 kilometers of 4-inch or 6-inch steel pipeline connecting the Twin Creeks Environmental Centre renewable natural gas (RNG) project to an existing Enbridge Gas Transmission Station.
- The preliminary preferred route and Alternative Route A are proposed to tie into existing Enbridge Gas Watford Transmission Station on Nauvoo Road. Alternative Route B is proposed to tie into an existing Enbridge Gas Brooke Value Site on Hardy Creek Road.

Our comments are as follows:

---

<sup>1</sup> <http://winfcap.weebly.com/>

### Consultation

1. Table 1-1 lists permits, approvals and notifications that will be required as the project proceeds. WIFN has a Consultation Protocol that would apply to this project and future pipeline projects. Please add WIFN to the list as an agency that should be notified of the commencement of construction or other project stages.
2. Section 4.3.6 states that, "To date, consultation with Indigenous communities has not resulted in the identification of potential impacts of the project on Aboriginal or Treaty Rights or Indigenous use of land and resources in the Study Area." This is incorrect. WIFN claims ownership of below ground resources and this pipeline runs through those resources. WIFN has expressed potential impacts of the Project on Aboriginal or Treaty Rights or Indigenous use of land and resources in the area.

WIFN recommends that an Indigenous Culture, Values, and Land Use Evaluation be developed in collaboration with WIFN to enhance Enbridge's evaluation in addition to consultation in the future. For instance, WIFN would like to know what Enbridge plans to use these lines for when natural gas gets phased out.

3. Table 2-3 states that there will be no Project to Environment interactions under the category of *Indigenous Community Land and Resource Use*. This is not something that was confirmed with WIFN through consultation. Based on the comment above, it is premature to make this claim. Please assume that there will be an impact until WIFN has confirmed otherwise.

### Route Selection

4. Table C-1 in Appendix C provides a comparison between the various alternative pipeline routes. The criteria include the number of features (e.g. number of wetlands, woodlands and wildlife habitats) crossed by each route. It is more appropriate to compare the length or area of the feature crossing. For example, one route may cross just one wetland but that crossing may be very long and through a significant and sensitive feature. This would have more impact than many minor crossings of multiple, less sensitive wetlands. The actual impacts are not captured in the evaluation by only considering the number of individual wetlands. This also applies to other features such as source water protection features, agricultural operations etc.
5. The area exhibiting archaeological potential and requiring Stage 2 assessment should also be included in Table C-1 as a comparative criterion for the three alternatives.

### Mitigation Measures

6. Figure 6-1 does not show all the mitigation and timing windows referenced in the preceding text. For example, where the route crosses a wetland the bird nesting window (March 15-August 31) is noted. However, this window is not noted for other treed areas such as the Brooke-Alvinston Locally Significant Natural Area. In addition, other timing windows such as the bat roosting window (April 1 - September 30) are not included. Please include all mitigation measures on this figure.
7. In Table 6-7: *Assessment of Potential Effects of the Project on Wildlife and Wildlife Habitat* please specify that bird nesting sweeps should be conducted by qualified biologist. Additionally, if potential bat roosting trees require removal during timing windows the MECF must be consulted to determine permitting needs.

8. In Table 6-7 it is stated in reference to mitigation measures for Herptiles that "*Prior to the timing windows for the nesting and breeding season, flag or fence off identified habitat features, if possible.*" Please confirm that this refers to the habitat features identified in Figure 4-4, including Amphibian Breeding Habitat, Turtle Wintering Areas and Reptile Hibernaculum.

Please add to this section, "All individuals responsible for the handling herpetofauna should be trained on how to handle reptiles correctly and safely."

#### **Cumulative Effects Assessment**

9. Due to the proponent's on-going development and operation within the WIFN territory, we continue to encourage a collaborative approach to developing a cumulative effects assessment framework with WIFN. As identified in previous projects, we encourage Enbridge to consider how it may achieve net environmental gains through its on-going projects and operations within WIFN's territorial and Treaty lands. Through these on-going projects, there is an opportunity for Enbridge to collaborate with WIFN to determine what actions and policies could achieve net environmental gain to prevent and mitigate cumulative effects and begin to restore conditions to support WIFN future desired uses.
10. Through the continual development in the area and tree removal within the Enbridge corridors, there is an ongoing negative impact to the area. Cumulative effects are defined by the Cumulative Effects Assessment Practitioners Guide (1999) as changes to the environment that are caused by an action in combination with other past, present, and future human actions. Tree removal along the corridor associated with Enbridge projects may be contributing to a "nibbling loss" through the gradual disturbance and loss of habitat in the area.
11. Note that the Warwick Official Plan specifies in Section 2: Public Utilities that "Where woodland locations cannot be avoided, tree cover removed will be replaced with twice the area of tree cover that is removed at a location specified by affected landowner. The Township will work with the County and Conservation Authorities to ensure an appropriate location is selected". The Lambton County Woodlands Preservation By-law also regulates certain vegetation removals, and the Brooke Alvington Official Plan also encourages reforestation and the conservation of woodlots. Should the project require tree removal within the forest and swamp communities, adequate replacement should be provided.

#### **Accidents and Malfunctions**

12. Table 8-1 should include training of contractor(s) and construction crews on the proper implementation of drilling fluid release contingency measures and the use of spill kit materials. Any significant spills (spills that have an adverse impact on water or wetland features) should also be reported to Indigenous communities.

#### **Socio-economic Effects and Opportunities**

13. We encourage Enbridge to consider opportunities to provide a net improvement with regard to employment and economy. We encourage Enbridge to work with Indigenous businesses to enhance their potential to successfully bid on project contracts. Workshops and training opportunities should be considered for the First Nation, so members can gain the experience to apply to higher employment positions / opportunities. Please reach out to WIFN to discuss these opportunities in further detail.

Larissa Wrightman  
September 19, 2023  
Project No.: 300057149.0000

Page 4 of 4

**Next Steps and Future Reports:**

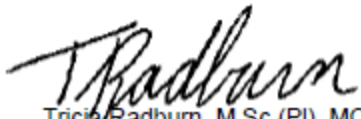
14. Please include a commitment to provide WIFN with a copy of the following reports for review and comment, once available:

- Indigenous Consultation Report
- Stage 2 Archaeological Assessment
- Interim and Final Monitoring Reports described in Section 10.3

If you have any questions, please contact the undersigned.

Yours truly,

**Neegan Burnside Ltd.**



Tricia Radburn, M.Sc.(PI), MCIP, RPP  
Environmental Planner  
TR:js

Review Letter - Enbridge Watford\_057149.docx  
19/09/2023 3:10 PM

**From:** [Lauren Whitwham](#)  
**To:** [Brown, Gillian \(ENERGY\)](#)  
**Subject:** Watford Pipeline Project  
**Date:** Thursday, November 2, 2023 4:04:59 PM

---

Hi Gillian,

Hope this finds you well.

I am following up on the Watford Pipeline Project and hoping you could provide me with timeline for receiving the letter of opinion as the OEB has asked.

Also, I recall learning from my environment team that the MOE had some questions based on their OPCC review of the Environmental Report and that the questions were to be addressed during our MOE -EGI monthly meetings. I don't recall ever addressing any questions during these meetings. I'm not sure if you still have outstanding questions that we haven't addressed together or if they were answered upon the review of our filed evidence.

Let me know and I'd be happy to set up a call to discuss.

Thanks,  
Lauren



**From:** [Brown, Gillian \(ENERGY\)](#)  
**To:** [Lauren Whitwham](#)  
**Subject:** [External] RE: Watford Pipeline Project  
**Date:** Friday, November 3, 2023 8:41:01 AM

---

**CAUTION! EXTERNAL SENDER**

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?  
DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Hi Lauren, happy Friday.

ENERGY continues its reach outs with Indigenous communities on the Watford project. Since there is an Indigenous intervenor, our intent is to review the submissions and responses from Enbridge as well as OEB staff to ensure we have all the available information to make an assessment. Our aim will be to submit the Letter of Opinion as close to the end of record as possible, which will likely be soon after December 14.

We are still waiting to hear back from several communities about specific concerns and interests they had raised during consultation to-date, so I had not raised these items at the standing monthly meeting yet. The review of filed evidence has been helpful, and at this moment there are no questions from the ministry that Enbridge has not answered. A verbal update at our Nov 9<sup>th</sup> meeting as to current status of any outstanding responses or action items in regards to the communities would be helpful.

Have a great weekend,  
Gillian

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Ontario Energy Board Staff (STAFF)

Interrogatory

Reference:

Exhibit I, Tab 1, Schedule 1

Preamble:

Enbridge Gas has applied for leave to construct a pipeline under section 90(1) of the OEB Act. The OEB's standard conditions of approval for section 90 applications, with a modification to Condition 6 as proposed by OEB staff, are provided below.

Question(s):

- a) OEB staff suggests that the OEB's standard conditions of approval should apply to the Project with a modification to Condition 6, which requires the applicant to confirm that the actual final Project costs are fully funded by the Monthly service charge paid to Enbridge Gas by WM. Please confirm if Enbridge Gas agrees with OEB staff's suggestion.
- b) If Enbridge Gas does not agree with any of the conditions of approval set out below, please identify the specific conditions that Enbridge Gas disagrees with. Explain the rationale for disagreement and for any proposed changes or amendments.

**Application under Section 90(1) of the OEB Act**

**Enbridge Gas Inc.**

**EB-2023-0175**

**DRAFT**

**Standard Conditions of Approval**

1. Enbridge Gas Inc. shall construct the facilities and restore the land in accordance with the OEB's Decision and Order in EB-2023-0175 and these Conditions of Approval.

2. (a) Authorization for leave to construct shall terminate 12 months after the decision is issued unless construction has commenced prior to that date.  
(b) Enbridge Gas Inc. shall give the OEB notice in writing:
  - i. of the commencement of construction, at least 10 days prior to the date construction commences
  - ii. of the planned in-service date, at least 10 days prior to the date the facilities go into service
  - iii. of the date on which construction was completed, no later than 10 days following the completion of construction
  - iv. of the in-service date, no later than 10 days after the facilities go into service
3. Enbridge Gas Inc. shall obtain all necessary approvals, permits, licences, certificates, agreements and rights required to construct, operate and maintain the Project.
4. Enbridge Gas Inc. shall implement all the recommendations of the Environmental Report filed in the proceeding, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review.
5. Enbridge Gas Inc. shall advise the OEB of any proposed change to OEB-approved construction or restoration procedures. Except in an emergency, Enbridge Gas Inc. shall not make any such change without prior notice to and written approval of the OEB. In the event of an emergency, the OEB shall be informed immediately after the fact.
6. Concurrent with the final monitoring report referred to in Condition 7(b), Enbridge Gas Inc. shall file a Post Construction Financial Report, that:
  - (a) provides a variance analysis of project cost, schedule and scope compared to the estimates filed in this proceeding, including the extent to which the project contingency was utilized
  - (b) confirms that the actual final project costs are fully funded by the monthly service charge from Waste Management of Canada Corporation.

Enbridge Gas Inc. shall also file a copy of the Post Construction Financial Report in the proceeding where Enbridge Gas Inc. proposes to start collecting revenues associated with the Project.

7. Both during and after construction, Enbridge Gas Inc. shall monitor the impacts of construction, and shall file with the OEB one electronic (searchable PDF) version of each of the following reports:

- (a) A post construction report, within three months of the in-service date, which shall:
    - i. provide a certification, by a senior executive of the company, of Enbridge Gas Inc.'s adherence to Condition 1
    - ii. describe any impacts and outstanding concerns identified during construction
    - iii. describe the actions taken or planned to be taken to prevent or mitigate any identified impacts of construction
    - iv. include a log of all complaints received by Enbridge Gas Inc., including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions
    - v. provide a certification, by a senior executive of the company, that the company has obtained all other approvals, permits, licenses, and certificates required to construct, operate, and maintain the proposed project
  - (b) A final monitoring report, no later than fifteen months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1, which shall:
    - i. provide a certification, by a senior executive of the company, of Enbridge Gas Inc.'s adherence to Condition 4
    - ii. describe the condition of any rehabilitated land
    - iii. describe the effectiveness of any actions taken to prevent or mitigate any identified impacts of construction
    - iv. include the results of analyses and monitoring programs and any recommendations arising therefrom
    - v. include a log of all complaints received by Enbridge Gas Inc., including the date/time the complaint was received; a description of the complaint; any actions taken to address the complaint; and the rationale for taking such actions
8. Enbridge Gas Inc. shall designate one of their employees as project manager who will be the point of contact for these conditions, and shall provide the employee's name and contact information to the OEB and to all affected landowners, and shall clearly post the project manager's contact information in a prominent place at the construction site.

Response:

a) Enbridge Gas accepts OEB staff's proposed Conditions of Approval.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Ontario Energy Board Staff (STAFF)

Interrogatory

Reference:

Exhibit A, Tab 2, Schedule 1, Page 4

Preamble:

Enbridge Gas requested a new certificate for the Township of Warwick. Enbridge Gas stated that the borders of the eastern portion of the Township may have changed at some point after the certificate dated 1965 was issued but noted that it holds a certificate for the Township of Adelaide-Metcalf which shares the eastern border of the Township of Warwick and thereby the certificate request is not for an expansion of rights.

Question(s):

Please confirm that the proposed certificate does not overlap with any other person's certificate. If there is an overlap, please describe the location and extent of the overlap.

Response:

The requested Certificate for the Township of Warwick does not overlap with any other person's Certificate.

Enbridge Gas has franchise agreements with and Certificates of Public Convenience and Necessity for the Municipality of Lambton Shores, the Township of Plympton-Wyoming, the Township of Enniskillen, the Township of Brooke-Alvinston, the Township of Adelaide-Metcalf and the Municipality of North Middlesex which are immediately adjacent to and surround the Township of Warwick.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Reference:

To reduce and manage greenhouse gas emissions, consistent with the Government of Ontario's Climate Change goals, Waste Management of Canada Corporation ("WM" or the "Customer") plans to construct and operate new renewable natural gas ("RNG") gathering, upgrading and compression facilities at the existing Twin Creeks Environmental Centre site near the community of Watford in the Township of Warwick, Ontario [B-1-1 Page 1]

Question(s):

- a) Please provide a copy of the Government of Ontario's Climate Change goals that Enbridge is referring to.
- b) Please provide an estimation and related calculations of the greenhouse gas (i.e. CO<sub>2</sub>e equivalent) that will result from this project annual and over the estimated life of the project.
- c) Please confirm that the site providing RNG into the Enbridge system is municipal landfill gas. If incorrect, please clarify.
- d) Please provide examples of similar projects that Enbridge has undertaken to clean and transport (landfill) RNG with similar properties to that expected from this facility. Please note any technical RNG differences that would cause this project to be different from what Enbridge has done previously.

Response:

- a) In 2018, Ontario announced its climate change goals, including its Made-in-Ontario Environment Plan, which "considers our province's specific priorities, challenges and opportunities, and commits to reducing our emissions to 30 per cent below 2005 levels by 2030." A link to this plan is available here:  
<https://www.ontario.ca/page/climate-change>

In Ontario's Environmental Plan, Clean Fuels refer to "increasing the ethanol content of gasoline to 15% as early as 2025 and encouraging uptake of renewable natural gas and the use of lower carbon fuels." From the planned emission reductions in 2030, 19% are to come from Clean Fuels. In order to meet these emission reductions, the Environmental Plan requires natural gas utilities to implement a voluntary renewable natural gas option for customers. A link to this plan is available here: <https://prod-environmental-registry.s3.amazonaws.com/2018-11/EnvironmentPlan.pdf>

The role of RNG in lowering Ontario's emissions is also discussed more recently in the province's Powering Ontario's Growth: Ontario's Plan for a Clean Energy Future. A link to this plan is available here: <https://www.ontario.ca/files/2023-07/energy-powering-ontarios-growth-report-en-2023-07-07.pdf>

- b) The public notice of project stated that "the project is expected to reduce carbon dioxide emissions by 70,000 tonnes per year". This value was provided by WM and was based on their assumptions related to the end-use application of the renewable natural gas. Please see response at Exhibit I.PP-6, part a-c). The GHG emissions that will arise from the proposed Enbridge Gas facilities are provided in response at Exhibit I.Three Fires-19, part e).
- c) The site is providing RNG into the Enbridge Gas system from a landfill gas system. As the Twin Creeks Environmental Centre site is owned by WM, Enbridge Gas cannot comment on the specific type of landfill gas that it produces.
- d) Enbridge Gas is not performing cleaning services with respect to the RNG being produced at the Twin Creeks Environmental Centre site. Similar landfill RNG projects in which Enbridge Gas is participating include the Ridge Landfill site in Blenheim, ON (EB-2022-0203) and the Walker Landfill site in Niagara, ON.



ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Question(s):

Enbridge has identified \$4 million in Ancillary Costs related to this project.

- a) Please provide a summary of what is included in Ancillary facilities.
- b) Are the Ancillary facilities solely for the purpose of the RNG producer or will they be used for other purposes?
- c) What are the impacts if the Ancillary facilities are not constructed?
- d) Why were the Ancillary facilities not included in the scope of the request for the OEB Leave to Construct if they are required as part of the Project?

Response:

- a-b) The ancillary facilities include the RNG injection station at the Twin Creeks Environmental Centre Site to be used solely for the RNG producer.
- c) If the ancillary facilities are not constructed, no RNG will be accepted into the Enbridge Gas system.
- d) Generally, ancillary costs include all project costs not directly related to the pipeline facilities that require an order of the OEB granting leave to construct. Ancillary costs include but are not limited to the construction of facilities for individual customer services and stations (e.g., pressure regulation, measurement, odorization).

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Reference:

Enbridge has applied for an order granting leave to construct approximately 15.3 km of Nominal Pipe Size (“NPS”) 6 inch Steel (“ST”) natural gas main with a design pressure of 6,160 kPag to connect the Twin Creeks Environmental Centre renewable natural gas (“RNG”) facility located near the community of Watford in the Township of Warwick to the existing Enbridge Gas system located in the Municipality of Brooke-Alvinston, Ontario. [A-2-1 Page 1]

Question(s):

- a) Please confirm that the proposed 15 km of NPS 6 natural gas main will be solely used by a single renewable natural gas (“RNG”) producer Twin Creeks Environmental Centre (aka Waste Management of Canada Corporation). If that is not correct, please explain what other customers or suppliers will use that pipeline.
- b) Please provide the calculations used to convert the RNG supply detailed in E-1-1 (M13 contract) to equate to the NPS 6 pipeline design outlined above. If there is incremental capacity in the proposed pipeline beyond that required, please identify.
- c) The proposed project is defined as a gas distribution main rather than a service connection to the customer. Is the main a dedicated direct feed from the customer or is there also a service required? If an additional service is required, please provide the specifications and estimated cost.
- d) Will the customer Twin Creeks Environmental Centre (aka Waste Management of Canada Corporation) be consuming natural gas from the Enbridge system or only providing landfill methane into the system?

Response:

- a) The current scope of the proposed 15.3 km of NPS 6 natural gas main is that it will be solely used by a single renewable natural gas (“RNG”) producer Twin Creeks Environmental Centre (WM).
- b) For the Customer to be able to access the market unimpeded at their maximum flow rate of 7,661 m<sup>3</sup>/hr, an NPS 6 pipe is required. This is based on the Customer’s maximum injection pressure of 6,110 kPag (886 psig)<sup>1</sup> and the maximum observed operating pressure of 5,750 kPag (834 psig) at the Brooke Main Line Valve Station over the last four years.

A NPS 4 pipeline is only able to flow a capacity of 5,442 m<sup>3</sup>/hr to maintain this pressure differential and access the system unimpeded. The NPS 4 is unable to satisfy the flow capacity and pressure differential requirements.

The ultimate capacity of the NPS 6 pipeline under these conditions is 16,135 m<sup>3</sup>/hr.

- c-d) The 15.3 km NPS 6-inch natural gas pipeline is a gas main providing the Customer a direct feed from the injection station to the existing local Enbridge Gas system.

WM has separately requested natural gas service for the Twin Creeks facilities from Enbridge Gas (to be served from the Enbridge Gas system). Accordingly, Enbridge Gas is currently working with WM to determine their pressure, hourly, daily, and annual forecast natural gas usage at this time. Any natural gas services constructed by Enbridge Gas for Twin Creeks ancillary facilities are distinct from the current Project and are not anticipated to require any OEB approvals.

---

<sup>1</sup> There is also an upper limit of the pressure of the proposed pipeline where the RNG injection site maximum injection pressure cannot exceed 6,110 kPag (886 psig) to allow for appropriate over-pressure protection device operation.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Question(s):

Please provide the references from the current Asset Management Plan (AMP) relevant to the proposed project and explain if they have changed from the information in the AMP.

Response:

RNG projects are not currently included in the Asset Management Plan (AMP) as they are supported directly through special rates or contributions paid by the RNG producer and are therefore not included in optimization of the capital expenditures reflected in the AMP.<sup>1</sup>

---

<sup>1</sup> EB-2022-0200, TR 12, pp. 41 and 42.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Question(s):

- a) Please provide a copy of the original request (letter or email) from the supplier Twin Creeks Environmental Centre (aka Waste Management of Canada Corporation) requesting RNG transportation services from Enbridge.
- b) Please explain how Enbridge differentiates between a supplier (e.g. shipper of gas or RNG) vs. a customer (e.g. receiving gas or RNG from Enbridge). If there is wording in Enbridge or OEB guidelines or policies to differentiate the two, please provide the reference or specific wording.

Response:

- a) The original request is included at Attachment 1.
- b) Enbridge is obligated to provide energy transportation services for its customers. While most customers are consumers, some are suppliers. With respect to this Application, WM is both a customer of Enbridge Gas and a supplier (shipper of RNG) of energy to the Enbridge Gas system.

**From:** [Brad DeMaeyer](#)  
**To:** [Stough, Adam](#); [Justin Egan](#)  
**Cc:** [Maruska, Jay](#); [O'Neill, Scott](#); [Gach, Ryan](#); [Beck, Randy](#); [Whitmore, Noah](#); [Robert Dysiewicz](#); [Caitlin Tessin](#)  
**Subject:** [EXTERNAL] RE: Enbridge & Waste Management potential renewable natural gas projects  
**Date:** Thursday, January 23, 2020 9:18:57 AM

---

Hi Adam,

We have looked at the connection options for the Twin Creeks site recently and identified two potential connection points identified in the options below. We don't have a pipeline which is 6 miles (10) km away, unless its matter of the way the crow flies versus road allowance path.

Option #1

Connect into a 3450kPa system just north of the landfill property which requires 700m of 4" steel pipe. Modeled flow on that segment of line during a 0 degree day (no heating load) is 1230 m3/hr.

Option #2:

Our mainline runs just north of Alvinston at 6160 kPa (900 psig) which is approximately 18km away from the landfill which flows large volumes of gas year-round. 18km of 4 or 6" pipe.

[Brad DeMaeyer](#)

Business Development

ENBRIDGE GAS INC.

TEL: 519-436-5352 | CELL: 519-350-3084 | [Brad.DeMaeyer@enbridge.com](mailto:Brad.DeMaeyer@enbridge.com)

50 Keil Dr. N, Chatham-Kent, ON, N7M 5J5

---

**From:** Stough, Adam <[astough@wm.com](mailto:astough@wm.com)>

**Sent:** Tuesday, January 21, 2020 5:29 PM

**To:** Brad DeMaeyer <[BJDeMaeyer@uniongas.com](mailto:BJDeMaeyer@uniongas.com)>; Justin Egan <[Justin.Egan@enbridge.com](mailto:Justin.Egan@enbridge.com)>

**Cc:** Maruska, Jay <[JMaruska@wm.com](mailto:JMaruska@wm.com)>; O'Neill, Scott <[soneill@wm.com](mailto:soneill@wm.com)>; Gach, Ryan <[rgach@wm.com](mailto:rgach@wm.com)>; Beck, Randy <[rbeck3@wm.com](mailto:rbeck3@wm.com)>; Whitmore, Noah <[nwhitmo1@wm.com](mailto:nwhitmo1@wm.com)>

**Subject:** [External] Enbridge & Waste Management potential renewable natural gas projects

**EXTERNAL: PLEASE PROCEED WITH CAUTION.**

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe.

Hello Brad and Justin,

I'm a Project Manager on Randy Beck's team at WMRE.

We completed a comprehensive analysis of WM landfill sites to identify potential renewable natural gas (RNG) projects that we could partner with Enbridge. I have attached a PowerPoint summary of all the WM landfill sites that are located near Enbridge natural gas transmission pipelines.

The most promising site on this list is the Twin Creeks Landfill in Watford, Ontario. There has been some discussion surrounding this site and possible pipeline interconnect locations. Can you please provide some more details on the nearest Enbridge pipeline that would be available for an interconnect?

Also, if you notice any other opportunities for interconnects with Enbridge natural gas transmission pipelines that I haven't identified given the site locations please share those with the group.

Thanks,

**Adam Stough**

**Project Manager**

WM Renewable Energy, LLC

[astough@wm.com](mailto:astough@wm.com)

**Waste Management**

1021 Main

Houston, TX 77002  
Office: 713-265-1242  
Cell: 586-531-8010

---

**Recycling is a good thing. Please recycle any printed emails.**

*This email communication and any files transmitted with it may contain confidential and or proprietary information and is provided for the use of the intended recipient only. Any review, retransmission or dissemination of this information by anyone other than the intended recipient is prohibited. If you receive this email in error, please contact the sender and delete this communication and any copies immediately. Thank you.*

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Reference:

Enbridge PollutionProbe\_IR\_AppendixA\_WatfordRNG\_20231031  
Article on Enbridge RNG and Watford Project.

“If approved, building could start as soon as the end of 2023 and is set to power around 35,000 homes and businesses a day in the province”

Question(s):

- a) Please confirm if the reference to 35,000 homes is related to Enbridge Gas customers (i.e. displacing natural gas), electricity generation, or some other use of the RNG.
- b) If the RNG is for electricity production, why is a pipeline required to transport the RNG rather than on-site electricity generation similar to other RNG sites in Ontario.
- c) Please confirm details on where (i.e. inside or outside Ontario) and how the RNG will be used.
- d) Please explain what the partnership is with Enbridge for the RNG project and please provide a copy of any partnership documents.
- e) Other than the proposed pipeline and RNG injection station is Enbridge involved in any other element of the RNG projects (including production, transportation, sales, emission credits, etc.)?

Response:

a-c) The quoted reference was provided by Jessica Kropf from Waste Management of Canada Corporation (WM). Enbridge Gas is not privy to WM's plans, intentions, or the commercial contracts that will determine the end use of the RNG. Please see response at Exhibit I.STAFF-2, part c).



- d) Enbridge Gas is providing energy transportation and injection services for WM as a customer. A formal partnership has not been created.
- e) Other than the proposed pipeline, RNG injection station, and M13 services<sup>1</sup>, Enbridge Gas is not currently involved in any other element of the WM RNG Project.

---

<sup>1</sup> Exhibit E, Tab 1, Schedule 1, Attachment 3.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Reference:

PollutionProbe\_IR\_AppendixB\_EnbridgeRNGslide\_20231032  
Enbridge RNG Carbon Intensity Slide

Question(s):

- a) Which of the RNG sources in the Enbridge RNG Carbon Intensity Slide aligns with the RNG related to this project?
- b) Does Enbridge have better RNG carbon intensity information than what it provided on this slide? If yes, please provide a copy of those documents.

Response:

a-b) Please see response at Exhibit I.PP-1, part c). The document provided by Pollution Probe in Appendix B shows carbon intensities of the landfill-based RNG sources from individual RNG projects registered with the California Low-Carbon Fuel Standard Program (Ca LCFS). As discussed in response provided at EB-2022-0200, Exhibit J4.1, carbon intensity of RNG can vary significantly between individual projects. Enbridge Gas does not have carbon intensity data for this specific landfill gas project.

Enbridge Gas suggests that providing additional material to show potential carbon intensities of various RNG sources would not be of assistance to the OEB in approving this Project. This Application is set to follow the OEB standard issues list for an LTC application, and the information being sought is not relevant to determine the issues of whether the proposed pipeline to connect the RNG facility is in the public interest. The pipeline in the Application is being requested by the Customer, supported by the Municipality and the Application is not for the RNG production facility itself.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Reference:

“WM has executed a long-term contract including a monthly service charge to be paid by the Customer.” [C-1-1]

Question(s):

Enbridge indicates a ‘Calculated monthly service charge’ of \$166,149. Why was this approach used vs. the lump sum payment approach used in the Ridge Landfill RNG LTC?

Response:

Enbridge Gas provides its customers with choice with respect to energy services. WM chose to pursue the monthly service charge model rather than a lump sum model.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Reference:

Enbridge Gas has subsequently received letters of support for the Project from the Municipality of Brooke-Alvinston, the Township of Warwick, and the Sarnia-Lambton Economic Partnership ("SLEP") (B-1-1 and Attachments 1, 2 and 3).

Question(s):

- a) Did Enbridge (directly or indirectly) request the municipal support letters and/or provide information/wording that was used by the municipalities in the letters submitted? If yes, please provide a copy of the correspondence.
- b) The wording in the different letters provided to Enbridge uses similar language to describe the carbon-neutral characteristics of the RNG from this project. Was that information provided by Enbridge or its consultants? If yes, please provide a copy of this information provided.

Response:

a-b) Yes, Enbridge Gas directly requested the support letters of the municipalities and Sarnia Lambton Economic Partnership (SLEP). At the request of the municipalities, Enbridge Gas did provide information and wording that was used by the municipalities in the letters submitted. For the support letter from SLEP, Enbridge Gas proactively provided a support letter template to the organization accompanying the request for support.

All correspondence related to the requests for letters of support, and the templates provided by Enbridge Gas are included at Attachment 1.

# Enbridge Gas

---

## Presentation to Municipality of Brooke-Alvinston



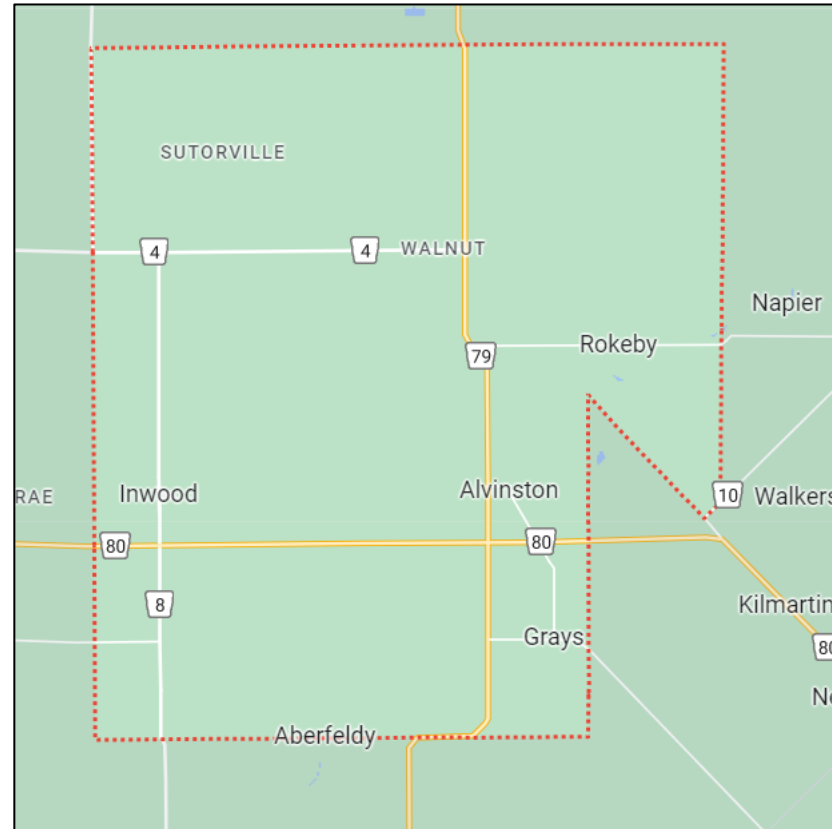
# Why are we here this afternoon?

- To provide an update on natural gas expansion in the Municipality.
- To provide information on the proposed Watford Renewable Natural Gas Pipeline Project and to request Council's consideration of support for the project.

# Current operations—Municipality of Brooke-Alvinston



- 708 customers
- Kilometres of pipeline: 146.08
- Property taxes paid annually: approx. \$1,404,327.47



# Natural Gas Expansion

---





# Natural Gas Expansion – background

- Every connection to the natural gas system must pass an economic test under the rules and regulations of the Ontario Energy Board (OEB).
- This holds existing natural gas customers neutral from the costs of others seeking to connect to the system.
- If the connection does not meet that test, the customer will pay an up-front cost to connect to the system. This can be a disincentive.
- In some instances, where a community or group of potential customers is far away from Enbridge's current infrastructure, the option exists to connect through a monthly surcharge added to the new customer's bills, under government programs.
- Successive governments have implemented, since 2015-16, expansion programs under various names.
- The current program is called the Natural Gas Expansion Program.



