

July 25, 2018

CFN 59834

BY E-MAIL ONLY (jessie.m.malone@esso.ca)

Jessie Malone
Environment and Regulatory Lead
Imperial Oil Limited
505 Quarry Park Boulevard SE
Calgary, AB T2C 5N1

Dear Ms. Malone:

**Re: Response to Notice of Commencement, Introductory Meeting & Community Information Session
Imperial Oil Limited – Waterdown to Finch Pipeline Replacement
Ontario Energy Board – Environmental Report and Leave to Construct Application
Etobicoke-Mimico Creek and Humber River Watersheds; City of Mississauga, Regional
Municipality of Peel; Etobicoke York and North York Community Council Areas, City of Toronto**

Toronto and Region Conservation Authority (TRCA) staff received notification of the above noted project on May 22, 2018. In addition, a project introductory meeting was held between TRCA, Imperial Oil Limited (Imperial) and consultant staff on June 14, 2018, and a notice of a Community Information Session was received on June 29, 2018. As a government agency with jurisdiction in the study area of the above named project, TRCA has interests in this project.

PROJECT OVERVIEW

It is our understanding that this undertaking involves the replacement of approximately 63 km of the existing Sarnia Products Pipeline (SPPL) from the Waterdown pump station in Hamilton, to a terminal storage facility in Toronto. It is understood that this segment of the existing pipeline is reaching its end-of-life, and that Imperial is proactively replacing this pipeline to continue safe and reliable delivery of refined fuel product to service the movement of people, goods and services throughout the region, including the Toronto Pearson International Airport. It is further understood that the existing pipeline will continue to operate until the new pipeline has been installed, at which point the transmission of fuel will be transferred from the existing to the new pipeline. The existing pipeline will then be deactivated, removed from service, cleaned and left in place.

It is understood that most of the pipeline replacement work will take place in close vicinity to the existing pipeline through an existing utility corridor via both open cut trench and trenchless technology methods. In addition to areas regulated by TRCA, the proposed pipeline will also run through the jurisdictions of Hamilton Conservation Authority (HCA), Conservation Halton (CH) and Credit Valley Conservation (CVC).

TRCA AREAS OF INTEREST

As detailed in TRCA's 2014 [The Living City Policies](#) (LCP), TRCA has a number of commenting roles relative to our review of this environmental assessment, including:

1. Regulatory Authority
2. Delegated Provincial Interests
3. Public Commenting Body
4. Resources Management Agency

5. Land Owner
6. Service Provider

These are further detailed in **Appendix A: TRCA Commenting Roles**.

In relation to this application, TRCA staff has identified a number of areas of interest within the study area related to these various commenting roles, including:

1. TRCA Program and Policy Areas
 - A. Natural System Programs and Policies
 - B. Sustainability Programs and Policies
2. Provincial Program Areas
3. Federal Program Areas

Further details are provided in **Appendix B: TRCA Areas of Interest**.

In relation to these areas of interest, please be advised that TRCA has select digital data available through an open data platform on the [TRCA website](#) that should be used in the selection of the preferred alternative. TRCA staff has arranged for the areas of interest not available on the web to be sent to the project team under separate cover, which will follow shortly. Please note that TRCA charges an administration fee for the compilation of additional data layers related to the project area that is not available on the web. TRCA GIS staff will advise you of any required fees before the transfer of data.

MAJOR CONCERNS AND REQUIREMENTS RELATED TO PIPELINE PROJECTS

A project introductory meeting was held on June 14, 2018 between TRCA, Imperial and consultant staff. During the meeting, TRCA staff outlined some major concerns and requirements that applied specifically to the proposed pipeline project. As discussed, staff will be providing the TRCA Authority Board with an update on the proposed pipeline project, which will include major concerns as it relates to TRCA areas of interest.

Some of these major concerns and requirements include, but are not limited to:

1. TRCA lands about a section of the existing utility corridor on both sides within the City of Toronto. It is our understanding that the proposed pipeline will be located entirely within the existing utility corridor, and will not require any property or permanent easement on TRCA lands. However, if TRCA lands cannot be avoided, please note that the need for property or permanent easement will require TRCA Authority Board approval. Furthermore, it is TRCA staff preference that all access, staging and storage associated with the pipeline installation be located off TRCA lands. However, if access, staging and storage on TRCA lands cannot be avoided, please contact TRCA staff for temporary easement requirements. Please also note that compensation and mitigation requirements will need to be agreed upon prior to any TRCA property or access agreements, including for both permanent and temporary easements. Please see the Land Owner section in Appendix A for further information regarding TRCA property requirements. The TRCA property mapping layer is also available through an [open data platform on the TRCA website](#).
2. Identification and characterization of TRCA areas of interest and baseline conditions as identified in the above section, including all watercourse, wetland, and natural feature and hazard crossings.
3. Identification of the installation method and depth of cover for each of the above identified crossings. Please note that the environmental impact related to a spill will be significantly reduced with a deeper installation depth. Please indicate if the pipeline will be installed via trenchless technology at all watercourse crossings. In particular, a portion of the pipeline installation will traverse through an environmentally sensitive area that will require multiple watercourse and wetland crossings through Berry Creek, West Humber River, Main Humber River, Emery Creek and Black Creek, in the City of Toronto. Our staff has identified this area as a technically challenging area for pipeline installation due to the multiple crossings, topography and environmentally sensitive features.
4. Horizontal and vertical alignment of proposed pipeline that avoids hazards related to channel and slope erosion to minimize risk of exposure. This will require technical studies, including a fluvial geomorphic assessment with particular attention paid to down-cutting of the channel beds as well as bank erosion

- rates, and a long-term slope stability assessment, to ensure the pipe is located with an appropriate depth of cover away from watercourse beds and valley slopes in order to minimize future risk of exposure.
5. Construction impacts to sensitive watercourses and natural areas should be avoided to the extent possible by employing trenchless installation technologies, locating shaft and pit locations well above top of bank, limiting temporary workspace around watercourses and natural areas, consideration of access early in the design process to reduce impacts, among others.
 6. Compensation and restoration plan in accordance with the final [TRCA Guideline for Determining Ecosystem Compensation](#), which was approved at the last TRCA Authority Meeting (#5/18) held on June 22, 2018. Compensation and restoration opportunities may also be sought with the TRCA Restoration Projects group. Please contact the undersigned for further information.
 7. Development of a watershed-based spills response plan that articulates the impact of a refined fuel product spill on the environment and watercourses, scenario modelling of spill plume under a variety of hydraulic conditions, identification of storm sewers that have direct connections to watercourses and valleys, identification of emergency access points for spill cleanup, identification of storage and staging areas for spill cleanup, timely notification of emergency response and regulatory agencies, timely containment of spills, methods of identifying ecological impacts and restoration strategies, among others. Please refer to [TRCA Technical Guidelines for Development of Environmental Management Plans for Underground Infrastructure](#) (July 2013) for further information. Our staff understands that there is already a plan in place for the existing pipeline that may require updates, and acknowledges that the risk of a spill is significantly reduced with a new pipeline.
 8. Location of an Emergency Spills Response Team within the Greater Toronto Area that is equipped to deal with a fuel spill in Lake Ontario.
 9. Emergency response exercises that include lake-based and wet and severe weather scenarios.
 10. Appropriate location of automated shut off valves.
 11. Ongoing geohazard risk assessment and monitoring program of both the existing and new pipeline to enable early detection of slope and channel erosion hazards to prevent and remediate future pipeline exposures.

ASSESSMENT OF ALTERNATIVES

In developing, evaluating and selecting alternatives, staff require the LCP policies be considered. TRCA staff recommends the preferred alternative meets the policies of Section 7. In particular, impacts to and opportunities for the following should be addressed:

1. Flooding, erosion or slope instability
2. Existing landforms, features and functions
3. Aquatic and terrestrial habitat and functions, including connectivity
4. TRCA property and heritage resources
5. Environmental best management practices that support climate change mitigation and adaptation
6. Community and public realm benefits

TRCA requires that the preferred alternative considers avoiding, minimizing, mitigating, and compensating impacts to the ecosystem, and avoid, mitigate or remediate hazards, in that order. In order to fulfil requirements of Ontario Regulation 166/06 at the detailed design stage, staff also requires that the preferred alternative meets LCP policies in Section 8.

In order to ensure TRCA concerns are addressed early in the review process, it is recommended that the TRCA planner be contacted when key project milestones are reached, as detailed in **Appendix C: Recommended Contact Points**. Please note that this appendix is based on the Municipal Class EA process, and should be adjusted to meet the requirements of the OEB process. Please contact the planner to discuss the appropriate time for a site visit, and ensure that the TRCA planner is included in the technical advisory committee. Please also add TRCA's Watershed Specialists, Vince D'Elia for Etobicoke and Mimico Creek Watersheds (vdelia@trca.on.ca) and Ryan Ness for Humber River Watershed (rness@trca.on.ca), to the project mailing list to receive any public information updates. Please also note that TRCA is committed to working closely with our partner conservation authorities on this project, and have copied them on the response to this letter.

COMMUNITY INFORMATION SESSION

TRCA staff received notice of the upcoming Community Information Session scheduled for Wednesday, July 18, 2018. While staff will not be attending the meeting, please forward one copy of any handouts or display materials from this meeting for our files.

SUBMISSION REQUIREMENTS

As this project proceeds through the various stages of the Ontario Energy Board review process, please ensure the following is provided to TRCA for review and comment at the appropriate time:

Paper Copies

1. One copy of draft technical reports and associated materials, including a covering letter that outlines the project purpose and lists the reports enclosed for review.
2. One copy of draft evaluation criteria and matrices, including a summary that details how the criteria and weighting (if applicable) were established
3. One copy of the draft Environmental Report, including a covering letter that outlines how previous TRCA comments have been addressed
4. One copy of the Final Environmental Report, including a covering letter that outlines how previous TRCA comments have been addressed

Digital Submissions

1. All meeting agendas, as well as draft and final meeting minutes
2. Draft community information session boards, prior to public review
3. Notices of community information sessions, including final display material and handouts
4. Draft technical reports and associated materials, including a covering letter that outlines the project purpose and lists the reports enclosed for review
5. Draft evaluation criteria and matrices, including a summary that details how the criteria and weighting (if applicable) were established
6. Draft Environmental Report, including a covering letter that outlines how previous TRCA comments have been addressed
7. Final Environmental Report, including a covering letter that outlines how previous TRCA comments have been addressed

Ensure all materials are submitted in PDF format, with drawings pre-scaled to print on 11"x17" pages. Materials submitted through e-mail must be less than 2.5 MB. Materials submitted through a file transfer protocol (FTP) site must be posted a minimum of two weeks.

REVIEW FEES

Please be advised that this application is subject to a **\$24,120.00** review fee as per our 2018 [Fee Schedule](#). Please note:

1. **To ensure accurate processing of your fee, please ensure your accounting department references CFN 59834 when making any payments.**
2. Payment method and timing must be noted in your covering letter response.
3. Additional fees are applied as per the fee schedule for reviews beyond three (3) submissions, including the final.
4. Payments can be made by:
 - a. Cheque: please attach the cheque to your resubmission. Alternatively, if sending separately through your accounting department, please request your accounting department submit the cheque to the attention of Rina Bhagat - Administrative Assistant, Environmental Assessment Planning, TRCA.
 - b. Credit Card: please contact Rina Bhagat at extension 5681 for payments made over the phone.
 - c. Electronic Fund Transfer: this option may be available through your accounting department.

Should you have any questions, please contact me at extension 5266 or at alister@trca.on.ca.

Yours truly,



Annette Lister
Planner, Environmental Assessment Planning
Planning and Development

Attached: Appendix A: TRCA Commenting Roles
Appendix B: TRCA Areas of Interest
Appendix C: Recommended TRCA Contact Points

BY E-MAIL

cc:

Imperial: Elias Majdalani, Project Manager (elias.majdalani@exxonmobil.com)
Ron Tourigny, Right of Way and Claims Coordinator (questions@imperialon.ca)
ERM: Matt Scoular, Senior Consultant/ Project Manager (matthew.scoular@erm.com)
City of Toronto: Bill Snodgrass, Senior Engineer (bill.snodgrass@toronto.ca)
HCA: Darren Kenny, Watershed Officer (darren.kenny@conservationhamilton.ca)
CH: Ben Davis, Regulations Officer (bdavis@hrca.on.ca)
CVC: Liam Marray, Manager Planning Ecology (lmarray@creditvalleyca.ca)
Jakub Kilis, Senior Planner, Environmental Assessment (jkilis@creditvalleyca.ca)
TRCA: John MacKenzie, Chief Executive Officer
Beth Williston, Associate Director, Environmental Assessment Planning
Sharon Lingertat, Senior Planner, Environmental Assessment Planning
Renee Afoom-Boateng, Senior Planner, Environmental Assessment Planning
David Burnett, Senior Manager, Provincial and Regional Policy
George Leja, Senior Property Agent, Property Services
Vince D'Elia, Project Manager, Etobicoke-Mimico Creek
Ryan Ness, Watershed Specialist, Humber River
John Stille, Project Manager, Restoration Projects
Alistair Jolly, Archaeologist
Alyssa Roth, Coordinator, Source Water Protection

APPENDIX A: TRCA COMMENTING ROLES

TRCA COMMENTING ROLES	
Public Commenting Body	
Planning Act	Pursuant to the Planning Act , conservation authorities are a “public commenting body”, and therefore must be notified of municipal policy documents and planning and development applications under the Planning Act. TRCA comments according to its Board-approved policies as a local resource management agency to the municipality planning approval authority on these documents and applications.
Environmental Assessment Act	Pursuant to the federal and provincial environmental assessment (EA) Acts, conservation authorities are a commenting body. Conservation authorities are also responsible for comments made under environmental assessment (EA) exemption regulations, and the Ontario and National Energy boards. TRCA reviews and comments on environmental assessment that occur within TRCA’s jurisdiction under these various forms of legislation.
Delegated Provincial Interests	
Hazard Lands	As outlined in the Conservation Ontario/ Ministry of Natural Resources and Forestry/ Ministry of Municipal Affairs and Housing Memorandum of Understanding on CA Delegated Responsibilities, CAs have been delegated the responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the PPS 2014.
Conservation Authorities Act	
Regulatory Authority	
Ontario Regulation 166/06, Development, Interference with Wetlands and Alterations to Shorelines and Watercourses	<p>In accordance with Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), a permit is required from the TRCA prior to any development (e.g. construction) if, in the opinion of TRCA, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected. The Regulation Limit defines the greater of the natural hazards associated with Ontario Regulation 166/06 (listed below).</p> <p>NOTE: The Regulation Limit provides a geographical screening tool for determining if Ontario Regulation 166/06 will apply to a given proposal. Through site assessment or other investigation, it may be determined that areas outside of the defined Regulation Limit require permits under Ontario Regulation 166/06. In these instances, it is the text of the regulation that will prevail; modifications to the regulation line may be required.</p> <p>Any development within the Regulation Limit must comply with the applicable sections of The Living City Policies (2014).</p>
Resources Management Agency	
TRCA Programs	<p>In accordance with Section 20 and 21 of the Conservation Authorities Act, CAs are local watershed-based natural resource management agencies that develop programs that reflect local resource management needs within their jurisdiction. TRCA has developed programs and policies related to our role as a resource management agency that include, but are not limited to, watershed plans, fisheries management plans, land management plans, ecosystem restoration programs, and The Living City Policy (2014), which are approved by the TRCA Board.</p> <p>Please confirm that the preferred alternative design for this project addresses TRCA concerns related to its program areas. These will be further defined through the EA review process.</p>
Land Owner	
TRCA Property	TRCA is a major landowner in the GTA, owning close to 18,000 hectares of land. TRCA comments provided as a landowner are separate from comments provided under a technical, advisory or regulatory role.

	<p>TRCA property mapping layer is available for download through an open data platform on the TRCA website.</p>
Acquisition and Easement	<p>If TRCA property land transfer or easement is required for the implementation of the preferred alternative, permission and approval from the TRCA board is required and approval of the Minister of Natural Resources and Forestry may be required. The design must demonstrate that TRCA program and policy objectives are met. Formal approval typically takes 12 to 18 months from the completion of the EA document.</p> <p>Please contact George Leja, Property Agent at gleja@trca.on.ca for additional information.</p>
Permission to Enter	<p>If TRCA property access is required for the purpose of completing technical studies associated with this project, a Permission To Enter (PTE) must be obtained from TRCA Property staff prior to entry.</p> <p>Please contact George Leja, Property Agent at gleja@trca.on.ca for additional information.</p>
Archaeological Resources	<p>An archaeological review by TRCA's archaeological staff must precede any disturbance to TRCA property. If an archaeological assessment is required, scheduling will be subject to weather, seasonal programs and other field work and are at additional cost to the proponent.</p> <p>Please contact Alistair Jolly, Archaeologist at ajolly@trca.on.ca for additional information.</p>
Service Provider	
Service Agreements and Memorandum of Understandings	<p>Service Level Agreements: TRCA has service level agreements to provide EA Review services to various partners within specific service delivery timelines. Fees are charged as per agreement stipulations; review fees are not charged for individual files.</p> <p>Memorandum of Understandings: The provision of planning advisory services to municipalities is implemented through a Memorandum of Understandings (MOU) with participating municipalities or as part of a CA's approved program activity. In this respect, the CA is essentially acting as a technical advisor to municipalities. The agreements cover the CA's areas of technical expertise such as water management, natural hazards, and natural heritage.</p>
Restoration Opportunities	<p>TRCA requires that the preferred alternative considers avoiding, minimizing, mitigating, and compensating impacts to ecosystems in that order. In areas where impacts are unavoidable, mitigation or compensation will be required. It is recommended that the costs associated with these impacts be factored into decisions made during the EA.</p> <p>TRCA has identified opportunities for habitat restoration and enhancement on TRCA property and some privately owned lands, targeted to improve natural form and function based on goals in the watershed strategies. Should ecosystem restoration or compensation be required for this project, TRCA may be able to provide both restoration opportunities and restoration field services on a project specific basis. This will be further discussed through the EA review process.</p>
Community and Public Realm Benefits	<p>TRCA understands that the purpose of providing project-based community benefits is to provide measurable economic benefits to the local community, and that the purpose of providing public realm benefits is to support local opportunities for social and environmental improvements.</p> <p>As part of the TRCA Strategic Plan, TRCA has identified the need to achieve measurable positive impacts on the health of our watersheds and has developed a number of programs that actively engage with local communities to support a green, local economy. These programs include but are not limited to, Sustainable Neighbourhood Retrofit Action Plans, TRCA Conservation Land Care Program, TRCA Trails Program, TRCA Community Transformation Program and Partners in Project Green.</p> <p>It is recommended that commitment be made to work with TRCA and other partners to develop a Community and Public Realm Benefits Strategy for this project. This will be further discussed through the EA review process.</p>

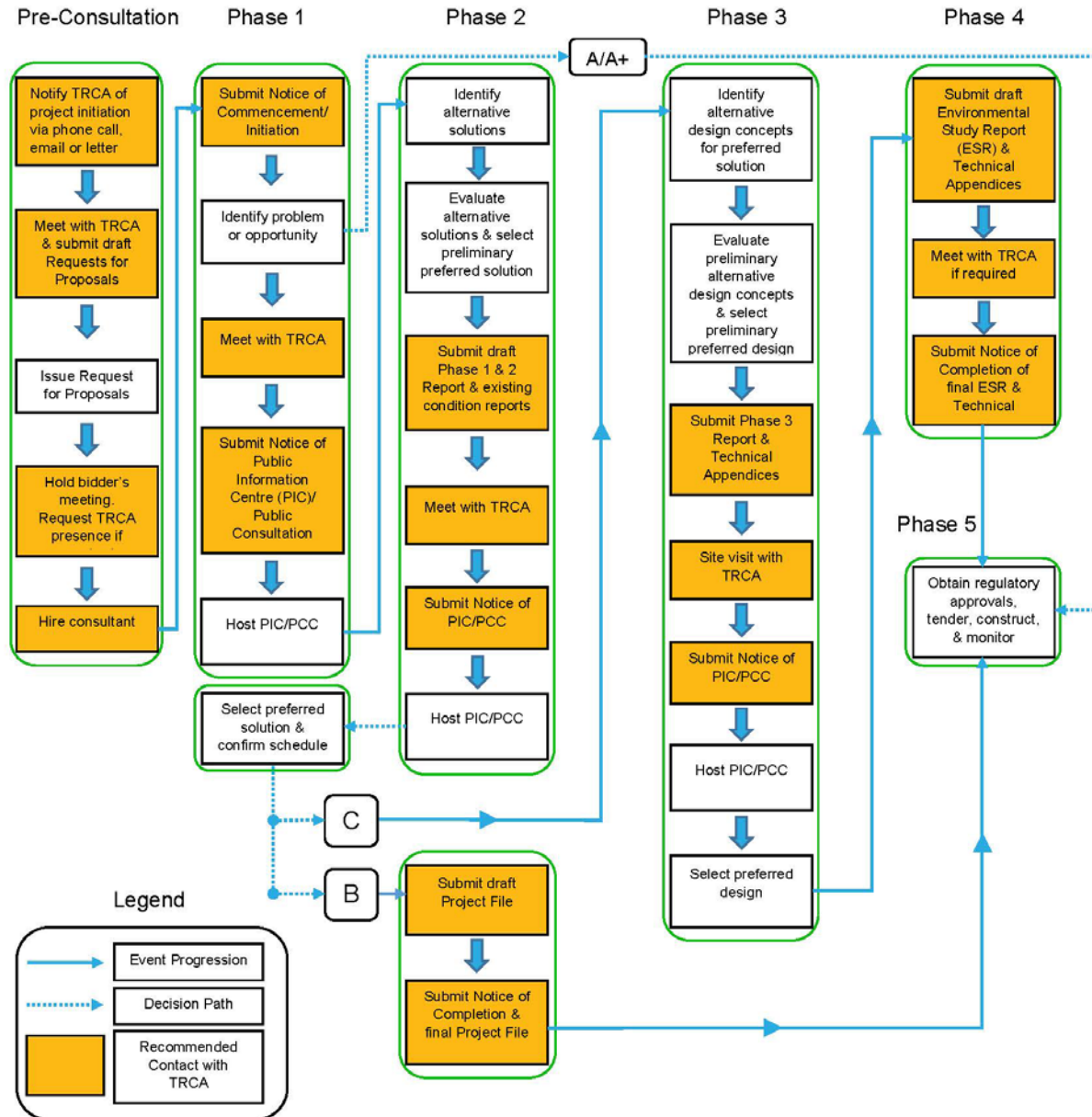
APPENDIX B: TRCA AREAS OF INTEREST

TRCA PROGRAM AND POLICY AREAS	
<i>Note: Additional program and policy information may be available at www.trca.on.ca, or by request.</i>	
Natural System Programs and Policies	
Systems Approach	<p>TRCA follows a systems approach in which the natural features and water resources are considered in relation to each other and the broader landscape in which they occur. The systems approach recognizes the role that linkages and connectivity within the natural system has in supporting ecological and hydrologic processes and functions that are vital to maintaining a healthy and robust natural system that is resilient against the impacts of urbanization and climate change.</p> <p>TRCA may require an assessment of the existing systems, together with an evaluation as to how the proposal may impact the systems.</p>
Aquatic Systems, Species and Habitat	<p>The aquatic system includes watercourses, wetlands, and flora and fauna species. Aquatic species and habitat should be assessed based on their conservation status according to sensitivity to disturbance and specialized ecological needs, as well as rarity.</p> <p>TRCA has prepared watershed plans or strategies, as well as fisheries management plans for some watersheds. The proposal must prevent negative impacts to the aquatic system, and as such, TRCA may require an assessment of the existing aquatic system, an evaluation as to how the proposal will meet the objectives articulated in the watershed plan or strategy, and/or an evaluation as to how the proposal will meet the objectives of the fisheries management plan.</p>
Terrestrial System, Species and Habitat	<p>The terrestrial system includes landscape features, vegetation communities, and flora and fauna species. Terrestrial species and habitat should be assessed based on their conservation status according to sensitivity to disturbance and specialized ecological needs, as well as rarity.</p> <p>TRCA has identified the need to improve both the quality and quantity of terrestrial habitat. TRCA's Terrestrial Natural Heritage System Strategy sets measurable targets for attaining a healthier natural system by creating an expanded and targeted land base. It includes strategic directions for stewardship and securement of the land base, a land use policy framework to help achieve the target system, and other implementation mechanisms.</p> <p>TRCA may require an assessment of the existing terrestrial species and habitat, together with an evaluation as to how the proposal will meet the objectives articulated in the watershed plan or terrestrial natural heritage strategy, as well as prevent negative impacts to the terrestrial system.</p>
Groundwater Systems	
Aquifers and Hydrogeological Features and Functions	<p>Groundwater systems include aquifers and their functional connections to surface water. The extraction and discharge of groundwater has the potential to negatively impact surrounding natural features and their functions. Even small amounts of groundwater extraction may reduce contributions to groundwater dependent features such as wetlands, springs, or fish spawning habitat. In addition, the discharge of groundwater must be controlled to avoid impacts to watercourses and fish habitat from temperature, erosion and sedimentation, as well other water quantity and quality issues.</p> <p>TRCA may require geotechnical or hydrogeological investigations to confirm dewatering and discharge requirements, and to identify appropriate mitigation measures with respect to potential impacts to natural features and functions.</p>

Surface Water Systems	
Watercourses	<p>Typically, watercourses are associated with aquatic species, and direct or indirect habitat. Any alteration or interference to a watercourse (e.g., straightening, diverting, realigning, altering baseflow) has the potential to impact fish communities, but may also affect the Regulatory Flood Plain, erosion or other natural channel processes.</p> <p>TRCA may require an environmental study or site confirmation of watercourse locations.</p>
Meander Belt	<p>Channel migration has a significant impact on infrastructure, structures and property located near river systems. Determining channel stability is important to ensure that damage from erosion, down-cutting or other natural channel processes is avoided.</p> <p>TRCA may require a meander belt delineation study or fluvial geomorphology analysis to confirm that any development does not conflict with natural channel processes.</p>
Regulatory Flood Plain	<p>The Regulatory Flood Plain is the approved standard used in a particular watershed to define the limit of the flood plain for regulatory purposes. Within TRCA's jurisdiction, the Regulatory Flood Plain is based on the greater of the regional storm, Hurricane Hazel, and the 100-year flood. TRCA's framework for Flood Plain Management is the LCP.</p> <p>TRCA may require a flood study or hydraulic update to confirm that there will be no impacts to the storage or conveyance of flood waters.</p>
Wetlands	<p>Wetlands are sensitive natural habitats that play an important role in numerous physical, chemical and biological processes, including storm water control, natural habitat and water quality improvement. Most wetlands are designated by the Ministry of Natural Resources and Forestry as Provincially Significant or Locally Significant. Other wetlands have also been identified on a site specific basis by TRCA.</p> <p>All wetlands are regulated under Ontario Regulation 166/06. TRCA may require an environmental study or site confirmation of wetland locations.</p>
Valley Slopes	
Crest of Slope	<p>Valley and stream corridors are dynamic systems that provide important natural functions and linkages for the physical, chemical and biological processes of wildlife, watercourses, and other natural features. The crest of slope identifies the physical limit of these corridors; however, due to ecological sensitivities, development restrictions typically extend beyond the actual crest of slope.</p> <p>TRCA may require the determination of the long term stable crest of slope (or toe of slope) through a staking with TRCA staff, as well as a geotechnical assessment.</p>
Sustainability Programs and Policies	
Archaeological and Heritage Resources	<p>TRCA watershed strategies include recommendations for the management of archaeological and heritage resources in accordance with Ministry of Culture and Municipal standards. The project should aim to preserve, protect and celebrate archaeological and heritage resources where possible.</p>
PROVINCIAL PROGRAM AREAS	
Greenbelt Plan	<p>The Greenbelt consists of more than 809,000 hectares of environmentally sensitive land, urban river valleys and agricultural land in the Golden Horseshoe. The Greenbelt Plan identifies limits to urbanization to provide permanent protection to the agricultural land base and the ecological features and functions occurring within this landscape. Contact the Ministry of Municipal Affairs and Housing for more details.</p> <p>Please confirm that the preferred alternative design for this project conforms with Section 4.2 Infrastructure Policies and Section 6 Urban River Valley Policies of the Greenbelt Plan.</p>

Clean Water Act and Credit Valley - Toronto & Region - Central Lake Ontario (CTC) Source Protection Plan	<p>The Clean Water Act ensures communities protect their drinking water supplies through prevention by developing collaborative, watershed-based source protection plans that are locally driven and based on science. Please be advised that the subject property appears to fall within the Intake Protection Zone (IPZ) and Highly Vulnerable Aquifers (HVA) vulnerable areas under the Credit Valley - Toronto and Region - Central Lake Ontario Source Protection Plan (CTC SPP). For further information and the CTC Source Protection Plan, please refer to www.ctcswp.ca.</p> <p>Please confirm that the preferred alternative design for this project conforms with the CTC SPP.</p>
<p>Please contact the Ministry of Natural Resources and Forestry to confirm if there are program interests related to this project for:</p> <ul style="list-style-type: none">• Areas of Natural and Scientific Interest (ANSI)• Provincially Significant Wetlands (PSW)• Provincially Endangered Species under the Species at Risk Act (SARA) <p>Please be advised that this list is not inclusive and the onus is on the proponent and its consultants to consult with other provincial agencies, as required, to ensure that requirements of their respective legislation is met.</p>	
FEDERAL PROGRAM AREAS	
<p>Please contact the relevant federal agency to confirm if there are issues related to:</p> <ul style="list-style-type: none">• Asian Long-horned Beetle Regulated Area• Federally Endangered Species under the Endangered Species Act (ESA)• The Fisheries Act <p>Please be advised that this list is not inclusive and the onus is on the proponent and its consultants to consult with other provincial agencies, as required, to ensure that requirements of their respective legislation is met.</p>	

APPENDIX C: RECOMMENDED TRCA CONTACT POINTS IN THE MCEA PROCESS



(For NEC office use only)

NIAGARA ESCARPMENT DEVELOPMENT PERMIT APPLICATION

(Revised April 17, 2014)

THE NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT, RSO, 1990, AS AMENDED

NIAGARA ESCARPMENT COMMISSION
232 Guelph Street, 3rd Floor
Georgetown, ON L7G 4B1

Phone: 905-877-5191
Fax: 905-873-7452
Website: www.escarpment.org
Email: necgeorgetown@ontario.ca

Serving the areas of:

Dufferin County
Region of Halton
Region of Peel
Region of Niagara
City of Hamilton

NIAGARA ESCARPMENT COMMISSION
Box 308, 99 King Street East
Thornbury, ON N0H 2P0

Phone: 519-599-3340
Fax: 519-599-6326
Website: www.escarpment.org
Email: necthornbury@ontario.ca

Serving the areas of:

Bruce County
Grey County
Simcoe County

- Please ensure that the information you provide in this application is complete and accurate.
- Incomplete or inaccurate information will delay the processing of your application.
- Please contact your local Commission office if you have any questions about your proposal or this application.

1. APPLICANT

Name: Jessie Malone

Mailing Address: 505 Quarry Park Blvd SE Calgary AB T2C 5N1
Street/P.O. Box City/Town Province Postal Code

Phone: 589-476-4799 Fax: _____ E-mail: jessie.m.malone@esso.ca

2. AGENT (if any) **Note:** All correspondence will be **sent to the Agent** where an Agent is designated.

Name: Matthew Scoular

Mailing Address: 2020 - 120 Adelaide Street West Toronto Ontario M5H 1T1
Street/P.O. Box City/Town Province Postal Code

Phone: 416-567-7126 Fax: _____ E-mail: matthew.scoular@erm.com

3. OWNER (if different from applicant)

Name: _____

Mailing Address: _____
Street/P.O. Box City/Town Province Postal Code

Phone: _____ Fax: _____ E-mail: _____

4. CONTRACTOR (if applicable)

Name: _____

Mailing Address: _____
Street/P.O. Box City/Town Province Postal Code

Phone: _____ Fax: _____ E-mail: _____

5. PROPERTY LOCATION

[Record of Consultation](#) [Supporting Documents](#)

County/Region _____ Municipality _____ Municipality _____
 (former)
 Lot _____ Concession _____ and/or Lot _____ Plan _____
 Civic Address # _____ Street Address _____
 (Fire/Emergency #)

6. LOT INFORMATION

Lot Size _____ Frontage _____ Depth _____

7. SERVICING

Existing Road Frontage:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private	<input type="checkbox"/> Right-of-Way	<input type="checkbox"/> Year-round
Proposed Road Frontage:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private	<input type="checkbox"/> Right-of-Way	<input type="checkbox"/> Year-round
Existing Water Supply:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Communal	<input type="checkbox"/> Private Well	<input type="checkbox"/> Other: _____
Proposed Water Supply:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Communal	<input type="checkbox"/> Private Well	<input type="checkbox"/> Other: _____
Existing Sewage System:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Communal	<input type="checkbox"/> Private Septic	<input type="checkbox"/> Other: _____
Proposed Sewage System:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Communal	<input type="checkbox"/> Private Septic	<input type="checkbox"/> Other: _____

8. EXISTING and PROPOSED DEVELOPMENT

Note: "Development" includes the construction of buildings and structures, alterations to the landscape, (e.g. placing fill, drainage alterations, pond construction or alteration), any change of use or new use (e.g. residential to commercial, new home business, etc). If additional space is required please include a separate attachment.

Existing Development: (describe)	Proposed Development: (describe)
↓	↓
Residential _____	_____
Recreational _____	_____
Agricultural _____	_____
Commercial _____	Geotechnical investigation involving up to 9 boreholes and associated access routes within NEP area.
Other _____	_____
(e.g., industrial, institutional)	

9. EASEMENTS, COVENANTS, AGREEMENTS

Describe the type and terms of any easements, right-of-ways, covenants, agreements or other restrictions registered on or affecting the title of the property and/or attach a copy:

Boreholes will be sited within existing Imperial easement (Sarnia Product Pipeline).

10. DATE OF PURCHASE

Date the property was purchased by the current owner: 1951-1952

Date the property will be purchased by the applicant (if purchasing from current owner): _____

Note regarding Sections 11, 12, 13, 14, 15, 16:

Depending on the type or nature of the proposed development and/or the characteristics of the property, supporting information such as Environmental Impact Studies, Landscape Plans, Lighting Plans, Visual Assessments, Grading Plans, Erosion Control Plans, Slope Stability Studies, etc., may be required in support of the following information.

11. CONSTRUCTION DETAILS

PLEASE NOTE

Ground Floor Area is the total exterior measurements of any building, including attached garages and enclosed decks (as applicable).

Total Floor Area (i.e., total mass) is based on the exterior measurements of the building and includes the total of the ground floor area (including attached garages, etc), plus walkout basements, plus full or half second stories, etc.

Maximum Height is measured from the lowest grade (e.g., walkout side), to the peak of the roof.

	Ground Floor Area (Exterior measurements)	Total Floor Area	# of Storeys	Maximum Height (to peak)	Use of structure
Dwelling	_____	_____	_____	_____	_____
Dwelling Addition	_____	_____	_____	_____	_____
Accessory Building 1	_____	_____	_____	_____	_____
Accessory Building 2	_____	_____	_____	_____	_____
Accessory Building Addition _____	_____	_____	_____	_____	_____
Other Building	_____	_____	_____	_____	_____
Demolition (specify what structure)	_____	_____	_____	_____	_____

*If fill is required for any of the developments proposed above please provide details in Section 12 below.

12. ACCESSORY FACILITIES, STRUCTURES, FILLING, GRADING, etc.

(e.g: Driveways, Decks, Gazebos, Swimming Pools, Tennis Courts, Lighting, Signs, Wind Turbines, free-standing Solar Panels, Hydro Poles/Lines, Retaining Walls, Placement of Fill, Grading, Berms, Parking Areas, Tree/Site Clearing, etc.) (See next page for **Ponds**)

Describe and provide information such as: dimensions, size, height, amount of fill etc.

No fill, grading, or vegetation removal required.

13. HOME BUSINESS, CHANGE OF USE, NEW USE

(e.g: Establishing a **Home Business, Home Occupation, Home Industry** or **Bed and Breakfast** business.
 Converting or changing the use, or establishing a new use on a property or within any dwelling building or structure on a property.)

Describe the proposed business or new use and **provide information** such as:

Type of business or use, size or area of building &/or land to be occupied or altered by the use, construction or alteration details, number of employees, access, parking, storage details, sales, hours of operation, signage, etc.

Note: A separate, detailed, business overview or plan should be provided.

No change in land use.

18. SITE PLAN

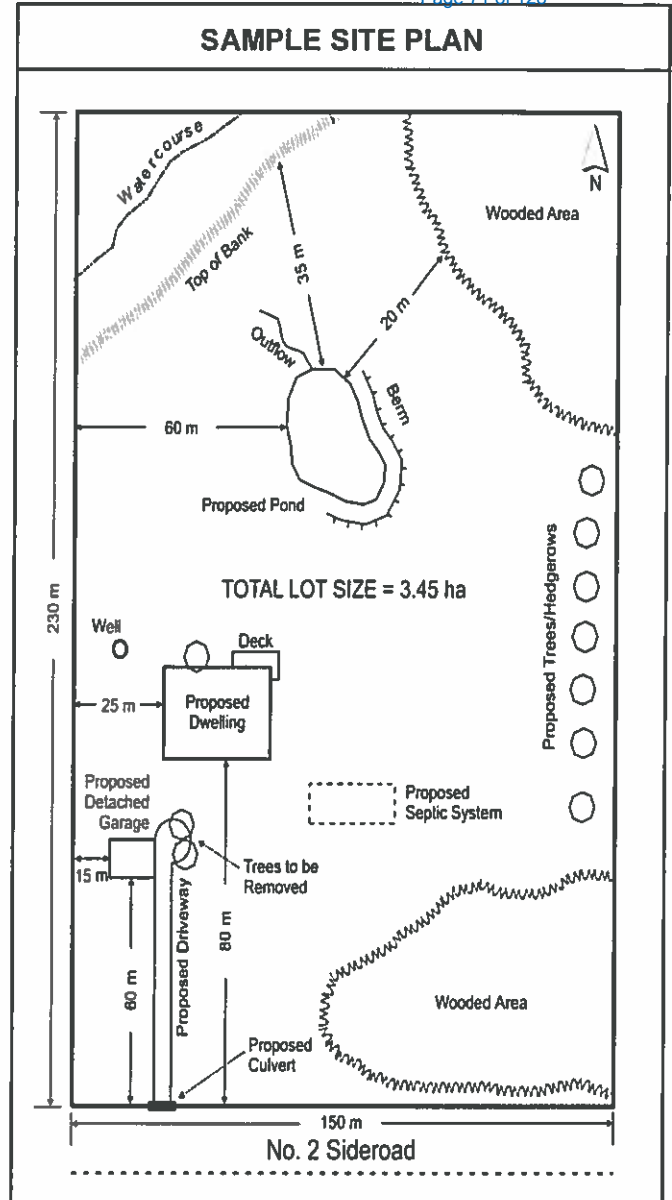
EXHIBIT H
 Record of Consultation - Supporting Documents

An accurate Site Plan must be provided. The Site Plan may be drawn on the following page (Section 20); on an attached Survey; or based on an on-line aerial photography mapping.

Please refer to the **SAMPLE SITE PLAN** opposite.

Your **SITE PLAN** must show the following information:

- Location of all proposed and existing development including:
 - existing and proposed main buildings, accessory buildings, facilities, structures;
 - driveway, septic system, well, hydro lines, parking areas;
 - proposed grading, cut and/or fill areas, berms, filling, retaining walls, culverts, etc.
- Measurements showing distance from the proposed development to:
 - front, side and rear lot lines;
 - streams, wetlands, ponds; woods, fence lines, cliff edges, top of slope or bank, etc;
 - nearest barn.
- Lot frontage and depth measurements and total size.
- If your application involves severance of a proposed new lot, show the location, dimension and size of the proposed lot in relation to the existing lot.
- North arrow (North should be to the top of the page).



Personal information (i.e., name, address, phone, email) is being collected under the authority of the *Niagara Escarpment Planning and Development Act, RSO, 1990, as amended*, and will be used to process this application, which will include site visit notifications and in some cases appeals and hearings. Questions regarding the collection and use of this personal information should be directed to the Manager, Administration at the Georgetown Office phone, email and mailing address set out on the front page of this application form.

By signing this application form below, I consent to the collection of my personal information. **This application cannot be processed without the required signatures as set out below.**

19. SIGNATURES

I CERTIFY THAT THIS STATEMENT IS TRUE AND CORRECT

APPLICANT(S): Jessie Malone [Signature] DATE: July 30, 2018

OWNER(S): _____ DATE: _____
 (if different from applicant)

AGENT(S): _____ DATE: _____

CONTRACTOR: _____ DATE: _____

Memorandum

Date: July 17, 2018

To: Jessie Malone, Imperial

From: Matt Scoular and Mark Welsh, ERM

Cc:

Subject: Waterdown to Finch Project – Geotechnical Investigations Environmental Protection Plan

1. INTRODUCTION

The Sarnia Products Pipeline (SPPL) transports refined product (i.e., gasoline, diesel, and jet fuel) from Imperial's Sarnia Refinery and is critical infrastructure for the Greater Toronto and Hamilton Areas. Imperial Oil Ltd. (Imperial; the Proponent) is seeking to replace an approximately 63 km section of the SPPL to ensure continued reliable and safe pipeline operation. This replacement project is known as the Waterdown to Finch Project (the Project), and runs between Imperial's Waterdown Station (Waterdown, ON) and Finch Terminal (North York, ON).

To support Project planning and design, a geotechnical investigation must be undertaken to inform trenchless crossings of built infrastructure (roads, rail, etc.) and sensitive environmental (watercourses, wetlands) or cultural resources. In total, 140 geotechnical boreholes are planned. Borehole locations were chosen to limit environmental impact as much as practical. A combination of tired and track drill rig units will be used depending on borehole location. Generally, tired rigs will be used on built surfaces such as gravel or asphalt; whereas track rigs will be used on natural surfaces such as grass and agricultural areas. Hollow stem augers will be used, drilling to depths ranging from 10 and 85 mbgs (meters below ground surface). In addition, 39 temporary vibrating wire piezometers will be installed in select locations to monitor groundwater level.

Geotechnical boring is anticipated to begin mid-July 2018 and take up to five months to complete.

This document was created by ERM for the Project Geotechnical Program. In general, the EPP describes:

- Consultation and engagement and notifications planned or undertaken;
- The environmental requirements that the Geotechnical Contractor must work within;
- Assessment requirements to test compliance with EPP; and
- The environmental/cultural monitoring that will be completed.

The EPP is intended to clearly communicate expectations and lines of communication for the Project. Adherence to this plan will ensure that applicable environmental legislation, permits and

best management practices are appropriately implemented at the site, minimizing the potential for environmental effects during geotechnical borehole drilling.

2. ENGAGEMENT UNDERTAKEN

Imperial has undertaken a targeted stakeholder engagement program for the geotechnical investigation. The following stakeholders were engaged:

- Mississauga's of the New Credit First Nation
- Six Nations of the Grand River
- Haudenosaunee Confederacy
- Huron-Wendat First Nation
- Conservation Authorities
- Ministry of Natural Resources and Forestry
- Ministry of Tourism, Culture, and Sport (MTCS)

This consultation and engagement was a component of the program to support the Ontario Energy Board's (OEB) leave to construct application.

3. NOTIFICATIONS TO REGULATORS

Imperial will notify the Chair of the OEB Ontario Pipeline Coordinating Committee prior to the start of drilling associated with the geotechnical investigation. For geotechnical boreholes within the Niagara Escarpment Plan Area, the Niagara Escarpment Commission will also be notified.

4. ARCHAEOLOGICAL ASSESSMENT

4.1 Stage 2 Archaeology Assessment

The archaeological assessment in support of the geotechnical investigation will focus on a 15 x 15m drill rig "footprint", involve hand excavation of between one and four test pits at each proposed borehole location within areas identified as having archaeological potential. Test pits would be excavated to meet MTCS standards. The number and exact location of the test pits will be determined in the field by the Project Archaeologist. Given the time of year, it is anticipated that shovel test pits would be excavated at borehole locations within cultivated fields.

If cultural material of obvious or potential cultural heritage value or interest (CHVI) is identified at a specific borehole location, the Archaeologist will coordinate with the geotechnical engineer to select and test an alternate borehole location in the vicinity.

All test pits excavated as part of the geotechnical investigation will be recorded and plotted on Project mapping. The methods and results of the archaeological assessment for the geotechnical investigation will be included as part of the overall Stage 2 archaeological assessment report developed for the pipeline.

All employees and contractors involved in the investigation will be informed that heritage resources are protected by law, that any archaeological, historic, or human remains uncovered during any such activities must be reported, and that disturbance must cease until the remains are dealt with appropriately.

Table 6.1-1. Stage 2 Archaeology Task and Frequencies

Environmental Task or Assessment	Minimum Frequency of Monitoring and Reporting
Targeted Stage 2 Archaeology Assessment	As required ahead of mobilizing to bore location with archaeological potential

4.2 Archaeological Chance Finds during Drilling

The protocols to be followed in the event of a site discovery are:

- All activity near the remains will cease immediately and all remains will be left in place.
- The UPI Project Manager will be notified.
- The UPI Project Manager, or designate, will communicate details of the discovery, including photos, to the licensed archaeologist, who will:
 - assess the potential significance of the remains;
 - notify the MTCS if necessary; and
 - identify mitigation options, if required.
- If the significance of the remains is judged to be sufficient to warrant further action and they cannot be avoided, then the licensed archaeologist in consultation with the MTCS and representatives of local First Nations communities will determine the appropriate course of action.

5. ENVIRONMENTAL REQUIREMENTS

An EPP compliance program will be conducted during the geotechnical investigation. An Environmental Monitor will conduct periodic site inspections on drill rig crews to confirm that environmental commitments in this EPP are being met, and document any non-conformance. A summary of minimum monitoring frequencies for key activities is contained in Table 7.0-1.

Table 7.0-1. Minimum Compliance Inspection Tasks and Frequencies

Environmental Task or Assessment	Minimum Frequency of Monitoring and Reporting
Onsite Inspection	1-2 on-site inspections per drill rig over the course of the geotechnical drilling program

Construction Planning Meetings	Attend as required (chaired by UPI Project Manager)
Daily Journal	Daily, when on Site.
Environmental Incident Report	Each incident

5.1 Wildlife Management

To protect the nests of birds protected under either provincial or federal legislation, all participants in the geotechnical investigation will participate in a training session with respect to the identification of signs of nesting birds (such as alarm calling, flushing, etc.). Until August 31, the Project Ornithologist will conduct twice-weekly screenings of planned borehole locations for the upcoming week to look for evidence of breeding birds and conduct a thorough nest search. The purposes of the nest search will be to locate any nests/suspected nests, and demarcate any recommended setbacks. As a second check, the Contractor Site Supervisor, or designate, will be responsible to visit the proposed work area in advance of the arrival of equipment to look for evidence of bird nesting activity. Should evidence be detected, the Contractor Site Supervisor will contact the Project Ornithologist. If necessary, the Project Ornithologist will be mobilized to site and a second nest search of the work area and immediate surroundings will be conducted prior to the mobilization of any equipment. If at any time nests or evidence of breeding is observed in suitable habitat, the Project Ornithologist will work with the Contractor Site Supervisor to site the rig within the recommended setback or reschedule the borehole accordingly (after fledglings have left the nest, or outside of the breeding period). Setbacks will be flagged off for ease of identification.

Should the nest of a listed Species at Risk be detected, all work in the area will cease until such time as consultation with the Ministry of Natural Resources and Forestry has occurred to confirm that works are completed in compliance with SARA and MBCA and the Ontario *Endangered Species Act*.

Table 7.1-1. Wildlife Assessment and Frequencies

Environmental Task or Assessment	Minimum Frequency of Monitoring and Reporting
Visual inspection by Project Ornithologist at planned borehole locations to identify environmentally sensitive areas, including wildlife habitat and bird nests and breeding activity	Twice weekly, or as required ahead of mobilizing to bore location prior to August 31
Visual inspection by Contractor Site Supervisor to identify bird nests and breeding activity	Prior to each new mobilization, up to August 31

5.2 Vegetation Management

Geotechnical borehole locations have been sited to avoid the need to fell trees or shrubs. Wide-track rigs will be used on all vegetated surfaces (lawns, pasture, crop land, etc.) to reduce the potential for rutting or cover damage as much as practical. In addition riparian vegetation will not be removed.

During rig mobilization/ demobilization to site only pre-planned access routes will only be utilized. All equipment will be inspected to prior to arrival on site to ensure no transfer of weeds.

5.3 Equipment Inspection and Cleaning

Contractors will be responsible for ensuring that all equipment brought to site arrives in clean and good working condition, is appropriately maintained while on-site, and is equipped with an appropriately stocked spill response kit. Cleaning of equipment will be conducted in accordance with landowner or permit requirements, if applicable.

All equipment will be visually inspected prior to arrival at each site to ensure there is no damage or leaks. Ensure all hoses are properly connected and are adequately maintained.

5.4 Fueling Management

All fuel storage and handling operations will be sited at least 100 m from the nearest waterbody or watercourse in accordance with best management practices.

At a minimum, the Contractor will implement the following spill prevention practices:

- Maintain containers in good condition - not damaged, rusting or leaking;
- Hoses and nozzles used for dispensing fuels should be maintained in good repair and inspected prior to use
- Adequately seal containers with proper fitting lids, caps, bungs or valves to prevent spills and leaks;
- Containers must not be filled beyond their safe filling level;
- Use an electric fuel pump when dispensing from a drum; when an electric fuel pump is not available or not practical, use a manual pump;
- Always store and secure the fuel hose above the drum to prevent siphoning;
- Keep the drum upright and on stable ground; and
- Re-fuelling will be continuously supervised by suitably qualified personnel.

5.5 Irregular Subsurface Conditions

In the event that the rig encounters an irregularity (e.g. visible soil contamination/staining or potential archaeological find), the Contractor Site Supervisor will notify the Environmental Manager immediately for further direction (i.e. take a sample for lab analysis or notify the Project Archaeologist).

5.6 Spill Response

Initial response, notification, cleanup and restoration associated with any spill is the Contactor's responsibility.

In the event of a spill the Contractor will immediately attempt to:

- Ensure safety of all personnel & public;
- Prevent further discharge of the pollutant;
- Contain the spill using all resources available (i.e., on-site spill kits, assistance of additional personnel);
- Notify the Contractor Site Supervisor and Environmental Monitor

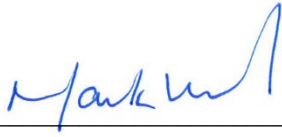
In the event of a spill that does not meet criteria outlined in O. Reg. 675/98 the Contractor will immediately report to the Ontario Spills Action Centre.

Spills Action Centre: 1-800-268-6060

The initial verbal report must include:

- The name and contact information of the person reporting the spill;
- Location, date, and time of the release;
- The type and quantity of the substance released;
- A description of the immediate surrounding area;
- Who is on the scene and the names of all persons notified of the spill;
- Local weather conditions;
- The known causes and effects of the spill;
- First response, containment, and remedial actions that have taken place; and
- Details of clean-up, restoration, and disposal locations and procedures that will be followed.

Prepared by:



Mark Welsh

Senior Consultant
ERM

Reviewed by:



Matt Scoular

Senior Consultant
ERM



5 Shoreham Drive, Downsview, ON M3N 1S4
T. 416-661-6600 | info@trca.on.ca

CTC Source Protection Region

Jessie Malone
Imperial Oil Limited
100 5th Conc E
Waterdown, ON
LOR 2H1

July 31, 2018

Dear Jessie Malone:

RE: Imperial Oil Pipeline Replacement Waterdown to Finch

The *Clean Water Act, 2006* ensures communities protect their drinking water supplies through prevention – by developing collaborative, watershed-based source protection plans that are locally driven and based on science. This correspondence confirms that the proposed project is located in the CTC Source Protection Region in the **Toronto and Region Source Protection Area** and the **Credit Valley Source Protection Area**.

VULNERABLE AREAS UNDER THE *CLEAN WATER ACT, 2006*

Upon review of the applicable assessment reports, the study area for the proposed Waterdown to Finch Project transects the following vulnerable areas identified under the *Clean Water Act, 2006*:

- Wellhead Protection Area (Quality)
- Wellhead Protection Area (Quantity)
- Intake Protection Zone (IPZ)
- Event Based Area (EBA)
- Significant Groundwater Recharge Area (SGRA)
- Highly Vulnerable Aquifers (HVA)

A description of these vulnerable areas follow below.

- An **Event Based Area** is delineated if modelling demonstrates that a spill from a specific activity may be transported to an intake and represents an activity that poses a significant threat to drinking water.
- A **Significant Groundwater Recharge Area (SGRA)** is an area that supplies a community or private residence with drinking water and is characterized by porous soils, which allow water to seep easily into the ground and flow to an aquifer.

- A **Highly Vulnerable Aquifer** can be easily changed or affected by contamination from both human activities and human process as a result of its intrinsic susceptibility (as a function of the thickness and permeability of overlaying layers), or by preferential pathways to the aquifer.

PRESCRIBED THREATS

Under the *Clean Water Act, 2006*, a “prescribed threat” (hereafter referred to as “threat”) is defined as “an activity or condition that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of drinking water, and includes an activity or condition that is prescribed by source protection regulation as a drinking water threat”.

The Province has identified 22 activities (see below) that, if they are present in vulnerable areas, now or in the future, could pose a threat (listed in Section 1.1 of O. Reg. 287/07). Twenty of these activities are relevant to drinking water quality threats, while two are relevant to drinking water quantity threats. It is possible that activities related to the project may pose threats to the vulnerable area(s) identified.

- The establishment, operation, or maintenance of a waste disposal site within the meaning of Part V of the *Environmental Protection Act (EPA)*;
- The establishment, operation, or maintenance of a system that collects, stores, transmits, treats, or disposes of sewage;
- The application of agricultural source material to land;
- The storage of agricultural source material;
- The management of agricultural source material;
- The application of non-agricultural source material (NASM) to land;
- The handling and storage of non-agricultural source material (NASM);
- The application of commercial fertilizer to land;
- The handling and storage of commercial fertilizer;
- The application of pesticide to land;
- The handling and storage of pesticide;
- The application of road salt;
- The handling and storage of road salt;
- The storage of snow;
- The handling and storage of fuel;
- The handling and storage of a dense non-aqueous phase liquid;
- The handling and storage of an organic solvent;
- The management of runoff that contains chemicals used in the deicing of aircraft;
- An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body;
- An activity that reduces the recharge of an aquifer;
- The use of land as livestock grazing or pasturing land, an outdoor confinement area, or a farm-animal yard; and
- The establishment and operation of a liquid hydrocarbon pipeline.

In addition to the prescribed threats listed above, a source protection committee (SPC) may determine that there are other activities in their source protection region, which pose a risk to drinking water. The CTC SPC received approval for the addition of two local drinking water threats in the CTC Source Protection Region:

- Pipelines transporting petroleum products (containing benzene) crossing tributaries of Lake Ontario; and
- Spill of tritium from a nuclear generating station.

