

Jim Chan

From: Zora Crnojacki <Zora.Crnojacki@oeb.ca>
Sent: Friday, February 23, 2018 10:54 AM
To: Matthew Scoular
Cc: Nancy Marconi; Curtis Campbell
Subject: RE: pipeline LTC prospective application

Thanks Matt:
I will get back to you early next week.

Zora Crnojacki
Project Advisor
| Applications | Supply and Infrastructure |



P.O. Box 2319
2300 Yonge Street
Toronto ON M4P 1E4
416-440-8104
zora.crnojacki@oeb.ca

From: Matthew Scoular [mailto:Matthew.Scoular@erm.com]
Sent: Friday, February 23, 2018 9:10 AM
To: Zora Crnojacki <Zora.Crnojacki@oeb.ca>
Cc: Nancy Marconi <Nancy.Marconi@oeb.ca>; Curtis Campbell <Curtis.Campbell@erm.com>
Subject: RE: pipeline LTC prospective application
Importance: High

Hi Zora,

As promised, a high level description of the project is provided below.

Imperial Oil Limited (Imperial)'s Sarnia Products Pipeline (SPPL) carries refined product (gasoline, diesel, and jet fuel). As critical infrastructure, this pipeline operates safely and reliably. In 2019, Imperial plans to conduct pipeline maintenance and replace the SPPL between its Waterdown Booster Station and Finch Terminal (Wat-Finch) in the vicinities of Hamilton and Toronto (the Project).

Imperial will seek a Leave to Construct pursuant to subsection 90(1) of the *Ontario Energy Board Act*. To initiate this process, Imperial wishes to hold an introductory meeting with the Ontario Energy Board. The intent of the meeting will be to discuss the Project in greater detail, review the preliminary permitting and construction schedule, solicit anticipated issues and feedback, identify expectations, and confirm next steps.

At your earliest convenience, please let us know a day and time the OEB can meet with the project team. We are available next week and the first week of March except for March 1, 2, 6, and 9.

Thank-you in advance.

Best Regards,

Matt Scoular, M.E.S., MCIP, RPP
Senior Consultant

ERM

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From: Zora Crnojacki [<mailto:Zora.Crnojacki@oeb.ca>]
Sent: Tuesday, February 20, 2018 5:18 PM
To: Matthew Scoular <Matthew.Scoular@erm.com>
Cc: Nancy Marconi <Nancy.Marconi@oeb.ca>
Subject: pipeline LTC prospective application

Hi Mat, further to our phone conversation please send me a high level description of the pipeline project your client is proposing. We can set a brief meeting at the OEB (with OEB technical staff) to talk about administrative process and filing requirements for the leave to construct applications.

Zora Crnojacki
Project Advisor
| Applications | Supply and Infrastructure |



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Imperial
Waterdown to Finch Pipeline Project
March 7, 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

Ontario Energy Board (OEB)

- Zora Crnojacki (ZC)
- Ritchie Murray (RM)
- Nancy Marconi (NM)
- Sandra Fernades (SF) - Absent
- Jaime Sidlofsky (JS)

Imperial

- Martin Bates (MB)
- Elias Majdalani (EM)
- Tara Rodrigues (TR)

Environmental Resource Management (ERM)

- Curtis Campbell (CC)
- Matt Scoular (MS)

Meeting Objectives

- Describe Imperial's Waterdown to Finch Pipeline Project (the Project)
- Review Imperial's permitting approach and preliminary timeline
- Solicit anticipated issues and feedback from the OEB
- Identify OEB expectations and confirm next steps

Topic	Discussion
Introductions	<ul style="list-style-type: none"> • TR - Regulatory and Environmental Specialist, Imperial • MB - Engineering, Maintenance and Projects Manager, Imperial • EM - Project Manager of Development, ExxonMobil • ZC - Project Advisor, OEB Supply and Infrastructure • RM - Project Advisor, OEB Supply and Infrastructure • NM - Manager, OEB Supply and Infrastructure • JS - Legal Counsel, OEB • MS - Project Manager, ERM • CC - Project Director, ERM
Agenda	<ul style="list-style-type: none"> • Overview of meeting agenda
Safety Moment	<ul style="list-style-type: none"> • MB discussed Imperial's pipeline integrity program
Objectives	<ul style="list-style-type: none"> • Meeting objectives
Overview	<ul style="list-style-type: none"> • Background of Sarnia Products Pipeline and Credit River Valley Project • Waterdown to Finch Pipeline Project description: <ul style="list-style-type: none"> ○ Proposed route is within Imperial's current pipeline easements or Infrastructure Ontario/Hydro One Networks Inc. corridor for the majority of its length ○ Project need is driven by the age of pipeline and results of Imperial's integrity program ○ Upon tie-in of new pipeline, the existing pipeline to be deactivated - taken out of service, cleaned, filled with nitrogen and left in place ○ Leave to Construct (LTC) is required under Section 90 of the OEB Act

	<ul style="list-style-type: none"> ○ Proposed replacement pipeline is approximately 63km long, Nominal Pipe Size of 12-inches in diameter
Regulatory Overview and Approach	<ul style="list-style-type: none"> • Overview of permitting approach • The OEB has guidelines for the preparation of the Environmental Report • OEB staff stated that Ministry of Energy (MOE) needs to be engaged to determine which Indigenous groups to consult with. MOE will delegate the procedural aspects of the “duty to consult” to Imperial • OEB staff stated that Imperial needs to file “Indigenous Consultation Report” as part of the Leave to Construct (LTC) Application, MOE will provide opinion letter to the Imperial as to whether the Project has adequately consulted Indigenous groups. Imperial will have to file this letter with the OEB in its evidence. OEB gives consideration to MOEs letter when deciding whether “duty to consult” has been met and will be referenced in the OEBs Decision. • OEB and MOE staff (OPCC members) will provide additional guidance around the Indigenous consultation protocol described in the OEB Guidelines • OEB staff confirmed that MOE is an OPCC member • OEB staff confirmed that Conservation Authorities and Municipalities that the Project route crosses are also members of the OPCC • Discussion around whether LTC is required since the Project appears to be a “replacement-in-kind”, however, due to some deviations from the existing route and associated new land easements required, the Project will require a LTC • OEB staff stated that in addition to Six Nations of the Grand River and Mississaugas of the Credit First Nation, we may want to consult with the Métis Nation of Ontario; MOE will determine a list of Indigenous communities that will have to be consulted • OEB staff stated that Ontario Ministry of Transportation (MTO) needs to be added to the stakeholder list as the MTO is member of the OPCC and the Project route will cross 400 series highways • OEB staff discussed OEB’s role in LTC process and the OPCC <ul style="list-style-type: none"> ○ OEB staff encouraged Imperial to meet with OPCC members individually and outside of the OEB process interrogatory and hearing phases ○ OPCC membership list is provided on OEB website
Permitting Timeline	<ul style="list-style-type: none"> • Overview of permitting and Project timelines • Discussion around Constraints Map when reviewing permitting timeline <ul style="list-style-type: none"> ○ OEB staff advised that Constraints Map does not need to be filed prior to Environmental Report filing ○ OEB staff advised that Constraints Map should be prepared and used for stakeholder engagement and presented to the OPCC and stakeholders, and the route decision should consider stakeholder feedback ○ OEB staff confirmed that Constraints Map should be an appendix of the Environmental Report • OEB staff discussed Environmental Report review timeline <ul style="list-style-type: none"> ○ The OPCC has 42 days to provide feedback on the Environmental Report. Proponent then responds to feedback and, if necessary, updates

	<p>Environmental Report. Receipt of feedback does not mean 42-day clock resets, but 42 days is not guaranteed</p> <ul style="list-style-type: none"> • OEB staff stated that similar project usually have two rounds of community information sessions, within the communities along the proposed route <ul style="list-style-type: none"> ○ Round 1: Introduce Project, gather concerns and required accommodation ○ Round 2: Provide additional information, address concerns and accommodations required • Discussion on typical LTC Application process <ul style="list-style-type: none"> ○ 130-days is standard timeline for Written Hearing ○ 205-days is a standard timeline for Oral Hearing ○ Further details contained in <i>OEB Rules of Practice and Procedure</i>
Summary of Discussion and Closing	<ul style="list-style-type: none"> • LTC Application should describe the need for the Project, details on deactivation and leaving pipeline in place, and evaluate alternative routes • Pursuant to the OEB Guidelines, MOE should be engaged to determine Indigenous consultation requirements • LTC Application includes Environmental Report (including Constraints Map), Engineering and Economic Feasibility, and Stakeholder and Indigenous Consultation Logs • Project needs to comply with Technical Standards and Safety Authority (TSSA) regulation. Imperial will engage and review the Project with TSSA • ZC will be point of contact for OEB staff • MS will be consultant point of contact for Imperial's Application
Summary of Actions	
<ul style="list-style-type: none"> • OEB staff to confirm that the list of OPCC members available at the website below is current and complete: https://www.oeb.ca/about-us/who-we-are/stakeholder-and-consumer-groups 	ZC
<ul style="list-style-type: none"> • OEB staff to provide additional guidance on how to engage MOE regarding Indigenous consultation for the Project 	ZC
<ul style="list-style-type: none"> • OEB staff to provide links to other project LTC Applications for Imperial's review 	ZC
<ul style="list-style-type: none"> • Circulate meeting notes as record of pre-application consultation 	MS

Hydrocarbon Pipeline Leave to Construct (LTC) Application Minimum Requirements

Exhibit A: Index

1. Provide a listing of the exhibits and their location in the filing using an Exhibit / Tab / Schedule structure.
2. Provide an overview of the application and the approval(s) that are being requested. Make reference to applicable legislation as required (e.g., OEB Act, Franchises Act, Expropriations Act, etc.) and the section (i.e., section 90 for LTC).
3. Provide a listing of interested parties (including the OPCC, government ministries and agencies, aboriginal communities, regions/municipalities/townships, elected officials, etc.).
4. Name and provide a description of any applicable Municipal Franchise Agreements (MFAs) and certificates of public convenience and necessity (certificates).
5. Provide a key map suitable for newspaper publication.
 - a) If appropriate, provide a map of the existing natural gas infrastructure in the vicinity of the area proposed to be served, with major roads and geographic features marked clearly, or
 - b) If appropriate, provide a map of a customer density (a.k.a., heat map) for the existing natural gas infrastructure in the vicinity of the area proposed to be served, with major roads and geographic features marked clearly.

Exhibit B: Purpose, Need, Proposed Facilities and Timing

1. Provide a brief description of the proposed facilities (locations, lengths, pipeline diameters, and pipeline materials).
2. Provide an explanation of the purpose, need and timing of the proposed facilities.
3. If applicable, compare and contrast the proposed project with any market-based alternatives (i.e., solutions that do not involve constructing facilities) in term of their quantitative and qualitative benefits.
4. If applicable, identify and describe any related projects such as system reinforcements, additional phases, etc., including the timing of said projects.
5. Provide a map(s) illustrating the preferred routing with major roads and geographic features marked clearly.
6. Include any additional information the applicant believes will better enable the OEB to make its decision.

Exhibit C: Routing and Environmental

1. Describe the process used to determine the preferred routing and/or location.
2. Describe the preferred routing in terms of locations, lengths, pipeline diameters, and pipeline materials.
3. Describe any alternative routes in terms of locations, lengths, pipeline diameters, and pipeline materials.
4. Compare and contrast the preferred route with any alternative routes.
5. Describe how the applicant will incorporate and address recommendations in the ER into an Environmental Implementation Plan.
6. Include a copy of the Environmental Report (ER).
7. If available, include a copy of the Archeological Assessment (AA), both Stage 1 and Stage 2 as applicable.
8. Include copies or descriptions of any applicable correspondence to date (e.g., clearance letter from the Ministry of Tourism, Culture and Sport (MTCS)).
9. Include any additional information the applicant believes will better enable the OEB to make its decision.

Exhibit D: Facilities and Project Costs

1. Provide the design specifications for all pipe, fittings and associated equipment that are intended to be used to construct the project, including (as applicable):
 - a. Material, size, wall thickness, grade
 - b. Identify any applicable material standards: toughness, coating, cathodic protection, fittings, flanges, valves
 - c. Identify the class location per CSA Z662
 - d. Provide the design pressure and the hoop stress at design pressure
 - e. Provide the maximum operating pressure and hoop stress at MOP
 - f. Provide the minimum depth of cover
 - g. Provide the test medium (water, N₂, air), the strength test pressure, and the hoop stress at strength test pressure
 - h. Provide the leak test pressure
2. Provide the proposed project's key milestones, including at a minimum estimated dates for:
 - a. LTC approval
 - b. Receipt of various permits and approvals
 - c. Construction start
 - d. Construction end
 - e. Testing and inspection
 - f. Reinstatement end
 - g. In-service
3. Provide commentary on the project's key milestones to the extent that any special considerations are highlighted and addressed (e.g., why there may be a delay in a step, etc.).
4. Provide a description of the testing and inspection methodology and procedures.
5. Provide an itemized table showing the project capital costs including the following (but not including taxes):
 - a. Pipeline material costs
 - b. Pipeline labour and construction costs

c. Pipeline consulting and professional service costs
d. Pipeline contingency
e. Sub-total pipeline costs
f. Station material costs
g. Station labour and construction costs
h. Station consulting and professional service costs
i. Station contingency
j. Sub-total pipeline costs
k. Interest during construction
l. Total project cost
6. Describe how project costs will be allocated between ratepayers and shareholders, across rate classes, and between existing and new customers as applicable. For rate-regulated companies, to the extent that cost impacts on ratepayer impacts can be quantified, provide details of the cost impacts.
7. Provide commentary on the project's capital costs to the extent that any special considerations are highlighted and addressed.
8. Provide an assessment of the project's key financial and technical risks (e.g., project scope, costs, schedule, land use requirements, environment matters, and consultations) as well as the corresponding proposed approach to mitigation.
9. Include any additional information the applicant believes will better enable the OEB to make its decision.
Exhibit E: Economic Feasibility
<i>Note: this section does not apply to non-rate-regulated companies.</i>
1. Confirm that the application conforms to E.B.O. 188 or E.B.O. 134 as applicable.
2. Provide a summary of the feasibility assessment (DCF, NPV) including the resulting Profitability Index (if applicable).
3. Provide a description of key assumptions used in the feasibility assessment including at a minimum:
a. Capital costs
b. Construction timing
c. Revenue horizon
d. Use of an SES or stand-alone rate
4. Provide a summary table of the calculation inputs and results.
5. Provide a copy (flat file) of the spreadsheet used to perform the Discounted Cash Flow (DCF) calculations.
6. Include any additional information the applicant believes will better enable the OEB to make its decision.
Exhibit F: Land Matters
1. Identify and describe the location, size, and purpose of any land purchase, permanent easement or temporary easement requirements.
2. Provide an affidavit of title search attesting to the work that was done to identify affected landowners and listing the affected landowners.
a. Provide a confidential listing of affected landowners, their contact information and a description of their property. For guidance on confidential filings, consult the OEB's Practice Direction on Confidential Filings (refer to Appendix 1: Additional References).
b. For the record, provide a second non-confidential copy of this listing with any personal information redacted.
3. Provide a copy of all forms of land agreement that have or will be offered to each affected landowner. Identify which, if any, of the forms of agreement have previously been approved by the OEB and in what proceeding.
4. Provide a summary of all land negotiations to date including their status. Identify any contentious issues and the applicants proposed approach to resolution.
5. Provide a listing of all permits that are required. Include a description of the purpose or need for each permit. Include the corresponding authorities having jurisdiction and associated contact information. Include the corresponding status of each permit application.
6. Include any additional information the applicant believes will better enable the OEB to make its decision.
Exhibit G: Aboriginal Consultation
1. Provide a summary of the applicant's approach to aboriginal consultation and the status of all efforts to the date of filing the application.
2. Either provide a copy of the MOE's
a. Letter stating no duty to consult is triggered, or
b. Letter stating that the procedural aspects of the Crown's duty to consult have been delegated to the applicant.
3. If applicable (i.e., 2 b above applies), provide a copy of the applicant's Indigenous Consultation Report (ICR), if applicable. The report must include description of the consultation activities that were undertaken and timing, include copies of communication and summary of the rights-based concerns raised by Indigenous communities, and descriptions of what (if any) accommodations were proposed. A matrix can be used to summarize the Indigenous consultation record, documenting the date, time and/or place of the consultations, concerns that were raised, and how they were addressed.
4. Once available, and if applicable (i.e., 2 b above applies), provide a copy of the MOE's letter stating that the applicant's Aboriginal consultation efforts are satisfactory to meet the procedural elements of the Crown's duty to consult.
Supporting Documentation
<i>If not already submitted in a previous section, provide copies of related correspondence, reports, forms, etc., such as:</i>
a) Correspondence from the Ontario Pipeline Coordinating Committee (OPCC)
b) Correspondence from the Technical Safety Standards Authority (TSSA)
c) Correspondence from the Ministry of Energy
d) Letter of support for the project

Jim Chan

From: Jim Chan
Sent: Tuesday, December 04, 2018 3:22 PM
To: 'Zora Crnojacki'; Matthew Scoular
Subject: RE: Imperial - Waterdown to Finch update/Q

Hello Zora,

Thank you for the call and clarifications on the few minor items.

- 1) Distribution to OPCC members via electronic format is acceptable and environmentally friendly. No expectation for hardcopies.
 - a. Zora to provide the latest OPCC member list (thank you)
- 2) Section on Exhibit E Project details includes: intro summary, construction method details, design specifications, schedule.
 - a. Project Cost is an item in the checklist and we will complete this section indicating that Imperial is non rate-regulated entity, Imperial will bear reasonability for the costs. Cost details will not be disclosure due to business confidentiality. This is acceptable for the LTC filing.
- 3) Section on Exhibit Archaeological Assessment report (stage 1). We have drafted and received review and comments from the Mississaugas of New Credit First Nation and Six Nations. Awaiting more. Our intent was to provide to MTCS after receiving comments from Indigenous communities. In the LTC Application, we may or may not be ready to include a copy of the Stage 1 Archaeological Assessment report. You indicated that this is okay if not available yet and could be part of the IR update request.
- 4) Timing for anticipated filing remains the same as target Q1, 2019.

Thank you very much, Jim

From: Zora Crnojacki <Zora.Crnojacki@oeb.ca>
Sent: Tuesday, December 04, 2018 3:16 PM
To: Jim Chan <Jim.Chan@erm.com>; Matthew Scoular <Matthew.Scoular@erm.com>
Subject: RE: Imperial - Waterdown to Finch update/Q

Hi Jim, please see the OPCC list FYI.

Zora Crnojacki
Project Advisor
| Applications | Supply and Infrastructure |



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From: Jim Chan <Jim.Chan@erm.com>
Sent: Monday, December 3, 2018 3:56 PM

To: Zora Crnojacki <Zora.Crnjacki@oeb.ca>; Matthew Scoular <Matthew.Scoular@erm.com>
Subject: Imperial - Waterdown to Finch update/Q

Hello Zora,

Are you free for a short call tomorrow/ Wednesday? What time would work best?

Matt Scoular and I simply wanted to let you know that we are in the midst of preparing the Environmental Report and preparing/compiling the LTC application for a Q1 2019 submission. Timing remains the same.

We wanted to clarify a few things:

- 1) What is the preference for distribution of the draft Environmental Report to the OPCC - electronic, CD or hardcopy (the version, in advance of the LTC filing).
- 2) Section in the LTC on Project Costs. Recognizing that Imperial is a private, non-rate regulated entity, is this section even required?

Jim Chan
Senior Consultant
ERM

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Jim Chan

From: Zora Crnojacki <Zora.Crnojacki@oeb.ca>
Sent: Thursday, December 20, 2018 12:34 PM
To: Jim Chan; Malone, Jessie M; Thiessen, Corinne E
Subject: RE: Confirmation of Application Submission for Imperial Oil Limited, Case Number:

Thanks. It's all good. Will do.

Zora Crnojacki
Project Advisor
| Applications | Supply and Infrastructure |



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From: Jim Chan <Jim.Chan@erm.com>
Sent: Thursday, December 20, 2018 12:20 PM
To: Zora Crnojacki <Zora.Crnojacki@oeb.ca>; Malone, Jessie M <Jessie.m.malone@esso.ca>; Thiessen, Corinne E <corinne.e.thiessen@esso.ca>
Subject: RE: Confirmation of Application Submission for Imperial Oil Limited, Case Number:

Hello Zora,

Resend:

Please find the attached letter as notification to the Ontario Energy Board (the "Board") of Imperial Oil Limited's intent to file a Leave to Construct application for the Waterdown to Finch Project ("the Project") in early 2019. As requested, two paper copies of the letter will be provided to the attention of the Board Secretary today.

For clarify, please note that the attached letter and hardcopy included Ms. Jessie Malone's contact details. The letter posted to the RESS system included the letter, with the signature redacted, in accordance with OEB requirements.

Please kindly delete the previous email correspondence and could you kindly confirm receipt of this email and via the RESS system.

With my regards, Jim

From: Jim Chan
Sent: Thursday, December 20, 2018 11:32 AM
To: Zora Crnojacki <Zora.Crnojacki@oeb.ca>; Malone, Jessie M (<jessie.m.malone@esso.ca> <jessie.m.malone@esso.ca>; Thiessen, Corinne E <corinne.e.thiessen@esso.ca>
Subject: FW: Confirmation of Application Submission for Imperial Oil Limited, Case Number:

Hello Zora,

Please accept this letter as notification to the Ontario Energy Board (the "Board") of Imperial Oil Limited's intent to file a Leave to Construct application for the Waterdown to Finch Project ("the Project") in early 2019.

Please confirm receipt of this email and via the RESS system.

With my regards, Jim

Jim Chan
Senior Consultant
ERM

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From: OEB Board Secretary <BoardSec@oeb.ca>
Sent: Thursday, December 20, 2018 11:25 AM
To: Jim Chan <Jim.Chan@erm.com>
Subject: Confirmation of Application Submission for Imperial Oil Limited, Case Number:

Thank you for using the Ontario Energy Board's online for submitting your application. Your electronic submission to the Ontario Energy Board has been received. Please consider this email and the e-filing reference number 36691 as your confirmation of receipt.

The following file(s) have been uploaded successfully:
IOL_Ltr_Intent_File_20181220 FINAL_no contact.pdf

Please send two paper copies of your submission to the attention of the Board Secretary by the next business day.

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**Ontario Energy
Board**

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Telephone: 416-481-1967
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**Commission de l'énergie
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BY EMAIL
hdi2@bellnet.ca

January 11, 2019

Mr. R. Aaron Detlor
Haudenosaunee Development Institute
Six Nations Grand River Territory
Suite 600, 16 Sunrise Court
P.O. Box 714
Ohsweken, Ontario N0A 1M0

Dear Mr. Detlor:

**Re: Imperial Oil Ltd.
Waterdown to Finch Project**

The Ontario Energy Board (OEB) is in receipt of a copy of your letter to Jessie Malone of Imperial Oil Ltd. (Imperial) dated November 5, 2018. We understand that your objective in copying the OEB with this letter, which we received on November 26, 2018, is to commence an engagement process relating to Imperial's above-noted project (Project).

To date, no application has been filed with the OEB regarding the Project although it is our understanding that an application is intended to be filed by Imperial. If the Project requires a leave to construct approval under section 90 of the *Ontario Energy Board Act, 1998* (Act), the applicant will be expected to comply with the OEB's [Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario](#) (Environmental Guidelines) before, during and after construction. The Environmental Guidelines inform applicants in respect of the identification, management and documentation of environmental impacts, covering natural, social, economic, cultural and built components. Section 3.3 of the Environmental Guidelines discusses Indigenous consultation, including the roles and responsibilities of the Ministry of Energy, Northern Development and Mines, the applicant and the OEB. The OEB will assess the adequacy of Indigenous consultation as part of the leave to construct proceeding. Although every case is different, we are providing links to three recent examples of OEB decisions under section 90 of the Act: [Bathurst](#) reinforcement project; [Don River](#) pipeline project; and [Scugog Island](#) community expansion project.

A leave to construct application filed under section 90 of the Act is adjudicated by a panel of one or more Board members assigned to hear and decide the application. The OEB will give notice of the application, following which interested parties are allowed an opportunity to ask for intervenor status if they wish to actively participate in the proceeding. These proceedings are open and transparent, with decisions made based on the evidence on the public record. At your request, we would be pleased to place your letter on the public record of any application that Imperial might file for leave to construct the Project.

If we can be of assistance in respect of any questions you might have regarding the Environmental Guidelines or the OEB's leave to construct hearing process generally, please do not hesitate to contact Michael Millar, legal counsel, at Michael.Millar@oeb.ca or 416-440-8111.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary

c: Jessie Malone, Environmental and Regulatory Advisor, Imperial Oil Limited

EXHIBIT H

Record of Consultation - Supporting Documents

**Ministry of
Natural Resources
And Forestry**

**Ministère des
Richesses naturelles
et des Forêts**

Guelph District
1 Stone Road West
Guelph, Ontario
N1G 4Y2

Telephone: (519) 826-4955
Facsimile: (519) 826-4929



April 3, 2018

Mr. Matt Scoular
Senior Consultant
ERM
120 Adelaide Street West, 20th Floor, Suite 2020
Toronto, ON M5H 1T1
matthew.scoular@erm.com

**RE: WATERDOWN TO FINCH PIPELINE REPLACEMENT PROJECT
IMPERIAL OIL LIMITED**

Dear Mr. Scoular,

The Ministry of Natural Resources and Forestry (MNRF), Guelph District Office, has reviewed the natural heritage information available for the portion of the above noted project area that lies mainly within Guelph District (the "study area"), unless otherwise specified in this letter, and offers the following comments:

WETLANDS

The Ministry has identified the following provincially significant wetlands (PSWs) within the study area:

- Lake Medad Valley Wetland Complex
- Logies Creek Parkside Drive Wetland Complex

AREAS OF NATURAL AND SCIENTIFIC INTEREST

The Ministry has identified the following Areas of Natural and Scientific Interest (ANSIs) within the study area:

- Lake Medad Provincially Significant Life Science ANSI
- Lake Medad Meltwater Channel Provincially Significant Earth Science ANSI

SPECIES AT RISK

There are records in the area for the following species at risk (SAR):

- Jefferson Salamander (*Ambystoma jeffersonianum*) (Endangered)
- Blanding's Turtle (*Emydoidea blandingii*) (Threatened)
- Barn Swallow (*Hirundo rustica*) (Threatened)
- Bobolink (*Dolichonyx oryzivorus*) (Threatened)
- Eastern Meadowlark (*Sturnella magna*) (Threatened)
- Snapping Turtle (*Chelydra serpentina*) (Special Concern)
- Eastern Wood Pewee (*Contopus virens*) (Special Concern)

Threatened and Endangered Species receive both individual species and habitat protection under the *Endangered Species Act, 2007* (ESA). SAR habitat prescribed under regulation is listed in Ont. Reg. 242/08 (<https://www.ontario.ca/laws/regulation/080242>).

The Ministry notes that there is known Category 2 and Category 3 habitat of Blanding's Turtle (Threatened) and Jefferson Salamander (Endangered) Habitat within the proposed work area.

Under the ESA, Blanding's Turtle receives both species and general habitat protection. Currently the area of the proposed pipeline replacement between Centre Road and just north of Lake Medad (spanning both Guelph and Aurora Districts) are entirely protected as Category 2 and Category 3 Blanding's Turtle habitat. Category 2 habitat includes all of the wetlands/waterbodies in the area plus a 30 m buffer. Category 3 habitat includes the areas between 30 m and 250 m around suitable Category 2 habitat that may provide movement corridors for the species. The general habitat description for Blanding's Turtle can be viewed on our website: https://files.ontario.ca/environment-and-energy/species-at-risk/mnr_sar_ghd_bln_trtl_en.pdf.

Jefferson Salamander receives individual species and regulated habitat protection as described in s.28 of Ont. Reg. 242/08. As described in the Regulation, this area includes confirmed breeding ponds/vernal pools plus a 300 m buffer from these areas suitable for dispersal, foraging, migration or hibernation, as well as suitable breeding ponds and dispersal areas within 1 km of confirmed breeding ponds. The proposed pipeline replacement area between Robson Road and north of Lake Medad includes regulated habitat for this species (spanning both Guelph and Aurora District). It is our understanding that additional Jefferson Salamander habitat is also present further east within Aurora District.

To assist with this project, the Guelph District Office can provide habitat mapping for the area described above upon request. Please be aware that SAR habitat mapping may be updated from time to time as new information becomes available.

The MNRF recommends that the project team completes an Information Gathering Form (IGF) that includes Blanding's Turtle and Jefferson Salamander, and submits the completed form to esa.guelph@ontario.ca. The purpose of the IGF is to provide the MNRF with the necessary information to inform whether or not the proposed activity will likely contravene the ESA, and whether an authorization under the ESA may be required. Since the project area spans two MNRF Districts, the project team should also consult with Aurora District to determine whether a consolidated IGF that includes all SAR potentially impacted by the project within both Districts is the desired approach.

In addition, we recommend that the project team review the eligibility of the activity for registration under s.23.18 (Threats to health and safety, not imminent) of Ont. Reg. 242/08 s.23.18. If the activity is eligible, the proponent must follow the rules in regulation, which includes the preparation of a mitigation plan for each threatened or endangered species identified on the Notice of Activity form. The Natural Resources registration guide is available at: <https://www.ontario.ca/page/natural-resources-registration-guide>. The MNRF can provide guidance on/review proposed mitigation.

Please be advised that because the province has not been surveyed comprehensively for the presence of listed species, the absence of a record does not necessarily indicate the absence of SAR from an area. To determine the presence of SAR for a given study area, the District's recommended approach is as follows:

I. Habitat Inventory

The Ministry recommends undertaking a comprehensive botanical inventory of the entire area that may be subject to direct and indirect impacts from the proposed activity. The vegetation communities should be classified as per the "Ecological Land Classification (ELC) for Southern Ontario" system, to either the "Ecosite" or "Vegetation Type" level. For aquatic

habitats in the study area, we recommend that you collect data on the physical characteristics of the waterbodies and inventory the riparian zone vegetation, so that these habitats can be classified as per the Aquatic Ecosites described in the ELC manual.

II. Potential SAR within the Study Area

A list of SAR that have the potential to occur in the area can be produced by cross-referencing the ecosites described during the habitat inventory with the habitat descriptions of SAR known to occur within the planning area. The list of SAR known to occur in the **CITY OF HAMILTON** is attached for your reference. The species-specific COSEWIC status reports (<https://www.canada.ca/en/environment-climate-change/services/committee-status-endangered-wildlife.html>) are a good source of information on habitat needs and will be helpful in determining the suitability of the study areas ecosites for a given species.

Please note that the Species at Risk in Ontario (SARO) List is a living document that is periodically amended as a result of species assessment and re-assessments conducted by the Committee on the Status of Species at Risk in Ontario (COSSARO). The SARO List can be accessed on the following webpage: <https://www.ontario.ca/environment-and-energy/species-risk-ontario-list>.

COSSARO also maintains a list of species to be assessed in the future. It is recommended that you take COSSARO's list of anticipated assessments into consideration, especially when the proposed start date of an activity is more than 6 months away, or the project will be undertaken over a period greater than 6 months. This list can be viewed at: <https://www.ontario.ca/page/how-comment-protecting-species-risk>.

III. SAR Surveys

The Ministry recommends that each potential SAR identified under Step II is surveyed for, regardless of whether or not the species has been previously recorded in the area. The survey report should describe how each SAR was surveyed for, and provide a rationale for why certain species were not afforded a survey (e.g., habitat within the study area is not suitable for a specific SAR). Please note that some targeted surveys may require provincial authorizations (e.g., ESA permit or Wildlife Scientific Collector's Permit).

ADDITIONAL INFORMATION

Natural heritage features (e.g. wetlands, ANSIs) can be viewed for a given study area through the MNRF's "Make a Map" web application: <https://www.ontario.ca/page/make-natural-heritage-area-map>. Digital data layers can be obtained through the Land Information Ontario (LIO) geowarehouse <https://www.ontario.ca/page/land-information-ontario>.

Additionally, the MNRF recommends contacting the municipality and the conservation authority to determine if they have any additional information or records of interest for the study area.

Please be advised that it is your responsibility to comply with all other relevant provincial or federal legislation, municipal by-laws, other MNRF approvals or required approvals from other agencies. If your investigations reveal the presence of Threatened or Endangered species, please contact the MNRF at esa.guelph@ontario.ca for further direction.

I trust that the above information is of assistance.

Sincerely,

A handwritten signature in cursive script, reading "AM Laurence".

Anne Marie Laurence
Management Biologist

cc: Tara McKenna, District Planner, Guelph District MNRF
Bohdan Kowalyk, District Planner, Aurora District MNRF
Brianne Brothers, A/Management Biologist, Aurora District MNRF

Imperial
Waterdown to Finch Pipeline Project
March 20, 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

Ministry of Natural Resources and Forestry (MNRF)

- Bohdan Kowalyk (BK)
- Brianne Brothers (BB)

Environmental Resource Management (ERM)

- Mark Welsh (MW)
- Matt Scoular (MS)
- Shelly Lohnes (SL)

Meeting Objectives

- Describe Imperial's Waterdown to Finch Pipeline Project (the Project)
- Confirm planned field surveys approach and methods
- Solicit Species at Risk data from MNRF
- Discuss concurrent OEB Leave to Construct (LTC) and MNRF permitting

Topic	Discussion
Introductions	<ul style="list-style-type: none"> • BK – MNRF District Planner • BB – Integrated Resources Management Technical Specialist • MS – ERM Project Manager • SL – Savanta Biology Lead • MW – ERM Technical Lead
Agenda	<ul style="list-style-type: none"> • Overview of meeting agenda
Safety Moment	<ul style="list-style-type: none"> • ERM staff discussed Imperial's pipeline maintenance program
Objectives	<ul style="list-style-type: none"> • Review and agreement of meeting objectives
Overview	<ul style="list-style-type: none"> • ERM is working on behalf of Imperial • Imperial met with the Ontario Energy Board (OEB) to introduce the Project • Background of Sarnia Products Pipeline (SPPL) • Waterdown to Finch Pipeline Project description: <ul style="list-style-type: none"> ○ Proposed route parallels Imperial's current pipeline easements or is within Infrastructure Ontario/Hydro One Networks Inc. corridor for the majority of its length ○ Upon tie-in of new pipeline, the existing pipeline to be deactivated - taken out of service, cleaned, filled with nitrogen, and left in place ○ Proposed replacement pipeline is approximately 65km long, as currently planned. • MNRF asked if Imperial anticipates this to be a controversial project, and suggested some recent pipelines have been • MS replied that the SPPL has safely operated for 65 years and the Project is a result of ongoing maintenance work • MNRF staff stated that a new MNRF Biologist (coming from Ministry of Transportation) will be MNRF's contact for the Project in a few months

Regulatory Overview and Approach	<ul style="list-style-type: none"> • LTC is required under Section 90 of the <i>OEB Act</i>. A major component of that application is the Environmental Report. OEB review process includes hearings, either written or oral • MNRF staff asked if the SPPL will be removed and new pipeline installed in its place • ERM staff stated that a new pipeline will be installed and the SPPL will be left in place and safely deactivated • MNRF staff asked what the anticipated width of the construction footprint would be. • ERM staff stated that construction footprint will be on average 20-25 m wide • MNRF staff asked if Imperial has pipeline right-of-way (ROW) easements for the bed and/or banks of watercourses crossings. • ERM plans to initiate biophysical surveys in April to capture appropriate survey windows for Specie at Risk (SAR) • MNRF staff asked if trenchless crossings are planned for the Project. ERM confirmed that there will be trenchless crossings at for example, major watercourse crossings (e.g., 16-Mile Creek, Bronte Creek) and 400 series highways • MNRF staff will provide ERM with current wetland GIS data (shapefile) • ERM staff provided an overview of how the surveys will be scoped, including SAR, wetlands, rare plants, and Ecological Land Classification • ERM staff to prepare a letter outlining survey protocols for MNRF staff • Discussion around use of eDNA for Jefferson Salamander surveys. MNRF staff stated that they would accept positive ID's, but likely not negative ID's. • Discussion around timing of data transfer. MNRF staff stated they do not have a lot of data. ERM staff requested SAR data beyond the 1km grids that are publically available. MNRF staff requested a list of potential SAR. • MNRF staff stated the pipeline crosses Jefferson Salamander regulated habitat east of Waterdown. ERM requested regulated habitat GIS data • MNRF staff confirmed that Jefferson Salamander is the only regulated habitat other than aquatic species. • Discussion on the Information Gathering Form. Can be an iterative process with some back and forth. MNRF staff would like as close to final as possible when filed. • MNRF staff confirmed that the Information Request form for Aurora is complete (including project description provided in email and Google Earth KMZ file of pipeline route) • MNRF staff asked if there will be public consultation. ERM staff stated that consultation will be initiated soon, and will include First Nations communities and the public. • MNRF staff asked if there has been coordination with the Guelph MNRF district. ERM staff confirmed. (This meeting has since been scheduled for April 4, 2018.) • ERM staff asked for confirmation of whether MNRF will coordinate their review of the project with Conservation Authorities and the Niagara Escarpment Commission • Discussion around constraints mapping and scale requirements for LTC application • MNRF staff stated that the Project falls under the regulations of each individual Conservation Authority and Imperial should initiate consultation early.
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	<ul style="list-style-type: none"> Sally Renwick represents MNRF on the Ontario Pipeline Coordinating Committee Discussion around tree maintenance on existing ROW. ERM plans to do pre-arborist work to support bat habitat confirmation followed by arborist survey pre-construction. Existing woodlots may be affected. Butternut assessment also required; MNRF staff stated that all sizes of Butternuts should be inventoried/health assessment. Bat surveys: acoustic surveys are planned in June. MNRF staff stated that bat surveys should only be completed for critical habitat if clearing greater than 0.5 hectares of contiguous forest for any given location. Discussion around Areas of Natural or Scientific Interest (ANSI). ERM staff requested that MNRF forward any reports available on ANSIs MNRF staff requested ERM supply them with a GIS data (shapefile) of the pipeline route centreline.
Permitting	<ul style="list-style-type: none"> ERM's field work is designed to meet the requirements of an Overall Benefit Permit. However, avoidance/protection/timing windows will be considered in planning to reduce or avoid environmental effects on SAR.

Summary of Actions		Who
ERM staff to provide GIS data (shapefile) of current pipeline route centerline		MS
MNRF staff to provide Jefferson Salamander regulated habitat GIS data (shapefile) for 50 meter buffer either side of assumed 25 meter construction footprint		BW
MNRF staff to provide Natural Heritage System information for a study area of 250m either side of centerline including wetland evaluation files, ANSI check sheet, current and imminent (species that may be listed in 2018/19) Species at Risk, and in-water work timing windows for all watercourses crossed by the pipeline route		BW
ERM staff to provide spring 2018 field survey methods summary (survey design including proposed sampling locations and protocols to be used)		MS
MNRF staff to review and comment on ERM spring 2018 field survey methods		BW
MNRF staff to confirm if MNRF Guelph and Aurora District's to coordinate review or one District to lead the review as suggested by MNRF Aurora		BW
ERM staff to prepare draft IGF form for MNRF review after spring 2018 field surveys. Final to be submitted approx. June 2018		MS
ERM staff to confirm width of existing pipeline ROW where vegetation control/management takes place		MS
ERM staff to confirm if Imperial has pipeline ROW easements for watercourse crossings (i.e., beds and banks of watercourses)		MS



Imperial's Sarnia Products Pipeline:
Waterdown to Finch Pipeline Project

Introduction to Hydro One / Infrastructure Ontario

March 2018

Proprietary



Agenda

1	Introductions and Safety Moment
2	Objectives and Agenda
3	Project Overview
4	Hydro One / IO <ul style="list-style-type: none">• Impacted Lands• Approval Timelines and Inputs• Compensation• Points of Contact
5	Summary of Discussion
6	Closing

Proprietary 2

Safety minute

Proprietary

Objectives

- Describe the project
- Discuss current understanding of HONI/IO lands being impacted
- Discuss current understanding of HONI/IO Approval requirements and timelines
- Solicit anticipated issues and feedback
- Identify expectations
- Confirm next steps

Proprietary 4

Overview

- Imperial's Sarnia Products Pipeline (SPPL) carries refined product, including gasoline, diesel and jet fuel
 - SPPL is critical infrastructure to the Greater Toronto and Hamilton Area (GTHA)
 - SPPL supplies a significant portion of product used at Toronto Pearson International Airport
- Continuous maintenance facilitates ongoing reliable, safe and environmentally protective pipeline operations
 - As part of this program, Imperial plans to conduct pipeline replacement between Waterdown (Hamilton) and Imperial's Finch Terminal (North York) in 2019
 - There are no plans to add new service pipelines, increase capacity or change the product

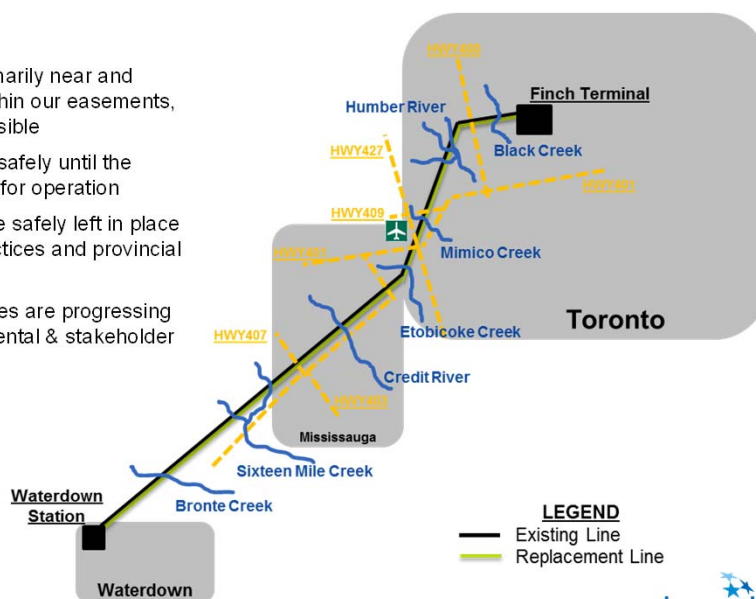
Proprietary 5



Overview (cont.)

- Replacement activities will occur primarily near and along the existing pipeline's path, within our easements, and as close to existing route as possible
- The pipeline will continue to operate safely until the replacement segments are prepared for operation
- Deactivated pipeline segments will be safely left in place in accordance with industry best practices and provincial regulations
- Engineering and environmental studies are progressing to assess how to minimize environmental & stakeholder impacts

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6

Hydro One / IO Lands

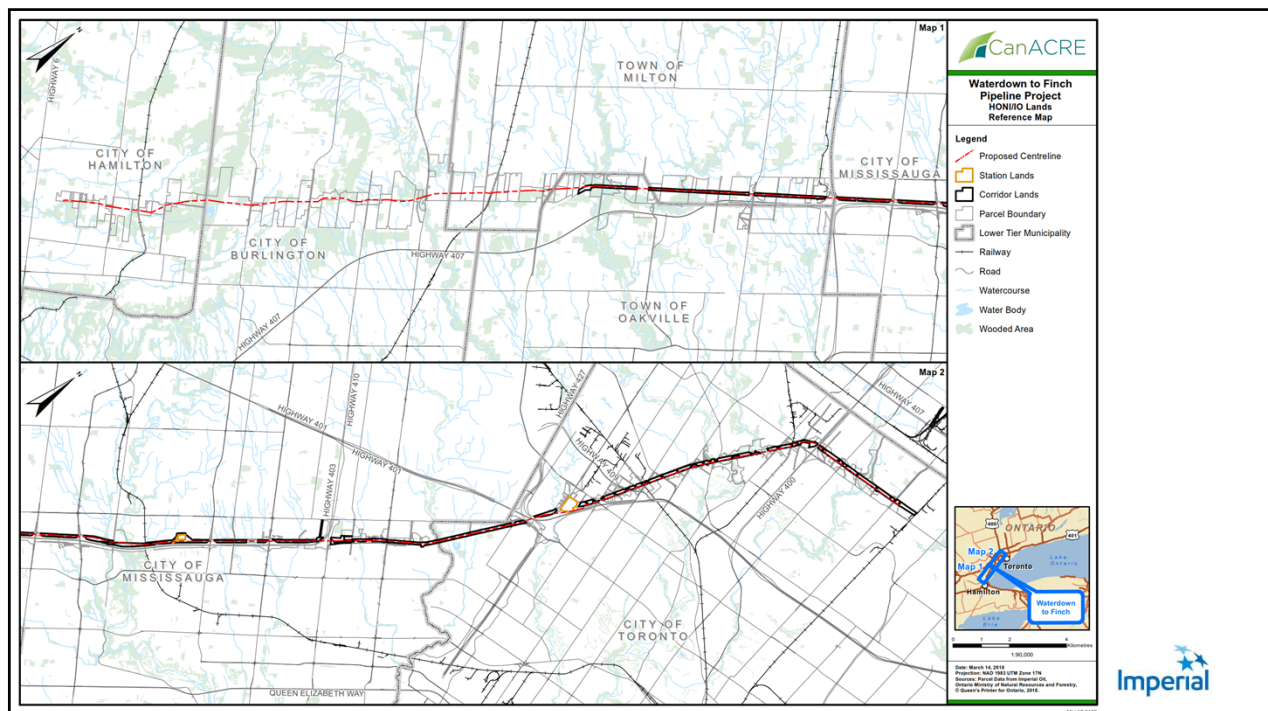
A total of **78 parcels** have been identified as owned by Hydro One/IO but require confirmation:

- 3 of 78 parcels are assumed to be Hydro One Networks Inc. station lands.
- 75 of 78 parcels are assumed to be IO corridor lands (Bill 58).
- Approximately 43 km of pipeline is proposed within station and corridor lands.
- Require confirmation of secondary land uses and contact information (i.e. tenants and DEL Property Management).