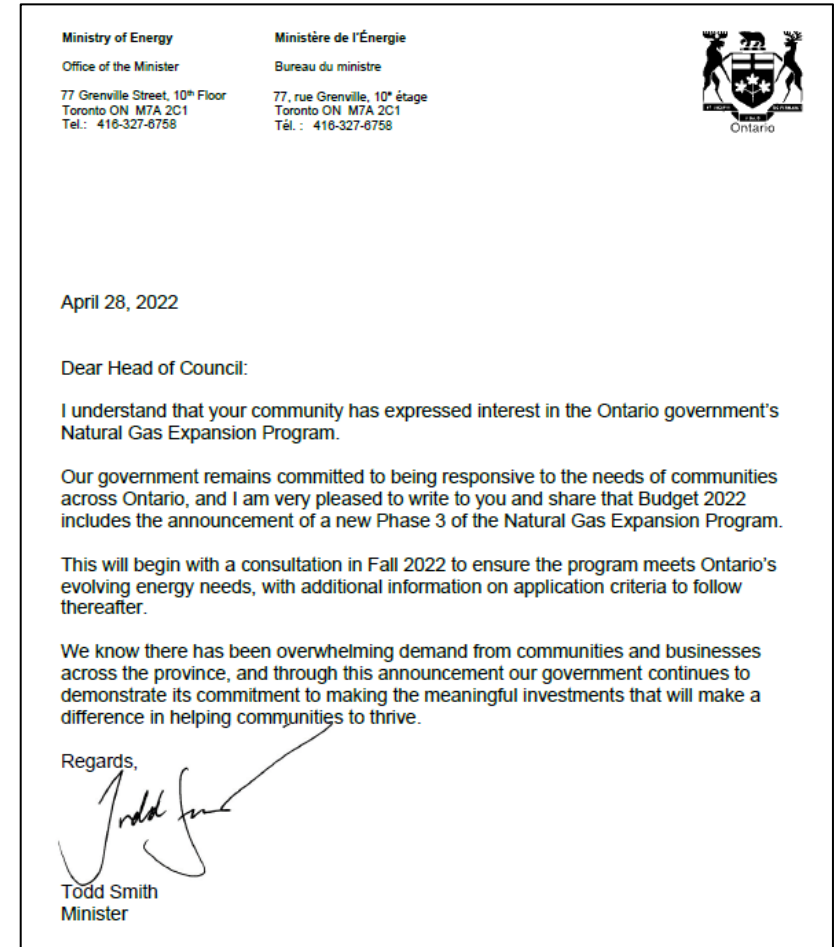
## Natural Gas Expansion Program – recent history

- In 2020, Enbridge Gas applied to the OEB and Provincial Government under the Natural Gas Expansion Program Phase 2 (NGEP) to serve various areas of Ontario.
- Phase 2 enabled the funding of eligible expansion projects through a \$1/month charge on every natural gas customer's bill across the province; and an expansion surcharge on customer's monthly bills for the specific area of the expansion.
- The provincial government received over 200 applications, representing over \$2B in total cost.
- The provincial government made the decisions on which projects would proceed in June 2021.
- Nearly 30 projects were chosen.
- **What are the potential next steps?**

# Natural Gas Expansion Program – Phase 3



- April 28, 2022: Minister of Energy sent a letter to Municipalities that submitted projects that were not selected for Phase 2.
- Announced new Phase 3 of the Natural Gas Expansion Program.
- At this time, parameters and timelines are not defined.
- We will keep you updated as the Phase 3 file progresses.



# Beyond the Natural Gas Expansion Program



- November 2020: The Ontario Energy Board (OEB) approved Enbridge Gas' proposal for what was known at the time as the 'temporary connection surcharge' program (now referred to as Expansion Surcharge).
- In situations where the cost to attach to the Enbridge Gas system is not economically feasible at the regular OEB approved rates, the Expansion Surcharge is applied in addition to regular OEB approved rates for the applicable rate class and is a substitute for an upfront lump sum payment.
- This offering is separate from the province's Natural Gas Expansion Program.



# Expansion Surcharge in action in Brooke-Alvinston

- **Enbridge Gas is taking steps toward Expansion Surcharge projects in Brooke-Alvinston**
  
- 1. Lasalle Line from Nauvoo Road to Ebenezer Road:
  - Mailer sent out in March 2023
  - Follow-up customer visits occurring
  - Analysis being conducted – requires customer commitment
  
- 2. Lasalle Line from Nauvoo Road to Sexton Road:
  - Initial analysis being conducted by Enbridge
  - Next step is customer mail-outs
  - Requires customer commitment

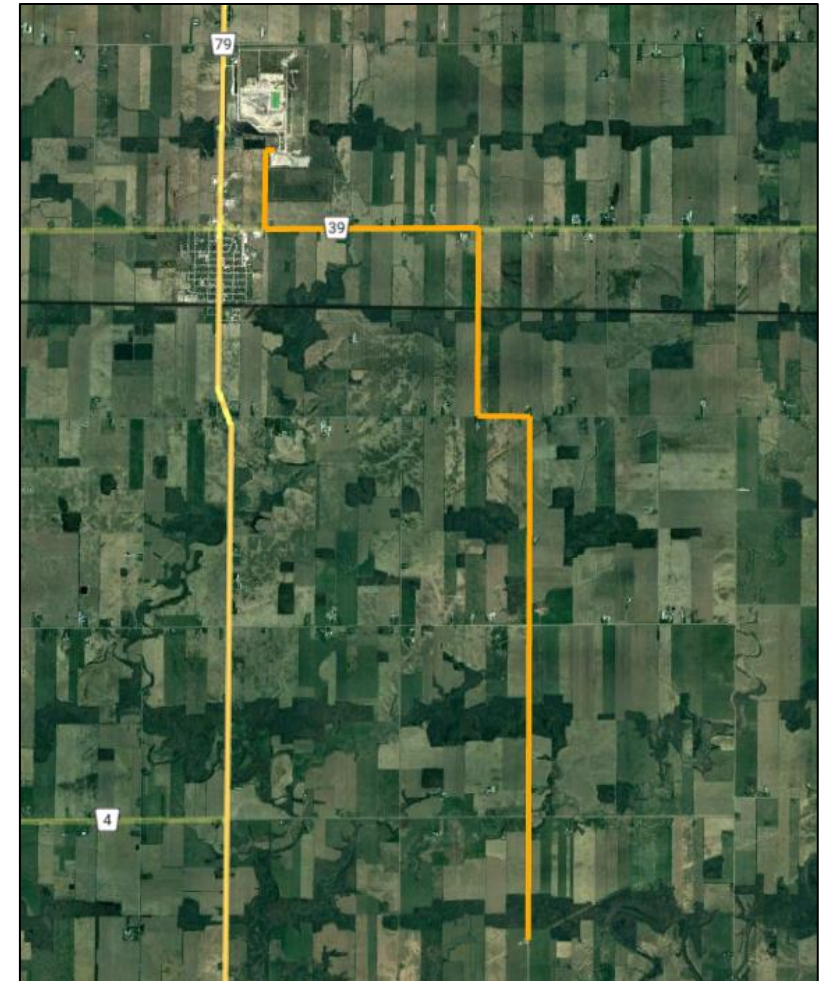
# Watford Renewable Natural Gas Pipeline Project

---

# Watford Renewable Natural Gas Pipeline Project

## Purpose and project details

- The proposed pipeline, along with other infrastructure, will enable Enbridge Gas to include more renewable natural gas (RNG) into the natural gas system via the WM Twin Creeks RNG facility.
- WM's Twin Creeks RNG facility may be able to supply enough renewable gas to heat the equivalent of about 35,000 homes.
- Proposal to construct a 6-inch pipeline and associated infrastructure, approx. 15 km long, in the Municipality of Brooke-Alvinston and the Township of Warwick.
- In Brooke-Alvinston, the route will traverse the road allowance of Hardy Creek Road and Churchill Line.
- Due to the unodorized transmission pressure of the network, and the intermittent nature of RNG production, there will be no direct connections for customers along the pipeline route installed as part of this project.





# Watford RNG Pipeline Project

## Project details continued

- Project cost: Approx. \$16M
- Due to the project scope, Ontario Energy Board (OEB) approval of the project is required prior to construction start.
- A leave to construct application is expected to be submitted to the OEB by Enbridge Gas in June 2023.
- If the project is approved by the OEB:
- Construction timeline:
  - Pre-work in fall 2023.
  - On-site from Spring 2024 to Winter 2024.
  - Clean-up and restoration work in 2025.
- Temporary local jobs created during construction.
- Increase in property taxes paid to Municipality.





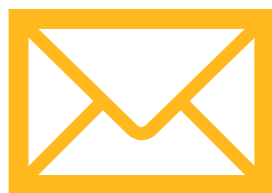
# Watford RNG Pipeline Project

## Community consultation

- Two rounds of public information sessions were held to provide information to the community and receive feedback on the proposed pipeline routes.
- Public information sessions were held in December 2022 and March 2023.
  - In-person sessions were held at the Warwick Arena on December 6, 2022 and March 6, 2023.
    - Concurrent with the first in-person session, an initial virtual session was held from December 6, 2022 to December 18, 2022.
    - Concurrent with the second in-person session, a second virtual session was held from March 6, 2023 to March 19, 2023.
- All properties, along the initial proposed routes were sent notices of the information sessions and invited to attend.
- Newspaper notices were also published in the Sarnia Observer.

# Request for consideration of support

## Watford RNG Pipeline Project



- A letter or resolution of support for the Watford RNG Pipeline Project will help demonstrate support and need.
- The OEB application process for the project will review the need and community support for the proposed infrastructure.

# Thank you

---

## Q&A



## Eric VanRuymbeke

---

**From:** Brian Lennie  
**Sent:** Tuesday, June 6, 2023 11:52 AM  
**To:** Janet Denkers  
**Cc:** Kendra Black; Andrew Calder  
**Subject:** Re: Follow-up to questions - Enbridge Gas presentation May 11

Thank you Janet!

Get [Outlook for iOS](#)

---

**From:** Janet Denkers <jdenkers@brookealvinston.com>  
**Sent:** Tuesday, June 6, 2023 9:34:14 AM  
**To:** Brian Lennie <Brian.Lennie@enbridge.com>  
**Cc:** Kendra Black <Kendra.Black@enbridge.com>; Andrew Calder <Andrew.Calder@enbridge.com>  
**Subject:** [External] RE: Follow-up to questions - Enbridge Gas presentation May 11

**CAUTION! EXTERNAL SENDER**

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?  
DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Hi Brian-

I have Council on Thursday and am happy to make that request.

Janet Denkers, BA, Dipl. M.M.  
Clerk-Administrator  
Municipality of Brooke-Alvinston  
3236 River Street, P.O. Box 28  
Alvinston, ON N0N 1A0  
Telephone: 519-898-2173  
[www.brookealvinston.com](http://www.brookealvinston.com)

---

**From:** Brian Lennie <Brian.Lennie@enbridge.com>  
**Sent:** Monday, June 5, 2023 4:32 PM  
**To:** Janet Denkers <jdenkers@brookealvinston.com>  
**Cc:** Kendra Black <Kendra.Black@enbridge.com>; Andrew Calder <Andrew.Calder@enbridge.com>  
**Subject:** RE: Follow-up to questions - Enbridge Gas presentation May 11

Hi Janet,

I hope all is well.

I am following up to see if based on the presentation given, and the requested information provided below, whether Council would consider providing a letter of support for the project's OEB application.

Thanks,  
Brian

**Brian Lennie**  
Senior Advisor, Municipal and Stakeholder Engagement

---

**ENBRIDGE GAS INC.**

OFFICE: 519-436-4527 | CELL: 226-229-2692 | EMAIL: [brian.lennie@enbridge.com](mailto:brian.lennie@enbridge.com)  
50 Keil Drive North, Chatham, ON N7M5M1

[enbridge.com](http://enbridge.com)

Safety. Integrity. Respect. Inclusion.

---

**From:** Brian Lennie

**Sent:** Thursday, May 18, 2023 3:18 PM

**To:** Janet Denkers <[idenkers@brookealvinston.com](mailto:idenkers@brookealvinston.com)>

**Cc:** Kendra Black <[Kendra.Black@enbridge.com](mailto:Kendra.Black@enbridge.com)>; Andrew Calder <[Andrew.Calder@enbridge.com](mailto:Andrew.Calder@enbridge.com)>

**Subject:** Follow-up to questions - Enbridge Gas presentation May 11

Hi Janet,

At the Council presentation we did, there were 3 questions I owed Council answers on. Here they are.

Please let me know of any follow-up questions.

I will be away next week but will return May 29.

**1) Can those who have property along the Watford RNG pipeline route connect directly to the pipeline in order to provide natural gas service to their property?**

- Due to the pressure of the pipeline, no direct connections are permitted.
- Once this pipeline is constructed and in service, there may be property owners along the pipeline route who would like to connect to the natural gas system. In these cases, a separate project with separate, smaller natural gas distribution pipe would be required.
  - This separate project would have to pass the Ontario Energy Board's (OEB) EBO 188 economic test threshold, as all new connections to the natural gas system do.
  - This separate project would require customer commitment, as it would either be funded by customers with up-front payment, or via Enbridge Gas' expansion surcharge, where customers pay a surcharge on their monthly bill for a defined period (up to 40 years).
    - To be clear, such a project would only proceed if the project cost is equal to or less than the 40 year threshold for prospective customers as prescribed by the OEB. Otherwise, customers would have to pay up front.
    - If the cost of this project exceeded 40 years, for example if it was 45 years, the OEB allows the Municipality to pay that 5 year difference in order for the project to be made feasible.

**2) Could another RNG producer who has property along the Watford RNG pipeline route connect directly to the pipeline to produce RNG?**

- Enbridge Gas continues to work with RNG producers across the province to develop suitable RNG projects. Enbridge Gas actively seeks RNG production opportunities with farms, wastewater treatment plants, landfills, and food producers.
- In order for an RNG producer to connect to this specific pipeline, an analysis would have to be conducted by Enbridge Gas to determine if there is sufficient demand available for the additional gas generated by a new producer.

**3) Update on Enbridge Gas proposed locate charges**

- Council will be sent a letter either by the end of next week, or early the following week, with details on the final decision made on locate charges. I can share in brief, as was noted at today's OMAA conference by Enbridge Gas, that the locate charges are not proceeding.

Thanks,  
Brian

**Brian Lennie**

Senior Advisor, Municipal and Stakeholder Engagement

**ENBRIDGE GAS INC.**

OFFICE: 519-436-4527 | CELL: 226-229-2692 | EMAIL: [brian.lennie@enbridge.com](mailto:brian.lennie@enbridge.com)  
50 Keil Drive North, Chatham, ON N7M5M1

[enbridge.com](http://enbridge.com)

**Safety. Integrity. Respect. Inclusion.**

## Eric VanRuymbeke

---

**From:** Brian Lennie  
**Sent:** Friday, June 9, 2023 10:47 AM  
**To:** Janet Denkers  
**Cc:** Kendra Black; Julie Alexander  
**Subject:** RE: letter of support  
**Attachments:** Suggested letter of support - Enbridge Gas Inc - Watford RNG Pipeline Project.docx

Hi Janet,

Yes I do. Please see attached. Please let me know if you need anything else.

As an FYI, I have moved to a new role in the company so I am copying Kendra and Julie for awareness.

I will still be working on Watford RNG Project in the interim, and also the LaSalle Line opportunities separate from this that I talked about at Council, until my replacement is up and running.

Thanks,  
Brian

### Brian Lennie

Specialist, Economic Development

#### ENBRIDGE GAS INC.

OFFICE: 519-436-4527 | CELL: 226-229-2692 | EMAIL: [brian.lennie@enbridge.com](mailto:brian.lennie@enbridge.com)  
50 Keil Drive North, Chatham, ON N7M5M1

[enbridge.com](http://enbridge.com)

Safety. Integrity. Respect. Inclusion.

---

**From:** Janet Denkers <[jdenkers@brookealvinston.com](mailto:jdenkers@brookealvinston.com)>

**Sent:** Friday, June 9, 2023 9:09 AM

**To:** Brian Lennie <[Brian.Lennie@enbridge.com](mailto:Brian.Lennie@enbridge.com)>

**Subject:** [External] letter of support

### CAUTION! EXTERNAL SENDER

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?

DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Hi Brian-

Do you have a template for the letter of support?

Janet Denkers, BA, Dipl. M.M.

Clerk-Administrator

Municipality of Brooke-Alvinston

3236 River Street, P.O. Box 28

Alvinston, ON N0N 1A0

Telephone: 519-898-2173

[www.brookealvinston.com](http://www.brookealvinston.com)

(Date)

(Address and Municipality name)

Enbridge Gas Inc.

Brian Lennie via email [Brian.Lennie@Enbridge.com](mailto:Brian.Lennie@Enbridge.com)

RE: Proposed Watford Renewable Natural Gas Pipeline Project, Enbridge Gas Inc.

Dear Mr. Lennie,

On behalf of \_\_\_\_\_, I am writing to express our support for the Watford Renewable Natural Gas Pipeline Project.

Renewable Natural Gas (RNG) is a carbon-neutral energy supply, which can help reduce emissions. RNG can be created by capturing methane emissions from organic waste, landfills and wastewater treatment plants, and other sources that would otherwise be burned off or released into the air. The captured emissions can be cleaned and injected into the existing natural gas pipeline system to offset traditional natural gas.

The Municipality of Brooke-Alvinston supports this project as it will capture methane locally and add it to the natural gas pipeline system. The project will also create temporary construction jobs in Lambton County, along with local construction material sourcing opportunities for local suppliers.

In Brooke-Alvinston, we are focused on \_\_\_\_\_ (examples such as job creation, reliable and affordable energy) and as such, we see multiple benefits this project will bring to the local area.

Sincerely,

(signature)



## Eric VanRuymbeke

---

**From:** Janet Denkers <jdenkers@brookealvinston.com>  
**Sent:** Friday, June 9, 2023 2:32 PM  
**To:** Brian Lennie  
**Cc:** Kendra Black; Julie Alexander  
**Subject:** [External] RE: letter of support  
**Attachments:** 20230609143541.pdf

### CAUTION! EXTERNAL SENDER

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?  
DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Please see attached.

Enjoy the weekend.

Janet Denkers, BA, Dipl. M.M.  
Clerk-Administrator  
Municipality of Brooke-Alvinston  
3236 River Street, P.O. Box 28  
Alvinston, ON N0N 1A0  
Telephone: 519-898-2173  
[www.brookealvinston.com](http://www.brookealvinston.com)

---

**From:** Brian Lennie <Brian.Lennie@enbridge.com>  
**Sent:** Friday, June 9, 2023 10:47 AM  
**To:** Janet Denkers <jdenkers@brookealvinston.com>  
**Cc:** Kendra Black <Kendra.Black@enbridge.com>; Julie Alexander <Julie.Alexander@enbridge.com>  
**Subject:** RE: letter of support

Hi Janet,

Yes I do. Please see attached. Please let me know if you need anything else.

As an FYI, I have moved to a new role in the company so I am copying Kendra and Julie for awareness.

I will still be working on Watford RNG Project in the interim, and also the LaSalle Line opportunities separate from this that I talked about at Council, until my replacement is up and running.

Thanks,  
Brian

**Brian Lennie**  
Specialist, Economic Development

ENBRIDGE GAS INC.  
OFFICE: 519-436-4527 | CELL: 226-229-2692 | EMAIL: [brian.lennie@enbridge.com](mailto:brian.lennie@enbridge.com)  
50 Keil Drive North, Chatham, ON N7M5M1  
[enbridge.com](http://enbridge.com)  
Safety. Integrity. Respect. Inclusion.

---

**From:** Janet Denkers <[jdenkers@brookealvinston.com](mailto:jdenkers@brookealvinston.com)>

**Sent:** Friday, June 9, 2023 9:09 AM

**To:** Brian Lennie <[Brian.Lennie@enbridge.com](mailto:Brian.Lennie@enbridge.com)>

**Subject:** [External] letter of support

**CAUTION! EXTERNAL SENDER**

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?

DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Hi Brian-

Do you have a template for the letter of support?

Janet Denkers, BA, Dipl. M.M.

Clerk-Administrator

Municipality of Brooke-Alvinston

3236 River Street, P.O. Box 28

Alvinston, ON N0N 1A0

Telephone: 519-898-2173

[www.brookealvinston.com](http://www.brookealvinston.com)



3236 River St. P.O. Box 28  
Alvinston, ON N0N 1A0

Phone: 519.898.2173  
Fax: 519.898.5653

June 9, 2023

Enbridge Gas Inc.  
Attention: Brian Lennie sent via email [Brian.Lennie@Enbridge.com](mailto:Brian.Lennie@Enbridge.com)

Dear Mr. Lennie,

RE: Proposed Watford Renewable Natural Gas Pipeline Project, Enbridge Gas Inc.

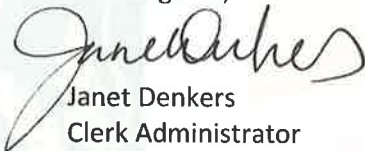
On behalf of the Municipality of Brooke-Alvinston, I am writing to express our support for the Watford Renewable Natural Gas Pipeline Project.

Renewable Natural Gas (RNG) is a carbon-neutral energy supply, which can help reduce emissions. RNG can be created by capturing methane emissions from organic waste, landfills and wastewater treatment plants, and other sources that would otherwise be burned off or released into the air. The captured emissions can be cleaned and injected into the existing natural gas pipeline system to offset traditional natural gas.

The Municipality of Brooke-Alvinston supports this project as it will capture methane locally and add it to the natural gas pipeline system. The project will also create temporary construction jobs in Lambton County, along with local construction material sourcing opportunities for local suppliers.

In Brooke-Alvinston, we are focused on reliable and affordable energy and as such, we see multiple benefits this project will bring to the local area. We would appreciate that residents residing in these areas be kept up to date on possible use of the pipeline in the future.

Kind Regards,

  
Janet Denkers  
Clerk Administrator

# Enbridge Gas

---

## Presentation to Township of Warwick



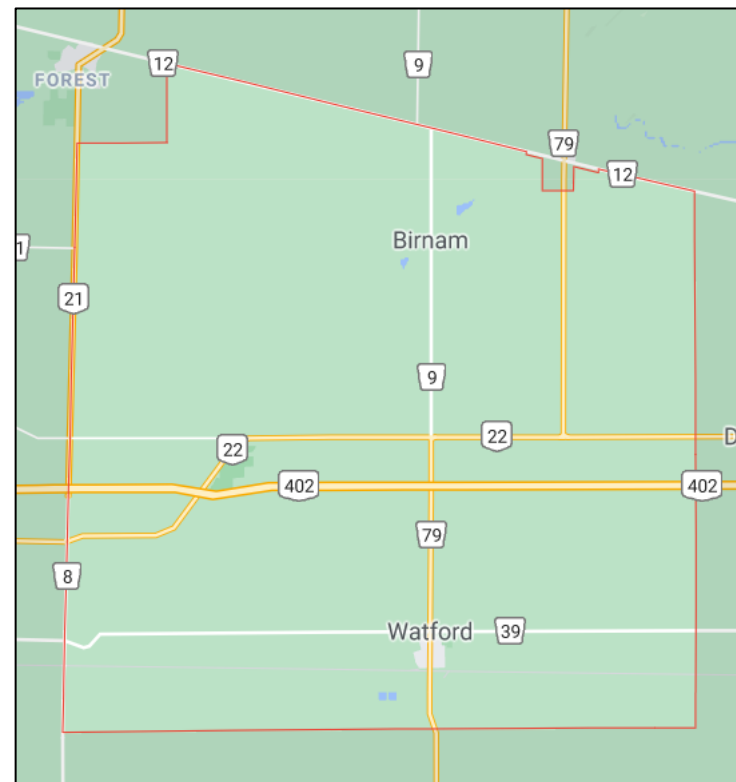
# Why are we here this afternoon?

- To provide an update on natural gas expansion in the Township.
- To provide information on the proposed Watford Renewable Natural Gas Pipeline Project and to request Council's consideration of support for the project.

# Current operations – Township of Warwick



- 1,018 customers
- Kilometres of pipeline: 70.4
- Property taxes paid annually: approx. \$69,955.98



# Natural Gas Expansion

---



# Natural Gas Expansion – background

- Every connection to the natural gas system must pass an economic test under the rules and regulations of the Ontario Energy Board (OEB).
- This holds existing natural gas customers neutral from the costs of others seeking to connect to the system.
- If the connection does not meet that test, the customer will pay an up-front cost to connect to the system. This can be a disincentive.
- In some instances, where a community or group of potential customers is far away from Enbridge's current infrastructure, the option exists to connect through a monthly surcharge added to the new customer's bills, under government programs.
- Successive governments have implemented, since 2015-16, expansion programs under various names.
- The current program is called the Natural Gas Expansion Program.



# Natural Gas Expansion Program – recent history

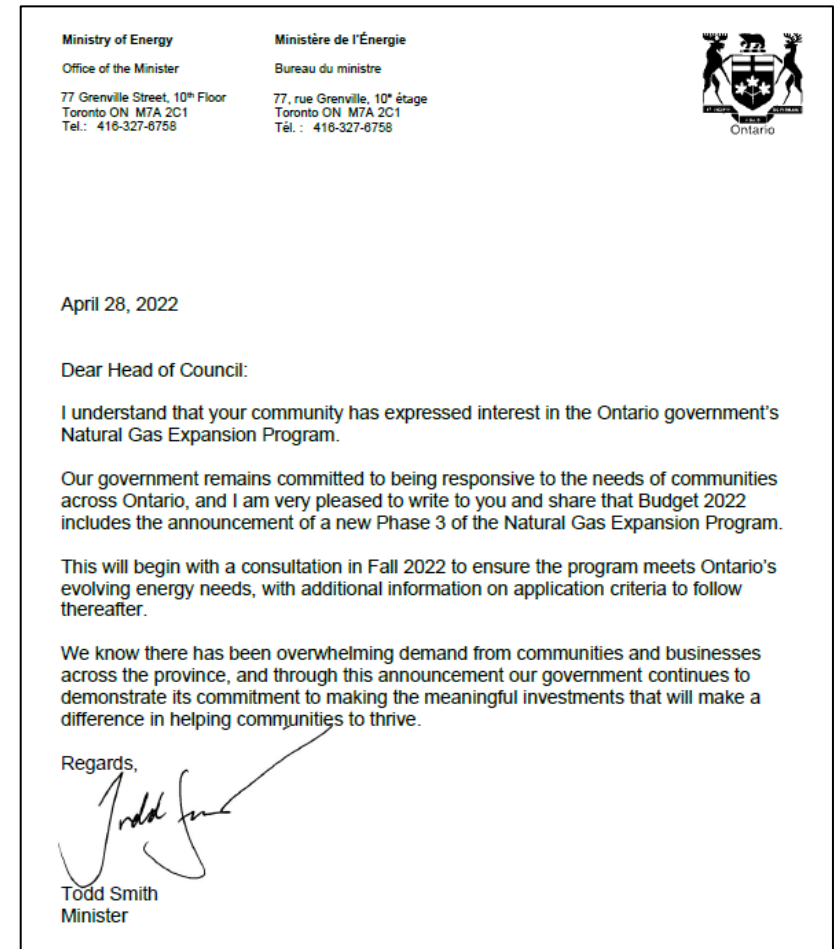


- In 2020, Enbridge Gas applied to the OEB and Provincial Government under the Natural Gas Expansion Program Phase 2 (NGEP) to serve the Warwick Village area.
- Phase 2 enabled the funding of eligible expansion projects through a \$1/month charge on every natural gas customer's bill across the province; and an expansion surcharge on customer's monthly bills for the specific area of the expansion.
- The provincial government received over 200 applications, representing over \$2B in total cost.
- The provincial government made the decisions on which projects would proceed in June 2021.
- Unfortunately, the provincial government did not select the Warwick village area.
- **What are the potential next steps?**

# Natural Gas Expansion Program – Phase 3



- April 28, 2022: Minister of Energy sent a letter to Municipalities that submitted projects that were not selected for Phase 2.
- Announced new Phase 3 of the Natural Gas Expansion Program.
- At this time, parameters and timelines are not defined.
- We will keep you updated as the Phase 3 file progresses.



# Beyond the Natural Gas Expansion Program



- November 2020: The Ontario Energy Board (OEB) approved Enbridge Gas' proposal for what was known at the time as the 'temporary connection surcharge' program (now referred to as Expansion Surcharge).
- In situations where the cost to attach to the Enbridge Gas system is not economically feasible at the regular OEB approved rates, the Expansion Surcharge is applied in addition to regular OEB approved rates for the applicable rate class and is a substitute for an upfront lump sum payment.
- This offering is separate from the province's Natural Gas Expansion Program.



# Expansion Surcharge in action in Warwick

- **Enbridge Gas is moving forward with Expansion Surcharge projects in Warwick Township**
  
- 1. Egremont Road between Quaker Road and Nauvoo Road
  - 10 customers
  - Completed in 2022
  
- 2. Further expansion on: a) Egremont Road west of Nauvoo Road, and b) north on Nauvoo Road past Egremont Road
  - Currently being examined
  - Requires customer commitment

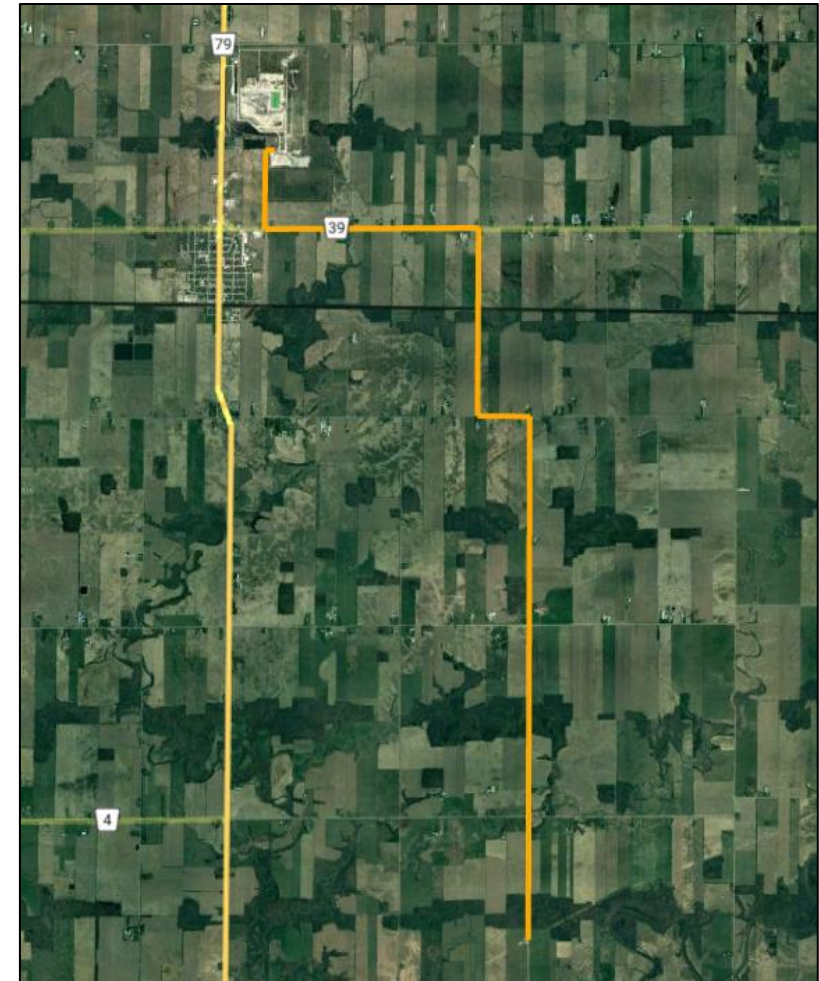
# Watford Renewable Natural Gas Pipeline Project

---

# Watford Renewable Natural Gas Pipeline Project

## Purpose and project details

- The proposed pipeline, along with other infrastructure, will enable Enbridge Gas to include more renewable natural gas (RNG) into the natural gas system via the WM Twin Creeks RNG facility.
- WM's Twin Creeks RNG facility may be able to supply enough renewable gas to heat the equivalent of about 35,000 homes.
- Proposal to construct a 6-inch pipeline and associated infrastructure, approx. 15 km long, in the Township of Warwick and the Municipality of Brooke-Alvinston.
- In Warwick Township, the route will traverse the road allowance of Confederation Line and Arkona Road.
- Due to the unodorized transmission pressure of the network, and the intermittent nature of RNG production, there will be no direct connections for customers along the pipeline route installed as part of this project.





