

National Energy  
Board



Office national  
de l'énergie

File OF-Fac-Oil-E101-2015-09-02  
29 August 2016

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Dear Mr. Oswell and Mr. Purvis:

**OH-001-2016 Enbridge Pipelines Inc. (Enbridge)  
Line 10 Westover Segment Replacement (Project)  
National Energy Board (NEB) Information Request No. 4**

In examining evidence submitted in the above-referenced proceeding, the NEB has found that additional information is required, as set out in the attached Information Request (IR).

Enbridge's response to this IR will be considered part of the evidentiary record. Enbridge is directed to file its response to NEB IR No. 4 by **noon on 14 September 2016** except the response to NEB IR No. 4.12(c) must be filed on 7 October 2016.

Yours truly,

*Original signed by L. George for*

Sheri Young,  
Secretary of the Board

Attachment

cc. All parties to OH-001-2016

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**Enbridge Pipelines Inc.**  
**Application for Enbridge Line 10 Westover Segment Replacement (Application)**

**File Number OF-Fac-Oil-E101-2015-09-02**  
**Hearing Order OH-001-2016**  
**Filed 4 December 2015**

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**Enbridge Pipelines Inc. (Enbridge)**  
**Application for Enbridge Line 10 Westover Segment Replacement (Project)**

**File Number OF-Fac-Oil-E101-2015-09-02**  
**Hearing Order OH-001-2016**  
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**Information Request No. 4**

**Decommissioning Matters**

**4.1 Clarifying Decommissioning Costs**

**Reference:** [A74506-6](#) Enbridge, Application, Section 3.3, Financing, PDF page 1 of 3

**Preamble:** In the Reference, on lines 29 and 30, Enbridge stated that “funding is available to finance the proposed decommissioning Project scope.”

**Request:**

- a) Discuss the funding mentioned in the Reference including instruments and sources;
- b) Discuss whether Enbridge anticipates accessing its Abandonment Trust for any of these decommissioning costs; and
- c) Should the Board direct removal of some of the pipeline as opposed to decommissioning in place, discuss how this new scope of work would be funded. Please also identify the associated funding sources.

**Engineering Matters**

**4.2 Pipeline Specifications – Pressure Profile Clarification**

**Reference:**

- i) [A77227-10](#) Enbridge, Attachment 1 to Enbridge Response to NEB IR No. 2.8.a, PDF page 1 of 1
- ii) [A77227-2](#) Enbridge, Enbridge Response to NEB IR No. 2.8, PDF page 20 of 71
- iii) [A78683-4](#) Enbridge, Attachment 1 to Enbridge Response to NEB IR No. 3.2.a, PDF page 5 of 5
- iv) CSA Z662-15 – Oil and Gas Pipeline Systems (CSA), Section 4.3.5 Pressure design for steel pipe — General, Page 92

**Preamble:** In Reference i), in response to an initial request for clarification regarding the new pipeline's pressure profile, Enbridge provided the graph of the maximum operating pressures (MOPs) per kilometer post, showing a steady MOP of at least 10800 kPa (1566 psi) along the line.

In Reference ii) Enbridge submitted the following updated new line pipe specifications: outside diameter = 508 mm, minimum wall thickness = 7.14 mm and Grade = 483.

In Reference iii), Enbridge stated that an MOP of 1440 psig was used in the transient analysis to be conservative for the new pipeline segment.

Reference iv) presents required design pressures of steel pipe for given design wall thicknesses.

The Board acknowledges Enbridge's statement in Reference ii) that if detailed engineering demonstrates that any changes are required to the pipe specifications as applied for, Enbridge will advise the NEB and make any necessary amendments to the application. However, the Board is of the view that the information in References i) and iii) that has been provided by Enbridge regarding the MOP of the new pipeline appears to be inconsistent.

**Request:** Provide the following information:

- a) The main site specific MOPs (i.e. maximum and minimum due to elevation/topography, at Westover station, Nanticoke Junction, etc.) and corresponding kilometer posts along the new pipeline.
- b) Specify for each site the pipe wall thickness and the maximum operating stress (i.e. ratio of MOP/ Pressure corresponding to the Specified Minimum Yield Strength).

#### **4.3 Remote Sectionalizing Valves**

- Reference:**
- i) [A77227-14](#) Enbridge, Attachment 2 to Enbridge Response to NEB IR No. 2.10.a – Intelligent Valve Placement (IVP) Analysis
  - ii) [A77227-15](#) Enbridge, Attachment 1 to Enbridge Response to NEB IR No. 2.10.c, Nanticoke Water Crossings, PDF page 1 of 1
  - iii) [A77227-2](#) Enbridge, Enbridge response to NEB IR 2.10, PDF page 24 of 71
  - iv) CSA Z662-15 – Oil and Gas Pipeline Systems (CSA), Section 4.4 Valve location and spacing, Page 106

- v) [A74508-10](#) Enbridge, Application, Appendix 6.1 Fisheries and Oceans Canada Self-Assessment Report for the Proposed Line 10 Westover Segment Pipeline Replacement Project, Table A-1 Watercourse Crossing Details, PDF page 24 of 68

**Preamble:** In Reference i), Enbridge provided the results of its IVP analysis for the Project. Enbridge stated that step 2 of the IVP process consists of placing valves on both sides of major water crossings (MWC). Enbridge further stated, in PDF page 6 of 15, that water crossing widths have been estimated using satellite imagery. If it is determined through field verification that any water crossing measures more than 100 ft from high water mark to high water mark then the project shall contact Liquid Pipeline Operations Engineering (LP Ops Eng) to determine additional valve requirements.