The following types of agreements are expected:

- HONI Grant of Easement (station lands)
- HONI Temporary Use and Access Agreement/License (TUAA) (station lands)
- HONI Construction and Encroachment (easement lands)
- IO Grant of Easement (corridor lands)
- IO Temporary Use and Access Agreement/License (TUAA) (corridor lands)

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Hydro One / IO Approval Timelines and Inputs

Activity Type	Land Tenure Impacted	Documentation Type	Service Fee	Asset Management Review (Yes/No)	Anticipated Review Time	Application Inputs
Surveys - Non-Intrusive (Civil Surveys, Infrastructure sweeps, etc.)	HONI Station Lands	Notice of Entry	N/A	No	1 week for each submission	<ul style="list-style-type: none"> Signed Notice of Entry Permit form, Property Sketch, Property line list Equipment List, Description of Work, Start / End dates, Contractor Contact Information
	IO (Bill 58) Corridor Lands	Notice of Entry	N/A	No	1 week for each submission	
	HONI Easement	Terms and Conditions Only	N/A	No	1 week for each submission	
Surveys – Intrusive (Archaeological, Geotechnical)	HONI Station Lands	Temporary Use and Access Agreement / License	\$1500 min.	Yes	6-8 weeks for each submission	<ul style="list-style-type: none"> Property Sketch, Property line list, Certificate of Insurance, Security Deposit Cheque Equipment List, Description of Work, Start / End dates
	IO (Bill 58) Corridor Lands	Temporary Use and Access Agreement / License	\$1500 min.	Yes	6-8 weeks for each submission	
	HONI Easement	Stakeholder Review (Email Consent)	N/A	Yes	6-8 weeks for each submission	
	HONI Station Lands	Temporary Use and Access Agreement / License	\$1500 min.	Yes	6-8 weeks for each submission	
Temporary Use / Temporary Workspace (including HDD Sites)	IO (Bill 58) Corridor Lands	Temporary Use and Access Agreement / License	\$1500 min.	Yes	6-8 weeks for each submission	<ul style="list-style-type: none"> Property Sketch, Property line list, Certificate of Insurance, Security Deposit Cheque Equipment List, Construction Start / End Dates Description of Work, Construction Methods, Construction Typical Drawings, Detailed Plans / Drawings, Cross-Section Drawings
	HONI Easement	Stakeholder Review (Email Consent)	N/A	Yes	6-8 weeks for each submission	

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Hydro One / IO Approval Timelines and Inputs (cont'd)

Activity Type	Land Tenure Impacted	Documentation Type	Service Fee	Asset Management Review (Yes/No)	Anticipated Review Time	Application Inputs
Permanent Use - Pipeline	HONI Station Lands	Grant of Easement (HONI)	\$2500 min.	Yes	6-8 weeks for each submission	<ul style="list-style-type: none"> Written Grant of Easement Proposal Letter, Engineering Review Fee Cheque, Appraisal Report, Property Sketch, Property line list Equipment List Pipeline Information (Specifications), AC Mitigation Report, Reference Plan
	IO (Bill 58) Corridor Lands	Grant of Easement (IO)	\$2500 min.	Yes	6-8 weeks for each submission	
	HONI Easement	Construction and Encroachment Agreement	\$1500 min.	Yes	6-8 weeks for each submission	

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HONI and IO Easement Timeline

Step	Description	Expected Timeline for Completion	Expected Date of Completion
1	Submission of complete easement deliverables package to HONI and IO	4 months	August 1, 2018
2	Review by HONI/IO and consultation on easement deliverables package	12 months	August 1, 2019
3	Execution of agreements and deliverance of compensation	2 weeks	August 15, 2019
4	Registration of easements by HONI/IO conveyancing team	1 month	September 15, 2019

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Compensation

Grant of Easement:

- Area x Unencumbered Across the Fence or General Industrial Land Value (whichever is greater) per acre x ___% (longitudinal – greater than 300 feet)
- Area x Unencumbered Across the Fence or General Industrial Land Value (whichever is greater) per acre x ___% (crossings and occupations less than 300 feet)

Temporary Use and Access Agreement:

- Area x Rate Per Acre x 75% x 6.5% (rate of return) = Annual Fee – pro-rated for the term (1 year or less)

Appraisal:

- Market Valuation Report to be provided by Imperial

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Points of Contact

- Roman Dorfman, Senior Real Estate Coordinator – HONI Station and IO Corridor Lands
- Hydro One technical staff
- IO contacts for Environment, Cultural Heritage, Duty to Consult

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Summary of discussion

Proprietary 14

Closing

Proprietary



Imperial
Waterdown to Finch Pipeline Project
April 4, 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

Ministry of Natural Resources (MNRF)

- Tara McKenna (TM)
- Anne Marie Laurence (AML)

Environmental Resource Management (ERM)

- Mark Welsh (MW)
- Matt Scoular (MS)
- Shannon Catton (SC)

Meeting Objectives

- Describe Imperial's Waterdown to Finch Pipeline Project (the Project)
- Confirm planned field surveys approach and methods
- Solicit Species at Risk data from MNRF
- Discuss concurrent OEB Leave to Construct (LTC) and MNRF permitting

Topic	Discussion
Introductions	<ul style="list-style-type: none"> • TM – Guelph District Planner • AML – Guelph District Management Biologist • MS – ERM Project Manager • SC – Savanta Biologist • MW – ERM Technical Lead
Agenda	<ul style="list-style-type: none"> • Overview of meeting agenda
Safety Moment	<ul style="list-style-type: none"> • ERM staff discussed Imperial's pipeline maintenance and integrity program
Objectives	<ul style="list-style-type: none"> • Review and agreement of meeting objectives
Overview	<ul style="list-style-type: none"> • ERM is working on behalf of Imperial Oil • MNRF staff stated that Information Request Form submitted is acceptable. MNRF Guelph forwarded a response letter to ERM on April 3. • ERM staff indicated that Sally Renwick is the Ontario Energy Board (OEB) Ontario Pipeline Coordinating Committee member representing MNRF • Discussion about the OEB Environmental Report guideline. ERM to provide the 2016 version on the OEBs website to MNRF. • ERM staff indicated that Bohdan Kowalyk (MNRF Aurora) suggested an opportunity for Aurora District to take the lead on file. MNRF Aurora and Guelph will have internal discussions on this point. • Background and route of Sarnia Products Pipeline (SPPL) and critical infrastructure for the region. • Waterdown to Finch Pipeline Project description: <ul style="list-style-type: none"> ○ Proposed route is largely within Imperial's current pipeline easements or Infrastructure Ontario/Hydro One Networks Inc. corridor for the majority of its length. Some new easement will be required. ○ Project need is driven by Imperial's maintenance and integrity program.

	<ul style="list-style-type: none"> ○ Upon tie-in of new pipeline, the existing pipeline to be deactivated - taken out of service, cleaned, purged with nitrogen, and left in place. ○ Proposed replacement pipeline is approximately 63 km long ○ Construction footprint width is intended to be an average of 20-25 m
Regulatory Overview and Approach	<ul style="list-style-type: none"> • Imperial met with the Ontario Energy Board (OEB) to introduce the Project. • At this time, the project remains <u>confidential</u>. • A Leave to Construct (LTC) is required under Section 90 of the <i>OEB Act</i>. A major component of that application is the Environmental Report. OEB review process includes hearings, either written or oral. • Imperial will implement a comprehensive public, First Nations, and regulatory consultation program; including the Niagara Escarpment Commission. • MNRF staff asked if the pipe diameter is staying the same or would decrease. MS responded that there are currently no plans to change pipe diameter. • ERM staff indicated that major waterways would be trenchless crossings. Other measures to avoid/mitigate effects on Species at Risk (SAR) will be explored. <p>Timeline</p> <ul style="list-style-type: none"> • MS provided a high level overview of the schedule • Imperial plans to obtain regulatory permits for the Project (federal, provincial, municipal) concurrently with the OEB Leave to Construct application • The current schedule anticipates a late Fall 2018 submission of Environmental Report to OEB and OPCC • Sally Renwick (MNRF) would be responsible to coordinate review of the ER submission, and may engage MNRF Districts • Imperial plans to issue project notices to OPCC members this spring • ERM plans to submit Information Gathering Forms (IGF) shortly after spring fieldwork and want to confirm that it meets MNRF expectations through an iterative process (draft and final submissions). • MNRF staff indicated there is one potential but unknown area for Jefferson Salamander around KP 1. MNRF stated we have missed the early spring movement of this species to vernal pool breeding areas, and therefore would need to plan for additional surveys in Spring 2019. Three years worth of data may be required for this species. MNRF does not have good data on vernal pools in this area. • ERM staff requested species at risk (SAR), wetland evaluation, and other Natural Heritage spatial data not available on Land Information Ontario (LIO) • ERM staff indicated that opportunities to avoid effects on SAR Regulated Habitat will be evaluated • MNRF staff indicated that the schedule indicates approximately 1.5 years to start of construction. ERM indicated that mid-2019 is the anticipated construction start date. • MNRF staff provided a description of an online registration through exemption regulation 23.18 (Ontario Regulation 242/08) in place of Overall Benefit Permits (<i>Endangered Species Act</i>) if the activity qualifies. Determining whether the project fits under this registration can be completed after self-assessment or MNRF can provide

guidance once the draft IGF is submitted. If construction footprint within regulated habitat is entirely within existing ROW, exemption may be possible.

Field Program

- MS indicated reconnaissance work was completed in 2017 and the focus of 2018 surveys will be species-specific.
- ERM staff to provide survey protocol overview to MNRF for review and acceptance
- Upcoming surveys include wetland identification and delineation, habitat suitability and egg mass survey for Jefferson Salamander, and habitat suitability for Blanding's Turtle. This would bring the field program to the end of May 2018. MNRF staff to provide Blanding's Turtle Protocols to confirm timeline.
- MNRF staff indicated there is no need to conduct Jefferson Salamander surveys in Regulated Habitat. Focus should be on vernal pools in areas where there are data gaps.
- Regarding eDNA for detection of Jefferson Salamander and the Unisexual Ambystoma (Jefferson Salamander dominated population), MNRF has not had the opportunity to review the data collected to date on the effectiveness and reliability of this method. This method is in early stages of development and has not been widely tested. Therefore, at this time, MNRF does not support the use of this method as a standalone method to confirm absence of the species. MNRF recommend that the project team use the protocol currently supported by the MNRF (Sampling Protocol for Determining Presence of Jefferson Salamander – July 2013) and the associated data collection form to sample suitable habitat in study area that are data deficient. The project team may wish to test the eDNA method in conjunction with the above-noted protocol.
- Regarding bats, ERM staff indicated that ecological land classification (ELC), tree reconnaissance, cavity searches, bat acoustics would be conducted in June, focusing on tree removal areas. MNRF staff suggested the Project should continue with acoustic surveys to ID species, and apply timing windows to construction as a mitigation measure where there will be an impact from tree clearing.
 - Regarding the timing window – a timing window for tree removal would only be appropriate to address s.9 of the ESA in cases where MNRF has determined that there is no likely contravention of s.10. If habitat damage or destruction is anticipated, an ESA authorization (or ESA registration, if eligibility requirements can be met) may be required.
- Breeding bird surveys will begin in June 2018. Surveys would be conducted in a variety of habitat types. There are two rounds of surveys planned.
- Discussion on potential new SAR that may be listed in the short term: Monarch Butterfly and Common Nighthawk. MNRF staff will provide survey protocols for Blanding's Turtle and Common Nighthawk.
- MNRF staff requested if the Critical Issues report could be distributed for background. MS responded that the intent of that report was for internal consideration, but results will be updated for 2018 and shared with MNRF through the OEB and permitting process.

	<ul style="list-style-type: none"> • MNRF staff asked if karst habitat would be surveyed. MNRF has no mapping of karst areas. • Discussion on the scope of the ER, and if it covers provincial policy. ERM indicated that ER is focussed on impact assessment, mitigation planning and constraint mapping, however how the Project conforms to land use plans will be discussed. ERM to forward links to previously filed example ER's. • Constraint mapping to be filed with the OEB will not include SAR-specific information because of confidentiality of information. • Because the line is located on HONI land it may trigger a Public Work Class EA. If this is the case, our plan is for the ER to meet Class EA requirements. • MNRF staff requested educational materials on trenchless crossing techniques. ERM informed MNRF that Canadian Energy Pipeline Association has pipeline educational videos https://cepa.com/en/resources/videos/
Summary of Actions	
• ERM staff to provide the current version of OEB Environmental Report guidelines to MNRF.	MS
• MNRF staff to provide Jefferson Salamander Regulated Habitat GIS data (shapefile) for 50 meter buffer either side of assumed 25 meter construction footprint	AML
• ERM staff requested SAR, wetland evaluation, any other Natural Heritage spatial data not available on LIO from MNRF for a study area of 250m either side of pipeline centerline, including wetland evaluation files, ANSI check sheet, current and imminent SAR (species that may be listed in 2018/19), and in-water work timing windows for all watercourses crossed by the pipeline route	AML/ TM
• ERM staff to provide survey protocol overview to MNRF	MS
• MNRF staff will provide survey protocol for Blanding's turtle and Common Nighthawk	AML
• ERM staff to forward MNRF previous examples of filed Environmental Reports	MS
• MNRF staff to review and comment on ERM spring 2018 field survey design and protocols	AML
• MNRF staff to confirm if MNRF Guelph and Aurora Districts to coordinate review or one District to lead the review as suggested by MNRF Aurora	TM/A ML


FW: Imperial - Waterdown to Finch Pipeline Project

Matthew Scoular [Matthew.Scoular@erm.com]

Sent: Thursday, August 30, 2018 5:06 PM**To:** Imperial Isometrix; Amanda Juric [Amanda.Juric@erm.com]**Attachments:** MNRF Survey Protocol for B~1.pdf (3 MB) ; Blanding's Turtle Nest Sur~1.pdf (23 KB) ; Whip-poor-will_Common Nigh~1.pdf (149 KB) ; Bobolink & Eastern Meadowl~1.pdf (11 KB) ; Sampling_Protocol_for_Dete~1.pdf (721 KB) ; Jefferson Salamander Field~1.doc (2 MB) ; BLTU_habitat_Apr9_18.JPG (213 KB) ; JESA_habitat_Apr9_18.jpg (160 KB)

Best,

Matt Scoular

ERM**M** +1 416 567 7126 

From: Laurence, Anne Marie (MNRF) <annemarie.laurence@ontario.ca>**Sent:** Monday, April 09, 2018 12:59 PM**To:** Matthew Scoular <Matthew.Scoular@erm.com>; Shannon Catton <shannoncatton@savanta.ca>**Cc:** Mark Welsh <Mark.Welsh@erm.com>; McKenna, Tara (MNRF) <Tara.McKenna@ontario.ca>**Subject:** RE: Imperial - Waterdown to Finch Pipeline Project

Hi Matt & Shannon

Thank you for engaging Guelph District MNRF staff in an early discussion for the Waterdown to Finch pipeline upgrade project. As a follow up to our meeting, we are pleased to provide the following information and recommendations:

Available SAR Habitat Mapping

(note: maps show the existing pipeline plus a 50m buffer on either side, as requested)

- Jefferson Salamander habitat mapped in accordance with the habitat regulation is attached – the regulated area is shown with a white outline.
- We have provided Blanding's Turtle general habitat mapping (Category 2 and 3). Note: Cat 2 = Orange Hatching; Cat 3 = Yellow Hatching. As per the general habitat description for this species, Cat 2 is the wetland and suitable water features plus a 30m buffer, and Cat 3 is suitable areas between 30-250m from Cat 2. Note that I did not clip the Cat 3 habitat to exclude unsuitable areas (e.g. developed areas), as this is very time consuming, but using the orthophoto you can easily determine areas that would not be suitable for species movement.
- Note that the mapped habitat spans both Districts at this location – the green line on the map shows the boundary between Guelph and Aurora Districts.
- As noted in our letter to you dated April 3, 2018, please be aware that SAR habitat mapping is subject to change/updates as new information becomes available. As discussed at our meeting, these maps are for internal use only, as they show sensitive SAR information.

Survey Protocols:

- To assist with upcoming field work, we have attached recommended survey protocols for Blanding's Turtle (separate protocols for basking and nest surveys), Common Nighthawk, Jefferson Salamander (including a standardized datasheet) and Bobolink/Eastern Meadowlark. We understand you are already familiar with methods for SAR Bats.
- Note that for Jefferson Salamander/Unisexual Ambystoma (Jefferson Salamander dominated population) sampling, you will need a ESA B permit, WSCA and approved Animal Care Protocol. As we

EXHIBIT H

Record of Consultation - Supporting Documents

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discussed, e-DNA methods for determining presence/absence are not supported as a reliable method at this time as there are too many uncertainties; however, you may choose to test this method in conjunction with minnow traps/tail clipping and a “positive” result will be accepted by MNRF (we will not accept a “negative” result).

- If you propose to capture or handle Blanding’s Turtles you will also need the same authorizations are above (Not required for visual surveys). In our meeting, we had discussed that in addition to basking surveys, nest surveys are also recommended (e.g. within agricultural fields that may be impacted). We have attached Guelph District’s recommended approach (2016). You will see that the MNRF Survey Protocol for Blanding’s (Aug 2015) does not provide a lot of specific detail on nesting surveys; the Guelph District protocol provides some supplemental information which may assist.
- We’ve given more thought to your question about a recommended methodology for Monarch Surveys. In the absence of a standardized MNRF protocol, we recommend the following approach to determine presence/absence of **breeding** habitat of Monarch:
 - Identify suitable ELC communities
 - Determine if milkweed is present/absent
 - Where milkweed is present, buffer ELC communities by 5m (for seed dispersal along edges)
 - Use GPS to map patches of milkweed
 - Conduct visual surveys to determine presence/absence of Monarch/larvae (June-August) under suitable weather conditions (i.e., temps >15°C, sunny skies, light to calm winds). Note: If the species is not detected during the first survey, up to 2 more surveys under suitable conditions are recommended to confirm presence/absence.

PPS/Significant Wildlife Habitat:

As per the Ontario Energy Board guidelines (2016), it is our understanding that the OEB, as part of its approval process, must be consistent with the PPS. Although it was not discussed at our meeting, after reviewing the OEB guidelines, we noted that the document specifically states the need to identify Significant Wildlife Habitat (SWH) – see pg 25. Therefore, we recommend that the project team incorporate any necessary studies related to the identification of SWH into their upcoming field work plan.

Additional Comments:

We briefly discussed your plans for identifying Butternut of all diameters. One additional comment is that a Butternut Health Assessment by a certified BH assessor should be conducted in accordance with the Butternut Health Assessment Guidelines for each Butternut tree to be impacted.

I hope the above comments are of assistance. If you have any questions or concerns, please let me know. As discussed in the meeting, Aurora District will be the lead for this file, and our District can provide additional support, as needed. I will forward a copy of this email (without the survey protocol attachments) to Bohdan Kowalyk at Aurora District.

Best regards,

Anne Marie

Anne Marie Laurence

Management Biologist

Ministry of Natural Resources & Forestry


Guelph District

(519) 826-4132 

EXHIBIT H
Record of Consultation - Supporting Documents

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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](#)

FW: Imperial - Waterdown to Finch Pipeline Project (Field Survey Methods)

Matthew Scoular [Matthew.Scoular@erm.com]

Sent: Thursday, August 30, 2018 5:04 PM

To: Imperial Isometrix; Amanda Juric [Amanda.Juric@erm.com]

Attachments: Bobolink-MeadowlarkSurveyM~1.pdf (24 KB) ; Ontario Snake Survey Proto~1.pdf (5 MB)

Best,

Matt Scoular

ERM

M +1 416 567 7126 

From: Kowalyk, Bohdan (MNRF) <bohdan.kowalyk@ontario.ca>

Sent: Monday, April 23, 2018 10:25 AM

To: Matthew Scoular <Matthew.Scoular@erm.com>; Laurence, Anne Marie (MNRF) <annemarie.laurence@ontario.ca>; McKenna, Tara (MNRF) <Tara.McKenna@ontario.ca>; Currie, April (MTO) <April.Currie@ontario.ca>

Cc: Mark Welsh <Mark.Welsh@erm.com>; Shannon Catton <shannoncatton@savanta.ca>; Katie Kuker <Katie.Kuker@erm.com>; Sean Male <seanmale@savanta.ca>

Subject: RE: Imperial - Waterdown to Finch Pipeline Project (Field Survey Methods)

Hello Matthew,

The following comments are provided:

Plant Surveys

- It is recommended that a tabular list of identified plant species be provided, with accompanying mapping of the specific locations of all S1-3 species and all species with a coefficient of conservatism of 8-10.

Breeding Bird Surveys

- It is recommended that upcoming field work include targeted surveys for Bobolink and Eastern Meadowlark using the methodology provided by Guelph District (attached).

Blanding's Turtle

- In addition to what is currently proposed, it is recommended that the project team review the methodology for Blanding's Turtle surveys in vegetated wetlands, e.g., meadow marshes (see page 7 of MNRF's survey protocol of August 2015) and apply this approach if suitable habitat is present.

Snake Surveys

- MNRF recommends that the attached protocol be followed for the general snake surveys

(visual) and hibernacula surveys. As noted in the protocol, early season surveys for basking snakes near suitable hibernacula can be used to confirm hibernation sites. Although it is unlikely that species at risk snakes will be encountered in the study area, the identification of reptile hibernacula is important for the identification of Significant Wildlife Habitat.

SAR Bats

Following identification of suitable candidate maternity roosting habitat for SAR bats, it is recommended that the project team consult with MNRF to potentially scope sites where acoustic monitoring may be recommended.

Regards,

Bohdan Kowalyk, R.P.F.

District Planner, Aurora District, Ontario Ministry of Natural Resources and Forestry
50 Bloomington Road, Aurora, Ontario L4G 0L8
Phone: 905-713-7387; Email: Bohdan.Kowalyk@Ontario.ca

From: Matthew Scoular [<mailto:Matthew.Scoular@erm.com>]

Sent: April 18, 2018 12:57 PM

To: Laurence, Anne Marie (MNRF); McKenna, Tara (MNRF); Kowalyk, Bohdan (MNRF); Currie, April (MTO); Brothers, Brianne (MNRF)

Cc: Mark Welsh; Shannon Catton; Katie Kuker; Sean Male

Subject: Imperial - Waterdown to Finch Pipeline Project (Field Survey Methods)

Importance: High

Hi all,

As promised, ERM's field survey methods are attached for your review. Please confirm that they meet your expectations for Imperial's Waterdown to Finch Pipeline Project.

Feel free to call me if you have any questions.

Best Regards,

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

ERM

120 Adelaide Street West | 20th Floor | 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





Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Patrick Grace
Director, Lands Transactions, Hydro Corridor & Public Works
Infrastructure Ontario
Suite 2000, 1 Dundas Street West
Toronto, Ontario
M5G 1Z3

Dear Mr. Grace,

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,

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



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Paul Martin
Supervisor, Air, Pesticides and Environmental Planning
Ministry of the Environment and Climate Change
9th Floor, 5775 Yonge Street
Toronto, Ontario
M2M 4J1

Dear Mr. Martin,

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.

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We look forward to connecting.

Sincerely,

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



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Joseph Vecchiolla
Policy Lead
Ministry of Infrastructure (formerly 'Ministry of Economic Development, Employment and Infrastructure')
4th Floor, Suite 425, 777 Bay Street
Toronto, Ontario
M5G 2E5

Dear Mr. Vecchiolla,

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.

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We look forward to connecting.

Sincerely,

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



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Ross Lashbrook
Manager, Community Planning and Development (East)
Ministry of Municipal Affairs and Housing
13th Floor, 777 Bay Street
Toronto, Ontario
M5G 2E5

Dear Mr. Lashbrook,

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.

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We look forward to connecting.

Sincerely,

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



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Sally Renwick
Team Lead
Ministry of Natural Resources and Forestry
3rd Floor S, 300 Water Street
Peterborough, Ontario
K9J 8M5

Dear Ms. Renwick,

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.

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We look forward to connecting.

Sincerely,

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



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Shereen Smithanik
Senior Policy Advisor
Indigenous Energy Policy
Ministry of Energy
6th Floor, 77 Grenville Street
Toronto, Ontario
M7A 1B3

Dear Ms. Smithanik,

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.

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The Waterdown to Finch Project (the 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.

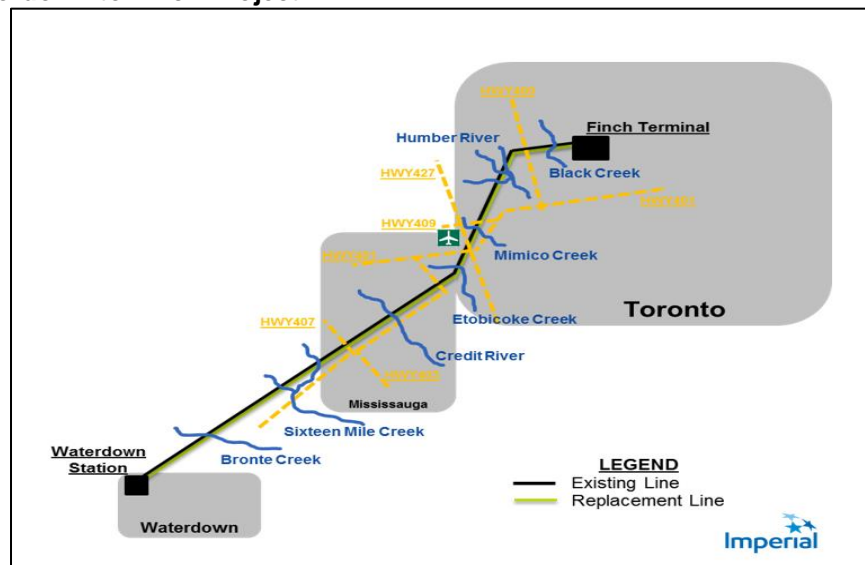
Environmental and cultural assessments will start in the spring of 2018. Subject to provincial regulatory review and receipt of all permits, Imperial anticipates construction to begin in 2019.

Most replacement work will take place in close vicinity to the existing pipeline. In the coming weeks, Imperial representatives or designates will be directly contacting Indigenous groups and landowners to schedule a meeting. Over the duration of the Project, we will work collaboratively and communicate proactively to minimize construction impacts.

The Project will require an application to the Ontario Energy Board (OEB) for Leave to Construct under subsection 90(1) of the *Ontario Energy Board Act*, in addition to other federal, provincial and municipal regulatory requirements. Imperial will work with the OEB, the members of the Ontario Pipeline Coordinating Committee, and other regulators to comply with all applicable law, regulation and associated approval and permit requirements.

Please accept this letter as a formal notification of Imperial's Waterdown to Finch Project. In accordance with the Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario, 7th Edition, 2016 (the Guidelines) issued by the OEB, Imperial requests that the Ministry determine if a duty to consult obligation is required for the Project. Figure 1 provides the general location of the Project.

Figure 1: Waterdown to Finch Project



Consistent with Imperial's commitment to establishing cooperative relationships based on mutual respect and early communications, the following Indigenous groups have been identified for engagement on the basis that they may have interests or may have constitutionally protected Aboriginal or treaty rights.

Table 1: Indigenous and Métis Groups

Mississaugas of the New Credit First Nation	2789 Mississauga Road R.R. #6 Hagersville, ON N0A 1H0
Six Nations of the Grand River	PO Box 5000, Ohsweken, ON N0A 1M0
Huron Wendat Nation	255, place Chef Michel Laveau Wendake, QC G0A 4V0
Métis Nation of Ontario	Lands, Resources and Consultation 75 Sherbourne Street, Suite 311 Toronto, ON M5A 2P9

As you are aware, the duty to consult Indigenous peoples rests with the Crown, so this letter seeks the Ministry's direction, in accordance to the Guidelines, on whether procedural aspects of consultation will be delegated to Imperial and seeks the Ministry's direction on the identification of Indigenous communities to be engaged.

In addition, 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 methods, community engagement efforts and our full project brochure.

Should you have questions, I would be pleased to discuss this further with you.

Sincerely,

Christopher Plain
Indigenous Relations Lead – Ontario Region
Imperial Oil Limited

c.c.: Serge Imbrogno, Deputy Minister of Energy
Jessie Malone, Environmental and Regulatory Advisor, Imperial Oil Limited



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Karla Barboza
Team Lead, Heritage Program Unit
Ministry of Tourism, Culture, Sport
401 Bay Street
Toronto, Ontario
M7A 0A7

Dear Ms. Barboza,

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,

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

c.c.: James Hamilton



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Tony Difabio
Team Lead, Highway Corridor Management Section
Ministry of Transportation
2nd Floor, 301 St. Paul Street
St. Catharines, Ontario
L2R 7R4

Dear Mr. Difabio,

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.

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We look forward to connecting.

Sincerely,

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



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Zora Crnojacki
Project Advisor, Natural Gas and Electricity Infrastructure & OPCC Chair
Ontario Energy Board
27th Floor, 2300 Yonge Street
Toronto, Ontario
M2N 6A5

Dear Ms. Crnojacki,

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.

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We look forward to connecting.

Sincerely,

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



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Linda Pim
Policy Advisor
Ministry of Agriculture, Food, Rural Affairs
1 Stone Road West
Guelph, Ontario
N1G 4Y2

Dear Ms. Pim,

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.

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We look forward to connecting.

Sincerely,

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



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Kourosh Manouchehri
Engineer
Technical Standards and Safety Authority
14th Floor, 3300 Bloor Street West
Toronto, Ontario
M8X 2X4

Dear Mr. Manouchehri,

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.

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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,

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

Imperial
Waterdown to Finch Pipeline Project
June 28, 2018
Introductory Meeting with MTCS
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

MTCS

- John Dunlop, Archaeology Review Officer (JD)
- Laura Hatcher, Heritage Planner (LH)

Imperial

- Jessie Malone (JM)

ERM

- Curtis Campbell (CC)
- Jim Chan (JC)
- Daniel Walker (DW) - teleconference

Past Recovery

- Brenda Kennett (BK)
- Jessalyn Miller (JRM) - teleconference

Meeting Objectives

Primary Objectives:

- Introduction to Imperial's Waterdown to Finch Project
- Confirm MTCS archaeology requirements
- Discuss OEB leave to construct application regulatory permitting
- Discuss cultural studies

Topic	Discussion
Location	<ul style="list-style-type: none"> • MTCS office, 401 Bay St, 17th Floor, Cloud Garden Boardroom
Agenda	<ul style="list-style-type: none"> • Meeting to introduce the Project and confirm MTCS archaeology requirements.
Materials	<ul style="list-style-type: none"> • Imperial: Powerpoint presentation to MTCS June 28, 2018
Introduction	<ul style="list-style-type: none"> • Imperial (JM) thanked everyone for making time to attend the meeting. We wanted to take the time to introduce the Project and discuss archaeology planning.
Safety Moment	<ul style="list-style-type: none"> • JM provided a safety moment to open the meeting. When driving to a destination that is unfamiliar, it is a useful pre-planning step to review a map of the location instead of solely relying on following the GPS coordinates.
Project Overview	<ul style="list-style-type: none"> • We wanted to provide MTCS with a Project overview. • JM indicated that 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)

	<ul style="list-style-type: none"> • 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 safely 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 12" new pipe. The pipeline will continue to operate safely 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 in order to ensure we capture the field work during the seasonal windows. Field work is planned for summer and fall. Archaeology field work is timed for the summer. • We are planning Community Information Sessions in July and November to inform the public and provide opportunities for feedback. The purpose of the Info Sessions is to 1) to introduce the project; 2) to receive feedback to incorporate into the project design. • 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.
Archaeological Assessment	<ul style="list-style-type: none"> • Past Recovery (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 confirmed 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. • ERM (CC) added that the Project would stay mainly within the existing pipeline corridor and HONI easement, which has other sub-surface utilities and has already been partially disturbed. • BK confirmed that 11 registered archaeological sites were identified within, or in close proximity, to the project area including the Parsons site (AkGv-8);

	<ul style="list-style-type: none"> • 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; • The Credit River Valley, a designated cultural landscape; • BK stated that historical mapping between 1858 and 1878 indicates historical settlements and associated features, including farmsteads, houses, churches, blacksmith shops, schoolhouses, Orange Halls and mills. • BK confirmed that a small number of pioneer cemeteries were noted on lots associated with the corridor, but for which no detailed locational information appears to exist. Imperial (JM) noted that there are two proposed types of construction methods to minimize impacts, open cut construction and trenchless Horizontal Direction Drilling (HDD). • JM indicated that at a high level, 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 watercourses, major road crossings, and important archaeological features by using directional drilling as much as possible.
Indigenous	<ul style="list-style-type: none"> • ERM (CC) indicated that communities with an interest in the project area are anticipated to include the following. Imperial is reaching out to all three communities for participation in archaeology program. <ul style="list-style-type: none"> ◦ Mississaugas of the New Credit ◦ Six Nations of the Grand River ◦ Huron-Wendat (archaeology to be discussed) • CC confirmed that all three communities will have an opportunity to review and comment on the Stage 1 assessment. CC commented on possibility of submitting a draft Stage 1 report to MTCS for reference in advance of FN review completion, pending timeline. • MTCS indicated there is flexibility on submission of the Stage 1 in advance of FN review, however if this is the preferred approach then Imperial should incorporate a report on the consultation/engagement planning. • Team confirmed that Indigenous monitors will be included in the Stage 2 Archaeological fieldwork. • MTCS recommended that we engage with HDI. HCCC is the traditional government for the HDI. HDI has experience in field monitoring and will be expecting to provide FLRs for the archaeology scope. • MTCS recommends presenting all distinct Indigenous community narratives into the Consultation Report.
Archaeological Assessment	<ul style="list-style-type: none"> • Past Recovery (BK) discussed the proposed Archaeology Stage 2 method and timeline - will likely start in mid to late July. BK discussed project mitigations. Proposal is to do trenchless HDD boring beneath the Parsons site (AkGv-8) to reduce impacts. Imperial recognizes that Huron-Wendat have interest in the site as well. • MTCS recommended HDD drilling of the Parsons site to avoid the archaeological area. MTCS is able to work collaboratively to provide advice on depth requirements after the geotechnical assessment.

	<ul style="list-style-type: none"> • Trenchless HDD boring at major river crossing will help mitigate impacts to potential archaeological sites. • BK noted that the proposed Stage 2 methodology and plan is comprehensive. Assessment of all areas of archaeological potential that will be subject to open cut trenching within the corridor through shovel testing at 5 m intervals or field ploughing and surveying. • MTCS acknowledged that strict adherence to the 5 m grid may not be feasible given other pipelines in corridor. Will work with Imperial and Past Recovery to adjust interval as required. • MTCS confirmed that ploughing on pasture will not be required. Test pitting only. • MTCS will advise on a case by case basis when a farmer refuses to plow. Imperial will need to provide evidence of communication and area will still need to be assessed by test pit. • MTCS confirmed that a letter from the MOECC confirming restricted areas (i.e. environmentally sensitive areas) is acceptable and this area will not require a MTCS archaeology field assessment. MTCS recognizes that this may be confidential information. If proof of engineered golf courses, soccer fields is provided, MTCS confirmed that test pitting may not be required. • MTCS suggested submitting 6 Project Information Forms (PIFs), one for each municipality, for Stage 2 to make reviewing easier. • MTCS acknowledged that TRCA may want to conduct their own archaeological assessment on their lands. They would submit their own PIF. JM confirmed that Imperial has engaged TRCA. • MTCS recommended archaeological surveys along HDD sections including to the top of the bank for drilling under watercourses. • MTCS advised having a soils engineer review geotech results ensure that the proposed HDD path does not slump and create a sinkhole. • For HDD construction, MTCS requested that the project step back far enough for the HDD to avoid the archaeology potential. The depth, step back, angle for construction will be determined as a result of the geotechnical investigation. MTCS should be engaged further to understand set back requirements. •
Archaeology Assessment related to Geotechnical Program	<ul style="list-style-type: none"> • ERM (CC) noted that trenchless HDD design methods require geotechnical assessment. Geotechnical assessment would like to start in summer. Part of the discussion today is to understand MTCS's expectation for archaeological assessment for the geotechnical program . • MTCS confirmed Imperial's proposed approach for two boreholes in proximity to the Parsons site: boreholes will be preceded by a 1 x 1 m unit at each borehole location. CC confirmed that tracked, geotech drilling rigs will be used for any borehole locations that require off-road access. • MTCS noted that access with this equipment to the Parsons site and other sites does not require assessment in advance of geotechnical assessment. MTCS advised that outside of known sites, (i.e. Parsons site), if existing conditions are conducive, a visual assessment

	<p>can be conducted on ploughed land. For non-agricultural lands (or agricultural lands that have not yet been ploughed) test pit will be dug at exact location of proposed borehole to determine presence or absence of archaeological materials or features. The number and alignment of the test pit(s) will be determined at each location.</p> <ul style="list-style-type: none"> • MTCS does not expect immediate communication in the field. Positive test results can be mitigated onsite by avoidance. Protocol and findings will be reported in the Stage 2 report. • • • MTCS (LH) advised conducting a screening checklist assessment in advance of cultural heritage assessment. MTCS has sent the screening checklist assessment to ERM (DW). Stage 1 has included a review of the principal cultural heritage features associated with the corridor. A summary of the checklist can be sent to MTCS for review, but they will not issue clearance.
Regulatory Overview	<ul style="list-style-type: none"> • ERM (CC) indicated that we have met with the Conservation Authorities in the area. We are also informing the Ontario Pipeline Coordination Committee regulatory members. • MTCS request to add JD and LH to the distribution list of mailings for OPCC. • Potential environmental permitting includes: <ul style="list-style-type: none"> Federal <ul style="list-style-type: none"> ○ DFO: Self-assessment ○ TC: <i>Navigation Protection Act</i> screening Provincial <ul style="list-style-type: none"> ○ 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 <ul style="list-style-type: none"> ○ Conservation Authorities: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses ○ NEC: Development Permit ○ Municipalities: Tree damage/removal permits
Summary of Actions	
<ul style="list-style-type: none"> • Add JD and LH, MTCS to the distribution list of the OPCC • 	JC
A summary of the screening level checklist assessment for cultural heritage assessment to be submitted to MTCS in advance of geotech program.	DW

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 checked="" 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

June 2018



Agenda

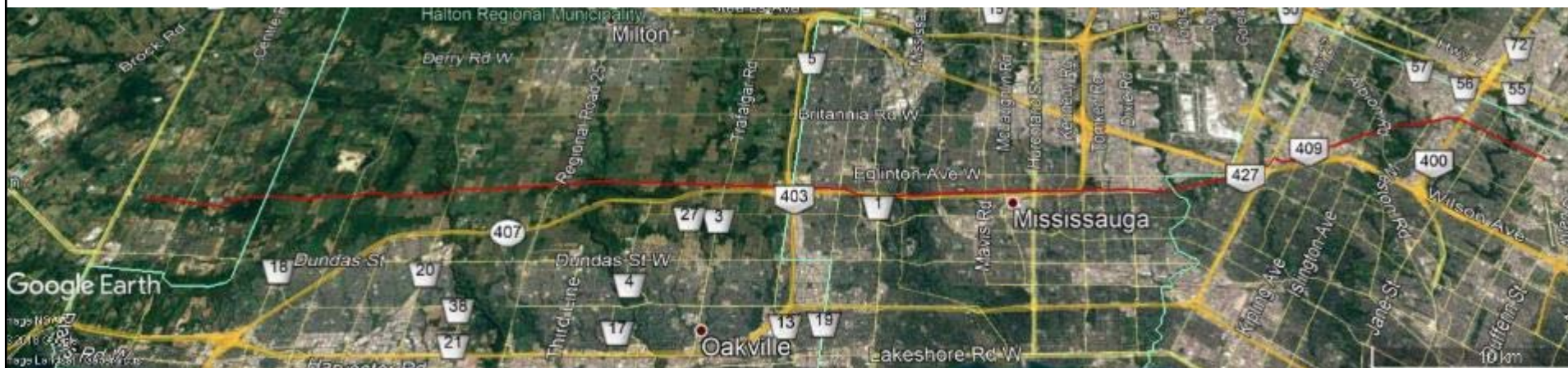
- Safety moment
- Sarnia Products Pipeline
- Project overview
- Timeline
- Archaeology Stage 1 Results
- Indigenous Engagement
- Planned Stage 2 Methods
- Geotechnical Assessment
- Minimizing construction impacts
- Regulatory approvals and permitting
- Environmental surveys
- Community engagement
- Imperial in Ontario
- Q&A