# Watford RNG Pipeline Project

## Project details continued

- Project cost: Approx. \$16M
- Due to the project scope, Ontario Energy Board (OEB) approval of the project is required prior to construction start.
- A leave to construct application is expected to be submitted to the OEB by Enbridge Gas in June 2023.
- If the project is approved by the OEB:
- Construction timeline:
  - Pre-work in fall 2023.
  - On-site from Spring 2024 to Winter 2024.
  - Clean-up and restoration work in 2025.
- Temporary local jobs created during construction.
- Increase in property taxes paid to Township.



# Watford RNG Pipeline Project

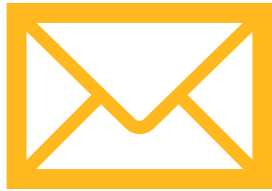
## Community consultation

- Two rounds of public information sessions were held to provide information to the community and receive feedback on the proposed pipeline routes.
- Public information sessions were held in December 2022 and March 2023.
  - In-person sessions were held at the Warwick Arena on December 6, 2022 and March 6, 2023.
    - Concurrent with the first in-person session, an initial virtual session was held from December 6, 2022 to December 18, 2022.
    - Concurrent with the second in-person session, a second virtual session was held from March 6, 2023 to March 19, 2023.
- All properties, along the initial proposed routes were sent notices of the information sessions and invited to attend.
- Newspaper notices were also published in the Sarnia Observer.



# Request for consideration of support

## Watford RNG Pipeline Project



- A letter or resolution of support for the Watford RNG Pipeline Project will help demonstrate support and need.
- The OEB application process for the project will review the need and community support for the proposed infrastructure.

# Thank you

---

## Q&A

## Eric VanRuymbeke

---

**From:** Brian Lennie  
**Sent:** Wednesday, June 14, 2023 2:35 PM  
**To:** Amanda Gubbels  
**Cc:** Kendra Black; Andrew Calder; Heather Willemse; Justin Egan  
**Subject:** RE: Follow-up to questions - Enbridge Gas presentation May 8  
**Attachments:** Suggested letter of support - Enbridge Gas Inc - Watford RNG Pipeline Project.docx

Hi Amanda,

Thank you!

I am attaching a draft letter of support you could use as you see fit. Please let me know if you have any questions.

Thanks,  
Brian

### Brian Lennie

Specialist, Economic Development

#### ENBRIDGE GAS INC.

OFFICE: 519-436-4527 | CELL: 226-229-2692 | EMAIL: [brian.lennie@enbridge.com](mailto:brian.lennie@enbridge.com)

50 Keil Drive North, Chatham, ON N7M5M1

[enbridge.com](http://enbridge.com)

Safety. Integrity. Respect. Inclusion.

---

**From:** Amanda Gubbels <[agubbels@warwicktownship.ca](mailto:agubbels@warwicktownship.ca)>  
**Sent:** Wednesday, June 14, 2023 11:13 AM  
**To:** Brian Lennie <[Brian.Lennie@enbridge.com](mailto:Brian.Lennie@enbridge.com)>  
**Cc:** Kendra Black <[Kendra.Black@enbridge.com](mailto:Kendra.Black@enbridge.com)>; Andrew Calder <[Andrew.Calder@enbridge.com](mailto:Andrew.Calder@enbridge.com)>; Heather Willemse <[HWillemse@warwicktownship.ca](mailto:HWillemse@warwicktownship.ca)>  
**Subject:** [External] RE: Follow-up to questions - Enbridge Gas presentation May 8

### CAUTION! EXTERNAL SENDER

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?

DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Hi Brian,

I am pleased to advise that Council approved provision of a letter of support for the proposed RNG project. If there is specific wording you are looking for in the letter, please let me know and I would be pleased to tailor the letter.

Thanks,

### Amanda Gubbels, CAO/Clerk

Township of Warwick

E: [agubbels@warwicktownship.ca](mailto:agubbels@warwicktownship.ca)

P: 226-848-3926

The logo for the Township of Warwick, featuring the word "Warwick" in a stylized script font with "TOWNSHIP OF" in a smaller font above it.

---

**From:** Amanda Gubbels  
**Sent:** Tuesday, June 6, 2023 9:01 AM  
**To:** Brian Lennie <[Brian.Lennie@enbridge.com](mailto:Brian.Lennie@enbridge.com)>  
**Cc:** Kendra Black <[Kendra.Black@enbridge.com](mailto:Kendra.Black@enbridge.com)>; Andrew Calder <[Andrew.Calder@enbridge.com](mailto:Andrew.Calder@enbridge.com)>; Heather Willemse <[HWillemse@warwicktownship.ca](mailto:HWillemse@warwicktownship.ca)>  
**Subject:** RE: Follow-up to questions - Enbridge Gas presentation May 8

Hi Brian,

Excellent. Thanks for clarification. We will include on the agenda for the 12<sup>th</sup> and be I touch if we are seeking any additional support materials.

Thanks,

**Amanda Gubbels, CAO/Clerk**  
Township of Warwick  
**E:** [agubbels@warwicktownship.ca](mailto:agubbels@warwicktownship.ca)  
**P:** 226-848-3926



---

**From:** Brian Lennie <[Brian.Lennie@enbridge.com](mailto:Brian.Lennie@enbridge.com)>  
**Sent:** Tuesday, June 6, 2023 8:59 AM  
**To:** Amanda Gubbels <[agubbels@warwicktownship.ca](mailto:agubbels@warwicktownship.ca)>  
**Cc:** Kendra Black <[Kendra.Black@enbridge.com](mailto:Kendra.Black@enbridge.com)>; Andrew Calder <[Andrew.Calder@enbridge.com](mailto:Andrew.Calder@enbridge.com)>; Heather Willemse <[HWillemse@warwicktownship.ca](mailto:HWillemse@warwicktownship.ca)>  
**Subject:** Re: Follow-up to questions - Enbridge Gas presentation May 8

Hi Amanda,

Thank you. Ideally if this can be up for consideration on June 12 that would be best. We have to submit our OEB application in one month.

At the Council meeting I presented at, Mayor Case and Council indicated they needed more time to consider whether to provide a support letter, and requested I provide the answers to their questions, noted below.

Thanks,  
Brian

Get [Outlook for iOS](#)

---

**From:** Amanda Gubbels <[agubbels@warwicktownship.ca](mailto:agubbels@warwicktownship.ca)>  
**Sent:** Tuesday, June 6, 2023 8:56:00 AM  
**To:** Brian Lennie <[Brian.Lennie@enbridge.com](mailto:Brian.Lennie@enbridge.com)>  
**Cc:** Kendra Black <[Kendra.Black@enbridge.com](mailto:Kendra.Black@enbridge.com)>; Andrew Calder <[Andrew.Calder@enbridge.com](mailto:Andrew.Calder@enbridge.com)>; Heather Willemse <[HWillemse@warwicktownship.ca](mailto:HWillemse@warwicktownship.ca)>  
**Subject:** [External] RE: Follow-up to questions - Enbridge Gas presentation May 8

**CAUTION! EXTERNAL SENDER**

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?  
DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Hi Brian,

Thanks for reaching out. I was not present during your initial delegation but could you advise if there was a timeline for this request? Our next Council meeting is Monday, June 12<sup>th</sup> and we could out this on the agenda again for consideration if that could meet your needs?

Thanks,

**Amanda Gubbels, CAO/Clerk**

Township of Warwick

E: [agubbels@warwicktownship.ca](mailto:agubbels@warwicktownship.ca)

P: 226-848-3926



---

**From:** Heather Willemse <[HWillemse@warwicktownship.ca](mailto:HWillemse@warwicktownship.ca)>  
**Sent:** Tuesday, June 6, 2023 8:39 AM  
**To:** Amanda Gubbels <[agubbels@warwicktownship.ca](mailto:agubbels@warwicktownship.ca)>  
**Subject:** FW: Follow-up to questions - Enbridge Gas presentation May 8

Hi Amanda,

Please see below.

Thanks,

**Heather Willemse**

**Deputy Clerk**

Township of Warwick

5280 Nauvoo Road, PO Box 10, Watford, ON N0M 2S0

E: [hwillemse@warwicktownship.ca](mailto:hwillemse@warwicktownship.ca)

P: 226-848-3926

F: 226-848-6136



---

**From:** Brian Lennie <[Brian.Lennie@enbridge.com](mailto:Brian.Lennie@enbridge.com)>  
**Sent:** Monday, June 5, 2023 4:33 PM  
**To:** Heather Willemse <[HWillemse@warwicktownship.ca](mailto:HWillemse@warwicktownship.ca)>  
**Cc:** Kendra Black <[Kendra.Black@enbridge.com](mailto:Kendra.Black@enbridge.com)>; Andrew Calder <[Andrew.Calder@enbridge.com](mailto:Andrew.Calder@enbridge.com)>  
**Subject:** RE: Follow-up to questions - Enbridge Gas presentation May 8

Hi Heather,

I hope all is well.

I am following up to see if based on the presentation given, and the requested information provided below, whether Council would consider providing a letter of support for the project's OEB application.

Thanks,  
Brian

**Brian Lennie**

Senior Advisor, Municipal and Stakeholder Engagement

**ENBRIDGE GAS INC.**

OFFICE: 519-436-4527 | CELL: 226-229-2692 | EMAIL: [brian.lennie@enbridge.com](mailto:brian.lennie@enbridge.com)

50 Keil Drive North, Chatham, ON N7M5M1

[enbridge.com](http://enbridge.com)

Safety. Integrity. Respect. Inclusion.

---

**From:** Brian Lennie

**Sent:** Thursday, May 18, 2023 3:13 PM

**To:** Heather Willemse <[HWillemse@warwicktownship.ca](mailto:HWillemse@warwicktownship.ca)>

**Cc:** Kendra Black <[Kendra.Black@enbridge.com](mailto:Kendra.Black@enbridge.com)>; Andrew Calder <[Andrew.Calder@enbridge.com](mailto:Andrew.Calder@enbridge.com)>

**Subject:** Follow-up to questions - Enbridge Gas presentation May 8

Hi Heather,

At the Council presentation we did, there were 2 questions I owed Council answers on. Here they are.

Please let me know of any follow-up questions.

I will be away next week but will return May 29.

**1) Can those who have property along the Watford RNG pipeline route connect directly to the pipeline in order to provide natural gas service to their property?**

- Due to the pressure of the pipeline, no direct connections are permitted.
- Once this pipeline is constructed and in service, there may be property owners along the pipeline route who would like to connect to the natural gas system. In these cases, a separate project with separate, smaller natural gas distribution pipe would be required.
  - This separate project would have to pass the Ontario Energy Board's (OEB) EBO 188 economic test threshold, as all new connections to the natural gas system do.
  - This separate project would require customer commitment, as it would either be funded by customers with up-front payment, or via Enbridge Gas' expansion surcharge, where customers pay a surcharge on their monthly bill for a defined period (up to 40 years).
    - To be clear, such a project would only proceed if the project cost is equal to or less than the 40 year threshold for prospective customers as prescribed by the OEB. Otherwise, customers would have to pay up front.
    - If the cost of this project exceeded 40 years, for example if it was 45 years, the OEB allows the Township to pay that 5 year difference in order for the project to be made feasible.

**2) Could another RNG producer who has property along the Watford RNG pipeline route connect directly to the pipeline to produce RNG?**

- Enbridge Gas continues to work with RNG producers across the province to develop suitable RNG projects. Enbridge Gas actively seeks RNG production opportunities with farms, wastewater treatment plants, landfills, and food producers.

- In order for an RNG producer to connect to this specific pipeline, an analysis would have to be conducted by Enbridge Gas to determine if there is sufficient demand available for the additional gas generated by a new producer.

Thanks,  
Brian

**Brian Lennie**

Senior Advisor, Municipal and Stakeholder Engagement

---

**ENBRIDGE GAS INC.**

OFFICE: 519-436-4527 | CELL: 226-229-2692 | EMAIL: [brian.lennie@enbridge.com](mailto:brian.lennie@enbridge.com)  
50 Keil Drive North, Chatham, ON N7M5M1

[enbridge.com](http://enbridge.com)

**Safety. Integrity. Respect. Inclusion.**

(Date)

(Address and Municipality name)

Enbridge Gas Inc.

Brian Lennie via email [Brian.Lennie@Enbridge.com](mailto:Brian.Lennie@Enbridge.com)

RE: Proposed Watford Renewable Natural Gas Pipeline Project, Enbridge Gas Inc.

Dear Mr. Lennie,

On behalf of \_\_\_\_\_, I am writing to express our support for the Watford Renewable Natural Gas Pipeline Project.

Renewable Natural Gas (RNG) is a carbon-neutral energy supply, which can help reduce emissions. RNG can be created by capturing methane emissions from organic waste, landfills and wastewater treatment plants, and other sources that would otherwise be burned off or released into the air. The captured emissions can be cleaned and injected into the existing natural gas pipeline system to offset traditional natural gas.

The Township of Warwick supports this project as it will capture methane locally and add it to the natural gas pipeline system. The project will also create temporary construction jobs in Lambton County, along with local construction material sourcing opportunities for local suppliers.

In Warwick, we are focused on \_\_\_\_\_ (examples such as job creation, reliable and affordable energy) and as such, we see multiple benefits this project will bring to the local area.

Sincerely,

(signature)



## Eric VanRuymbeke

---

**From:** Amanda Gubbels <agubbels@warwicktownship.ca>  
**Sent:** Tuesday, June 20, 2023 12:19 PM  
**To:** Brian Lennie  
**Cc:** Kendra Black; Andrew Calder; Heather Willemse; Justin Egan  
**Subject:** [External] RE: Follow-up to questions - Enbridge Gas presentation May 8  
**Attachments:** DOC062023-06202023091236.pdf

### CAUTION! EXTERNAL SENDER

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?  
DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Hi Brian,

Thanks for this. Please find attached the letter of support from Warwick Council.

If you require anything further, please let me know.

Thanks

**Amanda Gubbels, CAO/Clerk**

Township of Warwick

E: [agubbels@warwicktownship.ca](mailto:agubbels@warwicktownship.ca)

P: 226-848-3926

The logo for the Township of Warwick, featuring the word "Warwick" in a stylized, cursive font with "TOWNSHIP OF" written in a smaller, sans-serif font above it.

---

**From:** Brian Lennie <Brian.Lennie@enbridge.com>

**Sent:** Wednesday, June 14, 2023 2:35 PM

**To:** Amanda Gubbels <agubbels@warwicktownship.ca>

**Cc:** Kendra Black <Kendra.Black@enbridge.com>; Andrew Calder <Andrew.Calder@enbridge.com>; Heather Willemse <HWillemse@warwicktownship.ca>; Justin Egan <Justin.Egan@enbridge.com>

**Subject:** RE: Follow-up to questions - Enbridge Gas presentation May 8

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

---

Hi Amanda,

Thank you!

I am attaching a draft letter of support you could use as you see fit. Please let me know if you have any questions.

Thanks,

Brian

**Brian Lennie**

Specialist, Economic Development

ENBRIDGE GAS INC.

OFFICE: 519-436-4527 | CELL: 226-229-2692 | EMAIL: [brian.lennie@enbridge.com](mailto:brian.lennie@enbridge.com)  
50 Keil Drive North, Chatham, ON N7M5M1

[enbridge.com](http://enbridge.com)

Safety. Integrity. Respect. Inclusion.

---

**From:** Amanda Gubbels <[agubbels@warwicktownship.ca](mailto:agubbels@warwicktownship.ca)>

**Sent:** Wednesday, June 14, 2023 11:13 AM

**To:** Brian Lennie <[Brian.Lennie@enbridge.com](mailto:Brian.Lennie@enbridge.com)>

**Cc:** Kendra Black <[Kendra.Black@enbridge.com](mailto:Kendra.Black@enbridge.com)>; Andrew Calder <[Andrew.Calder@enbridge.com](mailto:Andrew.Calder@enbridge.com)>; Heather Willemse <[HWillemse@warwicktownship.ca](mailto:HWillemse@warwicktownship.ca)>

**Subject:** [External] RE: Follow-up to questions - Enbridge Gas presentation May 8

**CAUTION! EXTERNAL SENDER**

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?

DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Hi Brian,

I am pleased to advise that Council approved provision of a letter of support for the proposed RNG project. If there is specific wording you are looking for in the letter, please let me know and I would be pleased to tailor the letter.

Thanks,

**Amanda Gubbels, CAO/Clerk**

Township of Warwick

E: [agubbels@warwicktownship.ca](mailto:agubbels@warwicktownship.ca)

P: 226-848-3926

The logo for the Township of Warwick, featuring the word "Warwick" in a stylized script font with "TOWNSHIP OF" in a smaller font above it.

---

**From:** Amanda Gubbels

**Sent:** Tuesday, June 6, 2023 9:01 AM

**To:** Brian Lennie <[Brian.Lennie@enbridge.com](mailto:Brian.Lennie@enbridge.com)>

**Cc:** Kendra Black <[Kendra.Black@enbridge.com](mailto:Kendra.Black@enbridge.com)>; Andrew Calder <[Andrew.Calder@enbridge.com](mailto:Andrew.Calder@enbridge.com)>; Heather Willemse <[HWillemse@warwicktownship.ca](mailto:HWillemse@warwicktownship.ca)>

**Subject:** RE: Follow-up to questions - Enbridge Gas presentation May 8

Hi Brian,

Excellent. Thanks for clarification. We will include on the agenda for the 12<sup>th</sup> and be I touch if we are seeking any additional support materials.

Thanks,

**Amanda Gubbels, CAO/Clerk**

Township of Warwick

E: [agubbels@warwicktownship.ca](mailto:agubbels@warwicktownship.ca)

P: 226-848-3926

The logo for the Township of Warwick, featuring the word "Warwick" in a stylized script font with "TOWNSHIP OF" in a smaller font above it.

---

**From:** Brian Lennie <[Brian.Lennie@enbridge.com](mailto:Brian.Lennie@enbridge.com)>  
**Sent:** Tuesday, June 6, 2023 8:59 AM  
**To:** Amanda Gubbels <[agubbels@warwicktownship.ca](mailto:agubbels@warwicktownship.ca)>  
**Cc:** Kendra Black <[Kendra.Black@enbridge.com](mailto:Kendra.Black@enbridge.com)>; Andrew Calder <[Andrew.Calder@enbridge.com](mailto:Andrew.Calder@enbridge.com)>; Heather Willemse <[HWillemse@warwicktownship.ca](mailto:HWillemse@warwicktownship.ca)>  
**Subject:** Re: Follow-up to questions - Enbridge Gas presentation May 8

Hi Amanda,

Thank you. Ideally if this can be up for consideration on June 12 that would be best. We have to submit our OEB application in one month.

At the Council meeting I presented at, Mayor Case and Council indicated they needed more time to consider whether to provide a support letter, and requested I provide the answers to their questions, noted below.

Thanks,  
Brian

Get [Outlook for iOS](#)

---

**From:** Amanda Gubbels <[agubbels@warwicktownship.ca](mailto:agubbels@warwicktownship.ca)>  
**Sent:** Tuesday, June 6, 2023 8:56:00 AM  
**To:** Brian Lennie <[Brian.Lennie@enbridge.com](mailto:Brian.Lennie@enbridge.com)>  
**Cc:** Kendra Black <[Kendra.Black@enbridge.com](mailto:Kendra.Black@enbridge.com)>; Andrew Calder <[Andrew.Calder@enbridge.com](mailto:Andrew.Calder@enbridge.com)>; Heather Willemse <[HWillemse@warwicktownship.ca](mailto:HWillemse@warwicktownship.ca)>  
**Subject:** [External] RE: Follow-up to questions - Enbridge Gas presentation May 8

**CAUTION! EXTERNAL SENDER**

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?  
DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Hi Brian,

Thanks for reaching out. I was not present during your initial delegation but could you advise if there was a timeline for this request? Our next Council meeting is Monday, June 12<sup>th</sup> and we could out this on the agenda again for consideration if that could meet your needs?

Thanks,

**Amanda Gubbels, CAO/Clerk**  
Township of Warwick  
E: [agubbels@warwicktownship.ca](mailto:agubbels@warwicktownship.ca)  
P: 226-848-3926



---

**From:** Heather Willemse <[HWillemse@warwicktownship.ca](mailto:HWillemse@warwicktownship.ca)>  
**Sent:** Tuesday, June 6, 2023 8:39 AM  
**To:** Amanda Gubbels <[agubbels@warwicktownship.ca](mailto:agubbels@warwicktownship.ca)>  
**Subject:** FW: Follow-up to questions - Enbridge Gas presentation May 8

Hi Amanda,

Please see below.

Thanks,

**Heather Willemse**

**Deputy Clerk**

Township of Warwick

5280 Nauvoo Road, PO Box 10, Watford, ON N0M 2S0

E: [hwillemse@warwicktownship.ca](mailto:hwillemse@warwicktownship.ca)

P: 226-848-3926

F: 226-848-6136



---

**From:** Brian Lennie <[Brian.Lennie@enbridge.com](mailto:Brian.Lennie@enbridge.com)>

**Sent:** Monday, June 5, 2023 4:33 PM

**To:** Heather Willemse <[HWillemse@warwicktownship.ca](mailto:HWillemse@warwicktownship.ca)>

**Cc:** Kendra Black <[Kendra.Black@enbridge.com](mailto:Kendra.Black@enbridge.com)>; Andrew Calder <[Andrew.Calder@enbridge.com](mailto:Andrew.Calder@enbridge.com)>

**Subject:** RE: Follow-up to questions - Enbridge Gas presentation May 8

Hi Heather,

I hope all is well.

I am following up to see if based on the presentation given, and the requested information provided below, whether Council would consider providing a letter of support for the project's OEB application.

Thanks,

Brian

**Brian Lennie**

Senior Advisor, Municipal and Stakeholder Engagement

**ENBRIDGE GAS INC.**

OFFICE: 519-436-4527 | CELL: 226-229-2692 | EMAIL: [brian.lennie@enbridge.com](mailto:brian.lennie@enbridge.com)

50 Keil Drive North, Chatham, ON N7M5M1

[enbridge.com](http://enbridge.com)

Safety. Integrity. Respect. Inclusion.

---

**From:** Brian Lennie

**Sent:** Thursday, May 18, 2023 3:13 PM

**To:** Heather Willemse <[HWillemse@warwicktownship.ca](mailto:HWillemse@warwicktownship.ca)>

**Cc:** Kendra Black <[Kendra.Black@enbridge.com](mailto:Kendra.Black@enbridge.com)>; Andrew Calder <[Andrew.Calder@enbridge.com](mailto:Andrew.Calder@enbridge.com)>

**Subject:** Follow-up to questions - Enbridge Gas presentation May 8

Hi Heather,

At the Council presentation we did, there were 2 questions I owed Council answers on. Here they are.

Please let me know of any follow-up questions.

I will be away next week but will return May 29.

**1) Can those who have property along the Watford RNG pipeline route connect directly to the pipeline in order to provide natural gas service to their property?**

- Due to the pressure of the pipeline, no direct connections are permitted.
- Once this pipeline is constructed and in service, there may be property owners along the pipeline route who would like to connect to the natural gas system. In these cases, a separate project with separate, smaller natural gas distribution pipe would be required.
  - This separate project would have to pass the Ontario Energy Board's (OEB) EBO 188 economic test threshold, as all new connections to the natural gas system do.
  - This separate project would require customer commitment, as it would either be funded by customers with up-front payment, or via Enbridge Gas' expansion surcharge, where customers pay a surcharge on their monthly bill for a defined period (up to 40 years).
    - To be clear, such a project would only proceed if the project cost is equal to or less than the 40 year threshold for prospective customers as prescribed by the OEB. Otherwise, customers would have to pay up front.
    - If the cost of this project exceeded 40 years, for example if it was 45 years, the OEB allows the Township to pay that 5 year difference in order for the project to be made feasible.

**2) Could another RNG producer who has property along the Watford RNG pipeline route connect directly to the pipeline to produce RNG?**

- Enbridge Gas continues to work with RNG producers across the province to develop suitable RNG projects. Enbridge Gas actively seeks RNG production opportunities with farms, wastewater treatment plants, landfills, and food producers.
- In order for an RNG producer to connect to this specific pipeline, an analysis would have to be conducted by Enbridge Gas to determine if there is sufficient demand available for the additional gas generated by a new producer.

Thanks,  
Brian

**Brian Lennie**

Senior Advisor, Municipal and Stakeholder Engagement

---

**ENBRIDGE GAS INC.**

OFFICE: 519-436-4527 | CELL: 226-229-2692 | EMAIL: [brian.lennie@enbridge.com](mailto:brian.lennie@enbridge.com)

50 Keil Drive North, Chatham, ON N7M5M1

[enbridge.com](http://enbridge.com)

**Safety. Integrity. Respect. Inclusion.**



# TOWNSHIP OF WARWICK

*"A Community in Action"*

5280 Nauvoo Road | P.O. Box 10 | Watford, ON N0M 2S0

Township Office: (226) 848-3926  
Watford Arena: (519) 876-2808  
Website: [www.warwicktownship.ca](http://www.warwicktownship.ca)

Works Department: (519) 849-3923  
Fax: (226) 848-6136  
E-mail: [info@warwicktownship.ca](mailto:info@warwicktownship.ca)

## **BY E-MAIL ONLY**

June 20, 2023

Enbridge Gas Inc.  
Brian Lennie via email [Brian.Lennie@Enbridge.com](mailto:Brian.Lennie@Enbridge.com)

### **RE: Proposed Watford Renewable Natural Gas Pipeline Project, Enbridge Gas Inc.**

Dear Mr. Lennie,

On behalf of Warwick Township Council, I am writing to express our support for the Watford Renewable Natural Gas Pipeline Project.

Renewable Natural Gas (RNG) is a carbon-neutral energy supply, which can help reduce emissions. RNG can be created by capturing methane emissions from organic waste, landfills and wastewater treatment plants, and other sources that would otherwise be burned off or released into the air. The captured emissions can be cleaned and injected into the existing natural gas pipeline system to offset traditional natural gas.

The Township of Warwick supports this project as it will capture methane locally and add it to the natural gas pipeline system. The project will also create temporary construction jobs in Lambton County, along with local construction material sourcing opportunities for local suppliers.

In Warwick, we are focused on job creation as well as reliable and affordable energy and as such, we see multiple benefits this project will bring to the local area.

Sincerely,

Todd Case  
Mayor  
Township of Warwick

## Eric VanRuymbeke

---

**From:** Julie Alexander  
**Sent:** Monday, June 26, 2023 1:58 PM  
**To:** Brian Lennie  
**Cc:** Kendra Black  
**Subject:** FW: Watford RNG project  
**Attachments:** Support Letter- Enbridge's RNG project.pdf

Hi Brian,

Please see support letter attached. If I should be directing this to someone else on the project please let me know.

Julie

---

**From:** Shauna Carr <shauna@sarnialambton.on.ca>  
**Sent:** Monday, June 26, 2023 11:30 AM  
**To:** Julie Alexander <Julie.Alexander@enbridge.com>  
**Cc:** Matthew Slotwinski <Matthew@sarnialambton.on.ca>  
**Subject:** [External] RE: Watford RNG project

**CAUTION! EXTERNAL SENDER**

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?  
DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Dear Julie,

Attached please find the support letter as requested. Let us know if any modifications are required or if there is anything else SLEP can do to support.

Sincerely,  
Shauna

Shauna Carr (she/her)  
Economic Development Officer  
Sarnia-Lambton Economic Partnership  
1086 Modeland Road, Building 1050, Main Floor  
Sarnia ON, N7S 6L2 Tel: [519-332-1820](tel:519-332-1820) ext 224

Please note that I currently do not work on Fridays.

---

**From:** Matthew Slotwinski <[Matthew@sarnialambton.on.ca](mailto:Matthew@sarnialambton.on.ca)>  
**Sent:** Thursday, June 22, 2023 10:59 AM  
**To:** Julie Alexander <[Julie.Alexander@enbridge.com](mailto:Julie.Alexander@enbridge.com)>  
**Cc:** Shauna Carr <[shauna@sarnialambton.on.ca](mailto:shauna@sarnialambton.on.ca)>; Dan Taylor <[dtaylor@sarnialambton.on.ca](mailto:dtaylor@sarnialambton.on.ca)>  
**Subject:** RE: Watford RNG project

Hello Julie,

It is great to hear from you today.

We would be glad to provide a letter of support for the project's OEB application.

I have CC'd my colleague Shauna Carr who will be the lead in ensuring this action is completed as you have specified.

If there are any other items that we can assist with to ensure this project becomes a reality, please do not hesitate to reach out.

Regards,

**Matthew Slotwinski**

Senior Economic Development Officer  
Sarnia-Lambton Economic Partnership

---

**From:** Julie Alexander <[Julie.Alexander@enbridge.com](mailto:Julie.Alexander@enbridge.com)>  
**Sent:** Thursday, June 22, 2023 10:33 AM  
**To:** Matthew Slotwinski <[Matthew@sarnialambton.on.ca](mailto:Matthew@sarnialambton.on.ca)>  
**Subject:** Watford RNG project

Good morning Matthew,

By way of introduction, I handle the Southeast region and have temporarily taken over this Municipal Affairs file from Brian Lennie (as he has moved to a new role within Enbridge).

We have received support for the Watford RNG project from the two construction area Municipalities, Warwick and Brooke-Alvinston. Please find these letters of support attached.

Enbridge would like to know if the Sarnia-Lambton Economic Partnership (SLEP) Board of Directors would consider a letter of support for the project's OEB application as well. If the SLEP Board does wish to provide support, we would kindly ask that the letter be submitted no later than the first week of July. Please find a draft template letter the Board could use attached.

Thank you for your consideration in this matter.

Kind regards,  
Julie

Julie Alexander  
Senior Advisor, Municipal and Stakeholder Engagement

---

**ENBRIDGE GAS INC.**  
OFFICE: 905-984-4956 | CELL: 289-257-6036 | EMAIL: [julie.alexander@enbridge.com](mailto:julie.alexander@enbridge.com)  
P.O Box 1051, Thorold, Ontario L2V 5A8

[enbridgegas.com](http://enbridgegas.com)  
**Integrity. Safety. Respect.**

---

Canada's Anti-Spam Legislation (CASL) requires Enbridge Gas Inc., to provide you with an option to unsubscribe from receiving commercial electronic messages (CEM) including certain emails promoting our services. If you wish to opt-out from receiving further commercial electronic messages, please [Click here to unsubscribe.](#)



(Date)

(Address and organization name)

Enbridge Gas Inc.

Julie Alexander via email [Julie.Alexander@Enbridge.com](mailto:Julie.Alexander@Enbridge.com)

RE: Proposed Watford Renewable Natural Gas Pipeline Project, Enbridge Gas Inc.

Dear Ms. Alexander,

On behalf of \_\_\_\_\_, I am writing to express our support for the Watford Renewable Natural Gas Pipeline Project.

Renewable Natural Gas (RNG) is a carbon-neutral energy supply, which can help reduce emissions. RNG can be created by capturing methane emissions from organic waste, landfills and wastewater treatment plants, and other sources that would otherwise be burned off or released into the air. The captured emissions can be cleaned and injected into the existing natural gas pipeline system to offset traditional natural gas.

**SLEP** supports this project as it will capture methane locally and add it to the natural gas pipeline system. The project will also create temporary construction jobs in Lambton County, along with local construction material sourcing opportunities for local suppliers.

**SLEP is focused on \_\_\_\_\_ (examples such as job creation, reliable and affordable energy) and as such, we see multiple benefits this project will bring to the local area.**

Sincerely,

(signature)

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Reference:

E-1-1 Table 2: Project Cost Comparison

Question(s):

- a) Enbridge indicates that a 24% contingency has been added to this project cost estimate. Please replicate Table 2 and include the following:
- A row for the contingency cost percentages
  - A row for the total project costs per kilometer of pipeline
  - A row for the total project costs per kilometer of pipeline (excluding station costs)
- b) Please explain why this (Watford) RNG project includes interest during construction (IDC) when the most recent similar project (Ridge Landfill RNG project) does not.

Response:

a) Please see Table 1.

