

## Reply Submission

I am not a lawyer and I am addressing this from my own point of view as an Intervenor. Some of my comments may apply to both the Stay and the Review but have not been duplicated.

In the OEB Staff Submission 4.1.1 on page 6 and 7 it says “While FRPO and Environmental Defence suggest that the duty of fairness prescribes the right to adduce evidence in all cases, it is plain that procedural entitlements lie along a spectrum and are driven by context. In the subject proceedings, intervenors were permitted to question Enbridge Gas on its proposed projects; they were permitted to make their submissions which included challenges to matters such as the need for the Reinforcement Pipeline and the possibility of overestimates of connections and revenues; and their concerns were considered and addressed by the Panels in the Final Decisions.”

I believe that the more recent information that I collected from Sandford residents would be of value to the hearing. In particular, because it was collected from all residents that answered their door rather than from those who self-selected to respond, due to their interest in gas, and therefore answered the gas survey.

In the OEB Staff Submission 4.1.2 on page 9 it says “OEB staff notes that the Final Decisions do not force residents in the subject communities to accept natural gas service. They are free to not connect to the system. The OEB’s decisions simply result (assuming Enbridge Gas completes the expansions) in the availability of natural gas service to those residents, consistent with the legislated objectives of the NGEP.”

I disagree. The approval forces all residents in the area to put up with the inconvenience and pollution and greenhouse gasses produced during construction. Residents must also put up with the potent greenhouse gases caused by the inevitable leakage during construction and operation. It suggests to residents, that may not have time to research decisions made by the OEB, our expert body, that the best solution would be a gas stove and gas furnace when many organizations including Canadian Association of Physicians for the Environment know and tell us that choosing gas is harmful.

<https://heatcookbreathe.ca/>

In the OEB Staff Submission 4.1.3 on page 12 the OEB considers the request for a technical conference.

I mentioned a missed deadline related to the technical conference which has not been addressed in the submissions. The evidence was not available to the intervenors by the date in the procedural order. The document drawer shows the date that the information was delivered to the OEB and does not show that the evidence was not also made available to the Intervenor. I was not able to review the evidence before the deadline to request a technical conference.

In the OEB Staff Submission related to the Stay 5.2.2 page 26 they say "While OEB staff agrees that traffic congestion caused by construction is an inconvenience and nuisance, it is not sufficient to demonstrate irreparable harm, and in her submission of August 26, 2024, Ms. Carswell identifies a number of measures already taken to address traffic and safety-related issues in the area of the construction."

My concern is not the inconvenience but is the potential for an accident due to the reduced safety as a result of construction. Measures can be taken to reduce the risk related to the construction but the measures are required because safety has been reduced. Pedestrians, cyclists, school buses and even those in cars have additional risks related to the lack of shoulder and reduced lane width now on Sandford Road. My opinion, is that this gas is unnecessary, so I do not accept that there is any reason for reduced safety. I am most especially concerned for the daycare and school transportation timings of heavy traffic which could also be addressed by limiting the construction to non-school days. All community members would be affected by any serious accident in the community.

On page 28 it says "OEB staff notes that even if the stay request is granted, there is no guarantee that the risks and inconvenience caused by the construction site will dissipate."

If the stay was granted, and the large construction equipment was removed, the shoulder and full lane and long sight lines would be restored to the planned level of safety for pedestrians, cyclists, school buses and motorists.

The EGI submission Point 8, page 5, says " The Township of Uxbridge (in which Sandford is located) has indicated its support for the Sandford Project in two letters."

The Township of Uxbridge had a population of 21,556 according to the 2021 Census. This is a small Municipality with an appropriately small staff of advisors to support Mayor Barton. The Region of Durham in the same census has a

population of 696,992 which is 32 times larger than the small northern Uxbridge community within it.

The Township is supported by staff from Durham Region as requested by the Township or to enable completion of required studies and reports beyond the daily responsibilities of the small Township staff.

The Development Services – Planning report DS-30/24 report to Mayor and Members of Council in the Township of Uxbridge says “Melanie Kawalec, Climate Change Coordinator from the Region of Durham was seconded to aid the northern municipalities with preparing and completing the CDM Plan for 2024-2029 (Attachment #1). Melanie has been an integral resource for the Township, and we value and appreciate the tremendous support she has provided.”

The Township relied on support from Durham Region for its Energy Conservation Demand Management Plan. Reliance on the Region for support with required reporting on greenhouse gas production shows me, as a resident, that support from the Region would be useful for energy related decisions. The Region was not consulted before the Township provided these letters of support for gas installation in Sandford. Support from the Township conflicts with the published Durham Region Energy Plan (DCEP)

<https://www.durham.ca/en/citystudio/resources/Durham-Community-Energy-Plan-Part-1.pdf> and in particular the Deep Retrofit program that is outlined on page 86. The low carbon scenario endorsed by Durham Regional Council as part of the DCEP calls for deep energy retrofits of nearly all of the existing residential, commercial and institutional buildings in the Region over the next 25 years. Deep energy retrofits are whole building, including envelope measures to increase efficiency and fuel switching to low carbon HVAC systems like heat pumps. As you can see on page 82 of the document, the deep retrofit program is expected to achieve the largest share of GHG emissions reductions out of all the Region programs outlined within the DCEP (more than 1/3). When these programs are disaggregated into individual measures in figure 2 on page 12, you can see that “install heat pumps in homes and businesses” is the largest single action to reduce GHGs in the Region – even greater than electric vehicle uptake.

The letters of support from The Township of Uxbridge conflict with the Durham Region Energy Plan.