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

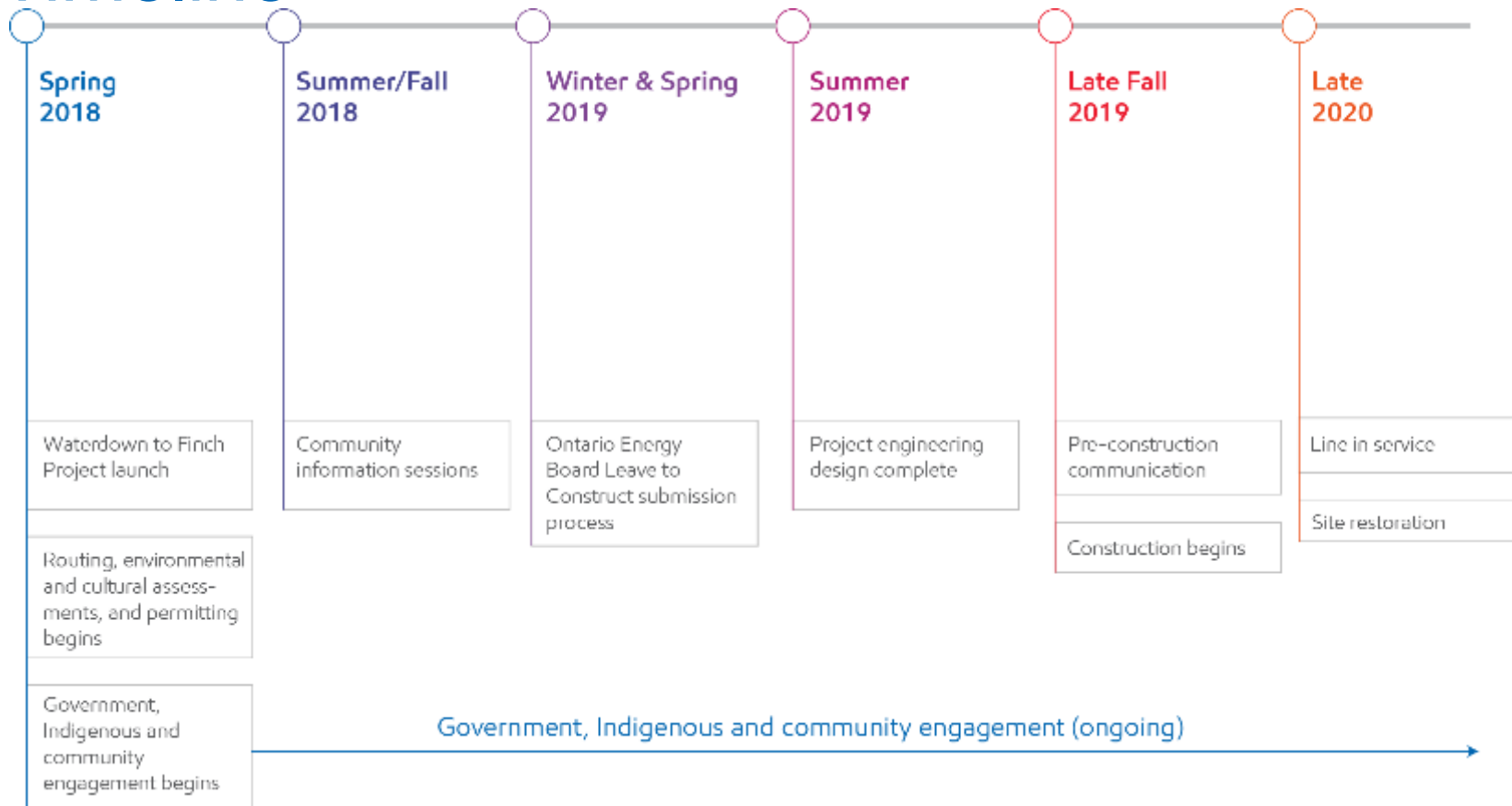


Continued safety and reliability for the GTHA

- 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

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



Preliminary Archaeological Stage 1 Results

Archaeological Concerns

- 11 registered archaeological sites were identified within, or in close proximity, to the project area including the Parsons site (AkGv-8)
- 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, a designated cultural landscape
- Historical mapping between 1858 and 1878 indicates historical settlements and associated features, including farmsteads, houses, churches, blacksmith shops, schoolhouses, Orange Halls and mills
- A small number of pioneer cemeteries were noted on lots associated with the corridor, but for which no detailed locational information appears to exist



Proposed Archaeological Stage 2 Methods

Project Impact Mitigations

- Trenchless HDD boring beneath the Parsons site (AkGv-8) to reduce impacts
- Trenchless HDD boring at major river crossing
- Assessment of all areas of archaeological potential that will be subject open cut trenching within the corridor through shovel testing at 5 m intervals or field ploughing and survey

Factors Limiting Archaeological Potential

- Visible disturbance down to 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



Indigenous Engagement

Indigenous Engagement

- Communities with an interest in the project area are anticipated to include the following:
 - Mississaugas of the New Credit
 - Six Nations of the Grand River
 - Huron-Wendat
- Communities will have an opportunity to review and comment on the Stage 1 assessment
- Indigenous monitors will be included in the Stage 2 Archaeological fieldwork



Geotechnical Assessment

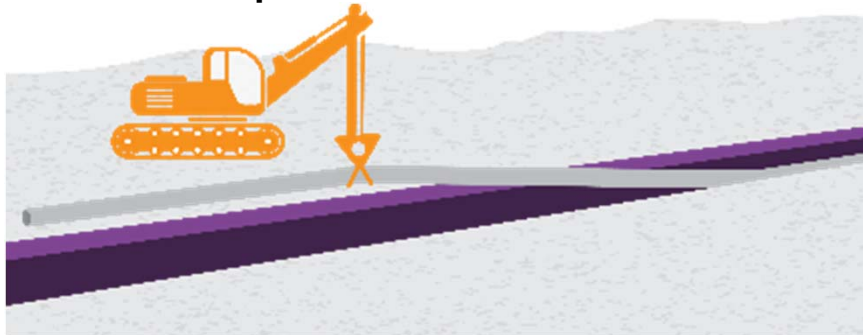
- ~140 geotechnical bore hole locations within existing utility corridor
 - ~97 are located within areas of archaeological potential
- Existing infrastructure will be used as much as possible for access (e.g., roads, driveways, paths, etc.)
- No soil stripping
- Equipment:
 - Low ground pressure wide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



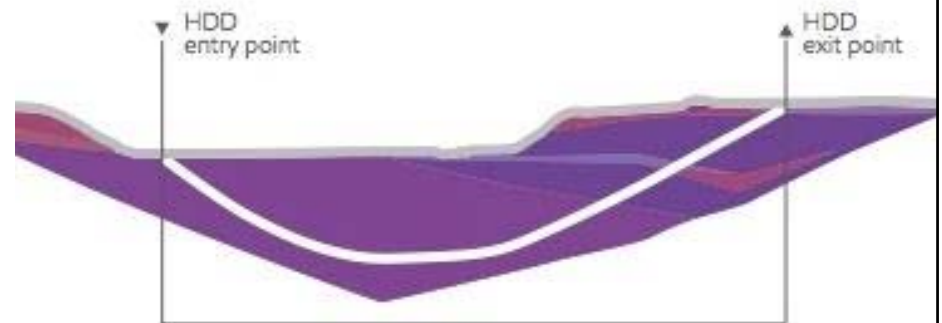
Minimizing construction impacts

- 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 environmental 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



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



Bio-Physical/Cultural Field Program

- Imperial engaged MNRF early in the planning process with respect to study scope and design
- Focus of bio-physical survey work is identification of Species at Risk and associated habitat

Completed Studies

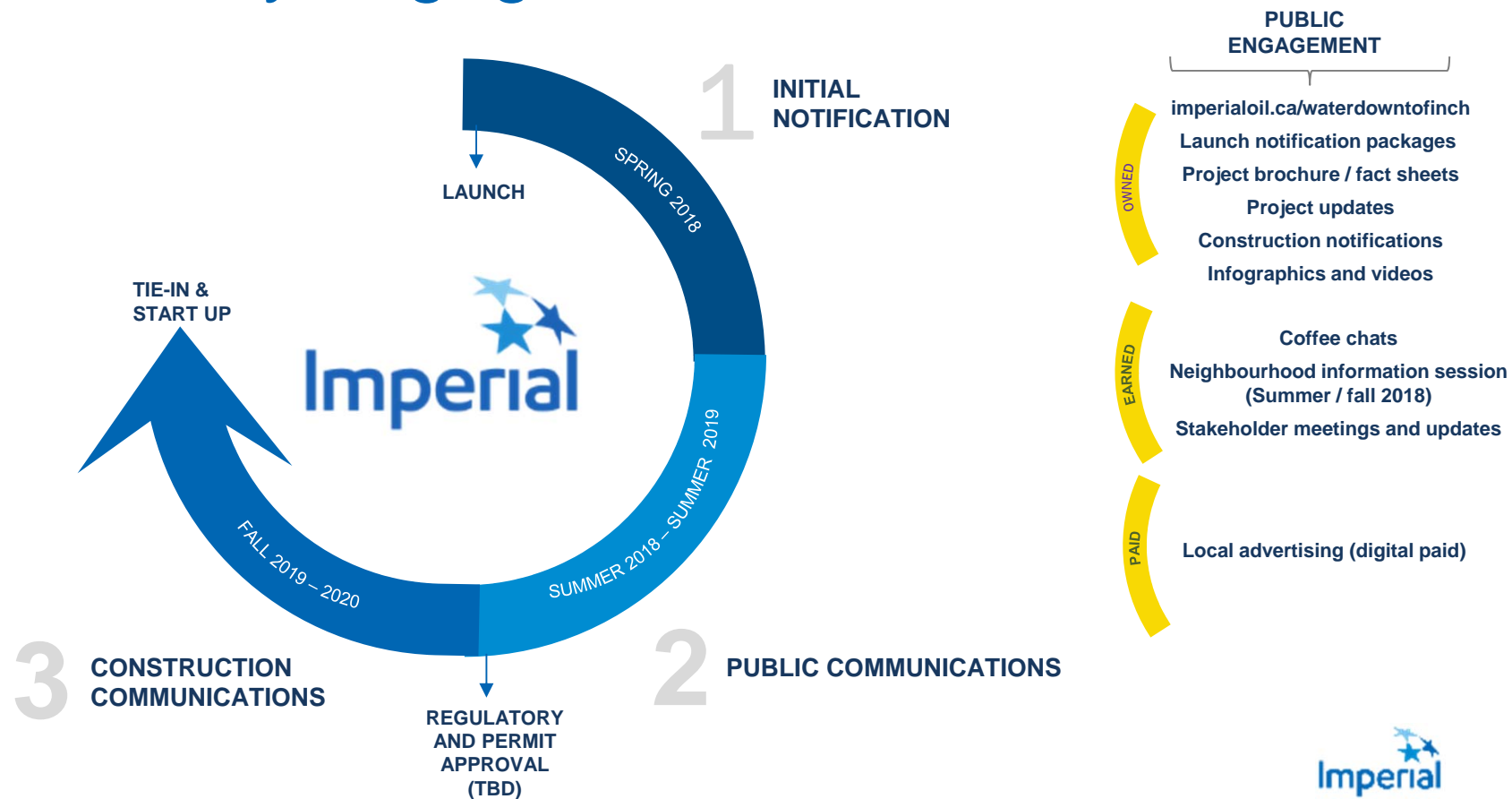
- Stage 1 archaeological assessment (awaiting First Nations review and comments)
- Jefferson salamander habitat and egg mass
- Reptile emergence (turtle, snake)
- Spring botanical survey and preliminary ELC mapping
- Breeding bird and wetland callback (ongoing)
- Bat habitat and acoustic monitoring (ongoing)

Upcoming Studies

- Summer/Fall botanical survey and final ELC mapping
- Fisheries barrier and habitat assessment
- Stage 2 archaeological assessment
- Cultural heritage - existing conditions survey



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

Questions?

For more information

W: imperialoil.ca/waterdowntofinch

T: 416.586.1915

E: questions@imperialon.ca

**Ministry of the Environment
and Climate Change**

Deputy Minister

77 Wellesley Street West
11th Floor, Ferguson Block
Toronto ON M7A 2T5
Tel.: 416 314-6753
Fax: 416 314-6791

**Ministère de l'Environnement
et de l'Action en matière de
changement climatique**

Sous-ministre

77, rue Wellesley Ouest
11^e étage, édifice Ferguson
Toronto ON M7A 2T5
Tél: 416 314-6753
Télec.: 416 314-6791

JUN 28 2018

ENV1173DC-2018-59

**George Vincent
Senior Regulatory Affairs Advisor
Policy and Advocacy, Commercial and Corporate Development
Imperial Oil Limited
100 5th Concession East
Waterdown ON L0R 2H1**

Dear George Vincent:

Thank you for your letter of May 22, 2018 about Imperial Oil Limited's proposed Waterdown to Finch Project to replace 63 kilometres of pipeline from Hamilton to Toronto's North York area.

The replacement of pipelines may require provincial environmental permission such as Permits to Take Water, Environmental Compliance Approvals, and/or an Environmental Activity Sector Registry for supporting infrastructure and construction activities.

Should you want to discuss details related to environmental permissions, ministry staff would be pleased to meet with you. Please contact Eugene Macchione, Director of the ministry's Client Services and Permissions Branch, at 416-314-8171 or by email at Eugene.Macchione@ontario.ca to set up a convenient time.

Thank you, again, for sharing information about the Waterdown to Finch Project with me.

Sincerely,



**Paul Evans
Deputy Minister**

c: Eugene Macchione
Director
Client Services and Permissions Branch



Imperial
Waterdown to Finch Pipeline Project
July 5, 2018
Teleconference Call 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

Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA)

- Jackie Van de Valk (JV), Rural Planner, Land Use Policy and Stewardship

Imperial

- Jessie Malone (JM), Environmental and Regulatory Advisor
- Ron Tourigny (RT), Right of Way and Claims Coordinator

ERM

- Jim Chan (JC), Senior Consultant

Meeting Objectives

- Introduction to Imperial's Waterdown to Finch Project
- Explain Imperial's land matters consultation process
- Provide information on the upcoming Community Information Sessions
- Discussion

Topic	Discussion
Location	<ul style="list-style-type: none"> • Teleconference call
Agenda	<ul style="list-style-type: none"> • Introduction to Imperial's Waterdown to Finch Project
Materials	<ul style="list-style-type: none"> • None
Introduction	<ul style="list-style-type: none"> • Participants introduced themselves.
Safety Moment	<ul style="list-style-type: none"> • Imperial (RT) thanked everyone for participating on the call and started the meeting with a safety moment. • RT explained that Imperial has a comprehensive pipeline safety process. Imperials uses a specialized inline inspection tool called Smart Pigs that confirm both internal and external characteristics of the pipeline. The Smart Pigs can determine changes in line pressure, gouges, dents and corrosion and is a key part of regular maintenance to provide safe and reliable operations.
Overview	<ul style="list-style-type: none"> • Imperial (RT) indicated that 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 safely in the region for many years. It has been in operation since the 1950s. The line is ~65 years old and due to its age, as a proactive measure,

Topic	Discussion
	<p>Imperial is planning to replace approximately 63 km of the 12" line with 12" new pipe. The pipeline will continue to operate safely until the replacement segments are prepared for operation.</p> <ul style="list-style-type: none"> • Overview of timelines: Spring 2018 project launch, routing, environmental and cultural studies; Summer/Fall 2018 Community Information Sessions in 6 municipalities; Winter/Spring 2019 submission to OEB; Summer 2019 engineering design complete; Late Fall 2019 pre-construction communication. 2020 is the potential in-service start date. • Imperial (JM) provided an explanation on the two types of installation methods. <ul style="list-style-type: none"> ○ 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 sensitive areas, or in dense residential or commercial areas, major watercourse crossings, etc. ○ 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 installation methods. • Notionally, about 1/3 will be drilled as a measure to avoid sensitive areas and congestion in the Toronto area.
Regulatory Approval and Consultation	<ul style="list-style-type: none"> • Imperial (JM) explained the regulatory approvals and environmental field surveys. • Imperial has initiated discussions with regulators, landowners and Indigenous communities. At the same time, we have initiated the engineering design process. The purpose of early engagement is to incorporate feedback from stakeholders and communities into the project design process. • The major regulatory process will be the filing of the leave to construct application with the Ontario Energy Board (OEB). In support of the leave to construct application, we will be submitting an Environmental Report, which will include public, agency and Indigenous consultation records. • We have started environmental field surveys in order to ensure we capture the field work during the seasonal windows. Field work is planned for summer and fall 2018 (including birds, bats, wildlife (reptiles), wetlands). Archaeology field work is timed for the summer 2018. • JM explained that another regulatory requirement will be the fulfillment of the Infrastructure Ontario Class EA. The west end of the Project is currently on Imperial owned easement through agricultural lands. From approximately Mississauga to the east, this portion of the line is on the Hydro One (HONI) easement corridor. For this portion on Hydro One's easement corridor, it will require an assessment in accordance to the Infrastructure Ontario Class EA.

Topic	Discussion
	<ul style="list-style-type: none"> • JM explained that as part of the planning process, Imperial will combine the information needs of both and provide one body of documentation to meet requirements. • JM indicated that Imperial will also be applying in parallel for federal and municipal permitting requirements. • JM noted that we have met with the Conservation Authorities (Hamilton, Halton, Credit Valley and Toronto Region) and we have met with the Niagara Escarpment Commission. JM noted that we will be applying to the Niagara Escarpment Commission for a Development Permit. • JM noted that Imperial has initiated all stakeholder engagement, political, municipal, landowners to introduce the Project and to provide opportunities to receive feedback. • JM noted that as part of our mailing notification process, we have informed all Ontario Pipeline Coordinating Committee (OPCC) members and are following-up with early outreach to OPCC members and Ministries to understand their interests and include input into the project design.
Discussion Questions	<ul style="list-style-type: none"> • OMAFRA (JVV) asked what the plan is for the existing pipeline. • Imperial (JM) responded that the existing pipeline will be kept operational to ensure reliability of supply to the GTHA. This is critical infrastructure and it is important that there is no interruption in supply. • JM responded that the new pipeline will be a replacement of the existing 12" for 12", like for like. The new pipeline will be installed in the existing easement corridor. Then, the old pipeline will be deactivated, clean it out, cut, capped and maintained with cathodic protection. It will be filled with inert gas to maintain pressure and monitored. Should there be pressure fluctuations in the line, this will be detected by the monitoring system. • OMAFRA (JVV) asked about upcoming Community Information Sessions. • Imperial (JM) explained that in accordance to direction from the OEB, we are planning two series of Community Information Sessions. The first will include 6 Information Sessions, one in each municipality, in July 2018. The purpose is to present information on the project and receive feedback. • The second series of sessions will be held in November 2018 timeframe and the purpose will be to describe how feedback has been incorporated and changes made to the Project. • OMAFRA (JVV) asked about engagement with landowners. • Imperial (RT) responded that we have a team, CanAcres, that is responsible for meeting with all landowners to understand their concerns. With respect to agricultural landowners, CanAcres will help to understand their crop usage and timing considerations. Imperial will enter into an easement or land interest agreement with the landowner.

Topic	Discussion
	<ul style="list-style-type: none"> • OMAFRA (JVV) asked if there is sufficient room in the existing easement corridor. • Imperial (RT) explained that there is sufficient room in Imperial's existing corridor and in the HONI corridor for the Project. • OMAFRA (JVV) asked if all of the pipeline will be in the easement. • Imperial (RT) responded that this is the plan in advance of detailed designed, however, we may have adjustments along the alignment. • OMAFRA (JVV) asked where the setback applies from. • Imperial (RT) responded that this is usually from the boundaries of the easement. RT noted that the easement boundaries are not expected to change. Farmers/landowners will maintain the use of their land. Imperial will work with the farmers when maintenance is required. The pipeline will be placed at a depth that won't impact farming activities. • OMAFRA (JVV) asked what has been the approach to contact farmers. • Imperial (RT) explained that CanAcres will be contacting all landowners and setting up individual landowner meetings. • RT explained that should OMAFRA receive inquiries about the Project, this can be redirected to Imperial to respond. • OMAFRA (JVV) asked if temporary use outside of the easement is required. • Imperial (RT) responded that temporary workspace for construction will be required. • OMAFRA (JVV) asked what is the standard being applied for construction? • Imperial (RT) responded that we will take topsoil and separate it for fill replacement use. There are protocols to minimize construction impacts and we will be using CSA standards as well as Imperial's own constructions standards. Mitigation measures to minimize soil erosion will be addressed in the Environmental Report. • OMAFRA (JVV) indicated that a draft proposed agricultural impact assessment guideline is available on Ontario's e-Registry. This draft document will provide advice on agricultural impact assessment. OMAFRA's preference is to identify agricultural impacts separately. • Imperial (JM) responded that we will look at the draft guidelines and incorporate this into the Environmental Report, where applicable. • Imperial (JM) inquired if there are agriculture interest groups OMAFRA would recommend we include in the Project distribution list?

Topic	Discussion
	<ul style="list-style-type: none"> OMAFRA (JV) suggested the Ontario Federation of Agriculture, Christian Farmers Federation and the Municipal agricultural advisory committees may wish to be notified.
Summary of Actions	Who
No further action items	

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 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 type="checkbox"/> Excavation/Damage Prevention/Pipeline Location | |
| <input checked="" 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
July 17, 2018
Ministry of Transportation – Technical 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

Ministry of Transportation (MTO)

- Tina Angelone, Real Estate Officer (TA)
- Christian Singh, Senior Project Manager (CS)
- Bernard O'Brien, Corridor Management Officer (BO)
- Wan Chi Ma, Senior Project Engineer, Planning & Design (WM)
- Sandro, Planning & Design
- Vlamir

407 ETR

- Dragan Mrkela, Engineering Technician – Highway Engineering Services (DM)

ExxonMobil (EM)

- Amir Taherivand, Consultant (AT)

UniversalPegasus International (UPI)

- David Bui, Senior Engineer I (DB)
- Hernan Castedo, Engineer III (HC)

CanACRE (CA)

- Haseeb Amirzada (HA)
- John Yu (JY)

Stantec Consulting (SC)

- Adam Hatch (AH)
- Jeremy Matthews (JM)

Meeting Objectives

- Describe Imperial's Waterdown to Finch Project (the Project)
- Discuss Affected MTO Lands and Requirements
- Confirm MTO Corridor Management Section Permitting Requirements and Approvals
- Confirm MTO Property Section Requirements and Approvals
- Establish Point(s) of Contact for MTO

Topic	Discussion
Introductions	<ul style="list-style-type: none"> • Participants introduced themselves.
Safety Moment	<ul style="list-style-type: none"> • JY started the meeting with a safety moment related to safe driving on provincial highways especially within construction zones.
Materials	<ul style="list-style-type: none"> • Imperial's (IOL) Sarnia Products Pipeline (SPPL) Waterdown to Finch Powerpoint presentation July 2018 • Google Earth KMZ of project mapping
Agenda	<ul style="list-style-type: none"> ▪ Waterdown to Finch Project Overview (10 min) ▪ Affected MTO Lands and Requirements (60 min) ▪ Designated Lands (and Highway Crossings) – Corridor Management <ul style="list-style-type: none"> ○ Encroachment Permit ○ Drawing Requirements ○ Geotechnical & Settlement Monitoring Requirements

	<ul style="list-style-type: none"> ○ Foundations ▪ Building and Land Use Permit (BLUP) ▪ Entrance Permits ▪ Non-designate Lands – Property, if required <ul style="list-style-type: none"> ○ Grant of Easement ○ Legal Survey Requirements ▪ Point(s) of Contact (5 min) <ul style="list-style-type: none"> ○ Corridor Management ○ Property, if required ▪ Questions (10 min)
Waterdown to Finch Project Overview	<ul style="list-style-type: none"> • JY indicated that 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, diesel and jet fuel that keeps people, goods and services moving. • SPPL has operated in the region for many years. 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 current pipeline will be deactivated and removed from service. It will be cleaned, filled with nitrogen, maintained, monitored and left in place. • Overview of timelines: Spring 2018: project launch, routing, environmental and cultural studies; Summer/Fall 2018: Community Information Sessions in 6 municipalities; Winter/Spring 2019: LTC submission to OEB; Summer 2019: engineering design complete; Late Fall 2019: pre-construction communication. Late 2020 is the potential in-service start date. • JY provided an explanation on the two types of installation methods: Trenchless, including Horizontal Direction Drill (HDD), and Open cut. • CS asked if the pipeline is regulated by the National or Ontario Energy Boards (OEB). JY confirmed that the pipeline is regulated by the OEB. • DM asked about the size of the pipe, as well as whether the alignment of the pipeline may change in the future. DM also asked if the new pipeline will be closer to the provincial highways than the existing IOL pipeline. JY confirmed that the replacement pipeline will be 12 inches, and stated that the pipeline will stay parallel to the existing pipe, with some deviations. AT also explained that the vicinity of the existing pipeline will be the same for the new pipeline.
Existing MTO projects	<ul style="list-style-type: none"> • EM explained that construction will occur in phases to ensure that there are no conflicts with existing projects on MTO’s rights-of-way (ROW). IOL will do its best to conduct construction in stages while gathering input on schedules for other projects (e.g. Finch LRT, Highway 400/Finch Avenue, Highway 427) to avoid conflicts and find scheduling solutions.

	<ul style="list-style-type: none"> DM stated that IOL should reach out to Metrolinx regarding the Hurontario LRT. The Hurontario LRT is in its design stages, and is already in the bidding process. DM believes the project is slated to start construction in November of 2019 and it will be about 8 months so it would be best to avoid conflicts with that project. JY confirmed that the Project has been in touch with Metrolinx and has been working to schedule a meeting in the near future.
Affected MTO Lands and Requirements	<p><u>Crossing #1</u></p> <ul style="list-style-type: none"> Highway 407 Transitway is a future project occurring in this area. Construction schedule is still unknown. CA will apply for an encroachment permit from MTO which will also be subject to review and approval from 407 ETR. One permit will be needed for preliminary geotechnical surveys, and another separate permit will be required for the pipeline crossing itself. Once crossing drawings are circulated, a legal agreement may need to be established between 407 ETR and IOL. If Highway 407 needs to be widened in the future, costs for relocation will need to be accounted for. 407 ETR would also have to review to determine possible constraints for bridge widening at this location. BO stated that entry and exit pits should be outside of the Highway 407 corridor. As well, 407 ETR will not permit an open cut construction method. AT advised that there are extra boreholes proposed at this location which go beyond what IOL needs for the design of the pipeline but are needed to comply with MTO's Corridor Management Office guidelines. <p><u>Crossing #2</u></p> <ul style="list-style-type: none"> MTO staff asked if there are preferred alternative borehole locations at this crossing. AH indicated that the boreholes are very close to the centre of the pipeline to get as accurate a result as possible. <p><u>Crossing #3</u></p> <ul style="list-style-type: none"> MTO indicated that the angle of the crossing at the ramp may be an issue. CS asked what the depth the pipe would be at this crossing. HC responded that HDDs will be generally 30-40m deep. <p><u>Crossing #4</u></p> <ul style="list-style-type: none"> MTO indicated that concerns here are like those of Crossing #3. <p><u>Crossing #5</u></p> <ul style="list-style-type: none"> MTO advised that the GO transit stations by this crossing are owned by Metrolinx. UPI will need to request the foundational information from MTO at this crossing. The bridge at this location may be taken down when Metrolinx starts their project, and a new bridge structure may be built. MTO has minimum setback requirements from their pilons. A new bridge and possible ramp realignment will be of concern for this crossing. <p><u>Crossing #6</u></p> <ul style="list-style-type: none"> MTO advised that there are no physical conflicts between the abutment and the pipeline; however, if bridge is going to be replaced for example, MTO will need IOL's setback/clearance requirements up front and as soon as possible. Standard clauses

would be included in permit/agreements to ensure MTO retains appropriate rights to their ROW.

Crossing #7

- AH stated that a lot of geotechnical work will be needed at this crossing but are hoping to reduce the amount. DB advised that there will be difficulty proceeding under the highway at the existing pipeline crossing as there is no room within the same tunnel. HDD method is therefore preferable here. DM would like to be provided with documents on idling the existing pipeline. AT stated that pipeline will be deactivated as per TSSA requirements and will continue to be monitored in perpetuity.
- MTO asked about the possibility of this existing segment of the pipeline being used here. AT responded that it will be difficult to maintain reliability as the existing pipeline was built in 1950s.
- MTO also asked if construction can be done in phases. IOL responded that constructing the new pipeline in sections can be looked into. The plan is to start at one end, and finish on the other. HDDs can be done in multiple crews at the same time, which means there is flexibility in construction schedules. However, as the construction will last a long period of time, it is not likely that construction will occur from one end to the other in a linear fashion. As there are MTO projects on going, this can be considered in the construction schedule with the potential contractor. HDD method will not affect any surfacing work that MTO has going on.
- MTO asked if the HDD entry/exit pits can be outside of the MTO ROW. AH and UPI advised that the primary goal is to have the pits outside of the ROW. However, there may be fencing or temporary workspace needed within the ROW, otherwise all pits will be outside.
- AT said that there is an existing valve site on the north side of this crossing and Hydro One has advised that they would like IOL to use this valve site. This will mean encroaching onto MTO ROW.
- MTO indicated that for the settlement monitoring, the equipment being placed upon the highway will get knocked out during surface repaving work and IOL should consider that possibility.

Crossing #8

- MTO asked if data related to the existing pipeline location is available? IOL advised that surveys are currently being undertaken and that this data can be provided.
- There is a PDR (427/401 area) that has been issued by MTO at this location and IOL can request preliminary drawings to be looked at to ensure there is no conflict with the ongoing MTO project.

Crossing #9

- MTO advised that there are no major concerns, other than construction scheduling to ensure MTO and IOL contractors are maintaining work separation. DB asked for geomatics information: CS asked to submit a request and he will look into this.

Crossing #10

	<ul style="list-style-type: none"> • MTO indicated that MTO is replacing the Finch LRT in 2019 or 2020. Currently MTO is only aware that the bridge is being replaced and that the current pipelines are being requested to go deeper. • MTO asked if construction method at Finch Avenue will be an open cut method. Any closures on Finch Ave would cause problems and would be a major concern as traffic will be backed up from Highway 400 all the way to Highway 407. IOL and UPI responded that for this project, if there is a paved road HDD will generally be used – however, open cuts will be used if this is not feasible. • MTO stated that MTO jurisdiction ends at Signet Drive, but will comment on Signet Drive crossing.
Permitting Discussion and Requirements	<ul style="list-style-type: none"> • CA asked if encroachment permits would be individual to each crossing. This was confirmed by MTO. • CA wanted to confirm that all drawings are to be submitted as attachment to the new system application. This was confirmed. DM stated for Highway 407, you can still apply online through the MTO website, but it would be best to have a parallel submission to DM to save time. • DM asked when the construction tender date is. IOL advised that they are not aware at this time. MTO advised that the permits should be obtained in time for tender so that the conditions are known and pushed onto the contractor. MTO may allow for daytime shoulder lane closures, but geotechnical surveys will most likely need to occur during night shifts. • AH said that SC will want to make sure the geotechnical scope is confirmed with MTO foundational engineers and to have this conversation as soon as possible. CS requested to be contacted about scheduling a meeting with the foundational engineers as they couldn't make it to this meeting. • DM noted that 407 ETR does not have a geotechnical team in house, and will advise IOL on the Highway 407 geotechnical surveys and crossing requirements to see which boreholes can be removed. The crossing looks straight forward and all drawings will need to be stamped. • DM asked if the new pipeline will still be within the same easement footprint, as 407 ETR does not provide easement agreements. HA confirmed this understanding and that an encroachment permit would suffice as the approval for the crossing. • MTO advised that easements on non-designated lands could take 8-12 months. MTO Geomatics can use the KMZ to identify if there are any surplus lands impacted by the centreline. TA expects that there are some surplus lands. HA advised that there has been a number of recent projects requiring pipeline easements and an agreement template should already be available to MTO to get the process started. • MTO advised that the Building and Land Use permits may be grouped. • MTO indicated that there are no issues with temporary access off of the highway but new permanent entrances will not be granted on 400 series highways. • MTO asked whether the new pipe will be deeper than the existing pipeline. IOL answered that the new pipeline will generally be deeper.

Point(s) of Contact	<ul style="list-style-type: none"> MTO's one-window contact should be CS or BO; for Highway 407 related inquiries, DM is the contact but Corridor Management should be copied on correspondence. Coordination on IOL's end will be with JY or CanACRE.
Next Steps	<ul style="list-style-type: none"> AH indicated that currently the priority item for IOL is to get the geotech scope finalized and would like CS to coordinate a meeting. DM and MTO indicated a number of new projects by MTO and Metrolinx that are taking place and IOL should consider during their design: Ridgeway Drive to 407 (Metrolinx); and 407/403 and Winston Churchill area where there is an approved EA from 2013 (MTO). IOL can use the preliminary design for that project to incorporate in their drawings. IOL to submit a request for this. CS would like to get the linework for the existing pipeline. DB to get back to MTO.
Summary of Actions	
<ul style="list-style-type: none"> MTO to schedule a meeting with foundational engineers to finalize scope for geotechnical surveys 	MTO
<ul style="list-style-type: none"> IOL to prepare an RFI for information needed from MTO and 407 ETR. This is to include preliminary drawings for ongoing, future projects; GIS data for projects and Title Record designations; etc. 	UPI/CA
<ul style="list-style-type: none"> DB to provide linework for the existing pipeline centreline to CS 	DB



Imperial
Waterdown to Finch Pipeline Project
July 18, 2018
HONI/IO 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

Hydro One (HONI)

- Roman Dorfman, Sr. Real Estate Coordinator (RD)

Infrastructure Ontario (IO)

- Patrick Grace (PG), Infrastructure Ontario
- Rita Kelly (RK), Infrastructure Ontario Real Estate Public Works
- Cory Ostrowka (CO), Infrastructure Ontario Environmental Lead
- Abby Flower (AF), Infrastructure Ontario Heritage Specialist (via teleconference)

Imperial

- Elias Majdalani (EM), Project Director
- Jessie Malone (JM), Environmental and Regulatory Advisor
- Ron Tourigny (RT), Right of Way and Claims Coordinator
- Leanne Dohy (LD), Socio-economic Advisor

ERM

- Jim Chan (JC), Senior Consultant

CanACRES

- Haseeb Amirzada (HA), Director Planning and Permitting

Meeting Objectives

- Introduction to Imperial's Waterdown to Finch Project
- Confirm Infrastructure Ontario Class EA requirements
- Confirm Infrastructure Ontario Duty to Consult requirements
- Discussion

Topic	Discussion
Location	<ul style="list-style-type: none"> • Hydro One office
Agenda	<ul style="list-style-type: none"> • Environmental discussion with HONI/ IO
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"> • Participants introduced themselves.
Safety Moment	<ul style="list-style-type: none"> • Imperial (RT) thanked everyone for participating on the call and started the meeting with a safety moment. • RT explained that Imperial has a comprehensive pipeline safety process. Imperials uses a specialized inline inspection tool called Smart Pigs that confirm both internal and external characteristics of the pipeline. The Smart Pigs can determine changes in line pressure, gouges, dents and corrosion and is a key part of regular maintenance to provide safe and reliable operations.
Overview	<ul style="list-style-type: none"> • Imperial (RT) indicated that 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.

Topic	Discussion
	<ul style="list-style-type: none"> • 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, diesel and jet fuel 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 due to its age, 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 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, 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 avoid impacts. • Overview of timelines: Spring 2018 project launch, routing, environmental and cultural studies; Summer/Fall 2018 Community Information Sessions in 6 municipalities; Winter/Spring 2019 submission to OEB; Summer 2019 engineering design complete; Late Fall 2019 pre-construction communication. 2020 is the potential in-service start date. • RT provided an explanation on the two types of installation methods. <ul style="list-style-type: none"> ○ Trenchless technology, e.g., horizontal directional drill (HDD) is a method of installing underground pipe using a drilling rig at surface level. It is used to avoid sensitive areas, in dense residential or commercial areas, major watercourse crossings, etc. ○ 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 installation methods. • HONI (RD) asked what is the length of the pipeline in the HONI corridor. • Imperial (RT) responded that it is approximately 2/3 of the Waterdown to Finch Project, about 40 km is within the HONI corridor. Notionally, about 1/3 of the total line replacement will use HDD installation as a measure to avoid sensitive areas, major waterbodies, major road crossings, provincially significant wetlands. • Imperial (RT) has sent out 2500 notifications to landowners and nearby owners. • Notification and direct communication with landowners is undertaken by CanAcres, lands team on behalf of Imperial. • Imperial (RT), yes, we will keep HONI/IO informed of the sub-contractor companies working on the Project. • IO (PG) asked about the status of the OEB filing. • Imperial (JM) responded that we have we done early consultation with OEB. We have not formally filed a notice with the OEB. The current timeline is to file an application for a leave to construct in Q1 2019. • IO (PG) asked if Metrolinx has been consulted.

Topic	Discussion
	<ul style="list-style-type: none"> Imperial (RT) responded that have been made aware of the Hurontario transit and Finch LRT corridors and plan to set-up a meeting with Metrolinx shortly. IO (PG) asked if the Ministry of Municipal Affairs and Housing has been consulted regarding the Parkway Belt West Plan. [The Parkway Belt West Plan was initiated in July 1978. The objective of the land-use plan is to reserve land for future linear facilities and links between urban areas in the GTHA to enable the movement of people, energy, goods]. Imperial (JM) has sent notifications to the Ontario Pipeline Coordinating Committee, including the Ministry of Municipal Affairs and Housing. We will take this back and engage with the Ministry of Municipal Affairs regarding the Parkway Belt West Plan.
IO land matters	<p><u>Land Matters</u></p> <ul style="list-style-type: none"> Imperial (RT) will engage HONI (RD) and IO (RK) related to land matters. Various easement types are potentially required: Easement related to Bill 58 related lands; <ul style="list-style-type: none"> [Bill 58, the Reliable Energy and Consumer Protection Act, amended the Electricity Act resulting in the transfer of lands owned by Hydro One for its transmission system (about 50,000 acres) to the government of Ontario.] Easement on Hydro One lands; Construction encroaching agreement with Hydro One; and Easement for IO lands, adjacent to the corridor.
IO requirements for Class EA, archaeology, cultural heritage, Duty to Consult discussion	<p><u>Archaeology and Cultural Heritage</u></p> <ul style="list-style-type: none"> Imperial (JM) has completed a draft Stage 1 to be submitted to Indigenous communities and MTCS. Stage 2 will be initiated and includes test pitting and agricultural field ploughing. Test pitting will be mainly used in the HONI corridor. In addition, Indigenous participation of Field Monitors are involved in the field work. IO (AF) – Infrastructure Ontario has Heritage Specialists and will be involved as reviewers for the archaeology work. IO requested a copy of the draft Stage 1 report for review once finalized. IO is interested in the Stage 2 work to be conducted on the easement corridor. IO (AF) noted that there are not many built cultural heritage sites however, there are a few historical heritage buildings that are in close proximity to the corridor. Imperial (JM) replied that in addition to archaeology work, cultural heritage is part of the scope of work. Imperial has engaged an expert consultant to conduct a pre-screening for cultural heritage. Imperial will keep IO involved to review the assessment. <p><u>Duty to Consult</u></p> <ul style="list-style-type: none"> IO (AF) noted that the Ministry of Energy (MOE) will provide direction on the determination of the Duty to Consult. Ministry of Infrastructure and IO will rely on MOE's determination of the Duty to Consult. IO requested that the Duty to Consult letter is sent to IO for review once received from MOE. Abbey Flower, Heritage Specialist, Infrastructure Ontario will be the IO contact point for Duty to Consult.

Topic	Discussion
	<ul style="list-style-type: none"> Imperial (JM) elaborated on Imperial's engagement to date. We have engaged: <ul style="list-style-type: none"> MNCNF Six Nations Huron-Wendat Quebec Métis Nation of Ontario Haudenosaunee Confederacy Chiefs Council via the Haudenosaunee Development Institute (HDI), [request by the Ministry of Tourism, Culture and Sport to engage HDI]. Imperial (JM) explained that direction on the Duty to Consult was requested to the Ministry of Energy MOE (Indigenous Energy Policy) as part of the OEB notification process. Imperial is meeting with MOE this week. IO (AF) will review the adequacy of consultation prior to the posting of the Notice of Completion of the Class EA - Category B. IO (AF) request that consultation should communicate that easements on MOI owned lands will be used for the purposes of the Undertaking. Communication should also indicate the intended use of the easements. <p><u>Class EA – Category B</u></p> <ul style="list-style-type: none"> IO (CO) – Infrastructure Ontario confirmed that Cory Ostrowka, Environmental Specialist will be the direct contact point for environment related discussions. Imperial (JM) explained that the proposed undertaking is part of ongoing requirements due to the aging infrastructure. JM noted that the scope of the Undertaking for the Class EA – Category B is comprised of easements over the HONI and IO lands. Imperial (JM) reviewed the Class EA guidance and based on the screening matrix, the proposed Undertaking will be likely subject to a Class EA, Category B, with a requirement to complete the Consultation and Documentation Report (C&D Report). IO (CO) will confirm the Class EA – Category B and provide the Category B template package for the Consultation and Documentation Report. Imperial (JM) noted that the major regulatory application is the filing of the leave to construction with the Ontario Energy Board. There are no federal EA triggers -- not described in the Project List subject to CEAA 2012. JM inquired about the possibility of drafting a combined leave to construct Environmental Report and Class EA. IO (CO) confirmed that the IO template must be used to facilitate online posting of Class EA. Imperial will look at the template and work with IO to ensure their formatting requirements are met. JM noted that in discussions with the Conservation Authorities and the Niagara Escarpment, Imperial intends to apply for environment related permits in parallel as the leave to construction application. Imperial (JM) is proposing to use the Ontario Pipeline Coordination Committee's list of agencies to provide notification of the Project. The notification includes provincial

Topic	Discussion
	<p>ministries, Conservation Authorities and the Niagara Escarpment Commission, plus more.</p> <ul style="list-style-type: none"> JM asked if HONI / IO would have any data layers to share (environmental/archaeology/ contaminated sites). IO (CO) indicated that there is limited data to share. JM noted that a Phase 1 Environmental Site Assessment has been completed.
Summary of Actions	Who
<ul style="list-style-type: none"> IO (CO) – Infrastructure Ontario confirmed that Cory Ostrowka, Environmental Specialist will be the direct contact point or environment related discussions. 	CO
<ul style="list-style-type: none"> IO (AF) – Infrastructure Ontario confirmed that Abbey Flower, Heritage Specialist will be the direct contact point for archaeology, cultural heritage and Duty to Consult for the Ministry. 	AF
<ul style="list-style-type: none"> Provide Infrastructure Ontario (AF) with the Duty to Consult letter from Ministry of Energy once received. 	JM
<ul style="list-style-type: none"> Infrastructure Ontario to provide Class EA template package. 	CO
<ul style="list-style-type: none"> Imperial to provide a summary of the preliminary analysis of Class EA – Category B. 	JM
<ul style="list-style-type: none"> Infrastructure Ontario (CO) to confirm preliminary determination of Class EA category B. 	CO
<ul style="list-style-type: none"> Imperial (JM) to provide Infrastructure Ontario (AF) with the draft Stage 1 archaeological report, after this has been provided to communities and MTCS. 	JM
<ul style="list-style-type: none"> Imperial will engage with the Ministry of Municipal Affairs regarding the Parkway Belt West Plan. 	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 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 type="checkbox"/> Excavation/Damage Prevention/Pipeline Location | |

Topic	Discussion
<input checked="" 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
July 20, 2018
Meeting with Ontario Ministry of Energy 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

Ontario Ministry of Energy (Indigenous Energy Policy)

- Shereen Smithanik (SS)
- Shannon McCabe (SM)
- Sarah Edmunds, co-op student (SE)

Ontario Ministry of Transportation

- Leslie Currie, Indigenous Liaison Specialist (LC) via teleconference

Imperial

- Robert Ballinger, Area Manager, East Canada, Canada Fuel Operations (RB)
- 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)

Meeting Objectives

- Overview presentation of Imperial's Waterdown to Finch Project (the Project)
- Seek the Ministry's direction on the Duty to Consult with respect to which communities to notify and consult

Topic	Discussion
Location	<ul style="list-style-type: none"> • Meeting held at Ontario Ministry of Energy's office, 77 Grenville Street, Toronto, Ontario
Agenda	<ul style="list-style-type: none"> • Welcome • Introductions • Safety Moment • Overview of Waterdown to Finch Project • Imperial's Indigenous Engagement Approach • Duty to Consult • Meeting Adjourned
Materials	<ul style="list-style-type: none"> • Imperial's Sarnia Products Pipeline Waterdown to Finch Powerpoint presentation July 2018 and map of treaties • Ontario Ministry of Energy provided document titled, "Indigenous Consultation Report Requirements"
Safety Moment	<ul style="list-style-type: none"> • Imperial (RB) started the meeting with a safety moment. • RB explained that during the recent Community Information Sessions, the public inquired how Imperial safely operates the pipeline. RB explained that Imperial has a comprehensive pipeline safety process that uses inline tools and integrity digs. Imperials uses a specialized inline inspection tool called Smart Pigs that confirm both internal and external characteristics of the pipeline. The Smart Pigs can determine changes in line

Topic	Discussion
	<p>pressure, gouges, dents and corrosion and is a key part of regular maintenance to provide safe and reliable operations. In addition, Imperial will be engaging the MNCFN Field Monitors to support upcoming integrity dig work.</p> <ul style="list-style-type: none"> • RB explained that the SPPL pipeline is a critical piece of infrastructure for the GTHA. It is a distributor of refined products for many Ontario retail sites including jet fuel for Toronto Pearson International airport and the Toronto Billy Bishop Island airport.
Introduction	<ul style="list-style-type: none"> • Participants introduced themselves. • Imperial (CP) opened the discussion by thanking everyone for the opportunity to meet. Imperial (JM) will provide a Project overview. Imperial (CP) will describe Imperial's approach and current work with communities, including the community Field Monitors. ERM (JC) will discuss Duty to Consult.
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. There is no federal EA process triggered. • 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. • Imperial has started environmental field surveys to capture the field work during the seasonal windows. Continuing 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. • Imperial is hosting community information sessions in each municipality this week and next week. We have extended the invitations to the Indigenous Groups as a courtesy, but have also offered to host similar information sessions in their communities, at their discretion. • There are two proposed types of construction methods: open cut construction and trenchless Horizontal Direction Drilling (HDD). JM indicated that notionally, HDD is

Topic	Discussion
	<p>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.</p> <ul style="list-style-type: none"> Imperial (JM) explained that the current pipeline will remain in operation until planning, testing and new line is in 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, monitored and left in place.
Engagement Approach	<ul style="list-style-type: none"> Imperial (CP) explained that he is a former Chief of Aamjiwnaang First Nation, near Sarnia, ON. Imperial's approach is guided by four pillars: Consultation, Community Relations/Investment, Workforce Development and Business Development. Imperial conducts its business in a manner that respects the land, the environment, and the rights and cultures of Indigenous communities, in accordance with the laws of Canada and corporate policies and guidelines that underlie the company's commitment to ethics, equity, environment and safety. (CP) explained that we have met with the Mississaugas of the New Credit First Nation, Six Nations of the Grand River and Huron-Wendat Nation. We just met with the Huron-Wendat earlier in the week and met with the communities of MNCFN and Six Nations again to discuss archaeology planning and to introduce the archaeology sub-contractor. Agreements established for participation of Indigenous Field Monitors in the field work. (CP) Imperial has made an initial request to the Haudenosaunee Development Institute and offered a willingness to engage. (CP) Imperial has provided notification to the Métis Nation of Ontario (MNO) and have offered a willingness to engage. The MNO Manager of Lands and Resources responded via email that they have received our notification information and will take it back to their community councils to determine if a follow-up meeting is desired. Imperial remains open to meeting the MNO based on their preferences and in accordance to their protocols.
Duty to Consult	<ul style="list-style-type: none"> ERM (JC) noted that the Crown has a duty to consult and, where appropriate, accommodate when the Crown contemplates conduct that might adversely impact potential or established Aboriginal or Treaty rights. Imperial (JM) noted that the Crown's duty arises because of the application to seek approval for leave to construct by the Ontario Energy Board. In addition, Infrastructure Ontario requires approval relating to the assessment of the Undertaking within the existing Hydro One Networks Inc. corridor in accordance with Ministry of Infrastructure Public Work Class Environmental Assessment process (Category B). Imperial stated that it was confirmed by Infrastructure Ontario that the Ministry of Infrastructure will align with the Ministry of Energy's Duty to Consult direction, they do not conduct their own evaluation of Duty to Consult. Imperial confirmed that Niagara Escarpment Commission requires an Application for a Development Permit under the <i>Niagara Escarpment Planning and Development Act</i>. No change in land use required.