Table 1: Project Cost Comparison

	<b>Watford Pipeline Project</b>	<b>Greenstone Pipeline Project<sup>[1]</sup></b>	<b>Ridge Landfill RNG Project<sup>[2]</sup></b>
<b>Facility Description</b>	15.3 km NPS 6 6,160 kPag	13 km NPS 6 XHP	5.7 km NPS 4 6,040 kPag
<b>Material Costs</b>	\$3,512,922	\$1,531,100	\$ 614,615
<b>Labour Costs</b>	\$6,321,435	\$14,699,972	\$ 5,571,717
<b>External Costs</b>	\$2,815,617	\$3,821,606	\$ 1,429,467
<b>IDC</b>	\$563,474	\$222,077	\$0
<b>Contingency<sup>[3]</sup></b>	\$3,288,993	\$2,783,683	\$ 1,142,370
<b>Contingency (%)</b>	24.0%	14.4%	17.2%

<b>Station Costs</b>	\$3,868,800	\$2,719,351	\$ 2,722,704
<b>Total Project Costs</b>	\$20,371,242	\$25,777,789	\$ 11,480,872
<b>Total Project Costs per km of Pipeline</b>	\$1,331,454	\$1,982,053	\$2,014,188
<b>Total Project Costs per km of Pipeline (excluding Station Costs)</b>	\$1,079,591	\$1,772,872	\$1,536,521

<sup>[1]</sup> EB-2021-0205.

<sup>[2]</sup> EB-2022-0203.

<sup>[3]</sup> Contingency amount calculated based on risk profile of the project and applied to all direct capital costs.

- b) In the Ridge Landfill RNG Project, the customer elected to pay the full capital cost of the Project through an upfront Contribution In Aid of Construction (CIAC) payment, resulting in a net investment of \$0 by Enbridge Gas and therefore IDC was not appropriate. In this (Watford) RNG Project, the customer did not elect to pay the full capital cost through an upfront CIAC payment, but rather elected to pay a monthly service charge. Therefore, IDC is calculated on the capital cost investment of Enbridge Gas.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Question(s):

- a) Please explain how this project relates (if at all) with the 2024 (EB-2022-0200) rebasing application.
- b) Does Enbridge intend to use any of the RNG from this project for its Ontario customers? If yes, please explain.

Response:

- a) Please see response at Exhibit I.PP-4. The Project was included in the Capital Expenditure forecast filed in the Capital Update<sup>1</sup> for 2024 Rebasing. Please see EB-2022-0200, Exhibit J13.19 for an overview of the RNG revenues included in Rebasing.
- b) Please see response at Exhibit I.STAFF-2, part c).

---

<sup>1</sup> EB-2022-0200, Exhibit 2, Tab 5, Schedule 4, Table 5.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Question(s):

Will the new pipeline result in any annual O&M costs related to operation, maintenance or integrity? If yes, what is Enbridge's best estimate of those annual costs.

Response:

Yes, the new pipeline will result in incremental annual O&M costs. Enbridge Gas included an O&M cost estimate of \$1,589/year beginning at Project in-service (year 3 of the DCF analysis) increasing by 2%/year for the 20-year DCF term.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Question(s):

E-1-1 Attachment 1 indicates a 20 year horizon for this project.

- a) Please explain why the time horizon is 20 years for this project.
- b) Please provide the amortization period Enbridge plans to use for the pipeline and ancillary facilities.
- c) Why does the monthly service charge begin in year 3?
- d) The monthly service charge is forecast out for 22 years, but the project time horizon is only 20 years (i.e. 20 year contract). Please reconcile.
- e) Will Enbridge request rate recovery for the project capital and if so, in what proceeding?

Response:

- a) The time horizon of 20 years from the Project in-service date was selected in order to align with the 20-year contract with the customer.
- b) The amortization/depreciation period for the asset classes in this Project are consistent with the most recent OEB-approved depreciation study (EB-2011-0210), and are as follows:
  - Pipeline – 55 years
  - Stations – 40 years
- c) The monthly service charge begins in year 3 because years 1 and 2 are construction periods before the start date of the contract.

- d) The monthly service charge is forecast from years 3 to 22, for a total of 20 years, which is consistent with the contract term.
  
- e) The capital costs of the Project will be included in utility rate base upon the Project's in-service date. The rate base will be used to calculate the revenue requirement in Enbridge Gas's next rebasing proceeding, expected in 2029. Enbridge Gas notes that the Project's economic analysis results in a P.I.=1.0 and as such, the Project is fully funded by the Customer over the Project time horizon.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Question(s):

Please file a copy Exhibit F Tab 1 Schedule 1 Attachment 1 which does not appear to be available through the OEB RDS for this docket (only indirectly via a separate public consultation site). Please do not included a copy in the IR responses due to the file size, but simple confirm once it has been filed.

Response:

Confirmed.



ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Question(s):

Has Enbridge received the final review and approval letter from TSSA? If not, please indicate when it is expected.

Response:

Please see response at Exhibit I.STAFF-5, part c).

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Reference:

Public Consultation Notice for the Project [Exhibit H-1-1 Attachment 6, Page 23, plus also in several other locations in the evidence]

Question(s):

The Public notice for the project indicates that “the project is expected to reduce carbon dioxide emissions by 70,000 tonnes per year, which is the equivalent of taking 28,000 cars off the road.” Please provide the calculations used to estimate the reduction in carbon dioxide emissions by 70,000 tonnes per year related to the project.

Response:

The information provided in the Public Consultation Notice for the Project was provided by the Customer and was based on their assumptions related to the end-use application of the renewable natural gas. Please see response at Exhibit I.PP-6, part a-c).

Enbridge Gas suggests that providing the calculations WM used to estimate the reduction in carbon dioxide emissions related to their project would not be of assistance to the OEB in approving this Project. This Application is set to follow the OEB standard issues list for a LTC application, and the information being sought is not relevant to determine the issues of whether the proposed pipeline to connect the RNG facility is in the public interest. The pipeline in the Application is being requested by the Customer, supported by the Municipality and the Application is not for the RNG production facility itself.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Question(s):

Please provide an updated project schedule including major milestones including permits and approvals.

Response:

No updates to the project schedule filed at Exhibit D, Tab 1, Schedule 1, Attachment 1 are required at this time. Enbridge Gas is currently on track to obtain all permits and approvals to start construction for the Project in Spring 2024.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Pollution Probe (PP)

Interrogatory

Reference:

“Rock Excavation: Rock in solid beds or masses will be fractured and removed using either a Hoe Ram and/or an approved blasting method. Any blasting will be conducted in accordance with Enbridge Gas’s construction procedures and the federal Explosives Act.” [D-2-1 Page 2]

Question(s):

- a) What length and location does Enbridge expect to encounter bedrock for this project?
- b) Has a well monitoring program been developed and offered to potentially impacted stakeholders in the vicinity of the proposed route?

Response:

- a) Section 6.1.3 of the Environmental Report<sup>1</sup> details the extent of, and potential impacts to bedrock for the Project.
- b) A well monitoring program will be developed and offered to landowners along the preferred route, where the potential exists for their water wells to be impacted by the Project.

---

<sup>1</sup> Exhibit F, Tab 1, Schedule 1, Attachment 1.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Exhibit B, Tab 1, Schedule 1  
Exhibit C, Tab 1, Schedule 1

Preamble:

Enbridge Gas Inc. (“EGI”) describes that Waste Management of Canada Corporation’s (“WM”) plans to construct and operate new renewable natural gas (“RNG”) facilities, giving rise to a need and a request for new pipeline facilities to facilitate injection of RNG supply volumes. EGI states that there are currently no EGI pipelines in the vicinity of WM’s planned facility.

Question(s):

- a) Please ask WM to describe any other alternatives the company considered to facilitate injection of RNG supply volumes. If no alternatives were considered, please explain why not.
- b) Please ask WM to describe with particulars any efforts the company made to seek out a company other than EGI for the purposes of constructing new facilities. If no other companies were considered, please explain why not.
- c) Does EGI accept that there are other companies capable of constructing the new pipeline facilities that WM requires? If not, please explain why not.
- d) Please ask WM whether it accepts that there are other companies capable of constructing the new pipeline facilities that WM requires. If it does not, please explain why not.
- e) Are there existing pipelines in the vicinity of WM’s planned facility that are not owned by EGI? Please provide particulars if there are, including whether they could serve the needs of WM’s planned facility.

- f) Please confirm what consideration of project alternatives not involving EGI stand behind the statement in Exhibit C, paragraph 3, that no other feasible facility alternatives exist to serve WM's need?

Response:

- a-e) The Project proposed by Enbridge Gas is to provide safe, reliable, and resilient energy transportation services to WM as a customer per their request. Enbridge Gas suggests that providing design related information from WM on their RNG project would not be of assistance nor is it relevant to the OEB in approving this Project. This Application is set to follow the OEB standard issues list for a LTC application, and the information being sought is not relevant to determine the issues in the public interest. The pipeline in the Application is being requested by the Customer, the Customer is paying for the Project, the Project is supported by the Municipality and the Application is not for the RNG production facility itself.
- f) The statement in Exhibit C, paragraph 3 is specific to Enbridge Gas facilities.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Exhibit B, Tab 1, Schedule 1, Attachment 1

Preamble:

EGI includes letters of support from Brooke-Alvinston, Warwick, and Sarnia- Lambton Economic Partnership.

The letters include virtually identical statements concerning RNG as “a carbon-neutral energy supply, which can reduce emissions. RNG can be created by capturing methane emissions from organic waste, landfills and wastewater treatment plants, and other sources that would otherwise be burned off or released into the air....”

Question(s):

- a) Please confirm whether EGI and/or WM participated in drafting the letters of support in any way. If so, please provide particulars. If not, please provide EGI’s explanation as to why the letters of support contain virtually duplicative language.
- b) Please produce any emails or other correspondence that EGI has in its possession relating to the drafting and circulation of the three letters of support.
- c) Does EGI take the position, included in the letters of support, that:
  1. RNG is a carbon-neutral energy supply?
  2. RNG can help reduce emissions?
  3. RNG has an emissions-reduction impact?

Please provide particulars for any positions, including any evidence upon which EGI relies for the position.

d) Does EGI take the position that the RNG processed by WM:

1. Will be a carbon-neutral energy supply?
2. Will help reduce emissions?
3. Will have an emissions-reduction impact?

Please provide particulars for any positions, including any evidence upon which EGI relies for the position.

Response:

a-b) Please see response at Exhibit I.PP-9.

c) Yes, Enbridge Gas takes the position that RNG is a carbon-neutral energy supply, which can help reduce greenhouse gas (GHG) emissions. This position is supported by federal and provincial regulations, such as those discussed in response at Exhibit I.PP-1, part a), EB-2022-0200, Exhibit 1, Tab 10, Schedule 6, Section 2.2, and EB-2022-0200, Exhibit 1, Tab 4, Schedule 7, Section 2.

d) Based on the estimates prepared by WM, Enbridge Gas believes that the RNG processed by the Customer will reduce GHG emissions. Please see response at Exhibit I.PP-1, part b).



ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Exhibit H, Tab 1, Schedule 1

Preamble:

EGL describes its Indigenous consultation process as well as its related communications with the Ontario Government. It states that its engagement was based on OEB guidelines as well as EGL's Indigenous Peoples Policy ("IPP").

Question(s):

- a) Please produce Enbridge's Indigenous Reconciliation Action Plan ("IRAP").
- b) Please describe how EGL has applied the principles, policies and commitments set out in its IRAP and IPP in the context of the current Application.
- c) Please provide specific comment on how the following items from the IPP apply in the context of the current Application:
  - EGL's recognition of the importance of the United Nations Declaration on the Rights of Indigenous Peoples in the context of existing Canadian law (Exhibit H, paragraph 5)
  - Recognizing the legal and constitutional rights possessed by Indigenous Peoples in Canada and the importance of the relationship between Indigenous Peoples and their traditional lands and resources (Exhibit H, paragraph 5)
  - EGL's stated principle to "engage early and sincerely through processes that aim to achieve the support and agreement of Indigenous nations and governments for our projects and operations that may occur on their traditional lands" (IPP at page 2, and Exhibit H, paragraph 5)
  - EGL's stated principle that it seeks "the input and knowledge of Indigenous groups to identify and develop appropriate measures to avoid and/or mitigate the impacts of our projects and operations that may occur on their traditional lands." (IPP at page 2)

- EGI's statement that it will "provide ongoing leadership and resources to ensure the effective implementation of the above principles, including the development of implementation strategies and specific action plans..." (IPP at page 3)
  - EGI's stated corporate principle of aligning the company's interests with those of Indigenous communities through meaningful, direct Indigenous economic activity in projects corresponding to community capacity and needs, where possible (Exhibit H, paragraph 5)
- d) Please provide specific comment on how the following items from the IRAP apply in the context of the current Application:
- Pillar 2 concerning community engagement and relationships
  - Pillar 3 concerning economic inclusion and partnerships
  - Pillar 5 and in particular its objectives relating to sustainability
  - Pillar 6 concerning governance and leadership
- e) Please produce any additional internal or public documents that set out any EGI policies applicable to EGI's interactions with Indigenous customers or groups for the purposes of the matters at issue in this Application.
- f) Please confirm whether the database referenced in paragraph 7 of Exhibit H has been produced in this Application. If it has not, please produce it.
- g) What are the costs incurred to date and what are the anticipated costs to the ratepayers for operationalizing the IRAP in EGI's Ontario franchise areas? In your answer, please provide the following:
1. A general answer for both past and future anticipated costs
  2. A breakdown for both costs already incurred by franchise area
  3. Detailed annual projections of anticipated costs by franchise area for the next 5 years
- h) What are the costs incurred to date and what are the anticipated costs to the ratepayers for operationalizing the IPP in EGI's Ontario franchise areas? In your answer, please provide the following:
1. A general answer for both past and future anticipated costs
  2. A breakdown for both costs already incurred by franchise area
  3. Detailed annual projections of anticipated costs by franchise area for the next 5 years

- i) Please describe Enbridge's plans to apply the IRAP to enable Indigenous ownership and operation of Enbridge's infrastructure. In particular, what are its plans to work with Indigenous communities, not only in stewarding the environment, but also in owning and operating critical energy infrastructure?<sup>1</sup>
- j) Please describe how the IRAP applies to current and future regulated and unregulated RNG assets and provide specific comment with respect to Indigenous ownership and operation of these assets.
- k) Please provide any applicable updates to the information set out in the one-page summaries describing the status of the IRAP's pillars found at pages 12, 16, 19, 23, 26 and 30 of the IRAP.
- l) Did EGI engage with or attempt to engage with Indigenous historians, local elders and/or knowledge keepers for the purposes of this Application or the matters this Application addresses?
- m) Does EGI recognize Chippewas of Kettle and Stony Point First Nation's ("CKSPFN") assertion of continuing title to, jurisdiction over, and rights to occupy and use the subsurface areas set out in Appendix "A"? Please provide particulars of EGI's position.
- n) What is EGI's position concerning the implications of CKSPFN's assertion of subsurface rights for the purposes of this Application and/or the project?
- o) Was Dillon Consulting Ltd. ("Dillon") aware of CKSPFN's assertion of subsurface rights at the time it finalized its Environmental Report. If the answer is yes, please provide Dillon's position as to why there is no reference to CKSPFN's claim in its report. If the answer is no, please provide Dillon's position as to which sections of the report are affected by the assertion of subsurface rights and provide particulars.
- p) Please indicate whether EGI has or will consider equity participation of First Nations, including CKSPFN and Caldwell First Nation ("Caldwell") (together, the "Three Fires First Nations"), in relation to the Project. If yes, please discuss what equity participation means to EGI and how First Nations may participate. If no, please explain why not.

---

<sup>1</sup> See, for example, the company's statement at <https://www.prnewswire.com/news-releases/indigenous-communities-and-enbridge-announce-landmark-equity-partnership-301634930.html>

- q) What agreements, authorizations, and or approvals with and/or from First Nation governments, including the Three Fires First Nations, does EGI envision needing or entering into to support the Project?
- r) Please discuss and provide any updates, as it pertains to each of the Three Fires First Nations, to the descriptions of Indigenous consultations set out in the Application.
- s) Did EGI provide a description to potentially impacted First Nations of other provincial or federal approvals that may be required for the Project to proceed?
- t) Please provide details of any analysis undertaken by EGI to assess and determine the impacts on Treaty lands, generally, and on the Treaty lands of each of the Three Fires First Nations as part of the (i) Application, generally, and (ii) the Environmental Report. Did EGI perform any analysis prior to contacting potentially impacted First Nations and Indigenous customers? If no analysis was performed, please explain why not.

Response:

- a) Please see Attachment 1.
- b-d), j) Enbridge Inc.'s Indigenous Peoples Policy (IPP)<sup>2</sup> directs the methods by which Enbridge develops mutually beneficial relations with Indigenous communities close to, or potentially affected by, our operations. The assessment performed and consultation undertaken by Enbridge Gas in relation to the Project is consistent with the IPP's recognition of: the legal and constitutional rights possessed by Indigenous peoples in Canada; the importance of the relationship between Indigenous peoples and their traditional lands and resources; and the need for early engagement to ensure timely exchanges of information to allow for project-specific concerns to be addressed.

As illustrated in Exhibit H, Tab 1, Schedule 1, Attachment 6 and Exhibit I-STAFF-8, part a) and consistent with the MOE's delegation of the procedural aspects of the duty to consult, Enbridge Gas provided potentially impacted Indigenous groups with an overview of the Project as well as detailed information regarding anticipated environmental effects and proposed mitigation measures and has welcomed the feedback of Indigenous groups to inform the assessment and the refinement of

---

<sup>2</sup> Exhibit H, Tab 1, Schedule 1, Attachment 4

mitigation measures in an effort to minimize impacts on Indigenous groups. Enbridge Gas has also attempted to address any questions and concerns and encouraged continued dialogue regarding the Project. Recognizing the potential need for capacity funding in order to engage in these discussions, Enbridge Gas offered the potentially impacted Indigenous groups capacity funding. The overarching principles in the IPP, including the recognition of the importance of reconciliation between Indigenous peoples and broader society, will continue to guide Enbridge Gas's interactions with Indigenous communities and peoples.

Akin to ESG goals, the IRAP is not a document that is intended to be directly applied to regulatory applications. The IRAP serves as a corporate roadmap for Enbridge Inc.'s continued journey towards truth and reconciliation. It is the mechanism by which Enbridge Inc., as a company, will remain accountable for executing on our commitments and to our partners, including Indigenous peoples. Enbridge Inc. will be publicly reporting on its progress against the commitments set out in the IRAP starting with its 2023 Sustainability Report.

- e) Please see response at part a) and b). There are no additional documents to provide.
- f) The referenced database is where Enbridge Gas tracks its correspondence and engagement with the Indigenous groups. The Indigenous Consultation Report<sup>3</sup> was produced using the database.
- g-h) As the IRAP is a corporate roadmap, all corporate and Enbridge Gas employees are guided by the IRAP and to the extent their duties can support meeting the goals and targets set by the IRAP, they are involved in its operationalization. This also applies to the IPP. As a result, Enbridge Gas does not track these costs, nor does it have the specific breakdown requested.
- i) Please see response at part b). In addition, Enbridge Gas can confirm that it meets with and discusses the interests and priorities of Indigenous groups, including representatives of TFG, to explore, among other things, opportunities to advance innovative partnerships and economic inclusion. While some Indigenous equity partnerships have recently been developed by Enbridge Gas's affiliated companies, those transactions are very complex and specific to the circumstances surrounding those projects and are outside the scope of this Application.

---

<sup>3</sup> Exhibit H, Tab 1, Schedule 1, Attachment 6.

- k) Enbridge Inc. is publicly reporting on its progress against the commitments set out in the IRAP, starting with its 2022 Sustainability Report. The 2022 Sustainability Report can be found here:  
<https://www.enbridge.com/stories/2023/may/enbridge-releases-22nd-sustainability-report>
- l) Enbridge Gas reached out to community contacts, as illustrated in Exhibit H, Tab 1, Schedule 1, Attachment 6 and Exhibit I-STAFF-8, part a) to share information about the Project and to receive any feedback and information the community was willing to share, which Enbridge Gas recognized may include information from Indigenous historians, local elders and/or knowledge keepers. The Company would be pleased to discuss any additional concerns CKSPFN may have regarding the Project, including any potential impact on Indigenous interests and use of land and resources, and any recommendations regarding potential mitigation. This consultation assists Enbridge Gas with understanding CKSPFN perspectives, which Enbridge Gas understands may be informed by local Elders and/or knowledge keepers.
- m) Enbridge Gas is aware of CKSPFN's subsurface assertion. Construction of the Project will occur within the existing road allowance which will minimize and mitigate environmental effects, including subsurface disturbance.
- n) Enbridge Gas has provided information to CKSPFN regarding the route of the Project, the potential environmental effects and the proposed mitigation measures and has made efforts to address associated comments and concerns. Enbridge Gas is committed to engaging meaningfully with potentially affected Indigenous groups on an ongoing basis throughout the lifecycle of the Project, including the operational phase.
- o) Enbridge Gas was made aware of the CKSPFN's subsurface assertion on June 12, 2023. The Environmental Report (ER) was completed prior to receiving the assertion. Enbridge Gas appreciates the comments CKSPFN has provided on the ER and has responded to those comments as reflected in response at Exhibit I.STAFF-8, which includes additional commitments and descriptions of mitigation measures. Construction of the Project will occur within the existing road allowance which will minimize and mitigate environmental effects, including subsurface disturbance.
- p) Enbridge Gas can advise that it has considered Indigenous equity participation in relation to the Project and determined that, given the nature of the Project, it would not pursue such participation at this time.

- q) Enbridge Gas is of the view that it has identified the appropriate permits, approvals or notifications for the Project in Exhibit G, Tab 1, Schedule 1. Enbridge Gas currently understands that formal consent from First Nation governments is not legally required. Nevertheless, a goal of Enbridge Gas's engagement is to aim to secure consent and avoid or mitigate any potential impacts the Project may have on Indigenous rights.
- r) Please see response at Exhibit I.STAFF-8.
- s) Enbridge Gas outlined the provincial and federal approvals that may be required for the Project to proceed in the notification letter sent to CKSPFN on November 14, 2022 (set out at Exhibit H, Tab 1, Schedule 1, Attachment 6). A summary of potential approvals required for the Project can also be found at Exhibit G, Tab 1, Schedule 1, Table 1.
- t) Enbridge Gas completed an analysis of the potential Project impacts on physical, bio-physical and socio-economic environmental features, which would include features within lands that are the subject of Treaties. This analysis includes recommended mitigation and protective measures. This information can be found in Tables 6.1 - 6.11 of the ER<sup>4</sup>.

Enbridge Gas provided the related ER to potentially impacted Indigenous groups, including CKSPFN, for review and comment and has tried to address comments and concerns expressed by the Indigenous groups.

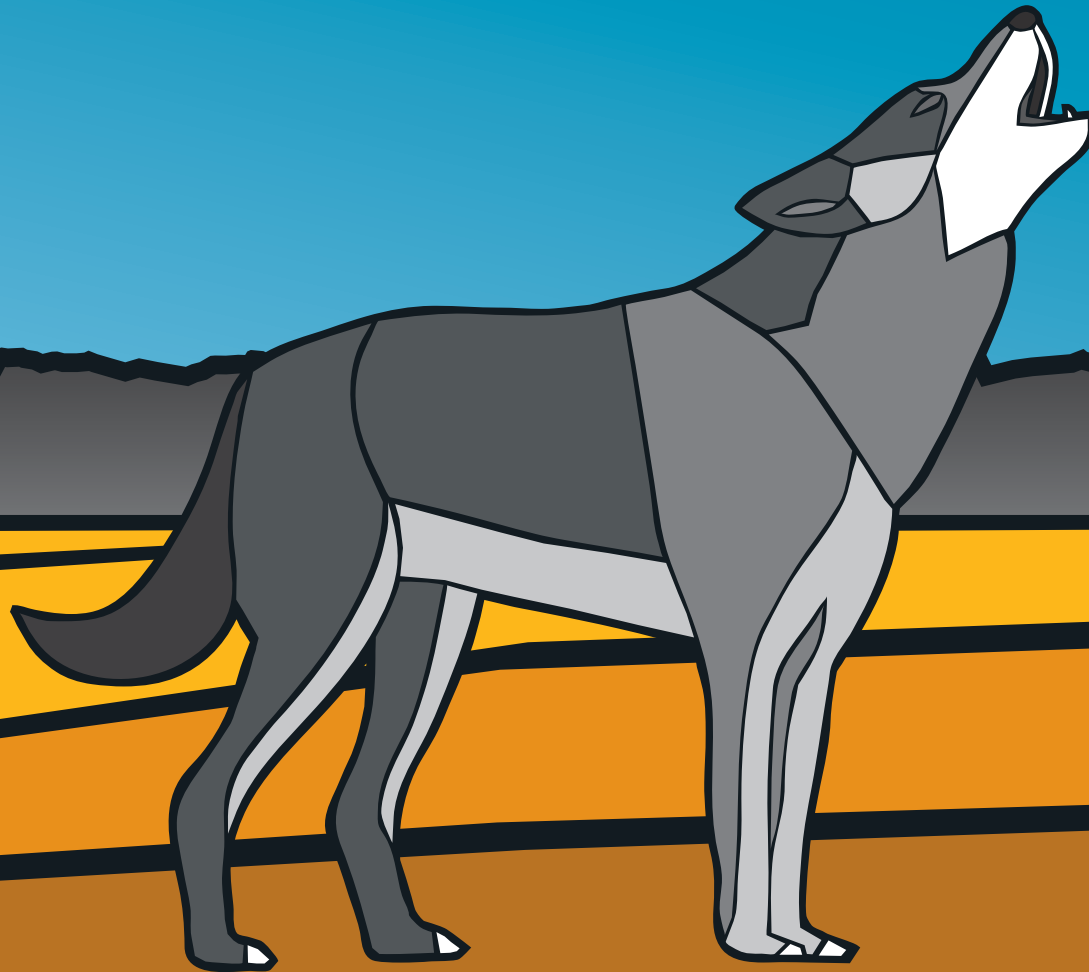
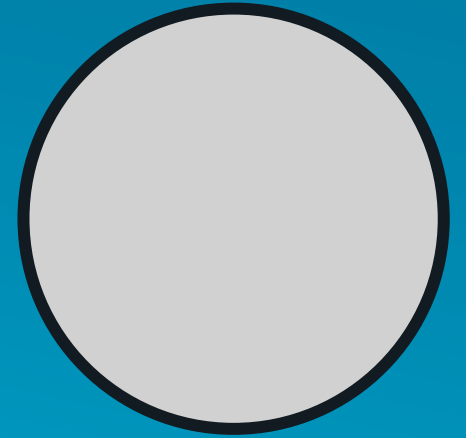
---

<sup>4</sup> Exhibit F, Tab 1, Schedule 1, Attachment 1.

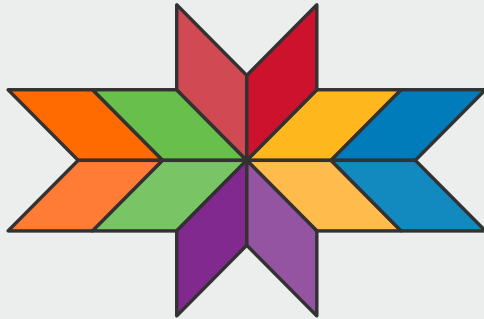


# The journey ahead

2022 Indigenous Reconciliation Action Plan







Over the years, Enbridge has been honored with blankets gifted from Indigenous groups. The blankets served as a source of inspiration for the design of the [2022 Indigenous Update Report](#) and this star graphic. We honor these gifts and their importance to the fabric of our culture, and our dedication to continued learning and inclusion of Indigenous culture, heritage and teachings in our everyday lives.

## Table of contents

<b>1 Introduction</b>	<b>18 Economic inclusion and partnerships</b>
2 About the artist	19 Commitments
3 About Enbridge	20 Spotlight
4 Where we are now in our journey	<b>22 Environmental stewardship and safety</b>
6 IRAP vision and values	23 Commitments
7 About this IRAP	24 Spotlight
8 Reconciliation Action Pillars	<b>25 Sustainability, reporting and energy transition</b>
<b>9 People, employment and education</b>	26 Commitments
10 Commitments	27 Spotlight
13 Spotlight	<b>29 Governance and leadership</b>
<b>15 Community engagement and relationships</b>	30 Commitments
16 Commitments	31 Spotlight
17 Spotlight	<b>32 The journey ahead</b>

## Why an Indigenous Reconciliation Action Plan?

Enbridge is proud to share this Indigenous Reconciliation Action Plan (IRAP). As a North American company, it is important to foster meaningful reconciliation within communities where we live and work. This IRAP continues our long-held commitment to advancing reconciliation with Indigenous peoples. Further, it is developed in recognition of the Truth and Reconciliation Commission's Call to Action #92, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and with respect for and acknowledgement of Indigenous rights and title, treaties, and sovereignty across Turtle Island<sup>1</sup>. Our IRAP will serve as the roadmap by which we will continue our journey to advance truth and reconciliation. It is the mechanism by which we will remain accountable for executing on our commitments and to our partners, including Indigenous peoples.

\* All dollar amounts are in CAD except when specified in USD.

<sup>1</sup> The continent of North America is often referred to as Turtle Island by some Indigenous peoples. Both terms appear within this IRAP, where appropriate.



### Land acknowledgment

Our projects and operations span Treaty and Tribal lands, the National Métis Homeland, unceded lands and the traditional territories of Indigenous Nations, Tribes, Governments and Groups (Indigenous groups)<sup>2</sup> across North America.

<sup>2</sup> In this IRAP we are using the term "Indigenous groups" when referring to Indigenous nations, governments or groups in Canada and/or Native American Tribes and Tribal associations in the United States. We have the utmost respect for the unique rights and individual names of Indigenous groups across Turtle Island. This collective term is used solely for the purpose of the readability of the IRAP.

## About the artist



Jason Carter is an Indigenous sculptor, painter, illustrator and public artist from the Little Red River Cree Nation at John D'Or Prairie, Alberta, and a Distinguished Alumni of MacEwan University. Jason has major permanent installations in both the Calgary and Edmonton International Airports, and his sculpture and canvas artwork are displayed in many public places (NAC, AFA, YWCA Calgary and Edmonton, Travel Alberta, Wood Buffalo Region, Stantec, Banff Caribou Properties, Microsoft and Canada Goose) and private collections globally.

In 2019, Jason was commissioned by the Museum of Aboriginal Peoples' Art and Artifacts of Canada to create three paintings (two 79" x 29" and one 58" x 29") to be permanently installed in the museum's

entrance. Jason is the lead sculpture artist for 'In Search of Christmas Spirit'; an immersive sculpture exhibit in Banff, Alberta where he created 12' to 18' tall sculptures of bears, wolves, and bison lit from within like a lantern. He worked alongside Banff & Lake Louise Tourism and Parks Canada to complete this initiative. In 2021, Jason created wâpos; another large-scale sculpture installation celebrating the rabbit in Churchill Square, and Winter Solstice, which brought to light the importance of solstice and the passing of the sun and moon in Winter to Indigenous peoples. Most recently, Jason was commissioned by Hockey Canada to hand paint 150 hockey sticks gifted to the player of the game at the World Junior Championships in August 2022.

## About Enbridge

Enbridge is a leading North American energy infrastructure company, headquartered on Treaty 7 territory and a portion of the Métis Homeland in Calgary, Canada. We operate locally, living and working in the communities near our projects and operations. Enbridge has additional major offices across Turtle Island in Houston, Edmonton, Toronto, Duluth and Chatham.

We safely and reliably connect millions of people to the energy they rely on every day, fueling quality of life through our North American natural gas, oil, or renewable power networks and our growing European offshore wind portfolio. We continue to invest in modern energy delivery infrastructure and are committed to reducing the carbon footprint of the energy we deliver. Our goal is to achieve net-zero greenhouse gas emissions by 2050.

To learn more, visit us at [Enbridge.com](https://www.enbridge.com).

“ We believe that our business can play a critical role in advancing reconciliation, and that means acknowledging the truth and learning from the complicated and challenging history of Indigenous peoples. We need to understand the past in order to move forward.

We are a values-driven organization, and therefore we recognize the deep and meaningful connections that Indigenous nations have to water, land and the environment. We've learned not to walk into Indigenous communities with all the answers, but rather to listen carefully to concerns and ask questions that further our understanding. We instill trust by listening carefully and working together – and delivering on the promises we make.



To that end, our first Indigenous Reconciliation Action Plan (IRAP), and its commitments, serve as a beacon of our company-wide focus to advance reconciliation.