CTC SOURCE PROTECTION PLAN POLICIES

The CTC Source Protection Plan contains policies, developed by residents, businesses, and municipalities to protect the vulnerable areas described above. The CTC Source Protection Plan became effective on December 31, 2015 and the complete document is available on the CTC Source Protection Region [website](#) for reference. Policies that apply to HVAs and SGRAs include SAL 10-12, DNAP-3, and OS-3, and Lake Ontario policies apply to EBAs, including LO-PIPE-1, which applies to pipelines transporting petroleum product.

Where an activity associated with the proposed project poses a risk to drinking water, the proponent must document and discuss in the report how the project adheres to or has regard to applicable policies in the CTC Source Protection Plan. The Province has created a [Source Protection Information Atlas](#) to assist in determining where policies apply in vulnerable areas across the province.

I trust that this information will assist you in the design of Imperial's Waterdown to Finch Project. I strongly recommend that you liaise with Bill Snodgrass, Senior Engineer, City of Toronto (1-416-392-9746; wsnodgr@toronto.ca), and Therese Estephan, Advisor, Source Water Protection, Peel Region (905-791-7800 ext. 4339; Therese.Estephan@peelregion.ca), should you have any questions when designing your project to ensure the protection of sources of drinking water. In the event that you have any questions with respect to this correspondence, please contact me at 416-892-9634 or by email at jstephens@trca.on.ca.

Best Regards,

Jennifer Stephens
Program Manager, CTC Source Protection Region

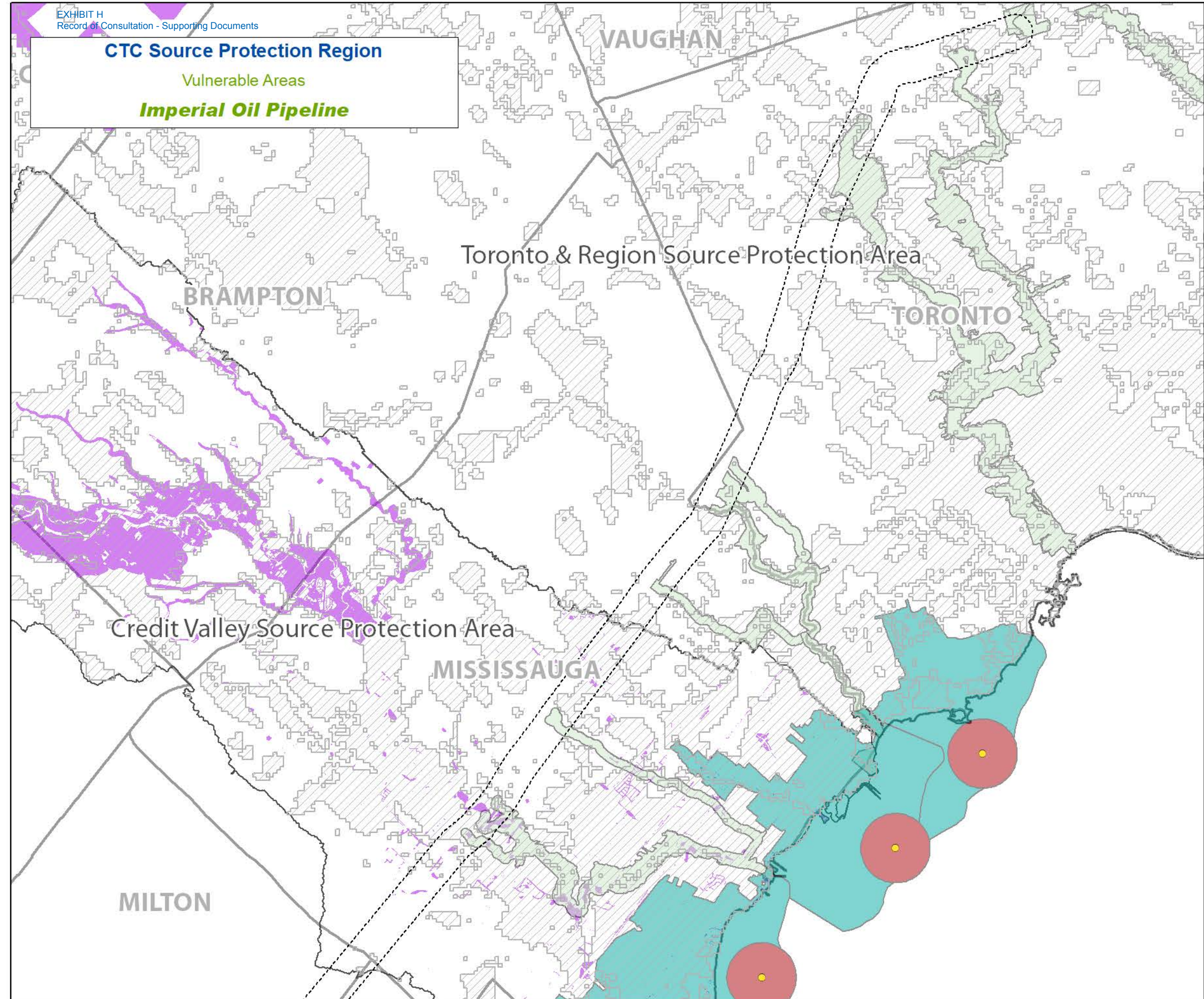
Cc: Annette Lister, Planner II, Toronto and Region Conservation Authority
Annie Li, Planner, Credit Valley Conservation
Don Ford, Hydrogeologist, Toronto and Region Conservation Authority
Kerry Mulchansingh, Hydrogeologist, Credit Valley Conservation
Bill Snodgrass, Senior Engineer, City of Toronto
Therese Estephan, Advisor, Source Water Protection, Region of Peel
Source Protection Screening, Source Protection Programs Branch, Ministry of the Environment and Climate Change

Attach.

CTC Source Protection Region

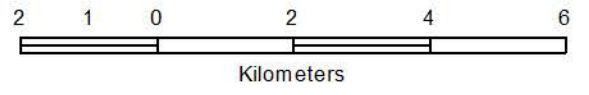
Vulnerable Areas

Imperial Oil Pipeline



Legend

- Approximate Project Boundary
- Intake Protection Zone (IPZ) - 1
- Intake Protection Zone (IPZ) - 2
- Event Based Area (EBA)
- Highly Vulnerable Aquifer (HVA)
- Significant Groundwater Recharge (SGRA)



(c) Copyright. Toronto & Region Source Protection Area, 2018.

This map has been prepared to meet provincial requirements under the Clean Water Act, 2006 and should be used for other purposes ONLY after consultation with the responsible conservation authority or source protection authority. The analysis used to produce this map relies on best available information as of the date of the map. Priority should be given to site specific information collected in accordance with accepted scientific protocols when being used for other purposes.



Memo

**To: Jessica Malone
Environmental and Regulatory Lead
Imperial Oil Limited**

**From: Liam Marray
Senior Manager Planning Ecology**

Date: August 7, 2018

**Re: EA 18/004 MI. Imperial Oil Limited
Waterdown to Finch Pipeline Replacement
Ontario Energy Board Environmental Report and
Leave to Construct Application**

Jessica

Further to our meeting on June 20, 2018 and the preliminary discussions CVC has have had with your consultants regarding this project, it appears that this project is moving forward. As a result be advised that there is a \$5000 review fee. Be advised that additional fees will be applicable during detail design.

Please remit as your earliest convenience.

Do not hesitate to contact me, if you have any additional questions.

Yours truly,

Liam

Liam Marray

Senior Manager, Planning Ecology | Credit Valley Conservation
905.670.1615 ext 239 | C: 416.896.1064 | 1.800.668.5557
liam.marray@cvc.ca | cvc.ca



THIS DATA SHARING AND ACCESS AGREEMENT IS MADE

B E T W E E N:

TORONTO AND REGION CONSERVATION AUTHORITY
("TRCA")

and

Imperial Oil Limited
(the "Recipient")

Imperial Oil Pipeline
(the "Project")

BACKGROUND

- A. TRCA is a body corporate under the Conservation Authorities Act 1990, dedicated to the conservation and management of natural resources including, community action on environmental matters.
 - B. TRCA compiles, manages or otherwise has access to various data.
 - C. Recipient wishes to access and use the data for the purposes identified in Schedule A (the "Purpose") for the Project.
 - D. TRCA wishes to grant access to the Recipient to the data identified in Schedule A (the Data Set) in accordance with this Agreement.
-

In this Agreement "**Intellectual Property Rights**" includes any proprietary rights provided under: (i) patent law; (ii) copyright law (including moral rights); (iii) trade-mark law; (iv) design patent or industrial design law; (v) semi-conductor chip or mask work law; or (vi) any other statutory provision or common law principle applicable to this Agreement, including trade secret law, or the expression or use of same; or any applications, registrations, licenses, sub-licenses, franchises, agreements or any other evidence of a right in any of the foregoing. All rights, including Intellectual Property Rights, other than the foregoing limited license are reserved to TRCA (and its licensors, as applicable).

1. Licence Grant

- 1.1. Subject to compliance with section 1.2 and any other conditions set out in this Agreement, TRCA grants Recipient a non-exclusive, worldwide, royalty-free license to use the Data Set for the Purpose.
- 1.2. The license to the Data Set granted in section 1.1, is conditional upon the following:
 - 1.2.1. TRCA must be acknowledged as the source of the Data Set in any publication of data or analysis derived from the Data Set;
 - 1.2.2. Recipient will not market, commercialize, or profit from the Data Set (in whole or in part) without the prior express written consent of TRCA, which consent may be withheld in TRCA's sole discretion;
 - 1.2.3. Recipient will not publish the Data Set, except to the extent that references to limited and specific data within the Data Set are necessary to give effect to the Purpose;
 - 1.2.4. Recipient will restrict access to the Data Set to those of its personnel who need access to it as part of the Purpose and will be responsible for a breach of this Agreement by such personnel; and
 - 1.2.5. Recipient will not permit persons (other than its own personnel) to access the Data Set without the prior express written consent of TRCA, which consent may be withheld in TRCA's sole discretion.

- 1.3. If the Recipient no longer uses the Data Set solely for the Purpose and pursuant to the conditions set out in this Agreement, the authorization and license to use the Data Set shall immediately become null and void without further notification from TRCA. Recipient will be responsible for the secure destruction or deletion of the Data Set (and all portions and copies of the Data Set) from any and all of Recipient's systems and records.

2. Indemnity and Liability

- 2.1. **THE DATA SET IS PROVIDED BY TRCA ON AN "AS IS" AND "AS AVAILABLE" BASIS. TRCA MAKES NO REPRESENTATIONS OR WARRANTIES AS TO THE ACCURACY OR COMPLETENESS OF ANY DATA SET. ALL IMPLIED REPRESENTATIONS, WARRANTIES OR CONDITIONS OF ANY KIND ARE DISCLAIMED, INCLUDING WITHOUT LIMITATION WARRANTIES OR CONDITIONS AS TO MERCHANTABILITY, QUALITY OR FITNESS FOR A PARTICULAR PURPOSE, NON-INFRINGEMENT, AND THOSE ARISING BY STATUTE OR OTHERWISE, OR FROM A COURSE OF DEALING OR USAGE OF TRADE.**
- 2.2. IN NO EVENT SHALL TRCA, OR ANY OF ITS DIRECTORS, OFFICERS, EMPLOYEES, AGENTS, OR SUBCONTRACTORS, BE LIABLE FOR ANY DAMAGES, INCLUDING ANY CLAIM FOR DIRECT, PUNITIVE, EXEMPLARY, AGGRAVATED, INDIRECT, CONSEQUENTIAL OR SPECIAL DAMAGES IN CONNECTION WITH THIS AGREEMENT, INCLUDING WITHOUT LIMITATION DAMAGES FOR LOSS OF PROFITS OR REVENUE, OR FAILURE TO REALIZE EXPECTED SAVINGS, HOWSOEVER DERIVED. IF, NOTWITHSTANDING THE FOREGOING LIMITATION, A COURT OF COMPETENT JURISDICTION AWARDS DAMAGES AGAINST TRCA, THE PARTIES EXPRESSLY AGREE THAT THOSE DAMAGES SHALL NOT EXCEED \$100 IN THE AGGREGATE.
- 2.3. Recipient acknowledges that TRCA does not represent or warrant that the Data Set is accurate, free of error, current or up-to-date. In consideration of being supplied with the Data Set by TRCA, Recipient acknowledges and agrees that the use of the Data Set is at the risk of Recipient and subject to the terms and conditions of this Agreement. Any person(s) or organization(s) making use of or relying upon the Data Set is responsible for confirming its accuracy and completeness. TRCA is not responsible for edited or reproduced versions of the Data Set.
- 2.4. Recipient shall indemnify TRCA (and its directors, officers, employees, contractors, licensors and agents) from any third party claims arising out of Recipient's use of the Data Set.
- 2.5. Each party acknowledges and agrees that:
 - 2.5.1. in the event of any breach or anticipated breach of the provisions of this Agreement relating to Intellectual Property Rights, damages alone would not be an adequate remedy for the non-breaching party, and
 - 2.5.2. the non-breaching party shall be entitled to equitable relief in respect of that breach, such as an injunction, in addition to or in lieu of damages and without being required to prove that it has suffered or is likely to suffer damages.

3. General

- 3.1. This Agreement shall be governed and interpreted according to the laws of the Province of Ontario, Canada.
- 3.2. Nothing contained in this Agreement shall create or be deemed to create the relationship of joint venture, partnership, agency or employment between the parties. Neither party shall represent itself as the joint venture, partner, agent or employee of the other.
- 3.3. This Agreement may not be assigned by either party without the prior written consent of the other party.
- 3.4. This Agreement may be executed in any number of counterparts. Either party may send a copy of its executed counterpart to the other party by email instead of delivering a signed original of that counterpart. Each executed counterpart (including each copy sent by email) will be deemed to be an original; all executed counterparts taken together will constitute one agreement.

This Agreement is executed by the Parties:


Toronto and Region Conservation Authority

Date:

Chris Gerstenkorn
Senior Manager, ITM

Recipient

Date:



[Name] Martin Bates
[Title] Engineering, Maintenance
& Projects Manager

Imperial Oil Pipeline

Data Set

Regulation Limit	Highly Vulnerable Aquifer
Crest of Slope	Surface Water Intake Protection Zone
Meander Belt	Significant Groundwater Recharge Area
Wetlands	Wellhead Protection Area
Floodline (Engineered)	Fauna
Floodline (Estimated)	Flora
ESA	

Species at Risk

Please note that the Ministry of Natural Resources and Forestry is responsible for providing data related to species at risk. Please contact the Natural Heritage Information Centre for more information at NHICrequests@ontario.ca.

Regulation Limit

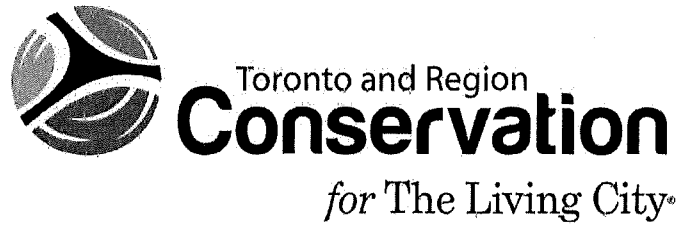
Please note that the Regulation Limit Line represents Ontario Regulation 166/06: Development, Interference with Wetlands and Alterations to shorelines and Watercourses. The text of the Regulation takes precedence over the Regulation Limit mapping. Some regulated features may not appear on the Regulation Limit mapping.

The regulation limit and meander belt information from Ontario Regulation 166/06 is a screening layer only (and should be identified as such in any submissions) and is not to be used for any engineering design purposes (i.e. crossings, etc.) as part of the development application. Please contact the TRCA planning department for additional information (416-661-6600).

The Regulation Limit is a compilation of various information sources. Engineered floodplain mapping and estimated floodplain mapping were prepared by engineering consultants and assigned an allowance of up to 15 metres. Erosion Hazards were determined by TRCA and assigned an allowance of up to 15 metres. Shoreline Hazards were determined by TRCA and assigned an allowance of up to 15 metres. Provincially Significant Wetland (PSW), Locally Significant Wetland (LSW) and Oak Ridges Moraine (ORM) wetland delineations were provided by the Ministry of Natural Resources. All other wetlands delineations were determined by using TRCA Ecological Land Classification (ELC) System mapping. PSW and ORM wetlands greater than 0.5 hectares in size were assigned an allowance of 120 metres in order to identify lands where development could interfere with the function of a wetland. LSW and ELC wetlands greater than 0.5 hectares in size were assigned an allowance of 30 metres. Please refer to 'Reference Manual for Determination of Regulation Limits' (TRCA, 2005).

Purpose

Imperial Oil has initiated an EA study and will be proceeding to detail design shortly afterward for replacement of an oil pipeline that will run along an existing utility corridor from the western edge of TRCA jurisdiction near Eastgate Parkway in Mississauga to their oil storage facility near Finch and Keele in Toronto.



THIS DATA SHARING AND ACCESS AGREEMENT IS MADE

BETWEEN:

TORONTO AND REGION CONSERVATION AUTHORITY
("TRCA")

and

ERM Consultants Canada Ltd.
(the "Recipient")

Imperial Oil Pipeline
(the "Project")

Tel. 416.661.6600, 1.888.872.2344 | Fax. 416.661.6898 | info@trca.on.ca | 5 Shoreham Drive, Downsview, ON M3N 1S4

BACKGROUND

- A. TRCA is a body corporate under the Conservation Authorities Act 1990, dedicated to the conservation and management of natural resources including, community action on environmental matters.
- B. TRCA compiles, manages or otherwise has access to various data.
- C. Recipient wishes to access and use the data for the purposes identified in Schedule A (the "Purpose") for the Project.
- D. TRCA wishes to grant access to the Recipient to the data identified in Schedule A (the Data Set) in accordance with this Agreement.

In this Agreement "**Intellectual Property Rights**" includes any proprietary rights provided under: (i) patent law; (ii) copyright law (including moral rights); (iii) trade-mark law; (iv) design patent or industrial design law; (v) semi-conductor chip or mask work law; or (vi) any other statutory provision or common law principle applicable to this Agreement, including trade secret law, or the expression or use of same; or any applications, registrations, licenses, sub-licenses, franchises, agreements or any other evidence of a right in any of the foregoing. All rights, including Intellectual Property Rights, other than the foregoing limited license are reserved to TRCA (and its licensors, as applicable).

1. Licence Grant

- 1.1. Subject to compliance with section 1.2 and any other conditions set out in this Agreement, TRCA grants Recipient a non-exclusive, worldwide, royalty-free license to use the Data Set for the Purpose.
- 1.2. The license to the Data Set granted in section 1.1, is conditional upon the following:
 - 1.2.1. TRCA must be acknowledged as the source of the Data Set in any publication of data or analysis derived from the Data Set;
 - 1.2.2. Recipient will not market, commercialize, or profit from the Data Set (in whole or in part) without the prior express written consent of TRCA, which consent may be withheld in TRCA's sole discretion;
 - 1.2.3. Recipient will not publish the Data Set, except to the extent that references to limited and specific data within the Data Set are necessary to give effect to the Purpose;
 - 1.2.4. Recipient will restrict access to the Data Set to those of its personnel who need access to it as part of the Purpose and will be responsible for a breach of this Agreement by such personnel; and
 - 1.2.5. Recipient will not permit persons (other than its own personnel) to access the Data Set without the prior express written consent of TRCA, which consent may be withheld in TRCA's sole discretion.

- 1.3. If the Recipient no longer uses the Data Set solely for the Purpose and pursuant to the conditions set out in this Agreement, the authorization and license to use the Data Set shall immediately become null and void without further notification from TRCA. Recipient will be responsible for the secure destruction or deletion of the Data Set (and all portions and copies of the Data Set) from any and all of Recipient's systems and records.

2. Indemnity and Liability

- 2.1. **THE DATA SET IS PROVIDED BY TRCA ON AN "AS IS" AND "AS AVAILABLE" BASIS. TRCA MAKES NO REPRESENTATIONS OR WARRANTIES AS TO THE ACCURACY OR COMPLETENESS OF ANY DATA SET. ALL IMPLIED REPRESENTATIONS, WARRANTIES OR CONDITIONS OF ANY KIND ARE DISCLAIMED, INCLUDING WITHOUT LIMITATION WARRANTIES OR CONDITIONS AS TO MERCHANTABILITY, QUALITY OR FITNESS FOR A PARTICULAR PURPOSE, NON-INFRINGEMENT, AND THOSE ARISING BY STATUTE OR OTHERWISE, OR FROM A COURSE OF DEALING OR USAGE OF TRADE.**
- 2.2. IN NO EVENT SHALL TRCA, OR ANY OF ITS DIRECTORS, OFFICERS, EMPLOYEES, AGENTS, OR SUBCONTRACTORS, BE LIABLE FOR ANY DAMAGES, INCLUDING ANY CLAIM FOR DIRECT, PUNITIVE, EXEMPLARY, AGGRAVATED, INDIRECT, CONSEQUENTIAL OR SPECIAL DAMAGES IN CONNECTION WITH THIS AGREEMENT, INCLUDING WITHOUT LIMITATION DAMAGES FOR LOSS OF PROFITS OR REVENUE, OR FAILURE TO REALIZE EXPECTED SAVINGS, HOWSOEVER DERIVED. IF, NOTWITHSTANDING THE FOREGOING LIMITATION, A COURT OF COMPETENT JURISDICTION AWARDS DAMAGES AGAINST TRCA, THE PARTIES EXPRESSLY AGREE THAT THOSE DAMAGES SHALL NOT EXCEED \$100 IN THE AGGREGATE.
- 2.3. Recipient acknowledges that TRCA does not represent or warrant that the Data Set is accurate, free of error, current or up-to-date. In consideration of being supplied with the Data Set by TRCA, Recipient acknowledges and agrees that the use of the Data Set is at the risk of Recipient and subject to the terms and conditions of this Agreement. Any person(s) or organization(s) making use of or relying upon the Data Set is responsible for confirming its accuracy and completeness. TRCA is not responsible for edited or reproduced versions of the Data Set.
- 2.4. Recipient shall indemnify TRCA (and its directors, officers, employees, contractors, licensors and agents) from any third party claims arising out of Recipient's use of the Data Set.
- 2.5. Each party acknowledges and agrees that:
 - 2.5.1. in the event of any breach or anticipated breach of the provisions of this Agreement relating to Intellectual Property Rights, damages alone would not be an adequate remedy for the non-breaching party, and
 - 2.5.2. the non-breaching party shall be entitled to equitable relief in respect of that breach, such as an injunction, in addition to or in lieu of damages and without being required to prove that it has suffered or is likely to suffer damages.

3. General

- 3.1. This Agreement shall be governed and interpreted according to the laws of the Province of Ontario, Canada.
- 3.2. Nothing contained in this Agreement shall create or be deemed to create the relationship of joint venture, partnership, agency or employment between the parties. Neither party shall represent itself as the joint venture, partner, agent or employee of the other.
- 3.3. This Agreement may not be assigned by either party without the prior written consent of the other party.
- 3.4. This Agreement may be executed in any number of counterparts. Either party may send a copy of its executed counterpart to the other party by email instead of delivering a signed original of that counterpart. Each executed counterpart (including each copy sent by email) will be deemed to be an original; all executed counterparts taken together will constitute one agreement.

This Agreement is executed by the Parties:

Toronto and Region Conservation Authority

Date:

Chris Gerstenkorn
Senior Manager, ITM

Recipient

Date:

July 12/2018

[Name] *Marc Wren*
[Title] *Managing Partner, Canada*

**Schedule "A" to the Data Sharing and Access Agreement
Between TRCA and ERM Consultants Canada Ltd.
Imperial Oil Pipeline**

Data Set

Regulation Limit	Highly Vulnerable Aquifer
Crest of Slope	Surface Water Intake Protection Zone
Meander Belt	Significant Groundwater Recharge Area
Wetlands	Wellhead Protection Area
Floodline (Engineered)	Fauna
Floodline (Estimated)	Flora
ESA	

Species at Risk

Please note that the Ministry of Natural Resources and Forestry is responsible for providing data related to species at risk. Please contact the Natural Heritage Information Centre for more information at NHICrequests@ontario.ca.

Regulation Limit

Please note that the Regulation Limit Line represents Ontario Regulation 166/06: Development, Interference with Wetlands and Alterations to shorelines and Watercourses. The text of the Regulation takes precedence over the Regulation Limit mapping. Some regulated features may not appear on the Regulation Limit mapping.

The regulation limit and meander belt information from Ontario Regulation 166/06 is a screening layer only (and should be identified as such in any submissions) and is not to be used for any engineering design purposes (i.e. crossings, etc.) as part of the development application. Please contact the TRCA planning department for additional information (416-661-6600).

The Regulation Limit is a compilation of various information sources. Engineered floodplain mapping and estimated floodplain mapping were prepared by engineering consultants and assigned an allowance of up to 15 metres. Erosion Hazards were determined by TRCA and assigned an allowance of up to 15 metres. Shoreline Hazards were determined by TRCA and assigned an allowance of up to 15 metres. Provincially Significant Wetland (PSW), Locally Significant Wetland (LSW) and Oak Ridges Moraine (ORM) wetland delineations were provided by the Ministry of Natural Resources. All other wetlands delineations were determined by using TRCA Ecological Land Classification (ELC) System mapping. PSW and ORM wetlands greater than 0.5 hectares in size were assigned an allowance of 120 metres in order to identify lands where development could interfere with the function of a wetland. LSW and ELC wetlands greater than 0.5 hectares in size were assigned an allowance of 30 metres. Please refer to 'Reference Manual for Determination of Regulation Limits' (TRCA, 2005).

Purpose

Imperial Oil has initiated an EA study and will be proceeding to detail design shortly afterward for replacement of an oil pipeline that will run along an existing utility corridor from the western edge of TRCA jurisdiction near Eastgate Parkway in Mississauga to their oil storage facility near Finch and Keele in Toronto.



THIS DATA SHARING AND ACCESS AGREEMENT IS MADE

B E T W E E N:

TORONTO AND REGION CONSERVATION AUTHORITY
("TRCA")

and

UniversalPegasus International (UPI)
(the "Recipient")

Imperial Oil Pipeline
(the "Project")

BACKGROUND

- A. TRCA is a body corporate under the Conservation Authorities Act 1990, dedicated to the conservation and management of natural resources including, community action on environmental matters.
- B. TRCA compiles, manages or otherwise has access to various data.
- C. Recipient wishes to access and use the data for the purposes identified in Schedule A (the "Purpose") for the Project.
- D. TRCA wishes to grant access to the Recipient to the data identified in Schedule A (the Data Set) in accordance with this Agreement.

In this Agreement "**Intellectual Property Rights**" includes any proprietary rights provided under: (i) patent law; (ii) copyright law (including moral rights); (iii) trade-mark law; (iv) design patent or industrial design law; (v) semi-conductor chip or mask work law; or (vi) any other statutory provision or common law principle applicable to this Agreement, including trade secret law, or the expression or use of same; or any applications, registrations, licenses, sub-licenses, franchises, agreements or any other evidence of a right in any of the foregoing. All rights, including Intellectual Property Rights, other than the foregoing limited license are reserved to TRCA (and its licensors, as applicable).

1. Licence Grant

- 1.1. Subject to compliance with section 1.2 and any other conditions set out in this Agreement, TRCA grants Recipient a non-exclusive, worldwide, royalty-free license to use the Data Set for the Purpose.
- 1.2. The license to the Data Set granted in section 1.1, is conditional upon the following:
 - 1.2.1. TRCA must be acknowledged as the source of the Data Set in any publication of data or analysis derived from the Data Set;
 - 1.2.2. Recipient will not market, commercialize, or profit from the Data Set (in whole or in part) without the prior express written consent of TRCA, which consent may be withheld in TRCA's sole discretion;
 - 1.2.3. Recipient will not publish the Data Set, except to the extent that references to limited and specific data within the Data Set are necessary to give effect to the Purpose;
 - 1.2.4. Recipient will restrict access to the Data Set to those of its personnel who need access to it as part of the Purpose and will be responsible for a breach of this Agreement by such personnel; and
 - 1.2.5. Recipient will not permit persons (other than its own personnel) to access the Data Set without the prior express written consent of TRCA, which consent may be withheld in TRCA's sole discretion.

- 1.3. If the Recipient no longer uses the Data Set solely for the Purpose and pursuant to the conditions set out in this Agreement, the authorization and license to use the Data Set shall immediately become null and void without further notification from TRCA. Recipient will be responsible for the secure destruction or deletion of the Data Set (and all portions and copies of the Data Set) from any and all of Recipient's systems and records.

2. Indemnity and Liability

- 2.1. **THE DATA SET IS PROVIDED BY TRCA ON AN "AS IS" AND "AS AVAILABLE" BASIS. TRCA MAKES NO REPRESENTATIONS OR WARRANTIES AS TO THE ACCURACY OR COMPLETENESS OF ANY DATA SET. ALL IMPLIED REPRESENTATIONS, WARRANTIES OR CONDITIONS OF ANY KIND ARE DISCLAIMED, INCLUDING WITHOUT LIMITATION WARRANTIES OR CONDITIONS AS TO MERCHANTABILITY, QUALITY OR FITNESS FOR A PARTICULAR PURPOSE, NON-INFRINGEMENT, AND THOSE ARISING BY STATUTE OR OTHERWISE, OR FROM A COURSE OF DEALING OR USAGE OF TRADE.**
- 2.2. IN NO EVENT SHALL TRCA, OR ANY OF ITS DIRECTORS, OFFICERS, EMPLOYEES, AGENTS, OR SUBCONTRACTORS, BE LIABLE FOR ANY DAMAGES, INCLUDING ANY CLAIM FOR DIRECT, PUNITIVE, EXEMPLARY, AGGRAVATED, INDIRECT, CONSEQUENTIAL OR SPECIAL DAMAGES IN CONNECTION WITH THIS AGREEMENT, INCLUDING WITHOUT LIMITATION DAMAGES FOR LOSS OF PROFITS OR REVENUE, OR FAILURE TO REALIZE EXPECTED SAVINGS, HOWSOEVER DERIVED. IF, NOTWITHSTANDING THE FOREGOING LIMITATION, A COURT OF COMPETENT JURISDICTION AWARDS DAMAGES AGAINST TRCA, THE PARTIES EXPRESSLY AGREE THAT THOSE DAMAGES SHALL NOT EXCEED \$100 IN THE AGGREGATE.
- 2.3. Recipient acknowledges that TRCA does not represent or warrant that the Data Set is accurate, free of error, current or up-to-date. In consideration of being supplied with the Data Set by TRCA, Recipient acknowledges and agrees that the use of the Data Set is at the risk of Recipient and subject to the terms and conditions of this Agreement. Any person(s) or organization(s) making use of or relying upon the Data Set is responsible for confirming its accuracy and completeness. TRCA is not responsible for edited or reproduced versions of the Data Set.
- 2.4. Recipient shall indemnify TRCA (and its directors, officers, employees, contractors, licensors and agents) from any third party claims arising out of Recipient's use of the Data Set.
- 2.5. Each party acknowledges and agrees that:
 - 2.5.1. in the event of any breach or anticipated breach of the provisions of this Agreement relating to Intellectual Property Rights, damages alone would not be an adequate remedy for the non-breaching party, and
 - 2.5.2. the non-breaching party shall be entitled to equitable relief in respect of that breach, such as an injunction, in addition to or in lieu of damages and without being required to prove that it has suffered or is likely to suffer damages.

3. General

- 3.1. This Agreement shall be governed and interpreted according to the laws of the Province of Ontario, Canada.
- 3.2. Nothing contained in this Agreement shall create or be deemed to create the relationship of joint venture, partnership, agency or employment between the parties. Neither party shall represent itself as the joint venture, partner, agent or employee of the other.
- 3.3. This Agreement may not be assigned by either party without the prior written consent of the other party.
- 3.4. This Agreement may be executed in any number of counterparts. Either party may send a copy of its executed counterpart to the other party by email instead of delivering a signed original of that counterpart. Each executed counterpart (including each copy sent by email) will be deemed to be an original; all executed counterparts taken together will constitute one agreement.

This Agreement is executed by the Parties:

Toronto and Region Conservation Authority



Date:

Chris Gerstenkorn
Senior Manager, ITM

Recipient

Date:

[Name] Thomas J. Davison
[Title] PRESIDENT

**Schedule "A" to the Data Sharing and Access Agreement
Between TRCA and UniversalPegasus International (UPI)
Imperial Oil Pipeline**

Data Set

Regulation Limit	Highly Vulnerable Aquifer
Crest of Slope	Surface Water Intake Protection Zone
Meander Belt	Significant Groundwater Recharge Area
Wetlands	Wellhead Protection Area
Floodline (Engineered)	Fauna
Floodline (Estimated)	Flora
ESA	

Species at Risk

Please note that the Ministry of Natural Resources and Forestry is responsible for providing data related to species at risk. Please contact the Natural Heritage Information Centre for more information at NHICrequests@ontario.ca.

Regulation Limit

Please note that the Regulation Limit Line represents Ontario Regulation 166/06: Development, Interference with Wetlands and Alterations to shorelines and Watercourses. The text of the Regulation takes precedence over the Regulation Limit mapping. Some regulated features may not appear on the Regulation Limit mapping.

The regulation limit and meander belt information from Ontario Regulation 166/06 is a screening layer only (and should be identified as such in any submissions) and is not to be used for any engineering design purposes (i.e. crossings, etc.) as part of the development application. Please contact the TRCA planning department for additional information (416-661-6600).

The Regulation Limit is a compilation of various information sources. Engineered floodplain mapping and estimated floodplain mapping were prepared by engineering consultants and assigned an allowance of up to 15 metres. Erosion Hazards were determined by TRCA and assigned an allowance of up to 15 metres. Shoreline Hazards were determined by TRCA and assigned an allowance of up to 15 metres. Provincially Significant Wetland (PSW), Locally Significant Wetland (LSW) and Oak Ridges Moraine (ORM) wetland delineations were provided by the Ministry of Natural Resources. All other wetlands delineations were determined by using TRCA Ecological Land Classification (ELC) System mapping. PSW and ORM wetlands greater than 0.5 hectares in size were assigned an allowance of 120 metres in order to identify lands where development could interfere with the function of a wetland. LSW and ELC wetlands greater than 0.5 hectares in size were assigned an allowance of 30 metres. Please refer to 'Reference Manual for Determination of Regulation Limits' (TRCA, 2005).

Purpose

Imperial Oil has initiated an EA study and will be proceeding to detail design shortly afterward for replacement of an oil pipeline that will run along an existing utility corridor from the western edge of TRCA jurisdiction near Eastgate Parkway in Mississauga to their oil storage facility near Finch and Keele in Toronto.



THIS DATA SHARING AND ACCESS AGREEMENT IS MADE

B E T W E E N:

TORONTO AND REGION CONSERVATION AUTHORITY
("TRCA")

and

Savanta Inc.
(the "Recipient")

Imperial Oil Pipeline
(the "Project")

BACKGROUND

- A. TRCA is a body corporate under the Conservation Authorities Act 1990, dedicated to the conservation and management of natural resources including, community action on environmental matters.
 - B. TRCA compiles, manages or otherwise has access to various data.
 - C. Recipient wishes to access and use the data for the purposes identified in Schedule A (the "Purpose") for the Project.
 - D. TRCA wishes to grant access to the Recipient to the data identified in Schedule A (the Data Set) in accordance with this Agreement.
-

In this Agreement "**Intellectual Property Rights**" includes any proprietary rights provided under: (i) patent law; (ii) copyright law (including moral rights); (iii) trade-mark law; (iv) design patent or industrial design law; (v) semi-conductor chip or mask work law; or (vi) any other statutory provision or common law principle applicable to this Agreement, including trade secret law, or the expression or use of same; or any applications, registrations, licenses, sub-licenses, franchises, agreements or any other evidence of a right in any of the foregoing. All rights, including Intellectual Property Rights, other than the foregoing limited license are reserved to TRCA (and its licensors, as applicable).

1. Licence Grant

- 1.1. Subject to compliance with section 1.2 and any other conditions set out in this Agreement, TRCA grants Recipient a non-exclusive, worldwide, royalty-free license to use the Data Set for the Purpose.
- 1.2. The license to the Data Set granted in section 1.1, is conditional upon the following:
 - 1.2.1. TRCA must be acknowledged as the source of the Data Set in any publication of data or analysis derived from the Data Set;
 - 1.2.2. Recipient will not market, commercialize, or profit from the Data Set (in whole or in part) without the prior express written consent of TRCA, which consent may be withheld in TRCA's sole discretion;
 - 1.2.3. Recipient will not publish the Data Set, except to the extent that references to limited and specific data within the Data Set are necessary to give effect to the Purpose;
 - 1.2.4. Recipient will restrict access to the Data Set to those of its personnel who need access to it as part of the Purpose and will be responsible for a breach of this Agreement by such personnel; and
 - 1.2.5. Recipient will not permit persons (other than its own personnel) to access the Data Set without the prior express written consent of TRCA, which consent may be withheld in TRCA's sole discretion.

- 1.3. If the Recipient no longer uses the Data Set solely for the Purpose and pursuant to the conditions set out in this Agreement, the authorization and license to use the Data Set shall immediately become null and void without further notification from TRCA. Recipient will be responsible for the secure destruction or deletion of the Data Set (and all portions and copies of the Data Set) from any and all of Recipient's systems and records.

2. Indemnity and Liability

- 2.1. **THE DATA SET IS PROVIDED BY TRCA ON AN "AS IS" AND "AS AVAILABLE" BASIS. TRCA MAKES NO REPRESENTATIONS OR WARRANTIES AS TO THE ACCURACY OR COMPLETENESS OF ANY DATA SET. ALL IMPLIED REPRESENTATIONS, WARRANTIES OR CONDITIONS OF ANY KIND ARE DISCLAIMED, INCLUDING WITHOUT LIMITATION WARRANTIES OR CONDITIONS AS TO MERCHANTABILITY, QUALITY OR FITNESS FOR A PARTICULAR PURPOSE, NON-INFRINGEMENT, AND THOSE ARISING BY STATUTE OR OTHERWISE, OR FROM A COURSE OF DEALING OR USAGE OF TRADE.**
- 2.2. IN NO EVENT SHALL TRCA, OR ANY OF ITS DIRECTORS, OFFICERS, EMPLOYEES, AGENTS, OR SUBCONTRACTORS, BE LIABLE FOR ANY DAMAGES, INCLUDING ANY CLAIM FOR DIRECT, PUNITIVE, EXEMPLARY, AGGRAVATED, INDIRECT, CONSEQUENTIAL OR SPECIAL DAMAGES IN CONNECTION WITH THIS AGREEMENT, INCLUDING WITHOUT LIMITATION DAMAGES FOR LOSS OF PROFITS OR REVENUE, OR FAILURE TO REALIZE EXPECTED SAVINGS, HOWSOEVER DERIVED. IF, NOTWITHSTANDING THE FOREGOING LIMITATION, A COURT OF COMPETENT JURISDICTION AWARDS DAMAGES AGAINST TRCA, THE PARTIES EXPRESSLY AGREE THAT THOSE DAMAGES SHALL NOT EXCEED \$100 IN THE AGGREGATE.
- 2.3. Recipient acknowledges that TRCA does not represent or warrant that the Data Set is accurate, free of error, current or up-to-date. In consideration of being supplied with the Data Set by TRCA, Recipient acknowledges and agrees that the use of the Data Set is at the risk of Recipient and subject to the terms and conditions of this Agreement. Any person(s) or organization(s) making use of or relying upon the Data Set is responsible for confirming its accuracy and completeness. TRCA is not responsible for edited or reproduced versions of the Data Set.
- 2.4. Recipient shall indemnify TRCA (and its directors, officers, employees, contractors, licensors and agents) from any third party claims arising out of Recipient's use of the Data Set.
- 2.5. Each party acknowledges and agrees that:
 - 2.5.1. in the event of any breach or anticipated breach of the provisions of this Agreement relating to Intellectual Property Rights, damages alone would not be an adequate remedy for the non-breaching party, and
 - 2.5.2. the non-breaching party shall be entitled to equitable relief in respect of that breach, such as an injunction, in addition to or in lieu of damages and without being required to prove that it has suffered or is likely to suffer damages.

3. General

- 3.1. This Agreement shall be governed and interpreted according to the laws of the Province of Ontario, Canada.
- 3.2. Nothing contained in this Agreement shall create or be deemed to create the relationship of joint venture, partnership, agency or employment between the parties. Neither party shall represent itself as the joint venture, partner, agent or employee of the other.
- 3.3. This Agreement may not be assigned by either party without the prior written consent of the other party.
- 3.4. This Agreement may be executed in any number of counterparts. Either party may send a copy of its executed counterpart to the other party by email instead of delivering a signed original of that counterpart. Each executed counterpart (including each copy sent by email) will be deemed to be an original; all executed counterparts taken together will constitute one agreement.

This Agreement is executed by the Parties:

Toronto and Region Conservation Authority

Date:

Chris Gerstenkorn
Senior Manager, ITM

Recipient

Date:



[Name] Shannon Catton
[Title] Project Director

Data Set

Regulation Limit	Highly Vulnerable Aquifer
Crest of Slope	Surface Water Intake Protection Zone
Meander Belt	Significant Groundwater Recharge Area
Wetlands	Wellhead Protection Area
Floodline (Engineered)	Fauna
Floodline (Estimated)	Flora
ESA	

Species at Risk

Please note that the Ministry of Natural Resources and Forestry is responsible for providing data related to species at risk. Please contact the Natural Heritage Information Centre for more information at NHICrequests@ontario.ca.

Regulation Limit

Please note that the Regulation Limit Line represents Ontario Regulation 166/06: Development, Interference with Wetlands and Alterations to shorelines and Watercourses. The text of the Regulation takes precedence over the Regulation Limit mapping. Some regulated features may not appear on the Regulation Limit mapping.

The regulation limit and meander belt information from Ontario Regulation 166/06 is a screening layer only (and should be identified as such in any submissions) and is not to be used for any engineering design purposes (i.e. crossings, etc.) as part of the development application. Please contact the TRCA planning department for additional information (416-661-6600).

The Regulation Limit is a compilation of various information sources. Engineered floodplain mapping and estimated floodplain mapping were prepared by engineering consultants and assigned an allowance of up to 15 metres. Erosion Hazards were determined by TRCA and assigned an allowance of up to 15 metres. Shoreline Hazards were determined by TRCA and assigned an allowance of up to 15 metres. Provincially Significant Wetland (PSW), Locally Significant Wetland (LSW) and Oak Ridges Moraine (ORM) wetland delineations were provided by the Ministry of Natural Resources. All other wetlands delineations were determined by using TRCA Ecological Land Classification (ELC) System mapping. PSW and ORM wetlands greater than 0.5 hectares in size were assigned an allowance of 120 metres in order to identify lands where development could interfere with the function of a wetland. LSW and ELC wetlands greater than 0.5 hectares in size were assigned an allowance of 30 metres. Please refer to 'Reference Manual for Determination of Regulation Limits' (TRCA, 2005).

Purpose

Imperial Oil has initiated an EA study and will be proceeding to detail design shortly afterward for replacement of an oil pipeline that will run along an existing utility corridor from the western edge of TRCA jurisdiction near Eastgate Parkway in Mississauga to their oil storage facility near Finch and Keele in Toronto.

FW: Data request for Imperial's Waterdown to Finch Project

Malone, Jessie M [jessie.m.malone@esso.ca]

Sent: Friday, August 24, 2018 12:29 PM**To:** Matthew Scoular [Matthew.Scoular@erm.com]; Mark Welsh [Mark.Welsh@erm.com]**Cc:** Imperial Isometrix**Attachments:** HCA Regulated Area_Imperia~1.jpg (943 KB)

Matt, Mark,

Can you confirm whether we need digital mapping info per below? Please make note of the listed concerns to address in our ER.

Thanks,

Jessie

From: Kenny, Darren [mailto:Darren.Kenny@conservationhamilton.ca]**Sent:** Friday, August 24, 2018 9:27 AM**To:** Malone, Jessie M <jessie.m.malone@esso.ca>**Cc:** 'Matthew Scoular' <Matthew.Scoular@erm.com>; Oaks, Colin <coaks@conservationhamilton.ca>; McDonell, Lesley <Lesley.McDonell@conservationhamilton.ca>; Woodworth, Richard <Richard.Woodworth@conservationhamilton.ca>**Subject:** RE: Data request for Imperial's Waterdown to Finch Project

Jessie,

No worries, as I too am long overdue in providing follow-up on our joint agency site walk back in early July.

Please see attached for a map showing our approximate regulated area that has been refined since our site walk.

The pipeline is shown in red and our regulated area in yellow. PSW boundaries are in orange. Our watershed boundary is shown in light green. The full watershed boundary can be found on our regulated area mapping tool web page at <http://conservationhamilton.ca/regulated-areas-map-tool/>

If you require digital mapping information, please let me know.

The regulated area in the vicinity of 162-172 Concession 5 E will have to be further refined with regard to the tributaries and small wetland identified by both our agencies once the field studies are completed.

As we are dealing strictly with first order headwaters, there is no floodplain associated with these watercourses.

There are no ponds, meander belt, shoreline, or stable top of bank issues to be addressed in this area.

There is no direct fish habitat/fisheries in this location and we have no monitoring stations in the area.

By copy of this e-mail to our ecology staff, we will arrange to provide whatever natural heritage information we have available - which will be limited for this particular area. We do have a template data sharing agreement we can provide should it be necessary.



As can be seen from the attached map, the extent of works within our regulated area will be relatively minor. However, based on the information received to date and observations made during our site walk,

The following issues are of concern to HCA staff and will have to be addressed as part of the future regulation application:

- Maintenance of existing watercourses and surface drainage pattern pre-post pipeline construction
- Delineation of any previously unidentified wetlands and maintenance of groundwater flow pattern/volumes and water balance for wetlands
- Location of extra temporary work space areas and material stockpiling during construction
- Mitigation measures for watercourses/surface drainage, tree protection, etc. during construction
- Post-construction restoration and revegetation of disturbed areas

These issues can be further refined and discussed as the field studies are completed and the project details are developed.

Thank you

**Darren Kenny, B.Sc. (Hons.), CAN-CISEC
Watershed Officer, Badge # 113**
Hamilton Conservation Authority
P.O. Box 81067, 838 Mineral Springs Road
Ancaster, Ontario L9G 4X1
Tel - 905-525-2181 , ext. 131
Fax - 905-648-4622 
darren.kenny@conservationhamilton.ca
Website - www.conservationhamilton.ca

The contents of this e-mail and any attachments are intended for the named recipient(s). This e-mail may contain information that is privileged and confidential. If you have received this message in error or are not the named recipient(s), please notify the sender and permanently delete this message without reviewing, copying, forwarding, disclosing or otherwise using it or any part of it in any form whatsoever.

Thank you.

From: Malone, Jessie M [<mailto:jessie.m.malone@esso.ca>]
Sent: Friday, August 24, 2018 9:55 AM
To: Kenny, Darren <Darren.Kenny@conservationhamilton.ca>

EXHIBIT H
Record of Consultation - Supporting Documents

Filed: 2019-02-22
EB-2019-0007
Tab 1, Schedule 4
Page 106 of 128

Cc: 'Matthew Scoular' <Matthew.Scoular@erm.com>

Subject: Data request for Imperial's Waterdown to Finch Project

Hi Darren,

I have a long overdue follow up with you to request any data layers that you may have available to inform the project planning. We would be interested in seeing data layers such as:

- Floodplain limits and associated cross sections
- Approximate regulation limit of HCA
- Regulated watercourses and hydrologic linkages
- Ponds, meander belt, shoreline, stable top of bank
- Wetlands
- Ecological land classification
- Fisheries occurrence
- Monitoring stations
- Watershed boundary
- Landcover
- Environmentally significant areas
- Species observations
- Floodplain hydraulic or flow model


Please let me know what you'd have available and if you have a template data sharing agreement.

Thanks,

Jessie Malone, P.Eng

Environmental and Regulatory Advisor

Safety Security Health and Environment, Imperial
505 Quarry Park Blvd. SE, Calgary, AB T2C 5N1 | W5C.244

jessie.m.malone@esso.ca P 587.476.4799  | C. 403.826.5491 
imperialoil.ca | [Twitter](#) | [YouTube](#)



REQUEST FOR DIGITAL MAPPING OR DATA LICENSING

This application must be completed in full for all digital mapping and data requests. Incomplete applications will be returned to the applicant and may result in significant delays to processing your request. Data licenses are issued for all approved requests, typically on a project-by-project basis. Conservation Halton's Data Distribution Policy will determine if data licensing fees or staff time recovery fees will be charged.

A typical information request will take approximately 5 to 15 business days to process, from the time a signed licensing agreement is received by Conservation Halton. Additional time may be required for large data orders or requests that require staff time in excess of one hour to complete. Requests are processed in the order that they are received. Enquires regarding the status of any information request should be directed to gis@hrca.on.ca

A. STUDY AREA

DATE August 24, 2018	DATE DATA REQUIRED BY September 15, 2018
PROJECT TITLE OR STUDY NAME Imperial's Waterdown to Finch Project	
PROJECT LOCATION OR STUDY AREA (BE SPECIFIC) Shapefile and kmz file have been previously provided. Study area is a 25 m buffer on either side of the pipeline centerline.	
STUDY AREA MAP ATTACHED? No	

B. INFORMATION USE

PLEASE PROVIDE SPECIFIC INFORMATION ON HOW THE DATA WILL BE USED IN THE PROJECT OR STUDY. Data will be used during the project development to support constraints mapping. This will inform the pipeline design and avoidance and/or mitigation measures that may be required. The data will also be used to inform the environmental report that will be submitted as part of the OEB's Leave to Construct application and Infrastructure Ontario's Environmental Assessment.

C. TYPE OF INFORMATION REQUEST

WHAT TYPE OF DATA ARE YOU REQUESTING?	
PRINTED PUBLICATIONS, REPORTS, MAPPING, DATABASE SUMMARIES	No
DIGITAL GIS DATA OR DATABASES	Yes
ENGINEERING HYDRAULIC/HYDROLOGIC MODELS	Yes
OTHER (PLEASE SPECIFY)	



Conservation Halton
 2596 Britannia Road West Burlington, ON 7P 0G3
 Phone: 905.336-1158 Fax: 905.336.7014
 Extension: 254 gis@hrca.on.ca

Geographic Information Systems Program
*Protecting the natural environment
 from lake to escarpment*
www.conservationhalton.on.ca

Filed: 2019-02-22
 EB-2019-0007
 Table Schedule 4
 Page 108 of 128

D. INFORMATION REQUESTED - PACKAGES

PLEASE CIRCLE THE DATA PACKAGE REQUIRED OR CREATE A CUSTOM LIST ON PAGE 2.

Planning Package **B** Floodplain Package **C** Ecology Package **B**

D. INFORMATION REQUESTED - INDIVIDUAL LAYERS

PLEASE LIST OTHER SPECIFIC MAPPING, DATA OR INFORMATION REQUIRED HERE.

- Approximate Regulation Limit (ARL)
- Floodplain (Regulated Hazard)
- Ponds (Regulated Hazard)
- Meander Belt (Regulated Hazard)
- Shoreline (Regulated Hazard)
- Stable Top of Bank (Regulated Hazard)
- Wetland (Regulated Hazard)
- Flood Lines / Flood Plains
- Regulated Watercourses & Hydrologic Linkages (e.g. Creeks)
- Ecological Land Classification (ELC)
- Fisheries Occurrence
- Monitoring Stations (FBMP, MMP)
- Watershed Boundary
- Subwatersheds: Sixteen Mile, Bronte and Grindstone Creeks
- Landcover
- Floodplain Hydraulic or Flow Model (e.g. HECRAS)

E. CONTACT INFORMATION OF INDIVIDUAL OR ORGANIZATION INITIATING THE PROJECT

(Note: This contact will be listed as a licensee and will be required to sign and be bound by the terms and conditions of the Data Licensing Agreement. Typically this is the individual landowner or Municipality who hired a consultant to undertake the works.)

NAME Martin Bates	CITY/PROVINCE Calgary, Alberta T2C5N1	POSTAL CODE
POSITION TITLE Engineering, Maintenance & Projects Manager	TELEPHONE NO. 587-476-3194	
AGENCY/AFFILIATION Imperial	EXTENSION	
BRANCH/DIVISION (IF APPLICABLE)	FAX NO.	
MAILING ADDRESS (STREET/P.O. BOX/SUITE) 505 Quarry Park Blvd SE	EMAIL ADDRESS Martin.bates@esso.ca	

F. CONTACT INFORMATION OF THE ORGANIZATION WHO WILL RECEIVE THE DATA

(Note: This contact will be listed as a licensee and will be required to sign and be bound by the terms and conditions of the Data Licensing Agreement. Typically this individual is the project manager/coordinator.)

NAME Jessie Malone	CITY/PROVINCE Calgary, Alberta T2C5N1	POSTAL CODE
POSITION TITLE Environment & Regulatory Lead	TELEPHONE NO. 587-476-4799	
AGENCY/AFFILIATION Imperial	EXTENSION	



Conservation Halton
2596 Britannia Road West Burlington, ON 7P 0G3
Phone: 905.336-1158 Fax: 905.336.7014
Extension: 254 gis@hrca.on.ca

Geographic Information Systems Program
*Protecting the natural environment
from lake to escarpment*
www.conservationhalton.on.ca

BRANCH/DIVISION (IF APPLICABLE)	FAX NO.
MAILING ADDRESS (STREET/P.O. BOX/SUITE) 505 Quarry Park Blvd SE	EMAIL ADDRESS Jessie.m.malone@esso.ca

G. CONTACT INFORMATION OF INDIVIDUAL FROM ORGANIZATION F WHO WILL RECEIVE THE DATA

(Note: Typically this is the technician who will physically receive the data. If this section is left blank, data will be delivered to the attention of the individual listed in F above.)

NAME	CITY/PROVINCE	POSTAL CODE
POSITION TITLE	TELEPHONE NO.	
AGENCY/AFFILIATION	EXTENSION	
BRANCH/DIVISION (IF APPLICABLE)	FAX NO.	
MAILING ADDRESS (STREET/P.O. BOX/SUITE)	EMAIL ADDRESS	

EXHIBIT H
Record of Consultation - Supporting Documents

Filed: 2019-02-22
EB-2019-0007
Tab 1, Schedule 4
Page 110 of 128

FW: UPI Waterdown to Finch Pipeline - Channel and Bank Erosion Assessment

Matthew Scoular [Matthew.Scoular@erm.com]

Sent: Friday, August 31, 2018 10:39 AM

To: Imperial Isometrix; Malone, Jessie M (jessie.m.malone@esso.ca); Watson, James (James.Watson@hii-upi.com)


Cc: Amanda Juric [Amanda.Juric@erm.com]; Curtis Campbell [Curtis.Campbell@erm.com]; Mike Cox [Mike.Cox@erm.com]

Fyi – good news on our proposed Geomorph approach. CO coming James...

Best,

Matt Scoular

ERM

M +1 416 567 7126 

From: Mike Cox

Sent: Friday, August 31, 2018 10:25 AM

To: Mark Welsh <Mark.Welsh@erm.com>; Brian Lynch <Brian.Lynch@erm.com>

Cc: Matthew Scoular <Matthew.Scoular@erm.com>; Andy Olson <Andy.Olson@erm.com>; Joseph Kmetz <Joseph.Kmetz@erm.com>

Subject: RE: UPI Waterdown to Finch Pipeline - Channel and Bank Erosion Assessment SOW and Cost Estimate

Good morning all. I just spoke with Allan Newell at CH. I explained our proposed scope of work to Allan and noted that we had planned to conduct 'typical' scour calculations per stream crossing type that we have classified (i-IV). I told him that at this time we had not anticipated conducting scour analysis on all 53 sites.