Topic	Discussion
	<ul style="list-style-type: none"> • (JC) noted that Ontario will likely delegate the procedural aspects of consultation to Imperial. Crown will remain involved and will assess the adequacy of consultation. • (JC) noted that consultation is triggered when there is: 1) proposed Crown conduct (e.g. environmental approvals); 2) the Crown has knowledge of existing or asserted Aboriginal or treaty right; and 3) there is a potential to adversely affect those rights. The degree of consultation is based on a spectrum and depends on the strength of the claim to particular rights, and the potential harm that could be caused to those existing or asserted rights by the proposed Crown decision or activity. • (JC) provided a map of the treaties and the Waterdown to Finch Project alignment. From Waterdown, the western portion, ~1/3 of the total replacement is on an Imperial owned easement over private lands. The remaining ~2/3 is on an easement within the Hydro One corridor to Finch. • (JC) noted that this is a shared territory and the communities' have a broader recognition of their asserted traditional territory across southern Ontario. • (JC) explained that an Environmental Report will be prepared for the leave to construct filing. The early preliminary analysis is: <ul style="list-style-type: none"> ○ The existing Imperial owned easement will be on private lands and an easement on HONI lands. Currently, the land is used as an existing, cleared, right-of-way for multiple utilities. There is no likely change to effects on nor restrictions on hunting, fishing, trapping. ○ There are 15 major crossings (i.e. 8 are major watercourse and 7 permanent watercourse). (i.e. Black Creek, Humber, Credit, Etobicoke, Sixteen Mile, Bronte, etc.). From west to east, the surrounding land use generally increases in anthropogenic intensity and density from primarily agricultural to suburban and light industrial to urban. Imperial will implement construction mitigation horizontal directional drilling under major waterbodies that will avoid potential impacts to fish and fish habitat and potential impacts to fishing rights. ○ There is direct Indigenous involvement in archaeological planning to avoid and mitigate potential effects to culturally significant areas. Approach is to meet Ontario Ministry of Tourism, Sport and Culture (MTSC) requirements and incorporate Indigenous protocols. Imperial has accommodated the community request for Indigenous Field Monitor participation on-site during archaeology work. Imperial has accommodated scheduling changes to enable participation in archaeology. Field Monitors will support onsite field identification of potential traditional medicinal plants of interest to the community and sharing of archaeological knowledge. ○ The potential impact of activities on lands and resources, water and cultural resources will be addressed as part of the planning process to avoid and mitigate effects to Aboriginal and treaty rights.
Discussion	<ul style="list-style-type: none"> • MTO (LC) asked if the Project would potential impact the River or Pengilley archaeological sites. • ERM (JC) subsequent to the meeting, reviewed the Archaeological Sites Database maintained by MTCS regarding the River and Pengilley sites. The River and Pengilley

Topic	Discussion
	<p>sites are located 8 km north of the Project corridor, near the 407 and the Credit River, and therefore would not be likely impacted by the Project activities.</p> <ul style="list-style-type: none"> • MOE (SS) asked what concerns have we heard from communities' to-date. • Imperial (RB) at the public Community Information Sessions, landowners are interested in the potential impacts of the Project (traffic inconvenience, etc.) to their land during construction. • (CP) Communities are interested in archaeology planning and want to be directly involved with onsite Field Monitors. Imperial is supportive of the request for Field Monitors. Six Nations asked about our plans to replace trees, including offset ratios and where to replant trees. Community members at MNCFN asked about Imperial's emergency response planning in the event of spills. Communities wanted to know the type of product transported. [The pipeline is transporting refined products such as gasoline, diesel and jet fuel.] Our outreach and education process has helped the communities understand the Project. • MOE (SS) reiterated that it is useful to provide communities with a detailed understanding of the Project and project planning. Imperial (CP) noted that we have offered to the communities a willingness to share information and provide an Info Session directly in communities, if desired. • MOE (SS) noted that the Ministry will provide a letter on the Ministry's expectations on the Duty to Consult and will provide direction to Imperial on which communities to notify and consult. • MOE (SS) stated that a once the delegation of Duty to Consult has been sent to the proponent, a notification must also be sent to the Indigenous Groups. Imperial confirmed that the preference is if MOE sends out the notification letters to the communities, using the individual contacts provided by Imperial for each community. • MOE (SM) shared the Ministry's document titled, "Indigenous Consultation Report Requirements" to assist with the leave to construct application filing.
Summary of Actions	Who
MOE (SS) noted that the Ministry will provide a letter on the Ministry's expectations on the Duty to Consult and will provide direction to Imperial on which communities to notify and consult.	SS
<ul style="list-style-type: none"> • Imperial to send kmz and shapefile of pipeline centerline to MOE. 	JC
<ul style="list-style-type: none"> • Imperial to send list of contacts to MOE to send out notification letters to communities. 	KW

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 checked="" 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 checked="" type="checkbox"/> Wildlife and Habitat

Imperial's Sarnia Products Pipeline

Waterdown to Finch Project

Presentation to
Ontario Ministry of Energy
Indigenous Energy Policy

July 2018



Agenda

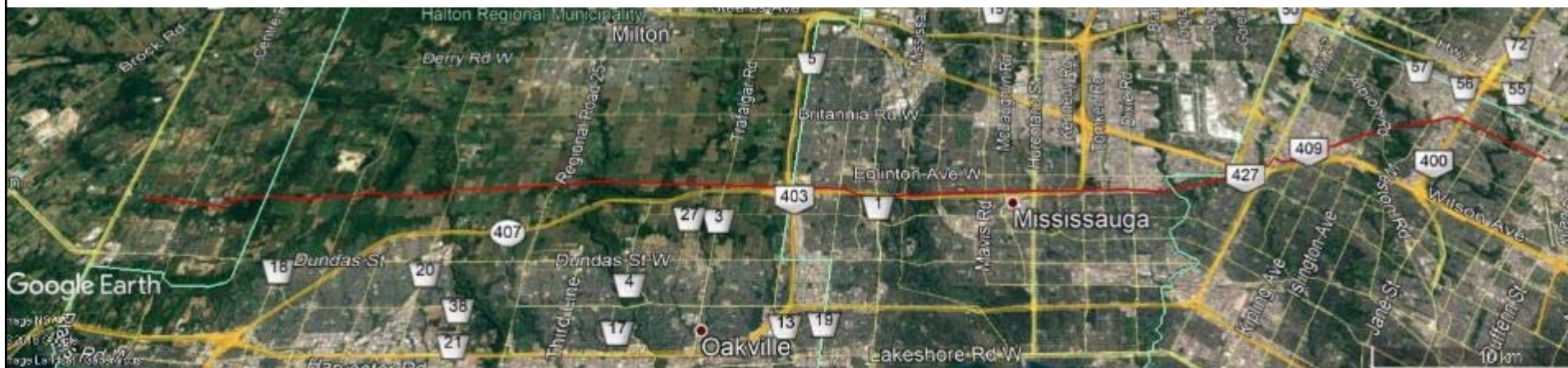
- Safety moment
- Sarnia Products Pipeline
- Project overview
- Imperial engagement approach
- Duty to Consult
- Minimizing construction impact
- Avoiding, minimizing and mitigating effects
 - Biophysical/ physical/ cultural
 - Archaeology planning
 - Field programs
- Imperial in Ontario
- Q&A



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 in the region for many years



Continued safety and reliability for the GTHA

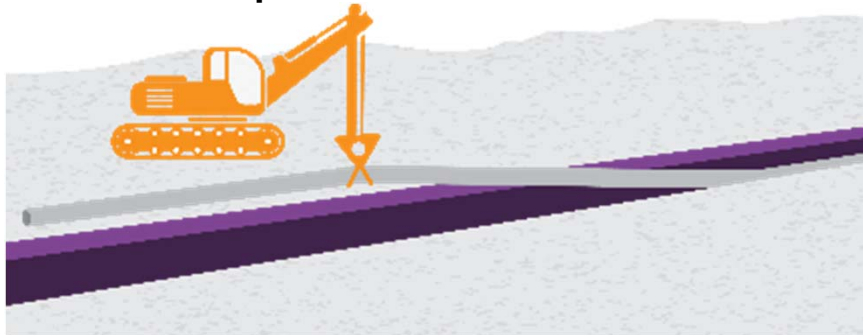
- Imperial is planning to replace approximately 63 km of the line with new pipe
- The pipeline will continue to operate until the replacement segments are prepared for operation
- Imperial will apply for a Leave to Construct from the Ontario Energy Board, which includes an assessment of environmental 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



Minimizing construction impacts

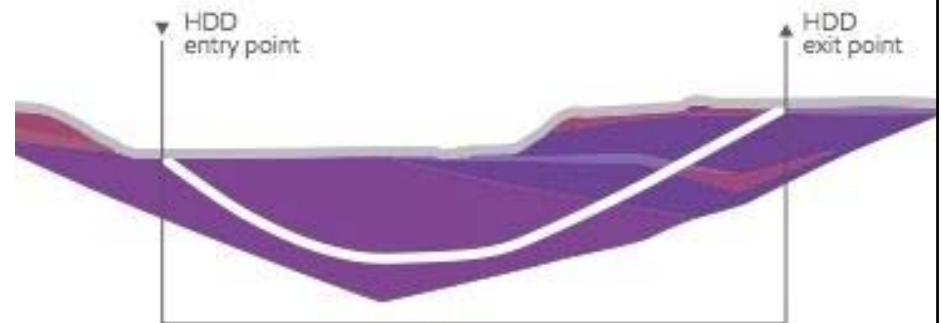
- Imperial will work with landowners, permitting authorities and different levels of government so construction impacts are as limited as possible
- Engineers and environmental surveyors work together to develop the pipeline route that minimizes impact to the environmental and community
- Deactivated 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



6

Trenchless technology

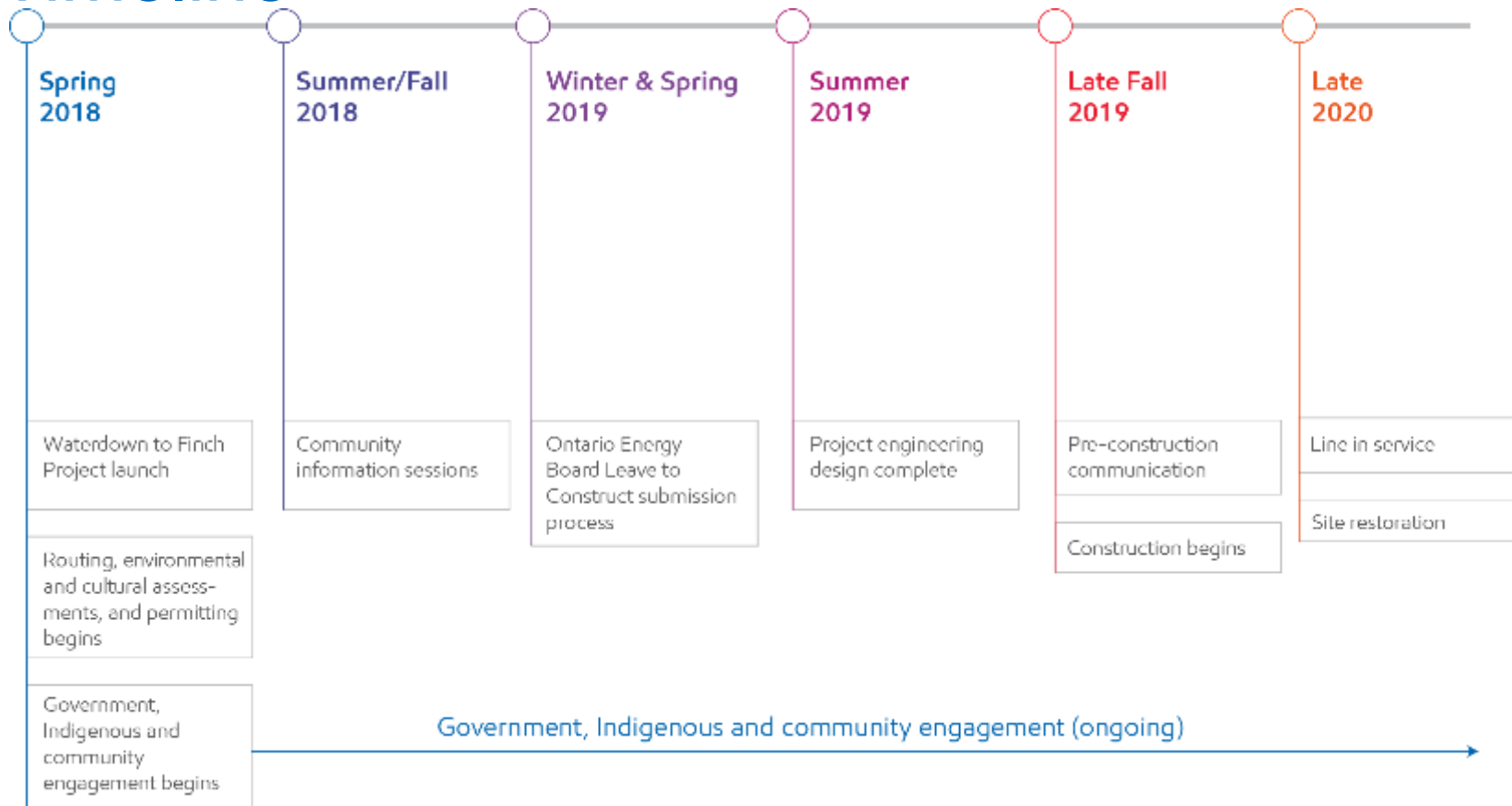


Regulatory approvals and permitting

- 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



Timeline*



8 * Subject to regulatory and permitting approvals

Discussion

Imperial engagement approach (4 Pillars)

- Respect for the land, environment, rights and cultures of indigenous communities, in accordance with the laws of Canada and corporate policies and guidelines underlie the company's commitment to ethics, equity, environment and safety.
- **Consultation:**
 - Respect for the land, the environment and rights and cultures of Indigenous communities
 - Open and forthright consultation
 - Seek to understand indigenous perspectives on issues of mutual interest and to deal constructively with differing views
 - Ensuring timely discussions
 - Respecting the legal rights of indigenous people and adhering to government requirements
 - Treating all parties fairly
 - Respecting traditional practices, decision-making processes, cultural activities and language
 - Coordinating with Crown consultation
- **Community Relations:** capacity building, community investment and participating in community events
- **Workforce Development:** developing and supporting educational programs
- **Business Development:** fosters the development of indigenous businesses in ways that benefit the company and the community



Indigenous engagement

Notification and meetings

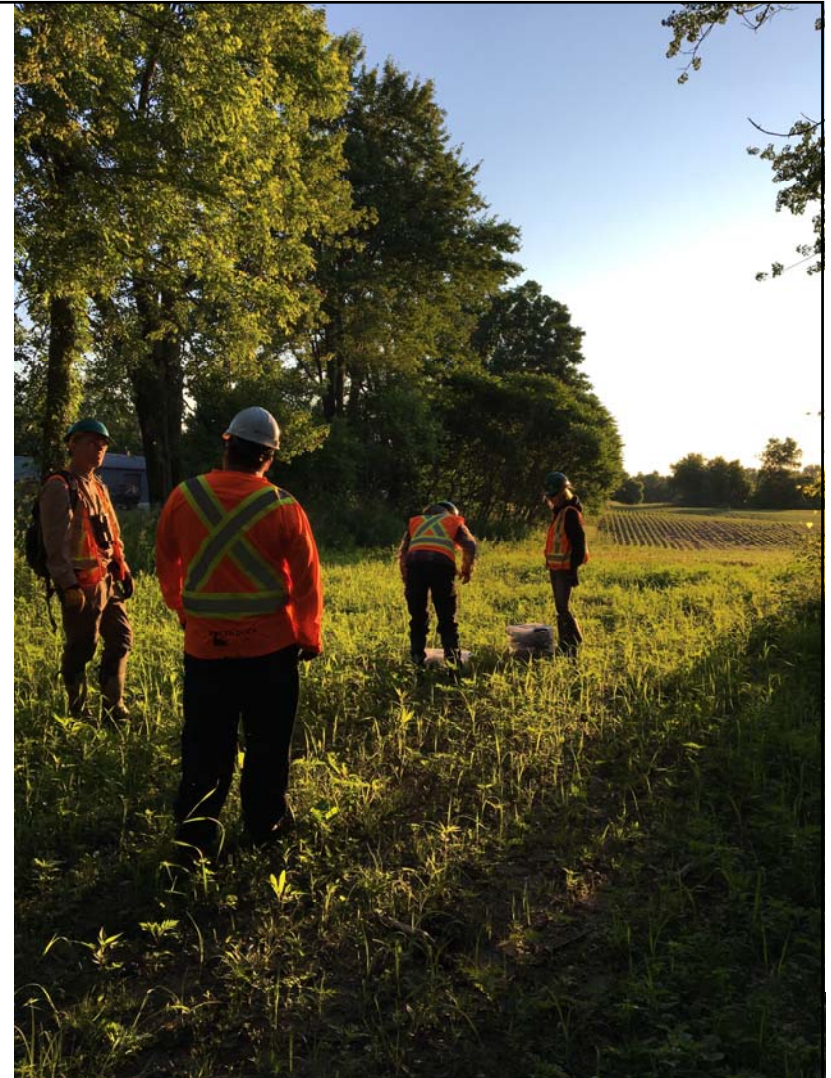
- Mississaugas of the New Credit First Nation
- Six Nations of the Grand River
- Huron-Wendat Nation

Early notification and offer to meet.

- Métis Nation of Ontario

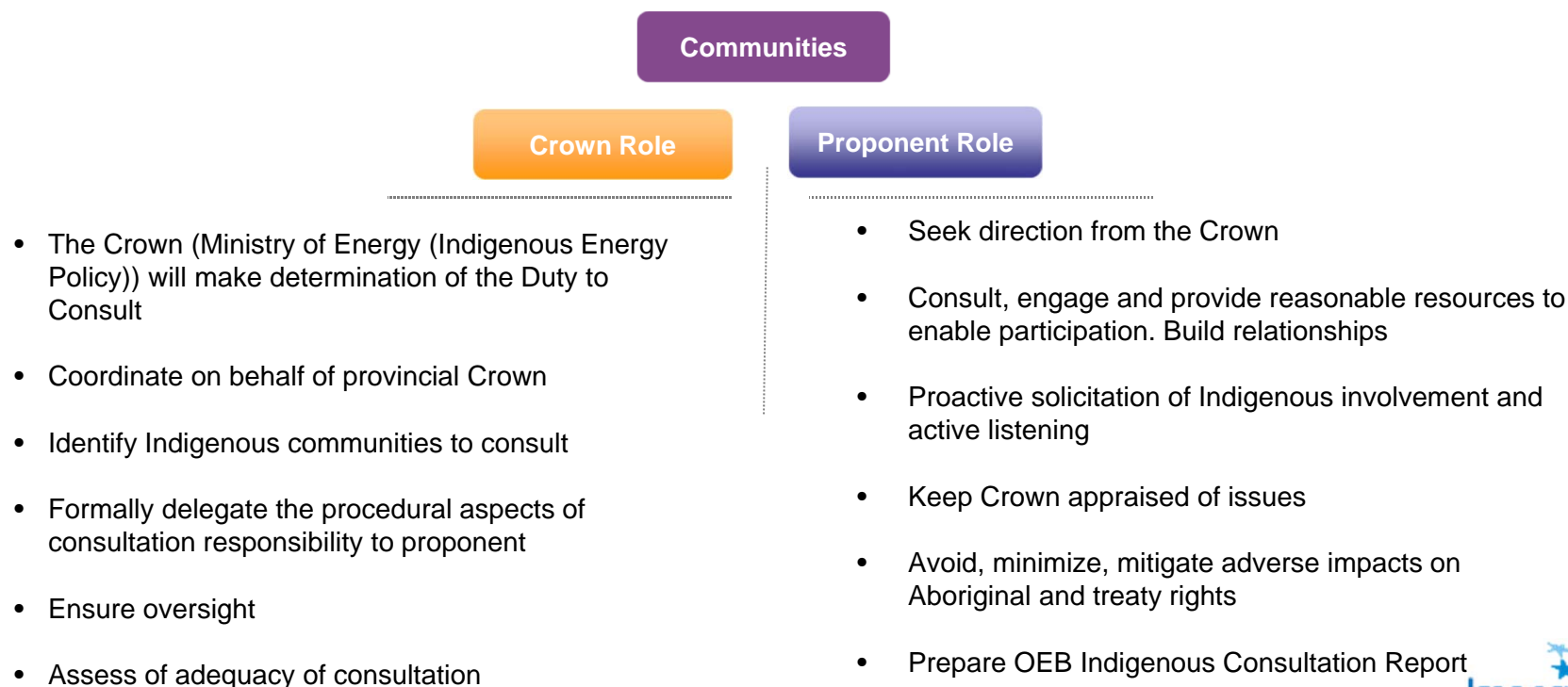
Photo:

Early morning bird survey with MNCFN Field Liaison
Monitor along right-of-way, near Waterdown, ON



Duty to Consult

- The Crown has a duty to consult and, where appropriate, accommodate when the Crown contemplates conduct that might adversely impact potential or established Aboriginal or Treaty rights.



Proposed Crown conduct

Environmental Approval Details

Ontario Energy Board

- Application to seek approval for leave to construct under the *Ontario Energy Board Act*.
- To complete this, Imperial will be required to prepare an Environmental Report and Indigenous consultation report for submission to the Ontario Energy Board.

Infrastructure Ontario

- Assessment of the Undertaking within the existing Hydro One Networks Inc. corridor in accordance with Ministry of Infrastructure Public Work Class Environmental Assessment process (Category B).
- The *Environmental Assessment Act* provides for the protection, conservation and sound management of Ontario's environment.

Niagara Escarpment Commission

- Application for a Development Permit under the *Niagara Escarpment Planning and Development Act*.
- The purpose is to review the development proposal and ensure it is carried out in an environmentally compatible way with the Escarpment landscape and environment.

- Imperial will meet all other regulatory approvals and permitting necessary for construction.

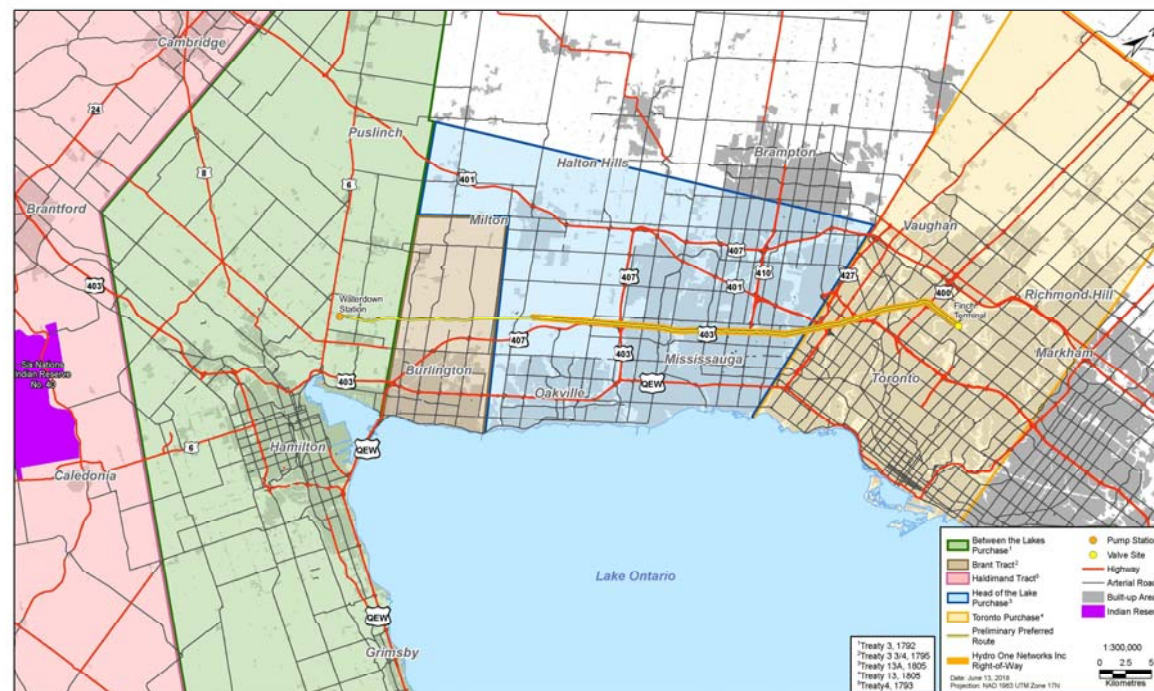
Map of treaties

Map of Greater Toronto and Hamilton Area (GTHA) treaties and location of Waterdown to Finch Project

- Treaty 3 Between the Lakes Purchase
 - Current communities of Hamilton, Guelph, etc.
- Treaty 3 ¾ Brant Tract
 - Current communities of Burlington, Oakville
- Treaty 13A Head of the Lake Purchase
 - Current communities of Milton, Oakville, Mississauga
- Treaty 13 Toronto Purchase
 - Current communities of Toronto

Source: Ontario Ministry of Indigenous Affairs
<https://www.ontario.ca/page/map-ontario-treaties-and-reserves#treaties>

Waterdown-Finch Project



Potential and existing Aboriginal and treaty rights

Please consult the Lands and Resources of:

- Mississaugas of the New Credit First Nation
- Six Nations of the Grand River
- Huron-Wendat Nation
- Métis Nation of Ontario

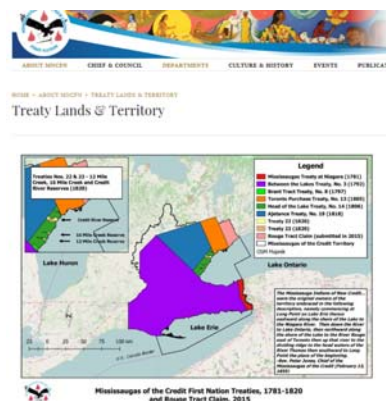
Source:

<http://mncfn.ca/media-communications/treaty-lands-and-territory-recognition-statements/>

<http://www.sixnations.ca/LandsResources/>

<http://www.wendake.com/history.html>

¹⁵
<http://www.metisnation.org/registry/harvesting/harvesting-map/>



Preliminary analysis of potential adverse impacts of Crown conduct

Lands and Resources (Wildlife and Vegetation)

- Not Crown public land
- Existing Imperial owned private land easement and HONI land easement
- Lands currently used as existing, cleared, right-of-way for multiple utilities
- Environment baseline studies and Environmental Report required
- No change to effects on nor restrictions on hunting, fishing, trapping
- Implement construction mitigation horizontal directional drilling under major waterbodies will avoid potential impacts to fish and fish habitat

16

Surface Water

- 15 major crossings (i.e. 8 are major watercourse and 7 permanent watercourse). (i.e. Black Creek, Humber, Credit, Etobicoke, Sixteen Mile, Bronte)
- From west to east, the surrounding land use generally increases in anthropogenic intensity and density from primarily agricultural to suburban and light industrial, to urban
- Implement construction mitigation of horizontal directional drilling under major waterbodies avoids potential impacts to fish and fish habitat --recognizing that effects on surface water are closely connected to impacts to Aboriginal and treaty rights in that fish, waterfowl, and other aquatic species could be impacted as a result of changes in quality or quantity of surface waters.

Culturally Significant Areas

- Meeting MTSC requirements and incorporating Indigenous protocols
- Direct Indigenous involvement in archaeological planning to avoid and mitigate potential effects to culturally significant areas
- Accommodate community request for Indigenous Field Monitor participation on-site during all archaeology work
- Accommodate schedule to enable participation in archaeology
- Onsite Field Monitors will support identification traditional medicinal plants
- Sharing of archaeological findings and seeking of feedback
- Establish protocols to enable archaeological findings to be returned to communities, per their preferences.

Corridor photos



Preliminary breadth and depth of consultation

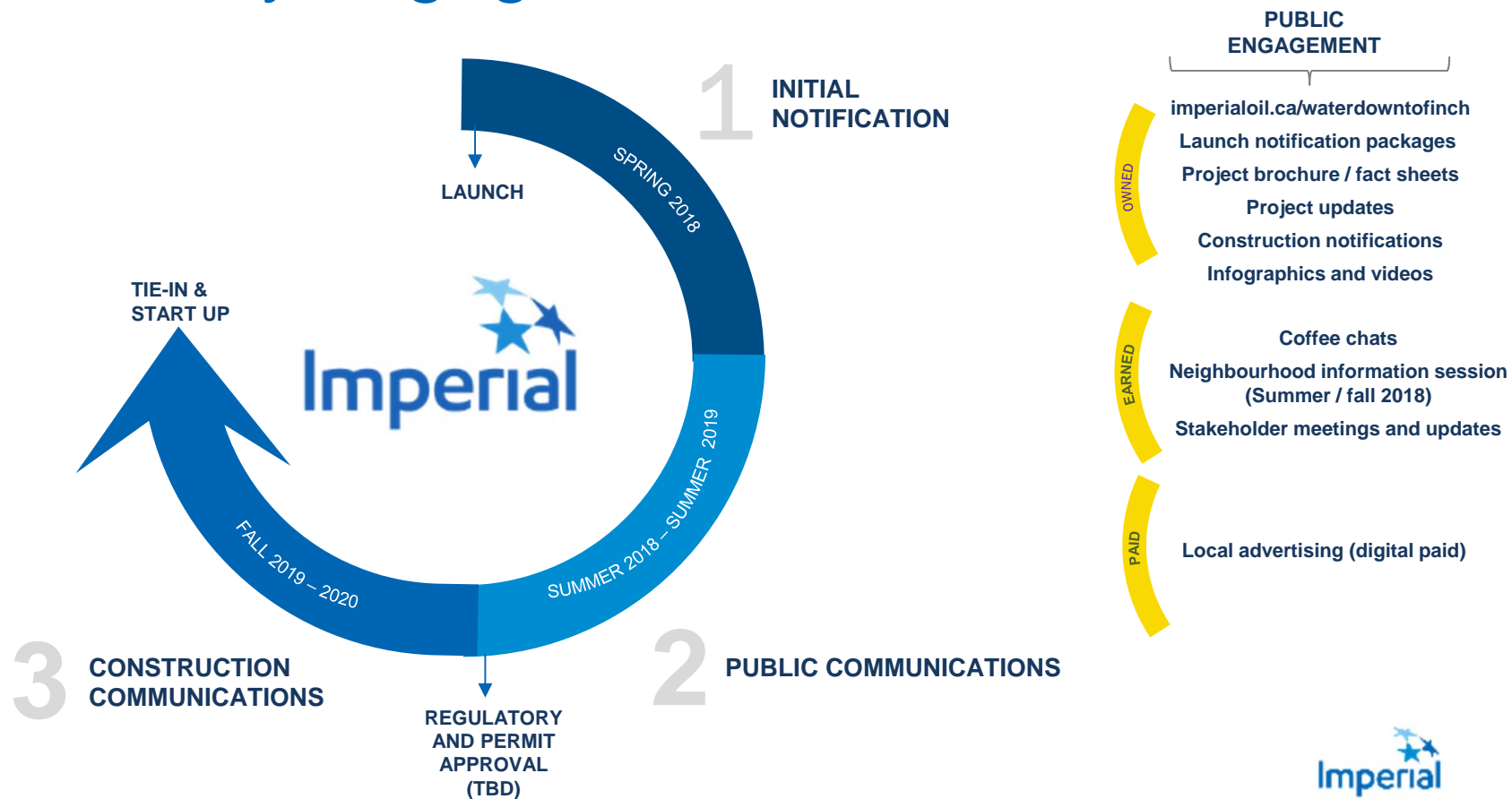
Preliminary Breadth and Depth of Consultation includes:

- Mississaugas of the New Credit First Nation
- Six Nations of the Grand River
- Huron-Wendat Nation
- Métis Nation of Ontario

Consultation process activities may include:

- Early notification of project information
- Proactive solicitation of Indigenous involvement and active listening
- Open, flexible and responsive
- Offer to meet and discuss with communities based on their preferences and according to their protocols
- With communities with a direct interest, direct involvement in archaeology planning to inform and influence Project planning
- Capacity funding assistance to support Indigenous communities' meaningful participation
- Timely information sharing. Clear and direct responses on how concerns have been/will be addressed or why they cannot be addressed
- Avoid, minimize, mitigate adverse impacts on Aboriginal and treaty rights
- ¹⁸ Consideration of accommodation as part of a meaningful consultation process

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

Questions?

For more information

W: imperialoil.ca/waterdowntofinch

T: 416.586.1915

E: questions@imperialon.ca



Imperial
Waterdown to Finch Pipeline Project
August 3, 2018
HONI/IO Process 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

Hydro One (HONI)

- Roman Dorfman, Sr. Real Estate Coordinator (RD)

Infrastructure Ontario (IO)

- Patrick Grace, Director, Infrastructure Ontario (PG)

Imperial (IOL)

- Ron Tourigny, Right of Way and Claims Coordinator (RT)

CanACRE (CA)

- Haseeb Amirzada, Director – Planning and Permitting (HA)

Meeting Objectives

- Confirm the HONI/IO process and timelines for approvals within HONI/IO Corridor lands

Topic	Discussion
Location	<ul style="list-style-type: none"> • Hydro One office (185 Clegg Road)
Agenda	<ul style="list-style-type: none"> • HONI/IO process and timelines
Materials	<ul style="list-style-type: none"> • Imperial's Waterdown to Finch Pipeline Project list of Activities leading up to HONI/IO technical approvals and Grant of Easement
Discussion of process and timelines for HONI/IO approvals	<p><u>Activity List</u></p> <ul style="list-style-type: none"> • RT thanked RD and PG for meeting to discuss our list of activities leading up to the anticipated approvals from HONI/IO. This meeting is to ensure we are not missing any steps along the way and to present some general expected timelines for various IOL submissions to HONI/IO and approvals expected to be received from HONI/IO. • HA provided hard copies of the list of activities and started to describe each to RD and PG. • RD stated that IOL's appraiser will need to have a meeting with IO's appraiser so that everyone is on board with IO's terms of reference. An official proposal needs to be submitted for the project before this meeting can take place. • HA indicated that an official submission is expected to happen next week, August 8. RD notified HA and RT that he would be away next week and that the submission would not start being reviewed until August 13th, when he comes back. • PG would like a summary of which stakeholders, government or otherwise, the project has contacted to date. • PG informed RT and HA that IO is no longer under the jurisdiction of the Ministry of Infrastructure but instead under the Ministry of Government and Consumer Services (MGCS). The realty branch of IO has been moved under MGCS under an Order in Council that was passed last Wednesday, July 25, 2018. • HA continued and informed that the Provincial Secondary Land Use Program (PSLUP) process was started but we have been informed by IO's Planner that this project would

Topic	Discussion
	<p>be exempt from the Planning Act requirements as it is under the jurisdiction of the Ontario Energy Board. A declaration form will need to be signed and the municipal consultation aspect of this process will not be needed.</p> <ul style="list-style-type: none"> • PG requested that the Ministry of Municipal Affairs and Housing should know about this project, if they have not been engaged yet. The project impacts the Parkway Belt West Plan and the Ministry may have some comments about it. RT will confirm if this Ministry has been engaged and get back to PG. • HA continued describing the expected appraisal process and timelines. RD stated that IOL should not rush with the appraisal since it is only effective 1 year from the date of the appraisal report. RD suggested to have the appraisal completed early in 2019. A meeting with both IOL and IO appraisers should be planned for early Fall 2018. • RD and PG started to discuss IOL's proposed easement. RT confirmed that a meeting will be scheduled with HONI/IO in late September to have a specific discussion related to the easement. RD indicated that a 10ft width will be the minimum that HONI/IO will accept for the pipeline. Other pipelines in the province are taking 30ft/60ft to ensure there is enough space for access to the pipeline for maintenance, integrity digs, etc. This helps avoid regular request for approvals from HONI/IO to perform any work once the pipe is in operation. • RD mentioned that him and the engineers would like to know what kind and how much information is going to be submitted for this project at various iterations and the anticipated schedule for it. HONI engineers want to see what the packages are going to look like and determine how much staffing and resources will be needed for this project. Then the various relevant parties (i.e. HONI, IO, IOL, CA, etc.) can reconvene to determine if there will be a need for a third-party and external reviewer. • PG reiterated from the last meeting that HONI/IO will always prioritize public infrastructure projects, such as municipal or Metrolinx proposals over these private proposals. • RD mentioned that IOL may potentially want to have a general agreement with HONI/IO for occupation of the HONI/IO corridor lands to conduct intrusive studies for a long period of time with a deposit. • RD stated that once the initial submission has been received by HONI for a technical review, HONI will have a meeting with internal stakeholders and establish the appropriate fee for the engineering review. • RD mentioned that their engineering teams may ask for a fee upfront to develop the AC Mitigation Report terms of reference and prepare the study with UPI. This would be determined after the initial project submission. • RD wanted to make sure that HONI/IO's existing secondary land uses have been contacted. RT and HA confirmed that we have already received a list of tenants on the HONI/IO corridor lands and the project has been consulting with them. RD indicated that there may need to be some rent relief for the existing secondary land users once the easement is approved. • HA started to describe the IO Class EA activities and proposed timelines. PG would like the Duty to Consult process as a separate line item in this process. It has been a major

Topic	Discussion
	<p>concern in the past and goes through a different process since it needs to go to MGCS for approval and not IO.</p> <ul style="list-style-type: none"> PG mentioned that an activity item for the legal review of agreements should be added to make sure it is completed in due time. HA indicated that this has been considered as part of the completion of agreements and appraisals process but can be made more explicit in the list. PG informed HA and RT that there will be some commercial changes to the IO agreement templates taking place soon. PG cautioned that the signing of IO's agreements might take a long time. There are three committees that PG must go through for approvals prior to executing the agreements. HA mentioned we are expecting all the appraisal and easement values will be finalized in the first quarter of 2019. The approvals process through each committee would be able to start at that time. RD suggested to add a buffer at the end of the process for easement approval and registration. PG requested a digital copy of the Activity list that was provided at this meeting.
Next Steps	<ul style="list-style-type: none"> RT will get back to RD and PG for a proposed meeting to discuss the pipeline easement width in late September as well as scheduling a meeting with the appraisers.
Summary of Actions	
Summary of Actions	Who
<ul style="list-style-type: none"> IOL/CA and IOL's appraiser to schedule a meeting with IO's appraiser once a formal project submission has been received by HONI/IO. Ideally in early Fall 2018. 	RT/CA
<ul style="list-style-type: none"> IOL to provide a summary/list of all government and other stakeholders that the project has engaged, to-date. 	RT
<ul style="list-style-type: none"> RT to confirm if the Ministry of Municipal Affairs and Housing has been engaged for this project. 	RT
<ul style="list-style-type: none"> CA to prepare a list of all deliverables expected at each iteration of drawings and submissions to HONI/IO and the timelines for each. 	CA
<ul style="list-style-type: none"> CA to add a separate item for Duty to Consult and Legal Review to the HONI/IO Activity list and provide to RD and PG in a digital form. 	CA
<ul style="list-style-type: none"> RT to schedule a meeting with HONI, IO, and CA to discuss proposed pipeline easement in late September. 	RT



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 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 checked="" 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 |

FW: OEB project Waterdown to Finch pipeline

Matthew Scoular [Matthew.Scoular@erm.com]

Sent: Tuesday, August 07, 2018 10:36 AM**To:** Imperial Isometrix

Best,

Matt Scoular

ERM**M** +1 416 567 7126 

From: Barboza, Karla (MTCS) <Karla.Barboza@ontario.ca>**Sent:** Tuesday, August 07, 2018 10:16 AM**To:** umcarubm@pathcom.com**Cc:** Daniel Walker <Daniel.Walker@erm.com>; Matthew Scoular <Matthew.Scoular@erm.com>; Hatcher, Laura (MTCS) <Laura.E.Hatcher@ontario.ca>**Subject:** RE: OEB project Waterdown to Finch pipeline



Hi Richard,

The proposed approach is satisfactory and consistent with other gas pipeline projects. I'm copying Laura Hatcher, MTCS Heritage Planner, who is assigned to this file (MTCS File# 0009034).

We look forward to receiving a copy of the Cultural Heritage Assessment Report for review. If you have any additional questions, please do not hesitate to contact me or Laura.

Regards,

Karla

Karla Barboza MCIP, RPP, CAHP | (A) Team Lead, Heritage
Ministry of Tourism, Culture and Sport
Culture Division | Programs and Services Branch | Heritage Program Unit
T. 416.314.7120  | fax: 416.212.1802  | Email: karla.barboza@ontario.ca

From: umcarubm@pathcom.com [<mailto:umcarubm@pathcom.com>]**Sent:** August-03-18 3:57 PM**To:** Barboza, Karla (MTCS)**Cc:** Daniel Walker; Matthew Scoular**Subject:** OEB project Waterdown to Finch pipeline

Hi Karla

We meet with the client ERM Consultants to discuss the project. Laura Hatcher had attended an earlier meeting with ERM to discuss the Archaeology component.

The construction corridor will be 25m in width - 12.5m on either side of the centre line with two-thirds of the study being completed on HON1 corridor lands.