That said, reconciliation at Enbridge is more than what could be embodied in this plan. It requires a thoughtful approach, hard work, and respecting and acknowledging our history. Most of all it requires our full commitment to building a better future together. In my experience, this hard work is not only necessary but is always worth the effort. ”

– Al Monaco, President and CEO

## Where we are now in our journey

As a company, we strive for a future where society is united in and committed to creating an inclusive future. We have a role to play in challenging long-held beliefs about the history of Indigenous peoples and embarking on and supporting a path towards reconciliation. As we learn more, and reflect on and acknowledge our journey to date, we create a path that we can walk, together, towards reconciliation. Enbridge is responsible for forging this path – by continuing to listen to and learn about the history, culture and perspectives of Indigenous peoples and identify ways to enable, encourage and support this journey.

While we have been building relationships with Indigenous groups for many years, Enbridge made a commitment in 2017 to enhance transparency by expanding reporting on the implementation of our Indigenous Peoples Policy and the steps we are taking to integrate Indigenous rights and knowledge into our business across Turtle Island. In June 2018, we began to fulfill that commitment with the release of a discussion paper, *[Indigenous Rights and Relationships in North American Energy Infrastructure](#)*, and have since provided an annual overview of our plans, commitments and outcomes with respect to Indigenous inclusion within our 2018–2021 [sustainability reports](#).



We most recently reported on our corporate journey towards reconciliation in February 2022 with the release of, [\*Continuing Our Path to Reconciliation: Indigenous Engagement and Inclusion—An Update\*](#). Our work to date has been values-driven, focused on collaboration and has taken shape in our lifecycle approach to engagement and supply chain opportunities, and employment, education, and Indigenous cultural awareness initiatives.

While much work has been done, there is much more to do.  
We have a responsibility to continue moving forward.

This, our first Indigenous Reconciliation Action Plan (IRAP), is an opportunity to continue our unwavering commitment to reconciliation. These tangible, measurable and publicly reportable commitments help to further underpin our [\*Indigenous Lifecycle Engagement Framework\*](#) by forming the next stage of our journey towards reconciliation, and support the transition towards a cleaner energy future in partnership and collaboration with Indigenous peoples.

Our commitments will require continued collaboration, patience, and a resolute commitment to advancing reconciliation. These commitments permeate across each of our four core businesses

within Enbridge, transcend geographic borders and require us to focus on our role as an energy company whose projects and operations span Treaty and Tribal lands, the National Métis Homeland, unceded lands and the traditional territories of Indigenous Nations, Tribes, Governments and Groups (Indigenous groups)<sup>2</sup> across Turtle Island. Enbridge has consulted and engaged with more than 340 Indigenous groups in Canada and the United States.

We also acknowledge and express our gratitude to the 50 individuals from Indigenous groups across Canada and the United States who provided valued input early on in our IRAP development process, and whose insights have helped shape our commitments and the priorities for this continued journey towards reconciliation. Thank you – for your honesty, your willingness to engage, and your thoughtful contributions – all of which help direct the trajectory of this journey to reconciliation and a sustainable energy future.

Through this IRAP, and the actions we will undertake to support and advance our 22 commitments, we must create opportunities – for dialogue, for listening, for knowledge transfer, and for collaboration and partnership with Indigenous groups. Put simply, reconciliation is supported by creating connections, and furthered by building bridges that connect recognition of the past to a shared vision for the future.

## IRAP vision and values

At Enbridge, our core values – Safety, Integrity, Respect and Inclusion – reflect what is truly important to us as a company. These values represent the “north star” for our organization, a constant beacon by which we make our decisions, as a company and as individual employees, every day. In 2020, we invested time and energy listening to our employees speak about their experiences, including the barriers faced by Indigenous peoples. This engagement resulted in the addition of inclusion as a core value. We are committed to upholding these values as we collectively walk a path to reconciliation.

Our name, Enbridge, has long conveyed our commitment to being a bridge and leading the way to a safer, cleaner and more sustainable energy future. We recognize we have an important role to play in building bridges toward reconciliation and in collaborating with Indigenous peoples on the energy transition as we seek to be the leading energy infrastructure company in North America.

### **Our vision for this IRAP is that it will:**

- Guide us on our continued journey to reconciliation
- Unite and focus us in our efforts to continue to build and nurture respectful and mutually beneficial relationships with Indigenous peoples
- Enable us to collaboratively create a safer, and more accountable, respectful, sustainable and inclusive future for seven generations<sup>3</sup> and beyond

We believe we can achieve more together – collaboratively, respectfully, purposefully and transparently.

<sup>3</sup> “Seven generations” is an Indigenous sustainability principle that says that we should consider how every decision will impact and affect those seven generations into the future.

## About this IRAP

This IRAP is organized into six pillars and outlines a total of 22 commitments. Full details and targets are provided in the pages that follow.

These pillars represent our priorities, a cornerstone of our commitment to reconciliation, each collaboratively developed with the input of Indigenous individuals and groups. Our pillars will endure, and while the commitments may evolve over time, we expect each pillar will remain stable and consistent. Enbridge will develop tools and mechanisms to support and execute on these commitments on our path towards reconciliation.

We will publicly report on our progress against these commitments annually, starting with an update on our progress in our 2023 Sustainability Report.



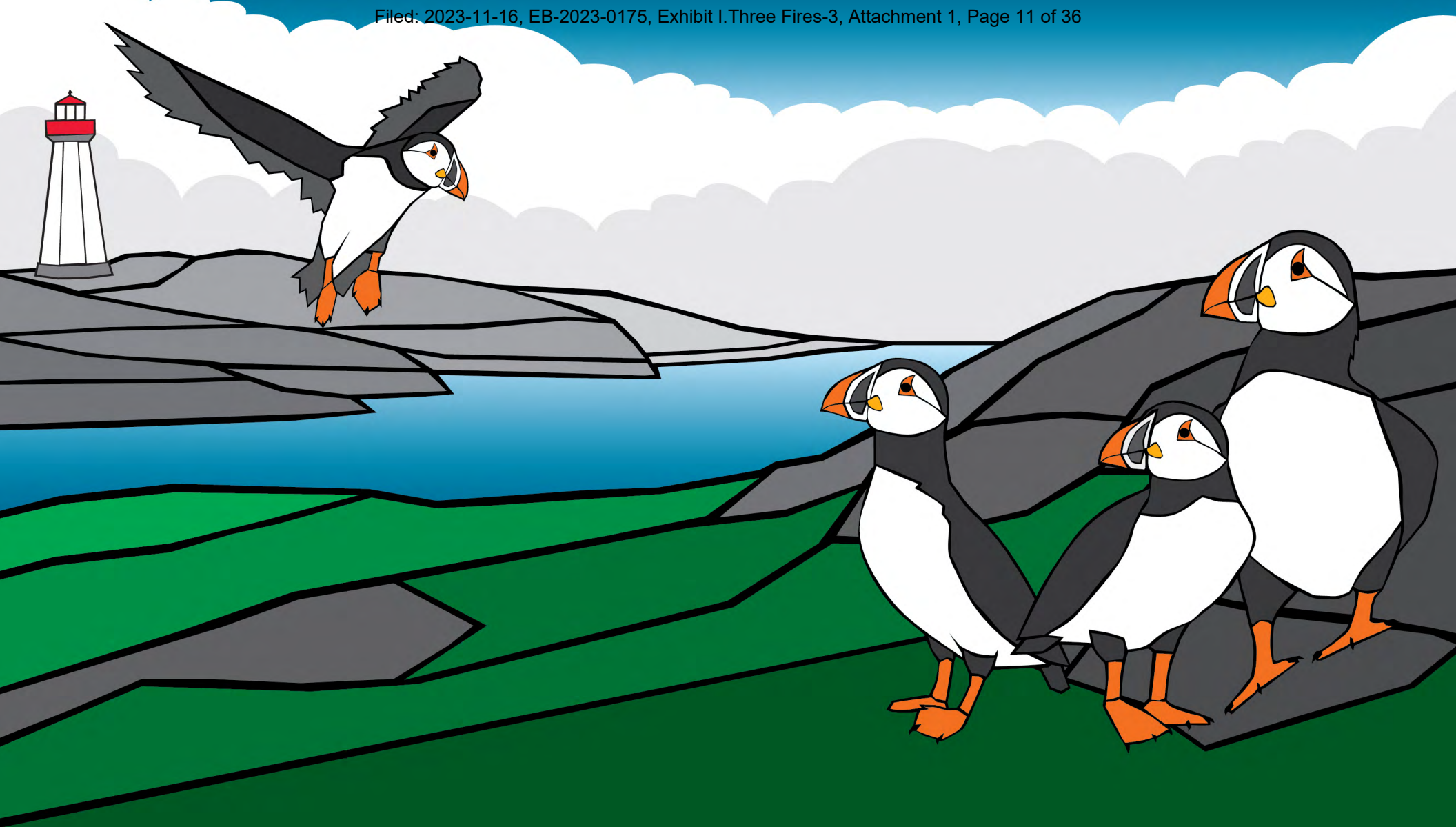
### SIX PILLARS

- |  |  |   |  |   |   |
|--|--|---|--|---|---|
| <p><b>1</b><br/>People, employment and education</p> | <p><b>2</b><br/>Community engagement and relationships</p> | <p><b>3</b><br/>Economic inclusion and partnerships</p> | <p><b>4</b><br/>Environmental stewardship and safety</p> | <p><b>5</b><br/>Sustainability, reporting and energy transition</p> | <p><b>6</b><br/>Governance and leadership</p> |
|--|--|---|--|---|---|





# Reconciliation Action Pillars



**PILLAR 1**

**People, employment  
and education**

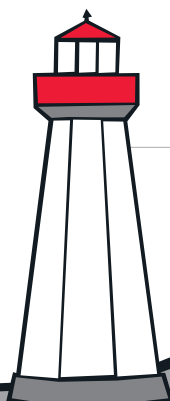
Enbridge is committed to creating and nurturing organizational structures that support opportunities to attract, retain and develop the skills of Indigenous people at all levels and in positions that make Enbridge the place to build their careers in a culturally supportive work environment.

**PILLAR 1**

**People, employment and education**

Focus	Commitment	Details	Target/Goal	Timeline
Talent attraction and recruiting	Establish flexible work placements and opportunities for Indigenous peoples that account for regional and cultural considerations across Canada and the United States	<ul style="list-style-type: none"> <li>• In addition to current organizational workplace flexibility options, identify and develop opportunities for roles in other locations where there might be increased availability of Indigenous applicants</li> <li>• Identify and resolve employment barriers for current and future Indigenous employees</li> <li>• Explore updating leaves policies to reflect cultural inclusivity</li> </ul>	<ul style="list-style-type: none"> <li>• Update Indigenous engagement employment program to account for Indigenous culture, regional/remote considerations and legal considerations, as appropriate</li> <li>• Explore establishing a cultural leave program</li> </ul>	2022 – Ongoing
	Continue to seek and strive to increase Indigenous representation in Enbridge’s permanent workforce	<ul style="list-style-type: none"> <li>• Continue to review and develop Indigenous employment data and report annually</li> <li>• Work with Indigenous groups and training partners to identify current opportunities and key growth areas for employment and skills development</li> <li>• Explore new partnerships to grow talent pool and implement Indigenous recruitment strategies with the goal of increasing awareness of opportunities at Enbridge</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to report metrics and provide annual disclosure</li> <li>• Identify key growth areas for employment and skills development</li> <li>• Establish partnership with Indigenous employment agency</li> <li>• Attend at least eight (8) Indigenous-focused career fairs throughout Canada and the United States</li> <li>• Attempt to reach our previously established goal of a minimum of 3.5% of proportional Indigenous representation<sup>4</sup></li> </ul>	2025

<sup>4</sup> All percentages or specific goals regarding inclusion, diversity, equity, and accessibility are aspirational goals which we intend to achieve in a manner compliant with state, local, provincial, and federal law, including, but not limited to, U.S. federal regulations and Equal Employment Opportunity Commission, Department of Labor and Office of Federal Contract Programs guidance.



Focus	Commitment	Details	Target/Goal	Timeline
<b>Talent attraction and recruiting</b>	Continue to review internal hiring processes and develop human resource capability to ensure all perspectives are reflected through attraction/retention lifecycle	<ul style="list-style-type: none"> <li>• Review existing talent policies and procedures to identify gaps and implement changes to ensure cultural perspectives and priorities are reflected throughout process(es)</li> <li>• Continue to conduct regular training with Talent Acquisition team on ways to conduct culturally sensitive interviews (e.g., understanding Indigenous cultural differences, uncovering hiring biases, interviewee evaluation criteria)</li> <li>• Where allowed by law, formalize Indigenous attraction/retention programming for diversity, cultural, regional and remote considerations</li> </ul>	<ul style="list-style-type: none"> <li>• Review and, where appropriate, update internal hiring processes</li> <li>• Conduct ongoing and regular training with Talent Acquisition team related to hiring practices</li> <li>• Explore development of policies/procedures to support Indigenous attraction/retention programs</li> </ul>	2022 – Ongoing
<b>Talent experience and development</b>	Increase representation of Indigenous employees within Enbridge’s Leadership Development Program to support the retention and advancement of Indigenous employees	<ul style="list-style-type: none"> <li>• Continue to support Indigenous employees through consultation, mentorship, onboarding, coaching and connection</li> <li>• Develop and diversify pools of candidates for apprenticeship and internship programs</li> <li>• Continue to identify and develop succession plans free from unconscious bias across the company</li> </ul>	<ul style="list-style-type: none"> <li>• Explore expansion of programs and opportunities for the growth of Indigenous employees/employee base</li> </ul>	2023 – Ongoing

\* Please note that bargaining unit employees are subject to the terms and conditions of their collective bargaining agreement.

**PILLAR 1**

**People, employment and education**

Focus	Commitment	Details	Target/Goal	Timeline
<b>Cultural support programs</b>	Continue to develop and maintain cultural support programs to make Enbridge an attractive and welcoming employer for all people, including Indigenous peoples	<ul style="list-style-type: none"> <li>• Continue to include and develop Indigenous Employee Resource Groups across the company</li> <li>• Expand programs related to Sharing Circles and Indigenous employee support across the company</li> <li>• Continue to create culturally inclusive and safe spaces across the company that are supportive and celebrate Indigenous arts and culture.</li> <li>• Develop a regional-based implementation model inclusive of diverse perspectives across the company</li> <li>• Establish an Elder connections program to give employees direct access to Indigenous Elders for advice and cultural support</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to implement and expand cultural support programs</li> <li>• Integrate Indigenous arts and culture in Enbridge offices and facilities across Turtle Island</li> </ul>	2023 – Ongoing
<b>Learning and awareness</b>	Ensure 100% of Enbridge’s employees complete Indigenous awareness training	<ul style="list-style-type: none"> <li>• Ensure opportunities exist for employees to develop a deeper understanding of the history, rights, culture and knowledge of Indigenous peoples by completing online or in-person cultural awareness training</li> <li>• Explore tailored training for groups across Enbridge, as needed</li> <li>• Track and monitor completion statistics of required Indigenous Awareness Training</li> </ul>	<ul style="list-style-type: none"> <li>• 100% employee participation in cultural awareness training</li> <li>• Ensure every new Enbridge employee receives cultural awareness training as a requirement</li> </ul>	2022

**PILLAR 1**

**Spotlight: Gas Distribution and Storage Mentorship Program**

As an example of forging new pathways and living our values—the Gas Distribution and Storage (GDS) Mentorship Program aims at reducing barriers and increasing opportunities for Indigenous recruitment and employment.



> Wendy Landry (left) and previous mentorship participant, now full-time Enbridge employee, Lauryn Graham (right) pose next to the Enbridge sign in Eastern Region.

Enbridge’s Gas Distribution and Storage (GDS) Northern Mentorship Program, now in its fourth year, was founded when our Northern Region team in GDS recognized their approach to recruit local Indigenous talent for various positions over several years was largely unsuccessful. “We have a duty to reflect the communities we serve, yet we struggled to attract local Indigenous talent after years of effort and commitment,” said Luke Skaarup, former Director Northern Region Operations GDS and now Director Operations Services for Enbridge’s Liquids Pipelines Operations. “We needed to work collaboratively both internally and externally to course correct.”

The team sought approval for and actioned the re-purposing of Enbridge’s co-operative and summer student roles for Indigenous mentorship and engaged with local Indigenous groups and unions to reduce the very real barriers to entry into Enbridge – and more generally, corporate Canada – by enhancing the accessibility of our job postings, inviting initial discussions and conducting interviews within communities. They provided recognition for relevant lived experience in addition to professional experience.

“ The success in identifying and connecting candidates with positions came from the commitment and foresight of early champions of this program and a willingness to depart from the normalized hiring processes that create barriers to entry for some Indigenous candidates. ”

– Wendy Landry, Enbridge Senior Indigenous Initiatives and Engagement Advisor

## PILLAR 1

### Gas Distribution and Storage Mentorship Program continued

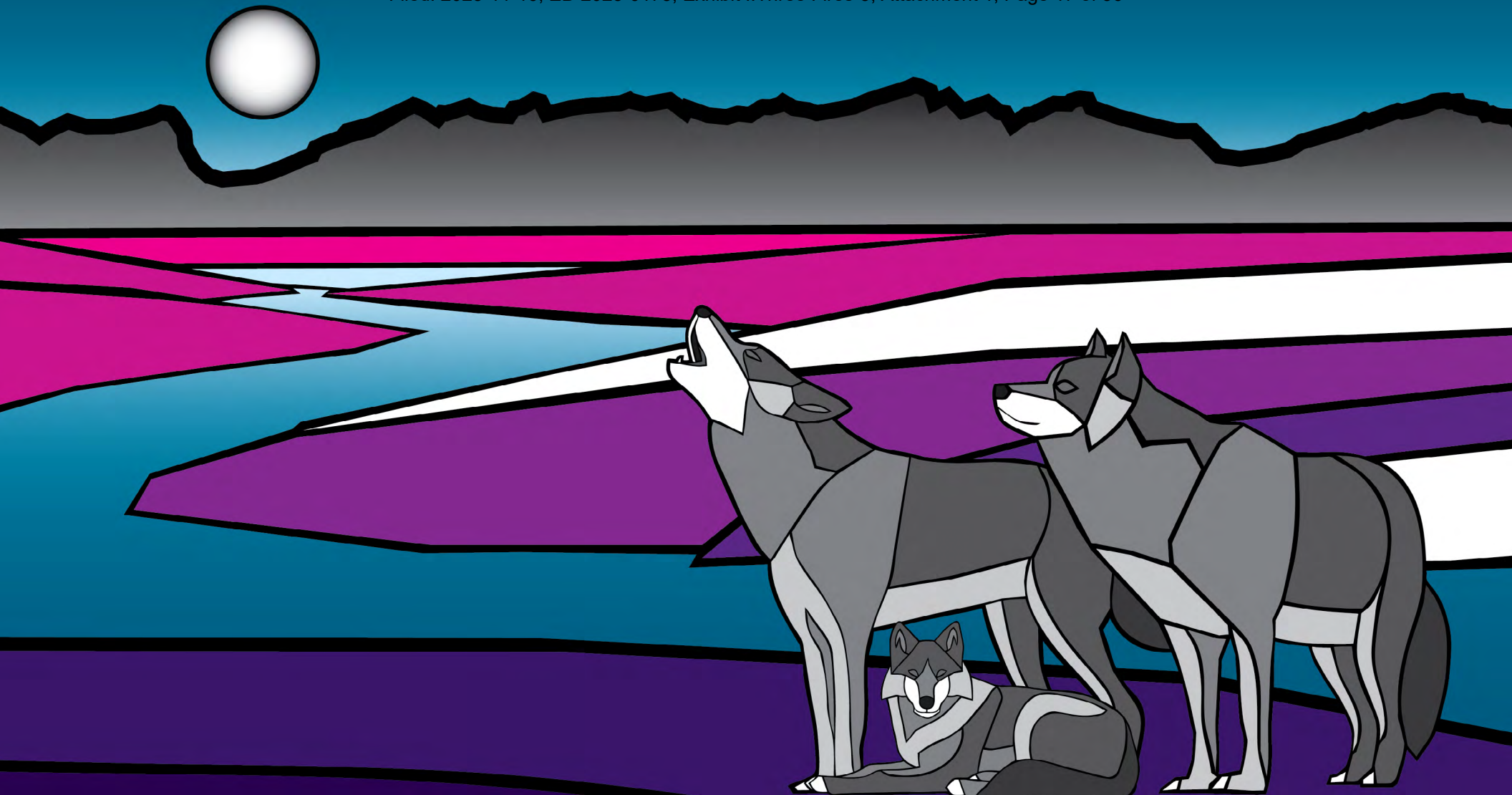
“The success in identifying and connecting candidates with positions came from the commitment and foresight of early champions of this program, and a willingness to depart from the normalized hiring processes that create barriers to entry for some Indigenous candidates,” said Wendy Landry, Red Rock Indian Band member, Mayor of Shuniah and Senior Indigenous Initiatives and Engagement Advisor to Enbridge. While there is more work to do, this program has helped develop capacity by identifying where there were gaps in the recruitment and hiring process and how best to address those gaps to create pathways to employment – with Enbridge or elsewhere in the energy industry.

The team focused internally on identifying pathways to fulltime employment, on implementing a mentorship program, and approached recruitment and hiring in a more culturally sensitive and respectful manner.

In 2021, the Northern Region team in GDS hired four mentees with an additional Indigenous employee successfully competing for a fulltime construction laborer position. We also partnered with the Métis Nation of Ontario as part of a Métis Youth Internship Program to on-board one additional hire to our construction team, and Distribution Operations initiated an Indigenous Community Outreach program as part of its diversity and inclusion strategy.

Enbridge is focused on expanding the mentorship program across GDS in Ontario in 2022, along with the implementation of an internal awareness campaign to increase understanding and support for Indigenous partnerships and collaboration.

Opportunities for dialogue and engagement with current and potential employees, including through the Indigenous Employment Resource Group and the Indigenous Sharing Circle, mean our journey of learning and adapting continues to inform the evolution of our Indigenous recruitment commitment. The entire team continues to identify mechanisms to enhance our accessibility, recruitment, retention and education practices.



**PILLAR 2**

# **Community engagement and relationships**

Enbridge understands meaningful engagement and respectful relationships are foundational to advancing reconciliation. We are committed to developing strategies, mechanisms and opportunities that support and nurture dialogue and engagement between Enbridge and Indigenous groups throughout the lifecycle of our projects and operations.



**PILLAR 2**

**Community engagement and relationships**

Focus	Commitment	Details	Target/Goal	Timeline
<b>Feedback mechanism</b>	Develop an incremental formal mechanism for Indigenous groups to provide feedback to Enbridge	<ul style="list-style-type: none"> <li>In addition to ongoing engagement activities, and in consultation with Indigenous peoples, develop an incremental transparent feedback mechanism to facilitate input from potentially impacted Indigenous groups such as questions, concerns, and opportunities for collaborations related to Enbridge's projects and operations</li> </ul>	<ul style="list-style-type: none"> <li>Establish and launch feedback mechanism</li> </ul>	2023 – Ongoing
<b>Community engagement and relationships</b>	Provide \$80 million in cumulative funding support for engagement priorities, community capacity building and fostering wellbeing over the next five years	<ul style="list-style-type: none"> <li>In addition to Enbridge's Indigenous contracting and procurement spend, these funds are intended to support community capacity and wellbeing. This may include dollars from relationship agreements, taxes paid and/or corporate/regional community investment</li> </ul>	<ul style="list-style-type: none"> <li>\$80 million in cumulative funding over five years</li> </ul>	2022 – 2027

**PILLAR 2**

## **Spotlight: Patrick Hunter mural**

How an art installation ignites and inspires conversation and connection to each other, the land and Indigenous culture and history.



“ I think it’s important for companies today to realize the land they are on was once another culture’s territory. Public acknowledgments of that fact are such a great first step towards being on the right side of history. ”

– Patrick Hunter, Ojibway artist

Patrick Hunter is a two Spirit Ojibway artist, graphic designer and entrepreneur from Red Lake, Ontario. Patrick is one of Canada’s well-known Woodland artists, gaining inspiration from his homeland, painting what he sees through a spiritual lens, with the intent to create a broader awareness of Indigenous culture and iconography. Among his many projects are artwork he created for the Canadian Olympic Curling Team, the Chicago Blackhawks and Hockey Night in Canada.

In 2021, Enbridge commissioned Patrick to create two original pieces of art that could be digitized and used as murals in GDS facilities across Ontario. The pieces are installed in two locations: the third floor of the 50 Keil Drive office in Chatham, and the first floor of the Victoria Park Centre in Toronto. Both pieces represent the start of a longer-term project to prominently display a collection of original Indigenous artwork.

The murals, designed specifically for Enbridge, embody Patrick’s personal reflections on and spiritual connection to the land and Indigenous territories in and around Ontario on which our GDS offices reside. They create awareness of Indigenous culture and history of the lands on which we work and live and connect us back to the natural world, something increasingly difficult to do in our urban environment. Not least, and perhaps most profoundly, they invite and ignite conversation, furthering our connections to each other and creating opportunities for dialogue, learning and reflection on our individual and collective journeys towards reconciliation.



**PILLAR 3**

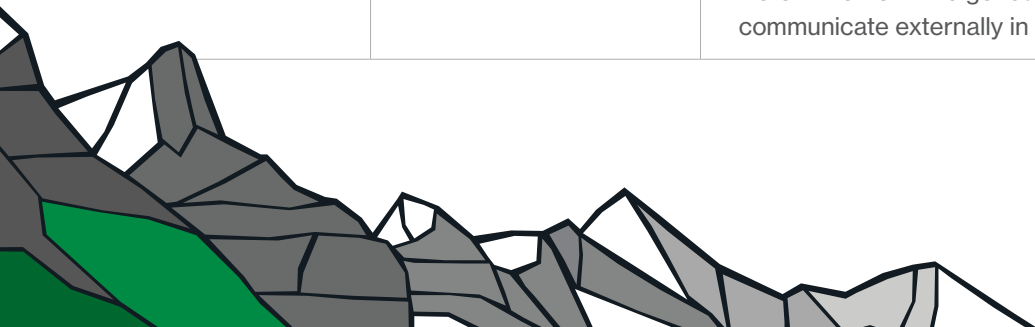
**Economic inclusion  
and partnerships**

Enbridge strives to create, engage in, and stimulate positive and mutually beneficial financial impacts, opportunities and potential partnerships with Indigenous groups and businesses.

**PILLAR 3**

**Economic inclusion and partnerships**

Focus	Commitment	Details	Target/Goal	Timeline
<b>Indigenous financial partnerships</b>	Revise and formalize Indigenous financial partnership processes that encourage strategies to provide opportunities for Indigenous economic participation	Establish a formal Indigenous Economic Development Taskforce to formalize processes that will: <ul style="list-style-type: none"> <li>• Leverage business units' and project teams' insights to establish standards and criteria for financial partnerships within the company's investment review processes</li> <li>• Identify and review previous successes to develop financial opportunities that account for various regulatory, legal and socio-economic considerations</li> <li>• Undertake a review of the Indigenous financial capacity landscape and access to capital to ensure Enbridge facilitates opportunities that can be implemented</li> <li>• Engage with Indigenous groups to seek feedback and assess alignment between Enbridge's processes, market opportunities and new opportunities for Indigenous economic participation</li> </ul>	<ul style="list-style-type: none"> <li>• Develop Indigenous Economic Development Taskforce</li> <li>• Formalize processes and strategies for Indigenous economic participation</li> <li>• Implement new partnership processes and strategies that foster early engagement with Indigenous groups</li> <li>• Ensure Indigenous perspectives are included within review and development process(es)</li> </ul>	2022 – Ongoing
<b>Supplier capacity development</b>	Advance opportunities for Indigenous businesses to participate in Enbridge's supply chain	<ul style="list-style-type: none"> <li>• Develop and conduct information sessions over two years to provide guidance and education to Indigenous businesses seeking participation in Enbridge's supply chain</li> <li>• Continue to provide support for Indigenous businesses navigating Enbridge's procurement system</li> </ul>	<ul style="list-style-type: none"> <li>• Develop and conduct at least eight information sessions over two years</li> </ul>	Ongoing
<b>Indigenous procurement</b>	Establish Indigenous spend targets	<ul style="list-style-type: none"> <li>• Continue to establish benchmarks for Indigenous spend targets</li> <li>• Determine 2024 Indigenous spend targets and communicate externally in 2023</li> </ul>	<ul style="list-style-type: none"> <li>• Determine and disclose Indigenous spend targets</li> </ul>	2023





### PILLAR 3

## Spotlight: Indigenous economic inclusion in gas transmission expansion projects in British Columbia

An expansion of B.C.'s gas transmission system created mutual opportunities and benefits for Indigenous businesses and Enbridge and shone a spotlight on the far-reaching impact and importance of Indigenous economic inclusion.

Enbridge is the owner and operator of British Columbia's (B.C.) major gas transmission system, connecting the province's natural gas exploration and production industry with millions of consumers and heating homes, businesses, hospitals and schools in B.C., Alberta, and the U.S. Pacific Northwest. Gas also fuels electric power generation and is a staple in many industrial and manufacturing processes.

In the fourth quarter of 2021, we completed two capital expansion projects – the T-South Reliability Expansion Project (TSRE) and the Spruce Ridge Expansion Program (Spruce Ridge). Enbridge conducted upgrades and reliability enhancements and expanded the capacity of the gas transmission system in B.C.

TSRE work included the installation of five new compressor units and associated equipment at five existing compressor stations, two

These projects were completed with significant Indigenous engagement, participation and collaboration. In fact, the spend with Indigenous contractors in B.C. nearly doubled between 2018 and 2021.

compressor station cooler additions and three pipeline crossover projects. Twenty-four Indigenous groups participated and benefited economically, with Indigenous businesses securing and executing an aggregate of \$54.7 million in contracts and subcontracts.

Spruce Ridge work involved the building of two new natural gas pipeline loops (the 13-km Aitken Creek Loop and the 25-km Chetwynd Loop), the addition of a new compressor unit at two compressor stations and some additional minor modifications at above-ground facilities. Nine Indigenous groups benefitted economically through subcontracting opportunities for an aggregate \$66.6 million worth of contracts and subcontracts, including the award for construction of the Aitken Creek Loop to an Indigenous partner business.

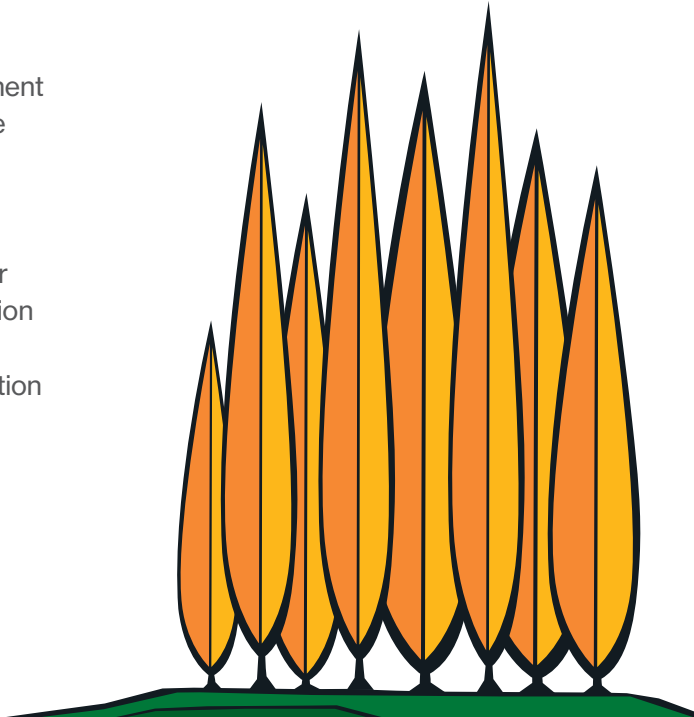
As we have walked this path towards reconciliation through the years, there have been pivotal moments along the way that have increased the momentum of our journey and created fundamental shifts in the way we do business. The focus on and implementation of measures to increase Indigenous economic inclusion and engagement is one such example of Enbridge's commitment on this journey.