He appreciated the call and was in general agreement of our scope of work.

He made the following comments:


1. Typical pipeline burial depth is 3 meters below the stream bed unless scour analysis indicates burial should be deeper.
2. They do not want to see hardening of the channel bed or banks. They would prefer that pipeline burial or bank offsets are deep enough and far enough laterally to handle any natural and future erosion.

Hope this helps.

Mike

mike.cox@erm.com

Mobile +1 406-223-7088 

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at +1 604 689 9460  and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

APPENDIX A: TRCA COMMENTS AND PROPONENT RESPONSES

BH NAME	TRCA COMMENTS (August 1, 2018)	Approximate depth (m)
75(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole? c. Access appears to cross a natural feature (wetland/ watercourse). Please confirm that the existing access will be used to cross the feature.	25
76(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole?	25
77(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole? c. Access appears to cross a natural feature (watercourse). Please consider and provide an alternate access, perhaps from the property to the south, or identify the method and equipment that will be used to cross the feature (i.e. swamp mat, hand-held drill, etc.)	25
78(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole?	25
79(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole?	25
81(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole? c. Access appears to cross a potential feature. Please confirm that the existing access as shown will be used to cross the potential feature.	25
86(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole? c. Access crosses TRCA regulated area including a watercourse. Please confirm that the existing road/ trail will be used for access.	60
95(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole?	25
96(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole?	25

BH NAME	TRCA COMMENTS (August 1, 2018)	Approximate depth (m)
	c. Please note that borehole and access are located within the Regional Flood Plain. The proponent/ contractor shall monitor the weather several days in advance of the onset of the project to ensure that the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Flood Plain that would have the potential to cause a spill or obstruction of flow.	
97(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole? c. Please note that borehole and access are located within the Regional Flood Plain. The proponent/ contractor shall monitor the weather several days in advance of the onset of the project to ensure that the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Flood Plain that would have the potential to cause a spill or obstruction of flow.	25
98(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole? c. Please note that borehole and access are located within the Regional Flood Plain. The proponent/ contractor shall monitor the weather several days in advance of the onset of the project to ensure that the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Flood Plain that would have the potential to cause a spill or obstruction of flow.	25
106(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole? c. Access appears to cross a natural feature (watercourse). Please consider and provide an alternate access, perhaps from the property to the south, or identify the method and equipment that will be used to cross the feature (i.e. swamp mat, hand-held drill, etc.).	25
115(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole?	25
117(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole? c. Please note that borehole and access are located within the Regional Flood Plain. The proponent/ contractor shall monitor the weather several days in advance of the onset of the project to ensure that the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Flood Plain that would have the potential to cause a spill or obstruction of flow. d. Access through TRCA property, under management agreement with City of Toronto, is required. Please contact TRCA Property Agent, Edlyn Wong (ewong@trca.on.ca) and City of Toronto for Park Access Permit requirements (Rocco.Leoncini@toronto.ca). Please also indicate if there will be any rutting or disturbance to unpaved areas on TRCA property as a result of any vehicles or heavy equipment. Please note that there may be archaeological	25

BH NAME	TRCA COMMENTS (August 1, 2018)	Approximate depth (m)
	concerns associated with any disturbance within TRCA property, including any significant compaction by heavy vehicles or equipment.	
118(D)	<p>a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area?</p> <p>b. Will there be any pump tests associated with the borehole?</p> <p>c. Please note that borehole and access are located within the Regional Flood Plain. The proponent/ contractor shall monitor the weather several days in advance of the onset of the project to ensure that the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Flood Plain that would have the potential to cause a spill or obstruction of flow.</p> <p>d. Access through TRCA property, under management agreement with City of Toronto, is required. Please contact TRCA Property Agent, Edlyn Wong (ewong@trca.on.ca), and City of Toronto for Park Access Permit requirements (Rocco.Leoncini@toronto.ca). Please also indicate if there will be any rutting or disturbance to unpaved areas on TRCA property as a result of any vehicles or heavy equipment. Please note that there may be archaeological concerns associated with any disturbance within TRCA property, including any significant compaction by heavy vehicles or equipment.</p> <p>e. Please confirm that access to the borehole location will remain on the existing road/ trail to the extent feasible.</p>	25
119(D)	<p>a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area?</p> <p>b. Will there be any pump tests associated with the borehole?</p> <p>c. Please note that borehole and access are located within the Regional Flood Plain. The proponent/ contractor shall monitor the weather several days in advance of the onset of the project to ensure that the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Flood Plain that would have the potential to cause a spill or obstruction of flow.</p> <p>d. Access through TRCA property, under management agreement with City of Toronto, is required. Please contact TRCA Property Agent, Edlyn Wong (ewong@trca.on.ca), and City of Toronto for Park Access Permit requirements (Rocco.Leoncini@toronto.ca). Please also indicate if there will be any rutting or disturbance to unpaved areas on TRCA property as a result of any vehicles or heavy equipment. Please note that there may be archaeological concerns associated with any disturbance within TRCA property, including any significant compaction by heavy vehicles or equipment.</p> <p>e. Please confirm that access to the borehole location will remain on the existing road/ trail to the extent feasible.</p>	25
120(D)	<p>a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area?</p> <p>b. Will there be any pump tests associated with the borehole?</p> <p>c. Please note that borehole and access are located within the Regional Flood Plain. The proponent/ contractor shall monitor the weather several days in advance of the onset of the project to ensure that the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Flood Plain that would have the potential to cause a spill or obstruction of flow.</p>	25

BH NAME	TRCA COMMENTS (August 1, 2018)	Approximate depth (m)
	<p>d. Trail access through TRCA property, under management agreement with City of Toronto, appears to be required. Please contact TRCA Property Agent, Edlyn Wong (ewong@trca.on.ca), and City of Toronto for Park Access Permit requirements (Rocco.Leoncini@toronto.ca). Please clarify if any trail closures are required for the proposed borehole work. Please also indicate if there will be any rutting or disturbance to unpaved areas on TRCA property as a result of any vehicles or heavy equipment. Please note that there may be archaeological concerns associated with any disturbance within TRCA property, including any significant compaction by heavy vehicles or equipment.</p> <p>e. The borehole and access appears to be located within a wetland. Please confirm if a portable hand-held drill, that can be carried to the site, can be used at this location. Please provide a photograph of the hand-held drill that will be used.</p>	
121(D)	<p>a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area?</p> <p>b. Will there be any pump tests associated with the borehole?</p> <p>c. Please note that borehole and access are located within the Regional Flood Plain. The proponent/ contractor shall monitor the weather several days in advance of the onset of the project to ensure that the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Flood Plain that would have the potential to cause a spill or obstruction of flow.</p> <p>d. Access appears to cross a potential natural feature (wetland). Please confirm that either swamp mats will be used for access, or a portable hand-held drill. Please provide a photograph of the swamp mat or hand-held drill that will be used.</p>	35
122(D)	<p>a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area?</p> <p>b. Will there be any pump tests associated with the borehole?</p> <p>c. Please note that borehole and access are located within the Regional Flood Plain. The proponent/ contractor shall monitor the weather several days in advance of the onset of the project to ensure that the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Flood Plain that would have the potential to cause a spill or obstruction of flow.</p>	30
123(D)	<p>a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area?</p> <p>b. Will there be any pump tests associated with the borehole?</p> <p>c. Please note that borehole and access are located within the Regional Flood Plain. The proponent/ contractor shall monitor the weather several days in advance of the onset of the project to ensure that the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Flood Plain that would have the potential to cause a spill or obstruction of flow.</p> <p>d. Access appears to cross through natural features, included vegetated areas and wetlands, immediately adjacent to the Main Humber River and Emery Creek. Please confirm if a portable hand-held drill, that can be carried to the site, can be used at this location. Please provide a photograph of the hand-held drill that will be used.</p>	30

BH NAME	TRCA COMMENTS (August 1, 2018)	Approximate depth (m)
124(D)	<p>a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area?</p> <p>b. Will there be any pump tests associated with the borehole?</p> <p>c. Please note that borehole and access are located within the Regional Flood Plain. The proponent/ contractor shall monitor the weather several days in advance of the onset of the project to ensure that the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Flood Plain that would have the potential to cause a spill or obstruction of flow.</p> <p>d. Access through TRCA property, under management agreement with City of Toronto, is required from St. Lucie Drive. Please contact TRCA Property Agent, Edlyn Wong (ewong@trca.on.ca), and City of Toronto for Park Access Permit requirements (Rocco.Leoncini@toronto.ca). Please also indicate if there will be any rutting or disturbance to unpaved areas on TRCA property as a result of any vehicles or heavy equipment. Please note that there may be archaeological concerns associated with any disturbance within TRCA property, including any significant compaction by heavy vehicles or equipment.</p>	30
125(D)	<p>a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area?</p> <p>b. Will there be any pump tests associated with the borehole?</p> <p>c. Please note that borehole and access are located within the Regional Flood Plain. The proponent/ contractor shall monitor the weather several days in advance of the onset of the project to ensure that the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Flood Plain that would have the potential to cause a spill or obstruction of flow.</p> <p>d. Access appears to require a crossing of Emery Creek. Please note that watercourse crossings should be avoided to the extent possible to reduce impacts and risk. Please consider an alternate access to the borehole location such as through TRCA property from Windhill Crescent to the north, or through TRCA property from Lanyard Road with a hand-held drill. Please determine if an alternate access is feasible. If access through TRCA property, under management agreement with City of Toronto, is required, please contact TRCA Property Agent, Edlyn Wong (ewong@trca.on.ca) and City of Toronto for Park Access Permit requirements (Rocco.Leoncini@toronto.ca). Please also note that access should remain on existing roads/ trails to the extent feasible. Please also indicate if there will be any rutting or disturbance to unpaved areas on TRCA property as a result of any vehicles or heavy equipment. Please note that there may be archaeological concerns associated with any disturbance within TRCA property, including any significant compaction by heavy vehicles or equipment.</p>	30
126(D)	<p>a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area?</p> <p>b. Will there be any pump tests associated with the borehole?</p> <p>c. Please note that borehole and access are located within the Regional Flood Plain. The proponent/ contractor shall monitor the weather several days in advance of the onset of the project to ensure that the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Flood Plain that would have the potential to cause a spill or obstruction of flow.</p>	30

BH NAME	TRCA COMMENTS (August 1, 2018)	Approximate depth (m)
127(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole?	35
135(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole?	25
136(D)	a. Does access, staging or storage require site grading, temporary or permanent fill placement or removal, or grubbing associated with vegetation removal within a TRCA regulated area? b. Will there be any pump tests associated with the borehole? c. Please note that borehole and access are located within the Regional Flood Plain. The proponent/ contractor shall monitor the weather several days in advance of the onset of the project to ensure that the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Flood Plain that would have the potential to cause a spill or obstruction of flow.	25

RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Malone, Jessie M [jessie.m.malone@esso.ca]

Sent: Friday, September 07, 2018 6:30 PM**To:** Annette Lister [annette.lister@trca.on.ca]**Cc:** Curtis Campbell [Curtis.Campbell@erm.com]; Imperial Isometrix; Matthew Scoular [Matthew.Scoular@erm.com]

Hi Annette,

Just wanted to follow up on your question below. In our initial response to you, we had provided a general range in depths (10-85m) because we hadn't determined the individual bore depths at that time. The depths are dependent on the HDD drill profile designed by engineering - we have now progressed the design enough that we have a better idea of approximate depths. We do have bores that will be drilled as deep as 85m, but none of these are located in TRCA regulated area. An approximate depth of 25m for BH 120 is correct.

Please let me know if you would like to discuss further.

Thanks and have a great weekend.

Jessie Malone, P.Eng**Environmental and Regulatory Advisor**Safety Security Health and Environment, Imperial
505 Quarry Park Blvd. SE, Calgary, AB T2C 5N1 | W5C.244jessie.m.malone@esso.ca P 587.476.4799 | C. 403.826.5491
imperialoil.ca | [Twitter](#) | [YouTube](#)**From:** Annette Lister [mailto:annette.lister@trca.on.ca]**Sent:** Friday, September 7, 2018 9:58 AM**To:** Matthew Scoular <Matthew.Scoular@erm.com>**Cc:** Malone, Jessie M <jessie.m.malone@esso.ca>; Curtis Campbell <Curtis.Campbell@erm.com>; Imperial-isometrix@national.ca**Subject:** RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Hi Matt,

Thank you very much for your quick reply and for providing the information. For Borehole 120(D), your previous response dated August 29, 2018 indicated the the drill depth will be up to 85 m below ground to confirm HDD suitability. In the response that you just provided me, the depth is identified as 25 m. Can you please clarify? We are currently asking for this depth information to ensure that there are no groundwater/aquifer impacts.

Thanks,
Annette**Annette Lister, M.A.Sc.**

Planner

Environmental Assessment Planning | Planning and Development

T: 416.661.6600 ext. 5266

E: alister@trca.on.ca

A: 101 Exchange Avenue, Vaughan ON L4K 5R6

Toronto and Region Conservation Authority (TRCA) | trca.ca

EXHIBIT H
Record of Consultation - Supporting Documents

Filed: 2019-02-22
EB-2019-0007
Tab 1, Schedule 4
Page 118 of 128

From: Matthew Scoular <Matthew.Scoular@erm.com>
To: Annette Lister <annette.lister@trca.on.ca>
Cc: "Malone, Jessie M (jessie.m.malone@esso.ca)" <jessie.m.malone@esso.ca>, Curtis Campbell <Curtis.Campbell@erm.com>, "Imperial-isometrix@national.ca" <Imperial-isometrix@national.ca>
Date: 09/07/2018 10:47 AM
Subject: RE: Imperial Waterdown to Finch Project - Geotechnical Investigation


Hi Annette,

Here are the depths of the boreholes. Please keep in mind approximate depths and are subject to change.

Best,

Matt Scoular

ERM

M +1 416 567 7126 


From: Annette Lister <annette.lister@trca.on.ca>
Sent: Thursday, September 06, 2018 3:57 PM
To: Matthew Scoular <Matthew.Scoular@erm.com>
Subject: RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Hi Matthew,

I am working towards getting a response to you soon, but for the 27 boreholes located within TRCA regulated areas, are you able to provide me with the approximate depth that the boreholes will be drilled to?

Thanks,
Annette

Annette Lister, M.A.Sc.
Planner
Environmental Assessment Planning | Planning and Development

T: 416.661.6600  ext. 5266
E: alister@trca.on.ca
A: 101 Exchange Avenue, Vaughan ON L4K 5R6

Toronto and Region Conservation Authority (TRCA) | trca.ca

From: Matthew Scoular <Matthew.Scoular@erm.com>
To: Annette Lister <alister@trca.on.ca>
Cc: "Malone, Jessie M (jessie.m.malone@esso.ca)" <jessie.m.malone@esso.ca>, Curtis Campbell <Curtis.Campbell@erm.com>, "Imperial-isometrix@national.ca" <Imperial-isometrix@national.ca>, "Watson, James (James.Watson@hii-upi.com)" <James.Watson@hii-upi.com>, "Hatch, Adam" <adam.hatch@stantec.com>
Date: 08/29/2018 03:41 PM
Subject: RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Good afternoon Annette,


Imperial's responses to TRCA comments on the Waterdown to Finch Geotechnical Investigation are attached. I have also attached the final borehole locations for your records.

We trust that these responses adequately address TRCA comments. Please let Jessie or I know if you need to discuss anything further.

Best,

Matt Scoular

ERM

M +1 416 567 7126 

From: Annette Lister <alister@trca.on.ca>
Sent: Wednesday, August 01, 2018 2:58 PM
To: Matthew Scoular <Matthew.Scoular@erm.com>
Cc: Malone, Jessie M (jessie.m.malone@esso.ca) <jessie.m.malone@esso.ca>
Subject: Re: Imperial Waterdown to Finch Project - Geotechnical Investigation


Hello Matthew,

Thank you for providing the borehole site and access location plans in the form of shape files for our review. It was very helpful to be able to overlay the proposed boreholes and accesses directly onto our own mapping layers. Please see the attached letter for our comments on the TRCA regulated boreholes.

Please let me know if you have any questions.

Thank you,
Annette

Annette Lister, M.A.Sc.
Planner
Environmental Assessment Planning | Planning and Development

T: 416.661.6600  ext. 5266
E: alister@trca.on.ca
A: 101 Exchange Avenue, Vaughan ON L4K 5R6

Toronto and Region Conservation Authority (TRCA) | trca.ca

From: Matthew Scoular <Matthew.Scoular@erm.com>
To: "Imperial-isometrix@national.ca" <Imperial-isometrix@national.ca>
Cc: "Malone, Jessie M (jessie.m.malone@esso.ca)" <jessie.m.malone@esso.ca>, Mark Welsh <Mark.Welsh@erm.com>, Curtis Campbell <Curtis.Campbell@erm.com>, "Watson, James (James.Watson@hii-upi.com)" <James.Watson@hii-upi.com>
Date: 07/17/2018 02:54 PM
Subject: Imperial Waterdown to Finch Project - Geotechnical Investigation

EXHIBIT H
Record of Consultation - Supporting Documents

Filed: 2019-02-22
EB-2019-0007
Tab 1, Schedule 4
Page 120 of 128

Hi all,

Imperial's Waterdown to Finch Project Geotechnical Investigation borehole locations and access plans are attached for your review. The investigation is planned to start the end of July/early August 2018 and take approximately three months to complete. We will send our Environmental Protection Plan for the investigation shortly.

Please let me know if you need to discuss anything.

Best Regards,

Matt Scoular, M.E.S., MCIP, RPP
Project Manager / Senior Consultant

ERM

120 Adelaide Street West | 20thFloor | Suite 2020
Toronto, ON | Canada | M5H 1T1
T +1 416 646 3608 | M +1 416 567 7126
E matthew.scoular@erm.com | W www.erm.com



ERM *The business of sustainability*

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at +1 604 689 9460 and take the steps necessary to delete the message completely from your computer system. Thank you,


Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

[\[attachment "20180713 Boreholes and access roads.zip" deleted by Annette Lister/TRCA\]](#)

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at +1 604 689 9460 and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

[\[attachment "A.1 Borehole Investigation Submission Response Appendix A.pdf" deleted by Annette Lister/TRCA\]](#) [\[attachment "20180814 Imperial WaterdownToFinch Boreholes AccessRoads.kmz" deleted by Annette Lister/TRCA\]](#)

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at +1 604 689 9460  and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

[\[attachment "Boreholes App A - depths.docx" deleted by Annette Lister/TRCA\]](#)

RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Mark Welsh [Mark.Welsh@erm.com]

Sent: Tuesday, September 11, 2018 11:04 AM**To:** annette.lister@trca.on.ca**Cc:** Matthew Scoular [Matthew.Scoular@erm.com]; Malone, Jessie M [jessie.m.malone@esso.ca]; Imperial Isometrix

Hi Annette,

Matt asked me to pass along Imperial's contingency plan to manage artesian conditions if encountered during the geotechnical work. Please see below.

"The boreholes will be advanced using hollow-stem augers. Although not anticipated, if flowing conditions are encountered during the investigation, a high density drilling mud will be placed into the borehole to counter the artesian pressure. If the artesian pressure exceeds the confining pressure of the drilling mud, we will place an additional 1.5 m vertical length of hollow-stem auger casing above grade to confine the flowing condition within the casing. Should the artesian head exceed this height, the borehole will be backfilled with cement bentonite or concrete; and,

The drilling sub-contractor will be advised in advance to be prepared for flowing artesian conditions and an experienced drilling technician will be utilized for the project."

All the best,
Mark**From:** Annette Lister <annette.lister@trca.on.ca>**Sent:** Monday, September 10, 2018 3:38 PM**To:** Matthew Scoular <Matthew.Scoular@erm.com>**Cc:** Imperial Isometrix <Imperial-isometrix@national.ca>; Malone, Jessie M (jessie.m.malone@esso.ca)
<jessie.m.malone@esso.ca>**Subject:** RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Thank you, Matt.

For the proposed boreholes, do you have a contingency plan in place to manage flowing artesian conditions if encountered?

Annette Lister, M.A.Sc.
Planner
Environmental Assessment Planning | Planning and Development

T: 416.661.6600 ext. 5266

E: alister@trca.on.ca

A: 101 Exchange Avenue, Vaughan ON L4K 5R6

Toronto and Region Conservation Authority (TRCA) | trca.caFrom: Matthew Scoular <Matthew.Scoular@erm.com>To: Annette Lister <annette.lister@trca.on.ca>Cc: "Malone, Jessie M (jessie.m.malone@esso.ca)" <jessie.m.malone@esso.ca>, Imperial Isometrix <Imperial-isometrix@national.ca>

Date: 09/10/2018 03:11 PM

EXHIBIT H
Record of Consultation - Supporting Documents

Subject: RE: Imperial Waterdown to Finch Project - Geotechnical Investigation


Hi Annette,

Attached.

Best,

Matt Scoular

ERM


M +1 416 567 7126 

From: Annette Lister <annette.lister@trca.on.ca>
Sent: Monday, September 10, 2018 3:06 PM
To: Matthew Scoular <Matthew.Scoular@erm.com>
Subject: RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Hi Matt,

Can you provide the word version of your appendix A?

Annette Lister, M.A.Sc.
Planner
Environmental Assessment Planning | Planning and Development

T: 416.661.6600  ext. 5266
E: alister@trca.on.ca
A: 101 Exchange Avenue, Vaughan ON L4K 5R6

Toronto and Region Conservation Authority (TRCA) | trca.ca

From: Matthew Scoular <Matthew.Scoular@erm.com>
To: Annette Lister <alister@trca.on.ca>
Cc: "Malone, Jessie M (jessie.m.malone@esso.ca)" <jessie.m.malone@esso.ca>, Curtis Campbell <Curtis.Campbell@erm.com>, "Imperial-isometrix@national.ca" <Imperial-isometrix@national.ca>, "Watson, James (James.Watson@hii-upi.com)" <James.Watson@hii-upi.com>, "Hatch, Adam" <adam.hatch@stantec.com>
Date: 08/29/2018 03:41 PM
Subject: RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Good afternoon Annette,

Imperial's responses to TRCA comments on the Waterdown to Finch Geotechnical Investigation are attached. I have also attached the final borehole locations for your records.

We trust that these responses adequately address TRCA comments. Please let Jessie or I know if you need to discuss anything further.


Best,

EXHIBIT H
Record of Consultation - Supporting Documents

Filed: 2019-02-22
EB-2019-0007
Tab 1, Schedule 4
Page 124 of 128

Matt Scoular

ERM

M +1 416 567 7126 

From: Annette Lister <alister@trca.on.ca>
Sent: Wednesday, August 01, 2018 2:58 PM
To: Matthew Scoular <Matthew.Scoular@erm.com>
Cc: Malone, Jessie M (jessie.m.malone@esso.ca) <jessie.m.malone@esso.ca>
Subject: Re: Imperial Waterdown to Finch Project - Geotechnical Investigation


Hello Matthew,

Thank you for providing the borehole site and access location plans in the form of shape files for our review. It was very helpful to be able to overlay the proposed boreholes and accesses directly onto our own mapping layers. Please see the attached letter for our comments on the TRCA regulated boreholes.

Please let me know if you have any questions.

Thank you,
Annette

Annette Lister, M.A.Sc.
Planner
Environmental Assessment Planning | Planning and Development

T: 416.661.6600  ext. 5266
E: alister@trca.on.ca
A: 101 Exchange Avenue, Vaughan ON L4K 5R6

Toronto and Region Conservation Authority (TRCA) | trca.ca

From: Matthew Scoular <Matthew.Scoular@erm.com>
To: "Imperial-isometrix@national.ca" <Imperial-isometrix@national.ca>
Cc: "Malone, Jessie M (jessie.m.malone@esso.ca)" <jessie.m.malone@esso.ca>, Mark Welsh <Mark.Welsh@erm.com>, Curtis Campbell <Curtis.Campbell@erm.com>, "Watson, James (James.Watson@hii-upi.com)" <James.Watson@hii-upi.com>
Date: 07/17/2018 02:54 PM
Subject: Imperial Waterdown to Finch Project - Geotechnical Investigation

Hi all,

Imperial's Waterdown to Finch Project Geotechnical Investigation borehole locations and access plans are attached for your review. The investigation is planned to start the end of July/early August 2018 and take approximately three months to complete. We will send our Environmental Protection Plan for the investigation shortly.

Please let me know if you need to discuss anything.

Best Regards,

EXHIBIT H
Record of Consultation - Supporting Documents

Filed: 2019-02-22
EB-2019-0007
Tab 1, Schedule 4
Page 125 of 128

Matt Scoular, M.E.S., MCIP, RPP
Project Manager / Senior Consultant

ERM

120 Adelaide Street West | 20thFloor | Suite 2020
Toronto, ON | Canada | M5H 1T1
T +1 416 646 3608 | M +1 416 567 7126
E matthew.scoular@erm.com | W www.erm.com



ERM *The business of sustainability*

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at +1 604 689 9460 and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

[\[attachment "20180713 Boreholes and access roads.zip" deleted by Annette Lister/TRCA\]](#)


This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at +1 604 689 9460 and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

[\[attachment "A.1 Borehole Investigation Submission Response Appendix A.pdf" deleted by Annette Lister/TRCA\]](#) [\[attachment "20180814 Imperial WaterdownToFinch Boreholes AccessRoads.kmz" deleted by Annette Lister/TRCA\]](#)


This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE

EXHIBIT H
Record of Consultation - Supporting Documents


PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at +1 604 689 9460  and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

[\[attachment "Borehole Investigation Submission Response Appendix A.docx" deleted by Annette Lister/TRCA\]](#)

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at +1 604 689 9460  and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at +1 604 689 9460  and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)



October 29, 2018

CFN 59834

BY E-MAIL ONLY (jessie.m.malone@esso.ca)

Jessie Malone
Environment and Regulatory Lead
Imperial Oil Limited
505 Quarry Park Boulevard SE
Calgary, AB T2C 5N1

Dear Ms. Malone:

**Re: Response to Notice of Community Information Session #1
Imperial Oil Limited – Waterdown to Finch Pipeline Replacement
Ontario Energy Board – Environmental Report and Leave to Construct Application
Etobicoke-Mimico Creek and Humber River Watersheds; City of Mississauga, Regional
Municipality of Peel; Etobicoke York and North York Community Council Areas, City of Toronto**

Toronto and Region Conservation Authority (TRCA) staff received notice of the upcoming Community Information Sessions in Toronto and Mississauga, scheduled for November 13 and 15, 2018.

Further to TRCA correspondence dated July 25, 2018, staff has expressed interest in this project. While staff will not be attending the meeting, please forward one copy of any handouts or display materials from this meeting for our files.

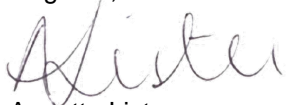
REVIEW FEES

Please be advised that this application is subject to a **\$24,120.00** Environmental Assessment review fee as per our 2018 [Fee Schedule](#). Furthermore, screening and permit review fees associated with permits for borehole investigations and detailed design also apply, as indicated in a letter dated August 1, 2018 and in email correspondence dated October 23, 2018. Please note:

1. **To ensure accurate processing of your fee, please ensure your accounting department references CFN 59834 when making any payments.**
2. Payments can be made by:
 - a. Cheque: please attach the cheque to your resubmission. Alternatively, if sending separately through your accounting department, please request your accounting department submit the cheque to the attention of Rina Bhagat - Administrative Assistant, Environmental Assessment Planning, TRCA.
 - b. Credit Card: please contact Rina Bhagat at extension 5681 for payments made over the phone.
 - c. Electronic Fund Transfer: this option may be available through your accounting department.

Should you have any questions or require any additional information please contact me at extension 5266 or at alister@trca.on.ca.

Regards,



Annette Lister
Planner, Environmental Assessment Planning
Planning and Development

BY E-MAIL

cc: ERM: Jim Chan, Senior Consultant (jim.chan@erm.com)
Matthew Scoular, Project Manager/ Senior Consultant (matthew.scoular@erm.com)

Jim Chan

From: FPP.CA / PPP.CA (DFO/MPO) <fisheriesprotection@dfo-mpo.gc.ca>
Sent: Wednesday, May 23, 2018 8:09 AM
To: Jim Chan
Subject: RE: Imperial's Waterdown to Finch Project - Notification

Dear Mr. Chan:

Thank you for the notification of Imperial's Waterdown to Finch Project. Fisheries and Oceans Canada reviews projects (works, undertakings, or activities) being conducted in or near waterbodies that support fish that are part of, or that support a commercial, recreational or Aboriginal fishery. We also review project proposals for impacts to Species at Risk. We do not review notifications for administrative processes. Please visit our Projects Near Water website at www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html to determine whether your project requires a review by the Department using our self-assessment process. If you determine that your project needs a review, please complete and submit a Request for Review Form to: FisheriesProtection@dfo-mpo.gc.ca. If you have any questions, contact us at: 1-855-852-8320.

Thank you,

Jessica Epp-Martindale
Fisheries Protection Biologist
Fisheries and Oceans Canada

Fisheries and Oceans Canada has changed the way new project proposals (referrals), reports of potential *Fisheries Act* violations (occurrences) and information requests are managed in Central and Arctic Region (Alberta, Saskatchewan, Manitoba, Ontario, Nunavut and the Northwest Territories). Please be advised that general information regarding the management of impacts to fish and fish habitat and self-assessment tools (e.g. Measures to Avoid Harm) that enable you to determine *Fisheries Act* requirements are available at DFO's "Projects Near Water" website at www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html. For all occurrence reports, or project proposals where you have determined, following self-assessment, that you cannot avoid impacts to fish and fish habitat, please submit to fisheriesprotection@dfo-mpo.gc.ca. For general inquiries, call 1-855-852-8320.

From: Jim Chan [mailto:Jim.Chan@erm.com]
Sent: May-22-18 6:51 PM
To: FPP.CA / PPP.CA (DFO/MPO)
Cc: Malone, Jessie M (jessie.m.malone@esso.ca); Curtis Campbell; Jim Chan; Matthew Scoular
Subject: Imperial's Waterdown to Finch Project - Notification

Dear Sir or Madam – Fisheries Protection Program, Fisheries and Oceans Canada,

Attached is a notification letter regarding Imperial's upcoming Waterdown to Finch pipeline replacement project, which is a component of the Sarnia Products Pipeline (SPPL).

The Waterdown to Finch Project involves proactively replacing a segment of pipeline to deliver continued safety and reliability. This section runs from Imperial's Waterdown pump station in rural Hamilton to a terminal storage facility located in Toronto's North York area.

This letter serves as formal notification to the project, and the attached project brochure provides key information about the project, including the work timeline, government, Indigenous and community engagement efforts, construction practices, and environmental protection standards.

If you would like to learn more about the Waterdown to Finch Project, please contact us at questions@imperialon.ca or leave a message at 416-586-1915.

A hard copy of this letter will follow by mail.

Regards,

Jim Chan
Senior Consultant
ERM

Richmond-Adelaide Centre
120 Adelaide Street West
20th floor | Suite 2010
Toronto | ON | Canada | M5H 1T1
T +1 416 646 3608 (office) | M +1 647 919 9474 (mobile)
E jim.chan@erm.com | W www.erm.com



This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at +1 604 689 9460 and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit ERM's web site: <http://www.erm.com>



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Fisheries Protection Program
Fisheries and Oceans Canada
867 Lakeshore Road
Burlington, Ontario
L7S 1A1

Dear Sir or Madam,

Imperial's Sarnia Products Pipeline (SPPL) is important infrastructure that provides fuels used by households and businesses across the Greater Toronto and Hamilton Area. This includes a significant portion of jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel that keeps people, goods and services moving throughout the region.

Operating safely in the region for many years, Imperial is planning to replace approximately 63-kilometres of the line with new pipe. This section runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area.

The Waterdown to Finch Project is proactively replacing a segment of pipeline to deliver continued safety and reliability. The existing pipeline will continue to operate until the project is complete.

Environmental and cultural assessments will start in the spring of 2018. Subject to provincial regulatory review and receipt of all permits, Imperial anticipates construction to begin in 2019.

Most replacement work will take place in close vicinity to the existing pipeline. Imperial representatives will also be communicating with landowners where proposed activities may be taking place in the coming weeks. Over the duration of the project, we will work collaboratively and communicate proactively to minimize construction impacts.

Please accept this letter as a formal notification of Imperial's Waterdown to Finch Project. If you would like to learn more about the Waterdown to Finch Project, please contact us at questions@imperialon.ca or leave a message at 416-586-1915.

In addition to the notification and project brochure, you can also visit our project website at imperialoil.ca/waterdowntofinch for an overview of the proposed replacement work, including project facts, work schedule, construction practices and community engagement efforts.

Sincerely,

Jessie Malone
Environmental and Regulatory Advisor
Safety Security Health and Environment, Imperial Oil Limited



Imperial's Sarnia Products Pipeline

Waterdown to Finch Project



Continued safety and reliability: pipeline replacement from Waterdown to Finch

Imperial's Sarnia Products Pipeline is important infrastructure that provides fuels used by households and businesses across the Greater Toronto and Hamilton Area (GTHA). This includes a significant portion of jet fuel for Toronto Pearson International Airport, as well as gasoline and diesel fuel that keeps people, goods and services moving throughout our region.

Operating safely in the region for many years, Imperial is planning to replace approximately 63 kilometre section of the line with new pipe. This section runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area.

Project highlights

Working within the existing pipeline corridor:

Most replacement work will take place in close vicinity to the pipeline.

Completing the Waterdown to Finch Project:

Environmental and cultural assessments will start in the spring of 2018. Subject to provincial regulatory reviews and receiving all permits, Imperial expects to start construction in 2019. The existing pipeline will continue to operate reliably until the Waterdown to Finch Project is complete.

Following a thorough regulatory process: Imperial will seek approval for a Leave to Construct from the Ontario Energy Board. This includes a thorough assessment of the project's environmental effects and engagement with landowners, communities and Indigenous groups.

Informing community members: Imperial is committed to meaningful community, government and Indigenous engagement throughout the duration of the project.

Protecting our local environment: Imperial works to ensure the highest standards of environmental safety are observed every day. During the replacement process, Imperial will continue to work with government and regulators to protect our local environment.

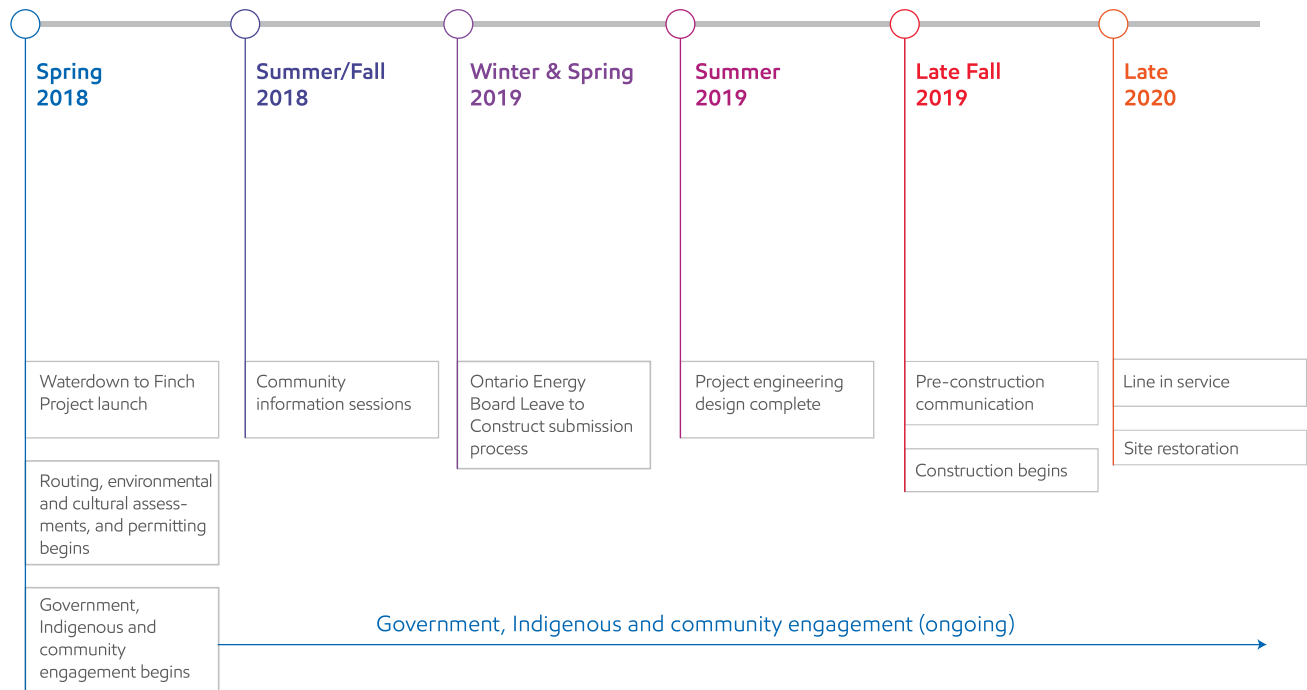
Keeping local traffic moving: Imperial will work closely with municipalities and residents so the impacts on traffic are as limited as possible.

Creating jobs here in Ontario: Imperial employs approximately 1,200 employees and up to 3,500 contractors per day in Ontario. Imperial is looking to work with local contractors and business services, including from Indigenous groups, throughout the life of the project.

Waterdown to Finch Project location



Work timeline*



* Timeline is subject to regulatory and permitting approvals

Land, regulatory and permitting approvals

Imperial will respect all landowners' property and will seek to minimize disruptions. Imperial also recognizes the importance of collaboration with local Indigenous groups when conducting activities on their traditional territories.

Before work begins, Imperial will engage with landowners regarding access to our easements on their property. Concurrently, we will engage with Indigenous groups to understand interests and opportunities to further collaborate in the region.

In addition to landowner access and Indigenous collaborations, Imperial will require regulatory approval, permits or project approvals from the following entities listed in alphabetical order:

Federal

- Environment and Climate Change Canada
- Fisheries and Oceans Canada
- Transport Canada

Provincial

- Infrastructure Ontario
- Ontario Energy Board
- Ontario Ministry of Environment and Climate Change
- Ontario Ministry of Indigenous Relations and Reconciliation
- Ontario Ministry of Natural Resources and Forestry
- Ontario Ministry of Tourism, Culture and Sport

Regional

- Conservation Halton
- Credit Valley Conservation Authority
- Hamilton Conservation Authority
- Niagara Escarpment Commission
- Toronto and Region Conservation Authority

Municipalities (construction permitting)

- City of Burlington
- City of Hamilton
- City of Mississauga
- City of Toronto
- Town of Milton
- Town of Oakville



Minimizing construction impacts

Imperial is working carefully with the regulator and different levels of government to plan the Waterdown to Finch Project so that construction impacts are as limited as possible.

Routing, environmental assessments and permitting

- Engineers and environmental surveyors work together to identify a pipeline route that minimizes impact to the environment and surrounding community.
- Engineering, Indigenous technicians and environmental experts work to understand the soil, below ground conditions, vegetation, species, archaeologically sensitive sites, water crossings and environmentally sensitive areas.
- These reports will be reviewed and approved by permitting and regulatory authorities before construction begins.

Preparing for construction

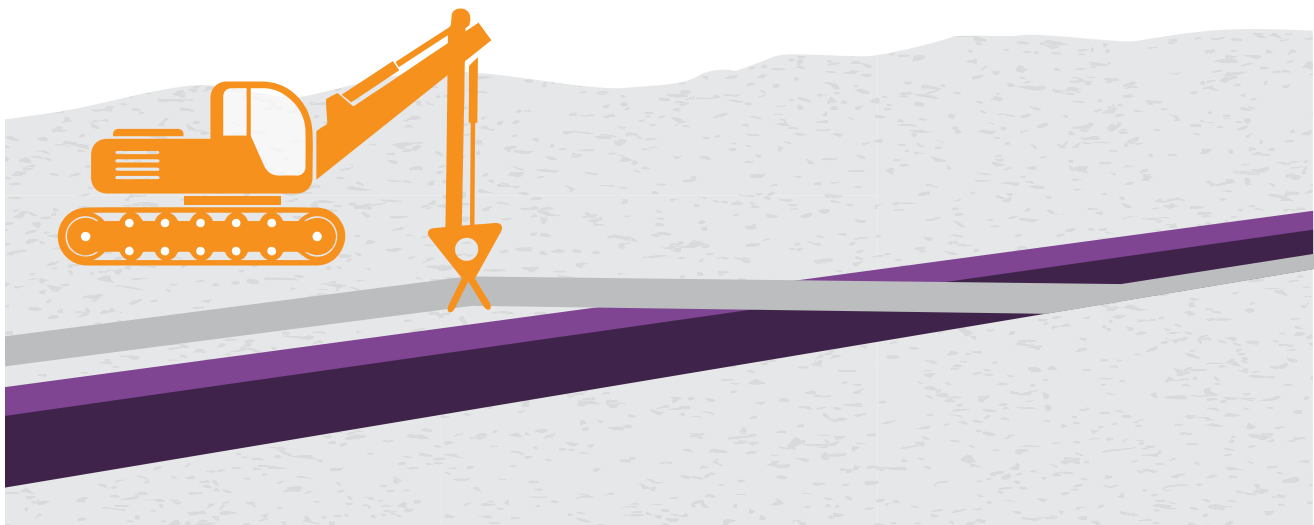
- After the engineering design plan is confirmed, multiple teams along the pipeline will mobilize for construction.
- The pipeline route will be cleared and temporary workspaces, including safety barricades, will be installed.

Construction methods

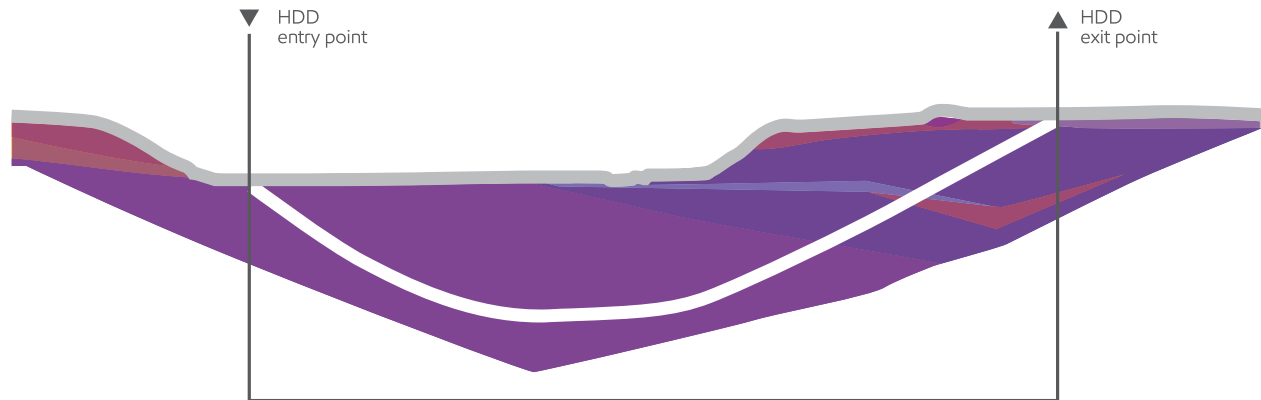
1. Open cut construction
2. Trenchless technology

Based on the engineering and environmental surveys, Imperial will perform one of two construction techniques:

1. Open cut construction



2. Trenchless technology



1. Open cut construction

Open cut construction is the fastest method for pipeline installation.

- Lay and bend the pipe to match contours of the land.
- Weld, test and inspect the pipe.
- Lower pipe into the trench and cover it for protection.

2. Trenchless technology

A horizontal directional drill (HDD) is a method of installing underground pipe using a drilling rig at the surface level. It is best used at sensitive areas, or in dense residential or commercial areas.

- Drill a hole along a designed directional path.
- Enlarge the pilot hole to a diameter suitable for installation of the pipeline.
- Pull the pipeline back into the enlarged hole.

Commissioning/activating the new line

- The new pipeline will ultimately be connected and tied into Imperial's Waterdown Station and Finch Terminal.
- The pipeline's integrity is inspected by a hydrostatic pressure test. Once the pipe is cleaned and dried, it can be slowly filled with diesel, gasoline or jet fuel.

Deactivation of current line

- The deactivated pipe will be removed from service, cleaned, filled with nitrogen (like what we put in our car tires), and left in place.
- Deactivation is undertaken to reduce environmental impacts (soil stability, slope stabilization and settlement issues), avoid short and long-term community construction impacts and minimize safety risk for other pipelines sharing the right-of-way.
- Imperial deactivates pipeline segments in accordance with industry best practices (Canadian Standards Association's Oil and Gas Pipeline Systems Code) and provincial regulations (*Technical Standards and Safety Act*).
- Imperial is responsible for paying for the maintenance and monitoring of this segment of deactivated pipeline.
- Imperial remains responsible for ongoing monitoring, line identification and crossing management of the deactivated line.

Our commitment to community engagement and the environment

We appreciate the patience of our neighbours, Indigenous groups and community members as we work to enhance the long-term safety and reliability of our existing operations.

Community engagement

In order to minimize the impact of disruption, we look to local residents to help inform solutions.

During the project period, community members will have several ways to receive information and ask questions:

- imperialoil.ca/waterdowntofinch
- Email: questions@imperialon.ca
- Telephone: 416.586.1915
- Community information sessions
- Construction notices delivered a minimum of two weeks before activity begins
- Ongoing information sharing

Protecting the local environment

- Every day, our employees work hard to safely supply fuel to keep cars, trucks and planes in our province moving.
- Our Sarnia and Nanticoke refineries play a critical role in meeting Ontario's energy needs. Since 1990, refinery sector greenhouse gas emissions in Ontario have been reduced by 32 per cent.

- In the last five years, we have spent approximately \$1.1 billion at Nanticoke and Sarnia to improve the reliability and safety of our operations.
- Sarnia and Nanticoke both achieved a number of best-ever safety and environmental performance in 2016 and 2017.
- We remain committed to operating our facilities in an environmentally responsible manner and in compliance with provincial regulations.



Our proactive protection and preventative maintenance program

We attribute our record of safe and reliable operations to our preventative maintenance and proactive pipeline inspection programs.

We work closely with independent pipeline regulators and government permitting authorities to ensure our facilities comply with all applicable laws and regulations.

Focused on safety

- Imperial's safety performance is among the best in the Canadian energy industry.
- Imperial conducts routine and frequent aerial and daily ground monitoring of the pipeline path.
- Imperial's emergency response plan prioritizes the protection of people and the environment.
- The emergency response team in Ontario is highly trained, appropriately resourced and ready to respond quickly in the unlikely event of a pipeline emergency.

Monitored 24 hours a day, 365 days a year

- Our pipelines are monitored around the clock.
- Skilled workers in a dedicated control centre with access to monitoring tools can remotely shut down the pipeline and dispatch local workers to inspect the pipeline.

Pipeline protection measures

- Imperial uses protected steel pipe that is coated to safeguard against external corrosion.
- Cathodic protection, a technique that uses low-voltage electric currents to curb corrosion, works with the coating to protect the pipe from external elements.
- The pipe is buried below ground to protect it from damage.
- Valves are strategically placed along the pipeline path to allow sections of the pipeline to be closed off as needed.
- Automated valves can automatically close if they sense an unexpected pressure drop or be remotely controlled by the operations centre.

Using innovative technologies and assessment methods

- Industry-leading inspection tools confirm both internal and external characteristics of the steel to identify and prioritize repairs.
- Imperial will use the inspection findings to determine where a pipeline dig and visual inspection are necessary, which informs maintenance and any additional work, such as replacing a section of the pipeline.

Imperial in Ontario: supporting economic growth

As an integrated products company, at Imperial we explore for, produce, refine and market products essential to society.

We are Canada's largest refiner, producing over 400 kilo barrels per day (kbd).

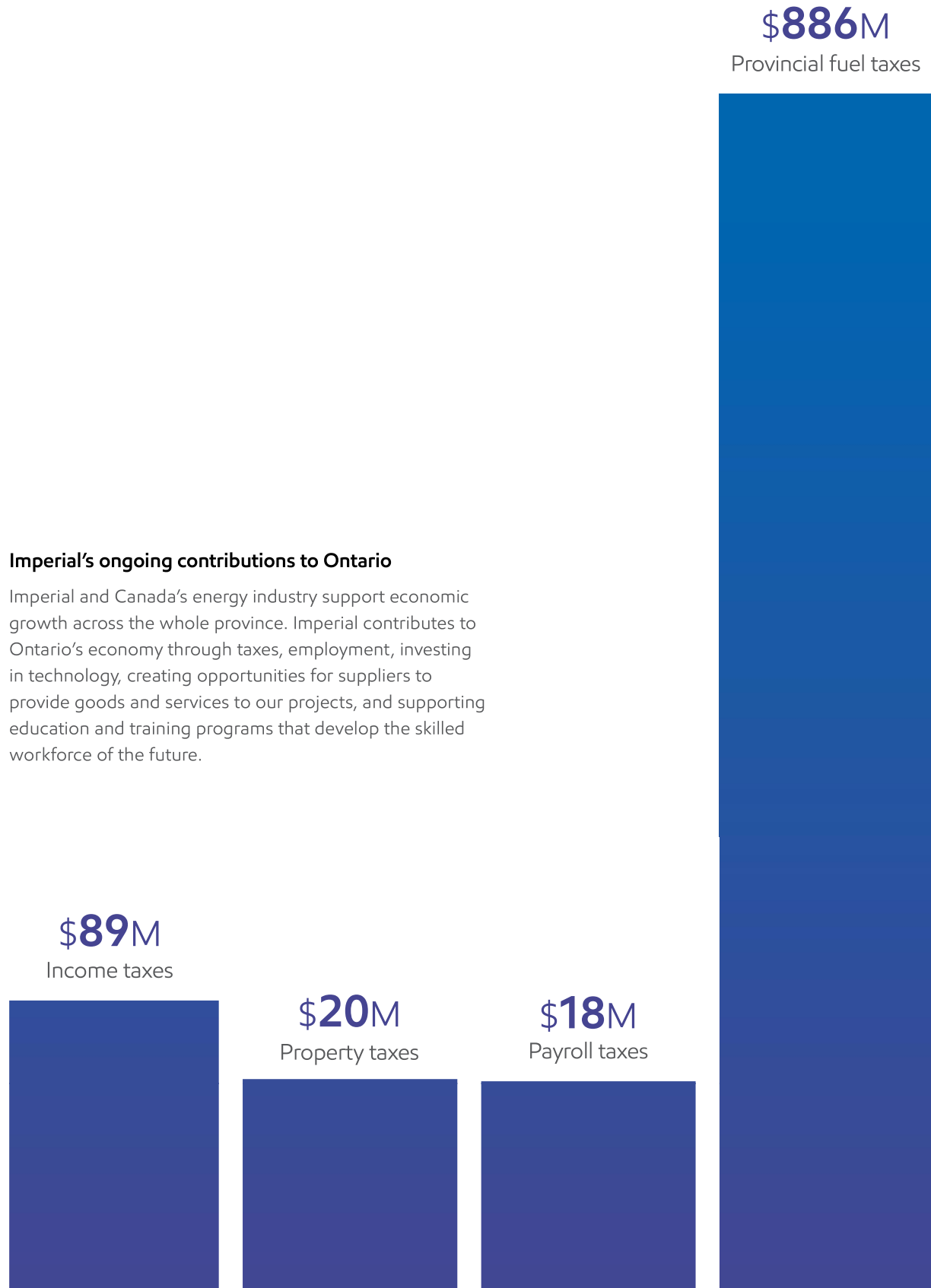
Founded in Ontario: As Canada's largest refiner of petroleum products, we have more than 130 years of providing Canadians with reliable energy, while supporting our economy and protecting the environment.

Supporting Ontario households: Imperial employs approximately 1,200 employees and up to 3,500 contractors a day in Ontario.

Major capital projects: Imperial continues to invest in Ontario with more than \$750 million at our two refineries in Sarnia and Nanticoke. Investments include environmental improvements, energy conservation projects, clean fuel facilities and infrastructure improvements.

Research and development in Ontario: Over the past decade, Imperial has invested more than \$300 million in research and development in the province.





Based on 2016 contributions

Source: Business Council of Canada 2016 Total Tax Contribution Survey.

We want to hear from you
T: 416.586.1915
E: questions@imperialon.ca

imperialoil.ca/waterdowntofinch



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Rob Dobos
Manager, Ontario Environmental Protection Operations
Environment and Climate Change Canada
5th Floor, 867 Lakeshore Road
Burlington, Ontario
L7S 1A1

Dear Mr. Dobos,

Imperial's Sarnia Products Pipeline (SPPL) is important infrastructure that provides fuels used by households and businesses across the Greater Toronto and Hamilton Area. This includes a significant portion of jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel that keeps people, goods and services moving throughout the region.

Operating safely in the region for many years, Imperial is planning to replace approximately 63-kilometres of the line with new pipe. This section runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area.

The Waterdown to Finch Project is proactively replacing a segment of pipeline to deliver continued safety and reliability. The existing pipeline will continue to operate until the project is complete.

Environmental and cultural assessments will start in the spring of 2018. Subject to provincial regulatory review and receipt of all permits, Imperial anticipates construction to begin in 2019.

Most replacement work will take place in close vicinity to the existing pipeline. Imperial representatives will also be communicating with landowners where proposed activities may be taking place in the coming weeks. Over the duration of the project, we will work collaboratively and communicate proactively to minimize construction impacts.

Please accept this letter as a formal notification of Imperial's Waterdown to Finch Project. If you would like to learn more about the Waterdown to Finch Project, please contact us at questions@imperialon.ca or leave a message at 416-586-1915.

In addition to the notification and project brochure, you can also visit our project website at imperialoil.ca/waterdowntofinch for an overview of the proposed replacement work, including project facts, work schedule, construction practices and community engagement efforts.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessie Malone". The signature is fluid and cursive.

Jessie Malone
Environmental and Regulatory Advisor
Safety Security Health and Environment, Imperial Oil Limited



Imperial's Sarnia Products Pipeline

Waterdown to Finch Project



Continued safety and reliability: pipeline replacement from Waterdown to Finch

Imperial's Sarnia Products Pipeline is important infrastructure that provides fuels used by households and businesses across the Greater Toronto and Hamilton Area (GTHA). This includes a significant portion of jet fuel for Toronto Pearson International Airport, as well as gasoline and diesel fuel that keeps people, goods and services moving throughout our region.

Operating safely in the region for many years, Imperial is planning to replace approximately 63 kilometre section of the line with new pipe. This section runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area.

Project highlights

Working within the existing pipeline corridor:

Most replacement work will take place in close vicinity to the pipeline.

Completing the Waterdown to Finch Project:

Environmental and cultural assessments will start in the spring of 2018. Subject to provincial regulatory reviews and receiving all permits, Imperial expects to start construction in 2019. The existing pipeline will continue to operate reliably until the Waterdown to Finch Project is complete.

Following a thorough regulatory process: Imperial will seek approval for a Leave to Construct from the Ontario Energy Board. This includes a thorough assessment of the project's environmental effects and engagement with landowners, communities and Indigenous groups.