As we discussed earlier, UMcA will apply a 50m study buffer to either side of the 25m construction

EXHIBIT H
Record of Consultation - Supporting Documents

Filed: 2019-02-22
EB-2019-0007
Tab 1, Schedule 3
Page 111 of 167

zone to review cultural heritage resources of interest and significance that may receive affects from the project. Each municipality will be contacted through the study area to review listed or designated properties on municipal registers. A windshield survey will be completed to prepare an existing conditions study and identify potential sensitivities.

We trust this is satisfactory and look forward to discussing the project with MTCS in the future.

Have a good long weekend.

Richard

*Richard Unterman, Principal,
Unterman McPhail Associates
M.A. Conservation Studies,
Dipl. Restoration Technology, CAHP
540 Runnymede Road, Toronto, ON M6S 2Z7
Tel. 416.766.7333*

Email: umcarubm@pathcom.com

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**Ministry of Energy, Northern
Development and Mines**

77 Grenville Street
6th Floor
Toronto ON M7A 2C1

Tel: (416) 314-2599

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

77 rue Grenville
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Toronto ON M7A 2C1

Tél: (416) 314-2599



Indigenous Energy Policy

VIA EMAIL

September 10, 2018

Kelly Williams
Imperial Indigenous Relations-Ontario Region
Imperial Oil Limited
100 5th Conc E, Waterdown,
ON L0R 2H1

Re: Waterdown to Finch Pipeline Project

Dear Kelly Williams:

Thank you for your email dated May 23, 2018 notifying the Ministry of Energy, Northern Development and Mines of Imperial Oil's intention to apply for Leave to Construct for the Waterdown to Finch Station Pipeline project and requesting clarification on duty to consult requirements.

I understand that 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.

The Ministry has reviewed the information provided relative to its current understanding of the interests of First Nation and Métis communities in the area and has determined that it may have the potential to affect First Nation communities who hold or claim Aboriginal or treaty rights protected under Section 35 of Canada's *Constitution Act* 1982.

As you are aware, the Government of Ontario (the "Crown") has a constitutional duty to consult and accommodate First Nation and Métis communities when Crown project approvals may lead to an appreciable adverse impact on established or asserted Aboriginal or treaty rights. While the legal duty to consult falls on the Crown, the Crown

may delegate the day-to-day, procedural aspects of consultation to project proponents. The Ministry of the Energy, Northern Development and Mines is delegating the procedural aspects of consultation to Imperial Oil through this letter.

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

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

Note:

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

**interests are specific to archeological resources

This rights-based consultation list is based on information that is subject to change. First Nation and Métis communities may make new rights assertions at any time, and other developments (e.g. the discovery of Aboriginal archaeological sites) can occur that may require additional First Nation and/or Métis communities to be notified and/or consulted. If you become aware of potential rights impacts on communities that are not listed above at any stage of the consultation and approval process, kindly bring this to the attention of the Ministry with any supporting information regarding the claim. The Ministry will then assess whether it is necessary to include the community on the rights-based consultation list above.

It is the Ministry's expectation that Imperial Oil will communicate directly with the communities listed above, and that Imperial Oil will:

- Notify the communities that Imperial Oil has been delegated the procedural aspects of consultation by the Ministry of Energy, Northern Development and Mines on behalf of Ontario.
- Notify the communities that they may contact the Crown directly should they have any questions or concerns.
- Provide the communities with the following contact information should they wish to communicate directly with the Ministry:

Raina Crasto
Policy Advisor, Indigenous Energy Policy
Ministry of Energy, Northern Development and Mines
416-326-4571/raina.crasto@ontario.ca

Shannon McCabe
Senior Advisor, Indigenous Energy Policy
Ministry of Energy, Northern Development and Mines
416-212-6704 / shannon.mccabe@ontario.ca

- Please copy the Ministry contact when communicating the above information.

The Ministry relies on consultation conducted by proponents when it assesses the Crown's obligations and directs proponents during the regulatory process. Imperial Oil's responsibilities for procedural aspects of consultation include:

- Providing the First Nation communities with timely notice of the project for the purposes of considering possible impacts on their Aboriginal and/or treaty rights;
- In that notice, clearly stating that Imperial Oil has been delegated the procedural aspects of consultation by the Ministry of Energy, Northern Development and Mines on behalf of Ontario for the project.
- Providing First Nation communities with information about the project including anticipated impacts, and information on project timelines;
- Following up with First Nation communities to ensure they have received project information and that they are aware of the opportunity to express comments and concerns about the project;
- Explaining the regulatory and approval processes that apply to the project;
- Gathering information about how the project may adversely impact the relevant Aboriginal and/or treaty rights (for example, hunting, fishing) or sites of cultural significance (for example, burial grounds, archaeological sites);
- Considering the comments and concerns raised by First Nation communities and providing responses;
- Where appropriate, discussing accommodation, including mitigation or other measures to address potential adverse impacts on Aboriginal and/or treaty rights;

- Where appropriate, developing and discussing with the Crown appropriate accommodation measures;
- Taking reasonable steps to foster positive relationships with the First Nation communities;
- Bearing the reasonable costs associated with these procedural aspects of consultation; and
- Maintaining records of activities in relation to carrying out the delegated procedural aspects of consultation and providing information to the Ministry.

If you have any questions about this letter or require any additional information 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,



Morgan Owen
A/Manager
Indigenous Energy Policy

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

Imperial
Waterdown to Finch Pipeline Project
September 12, 2018
MOECP ECA and Water Taking Permit Meeting Notes

Participants

Ontario Ministry of Environment, Conservation & Parks

- Steven McAvoy (SM) – Program support Coordinator
- Karoly Tajnay – Supervisor, Surface Water Unit – Central Region, Technical Support Section
- Barb Slattery – Environmental Resource Planner & EA Coordinator
- Natalie Stacey – Supervisor; Air, Pesticides and Environmental Planning; West-Central Region
- Trevor Bell – Environmental Resource Planner & EA Coordinator; Central Region
- Adedoyin Adenowo – Senior Waste Water Engineer
- Gemma Connolly

Regrets:

- Paul Martin

Imperial

- Jessie Malone (JM)

UPI

- Hernan Castedo (HC)

ERM

- Matthew Scoular (MS)
- Amanda Juric (AJ)
- Elizabeth Sherlock (ES)
- Piotr Rzepecki (PR)

Meeting Objectives

- Pre-submission consultation meeting to discuss the Project, associated water taking permit requirements for Imperial's Waterdown to Finch Project.

Topic	Discussion
Location	5th Floor Boardroom, 135 St. Clair Avenue West
Agenda	<ul style="list-style-type: none"> • Overview of Imperial's Waterdown to Finch Project • Project Description and Timeline • Engagement and Consultation • Water use associated with the Project • Anticipated MECP Permit Requirements • Identify permits needed from MECP • Guidance on water taking permit requirements
Materials	<ul style="list-style-type: none"> • Imperial: PPT presentation, Pipeline route map
Introduction	<ul style="list-style-type: none"> • Roundtable introductions between room and teleconference
Safety Moment	<ul style="list-style-type: none"> • JM shared a safety moment on an overview of activities for safe pipeline operation.

Project Description & Timelines	<ul style="list-style-type: none"> • JM provided a description of the SPPL operations at a high level – the SPPL takes product from Sarnia to Waterdown and then Waterdown to Finch. The pipeline moves refined product (gasoline, diesel, and jet fuel), and is considered to be “critical infrastructure” as it is one of the major suppliers to Pearson Airport. The pipeline has been in operation since the 1950’s. • JM provided details on the project: <ul style="list-style-type: none"> ○ The replacement project is focusing on the Waterdown to Finch segment of the pipeline. It is a 12” pipeline that will be replaced with a 12” pipeline. The new pipeline will be built parallel to the existing pipeline. Once the new pipeline is operational, the old one will be deactivated and left in place. The impact of removing the pipeline would be highly disruptive. The deactivated pipeline will be monitored and maintained similar to an operational pipeline ○ The segment of the pipeline that runs between Waterdown to Oakville is through an Imperial owned easement. The section through Oakville/ Mississauga/Toronto area is within the HONI corridor. ○ The overarching regulatory approval for the project is through the OEB leave to construct (LtC). The timeline for submitting the LtC is early 2019. The Environmental report is submitted in support of the LtC which includes a consultation report. ○ The pipeline is being installed through a mix of construction methods - trench/ open cut and trenchless/HDD. It is anticipated that approximately one third of the entire pipeline length will be installed using HDD. ○ Detailed engineering has been kicked off, but it is in the early stages. ○ Community sessions hosted in July 2018 and another round planned for November • Gemma – Inquired whether OEB submission will be concurrent to other applications? • JM – Confirmed that the process will be conducted in parallel due to compressed schedule • SM – Inquired as to which Indigenous communities have been engaged in the project? • JM – Listed the Indigenous Communities that are being engaged: The Mississauga’s of the New Credit First Nation, Six Nations, Huron-Wendat, and the Haudenosaunee Confederacy Chiefs Council
Water Use Associated with the Project	<ul style="list-style-type: none"> • JM – Reviewed the table of the 3 major water uses for the project on slide 10. JM stated that the initial plan is to source the water needs from the municipalities for drilling and hydrostatic testing, and that it is not anticipating a permit from the Ministry would be needed as the project is not intending to source this water from a natural water sources (surface or groundwater). • JM – water taking permit needed for dewatering during construction and no permit needed for operations. Intending to obtain one permit for the Project. • JM-Would like to know what the permit process is if we need an alternate plan involving the Ministry & permit. • AA – Inquired about the intended plan to discharge water?

- JM confirmed that water used for drilling mud would be sent to an approved disposal facility and the hydro test water would be discharged into the municipal sewage system.
- AA – Stated that if the water is to be discharged to the sanitary sewer, the discussion would have to be with each affected municipality to ensure they have capacity to treat the water and handle the volumes. If any water is discharging into a storm sewer, there is a need for an ECA – whether the water is pre-treated or not. The project would also need an approval from the municipality for using the storm sewer. As part of the process for getting an ECA, the project has to identify which contaminants of concern will be present in the water, what the proposed approach is for treating it before discharging, and an assessment of the impacts.
- Gemma – There are resources available for the information needed to apply for an ECA. This permit can include discharge to storm sewer and if none available, discharge to local environment. Note that the Project crosses two regions so different ECAs may be needed
- KT – Stated that the inquiry about the project being able to occur under one water taking permit or several, depended on multiple factors such as: the length of the project, and the number and type of sources water is being taken from. No definitive decision can be made on this based on the current information.
- PR- Recapped the methodology for the water estimated provided for construction dewatering. An assumption in the calculations is that no more than 5 km of the pipeline will be “open” at any one point in time.
- HC – Confirmed that the project construction will occur in two spreads with 2km of open trench in each plus 1km for trenchless/HDD.
- AA – Inquired whether precipitation/ rain water was included in water removal estimates.
- PR – Rain is not included in the volumes for water removed from the water system.
- AA – Advised to revise the estimated dewatering to include rain water/snowfall.
- JM – there is no more than 5km of the project open at any time. As the installation proceeds the sections are covered.
- AA – Inquired when any testing would occur, and how repairs would be conducted.
- HC – Confirmed that a pre-test will occur on any pipeline segments to be HDD’d prior to installation and then segment testing of trenched pipeline after it has been backfilled. If any failures are identified during the hydrostatic testing, then it would be repaired accordingly.
- PR – Provided an overview of the Category 3 application rationale, and the proposal to install 14 groundwater monitoring wells along corridor to capture a range of depths to water table. Data on groundwater is also being compiled in parallel to the ecological surveys being conducted on the watercourses.
- AA – Advise that regional MOECP offices should be engaged in the development of groundwater monitoring programs.
- SM – Commented that Source Protection Plans should be assessed in water discussions as the project crosses event-based areas for fuel spills. Also, for an ECA, screen any

	<p>discharges to intake protection zones and develop mitigation and monitoring requirements.</p> <ul style="list-style-type: none"> • KT – Suggested a coordinated meeting between the project team and the Central and West-Central regions on details of the application process for a water taking permit. The Permit is administered by MOECP regional offices. • AA – Shared information that there are “Mobile Sewage Works” contractors who hold an ECA to treat any type of water and discharge it, anywhere in the province. These contractors may present an alternative to the project applying for a separate ECA. These contractors are not limited to a volume, provided that effluent limits in their ECA are met. These contractors still work with the regional MOECP office to demonstrate the contaminants of concern for the project, the treatment plan, and how monitoring requirements are being met. The contractors must submit a performance report to the regional office. • KT – Provided clarification that the water taking permit is about the TAKING of the water. Additional approval (in the form of an ECA) is required to discharge the water.
Anticipated MOECP Permit Requirements	<ul style="list-style-type: none"> • AA – Stated that the ground water monitoring plan should be reviewed by the regional offices, especially if it is in support of the Permit to Take Water. • KT – Added that both Central and West-Central regions should be engaged in the groundwater monitoring plan development. • MS – engineering team is currently developing construction plan to outline water sourcing and discharge locations; will send materials before meeting to support discussion and identify any ‘red flags’. • Gemma – Stated that a timeline on the ECA review cannot be provided as it depends on how complete the information in the application. The Water Taking Permit is issued and reviewed at the regional office, and the service standard is 90 days, contingent on a complete application. Service standard for an ECA is 12 months.
Engagement and Consultations	<ul style="list-style-type: none"> • AA – advised that in the engagement record with Indigenous communities to include copies of the materials that were shared during each engagement. • Approval of groundwater field program by the Regional offices important before implementing; suggest meeting week of Oct 2
Summary of Actions	
Summary of Actions	Who
<ul style="list-style-type: none"> • MOECP will send ECA checklist and guidance documents, and Enbridge ECA as an example. 	SM (MOECP)
<ul style="list-style-type: none"> • Imperial to send draft groundwater monitoring plan (depths, Hydraulic conductivity and GW quality parameters) memo for MOECP Regional offices (Central and West-Central) technical support for their endorsement. • Schedule a meeting for the week of October 2 to discuss details and whether one WTP for the Project or two (depends on the #, type, and location of water taking sources) 	ERM

<ul style="list-style-type: none"> Imperial to send project water requirements and management plan for water taking sources and discharge locations to MOECP in advance of next meeting week of October 2. 	UPI
<ul style="list-style-type: none"> Look on MOECPs Access Environment website for private companies that have ECAs to support WFP construction water treatment to stormwater or environment 	ERM
<ul style="list-style-type: none"> Incorporate rain water from storm water/overland systems into dewatering calculation 	ERM
<ul style="list-style-type: none"> Look into provincial policy (and regional government and CA mandates) for the consideration of source water protection for water taking / disposal activities – this policy should be incorporated into OEB ER, MOECP ECAs/WTP, CA applications 	ERM
<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 type="checkbox"/> Archaeology |
| <input type="checkbox"/> Alternatives | <input type="checkbox"/> Community Contribution Request |
| <input type="checkbox"/> Cultural Heritage Resources | <input checked="" 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 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
Waterdown to Finch Pipeline Project
September 13, 2018
Ministry of Natural Resources and Forestry (MNRF) Aurora and Guelph Meeting Notes

Participants

MNRF Aurora District

- Bohdan Kowalyk (BK)
- April Currie (AC)

MNRF Guelph District (Phone)

- Anne-Marie Laurence (AML)
- Tara McKenna

Imperial

- Jessie Malone (JM)

ERM

- Matthew Scoular (MS)
- Mark Welsh (MW)
- Amanda Juric

Savanta

- Tom Hilditch (TH)
- Sara Ross

Meeting Objectives

- Pre-submission consultation meeting to provide Project update, discuss Information Gathering Form (IGF), and other MNRF requirements/guidance for Imperial's Waterdown to Finch Project

Topic	Discussion
Location	MNRF Aurora District Office; 50 Bloomington Rd. Aurora, ON.
Agenda	<ul style="list-style-type: none"> • Project Update • Ongoing/planned environmental studies • Field Program Results and Mitigation • MNRF Permitting Requirements/Advice • Engagement and Consultation • Summary/Closing
Materials	<ul style="list-style-type: none"> • Imperial: PowerPoint presentation, Pipeline route map with Ecological Land Classification (ELC) and Species at Risk (SAR) observations
Introduction	<ul style="list-style-type: none"> • Roundtable introductions conference room and teleconference
Project Update	<ul style="list-style-type: none"> • JM provided a high-level overview of the field work completed to date, noting that the summer programs were either complete or nearing completion – for example there are some fisheries and fall vegetation surveys to complete. The other large field program that has been kicked off is the Stage 2 archeology assessments (AA). Additionally, the project has completed a preliminary delineation of trenched vs. trenchless pipe installation scope to develop environmental mitigation plans. JM briefly spoke to the consultation that is occurring, noting that the project has received the Ministry of Energy duty to consult delegation to consult with the Mississaugas of the New Credit First Nation (MNCFN), Six Nations, Haudenosaunee Confederacy, and Huron Wendat. Field monitors from MNCFN, Six Nations, and Huron Wendat are currently participating in the archeology program. • BK – Inquired whether any public consultation have been occurring. • JM – Noted that there have been public information sessions in July across the impacted municipalities, and that a second round of sessions is scheduled to occur in November as per OEB direction.

Topic	Discussion
	<ul style="list-style-type: none"> • BK – Inquired as to the concerns raised in the first round of public information session. • JM – Summarized that the concerns were centered on private land owner access and impact, and that there is a contractor (CanAcres) working on land issues. It was also noted that general noise and traffic concerns were raised in Toronto and Mississauga. • MS - Added that there has also been consultation with the 4 conservation authorities and Niagara Escarpment Commission, Ministry of Energy, Ministry of Tourism, Culture and Sport (MCTS), Ministry of Environment, Conservation, and Parks (MOECP), Ministry of Government and Consumer Services (MGCS), and Hydro One. • BK – Asked whether another notice of commencement will be issued by the MGCS. • JM- Replied that a notice of commencement may be issued if a Class EA is required. • JM – Provided a brief overview of the pipeline installation methods for background on the discussion of trench (open-cut) vs. trenchless installation (Borehole and Horizontal Directional Drilling [HDD]) • MS - Stated that approximately 1/3 of the pipeline length will be installed via trenchless methods at major watercourses, highways, roads, other infrastructure.
Field Program Results and Mitigation	<ul style="list-style-type: none"> • MS – Provided an overview of the Biophysical Cultural studies slide • MW – Discussed JESA slides of PowerPoint presentation. The following was highlighted: <ul style="list-style-type: none"> ○ Regulated habitat demonstrated in the mapping was based on MNRF district maps. The data was digitized from PDF maps as shape files were unavailable. ○ The black lines on the mapping denotes trenchless drilling (JM indicated that thick line = HDD, thin line = Borehole methods); yellow overlay indicates the disturbance footprint. ○ Existing and replacement pipeline easement is within JESA regulated habitat at 5 locations. The mitigation measures proposed for construction in these locations includes the construction timing. The project is targeting installation in these regulated habitats between January and March. ○ AML – Advised that the project should consider starting work as early as December 1st, and aim to have a mid-February cut-off as a precaution for an early spring/JESA migration to breeding habitat. ○ AC noted that restoration activities would also have to comply with timing windows. • For KP 4.55 – 5.4 it was noted that: <ul style="list-style-type: none"> ○ Enbridge pipeline that crosses Imperial’s pipeline, and there is a residential property along this segment. ○ This is the boundary between Guelph and Aurora Districts. ○ No Blanding turtle regulated areas identified by MNRF in this segment.

Topic	Discussion
	<ul style="list-style-type: none"> ○ The work in this segment is within the existing easement and private property, and the set up for the drilling will be on private property. ○ AML – Commented that this area of the project may be one where the timing window should be set firmly within the winter period. • For KP 7.9 – 8.45 it was noted that: <ul style="list-style-type: none"> ○ MS - Timing restrictions will be in place during this area. ○ MS - Trenched areas will be restored to conditions set out with agricultural land owners and best practice. • For KP 9.4-9.8 it was noted: <ul style="list-style-type: none"> ○ MS- Open cut trenching was planned because this area is an already disturbed area. ○ There are some forested areas in this segment and that there is a need to look at right of way and landownership. ○ BK – Commented that it would be good to have pictures in these areas to visualize the habitat. ○ JM- Stated that the corridor has had some vegetation management in past 10 years in accordance with TSSA and CSA pipeline code. ○ BK –asked for Savanta to provide details of the vegetation species when classified as Cultural thicket vs Cultural Meadow in ELC mapping. • TH – Commented that based on 1-year of observations, the absence of JESA cannot be made to inform the installation plans. Vernal ponds have been flagged as important. TH asked whether MNRF knows of suitable JESA habitat that the project should be preemptively be planning for trenchless installation. • BK – Added that trenchless methods would be a way to avoid the requirement to obtain an overall benefit permit (OBP). • TH – Stated the intention to share the plan and draft IGF • AML – Recommended the project consider section 23.18 of <i>Endangered Species Act</i> (ESA) exemption regulation O.Reg. 242/08 – threats to health and safety to explore whether SAR mitigation plans can go through that process vs. OBP. • BK – Commented that the regulated habitat areas were established 10 years ago using 300m buffer of confirmed habitat, and project should consider 1000m. Also advised to consider vernal pools and the forested areas as potential habitat.
MNRF Permitting Requirements/ Advice	<ul style="list-style-type: none"> • TH provided an overview of other SAR, noting that: <ul style="list-style-type: none"> ○ Field survey work is still underway; ○ 4 threatened bird species, 26 Butternut trees, Blandings turtle in Lake Medad area have been identified. ○ S3 species also have been flagged, such as mapped monarch use areas, terrestrial crayfish areas - no results mapped, but observations have been made. ○ The habitat of 3 sensitive species: Monarch, Eastern Peewee, and Wood Thrush are being considered in the restoration plans. ○ BK –Inquired about bat monitoring approach. ○ TH- sated that bat monitoring has used acoustic surveys, as per locations provided by MNRF during consultations.

Topic	Discussion
	<ul style="list-style-type: none"> • MS - Stated that all PSWs were planned to be trenchless installation, and that the project is consulting with the MOECP about water taking permit(s). • AC - Commented that wetlands (un-evaluated wetland crossings) may require dewatering. Advised evaluating the unevaluated wetland crossings to see about drilling these areas to avoid the water taking permits and dewatering requirements. • AC - Inquired out of curiosity about the cost between trenched vs. trenchless installation. • JM - Stated that the cost of trench vs trenchless varies depending on the area, the depth of the drilling, but in ideal conditions the difference is an order of magnitude more expensive for trenchless. • BK - Inquired about the distance of trenched areas in wetland crossings. • MS - Stated that detailed tables with distances will be provided as part of the regulatory application. Including drawings for the different types of open cut approaches will be provided (i.e., dry or frozen to bottom vs. flowing water). A request for review will be submitted to DFO in advance of OEB filing with this anticipated to occur mid/late November. • MS - stated that for SAR, all watercourse crossings would be trenchless with exception of some of the tributaries and that fisheries field work will be looking at all watercourse • AC - Warned that crossing some of the tributaries may require a permit for Redside dace, and advised strongly to avoid the Redside dace habitat. • BK - Advised that if the Redside dace habitat information source was the NHIC, the data is likely outdated (i.e., Redside dace in Bronte Creek) • Re: watercourse discussion: <ul style="list-style-type: none"> ○ JM - noted that 4 of the licenses of occupation for watercourse crossings from the original pipeline have been located in archives, and that the licenses of occupation were specific to a 10" and a 12" line. ○ JM - asked whether the MNRF thought the project should amend the licenses, apply for new ones, or was the discussion irrelevant because the conservation authority permits cover the issue. ○ BK - Recommended referring the question to the lands person at MNRF (Alexander Gawlina Lands and Waters Technical Specialist 905-713-7410 alexander.gawlina@ontario.ca). Stated that the MNRF usually does not require license of occupation for trenchless installation if the pipeline is under the bed of the watercourse. • JM- Raised a question about managing JESA habitat during the archeology program, noting that MTCS told project that if MNRF said it was JESA habitat, test pits would not be required by the MTCS for those areas. <ul style="list-style-type: none"> ○ AC - Asked whether a sample letter could be provided by MTCS for MNRF. MNRF could prepare this letter with the Guelph and Aurora districts collaborating. • Re: JESA next step - a draft IGF will be submitted to MNRF for review, and will include the other SAR as well. • AC- Commented that if section 23 fits, an IGF may not be required. • JM - Suggested that the project will look into section 23 and submit a self-assessment to the MNRF in parallel to the IGF.

Topic	Discussion
	<ul style="list-style-type: none"> BK – Inquired if the next version of mapping would include un-evaluated wetland mapping areas. MS – Stated that map books for the OEB submission will be developed and will include all environmental constraints
Summary of Actions	
ERM to send MNRF draft mapping of 2018 SAR observations	MS
Imperial to solicit a sample letter from MTCS where the MNRF could state that they would prefer that archaeological test pitting is not conducted within JESA regulated habitat	JM
ERM/Savanta to provide photos of forest within JESA regulated habitat that would be disturbed during construction	MS
Imperial to explore ESA exemption regulation vs. IGF and OBP process for SAR and provide letter to MNRF	JM/MS
ERM to provide MNRF with draft watercourse crossing tables for MNRF to confirm SAR presence and in-water timing windows	MS
ERM to provide MNRF with draft wetland crossing tables including PSWs and unevaluated wetlands in advance of OEB filing	MS
Imperial to consider JESA timing window of December 1 – mid February in construction planning for regulated habitat and suitable habitat	JM
Imperial to explore feasibility of trenchless crossings of Redside dace habitat watercourses and unevaluated wetlands to avoid OBP and WTP requirements, respectively. Bronte Creek will be removed as Redside dace habitat as per MNRF recommendation.	JM
Imperial to follow up with MNRF lands group regarding need for LOs. Not likely required due to trenchless installation of major watercourses.	JM

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 |
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| <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 checked="" type="checkbox"/> Wetlands |
| | <input checked="" type="checkbox"/> Wildlife and Habitat |

**Ministry of Energy, Northern
Development and Mines**

77 Grenville Street
6th Floor
Toronto ON M7A 2C1

Tel: (416) 314-2599

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

77 rue Grenville
6^{es} étage
Toronto ON M7A 2C1

Tél: (416) 314-2599



Indigenous Energy Policy

VIA EMAIL

September 10, 2018

Kelly Williams
Imperial Indigenous Relations-Ontario Region
Imperial Oil Limited
100 5th Conc E, Waterdown,
ON L0R 2H1

Re: Waterdown to Finch Pipeline Project

Dear Kelly Williams:

Thank you for your email dated May 23, 2018 notifying the Ministry of Energy, Northern Development and Mines of Imperial Oil's intention to apply for Leave to Construct for the Waterdown to Finch Station Pipeline project and requesting clarification on duty to consult requirements.

I understand that 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.

The Ministry has reviewed the information provided relative to its current understanding of the interests of First Nation and Métis communities in the area and has determined that it may have the potential to affect First Nation communities who hold or claim Aboriginal or treaty rights protected under Section 35 of Canada's *Constitution Act* 1982.

As you are aware, the Government of Ontario (the "Crown") has a constitutional duty to consult and accommodate First Nation and Métis communities when Crown project approvals may lead to an appreciable adverse impact on established or asserted Aboriginal or treaty rights. While the legal duty to consult falls on the Crown, the Crown

may delegate the day-to-day, procedural aspects of consultation to project proponents. The Ministry of the Energy, Northern Development and Mines is delegating the procedural aspects of consultation to Imperial Oil through this letter.

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

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

Note:

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

**interests are specific to archeological resources

This rights-based consultation list is based on information that is subject to change. First Nation and Métis communities may make new rights assertions at any time, and other developments (e.g. the discovery of Aboriginal archaeological sites) can occur that may require additional First Nation and/or Métis communities to be notified and/or consulted. If you become aware of potential rights impacts on communities that are not listed above at any stage of the consultation and approval process, kindly bring this to the attention of the Ministry with any supporting information regarding the claim. The Ministry will then assess whether it is necessary to include the community on the rights-based consultation list above.

It is the Ministry's expectation that Imperial Oil will communicate directly with the communities listed above, and that Imperial Oil will:

- Notify the communities that Imperial Oil has been delegated the procedural aspects of consultation by the Ministry of Energy, Northern Development and Mines on behalf of Ontario.
- Notify the communities that they may contact the Crown directly should they have any questions or concerns.
- Provide the communities with the following contact information should they wish to communicate directly with the Ministry:

Raina Crasto
Policy Advisor, Indigenous Energy Policy
Ministry of Energy, Northern Development and Mines
416-326-4571/raina.crasto@ontario.ca

Shannon McCabe
Senior Advisor, Indigenous Energy Policy
Ministry of Energy, Northern Development and Mines
416-212-6704 / shannon.mccabe@ontario.ca

- Please copy the Ministry contact when communicating the above information.

The Ministry relies on consultation conducted by proponents when it assesses the Crown's obligations and directs proponents during the regulatory process. Imperial Oil's responsibilities for procedural aspects of consultation include:

- Providing the First Nation communities with timely notice of the project for the purposes of considering possible impacts on their Aboriginal and/or treaty rights;
- In that notice, clearly stating that Imperial Oil has been delegated the procedural aspects of consultation by the Ministry of Energy, Northern Development and Mines on behalf of Ontario for the project.
- Providing First Nation communities with information about the project including anticipated impacts, and information on project timelines;
- Following up with First Nation communities to ensure they have received project information and that they are aware of the opportunity to express comments and concerns about the project;
- Explaining the regulatory and approval processes that apply to the project;
- Gathering information about how the project may adversely impact the relevant Aboriginal and/or treaty rights (for example, hunting, fishing) or sites of cultural significance (for example, burial grounds, archaeological sites);
- Considering the comments and concerns raised by First Nation communities and providing responses;
- Where appropriate, discussing accommodation, including mitigation or other measures to address potential adverse impacts on Aboriginal and/or treaty rights;

- Where appropriate, developing and discussing with the Crown appropriate accommodation measures;
- Taking reasonable steps to foster positive relationships with the First Nation communities;
- Bearing the reasonable costs associated with these procedural aspects of consultation; and
- Maintaining records of activities in relation to carrying out the delegated procedural aspects of consultation and providing information to the Ministry.

If you have any questions about this letter or require any additional information 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,



Morgan Owen
A/Manager
Indigenous Energy Policy

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

RE: Imperial Waterdown to Finch Project - land inquiry

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

Sent: Thursday, September 20, 2018 1:58 PM**To:** Gawlina, Alexander (MNR) [Alexander.Gawlina@ontario.ca]**Cc:** Matthew Scoular [Matthew.Scoular@erm.com]; Harvard, Jennifer (MNR) [Jennifer.Harvard@ontario.ca]; Tourigny, Ron [ron.tourigny@esso.ca]

Hi Alex,

In response to the two questions raised in yesterday's meeting, please see below.

In consultation with our Landman, it would be helpful if you could provide us with the following in advance of our next discussion:

- A copy of a typical easement application for watercourse crossings
- Legislative background for easement application requirements (or guideline for easement requirements?)

Assessment and additional information that supports in situ de-activation of the existing pipeline:

After the new pipeline is safely installed and operation is switched over, the existing pipeline will be deactivated and left in place. This deactivation will consist of cleaning the line to remove residual hydrocarbon, disconnecting power where appropriate, segmenting the pipeline by removing block valves and installing blind flanges and CP bonding cables, filling the segments with nitrogen to a pressure that can be monitored (e.g. 50 psig), and isolating the ends of the pipeline with blind flanges. Cathodic protection will be maintained to mitigate the potential for corrosion. The deactivation will follow all TSSA requirements as well as CSA Z662 code. Imperial will include the deactivated pipeline as part of the ongoing monitoring program, including both pressure monitoring and as well as visual inspections of the pipeline right of way. If ROW monitoring indicates a potential depth of cover issue, corrective actions will be taken.

The existing Imperial pipeline is located in a shared corridor in close proximity to other existing pipelines owned and operated by other pipeline companies. The removal of the Imperial line may impact these other lines causing additional work in the area and additional disturbance. The removal of the existing line will increase the construction footprint along the right of way beyond what is proposed for the new pipeline installation. This increases the potential for environmental effects for all Valued Components including wildlife, vegetation, archaeology and others.

Finally, the duration of construction will be longer if the existing pipeline is removed and as such, there will be additional requirements for access through both private and public lands. Other construction effects such as noise, light, dust, will increase in duration. Leaving the existing pipeline in place allows for less disruption to the community and therefore less overall socio-economic impacts.

Date of de-activation of 10" pipeline:

I haven't been able to confirm the exact date, but the 10" pipeline was de-activated around the 1970s. There would not have been a need to amend the LoC as it was not abandoned, only idling (as per above) in case it is needed in the future.

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.244jessie.m.malone@esso.ca | P 587.476.4799 | C. 403.826.5491
imperialoil.ca | [Twitter](#) | [YouTube](#)

From: Malone, Jessie M
Sent: Wednesday, September 19, 2018 2:54 PM
To: 'Gawlina, Alexander (MNRF)' <Alexander.Gawlina@ontario.ca>
Cc: Matthew Scoular <Matthew.Scoular@erm.com>; Harvard, Jennifer (MNRF) <Jennifer.Harvard@ontario.ca>; Tourigny, Ron <ron.tourigny@esso.ca>
Subject: RE: Imperial Waterdown to Finch Project - land inquiry

Alex,

Please see attached LOs for the watercourse crossings for Imperial's SPPL pipeline – these are the 4 we've found in our archives to date, we believe there are 3 additional.

As discussed, please let me know once you've taken a look and let me know when you'd like to schedule a follow up meeting to discuss next steps.

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](#)

From: Gawlina, Alexander (MNRF) [<mailto:Alexander.Gawlina@ontario.ca>]
Sent: Tuesday, September 18, 2018 1:33 PM
To: Malone, Jessie M <jessie.m.malone@esso.ca>
Cc: Matthew Scoular <Matthew.Scoular@erm.com>; Harvard, Jennifer (MNRF) <Jennifer.Harvard@ontario.ca>
Subject: RE: Imperial Waterdown to Finch Project - land inquiry

Hi Jessie,

If you could send both file types that would be great.

Alex Gawlina
Lands and Waters Technical Specialist
Ministry of Natural Resources and Forestry
Aurora District
50 Bloomington Road 4th Floor
Aurora ON L4G 0L8
Tel: 905-713-7410
alexander.gawlina@ontario.ca

From: Malone, Jessie M [<mailto:jessie.m.malone@esso.ca>]
Sent: Tuesday, September 18, 2018 2:38 PM
To: Gawlina, Alexander (MNRF) <Alexander.Gawlina@ontario.ca>
Cc: Matthew Scoular <Matthew.Scoular@erm.com>; Harvard, Jennifer (MNRF) <Jennifer.Harvard@ontario.ca>
Subject: RE: Imperial Waterdown to Finch Project - land inquiry

Great, sounds good Alex.

Do you have the ability to read a kmz (Google Earth) or shapefile? We have a PDF of the map, but the kmz and shapefiles are much more comprehensive if you're able to read them. Let me know and I will pass the appropriate format along.

Thanks,
Jessie

From: Gawlina, Alexander (MNRF) [<mailto:Alexander.Gawlina@ontario.ca>]
Sent: Tuesday, September 18, 2018 11:16 AM
To: Malone, Jessie M <jessie.m.malone@esso.ca>
Cc: Matthew Scoular <Matthew.Scoular@erm.com>; Harvard, Jennifer (MNRF) <Jennifer.Harvard@ontario.ca>
Subject: RE: Imperial Waterdown to Finch Project - land inquiry

Hi Jessie,

3 PM will work for myself and the Lands and Waters Technical Specialist from Guelph district Jennifer Harvard. I will send out a meeting request with a conference line number for you to call into tomorrow afternoon. Before our meeting tomorrow would it be possible for you to send me any maps showing the exact location of the existing pipe and the proposed new location?

Thank you

Alex Gawlina
Lands and Waters Technical Specialist
Ministry of Natural Resources and Forestry
Aurora District
50 Bloomington Road 4th Floor
Aurora ON L4G 0L8
Tel: 905-713-7410 
alexander.gawlina@ontario.ca

From: Malone, Jessie M [<mailto:jessie.m.malone@esso.ca>]
Sent: Tuesday, September 18, 2018 10:57 AM
To: Gawlina, Alexander (MNRF) <Alexander.Gawlina@ontario.ca>
Cc: Matthew Scoular <Matthew.Scoular@erm.com>
Subject: Imperial Waterdown to Finch Project - land inquiry

Hi Alex,

I'm reaching out on behalf of Imperial and the proposed Waterdown to Finch pipeline replacement project - I received your contact information from Bohdan Kowalyk. I was hoping you'd have some time available for a phone call to discuss land matters related to watercourse crossings for the replacement pipeline. Would you have some time available this week to discuss? Would Wednesday at 3pm work?

EXHIBIT H
Record of Consultation - Supporting Documents



Filed: 2019-02-22
EB-2019-0007
Tab 1, Schedule 3
Page 133 of 167

I can provide an overview of the project over the phone, but if you'd like to review any information ahead of time, our website contains the most up to date info [HERE](#).

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](#)

Imperial
Waterdown to Finch Pipeline Project
October 3, 2018
Ministry of Transportation – Permitting Follow-Up Call
Conference Call 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

Ministry of Transportation (MTO)

- Christian Singh, Senior Project Manager (CS)

Regrets:

- John Yu, Manager, Planning and Permitting (JY)
- Ryo Kikuchi, Planner, Planning and Permitting (RK)

Imperial (IOL)

- Ron Tourigny, Right of Way and Claims Coordinator (RT)

CanACRE

- Haseeb Amirzada, Director, Planning and Permitting (HA)

Meeting Objectives

- Determine current progress and next steps on applications submitted for archaeological/geotechnical surveys and the initial Lands submission related to the proposed route.
- Determine progress on requests for information related to ongoing/future MTO projects along the proposed project route, GIS data, and as-built information for highway crossing locations.

Topic	Discussion
Location	<ul style="list-style-type: none"> • Conference Line
Introductions	<ul style="list-style-type: none"> • N/A
Materials	<ul style="list-style-type: none"> • N/A
Agenda	<ul style="list-style-type: none"> • Status update on the following: <ul style="list-style-type: none"> ▪ Geotechnical surveys application, including Soil Bore Location Review document provided on Sep 19, 2018; ▪ Archaeological surveys application; ▪ Initial submission to MTO sent on Aug 28, 2018; ▪ Information on ongoing/future MTO projects along the proposed project route; ▪ Title Record GIS data; ▪ Existing as-built drawings/designs for all MTO crossings
Applications for archaeological/geotechnical surveys and initial Lands submission.	<ul style="list-style-type: none"> • CS confirmed that two permits were issued electronically last week. HA and RT confirmed they have not received an electronic confirmation. CS will investigate this and follow up. • HA said if we received the permits, CanACRE can call the Corridor Management Officer today and pay for the permits.

	<ul style="list-style-type: none"> HA confirmed that the proposed borehole locations were identified based on the Ministry's CMO guidelines and the Project Manager from Stantec would like to speak with MTO's Foundations group to get confirmation on certain details. CS asked to be provided with a list of questions to be forwarded to the Foundations group. If the responses would require a verbal discussion then CS will try and coordinate a meeting between the Foundations Group and CanACRE/Imperial, as they are a very busy department. CS asked HA and RT to give him a day to follow up on where permits are sitting. HA asked CS to inform CanACRE on whether any of the initial Lands submission or survey deliverables are insufficient or could be formatted easier for the MTO staff and CanACRE will endeavour to provide whatever information helps their review. HA clarified with CS that Imperial is aiming to start construction towards the end of 2019. CS requested information on the timeline and phasing of the construction since it would help MTO with timing and coordinating Imperial's project with MTO's active construction. RT confirmed Imperial doesn't have a timeline for phased construction yet. 2 crews for pipeline construction are expected to be working on different areas of the route but all of this would be confirmed once the contractor is on board. CS cautioned that, from 2020-2021 onwards, MTO project schedules can be fluid and Imperial should keep MTO informed of their proposed schedule.
Requests for Information	<ul style="list-style-type: none"> HA said CanACRE is waiting to hear back on the GIS data requested from MTO to inform of their Title Record designations. CS confirmed that their geomatics team is reviewing the route to determine the designations. This would help inform the need for Encroachment permits and Building and Land Use permits. CS would follow up with the Property Section related to the surplus lands designations and if any were found along the proposed route. HA requested preliminary designs of future MTO projects where they may be occurring (i.e. Highways 401, 427, and 409) and as-built drawings for current MTO crossing locations. CS would follow up. HA confirmed that Metrolinx has been consulted in terms of the Hurontario LRT project occurring at Highway 403 and Hurontario Street.

Summary of Actions		Who
<ul style="list-style-type: none"> CS to determine status of permits that were electronically issued earlier this week. 		CS
<ul style="list-style-type: none"> CanACRE to call Corridor Management Officer regarding payment of permits. 		HA
<ul style="list-style-type: none"> CanACRE to provide list of questions for MTO Foundations group and CS to coordinate a meeting between the Foundations Group and CanACRE/Imperial, to discuss geotechnical investigations, if needed. 		HA/CS
<ul style="list-style-type: none"> Follow up with MTO Geomatics to determine status of review of the proposed route and the request for Title Record data. 		CS
<ul style="list-style-type: none"> Follow up with Property Section regarding MTO surplus lands designations. 		CS

<ul style="list-style-type: none">• Keep MTO informed of project construction schedule and phasing, once available.	HA/RT
<ul style="list-style-type: none">• Provide preliminary MTO designs where pipeline project may be impacted by future MTO projects and as-built information for current highway crossing locations.	CS

Imperial
Waterdown to Finch Pipeline Project
October 10, 2018
Introductory Meeting with TSSA
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

TSSA

- Kourosh Manouchehri, Engineer, Fuels Safety (KM)
- Zenon Fraczkowski, Manager, Engineering, Fuel Safety (ZF)

Imperial

- Jessie Malone, Environment and Regulatory Advisor (JM)
- jessie.m.malone@esso.ca
- Omri Viner (OV), Terminal Superintendent, Nanticoke Terminal and SPPL
- omri.m.viner@exxonmobil.com

ERM

- Jim Chan (JC), Environment, Social, Regulatory
- jim.chan@erm.com
- Matthew Scoular (MS), Project Manager - teleconference
- matthew.scoular@erm.com

UPI

- James Watson (JW), Project Manager Engineering - teleconference
- James.Watson@hii-upi.com
- Hernan Castedo (HC), Pipeline Engineer - teleconference
- Hernan.Castedo@hii-upi.com

Meeting Objectives

Primary Objectives:

- Provide TSSA with a Project overview and address Q&As
- Confirm with TSSA Licence to Operate requirements from existing pipeline to new pipeline
- Understand potential construction audit scope and expectations

Topic	Discussion
Location	• TSSA office, 345 Carlingview Drive, Toronto, Ontario M9W 6N9
Agenda	• Meeting to introduce the Project and discuss TSSA areas of interest and requirements.
Materials	• Imperial: Powerpoint presentation to TSSA October 10, 2018
Introduction	• Imperial (JM) thanked everyone for making time to attend the meeting. We wanted to take the time to introduce the Project and answer questions that the TSSA may have.
Safety Moment	• JM provided a safety moment to open the meeting. As driving is a high-risk activity, when driving to a destination that is unfamiliar, it is a useful to pre-plan the journey. A

	<p>useful safety tip is to review a map of the location instead of solely relying on following the GPS coordinates, especially if unfamiliar with a new location/city.</p>
Project Overview	<ul style="list-style-type: none"> • JM indicated that 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 jet fuel used at Toronto Pearson International Airport, as well as gasoline and diesel that keeps people, goods and services moving in the GTHA. • SPPL has operated safely 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 12" new pipe. For the first 1/3, the new line will parallel the existing Imperial owned right-of-way. The remaining 2/3, the line will be within a new easement on the HONI utility corridor. • The pipeline will continue to operate safely until the replacement segments are prepared for operation. • JM indicated that Imperial kicked off engagement with regulators, landowners, the public, and Indigenous communities and held the first Community Information Sessions in July 2018. • Environmental field surveys were started in order to ensure we capture the field work during the seasonal windows. Field work occurred in the spring, summer and fall. Archaeology field work is starting. The geotechnical program is starting in order to help determine depth to bedrock and depth to the groundwater table to support engineering design and project planning. • Imperial has initiated the engineering design process. As a result of our early engagement, we look to incorporate feedback into the project design process. • We are planning the 2nd set of Community Information Sessions in November to inform the public and provide opportunities for feedback. • JM provided an 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. Late 2020 is the potential start date. • JM noted that Imperial has initiated discussions with the Ontario Energy Board (OEB). The major overarching regulatory process will be the filing of the leave to construct application with the OEB. • Other secondary regulatory approvals (Conservation Authorities, MECP, etc.) will be concurrent permit application submissions.
Construction Methods	<ul style="list-style-type: none"> • JM described the two proposed types of construction methods: open cut construction and trenchless construction using Horizontal Direction Drilling (HDD) or Horizontal Direction Boring (HD Bore). • JM indicated that notionally, trenchless construction methods are planned for ~1/3 of the total line replacement. The construction method will be informed by geotechnical

	<p>information and environmental considerations. Imperial will look to avoid major watercourses, major road crossings, provincially significant wetlands and important archaeological features by using trenchless construction methods.</p> <ul style="list-style-type: none"> • KM noted he will forward to the Imperial Project team the recent NEB notice/information regarding HDD construction safety measures and communication protocols between parties as it is useful information to be aware of.
Imperial's Contributions	<ul style="list-style-type: none"> • JM mentioned, in brief, that Imperial is one of Canada's largest refiner of petroleum products with over 130 years of providing reliable and affordable products for Ontario households. Imperial provides a contribution to the economy through hiring people, hiring suppliers and major capital investments. The Waterdown to Finch Project is an important infrastructure project to support the movement of goods and people in the GTHA.
Discussion	<ul style="list-style-type: none"> • TSSA (KM) – What is the plan for the existing line? • JM -- The existing line will be cleaned, filled with nitrogen and deactivated in-place. Imperial's Integrity group will lead the deactivation as a separate scope of work. Recognizing the congestion of the corridor of other lines and infrastructure, undertaking deactivation will minimize net environmental impacts. • KM is there sufficient space in the corridor? • JM responded that Imperial's easement is 50ft wide and the new pipeline will be located within this easement. Within the HONI corridor, the replacement pipeline will be located within the corridor, however a new easement with HONI will be obtained.
TSSA requirements and advice	<ul style="list-style-type: none"> • 1) TSSA (KM) noted that Imperial will be required to complete and submit TSSA's Engineering Design Approval -- Application for Review of Pipeline Project FS09563 form (including fee payment). • 2) KM noted that the CSA Standard Z662-15 (Oil and Gas Pipeline Systems) describes the required standards and procedures to review. • 3) In addition, TSSA Code Adoption to CSA Z662, called FS-238-18 Oil and Gas Pipelines CAD Amendment published on the TSSA website is required as well. Please kindly consult these documents. • In general, KM pointed out two major amendments in the TSSA Code Adoption, 1) requirement for an analysis of high consequence areas – currently in the Code Adoption FS-238-18 2 document, pg.4); 2) revised/ different design factors for different class locations. • TSSA noted that these code adoptions will be included in the updated CSA Z662, planned to be release in the near term. • TSSA is planning a new code adoption to be adopted in parallel to the CSA Z662 revision that will address motorized valve requirements on pipeline. Timeline is undefined, but they suggest working closely to ensure open lines of communication to exchange information and to develop a working relationship. This will also help to plan resources for the Project review.