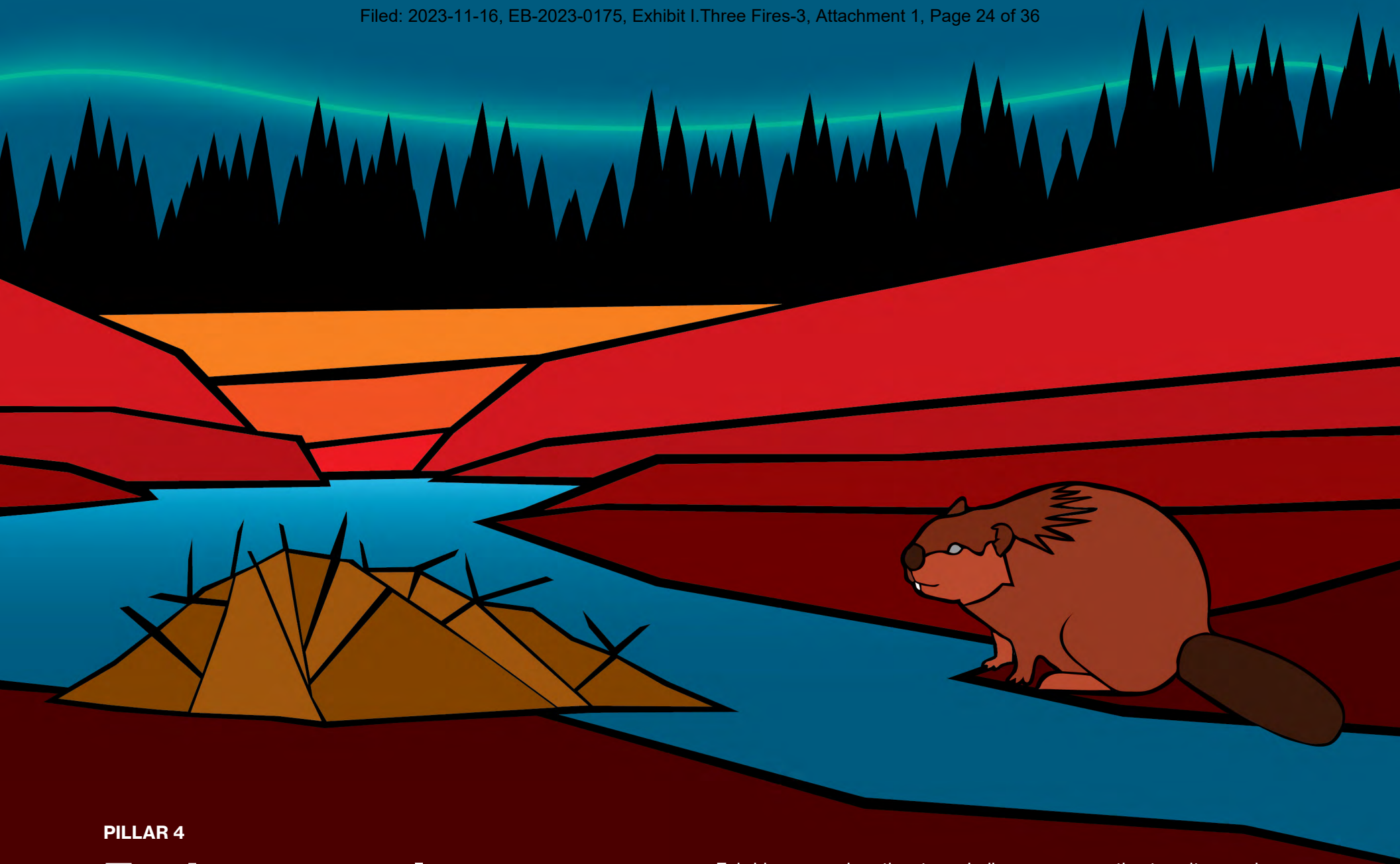
The roll-out of Enbridge's Socio-Economic Requirements of Contractors (SERC) process in 2017 coincided with early engagement activities with Indigenous groups on TSRE and Spruce Ridge. The SERC guides our contractors on how we expect them to include Indigenous businesses in the execution of their work, as well as efforts to increase the use of Indigenous businesses as general contractors working directly for Enbridge. Each component of our focus on increased Indigenous economic engagement and inclusion was complemented by other mechanisms driving an increase in Indigenous economic inclusion and included targeted pre-qualification

of Indigenous businesses; strategic direct award opportunities for Indigenous businesses to increase capacity and experience; and a focus on increasing capacity with Indigenous archaeology companies.

“Embracing relationships with Indigenous groups – giving them the opportunity to have a seat at the table, provide input on projects and to capitalize on opportunities is a big part of what reconciliation is [and to a further extent the implementation of UNDRIP in our daily lives],” said Chief Willie Sellars of Williams Lake First Nation.

“In addition, it's important to keep in mind the cultural, ceremonial, and traditional components of our way of life and incorporating that understanding and respect into projects. The TSRE ground-breaking at Compressor Station 6A 150 Mile House included a ground blessing, prayers and songs and provided an opportunity to introduce those present to our way of life and our traditions. This is so important as reconciliation requires education for people to be able to understand, to heal and to move forward. We are pleased to be able to work with Enbridge on this important journey towards reconciliation.”





**PILLAR 4**

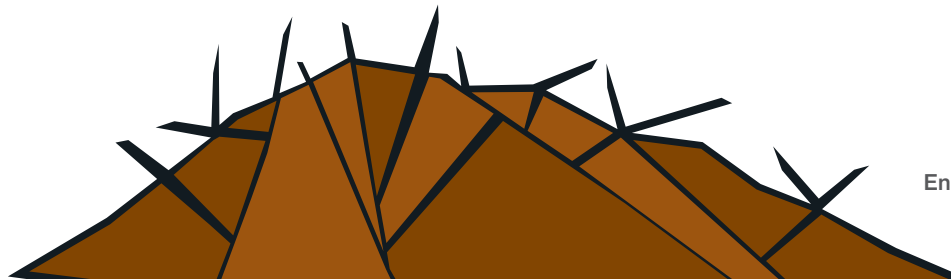
# **Environmental stewardship and safety**

Enbridge recognizes the strong Indigenous connection to culture and the traditional importance of the land, air, animals and water. We are committed to environmental protection, collaborative stewardship, and continued improvement of engagement on, and inclusion of traditional and cultural knowledge in our plans, projects and operations.

**PILLAR 4**

**Environmental stewardship and safety**

Focus	Commitment	Details	Target/Goal	Timeline
<b>Indigenous inclusion and traditional knowledge</b>	Review and revise Enbridge’s approach to Indigenous inclusion in the environmental review processes	<ul style="list-style-type: none"> <li>Assess current approach and identify opportunities for increased Indigenous inclusion and strengthening Enbridge’s current mitigation strategies</li> </ul>	<ul style="list-style-type: none"> <li>Confirm and utilize a phased approach to revise Enbridge’s environmental review processes, as needed</li> </ul>	2022 – Ongoing
	Regionally advance opportunities for Indigenous inclusion in environmental field work	<ul style="list-style-type: none"> <li>Regionally identify and advance opportunities for Indigenous participation in environmental field work</li> </ul>	<ul style="list-style-type: none"> <li>Increase Indigenous involvement in fieldwork</li> </ul>	2022 – Ongoing
<b>Emergency preparedness and pipeline safety</b>	Continue to share emergency management materials and encourage increased Indigenous awareness in emergency response	<ul style="list-style-type: none"> <li>Continue to share emergency management materials with Indigenous groups</li> <li>Continue to generate awareness and provide opportunities for participation in emergency response exercises</li> </ul>	<ul style="list-style-type: none"> <li>Continue to share relevant emergency management materials to generate awareness</li> </ul>	2022 – Ongoing
	Continue to communicate with Indigenous groups regarding emergency and safety mechanisms and approaches	<ul style="list-style-type: none"> <li>Continue to provide notifications to Indigenous groups to ensure they are aware and engaged in the event of releases from pipeline systems</li> <li>Develop a consistent process or protocol to share environmental and safety notices to Indigenous groups</li> </ul>	<ul style="list-style-type: none"> <li>Proactively communicate with Indigenous groups through release notifications</li> </ul>	2022 – Ongoing





#### PILLAR 4

## Spotlight: Pontiac Township High School pollinator plot and Kickapoo Nation

An opportunity to advance sustainability commitments and facilitate connections that may endure for seven generations and beyond.

The Operation Endangered Species (OES) program was started in 2011 near Pontiac, Illinois, a brainchild of a group of Pontiac Township High School (PTHS) students with a biodiversity conservation initiative idea. The students approached their high school environmental science teacher with an idea to reintroduce endangered species on community pollination plots that would benefit surrounding agricultural land. The OES program at PTHS has raised US\$150,000 over nine years to support the reintroduction of a species of reptile back to its native historic home range in Illinois.

Following a US\$10,000 grant from Enbridge to establish a pavilion on a nearby company-owned 20-acre pollinator plot, students from the PTHS Environmental Earth class set out to develop the land into a pollinator plot, planting native prairie grasses and other vegetation to encourage development of the natural ecosystem. In 2021, Enbridge donated the pollinator plot to PTHS and the OES program to facilitate the continuation of this meaningful and impactful conservation and community work and as part of our commitment to [sustainability](#).

Upon completion of the land transfer, the U.S. History students of Pontiac began researching the origins of the land. They wanted to integrate respect for Indigenous groups into their ultimate use of the plot. Through this research, the students learned the land being

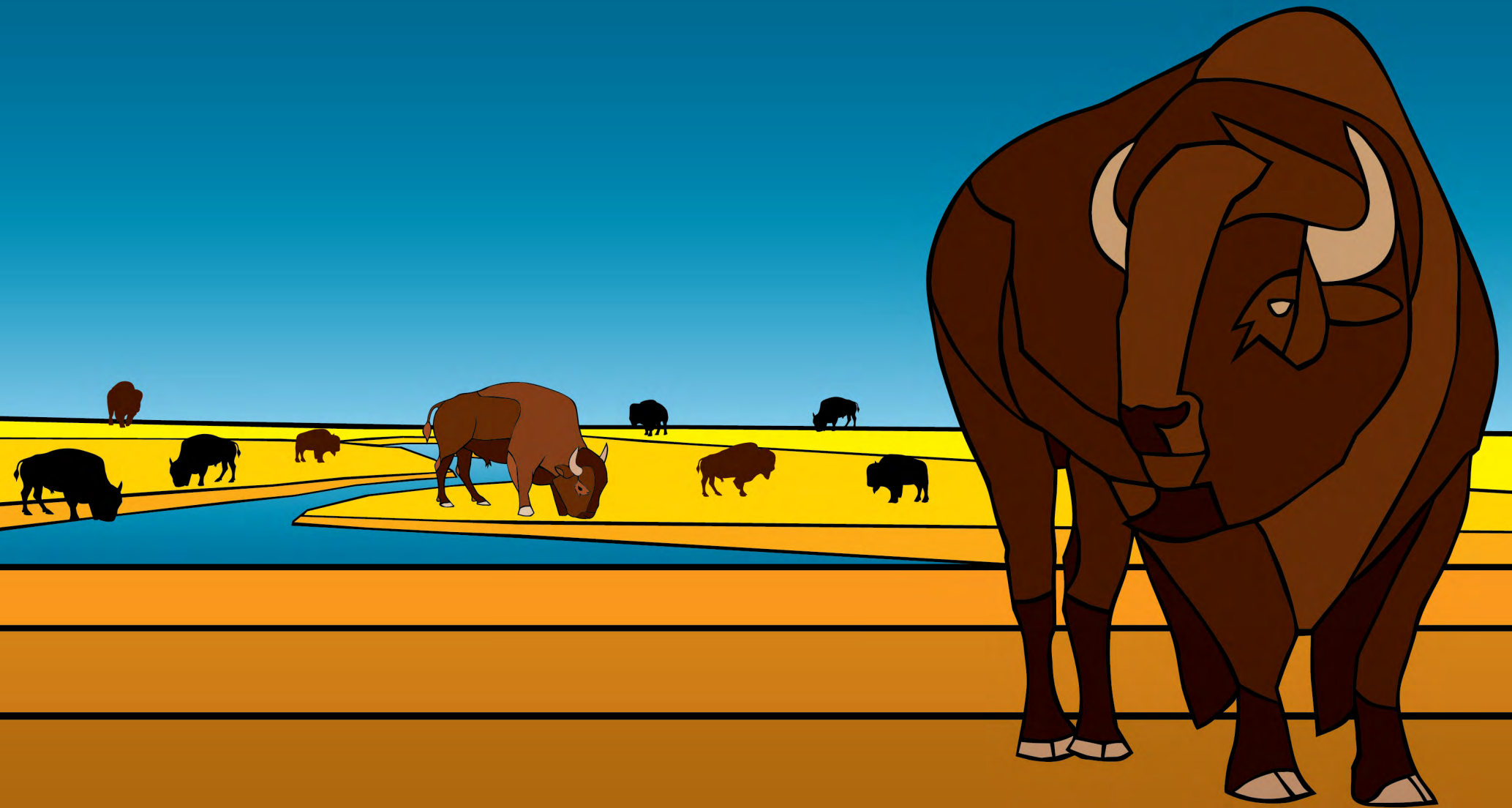
developed as a pollinator plot in Illinois is within the ancestral lands of the Kickapoo tribe, which was one of 25 tribes forcibly relocated to Kansas between 1825 and 1850.

Through Enbridge's relationships with all parties, we were able to facilitate an introduction between PTHS, the Kickapoo tribe and the Odawa tribe, which has blossomed into a mutually respectful and engaged relationship where teachings about care and respect for the earth and ecology now occur on a weekly basis. Furthermore, Kickapoo spiritual leaders and PTHS students continue to find ways to weave cultural teachings and education opportunities together and a deep and mutual respect has been formed.

In upholding our vision for our IRAP and our role in reconciliation, we are proud to be able to facilitate connections that promote and support further learning and pathways to reconciliation that may have positive and permeating impacts for generations to come.

“ I've always believed that giving students opportunities and enabling them is the most impactful way to support them on their learning journey. The cultural learning and growth that occurred here was driven by the students, but Enbridge was a major part in helping facilitate that for them. ”

– Paul, teacher at Pontiac Township High School



PILLAR 5

## Sustainability, reporting and energy transition

Enbridge is committed to forming strategies and collaborative partnerships with Indigenous groups focused on advancing the energy transition to a low-carbon economy and transparently reporting on our progress against our commitments.

**PILLAR 5**

**Sustainability, reporting and energy transition**

Focus	Commitment	Details	Target/Goal	Timeline
Reporting	Report and disclose progress on IRAP commitments in ESG and Sustainability Report	<ul style="list-style-type: none"> <li>• Increase transparency by addressing progress of IRAP commitments in annual Sustainability Report</li> </ul>	<ul style="list-style-type: none"> <li>• Disclose progress via annual Sustainability Report</li> </ul>	2023 – Ongoing
	Refresh IRAP commitments and goals every two years	<ul style="list-style-type: none"> <li>• Refresh IRAP commitments and goals every two years in conjunction with input from Indigenous groups, IRAP working group, employees and Executive Leadership Team</li> </ul>	<ul style="list-style-type: none"> <li>• Publish updated IRAP commitments/ goals every two years</li> </ul>	2024 – Ongoing
Sustainability	Facilitate a thought leader roundtable related to Indigenous inclusion and perspectives in sustainability strategy and policies	<ul style="list-style-type: none"> <li>• Identify key organizations/industry partners for inclusion in thought leader roundtable discussion</li> <li>• Work with roundtable participants to identify relevant topics related to sustainability, climate change, Indigenous perspectives and reconciliation that further support action, identify pathways towards implementation and build capacity within Indigenous groups to support implementation</li> <li>• Conduct roundtable(s) with participation from Indigenous groups and industry peers</li> </ul>	<ul style="list-style-type: none"> <li>• Establish partnership(s) with Indigenous-led organizations and relevant industry peers</li> <li>• Convene at least one thought leader roundtable</li> <li>• Consider the findings and Indigenous perspectives shared at the round table(s) when Enbridge sustainability strategies and policies are updated</li> </ul>	2023

PILLAR 5

## Spotlight: The Wabamun Carbon Hub—advancing carbon capture and storage and Indigenous partnership

A “Hub” of innovation and collaboration—the Open Access Wabamun Carbon Hub creates opportunities to advance partnerships and ownership in new energy projects with Indigenous groups.



> From left to right, Chief George Arcand Jr. (Alexander First Nation), Chief Arthur Rain (Paul First Nation), Chief Tony Alexis (Alexis Nakoda Sioux Nation), and former Chief Billy Morin (Enoch Cree Nation) of the First Nations Capital Investment Partnership, partners with Enbridge to pursue ownership in future carbon transportation and storage projects.

In the fight against climate change, the International Energy Agency calls Carbon Capture and Storage (CCS) one of the world’s most critical carbon reduction technologies.

As countries like Canada aim to achieve net-zero emissions by 2050, the capture and permanent deep underground storage of carbon dioxide (CO<sub>2</sub>) is being touted as a vital component of global efforts to contain those emissions from heavy industrial processes, including power generation, cement production and conventional energy production and refining.

One CCS project under development is our Open Access Wabamun Carbon Hub (the Hub) to be located west of Edmonton, Alberta, Canada.

The Hub would support recently announced carbon capture projects by Capital Power Corporation and Lehigh Cement, which represents an opportunity to avoid nearly four million tonnes of atmospheric CO<sub>2</sub> emissions – the equivalent of taking more than 1.2 million cars off the road annually.

The Hub will remain open access for other nearby capture projects and once built, will be one of the world’s largest integrated carbon transportation and storage projects, effectively doubling the amount of CO<sub>2</sub> captured and stored today in Canada.

Engagement and dialogue about the Hub started early with Indigenous groups – even before the project was a project. The initial conversations took a “blank sheet of paper” approach and focused on

## PILLAR 5

### The Wabamun Carbon Hub—advancing carbon capture and storage and Indigenous partnership continued

opportunity and what could be. Through listening, learning, and acting in parallel, a partnership on the journey along this energy transition and in advancing carbon reduction, was formed.

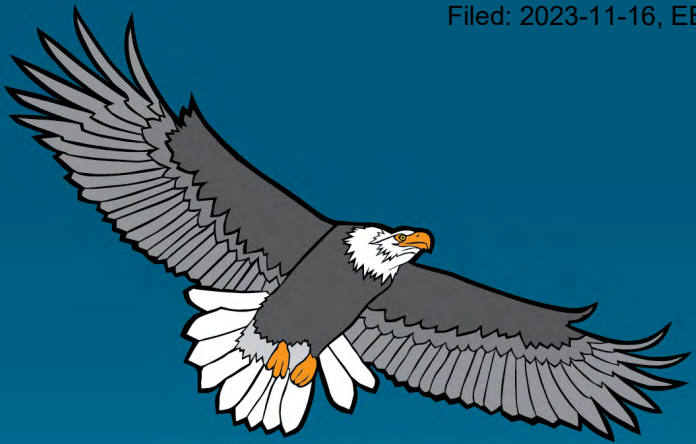
In February 2022, Enbridge and the First Nation Capital Investment Partnership (FNCIP) [announced a partnership agreement](#) to advance the Hub. The FNCIP was formed by four Treaty 6 Nations – Alexander First Nation, Alexis Nakota Sioux Nation, Enoch Cree Nation, and Paul First Nation – to pursue ownership in major infrastructure projects with commercial partners who share Indigenous values. The Hub is the FNCIP's first partnership. The Lac Ste. Anne Métis community will also have an opportunity to pursue ownership in future carbon transportation and storage projects with the Hub.

Critically, the Hub's Indigenous partners will have an opportunity to own up to 50% of the carbon transportation and storage projects developed in connection with the Hub. This openness to co-own and co-develop the assets is ground-breaking. These projects will create long-term, stable revenues for local Indigenous groups.

“ This path creates an opportunity to generate wealth, but more importantly it allows sustainable economic sovereignty for our communities. We are creating a healthy future for the next seven generations to thrive.

We're looking forward to working with industry leaders who share our values of environmental stewardship and to collaborate with Enbridge on world-scale carbon transportation and storage infrastructure investments. ”

– Chief George Arcand Jr., Alexander First Nation



PILLAR 6

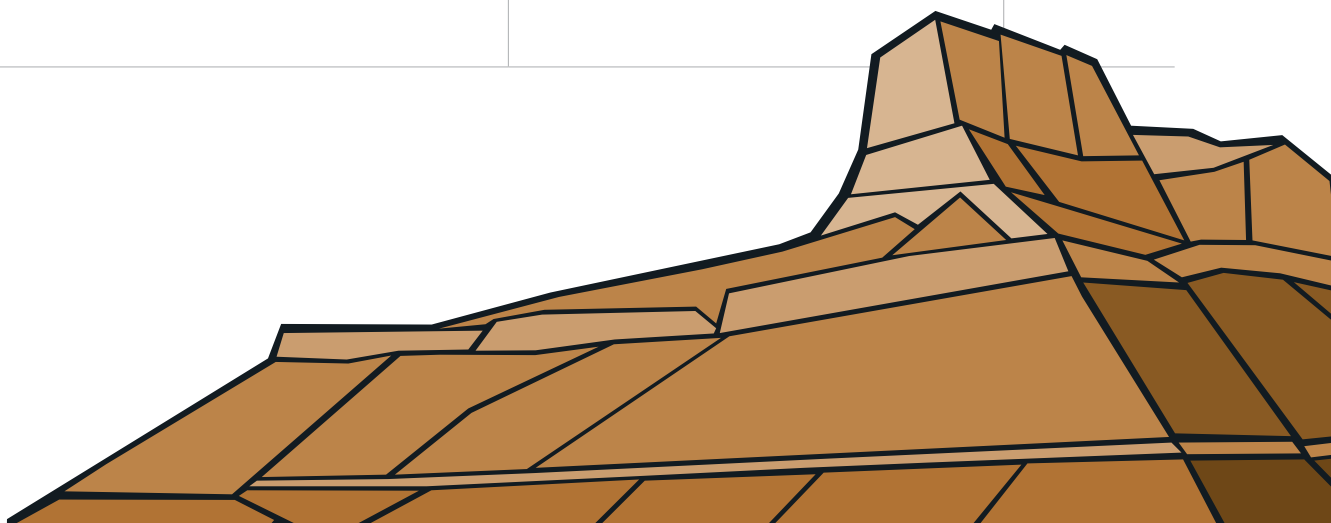
# Governance and leadership

Enbridge is committed to the creation and support of governance and leadership structures that focus on embedding and promoting accountability for Indigenous engagement and inclusion across the organization. We will lead by example and hold each other accountable for the commitments we make on our reconciliation pathway forward.

**PILLAR 6**

**Governance and leadership**

Focus	Commitment	Details	Target/Goal	Timeline
<b>Governance</b>	Establish an Indigenous Advisory Group (IAG)	<ul style="list-style-type: none"> <li>• Establish an IAG to provide advice and Indigenous and/or Tribal insight to executive management at Enbridge</li> <li>• Recruitment of IAG will include broad geographic representation and recruitment from diverse Indigenous groups</li> </ul>	<ul style="list-style-type: none"> <li>• Establish IAG and Terms of Reference</li> </ul>	2023
<b>Leadership and oversight</b>	Ensure executive sponsorship and commitment to achieving IRAP goals	<ul style="list-style-type: none"> <li>• Review executive support, sponsorship and accountability for IRAP specific commitments</li> <li>• Additional IRAP commitments to be linked to executive sponsorship</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure IRAP performance is included in executive objectives</li> </ul>	2023
	Ensure IRAP implementation and support mechanisms are established and aligned across the company	<ul style="list-style-type: none"> <li>• Establish and maintain governance oversight for IRAP implementation and accountability</li> </ul>	<ul style="list-style-type: none"> <li>• Establish mechanisms for implementation and accountability of the IRAP</li> </ul>	2023
<b>Cultural awareness</b>	Continue to conduct Indigenous Sharing Circles with participation from Executive Leadership Team	<ul style="list-style-type: none"> <li>• Maintain and expand participation in Sharing Circles</li> </ul>	<ul style="list-style-type: none"> <li>• Conduct quarterly Indigenous Sharing Circles</li> </ul>	2023 – Ongoing



PILLAR 6

## Spotlight: Calgary smudge

A first-of-its-kind gathering within Enbridge provided an opportunity for personal reflection and Indigenous cultural awareness.



> A member of the Tsuu T'ina Nation west of Calgary conducts a smudge ceremony with members of our Calgary Indigenous Employee Resource Group.

In March 2022, employees were invited to gather with their colleagues, local Indigenous Elders and invited guests at our Calgary office in to participate in the first-ever indoor smudge held within our Enbridge infrastructure. The smudge experience, despite the large team gathered and being a first for most attendees, was deeply personal, reflective and spiritual.

The session was opened with a blessing and teachings by a local community Elder and led by Enbridge's Calgary chair of the Indigenous Employee Resource Group (IERG), an 18-year veteran of Enbridge and a Saulteaux member of the Cote First Nation. The smudge and teachings were a powerfully moving experience. "This event embodied the true spirit of reconciliation," said Edie Severight. "Providing an opportunity for respectful education, and exposure to important Indigenous cultural traditions in a safe and inclusive way creates crucial space for learning and connection."

This event was supported by the senior executive team and attended by management, there were extensive approvals required to facilitate permits and manage the logistics of the smudge. The ceremony created an opportunity for awareness, learning and dialogue around the rich cultural practices of Indigenous peoples.

“ Smudging is an opportunity to reflect, cleanse the air and connect to the Creator. I look forward to sharing this ritual with my colleagues through many season changes to come. ”

– Edie Severight, Law Analyst and Chair of Indigenous Employee Resource Group (IERG), Calgary chapter



## The journey ahead

Our commitment to this journey is steadfast. Our goal is to create and nurture sustainable, respectful and mutually beneficial relationships with Indigenous groups in the areas in which we operate.

Our approach to Indigenous engagement and inclusion is continuously evolving. Our journey of reconciliation is a journey of continual listening, learning, reflection and action.

This IRAP is an evolutionary milestone – we are committed to this work, to continue to challenge ourselves, our leaders, and our suppliers to walk a shared path to reconciliation and to taking an innovative and progressive approach to collaboration and inclusion.



2022 Indigenous  
Reconciliation Action Plan



## About the animals

**Puffin:** is an incredible social creature that is often used as a symbol of transformation (due to their ability to be a sea bird and a land-based bird). Not only celebrated for their plucky and joyful disposition, they are often thought to carry much wisdom and can offer much guidance.

**Wolf:** represents loyalty, strong family ties, good communication, understanding, education and seeker of higher intelligence. Of all land animals, the wolf is found all around the world and is considered to be a connector of all.

**Bear:** represents authority, good medicine, courage and strength. The bear is believed to be a healer and protector (like a mother bear protects her young). This animal is a symbol for standing up for what is right and fighting for what is good and true.

**Beaver:** is a symbol of stewardship and safety because he uses his natural gifts wisely for his survival. The beaver is also celebrated as an animal that alters their environment in an environmentally-friendly and sustainable way for the benefit of all their family.

**Bison:** sustained a way of life for Indigenous peoples for centuries. The bison was used as a food source throughout the years, its hides used in teepees and clothing, and its bones fashioned into tools. This animal symbolizes protection, prosperity, courage, strength, abundance, gratitude and most importantly, stability.

**Eagle:** is a symbol of strength, authority and power. It rules the skies with grace and great intellect. As a source of inspiration and sometimes used as a guiding force, the eagle teaches individuals about the value of the high road and the unparalleled joys of true freedom.



Enbridge Inc.  
200, Fifth Avenue Place  
425 1st Street S.W.  
Calgary, Alberta, Canada T2P 3L8

Telephone: 1-403-231-3900  
Fax: 1-403-231-3920  
[enbridge.com/indigenous](https://enbridge.com/indigenous)



ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Exhibit F, Tab 1, Schedule 1, Attachment 2

Preamble:

The summary document Environmental Review Report Comments notes that the Ministry of Energy had questions about specific interests and concerns raised by Indigenous communities, and that these matters would be addressed in meetings with EGI.

Question(s):

Please provide details of the matters raised by the Minister of Energy (“MOE”), as well as EGI’s response to MOE’s questions.

Response:

Please see response at Exhibit I.STAFF-5, part d).

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Project Purpose and Rationale, p. 2-3

Preamble:

EGI is proposing to accept RNG at the Twin Creeks Environmental Centre. Landfill gas generated will be captured and transformed into RNG that will be processed to remove any compounds necessary to inject clean methane into the local natural gas distribution system. The RNG facilities are expected to supply enough renewable natural gas to heat the equivalent of 35,000 Ontario homes.

Question(s):

- a) Who will be the primary consumers of RNG?
- b) Will the construction of RNG pipelines and injection stations impact residential natural gas rates? If yes, are rates anticipated to increase or decrease?
- c) How will EGI include RNG production, specifically the supply and demand of RNG, into its existing rate evaluation process?
- d) Will EGI consumers in Ontario have a choice to purchase RNG?
- e) Please provide further details concerning the expectation that the RNG facilities will provide enough renewable natural gas to heat the equivalent of 35,000 Ontario homes. Among any other details, please clarify whether the number is meant as an annual figure or otherwise, when and for how long the number might be achieved, the likelihood of achieving the number, and any obstacles that may exist towards achieving the number.

Response:

- a,e) Enbridge Gas is not privy to the commercial arrangements that will determine the end use of the RNG produced. Please see response at Exhibit I.PP-6, part a-c).
- b) There is no cross-subsidy impact to residential rates associated with the Project. The Project P.I. equals 1.0 as provided at Exhibit E, Tab 1, Schedule 1, Attachment 2.
- c-d) Currently, Enbridge Gas offers a voluntary program targeting residential customers who are able to “Opt-In” and contribute \$2/month towards the procurement of RNG for the Company’s system gas customers. Enbridge Gas has proposed to evolve this program as part of the 2024 Rebasing Application to allow for more choice to procure RNG as part of supply.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Other Potential Permits, p. 6

Preamble:

The Environmental Report states that, in addition to OEB approval, other approvals, permits and notifications may be necessary. These are set out in Table 1-1.

Table 1-1 lists nothing that references consultations with First Nations or any form of First Nation approval.

Question(s):

- a) Please explain why Table 1-1 does not include any reference to any required approvals from First Nations.
- b) Please explain why Table 1-1 does not include any reference to the United Nations Declaration on the Rights of Indigenous Peoples (“UNDRIP”) or any related obligations?
- c) Please reconcile the absence of any reference to UNDRIP in Table 1-1 with EGI’s Indigenous Peoples Policy.
- d) Does EGI recognize a duty to consult with CKSPFN? If it does, what approvals, permits, and/or notifications arise from that duty?
- e) Does EGI recognize a duty to consult with Caldwell? If it does, what approvals, permits, and/or notifications arise from that duty?
- f) What approvals and/or permits does EGI believe are necessary from CKSPFN? What notifications are owing to CKSPFN?

- g) What approvals and/or permits does EGI believe are necessary from Caldwell? What notifications are owing to Caldwell?
- h) Does EGI recognize CKSPFN's Band Council Resolution #2851 and #3121 ("Band Council Resolutions"), which requires a company that uses or plans to use any part of the applicable subsurface area and/or water to seek express permission from the government of the First Nation for the proposed usage?
- i) Please explain EGI's position as to how the Band Council Resolutions apply (or do not apply) to its current Application.
- j) Please reconcile the table's silence concerning required approvals from First Nations with CKSPFN's assertion of subsurface rights?

Response:

- a-c), j) Please see response at Exhibit I.Three Fires-3, part q).
- d) Enbridge Gas recognizes that CKSPFN was identified by the MOE as a potentially impacted Indigenous group requiring consultation. Having been delegated the procedural aspects of the duty to consult in respect of the Project, Enbridge Gas undertook consultation with CKSPFN in accordance with the scope of that delegation, as outlined in Exhibit H, Tab 1, Schedule 1, Attachment 2.
- e) Caldwell First Nation was not identified by the MOE as a potentially impacted Indigenous group requiring consultation.
- f) Please see response at Exhibit I.Three Fires-3, part q). Please see response at Exhibit I.Three Fires-3, part b) for an overview of the information that has been provided to CKSPFN regarding the Project. Enbridge Gas is committed to engaging meaningfully with potentially affected Indigenous groups on an ongoing basis throughout the lifecycle of the Project, including the operational phase.
- g) Please see response at Exhibit I.Three Fires-3, part q) and part e) above.
- h- i) Enbridge Gas is aware of these Band Council Resolutions. Please see response at Exhibit I.Three Fires-3, part n) and q).



ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Identification of Study Area and Environmental Inventory, p. 14-30

Preamble:

The Environmental Report states that the first step in its study was to identify a “Study Area”, which the report never expressly defines.

The Study Area boundaries were determined based on the pre-established start and end points of the pipeline and included areas that are most likely to be directly or indirectly affected by the project.