Informing community members: Imperial is committed to meaningful community, government and Indigenous engagement throughout the duration of the project.

Protecting our local environment: Imperial works to ensure the highest standards of environmental safety are observed every day. During the replacement process, Imperial will continue to work with government and regulators to protect our local environment.

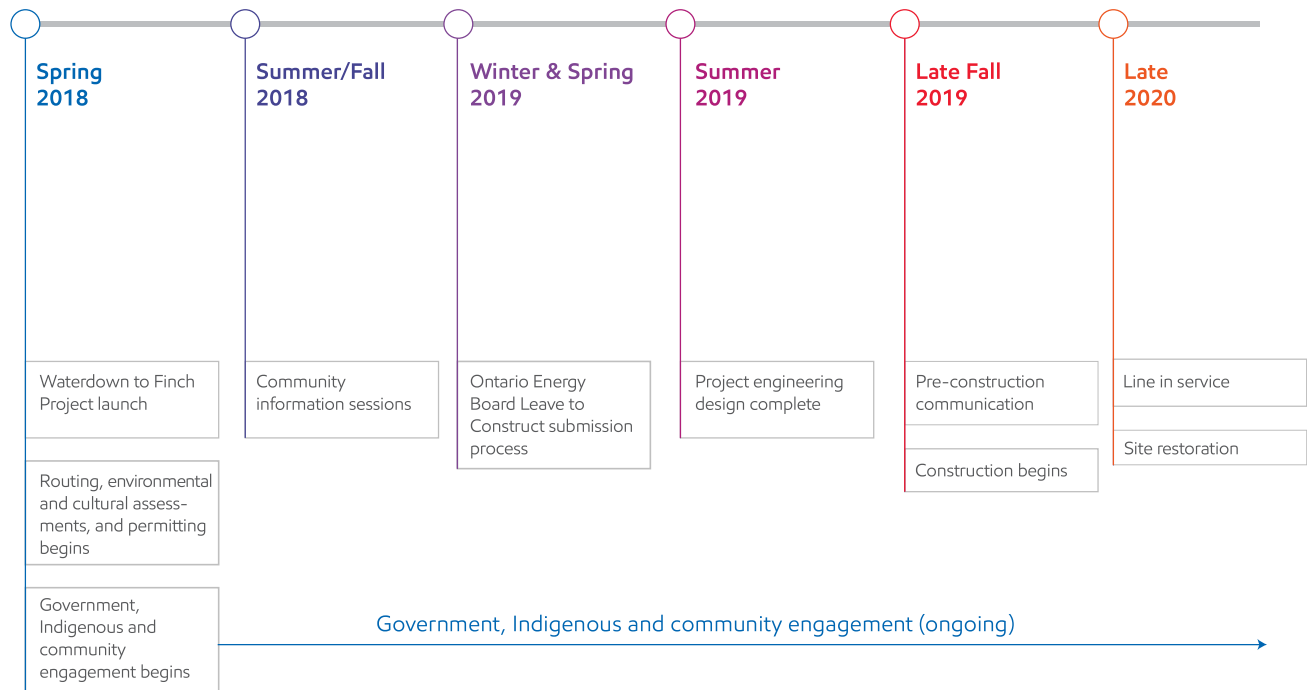
Keeping local traffic moving: Imperial will work closely with municipalities and residents so the impacts on traffic are as limited as possible.

Creating jobs here in Ontario: Imperial employs approximately 1,200 employees and up to 3,500 contractors per day in Ontario. Imperial is looking to work with local contractors and business services, including from Indigenous groups, throughout the life of the project.

Waterdown to Finch Project location



Work timeline*



* Timeline is subject to regulatory and permitting approvals

Land, regulatory and permitting approvals

Imperial will respect all landowners' property and will seek to minimize disruptions. Imperial also recognizes the importance of collaboration with local Indigenous groups when conducting activities on their traditional territories.

Before work begins, Imperial will engage with landowners regarding access to our easements on their property. Concurrently, we will engage with Indigenous groups to understand interests and opportunities to further collaborate in the region.

In addition to landowner access and Indigenous collaborations, Imperial will require regulatory approval, permits or project approvals from the following entities listed in alphabetical order:

Federal

- Environment and Climate Change Canada
- Fisheries and Oceans Canada
- Transport Canada

Provincial

- Infrastructure Ontario
- Ontario Energy Board
- Ontario Ministry of Environment and Climate Change
- Ontario Ministry of Indigenous Relations and Reconciliation
- Ontario Ministry of Natural Resources and Forestry
- Ontario Ministry of Tourism, Culture and Sport

Regional

- Conservation Halton
- Credit Valley Conservation Authority
- Hamilton Conservation Authority
- Niagara Escarpment Commission
- Toronto and Region Conservation Authority

Municipalities (construction permitting)

- City of Burlington
- City of Hamilton
- City of Mississauga
- City of Toronto
- Town of Milton
- Town of Oakville



Minimizing construction impacts

Imperial is working carefully with the regulator and different levels of government to plan the Waterdown to Finch Project so that construction impacts are as limited as possible.

Routing, environmental assessments and permitting

- Engineers and environmental surveyors work together to identify a pipeline route that minimizes impact to the environment and surrounding community.
- Engineering, Indigenous technicians and environmental experts work to understand the soil, below ground conditions, vegetation, species, archaeologically sensitive sites, water crossings and environmentally sensitive areas.
- These reports will be reviewed and approved by permitting and regulatory authorities before construction begins.

Preparing for construction

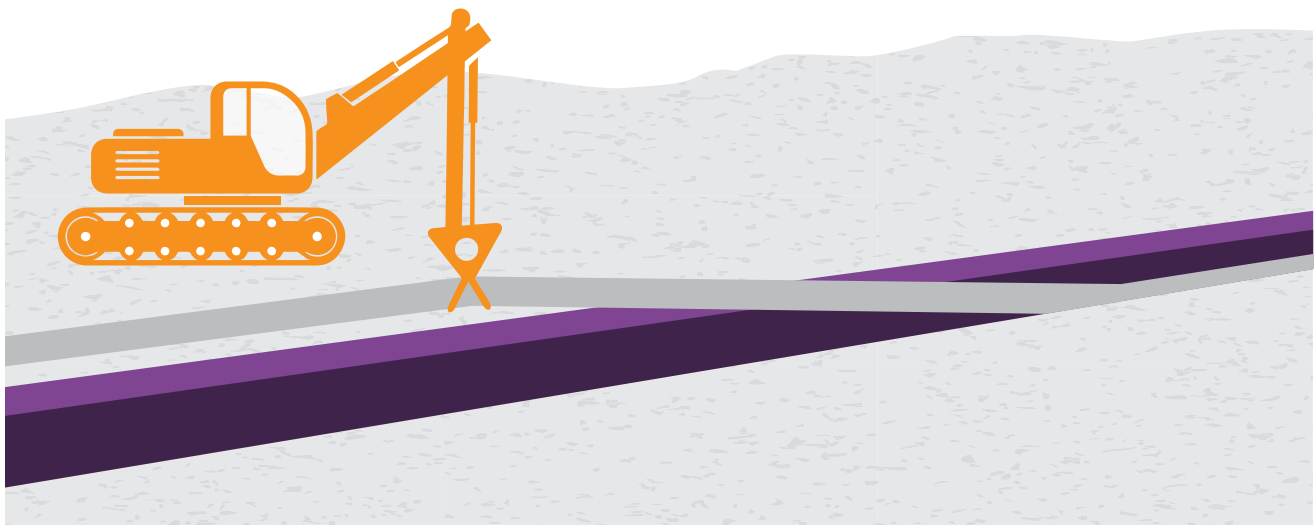
- After the engineering design plan is confirmed, multiple teams along the pipeline will mobilize for construction.
- The pipeline route will be cleared and temporary workspaces, including safety barricades, will be installed.

Construction methods

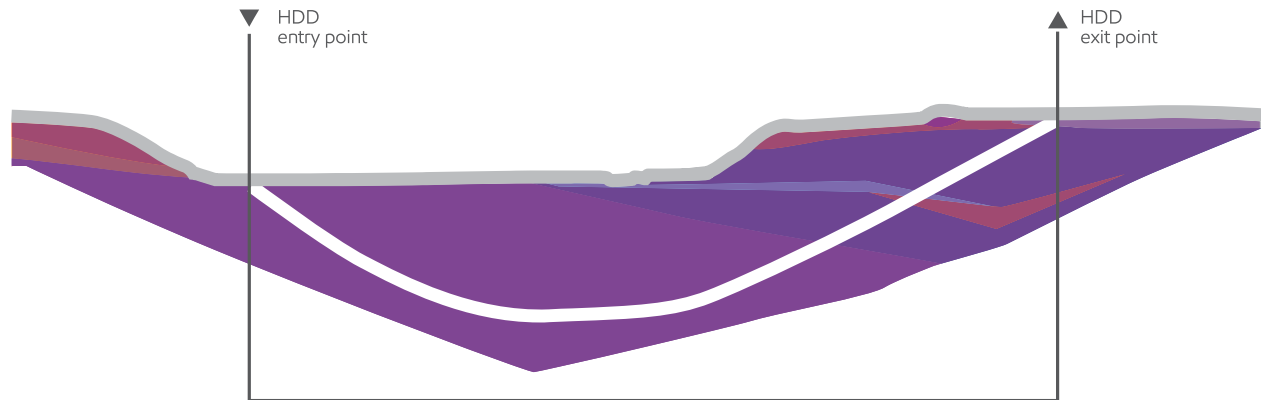
1. Open cut construction
2. Trenchless technology

Based on the engineering and environmental surveys, Imperial will perform one of two construction techniques:

1. Open cut construction



2. Trenchless technology



1. Open cut construction

Open cut construction is the fastest method for pipeline installation.

- Lay and bend the pipe to match contours of the land.
- Weld, test and inspect the pipe.
- Lower pipe into the trench and cover it for protection.

2. Trenchless technology

A horizontal directional drill (HDD) is a method of installing underground pipe using a drilling rig at the surface level. It is best used at sensitive areas, or in dense residential or commercial areas.

- Drill a hole along a designed directional path.
- Enlarge the pilot hole to a diameter suitable for installation of the pipeline.
- Pull the pipeline back into the enlarged hole.

Commissioning/activating the new line

- The new pipeline will ultimately be connected and tied into Imperial's Waterdown Station and Finch Terminal.
- The pipeline's integrity is inspected by a hydrostatic pressure test. Once the pipe is cleaned and dried, it can be slowly filled with diesel, gasoline or jet fuel.

Deactivation of current line

- The deactivated pipe will be removed from service, cleaned, filled with nitrogen (like what we put in our car tires), and left in place.
- Deactivation is undertaken to reduce environmental impacts (soil stability, slope stabilization and settlement issues), avoid short and long-term community construction impacts and minimize safety risk for other pipelines sharing the right-of-way.
- Imperial deactivates pipeline segments in accordance with industry best practices (Canadian Standards Association's Oil and Gas Pipeline Systems Code) and provincial regulations (*Technical Standards and Safety Act*).
- Imperial is responsible for paying for the maintenance and monitoring of this segment of deactivated pipeline.
- Imperial remains responsible for ongoing monitoring, line identification and crossing management of the deactivated line.

Our commitment to community engagement and the environment

We appreciate the patience of our neighbours, Indigenous groups and community members as we work to enhance the long-term safety and reliability of our existing operations.

Community engagement

In order to minimize the impact of disruption, we look to local residents to help inform solutions.

During the project period, community members will have several ways to receive information and ask questions:

- imperialoil.ca/waterdowntofinch
- Email: questions@imperialon.ca
- Telephone: 416.586.1915
- Community information sessions
- Construction notices delivered a minimum of two weeks before activity begins
- Ongoing information sharing

Protecting the local environment

- Every day, our employees work hard to safely supply fuel to keep cars, trucks and planes in our province moving.
- Our Sarnia and Nanticoke refineries play a critical role in meeting Ontario's energy needs. Since 1990, refinery sector greenhouse gas emissions in Ontario have been reduced by 32 per cent.

- In the last five years, we have spent approximately \$1.1 billion at Nanticoke and Sarnia to improve the reliability and safety of our operations.
- Sarnia and Nanticoke both achieved a number of best-ever safety and environmental performance in 2016 and 2017.
- We remain committed to operating our facilities in an environmentally responsible manner and in compliance with provincial regulations.



Our proactive protection and preventative maintenance program

We attribute our record of safe and reliable operations to our preventative maintenance and proactive pipeline inspection programs.

We work closely with independent pipeline regulators and government permitting authorities to ensure our facilities comply with all applicable laws and regulations.

Focused on safety

- Imperial's safety performance is among the best in the Canadian energy industry.
- Imperial conducts routine and frequent aerial and daily ground monitoring of the pipeline path.
- Imperial's emergency response plan prioritizes the protection of people and the environment.
- The emergency response team in Ontario is highly trained, appropriately resourced and ready to respond quickly in the unlikely event of a pipeline emergency.

Monitored 24 hours a day, 365 days a year

- Our pipelines are monitored around the clock.
- Skilled workers in a dedicated control centre with access to monitoring tools can remotely shut down the pipeline and dispatch local workers to inspect the pipeline.

Pipeline protection measures

- Imperial uses protected steel pipe that is coated to safeguard against external corrosion.
- Cathodic protection, a technique that uses low-voltage electric currents to curb corrosion, works with the coating to protect the pipe from external elements.
- The pipe is buried below ground to protect it from damage.
- Valves are strategically placed along the pipeline path to allow sections of the pipeline to be closed off as needed.
- Automated valves can automatically close if they sense an unexpected pressure drop or be remotely controlled by the operations centre.

Using innovative technologies and assessment methods

- Industry-leading inspection tools confirm both internal and external characteristics of the steel to identify and prioritize repairs.
- Imperial will use the inspection findings to determine where a pipeline dig and visual inspection are necessary, which informs maintenance and any additional work, such as replacing a section of the pipeline.

Imperial in Ontario: supporting economic growth

As an integrated products company, at Imperial we explore for, produce, refine and market products essential to society.

We are Canada's largest refiner, producing over 400 kilo barrels per day (kbd).

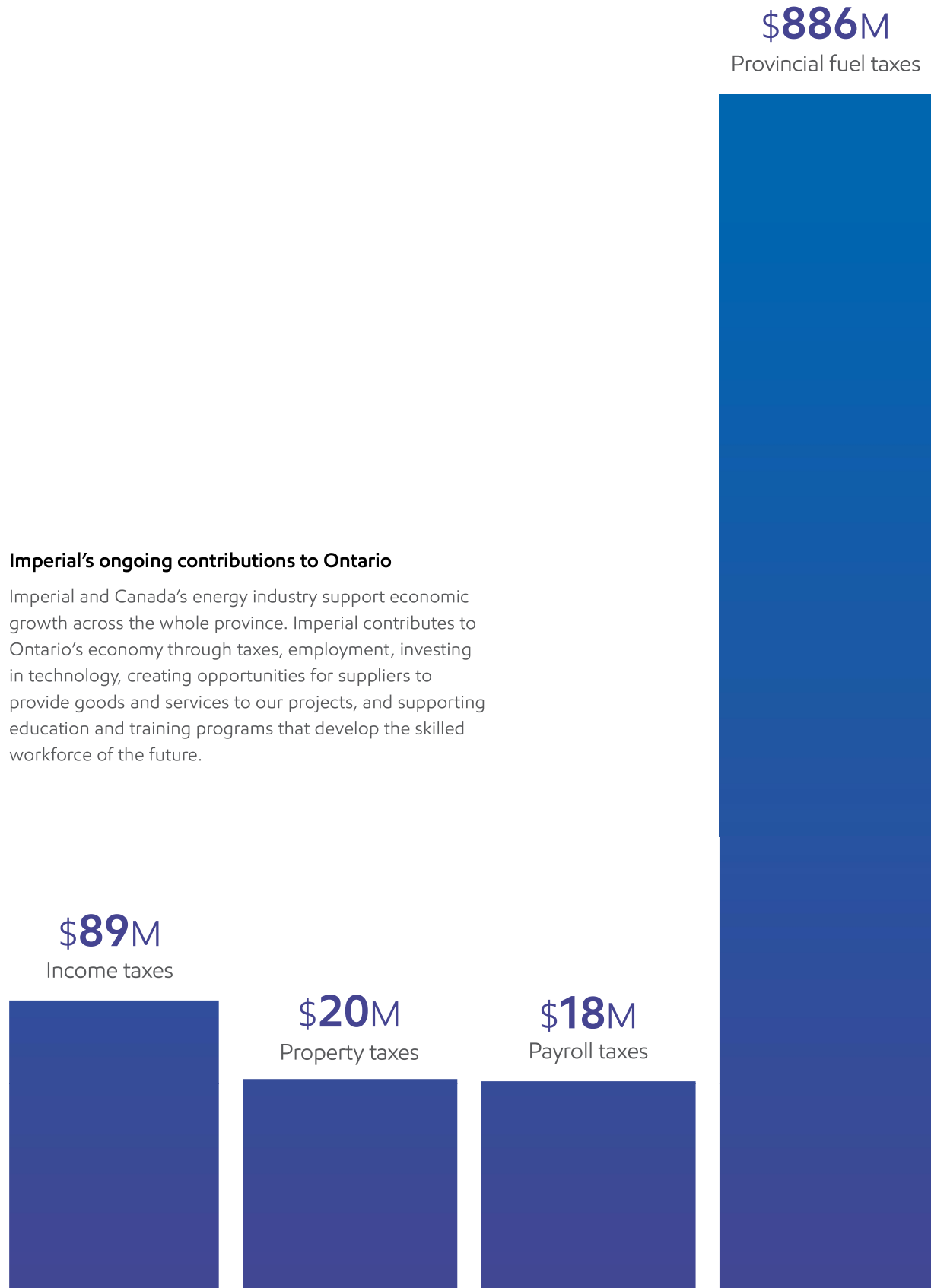
Founded in Ontario: As Canada's largest refiner of petroleum products, we have more than 130 years of providing Canadians with reliable energy, while supporting our economy and protecting the environment.

Supporting Ontario households: Imperial employs approximately 1,200 employees and up to 3,500 contractors a day in Ontario.

Major capital projects: Imperial continues to invest in Ontario with more than \$750 million at our two refineries in Sarnia and Nanticoke. Investments include environmental improvements, energy conservation projects, clean fuel facilities and infrastructure improvements.

Research and development in Ontario: Over the past decade, Imperial has invested more than \$300 million in research and development in the province.





Imperial's ongoing contributions to Ontario

Imperial and Canada's energy industry support economic growth across the whole province. Imperial contributes to Ontario's economy through taxes, employment, investing in technology, creating opportunities for suppliers to provide goods and services to our projects, and supporting education and training programs that develop the skilled workforce of the future.

Based on 2016 contributions

Source: Business Council of Canada 2016 Total Tax Contribution Survey.

We want to hear from you
T: 416.586.1915
E: questions@imperialon.ca

imperialoil.ca/waterdowntofinch

Jim Chan

From: EnviroOnt <EnviroOnt@tc.gc.ca>
Sent: Wednesday, May 23, 2018 12:12 PM
To: Jim Chan
Subject: RE: Imperial's Waterdown to Finch Project - Notification

Greetings,

Thank you for your correspondence. **I am kindly requesting that Transport Canada contact Jennifer Hughes (Jennifer.hughes@tc.gc.ca) be removed from your mailing list and replaced with this address.**

Please note Transport Canada **does not** require receipt of all individual or Class EA related notifications. We are requesting project proponents to self-assess if their project:

1. Will interact with a federal property and/or waterway by reviewing the Directory of Federal Real Property, available at www.tbs-sct.gc.ca/dfrp-rbif/; **and**
2. Will require approval and/or authorization under any Acts administered by Transport Canada* available at <http://www.tc.gc.ca/eng/acts-regulations/menu.htm>.

Projects that will occur on federal property prior to exercising a power, performing a function or duty in relation to that project, will be subject to a determination of the likelihood of significant adverse environmental effects, per Section 67 of the *Canadian Environmental Assessment Act, 2012*.

If the aforementioned does not apply, the Environmental Assessment program should not be included in any further correspondence and future notifications will not receive a response. If there is a role under the program, correspondence should be forwarded *electronically* to: EnviroOnt@tc.gc.ca with a **brief description of Transport Canada's expected role**.

*Below is a summary of the most common Acts that have applied to projects in an Environmental Assessment context:

- **Navigation Protection Act (NPA)** – the Act applies primarily to works constructed or placed in, on, over, under, through, or across scheduled navigable waters set out under the Act. The Navigation Protection Program administers the NPA through the review and authorization of works affecting scheduled navigable waters. Information about the Program, NPA and approval process is available at: <http://www.tc.gc.ca/eng/programs-621.html>. Enquiries can be directed to NPPONT-PPNONT@tc.gc.ca or by calling (519) 383-1863.
- **Railway Safety Act (RSA)** – the Act provides the regulatory framework for railway safety, security, and some of the environmental impacts of railway operations in Canada. The Rail Safety Program develops and enforces regulations, rules, standards and procedures governing safe railway operations. Additional information about the Program is available at: <https://www.tc.gc.ca/eng/railsafety/menu.htm>. Enquiries can be directed to RailSafety@tc.gc.ca or by calling (613) 998-2985.
- **Transportation of Dangerous Goods Act (TDGA)** – the transportation of dangerous goods by air, marine, rail and road is regulated under the TDGA. Transport Canada, based on risks, develops safety standards and regulations, provides oversight and gives expert advice on dangerous goods to promote public safety. Additional information about the transportation of dangerous goods is available at: <https://www.tc.gc.ca/eng/tdg/safety-menu.htm>. Enquiries can be directed to TDG-TMDOntario@tc.gc.ca or by calling (416) 973-1868.

- **Aeronautics Act** – Transport Canada has sole jurisdiction over aeronautics, which includes aerodromes and all related buildings or services used for aviation purposes. Aviation safety in Canada is regulated under this Act and the Canadian Aviation Regulations (CARs). Elevated Structures, such as wind turbines and communication towers, would be examples of projects that must be assessed for lighting and marking requirements in accordance with the CARs. Transport Canada also has an interest in projects that have the potential to cause interference between wildlife and aviation activities. One example would be waste facilities, which may attract birds into commercial and recreational flight paths. The *Land Use In The Vicinity of Aerodromes* publication recommends guidelines for and uses in the vicinity of aerodromes, available at: <https://www.tc.gc.ca/eng/civilaviation/publications/tp1247-menu-1418.htm>. Enquires can be directed to at tc.aviationservicesont-servicesaviationont.tc@tc.gc.ca or by calling 1 (800) 305-2059 / (416) 952-0230.

Please advise if additional information is needed.

Thank you,

Environmental Assessment Program, Ontario Region
Transport Canada / Government of Canada / 4900 Yonge St., Toronto, ON M2N 6A5
EnviroOnt@tc.gc.ca / Facsimile : (416) 952-0514 / TTY: 1-888-675-6863

Programme d'évaluation environnementale, Région de l'Ontario
Transports Canada / Gouvernement du Canada / 4900, rue Yonge, Toronto, ON, M2N 6A5
EnviroOnt@tc.gc.ca / télécopieur: (416) 952-0514

From: Jim Chan [<mailto:Jim.Chan@erm.com>]
Sent: Tuesday, May 22, 2018 6:46 PM
To: Hughes, Jennifer <jennifer.hughes@tc.gc.ca>
Cc: Malone, Jessie M (jessie.m.malone@esso.ca) <jessie.m.malone@esso.ca>; Curtis Campbell <Curtis.Campbell@erm.com>; Jim Chan <Jim.Chan@erm.com>; Matthew Scoular <Matthew.Scoular@erm.com>
Subject: Imperial's Waterdown to Finch Project - Notification

Dear Ms. Hughes,

Attached is a notification letter regarding Imperial's upcoming Waterdown to Finch pipeline replacement project, which is a component of the Sarnia Products Pipeline (SPPL).

The Waterdown to Finch Project involves proactively replacing a segment of pipeline to deliver continued safety and reliability. This section runs from Imperial's Waterdown pump station in rural Hamilton to a terminal storage facility located in Toronto's North York area.

This letter serves as formal notification to the project, and the attached project brochure provides key information about the project, including the work timeline, government, Indigenous and community engagement efforts, construction practices, and environmental protection standards.

If you would like to learn more about the Waterdown to Finch Project, please contact us at questions@imperialon.ca or leave a message at 416-586-1915.

A hard copy of this letter will follow by mail.

Regards,

Jim Chan
Senior Consultant
ERM

Richmond-Adelaide Centre
120 Adelaide Street West
20th floor | Suite 2010
Toronto | ON | Canada | M5H 1T1
T +1 416 646 3608 (office) | M +1 647 919 9474 (mobile)
E jim.chan@erm.com | W www.erm.com



This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at +1 604 689 9460 and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit ERM's web site: <http://www.erm.com>



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Jennifer Hughes
Supervisor, Environment and Engineering
Transport Canada
4900 Yonge Street
Toronto, Ontario
M2N 6A5

Dear Ms. Hughes,

Imperial's Sarnia Products Pipeline (SPPL) is important infrastructure that provides fuels used by households and businesses across the Greater Toronto and Hamilton Area. This includes a significant portion of jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel that keeps people, goods and services moving throughout the region.

Operating safely in the region for many years, Imperial is planning to replace approximately 63-kilometres of the line with new pipe. This section runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area.

The Waterdown to Finch Project is proactively replacing a segment of pipeline to deliver continued safety and reliability. The existing pipeline will continue to operate until the project is complete.

Environmental and cultural assessments will start in the spring of 2018. Subject to provincial regulatory review and receipt of all permits, Imperial anticipates construction to begin in 2019.

Most replacement work will take place in close vicinity to the existing pipeline. Imperial representatives will also be communicating with landowners where proposed activities may be taking place in the coming weeks. Over the duration of the project, we will work collaboratively and communicate proactively to minimize construction impacts.

Please accept this letter as a formal notification of Imperial's Waterdown to Finch Project. If you would like to learn more about the Waterdown to Finch Project, please contact us at questions@imperialon.ca or leave a message at 416-586-1915.

In addition to the notification and project brochure, you can also visit our project website at imperialoil.ca/waterdowntofinch for an overview of the proposed replacement work, including project facts, work schedule, construction practices and community engagement efforts.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessie Malone". The signature is fluid and cursive, written in a professional style.

Jessie Malone
Environmental and Regulatory Advisor
Safety Security Health and Environment, Imperial Oil Limited



Imperial's Sarnia Products Pipeline

Waterdown to Finch Project



Continued safety and reliability: pipeline replacement from Waterdown to Finch

Imperial's Sarnia Products Pipeline is important infrastructure that provides fuels used by households and businesses across the Greater Toronto and Hamilton Area (GTHA). This includes a significant portion of jet fuel for Toronto Pearson International Airport, as well as gasoline and diesel fuel that keeps people, goods and services moving throughout our region.

Operating safely in the region for many years, Imperial is planning to replace approximately 63 kilometre section of the line with new pipe. This section runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area.

Project highlights

Working within the existing pipeline corridor:
Most replacement work will take place in close vicinity to the pipeline.

Completing the Waterdown to Finch Project:
Environmental and cultural assessments will start in the spring of 2018. Subject to provincial regulatory reviews and receiving all permits, Imperial expects to start construction in 2019. The existing pipeline will continue to operate reliably until the Waterdown to Finch Project is complete.

Following a thorough regulatory process: Imperial will seek approval for a Leave to Construct from the Ontario Energy Board. This includes a thorough assessment of the project's environmental effects and engagement with landowners, communities and Indigenous groups.

Informing community members: Imperial is committed to meaningful community, government and Indigenous engagement throughout the duration of the project.

Protecting our local environment: Imperial works to ensure the highest standards of environmental safety are observed every day. During the replacement process, Imperial will continue to work with government and regulators to protect our local environment.

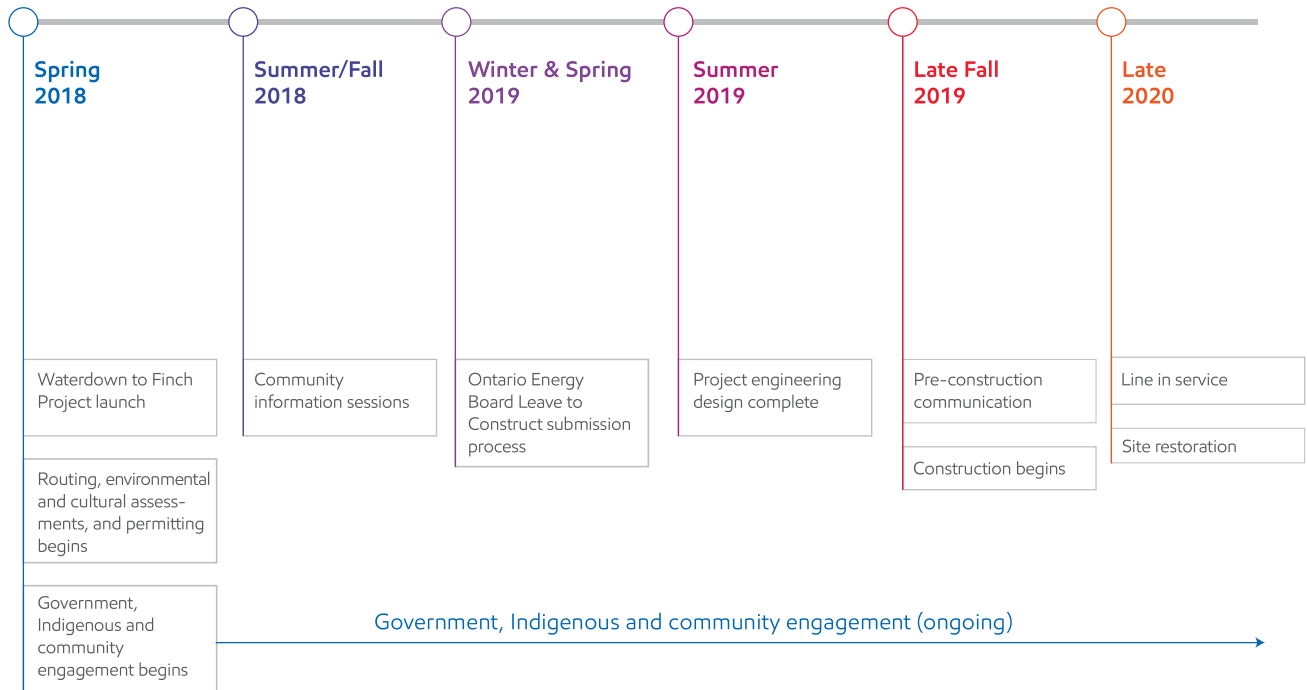
Keeping local traffic moving: Imperial will work closely with municipalities and residents so the impacts on traffic are as limited as possible.

Creating jobs here in Ontario: Imperial employs approximately 1,200 employees and up to 3,500 contractors per day in Ontario. Imperial is looking to work with local contractors and business services, including from Indigenous groups, throughout the life of the project.

Waterdown to Finch Project location



Work timeline*



* Timeline is subject to regulatory and permitting approvals

Land, regulatory and permitting approvals

Imperial will respect all landowners' property and will seek to minimize disruptions. Imperial also recognizes the importance of collaboration with local Indigenous groups when conducting activities on their traditional territories.

Before work begins, Imperial will engage with landowners regarding access to our easements on their property. Concurrently, we will engage with Indigenous groups to understand interests and opportunities to further collaborate in the region.

In addition to landowner access and Indigenous collaborations, Imperial will require regulatory approval, permits or project approvals from the following entities listed in alphabetical order:

Federal

- Environment and Climate Change Canada
- Fisheries and Oceans Canada
- Transport Canada

Provincial

- Infrastructure Ontario
- Ontario Energy Board
- Ontario Ministry of Environment and Climate Change
- Ontario Ministry of Indigenous Relations and Reconciliation
- Ontario Ministry of Natural Resources and Forestry
- Ontario Ministry of Tourism, Culture and Sport

Regional

- Conservation Halton
- Credit Valley Conservation Authority
- Hamilton Conservation Authority
- Niagara Escarpment Commission
- Toronto and Region Conservation Authority

Municipalities (construction permitting)

- City of Burlington
- City of Hamilton
- City of Mississauga
- City of Toronto
- Town of Milton
- Town of Oakville



Minimizing construction impacts

Imperial is working carefully with the regulator and different levels of government to plan the Waterdown to Finch Project so that construction impacts are as limited as possible.

Routing, environmental assessments and permitting

- Engineers and environmental surveyors work together to identify a pipeline route that minimizes impact to the environment and surrounding community.
- Engineering, Indigenous technicians and environmental experts work to understand the soil, below ground conditions, vegetation, species, archaeologically sensitive sites, water crossings and environmentally sensitive areas.
- These reports will be reviewed and approved by permitting and regulatory authorities before construction begins.

Preparing for construction

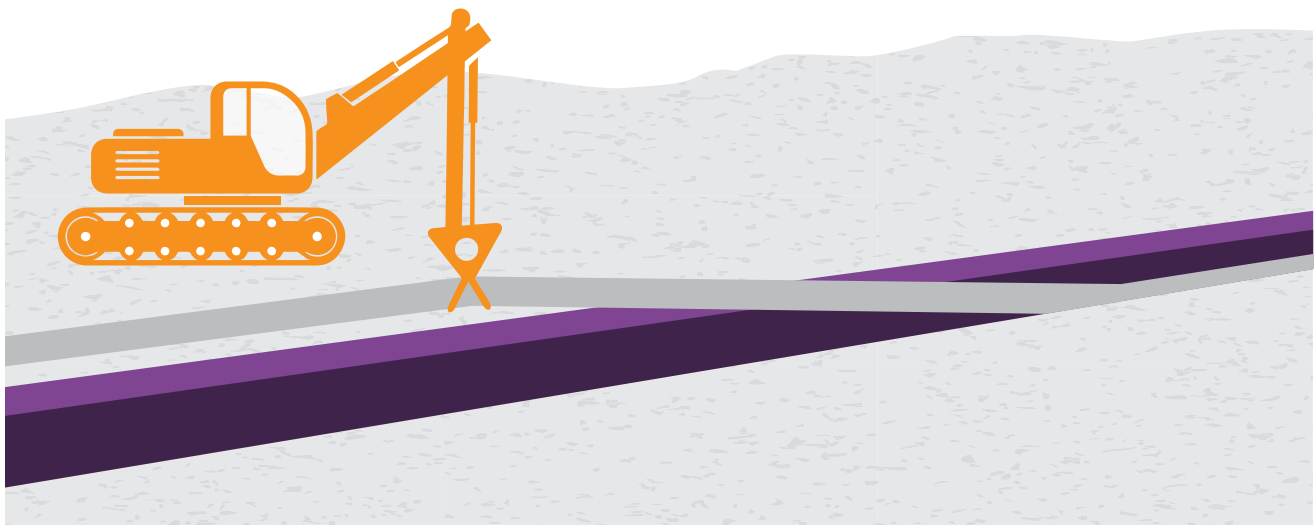
- After the engineering design plan is confirmed, multiple teams along the pipeline will mobilize for construction.
- The pipeline route will be cleared and temporary workspaces, including safety barricades, will be installed.

Construction methods

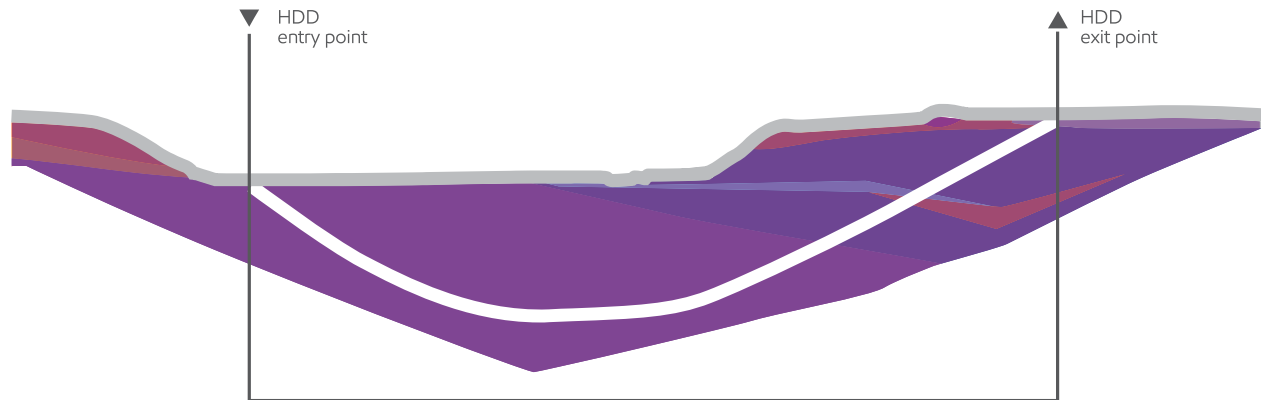
1. Open cut construction
2. Trenchless technology

Based on the engineering and environmental surveys, Imperial will perform one of two construction techniques:

1. Open cut construction



2. Trenchless technology



1. Open cut construction

Open cut construction is the fastest method for pipeline installation.

- Lay and bend the pipe to match contours of the land.
- Weld, test and inspect the pipe.
- Lower pipe into the trench and cover it for protection.

2. Trenchless technology

A horizontal directional drill (HDD) is a method of installing underground pipe using a drilling rig at the surface level. It is best used at sensitive areas, or in dense residential or commercial areas.

- Drill a hole along a designed directional path.
- Enlarge the pilot hole to a diameter suitable for installation of the pipeline.
- Pull the pipeline back into the enlarged hole.

Commissioning/activating the new line

- The new pipeline will ultimately be connected and tied into Imperial's Waterdown Station and Finch Terminal.
- The pipeline's integrity is inspected by a hydrostatic pressure test. Once the pipe is cleaned and dried, it can be slowly filled with diesel, gasoline or jet fuel.

Deactivation of current line

- The deactivated pipe will be removed from service, cleaned, filled with nitrogen (like what we put in our car tires), and left in place.
- Deactivation is undertaken to reduce environmental impacts (soil stability, slope stabilization and settlement issues), avoid short and long-term community construction impacts and minimize safety risk for other pipelines sharing the right-of-way.
- Imperial deactivates pipeline segments in accordance with industry best practices (Canadian Standards Association's Oil and Gas Pipeline Systems Code) and provincial regulations (*Technical Standards and Safety Act*).
- Imperial is responsible for paying for the maintenance and monitoring of this segment of deactivated pipeline.
- Imperial remains responsible for ongoing monitoring, line identification and crossing management of the deactivated line.

Our commitment to community engagement and the environment

We appreciate the patience of our neighbours, Indigenous groups and community members as we work to enhance the long-term safety and reliability of our existing operations.

Community engagement

In order to minimize the impact of disruption, we look to local residents to help inform solutions.

During the project period, community members will have several ways to receive information and ask questions:

- imperialoil.ca/waterdowntofinch
- Email: questions@imperialon.ca
- Telephone: 416.586.1915
- Community information sessions
- Construction notices delivered a minimum of two weeks before activity begins
- Ongoing information sharing

Protecting the local environment

- Every day, our employees work hard to safely supply fuel to keep cars, trucks and planes in our province moving.
- Our Sarnia and Nanticoke refineries play a critical role in meeting Ontario's energy needs. Since 1990, refinery sector greenhouse gas emissions in Ontario have been reduced by 32 per cent.

- In the last five years, we have spent approximately \$1.1 billion at Nanticoke and Sarnia to improve the reliability and safety of our operations.
- Sarnia and Nanticoke both achieved a number of best-ever safety and environmental performance in 2016 and 2017.
- We remain committed to operating our facilities in an environmentally responsible manner and in compliance with provincial regulations.



Our proactive protection and preventative maintenance program

We attribute our record of safe and reliable operations to our preventative maintenance and proactive pipeline inspection programs.

We work closely with independent pipeline regulators and government permitting authorities to ensure our facilities comply with all applicable laws and regulations.

Focused on safety

- Imperial's safety performance is among the best in the Canadian energy industry.
- Imperial conducts routine and frequent aerial and daily ground monitoring of the pipeline path.
- Imperial's emergency response plan prioritizes the protection of people and the environment.
- The emergency response team in Ontario is highly trained, appropriately resourced and ready to respond quickly in the unlikely event of a pipeline emergency.

Monitored 24 hours a day, 365 days a year

- Our pipelines are monitored around the clock.
- Skilled workers in a dedicated control centre with access to monitoring tools can remotely shut down the pipeline and dispatch local workers to inspect the pipeline.

Pipeline protection measures

- Imperial uses protected steel pipe that is coated to safeguard against external corrosion.
- Cathodic protection, a technique that uses low-voltage electric currents to curb corrosion, works with the coating to protect the pipe from external elements.
- The pipe is buried below ground to protect it from damage.
- Valves are strategically placed along the pipeline path to allow sections of the pipeline to be closed off as needed.
- Automated valves can automatically close if they sense an unexpected pressure drop or be remotely controlled by the operations centre.

Using innovative technologies and assessment methods

- Industry-leading inspection tools confirm both internal and external characteristics of the steel to identify and prioritize repairs.
- Imperial will use the inspection findings to determine where a pipeline dig and visual inspection are necessary, which informs maintenance and any additional work, such as replacing a section of the pipeline.

Imperial in Ontario: supporting economic growth

As an integrated products company, at Imperial we explore for, produce, refine and market products essential to society.

We are Canada's largest refiner, producing over 400 kilo barrels per day (kbd).

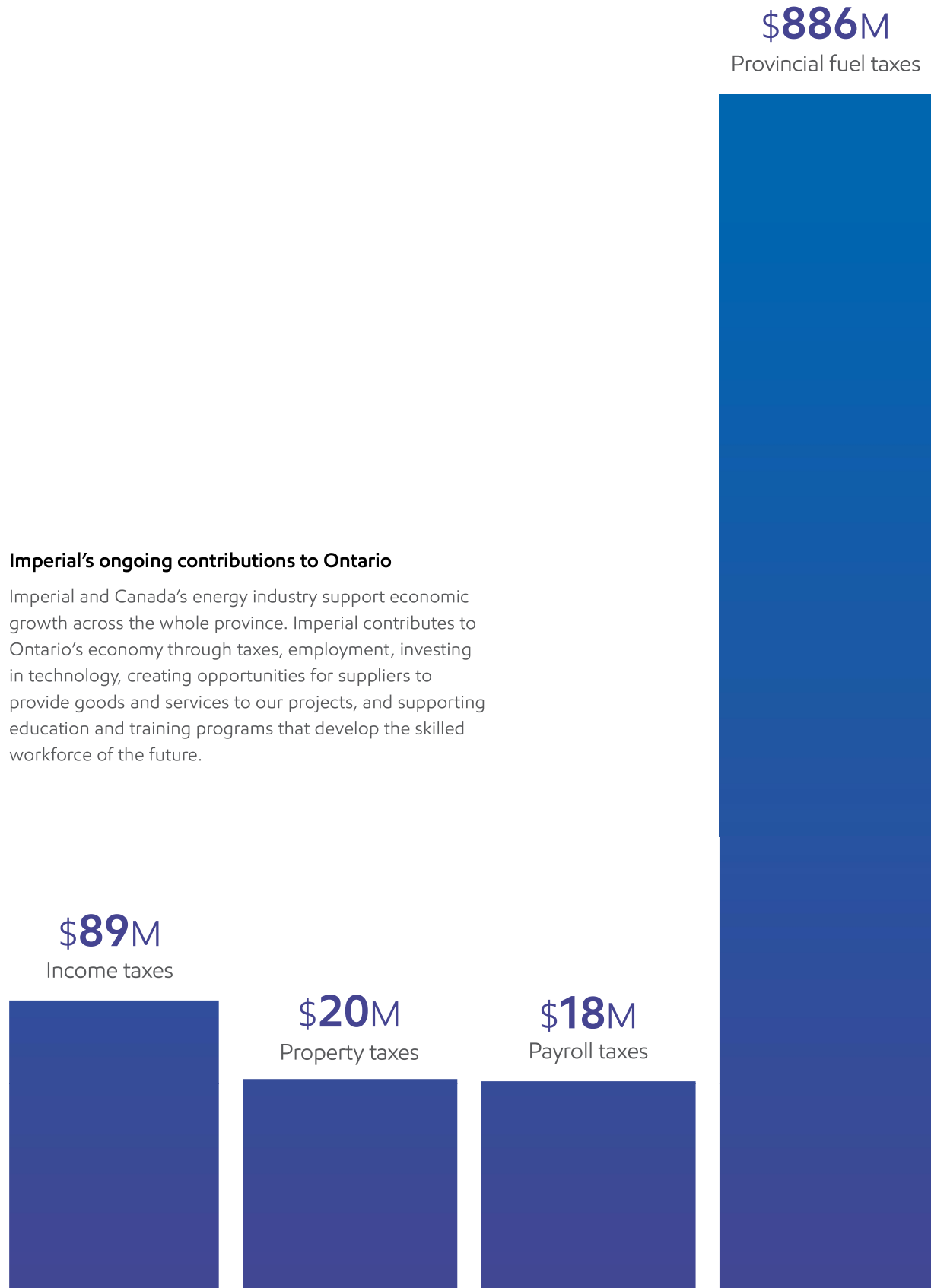
Founded in Ontario: As Canada's largest refiner of petroleum products, we have more than 130 years of providing Canadians with reliable energy, while supporting our economy and protecting the environment.

Supporting Ontario households: Imperial employs approximately 1,200 employees and up to 3,500 contractors a day in Ontario.

Major capital projects: Imperial continues to invest in Ontario with more than \$750 million at our two refineries in Sarnia and Nanticoke. Investments include environmental improvements, energy conservation projects, clean fuel facilities and infrastructure improvements.

Research and development in Ontario: Over the past decade, Imperial has invested more than \$300 million in research and development in the province.





Imperial's ongoing contributions to Ontario

Imperial and Canada's energy industry support economic growth across the whole province. Imperial contributes to Ontario's economy through taxes, employment, investing in technology, creating opportunities for suppliers to provide goods and services to our projects, and supporting education and training programs that develop the skilled workforce of the future.

Based on 2016 contributions

Source: Business Council of Canada 2016 Total Tax Contribution Survey.

We want to hear from you
T: 416.586.1915
E: questions@imperialon.ca

imperialoil.ca/waterdowntofinch



Imperial
Waterdown to Finch Pipeline Project
November 26, 2018
Meeting Summary Notes

**Please note that these meeting notes provide a summary of the discussion; however, these are not detailed minutes of the meeting. While we have endeavored to document the main points, some discussion items may not be included.*

Participants

Transport Canada (TC)

- Kelly Thompson (KT), Inspection Officer
Navigation Protection Program

Imperial

- Jessie Malone (JM)

ERM

- Matt Scoular (MS), Project Manager
Brian Lynch (BL), Permitting Specialist

Meeting Objectives

- Provide an overview of Imperial’s Waterdown to Finch Project
- Discuss Transport Canada requirements

Topic	Discussion
Location	<ul style="list-style-type: none"> • Teleconference
Agenda	<ul style="list-style-type: none"> • Welcome, Safety Moment and Introductions • Meeting Objectives & Agenda Review • Project Overview • Transport Canada Permitting Approach
Materials	<ul style="list-style-type: none"> • None
Introduction	<ul style="list-style-type: none"> • ERM (MS) introduced all participants.
Project Overview	<p>Objectives: Provide TC with an understanding of:</p> <ul style="list-style-type: none"> • the need for the Project; • the routing assessment already undertaken; • the proposed route; • the planned construction methods; and • the planned construction schedule. <p>Discussion:</p> <ul style="list-style-type: none"> • Imperial (JM) provided a Project overview and rationale for the Project, including the plan for the existing pipeline, construction methods, timelines, and routing.
TC Permitting Approach	<p>Objectives:</p> <ul style="list-style-type: none"> • describe existing <i>Navigation Protection Act</i> (NPA) approach and confirm TC’s acceptance; • discuss upcoming changes to legislation and potential implications; and • solicit feedback from TC on the above. <p>Discussion:</p>

Topic	Discussion
	<ul style="list-style-type: none"> • ERM (BL) provided a brief overview of the screening done relating to the NPA. The conclusion is no scheduled waters being crossed • Transport Canada (KT): under existing legislation this Project does not require TC review/approval • KT: changing legislation could change minor works order, applicability of NPA to Project/crossings • BL: discussed opting-in to get file number and approvals on record, perhaps be grandfathered into old legislation if new legislation passes. • KT: opt-in requests are reviewed and the threshold for accepting an opt-in is high. This Project may not be eligible for opt-in though she would consider making a recommendation to her management • KT: as part of pre-screening services, TC will review crossing list (lat/long, crossing methods) to determine which, if any, may have navigation concerns, may be able to opt-in for those higher risk crossings to reduce risk of slow downs if/when legislation changes. Action Item: ERM to submit crossing list and methods to TC. • KT will complete review of crossing list in January 2019, if received in December 2018. Action: KT to complete review of crossing list and methods. • KT: under new legislation, there will be a public review process where all works with potential to impact navigation must be submitted for a 30-day public comment period. If comments are received an additional 45-day resolution process will occur. No construction can occur in these windows.
Summary of Actions	
Summary of Actions	Who
<ul style="list-style-type: none"> • TC requested list of crossings and crossing methods for pipeline alignment <ul style="list-style-type: none"> ○ ERM agreed to submit crossing list and methods to KT 	BL
<ul style="list-style-type: none"> • Imperial requested that TC complete review of crossing list and methods and provide advice on moving file forward with TC. <ul style="list-style-type: none"> ○ TC agreed to complete review of the crossing list and methods in January 2019, provided they receive them in early-mid December 2018. 	KT

Potential topics to record for Isometrix reporting:

- | | |
|---|---|
| <input type="checkbox"/> Accidents and Malfunctions | <input checked="" type="checkbox"/> Aquatic Resources and species |
| <input type="checkbox"/> Air Emissions and Noise | <input type="checkbox"/> Archaeology |
| <input type="checkbox"/> Alternatives | <input type="checkbox"/> Community Contribution Request |
| <input type="checkbox"/> Cultural Heritage Resources | <input type="checkbox"/> Groundwater |
| <input type="checkbox"/> Emergency Response | <input type="checkbox"/> Operational Issue |
| <input type="checkbox"/> Excavation/Damage Prevention/Pipeline Location | |

EXHIBIT H
Imperial
Record of Consultation - Supporting Documents
Waterdown to Finch Pipeline Project

November 26, 2018
Meeting Summary Notes

Topic	Discussion
<input type="checkbox"/> Right-of-Way/Access Agreement	<input type="checkbox"/> Traditional use
<input checked="" type="checkbox"/> Safety, Health and Environment	<input type="checkbox"/> Vegetation
<input type="checkbox"/> Socioeconomic (labour, economy, social)	<input type="checkbox"/> Wetlands
	<input type="checkbox"/> Wildlife and Habitat



Imperial
Waterdown to Finch Pipeline Project
May 11, 2018
Meeting Summary Notes

**Please note that these meeting notes provide a summary of the discussion; however, these are not detailed minutes of the meeting. While we have endeavored to document the main points, some discussion items may not be included.*

Participants

Mississauga New Credit First Nation (MNCFN)

- Fawn Sault (FS)
- Megan DeVries (MD), Archaeological Coordinator, Department of Consultation and Accommodation

Imperial

- Chris Plain (CP)
- Leanne Dohy (LD)
- Martin Bates (MB)
- Elias Majdalani (EM)
- Robert Ballinger (RB)

Meeting Objectives

- Early Notification to MNCFN
- Overview presentation of Imperial’s Waterdown to Finch Pipeline Project (the Project)
- Discussion on MNCFN’s interests in field survey work

Topic	Discussion
Location	<ul style="list-style-type: none"> • Meeting held at the MNCFN, Department of Consultation and Accommodation office, 4065 Hwy 6, Hagersville, ON N0A 1H0
Agenda	<ul style="list-style-type: none"> • Overview of meeting agenda
Materials	<ul style="list-style-type: none"> • Imperial: Imperial’s Sarnia Products Pipeline Waterdown to Finch Powerpoint presentation May 2018 • MNCFN: MNCFN’s Standards and Guidelines for Archeology • http://mncfn.ca/wp-content/uploads/2018/04/MNCFN-SGs-for-Archaeology.pdf
Introduction	<ul style="list-style-type: none"> • MNCFN began the meeting by introducing the participants to the history of the MNCFN
Safety Moment	<ul style="list-style-type: none"> • Imperial (RB) provided a safety moment on Imperial’s pipeline maintenance and integrity program. Imperial has a strong focus on safety. The record of safe and reliable operations is attributed to our preventative maintenance and proactive pipeline inspection program. • Monitored 24 hours a day, 365 days a year. • The emergency response team in Ontario is highly trained, appropriately resourced and ready to respond quickly in the unlikely event of a pipeline emergency. • MNCFN (MD) expects to be onsite whenever there are integrity digs. • Imperial (RB) acknowledged this and asked for input on other useful ways to improve communication regarding the integrity program, including doing a community history session with ROW team members. • MNCFN (MD) the community is particularly concerned about pipelines from the 1960s and older, as the archeological protocols were quite different then. MD indicated that

Topic	Discussion
	<p>Stage 2 archaeology studies are required before integrity digs, and that the community would require FLR Monitors on-site during the field survey work.</p>
Overview	<ul style="list-style-type: none"> • Imperial provided an overview of the Project. • Background and route of Sarnia Products Pipeline (SPPL), important infrastructure for the region. • Project need is driven by Imperial’s maintenance and integrity program. • Imperial’s Sarnia Products Pipeline is important infrastructure that provides fuels used by households and businesses across the Greater Toronto and Hamilton Area (GTHA). This includes a significant portion of jet fuel for Toronto Pearson International Airport, as well as gasoline and diesel fuel that keeps people, goods and services moving throughout our region. • MNCFN (FS) asked if the Wat-Fin Project will take place in the existing pipeline corridor. • Imperial (MB) responded that as much as possible, most replacement work will take place in close vicinity to the existing pipeline corridor. • MNCFN (MD) noted that it appears the Project will required more than 25+ horizontal directional drills (HDD) under crossings. • Imperial (MB) clarified that not all of these are water crossings, some are roadways. • Imperial is working carefully to plan the Project so that construction impacts are as limited as possible. A horizontal directional drill (HDD) is a method of installing underground pipe using a drilling rig at the surface level. It is best used at sensitive areas, or in dense residential or commercial areas. • MNCFN (FS) asked if Imperial has been in touch with MTO, because MTO has plans for a high speed rail transportation corridor. • Imperial plans to notify MTO of the Project. Imperial will be required to engage various regulators, at all levels, landowners and communities to understand interests and to minimize disruptions. <p>Request for Field Liaison Representative (FLR) Monitors</p> <ul style="list-style-type: none"> • Imperial (EM) shared information on the environmental survey work to be carried out. EM noted that the initial environmental survey work has begun, with amphibian studies in April 2018. Additional surveys will be carried out in 2018. • MNCFN (FS) requested MNCFN want to be engaged in all environmental studies going forward, MNCFN Field Liaison Representatives (FLR) Monitors will be required for field survey work. MNCFN (FS) requested a list of all environmental field surveys to be carried out. FS noted that breeding bird studies would need to be done in the next few months. MD is responsible for coordinating the participation of MNCFN FLR Monitors. A contract agreement will need to be in-place before MNCFN boots on the ground for all field work surveys. • MNCFN (MS) indicated that she believes there is high potential for an archeological find along the Project route, and cited her experiences with the archeological needs and ensuing schedule impacts of other recent industry projects in the region.