	<ul style="list-style-type: none"> UPI (JW) noted that Imperial will follow all applicable CSA Z662 and TSSA Code Adoption requirements in designing the Project. TSSA (ZF) noted that pipeline projects, in general, have received increased community attention. TSSA has received a letter from a stakeholder regarding concerns raised on potential environmental impacts and encroachments to highly congested areas (i.e. Weston high-rise). TSSA's review of the Project will take into consideration not only operating design conditions but also how stakeholder concerns have been addressed. JW - Imperial would be pleased to be aware of concerns raised in order to review them and properly respond and address concerns. We proactively engage local municipalities and stakeholders so that they are aware of the Project and have an avenue to raise concerns. OV noted that the public is able to direct inquiries and concerns to Imperial's dedicated inquiry line through the http://imperialoil.ca/waterdowntofinch website, via 416-586-1915 or by sending an email to questions@imperialon.ca OV noted that the letter from the mentioned stakeholder can be directed to him for review and response. TSSA (ZF) would like to receive a description of the rationale for why the line is being replaced (i.e. is it due to age, potential failure, line thickness consideration, integrity, etc.) in order to understand how this information may inform other oil and gas fuel pipelines. Environmental concerns are in the forefront, when a line is deactivated in-place, it needs to ensure no contamination is left in-place.
Licence to Operation	<ul style="list-style-type: none"> JM inquired if there are other additional requirements to be aware of relating to licencing. TSSA (KM) responded that Imperial has an existing Licence to Operation in-place, no additional requirements with respect to licencing.
Audit of SPPL	<ul style="list-style-type: none"> OV noted that SPPL has a network of lines (active and deactivated). The two major active lines are from Waterdown to Finch and the line south to Nanticoke. OV noted that he is the lead contact on behalf of Imperial for the audit and looks forward to discussing this further separately. KM is pleased that the Waterdown to Finch Project pipeline replacement is moving forward to replace the existing line as a proactive measure.
Summary of Actions	
<ul style="list-style-type: none"> TSSA requests that Imperial review the following: CSA Standard Z662-15 (Oil and Gas Pipeline Systems) describes the required standards and procedures and the TSSA Code Adoption to CSA Z662 called FS-238-18 Oil and Gas Pipelines CAD Amendment. This document is published on the TSSA website. 	Imperial

<ul style="list-style-type: none"> TSSA requests that Imperial complete and submit the Engineering Design Approval -- Application for Review of Pipeline Project FS09563 form (including fee payment). To be submitted in parallel to Leave to Construct application, directly to TSSA. 	Imperial
<ul style="list-style-type: none"> TSSA requests that Imperial provide a description of the rationale for why the line is being replaced in order to understand how this information may inform other oil and gas fuel pipelines. 	Imperial
<ul style="list-style-type: none"> KM to forward to the Imperial Project team the recent NEB notice/information regarding HDD safety measures and communication protocols between parties as it is useful information to be aware of. 	KM
<ul style="list-style-type: none"> TSSA to forward to Imperial (OV) the letter from the stakeholder to review. 	KM
<ul style="list-style-type: none"> Imperial to provide the TSSA with the contact information for participants from the meeting. Action completed: Names and emails are included in the meeting minutes. 	JC
<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 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
Waterdown to Finch Pipeline Project
November 05, 2018
MECP Water Taking and ECA Permit Meeting Notes DRAFT

<p>Participants</p> <p>Ontario Ministry of Environment, Conservation & Parks</p> <ul style="list-style-type: none"> • Lubna Hussain – Technical Support Unit Manager Central Region • Cynthia Doughty, Groundwater Unit, a/Supervisor • Mihran Aslan, Hydrogeologist, Technical Support Section, Central Region • Lisai Shen, Surface Water Specialist, Central Region • Steven McAvoy – Program support Coordinator (phone) • Adedoyin Adenowo – Senior Waste Water Engineer (phone) • Barb Slattery – Environmental Resource Planner & EA Coordinator (phone) • Abdul Quyum, Hydrogeologist, Technical Support Section, West Central Region (phone) <p>Regrets:</p> <ul style="list-style-type: none"> • Fariha Pannu • Yousouf Kalogo • Trevor Bell • Karoly Tajnay 	<p>Imperial</p> <ul style="list-style-type: none"> • Jessie Malone (phone) <p>UPI</p> <ul style="list-style-type: none"> • James Watson (phone) <p>ERM</p> <ul style="list-style-type: none"> • Matthew Scoular • Elizabeth Sherlock • Tonia Robb (phone) • Piotr Rzepecki (phone)
<p style="text-align: center;">Meeting Objectives</p>	
<ul style="list-style-type: none"> • Technical consultation meeting to review water taking calculations and site- specific field program for Imperial's Waterdown to Finch Project. 	
<p>Topic</p>	<p>Discussion</p>
<p>Location</p>	<p>Newtonbrook Boardroom, 8th floor, 5775 Yonge Street</p>
<p>Agenda</p>	<ul style="list-style-type: none"> • Welcome, safety moment and introductions • Meeting objectives & agenda review • Project location and protected water source areas • 2018 proposed field program • Estimating water taking • Estimating water discharges, management, and permit requirements • MECP application requirements and process (WTP and ECA) • Summary/closing

Topic	Discussion
Materials	<ul style="list-style-type: none"> Imperial: PPT presentation
Introduction	<ul style="list-style-type: none"> Project overview presented: Pipeline replacement originating at the Sarnia refinery (not part of scope) from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area [originally built in 1950s and recognize need for replacement] 12 inch pipeline currently and will be replaced with 12 inch Associated infrastructure is valve stations Trenchless construction techniques such as Horizontal Directional Drilling and boring will be used to cross sensitive areas (e.g. major watercourse crossings) MECP – how will existing pipeline be deactivated? <ul style="list-style-type: none"> IOL - replacement pipeline will be located parallel to the existing pipeline; once the replacement line is constructed, operation will be transferred over to the new line and the existing line will be cleaned, filled with nitrogen and left in place. The deactivated line will continue to be monitored similar to the operational pipeline. MECP - what is involved in emptying out pipeline? <ul style="list-style-type: none"> IOL – all product contained in the pipeline will be shipped to Finch Terminal. Specialized tools, called 'pigs' will be used to push any remaining product into the receiving terminal. No water is used to clear the line. ERM indicated that deactivation is not part of the scope of this project.
Safety Moment	<ul style="list-style-type: none"> Change in time zones related to vehicle accidents Be aware of light changes and weather changes give yourself more time
Project Location and protected water source areas	<ul style="list-style-type: none"> [slide 5] Source Protection Area - Centerline on interactive map with: <ul style="list-style-type: none"> Vulnerable aquifer in the pink Event-base area in the light green Recharge areas in the dark green ERM question – request for download of the information [shapefile] <ul style="list-style-type: none"> MECP indicated that this is likely be doable and please work with MECP to obtain [slide 6] Description of map (slide 5) content [slide 7] Water Well records MECP Question - Why has Imperial chosen to study groundwater wells within a 200 m buffer? <ul style="list-style-type: none"> ERM - this is based on a preliminary estimate of drawdown cone which is estimated at 150 m. Since this is only an estimate, a 200 m buffer provides contingency. Precedent from other pipeline projects was also used to determine the number. MECP Question - What is the max depth of the project excavations? <ul style="list-style-type: none"> UPI - In general, the installation depth to top of pipe is approximately 4 ft thus excavation for trenches will be approximately 5 ft total. Trenchless construction will have excavations at the entry/exit points (i.e. "bellholes") approximately 4m deep and the depth of the installation will be variable depending on the crossing

Topic	Discussion
	<p>but will range from 5 m to 60m; will have drawings in the application to outline these details</p> <ul style="list-style-type: none"> MECP Question regarding the water well records obtained and reviewed- What is the one municipal water supply identified within the database? <ul style="list-style-type: none"> ERM indicated that there were 8 records within the 200 m of the Project centerline that did not have static wells information available. One of theses was identified as a municipal water supply located near Albion Rd., and it was suspected that is a decommissioned well. MECP recommended confirming the location with site visit
Proposed field program	<ul style="list-style-type: none"> [slide 8] ERM presented regarding the field program and water taking [slide 9] shows proposed groundwater (GW) monitoring locations <ul style="list-style-type: none"> Grey areas where may encounter GW that will need to be pumped out Will be confirmed with ongoing geotechnical drilling program with request to note the depth of water table at each location during field program MECP Question – in general, approach seems reasonable for determining site-specific conditions. Water taking is based on calculations using 5 km/day, why? <ul style="list-style-type: none"> ERM - indicated that this is the maximum combined length of excavation/works including construction at trenched and trenchless
Estimation of water taking	<ul style="list-style-type: none"> [slide 10] Conservative estimates provided for water use and associated discharges. Hydrostatic testing accounts for a larger proportion of amount of water taking when compared to drilling mud for trenchless construction. Municipal sources will be used for hydrostatic testing and for drilling mud requirements ; no water taking permit required. Construction dewatering activities will require a water taking permit. The estimate was revised to include both groundwater and surface water (precipitation). [slide 11] summary of assumptions and how calculated inflow rates MECP Question - Will the shallow overburden actually relate to 11 M/day? <ul style="list-style-type: none"> ERM response was that this is not likely but this value is based on conservative assumptions and other operator's experience. MECP indicated to check with Ministry information because hydrogeologic conditions description doesn't seem correct and should not result in such a high volume MECP question - 5 km/day seems to be too much for excavation lengths; is this possible? <ul style="list-style-type: none"> UPI indicated that construction will occur in spreads with trench construction occurring simultaneously in two areas (two crews) as well as at least one crew conducting trenchless construction. Combined excavation area is estimated to be 5 km/day MECP suggests breaking the corridor into sections to outline the overall water taking per section; this may be a better volume estimate to use for permitting (11 M/day may not be reasonable for permitting). With this, indicate discharge location in each section MECP indicated that there are a max 25 water sources allowed within a permit, thus source and discharge locations should be indicated [and classification of each section] to split the corridor into sections.

Topic	Discussion
	<ul style="list-style-type: none"> ERM - proposed to break this 11 M/day down further in permit based on section along with reasons why and provide to MECP for review ERM question – at previous meeting with MECP (September), two permit applications based on MECP regions was suggested. One region would lead the review. <ul style="list-style-type: none"> MECP stated that separate permit applications per region would be easy to manage, however, West Central only has a small section (~10km) within their region. MECP will work internally to support one permit being issued for the project that would cross both regions. MECP to identify one point of contact for the project to lead permit application and review. MECP Question – Will there be field studies to determine how many wells are within the 150 m buffer? <ul style="list-style-type: none"> ERM – Considering additional work within the 200 m to contact current database well owners and adjacent landowners to determine location and status of wells on their respective properties. MECP indicated that for permit application, Imperial should assume there are wells in rural areas (and will need to complete a water well survey) at the shallow water table areas (i.e., less than excavation depth). There is no need to contact rural well owners, if their wells are outside the 200m buffer or have water levels below the excavation depth [slide 12] cross-section of ROW MECP - will need to provide the sediment and erosion control measures i.e., what is going to be done to prevent sediment loss. <ul style="list-style-type: none"> ERM indicated that this will be presented in permit application [slide 13] Estimation of surface water runoff rates [slide 14] graphic of surface water runoff [slide 15] summary of water taking includes surface water as requested and considers worst case scenario and very conservative. This will be basis of OEB environment report and anticipate that as project planning and design progresses information will be refined. MECP indicated that these estimates were too conservative.
Estimation of water discharge	<ul style="list-style-type: none"> [slide 16] summary of water discharge MECP suggests that for permit application, Imperial should apply for average the precipitation and request an exception for extreme amounts if required. MECP will look into other projects and provide examples MECP suggestion that if looking at managing stormwater separately (as extreme events), Imperial will need to provide in the application how volumes are estimated, how it will be discharged (e.g., collected in trench and discharged), and where it will be discharged. The water quality of the discharge should also be considered for stormwater management. MECP comment that discharge may have oil/grease contamination from equipment but expect most would be unaffected stormwater. MECP suggestion to outline possible areas where contamination may be present (surface and groundwater). Need groundwater quality in this case. Note that discharge to land will need reduction of TSS to meet provincial water quality prior to release. If ponds are

Topic	Discussion
	<p>proposed within corridor to help meet PWQG, this should be clearly outlined in the application</p> <ul style="list-style-type: none"> MECP outlined that discharge to creeks will require permits and approvals from water 'owner' /manager. In general MECP will not issue any permits unless agreements with landowner /ROW owner /CA /etc are in place and demonstrated to MECP MECP comment that if stormwater is directed into the trench, dewatering would be covered by WTP; if stormwater is managed separately, an ECA may be required. MECP comments – in general construction dewatering is addressed under WTP; ECA is only needed if treatment is to meet discharge water quality criteria is required beyond TSS. Suggest outlining water taking and discharge for construction dewatering based on the sections of the corridor and if additional treatment is anticipated to be needed in certain areas, bring in 3rd party ECA mobile service providers or vacuum and transport offsite for disposal.
MECP permit requirements and process	<ul style="list-style-type: none"> [slide 17/18] MECP question - Who have you been engaging with in terms of Indigenous communities? <ul style="list-style-type: none"> ERM – Imperial has received the delegation for the Duty to Consult on behalf of the Crown from the Ministry of Energy. Consultation has been directed with 4 First Nations: Mississaugas of the New Credit, Six Nations of the Grand River, Haudenosaunee Confederacy Chiefs Council and Huron-Wendat. Early engagement has begun, and all groups have been provided with an initial project overview. Additionally, all four Nations are currently participating as monitors in archaeological field assessments. Imperial has also reached out to the Metis Nation of Ontario and has provided initial project information. MECP indicated the following general points when submitting the permit: <ul style="list-style-type: none"> that the permit requires full detailed consultation for permit applications [need to provide detail of what will be completed to the community, record any questions/concerns and provide how the proponent responded; incomplete records will not be approved and permits may be delayed if details of all permitted activities are not provided to the First Nations] for the surface water assessment will need to consider impacts on water quality 90 days to get permit from application submission (thus must be completed by March 2019) Provide actual dates to take water. This may be different from high-level construction timeline Permit must be signed by Professional Registered Ontario Engineer/Geoscientist need to provide signed approvals for all landowners taking water from MECP suggested to prepare in sections and make edits accordingly to avoid having to re-do entire application ERM to provide additional follow-up on how permit will be provided.
Closing	<ul style="list-style-type: none"> No further questions After the meeting ended, ERM indicated to those in the Newtonbrook boardroom that MECP has representatives within the OPCC including:

Topic	Discussion		
	Paul Martin	Central Region	Supervisor, APEP
	Crystal Lafrance	Southwest Region	Supervisor, APEP
	Natalie Stacey	West Central Region	Acting Supervisor, APEP
Summary of Actions			Who
<ul style="list-style-type: none"> MECP to confirm if Central Region will take the lead for WTP permit application (with West Central reviewing) and provide Imperial with primary point of contact. Also confirm if one WTP application can be submitted and therefore one WTP be issued for the Project. 			MECP
<ul style="list-style-type: none"> MECP to look into sharing source protection GIS data available on their website (access environment) : http://www.accessenvironment.ene.gov.on.ca/ 			Steve McAvoy
<ul style="list-style-type: none"> ERM to develop a breakdown of the pipeline corridor into sections with associated surface and groundwater calculations for MECP review in advance of filing WTP application 			ERM
<ul style="list-style-type: none"> MECP suggests that for permit application, Imperial should apply for average precipitation and include a contingency plan for extreme weather events. Permit conditions will include an exception for extremes. MECP will look into other projects and provide examples 			Lubna Hussain
<ul style="list-style-type: none"> Imperial to submit Erosion and Sediment Control Plans for water taking and discharge in WTP application 			Imperial/ERM
<ul style="list-style-type: none"> Imperial to undertake water well survey for submission with WTP application 			Imperial/ERM
<ul style="list-style-type: none"> Imperial to confirm in their WTP application that agreements with all landowners are in place for water taking and discharge locations 			Imperial

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 type="checkbox"/> Archaeology |
| <input type="checkbox"/> Alternatives | <input type="checkbox"/> Community Contribution Request |
| <input type="checkbox"/> Cultural Heritage Resources | <input checked="" 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 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

November 2018



Agenda

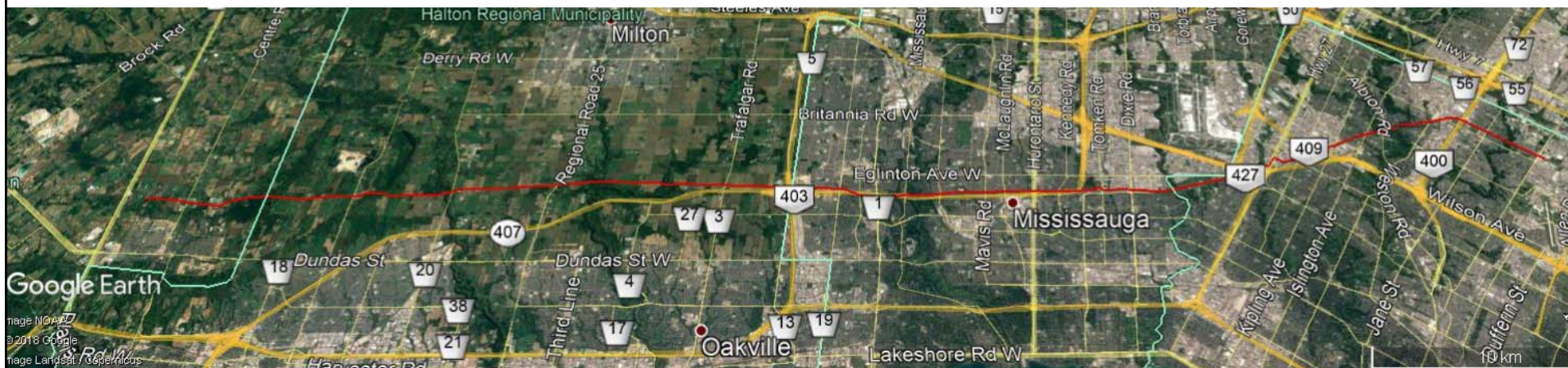
- Safety moment
- Sarnia Products Pipeline
- Project overview
- Timeline
- Regulatory approvals and permitting
- Minimizing construction impacts
- Community engagement
- Imperial in Ontario
- Q&A



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

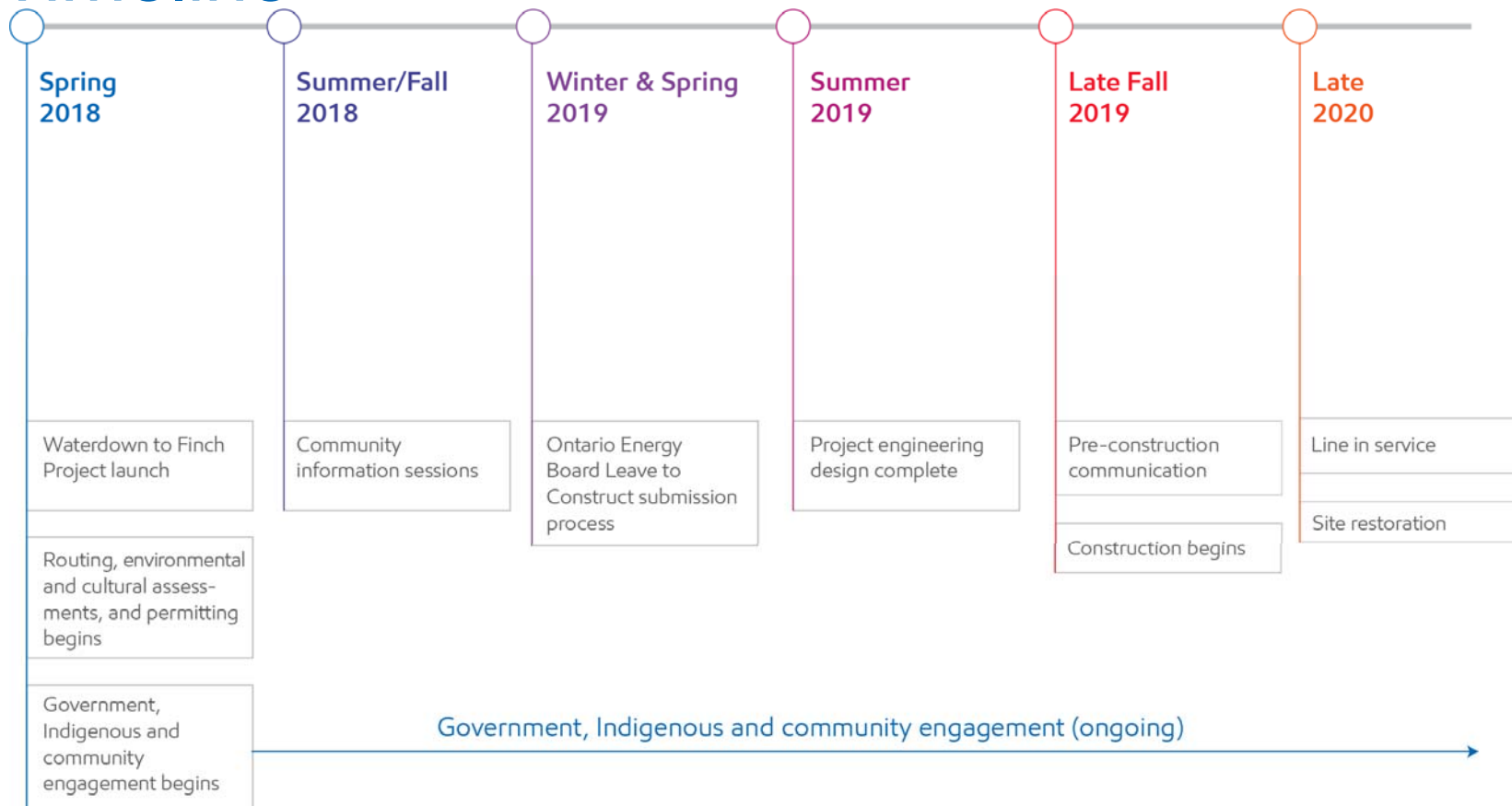


Continued safety and reliability for the GTHA

- 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 a 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 (potential)

- 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

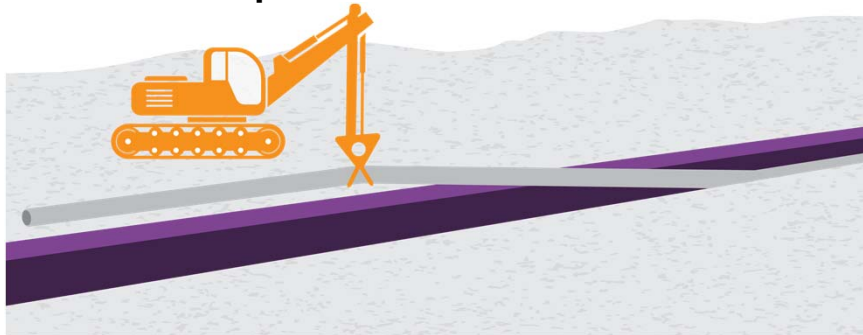
- Conservation Authorities: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses
- NEC: Development Permit
- Municipalities: Tree damage/removal permits



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 environmental 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:

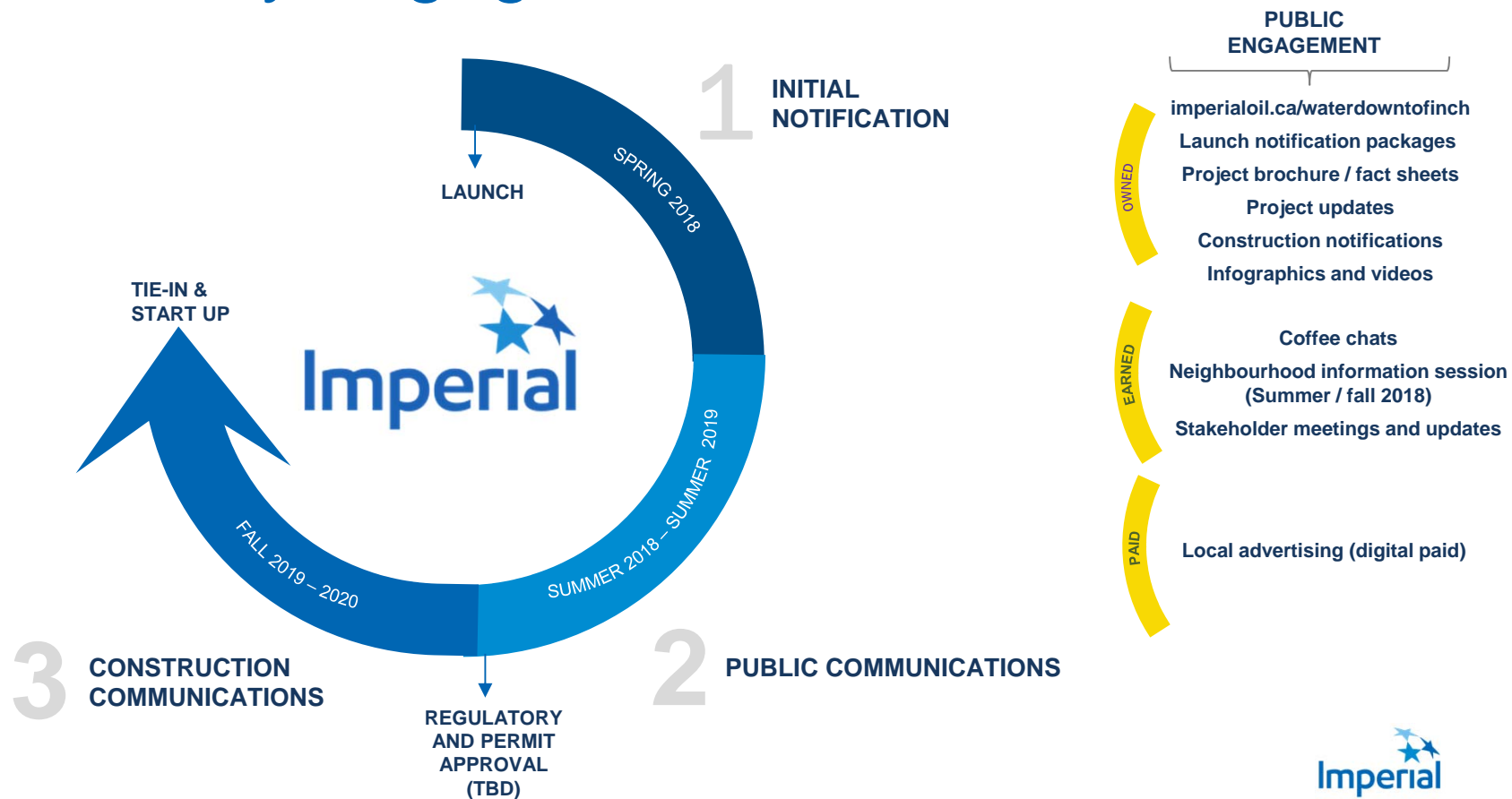
Open cut construction



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

Questions?

For more information

W: imperialoil.ca/waterdowntofinch

T: 416.586.1915

E: questions@imperialon.ca

<p style="text-align: center;">Imperial</p> <p style="text-align: center;">Waterdown to Finch Pipeline Project</p> <p style="text-align: center;">November 15, 2018, 2:00pm</p> <p style="text-align: center;">Teleconference Meeting with MOE Summary Notes</p> <p><i>*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.</i></p>	
<p>Participants</p> <p>MOE</p> <ul style="list-style-type: none"> • Raina Crasto-Policy Advisor, Indigenous Energy Policy • Shannon McCabe-Senior Advisor 	<p>Imperial</p> <ul style="list-style-type: none"> • Jessie Malone, Environment and Regulatory Advisor • Jennifer Liddell-Workforce Development • Elias Majdalani-Project Manager • Belinda Fox-Indigenous Collaboration Manager • Andrew Goldie-Imperial Legal • Kelly Williams, Community Relations Officer
<p style="text-align: center;">Meeting Objectives</p>	
<ul style="list-style-type: none"> • To inform the MoE on the events related to the consultation and engagement of the Haudenosaunee Confederacy Chiefs Council via the Haudenosaunee Development Institute as the proponent of the Waterdown to Finch SPPL Project, and to seek advice on next steps of engagement. 	
Topic	Discussion
Introductions:	Teleconference commenced with introductions of the Imperial project team and MoE staff.
Notes:	<ul style="list-style-type: none"> • Review of meetings with HDI Staff to date: <ul style="list-style-type: none"> ○ First in-person meeting held August 15. HDI declined the project presentation. Project overview was not provided. HDI requested submission of application form and fee prior to any project-related discussions. ○ Imperial sent HDI response letter on September 20th stating that we would not submit application, but provided answers to all questions contained in application form and offered capacity funding for future meetings and review of project information. ○ Second in-person meeting held October 25th. Project overview document was provided, however Imperial did not have the opportunity to speak to it. HDI re-iterated request for submission of application form and would not engage in project discussions until this was completed. Imperial requested formal response to September 20th letter. ○ Received response letter from Aaron Detlor on November 7th. • Application template is located on HDI's website • MoE staff indicated that Imperial's efforts to engage and consult to date are aligned with their expectations. • HDI has been providing field monitors for all archaeological work starting late-September. They have also participated in environmental protection compliance assessment on geo-tech program.

- Capacity funding agreements have been signed for monitoring work.
 - Imperial confirmed that we have been in consultation with MTCS regarding Archaeology guidelines and protocols and are conducting field work in alignment with these guidelines. We are working to resolve the issue raised regarding ploughing – Imperial's preference is also to plough and conduct pedestrian surveys where possible, but it is highly dependent on soil type (can't plough an area that is not amenable to ploughing) and also requires landowner consent. In the few cases where ploughing can't be completed, Imperial is documenting engagement with landowner and providing justification to MTCS.
 - Conversations at the October 25th meeting indicated that HDI may take steps to stop archaeological/geo-tech field activities if they are not satisfied with Imperial's actions.
 - It has been an overall positive experience working with the HDI field monitor and for the most part seems to be working well.
- Imperial requested MoE to confirm that delegation of duty to consult is valid for all permitting and approval applications related to the project. Also requested that MoE follow up with the listed regulatory agencies to clarify duty to consult requirements to avoid confusion and clarify responsibilities. Imperial committed to provide a list of all regulatory agencies being engaged and to specify which permits are being sought (see below).
 - Imperial committed to following up with TSSA to clarify decision action. .
Post-meeting follow-up: The TSSA does **not** provide a decision regarding the Project. They do not issue a permit or approval. Imperial submits an Engineering Design Approval Application form to the TSSA in parallel to the Leave to Construct, but this form is only to facilitate the review of the Project and to guide TSSA's input into the Leave to Construct review. If the TSSA had any major objection to the project, they would feed that in to the OEB to influence the OEB's decision, they would not provide a separate decision.
- Imperial asked MoE for recommendations on next steps for engagement. MoE suggested that Imperial should continue with offers to meet with HDI to present project information and to continue to offer capacity.
- Imperial asked if MoE had suggestions for if/when engagement stalls. MoE stated that if Imperial has made all efforts to progress consultation and capacity funding, we can reach out the MoE to conduct/continue consultation. Although procedural aspects of consultation has been delegated, the Crown still holds the ultimate responsibility.

Regulatory agencies and requested permits:

- Ontario Energy Board: Leave to Construct and Environmental Report
- Infrastructure Ontario: Public Works Class Environmental Assessment
 - IO/MGCS/HONI: we will also be seeking easements with these agencies (real estate transaction)
- Ministry of Tourism, Culture and Sport: Clearance letter to confirm that archaeological requirements have been completed to avoid contravention of Heritage Act
- Ministry of Natural Resources and Forestry: Overall Benefit Permit
- Ministry of Environment, Conservation and Parks: Permit to Take Water

	<ul style="list-style-type: none">• Niagara Escarpment Commission: Development Permit• Conservation Authorities (Toronto & Region, Credit Valley, Conservation Halton, Hamilton Conservation Authority): Development, Interference with Wetlands and Alterations to Shorelines and Watercourses• TSSA: License to Operate (existing – no additional decision)• Federal:<ul style="list-style-type: none">○ Department of Fisheries and Oceans: Request for review will be submitted, no authorization requirement anticipated○ Transport Canada: No authorization anticipated under the Navigable Waters Act, however, engagement is being conducted
--	--

From: Bui, David <david.bui@hii-upi.com>
Sent: Thursday, February 7, 2019 1:06 PM
To: Sirjue, David /C
Cc: 24255 Waterdown to Finch Project; Watson, James; Castedo, Hernan; Lewis, Jasmine; Beatty, Michael; Evans, John; Majdalani, Elias; Malone, Jessie M; Curtis Campbell; Matthew Scoular; Mark Welsh; Jim Chan; Elizabeth Sherlock; Amanda Juric
Subject: FW: 24255 - Imperial - TSSA Questions and Meeting Notes

David,

Please review Kourosh's comments below. I will summarize our discussion with meeting minutes and formally issued to the team by early next week.

Sincerely,

David Bui, PE | Senior Engineer I

UniversalPegasus International | w: 713.354.6247  | m: 281.384.6249 
www.universalpegasus.com

UEI Project Number: 24255

From: Kourosh Manouchehri [mailto:KManouchehri@tssa.org]
Sent: Thursday, February 7, 2019 11:54 AM
To: Bui, David <David.Bui@hii-upi.com>
Cc: 24255 Waterdown to Finch Project <24255@hii-upi.com>; Watson, James <James.Watson@hii-upi.com>; Castedo, Hernan <Hernan.Castedo@hii-upi.com>; Lewis, Jasmine <Jasmine.Lewis@hii-upi.com>; Jim Chan <Jim.Chan@erm.com>
Subject: RE: 24255 - Imperial - TSSA Questions and Meeting Notes



Hi David,

Please see below my comment in blue. Following replies depend on the timing of the project design submittal, review and construction. If TSSA reviews the design to the current standards and the construction is not very far into the future, then current standard and codes applies.

Regards,

Kourosh Manouchehri, P.Eng., PMP | Engineer

Fuels Safety
345 Carlingview Drive
Toronto, Ontario M9W 6N9

Tel: +1-416-734-3539  || Fax: +1-416-231-7525  | E-Mail: kmanouchehri@tssa.org
www.tssa.org

From: Bui, David <David.Bui@hii-upi.com>
Sent: January 25, 2019 11:34
To: Kourosh Manouchehri <KManouchehri@tssa.org>
Cc: 24255 Waterdown to Finch Project <24255@hii-upi.com>; Watson, James <James.Watson@hii-upi.com>; Castedo, Hernan <Hernan.Castedo@hii-upi.com>; Lewis, Jasmine <Jasmine.Lewis@hii-upi.com>; Jim Chan <Jim.Chan@erm.com>
Subject: 24255 - Imperial - TSSA Questions and Meeting Notes

Kourosh,

Thank you for spending the time with me Monday to briefly discuss the Imperial pipeline project.

Below is a summary of our discussion and several follow-up questions for your review.

- The three main documents and their version that may govern our proposed pipeline project are:
 - O. Reg. 210/01: Oil and Gas Pipeline Systems (Technical Standards and Safety Act, 2000, S.O. 2000, c. 16)
 - CSA Standard Z662-15 (Oil and Gas Pipeline Systems)
 - TSSA FS-238-18 (Oil and Gas Pipeline Systems Code Adoption Document Amendment)
- Canadian Standards Association (CSA Group) will begin in the summer 2019 to review CSA Standard Z662-15 (Oil and Gas Pipeline Systems) for an update due out 2020. This revision will then need to be adopted by O. Reg. 210/01: Oil and Gas Pipeline Systems later in that year. If the currently proposed Imperial pipeline project has been reviewed by TSSA within 2019, these updated regulatory codes/standards will not apply.

[CSA Z662 already gone through public comments and will be issue in 2019 and my guess is summer 2019. However it takes time for TSSA to adopt this standard. My best guess is early 2020 for TSSA to adopt the 2019 version of the standard.](#)

- Regulatory codes/standards to address motorized valve requirements will not be proposed/enforced until 2020. If the currently proposed Imperial pipeline project has been reviewed by TSSA within 2019, these updated regulatory codes/standards will not apply.

[Agree. If I review the design to the current standard, then construction will be to the current standard.](#)

- It is recommended to submit the 'TSSA Application for Review of Pipeline Project' form as soon as possible even if there are still parts of the application that are in development, namely the 'Calculation of High Consequence Area'.

[Agree. The HCA calculation can be submitted later.](#)

Below are questions and clarifications we would like to present to TSSA (I have done my best to answer a couple questions based on our discussion, **in green**, please revised as needed):



1. Will there be addition revisions/code adoptions to the 'CAN/CSA-Z662-15' that pertain to design and construction of refined product pipelines? **There will be an update to 'CAN/CSA-Z662' released next year, 2020. The standard will be issue in 2019, however it takes time for TSSA to adopt it as explained above.**
2. Will there be addition revisions to the 'TSSA Pipeline Regulation 2018 Oil-and-Gas-Pipelines-CAD-Amendment_FIX – FS-238-18'?
[Not until early 2020.](#)

3. Will there be revisions to the valve spacing requirements for refined product pipelines?
Not until early 2020.
4. Will there be new code adoptions to that will address motorized valve requirements? **There will be guidelines released next year, 2020. Most probably early 2020.**
5. Will there be revisions to the definition of a major 'water body'? **Not if TSSA does not adopt CSA Z662-19, which I guess should be in early 2020.**
6. Will there be additional revisions to 'Class Location Factors'? **see above.**
7. Will there be revisions to 'Design Factors'? **see above**
8. Will there be clarification of High Consequence Areas? **At this point of time, HCA is defined in FS-238-18 - Oil and Gas Pipelines CAD Amendment (February 15, 2018)**
9. Will there be adoptions to pipeline crossing requirements? **See above.**

Please let me know there are any additional comments, questions, or clarifications you would like to add. Once I receive your response, I will issue a set of meeting minutes to the team.