To address potential adverse effects on indirectly affected Indigenous communities, stakeholders and landowners, Dillon conducted desktop studies that encompassed 125 metres on each side of the potential routes. To confirm potential adverse effects on directly affected Indigenous communities, stakeholders and landowners, Dillon undertook a field program that encompassed 30 metres on each side of the potential routes (centreline).

Question(s):

- a) Please provide the definition for “Study Area” as used in the Environmental Report.
- b) Does EGI recognize CKSPFN’s jurisdiction over its territory and over the territories that form the subject of the Environmental Report? Please explain why or why not, as well as the implications in the current Application.
- c) Does EGI recognize CKSPFN’s responsibility to care for the lands, waters, and all of creation as it relates to the territories that form the subject of the Environmental Report? Please explain why or why not, as well as the implications in the current Application.

- d) Please provide the reasoning behind selection of the distances of 125 metres (in the case of the desktop studies) and 30 metres (in the case of the field programs), including:
- What is standard industry practice?
  - What is the company's typical practice in comparable situations?
  - Are there any applicable guidelines and, if so, what are they and how were they applied for the purposes of the Environmental Report?
  - How did the unique features of the project and the project area affect the selection of the two distances?
  - Any other factors that influenced the two program distances.
- e) Please describe the differences between a field and a desktop study, including any advantages to a field program as compared with a desktop study in the context of what information the studies can generate for the purposes of an environmental report like the one at issue in this Application.

Response:

- a) The project Study Area was determined based on the pre-established start and end points of the pipeline and included areas that are most likely to be directly or indirectly affected by the Project. It is defined to be an area encompassing 125 m on each side of the potential routes for a total width of 250 m.
- b) Enbridge Gas recognizes that CKSPFN is a Nation that was identified by the Ministry of Energy as a potentially impacted Indigenous group requiring consultation in relation to the Project. Enbridge Gas is committed to engaging meaningfully with CKSPFN on an ongoing basis throughout the lifecycle of the Project, including the operational phase.
- c) Enbridge Gas understands that CKSPFN is of the view that it has a responsibility to care for the lands, waters and all of creation as it relates to the territories that form the subject of the Environmental Report (ER). Enbridge Gas is committed to engaging meaningfully with CKSPFN on an ongoing basis throughout the lifecycle of the Project, including the operational phase.
- d) Dillon selected 250 m for the desktop Study Area boundary as this is a generally accepted study area used by Dillon in past OEB ERs and is based on Dillon's professional experience on projects of similar size and scope. The 60 m wide project

footprint (30 m on either side of the alignment) is based on a typical construction footprint and includes a buffer to capture potential temporary workspace.

- e) For the purposes of producing the ER, a desktop review of publicly available literature, mapping, and data is conducted to establish the existing environmental conditions (natural, social, economic, cultural, and built) within the Study Area. For some components, a desktop review is sufficient for understanding the existing environment for the purposes of the effects assessment. Field studies are completed, where needed, to collect more detailed and site-specific information on specific environmental components, which provides additional context on potential environmental constraints, further informs project routing and design, and assists in identifying permitting requirements that may be applicable to the project.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Physical, Natural, and Socio-Economic Environment Setting p. 48-145.

Preamble:

The Environmental Report provides a description of the Study Area's characteristics. The section includes no reference to the history or interests of First Nations, including the unceded status of relevant territories.

Question(s):

- a) Please provide any details as to how Indigenous consultations informed Section 4 and Section 7 of the Environmental Report.

Please provide specific comment, as relevant, for sections:

- 4.1.1.2 (Soils)
- 4.1.2 (Bedrock)
- 4.1.3 (Ground water)
- 4.2.1.1 (Climate)
- 4.2.1.2 (Air Quality and Greenhouse Gases)
- 4.2.2 (Aquatic Environment)
- 4.2.2.1 (Surface Water)
- 4.2.5.1 (Ecological Land Classification)
- 4.2.5.2 (Woodlands)
- 4.2.6.4 (Wildlife Habitat)
- 4.2.7.2 (Potential for Species at Risk in the Study Area)
- 4.3.6 (Indigenous Community Land and Resource Use)
- 4.3.7.1 (Archaeology)
- 7.0 (Cumulative Effects Assessment)

- b) Please provide details of any other efforts undertaken towards understanding the history of First Nations in the area that informed Section 4 and Section 7 of the Environmental Report.

Please provide specific comment, as relevant, for sections:

- 4.1.1.2 (Soils)
  - 4.1.2 (Bedrock)
  - 4.1.3 (Ground water)
  - 4.2.1.1 (Climate)
  - 4.2.1.2 (Air Quality and Greenhouse Gases)
  - 4.2.2 (Aquatic Environment)
  - 4.2.2.1 (Surface Water)
  - 4.2.5.1 (Ecological Land Classification)
  - 4.2.5.2 (Woodlands)
  - 4.2.6.4 (Wildlife Habitat)
  - 4.2.7.2 (Potential for Species at Risk in the Study Area)
  - 4.3.6 (Indigenous Community Land and Resource Use)
  - 4.3.7.1 (Archaeology)
  - 7.0 (Cumulative Effects Assessment)
- c) Please explain why further efforts towards understanding the history of First Nations in the area were not undertaken and incorporated into Section 4 and Section 7 of the Environmental Report.
- d) In addition and in particular, please explain the absence of the following items from Section 4 and Section 7 of the Environmental Report, as well as from the Environmental Report in general:
- The project's location on the unceded territory of CKSPFN, as well as other Anishinaabeg First Nations;
  - The area's history of colonization, including policies such as the Drainage Act, which favoured agricultural expansion, and the displacement of First Nations peoples from their lands.
- e) Please provide EGI's position as to the relevance of the area's colonial history and the unceded status of CKSPFN's traditional territory for the purposes of Section 4 and Section 7 of its Environmental Report.
- f) Please explain the absence of the following items from Section 4.1.2 (Bedrock) of the Environmental Report and from the Environmental Report in general:

- The Kettle Point Formation geology located within the study area is of significance to CKSPFN, as it is unique to only three locations in the entire world;
  - The uniqueness of the shale land formations within CKSPFN makes their preservation a high priority for CKSPFN.<sup>1</sup>
- g) Please provide EGI's position as to the relevance of the shale land formations within the study area, as well as their significance to CKSPFN, for the purposes of Section 4 of its Environmental Report and specifically Section 4.1.2.
- h) Please explain the absence of CKSPFN's assertion of subsurface rights from the Environmental Report.

Response:

- a) Potentially impacted Indigenous groups were invited to provide comments regarding the proposed Project, including information about any potential impacts that the Project may have on their community, including Aboriginal or treaty rights and any potential measures for mitigating those adverse impacts. Comments received from Indigenous communities prior to drafting the Environmental Report (ER) were considered in the ER. Once the ER was prepared, it was sent to the potentially impacted Indigenous groups for review and comment. As outlined in Exhibit H, Tab 1, Schedule 1, Attachment 6 and response at Exhibit I.STAFF-8, several potentially impacted Indigenous groups provided comments on the ER and Enbridge Gas provided responses to these comments or is in the process of doing so. These comments informed Enbridge Gas's assessment and the refinement of mitigation measures. For instance, Enbridge Gas committed to a 3:1 tree replacement ratio for the project, over and above the company's standard 2:1 replacement ratio as a result of input from an Indigenous community.
- b-c) In addition to the consultation described in part a) that provided the opportunity for Indigenous groups to provide information regarding their history, the Stage 1 AA provides a more detailed accounting of the history of First Nations in the area surrounding the study area defined in the ER.
- d) Section 4.3.6 of the ER outlines that the Project may have the potential to affect Indigenous communities who hold or claim Aboriginal or Treaty Rights protected under Section 35 of Canada's Constitution Act, 1982, including Indigenous

---

<sup>1</sup> See <https://kettlepoint.org/history-culture/>.

communities identified by the Ministry of Energy via the Duty to Consult delegation process.

The ER was completed in accordance with the OEB Environmental Guidelines (7th Edition).

- e) Enbridge Gas values the information CKSPFN has provided in terms of the history of the Study Area, including the written comments provided on the ER, and acknowledges that CKSPFN has made specific assertions of rights in the area. Recognizing that CKSPFN's interests may be potentially impacted by the Project, Enbridge Gas has taken steps to share Project information with CKSPFN, including the assessment and proposed mitigation outlined in sections 4 and 7 of the ER, with a view to obtaining feedback from CKSPFN and identifying any areas of specific concern. Please see response at Exhibit I.STAFF-8. Enbridge Gas plans to continue to engage CKSPFN throughout the lifecycle of the Project, including the operational phase, and would be pleased to discuss any additional concerns or suggestions CKSPFN might have in relation to the Project.
  
- f-g) The proposed Project is not expected to extend into the local bedrock formation. Please see section 6.1.3 in the ER.

Bedrock formations (consisting of shale and mudstone) in the Study Area are identified in the ER to be 15 to 40 meters below surface. The majority of the pipeline will likely be buried between 0.9 meters to 1.2 meters deep and given the depth to bedrock in the Study Area, it is highly unlikely that intact bedrock will be encountered during pipeline construction. As such, no adverse effects to bedrock are expected to occur as a result of Project activities. Comments received from Indigenous communities prior to finalizing the ER were considered in the ER.

- h) Please see response at Exhibit I.Three Fires-3, part o).

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Physical, Natural, and Socio-Economic Environment Setting, Groundwater, p. 51.

Preamble:

The Environmental Report provides description of groundwater in the area. It states, among other things, that construction activities, such as excavation, have the potential to interact with groundwater.

Question(s):

- a) Please describe all efforts that have gone towards consideration of any risk that the Application's proposed construction or operation activities will affect water in the area, including drinking water.
- b) Please describe all efforts that have gone towards consideration of the specific risk that the Application's proposed trenching for pipeline infrastructure will affect surface or groundwater in the area.
- c) Please confirm whether Section 4.1.3 includes all risks to water or groundwater identified either by EGI or its consultants. If any additional risks exist, please provide particulars.
- d) Please elaborate on the statement from page 52 that construction activities, such as excavation, have the potential to interact with groundwater.

Response:

- a-b), d) Potential effects and mitigation measures for groundwater resources are summarized in Section 6.1.4 of the ER, and Table 6-2: Assessment of Potential Effects of the Project on Groundwater. Potential effects and mitigation measures to



protect surface water are summarized in Section 6.2.2 of the ER, and Table 6-4: Assessment of Potential Effects of the Project on the Aquatic Environment of the ER.

Through the implementation of mitigation measures, no significant adverse residual effects on groundwater or surface water are anticipated.

- c) Not confirmed; Section 4.1.3 does not contain all risks associated with water or groundwater. Rather, Section 6.1.4 and Table 6-2 in the ER identify all potential effects to groundwater and the associated mitigation measures to minimize any adverse effects from the construction of the Project. Through the implementation of mitigation measures, no significant adverse residual effects on groundwater are anticipated.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Physical, Natural, and Socio-Economic Environment Setting, Atmospheric Environment, Climate, p. 68.

Preamble:

The Environmental Report presents of summary of climate data for the project, setting out figures for the period from 1981-2010 from a nearby climate station .

Question(s):

- a) Does EGI acknowledge that climate change has affected and will likely continue to affect temperatures, precipitation patterns and extreme weather events in Ontario?
- b) What is EGI's position in light of the impact of climate concerning the currency of the climate data used in section 4.2.1.1 of the Environmental Report, as well as its predictive capacity for the duration of the project's anticipated operations?
- c) Why does the Environmental Report in section 4.2.1.1 not include more recent data and/or any inputs concerning the likely effects of climate change going forward?
- d) Why does the Environmental Report in general not include more recent data and/or any inputs concerning the likely effects of climate change going forward?
- e) What other climate characteristics does ECCC track for the region and why did Dillon choose not to include those other climate characteristics in the Environmental Report?

Response:

- a) Yes, Enbridge Gas generally understands this to be the case although it is not the Company's area of expertise.

b-e) At the time of writing the ER, data on climatic averages were only available for the 30-year period from 1981 to 2010.

Reference: [https://climate.weather.gc.ca/climate\\_normals/](https://climate.weather.gc.ca/climate_normals/)

(Accessed August 21, 2023; web page last modified date of July 14, 2023)

Given the scope of the Project, the context provided in the ER on climate in the Project area is sufficient to understand the potential effects of meteorological events and climate on the Project. Further context on severe weather and natural hazards (such as flooding) as a result of climate change was provided and assessed in Section 9.0 of the ER (Effects of the Environment on the Project).

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Physical, Natural, and Socio-Economic Environment Setting, Atmospheric Environment, Air Quality and Greenhouse Gases, p. 70.

Preamble:

The Environmental Report provides a description of air quality in the region, including a summary of a recent air quality report from the Ontario Government. The description includes the acknowledgement that in 2020 there were exceedances of the provincial Ambient Air Quality Criteria (“AAQC”) and/or Canadian Ambient Air Quality Standard (“CAAQS”) for ground-level ozone, fine particulate matter, and sulphur dioxide in some Ontario communities.

Question(s):

- a) Please provide particulars of the exceedances of the AAQC and/or Canadian Ambient Air Quality standard of which Dillon and/or EGI is aware.
- b) Please describe the efforts that Dillon has undertaken to identify and/or familiarize itself with exceedances of the AAQC and/or CAAQS in the vicinity of the project.
- c) Do EGI and Dillon acknowledge that the AAQC is regularly exceeded in the project area throughout the summer months? Please elaborate on your answer.
- d) Please comment on the impact that climate-related events, such as wildfires, have and will likely have on the frequency of AAWC and CAAQS exceedances in the vicinity of the project?
- e) Please describe Dillon’s and EGI’s familiarity with each of the following reports and assertions concerning Sarnia in general and Aamjiwnaang First Nation (“AFN”) in particular:

- Serious concerns have been raised about air pollution in and around AFN, residents of AFN may face “a higher risk of cancer from the toxic substance benzene in the air”, and that “more research should be done on cumulative effects of pollution over time, the effects of chemicals interacting with each other in humans, and other health problems associated with air pollution, such as asthma, respiratory infections, heart disease and stroke”;<sup>1</sup>
  - An Ontario Government study looking into the health effects associated with air pollution in Sarnia was expected in late 2021;<sup>2</sup>
  - Children in Sarnia are at a higher risk of developing Asthma;<sup>3</sup>
- f) Please describe Dillon’s and EGI’s familiarity with reports from Global News that serious concerns have been raised concerning benzene and sulfur dioxide levels in and around AFN, and that concerns have resulted in a government health study that the community had been requesting for a decade.<sup>4</sup> Please provide a general comment on the descriptions of air quality concerns provided in the article and explain why there is no mention of these concerns or others like them in the Environmental Report.
- g) Is Dillon or EGI aware of the status of the Ontario Government’s health study concerning air quality in the Sarnia area? If so, please describe the status.
- h) Please describe all efforts that Dillon and/or EGI have undertaken towards identifying specific areas of concern that work against the general trends described in the Environmental Report’s section on air quality.
- i) Please describe any specific areas of concern that Dillon and/or EGI are familiar with, in addition to the concerns that we have identified in these interrogatories in the vicinity of AFN, that work against the general trends described in the Environmental Report’s section on air quality but are absent from the Environmental Report.

---

<sup>1</sup> <https://anishinabeknews.ca/2020/01/13/new-study-in-aamjiwnaang-finds-residents-may-face-higher-health-risks-caused-by-toxic-substance-in-air/>

<sup>2</sup> <https://www.theobserver.ca/news/local-news/air-pollution-study-results-expected-in-late-2021>

<sup>3</sup> <https://london.ctvnews.ca/pollution-in-this-southwestern-ontario-city-may-be-why-more-children-there-develop-asthma-1.5413154>

<sup>4</sup> <https://globalnews.ca/news/8369470/ontario-first-nation-air-pollution-cancer-causing-chemicals-new-data/>

Response:

- a) It was noted under the Grand Bend station summary that Ontario's one-hour AAQC for ozone was exceeded on eight occasions between 2010 and 2019.
- b-c) The statement from the ER references general provincial trends and was provided for context before presenting the regional data. More regionally specific air quality data was provided in subsequent paragraphs based on data from the Sarnia and Grand Bend AQHI monitoring stations. The data on air quality from the stations was provided as a 10-year trend (2010 to 2019), as this shows air quality averages that are representative of the region throughout varied climatic conditions rather than at a specific point in time. Enbridge Gas acknowledges AAQC exceedances identified by the MECP, referenced in the ER.
- d) Enbridge Gas does not have the expertise to accurately comment on the impact that climatic events have on the AAQCs and CAAQCs. Given the scope of the Project, the context provided in the ER on regional air quality trends was deemed sufficient to understand the potential effects of the Project's contribution to effects on air quality in the area.
- e-g) Enbridge Gas is familiar with the referenced reports and study and is engaging AFN directly on the Project. Enbridge Gas is not aware of the status of the Ontario Government's health study on air quality in the Sarnia area. Enbridge Gas does not anticipate any significant adverse effects to surrounding air quality from the construction and operation of the Project with the implementation of the mitigation measures recommended in the ER.
- h-i) Table 6-3 in the ER identifies potential adverse effects to air quality in the study area and mitigation measures to minimize those effects.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Physical, Natural, and Socio-Economic Environment Setting, Aquatic Environment, p. 72.

Preamble:

The Environmental Report provides a description of existing surface water features and the potential for fish habitat in the Study Area.

Question(s):

- a) What are the advantages and disadvantages to the fact that Dillon conducted its aquatic habitat assessments during October and February?
- b) Do EGI and Dillon accept that completing aquatic habitat assessments in October and February will not capture the full range of biodiversity, especially species that have distinct life cycles, such as breeding amphibians?
- c) What measures, if any, have EGI and Dillon undertaken and/or what measures do they propose to undertake to mitigate any disadvantages arising from the timing of the aquatic habitat assessments?
- d) Do EGI and Dillon accept that there are Northern Sunfish and endangered mussel species in the Brown Creek (PPR-Crossing 7) area?
- e) Do EGI and Dillon accept that Hardy Creek is attached to Brown Creek, and that Hardy Creek hosts numerous SAR freshwater mussels?
- f) Is EGI willing to conduct aquatic habitat assessments over three additional seasons, being spring, summer and fall, and publicly report the results?

- g) What feedback and reporting mechanisms exist for TFG and others to report ongoing or future concerns relating to aquatic matters in the context of the proposed project?

Response:

- a-c), f) For the purposes of informing the development of mitigation measures to minimize adverse effects to aquatic habitat, it is not advantageous or disadvantageous for Dillon to have conducted its aquatic habitat assessments during October and February, given that all watercourse crossings are proposed to be constructed via trenchless construction methods (i.e., HDD), which will significantly reduce the potential of the Project to impact aquatic species. Along with utilizing HDD, the pipeline is planned to be constructed within the road allowance, limiting potential impacts to watercourses, wetlands, and aquatic habitat. Temporary workspace is proposed in agricultural lands and maintained road shoulders.

The aquatic habitat assessments were completed to determine the potential for watercourses in the Project footprint to provide suitable fish and mussel habitat. Details and results of these habitat assessments for fish and mussels are summarized in the ER. The aquatic habitat assessments completed for the Project are deemed to be sufficient to inform the development of mitigation measures in ER sections 6.2.2 and 6.2.3.

A conservative approach will be applied, where all aquatic habitats located within 30 m of the Project construction footprint will assume potential presence of turtle and anuran species, with appropriate mitigation measures applied, such as the installation of dual-purpose exclusionary fencing/sediment erosion control fencing.

Taking into account the factors outlined above, Enbridge Gas has no plans to conduct habitat assessments over three additional seasons.

- d-e) Dillon completed a habitat assessment for aquatic SAR (fish and mussel species) in all watercourses located in the Project footprint. For Brown Creek, suitable habitat features for Northern Sunfish and SAR mussels were not observed at the crossing location. All watercourse crossings will be constructed via trenchless construction methods (i.e., HDD), which will significantly reduce the potential of the Project to impact aquatic species. Mitigation measures for the aquatic environment are provided in Section 6.2.2, Table 6-4 of the ER. Enbridge Gas acknowledges that Brown Creek flows into Hardy Creek downstream of the Study Area and that Hardy Creek, downstream of the Study Area, hosts numerous SAR freshwater mussels.



- g) Currently, all watercourse crossings are anticipated to be via HDD; no in-water works are planned for the Project. Enbridge Gas obtains watercourse crossing permits from the local Conservation Authority and all permits, and associated conditions are followed.

Enbridge Gas is committed to engaging with potentially impacted Nations throughout the lifecycle of the Project. Through this engagement, TFG can express any concerns that may arise in relation to the Project as well as identify any specific recommended mitigation measures.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Physical, Natural, and Socio-Economic Environment Setting, Vegetation, p. 88.

Preamble:

The Environmental Report provides a description of existing vegetation in the Study Area.

Question(s):

- a) What are the advantages and disadvantages to the fact that Dillon conducted its vegetation assessments, including ecological land assessments, for the purposes of Section 4.2.5 during October and February?
- b) Do EGI and Dillon accept that completing ecological land assessments in October and February will not capture the full range of ecological communities, as well as the biodiversity within those communities with distinct life cycles?
- c) What measures, if any, have EGI and Dillon undertaken and/or what measures do they propose to undertake to mitigate any disadvantages arising from the timing of the ecological land assessments?
- d) Is EGI willing to conduct ecological land assessment surveys over three additional seasons, being spring, summer and fall, and publicly report the results?
- e) What feedback and reporting mechanisms exist for TFG and others to report ongoing or future concerns relating to ecological matters in the context of the proposed project

Response:

- a,c) Ecological communities were determined through a combination of aerial imagery interpretation, comparison with MNRF designated and/or identified features (wetlands, woodlands, watercourses, waterbodies), and confirmed to the ELC community level through roadside assessment.

For the purposes of informing the development of mitigation measures to minimize adverse effects to aquatic habitat, it is not advantageous or disadvantageous for Dillon to have conducted its aquatic habitat assessments during October and February, given that these ELC surveys were completed to determine the surrounding natural environment and habitat features adjacent to the pipeline route. As the construction footprint of the pipeline will occur within the existing road allowance, direct impacts to naturally occurring ecological features (forests, woodlands, wetlands) are not anticipated. Temporary workspace is proposed in agricultural lands and maintained road shoulders. The vegetation assessments completed for the Project are deemed to be sufficient to inform the development of mitigation measures in ER section 6.2.5.

- b,d) No. Please see response at part a).

- e) Enbridge Gas is committed to engaging with potentially impacted Nations throughout the lifecycle of the Project. Through this engagement, TFG can express any concerns that may arise in relation to the Project as well as any specific recommended mitigation measures.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Physical, Natural, and Socio-Economic Environment Setting, Wildlife and Wildlife Habitat, p. 107.

Preamble:

The Environmental Report provides a description of existing wildlife and wildlife habitat and species at risk in the Study Area.

Question(s):

- a) What are the advantages and disadvantages to the fact that Dillon conducted its wildlife and wildlife habitat assessments for the purposes of Section 4.2.6 and 4.2.7 during October and February? Please provide specific comment regarding the woodland raptor nesting habitat.
- b) Do EGI and Dillon accept that completing wildlife and wildlife habitat assessments in October and February will not capture the full range of relevant details? Please provide specific comment regarding the woodland raptor nesting habitat.
- c) What measures, if any, have EGI and Dillon undertaken and/or what measures do they propose to undertake to mitigate any disadvantages arising from the timing of the wildlife and wildlife habitat assessments?
- d) Is EGI willing to conduct wildlife and wildlife habitat assessments over three additional seasons, being spring, summer and fall, and publicly report the results? Please provide specific comment regarding the woodland raptor nesting habitat.
- e) What feedback and reporting mechanisms exist for TFG and others to report ongoing or future concerns relating to wildlife and wildlife habitat in the context of the proposed project?

- f) Please comment on County of Lambton Official Plan – Map 2 – Natural Heritage System.<sup>1</sup> In particular, please comment on whether EGI and/or Dillon accepts that the area includes primary corridors, core areas and linkage features, and that “for many species, corridors and the linkages within them are critical for maintaining gene flow, which is linked to their ability to handle stress.”

Response:

- a,c) Dillon took a conservative approach in the ER when determining the potential for candidate Significant Wildlife Habitat that was based on a review of available desktop data (e.g., MNRF) and aerial imagery in combination with roadside surveys. For the purposes of informing the development of mitigation measures to minimize adverse effects to wildlife and wildlife habitat, it is not advantageous or disadvantageous for Dillon to have conducted its wildlife and wildlife habitat assessments during October and February, given that construction of the Project will occur within the existing road allowance and woodland habitat is not anticipated to be directly impacted by the Project. The construction schedule will take into account applicable restricted activity periods for wildlife and wildlife sweeps will be conducted during construction in accordance with regulatory guidance.
- b,d) No. Please see response at part a).
- e) Enbridge Gas is committed to engaging with potentially impacted Nations throughout the lifecycle of the Project. Through this engagement, TFG can express any concerns that may arise in relation to the Project as well as any specific recommended mitigation measures.
- f) Enbridge Gas acknowledges this information. Project construction will occur within the existing road allowance; as such, impacts to animal movement corridors are not anticipated.

---

<sup>1</sup> <https://www.lambtononline.ca/en/business-and-development/resources/Documents/PlanningandDevelopment/OfficialPlan/Map-2-Lambton-County-Official-Plan---Natural-Heritage-System-Map-2.pdf>

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Existing Linear Infrastructure, p. 142.

Preamble:

The Environmental Report provides a description of existing linear infrastructure in the Study Area.

Question(s):

Please provide the pipeline crossing specifications, including applicable permits.

Response:

The pipeline crossings will be designed according to applicable codes and standards. Permits for each crossing have not yet been obtained but will be obtained prior to construction.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Archaeological Resources, p. 144.

Preamble:

The Environmental Report provides a description of the archaeological assessments conducted in the Study Area.

Question(s):

- a) Please provide the results of the Stage 2 archaeological assessment
- b) Please confirm whether Stage 3 and/or Stage 4 mitigation is required.

Response:

- a) The Stage 2 fieldwork assessment has not started. Timmins Martelle Heritage Consultants (TMHC) sent an email to CKSPFN on October 18, 2023 to invite them to participate in the fieldwork. Once the fieldwork has been completed and the report is finalized, Enbridge Gas will provide a copy to CKSPFN.
- b) Stage 3 and/or 4 archaeological assessment (AA) and/or mitigation will be conducted, if required, pending results of the Stage 2 AA.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Route Selection, p. 146.

Preamble:

The Environmental Report provides a description of the proposed project route as well as the temporary workspace and laydown areas.

Question(s):

- a) Please provide a description of all temporary workspaces and laydown areas (including detailed plans).
- b) Will EGI undertake to update TFG in a timely way in the event the location of workspaces and/or laydown areas change?

Response:

- a) Preliminary temporary workspaces associated with the proposed project route are outlined in Exhibit G, Tab 1, Schedule 1, Attachment 1 including the land dimensions and property PIN. Property Descriptions for the corresponding PIN are included in Exhibit G, Tab 1, Schedule 1, Attachment 3. Finalized temporary workspaces will be available when the design phase is complete.
- b) Enbridge Gas will update TFG in the event the location of workspaces and/or laydown areas change.



ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Effects Assessment and Proposed Mitigation, p. 149.

Preamble:

The Environmental Report provides a description of the potential effects associated with the proposed route on the physical, natural, and socio- economic environment, as well as proposed mitigation measures.

Question(s):

- a) Please confirm whether EGI will supply contractors with sheets and/or information pertaining to contamination to ensure compliance with procedures for handling suspect soils.
- b) Please provide all subsurface investigations in the project area.
- c) Please confirm whether EGI will notify TFG if suspect soils are identified during the construction activities.
- d) Please confirm whether EGI will consult with TFG regarding plans to direct excess water away from sensitive natural features before dewatering begins, including but not limited to discussions regarding any impacts on protected and asserted Aboriginal and Treaty rights.
- e) Please provide any permits issued by Ontario's Ministry of the Environment, Conservation and Parks, including the Permit to Take Water.
- f) Please provide EGI's understanding of the applicable regulatory requirements to manage and dispose of contaminated water.

Response:

- a) Enbridge Gas has a Suspect Soils Procedure that is supplied to contractors prior to construction. Contractors are trained in the identification of potentially contaminated soils and groundwater and the procedures for managing them if they are encountered during construction.
- b-c) The Environmental Report (ER) outlines the findings with respect to soil contamination to date. If additional subsurface investigations take place, Enbridge Gas provides information and sampling data to the landowner of the property. Enbridge Gas reports soil contamination in accordance with applicable legal and regulatory requirements, including any notification requirement.
- d) The ER discusses Enbridge Gas's dewatering plans and examples of typical mitigation measures for dewatering that will be in the EPP include:
- Excavation dewatering can only be carried out while personnel are on-site or nearby, allowing for regular inspection and maintenance of the pumping and discharge system.
  - Monitor water discharge to ensure there is no erosion/sedimentation that may impact natural features or roadways.
  - Discharge water to an approved well-vegetated upland area through a filter bag. Discharge is not to occur within 30 m of surface water features (watercourses). Protect the ground at the discharge location with a sheet of plywood, geotextile or similar means to prevent scouring/erosion.
  - Beyond this primary treatment, a series of treatments (called a "treatment train") may need to be employed if the quality of the water being discharged is still impaired relative to the receiving water. In general, groundwater that is being de-watered should be directed towards a vegetated flow path or depression. Other measures in the treatment train include:
    - Pumping to upland vegetated areas;
    - Small temporary holding ponds;
    - Vegetated swales and check dams;
    - Bio-log retention areas; and,
    - Erosion control blankets.
    - Should dewatering exceed 50,000 L per day, an EASR (or Permit to Take Water (PTTW) if exceeding 400,000 L/day) will be obtained and conditions of the permit will be met.

To the extent that TFG has specific areas of concern, Enbridge Gas would ask TFG to identify them so that appropriate mitigation measures can be implemented.

e-f) To date, no permits for the project have been received from the Ministry of Environment, Conservation and Parks (MECP). Should a PTTW be required from the MECP, Enbridge Gas will provide it to TFG. Enbridge Gas will follow the requirements as outlined in the Ontario Environmental Protection Act and Ontario Regulation 347 for the appropriate disposal of contaminated groundwater.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Atmospheric Environment and accompanying table, p. 158.

Preamble:

The Environmental Report provides a description of the potential effects on the atmospheric environment, including various claims concerning GHG emissions.

Question(s):

- a) Please provide particulars for the position and any evidence that EGI relies upon for the statement that “the use of landfill gas as a renewable energy input into the existing natural gas system will reduce GHG emissions and contribute to the Municipality’s and the Province’s GHG reduction goals.
- b) What is the expected net decrease in GHG emissions that this project is expected to produce?
- c) What is the expected effect on GHG emissions in TFG’s traditional territories that will result from this project?
- d) Please provide particulars for the position and any evidence that EGI relies upon for the position that residual effects from the project will include a “long-term net decrease in GHG emissions from landfill operations”.
- e) In addition, please confirm the expected GHG emissions impact from the injection station and the new pipeline, including emissions from operations, as well as any changes to the direct and indirect emissions from existing infrastructure, and whether the statement in question (d) above includes consideration of these factors.
- f) What measures will EGI have in place to prevent and monitor fugitive emissions?

Response:

- a) Please see response at Exhibit I.PP-1, part a) regarding the role of RNG in the Province's GHG reduction goals.
  
- b-d) Please see response at Exhibit I.PP-1, part b).
  
- e) The incremental GHG emissions associated with the proposed Enbridge Gas Project, due to operations only, are approximately 35 tCO<sub>2</sub>e of annual emissions over the life of the Project. The incremental emissions due to this Project represent less than 0.01% of Enbridge Gas's current emissions. Calculations were undertaken following the methodologies prescribed by provincial and federal GHG reporting programs, including the use of emission factors and engineering estimates. The statement referred to in part d) of this Exhibit refers to the GHG impacts of WM's RNG Project, which are separate and distinct from the GHG impacts from Enbridge Gas's proposed facilities.
  
- f) All newly installed pipelines will be tested at a pressure higher than the planned operating pressure to confirm there are no leaks at the time of energization of natural gas.

All newly installed piping and components will be properly coated to protect the steel surfaces from corrosion. Cathodic protection will also be installed to further reduce the potential of any corrosion. Surveys of the pipeline and station will be conducted on an annual basis to confirm adequate corrosion protection is in place. At any time, if it is determined that protection levels are below adequate levels, a remediation plan will be developed, and additional measures installed to ensure adequate protection is maintained.