Topic	Discussion
	<ul style="list-style-type: none"> • MNCFN (FS), noted that FLR Monitors will be also be required for participation in construction and restoration monitoring. • Imperial acknowledged the MNCFN request and will look to accommodate this request. • The start of the FLR Monitor participation was not finalized. However, it was decided by the meeting participants that Imperial will participate in the upcoming June 15 MNCFN community session.

Summary of Actions	Who
<ul style="list-style-type: none"> • Imperial to accommodate MNCFN’s request for Field Liaison Representative (FLR) Monitors for environmental field survey work. • Imperial and MNCFN to establish an agreement to deliver participation of FLR Monitors on environmental field survey work. Imperial will provide MNCFN with a list of upcoming field work. 	CP
<ul style="list-style-type: none"> • MNRF shared MNCFN’s Standards and Guidelines for Archeology. This will be provided to Imperial’s archaeology consultant. 	CP
<ul style="list-style-type: none"> • Imperial and MNCFN agreed to host a community session on June 15, 2018 to introduce the Project. 	CP
<ul style="list-style-type: none"> • 	
<ul style="list-style-type: none"> • 	
<ul style="list-style-type: none"> • 	
<ul style="list-style-type: none"> • 	
<ul style="list-style-type: none"> • 	



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Fawn Sault
Department of Consultation & Accommodation
Mississaugas of the New Credit First Nation
4065 Highway 6
Hagersville, Ontario
N0A 1H0

Dear Ms. Sault,

Imperial's Sarnia Products Pipeline (SPPL) is important infrastructure that provides fuels used by households and businesses across the Greater Toronto and Hamilton Area. This includes a significant portion of jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel that keeps people, goods and services moving throughout the region.

Operating safely in the region for many years, Imperial is planning to replace approximately 63-kilometres of the line with new pipe. This section runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area.

The Waterdown to Finch Project is proactively replacing a segment of pipeline to deliver continued safety and reliability. The existing pipeline will continue to operate until the project is complete.

Environmental and cultural assessments will start in the spring of 2018. Subject to provincial regulatory review and receipt of all permits, Imperial anticipates construction to begin in 2019.

Most replacement work will take place in close vicinity to the existing pipeline. Imperial representatives will also be communicating with landowners where proposed activities may be taking place in the coming weeks. Over the duration of the project, we will work collaboratively and communicate proactively to minimize construction impacts.

Please accept this letter as a formal notification of Imperial's Waterdown to Finch Project. Imperial would like to schedule a meeting to discuss the Waterdown to Finch Project, share information and answer questions. If you would like to learn more about the Waterdown to Finch Project, please contact us at questions@imperialon.ca or leave a message at 416-586-1915.

In addition to the project brochure and meeting offer, you can also visit our project website at imperialoil.ca/waterdowntofinch for an overview of the proposed replacement work, including project facts, work schedule, construction practices and community engagement efforts.

We look forward to connecting.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Plain".

Christopher Plain
Indigenous Relations Lead – Ontario Region
Imperial Oil Limited



Imperial
Waterdown to Finch Pipeline Project
MNCFN Proponent's Open House Community Event
June 15, 2018
Meeting Summary Notes

**Please note that these meeting notes provide a summary of the discussion; however, these are not detailed minutes of the meeting. While we have endeavored to document the main points, some discussion items may not be included.*

Participants

- Community members of the Mississaugas of the New Credit First Nation (MNCFN)

Imperial

- Robert Ballinger, Area Manager, East Canada, Canada Fuel Operations (RB)
- Chris Plain, Indigenous Relations Lead - Ontario Region (CP)
- Leanne Dohy, Socio-economic Advisor (LD)
- Jessie Malone, Environmental and Regulatory Advisor (JM)
- Chad Hughes (CH), Canada Fuel Operations
- Ian Munro (IM), Canada Fuel Operations

ERM

- Curtis Campbell, Project Director (CC)
- Jim Chan, Senior Consultant (JC)

Meeting Objectives

- On a quarterly basis, MNCFN holds a Proponent's Open House Community Event with a BBQ, bouncy castle for kids, and informal tents and display booths. The objective is to introduce community members to projects and initiatives of invited companies and municipalities.

Topic	Discussion
Location	<ul style="list-style-type: none"> Held in front of the Department of Consultation and Accommodation (DOCA) at MNCFN, 4065 Ontario Route 6, Hagersville, ON N0A 1H0
Materials	<ul style="list-style-type: none"> Imperial poster display boards Imperial Waterdown to Finch Project brochure
Overview	<ul style="list-style-type: none"> The following were topics of conversation with community members at the Imperial poster display boards organized by topic. An estimate of 100 community members in attendance. An estimate of 30+ people stopped by the booth and an estimate of 15 individuals spoke to Project team representatives. Companies and municipalities in attendance included: Imperial Oil Limited, Walker Industries, Hydro One, City of Brantford, City of Toronto (Waterfront Toronto), Infrastructure Ontario (Realty Section - archaeology work for Court House)
Operations/ Spills	<p>What about the potential for spills? Who is responsible?</p> <ul style="list-style-type: none"> Imperial is taking proactive safety measures to prevent spills. We have a robust Emergency Response Plan. Regulations and government oversight dictate how we prepare for and respond to a potential pipeline spill. We would be responsible for

Topic	Discussion
	<p>cleaning up and mitigating damages. Imperial has proactive safety measures. We use in-line inspection tools, which are sent from one side of the line to the other and measures the inside diameter of the pipeline and assesses the integrity of the line.</p> <ul style="list-style-type: none"> • Fly the line every week; portions that can't be flown are ground patrolled. • Entire line walked in a periodic frequency. • Monitored 24 hours a day, 365 days a year. In the unlikely event of a spill, the line will be shutdown immediately. We would implement the Emergency Response Plan, evaluate the hazards and risks, protect property, protect waterways and wildlife, coordinate the emergency response and clean up the site. • Emergency Preparedness -- While we manage our business with the goal of preventing incidents, we are prepared for emergencies should they occur and can respond quickly, effectively and with care to emergencies or incidents resulting from our operations. In addition to responding quickly and effectively, we cooperate with industry organizations and authorized government agencies if an incident occurs. Each Imperial site worldwide has an emergency preparedness & response plan. Employees prepare themselves through training, simulations and drills. Imperial believes that environmental responsibility also means maintaining a strong capability to respond to operational emergencies, should they occur. We place great emphasis on preparing to respond quickly and effectively to mitigate the impact of incidents. The Canada Fuels Operating business has trained teams that are routinely tested against a range of scenarios including product spills, fires, explosions, natural disasters, and security incidents.
Deactivation of pipeline	<p>Why are you not pulling out the pipeline? What is the pipeline material made of?</p> <ul style="list-style-type: none"> • Imperial responded that the pipeline is made of steel. The current pipeline will be deactivated and removed from service. It will be cleaned, filled with nitrogen, maintained with cathodic protection, and monitored and left in place in accordance with regulatory requirements. The existing pipeline corridor has other buried infrastructure that is in close proximity. Deactivation is undertaken to reduce environmental impacts (soil stability, slope stabilization, settlement issues and potential impacts to other infrastructure).
Operations/ Spills	<p>Have you had any problems with the line? Why are you replacing it? How long is the replacement pipeline segment? Where is the refinery?</p> <ul style="list-style-type: none"> • The current line is over 50+ years old. As part of Imperial's proactive maintenance program, the 63 kilometre pipeline segment replacement is to provide continued safe operations of the line. Replacement is like for like, meaning 12" in diameter pipe for new 12" pipe. • Refinery is in Sarnia. The pipeline carries refined products such as jet fuel, gasoline, diesel that is used in the Greater Toronto and Hamilton Area.
Indigenous Monitors	<p>Are there MNCFN Field Liaison Representative (FLR) Monitors involved?</p> <ul style="list-style-type: none"> • Subsequent to the MNCFN Proponent's Open House, agreement finalized for FLR Monitors to participate in and observe field work.

Topic	Discussion
Community Benefits	<p>Does Imperial have scholarships?</p> <ul style="list-style-type: none"> • Yes, we are open to having discussions on this topic with the community.
Operations	<p>Is it refined product? Does it cross the border? Where is the refinery?</p> <ul style="list-style-type: none"> • Yes, the pipeline carries refined products such as jet fuel, gasoline, diesel that is used in the Greater Toronto and Hamilton Area. • No, the pipeline is within Ontario and does not cross a provincial or international boundary. • Refinery is in Sarnia.
Operations/ Indigenous Monitors	<p>How old is the pipeline? Do you have FLR Monitors? Standards 50 years ago for archaeology is not as good as now. Important that archaeology standards are in place.</p> <ul style="list-style-type: none"> • The current line is over 50+ years old. Yes, we have FLR Monitors to participate and observe upcoming field work. We want to be respectful of procedures and protocols. We acknowledge that archaeology standards not the same as present. We will work with the MTCS and MNCFN on the archaeology work.
Operations/ Spills	<p>What's wrong with the old one? Has it leaked? What is it made out of?</p> <ul style="list-style-type: none"> • The current line is over 50+ years old. As part of Imperial's proactive maintenance program, the 63 kilometre pipeline segment replacement is to provide continued safe operations of the line. Replacement is like for like, meaning 12" for 12". • The pipeline is made out of steel.
Operations/ Spills	<p>Are you replacing the whole line? What's wrong with the line? Has line given you any problems?</p> <ul style="list-style-type: none"> • This is part of proactive safety maintenance to replace a 63-kilometre segment from Waterdown Station in rural Hamilton to Finch Station in Toronto North York area. • The current line is aging and is important infrastructure that requires replacement.
Indigenous Monitors	<p>Are there MNCFN Field Liaison Representative (FLR) Monitors involved? My kids are involved as FLR Monitors.</p> <ul style="list-style-type: none"> • Subsequent to the MNCFN Proponent's Open House, agreement finalized for FLR Monitors to participate and observe field work.
Topic	<p>What's in this for MNCFN?</p> <ul style="list-style-type: none"> • As part of Imperial's proactive maintenance program, this is a pipeline segment replacement is to provide continued safe operations of the line. There are opportunities and we would look to the community to drive the discussion, in addition to the work we are doing with the work force development initiative and Inspire.
	<p>I'm concerned about spills. What are you doing to protect from spills? Have you had a spill? Protecting the water is important to me and for future generations.</p> <ul style="list-style-type: none"> • Protecting water, property, wildlife, and the environment is important to us too.

Topic	Discussion
	<ul style="list-style-type: none"> • Imperial is taking proactive safety measures to prevent spills. We have a robust Emergency Response Plan. Regulations and government oversight dictate how we prepare for and respond to a potential pipeline spill. We use in-line inspection tools, which are sent from one side of the line to the other and measures the inside diameter of the pipeline and assesses the integrity of the line. • Fly the line every week, those portions that can't be flown are ground patrolled. • Entire line walked in a periodic frequency. • Monitored 24 hours a day, 365 days a year. In the unlikely event of a spill, the line will be isolated and shutdown immediately. We would implement the Emergency Response Plan, evaluate the hazards and risks, protect property, protect waterways and wildlife, coordinate the emergency response and clean up the site. • Emergency Preparedness -- While we manage our business with the goal of preventing incidents, we are prepared for emergencies should they occur and can respond quickly, effectively and with care to emergencies or incidents resulting from our operations. In addition to responding quickly and effectively, we cooperate with industry organizations and authorized government agencies if an incident occurs. Each Imperial site worldwide has an emergency preparedness & response plan. Employees prepare themselves through training, simulations and drills. Imperial believes that environmental responsibility also means maintaining a strong capability to respond to operational emergencies, should they occur. We place great emphasis on preparing to respond quickly and effectively to mitigate the impact of incidents. The Canada Fuels Operating business has trained teams that are routinely tested against a range of scenarios including product spills, fires, explosions, natural disasters, and security incidents.

Potential topics to record for Isometrix reporting:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Accidents and Malfunctions | <input type="checkbox"/> Aquatic Resources and species |
| <input type="checkbox"/> Air Emissions and Noise | <input checked="" type="checkbox"/> Archaeology |
| <input type="checkbox"/> Alternatives | <input type="checkbox"/> Community Contribution Request |
| <input type="checkbox"/> Cultural Heritage Resources | <input type="checkbox"/> Groundwater |
| <input checked="" type="checkbox"/> Emergency Response | <input checked="" type="checkbox"/> Operational Issue |
| <input checked="" type="checkbox"/> Excavation/Damage Prevention/Pipeline Location | |
| <input type="checkbox"/> Right-of-Way/Access Agreement | <input type="checkbox"/> Traditional use |
| <input checked="" type="checkbox"/> Safety, Health and Environment | <input type="checkbox"/> Vegetation |
| <input type="checkbox"/> Socioeconomic (labour, economy, social) | <input type="checkbox"/> Wetlands |
| | <input checked="" type="checkbox"/> Wildlife and Habitat |



Imperial
Waterdown to Finch Pipeline Project
July 19, 2018
Meeting with MNCFN Summary Notes

**Please note that these meeting notes provide a summary of the discussion; however, these are not detailed minutes of the meeting. While we have endeavored to document the main points, some discussion items may not be included.*

Participants

- Mississauga New Credit First Nation (MNCFN)*
- Megan DeVries (MD), Archaeological Operations Supervisor, Department of Consultation and Accommodation
 - Peter Epler, Field Archaeologist (PE)

Imperial

- Chris Plain, Indigenous Relations Lead – Ontario Region (CP)
- Kelly Williams, Indigenous Relations (KW)
- Leanne Dohy, Socio-economic Advisor (LD)
- Jessie Malone, Environment and Regulatory Advisor (JM)

ERM

- Jim Chan, Senior Consultant (JC)

Past Recovery

- Brenda Kennett, Archaeologist (BK)

Meeting Objectives

- Overview presentation of Imperial’s Waterdown to Finch Project (the Project)
- Discussion on archaeology field work

Topic	Discussion
Location	<ul style="list-style-type: none"> • Meeting held at the MNCFN, Department of Consultation and Accommodation office, 4065 Hwy 6, Hagersville, ON N0A 1H0
Agenda	<ul style="list-style-type: none"> • Welcome • Introductions • Safety Moment • Overview of Waterdown to Finch Project • Overview of Archaeology Planning • Archaeology Draft Stage 1 Results • Planned Stage 2 Methods • Geotechnical Assessment • Meeting Adjourned
Materials	<ul style="list-style-type: none"> • Imperial’s Sarnia Products Pipeline Waterdown to Finch Powerpoint presentation July 2018
Introduction	<ul style="list-style-type: none"> • Imperial (CP) opened the discussion by thanking everyone for the opportunity to meet again. We know you are very busy with the various projects that you are involved in. We appreciate the time that you have taken. We have been here previously to discuss the Waterdown to Finch Project. Thank you for accommodating the time with us again. We wanted to bring Past Recovery to meet with you, to make the connection and have an informal discussion on archaeology planning.

Topic	Discussion
Project Overview	<ul style="list-style-type: none"> • • Imperial (JM) provided a Project overview. Imperial’s Sarnia Products Pipeline (SPPL) runs from Imperial’s Waterdown pump station in rural Hamilton to the company’s terminal storage facility in Toronto’s North York area. • SPPL is important infrastructure to the Greater Toronto and Hamilton Area (GTHA) • SPPL supplies a significant portion of refined product used at Toronto Pearson International Airport, including gasoline and diesel that keeps people, goods and services moving. • SPPL has operated in the region for many years. It has been in operation since the 1950s. The line is ~65 years old and as a proactive measure, Imperial is planning to replace approximately 63 km of the 12” line with new 12” pipe. The pipeline will continue to operate until the replacement segments are prepared for operation. The existing line will be cleaned, tested and deactivated in-place. • Imperial has initiated discussions with the Ontario Energy Board (OEB). The major regulatory process will be the filing of the leave to construct application with the OEB. • Imperial has kicked off engagement with regulators, landowners and Indigenous communities. At the same time, we have initiated the engineering design process. As a result of our early engagement, we look to incorporate feedback into the project design process. • We have started environmental field surveys to capture the field work during the seasonal windows. Field work is planned for summer and fall. Archaeology field work is timed for the summer/fall. • Overview of timelines (as described in the PowerPoint presentation), Spring 2018 project launch; Summer/Fall 2018 Community Information Sessions; Winter/Spring 2019 submission to OEB; Summer 2019 engineering design complete; Late Fall 2019 pre-construction communication. 2020 is the potential start date. • Monitored 24 hours a day, 365 days a year. The western portion of the line is flown every week; eastern portions that cannot be flown are ground patrolled daily. • There are two proposed types of construction methods: open cut construction and trenchless Horizontal Direction Drilling (HDD). JM indicated that notionally, HDD is planned for ~1/3 of the total line replacement. Construction method will be informed by geotechnical information and environmental considerations. Imperial will look to avoid major watercourses, major road crossings, provincially significant wetlands and important archaeological features by using HDD. • Imperial (JM) explained that the current pipeline will remain in operation until the new line is constructed, tested and put into service. The old pipeline will be deactivated and removed from service. It will be cleaned, filled with nitrogen (inert gas to detect pressure monitoring), maintained with cathodic protection, and monitored and left in place. Deactivation is proposed instead of removal to reduce impacts as there are other pipelines and infrastructure owned by other companies operating in the same corridor.
Archaeological Assessment	<ul style="list-style-type: none"> • Past Recovery (BK) provided a quick overview of the firm and archaeology experience in Ontario.

Topic	Discussion
	<ul style="list-style-type: none"> • BK provided an overview of the archaeological assessment planning. Draft Stage 1 report for the corridor is nearly complete pending final review. Imperial plans to provide to Indigenous communities for review and comment as well as to the MTCS. • BK noted that the western part of the corridor is mainly rural and the eastern part is more industrial/commercial/residential. ~2/3 of the corridor is on the existing Hydro One (HONI) corridor. • BK confirmed that through the Stage 1 review much of the study corridor contains archaeological potential for both pre-Contact and post-Contact archaeological resources. • BK confirmed that sections exhibiting areas of extensive subsurface disturbance and therefore no longer hold potential were identified in Stage 1. • BK confirmed that some sections have been subject to previous archaeological assessments that have cleared these areas of archaeological concerns. • BK confirmed that 11 registered archaeological sites were identified within, or in close proximity, to the project area including the Parsons site (AkGv-8). • BK stated that lands associated with the Niagara Escarpment and 15 major river crossings are considered to have a high potential for Indigenous archaeological sites; • BK stated that the land use history produced in the draft report has been informed by the archaeological record from a settler perspective. Imperial is seeking input from First Nations regarding your community's land use history and cultural narrative in order to provide a more inclusive context for the project. Imperial is also seeking advice on cultural places of concern to your community that may not have been identified in the draft Stage 1 report so that appropriate procedures and protocols are followed as the project progresses. • BK noted that communities with an interest in the project area are anticipated to include the following: <ul style="list-style-type: none"> • Mississaugas of the New Credit First Nation • Six Nations of the Grand River • Huron-Wendat Nation • Haudenosaunee Development Institute • Communities will have an opportunity to review and comment on the draft Stage 1 assessment report. Field Monitors will be included in the Stage 2 archaeological fieldwork. • BK noted that the proposed Stage 2 methodology and plan is comprehensive. Assessment of all areas of archaeological potential within the corridor will involve test pit shovel testing at 5 m intervals or field ploughing and surveying. • In addition to the Stage 2 archaeology fieldwork for the line, the trenchless HDD design methods require geotechnical assessment. Geotechnical assessment will start in the summer. We have met with the MTCS to confirm the archaeology pre-clearance requirements to support the geotechnical borehole investigation program. • There are approximately, 140 proposed geotechnical borehole locations to support the project, of which ~97 are located within areas of archaeological potential. Stage 2 testing at borehole locations in areas of archaeological potential will include the excavation of 1 to 4 test pits. Field monitors would be involved in this archaeology work.

Topic	Discussion
	<ul style="list-style-type: none"> • MNCFN (MD) noted that the MNCFN have over 45 FLR Monitors. • MNCFN (PE) noted that archaeology assessment should be done on temporary access alignments to the corridor. • Imperial confirmed that the access for construction has not yet been defined, but will be considered for archaeology based on Stage 1 results. Added that MTCS confirmed they do not require assessment along access to geotech locations due to lightweight equipment only being used. • MNCFN (PE) asked if within the corridor, does Imperial have a strategy to intensify archaeological assessment at key areas. • BK explained that test pits at borehole locations in proximity to known sites (e.g. the Parsons site) will be preceded by an intensification of a 1 x 1 m unit at each borehole location to avoid potential impacts. • MNCFN (PE) asked if Imperial plans to drill underneath all 11 sites identified in Stage 1? Imperial confirmed that only some of these sites are planned to be drilled currently, but drilling scope will be informed by the results of the Stage 2 assessment. • MNCFN (PE) asked how Imperial plans to deal with finding artifacts in previously disturbed areas? Their experience has been to treat these finds with CHVI, and MNCFN places value in recovering artifacts even in a disturbed state. • BK stated that this will be dealt with on a case by case basis and Imperial will need to develop protocols with MNCFN. • MNCFN (MD) asked what is Imperial’s approach if behind schedule. MNCFN stressed that archaeological work will take time to properly mitigate and the work needs to be done well. There is a high likelihood of archaeological features in this area based on our experience working with other pipeline proponents. • Imperial (JM) responded that we appreciate the feedback. Imperial confirmed that regardless of schedule pressures, Imperial expects archaeologists and Field Monitors to maintain a standard of work consistent with the MTCS standards and Imperial would not ask consultants or Field Monitors to work beyond their means. If required, Imperial will bring on more resources, after ensuring they can also meet the expected standards of quality. • MNCFN (MD) expressed concerns about drilling underneath archaeological sites, specifically around spiritual concerns and potential for damage of site due to soil collapse. Imperial offered to provide maps, once available, showing drilling details (e.g. depth, angle of drill, soil type, etc.) for MNCFN review.
	<ul style="list-style-type: none"> •
Summary of Actions	Who
<ul style="list-style-type: none"> • Agreement signed. Deployment of MNCFN Field Liaison Monitors 	

Potential topics to record for Isometrix reporting:

Topic	Discussion
<input type="checkbox"/> Accidents and Malfunctions	<input type="checkbox"/> Aquatic Resources and species
<input type="checkbox"/> Air Emissions and Noise	<input checked="" type="checkbox"/> Archaeology
<input type="checkbox"/> Alternatives	<input type="checkbox"/> Community Contribution Request
<input type="checkbox"/> Cultural Heritage Resources	<input type="checkbox"/> Groundwater
<input type="checkbox"/> Emergency Response	<input checked="" type="checkbox"/> Operational Issue
<input checked="" type="checkbox"/> Excavation/Damage Prevention/Pipeline Location	
<input type="checkbox"/> Right-of-Way/Access Agreement	<input type="checkbox"/> Traditional use
<input type="checkbox"/> Safety, Health and Environment	<input type="checkbox"/> Vegetation
<input type="checkbox"/> Socioeconomic (labour, economy, social)	<input type="checkbox"/> Wetlands
	<input type="checkbox"/> Wildlife and Habitat



Imperial's Sarnia Products Pipeline

Waterdown to Finch Project

July 2018



Agenda

- Welcome/ Open Meeting
- Introductions
- Safety Moment
- Overview of Waterdown to Finch Project
- Overview of Archaeology Planning
 - Archaeology Draft Stage 1 Results
 - Planned Stage 2 Methods
 - Geotechnical Assessment
- Meeting Adjourned

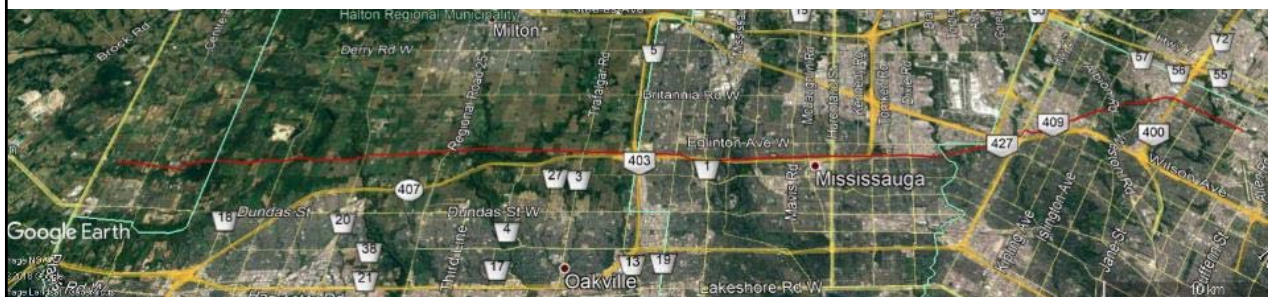


Safety Moment

3

Imperial's Sarnia Products Pipeline

- Imperial's Sarnia Products Pipeline (SPPL) runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area
- SPPL is important infrastructure to the Greater Toronto and Hamilton Area (GTHA)
 - SPPL supplies a significant portion of product used at Toronto Pearson International Airport, and gasoline and diesel that keeps people, goods and services moving
- SPPL has operated safely in the region for many years



4

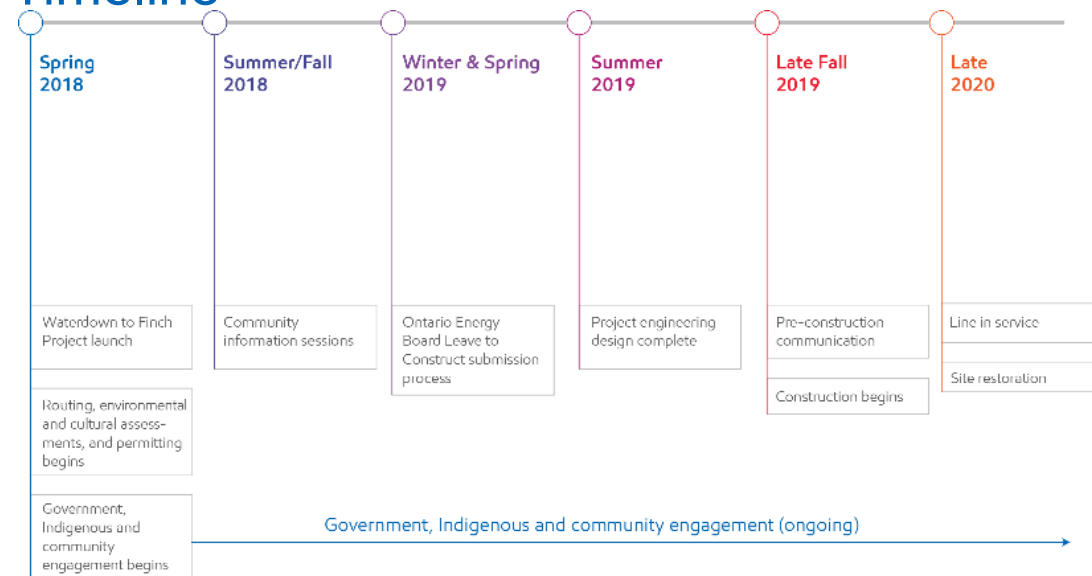
Continued safety and reliability for the GTHA

- Imperial is planning to replace approximately 63 km of the line with new pipe
- The pipeline will continue to operate safely until the replacement segments are prepared for operation
- Imperial will apply for a Leave to Construct from the Ontario Energy Board, which includes an assessment of environmental effects and engagement with landowners, communities and Indigenous groups
 - Imperial will respect landowners' property and will seek to minimize disruptions
 - Imperial recognizes the importance of collaboration with Indigenous groups, municipalities and other community stakeholders

5



Timeline*



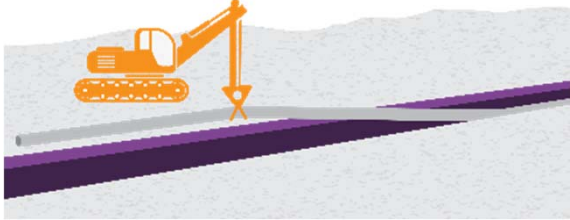
⁶ * Subject to regulatory and permitting approvals



Minimizing construction impacts

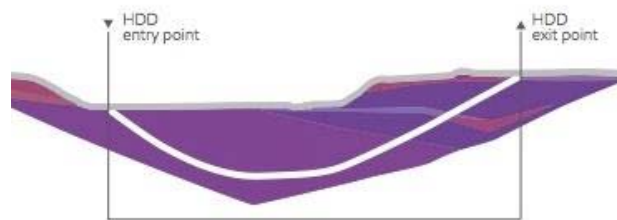
- Imperial will work with landowners, permitting authorities and different levels of government so construction impacts are as limited as possible
- Engineers and environmental surveyors work together to develop the pipeline route that minimizes impact to the environment and community
- Deactivated pipe will be removed from service, cleaned, filled with nitrogen and left in place to reduce environmental impacts
- Based on engineering and environmental surveys, Imperial will perform one of two construction techniques:

Open cut construction



7

Trenchless technology



Discussion

8



Working Together on Archaeology Planning

9



Past Recovery
Archaeological Services Inc.

About Us

- Past Recovery, established as a partnership in 2000, has conducted over 300 Stage 1 through Stage 4 archaeological assessments in Ontario since incorporation in 2013
- Brenda Kennett, M.A. and Jeff Earl, M.Soc.Sc., principals, have over 50 years of combined experience
- Located in Perth, Ontario, Past Recovery conducts archaeological assessments across eastern Ontario, as well as undertaking projects further afield in central, northern and southwestern Ontario



10





About Us

Relationships with:

- Algonquins of Ontario
- Williams Treaties First Nations
- Mohawk Council of Akwesasne
- Mohawks of the Bay of Quinte

- Jessalyn Miller, B.A., Staff Archaeologist, has also previously worked with Indigenous Field Liaison Representatives from MNCFN, Six Nations, HDI and Huron-Wendat Nation since 2013



11



Preliminary Archaeological Stage 1 Results

Archaeological Potential

- Much of the study corridor contains archaeological potential for both pre-Contact and post-Contact archaeological resources
- Sections of the corridor exhibit areas of extensive subsurface disturbance and therefore no longer hold potential
- Some sections have been subject to previous archaeological assessments that have cleared these areas of archaeological concerns



12



Preliminary Archaeological Stage 1 Results

Archaeological Concerns

- 11 registered archaeological sites were identified within, or in very close proximity, to the project area including the Parsons site (AkGv-8) and 5 other pre-Contact Indigenous sites (a further 2 with cultural tradition unknown but likely Indigenous)
- Lands associated with the Niagara Escarpment and 15 major river crossings are considered to have a high potential for Indigenous archaeological sites
- The Credit River Valley, is a designated cultural landscape
- Historical mapping between 1858 and 1878 indicates historical settlements and associated features, including a small number of pioneer cemeteries, on lots associated with the corridor



13



Preliminary Archaeological Stage 1 Results

Historical Context and Cultural Overview

- The land use history produced in the draft report has been informed by the archaeological record from a settler perspective
- We are seeking input from First Nations regarding your community's land use history and cultural narrative in order to provide a more inclusive context for the project
- We are also seeking advice on cultural places of concern to your community that may not have been identified in the draft Stage 1 report so that appropriate procedures and protocols are followed as the project progresses



14



Indigenous Engagement

- Communities with an interest in the project area are anticipated to include the following:
 - Mississaugas of the New Credit First Nation
 - Six Nations of the Grand River
 - Huron-Wendat Nation
 - Haudenosaunee Development Institute
- Communities will have an opportunity to review and comment on the draft Stage 1 assessment report
- Field Liaison Representative Monitors will be included in the Stage 2 archaeological fieldwork



15



Proposed Archaeological Stage 2 Methods

Project Impact Mitigations

- Assessment of all areas of archaeological potential through shovel testing at 5 m intervals or pedestrian survey of ploughed fields at 5 m intervals
- Trenchless HDD boring at major river crossings
- Trenchless HDD boring beneath the Parsons site (AkGv-8) to reduce impacts

Factors Limiting Archaeological Potential

- Visible disturbance into subsoils (described in Stage 1)
- Soil disturbances associated with the placement of previous utilities
- Areas of previous archaeological assessments and cleared of further archaeological concerns
- Permanently wet areas



16



Geotechnical Assessment

- ~140 geotechnical bore hole locations within existing utility corridor
 - ~97 are located within areas of archaeological potential
- Existing infrastructure will be used as much as possible for access (e.g., roads, driveways, paths, etc.)
- No soil stripping
- Equipment:
 - Low ground pressure wide track or tired rigs (hollow stem auger)
 - Tired support vehicle
- Drilling scheduled July to September 2018
- Borehole locations to be cleared of archaeological concern prior to drilling via targeted Stage 2 archaeological assessment



17



Discussion

18



For more information

W: imperialoil.ca/waterdowntofinch
T: 416.586.1915
E: questions@imperialon.ca

Ministry of Energy, Northern
Development and Mines

77 Grenville Street
6th Floor
Toronto ON M7A 2C1

Tel: (416) 325-6544

Ministère de l'Énergie, du
Développement du Nord et des
Mines

77, rue Grenville
6^e étage
Toronto ON M7A 2C1

Tél: (416) 325-6544



Indigenous Energy Policy

VIA EMAIL

September 25, 2018

Chief R. Stacey Laforme
Mississauagas of the New Credit First Nation
2789 Mississauga Road R.R. #6
Hagersville, ON N0A 1H0

Re: Imperial Waterdown Pipeline Project

Dear Chief Laforme:

This letter is to notify you that the Ministry of Energy, Northern Development and Mines on behalf of Ontario has delegated the procedural aspects of consultation to Imperial Oil Limited for its' proposed Imperial Waterdown Pipeline Project in relation to the Ontario Energy Board's Leave to Construct approval process.

Imperial Oil is planning to redevelop a pipeline in order to provide fuel across the Greater Toronto and Hamilton Area, including jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel. The project consists of approximately 63 kilometers of the existing line with new pipe. The proposed pipeline will commence at Waterdown Station [43.33500° N, 79.93248° W], and will end at the company's terminal storage facility at North York's Finch Terminal [43.76652° N, 79.48878° W]. If approved, construction is anticipated to begin in 2019

I encourage representatives of your community to participate in efforts made by Imperial Oil Limited to consult your community on its proposed project so that you can receive project information and understand if there are any potential impacts on Aboriginal or treaty rights. The consultation process is an opportunity to provide your community's feedback to Imperial Oil Limited and the Crown, including any suggestions or proposals your community might have for mitigating, avoiding or accommodating any potential impacts to Aboriginal or treaty rights. Ministry officials are also available should you wish to contact the Crown directly. Please note that none of the foregoing should be taken to imply approval of this project.

Should you or any members of your community have questions regarding the material above, please contact Raina Crasto at 416-326-4571 or raina.crado@ontario.ca and Shannon McCabe at 416-212-6704 or shannon.mccabe@ontario.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Owen", with a long horizontal flourish extending to the right.

Morgan Owen
A/Manager
Indigenous Energy Policy

C: Ontario Energy Board
Ontario Pipeline Coordinating Committee (OPCC)
Jessie Malone, Environmental and Regulatory Advisor, Safety Security Health and Environment, Imperial Oil Limited

Waterdown to Finch Project - Stage 1 Archaeological Assessment

To: Mark.LaForme@mncfn.ca, Megan DeVries

Thursday, Sep 27th, 2018
12:48 PM

Please find attached a copy of the Stage 1 Archaeological Assessment conducted by Past Recovery Archaeological Consultants for the Proposed Waterdown to Finch Project on behalf of Imperial Oil Limited. The present assessment has identified a number of registered archaeological sites within or in close proximity to the study corridor.

Imperial is seeking Indigenous review of the draft report to ensure that any traditional knowledge/information regarding traditional use sites, sacred sites, or other sites is reflected in the background documentation and the determination of archaeological potential. Let us know if you have any comments or questions, or any additional information that you feel may help inform the Stage 2 Assessment. A Stage 2 Archaeological Assessment is currently being undertaken to identify any as-yet unknown archaeological sites that may be impacted by the project.

Please provide a response by November 1, 2018 in order to inform the current field program.

Respectfully,

Kelly Williams
Community Relations Officer
602 Christina Street
Sarnia, ON Canada N7T 7M5
519-328-8681 Cell
519 339 2265 Tel
kelly.williams@esso.ca

Attachments

Download All

E.1 WFP Stage 1 Archaeological Assessment_06Sept2018.pdf

Jim Chan

To: Jim Chan (jim.chan@erm.com)
Subject: FW: Waterdown to Finch Stage 1 Report

From: Malone, Jessie M
Sent: Friday, November 2, 2018 5:30 PM
To: Williams, Kelly /C <kelly.williams@esso.ca>
Subject: FW: Waterdown to Finch Stage 1 Report

fyi

From: Megan DeVries [<mailto:Megan.DeVries@mncfn.ca>]
Sent: Friday, October 19, 2018 8:18 AM
To: Daniel Walker <Daniel.Walker@erm.com>; Brenda Kennett <b.kennett@pastrecovery.com>
Cc: Fawn Sault <Fawn.Sault@mncfn.ca>; Peter Epler <Peter.Epler@mncfn.ca>; Liddell, Jennifer H <jennifer.h.liddell@esso.ca>; Malone, Jessie M <jessie.m.malone@esso.ca>
Subject: Waterdown to Finch Stage 1 Report

Good morning,

MNCFN has reviewed the Stage 1 archaeological assessment for the Waterdown to Finch project. While we have no major concerns regarding the report, we do have some small comments or questions for clarification.

1. While MNCFN understands and acknowledges that the Parsons site is an ancestral Huron-Wendat village, the Waterdown to Finch project and the Parsons site are located within MNCFN treaty territory. It is imperative, and proper, that Imperial Oil and Past Recovery understand that MNCFN must also participate in all fieldwork and monitoring required for this site and be engaged on mitigation strategies developed for its long-term care and protection.
2. Are all access routes and temporary work spaces included in the current study area or are these yet to be determined? If access routes and temporary work spaces are necessary, and were not included in the current Stage 1-2 assessment, they will require assessment at a future date prior to their use and any potential impacts.
3. Will the entirety of the study area and pipeline corridor, as outlined in the Stage 1 report, be subject to Stage 2 assessment or has the size of the study area already been reduced for the Stage 2 survey work?
4. On the report that was provided to us, archaeological sites are identified on the mapping, which is appreciated for our records but should not be included in a publically accessible report. These should be redacted and relocated to the supplementary documentation if this version is the one to be submitted to the MTCS or made available during public consultations.

I look forward to further discussing the Stage 1 assessment at a future meeting and receiving an update regarding the progress of the Stage 2 fieldwork.

Sincerely,
Megan.

Megan DeVries, M.A.
Archaeological Operations Supervisor
Department of Consultation and Accommodation (DOCA)
Mississaugas of the New Credit First Nation (MNCFN)

EXHIBIT H
Record of Consultation - Supporting Documents
4065 Highway 6 North, Hagersville, ON N0A 1H0
P: 905-768-4260 | M: 289-527-2763
<http://www.mncfn.ca>

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the Mississaugas of the New Credit First Nation.



Imperial
Waterdown to Finch Pipeline Project
November 13, 2018
Meeting with MNCFN Summary Notes

**Please note that these meeting notes provide a summary of the discussion; however, these are not detailed minutes of the meeting. While we have endeavored to document the main points, some discussion items may not be included.*

Participants

Mississauga New Credit First Nation (MNCFN)

- Megan DeVries (MD), Archaeological Operations Supervisor, Department of Consultation and Accommodation
- Fawn Sault (FS), Consultation Manager
- Mark LaForme (ML), Director, Department of Consultation and Accommodation
- Hilary Harrison (HH)

Imperial

- Kelly Williams, Indigenous Relations (KW)
- Jessie Malone, Environment and Regulatory Advisor (JM)

ERM

- Dan Walker, Archaeologist (DW)
- Jim Chan, Senior Consultant (JC)

Past Recovery

- Brenda Kennett, Archaeologist (BK)

Meeting Objectives

- Consultation meeting to respond to MNCFN's feedback on Stage 1 Archaeological Assessment Report
- Feedback on Field Monitoring Program
- Feedback on continued consultative approach and MNCFN preferences
- Early notification of Leave to Construct application

Topic	Discussion
Location	<ul style="list-style-type: none"> • Teleconference call
Agenda	<ul style="list-style-type: none"> • Welcome • Introductions • Stage 1 Archaeological Assessment Report Comments • HDD Scope and Archaeology • MNCFN Feedback on Field Monitoring Program • Next Steps for Continued Project Engagement/ Application Timeline • Meeting Adjourned
Introductions	<ul style="list-style-type: none"> • Imperial (KW) - We are pleased to have the opportunity to regroup and connect with MNCFN again. KW noted that she had an opportunity to participate in the archaeological assessment field work and was impressed by the knowledge of the MNCFN Monitors. The Project team is appreciative to have MNCFN part of the Field Monitoring program. • MNCFN (MD) appreciated the comment. The MNCFN Field Monitors are enjoying the experience and the field Project team is very welcoming.
Archaeological Assessment Planning	<ul style="list-style-type: none"> • On October 19, 2018, MNCFN provided comments to the Stage 1 Archaeological Assessment. MD provided a general comment that the Stage 1 report was very

Topic	Discussion
	<p>comprehensive and was well done. Past Recover (BK) appreciated the comment. This is a testament to the comprehensive scope of the archaeological assessment.</p> <ul style="list-style-type: none"> • MNCFN raised three minor points for clarification: • While MNCFN understands and acknowledges that the Parsons site is an ancestral Huron-Wendat village known archaeological site, the Waterdown to Finch Project and the Parsons site are located within MNCFN traditional territory. • Past Recovery (BK) responded that we recognize the Parson site is within shared traditional territory and recognize the MNCFN traditional territory. Imperial will revise the wording in the Stage 1 Report to acknowledge MNCFN’s traditional territory. Imperial fully understands that MNCFN will participate in ongoing archaeological assessment planning for the Parson site. • MNCFN (MD) - Are all access routes and temporary work spaces included in the current study area or are these yet to be determined? • BK responded that most of the temporary work spaces and access routes relate to the placement of the HDD and HD Bore path. As project planning and design advances and additional temporary work space or access route for construction is known, the Stage 1 study area will be revised if necessary, and additional Stage 2 assessment undertaken as appropriate. • MD responded that this makes sense and is satisfied with the clarification. • MNCFN (MD) asked if the size of the Stage 2 assessment is smaller than Stage 1. • BK responded that the Stage 1 study area was purposely set larger to capture the pipeline corridor and in anticipation of potential temporary workspaces. The Stage 2 methodology is related to the Project footprint and is focused on the defined corridor (typically 25m – 35 m wide) and larger temporary workspaces. As mentioned above, as additional temporary work space and access routes for HDD and HD Bore requirements are advanced, the Stage 2 will be altered to address this. • MD was satisfied with the clarification. • BK noted that in consultation with MTCS, access routes for the geotechnical investigations are being mitigated in areas of archaeological potential through the use of matting and light-weight equipment. Any Project additional temporary work spaces and access routes determined to have archaeological potential will be subject to archaeological assessment. • MNCFN (MD) - Mapping of archaeological sites is appreciated for our review but would be inappropriate for the public. • BK agreed. BK responded that Imperial will follow MTCS protocols and will submit a redacted version of the Stage 1 Archaeological Assessment report that is publically available. Sensitive information will not be made publically available and will be included as a supplemental document filing.

Topic	Discussion
Stage 2 Field Monitoring Program	<ul style="list-style-type: none"> Imperial (KW) asked, from MNCFN’s perspective, how is the Field Monitoring Program going? MD noted that overall the Field Monitoring Program has been a positive experience for Monitors. Project team members have worked well with MNCFN Monitors. An area to review/collaborate on is morning deployment. At any given time, MNCFN has 45 potential Monitors in the field on 20+ projects. Suggest designating one or a couple of morning meeting muster points and then proceeding as a group to the field start point. It has been challenging at times to have daily coordination notifications with changes in the morning location. This is an area to revisit for the next field season. KW - we recognize and appreciate the time you are taking with us given the many projects on the go.
HDD Archaeology	<ul style="list-style-type: none"> Imperial (JM and BK) shared further information on planned HDD paths. Imperial consulted with MTCS to address planned HDD paths. For HDD paths, the Stage 2 assessment (test pitting and/or pedestrian survey) is covering the entire temporary work space associated with the HDD entry and exit pads. Typically, this is when the HDD path is the centerline of the temporary work space. In addition, the first and last 50 m of the HDD path is being tested in the few instances where the temporary work space does not entirely cover these sections of the HDD path. Additional archaeological testing would be conducted in the future if geotechnical results are insufficient to support the working assumption that the HDD paths will be deep enough/in stable enough soils to avoid any potential slumping and/or the possibility of future integrity digs from the surface. In addition, if cultural material is identified during the Stage 2 assessment of the temporary work space/HDD paths, appropriate mitigation would be undertaken in consultation with all stakeholders. This would involve additional archaeological investigation and/or extending the HDD path and moving the temporary work space to avoid disturbing the archaeological site. MD requested a list of all HDD locations depicted on a map so that MNCFN can review the locations from an archaeological and waterway perspective. JM responded that a follow-up action item will be to provide MNCFN a Project map with the HDD location. MD asked if HDD is proposed for the Parson site. If so, MNCFN would like further discussion on the way forward at this site. BK responded that yes, that is the preliminary plan and further discussions will take place for this site. MD noted that as the 2018 field season winds down, MNCFN will require a new 2019 agreement for field work. JM – Imperial noted yes, that is correct.

Topic	Discussion
Leave to Construct	<ul style="list-style-type: none"> JC – provided an overview of the leave to construct process. The Ontario Energy Board (OEB) is the provincial energy regulator. Imperial is required to prepare and file an application for a leave to construct approval with the OEB for the Project. Imperial is consulting early and working with regulators, stakeholders, municipalities and Indigenous communities. Consultation opportunities are afforded by the OEB however, Imperial’s approach is that consultation is ongoing and based on the preferences of the communities. Comments can be provided at an anytime to be addressed. Imperial is planning to submit the leave to construct application in Q1 2019 and will ensure that MNCFN are notified in advance and kept up to date on the regulatory process.
Consultation	<ul style="list-style-type: none"> KW - could you tell us if you have other consultation expectations in accordance with protocols? Do you have a preference for periodic updates? MD - yes, we wish to be consulted on an ongoing basis. MNCFN should be notified, in advance, before anything happens or with changes to the Project. To date there is no issue with Imperial’s consultative approach and effort. Field involvement and ongoing input/ feedback is very important. We would be interested in reviewing reports as they become available as part of the regulatory process. MNCFN (ML) - in addition to what the others have noted, MNCFN would like to commend Imperial on the excellent consultation process. Thank you very much for this. When proponents approach Projects in this manner, things go much smoother. We commend Imperial on the work you are doing with New Credit.
Summary of Actions	
	Who
<ul style="list-style-type: none"> MNCFN requests a list of all HDD locations depicted on a map so that MNCFN can review the locations from an archaeological and waterway perspective. Imperial to provide. 	KW
<ul style="list-style-type: none"> 	
<ul style="list-style-type: none"> 	
<ul style="list-style-type: none"> 	

Potential topics to record for Isometrix reporting:

- | | |
|---|---|
| <input type="checkbox"/> Accidents and Malfunctions | <input type="checkbox"/> Aquatic Resources and species |
| <input type="checkbox"/> Air Emissions and Noise | <input checked="" type="checkbox"/> Archaeology |
| <input type="checkbox"/> Alternatives | <input type="checkbox"/> Community Contribution Request |

EXHIBIT H
Imperial
Record of Consultation - Supporting Documents
Waterdown to Finch Pipeline Project

November 15, 2018
Meeting Summary Notes

Topic	Discussion
<input type="checkbox"/> Cultural Heritage Resources <input type="checkbox"/> Emergency Response <input type="checkbox"/> Excavation/Damage Prevention/Pipeline Location	<input type="checkbox"/> Groundwater <input type="checkbox"/> Operational Issue
<input type="checkbox"/> Right-of-Way/Access Agreement <input type="checkbox"/> Safety, Health and Environment <input type="checkbox"/> Socioeconomic (labour, economy, social)	<input type="checkbox"/> Traditional use <input type="checkbox"/> Vegetation <input type="checkbox"/> Wetlands <input type="checkbox"/> Wildlife and Habitat



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Lonny Bomberry
Lands & Resources
Six Nations of the Grand River
2498 Chiefswood Road,
P.O. Box 5000
Oshweken, Ontario
N0A 1M0

Dear Mr. Bomberry,

Imperial's Sarnia Products Pipeline (SPPL) is important infrastructure that provides fuels used by households and businesses across the Greater Toronto and Hamilton Area. This includes a significant portion of jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel that keeps people, goods and services moving throughout the region.

Operating safely in the region for many years, Imperial is planning to replace approximately 63-kilometres of the line with new pipe. This section runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area.

The Waterdown to Finch Project is proactively replacing a segment of pipeline to deliver continued safety and reliability. The existing pipeline will continue to operate until the project is complete.

Environmental and cultural assessments will start in the spring of 2018. Subject to provincial regulatory review and receipt of all permits, Imperial anticipates construction to begin in 2019.

Most replacement work will take place in close vicinity to the existing pipeline. Imperial representatives will also be communicating with landowners where proposed activities may be taking place in the coming weeks. Over the duration of the project, we will work collaboratively and communicate proactively to minimize construction impacts.

Please accept this letter as a formal notification of Imperial's Waterdown to Finch Project. Imperial would like to schedule a meeting to discuss the Waterdown to Finch Project, share information and answer questions. If you would like to learn more about the Waterdown to Finch Project, please contact us at questions@imperialon.ca or leave a message at 416-586-1915.

In addition to the project brochure and meeting offer, you can also visit our project website at imperialoil.ca/waterdowntofinch for an overview of the proposed replacement work, including project facts, work schedule, construction practices and community engagement efforts.

We look forward to connecting.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Plain".

Christopher Plain
Indigenous Relations Lead – Ontario Region
Imperial Oil Limited



Imperial
Waterdown to Finch Pipeline Project
June 15, 2018
Six Nations Meeting Summary Notes

**Please note that these meeting notes provide a summary of the discussion; however, these are not detailed minutes of the meeting. While we have endeavored to document the main points, some discussion items may not be included.*

Participants

Organization Name

- Paul General, Matt Jacko, Waylon Bomberry, and Dawn LaForme, Lands and Resources Department, Six Nations of the Grande River (SN)

Imperial

- Elias Majdalani, Project Director (EM)
- Robert Ballinger, Area Manager, East Canada, Canada Fuels (RB)
- Chris Plain, Indigenous Relations Lead – Ontario Region (CP)
- Leanne Dohy, Socio-economic Advisor (LD)

ERM

- Curtis Campbell, Project Director (CC)
- Jim Chan, Senior Consultant (JC)

Meeting Objectives

- Early Notification to Six Nations
- Overview presentation of Imperial’s Waterdown to Finch Project (the Project)
- Discussion on Six Nation’s interests in archaeology field work

Topic	Discussion
Location	<ul style="list-style-type: none"> • Meeting held at Lands and Resources Department of the Six Nations, 2498 Chiefswood Road, Ohsweken, Ontario.
Agenda	<ul style="list-style-type: none"> • Meeting with Six Nations Lands and Resources Department to introduce the Project and discuss archaeology field work.
Materials	<ul style="list-style-type: none"> • Imperial’s Sarnia Products Pipeline Waterdown to Finch Powerpoint presentation June 2018. • Six Nations shared the Traditional Territory Map (on cover of booklet) and booklet: • http://www.sixnations.ca/SNGlobalSolutionsBookletFinal.pdf
Introduction	<ul style="list-style-type: none"> • Imperial (CP) opened the discussion by thanking everyone for the opportunity to meet. Work is ongoing with Imperial’s Credit River Project with the involvement of the Six Nations FLR Monitors. Today, we are here to talk about the Waterdown to Finch Project. • Six Nations shared Traditional Territory Map (on cover of booklet) and booklet: • http://www.sixnations.ca/SNGlobalSolutionsBookletFinal.pdf
Safety Moment	<ul style="list-style-type: none"> • Imperial (RB) described Imperial’s strong focus on safety. • Imperial (RB) described proactive measures, safety focus, to replace a segment of the existing line from Waterdown station to Finch terminal. Imperial uses in-line inspection

Topic	Discussion
	<p>tools, which are sent from one side of the line to the other and measures the inside diameter of the pipeline and assesses the integrity of the line.</p> <ul style="list-style-type: none"> • Monitored 24 hours a day, 365 days a year. • Fly the line every week; portions that can't be flown are ground patrolled. • Entire line walked in a periodic frequency. • Replacement segment is like for like, meaning 12" in diameter pipe for new 12" pipeline over a 63 kilometre segment. Product moved is the same and the line will continue to operate, to minimize disruption during construction.
Overview	<p>Overview</p> <ul style="list-style-type: none"> • Imperial (EM) is consulting with regulators and different levels of government to plan the Waterdown to Finch Project so that construction impacts are limited and mitigation measures proposed. Imperial will require a Leave to Construct approval from the Ontario Energy Board, including a thorough assessment of the project and potential environmental effects. • Duty to Consult - Imperial will consult Indigenous communities; incorporate feedback as the design is advanced. • Overview of timelines (as described in PowerPoint and brochure), Spring 2018 project launch; Summer/Fall 2018 Community information sessions; Winter/Spring 2019 submission to OEB; Summer 2019 engineering design complete; Late Fall 2019 pre-construction communication. • Summer/Fall 2018 - information session to gather early input in July and November 2018. Construction timing will be dependent on wildlife construction timing windows. • Majority of the Project is on an existing pipeline corridor. 2/3 will be through the existing HONI corridor. Following an existing line is a positive aspect and provides benefits of minimizing impacts. <p>Relationship</p> <ul style="list-style-type: none"> • Imperial (CP) noted that consultation is one piece of a larger relationship. Imperial is involved with the community in work force development initiatives and the Science Education Employment Development (SEED).
Deactivation of current line	<ul style="list-style-type: none"> • Six Nations asked what will Imperial do with the deactivated line? • Imperial (EM) responded that the current pipeline will be deactivated and removed from service. It will be cleaned, filled with nitrogen, maintained with cathodic protection, and monitored and left in place. • In addition, along the HONI corridor, there are other lines and infrastructure. We do not want to impact the other lines. Deactivation is undertaken to reduce environmental impacts (soil stability, slope stabilization, and settlement issues).
Construction technology	<ul style="list-style-type: none"> • Six Nations asked if installation methods will be open cut or HDD? • Imperial (EM) responded that both technologies will be deployed. • Trenchless technology, e.g., horizontal directional drill (HDD) is a method of installing underground pipe using a drilling rig at the surface level. It is best used at

Topic	Discussion
	<p>sensitive areas, or in dense residential or commercial areas, major watercourse crossings, etc.</p> <ul style="list-style-type: none"> • Open cut construction is a method of pipeline installation. Pipe will be lowered into a trench and covered for protection. We are conducting geotechnical, environmental, and archaeology surveys to help determine the appropriate design consideration for open cut and HDD.
Wildlife	<ul style="list-style-type: none"> • Six Nations asked and Imperial/ERM agreed to share findings of information back to Six Nations from the wildlife and vegetation field surveys. Six Nations don't have monitors to accompany the wildlife field team. • Imperial/ERM action to share findings of wildlife and vegetation reports with Six Nations.
Archaeology	<p>Archaeology</p> <ul style="list-style-type: none"> • ERM (CC) indicated that the Ontario Energy Board is the main regulatory body. • The Ontario Pipeline Coordinating Committee (OPCC) will be consulted; these are the provincial agencies, including the Conservation Authorities and Niagara Escarpment Commission, that have input as part of the leave to construct application. • Six Nations requested a meeting with Past Recovery, the identified archaeology firm, to build relationships and trust. • Joanne Thomas is the Six Nations archaeology lead. Imperial and ERM to set-up a subsequent meeting with Six Nations and Past Recovery archaeologist. • Imperial asked, what is the expected involvement on a geographical basis for the archaeology field work. • Six Nations replied involvement of Six Nations Field Monitors for archaeology for the entire alignment. • Imperial (CP) commented that it is important for us to be in the community and to share information. We would be willing to come back again and we have a commitment to participation of Six Nations Field Liaison Representative (FLR) Monitors to observe archaeology field work. • We have an agreement with Imperial and Six Nations on the Credit River crossing Project for Six Nations FLR Monitors. Glad to hear this is working and we want to set-up a similar agreement process for the Waterdown to Finch Project archaeology field work. • For the Waterdown Finch Project, ERM will be the consultant doing the work. CP asked if Imperial has permission to share the FLR agreement. Six Nations response was yes and CP will share the FLR Monitor agreement for archaeology work with ERM. • Imperial (CP) noted that once reports are generated, we will share them with the communities. Commitments will be followed based on your preference and working with your Chief and Council. We respect the autonomy of each Nation and will work respectfully, including with your neighbours (MNCFN). We appreciate everything and we know that there are many things/priorities going on in the community.
Trees	<ul style="list-style-type: none"> • Six Nations asked if trees need to be cut?