Sincerely,

David Bui, PE | Senior Engineer I

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www.universalpegasus.com

UEI Project Number: 24255

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Imperial Oil - Waterdown to Finch Project
MTO - Initial Land/Crossings Submission - Comment Tracker - General Comments

Client: Imperial Oil
Project: Waterdown to Finch Project
Project Manager: James Dekryger
Permitting Director: Haseeb Amirzada
Date: January 31, 2019

UPI (Engineering) / General Contractor (GC)
NATIONAL (Stakeholder Engagement)
ERM (Environmental)
CanACRE (Land/ROW)
IOL/EM

CanACRE			Tracking			MTO
COMMENT ID	MTO DEPARTMENT	TOPIC	COMMENT ADDRESSED (Y / N / PENDING)	RESPONSIBILITY	IMPERIAL COMMENT	MTO COMMENT
MTO_G1	Engineering Office	Existing Pipeline	N	CanACRE	IOL/EM - please confirm if the existing IOL SPPL KMZ can be provided to MTO.	From the KMZ file, the existing pipeline is not shown.
MTO_G2	Engineering Office	MTO ROW Limits	PENDING	CanACRE/UPI	Preliminary drawings will include MTO's ROW limits and the Building and Land Use setback/buffer, per MTO's Title Records.	Information should overlap/include the ministry's ETR plates (ROW limits) and the 14.0m building land use setback limit.
MTO_G3	Engineering Office	Pipeline Centreline	N	UPI		Please show the depth of the existing and proposed pipeline.
MTO_G4	Engineering Office	Existing Pipeline	Y	CanACRE/IOL	There are currently 2 existing pipelines. The 10-inch pipe (used for fuel oil) was built in 1952 and was decommissioned a few years later; the 12-inch pipe was built in 1956 and is currently operating.	When was the existing pipeline installed?
MTO_G5	Engineering Office	Proposed Pipeline	N	IOL/EM; UPI	IOL/EM; UPI - Please review: The new proposed pipeline will be designed to be in service for at least 50 years; however, as long as the pipe is maintained, the service life can be much longer. Improved materials and cathodic protection (FBE coating) will be used, and the design specifications are very conservative.	What is the service life of this new proposed pipeline?
MTO_G6	Engineering Office	Pipeline Construction	N	IOL/EM; UPI	IOL/EM; UPI - Please review: This project is a proactive replacement, as the existing pipe is over 70-years old. Although there have been no leaks detected to-date, and the pipe likely has an additional 15 years to its lifespan, Imperial has determined that it is time for the pipeline to be proactively replaced.	Have you explored other options rather than replacing existing pipeline with a new line?
MTO_G7	Strategic Highway Management Office	Proposed Pipeline	N/A	N/A	N/A	No objection to the alignment at this time.
MTO_G8	Strategic Highway Management Office	407 ETR	Y	CanACRE	Dragan Mrkela was invited to our initial meeting with MTO last July 2018, and Imperial (through CanACRE) will continue to include him in meetings/submissions related to this project.	407 ETR should be included in any upcoming meetings. Please include Mr. Dragan Mrkela (Dmrkela@407etr.com), on any future meetings/submissions and to contact them directly for Highway 407 infrastructure information.
MTO_G9	General	MTO Highway Corridor Management Manual	N	UPI	UPI - please review for your information.	Link to ministry's new online Highway Corridor Management Manual. See Encroachments Chapter, Section 3.15.7 – "Placing of Utilities" and subsection 3.19 - "Pipelines" (starts at p.159) https://www.library.mto.gov.on.ca/SydneyPLUS/Sydney/Portal/default.aspx?component=AAAAIY&record=af9e17eb-ffc0-4143-b739-69af5835eb68
MTO_G10	General	MTO Highway Corridor Management Website	N	UPI	UPI - please review for your information.	Link to ministry's Highway Corridor Management public website. http://www.mto.gov.on.ca/english/highway-bridges/highway-corridor-management/index.shtml



Imperial Oil - Waterdown to Finch Project
MTO - Initial Land/Crossings Submission - Comment Tracker - Specific Comments

Client: Imperial Oil
Project: Waterdown to Finch Project
Project Manager: James Dekryger
Permitting Director: Haseeb Amirzada
Date: January 31, 2019

UPI (Engineering) / General Contractor (GC)
NATIONAL (Stakeholder Engagement)
ERM (Environmental)
CanACRE (Land/ROW)
IOL/EM

CanACRE				Tracking			MTO
COMMENT ID	MTO DEPARTMENT	AREA / INTERSECTION	KP(s)	COMMENT ADDRESSED (Y / N / PENDING)	RESPONSIBILITY	IMPERIAL COMMENT	MTO COMMENT
MTO_S1	Engineering Office	Highway 403: from QEW to Highway 407 (see attached plan)	27.6 to 28.6	N	UPI	UPI - see attached plan "HIGHWAY 403 - S-E RAMP.pdf" found within Environmental Study Report, available online. The proposed pipe centreline runs north of the S-E Ramp at Highways 403/407, so there should not be any impacts.	MTO's current Environmental Assessment (EA) for our Highway 403 and QEW Widening Projects (QEW - From Trafalgar Road to East of Winston Churchill Boulevard and Highway 403 - From QEW to Highway 407 and beyond Winston Churchill Boulevard) should not be impacted by this project. Note that one of the EA's recommendations was to improve the S-E Ramp at Highways 403/407.
MTO_S2	Engineering Office	All Highway 403 Ramp Crossings	27.4 to 27.6 29.6 to 29.8 31.1 to 31.4 35.8 to 36.1 37.9 to 38.3 39.9 to 40.3	N	UPI		Protection for future Highway 403 widening is required. Please indicate what the minimum cover is for the pipeline under all of the Highway 403 ramp crossings.
MTO_S3	Engineering Office	Highway 401/427 Interchange	47.2 to 47.6	N	UPI		The proposed line crosses the Highway 401/427 Interchange. There are future MTO improvement plans at this location but the timing is unknown at this time. In addition, MTO will be looking at a further study of the interchange for additional improvements and/or refining the previously identified improvements. Examples of the type of improvements include a new larger ramp to provide better access from Highway 427 northbound to Highway 401 westbound and a new loop ramp from Highway 401 westbound to Highway 427 southbound. The proposed line would not be permitted to preclude MTO's future interests, so setbacks will be critical as well as protection for future MTO expansion.
MTO_S4	Engineering Office	Highway 409 and Airport Road	N/A (outside of project area)	N	UPI		The proposed line crosses Highway 409. Please be aware that the GTAA has proposed improvements on Highway 409, closer to Airport Road.
MTO_S5	Engineering Office	Highway 401/Highway 427 area	47.2 to 47.6	N	UPI		MTO has plans to initiate an Environmental Assessment/Preliminary Design Report study to assess the feasibility and protect for the potential for a future ultimate Express/Collector system in the Highway 401/427 area. As a result, the proposed line will have to consider MTO's ultimate plans on a conservative approach and not preclude any future works by this ministry.
MTO_S6	Engineering Office	Highway 400/Finch Avenue	57.4 to 57.5	N	UPI		The proposed line crosses Highway 400 just north of Finch. At this time Infrastructure Ontario (IO) is working on the Finch LRT project which includes the replacement of the Finch Avenue bridge on Highway 400. This work is expected to commence later in 2019. Again, any proposed work or permanent line cannot preclude or conflict with MTO's plans or IO's project (see comment MTO_S7 from the Route Planning and Transit Initiative Office).
MTO_S7	Route Planning and Transit Initiative Office	Highway 400/Finch Avenue	57.4 to 57.5	N	UPI	UPI - is the Finch Avenue IOL crossing complete/close to being complete?	The proposed pipeline proposes to cross Highway 400 north of Finch Avenue and it is within the Metrolinx Finch LRT proposed work zone. Please ensure Metrolinx is contacted for coordination/review of this work. Here is a link to their website: http://www.metrolinx.com/en/greaterregion/projects/finchwest-lrt.aspx
MTO_S8	Route Planning and Transit Initiative Office	Highway 407/Highway 403	27.1 to 27.5	N	UPI	UPI - see attached "407TW4 - PIC.pdf" for alignment options.	The proposed new pipeline will have impacts to the on-going 407 Transitway in the area of Highway 407/Highway 403 interchange on the Mississauga/Oakville/Milton border. For background purposes, see attached plans presented at MTO's recent PIC.
MTO_S9	Route Planning and Transit Initiative Office	Highway 407/Highway 403	27.1 to 27.5	PENDING	UPI	UPI - see attached "407TW4 - PIC.pdf" for alignment options. Preliminary drawing should provide more details for MTO to determine if a conflict exists.	More details will be required to fully understand if the proposed pipeline will have a direct conflict with the 407 Transitway alignment that will be designed to cross under the interchange ramps and the connection from the Mississauga Transitway to the 407 Transitway between the interchange and Ridgeway Drive.



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Hassaan Basit
Chief Administrative Officer
Conservation Halton
2596 Britannia Road West
Burlington, Ontario
L7P 0G3

Dear Mr. Basit,

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,

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

c.c.: Michelle Caissie



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Deborah Martin-Downs
Chief Administrative Officer
Credit Valley Conservation Authority
1255 Old Derry Road
Mississauga, Ontario
L5N 6R4

Dear Ms. Martin-Downs,

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.

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We look forward to connecting.

Sincerely,

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

c.c.: Gary Murphy



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Lisa Burnside
Chief Administrative Officer
Hamilton Conservation Authority
838 Mineral Springs Road
Ancaster, Ontario
L9G 4X1

Dear Ms. Burnside,

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.

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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,

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

c.c.: Scott Peck



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

David Ayotte
Director
Niagara Escarpment Commission
232 Guelph Street
Georgetown, Ontario
L7G 4B1

Dear Mr. Ayotte,

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.

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We look forward to connecting.

Sincerely,

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

c.c.: Debbie Ramsay



Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

John MacKenzie
Chief Executive Officer
Toronto and Region Conservation Authority
101 Exchange Avenue
Vaughan, Ontario
L4K 5R6

Dear Mr. MacKenzie,

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.

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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.

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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,

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

c.c.: Beth Williston

Imperial
Waterdown to Finch Pipeline Project
June 11, 2018
Conservation Halton and Niagara Escarpment Commission
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

Conservation Halton (CH)

- Leah Chishimba (LC)
- Allan Newell (AN)
- Jonathan Pounder (JP)
- Charles Priddle (CP)
- Ben Davis (BD)
- Lesley Matich (LM)
- Kellie McCormack (KM)

Niagara Escarpment Commission (NEC)

- Kim Peters (KP)

Imperial

- Jessie Malone (JM)

Environmental Resources Management

- Matthew Scoular (MS)
- Amanda Juric (AJ)

Savanta

- Sean Male (SM)

Meeting Objectives

- Describe Imperial's Waterdown to Finch Project (the Project)
- Describe ongoing/planned bio-physical and cultural studies
- Discuss concurrent OEB Leave to Construct (LTC) and CA/NEC permitting
- Confirm CA/NEC permit requirements
- Solicit a data sharing agreement, if applicable

Topic	Discussion
Introductions	LC (planning) and BD (permitting) will be the main points of contact at CH for the project. KP will be the main point of contact for NEC. JM will be the main point of contact for Imperial and MS for ERM.
Agenda	<ul style="list-style-type: none"> • Safety Moment • Overview of Agenda • Review of Meeting Objectives • Project Overview and Timeline • Regulatory and Community Engagement Overview • Anticipated CA/NEC Permit Requirements • Ongoing/Planned Bio-physical and Cultural Surveys • Next Steps
Safety Moment	JM shared a safety moment on pipeline operation related to proactive and regularly scheduled inspections

Objectives	<ul style="list-style-type: none"> Review and agreement of meeting objectives
Project Overview & Timeline	<ul style="list-style-type: none"> JM stated that ERM is working on behalf of Imperial, and Savanta is supporting ERM with field work Project is in the early stages of planning Imperial intends to submit Ontario Energy Board (OEB) Leave to Construct application (including Environmental Report) in late 2018 JM provided high-level overview of pipeline, product transported, and project importance. Emphasis that the project is to build a replacement pipeline, switch the operation to the new pipeline, and deactivate the former pipeline that will be left in place Preliminary estimate is 1/3 of the replacement pipeline will be installed via trenchless methods (e.g. Horizontal Directional Drilling), with remaining via trenched methods (e.g., open cut) CH staff asked what the current depth of the pipeline is and what the depth of the replacement pipeline will be. Imperial confirmed that the depth of the existing pipeline varies between 3 to 4 ft. The depth of the trenched replacement pipeline will be 4 ft to the top of the pipe. The drilled sections of the pipeline will be much deeper (>30 ft). JM confirmed that they are attempting to obtain all original easement documentation to confirm parameters (e.g., width, if beds of watercourse crossings are included) MS confirmed that vegetation management is limited within Imperial's exiting ROW/easement. Weed spraying is conducted at the above ground valve stations and grass mowing is conducted along the length of the pipeline within Imperial's easement. Brush clearing is not included in the terms of the pipeline easement, but may be conducted with landowner's consent. In shared ROWs, Imperial will share vegetation management costs with other pipeline owners. MS stated that the construction disturbance footprint is assumed to be a buffer of 25m of the pipeline centreline for the OEB Environmental Report JM stated that the placement of temporary workspace is being planned and MNRF/CAs/NEC will be consulted on it when it is available JM stated that aboveground valve stations will be replaced like-for-like. Engineering design is in early stages. Once location of proposed valve station placement is confirmed, Imperial will provide Alternative pipeline routes have been evaluated and a summary will be included in the OEB Environmental Report
Regulatory Overview & Community Engagement	<ul style="list-style-type: none"> Imperial intends to submit OEB application and regulatory permitting applications concurrently Community information sessions planned for end of July and in the fall across all Municipalities, including Burlington and Oakville MS confirmed that consultation with OEB and Ontario Pipeline Coordination Committee (OPCC) has begun. OPCC does not sit as a committee, and therefore engagement with each member has been initiated

	<ul style="list-style-type: none"> • MS stated that Ministry of Energy will likely delegate duty to consult to Imperial as part of OEB process • MS confirmed that Imperial will consult with Infrastructure Ontario for the portion of the pipeline in Hydro One's right-of-way to determine Class EA requirements. Intent is to file one Environmental Report to meet OEB and Class EA requirements. • JM confirmed that Municipalities and Regional governments not yet engaged at a technical level, however, engagement is planned (e.g., arborist inventory for tree removal permits)
CA/NEC Permitting	<ul style="list-style-type: none"> • KP confirmed that drilling of boreholes for geotechnical work is exempt from NEC Development Permit; however, NEC would like to be notified a few days in advance of borehole work to manage any community comments. • KP stated that Development Permit Process will likely be sufficient for this project • KP confirmed that the NEC Development Permit needs to be issued after other permits (e.g., MNRF, MTCS, and CA issued permits). Exception is the OEB leave to construct. • KP confirmed that NEC Development Permit will not be issued until they are comfortable that other agency concerns are satisfied. For example, if archeological assessment needs to advance to Stages 3-4, the NEC Development Permit cannot be issued until MTCS receives and verifies survey. • KP stated that LTC application will fulfill requirement to justify the need for the project. MS stated that Imperial can include an NEC-specific concordance table in the LTC application, if required. • CH requested a site walk to familiarize themselves with areas of interest to assist in their permitting review • CH staff asked what Imperial's plan would be for environmental effects compensation (e.g., tree removal). MS responded by stating that the plan for the project would be to look at compensation/offsetting requirements across all CA jurisdictions and prepare a plan focused on ecosystems including trees, wetlands, wildlife habitat, if required vs. separate plans for each resource feature. Once a plan has been drafted, Imperial will engage the appropriate regulators (e.g., MNRF, CAs, and Municipalities). CH staff confirmed that this would be their preference as well
Bio-physical and Cultural Surveys	<ul style="list-style-type: none"> • Imperial consulted with the Aurora and Guelph Districts of the MNRF (Bohdan Kowalyk and Anne-Marie Laurence) for review of field survey methods • SM stated that surveys completed to date include: reptile emergence features, spring botanical survey, summer botanical survey (upcoming), breeding bird survey, cursory bat habitat assessment • SM stated that potential bat habitat areas identified, acoustic monitoring detectors deployed in early June • SM stated that preliminary bio-physical results for the 63 km route include 15 butternut trees, and S3-listed Virginia Blue Bells

	<ul style="list-style-type: none"> JM confirmed that avoidance of natural heritage features is preferred through early identification and planning vs. disturbance to and mitigation of environmental effects. CH staff confirmed that they do not conduct their own archeological assessments CH staff asked if geomorphology surveys are planned if watercourse banks will require cutting for construction access. ERM confirmed that they were not currently planned. Imperial's Engineers and ERM can contact Allan Newell for additional technical discussion once scope of HDDs is defined.
Next Steps	<ul style="list-style-type: none"> CH staff recommended that Imperial consult with the Region of Halton on their source protection plan for intake protection zones ERM staff to submit data request to CH Imperial /ERM staff to hold a workshop with CH to review the route via Google Earth once route has been refined to examine project disturbance footprint including construction access points. Imperial can also facilitate a drive of the ROW with interested CH and NEC representatives. CH staff suggested that Imperial present a high-level overview for Conservation Authority's and the NEC's board members once detailed routing has been determined. Any discussion related to land and crossing agreements will be conducted by Imperial's Land team and will initially be stewarded through CH point of contact. Land representatives (Imperial and CH) should be included in meetings going forward.

Summary of Actions		Who
• CH to provide website URL for data-sharing request form		LC
• ERM to submit data-sharing request form		MS
• Imperial to confirm existing easement ownership and widths		JM
• Imperial to confirm strategy for valve station replacement and if existing valve stations will be removed.		JM
• Imperial to provide mapping of route centerline with delineation of trenchless vs. trenched segments, construction disturbance footprint and ROW access plans for construction		JM
• Imperial to notify NEC a few days in advance of Geotechnical borehole drilling work		JM
• CH to invite their Land team to next meeting. Imperial to do the same.		LC/JM
• Imperial and ERM to discuss the potential need for Geomorphology field surveys with CH once preliminary pipe installation methods and construction access is confirmed		JM

<p style="text-align: center;">Imperial Waterdown to Finch Pipeline Project June 13, 2018 Hamilton Conservation Authority Meeting Summary Notes</p> <p><i>*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.</i></p>	
<p>Participants</p> <p><i>Hamilton Conservation Authority</i></p> <ul style="list-style-type: none"> • Scott Peck (SP) • Darren Kenny (DK) 	<p><i>Imperial</i></p> <ul style="list-style-type: none"> • Jessie Malone (JM) <p><i>Environmental Resources Management</i></p> <ul style="list-style-type: none"> • Matthew Scoular (MS) <p><i>Savanta</i></p> <ul style="list-style-type: none"> • Sean Male (SM)
<p style="text-align: center;">Meeting Objectives</p> <ul style="list-style-type: none"> • Describe Imperial's Waterdown to Finch Project (the Project) • Describe ongoing/planned bio-physical and cultural studies • Discuss concurrent OEB Leave to Construct process (LTC) and CA permitting • Confirm HCA permit requirements • Solicit a data sharing agreement, if applicable 	
Topic	Discussion
Introductions	<ul style="list-style-type: none"> • DK will be HCAs point of contact for project. MS/JM will be the main points of contact for the project.
Agenda	<ul style="list-style-type: none"> • Safety Moment • Overview of Agenda • Review of Meeting Objectives • Project Overview and Timeline • Regulatory and Community Engagement Overview • Anticipated CA Permit Requirements • Ongoing/Planned Bio-physical and Cultural Surveys • Next Steps
Safety Moment	<ul style="list-style-type: none"> • JM provided a safety moment reminding all to plan your route prior to driving a vehicle and not solely relying on GPS. GPS are not always accurate and reliable especially around Toronto Pearson International Airport.
Objectives	<ul style="list-style-type: none"> • Review and agreement of meeting objectives
Project Overview & Timeline	<ul style="list-style-type: none"> • JM stated that ERM is working on behalf of Imperial, and Savanta is supporting ERM with field work • Project is in the early stages of planning • Imperial intends to submit Ontario Energy Board (OEB) Leave to Construct application (including Environmental Report) in late 2018

	<ul style="list-style-type: none"> JM provided high-level overview of pipeline, product transported, and project importance. Emphasis that the project is to build a replacement pipeline, switch the operation to the new pipeline, and deactivate the former pipeline that will be left in place Preliminary estimate is 1/3 of the replacement pipeline will be installed via trenchless methods (e.g. Horizontal Directional Drilling), with remaining via trenched methods (e.g., open cut) SP asked to confirm how long pipeline deactivation and site restoration activities along ROW will take after the start of operation of new pipeline. DK assumes planting cannot be conducted until the following spring. JM confirmed that Enbridge owns pipeline that takes refined product from Sarnia refinery to Waterdown station. SP asked which Enbridge pipeline it is. JM will follow up on this. MS stated that Imperial has protocol set up with certain CAs for notification of high water. SP confirmed that this is not in place for HCA since Imperial pipeline crosses only small tributaries. Imperial to confirm which CAs this protocol is set up with. MS confirmed that Imperial will provide HCA with delineation of trenched/trenchless pipeline construction once available. MS/JM noted that Imperial wants to work with regulators to identify locations for construction temporary workspace. DK commented that the depth to bedrock is shallow in some areas, so understand the challenges with trenchless construction methods. HCA is open to trenching (depending on site conditions), but will require appropriate mitigation (e.g. isolation, restricted activity periods, etc.). DK indicated that their core concern will be the preservation of flows. SP asked how long segments would be between cut & cap of deactivated pipeline. JM committed to following up on this. JM indicated that they will confirm whether any valve stations will be situated within HCA jurisdiction.
<i>Regulatory Overview & Community Engagement</i>	<ul style="list-style-type: none"> MS outlined the OEB's LTC process and expected written hearing. Confirmed that pipeline is within OEB's (provincial) jurisdiction (not NEB) because it does not cross provincial/international boundaries. DK stated that HCA will want to see proof of landowner authorization for temporary workspace <u>and any access required located</u> outside of Imperial's existing easement. SP confirmed that HCA does not own any land in the area of Imperial's pipeline, therefore no crossing agreements with them will be required.
<i>CA Permitting</i>	<ul style="list-style-type: none"> Imperial staff should send an email request to DK outlining what data Imperial is looking for - HCA will request Imperial to sign a data sharing agreement and provide what data they have available. SP noted that their legal name is Hamilton Region Conservation Authority.

Commented [AJ1]: Minor change indicated by Darren Kenny at Hamilton Conservation Authority via email on 19 June 2018 to Matt Scoular.

	<ul style="list-style-type: none"> MS mentioned that a PSW is located within 120m of the project. DK stated that MNRF has jurisdiction over PSWs but he would talk with HCA ecologists regarding the PSW. <u>HCA does regulate activities within and surrounding wetlands (within 120m of PSWs), but MNRF staff have to be involved in any adjustment of PSW boundaries.</u> SP noted that HCA is interested in continuing to enhance their relationship with pipeline operators. HCA noted that regulatory limits in the project area would need to be determined
Bio-physical and Cultural Surveys	<ul style="list-style-type: none"> SM stated that the project has met with MNRF Guelph and Aurora to discuss ESA requirements. MS stated that MNRF has reviewed and endorsed field program protocols. MS asked if HCA knew if any of the tributaries within their jurisdiction are fish bearing. DK was not sure and was doubtful that HCA had data for those watercourses; this area is within the Greenbelt and therefore development is restricted. DK noted that the watercourses in this area are predominantly headwater tributaries, likely with intermittent flow. SM indicated that the ELC mapping will likely show some wetlands in the area. Suggested that it would be a good idea to look at these wetlands as well during a site visit. DK stated that he will coordinate with HCA ecologists and suggest dates for a field trip. Potential to align with ERM fisheries field assessments SP noted that a City of Hamilton Environmentally Significant Area extends up into the vicinity of the pipeline.
Next Steps	<ul style="list-style-type: none"> DK has not been to the pipeline ROW to understand drainage and aquatics of the area. HCA would benefit from a site visit to be able to give Imperial a better idea of HCA requirements.
Summary of Actions	
<ul style="list-style-type: none"> Send out dates and results of preliminary reconnaissance-level field surveys for ROW within HCA jurisdiction, if available. 	MS
<ul style="list-style-type: none"> Imperial to confirm Enbridge pipeline number/name for segment of pipeline between Sarnia and Waterdown. 	JM
<ul style="list-style-type: none"> Provide information on how long segments would be between cut & cap of deactivated pipeline. 	JM
<ul style="list-style-type: none"> Imperial staff should send an email request to HCA, DK outlining what environmental data Imperial is looking for. 	JM

<ul style="list-style-type: none">• DK to work with HCA ecologists to suggest dates for a field trip.	<i>DK</i>
<ul style="list-style-type: none">• Imperial and ERM staff to arrange site visit to pipeline ROW to understand drainage and aquatics of area for HCA staff to provide comments on HCA requirements.	<i>MS/JM</i>
<ul style="list-style-type: none">• Imperial to provide HCA with delineation of trenched/trenchless pipeline construction once it is developed.	<i>JM</i>
<ul style="list-style-type: none">• Protocol for notifying CA's of high water. Imperial to follow up with which CAs this protocol is set up with.	<i>JM</i>
<ul style="list-style-type: none">• Imperial staff to confirm how long pipeline deactivation and site restoration activities along ROW will take after the start of operation of new pipeline.	<i>JM</i>

Imperial
Waterdown to Finch Pipeline Project
June 14, 2018
Toronto and Region Conservation Authority
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.*

<p>Participants</p> <p><i>Toronto and Region Conservation Authority (TRCA)</i></p> <ul style="list-style-type: none"> Beth Williston, Associate Director, Planning Team (BW) Annette Lister, Planner II EA Planning (AL) Sintnujan Navaratvanel (SN) Geotechnical Engineer Jairo Morelli (JaM) Water Resources Engineer 	<p><i>Imperial</i></p> <ul style="list-style-type: none"> Jessie Malone (JM) <p><i>Environmental Resources Management</i></p> <ul style="list-style-type: none"> Matthew Scoular (MS) Amanda Juric (AJ) <p><i>Savanta</i></p> <ul style="list-style-type: none"> Sean Male (SM)
Meeting Objectives	
<ul style="list-style-type: none"> Describe Imperial's Waterdown to Finch Project (the Project) Describe ongoing/planned bio-physical and cultural studies Discuss concurrent OEB Leave to Construct (LTC) and CA permitting Confirm CA permit requirements Solicit a data sharing agreement, if applicable 	
Topic	Discussion
Introductions	<ul style="list-style-type: none"> AL will be main point of contact at TRCA. JM will be the main point of contact for Imperial and MS for ERM.
Agenda	<ul style="list-style-type: none"> Safety Moment Overview of Agenda Review of Meeting Objectives Project Overview and Timeline Regulatory and Community Engagement Overview Anticipated CA Permit Requirements Ongoing/Planned Bio-physical and Cultural Surveys Next Steps
Safety Moment	<ul style="list-style-type: none"> JM provided a safety moment reminding all to plan your route prior to driving a vehicle and not solely relying on GPS. GPS are not always accurate and reliable especially around Toronto Pearson International Airport
Objectives	<ul style="list-style-type: none"> Review and agreement of meeting objectives

<p>Project Overview & Timeline</p>	<ul style="list-style-type: none"> • JM noted the project is in the early stages of planning • BW inquired as to whether other Conservation Authorities have been consulted. JM stated Halton and Hamilton Conservation Authority and Niagara Escarpment Commission have been consulted earlier in week; Credit Valley Conservation is scheduled for next week. • JM provided high-level overview of pipeline route, product transported (refined product), and project importance. Emphasis that the project is to build a replacement pipeline, switch the operation to the new pipeline, and deactivate the former pipeline that will be left in place. The project is an “infrastructure renewal” with no plan to increase capacity of pipeline • JM confirmed existing and replacement pipeline is 12” and made of steel, further technical questions on materials/ construction can be answered by Engineers upon request. • Preliminary estimate is 1/3 of the replacement pipeline will be installed via trenchless methods (e.g., Horizontal Directional Drilling), with remaining via trenched methods (e.g., open cut) • Imperial intends to submit Ontario Energy Board (OEB) Leave to Construct application (including Environmental Report) in late 2018. • BW provided an overview on the CA’s in that they are quasi-provincial. With the National Energy Board there is a “duty to consult” as permits are secured from TRCA and also through the broader NEB process. Functionally, the CEO of the TRCA reports to a Board (referred to as the “Authority”). The Board is comprised of appointed Councillors or members of the public from each of the major municipalities, and it meets monthly to provide direction to the TRCA. TRCA’s approach is to proactively supply information to the Board on projects. Under the Board is the Executive, which consists of a group of 2 councillors from each municipality. The Executive is responsible for approving major permits • BW noted that TRCA is part of the Greater Golden Horseshoe Group with Halton, Hamilton and the Credit Valley Conservation Authorities. Also noted that the Waterdown to Finch Project has been brought to the attention of that group and they will likely coordinate respective responses • JM& MS clarified that the project is under provincial jurisdiction. OEB submission, not NEB, although a similar process. Likely will be a written hearing. • JM stated that the project is in early consultation phase to address concerns and propose mitigate measures prior to OEB leave to construct application submission. • BW inquired whether the Environmental Report to the OEB will include a commentary of the CA’s concerns and the proponent’s response. MS confirmed a public, Indigenous and government consultation report and consultation logs will be part of the application and issues and responses relevant to the environmental assessment will be summarized in the Environmental Report.
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Regulatory Overview & Community Engagement	<ul style="list-style-type: none"> Imperial intends to submit OEB application and regulatory permitting applications concurrently. Aiming for approval in mid-2019 with construction commencing in fall 2019 JM confirmed upcoming community engagement sessions scheduled for the end of July, with a second set at end of November (after municipal elections). As per recommendation from OEB, first session is to solicit feedback/ concerns to incorporate into project planning with second session to demonstrate follow-up actions to raised concerns. MS confirmed that Imperial will consult with Infrastructure Ontario for the portion of the pipeline in Hydro One's right-of-way to determine Class EA requirements. Intent is to file one Environmental Report to meet OEB and Class EA requirements.
CA Permitting	<ul style="list-style-type: none"> MS stated that <i>Fisheries Act</i> self-assessments and <i>Navigation Protection Act</i> screenings will be completed. BW commented that the TRCA screens source water protection areas (CTC Source Protection Plan contact is Alyssa Roth (alyssa.roth@trca.on.ca)) and coordinates with Regional governments. BW recommended the project team engage the Regions on this. MS confirmed that consultation with MNRF was undertaken for field program, and MOECC will be consulted regarding water taking permits MS stated that Stage 1 archeological assessment is complete and is planned to be submitted to the MTCS shortly, with plans for stage 2 archaeological assessments to be conducted this summer. Assessments will be sent to Indigenous stakeholders for comment before submission to MTCS. AL noted that TRCA staff archaeologist only needs to be engaged for any disturbance to TRCA lands. If all disturbance is limited to the utility corridor, then TRCA staff archaeologist does not need to be engaged. TRCA staff archaeologist may be engaged to complete archaeological work off TRCA lands (i.e. on the utility corridor) upon request, but is not required. JM confirmed that Imperial has an easement, which the new pipeline is planned to stay within AL noted that the TRCA has developed a Guideline for Determining Ecosystem Compensation protocol for loss of ecosystem services, set to be approved at the end of June 25th (https://trca.ca/app/uploads/2018/07/TRCA-Guideline-for-Determining-Ecosystem-Compensation-June-2018.pdf) SN commented that there may be concerns about steep slopes in the area and the need to stay 15m away from long term stable top of slopes, as determined through a long-term slope stability assessment. JM confirmed pipeline is currently at depths between 3 to 4 feet, new construction will have 4 feet of overburden when trenched and >30 feet when drilled. Pipeline is operated under pressure, and is not a gravity feed BW commented that once engineering information is available, having a presentation to TRCA would facilitate permitting review

	<ul style="list-style-type: none"> • JM stated that once project route and temporary workspace/access mapping available and shared with regulators, comments will be collected and addressed • AL stated a concern about down-cutting in watercourses in the future, slope stability, bank stability, and any potential for pipeline to be exposed. Vertical and horizontal alignment of the new pipeline will have to consider these issues. • JaM noted a requirement to maintain a minimum distance of 2 m below the invert of the channel bed for channel crossing with defined bed banks. For smaller streams the ideal is 2 m, but depending on size and location, it may be variable. However, if less than 2 m, a fluvial geomorphology assessment may be required. TRCA can screen the alignment mapping to identify where the 2 m overburden would not be sufficient • BW noted that there is no tree clearance permit from TRCA that needs to be secured. However, TRCA has previously provided a letter stating the TRCA has reviewed tree clearance. BW commented that this helps from a public perception perspective, but ultimately TRCA prefers trees stay in the ground
<i>Bio-physical and Cultural Surveys</i>	<ul style="list-style-type: none"> • Imperial consulted with the Aurora and Guelph Districts of the MNRF (Bohdan Kowalyk and Anne-Marie Laurence) for review of field survey methods • MS stated that surveys completed to date include: reptile emergence features, spring botanical survey, breeding bird survey, cursory bat habitat assessment • SM stated that potential bat habitat areas identified, acoustic monitoring detectors deployed in early June – one is stationed with in TRCA jurisdiction. Working with MNRF regarding SAR aspect for detector placement (sent to them for review) • SM stated that preliminary bio-physical results for the 63 km route include 15 butternut trees, and S3-listed Virginia Blue Bells – one butternut in TRCA, Humber could be turtle nesting habitats however directional drilling is planned therefore minimal interference with turtles • AL noted that the TRCA will work with the proponent who signs the data request agreement to provide additional information. AL will provide a link to TRCA open data page. • BW commented that previous pipeline projects provided Enbridge typical drawings of HDD and contingency plans which may be available for sharing with Imperial and aid in consultation discussions • AL inquired whether all watercourse, wetland and other natural feature and hazard crossings have been identified • MS stated that a desktop review was conducted, but still pending field work • AL stated that TRCA also completed a preliminary desktop analysis with mapped regulated areas, however they can review Imperial Oil mapping of features along pipeline alignment (once confirmed) to identify smaller areas of concern and participate in a potential field walk. As part of data request, TRCA desktop review (GIS shape files) can be provided (note: TRCA mapping is not 100% accurate, and the text of O.Reg. 166/06 prevails over mapping)

	<ul style="list-style-type: none"> • MS confirmed that there is a sub-surface clearance process for utility locates. ERM undertakes a standard process through Ontario One call and incorporates private utility clearance prior to any ground penetrating work. • AL inquired about the access during construction – will it be occurring at each crossing? TRCA’s preference is to access from either side of a watercourse with no temporary crossing of watercourses • MS confirmed that engineers are looking at access plan in addition to temporary workspace needs & JM iterated that the pipeline will be located within existing corridor, and therefore access points will largely remain unchanged
<i>Next Steps</i>	<ul style="list-style-type: none"> • MS inquired as to TRCA expectations for geotechnical borehole drilling to determine feasibility for trenchless pipeline installation. Iterated 1/3 of the pipeline is estimated to be trenchless (water crossings, railroads, highways). Aiming to initiate borehole work in the next month and MNRF/MTCS will be consulted on borehole locations • AL stated that TRCA issues permits depending on the borehole location and plan. If a borehole is within regulated areas, the TRCA may issue a permit. Best practice is to consult with TRCA on borehole locations to confirm permit requirements • BW inquired broadly about the risk of the existing pipeline. Citing that concerns to spills into a river will likely be of high concern to the Board and community • JM confirmed that there is an emergency spill response plan in place for the existing, operating pipeline which will be reviewed for the newly installed pipeline. Also cited that there is an upcoming coordinated emergency response practice drill in October for the existing pipeline • BW inquired whether there have been any breaches to the pipeline • JM provided information that no known leaks on the pipeline. Commented that there is a proactive replacement along Credit River that will be integrated into the newer build that was identified as critical to the pipelines integrity • MS confirmed that ERM conducted a Phase 1 Environmental Site Assessment and no spills were identified from the pipeline • BW inquired about the location and sufficiency of shut-off valves for the pipeline • JM confirmed that a series of above ground valve stations exist which are a mixture of automated and manual valves. Plan is to match existing, however an engineering study is occurring to assess existing locations and determining if they are sufficient • BW requested a copy of the spill response plan for the existing pipeline • AL noted special interest/potential concern in section 42 to 56.4 (west of Weston Rd) where watercourse meanders in the utility corridor – Humber Main River and confluence with Main and Emory creek (designated Provincial Significant Wetland). This area is bordered by TRCA lands • MS stated that PSWs and major watercourses are currently planned to be drilled, and JM indicated that a plan is being developed for this area • BW inquired about dewatering requirements and TRCA hydrogeologist (Don Ford) may be a good resource to engage

	<ul style="list-style-type: none"> MS stated the engineers are looking at water requirements for hydrostatic testing and potential dewatering needs
Summary of Actions	Who
<ul style="list-style-type: none"> Imperial staff to share the list of political stakeholders from Peel and Toronto which have been engaged for TRCA to flag as stakeholders (complete) 	JM
<ul style="list-style-type: none"> Imperial staff to consider invitation to affected municipalities and CAs to participate in and observe October spill response drill 	JM
<ul style="list-style-type: none"> TRCA staff to share draft compensation protocol, set to be approved at the end of June 25th. 	AL
<ul style="list-style-type: none"> Imperial staff to provide preliminary plans trenchless (e.g., HDD) vs. trenched (open cut) pipeline installation methods once available. Identify all TRCA regulated features (i.e. watercourses, wetlands, valleys and any other natural features and hazards) on this plan as well 	JM
<ul style="list-style-type: none"> Imperial staff to provide geotechnical borehole locations for TRCA staff to determine permitting requirements 	JM
<ul style="list-style-type: none"> Imperial staff to consider a briefing presentation to the TRCA Board on the project. TRCA staff can scope out if this would be necessary and suggested level of participation from project team 	JM
<ul style="list-style-type: none"> TRCA staff to provide a link to TRCA open data page (complete) 	AL

Imperial
Waterdown to Finch Pipeline Project
June 20, 2018
Credit Valley Conservation Authority
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

Credit Valley Conservation Authority

- Liam Marray (LM), Manager, Planning Ecology
- Rizwan Haq (RH), Senior Manager, Engineering Plan Review

Environmental Resources Management

- Matthew Scoular (MS)
- Amanda Juric (AJ)

Imperial

- Jessie Malone (JM)

Meeting Objectives

- Describe Imperial's Waterdown to Finch Project (the Project)
- Describe ongoing/planned bio-physical and cultural studies
- Discuss concurrent OEB Leave to Construct (LTC) and CA/NEC permitting
- Confirm CA/NEC permit requirements
- Solicit a data sharing agreement, if applicable

Topic	Discussion
Introductions	LM will be the primary point of contact for the CVC. MS will be the primary point of contact for ERM and JM for Imperial
Agenda	<ul style="list-style-type: none"> • Safety Moment • Overview of Agenda • Review of Meeting Objectives • Project Overview and Timeline • Regulatory and Community Engagement Overview • Anticipated CA/NEC Permit Requirements • Ongoing/Planned Bio-physical and Cultural Surveys • Next Steps
Safety Moment	<ul style="list-style-type: none"> • JM provided a safety moment reminding all to plan your route prior to driving a vehicle and not solely relying on GPS. GPS are not always accurate and reliable especially around Toronto Pearson International Airport.
Objectives	<ul style="list-style-type: none"> • Review and agreement of meeting objectives
Project Overview & Timeline	<ul style="list-style-type: none"> • JM stated that ERM is working on behalf of Imperial, and Savanta is supporting ERM with field work • Project is in the early stages of planning • Imperial intends to submit Ontario Energy Board (OEB) Leave to Construct application (including Environmental Report) in late 2018

	<ul style="list-style-type: none"> • JM provided high-level overview of pipeline, product transported, and project importance. Emphasis that the project is to build a replacement pipeline, switch the operation to the new pipeline, and deactivate the former pipeline that will be left in place • Preliminary estimate is 1/3 of the replacement pipeline will be installed via trenchless methods (e.g. Horizontal Directional Drilling), with remaining via trenched methods (e.g., open cut) • JM stated that the Credit River crossing was flagged with a higher priority for replacement than the entire pipeline project. New pipeline will tie into this segment for which the permitting is underway, exact status is unknown at this time. JM confirmed that the pipeline is being drilled under the river. • JM stated that the construction schedule will account for sensitive timing windows and activity restrictions. • RH inquired about the rationale for where the footprint of proposed pipeline deviates from the existing pathway on the map (black vs. red line). JM explained Imperial's easement and the Hydro One corridor location. JM highlighted section between KM 30-35 where highway crossings and historic changes in development make re-routing a better option. • LM inquired on the depth of the pipeline. • JM confirmed that the depth of the existing pipeline varies between 3 to 4 ft. The depth of the trenched replacement pipeline will be 4 ft to the top of the pipe. The drilled sections of the pipeline will be much deeper (>30 ft). • JM stated data regarding the planned depth of drill can be shared with CVC for screening for geomorphology requirements. • RH stated that CVC depends on proponent to identify required pipeline depths based on an identified technical standard. • MS confirmed that a borehole drilling program will be conducted to assess feasibility of drilling plans. • JM confirmed that vegetation management is limited within Imperial's exiting ROW/easement. Weed spraying is conducted at the above ground valve stations. Brush clearing and grass mowing is not included in the terms of the pipeline easement, but may be conducted with landowner's consent. In shared ROWs, Imperial will share vegetation management costs with other pipeline owners. • JM stated that aboveground valve stations will be replaced like-for-like. Engineering design is in early stages. Once location of proposed valve station placement is confirmed, Imperial will provide to CVC.
Regulatory Overview & Community Engagement	<ul style="list-style-type: none"> • Imperial intends to submit OEB application and regulatory permitting applications concurrently • Community information sessions planned for end of July and in the fall across all Municipalities

	<ul style="list-style-type: none"> • MS confirmed that consultation with OEB and Ontario Pipeline Coordination Committee (OPCC) has begun. OPCC does not sit as a committee, and therefore engagement with each member has been initiated • MS confirmed that Imperial will consult with Infrastructure Ontario for the portion of the pipeline in Hydro One's right-of-way to determine Class EA requirements. Intent is to file one Environmental Report to meet OEB and Class EA requirements.
CA Permitting	<ul style="list-style-type: none"> • MS stated that the project will be applying for a NEC Development Permit • JM inquired about CVC crossing agreements. LM to confirm with lands group at CVC, stated that most of lands are leased to City of Mississauga which will require the project to work with both CVC and the city. • LM stated that CVC would like to see consultation with MNRF for consistency for discussion around potential effects on wetland and watercourses and permitting • LM inquired whether the NEC considered the entire pipeline to be one project. Iterated that CVC cannot issue permits until NEC issues theirs, noting however the portion in the CVC is not in Niagara Escarpment. • JM indicated the need to follow up with the NEC for the procedure in place when jurisdictions don't overlap (i.e., CVC and NEC) • LM stated CVC's priority on trenchless installations in all wetlands and if not, provide an appropriate rationale. Stated that financial rationales may be considered, but the preference is not to use these as the primary deciding factor.
Bio-physical and Cultural Surveys	<ul style="list-style-type: none"> • Imperial consulted with the Aurora and Guelph Districts of the MNRF (Bohdan Kowalyk and Anne-Marie Laurence) for review of field survey methods • MS reviewed bio-physical surveys completed to date, including: reptile emergence features, spring botanical survey, summer botanical survey (upcoming), breeding bird survey, cursory bat habitat assessment • MS stated that potential bat habitat areas identified, acoustic monitoring detectors deployed in early June. One located in CVC jurisdiction. • MS stated that preliminary bio-physical results for the 63 km route include 15 butternut trees (1 in CVC jurisdiction), and S3-listed Virginia Blue Bells • LM noted a species at risk in the area is monarchs. This may be a focus for meeting significant wildlife habitat (i.e. milkweed). • LM stated that CVC is moving in the direction of creating a compensation protocol, but nothing in place at the moment. CVC is working with Halton Region to create a plan, however it will likely will be heavily based on the TRCA document. • CVC staff confirmed that they do not conduct their own archeological assessments • RH inquired what environmental studies would be provided to the CVC for review. • MS stated that reports will be shared as available to solicit comments and clarify requirements. • JM added that survey results would be compiled in submission report.

Next Steps	<ul style="list-style-type: none">LM indicated that data request can be send directly to him. LM will send data sharing agreement.MS stated that the TRCA sends high water flow event notifications to Imperial, and inquired if CVC has similar processes.LM & RH stated that CVC has a notification process, and Imperial’s operations can easily be included.RH stated a CVC concern during construction is erosion and sediment control plans – specifically the area of disturbance and duration of disturbances.JM inquired as to the frequency of construction communications CVC would like to observe. Stated there will be an environmental point of contact for the construction kick-off.RH indicated that daily communication is not necessary, but would need an understanding of the project.LM stated that CVC can have concerns at times regarding leaving infrastructure in place because is may be exposed in the future and create a barrier, etc.RH added that decommissioning and removal of segments may need to occur. Geomorphology report may need to evaluate the 100-year plan. Stated that there needs to be a discussion on the planned approach for the removal of the pipeline. It doesn’t necessarily have to occur immediately, it could be deferred 20-30 years, but evaluation needs to occur.LM noted that monthly meetings occur between CVC and MNRF. Indicated it may be beneficial to have both parties together at the same discussion to ensure alignment on approach.
Summary of Actions	
<ul style="list-style-type: none">LM to provide Data Sharing agreement	LM
<ul style="list-style-type: none">ERM to submit data-sharing request form	MS
<ul style="list-style-type: none">Imperial to provide mapping of route centerline with delineation of trenchless vs. trenched segments, construction disturbance footprint and ROW access plans for construction	JM
<ul style="list-style-type: none">Send consultation with MNRF to CVC	MS
<ul style="list-style-type: none">LM to confirm with lands group at CVC re: land crossing agreements.	LM
<ul style="list-style-type: none">Include CVC in consultations with MNRF	MS

BY EMAIL ONLY

July 9, 2018

Matt Scoular
Project Manager
ERM
120 Adelaide Street West, Suite 2020
Toronto, ON
M5H 1T1

Re: Imperial's Sarnia Products Pipeline: Waterdown to Finch Project

In follow up to our meeting on June 11, 2018, Niagara Escarpment Commission (NEC) staff would like to provide you with a list of Niagara Escarpment Plan (NEP) policies that should be addressed in the Environmental Report as part of the Ontario Energy Board (OEB) Leave to Construct Application.

The NEP land use designations in the study area are Escarpment Rural Area, Escarpment Protection, Area and Escarpment Natural Area. Infrastructure (including an oil and gas pipeline) is a permitted use in these designations; however, any new or expanded infrastructure in Escarpment Natural Area must be deemed necessary to the public interest after all other alternatives have been considered (Part 2.12.5 of the NEP). The consideration of alternatives through the Environmental Report and OEB process can be used to demonstrate that this criterion has been achieved.