The gas main and RNG station will be leak surveyed on an annual basis. All leak indications will be reported immediately. The maintenance or stations group will investigate and repair the same day, if possible. If not, Enbridge Gas will develop a work plan to arrange for material, permits (if required), and additional dependencies. Repairs on leaks are completed as soon as possible.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Table 6-4 Assessment of Potential Effect of the Project on the Aquatic Environment, p. 161.

Preamble:

The Environmental Report provides a description of the potential effects on the aquatic environment.

Question(s):

- a) Please confirm whether EGI will complete survival inspections after construction as part of its site restoration efforts to ensure affected areas have been rehabilitated.
- b) Please provide all site-specific water crossing plans.
- c) Please confirm whether TFG will be entitled to comment on the site-specific water crossing plans.
- d) Please confirm that the anticipated time-isolated crossings will not be limited to fish life stages and will be extended to include freshwater mussels.
- e) Please clarify whether it is a qualified fish biologist, a technician, or both that will complete a freshwater mussel salvage prior to and during dewatering where isolated crossings are used.
- f) Please provide full details relating to the pre-determined areas to release captured fish and/or freshwater mussels.

Response:

- a) In order to assess the effectiveness of restoration programs within the rights-of-way used for pipeline construction and, in keeping with the intent of the OEB Guidelines, environmental monitoring reports will be prepared including a Post-Construction (Interim) Monitoring Report and a Final Monitoring Report. As per OEB Guidelines, the Post-Construction (Interim) Monitoring Report is required within 3 months after energization, while the Final Monitoring Report is to be prepared no later than 15 months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1.
- b-c) Currently, all watercourse crossings are anticipated to be via HDD, no in-water works are planned for the Project. Enbridge Gas obtains watercourse crossing permits from the local Conservation Authority and all permits, and associated conditions are followed.

If TFG has recommendations regarding specific mitigation measures, Enbridge Gas would be happy to meet with TFG representatives to discuss.

- d) Species at Risk (SAR) mussel species are not anticipated to occur at the pipeline watercourse crossing locations, as no suitable habitat was identified during field studies. No in-water work is planned for Project construction and impacts to aquatic species are anticipated to be avoided through the use of HDD.
- e-f) As all watercourse crossings are anticipated to be via HDD, no in-water works are planned for the Project. Should this change and in-water works are required, in addition to a fish salvage, a mussel salvage will be completed by a qualified biologist, where mussels are present. SAR mussel species are not anticipated to occur at the watercourse crossing locations located in the Project footprint, as no suitable habitat was identified during field studies.

Should a fish and/or mussel salvage be required for unanticipated in-stream work, Enbridge Gas will consult with TFG regarding the release locations for the aquatic species.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Wetlands and accompanying table, p. 164-165.

Preamble:

The Environmental Report provides a description of the potential effects on wetlands in the project area.

Question(s):

- a) Please confirm whether EGI will sweep for wildlife within 24-48 hours prior to the construction activities referenced in this section of the report.
- b) Please provide details of EGI's plans to allow for natural regeneration in a way that limits the spread of invasive species.

Response:

- a) Wildlife sweeps will be conducted prior to commencing work, in the event the Project construction footprint surficially extends into a wetland. Since any wetlands for the Project are being proposed to be crossed via HDD, Enbridge Gas is not anticipating needing to surficially extend the Project construction footprint into wetland boundaries. Additional mitigation measures for the protection of wildlife can be found in Section 6.2.6 and Table 6-7 of the ER.
- b) All equipment will arrive to the site clean and free of soil and/or vegetation to prevent the introduction and spread of invasive species and weeds. Ontario native seed mixes that are free of weed species will be used for revegetation.<sup>1</sup>

---

<sup>1</sup> Exhibit F, Tab 1, Schedule 1, Attachment 1, Table 6-6.



ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Table 6-6 Assessment of Potential Effects of the Project on Vegetation, p. 168.

Preamble:

The Environmental Report provides a description of the potential effects on vegetation in the project area.

Question(s):

- a) Please confirm whether EGI will implement tree protection zones adjacent to working areas.
- b) Please confirm whether EGI will commit to sharing tree removal plans prior to removing trees and to consult with TFG to ascertain appropriate measures for tree removals and compensation.
- c) Please confirm whether EGI will review the contractors' equipment cleaning procedures.

Response:

- a) Dillon completed a tree inventory to determine where trees may be impacted by construction and to delineate Tree Protection Zones (TPZs). This information will be used to inform construction planning. Avoidance of trees and their critical root zones will be implemented, wherever feasible, to limit the disturbance.
- b) Prior to removing trees, Enbridge Gas will share tree removal plans for the Project with TFG.

- c) The contractor will be required to follow the Environmental Protection Plan (EPP) provided by Enbridge Gas, which includes equipment washing procedures.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Table 6-7 Assessment of Potential Effects of the Project on Wildlife and Wildlife Habitat, p. 171.

Preamble:

The Environmental Report provides a description of the potential effects on wildlife and wildlife habitat in the project area.

Question(s):

- a) Please confirm whether EGI will commit to sharing with TFG on an ongoing basis details concerning large wildlife encounters or incidents, as well as any discoveries of active wildlife habitat that reasonably raise the question of whether to suspend construction.
- b) Please confirm whether EGI will sweep for nests within 24-48 hours prior to the construction activities referenced in this section of the report.
- c) Please confirm whether EGI will commit to informing TFG in the event a nest is found during construction activities
- d) Please confirm whether EGI will commit to notifying TFG before the removal of potential bat roosting trees, as well as to provide TFG with reasonable capacity funding to complete bat roosting sweeps prior to tree removal.

Response:

- a) Large wildlife encounters or incidents will be shared with TFG, should they occur.

- b) No, Enbridge Gas will commit to completing nest sweeps within 7 days prior to commencing construction activities in migratory bird habitat within the restricted activity period, as recommended in the ER.
- c) Enbridge Gas will inform TFG of any nests found during construction.
- d) Should avoidance of the potential bat roosting trees not be possible, Enbridge Gas will provide TFG with an opportunity to participate as a monitor during bat roosting sweeps.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Species at Risk and accompanying table, p. 173.

Preamble:

The Environmental Report provides a description of the potential effects on species at risk in the project area.

Question(s):

- a) Please confirm whether EGI will commit to conducting three seasonal surveys (spring, summer and fall), given that previous field investigations were completed in October 2022 and February 2023.
- b) Does EGI accept that the Northern Sunfish (Carolinian population) may transect the Study Area, consistent with DFO's Aquatic Species at Risk map?
- c) Please confirm whether EGI will commit to be consulted during the detailed design process to support potential permitting and/or approvals under the ESA and SARA?
- d) Please confirm whether EGI will commit to advising TFG of any encounters with species at risk in the project area?
- e) Please confirm whether EGI will amend work areas to conform with O. Reg. 832/21.

Response:

- a) Enbridge Gas does not plan to conduct three season surveys. Please see response at Exhibit I.Three Fires-13, part a).

- b) Dillon completed a habitat assessment for aquatic SAR (fish and mussel species) in all watercourses located in the Project footprint. For Brown Creek, suitable habitat features for Northern Sunfish were not observed at the proposed crossing location.
- c) Following the SAR habitat suitability survey, if it is determined that the Project has the potential to impact SAR and/or SAR habitat is identified, appropriate agency consultation will be conducted, necessary permits will be obtained, and appropriate mitigation measures will be included in the EPP, prior to construction.

If a permit under the ESA or SARA is required, Enbridge Gas will consult with Indigenous groups as required.

- d) Species at Risk encounters or incidents will be shared with TFG, should they occur.
- e) Dillon completed a SAR habitat suitability survey and tree inventory on August 28, 2023, and no Butternut or Eastern Flowering Dogwood were identified within the Project work areas. Should Butternut or Eastern Flowering Dogwood be identified in Project work areas, appropriate buffers and mitigation measures will be implemented to conform with the description of the species' regulated habitat, as per O. Reg. 832/21. In the event that appropriate buffers and/or mitigation measures cannot be employed, necessary permits and/or approvals will be obtained from appropriate regulatory agencies prior to site alteration.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Population, Employment and Economic Activities, p. 175.

Preamble:

The Environmental Report concludes that the project is in line with the municipal and provincial directions for maintaining safe, liveable, and economically diverse and prosperous communities.

Question(s):

- a) Did EGI or Dillon consider the conclusions and recommendations of the National Inquiry into Missing and Murdered Indigenous Women and Girls set out in the final report of June 3, 2019? If so, how is the report reflected in EGI's plans for the project?
- b) Does EGI recognize that Highway 401 through southwestern Ontario is a key gateway for human trafficking, sex trafficking and labour trafficking?
- c) Does EGI accept that a temporary workforce and the construction activities associated with the proposed project can increase the risk of sex trafficking and labour trafficking in the region? What consideration has EGI given to these issues?
- d) What mitigation measures, if any, will EGI have in place to address the risk of human trafficking, sex trafficking, and labour trafficking?
- e) Will EGI commit to incorporating consideration of sex trafficking and human trafficking as part of its cumulative effects assessment going forward?

Response:

- a), c-e) Enbridge Gas and Dillon are aware of the discussion within the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls dated June 3, 2019, in relation to issues associated with transient work forces and human trafficking.

The Watford Pipeline Project Environmental Report (ER)<sup>1</sup> was prepared in accordance with the Ontario Energy Board's (OEB) Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and facilities in Ontario, 7th Edition (2016).<sup>2</sup> Guidance on the consideration of Social Impacts is provided in Section 4.3.13 of the OEB Environmental Guidelines. Socio-economic features that were evaluated and recommended mitigation measures are included in Section 6.3 and Table 6-9 of the ER.

The Project (pipeline and facility construction and operations) will employ a small workforce for a short period of time. The small Project workforce will primarily be drawn from union halls in the regional area governing the physical geography of the work. In addition, any contractor that is a part of this Project must comply with, at minimum, Enbridge Gas's policies, which include Enbridge Inc.'s Statement on Business Conduct, which addresses conduct expectations and specifically states that Enbridge Inc. will not tolerate human rights abuses.

Enbridge Gas's general contractors are also required to follow Enbridge policies including the Supplier Code of Conduct, which states "Enbridge believes that each individual with whom we come in contact deserves to be treated fairly, honestly, and with dignity. We do not condone any form of harassment, discrimination, or inappropriate actions or language of any kind. Suppliers must conduct all their operations in a socially responsible, non-discriminatory manner and in full compliance with all applicable laws."

Enbridge Gas's projects and the cumulative effects that are assessed are governed by the OEB Guidelines, which take into consideration the specific circumstances of each project. A key component of the impact assessment is to appropriately scope the assessment to the scale of the project. Based on the relatively small project scale (i.e., approx. 15 km of small diameter pipeline in a rural area) and the fact that the construction workforce will be locally sourced, a residual effect on sex trafficking is not considered likely to occur with the implementation of the Enbridge Gas policies

---

<sup>1</sup> Exhibit F, Tab 1, Schedule 1, Attachment 1.

<sup>2</sup> The OEB released the 8<sup>th</sup> Edition of the Guidelines in March 2023 after the initiation of the Watford Pipeline Project and associated Environmental Report.



and codes of conduct noted below. Without the identification of a likely residual effect, there is no cumulative effect pathway on sex trafficking to consider in the context of the current Project scope.

- b) Enbridge Gas is aware that the Highway 401 corridor has been identified as a gateway for human trafficking.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Cultural Heritage Resources and accompanying table,  
p. 180.

Preamble:

The Environmental Report includes a description of future archaeological assessments  
and ongoing monitoring.

Question(s):

Please confirm whether EGI will commit to sharing with TFG on an ongoing basis  
details concerning any future discoveries of archaeological resources?

Response:

Enbridge Gas will notify the Indigenous groups identified by the Ministry of Energy as  
requiring consultation in relation to this Project of future discoveries of archaeological  
resources for this Project.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Cumulative Effects, p. 188.

Preamble:

The Environmental Report includes a description of assessments relating to cumulative effects, including treatment of air emissions in sections 7.3 and 7.4, riparian habitat in section 7.4.3.1.

Question(s):

- a) Please confirm whether Dillon's statement in section 7.4.1 that "air contaminant concentrations will quickly attenuate" takes into consideration the effect of fugitive emissions? If so, please provide details.
- b) Does EGI accept for the purposes of section 7.4.3.1 that riparian vegetation affords safe habitat for freshwater mussels and not only smaller fish?
- c) Will EGI commit to modernizing its habitat, including riparian habitat, recovery strategies and policies (in coordination with First Nations) to advance ecological restoration initiatives and improve ecological connectivity in the area, in part as a result of the Environmental Report's recognition of the cumulative impacts on riparian habitats?
- d) Will EGI commit to including the cumulative impacts of relocation on previously relocated wildlife as part of an updated cumulative effects assessment arising from the existing analysis in section 7.4.6.3?

Response:

- a) The quoted statement in this section of the ER is in reference to cumulative effects of non-GHG air emissions. Fugitive emissions, as defined by Environment and

Climate Change Canada (ECCC) are emissions of GHGs “from accidental leaks or equipment failures [that] may result from deterioration of equipment, especially seals and fittings, or improper installation or operation of equipment” (ECCC, 2022). The accidental release of gas was considered in Section 8.0 Accidents and Malfunctions of the ER.

- b) Enbridge Gas agrees that riparian vegetation generally affords safe habitat for smaller fish and freshwater mussels.
- c) Restoration of riparian habitat to pre-construction conditions or better is planned to be completed as soon as possible after construction of the Project.

In order to assess the effectiveness of restoration programs within the rights-of-way used for pipeline construction, in keeping with the intent of the OEB Guidelines, environmental monitoring reports will be prepared including a Post-Construction (Interim) Monitoring Report and a Final Monitoring Report. Per OEB Guidelines, the Post-Construction (Interim) Monitoring Report is required within 3 months after energization, while the Final Monitoring Report is to be prepared no later than 15 months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1.

Enbridge Gas would welcome any specific suggestions from First Nations in terms of riparian habitat recovery strategies.

- d) Enbridge Gas will not consider the relocation of previously relocated wildlife in the cumulative effects section of the ER, as it is generally not possible to know if encountered wildlife has been previously relocated.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Accidents and Malfunctions, p. 214.

Preamble:

The Environmental Report includes a description of potential adverse effects that may result from accidents and malfunctions.

Question(s):

- a) Please confirm whether EGI will commit to sharing annual leak detection surveys with TFG.
- b) Please confirm whether EGI will commit to sharing details of all spills, inadvertent returns, and pipeline failures with TFG.

Response:

- a) Enbridge Gas commits to providing information on the leak detection survey for the proposed Project once it is complete.
- b) Enbridge Gas will notify TFG of any reportable spills stemming from the Project.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Effects of the Environment on the Project, p. 222.

Preamble:

The Environmental Report includes a description of potential adverse effects on the environment and recommends that work on the Project be postponed during severe weather events.

Question(s):

Please confirm whether EGI will commit to postponing work on the Project on days with poor Ambient Air Quality Index readings.

Response:

Enbridge Gas will consider limiting outdoor work on the Project when the Canadian Air Quality Health Index is high to very high, consistent with Enbridge Gas health and safety guidelines.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Inspection and Monitoring, p. 227.

Preamble:

The Environmental Report recommends the employment of an Environmental Inspector and various inspection activities.

Question(s):

- a) Please confirm whether EGI will commit to employing an environmental inspector.
- b) Please confirm whether EGI will commit to sharing the relevant job posting or job summary relating to the environmental inspector, and whether TFG will have the opportunity to provide input into the job parameters for and/or the ultimate selection of the environmental inspector.
- c) Please confirm whether EGI will commit to assembling and sharing with TFG a pictorial record of conditions prior to the commencement of construction.
- d) Please confirm whether EGI will commit to provide TFG with updates concerning restoration planning and obligations subsequent to constructions.
- e) Please confirm whether EGI commits to restoring any disturbed areas to a condition superior to their original state.
- f) Please confirm whether EGI commits to eliminate any invasive species in the project area.
- g) Please confirm whether EGI will commit to monitoring reports as recommended in the Environmental Report and to share all such reports with TFG

- h) Please confirm whether EGI will commit to including the subject of fugitive emissions in relation to groundwater, soil, and air in any such monitoring report, and at a frequency that guarantees the absence of such emissions.

Response:

- a) Confirmed.
- b) The Environmental Inspector will be from the environmental consultant working on the Project given their expertise and familiarity with the Project. Therefore, Enbridge Gas will not be sharing job summaries or postings and TFG will not have the opportunity to provide input or make the selection.
- c-g) Enbridge Gas plans to restore the Project area to pre-construction condition or better and the restoration will be documented within the Interim and Final Monitoring Reports to the Ontario Energy Board (OEB). Pre-construction pictorial conditions can be observed in the photo logs of the Stage 1 AA. Once they are filed with the OEB, the Interim (Post-Construction) Monitoring Report and Final Monitoring Report will be publicly available through the OEB website under the Project case number EB-2023-0175. Enbridge Gas can share the monitoring reports with TFG directly upon their submission to the OEB. If invasive species are discovered during Project work and are within the boundaries of Project ground disturbance activities, the invasive species will be removed.
- h) Please see response at Exhibit I.Three Fires-19, part f) for the construction, operating and maintenance practices. Enbridge Gas will have an integrity management program for the constructed pipeline and associated natural gas infrastructure, with one of the primary goals being to prevent a critical level loss of primary containment. The long-term monitoring plan and its frequency will be set for the Project after the construction is completed.



ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Stakeholder Engagement and Indigenous Consultation Program,  
p. 38

Preamble:

The stated objectives of the consultation and engagement program include protecting Aboriginal and Treaty rights, making all reasonable efforts to identify the interests and meet the needs of participants, and consider public issues and concerns during project design.

Question(s):

- a) Do the stated objectives give rise to a need for EGI or Dillon on its behalf to do any or all of the following as part of the stakeholder engagement and Indigenous consultation program:
- Make all reasonable efforts to identify any applicable First Nations policy, including the Band Council Resolutions;
  - Make all reasonable efforts to identify applicable laws and policy documents, including UNDRIP;
  - Consider the effect of the Band Council Resolutions on project decisions and the project more generally;
  - Consider the effect of UNDRIP on project decisions and the project more generally.

Please provide an explanation of EGI's position for each element of the above.

- b) Please reconcile EGI's (and Dillon's) consideration (or lack thereof) of the Band Council Resolutions and UNDRIP with the stated objectives set out in Section 3.1

Response:

a-b) Enbridge Gas attempts to identify all relevant information, including policies and legal frameworks, when undertaking a Project. In addition, Enbridge Gas engages with potentially affected Indigenous groups early on in the development of the Project so that Indigenous groups can, through their representatives, identify any questions or concerns regarding the Project, including any potential impact on Indigenous interests, and propose any mitigation measures. This process is consistent with Enbridge's respect for the unique rights of Indigenous peoples, Treaties and UNDRIP.

Enbridge Gas understands that CKSPFN has passed Band Council Resolutions asserting rights over waterways, lakebeds and subsurface areas within in its traditional territories. Enbridge Gas has assessed the potential impacts of its Project on environmental features, such as water resources, and has developed mitigation measures for the purpose of minimizing those impacts. Construction of the Project will occur within the existing road allowance which will mitigate environmental effects, including subsurface disturbance. Additionally, all watercourse crossings will be constructed via trenchless construction methods (i.e., HDD), which will mitigate the environmental effects on the waterways.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

- Environmental Report
- Ontario Energy Board: Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario (the “Environmental Guidelines”), Section 4.3.13 Social Impacts

Preamble:

The Environmental Guidelines provides that Social Impact Assessment (“SIA”) is an integral component of environmental analysis and ensures that the extent and distribution of the Project’s social impacts are considered in an explicit and systematic way.

The Environmental Guidelines further note that pipeline construction is associated with both real and perceived health and safety risks which may affect people's lives and how they feel about their homes and communities.

Question(s):

- a) Please discuss whether EGI has considered the social impacts of the proposed project on the Three Fires First Nations. If yes, please provide details and all related reports, presentations, or other documents specific to the Three Fires First Nations. If no, please explain why not.
- b) Please discuss whether EGI has considered the cultural heritage impacts of the proposed project on the Three Fires First Nations. If yes, please provide details and all related reports, presentations or other documents specific to each of the Three Fires First Nations. If no, please explain why not.
- c) Please discuss whether the required SIA considered the Project’s impacts on systemic social inequalities, including gender, gender diverse people, race, ethnicity, religion, age, mental or physical disability. If not, please explain why these identified types of social impacts were not considered as part of the SIA.

- d) Please discuss whether EGI has considered the safety risks of the expected construction workforce on the surrounding communities and vulnerable individuals, including the Three Fires First Nations, including as it relates to safety risks such as potential substance abuse, disproportionate impacts on women in communities, and impacts on the sex trade. If yes, please explain how EGI intends to mitigate the identified safety risks. If no, please explain why not and discuss how EGI intends to mitigate these types of safety risks of the Project in the surrounding communities.

Response:

- a) Yes, Enbridge Gas considered social impacts to the Three Fires First Nations. Potential impacts to Indigenous communities, including the Three Fires First Nations, are outlined in Section 6.3 of the ER.
- b) Yes, Enbridge Gas considered the cultural heritage impacts of the Project. A Cultural Heritage Report was completed for the entire Project and was provided as part of the ER in Appendix B. The report concluded that there are no anticipated impacts to cultural heritage resources.
- c) Potential impacts on socio-economic features are outlined in Section 6.3 of the ER and align with the OEB's Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario (2016).

There would be no anticipated residual effects on systemic social inequalities due to the Project scope, anticipated existing local tradesperson workforce, and short duration of active construction timeline of approximately six months, coupled with the requirements of Enbridge Gas's Supplier Code of Conduct.

Enbridge Gas's suppliers, which include its contractors and subcontractors, are required to follow Enbridge Inc.'s policies including the Supplier Code of Conduct, which states:

"Enbridge believes that each individual with whom we come in contact deserves to be treated fairly, honestly, and with dignity. We do not condone any form of harassment, discrimination, or inappropriate actions or language of any kind."

Drug and Alcohol Programs, Respectful Workplace Training and Indigenous Peoples Awareness Training are specific to the Construction Contractor(s).

d) Please see response at Exhibit I.Three Fires-25.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

- Environmental Report
- Environmental Guidelines, section 4.3.14 Cumulative Effects
- CKSPFN Declaration to the Waterways and Lakebeds within its Traditional Territory (see Appendix “B”)

Preamble:

The Environmental Guidelines state that “[i]n many situations, individual projects produce impacts that are insignificant. However, when these are combined with the impacts of other existing or approved projects, they become important.”

Further, the Environmental Guidelines state: “[p]articular attention should be paid to environments of known sensitivity and high eco-value (as defined by provincial policies and public input), to situations where opportunities exist to remedy past negative impacts, and to situations in which a combination of actions may result in identifiable environmental impacts that are different from the impacts of the actions by themselves”.

The Environmental Guidelines also indicate that, “[c]umulative impacts may result from pipeline projects which loop existing systems and should be addressed. This may include an examination of areas of known soil erosion, soil compaction or soil productivity problems. It may mean the examination of impacts associated with continued loss of hedgerows and woodlots in the same area. As well, it could mean the increased loss of enjoyment of property because of disruptions caused by the construction of successive pipelines on a landowner's property. There may also be heightened sensitivities as a result of improper or ineffective practices and mitigation measures in the past.”

Question(s):

- a) Please outline what steps EGI has taken to address outstanding concerns from the Three Fires First Nations about the cumulative effects of gas infrastructure and expansion across each of their respective territory as it relates to the Project.

- b) Please provide and discuss EGI's instructions to its environmental consultants for assessing cumulative effects for this Project.
- c) Please discuss whether EGI has considered all past, present, and future conditions in the cumulative effects assessment, including existing projects, the current project, and any future projects.

Response:

- a) Enbridge Gas continues to provide the Three Fires Group and the Nations Three Fires Group represents with information regarding its projects that may potentially impact those Nations, as well as the opportunity to meet with Enbridge Gas representatives to discuss the impact of its projects on the rights and interests of the Nations. During such meetings, specific concerns regarding projects and their associated cumulative effects can be discussed. In addition, the Three Fires Group and the Nations it represents have the opportunity to comment on the related Environmental Reports, including the cumulative effects assessment. Enbridge Gas considers such comments to determine whether concerns have been appropriately addressed through, for example, project design or the implementation of mitigation measures.
- b) Enbridge Gas asked Dillon Consulting Limited to complete the cumulative effects assessment for the Project in accordance with Section 4.3.14 of the OEB Environmental Guidelines (7th Edition).
- c) Considerations for the assessment of cumulative effects can be found in Section 7.0 of the Environmental Report.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Exhibit F, Tab 1, Schedule 1, pp.3-4

Preamble:

EGL notes that it will develop an Environmental Protection Plan (“EPP”) prior to construction, which will among other things incorporate mitigation measures recommended in the Environmental Report as well as those recommended by permitting agencies

Question(s):

- a) Will EGL’s EPP consider mitigation measures recommended by Indigenous communities including the Three Fires First Nations? If yes, please provide details of how these mitigation measures will be communicated to EGL and how they will be incorporated into the EPP.
- b) Will EGL commit to sharing the EPP prior to its finalization so that the Three Fires First Nations have the opportunity to provide any feedback?
- c) Is EGL’s commitment that it will include all mitigation measures recommended in the Environmental Report and those received from permitting agencies?

Response:

- a-b) Yes, mitigation measures recommended by Indigenous communities will be considered and can be communicated to Enbridge Gas through ongoing consultation. Any additional mitigation measures identified and agreed upon will be included in the EPP by Enbridge Gas. The Company commits to sharing the finalized EPP with TFG.



- c) Enbridge Gas commits to implementing mitigation measures recommended in the ER and EPP, as well as any conditions of permits required by permitting agencies during execution of the Project.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Enbridge Inc. “Net Zero by 2050: Pathways to reducing our emissions”<sup>1</sup> (The “Net Zero Plan”), pp. 2 and 9-11

Preamble:

EGL notes that it “is aware of, has reviewed, and is working in conjunction with the municipalities within the Panhandle Market to determine whether the expansion of the Panhandle System impacts their ability to achieve the greenhouse gas emissions (GHG) reduction goals.”

In March 2022, EGL published the Net Zero Plan which includes targets of reducing the intensity of GHG emissions from their operations by 35% by 2030 and achieving net zero greenhouse gas (“GHG”) emissions from their business by 2050 (the “Commitments”).

Question(s):

- a) Please indicate and provide details of how Enbridge Inc. and EGL intend to reach the Commitments as it relates to the Project.
- b) Has EGL modelled the fugitive methane emissions that will be released by the proposed Project? If yes, please describe the modelling that was undertaken and provide all related results. If not, please explain.
- c) Please provide information on EGL’s leak detection, repair and reporting protocol for related infrastructure, including accounting for fugitive emissions.
- d) Canada has committed to developing a plan to reducing oil and gas methane emissions by at least 75 percent below 2012 levels by 2030, pursuant to the Global

---

<sup>1</sup> Enbridge Inc. “Net Zero by 2050: Pathways to reducing our emission” (March 2022), available online at: [https://www.enbridge.com/~/\\_media/Enb/Documents/About%20Us/Net\\_Zero\\_by\\_2050.pdf?la=en](https://www.enbridge.com/~/_media/Enb/Documents/About%20Us/Net_Zero_by_2050.pdf?la=en).

Methane Pledge.<sup>2</sup> Please explain EGI's understanding of and describe how the Project contributes to or detracts from Canada's commitments under the Global Methane Pledge.

- e) Please file any and all analysis EGI has performed to assess GHG emissions over the lifespan of the Project. If EGI has not undertaken any such analysis, please explain why no such analysis has been undertaken, in light of the Commitments.

Response:

- a) Enbridge Gas's assessment of the Project included calculating its incremental GHG emissions, which are approximately 35 tCO<sub>2</sub>e in annual emissions. The incremental emissions due to this Project represent less than 0.01% of current emissions and will not impact Enbridge Inc.'s target of reducing the intensity of GHG emissions from operations by 35% by 2030 and achieving net zero by 2050.
- b) Yes, Enbridge Gas has estimated the fugitive emissions for the Project. Calculations were undertaken following the methodologies prescribed by provincial and federal GHG reporting programs, including the use of emission factors and engineering estimates. Considering the fugitive emissions due to operation only, the Project is estimated to result in an increase in fugitive emissions of approximately 35 tCO<sub>2</sub>e/year.
- c) Please see response at Exhibit I.Three Fires-19, part f). The results of the leak surveys are tracked, and the company-specific leak data are utilized in the appropriate fugitive emission calculations within Enbridge Gas's federal and provincial emissions regulatory reporting.
- d) The Global Methane Pledge aims to reduce methane emissions by 30 percent below 2020 levels by 2030. Canada committed to developing a plan to reduce methane emissions from oil and gas by at least 75 percent below 2012 levels by 2030. In November 2022, Environment and Climate Change Canada released their proposed regulatory framework to amend the existing federal Methane Regulations to achieve at least a 75% reduction in oil and gas sector methane by 2030 relative to 2012. As indicated in response to part a), the proposed project would result in an increase in

---

<sup>2</sup> Government of Canada, News Release, "Canada confirms its support for the Global Methane Pledge and announces ambitious domestic actions to slash methane emissions" (October 11, 2021), available online at: <https://www.canada.ca/en/environment-climate-change/news/2021/10/canada-confirms-its-support-for-the-global-methane-pledge-and-announces-ambitious-domestic-actions-to-slash-methaneemissions.html>

emissions of approximately 35 tCO<sub>2</sub>e/year over current emissions levels (primarily fugitive emissions).

e) Please see response at part a) and b).

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, sections 4 and 6

Preamble:

The Environmental Report notes that there are a number of watercourses within the project area.

Question(s):

- a) Please outline in table format, crossing methods for each of the watercourses impacted by the proposed project, and provide the associated costs for accommodating the crossing methods.
- b) Please outline in table format, how direct impacts to each of the watercourses will be mitigated, and the associated costs of this mitigation.
- c) Please explain whether EGI will seek consent of CKSPFN to cross each of the watercourses within its Traditional Territory, in light of the CKSPFN Declaration to the Waterways and Lakebeds within its Traditional Territory (Appendix "B").

Response:

- a-b) The proposed crossing method for all watercourses is trenchless Horizontal Directional Drill (HDD). The watercourse crossings are listed in section 4.2.2.1 of the Environmental Report (ER), under Alternative Route B (now the preferred route). Enbridge Gas does not have the costs to HDD the watercourse crossing broken out at this stage of the design process.

Table 6-4 in the ER summarizes mitigation measures for surface waters, including watercourse crossings. With the implementation of mitigation measures, no significant adverse residual effects on surface water are anticipated during

construction or operation of the Project. Enbridge Gas did not explore in-water works due to the ability to accommodate trenchless (HDD), which is known to be less impactful to the environment and more easily permitted. Enbridge Gas does not have cost estimates available for in-water works as the alternative was not evaluated.

- c) Enbridge Gas appreciates that CKFPSN has a declaration and asserts authority over the Waterways and Lakebeds within its Traditional Territory. Enbridge Gas also understands that CKSFPN may be in conversations with various levels of government on this matter. Enbridge Gas's current understanding is that formal consent of the CKFPSN is not legally required in this context. Nevertheless, a goal of Enbridge Gas's engagement is to aim to secure consent and avoid or mitigate any potential impacts the Project may have on CKSPFN's rights, including its asserted rights to the Waterways and Lakebeds within its Traditional Territory. In this regard, since the Project will be constructed within existing road allowance and private property, and utilizing HDD for watercourse crossings, no direct disturbance to water bodies is anticipated.

ENBRIDGE GAS INC.

Answer to Interrogatory from  
Three Fires Group Inc. (Three Fires)

Interrogatory

Reference:

Environmental Report, Section 6

Preamble:

The PPS, implemented under the Planning Act (1990), protects Provincially Significant Wetlands (PSWs) from development and site alteration while regulations under the Conservation Authorities Act (1990) prohibit certain activities within wetlands (MNRF, 2010). The PPS further specifies that a wetland is considered provincially significant if evaluated as such through the OWES (MNRF, 2014). Until categorized by NDMNRF, wetlands are classified as “unevaluated”.

Question(s):

- a) Does EGI acknowledge that “unevaluated” wetlands are often the result of research gaps, and do not always indicate a lack of ecological importance or value?
- b) Will EGI commit to surveying and mitigating effects on both PSWs (classified through the OWES), as well as “unevaluated” wetlands?

Response:

- a) Yes.
- b) Yes. Mitigation measures for the protection of wetlands outlined in Section 6.2.3 of the Environmental Report (ER) apply to both PSWs and "unevaluated" wetlands identified within the study area, as identified in the ER.