Topic	Discussion
	<ul style="list-style-type: none"> Imperial (EM) replied that yes. For safety considerations, some trees may need to be cut, especially if grown within the right-of-way. Imperial and Six Nations discussed that there is a replacement ratio for trees. We will need to look for the right location for offsets and further discussions will be warranted once survey reports are generated.
Other	<ul style="list-style-type: none"> ERM asked if there are specific uses or wildlife/vegetation that we should be cognizant about? Deer hunting is popular on reserve and off reserve across Six Nations territory. Endangered and threatened turtle species and fish species (less of a concern if using HDD technology under the stream) Six Nation FLR Monitor participants will be able to assist with potentially spotting medicinal/cultural plants during the archaeology field work.
Summary of Actions	Who
<ul style="list-style-type: none"> Six Nations requested a follow-up meeting with Past Recovery, archaeologists. [Subsequent meeting with Past Recovery held on July 19, 2018] 	CP
<ul style="list-style-type: none"> ERM to work with Six Nations to establish agreement for FLR Monitor archaeology field work. [Subsequent to meeting, agreement established with Six Nations for Field Monitors] 	CP
<ul style="list-style-type: none"> Imperial/ERM action to share findings of wildlife and vegetation reports with Six Nations. 	CP

Potential topics to record for Isometrix reporting:

- | | |
|---|--|
| <input type="checkbox"/> Accidents and Malfunctions | <input type="checkbox"/> Aquatic Resources and species |
| <input type="checkbox"/> Air Emissions and Noise | <input checked="" type="checkbox"/> Archaeology |
| <input type="checkbox"/> Alternatives | <input type="checkbox"/> Community Contribution Request |
| <input type="checkbox"/> Cultural Heritage Resources | <input type="checkbox"/> Groundwater |
| <input type="checkbox"/> Emergency Response | <input type="checkbox"/> Operational Issue |
| <input type="checkbox"/> Excavation/Damage Prevention/Pipeline Location | |
| <input type="checkbox"/> Right-of-Way/Access Agreement | <input checked="" type="checkbox"/> Traditional use |
| <input type="checkbox"/> Safety, Health and Environment | <input checked="" type="checkbox"/> Vegetation |
| <input type="checkbox"/> Socioeconomic (labour, economy, social) | <input type="checkbox"/> Wetlands |
| | <input checked="" type="checkbox"/> Wildlife and Habitat |



Imperial
Waterdown to Finch Pipeline Project
July 19, 2018
Meeting with Six Nations Summary Notes

**Please note that these meeting notes provide a summary of the discussion; however, these are not detailed minutes of the meeting. While we have endeavored to document the main points, some discussion items may not be included.*

Participants

Six Nations

- Lonny Bomberry, Director Lands and Resources (LB)
- Joanne Thompson, Archaeology Supervisor (JT)
- Paul General, Wildlife Office (PG)
- Waylon Bomberry, Wildlife Office (WB)

Imperial

- Chris Plain, Indigenous Relations Lead – Ontario Region (CP)
- Kelly Williams, Indigenous Relations (KW)
- Leanne Dohy, Socio-economic Advisor (LD)
- Jessie Malone, Environment and Regulatory Advisor (JM)

ERM

- Jim Chan, Senior Consultant (JC)

Past Recovery

- Brenda Kennett, Archaeologist (BK)

Meeting Objectives

- Overview presentation of Imperial’s Waterdown to Finch Project (the Project)
- Discussion on archaeology field work

Topic	Discussion
Location	<ul style="list-style-type: none"> • Meeting held at Lands and Resources Department of the Six Nations, 2498 Chiefswood Road, Ohsweken, Ontario.
Agenda	<ul style="list-style-type: none"> • Welcome • Introductions • Safety Moment • Overview of Waterdown to Finch Project • Overview of Archaeology Planning • Archaeology Draft Stage 1 Results • Planned Stage 2 Methods • Geotechnical Assessment • Meeting Adjourned
Materials	<ul style="list-style-type: none"> • Imperial’s Sarnia Products Pipeline Waterdown to Finch Powerpoint presentation July 2018
Introduction	<ul style="list-style-type: none"> • Imperial (CP) opened the discussion by thanking everyone for the opportunity to meet again. Since the last time we met, wanted to bring Past Recovery to meet with you, as requested, to make the connection. We have signed the agreement for Six Nations Field Monitor participation. • CP explained that at the community’s wishes, we are willing to come meet the community and keep lines of communication open. We will be holding an Info Session in

Topic	Discussion
	<p>nearby Hamilton next week and extended a courtesy invitation. Again, we are willing to come to the Six Nations community and provide information as well, at your discretion.</p>
Project Overview	<ul style="list-style-type: none"> • Imperial (JM) provided a Project overview. Imperial’s Sarnia Products Pipeline (SPPL) runs from Imperial’s Waterdown pump station in rural Hamilton to the company’s terminal storage facility in Toronto’s North York area. • SPPL is important infrastructure to the Greater Toronto and Hamilton Area (GTHA) • SPPL supplies a significant portion of refined product used at Toronto Pearson International Airport, including gasoline and diesel that keeps people, goods and services moving. • SPPL has operated in the region for many years. It has been in operation since the 1950s. The line is ~65 years old and as a proactive measure, Imperial is planning to replace approximately 63 km of the 12” line with new 12” pipe. The pipeline will continue to operate until the replacement segments are prepared for operation. The existing line will be cleaned, tested and deactivated in-place. • Imperial has initiated discussions with the Ontario Energy Board (OEB). The major regulatory process will be the filing of the leave to construct application with the OEB. • Imperial has kicked off engagement with regulators, landowners and Indigenous communities. At the same time, we have initiated the engineering design process. As a result of our early engagement, we look to incorporate feedback into the project design process. • We have started environmental field surveys to capture the field work during the seasonal windows. Field work is planned for summer and fall. Archaeology field work is timed for the summer/fall. • Overview of timelines (as described in the PowerPoint presentation), Spring 2018 project launch; Summer/Fall 2018 Community Information Sessions; Winter/Spring 2019 submission to OEB; Summer 2019 engineering design complete; Late Fall 2019 pre-construction communication. 2020 is the potential start date. • Monitored 24 hours a day, 365 days a year. The western portion of the line is flown every week; eastern portions that cannot be flown are ground patrolled daily. • There are two proposed types of construction methods: open cut construction and trenchless Horizontal Direction Drilling (HDD). JM indicated that notionally, HDD is planned for ~1/3 of the total line replacement. Construction method will be informed by geotechnical information and environmental considerations. Imperial will look to avoid major watercourses, major road crossings, provincially significant wetlands and important archaeological features by using HDD. • Imperial (JM) explained that the current pipeline will remain in operation until the new line is constructed, tested and put into service. The old pipeline will be deactivated and removed from service. It will be cleaned, filled with nitrogen (inert gas to detect pressure monitoring), maintained with cathodic protection, and monitored and left in place. Deactivation is proposed instead of removal to reduce impacts as there are other pipelines and infrastructure owned by other companies operating in the same corridor.
Archaeological Assessment	<ul style="list-style-type: none"> • Past Recovery (BK) provided an overview of the firm and archaeology experience in Ontario.

Topic	Discussion
	<ul style="list-style-type: none"> • BK provided an overview of the archaeological assessment planning. Draft Stage 1 report for the corridor is nearly complete pending final review. Imperial plans to provide to Indigenous communities for review and comment as well as to the MTCS. • BK noted that the western part of the corridor is mainly rural and the eastern part is more industrial/commercial/residential. ~2/3 of the corridor is on the existing Hydro One (HONI) corridor. • BK confirmed that through the Stage 1 review much of the study corridor contains archaeological potential for both pre-Contact and post-Contact archaeological resources. • BK confirmed that sections exhibiting areas of extensive subsurface disturbance and therefore no longer hold potential were identified in Stage 1. • BK confirmed that some sections have been subject to previous archaeological assessments that have cleared these areas of archaeological concerns. • BK confirmed that 11 registered archaeological sites were identified within, or in close proximity, to the project area including the Parsons site (AkGv-8). • BK stated that lands associated with the Niagara Escarpment and 15 major river crossings are considered to have a high potential for Indigenous archaeological sites; • BK stated that the land use history produced in the draft report has been informed by the archaeological record from a settler perspective. Imperial is seeking input from First Nations regarding your community's land use history and cultural narrative in order to provide a more inclusive context for the project. Imperial is also seeking advice on cultural places of concern to your community that may not have been identified in the draft Stage 1 report so that appropriate procedures and protocols are followed as the project progresses. • BK noted that communities with an interest in the project area are anticipated to include the following: <ul style="list-style-type: none"> • Mississaugas of the New Credit First Nation • Six Nations of the Grand River • Huron-Wendat Nation • Haudenosaunee Development Institute • Communities will have an opportunity to review and comment on the draft Stage 1 assessment report. Field Monitors will be included in the Stage 2 archaeological fieldwork. • BK noted that the proposed Stage 2 methodology and plan is comprehensive. Assessment of all areas of archaeological potential within the corridor will involve test pit shovel testing at 5 m intervals or field ploughing and surveying. • In addition to the Stage 2 archaeology fieldwork for the line, the trenchless HDD design methods require geotechnical assessment. Geotechnical assessment will start in the summer. We have met with the MTCS to confirm the archaeology pre-clearance requirements to support the geotechnical borehole investigation program. • There are approximately 140 proposed geotechnical borehole locations to support the project, of which ~97 are located within areas of archaeological potential. Stage 2 testing at borehole locations in areas of archaeological potential will include the excavation of 1 to 4 test pits. Field monitors would be involved in this archaeology work.

Topic	Discussion
	<ul style="list-style-type: none"> • BK explained that Imperial’s proposed approach for boreholes in proximity to known archaeology sites (such as the Parsons site) is for a 1 x 1 m unit to precede the drilling at each of the borehole locations to avoid potential impacts. • Six Nations (JT) explained that Six Nations Field Monitors have taken training and will take the Imperial online H&S course. Imperial confirmed that we will provide link to all required online training. • Six Nations (JT) confirmed Field Monitor participation for archaeology in advance of the geotech program (1 monitor) and for participation in the full Stage 2 field program (2 monitors). Monitors are trained and are able to dig test pits, field walk, put in a grid. • Six Nations (PG) commented that traditional knowledge locations would be kept with the community and not shared. The onsite Field Monitors will have a role to report back to the Six Nations Lands office in the event of locating medicinal plants of interest to Six Nations. • Six Nations (JT) asked if Imperial would be willing to share the results on the environmental field surveys (e.g. plants that are identified). Imperial confirmed that this can be provided once all surveys are complete. • Six Nations (JT) is interested in knowing locations of Cattails and Bullrush vegetation.
	<ul style="list-style-type: none"> •
Summary of Actions	Who
<ul style="list-style-type: none"> • Agreement signed. Prepare for deployment of Six Nations Field Monitors 	
<ul style="list-style-type: none"> • Imperial to provide link to online training requirements. 	CP
<ul style="list-style-type: none"> • Imperial to provide results of biophysical environmental field surveys once complete. 	JM

Potential topics to record for Isometrix reporting:

- | | |
|--|---|
| <input type="checkbox"/> Accidents and Malfunctions | <input type="checkbox"/> Aquatic Resources and species |
| <input type="checkbox"/> Air Emissions and Noise | <input checked="" type="checkbox"/> Archaeology |
| <input type="checkbox"/> Alternatives | <input type="checkbox"/> Community Contribution Request |
| <input type="checkbox"/> Cultural Heritage Resources | <input type="checkbox"/> Groundwater |
| <input type="checkbox"/> Emergency Response | <input checked="" type="checkbox"/> Operational Issue |
| <input checked="" type="checkbox"/> Excavation/Damage Prevention/Pipeline Location | |
| <input type="checkbox"/> Right-of-Way/Access Agreement | <input type="checkbox"/> Traditional use |
| <input type="checkbox"/> Safety, Health and Environment | <input checked="" type="checkbox"/> Vegetation |
| <input type="checkbox"/> Socioeconomic (labour, economy, social) | <input type="checkbox"/> Wetlands |
| | <input type="checkbox"/> Wildlife and Habitat |

June 19, 2018

EXHIBIT H
Imperial
Record of Consultation - Supporting Documents
Waterdown to Finch Pipeline Project

Meeting Summary Notes

Topic	Discussion
-------	------------



Imperial's Sarnia Products Pipeline

Waterdown to Finch Project

July 2018



Agenda

- Welcome/ Open Meeting
- Introductions
- Safety Moment
- Overview of Waterdown to Finch Project
- Overview of Archaeology Planning
 - Archaeology Draft Stage 1 Results
 - Planned Stage 2 Methods
 - Geotechnical Assessment
- Meeting Adjourned

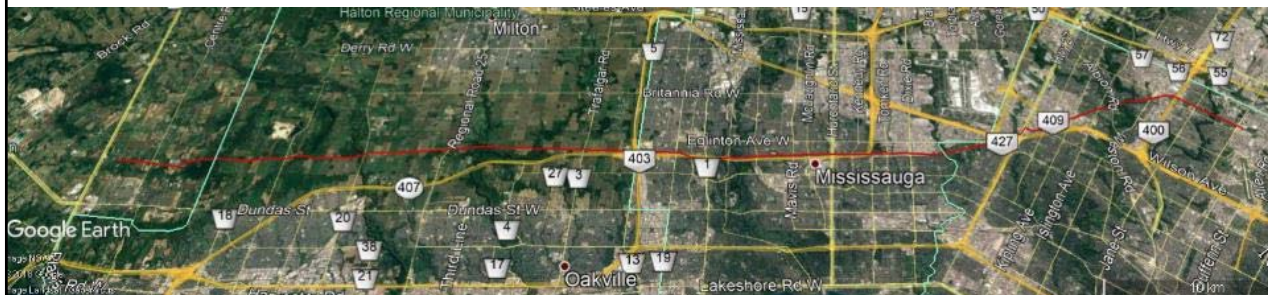


Safety Moment

3

Imperial's Sarnia Products Pipeline

- Imperial's Sarnia Products Pipeline (SPPL) runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area
- SPPL is important infrastructure to the Greater Toronto and Hamilton Area (GTHA)
 - SPPL supplies a significant portion of product used at Toronto Pearson International Airport, and gasoline and diesel that keeps people, goods and services moving
- SPPL has operated safely in the region for many years



4

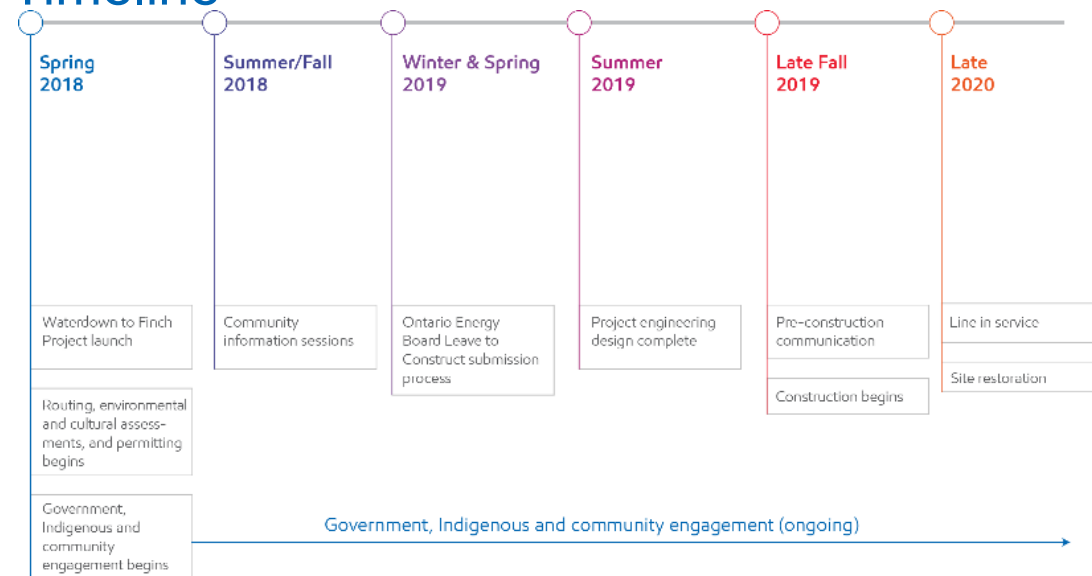
Continued safety and reliability for the GTHA

- Imperial is planning to replace approximately 63 km of the line with new pipe
- The pipeline will continue to operate safely until the replacement segments are prepared for operation
- Imperial will apply for a Leave to Construct from the Ontario Energy Board, which includes an assessment of environmental effects and engagement with landowners, communities and Indigenous groups
 - Imperial will respect landowners' property and will seek to minimize disruptions
 - Imperial recognizes the importance of collaboration with Indigenous groups, municipalities and other community stakeholders

5



Timeline*



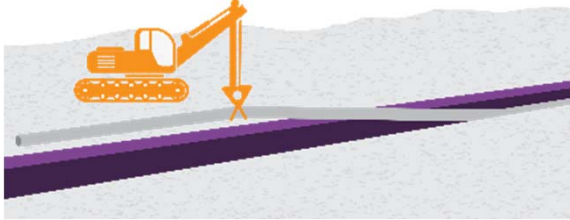
⁶ * Subject to regulatory and permitting approvals



Minimizing construction impacts

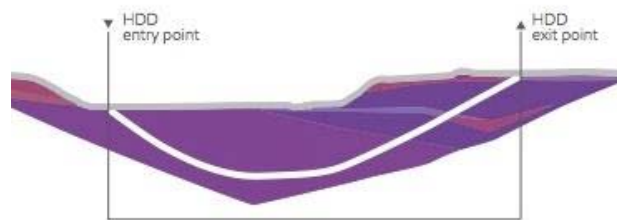
- Imperial will work with landowners, permitting authorities and different levels of government so construction impacts are as limited as possible
- Engineers and environmental surveyors work together to develop the pipeline route that minimizes impact to the environment and community
- Deactivated pipe will be removed from service, cleaned, filled with nitrogen and left in place to reduce environmental impacts
- Based on engineering and environmental surveys, Imperial will perform one of two construction techniques:

Open cut construction



7

Trenchless technology



Discussion

8



Working Together on Archaeology Planning

9



Past Recovery
Archaeological Services Inc.

About Us

- Past Recovery, established as a partnership in 2000, has conducted over 300 Stage 1 through Stage 4 archaeological assessments in Ontario since incorporation in 2013
- Brenda Kennett, M.A. and Jeff Earl, M.Soc.Sc., principals, have over 50 years of combined experience
- Located in Perth, Ontario, Past Recovery conducts archaeological assessments across eastern Ontario, as well as undertaking projects further afield in central, northern and southwestern Ontario



10





About Us

Relationships with:

- Algonquins of Ontario
- Williams Treaties First Nations
- Mohawk Council of Akwesasne
- Mohawks of the Bay of Quinte

- Jessalyn Miller, B.A., Staff Archaeologist, has also previously worked with Indigenous Field Liaison Representatives from MNCFN, Six Nations, HDI and Huron-Wendat Nation since 2013



11



Preliminary Archaeological Stage 1 Results

Archaeological Potential

- Much of the study corridor contains archaeological potential for both pre-Contact and post-Contact archaeological resources
- Sections of the corridor exhibit areas of extensive subsurface disturbance and therefore no longer hold potential
- Some sections have been subject to previous archaeological assessments that have cleared these areas of archaeological concerns



12



Preliminary Archaeological Stage 1 Results

Archaeological Concerns

- 11 registered archaeological sites were identified within, or in very close proximity, to the project area including the Parsons site (AkGv-8) and 5 other pre-Contact Indigenous sites (a further 2 with cultural tradition unknown but likely Indigenous)
- Lands associated with the Niagara Escarpment and 15 major river crossings are considered to have a high potential for Indigenous archaeological sites
- The Credit River Valley, is a designated cultural landscape
- Historical mapping between 1858 and 1878 indicates historical settlements and associated features, including a small number of pioneer cemeteries, on lots associated with the corridor



13



Preliminary Archaeological Stage 1 Results

Historical Context and Cultural Overview

- The land use history produced in the draft report has been informed by the archaeological record from a settler perspective
- We are seeking input from First Nations regarding your community's land use history and cultural narrative in order to provide a more inclusive context for the project
- We are also seeking advice on cultural places of concern to your community that may not have been identified in the draft Stage 1 report so that appropriate procedures and protocols are followed as the project progresses



14



Indigenous Engagement

- Communities with an interest in the project area are anticipated to include the following:
 - Mississaugas of the New Credit First Nation
 - Six Nations of the Grand River
 - Huron-Wendat Nation
 - Haudenosaunee Development Institute
- Communities will have an opportunity to review and comment on the draft Stage 1 assessment report
- Field Liaison Representative Monitors will be included in the Stage 2 archaeological fieldwork



15



Proposed Archaeological Stage 2 Methods

Project Impact Mitigations

- Assessment of all areas of archaeological potential through shovel testing at 5 m intervals or pedestrian survey of ploughed fields at 5 m intervals
- Trenchless HDD boring at major river crossings
- Trenchless HDD boring beneath the Parsons site (AkGv-8) to reduce impacts

Factors Limiting Archaeological Potential

- Visible disturbance into subsoils (described in Stage 1)
- Soil disturbances associated with the placement of previous utilities
- Areas of previous archaeological assessments and cleared of further archaeological concerns
- Permanently wet areas



16



Geotechnical Assessment

- ~140 geotechnical bore hole locations within existing utility corridor
 - ~97 are located within areas of archaeological potential
- Existing infrastructure will be used as much as possible for access (e.g., roads, driveways, paths, etc.)
- No soil stripping
- Equipment:
 - Low ground pressure wide track or tired rigs (hollow stem auger)
 - Tired support vehicle
- Drilling scheduled July to September 2018
- Borehole locations to be cleared of archaeological concern prior to drilling via targeted Stage 2 archaeological assessment



17



Discussion

18



For more information

W: imperialoil.ca/waterdowntofinch

T: 416.586.1915

E: questions@imperialon.ca

Ministry of Energy, Northern
Development and Mines

77 Grenville Street
6th Floor
Toronto ON M7A 2C1

Tel: (416) 325-6544

Ministère de l'Énergie, du
Développement du Nord et des
Mines

77, rue Grenville
6^e étage
Toronto ON M7A 2C1

Tél: (416) 325-6544



Indigenous Energy Policy

VIA EMAIL

September 25, 2018

Chief Eva Hill
Six Nations of the Grand River Elected Council
PO Box 5000
Ohsweken, Ontario N0A 1M0

Re: Imperial Waterdown Pipeline Project

Dear Chief Hill:

This letter is to notify you that the Ministry of Energy, Northern Development and Mines on behalf of Ontario has delegated the procedural aspects of consultation to Imperial Oil Limited for its' proposed Imperial Waterdown Pipeline Project in relation to the Ontario Energy Board's Leave to Construct approval process.

Imperial Oil is planning to redevelop a pipeline in order to provide fuel across the Greater Toronto and Hamilton Area, including jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel. The project consists of approximately 63 kilometers of the existing line with new pipe. The proposed pipeline will commence at Waterdown Station [43.33500° N, 79.93248° W], and will end at the company's terminal storage facility at North York's Finch Terminal [43.76652° N, 79.48878° W]. If approved, construction is anticipated to begin in 2019

I encourage representatives of your community to participate in efforts made by Imperial Oil Limited to consult your community on its proposed project so that you can receive project information and understand if there are any potential impacts on Aboriginal or treaty rights. The consultation process is an opportunity to provide your community's feedback to Imperial Oil Limited and the Crown, including any suggestions or proposals your community might have for mitigating, avoiding or accommodating any potential impacts to Aboriginal or treaty rights. Ministry officials are also available should you wish to contact the Crown directly. Please note that none of the foregoing should be taken to imply approval of this project.

Should you or any members of your community have questions regarding the material above, please contact Raina Crasto at 416-326-4571 or raina.crado@ontario.ca and Shannon McCabe at 416-212-6704 or shannon.mccabe@ontario.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Owen", with a long horizontal flourish extending to the right.

Morgan Owen
A/Manager
Indigenous Energy Policy

C: Ontario Energy Board
Ontario Pipeline Coordinating Committee (OPCC)
Jessie Malone, Environmental and Regulatory Advisor, Safety Security Health and Environment, Imperial Oil Limited

Waterdown to Finch Project - Stage 1 Archaeological Assessment

To: lonnybomberry@sixnations.ca, jthomas@sixnations.ca

Thursday, Sep 27th, 2018
12:58 PM

Please find attached a copy of the Stage 1 Archaeological Assessment conducted by Past Recovery Archaeological Consultants for the Proposed Waterdown to Finch Project on behalf of Imperial Oil Limited. The present assessment has identified a number of registered archaeological sites within or in close proximity to the study corridor.

Imperial is seeking Indigenous review of the draft report to ensure that any traditional knowledge/information regarding traditional use sites, sacred sites, or other sites is reflected in the background documentation and the determination of archaeological potential. Let us know if you have any comments or questions, or any additional information that you feel may help inform the Stage 2 Assessment. A Stage 2 Archaeological Assessment is currently being undertaken to identify any as-yet unknown archaeological sites that may be impacted by the project.

Please provide a response by November 1, 2018 in order to inform the current field program.

Respectfully,

Kelly Williams
Community Relations Officer
602 Christina Street
Sarnia, ON Canada N7T 7M5
519-328-8681 Cell
519 339 2265 Tel
kelly.williams@esso.ca

Attachments

Download All

E.1 WFP Stage 1 Archaeological Assessment_06Sept2018.pdf



Imperial
Waterdown to Finch Pipeline Project
November 15, 2018
Meeting with Six Nations Summary Notes

**Please note that these meeting notes provide a summary of the discussion; however, these are not detailed minutes of the meeting. While we have endeavored to document the main points, some discussion items may not be included.*

Participants

Six Nations

- Lonny Bomberry, Director Lands and Resources (LB)
- Rose Miller, Archaeology Coordinator (RM)
- Waylon Bomberry, (WB)
- Matt Jocko, (MJ)
- Robin Lynne (RL)
- Dawn Laforme (DL)

Imperial

- Kelly Williams, Community Relations Officer (KW)
- Jessie Malone, Environment and Regulatory Advisor (JM)

ERM

- Jim Chan, Senior Consultant (JC)

Past Recovery

- Brenda Kennett, Archaeologist (BK)

Meeting Objectives

- Provide overview presentation of Imperial’s Waterdown to Finch Project (the Project)
- Seek feedback on the Stage 1 Archaeological Assessment report
- Seek feedback on Field Monitor Program
- Share information on What We’ve Heard
- Share information on Leave to Construct process
- Discussion on Six Nation needs and consultation expectations

Topic	Discussion
Location	<ul style="list-style-type: none"> • Meeting held at Lands and Resources Department of the Six Nations, 2498 Chiefswood Road, Ohsweken, Ontario.
Agenda	<ul style="list-style-type: none"> • Welcome • Introductions • Safety Moment • Overview of Waterdown to Finch Project (recap, if needed) • Archaeological Assessment and Planning <ul style="list-style-type: none"> ○ Seeking Feedback on Stage 1 Archaeological Assessment Report ○ Seeking Feedback on Field Monitor Program • Environmental Planning <ul style="list-style-type: none"> ○ What We’ve Heard • Construction Methods <ul style="list-style-type: none"> ○ Minimizing Construction Impacts ○ HDD and HD Bore • Leave to Construct process • Discussion <ul style="list-style-type: none"> ○ Consultation Preferences

Topic	Discussion
	<ul style="list-style-type: none"> Meeting Adjourned
Materials	<ul style="list-style-type: none"> Imperial's Sarnia Products Pipeline Waterdown to Finch Powerpoint presentation Nov 2018
Introduction	<ul style="list-style-type: none"> Imperial (KW) thanked everyone for taking their valuable time to met with us. We know it is a busy time in the community. We are appreciative of this. A round of introductions and a repeat of the Project overview to start the meeting since the last time we were here at Six Nations.
Project Overview	<ul style="list-style-type: none"> Imperial (JM) provided a Project overview. Imperial's Sarnia Products Pipeline (SPPL) runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area. SPPL is important infrastructure to the Greater Toronto and Hamilton Area (GTHA) SPPL supplies a significant portion of refined product used at Toronto Pearson International Airport, including gasoline and diesel that keeps people, goods and services moving in the region. SPPL has operated in the region for many years. It has been in operation since the 1950s. The line is ~65 years old and as a proactive measure, Imperial proposes to replace approximately a 63-kilometre segment of this line with new pipe. The Waterdown to Finch Project (the Project) is the replacement segment from the company's Waterdown pump station in rural Hamilton to the Finch terminal storage facility in Toronto's North York area. Imperial has initiated discussions with the Ontario Energy Board (OEB). The major regulatory process will be the filing of the leave to construct application with the OEB. Imperial has engaged with the public, municipalities, regulators, landowners and Indigenous communities. Since our last meeting, we have continued to advance Project engineering design. Environmental field surveys were completed in spring, summer and fall to capture the field work during the seasonal windows. Archaeological assessment program and the geotechnical program field work are ongoing. Overview of timelines (as described in the PowerPoint presentation), Spring 2018 project launch; Summer/Fall 2018 Community Information Sessions; Winter/Spring 2019 submission to OEB; Summer 2019 engineering design complete; Late Fall 2019 pre-construction communication. 2020 is the potential start date. There are two proposed types of construction methods: open cut construction and trenchless: Horizontal Direction Drilling (HDD and Horizontal Directional Bore (HD Bore)). JM indicated that notionally, trenchless construction is planned for ~1/3 of the total line replacement. Construction method has been informed by geotechnical information and environmental considerations. Imperial will look to avoid major watercourses, major road crossings, provincially significant wetlands and important archaeological features by using HDD/HD Bore. Imperial (JM) explained that the current pipeline will remain in operation until the new line is constructed, tested and put into service. The old pipeline will be deactivated and removed from service. It will be cleaned, filled with nitrogen (inert gas to detect pressure

Topic	Discussion
	<p>monitoring), maintained with cathodic protection, and monitored and left in place. Deactivation is proposed instead of removal to reduce net effects as there are other pipelines and infrastructure owned by other companies operating in the same corridor.</p>
Archaeological Assessment	<ul style="list-style-type: none"> • • BK noted that the Stage 1 Archaeological Assessment report was provided to Six Nations, as well as to other communities, for review and comment. • Imperial is open to welcoming feedback on the Stage 1 report to ensure Six Nations comments and review is incorporated prior to submission to MTCS. Imperial is seeking feedback prior to early December 2018, where possible. • Imperial offered to re-send copy of the Stage 1 report. • JM noted that Imperial has mapping and can provide shapefiles, Google Earth files, based on the preferences of Six Nations. • Six Nations (RM), mapping files would be useful. • BK noted that communities with an interest in the project area are anticipated to include the following: <ul style="list-style-type: none"> • Mississaugas of the New Credit First Nation • Six Nations of the Grand River <ul style="list-style-type: none"> ▪ Haudenosaunee Confederacy Chiefs Council/Haudenosaunee Development Institute • Huron-Wendat Nation • BK noted that the proposed Stage 2 methodology and plan is comprehensive. Indigenous Field Monitors are participating in Stage 2. Assessment of all areas of archaeological potential within the corridor will involve test pit shovel testing at 5 m intervals or field ploughing and surveying. • In addition to the Stage 2 archaeology fieldwork for the line, the trenchless HDD design methods require geotechnical assessment. Geotechnical assessment began in October. We have met with the MTCS to confirm the archaeology pre-clearance requirements to support the geotechnical borehole investigation program.
Feedback on Field Monitoring Program	<ul style="list-style-type: none"> • Imperial (KW) I have met some of the Six Nations Field Monitors on site, they are enthusiastic and I've seen a positive exchange of knowledge between the Field Monitors and the Project team crews. Work is collaborative and working well. • KW asked, from Six Nation's perspective, how is the Field Monitoring Program going? • Six Nations (RM) replied generally going well. A few areas of miscommunication to raise. • Six Nations Field Monitors were asked for vehicle beacons and specific hard hats and another time for specific fire retardant coveralls (not standard PPE) but this has not been clear/consistent. There was an incident of signing-in. Field Monitor thought he was signed-in but was not apparently. One instance where archaeology assessment was to occur but matting on the ground was already there. • Imperial (KW) thank you for the feedback. We will need to communicate more clearly. Yes, green coloured hard hats are required on the right-of-way and vehicle beacons as

Topic	Discussion
	<p>well. Beacons and green hard hats will be provided if Field Monitors do not have their own. As program continues this will be smoother and communication will be clearer.</p> <ul style="list-style-type: none"> BK indicated that our Project team crews have been working well together and appreciate the Field Monitor participants. In the field, the group works together to make an appropriate assessment/recommendation and next steps.
Environmental Planning	<ul style="list-style-type: none"> Imperial (JM) shared that we conducted environmental field surveys such as vegetation and wetlands, terrestrial, bird, bats, amphibians, and fish habitat. The field data was used to assist with Project planning, helped inform the scope of work for construction, helps to avoid and mitigate impacts to the environment. Fish habitat assessments informed whether or not in-water work during construction will need to avoid the timing of sensitive fish life stages. Vegetation and wetland surveys informed the presence of rare plants and wetlands which may need to be either avoided or environmental effects mitigated and/or compensated. We mapped the Provincially Significant Wetlands (PSW) and the Project design plans to avoid all of them. Groundwater and surface water studies identified water uses such as water wells and informed water management planning. Alternatives: Regulatory, stakeholder and landowner engagement has influenced the alignment and construction methods. The Project is proposed within Imperial's existing right-of-way for the first 1/3 and then it enters the HONI utility corridor. This is the best alternative route to minimize impacts. The Project planning also includes alternative methods, in particular alternative construction installation methods (i.e. trench versus trenchless). Nearly 1/3 of the total line will be installed using trenchless construction methods (HDD and HD Bore) to avoid major highways, major watercourse crossings, sensitive areas (i.e. Provincially Significant Wetlands).
What We've Heard	<ul style="list-style-type: none"> Imperial (JM) provided the information on what we've heard and how Imperial has responded and/or how the comment has helped influence the Project design. Protecting natural heritage <ul style="list-style-type: none"> Conducted vegetation and wetlands, Species at Risk, and fish habitat field surveys. Scheduled construction outside of sensitive Species at Risk timing windows, where feasible. Identifying route alternatives <ul style="list-style-type: none"> Avoid electricity transmission infrastructure by re-routing new pipeline within the existing Hydro One utility right-of-way and using alternate construction methods such as boring and directional drilling techniques to avoid sensitive surface areas. Supporting emergency response preparedness <ul style="list-style-type: none"> Worked collaboratively with stakeholders to review emergency plan. Imperial collaborated with local emergency services and others in recent Emergency Response Exercise.

Topic	Discussion
	<ul style="list-style-type: none"> • Minimizing impacts to local transportation networks <ul style="list-style-type: none"> • Use of trenchless construction methods to avoid major roadways. Will implement traffic management plans and mitigation measures to minimize traffic impacts • Preserving known archaeological and cultural heritage resources <ul style="list-style-type: none"> • Avoid known archaeological sites • Engage Indigenous Field Monitors and consultation office on archaeological assessment planning and review. Worked collaboratively with Indigenous Field Monitors on archaeological assessments and environmental field surveys. • Completed an impact assessment on agricultural lands. • Providing detailed maps and online resources. An “online information session” with ongoing Project updates and detailed maps at imperialoil.ca/waterdowntofinch.
Consultation What We’ve Heard (continued)	<ul style="list-style-type: none"> • Imperial (JM, KW) noted that a series of Community Information Sessions were recently held in municipalities. Imperial noted that we would be willing to offer a Community Information Session or an open house presentation in the community based on your preference and need. • Six Nation (LB) replied that we have not had these typically. If the Lands and Resources group felt this was needed and important, we would do so ourselves or bring proponents in. • Imperial (JM, KW), thank you. If you feel this is necessary, we can offer this. KW noted that the community’s primary interest is on stewardship and archaeological assessment planning and participation.
Leave to Construct process	<ul style="list-style-type: none"> • ERM (JC) provided an overview of the Leave to Construct (LTC) process, explained the LTC process flow and indicated the OEB regulatory consultation points. • Imperial is preparing the Environmental Report and planning to submit the LTC application in Q1 2019 to the Ontario Energy Board. We are in the pre-application phase and Imperial’s consultative approach is to consult early. Feedback can be received at any time, regardless of the OEB’s regulatory consultation points. • Once application filed, the OEB will issue a notice to the public. Individuals/organizations/communities can provide letters of comment or participate as an intervener. OEB will organize a written/oral hearing to seek comments prior to the OEB Board’s decision. • ERM (JC) reiterated that our consultative approach is that feedback and comments/concerns can be raised at anytime for response and not dependent on OEB’s regulatory points.
Discussion	<ul style="list-style-type: none"> • Six Nations (LB), how do you determine extent of known site and testing area? I.e. for example the Parsons site. • BK replied that at known sites, one by one metre units will be excavated if required to determine the site limits. Testing will cover the project footprint and appropriate site buffers will be in place during construction. • LB, tell me about spills/ spill prevention during operations?

Topic	Discussion
	<ul style="list-style-type: none"> • Imperial has a strong focus on safety and spill prevention. The pipeline replacement is a proactive safety measure. • Prior to construction, Imperial will develop a spill management plan to prevent and respond to a leak or spill during the construction phase. During operation, Imperial will take proactive safety measures to prevent spills. We have a robust Emergency Response Plan. Regulations and government oversight dictate how we prepare for and respond to a potential pipeline spill. We would be responsible for cleaning up and mitigating damages. • Imperial has proactive safety measures: <ul style="list-style-type: none"> • We use in-line inspection tools, which are sent from one side of the line to the other and measures the inside diameter of the pipeline and assesses the integrity of the line. • Imperial flies the line every week; portions that cannot be flown are ground patrolled. • Line is monitored 24 hours a day, 365 days a year. • In the unlikely event of a spill, the line will be shutdown immediately. We would implement the Emergency Response Plan, evaluate the hazards and risks, protect people, protect waterways and wildlife, protect property, coordinate the emergency response and clean up the site. • LB, when is HDD used? Is it used for under sensitive areas? <ul style="list-style-type: none"> • Trenchless construction (HDD or HD Bore) installation is used to avoid and mitigate impacts to sensitive surface areas. We will use HDD or HD Bore to go underneath and avoid major roadways, major watercourse crossing and sensitive areas such as Provincially Significant Wetlands. This is part of the Project design. • LB, tell us about wildlife sightings? • There have been sightings of SARs bobolinks in agricultural fields, presence of milkweed (Monarch butterfly), butternut trees, etc. No sightings of Jefferson salamander but presence of salamander habitat. Six Nations -- we would review the wildlife report as part of the LTC application. • Imperial (KW), could you tell us what other expectations you would have for capacity funding and consultation? • Six Nations, yes, in addition to participation of Field Monitors, we would appreciate periodic updates and notification of the OEB process.
Closing	<ul style="list-style-type: none"> • Imperial (KW), as I have become more familiar with Six Nations history and what you have accomplished, it is impressive. You should be very proud of it. Thank you again for taking the time to meet with us. • Six Nations – you are welcome. We are proud of it.
	<ul style="list-style-type: none"> •
Summary of Actions	Who

Topic	Discussion	
<ul style="list-style-type: none"> As program continues, organizing logistics for Field Monitor program will be smoother and communication will be clearer. 		KW
<ul style="list-style-type: none"> Provide Six Nations with copy of Stage 1 Archaeology Assessment again 		KW
<ul style="list-style-type: none"> Provide Six Nations with mapping shapefiles, Google Earth files 		KW
<ul style="list-style-type: none"> Provide Six Nations with information once application filed with OEB. Provide periodic updates to Six Nations. 		KW

Potential topics to record for Isometrix reporting:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Accidents and Malfunctions | <input type="checkbox"/> Aquatic Resources and species |
| <input type="checkbox"/> Air Emissions and Noise | <input checked="" type="checkbox"/> Archaeology |
| <input checked="" type="checkbox"/> Alternatives | <input type="checkbox"/> Community Contribution Request |
| <input type="checkbox"/> Cultural Heritage Resources | <input type="checkbox"/> Groundwater |
| <input checked="" type="checkbox"/> Emergency Response | <input checked="" type="checkbox"/> Operational Issue |
| <input type="checkbox"/> Excavation/Damage Prevention/Pipeline Location | |
| <input type="checkbox"/> Right-of-Way/Access Agreement | <input type="checkbox"/> Traditional use |
| <input type="checkbox"/> Safety, Health and Environment | <input checked="" type="checkbox"/> Vegetation |
| <input type="checkbox"/> Socioeconomic (labour, economy, social) | <input type="checkbox"/> Wetlands |
| | <input type="checkbox"/> Wildlife and Habitat |

Jim Chan

Subject: FW: FW: Waterdown to Finch-Imperial Project

From: Williams, Kelly /C
Sent: Thursday, September 20, 2018 3:37 PM
To: 'Imperial Isometrix' <Imperial-isometrix@national.ca>
Subject: FW: FW: Waterdown to Finch-Imperial Project

From: Williams, Kelly /C
Sent: Wednesday, September 19, 2018 5:13 PM
To: Todd Williams <williams.todde@gmail.com>; Wayne Hill <tworowarchaeology@gmail.com>
Cc: HDI Tracy <traceyghdi@gmail.com>; Misty Hill <mistyhdi@gmail.com>; Brian Doolittle <ganowa@me.com>; Aaron Detlor <aarondetlor@gmail.com>; Liddell, Jennifer H <jennifer.h.liddell@esso.ca>; Malone, Jessie M <jessie.m.malone@esso.ca>
Subject: RE: FW: Waterdown to Finch-Imperial Project

Hi Wayne and Todd-I apologize for not getting the letter out to your team today. It has one final channel to get through and it will be delivered to you tomorrow, hard copy to be delivered to the office. We have made arrangements to delay archeology work specific to the project until Wednesday. Hopefully we can get everything in place before then. Please give me a call if you have any questions. 519-328-8681.

Thank you for sending the agreement. I think it will help us get to where we need to be much faster. Have a great night. Talk to you tomorrow. -kelly

From: Todd Williams [<mailto:williams.todde@gmail.com>]
Sent: Wednesday, September 19, 2018 11:30 AM
To: Williams, Kelly /C <kelly.williams@esso.ca>
Cc: Wayne Hill <tworowarchaeology@gmail.com>; HDI Tracy <traceyghdi@gmail.com>; Misty Hill <mistyhdi@gmail.com>; Brian Doolittle <ganowa@me.com>; Aaron Detlor <aarondetlor@gmail.com>; Liddell, Jennifer H <jennifer.h.liddell@esso.ca>; Malone, Jessie M <jessie.m.malone@esso.ca>
Subject: Re: FW: Waterdown to Finch-Imperial Project

Good morning Kelly,

Wayne Hill asked me to follow up with you,

I've attached a signed copy of HDI's standard service agreement.

Please review, if agreed to, please sign and return a copy.

Thanks,

Todd E. Williams, P.Eng.
Monitoring Program Coordinator
Haudenosaunee Development Institute (HDI)

EXHIBIT H
Records of Consultation Supporting Documents
Haudenosaunee Development Institute (HCCC)
Six Nations of the Grand River Territory
T: [519-445-4222](tel:519-445-4222)
C: [519-761-1794](tel:519-761-1794)
<https://www.haudenosauneeconfederacy.com>

On Wed, Sep 19, 2018 at 7:33 AM, Williams, Kelly /C <kelly.williams@esso.ca> wrote:

Good morning Wayne-Thank you for sending me the email address. I did receive the second email with the correct address. I am hoping the letter is ready to go sometime today. We will send a draft monitoring agreement that also covers environmental monitoring with the letter, however please send me a copy of the HDI archaeological agreement if you can.

If you have any concerns while conducting your site visits, please give me a call, you have my number. Thanks! -kelly

From: Wayne Hill [mailto:tworowarchaeology@gmail.com]
Sent: Tuesday, September 18, 2018 9:23 PM
To: Williams, Kelly /C <kelly.williams@esso.ca>
Cc: HDI Tracy <traceyghdi@gmail.com>; Misty Hill <mistyhdi@gmail.com>; Brian Doolittle <ganowa@me.com>; Aaron Detlor <aarondetlor@gmail.com>; Todd Williams <williams.todde@gmail.com>
Subject: Re: FW: Waterdown to Finch-Imperial Project

Good evening Kelly,

Just to follow up on our conversation from earlier today. As you indicated the archaeology work has been stopped and ESSO is respecting the cease and desist from my initial email. Also to reiterate for clarification sake and contrary to misinformation put forth by unsubstantiated sources the HDI is still operating with our day to day business as per usual.

Its also my understanding Esso intends on signing the HDI's archaeological agreement before resuming work. I will be conducting on site visits to the project area to ensure ESSO is being sincere and factual on the cease and desist. Also the HDI/HCCC should expect an email indicating ESSO's intention to formally engage and hard copies to follow this via courier.

As requested here is the HDI email address Hdi@bellnet.ca

Thanks Wayne,

On Tue, Sep 18, 2018, 11:49 AM Williams, Kelly /C, <kelly.williams@esso.ca> wrote:

From: Williams, Kelly /C
Sent: Tuesday, September 18, 2018 11:40 AM
To: 'tworowarcheology@gmail.com' <tworowarcheology@gmail.com>
Cc: Liddell, Jennifer H <jennifer.h.liddell@esso.ca>
Subject: Waterdown to Finch-Imperial Project

Hi Wayne,

We are in receipt of your email dated September 17. I apologize for the unreturned calls. We have had some transition on our project team recently. Please give me a call at 519-328-8681 and I can provide you with more information.

Respectfully,

Kelly Williams

Community Relations Advisor

[602 Christina Street](#)

[Sarnia, ON Canada N7T 7M5](#)

EXHIBIT H
519-328-8681 Call
Record of Consultation - Supporting Documents

519 339 2265 Tel

kelly.williams@esso.ca

Imperialoil.ca



Robert Ballinger
Area Manager, East Canada
P: 519.333.7556
E: robert.e.ballinger@esso.ca

September 20, 2018

Haudenosaunee Development Institute
16 Sunrise Court, Ste. 600
Ohsweken, ON N0A 1M0
Six Nations of the Grand River Territory
519.445.4222

Dear Sir or Madam,

Members of our project team were happy to begin the conversation with the Haudenosaunee Confederacy Chiefs Council (HCCC) with representatives from the Haudenosaunee Development Institute (HDI), regarding our Waterdown to Finch pipeline replacement project, at the meeting on August 15 in Ohsweken.

On September 11 the Ministry of Energy, Northern Development and Mines (Ministry) sent a letter on behalf of Ontario, informing us that they are delegating the procedural aspects of the Crown's duty to consult, to Imperial. As the proponent of the project, we have been advised by the Ministry to send correspondence and information to the HCCC directly and to copy HDI.

It is Imperial's intention to engage meaningfully with the HCCC, including the involvement of field monitors and reasonable costs associated with project review. We continue to hope that an agreement regarding the monitors can be executed as soon as possible. We recognize that costs are incurred to review project information from proponents, and we are willing to enter into a capacity funding agreement for this purpose.

We hope that the HCCC will consider this approach in reviewing the project. Our intention is to be respectful, transparent and inclusive. As a publicly traded company, we are bound by the laws and regulations of Canada and Ontario, and must adhere to the structures within them.

In regard to the application information requested by HDI at the August 15 meeting, we would like to provide the following:

1. The municipal address of the proposed project is situated between Imperial's Waterdown Pump Station (100 Concession 5 East, Waterdown, ON) and Finch Receiver Valve (1150 Finch Avenue, Toronto, ON). The route is approximately 63-kilometres and intersects the Cities of Hamilton, Burlington, Oakville, Mississauga and Toronto.
2. A map is attached, titled ONT-WF-SPPL-UP-DK-0039.
3. Between 0 and 18.7 km, the planned pipeline will be within existing Imperial Oil owned right-of-way (ROW) which is approximately 15 m (50 ft.) in width. Between 18.9 and 61.5 km, the pipeline will require new ROW within a Hydro One Networks Inc. (HONI) corridor. The surrounding land use varies between agriculture, parkland, urban residential and commercial. The current land use is industrial, per O.Reg. 154/04. The proposed land use is industrial, per O.Reg. 154/04.
4. The archaeology program for the project is extensive, and is one aspect for which we are hopeful that HCCC field monitors will be active on site. A Stage 1 Archeological Assessment is drafted, but has not been submitted to the Ministry of Tourism, Culture, and Sport (MTCS). Imperial intends to send this to HCCC prior to submitting it to MTCS.
5. A Stage 2 Archeological Assessment is planned for September to December 2018; the work for which monitors will be engaged.
6. Environmental field studies (i.e., wildlife, vegetation, aquatics) began in spring 2018 and will continue through fall 2018 in order to capture the appropriate seasonal windows. An

environmental report in support of the Ontario Energy Board (OEB) Leave to Construct application, and a Public Works Class Environmental Assessment for Infrastructure Ontario (IO) are being prepared. Environmental field monitors would also be engaged from HCCC, if desired, for any outstanding environmental field programs.

The proposed schedule of the project is as follows:

- Spring/summer/fall 2018 – Environmental studies
- Summer/Fall 2018 – Community information sessions
- Winter/ Spring 2019 – OEB Leave to Construct application and IO Class EA submission
- Summer 2019 – Engineering design complete
- Late Fall 2019 – Construction begins
- Late 2020 – Line in-service

The Project is seeking the following permits or approvals:

- Ontario Energy Board: Leave to Construct
- Infrastructure Ontario: Public Works Class Environmental Assessment
- Niagara Escarpment Commission: Development Permit
- Ministry of Natural Resources and Forestry: permit requirements to be determined, based on field results
- Ministry of Tourism, Culture and Sport: Archaeology and Cultural/Built Heritage Clearance
- Ministry of Environment, Conservation and Parks: Water Taking Permit (to be confirmed)
- Various Conservation Authorities: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses
- Fisheries and Oceans Canada: Request for Review
- Various Cities/Municipalities: Tree Removal/Damage permits
- Hydro One Networks Inc. (HONI) Grant of Easement (station lands)
- HONI Temporary Use and Access Agreement/License (station lands)
- HONI Construction and Encroachment (easement lands)
- IO Grant of Easement (corridor lands)
- IO Temporary Use and Access Agreement/License (corridor lands)

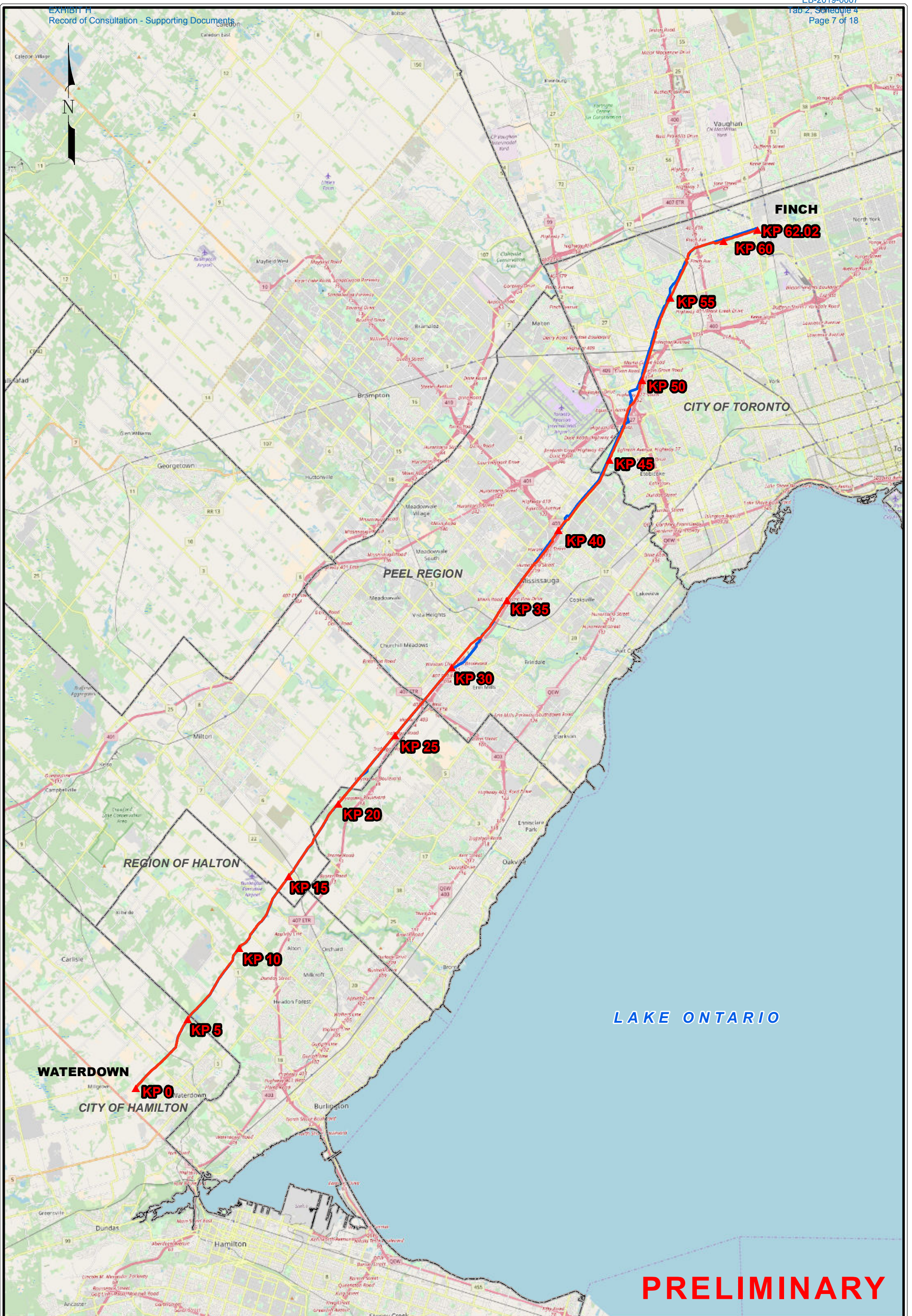
It is our understanding that HDI manages the field monitor program on behalf of HCCC. We have received the HDI Archaeological Monitoring agreement and will respond separately very soon.