In addition to this key policy, the following NEP development criteria should also be addressed through the EA process:

NEP Policy		Comments
Part 2.2.1	General Development Criteria	The Escarpment environment should be protected, restored and where possible enhanced for the long term. Negative impacts on the Escarpment environment should be avoided, and opportunities for enhancement of the Escarpment environment should be explored through the Environmental Report.
Part 2.2.2	General Development Criteria	The site shall not be prone to natural hazards, and the development shall not impact the control of these natural hazards. NEC staff recognizes that the proposed pipeline is a replacement pipeline, and

<div> <div>EXHIBIT H</div> <div>Record of Consultation – Supporting Documents</div> </div> <div> <div>NEP Policy</div> </div>		<div> <div>Comments</div> </div> <div> <div>Tab 1, Schedule 4</div> <div>Page 25 of 128</div> </div>
		will likely need to cross lands that are prone to natural hazards. However, natural hazards including flooding and erosion should not be exacerbated by construction or the location of the pipeline.
Part 2.5	Development Affecting Steep Slopes and Ravines	Development should be compatible with the Escarpment environment and not result in unsafe conditions. An engineering report will be required to for areas where construction may impact steep slopes.
Part 2.6	Development Affecting Water Resources	Refer to policies 2.6.3 through 5, and 2.6.9 through 12. Essential infrastructure is an exception to the NEP prohibition on development in key hydrologic features. Any key hydrologic features that will be impacted directly or indirectly by the proposed roadworks should be inventoried and the potential impacts should be addressed in the Environmental Report, including how these impacts will be avoided or mitigated.
Part 2.7	Development Affecting Natural Heritage	Refer to policies 2.7.3 through 9, and 2.7.12. Essential infrastructure is an exception to the NEP prohibition on development in key natural heritage features. The objective is to protect and where possible enhance natural heritage features and functions.
Part 2.12	Infrastructure	Infrastructure should be designed and located so that the least possible impact occurs on the Escarpment environment. Refer to policies 2.12.1 through 6. Part 2.12.6 requires an agricultural impact assessment or equivalent analysis for infrastructure proposed in prime agricultural areas. Although this is a buried pipeline, efforts should be made during construction to ensure agricultural operations are not negatively impacted. Agricultural lands should be returned to an agricultural condition following construction. NEC staff expects that potential impacts on agriculture, including mitigation measures, will be addressed in the Environmental Report.
Part 2.13	Scenic Resources and Landform Conservation	The visual impact of the pipeline right of way should be minimized to the greatest extent possible by minimizing the amount of vegetation clearing and tree removal required. Native species should be used when replanting. Escarpment landforms should be maintained; cutting and filling should be minimized and must be clearly shown on construction drawings. Excess soil or other excavated material should not be disposed

EXHIBIT H Record of Consultation – Supporting Documents	NEP Policy	Comments
		of in the NEP Area unless a NEC Development Permit has been issued for the receiving site.

Prior to submitting the Environmental Report to the OEB, NEC staff expects that there will be an opportunity to review the Environmental Report, and that the above-noted policies will be addressed to the satisfaction of NEC staff. The Development Permit Application and Environmental Report can be reviewed concurrently. Once the OEB Leave to Construct is issued, the NEC may proceed with issuing Development Permit, subject to NEP policies being met. A finalized pipeline corridor and detailed construction drawings will be required prior to the issuance of an NEC Development Permit. Other agency approvals (e.g., Conservation Halton, municipalities, MNRF) cannot be issued until the NEC Development Permit has been approved.

Should you require additional clarification, please contact Kim Peters at kim.peters@ontario.ca or 905-877-6425.

Sincerely,



Kim Peters, MCIP, RPP
Senior Strategic Advisor

- c. Jessie Malone, Imperial
- Leah Chishimba, Conservation Halton

EXHIBIT H

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RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Murray, Liam [Liam.Murray@cvc.ca]

Sent: Wednesday, July 18, 2018 2:46 PM**To:** Matthew Scoular [Matthew.Scoular@erm.com]**Cc:** Malone, Jessie M [jessie.m.malone@esso.ca]; Watson, James [james.watson@hii-upi.com]; Majdalani, Elias [elias.majdalani@exxonmobil.com]; Imperial Isometrix**Categories:** Green Category

Matthew – as we discussed since there is no grading or fill placement or expected vegetation removal associated with the boreholes no permit is required from CVC.

When available please submit the PDF maps for our records.

If you have any additional questions do not hesitate to contact me.

Liam

Liam Murray

Senior Manager, Planning Ecology| Credit Valley Conservation

905.670.1615  ext 239 | C: 416.896.1064 | 1.800.668.5557 liam.murray@cvc.ca | cvc.ca

From: Matthew Scoular [mailto:Matthew.Scoular@erm.com]**Sent:** July 18, 2018 2:27 PM**To:** Murray, Liam**Cc:** Malone, Jessie M; Watson, James; Majdalani, Elias; Imperial-isometrix@national.ca**Subject:** Re: Imperial Waterdown to Finch Project - Geotechnical Investigation

Hi Liam,

As discussed on the phone today, we are close to being able to send PDF maps of the proposed borehole locations.

We can also confirm that clearing and grading is not planned for the Geotechnical investigation.

Matt

Get [Outlook for iOS](#)

From: Murray, Liam <liam.murray@cvc.ca>**Sent:** Wednesday, July 18, 2018 1:54 PM**To:** Matthew Scoular**Cc:** Malone, Jessie M**Subject:** RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Mathew

Can you please provide the borehole locations in a pdf format.

CVC does not typically issue a permit for boreholes unless there is grading require to install the boreholes or vegetation removal.

If you have any additional questions, do not hesitate to contact me.

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

From: Matthew Scoular [mailto:Matthew.Scoular@erm.com]

Sent: July 17, 2018 2:55 PM

To: Imperial-isometrix@national.ca

Cc: Malone, Jessie M (jessie.m.malone@esso.ca); Mark Welsh; Curtis Campbell; Watson, James (James.Watson@hii-upi.com)

Subject: Imperial Waterdown to Finch Project - Geotechnical Investigation

Importance: High

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 | 20th Floor | Suite 2020
Toronto, ON | Canada | M5H 1T1

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E matthew.scoular@erm.com | W www.erm.com



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FW: Imperial Waterdown to Finch Project - Geotechnical Investigation

Matthew Scoular [Matthew.Scoular@erm.com]

Sent: Wednesday, July 25, 2018 10:26 AM**To:** Imperial Isometrix**Categories:** Green Category

Best,

Matt Scoular

ERM**M** +1 416 567 7126 

From: Kenny, Darren <Darren.Kenny@conservationhamilton.ca>**Sent:** Friday, July 20, 2018 10:18 AM**To:** Matthew Scoular <Matthew.Scoular@erm.com>**Subject:** RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Matthew,

There are two borehole locations and one short access road connecting them that are within our watershed. As only the easterly borehole is within our regulated area and the access is along the cleared portion of the pipeline ROW (no additional disturbance should be required), we will not require that Imperial obtain written approval from our office for the completion of the one borehole.

I will provide further regulated area information, mapping and HCA requirements for the larger pipeline replacement project to you next week.



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. 131Fax - 905-648-4622 darren.kenny@conservationhamilton.caWebsite - www.conservationhamilton.ca

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Thank you.

From: Matthew Scoular [<mailto:Matthew.Scoular@erm.com>]
Sent: Tuesday, July 17, 2018 2:55 PM
To: 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>
Subject: Imperial Waterdown to Finch Project - Geotechnical Investigation
Importance: High

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


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RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Dunlop, John (MTCS) [John.Dunlop@ontario.ca]

Sent: Wednesday, August 01, 2018 10:31 AM**To:** Matthew Scoular [Matthew.Scoular@erm.com]; Imperial Isometrix**Cc:** Malone, Jessie M (jessie.m.malone@esso.ca); Mark Welsh [Mark.Welsh@erm.com]; Curtis Campbell [Curtis.Campbell@erm.com]; Watson, James (James.Watson@hii-upi.com); Imperial Isometrix

Good Morning Matt,

Thank you for your email. I've reviewed the attached document as well as the mapping for the geotechnical boreholes. MTCS has no comment at this time.

Thank you,

Regards,

John

John Dunlop

Archaeology Review Officer

Archaeology Programs Unit

Programs and Services Branch | Ministry of Tourism, Culture and Sport

Archaeology@ontario.caTel: 416-212-8442 www.ontario.ca/archaeology


From: Matthew Scoular [mailto:Matthew.Scoular@erm.com]**Sent:** July 31, 2018 2:05 PM**To:** 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>; Imperial-isometrix@national.ca**Subject:** RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

All,

As promised, our Environmental Protection Plan for the Geotechnical investigation is also attached for your records.

Best,

Matt Scoular

ERM**M** +1 416 567 7126 

From: Matthew Scoular**Sent:** Tuesday, July 17, 2018 2:55 PM**To:** 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) <Curtis.Campbell@erm.com>; Watson, James (James.Watson@hii-upi.com) <James.Watson@hii-upi.com>

EXHIBIT H
Record of Consultation - Supporting Documents

Filed: 2019-02-22
EB-2019-0007
Tab 1, Schedule 4
Page 34 of 128

Subject: Imperial Waterdown to Finch Project - Geotechnical Investigation

Importance: High

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 | 20th Floor | 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



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EXHIBIT H
Record of Consultation - Supporting Documents

Filed: 2019-02-22
EB-2019-0007
Tab 1, Schedule 4
Page 35 of 128

RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

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

Sent: Wednesday, August 01, 2018 4:19 PM

To: Annette Lister [alister@trca.on.ca]

Cc: Matthew Scoular [Matthew.Scoular@erm.com]

Thanks Annette. Just acknowledging receipt of your comments – we will look to provide answers shortly.

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](#)

From: Annette Lister [mailto:alister@trca.on.ca]

Sent: Wednesday, August 1, 2018 12:58 PM

To: Matthew Scoular <Matthew.Scoular@erm.com>

Cc: Malone, Jessie M <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,

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

ERM

120 Adelaide Street West | 20th Floor | 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



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

Figure 1 Waterdown to Finch Project - Study Area

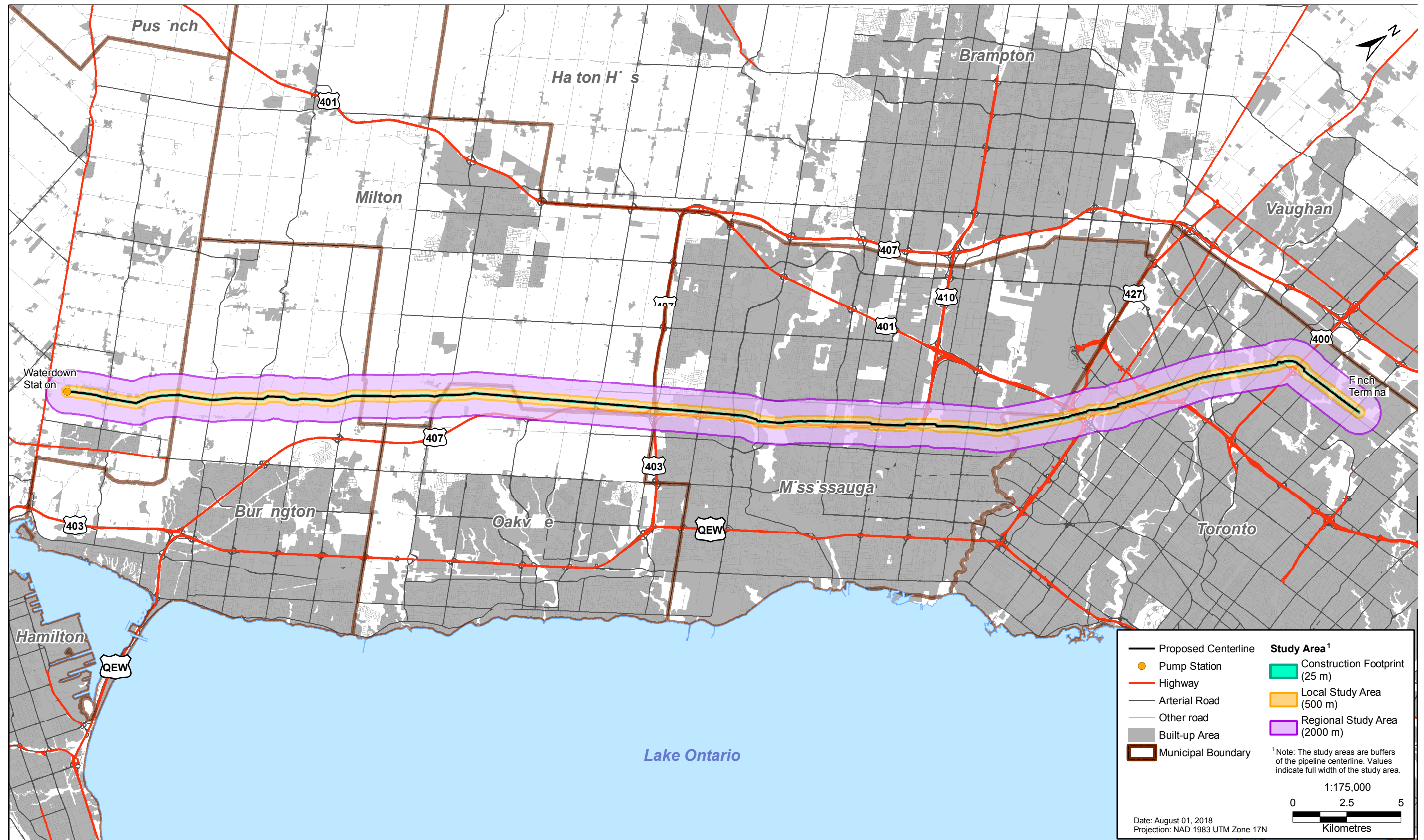


EXHIBIT H

Record of Consultation - Supporting Documents

Filed: 2019-02-22

EB-2019-0007

Tab 1, Schedule 4

Page 38 of 128

RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Heather Dearlove [hdearlove@hrca.on.ca]

Sent: Thursday, August 02, 2018 3:00 PM**To:** Matthew Scoular [Matthew.Scoular@erm.com]; Imperial Isometrix**Cc:** Malone, Jessie M (jessie.m.malone@esso.ca); Mark Welsh [Mark.Welsh@erm.com]; Curtis Campbell [Curtis.Campbell@erm.com]; Watson, James (James.Watson@hii-upi.com)

Good Afternoon Matt,

Conservation Halton has reviewed the proposed Geotechnical Investigation and borehole location and has no concerns.

As mentioned previously, I will be the main contact for Conservation Halton as the study progresses. Please keep me up to date on the study.

Sincerely,

Heather Dearlove, BSc.

Environmental Planner

Conservation Halton

2596 Britannia Road West, Burlington, ON L7P 0G3

905.336.1158 ext. 2231 | Fax 905.336.6684 | hdearlove@hrca.on.caconservationhalton.ca

From: Matthew Scoular [mailto:Matthew.Scoular@erm.com]**Sent:** July 31, 2018 8:35 AM**To:** Imperial-isometrix@national.ca**Cc:** Malone, Jessie M (jessie.m.malone@esso.ca); Mark Welsh; Curtis Campbell; Watson, James (James.Watson@hii-upi.com)**Subject:** RE: Imperial Waterdown to Finch Project - Geotechnical Investigation**Importance:** High

Hi all,

Please see below for mapping of the borehole locations.

Username = Waterdown

Password = 112597Hd

<https://onyx.erm.com>

With this you can upload/download one file at a time

Or, in the upper right click "Enable Web Client Pro" and you should be able to upload/download multiple files at a time

Best,

Matt Scoular

ERM**M** +1 416 567 7126

From: Matthew Scoular
Sent: Tuesday, July 17, 2018 2:55 PM
To: 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) <Curtis.Campbell@erm.com>; Watson, James (James.Watson@hii-upi.com) <James.Watson@hii-upi.com>
Subject: Imperial Waterdown to Finch Project - Geotechnical Investigation
Importance: High

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


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FW: NEC Exemption Letter for Imperial Waterdown to Finch Project

Matthew Scoular [Matthew.Scoular@erm.com]

Sent: Thursday, August 30, 2018 5:01 PM**To:** Amanda Juric [Amanda.Juric@erm.com]; Imperial Isometrix**Attachments:** 19-176 Malone Exemption.pdf (810 KB)

Best,

Matt Scoular

ERM**M** +1 416 567 7126 

From: Ilkiw, Matthew (MNRF) <Matthew.Ilkiw@ontario.ca>**Sent:** Tuesday, August 07, 2018 12:25 PM**To:** Matthew Scoular <Matthew.Scoular@erm.com>**Cc:** jessie.m.malone@esso.ca; Peters, Kim (MNRF) <Kim.Peters@ontario.ca>**Subject:** NEC Exemption Letter for Imperial Waterdown to Finch Project

Dear Mr. Scoular,

Please find the enclosed exemption letter from the NEC for the geotechnical investigation involving up to 9 boreholes and associated access routes within the NEP area.

Please note your file, H/X/2018-2019/176 will now be closed.

Kind regards,

Matthew Ilkiw

Land Use Planner


**Niagara Escarpment Commission**

An agency of the Government of Ontario

232 Guelph Street | Georgetown, ON | L7G 4B1

Tel: 905-877-5341  ex.13**Website:** www.escarpment.org

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Niagara Escarpment Commission

Commission de l'escarpement du Niagara

232 Guelph St.
Georgetown, ON L7G 4B1
Tel: 905-877-5191
Fax: 905-873-7452
www.escarpment.org

232, rue Guelph
Georgetown ON L7G 4B1
No de tel. 905-877-5191
Télécopieur 905-873-7452
www.escarpment.org



Niagara Escarpment Commission
An agency of the Government of Ontario

August 7, 2018

Jessie Malone
505 Quarry Park Blvd SE
Calgary, Alberta T2C 5N1

Dear Jessie Malone:

**Re: Niagara Escarpment Commission Exemption Letter for file: H/X/2018-2019/176
Borehole Locations 1-9
City of Hamilton (Flamborough, Waterdown) - Region of Halton (Burlington)**

The Niagara Escarpment Commission has reviewed the application for the drilling of boreholes for geotechnical investigations related to the Waterdown to Finch pipeline project.

Paragraph 24 of Section 5 of R.R.O. 1990, Regulation 828 as amended exempts the excavation of land, including the boring of holes, provided: this class of development is listed as permitted use in the Niagara Escarpment Plan, and is not in conflict with a Development Permit issued under the *Niagara Escarpment Planning and Development Act* (the NEPDA), and all the following conditions are met:

The excavation of land including the boring of holes, for one of the following temporary purposes:

- i. Testing for aggregate in the Escarpment Rural Area of the Niagara Escarpment Plan.
- ii. Soil testing.
- iii. Test drilling for the supply of water.
- iv. Archeological exploration, survey of field work carried out in accordance with the Ontario Heritage Act or a federal statute.
- v. Surveys or field work undertaken for the purpose of environmental monitoring, research or inventory.

Based on the information that you have provided in the application, it appears that your proposal falls within the above-noted exemption criteria. Provided all requirements Paragraph 24 of Section 5 of the Regulation are met, a Development Permit is not required from the Niagara Escarpment Commission for the boring of holes.

Niagara Escarpment Commission

232 Guelph St.
Georgetown, ON L7G 4B1
Tel: 905-877-5191
Fax: 905-873-7452
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Niagara Escarpment Commission
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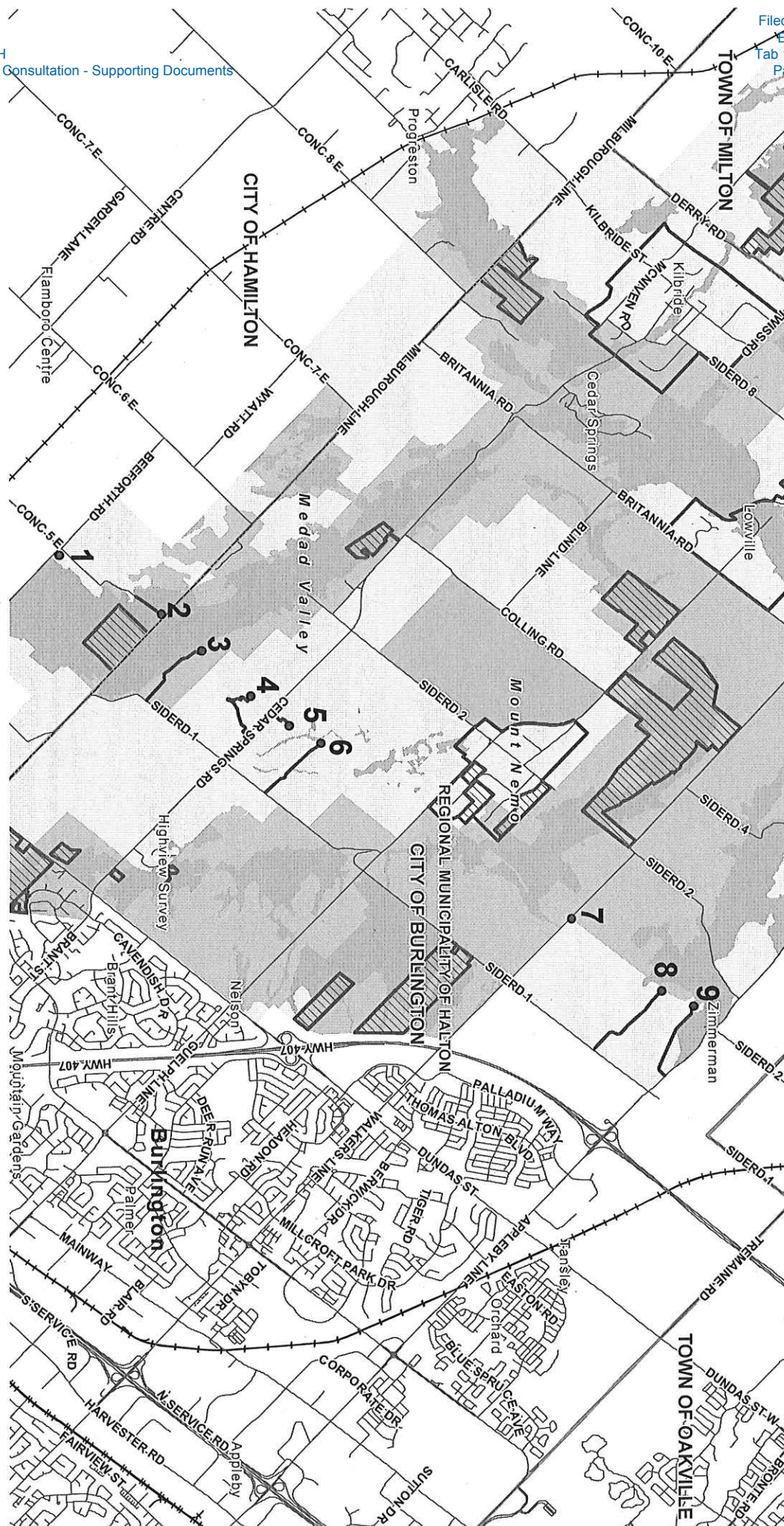
This Exemption from requiring a Development Permit under the NEPDA does not limit the need for or the requirements of any other approval, license or certificate under any statute (e.g., Ontario Building Code, *Conservation Authorities Act*, *Endangered Species Act*)

If you have any questions, please contact me at (905) 877-5341 ex.13 or at matthew.ilkiw@ontario.ca

Yours truly,

A handwritten signature in black ink, appearing to read "M. Ilkiw".

Matthew Ilkiw
Planner



This proposal is exempt from requiring a
Niagara Escarpment Development Permit
pursuant to Section 5.24
of
Ontario Regulation 828/90, as amended.

Signed M. Blund Date 08/07/18
Niagara Escarpment Commission

Midstate Environmental Consulting
Signed _____ Date _____
Curtis J. Hargrave, P.Eng. as authorized
by the Director of
Midstate Environmental Consulting
This document is subject to the provisions of the
Access to Information Act.

Niagara Escarpment Commission

Commission de l'escarpement du Niagara

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Georgetown, ON L7G 4B1
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Niagara Escarpment Commission
An agency of the Government of Ontario

August 7, 2018

Jessie Malone
505 Quarry Park Blvd SE
Calgary, Alberta T2C 5N1

Dear Jessie Malone:

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City of Hamilton (Flamborough, Waterdown) - Region of Halton (Burlington)**

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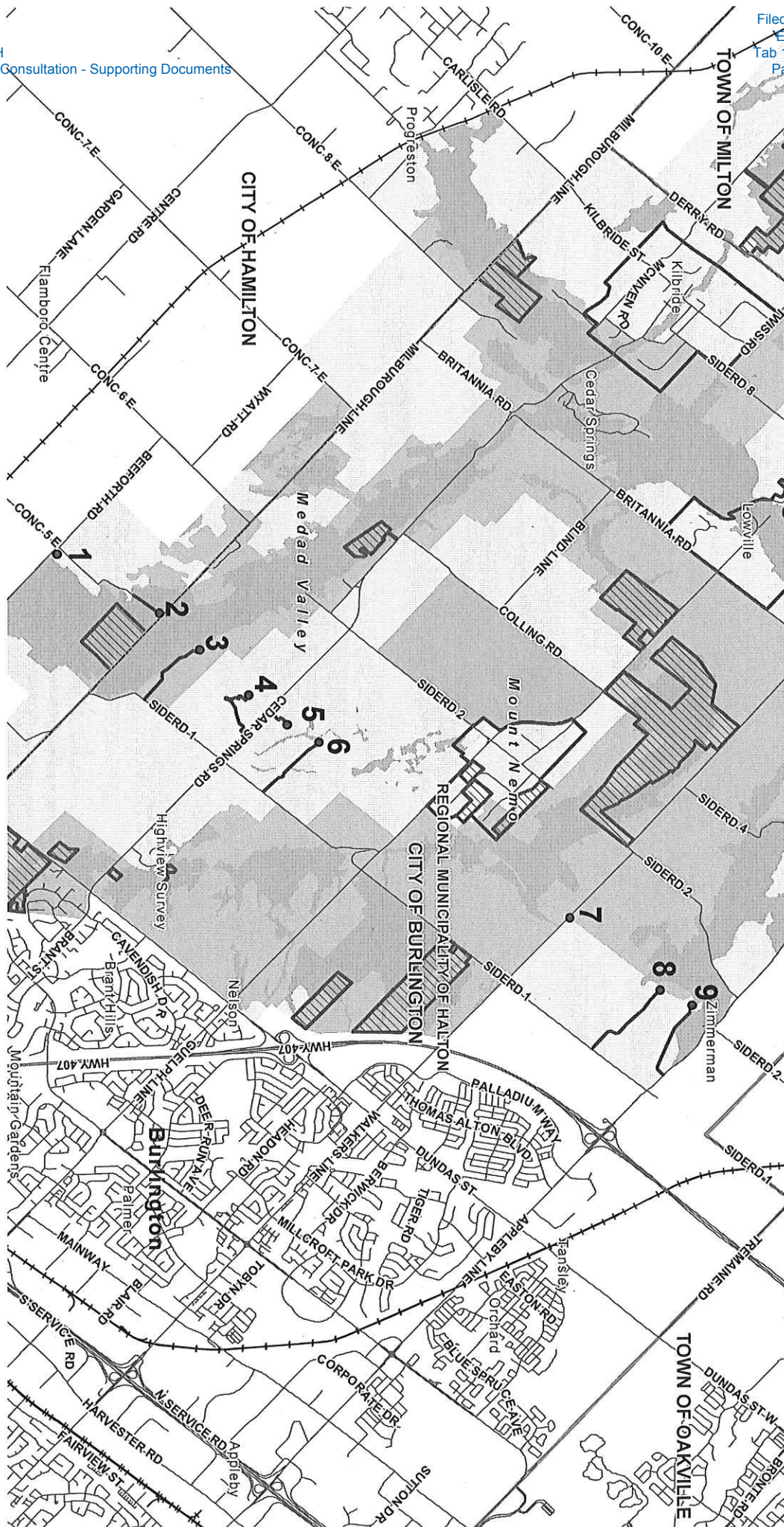
This Exemption from requiring a Development Permit under the NEPDA does not limit the need for or the requirements of any other approval, license or certificate under any statute (e.g., Ontario Building Code, *Conservation Authorities Act*, *Endangered Species Act*)

If you have any questions, please contact me at (905) 877-5341 ex.13 or at matthew.ilkiw@ontario.ca

Yours truly,

A handwritten signature in black ink, appearing to read "M. Ilkiw".

Matthew Ilkiw
Planner



This proposal is exempt from requiring a
Niagara Escarpment Development Permit
pursuant to Section 5.24
of
Ontario Regulation 828/90, as amended.

Signed M. Blund Date 08/07/18
Niagara Escarpment Commission

Midvale Escrow/Trust Company
Signed _____ Date _____
Custodian of the Escrow
Midvale Escrow/Trust Company
The undersigned is a duly qualified person

RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Kowalyk, Bohdan (MNRF) [bohdan.kowalyk@ontario.ca]

Sent: Thursday, August 09, 2018 1:11 PM**To:** Matthew Scoular [Matthew.Scoular@erm.com]**Cc:** Malone, Jessie M (jessie.m.malone@esso.ca); Mark Welsh [Mark.Welsh@erm.com]; Curtis Campbell [Curtis.Campbell@erm.com]; Watson, James (James.Watson@hii-upi.com); Imperial Isometrix; McKenna, Tara (MNRF) [Tara.McKenna@ontario.ca]; Laurence, Anne Marie (MNRF) [annemarie.laurence@ontario.ca]

Hello,

Recognizing that no vegetation clearing or grading is required and assuming the boreholes are outside of the previously indicated Jefferson Salamander habitat, MNRF Aurora District has no concerns with the proposed boreholes.

Regards,

Bohdan Kowalyk, R.P.F.

District Planner, Aurora District, Ontario Ministry of Natural Resources and Forestry

50 Bloomington Road, Aurora, Ontario L4G 0L8

Phone: 905-713-7387 ; Email: Bohdan.Kowalyk@Ontario.ca

From: Matthew Scoular [mailto:Matthew.Scoular@erm.com]**Sent:** August-07-18 1:30 PM**To:** Kowalyk, Bohdan (MNRF)**Cc:** Malone, Jessie M (jessie.m.malone@esso.ca); Mark Welsh; Curtis Campbell; Watson, James (James.Watson@hii-upi.com); Imperial-isometrix@national.ca; McKenna, Tara (MNRF); Laurence, Anne Marie (MNRF)**Subject:** RE: Imperial Waterdown to Finch Project - Geotechnical Investigation**Importance:** High

Hi Bohdan,

When we spoke last week you mentioned you were having your management biologist review our proposed borehole locations. Please let me know if they require any additional information. Can you please provide an expected turnaround on this review?


As discussed previously, no vegetation clearing or grading is required for the investigation and no new permanent or temporary access roads area needed.

MNRF Guelph has reviewed the boreholes within their jurisdiction and did not have any comments or concerns except one within JESA regulated habitat (borehole #9). We have delayed borehole #9 until we are able to discuss with Anne-Marie and confirm if it is within 300m of a breeding wetland.

Thank-you,

Best,

Matt Scoular

ERM**M** +1 416 567 7126 


From: Matthew Scoular**Sent:** Tuesday, July 31, 2018 2:05 PM**To:** 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) <Curtis.Campbell@erm.com>; Watson, James (James.Watson@hii-upi.com) <James.Watson@hii-upi.com>; Imperial-isometrix@national.ca**Subject:** RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

All,

As promised, our Environmental Protection Plan for the Geotechnical investigation is also attached for your records.

Best,

Matt Scoular

ERM**M** +1 416 567 7126 

From: Matthew Scoular**Sent:** Tuesday, July 17, 2018 2:55 PM**To:** 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) <Curtis.Campbell@erm.com>; Watson, James (James.Watson@hii-upi.com) <James.Watson@hii-upi.com>**Subject:** Imperial Waterdown to Finch Project - Geotechnical Investigation**Importance:** High

Hi all,

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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 | 20th Floor | 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

EXHIBIT H
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Filed: 2019-02-22
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EXHIBIT H

Record of Consultation - Supporting Documents

Filed: 2019-02-22

EB-2019-0007

Tab 1, Schedule 4

Page 52 of 128

RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Laurence, Anne Marie (MNRF) [annemarie.laurence@ontario.ca]

Sent: Tuesday, August 14, 2018 9:56 AM**To:** Matthew Scoular [Matthew.Scoular@erm.com]; McKenna, Tara (MNRF) [Tara.McKenna@ontario.ca]**Cc:** Currie, April (MNRF) [April.Currie@ontario.ca]; Malone, Jessie M (jessie.m.malone@esso.ca); Curtis Campbell [Curtis.Campbell@erm.com]; Imperial Isometrix; Mark Welsh [Mark.Welsh@erm.com]

Matt

It appears that you intend to implement all of our recommendations in order to address our concerns, so there is no need to discuss at this end.

Thanks

Anne Marie

Anne Marie Laurence

Management Biologist

Ministry of Natural Resources & Forestry

Guelph District

(519) 826-4132

From: Matthew Scoular [mailto:Matthew.Scoular@erm.com]**Sent:** August-13-18 4:26 PM**To:** Laurence, Anne Marie (MNRF); McKenna, Tara (MNRF)**Cc:** Currie, April (MNRF); Malone, Jessie M (jessie.m.malone@esso.ca); Curtis Campbell; Imperial-isometrix@national.ca; Mark Welsh**Subject:** RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Hi Anne-Marie,

Thank you for your comments. Please see Imperial's responses below in red.

Let me know if you need to discuss.

Best,

Matt Scoular

ERM**M** +1 416 567 7126

From: Laurence, Anne Marie (MNRF) <annemarie.laurence@ontario.ca>**Sent:** Tuesday, August 07, 2018 5:30 PM**To:** Matthew Scoular <Matthew.Scoular@erm.com>; McKenna, Tara (MNRF) <Tara.McKenna@ontario.ca>**Cc:** Currie, April (MNRF) <April.Currie@ontario.ca>**Subject:** RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Hi Matt

Thanks for providing a shapefile of the borehole locations. I've looked at the area within Guelph District.

Our main concern with work conducted during the active period for Jefferson Salamander and the Unisexual Ambystoma (Jefferson-dominated population) within 300m of a breeding pond is that this area is critical in particular for the juveniles which are known to remain in this area throughout the season. In your study area, the potential breeding ponds (shown in green) have not been sampled so we can't rule them out as not having the species present (they are considered recovery habitat), but as you noted those ponds won't be the focus of your work since they are already within regulated habitat and protected.

Here are some specific observations and comments for the portion of the project area within Guelph District:

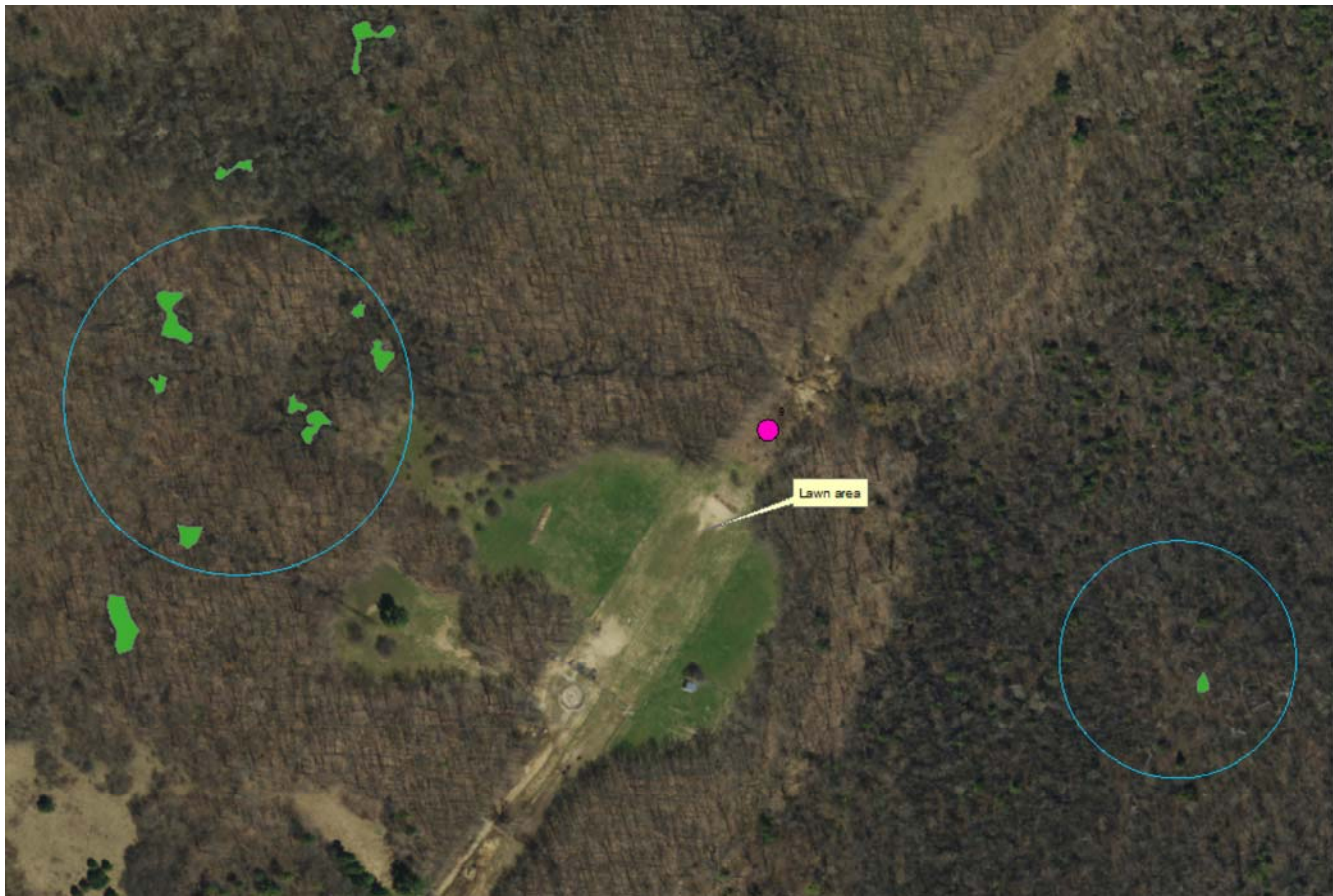
Boreholes 6,7,8, & Road Borehole-2: There are several potential (unsampled) breeding ponds within 300m; however, given the site-specific habitat characteristics of these borehole locations (i.e., near roads, in lawn areas, and/or not connected to natural areas), it is MNRF's opinion that there would be low risk to the species if working in these areas if workers are aware of the potential for the species to be present in the area during the active season (April-Nov) and a qualified individual familiar with identification of the species is on site to oversee the work.

Workers will be oriented on the potential for JESA to be present in the area and a qualified individual familiar with identification of JESA will be on site to oversee the work.

Borehole 9: There are 8 potential breeding ponds within 300m of this borehole location (circled on the map below). These ponds have not been sampled to confirm presence/absence of the species; however, there is a confirmed breeding pond within 600m of borehole 9, and the habitat in this area is fairly contiguous. In order to minimize the risk for potential impacts to the species, MNRF recommends the following two options for your consideration:

1. Avoid borehole work at this location during the active season for the species (April-Nov); or
2. Shift the location to the southeast (approx. 40m or greater) to the open lawn area. In MNRF's opinion, this would be a lower risk location. If it is a possibility to shift the location of Borehole 9, we recommend the same approach as indicated above (i.e., awareness training for workings & a qualified individual on site) if working during the active season for the species. We note that the adjacent boreholes in the vicinity do not appear to be equidistant, so perhaps there is an opportunity here for a modification in location.

Borehole 9 was moved to the open lawn area. Awareness training for workers & a qualified individual will be on site.



I hope this information is helpful. Let me know if you have any questions or concerns.

Anne Marie

Anne Marie Laurence
Management Biologist
Ministry of Natural Resources & Forestry
Guelph District
(519) 826-4132

From: Matthew Scoular [<mailto:Matthew.Scoular@erm.com>]
Sent: August-07-18 9:43 AM
To: McKenna, Tara (MNRF); Laurence, Anne Marie (MNRF)
Subject: RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Hi Tara,

Yes, that works. Thanks,

Best,

Matt Scoular

ERM
M +1 416 567 7126

From: McKenna, Tara (MNRF) <Tara.McKenna@ontario.ca>
Sent: Thursday, August 02, 2018 2:32 PM
To: Matthew Scoular <Matthew.Scoular@erm.com>
Cc: Laurence, Anne Marie (MNRF) <annemarie.laurence@ontario.ca>
Subject: RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

Hi Matt,

Anne Marie can respond to your inquiry below upon her return next week, as she has been working on this file.

Does this approach work for you?

EXHIBIT H
Record of Consultation - Supporting Documents

Filed: 2019-02-22
EB-2019-0007
Tab 1, Schedule 4
Page 54 of 128

Thanks,
Tara

From: Matthew Scoular [<mailto:Matthew.Scoular@erm.com>]
Sent: August-02-18 2:20 PM
To: McKenna, Tara (MNRF)
Cc: Laurence, Anne Marie (MNRF); Buck, Graham (MNRF); Currie, April (MNRF); Sean Male; Malone, Jessie M (jessie.m.malone@esso.ca); Curtis Campbell; Shannon Catton; Mark Welsh
Subject: RE: Imperial Waterdown to Finch Project - Geotechnical Investigation


Hi Tara,

Can you please confirm what you mean by "vernal pond" below? Our JESA-specific field surveys this year have focused on potential JESA habitat and not vernal pools within regulated habitat, therefore we do not have the location of breeding wetlands (vernal pools) within the regulated habitat and their proximity to proposed Borehole 9. If MNRF can provide spatial data for vernal pools within regulated habitat, we can plot it against our proposed borehole locations to confirm if we are within 300m of a breeding wetland.

Thank you and please let me know if you need to discuss over the phone.

Best,

Matt Scoular

ERM
M +1 416 567 7126 

From: McKenna, Tara (MNRF) <Tara.McKenna@ontario.ca>
Sent: Thursday, August 02, 2018 11:15 AM
To: Matthew Scoular <Matthew.Scoular@erm.com>
Cc: Laurence, Anne Marie (MNRF) <annemarie.laurence@ontario.ca>; Buck, Graham (MNRF) <Graham.Buck@ontario.ca>; Currie, April (MNRF) <April.Currie@ontario.ca>
Subject: RE: Imperial Waterdown to Finch Project - Geotechnical Investigation



Hi Matt,

In following up with your inquiry, MNRF staff has reviewed the bore hold locations and has the following comment for locations in Guelph District:

- No drilling within 300m of a Jefferson salamander pond, otherwise okay

Kind regards,
Tara

Tara McKenna, M.Pl.
District Planner

Ministry of Natural Resources and Forestry, Guelph District
1 Stone Road West
Guelph ON, N1G 4Y2
(P) 519-826-4912 
(F) 519-826-4929 
email: tara.mckenna@ontario.ca


From: Matthew Scoular [<mailto:Matthew.Scoular@erm.com>]
Sent: July-31-18 2:05 PM
To: Imperial-isometrix@national.ca
Cc: Malone, Jessie M (jessie.m.malone@esso.ca); Mark Welsh; Curtis Campbell; Watson, James (James.Watson@hii-upi.com); Imperial-isometrix@national.ca
Subject: RE: Imperial Waterdown to Finch Project - Geotechnical Investigation

All,

As promised, our Environmental Protection Plan for the Geotechnical investigation is also attached for your records.

Best,

Matt Scoular

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M +1 416 567 7126 

From: Matthew Scoular
Sent: Tuesday, July 17, 2018 2:55 PM
To: 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) <Curtis.Campbell@erm.com>; Watson, James (James.Watson@hii-upi.com) <James.Watson@hii-upi.com>
Subject: Imperial Waterdown to Finch Project - Geotechnical Investigation
Importance: High

Hi all,

EXHIBIT H

Record of Consultation - Supporting Documents

Filed: 2019-02-22

EB-2019-0007

Tab 1, Schedule 4

Page 55 of 128

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

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