The EGI submission Point 70, page 25 says “***Ms. Carswell’s proposed evidence in Sandford.*** For the same reasons as above, the OEB did not err in exercising its discretion in the Sandford application to not permit the filing of Ms. Carswell’s proposed evidence, nor has Ms. Carswell brought a review motion in that proceeding. Ms. Carswell, a resident of the Sandford area, sought to file additional evidence regarding the cost savings associated with heat pumps, and the results of an informal survey she had conducted of 100 neighbouring residents.”

In a letter filed November 27<sup>th</sup> “I mentioned that 18% of those I surveyed had reasons for having no interest in gas before I provided any information.” This 18% was not based on savings from heat pumps and would be in addition to those who were interested in heat pump savings. I also mentioned in that letter the previous survey related to internet service of these same residents had showed results far higher than the actual connections. I share concerns about greenhouse gas contribution to global warming with Environmental Defence but the evidence that I planned to file was not similar.

The EGI submission on technical conference in points 72 through 75 does not address the delay in providing the answers to Interrogatories to Intervenors within the timeframe specified in the Procedural Order.

The EGI submission on the Stay point 11 on page 5 says “She also waited to make this request until after construction had already commenced. Based on the content of Ms. Carswell’s August 15 letter, it appears her request was motivated by her having been delayed by and concerned about some traffic on Concession Road 6 which she encountered when she drove to town earlier that week.”

I had not considered that Enbridge would risk additional spending by starting construction while a review was ongoing. I realized it only when I encountered the construction.

The EGI submission on the Stay point 17 on page 6 says “The work that has been occurring to date is primarily on Concession 6, quite a distance away from the school.”

That may have been true when this submission was written but construction is now on Sandford Road and the planned route continues out front of the school

and Daycare. The entire shoulder of Sandford Road is used by construction equipment and the orange cones are in the lane. Every driver can recognize the difference in safety when comparing a Regional Road in front of school with the required shoulder compared to without the required shoulder. Durham Region has just sent a reminder that it is harvest season and we must share the road with farm vehicles. Many farm vehicles are physically wider than the lane and use the shoulder to avoid crossing the centre line. We cannot wait until a serious injury occurs before we consider harm.

The EGI submission on the Stay point 18 on page 7 says "In her submissions, Ms. Carswell also briefly refers to a part of the Environmental Report in the application evidence that lists certain environmental features located within the area of the project, and she asserts that they are "all to be affected by the construction if allowed to continue." That is not in fact the case, and is based on a misreading or misunderstanding of the Environmental Report"

The buffer zone is also important. I do see the route of the pipeline on the map. There may be only 9 water crossings directly on the main route if the buffer zone is excluded. These would be my most important concern. I do have a small amount of background because of my Horticulture Certificate from the University of Guelph, which included the study of Integrated Pest Management. I also hold an Exterminator License valid until 2027 which requires an understanding of spills and reporting. Aquatic environments require the largest buffer zones to avoid the possibility of contamination.

On Page 109 of the Environmental Report the Monitoring and Contingency Plans are identified. It mentions that during HDD in sensitive areas the Environmental Inspector will be on-site to monitor for "Environmental Concerns" and that the Emergency and Safety Plans must be available.

I expect that my concerns are the same ones referenced there. I do not accept that this gas expansion is necessary so I do not accept any risk to the aquatic environment.

The EGI submission on the Stay Points 21 and 22 on page 8 mentions "measures are being taken to ensure there will be no harm", "other mitigation measures being taken as well to ensure no harm results" and that "Enbridge Gas has obtained permits from the Lake Simcoe Region Conservation Authority (LSRCA), which further ensure that protective measures are being taken."

The fact that a Conservation Authority permit is required already identifies this is a special area that needs protection. The only possibility of 100% protection would be avoiding the risk entirely.

The EGI Submission on the Stay Point 27 says “Also, the Township of Uxbridge has advised that it strongly opposes any delay in construction that would result from a stay, and that, on behalf of residents in the community, it wants the construction to be completed as soon as possible and in time for this winter season. Enbridge Gas understands the Township has submitted a letter to the OEB outlining its concerns in this regard.”

I was missed on a copy of this letter but was able to access it in the web drawer. I am relieved to see that Mayor Barton expects that residents will transition to heat pumps as planned by the Region. The timing is very fortunate as many models of heat pump from Mitsubishi, Carrier, Lennox and others are fully capable at all temperatures and do not require any fossil fuel backup. On the very coldest days these heat pumps include the capability to provide resistance heating at a 100% efficiency. Fortunately for Uxbridge and Sandford residents the hours that are the coldest are also the hours that electricity is available at the very affordable rate of 2.8 cents per kWh on the Ultra Low Time of Use Plan. Cold Climate Air Source heat pumps operate at up to 400% efficiency and remain well above 100% except on the very coldest days between -20 to -30 degrees depending on the model. In Uxbridge during the 2023/2024 heating season we did not experience any of those very cold days. Some residents may prefer a fossil fuel backup as Mayor Barton suggests but for those in Sandford this can easily be provided by the propane they already have. My personal experience in Sandford has been that Value Propane has been 100% reliable.

I agree with Mayor Barton that safety is very important in rural communities that are further from 911 resources. He and I disagree about the safety of gas compared with propane. Safety from heat in the summer has also become a priority in Sandford and is another reason that it is important for residents to transition to a heat pump that will protect them in summer and winter as expected by the Region of Durham.

**Conclusion:** Sandford Residents already have safe and reliable heating. In the OEB Staff submission it says “The OEB recognized this as a risk to Enbridge Gas’s customer forecasts. Any

other survey evidence would be subject to similar risks.” Durham Region outreach, including a free energy coach as well as planned heat pump sessions will reduce the number of connections in Sandford.