Our goal is to provide project information and carefully consider all comments and concerns that are raised. If you require clarification on any of the information contained here, or have any questions please contact Kelly Williams, Community Relations Advisor, at kelly.williams@esso.ca or (519) 328-8681.

Respectfully,

Robert Ballinger

EXHIBIT H
 Record of Consultation - Supporting Documents

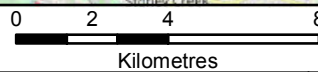


LAKE ONTARIO

PRELIMINARY

LEGEND

- ▲ Kilometre Post
- Proposed Route
- Existing Waterdown-Finch Pipeline
- Region



REV	DESCRIPTION	DATE
0	ISSUE FOR USE	09/12/18

Prepared By:

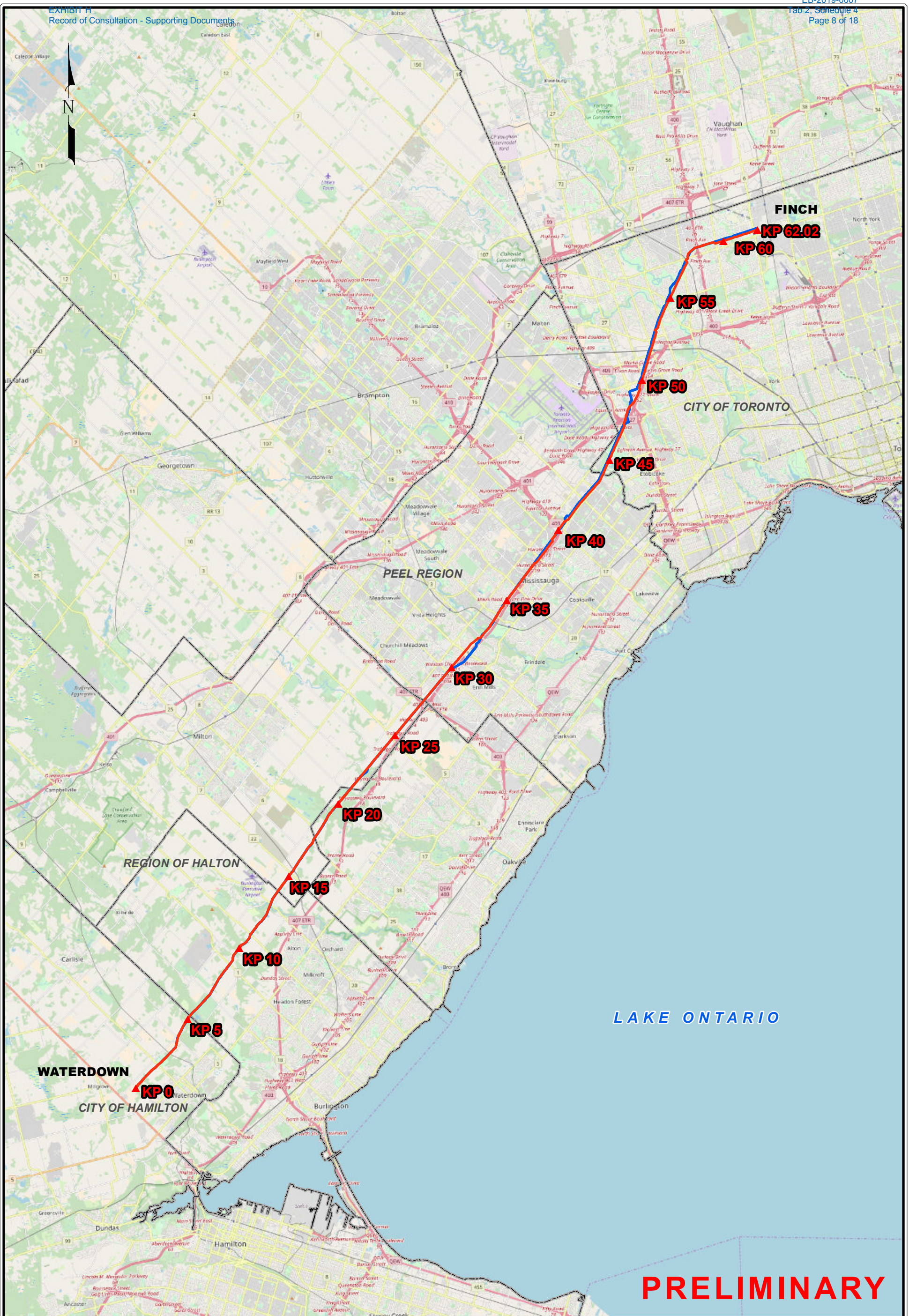


**WATERDOWN TO FINCH PROJECT (NPS 12)
 OVERVIEW ROUTE MAP (1:200,000)
 GTA, ONTARIO**

DWN BY: DMN	DATE: 08/10/18
REV BY: HMC	DATE: 09/12/18
APR BY: JAW	DATE: 09/12/18

DRAWING: ONT-WF-SPPL-UP-DK-0039	REV
SCALE: 1 cm=2 km	SHEET: 1 OF 1
	A

EXHIBIT H
 Record of Consultation - Supporting Documents

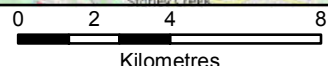


LAKE ONTARIO

PRELIMINARY

LEGEND

- ▲ Kilometre Post
- Proposed Route
- Existing Waterdown-Finch Pipeline
- Region



REV	DESCRIPTION	DATE
0	ISSUE FOR USE	09/12/18

Prepared By:

UniversalPegasus INTERNATIONAL
 A Subsidiary of Huntington Ingalls Industries
Universal Pegasus, Inc. 2008 Engineering Professionals Ltd. # 5502

DWN BY: DMN	DATE: 08/10/18
REV BY: HMC	DATE: 09/12/18
APR BY: JAW	DATE: 09/12/18

Imperial

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

DRAWING: ONT-WF-SPPL-UP-DK-0039	REV
SCALE: 1 cm=2 km	SHEET: 1 OF 1
	A

Document Path: P:\239770\500_ENG-DS\508_GIS_WKNGMAP-Maps\General_Dwg\ONT-WF-SPPL-UP-DK-0039_Rev0.mxd

Ministry of Energy, Northern
Development and Mines

Ministère de l'Énergie, du
Développement du Nord et des
Mines

77 Grenville Street
6th Floor
Toronto ON M7A 2C1

77, rue Grenville
6^e étage
Toronto ON M7A 2C1

Tel: (416) 325-6544

Tél: (416) 325-6544



Indigenous Energy Policy

VIA EMAIL

September 25, 2018

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

Re: Imperial Waterdown Pipeline Project

This letter is to notify you that the Ministry of Energy, Northern Development and Mines on behalf of Ontario has delegated the procedural aspects of consultation to Imperial Oil Limited for its' proposed Imperial Waterdown Pipeline Project in relation to the Ontario Energy Board's Leave to Construct approval process.

Imperial Oil is planning to redevelop a pipeline in order to provide fuel across the Greater Toronto and Hamilton Area, including jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel. The project consists of approximately 63 kilometers of the existing line with new pipe. The proposed pipeline will commence at Waterdown Station [43.33500° N, 79.93248° W], and will end at the company's terminal storage facility at North York's Finch Terminal [43.76652° N, 79.48878° W]. If approved, construction is anticipated to begin in 2019

I encourage representatives of your community to participate in efforts made by Imperial Oil Limited to consult your community on its proposed project so that you can receive project information and understand if there are any potential impacts on Aboriginal or treaty rights. The consultation process is an opportunity to provide your community's feedback to Imperial Oil Limited and the Crown, including any suggestions or proposals your community might have for mitigating, avoiding or accommodating any potential impacts to Aboriginal or treaty rights. Ministry officials are also available should you wish to contact the Crown directly. Please note that none of the foregoing should be taken to imply approval of this project.

Should you or any members of your community have questions regarding the material above, please contact Raina Crasto at 416-326-4571 or raina.crasto@ontario.ca and Shannon McCabe at 416-212-6704 or shannon.mccabe@ontario.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Owen". The signature is written in a cursive style with a large, circular flourish at the end.

Morgan Owen
A/Manager
Indigenous Energy Policy

C: Ontario Energy Board
Ontario Pipeline Coordinating Committee (OPCC)
Jessie Malone, Environmental and Regulatory Advisor, Safety Security Health and
Environment, Imperial Oil Limited

Waterdown to Finch Project - Stage 1 Archeology Report

To: tworowarchaeology@gmail.com, karl.j.hill@gmail.com, Todd Williams

Tuesday, Oct 16th, 2018
12:10 PM

Wayne

As requested, please find attached an electronic copy of the Stage 1 Archaeological Assessment conducted by Past Recovery Archaeological Consultants for the Proposed Waterdown to Finch Project on behalf of Imperial Oil Limited.

Regards

Kelly Williams

Attachments

[Download All](#)

E.1 WFP Stage 1 Archaeological Assessment_06Sept2018.pdf



Haudenosaunee Development Institute

November 5, 2018

Jessie Malone, P.Eng

Environmental and Regulatory Advisor

Safety Security Health and Environment, Imperial

505 Quarry Park Blvd. SE, Calgary, AB T2C 5N1

Dear Ms. Malone:

RE: Waterdown to Finch Project ('Project')
Our File No.: 030-126-003

Thank you for meeting with us on October 25, 2018. It was a pleasure meeting you and your team.

Introduction

As you are aware we requested the meeting further to Mr. Ballinger's letter of September 20, 2018 (received on September 24, 2018) which set out Imperial's intention to proceed with the Project. In this regard, we make reference to the Supreme Court of Canada in *Delgamuukw* where the court stated at paragraph 168 that:

Of course, even in these rare cases when the minimum acceptable standard is consultation, this consultation must be in good faith, and with the intention of substantially addressing the concerns of the aboriginal peoples whose lands are at issue. In most cases, it will be significantly deeper than mere consultation. Some cases may even require the full consent of an aboriginal nation, particularly when provinces enact hunting and fishing regulations in relation to aboriginal lands.

As you are aware the *United Nations Declaration on the Rights of Indigenous Peoples* also speaks to consent at Article 19 where it states that:

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

OUR LAND, OUR LAW, OUR PEOPLE, OUR FUTURE

September 20, 2018 Imperial Correspondence

Receipt of your letter on or about September 24, 2018 was the first notification we received in relation to the Project.

We indicated that the Crown, and specifically, the Ministry of Energy, Mines and Northern Development ('Ministry') had not provided any notification in relation to the Project, despite knowledge, both real and constructive, that the Project would impair, interfere with, and otherwise infringe upon Haudenosaunee rights and interests including the Haudenosaunee's unsundered title interests upon the land where the Project is intended.

Mr. Ballinger's correspondence makes reference to a delegation of the procedural aspects of engagement. We confirm that this has raised serious concerns from our perspective in relation to the Honour of the Crown.

We indicated that the Crown is obligated to undertake a *prima facie* assessment of rights and interest's prior to delegating procedural aspects of engagement. As we have not been contacted in advance of the delegation there are questions as to the whether, the Crown has undertaken any such assessment and thereby properly discharged its obligations.

We confirm that we made the request that work on the Project be put on hold until such time as the Crown establishes that it has discharged its obligations and/or actually undertakes the *prima facie* assessment to determine the required nature and scope of engagement and what aspects can be delegated.

We confirm that the Ministry has provided you with letter setting out the delegation of the Crown's obligations and we confirm that you have advised that you will provide this correspondence. At the same time, we have requested all of the correspondence, memos, emails and other documents in your power possession and control passing between Imperial and the Crown which deal with Haudenosaunee engagement. We require these documents to understand how and when Haudenosaunee treaty rights and interest have been considered in determining the nature and scope of the purported engagement.

At the same time, we have also asked for all of Imperial's internal documents which may have been generated in response to the Minister's purported delegation. Imperial now stands in the shoes of the Crown and we require these documents to determine how Haudenosaunee treaty rights and interests have been considered, and at the same time, to meet the Haudenosaunee's reciprocal engagement obligations which require the Haudenosaunee to set out and clarify rights and interests. We require these documents without prejudice to our position that the exchange of documents, the review of rights and interests and the setting out and clarification of rights and interests was properly to have occurred prior to any purported delegation.

We would also note that this particular matter engages established treaty rights. As you may be aware the infringement of treaty rights is only lawful where it is justified and the Supreme Court of Canada has set out the basis for that justification. Notably, the justification involves the

discharge of fiduciary obligations on the part of the Crown. As you may be aware it is unlawful in most circumstances to delegate fiduciary obligations without the consent of the beneficiary – the Haudenosaunee Confederacy Chiefs Council.

We confirm that we have also asked Imperial to submit an application, and the associated fee, to the HDI (the standardized form is available from our website).

We confirm that a number of Crown actors are going to be granting approvals with respect to the Project and we have asked how and when engagement is to occur with respect to those approvals, and at the same time, whether there have been any further delegations.

For your ease of reference, we will require engagement from/with:

- Ontario Energy Board
- Infrastructure Ontario
- Niagara Escarpment Commission
- Ministry of Natural Resources and Forestry
- Ministry of Tourism Culture and Sport
- Ministry of Environment, Conservation and Parks
- Conservation Authorities (Please provide us with a list of the Conservation Authorities and we will be in touch with them directly to determine how they are proposing to discharge their obligations)
- Fisheries and Oceans Canada
- HONI; and
- IO

We have copied all of the above and would like to take the opportunity in this letter to formally request that the above contact our offices with respect to commencement of the engagement process.

Archaeology and Geological Testing

We also wish to confirm that a significant amount of work has been undertaken on the Project and it is our opinion, subject to some future agreement, that this work will need to be re-done to ensure that honour of the Crown is upheld.

We also confirm our review of Ontario's Archaeology Standards and Guidelines and confirmed that the Guidelines have, to date, not been followed.

We also raised concerns with the manner in which archaeology is proceeding and how it does not meet with the required level of diligence which the Haudenosaunee require to ensure that our commitments to our obligations are maintained. As we indicated these obligations are over and above those set out in the Guidelines. You have advised that you will advise if you are prepared to amend the process going forward to honour our modest request.

In particular there appears to an issue with 'plowing' in relation the archaeology. We acknowledge that you confirmed that plowing is best practices but that to date you are not plowing throughout the entirety of the proposed Project. We confirm that you will be providing us with a map setting out the areas that have been plowed versus the area that has not been plowed.

We would ask that you please provide the contact information for your Consultant Archaeologist so that we can follow-up with that person directly as they have specific regulatory and professional obligations vis a vis engagement.

Current Line

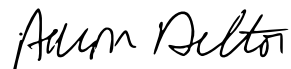
You advised that you intend to leave the current line in the ground and we advised that this a very serious impairment of our environmental/spiritual obligations to what we refer to as our mother the earth. You advised that the Technical Standards and Safety Authority (TSSA) is responsible for approval in relation to the current line and will be responsible for any approvals in relation to the established line. We would ask that you immediately notify the TSSA of our objections so that we may begin the engagement process with TSSA. At the same time this correspondence is copied to the TSSA and we are providing same as a notification for a request for engagement with the TSSA.

We confirm that we had many additional questions and concerns in relation to the Project but that time constraints required you and your team to leave the meeting.

We look forward to hearing from you and we are proposing meeting on Tuesday November 13, 2018 at which time we anticipate having received and reviewed your application.

Again, it was a pleasure meeting with you and HDI looks forward to a relationship with Imperial that is based on mutual respect for our respective rights and interests.

Respectfully,



R. Aaron Detlor





Robert Ballinger
Area Manager, East Canada
P: 519.333.7556
E: robert.e.ballinger@esso.ca

December 18, 2018

Aaron Detlor
Haudenosaunee Development Institute
16 Sunrise Court, Ste. 600
Ohsweken, ON N0A 1M0
Six Nations of the Grand River Territory
519.445.4222

Dear Mr. Detlor:

Imperial Oil Limited (Imperial) received your correspondence to Jessie Malone, dated November 5, 2018, regarding the October 25th meeting. As stated in our letter to HDI, dated September 20, 2018, Imperial respectfully declines completing the application. Imperial's explicit intention is to follow the provincial regulatory processes and guidelines related to obtaining approval for the Sarnia Products Pipeline Waterdown to Finch Project. Our objective is to complete a thorough Leave to Construct Application for submission to the Ontario Energy Board. The delegation of the procedural aspects of the Crown's duty to consult are specifically in relation to the regulatory and approval processes of the Ontario Energy Board. It is Imperial's intention to engage and consult with the Haudenosaunee Confederacy Chiefs Council (HCCC) as directed by the Ministry of Energy, Northern Development and Mines (ENDM) to determine the specific impacts of project activities on Aboriginal and treaty rights.

As the project proponent, Imperial has and is willing to provide project information to the HCCC in care of the Haudenosaunee Development Institute (HDI) to assist in determining these impacts. Once these impacts are identified and communicated to us, Imperial invites the HCCC and HDI to work collaboratively with the project team on solutions to reduce or mitigate these identified impacts. Project information does not include the release of the internal correspondence requested by HDI in your letter dated November 5, 2018.

Should you wish to discuss the delegation of the procedural aspects of the Crown's duty to consult to Imperial for this project, you may want to contact ENDM directly. Here are the suggested contacts:

Raina Crasto, Policy Advisor
Indigenous Energy Policy
Ministry of Energy, Northern Development and Mines
Email: raina.crasto@ontario.ca Phone: 416-326-4571

Shannon McCabe, Senior Advisor
Indigenous Energy Policy
Ministry of Energy, Northern Development and Mines
Email: shannon.mccabe@ontario.ca Phone: 416-326-4571

We appreciate the time and resources required to review project information and participate in meetings. As such, we are open to providing reasonable project capacity funding to HDI within a mutually acceptable agreement. Thank you for proposing another meeting date for HDI and the project team. The Imperial project team is prepared to meet with HDI to engage in a respectful dialogue on the following topics:

1. Presentation of the Waterdown-Finch Project Information
2. Stage 1 Archaeology Report-Comments and Discussion
3. Stage 2 Archaeological Assessment-Discussion with Past Recovery to address archaeological test pitting and ploughing protocol and Ontario Archaeology Standards and Guidelines
4. Field Monitoring Program Review

If you have questions related to this correspondence or wish to schedule a meeting date to discuss the above items, please contact Kelly Williams, Community Relations at kelly.williams@esso.ca or 519-328-8681.

Respectfully,

A handwritten signature in blue ink that reads "R Ballinger". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Robert Ballinger



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Huron-Wendat Nation
255, place Chef Michel Laveau
Wendake, Quebec
G0A 4V0

Dear Huron-Wendat Nation,

Imperial's Sarnia Products Pipeline (SPPL) is important infrastructure that provides fuels used by households and businesses across the Greater Toronto and Hamilton Area. This includes a significant portion of jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel that keeps people, goods and services moving throughout the region.

Operating safely in the region for many years, Imperial is planning to replace approximately 63-kilometres of the line with new pipe. This section runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area.

The Waterdown to Finch Project is proactively replacing a segment of pipeline to deliver continued safety and reliability. The existing pipeline will continue to operate until the project is complete.

Environmental and cultural assessments will start in the spring of 2018. Subject to provincial regulatory review and receipt of all permits, Imperial anticipates construction to begin in 2019.

Most replacement work will take place in close vicinity to the existing pipeline. Imperial representatives will also be communicating with landowners where proposed activities may be taking place in the coming weeks. Over the duration of the project, we will work collaboratively and communicate proactively to minimize construction impacts.

Please accept this letter as a formal notification of Imperial's Waterdown to Finch Project. Imperial would like to schedule a meeting to discuss the Waterdown to Finch Project, share information and answer questions. If you would like to learn more about the Waterdown to Finch Project, please contact us at questions@imperialon.ca or leave a message at 416-586-1915.

In addition to the project brochure and meeting offer, you can also visit our project website at imperialoil.ca/waterdowntofinch for an overview of the proposed replacement work, including project facts, work schedule, construction practices and community engagement efforts.

We look forward to connecting.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Plain". The signature is fluid and cursive.

Christopher Plain
Indigenous Relations Lead – Ontario Region
Imperial Oil Limited



Imperial
Waterdown to Finch Pipeline Project
July 17, 2018
Meeting with Huron-Wendat Nation Summary Notes

**Please note that these meeting notes provide a summary of the discussion; however, these are not detailed minutes of the meeting. While we have endeavored to document the main points, some discussion items may not be included.*

Participants

Huron-Wendat Nation

- Dr. Louis Lesage, Director of the Nionwentsio Office (LL)
- Maxime Picard, Project Coordinator, Ontario File Coordinator (MP)
- Mélanie Vincent, Project Coordinator, Ontario File Coordinator (MV)

Imperial

- Chris Plain, Indigenous Relations Lead – Ontario Region (CP)
- Kelly Williams, Indigenous Relations (KW)
- Leanne Dohy, Socio-economic Advisor (LD)
- Jessie Malone, Environment and Regulatory Advisor (JM)

ERM

- Jim Chan, Senior Consultant (JC)
- Matthew Scoular, Senior Consultant (MS)

Past Recovery

- Brenda Kennett, Archaeologist (BK)

Meeting Objectives

- Early Notification to Huron-Wendat Nation
- Overview presentation of Imperial’s Waterdown to Finch Project (the Project)
- Discussion on Huron-Wendat’s interests in archaeology field work

Topic	Discussion
Location	<ul style="list-style-type: none"> • ERM office, Toronto, Ontario
Agenda	<ul style="list-style-type: none"> • Welcome/ Open Meeting • Introductions • Safety Moment • Overview of Huron-Wendat Work • Overview of Waterdown to Finch Project • Overview of Archaeology Planning • Archaeology Draft Stage 1 Results • Planned Stage 2 Methods • Geotechnical Assessment • Engagement and Framework Discussion • Meeting Adjourned
Materials	<ul style="list-style-type: none"> • Imperial’s Sarnia Products Pipeline Waterdown to Finch Powerpoint presentation July 2018
Introduction	<ul style="list-style-type: none"> • Imperial (CP) opened the discussion by thanking everyone for the opportunity to meet.

Topic	Discussion
	<ul style="list-style-type: none"> • There is a lot of planning to get everyone involved in-person. Thank you again and it is a great pleasure to meet you. Thank you for the background about the Nation and for making your way to Ontario.
Safety Moment	<ul style="list-style-type: none"> • Imperial (LD) described Imperial’s focus on safety. LD provided a safety moment. When staying at a new hotel, using the stairs is good way to familiar yourself of the emergency exits in the event of a real emergency.
Project Overview	<ul style="list-style-type: none"> • Imperial (JM) provided a Project overview. Imperial’s Sarnia Products Pipeline (SPPL) runs from Imperial’s Waterdown pump station in rural Hamilton to the company’s terminal storage facility in Toronto’s North York area. • SPPL is important infrastructure to the Greater Toronto and Hamilton Area (GTHA) • SPPL supplies a significant portion of refined product used at Toronto Pearson International Airport, including gasoline and diesel that keeps people, goods and services moving. • SPPL has operated in the region for many years. It has been in operation since the 1950s. The line is ~65 years old and as a proactive measure, Imperial is planning to replace approximately 63 km of the 12” line with new 12” pipe. The pipeline will continue to operate until the replacement segments are prepared for operation. The existing line will be cleaned, tested and deactivated in- place. • Imperial has initiated discussions with the Ontario Energy Board (OEB). The major regulatory process will be the filing of the leave to construct application with the OEB. • Imperial has kicked off engagement with regulators, landowners and Indigenous communities. At the same time, we have initiated the engineering design process. As a result of our early engagement, we look to incorporate feedback into the project design process. • We have started environmental field surveys to capture the field work during the seasonal windows. Field work is planned for summer and fall. Archaeology field work is timed for the summer/fall. • Overview of timelines (as described in the PowerPoint presentation), Spring 2018 project launch; Summer/Fall 2018 Community Information Sessions; Winter/Spring 2019 submission to OEB; Summer 2019 engineering design complete; Late Fall 2019 pre-construction communication. 2020 is the potential start date. • Replacement segment is like for like, meaning 12” in diameter for 12” pipeline over a 63 kilometre segment. Product moved is the same and the line will continue to operate, to minimize disruption during construction. • Monitored 24 hours a day, 365 days a year. The western portion of the line is flown every week; eastern portions that cannot be flown are ground patrolled. • There are two proposed types of construction methods: open cut construction and trenchless Horizontal Direction Drilling (HDD). JM indicated that notionally, HDD is planned for ~1/3 of the line. Construction method will be informed by geotechnical information and environmental considerations. Imperial will look to avoid major

Topic	Discussion
	<p>watercourses, major road crossings, provincially significant wetlands and important archaeological features by using HDD as much as possible.</p> <ul style="list-style-type: none"> • Huron-Wendat (LL) asked about the deactivation of the line. • Imperial (JM) responded that the current pipeline will be deactivated and removed from service. It will be cleaned, filled with nitrogen (inert gas to detect pressure monitoring), maintained with cathodic protection, and monitored and left in place. In addition, along the HONI corridor, there are other lines and infrastructure. We do not want to impact the other lines. Deactivation is undertaken to reduce impacts.
Huron-Wendat Work	<ul style="list-style-type: none"> • Huron-Wendat (LL) – provided an introduction to the Huron-Wendat and its work in Ontario. The Huron-Wendat ancestral territory is called the Nionwetsio in the Wendat language. The Huron-Wendat people hunted, fished, gathered in a territory that spans Quebec and Ontario [and more]. Today the Huron-Wendat Nation is comprised of about 4000 members, on and off-reserve. The Huron-Wendat band council is headquartered in Wendake, Quebec. • Huron-Wendat is not a member of the Chiefs of Ontario. • While the Huron-Wendat did not signed a treaty [with the Crown], the Huron-Wendat have not abandoned lands here [in Ontario]. There are many Huron-Wendat archaeological sites, both known and to be discovered in Ontario. The Huron-Wendat has a museum in Wendake with curated artifacts that are brought back to the community. In the event of findings of Huron-Wendat human remains, ossuaries, human remains will stay in-place. We would not accept excavation of human remains. • LL noted that the Huron-Wendat works in collaboration with companies, Ministries and other First Nations. • Imperial (CP) asked if the Huron-Wendat has had discussions with other Nations over shared territory related the archaeological sites. • Huron-Wendat (LL and MP) responded that the Huron-Wendat has a positive relationship with other Nations. We have a positive working relationship with the Nations, companies and governments. It is our practice to enter into agreements with companies for field monitoring. • Imperial (CP) thanked the Huron-Wendat for sharing.
Archaeological Assessment	<ul style="list-style-type: none"> • Past Recovery (BK) provided a quick overview of the firm and archaeology experience in Ontario. • BK provided an overview of the archaeological assessment planning. Draft Stage 1 report for the corridor is nearly complete and needs a final review. We are planning to provide to Indigenous communities for review and comment and planning to submit results of the Stage 1 report to MTCS. • BK noted that the western part of the corridor is mainly rural and the eastern part is more industrial/commercial/residential. ~2/3 of the corridor is on the existing Hydro One (HONI) corridor. • BK confirmed that through the Stage 1 review much of the study corridor contains archaeological potential for both pre-Contact and post-Contact archaeological resources.

Topic	Discussion
	<ul style="list-style-type: none"> • BK confirmed that sections exhibiting areas of extensive subsurface disturbance and therefore no longer hold potential were identified in Stage 1. • BK confirmed that some sections have been subject to previous archaeological assessments that have cleared these areas of archaeological concerns. • BK confirmed that 11 registered archaeological sites were identified within, or in close proximity, to the project area including the Huron-Wendat Parsons site (AkGv-8). • MP provided information on other potential Huron-Wendat sites and previous archaeological assessments that may be associated with the study corridor. BK noted challenges with MTCS sites and report database. Past Recovery will up-date the draft Stage 1 report as required to ensure that it is a comprehensive as possible. • BK stated that lands associated with the Niagara Escarpment and 15 major river crossings are considered to have a high potential for Indigenous archaeological sites; • BK stated that the land use history produced in the draft report has been informed by the archaeological record from a settler perspective. We are seeking input from First Nations regarding your community’s land use history and cultural narrative in order to provide a more inclusive context for the project. We are also seeking advice on cultural places of concern to your community that may not have been identified in the draft Stage 1 report so that appropriate procedures and protocols are followed as the project progresses. • BK noted that communities with an interest in the project area are anticipated to include the following: <ul style="list-style-type: none"> • Mississaugas of the New Credit First Nation • Six Nations of the Grand River • Huron-Wendat Nation • Haudenosaunee Development Institute • Communities will have an opportunity to review and comment on the draft Stage 1 assessment report. Field Monitors will be included in the Stage 2 archaeological fieldwork. • BK noted that the proposed Stage 2 methodology and plan is comprehensive. Assessment of all areas of archaeological potential within the corridor will involve test pit shovel testing at 5 m intervals or field ploughing and surveying. • In addition to the Stage 2 archaeology fieldwork for the line, the trenchless HDD design methods require geotechnical assessment. Geotechnical assessment will start in the summer. We have met with the MTCS to confirm the archaeology pre-clearance requirements to support the geotechnical borehole investigation program. • There are approximately, 140 geotechnical borehole locations within existing utility corridor, of which ~97 are located within areas of archaeological potential. Stage 2 testing at borehole locations in areas of archaeological potential will include the excavation of 1 to 4 test pits. Field monitors would be involved in this archaeology work. • Imperial (JM) noted that we are proposing to HDD beneath the Parsons site (AkGv-8) to avoid impacts. Imperial recognizes that Huron-Wendat have interest in the site.

Topic	Discussion
	<ul style="list-style-type: none"> BK explained that Imperial’s proposed approach is for two boreholes in proximity to the Parsons site: boreholes will be preceded by a 1 x 1 m unit at each borehole location on either side of the site to avoid potential impacts. BK noted that this same approach would be used for any other boreholes in the immediate vicinity of other identified sites. BK indicated that assessment of the corridor east of the presently defined limits of the Parsons site would also involve the hand excavation of 1 x 1 m units to verify the site extent. Appropriate protocols for this and other sites will be developed with the Huron-Wendat.
Indigenous Engagement	<ul style="list-style-type: none"> Huron-Wendat (LL) asked how the list of communities is determined. Imperial (CP) responded that Ontario would provide us with a list of communities to consult. We have to meet those obligations of the regulators. Communities are not only those with treaties but also have an interest on their traditional territories. We respectively work with communities. Part of our engagement is to better understand the expectations of communities. For example, if there is a request for ceremonies, we will respectfully allow that to happen in the means that the community wishes. It is important for us to speak directly to the Nations. We want to understand all the concerns and expectations of the Nations. Most Nations have wanted Field Monitors on site during the archaeology field work. CP noted that we want your feedback and participation as Field Monitors. Imperial (CP) asked if the Huron-Wendat have additional expectations for engagement with the community or Council as part of your protocol. If so, we are able to do so to the community’s satisfaction, if requested or required to do so. Huron Wendat (MP) responded that at this time, the current level of engagement and information sharing is sufficient. The next step is to complete the agreement for the participation of Field Monitors. We would welcome a visit to Wendake, Quebec later. Huron-Wendat stated that they would like their monitors to participate in environmental (Wildlife, Vegetation and Wetlands, Fisheries) field surveys as well as archaeological assessments. The Huron-Wendat and Imperial, with support from ERM, are finalizing an agreement for the participation of Huron-Wendat Monitors during archaeology and environmental field work.
Summary of Actions	Who
<ul style="list-style-type: none"> Huron-Wendat and Imperial, with support from ERM, to final agreement for the participation of Huron-Wendat Monitors during archaeology and environmental field work. 	

Potential topics to record for Isometrix reporting:

Topic	Discussion
<input type="checkbox"/> Accidents and Malfunctions <input type="checkbox"/> Air Emissions and Noise <input type="checkbox"/> Alternatives	<input type="checkbox"/> Aquatic Resources and species <input checked="" type="checkbox"/> Archaeology <input type="checkbox"/> Community Contribution Request
<input type="checkbox"/> Cultural Heritage Resources <input type="checkbox"/> Emergency Response <input checked="" type="checkbox"/> Excavation/Damage Prevention/Pipeline Location	<input type="checkbox"/> Groundwater <input checked="" type="checkbox"/> Operational Issue
<input type="checkbox"/> Right-of-Way/Access Agreement <input type="checkbox"/> Safety, Health and Environment <input type="checkbox"/> Socioeconomic (labour, economy, social)	<input type="checkbox"/> Traditional use <input type="checkbox"/> Vegetation <input type="checkbox"/> Wetlands <input type="checkbox"/> Wildlife and Habitat

Imperial's Sarnia Products Pipeline

Waterdown to Finch Project

July 2018



Agenda

Record of Construction - Supporting Documents

- Welcome/ Open Meeting
- Introductions
- Safety Moment
- Overview of Huron-Wendat Work
- Overview of Waterdown to Finch Project
- Overview of Archaeology Planning
 - Archaeology Draft Stage 1 Results
 - Planned Stage 2 Methods
 - Geotechnical Assessment
- Engagement and Framework Discussion
- Meeting Adjourned



Safety Moment

Overview of Huron-Wendat work

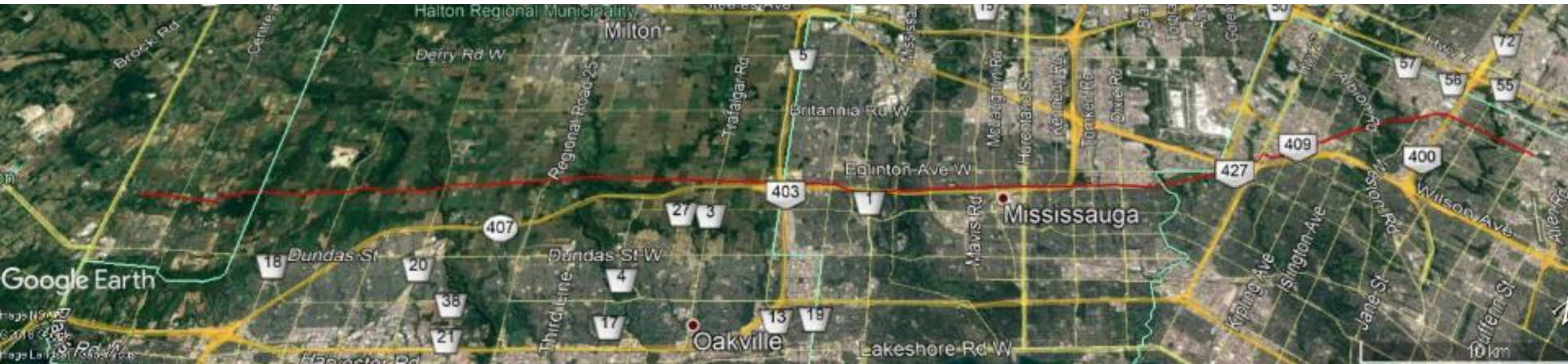
Exhibit H
Record of Consultation - Supporting Documents

Filed: 2019-02-22
EB-2019-0007
Tab 2, Schedule 5
Page 11 of 40

- Agenda topic

Imperial's Sarnia Products Pipeline

- Imperial's Sarnia Products Pipeline (SPPL) runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area
- SPPL is important infrastructure to the Greater Toronto and Hamilton Area (GTHA)
 - SPPL supplies a significant portion of product used at Toronto Pearson International Airport, and gasoline and diesel that keeps people, goods and services moving
- SPPL has operated safely in the region for many years



Continued safety and reliability for the GTHA

Ontario Energy Board
Record of Consultation - Supporting Documents

Filed: 2019-02-22
EB-2019-0007
Tab 2, Schedule 5
Page 13 of 40

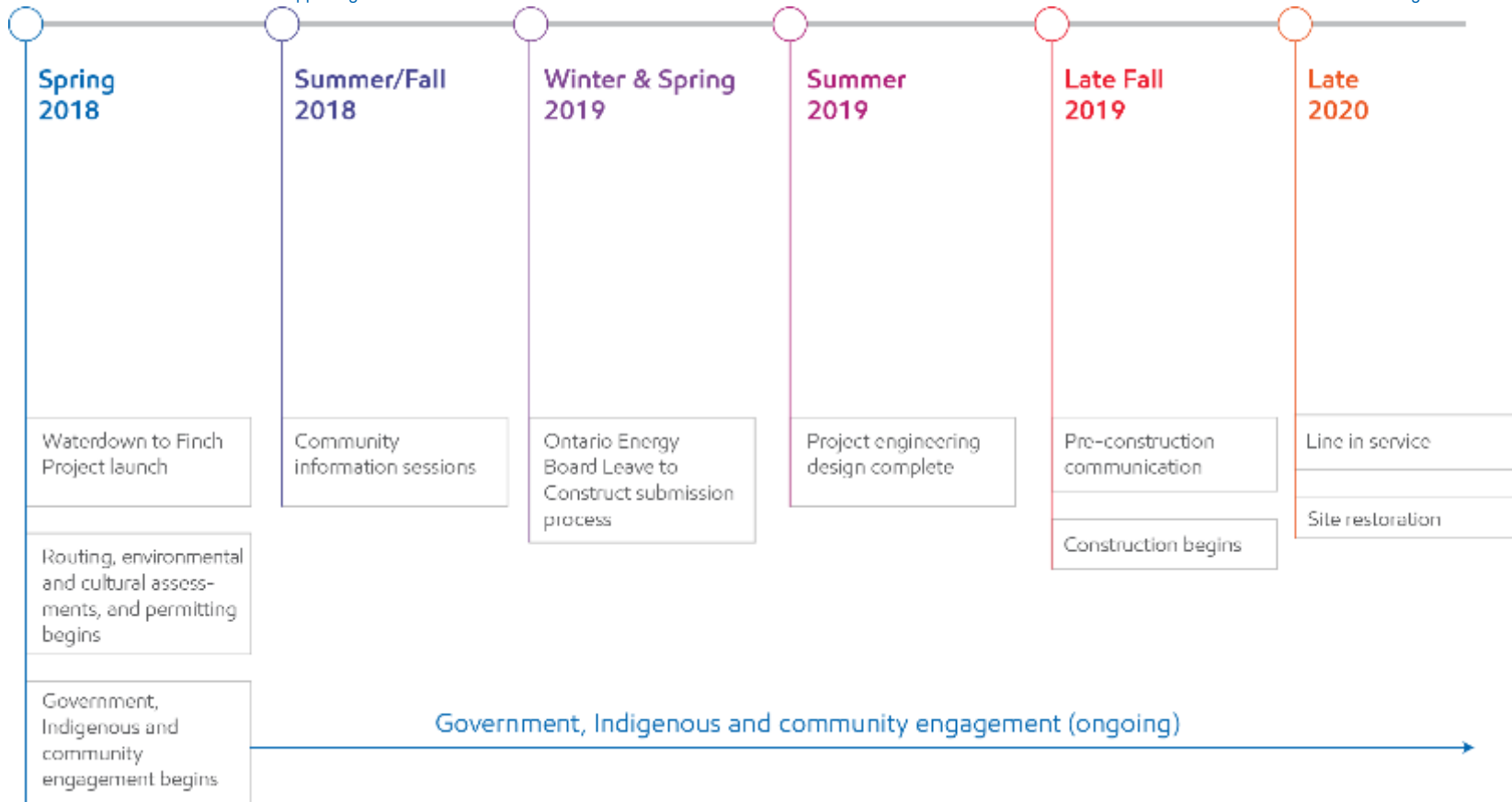
- Imperial is planning to replace approximately 63 km of the line with new pipe
- The pipeline will continue to operate safely until the replacement segments are prepared for operation
- Imperial will apply for a Leave to Construct from the Ontario Energy Board, which includes an assessment of environmental effects and engagement with landowners, communities and Indigenous groups
 - Imperial will respect landowners' property and will seek to minimize disruptions
 - Imperial recognizes the importance of collaboration with Indigenous groups, municipalities and other community stakeholders



Timeline*

EXHIBIT 1
Reference Consultation Supporting Documents

Filed: 2019-02-22
EB-2019-0007
Tab 2, Schedule 5
Page 14 of 40

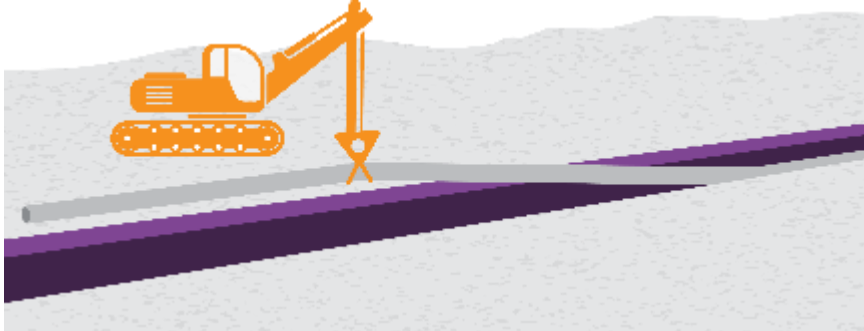


7 * Subject to regulatory and permitting approvals

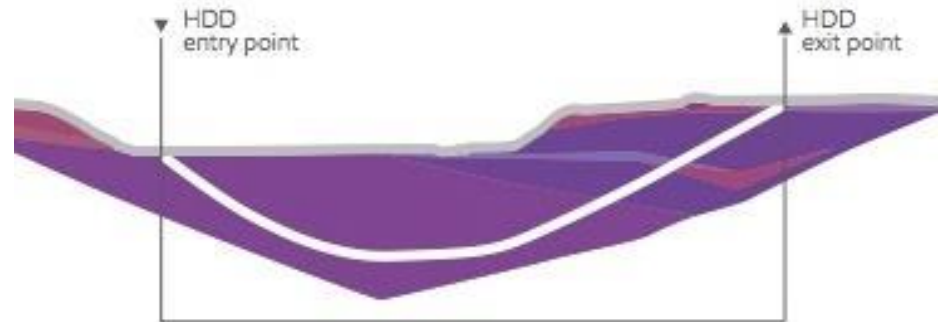
Minimizing construction impacts

- Imperial will work with landowners, permitting authorities and different levels of government so construction impacts are as limited as possible
- Engineers and environmental surveyors work together to develop the pipeline route that minimizes impact to the environment and community
- Deactivated pipe will be removed from service, cleaned, filled with nitrogen and left in place to reduce environmental impacts
- Based on engineering and environmental surveys, Imperial will perform one of two construction techniques:

Open cut construction



Trenchless technology



Discussion

EXHIBIT H
Record of Consultation - Supporting Documents

Filed: 2019-02-22
EB-2019-0007
Tab 2, Schedule 5
Page 16 of 40

Working Together on Archaeology Planning



- Past Recovery, established as a partnership in 2000, has conducted over 300 Stage 1 through Stage 4 archaeological assessments in Ontario since incorporation in 2013
- Brenda Kennett, M.A. and Jeff Earl, M.Soc.Sc., principals, have over 50 years of combined experience
- Located in Perth, Ontario, Past Recovery conducts archaeological assessments across eastern Ontario, as well as undertaking projects further afield in central, northern and southwestern Ontario





EXHIBIT 1
Record of Consultation - Supporting Documents

Past Recovery

Archaeological Services Inc.

Filed: 2019-02-22
EB-2019-0007
Tab 2, Schedule 5
Page 19 of 40

About Us

Relationships with:

- Algonquins of Ontario
- Williams Treaties First Nations
- Mohawk Council of Akwesasne
- Mohawks of the Bay of Quinte

- Jessalyn Miller, B.A., Staff Archaeologist, has also previously worked with Indigenous Field Liaison Representatives from MNCFN, Six Nations, HDI and Huron-Wendat Nation since 2013



Preliminary Archaeological Stage 1 Results

Filed: 2019-02-22
EB-2019-0007
Trail 2 Schedule 5
Page 23 of 30

Archaeological Potential

- Much of the study corridor contains archaeological potential for both pre-Contact and post-Contact archaeological resources
- Sections of the corridor exhibit areas of extensive subsurface disturbance and therefore no longer hold potential
- Some sections have been subject to previous archaeological assessments that have cleared these areas of archaeological concerns



Preliminary Archaeological Stage 1 Results

Filed: 2019-02-22
EB-2019-0007
Tab 2 Schedule 5
Page 24 of 30

Archaeological Concerns

- 11 registered archaeological sites were identified within, or in very close proximity, to the project area including the Parsons site (AkGv-8) and 5 other pre-Contact Indigenous sites (a further 2 with cultural tradition unknown but likely Indigenous)
- Lands associated with the Niagara Escarpment and 15 major river crossings are considered to have a high potential for Indigenous archaeological sites
- The Credit River Valley, is a designated cultural landscape
- Historical mapping between 1858 and 1878 indicates historical settlements and associated features, including a small number of pioneer cemeteries, on lots associated with the corridor



Preliminary Archaeological Stage 1 Results

Filed: 2019-02-22
EB-2019-0007
Part 2, Schedule 5
Page 23 of 30

Historical Context and Cultural Overview

- The land use history produced in the draft report has been informed by the archaeological record from a settler perspective
- We are seeking input from First Nations regarding your community's land use history and cultural narrative in order to provide a more inclusive context for the project
- We are also seeking advice on cultural places of concern to your community that may not have been identified in the draft Stage 1 report so that appropriate procedures and protocols are followed as the project progresses



Indigenous Engagement

- Communities with an interest in the project area are anticipated to include the following:
 - Mississaugas of the New Credit First Nation
 - Six Nations of the Grand River
 - Huron-Wendat Nation
 - Haudenosaunee Development Institute
- Communities will have an opportunity to review and comment on the draft Stage 1 assessment report
- Field Liaison Representative Monitors will be included in the Stage 2 archaeological fieldwork



Proposed Archaeological Stage 2 Methods

Project Impact Mitigations

- Assessment of all areas of archaeological potential through shovel testing at 5 m intervals or pedestrian survey of ploughed fields at 5 m intervals
- Trenchless HDD boring at major river crossings
- Trenchless HDD boring beneath the Parsons site (AkGv-8) to reduce impacts

Factors Limiting Archaeological Potential

- Visible disturbance into subsoils (described in Stage 1)
- Soil disturbances associated with the placement of previous utilities
- Areas of previous archaeological assessments and cleared of further archaeological concerns
- Permanently wet areas



Geotechnical Assessment

- ~140 geotechnical bore hole locations within existing utility corridor
 - ~97 are located within areas of archaeological potential
- Existing infrastructure will be used as much as possible for access (e.g., roads, driveways, paths, etc.)
- No soil stripping
- Equipment:
 - Low ground pressure wide track or tired rigs (hollow stem auger)
 - Tired support vehicle
- Drilling scheduled July to September 2018
- Borehole locations to be cleared of archaeological concern prior to drilling via targeted Stage 2 archaeological assessment



Discussion

EXHIBIT H
Record of Consultation - Supporting Documents

Filed: 2019-02-22
EB-2019-0007
Tab 2, Schedule 5
Page 26 of 40

For more information

W: imperialoil.ca/waterdowntofinch

T: 416.586.1915

E: questions@imperialon.ca

Ministry of Energy, Northern
Development and Mines

Ministère de l'Énergie, du
Développement du Nord et des
Mines

77 Grenville Street
6th Floor
Toronto ON M7A 2C1

77, rue Grenville
6^e étage
Toronto ON M7A 2C1

Tel: (416) 325-6544

Tél: (416) 325-6544



Indigenous Energy Policy

VIA EMAIL

September 25, 2018

Grand Chief Konrad Sioui
255 place Chef Michel Laveau
Wendake, QC
G0A 4V0

Re: Imperial Waterdown Pipeline Project

Dear Grand Chief Sioui:

This letter is to notify you that the Ministry of Energy, Northern Development and Mines on behalf of Ontario has delegated the procedural aspects of consultation to Imperial Oil Limited for its' proposed Imperial Waterdown Pipeline Project in relation to the Ontario Energy Board's Leave to Construct approval process.

Imperial Oil is planning to redevelop a pipeline in order to provide fuel across the Greater Toronto and Hamilton Area, including jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel. The project consists of approximately 63 kilometers of the existing line with new pipe. The proposed pipeline will commence at Waterdown Station [43.33500° N, 79.93248° W], and will end at the company's terminal storage facility at North York's Finch Terminal [43.76652° N, 79.48878° W]. If approved, construction is anticipated to begin in 2019

I encourage representatives of your community to participate in efforts made by Imperial Oil Limited to consult your community on its proposed project so that you can receive project information and understand if there are any potential impacts on Aboriginal or treaty rights. The consultation process is an opportunity to provide your community's feedback to Imperial Oil Limited and the Crown, including any suggestions or proposals your community might have for mitigating, avoiding or accommodating any potential impacts to Aboriginal or treaty rights. Ministry officials are also available should you wish to contact the Crown directly. Please note that none of the foregoing should be taken to imply approval of this project.

Should you or any members of your community have questions regarding the material above, please contact Raina Crasto at 416-326-4571 or raina.crasto@ontario.ca and Shannon McCabe at 416-212-6704 or shannon.mccabe@ontario.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Owen", with a long horizontal flourish extending to the right.

Morgan Owen
A/Manager
Indigenous Energy Policy

C: Ontario Energy Board
Ontario Pipeline Coordinating Committee (OPCC)
Jessie Malone, Environmental and Regulatory Advisor, Safety Security Health and
Environment, Imperial Oil Limited

Waterdown to Finch Project - Stage 1 Archaeological Assessment

To: louis.lesage@cnhw.qc.ca, melanievincent21@yahoo.ca, Maxime Picard

Thursday, Sep 27th, 2018
12:53 PM

Please find attached a copy of the Stage 1 Archaeological Assessment conducted by Past Recovery Archaeological Consultants for the Proposed Waterdown to Finch Project on behalf of Imperial Oil Limited. The present assessment has identified a number of registered archaeological sites within or in close proximity to the study corridor.

Imperial is seeking Indigenous review of the draft report to ensure that any traditional knowledge/information regarding traditional use sites, sacred sites, or other sites is reflected in the background documentation and the determination of archaeological potential. Let us know if you have any comments or questions, or any additional information that you feel may help inform the Stage 2 Assessment. A Stage 2 Archaeological Assessment is currently being undertaken to identify any as-yet unknown archaeological sites that may be impacted by the project.

Please provide a response by November 1, 2018 in order to inform the current field program.

Respectfully,

Kelly Williams
Community Relations Officer
602 Christina Street
Sarnia, ON Canada N7T 7M5
519-328-8681 Cell
519 339 2265 Tel
kelly.williams@esso.ca

Attachments

Download All

E.1 WFP Stage 1 Archaeological Assessment_06Sept2018.pdf



Wendake, November 15, 2018

Ms. Kelly Williams
Community Relations Officer
Imperial Oil
602 Christina Street
Sarnia, ON N7T 7M5

By email: kelly.williams@esso.ca

Re: Waterdown to Finch Project – Stage 1 Archaeological Assessment

Dear Ms. Williams,

Further to your email addressed to the Huron-Wendat Nation dated September 27, 2018, on the Stage 1 Archaeological Assessment for the Proposed Waterdown to Finch Project, produced by Past Recovery Archaeological Services Inc., the Huron-Wendat Nation (HWN) would like to thank you for giving us this opportunity to provide comments and feedback.

We would like to point out that a highly important Huron-Wendat recorded archaeological site is located within the study area, i.e. the Parsons Site. Although the report indicates that a "*Specific consultation with the Huron-Wendat First Nation must also occur regarding impacts and mitigation options for the Parsons site (AkGv-8)*", it is important that the projected route of the Sarnia Products Pipeline be adapted to avoid impacts to the Parsons Site's integrity. Best practices in such cases are clear and based on its specific resolution, the Huron-Wendat Nation authorities repeatedly indicated that mitigation measures need to be in place in case of potential disturbance of our heritage.

With that in mind, the assessment concerns the proposed replacement of the Sarnia Products Pipeline (which was in operation by 1952), from Waterdown Station to Finch Terminal (approximately 61.5 km, following roughly the same route as the current line). It consisted in historical, environmental and archaeological research, as well as a site inspection to confirm areas of obvious recent disturbance.

The report offers brief but generally complete summaries of the pre and post-contact history of the region, the latter of which was especially thorough. The summary grows more detailed as it reaches more recent times.

On the historical section, it might be preferable to omit the reference to a "Glen Meyer complex" in the Early Iroquoian period. This is because the distinction between Glen Meyer (in the west) and Pickering (in the east) proposed by Wright in 1966 has long been criticized as arbitrary and erasing the variability present in the archaeological record, the

local site sequences actually being more or less continuous (see for example Williamson's 1990 "The early Iroquoian period of southern Ontario", in C. H. Ellis & N. Ferris (Eds.), *The archaeology of Southern Ontario to A.D. 1650*, or, for a more recent publication, Birch's 2015 "Current Research on the Historical Development of Northern Iroquoian Societies", *Journal of Archaeological Research* vol. 23).

Also, with regards to the Huron and Petun, it is understandable for such a short summary not to state the relatively small differences between these two groups, but it seems dismissive to simply state that "they can effectively be discussed as one nation", since that is not true all the time, but only in the context of this short summary.

From an archaeological point of view, some areas of the study corridor had already been identified as having archaeological potential in the archaeological master plans developed by the cities of Toronto and Hamilton. Additionally, 23 previous archaeological assessments included lands in or adjacent to the study corridor. The report notes that there could be other assessments, which might not have been found because of the limits of the MTCS Archaeological Report Database. The limits of the Ontario Archaeological Site Database were also stated. The consultation of previous assessments permitted the identification of some areas of the current study corridor as cleared of archaeological concern. A number of previously recorded archaeological sites were also identified. There are 121 registered sites within a one-kilometer radius of the study area, and 11 of them are directly in the study corridor or within 50 meters of it. A lot of these sites were determined to be disturbed, were comprised of a single artifact, or very recent ones. However, one of the 11 sites is the Parsons site (AkGv-8), and as previously stated, the importance of this Late Woodland Wendat site remains almost completely preserved and unexcavated. It is assumed that this site, situated within the study area, retains further Huron-Wendat cultural and heritage material.

A separate Cultural Heritage Assessment for the project is in the process of being completed by Unterman McPhail Associates, but the current archaeological assessment also included a research of the Local Cultural Heritage Resources, which found 22 listed or designated properties within 300 meters of the study area, as well as five Heritage Plaques. The report includes a list of the known cemeteries near the study corridor. As environmental factors influence the archaeological potential of a region, the report also depicted the environmental context of the study corridor.

The current archaeological assessment included a property inspection, consisting of regular spot checks throughout the study corridor. Deep and extensive disturbances were confirmed for some areas, which are indicated on the maps at the end of the report, but most of the study corridor appeared to be free of visual disturbances.

The conclusions of the report were that parts of the study area have shown characteristics indicating potential for the presence of archaeological resources associated with pre-Contact Indigenous settlement and/or land uses (within 300 meters of primary and secondary water sources; within 300 meters of known Indigenous archaeological sites; along the Niagara escarpment, which is a distinctive land formation and an area of elevated topography).

Additionally, parts of the study area have characteristics indicating potential for the presence of archaeological resources associated with post-Contact Indigenous and Euro-Canadian settlement and/or land uses (the characteristics noted above; within 300 meters of known Euro-Canadian archaeological sites; crossing multiple historic transportation routes; within 300 meters of multiple early Euro-Canadian settlements shown in 19th Century maps; presence of designated heritage properties and landscapes).

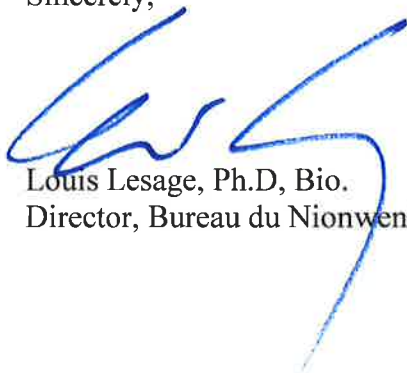
For small portions of the study corridor (indicated on the maps), the archaeological potential is considered to have been removed by various construction and earth moving activities in the past. These zones were identified during the property inspection or were evident in background documentation. They, as well as the zones identified in previous archaeological assessments as being of no further archaeological concern, do not require further archaeological assessments. Other areas of disturbance may exist, notably in the urban portions of the study corridor, but they will have to be confirmed by a Stage 2 assessment.

As for most of the study area, which exhibits potential for archaeological resources, the completion of a Stage 2 archaeological assessment is required prior to any planned development. The methods for the Stage 2 assessment will vary depending on the type of land (agricultural, residential, etc.).

The report regularly refers to the MTCS's 2011 Standards and Guidelines for Consultant Archaeologists. The sources that were consulted are always clearly stated, as are their limitations. The conclusions are logical. In summary, this report is satisfactory for the purposes of the Stage 1 assessment of this study area. The Huron-Wendat Nation is requesting to be consulted at every stage, especially regarding the Parsons site, and of course to provide liaisons for all field work. Mitigation measures must apply for any potential disturbance and adverse impacts to our heritage.

Please do not hesitate to contact our team should you have questions and to follow up with the next steps.

Sincerely,



Louis Lesage, Ph.D, Bio.
Director, Bureau du Nionwentsïo



Imperial
Waterdown to Finch Pipeline Project
December 10, 2018
Meeting with Huron Wendat Nation Summary Notes

**Please note that these meeting notes provide a summary of the discussion; however, these are not detailed minutes of the meeting. While we have endeavored to document the main points, some discussion items may not be included.*

Participants

Huron-Wendat Nation

- Dr. Louis Lesage, Director of the Nionwentsio Office (LL)
- Maxime Picard, Project Coordinator, Ontario File Coordinator (MP)
- Mélanie Vincent, Project Coordinator, Ontario File Coordinator (MV)
- Simon, Legal Counsel

Imperial

- Kelly Williams, Community Relations Advisor (KW)
- Jessie Malone, Environment and Regulatory Advisor (JM)

ERM

- Jim Chan, Senior Consultant (JC)
- Matt Scoular, Project Manager (MS)

Past Recovery

- Brenda Kennett, Archaeologist (BK)

Meeting Objectives

- Provide overview presentation of Imperial’s Waterdown to Finch Project (the Project)
- Seek feedback on Field Monitor Program
- Share information on What We’ve Heard
- Share information on Leave to Construct process
- Discussion on Huron-Wendat needs and consultation expectations

Topic	Discussion
Location	<ul style="list-style-type: none"> • Meeting held at ERM’s office, Toronto, Canada
Agenda	<ul style="list-style-type: none"> • Welcome • Introductions • Safety Moment • Overview of Waterdown to Finch Project (recap, if needed) • Archaeological Assessment and Planning <ul style="list-style-type: none"> ○ Seeking Feedback on Field Monitor Program • Environmental Planning <ul style="list-style-type: none"> ○ What We’ve Heard • Construction Methods <ul style="list-style-type: none"> ○ Minimizing Construction Impacts ○ HDD and HD Bore ○ Video of horizontal directional drilling and pipeline deactivation • Leave to Construct process • Discussion <ul style="list-style-type: none"> ○ Consultation Preferences • Meeting Adjourned

Topic	Discussion
Materials	<ul style="list-style-type: none"> Imperial’s Sarnia Products Pipeline Waterdown to Finch Powerpoint presentation December 2018
Introduction	<ul style="list-style-type: none"> Imperial (KW) thanked everyone for taking their valuable time to met with us again in Toronto. A round of introductions.
Project Overview	<ul style="list-style-type: none"> Imperial (JM) provided a Project overview. Imperial’s Sarnia Products Pipeline (SPPL) runs from Imperial’s Waterdown pump station in rural Hamilton to the company’s terminal storage facility in Toronto’s North York area. SPPL is important infrastructure to the Greater Toronto and Hamilton Area (GTHA) SPPL supplies a significant portion of refined product used at Toronto Pearson International Airport, including gasoline and diesel that keeps people, goods and services moving in the region. SPPL has operated in the region for many years. It has been in operation since the 1950s. The line is ~65 years old and as a proactive measure, Imperial proposes to replace approximately a 63-kilometre segment of this line with new pipe. The Waterdown to Finch Project (the Project) is the replacement segment from the company’s Waterdown pump station in rural Hamilton to the Finch terminal storage facility in Toronto’s North York area. Imperial has initiated discussions with the Ontario Energy Board (OEB). The major regulatory process will be the filing of the leave to construct application with the OEB. Imperial has engaged with the public, municipalities, regulators, landowners and Indigenous communities. Since our last meeting, we have continued to advance Project engineering design. Environmental field surveys were completed in spring, summer and fall to capture the field work during the seasonal windows. Archaeological assessment program and the geotechnical program field work are ongoing. Overview of timelines (as described in the PowerPoint presentation), Spring 2018 project launch; Summer/Fall 2018 Community Information Sessions; Winter/Spring 2019 submission to OEB; Summer 2019 engineering design complete; Late Fall 2019 pre-construction communication. 2020 is the potential start date. There are two proposed types of construction methods: open cut construction and trenchless: Horizontal Direction Drilling (HDD and Horizontal Directional Bore (HD Bore)). Construction method has been informed by geotechnical information and environmental considerations. Imperial will look to avoid major watercourses, major road crossings, provincially significant wetlands and important archaeological features by using HDD/HD Bore. JM explained that the current pipeline will remain in operation until the new line is constructed, tested and put into service. The old pipeline will be deactivated and removed from service. It will be cleaned, filled with nitrogen (inert gas to detect pressure monitoring), maintained with cathodic protection, and monitored and left in place.
	<ul style="list-style-type: none">

Topic	Discussion
Archaeological Assessment	<ul style="list-style-type: none"> • Past Recovery (BK) noted that the draft Stage 1 Archaeological Assessment report was provided to Huron-Wendat Nation. Comments from Huron-Wendat received on November 19, 2018 will be incorporated into the draft Stage 1 Archaeological Assessment report. This will include revising the discussion of Glen Meyer/Picking and of Huron/Petun in the pre-Contact background section. BK asked if there are further comments? • MP indicated that at this time no further comments to add. Thank you for the opportunity to review and comment. • Huron-Wendat Nation has a strong interest in the Parsons site. Early engagement to work together will be very important. • Imperial showed a profile view map of the preliminary trenchless HDD construction method to avoid the Parsons site area. • Huron-Wendat Nation requested details on how to avoid disturbance to this area. • Imperial will provide a technical memo providing an explanation of the planned archaeological assessment and details of site-specific HDD avoidance and mitigation measures at this area for Huron-Wendat's review and comment. Imperial committed to providing this technical memo and will continue to work closely with Huron-Wendat. • LL suggested organizing a site visit of this area during the Stage 2 assessment next Spring.
Feedback on Field Monitoring Program	<ul style="list-style-type: none"> • KW I have met Jean-Luc (Field Monitor) on site, he is enthusiastic and the Project team crew has enjoyed working with him. Work has been collaborative and working well. • KW asked, from Huron-Wendat's perspective, how is the Field Monitoring Program going? • Huron-Wendat (MP) replied generally going well. It has been a positive experience. • Huron-Wendat (LL) asked what is the percentage of Stage 2 field work completed? • BK replied that approximately 25% completed. Work has been weather dependent. Crops have come off the field later than expected that has limited the ability to conduct pedestrian surveys in those areas. The field work will continue in the spring 2019. • KW - thank you for the feedback. • BK indicated that our Project team crews have been working well together and appreciated the participation in the Field Monitor program.
Environmental Planning	<ul style="list-style-type: none"> • ERM (MS) shared that we conducted environmental field surveys such as vegetation and wetlands, terrestrial, bird, bats, amphibians, and fish habitat. Field data is used to assist with Project planning, inform the scope of work for construction, help to avoid and mitigate impacts to the environment, and support permit applications. • Fish habitat assessments informed whether or not in-water work during construction will need to avoid the timing of sensitive fish life stages. • Vegetation and wetland surveys informed the presence of rare plants and wetlands which may need to be either avoided or environmental effects mitigated and/or compensated. We mapped the Provincially Significant Wetlands (PSW) and the Project design plans to avoid all of them.

Topic	Discussion
	<ul style="list-style-type: none"> • Groundwater and surface water studies identified water uses such as water wells and informed water management planning. • Alternatives: Regulatory, stakeholder and landowner engagement has influenced the alignment and construction methods. The Project is proposed within Imperial’s existing right-of-way for the first 1/3 and then it enters the HONI utility corridor. This is the best alternative route to minimize impacts. The Project planning also includes alternative methods, in particular alternative construction installation methods (i.e. trench versus trenchless).
<p>What We’ve Heard</p>	<ul style="list-style-type: none"> • ERM (MS) presented information on what we’ve heard and how Imperial has responded and/or how the comment has helped influence the Project design. • Protecting natural heritage <ul style="list-style-type: none"> • Conducted vegetation and wetlands, Species at Risk, and fish habitat field surveys. Scheduled construction outside of sensitive Species at Risk timing windows, where feasible. • Identifying route alternatives <ul style="list-style-type: none"> • Avoid electricity transmission infrastructure by re-routing new pipeline within the existing Hydro One utility right-of-way and using alternate construction methods such as boring and directional drilling techniques to avoid sensitive surface areas. • Supporting emergency response preparedness <ul style="list-style-type: none"> • Worked collaboratively with stakeholders to review emergency plan. Imperial collaborated with local emergency services and others in recent Emergency Response Exercise. • Minimizing impacts to local transportation networks <ul style="list-style-type: none"> • Use of trenchless construction methods to avoid major roadways. Will implement traffic management plans and mitigation measures to minimize traffic impacts • Preserving known archaeological and cultural heritage resources <ul style="list-style-type: none"> • Avoid known archaeological sites • Engage Indigenous Field Monitors and consultation office on archaeological assessment planning and review. Worked collaboratively with Indigenous Field Monitors on archaeological assessments and environmental field surveys. • Completed an impact assessment on agricultural lands. • Providing detailed maps and online resources. An “online information session” with ongoing Project updates and detailed maps at imperialoil.ca/waterdowntofinch.
<p>Leave to Construct process</p>	<ul style="list-style-type: none"> • ERM (JC) provided an overview of the Leave to Construct (LTC) process, explained the LTC process and indicated the OEB regulatory consultation points. • Imperial is preparing the Environmental Report and planning to submit the LTC application in Q1 2019 to the Ontario Energy Board. We are in the pre-application phase and Imperial’s consultative approach is to consult early. Feedback can be received at any time, regardless of the OEB’s regulatory consultation points.

Topic	Discussion
	<ul style="list-style-type: none"> Once application filed, the OEB will issue a notice to the public. Individuals/organizations/communities can provide letters of comment or participate as an intervener. OEB will organize a written/oral hearing to seek comments prior to the OEB Board's decision. JC reiterated that our consultative approach is that feedback and comments/concerns can be raised at anytime for response and not dependent on OEB's regulatory points.
Discussion Consultation	<ul style="list-style-type: none"> JM noted that a series of Community Information Sessions were recently held in municipalities. Imperial noted that we would be willing to offer a Community Information Session or an open house presentation in the community based on your preference and need. JM noted that we can provide the shapefile and kmz files for the Project centerline showing the location of the planned trenchless construction methods. MP suggested additional follow-up on other Imperial projects such as the Credit River Valley crossing and the integrity digs maintenance program. KW agreed. Huron-Wendat (MV) is interested in discussing a framework protocol that sets out the relationship and expectations for projects in the area. KW replied that Imperial would be open to discussing this further.
Closing	<ul style="list-style-type: none"> Imperial (KW), Thank you very much for taking the time to meet with us.
	<ul style="list-style-type: none">
Summary of Actions	Who
<ul style="list-style-type: none"> Continued participation of Huron-Wendat Nation in the Field Monitoring program. 	KW
<ul style="list-style-type: none"> Provide Huron-Wendat with mapping shapefiles, Google Earth files 	KW
<ul style="list-style-type: none"> Develop a technical memo describing archaeological assessment and site specific avoidance/mitigation measures for the Parsons site 	KW/B K
<ul style="list-style-type: none"> Follow-up discussion on the Credit Valley review project and the integrity dig maintenance program 	KW
<ul style="list-style-type: none"> Follow-up discussion on establishing framework protocol with Huron-Wendat Nation 	KW

Potential topics to record for Isometrix reporting:

EXHIBIT H
 Record of Consultation - Supporting Documents
Imperial
Waterdown to Finch Pipeline Project

December 10, 2018
Meeting Summary Notes

Topic		Discussion	
<input type="checkbox"/>	Accidents and Malfunctions	<input checked="" type="checkbox"/>	Aquatic Resources and species
<input type="checkbox"/>	Air Emissions and Noise	<input checked="" type="checkbox"/>	Archaeology
<input checked="" type="checkbox"/>	Alternatives	<input type="checkbox"/>	Community Contribution Request
<input checked="" type="checkbox"/>	Cultural Heritage Resources	<input checked="" type="checkbox"/>	Groundwater
<input checked="" type="checkbox"/>	Emergency Response	<input checked="" type="checkbox"/>	Operational Issue
<input type="checkbox"/>	Excavation/Damage Prevention/Pipeline Location		
<input type="checkbox"/>	Right-of-Way/Access Agreement	<input type="checkbox"/>	Traditional use
<input checked="" type="checkbox"/>	Safety, Health and Environment	<input checked="" type="checkbox"/>	Vegetation
<input type="checkbox"/>	Socioeconomic (labour, economy, social)	<input checked="" type="checkbox"/>	Wetlands
		<input checked="" type="checkbox"/>	Wildlife and Habitat



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Linda Norheim
Manager, Lands, Resources and Consultations
Métis Consultation Unit
Métis Nation of Ontario Head Office
Suite 1100, 66 Slater Street
Ottawa, Ontario
K1P 5H1

Dear Ms. Norheim,

Imperial's Sarnia Products Pipeline (SPPL) is important infrastructure that provides fuels used by households and businesses across the Greater Toronto and Hamilton Area. This includes a significant portion of jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel that keeps people, goods and services moving throughout the region.

Operating safely in the region for many years, Imperial is planning to replace approximately 63-kilometres of the line with new pipe. This section runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area.

The Waterdown to Finch Project is proactively replacing a segment of pipeline to deliver continued safety and reliability. The existing pipeline will continue to operate until the project is complete.

Environmental and cultural assessments will start in the spring of 2018. Subject to provincial regulatory review and receipt of all permits, Imperial anticipates construction to begin in 2019.

Most replacement work will take place in close vicinity to the existing pipeline. Imperial representatives will also be communicating with landowners where proposed activities may be taking place in the coming weeks. Over the duration of the project, we will work collaboratively and communicate proactively to minimize construction impacts.

Please accept this letter as a formal notification of Imperial's Waterdown to Finch Project. Imperial would like to schedule a meeting to discuss the Waterdown to Finch Project, share information and answer questions. If you would like to learn more about the Waterdown to Finch Project, please contact us at questions@imperialon.ca or leave a message at 416-586-1915.

In addition to the project brochure and meeting offer, you can also visit our project website at imperialoil.ca/waterdowntofinch for an overview of the proposed replacement work, including project facts, work schedule, construction practices and community engagement efforts.

We look forward to connecting.

Sincerely,

Christopher Plain
Indigenous Relations Lead – Ontario Region
Imperial Oil Limited

Jim Chan

From: Linda Norheim <LindaN@metisnation.org>
Sent: Thursday, July 19, 2018 1:33 PM
To: Jim Chan
Subject: RE: Waterdown to Finch Project

Hello Jim,

Thanks for your email and the information about the Waterdown to Finch project. I will send this along to the consultation committee(s) with a potential interest in this project. If they indicate an interest in receiving more information or in meeting with you, I will contact you to arrange a meeting.

Nice to meet you via email.

All the best
Linda

Linda Norheim
Manager
Lands, Resources and Consultations
Métis Nation of Ontario
311-75 Sherbourne St.
Toronto, ON M5A 2P9
Ph: 416-977-9881 ext.102
TF: 1-888-466-6684
E: LindaN@metisnation.org

This email is intended only for the named recipient(s) and may contain information that is CONFIDENTIAL. No waiver of privilege, confidence or otherwise is intended by virtue of this email. Any unauthorized copying is strictly prohibited. If you have received this email in error, or are not the named recipient, please immediately notify the sender and destroy all copies of this email. Thank you.

From: Jim Chan [mailto:Jim.Chan@erm.com]
Sent: July-11-18 4:02 PM
To: Linda Norheim; Plain, Christopher /C
Subject: Waterdown to Finch Project

Hello Linda,

I'm understanding that you are currently on vacation and not returning until July 17th, 2018. Perhaps at that time, we could kindly connect in-person at the MNO office, at your convenience.

A quick introduction, on a personal note, I've been to the office before and I know James Wager and Mark Knell (was previously with MNO Lands and Consultation).

We would like to provide you with information on the Imperial's pipeline replacement from Waterdown to Finch Project, which is located in southern Ontario.

Imperial's existing Sarnia Products Pipeline is an important piece of infrastructure that provides fuels used by households and businesses across the Greater Toronto and Hamilton Area (GTHA). This includes a significant portion of jet fuel for Toronto Pearson International Airport, as well as gasoline and diesel fuel that keeps people, goods and services moving throughout our region.

Imperial is planning to replace approximately 63 kilometre section of the line with new pipe. This section runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area.

Perhaps, when we are back, we could reconnect. Attached you will find information on this project.

Regards,

Jim Chan
Senior Consultant
ERM

Richmond-Adelaide Centre
120 Adelaide Street West
20th floor | Suite 2010
Toronto | ON | Canada | M5H 1T1
T +1 416 646 3608 (office) | **M** +1 647 919 9474 (mobile)
E jim.chan@erm.com | **W** www.erm.com



This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at +1 604 689 9460 and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

Jim Chan

From: Jim Chan
Sent: Wednesday, July 11, 2018 4:02 PM
To: lindan@metisnation.org; Plain, Christopher /C
Subject: Waterdown to Finch Project
Attachments: A.1 Canada - SPPL - Waterdown to Finch Brochure.pdf

Hello Linda,

I'm understanding that you are currently on vacation and not returning until July 17th, 2018. Perhaps at that time, we could kindly connect in-person at the MNO office, at your convenience.

A quick introduction, on a personal note, I've been to the office before and I know James Wager and Mark Knell (was previously with MNO Lands and Consultation).

We would like to provide you with information on the Imperial's pipeline replacement from Waterdown to Finch Project, which is located in southern Ontario.

Imperial's existing Sarnia Products Pipeline is an important piece of infrastructure that provides fuels used by households and businesses across the Greater Toronto and Hamilton Area (GTHA). This includes a significant portion of jet fuel for Toronto Pearson International Airport, as well as gasoline and diesel fuel that keeps people, goods and services moving throughout our region.

Imperial is planning to replace approximately 63 kilometre section of the line with new pipe. This section runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area.

Perhaps, when we are back, we could reconnect. Attached you will find information on this project.

Regards,

Jim Chan
Senior Consultant
ERM

Richmond-Adelaide Centre
120 Adelaide Street West
20th floor | Suite 2010
Toronto | ON | Canada | M5H 1T1
T +1 416 646 3608 (office) | **M** +1 647 919 9474 (mobile)
E jim.chan@erm.com | **W** www.erm.com





Imperial's Sarnia Products Pipeline

Waterdown to Finch Project



Continued safety and reliability: pipeline replacement from Waterdown to Finch

Imperial's Sarnia Products Pipeline is important infrastructure that provides fuels used by households and businesses across the Greater Toronto and Hamilton Area (GTHA). This includes a significant portion of jet fuel for Toronto Pearson International Airport, as well as gasoline and diesel fuel that keeps people, goods and services moving throughout our region.

Operating safely in the region for many years, Imperial is planning to replace approximately 63 kilometre section of the line with new pipe. This section runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area.

Project highlights

Working within the existing pipeline corridor:

Most replacement work will take place in close vicinity to the pipeline.

Completing the Waterdown to Finch Project:

Environmental and cultural assessments will start in the spring of 2018. Subject to provincial regulatory reviews and receiving all permits, Imperial expects to start construction in 2019. The existing pipeline will continue to operate reliably until the Waterdown to Finch Project is complete.

Following a thorough regulatory process: Imperial will seek approval for a Leave to Construct from the Ontario Energy Board. This includes a thorough assessment of the project's environmental effects and engagement with landowners, communities and Indigenous groups.

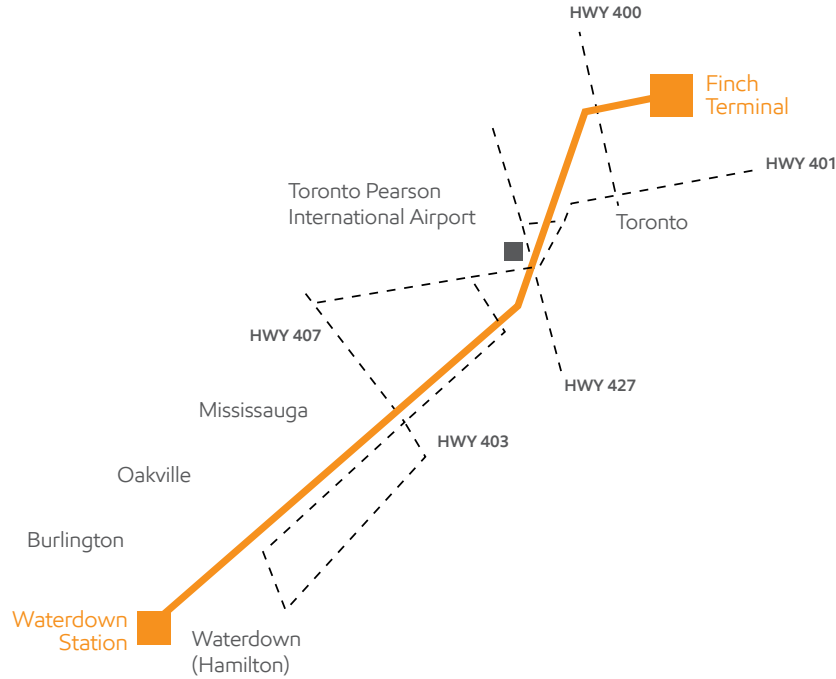
Informing community members: Imperial is committed to meaningful community, government and Indigenous engagement throughout the duration of the project.

Protecting our local environment: Imperial works to ensure the highest standards of environmental safety are observed every day. During the replacement process, Imperial will continue to work with government and regulators to protect our local environment.

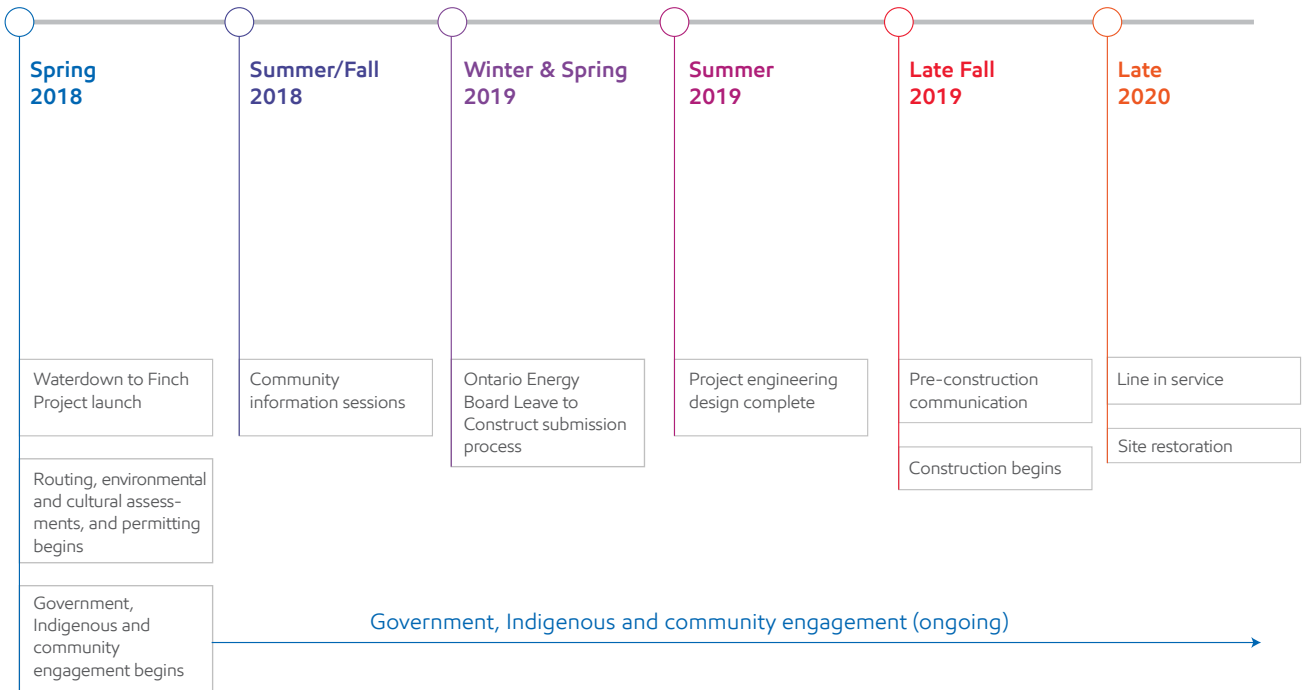
Keeping local traffic moving: Imperial will work closely with municipalities and residents so the impacts on traffic are as limited as possible.

Creating jobs here in Ontario: Imperial employs approximately 1,200 employees and up to 3,500 contractors per day in Ontario. Imperial is looking to work with local contractors and business services, including from Indigenous groups, throughout the life of the project.

Waterdown to Finch Project location



Work timeline*



* Timeline is subject to regulatory and permitting approvals

Land, regulatory and permitting approvals

Imperial will respect all landowners' property and will seek to minimize disruptions. Imperial also recognizes the importance of collaboration with local Indigenous groups when conducting activities on their traditional territories.

Before work begins, Imperial will engage with landowners regarding access to our easements on their property. Concurrently, we will engage with Indigenous groups to understand interests and opportunities to further collaborate in the region.

In addition to landowner access and Indigenous collaborations, Imperial will require regulatory approval, permits or project approvals from the following entities listed in alphabetical order:

Federal

- Environment and Climate Change Canada
- Fisheries and Oceans Canada
- Transport Canada

Provincial

- Infrastructure Ontario
- Ontario Energy Board
- Ontario Ministry of Environment and Climate Change
- Ontario Ministry of Indigenous Relations and Reconciliation
- Ontario Ministry of Natural Resources and Forestry
- Ontario Ministry of Tourism, Culture and Sport

Regional

- Conservation Halton
- Credit Valley Conservation Authority
- Hamilton Conservation Authority
- Niagara Escarpment Commission
- Toronto and Region Conservation Authority

Municipalities (construction permitting)

- City of Burlington
- City of Hamilton
- City of Mississauga
- City of Toronto
- Town of Milton
- Town of Oakville



Minimizing construction impacts

Imperial is working carefully with the regulator and different levels of government to plan the Waterdown to Finch Project so that construction impacts are as limited as possible.

Routing, environmental assessments and permitting

- Engineers and environmental surveyors work together to identify a pipeline route that minimizes impact to the environment and surrounding community.
- Engineering, Indigenous technicians and environmental experts work to understand the soil, below ground conditions, vegetation, species, archaeologically sensitive sites, water crossings and environmentally sensitive areas.
- These reports will be reviewed and approved by permitting and regulatory authorities before construction begins.

Preparing for construction

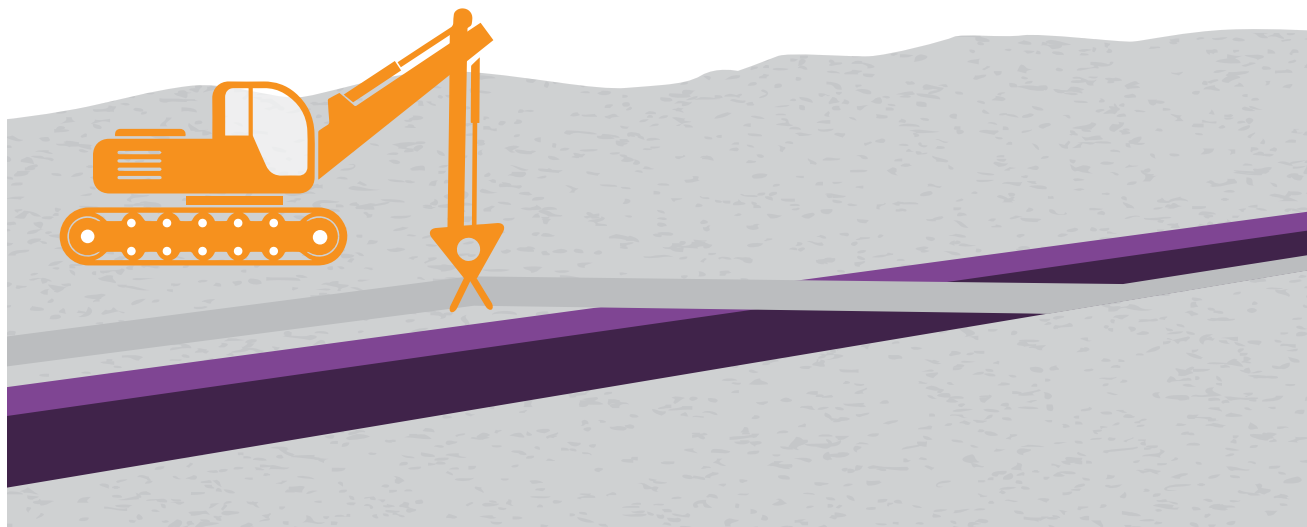
- After the engineering design plan is confirmed, multiple teams along the pipeline will mobilize for construction.
- The pipeline route will be cleared and temporary workspaces, including safety barricades, will be installed.

Construction methods

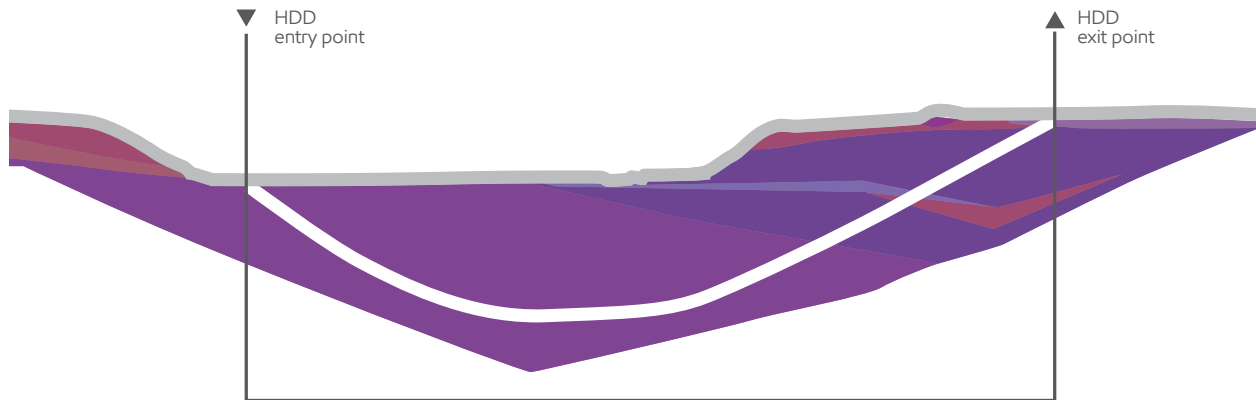
1. Open cut construction
2. Trenchless technology

Based on the engineering and environmental surveys, Imperial will perform one of two construction techniques:

1. Open cut construction



2. Trenchless technology



1. Open cut construction

Open cut construction is the fastest method for pipeline installation.

- Lay and bend the pipe to match contours of the land.
- Weld, test and inspect the pipe.
- Lower pipe into the trench and cover it for protection.

2. Trenchless technology

A horizontal directional drill (HDD) is a method of installing underground pipe using a drilling rig at the surface level. It is best used at sensitive areas, or in dense residential or commercial areas.

- Drill a hole along a designed directional path.
- Enlarge the pilot hole to a diameter suitable for installation of the pipeline.
- Pull the pipeline back into the enlarged hole.

Commissioning/activating the new line

- The new pipeline will ultimately be connected and tied into Imperial's Waterdown Station and Finch Terminal.
- The pipeline's integrity is inspected by a hydrostatic pressure test. Once the pipe is cleaned and dried, it can be slowly filled with diesel, gasoline or jet fuel.

Deactivation of current line

- The deactivated pipe will be removed from service, cleaned, filled with nitrogen (like what we put in our car tires), and left in place.
- Deactivation is undertaken to reduce environmental impacts (soil stability, slope stabilization and settlement issues), avoid short and long-term community construction impacts and minimize safety risk for other pipelines sharing the right-of-way.
- Imperial deactivates pipeline segments in accordance with industry best practices (Canadian Standards Association's Oil and Gas Pipeline Systems Code) and provincial regulations (*Technical Standards and Safety Act*).
- Imperial is responsible for paying for the maintenance and monitoring of this segment of deactivated pipeline.
- Imperial remains responsible for ongoing monitoring, line identification and crossing management of the deactivated line.

Our commitment to community engagement and the environment

We appreciate the patience of our neighbours, Indigenous groups and community members as we work to enhance the long-term safety and reliability of our existing operations.

Community engagement

In order to minimize the impact of disruption, we look to local residents to help inform solutions.

During the project period, community members will have several ways to receive information and ask questions:

- imperialoil.ca/waterdowntofinch
- Email: questions@imperialon.ca
- Telephone: 416.586.1915
- Community information sessions
- Construction notices delivered a minimum of two weeks before activity begins
- Ongoing information sharing

Protecting the local environment

- Every day, our employees work hard to safely supply fuel to keep cars, trucks and planes in our province moving.
- Our Sarnia and Nanticoke refineries play a critical role in meeting Ontario's energy needs. Since 1990, refinery sector greenhouse gas emissions in Ontario have been reduced by 32 per cent.

- In the last five years, we have spent approximately \$1.1 billion at Nanticoke and Sarnia to improve the reliability and safety of our operations.
- Sarnia and Nanticoke both achieved a number of best-ever safety and environmental performance in 2016 and 2017.
- We remain committed to operating our facilities in an environmentally responsible manner and in compliance with provincial regulations.



Our proactive protection and preventative maintenance program

We attribute our record of safe and reliable operations to our preventative maintenance and proactive pipeline inspection programs.

We work closely with independent pipeline regulators and government permitting authorities to ensure our facilities comply with all applicable laws and regulations.

Focused on safety

- Imperial's safety performance is among the best in the Canadian energy industry.
- Imperial conducts routine and frequent aerial and daily ground monitoring of the pipeline path.
- Imperial's emergency response plan prioritizes the protection of people and the environment.
- The emergency response team in Ontario is highly trained, appropriately resourced and ready to respond quickly in the unlikely event of a pipeline emergency.

Monitored 24 hours a day, 365 days a year

- Our pipelines are monitored around the clock.
- Skilled workers in a dedicated control centre with access to monitoring tools can remotely shut down the pipeline and dispatch local workers to inspect the pipeline.

Pipeline protection measures

- Imperial uses protected steel pipe that is coated to safeguard against external corrosion.
- Cathodic protection, a technique that uses low-voltage electric currents to curb corrosion, works with the coating to protect the pipe from external elements.
- The pipe is buried below ground to protect it from damage.
- Valves are strategically placed along the pipeline path to allow sections of the pipeline to be closed off as needed.
- Automated valves can automatically close if they sense an unexpected pressure drop or be remotely controlled by the operations centre.

Using innovative technologies and assessment methods

- Industry-leading inspection tools confirm both internal and external characteristics of the steel to identify and prioritize repairs.
- Imperial will use the inspection findings to determine where a pipeline dig and visual inspection are necessary, which informs maintenance and any additional work, such as replacing a section of the pipeline.

Imperial in Ontario: supporting economic growth

As an integrated products company, at Imperial we explore for, produce, refine and market products essential to society.

We are Canada's largest refiner, producing over 400 kilo barrels per day (kbd).

Founded in Ontario: As Canada's largest refiner of petroleum products, we have more than 130 years of providing Canadians with reliable energy, while supporting our economy and protecting the environment.

Supporting Ontario households: Imperial employs approximately 1,200 employees and up to 3,500 contractors a day in Ontario.

Major capital projects: Imperial continues to invest in Ontario with more than \$750 million at our two refineries in Sarnia and Nanticoke. Investments include environmental improvements, energy conservation projects, clean fuel facilities and infrastructure improvements.

Research and development in Ontario: Over the past decade, Imperial has invested more than \$300 million in research and development in the province.



\$886M
Provincial fuel taxes

Imperial's ongoing contributions to Ontario

Imperial and Canada's energy industry support economic growth across the whole province. Imperial contributes to Ontario's economy through taxes, employment, investing in technology, creating opportunities for suppliers to provide goods and services to our projects, and supporting education and training programs that develop the skilled workforce of the future.



Based on 2016 contributions

Source: Business Council of Canada 2016 Total Tax Contribution Survey.

We want to hear from you
T: 416.586.1915
E: questions@imperialon.ca

imperialoil.ca/waterdowntofinch

Jim Chan

From: Ted Cousins <tedc@metisnation.org>
Sent: Tuesday, September 18, 2018 3:25 PM
To: Jim Chan
Cc: Linda Norheim
Subject: RE: Invitation to meet regarding SPPL Waterdown to Finch Replacement

Hi Jim,

I'm following up on your email offering to meet and provide information about Imperial's Waterdown to Finch pipeline replacement (sent July 11, 2018 to Linda Norheim). Thank you for this invitation. I'm the new consultation assessment coordinator in our Toronto office, and I'll be responsible for coordinating consultation and engagement activities between proponents and our regional consultation committees.

The Waterdown to Finch portion of the SPPL is located within the Métis Nation of Ontario (MNO's) Region # 8. In order to consult, or engage with the MNO, proponents must meet with the regional Métis Consultation Committee, which represents the Métis Community Councils in the areas affected by a proposed project. The MNO's region 8 consultation committee consists of one regional councillor and one representative from each of the three Chartered Métis Community Councils in Region 8 (Credit River, Toronto region, and Oshawa and Durham region Métis Councils). Meeting with the Region 8 RCC ensures that Métis citizens living in the area of the project are properly represented in any discussion with project proponents.

Our Region 8 consultation committee has reviewed the information package sent to us about the Waterdown to Finch replacement project, and is interested in meeting with Imperial to discuss the project. If Imperial is able to meet with our Region 8 consultation committee, please let me know and we can proceed to arrange logistics etc. For your information, there would likely be four members from the Region 8 consultation committee plus one or two MNO support staff. If you have any questions, please don't hesitate to call or email.

Thanks,

Ted

Ted Cousins

Consultation Assessment Coordinator
Lands, Resources and Consultations Branch
Métis Nation of Ontario
311-75 Sherbourne St.
Toronto, ON. M5A 2P9
Ph: 416-977-9881 ext. 112
Toll Free: 1-888-466-6684
F: 416-977-0011
E: TedC@metisnation.org
www.metisnation.org

This email is intended only for the named recipient(s) and may contain information that is CONFIDENTIAL. No waiver of privilege, confidence or otherwise is intended by virtue of this email. Any unauthorized copying is strictly prohibited. If you have received this email in error, or are not the named recipient, please immediately notify the sender and destroy all copies of this email. Thank you.

EXHIBIT H
Record of Consulator - Supporting Documents
Please consider the environment before printing this e-mail.

Jim Chan

From: Williams, Kelly /C <kelly.williams@esso.ca>
Sent: Tuesday, November 13, 2018 9:13 AM
To: Ted Cousins
Cc: Jim Chan; Liddell, Jennifer H; Malone, Jessie M
Subject: RE: Invitation to meet regarding SPPL Waterdown to Finch Replacement
Attachments: 18_Nov A.1 WFP_Intro.pdf

Good morning Ted,

I can appreciate the challenge of arranging a meeting for a group with diverse schedules. We can be flexible, so if you can offer us a few dates/times that can work on your end, we will do our best to accommodate. We can make an evening meeting work if necessary. In the meantime I will send you a project information package via courier as a starting point for the Consultation Committee.

I have also attached a slide presentation on the project and here is a link to information on our website.

<https://www.imperialoil.ca/en-ca/company/operations/other-operations/imperial-sarnia-products-pipeline>

Looking forward to hearing from you to discuss further, if the Consultation Committee wishes to meet with the project team. Thanks for your assistance Ted.

Regards,

Kelly Williams

Community Relations Officer
602 Christina Street
Sarnia, ON Canada N7T 7M5
519-328-8681 Cell
kelly.williams@esso.ca
Imperialoil.ca

From: Williams, Kelly /C
Sent: Monday, November 5, 2018 3:20 PM
To: 'Ted Cousins' <tedc@metisnation.org>; Jim Chan <Jim.Chan@erm.com>; Liddell, Jennifer H <jennifer.h.liddell@esso.ca>
Subject: RE: Invitation to meet regarding SPPL Waterdown to Finch Replacement

Hi Ted-Hope you are well. I am hearing that there may be snow in your area in the very near future.

Have you heard back from your Consultation Committee regarding our potential meeting dates. If there is a common date other than those we have talked about, please let me know and we will do our best to accommodate. Looking forward to hearing from you.

Best regards,

Kelly Williams

Imperial's Sarnia Products Pipeline

Waterdown to Finch Project

November 2018



Agenda

- Welcome/ Open Meeting
- Introductions
- Safety Moment
- Overview of Waterdown to Finch Project



Safety Moment

Imperial's Sarnia Products Pipeline

- Imperial's Sarnia Products Pipeline (SPPL) runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area
- SPPL is important infrastructure to the Greater Toronto and Hamilton Area (GTHA)
 - SPPL supplies a significant portion of product used at Toronto Pearson International Airport, and gasoline and diesel that keeps people, goods and services moving
- SPPL has operated safely in the region for many years

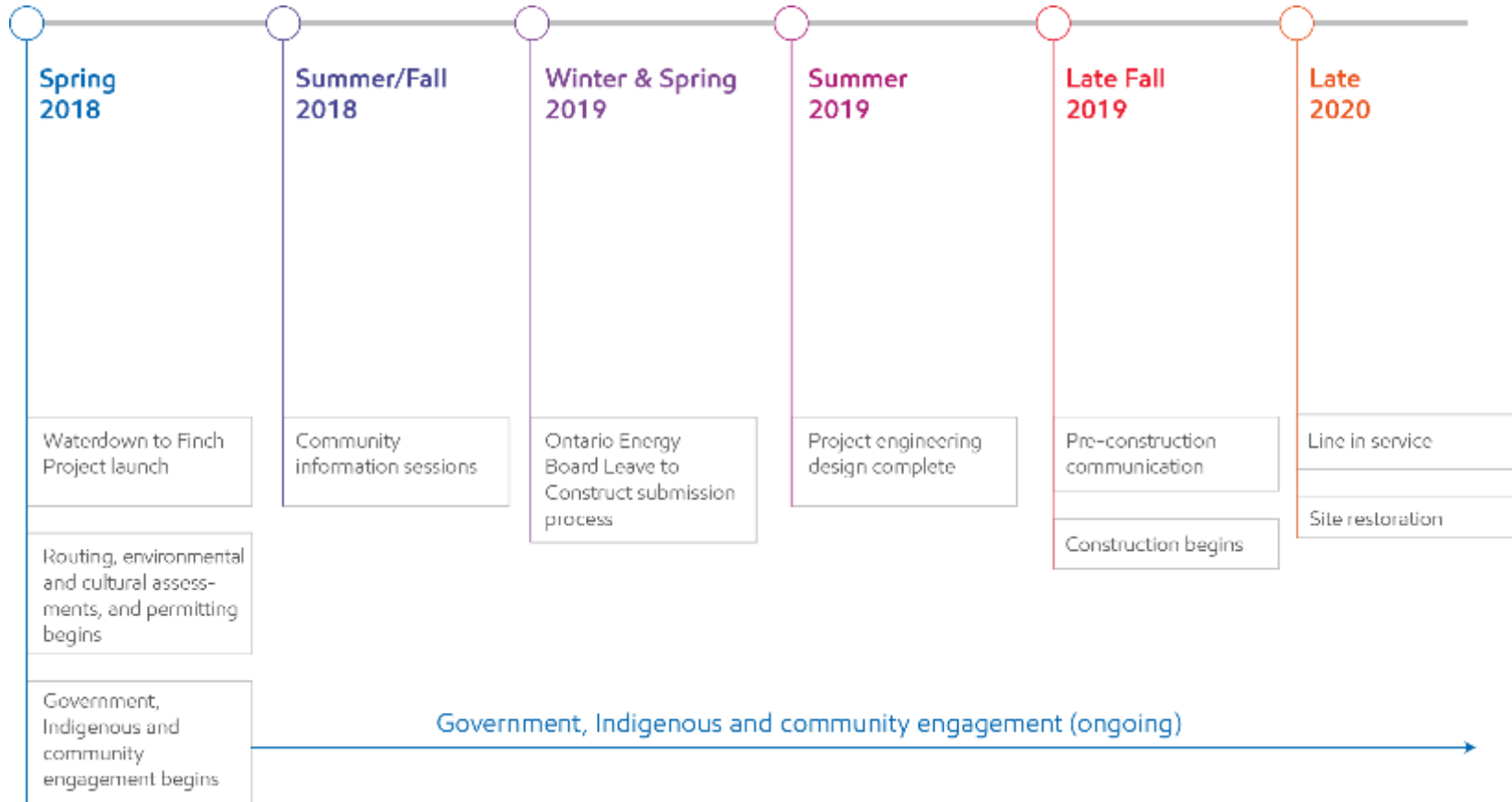


Continued safety and reliability for the GTHA

- Imperial is planning to replace approximately 63 km of the line with new pipe
- The pipeline will continue to operate safely until the replacement segments are prepared for operation
- Imperial will apply for a Leave to Construct from the Ontario Energy Board, which includes an assessment of environmental effects and engagement with landowners, communities and Indigenous groups
 - Imperial will respect landowners' property and will seek to minimize disruptions
 - Imperial recognizes the importance of collaboration with Indigenous groups, municipalities and other community stakeholders



Timeline*



⁶ * Subject to regulatory and permitting approvals



Regulatory approvals and permitting

- In addition to landowner access and Indigenous collaboration, Imperial will require regulatory approval, permits or project information sharing from the following entities listed in alphabetical order

○ Federal

- Environment and Climate Change Canada
- Fisheries and Oceans Canada
- Transport Canada

○ Provincial

- Infrastructure Ontario
- Ontario Energy Board
- Ontario Ministry of Indigenous Relations and Reconciliation
- Ontario Ministry of Environment and Climate Change
- Ontario Ministry of Natural Resources and Forestry
- Ontario Ministry of Tourism, Culture and Sport

○ Regional

- Conservation Halton
- Credit Valley Conservation Authority
- Hamilton Conservation Authority
- Niagara Escarpment Commission
- Toronto and Region Conservation Authority

○ Municipalities (construction permitting)

- City of Burlington
- City of Hamilton
- City of Mississauga
- Town of Milton
- Town of Oakville
- City of Toronto

Environmental Permitting

Federal

- DFO: Self-assessment
- TC: *Navigation Protection Act* screening

Provincial

- OEB: Leave to Construct, Environmental Report
- IO: Public Works Class EA (potential)
- MNRF: Species at Risk permitting (potential)
- MOECC: Water Taking Permit (potential)
- MTCS: Stage 2 Archaeology and Cultural Heritage Evaluation

Regional/Municipal

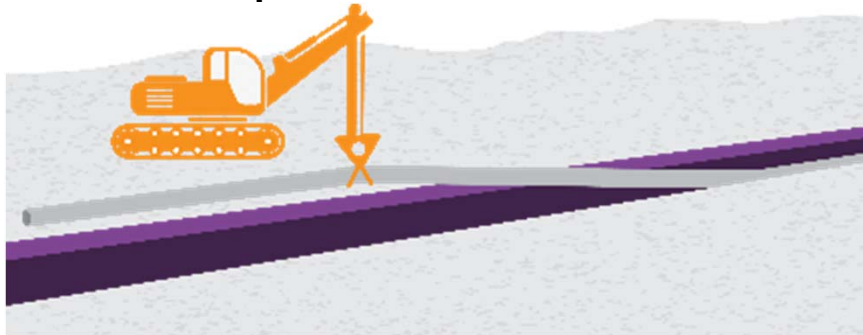
- Conservation Authorities: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses
- NEC: Development Permit
- Municipalities: Tree damage/removal permits



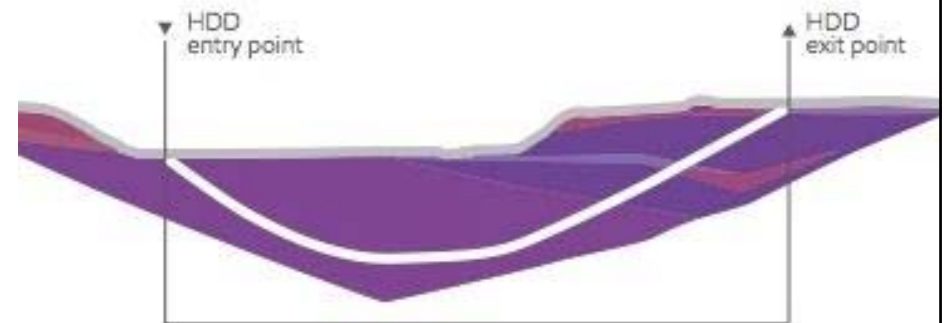
Minimizing construction impacts

- Imperial will work with landowners, permitting authorities and different levels of government so construction impacts are as limited as possible
- Engineers and environmental surveyors work together to develop the pipeline route that minimizes impact to the environment and community
- Deactivated pipe will be removed from service, cleaned, filled with nitrogen and left in place to reduce environmental impacts
- Based on engineering and environmental surveys, Imperial will perform one of two construction techniques:

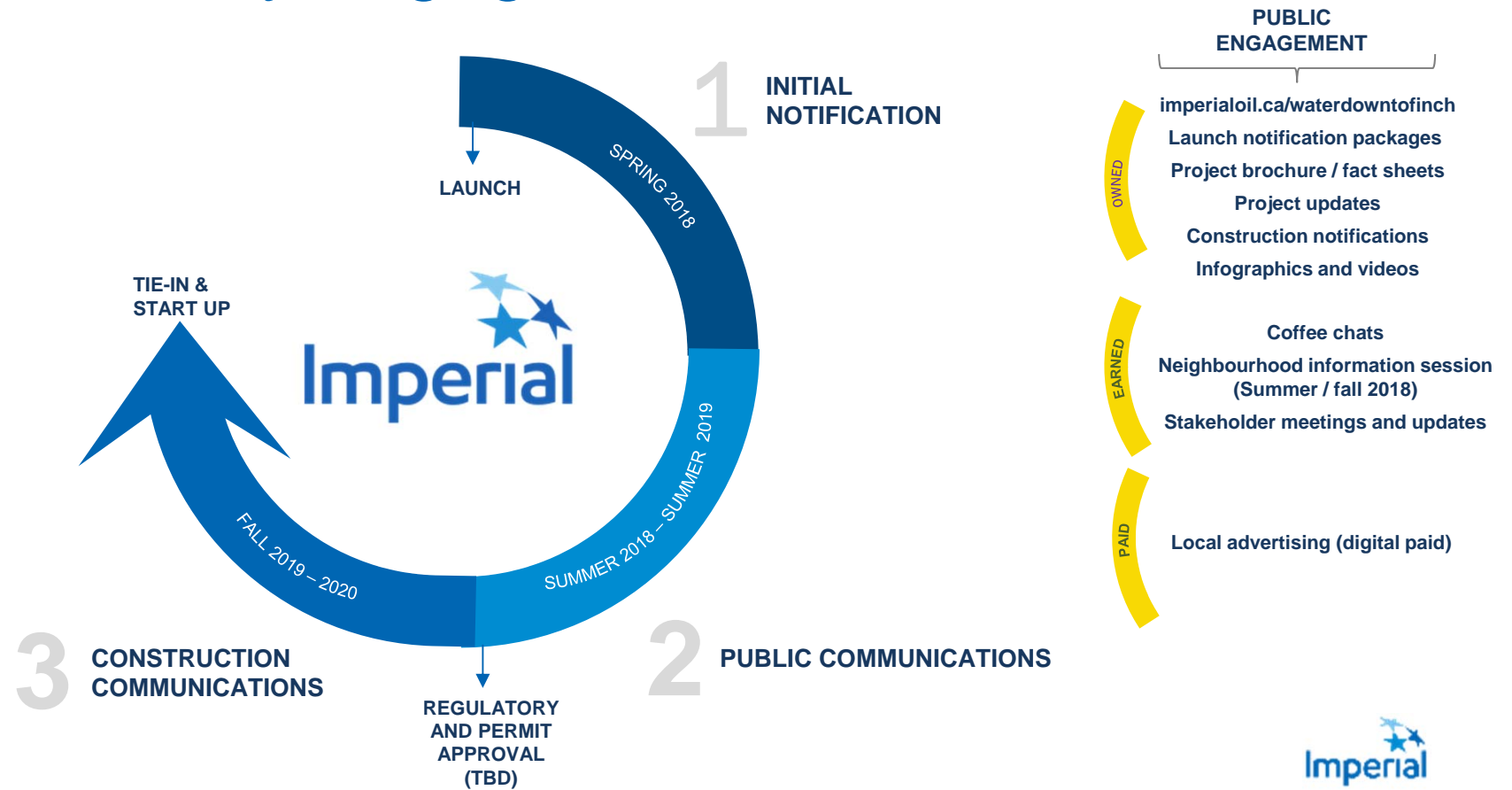
Open cut construction



Trenchless technology



Community engagement



Imperial in Ontario

Founded in Ontario:

- Canada's largest refiner of petroleum products
- 130 years of providing reliable and affordable products

Supporting Ontario households:

- Employs approximately 1,200 employees and up to 3,500 contractors a day

Major capital projects:

- \$750 million in capital investments at Sarnia and Nanticoke refineries in the last decade

R&D in Ontario:

- Invested more than \$300 million in research and development

Imperial's Contributions in Ontario (2016)*



*Business Council of Canada 2016 Total Tax Contribution Survey

For more information

W: imperialoil.ca/waterdowntofinch

T: 416.586.1915

E: questions@imperialon.ca

This page has been intentionally left blank.