In Reference ii), Enbridge provided a table listing water crossings, kilometer posts and related volume out reductions resulting from the Remote Sectionalizing Valves (RSVs) placement.

In Reference iii), Enbridge submitted that its IVP methodology considers and protects all water crossings as well as other high-consequence areas (HCAs) reducing the maximum potential release volume to as low as reasonably practicable, mitigating the potential impacts to people and the environment. Enbridge asserted that, in doing so, it is reducing the risks of a release along the entire pipeline going above and beyond Canadian regulatory requirements of CSA Z662. However, Enbridge did not provide detailed rationales for specific locations, including where potential residual releases appear to remain high in proximity of multiple HCAs. In addition, Enbridge did not describe if the proposed IVP program would provide any improvement from the current valve placement along the pipeline.

In Reference v), Enbridge submitted a detailed list of watercourse crossings along the Project.

**Request:** Provide the following:

- a) Clarification of Enbridge's criteria to select MWCs, in order to meet the requirement of Clause 4.4.9 of Reference iv) including its notes 1 and 2. The criteria should include factors such as channel-specific seasonal hydrographs, flood frequency, storm flood volumes and flow analyses;

- b) A discussion regarding the effectiveness/efficiency of the valve placement along the pipeline segment, before and after the Project implementation. Specify:
  - b.1) If there are areas along the line where the total volume out would increase as the result of the Project. If so, provide related volume out values and locations for these areas;
  - b.2) The type (RSV, manually operated, check valves, etc.) and location (kilometer post) of every valve along the existing pipeline, in the current operating condition.
- c) An explanation of why Enbridge believes that additional valves are not necessary along the pipeline, particularly immediately downstream and/or upstream of the following water crossings listed in Reference iii), taking into account factors including, but not limited to, associated potential volume out reductions and impacts of oil release on surrounding HCAs:
  - c.1) The two Unnamed Creeks respectively at stationing 2,676 m and 3,017 m; and
  - c.2) The three Trib to Big Creeks from stationing 11,875 m to 12,308 m.
- d) The updated list and location of MWCs along the pipeline (if any);
- e) The list and location of additional RSVs along the pipeline (if any), resulting from the information required above.
- f) Confirmation of whether Enbridge assessed the consistency between the information (i.e. water crossing names, dimensions, locations, etc.) presented in both References ii) and v). Explain the difference in their number of water crossings;
- g) Enbridge's estimates of all water crossing widths based on the satellite imagery work, as describe in PDF page 6 of 15 of Reference i);
- h) Description of which water crossings were subsequently identified for field verification; and
- i) Results of Enbridge's field verification work, including measurements of water crossing widths, used in the Project's IVP process.

#### 4.4 Project Flow Capacity

- Reference:**
- i) [A74508-13](#) Enbridge, Application, Section 7.1.2 Pipeline Specifications, Table 7.1, New Pipe Preliminary Design Parameters, PDF page 3 of 17
  - ii) [A74506-4](#) Enbridge, Application, Section 1.3 Project Purpose, PDF page 2 of 2
  - iii) [A77227-14](#) Enbridge, Attachment 2 to Enbridge Response to NEB IR No. 2.10.a – Intelligent Valve Placement (IVP) Analysis, page 3 of 15
  - iv) [A78683-4](#) Enbridge, Attachment 1 to Enbridge Response to NEB IR No. 3.2.a – Pipeline Transient Analysis Summary, PDF page 4 of 5

**Preamble:** In Reference i), Enbridge stated that the Annualized Daily Average Capacity is 11,797 m<sup>3</sup>/d (74,200 bpd).

In Reference ii), Enbridge stated that the Project is a routine maintenance project that, upon completion, will restore this segment of Line 10 to its original operating capacity of approximately 74,200 bpd.

In Reference iii), Enbridge provided the values of parameters that were used in the IVP analysis, including a flow rate of 82,444 bpd.

In Reference iv), Enbridge stated that the scenario described for the Project IVP is based on an initial steady state condition where the system is operating at a flow rate of 92.1 kbpd (610.1 m<sup>3</sup>/hr), which is greater than 105% of the system's design capacity. The Board notes that this suggests a design capacity of about 87,714 bpd.

**Request:** Provide the following:

- a) Confirmation of the Project's operating flow rate that Enbridge is applying for; and
- b) Clarification/explanation of each flow rate provided in the application and subsequent submissions.

#### **4.5 Emergency Shutdown System**

- Reference:**
- i) [A74508-13](#) Enbridge, Application, Section 7.1.1 Project Scope, PDF page 1 of 17
  - ii) National Energy Board Onshore Pipeline Regulations (OPR), Section 12 – Alternate source of power
  - iii) CSA Z662-15 – Oil and Gas Pipeline Systems, section 4.14.3.3, page 129

**Preamble:** In Reference i), Enbridge committed to complying with the OPR, CSA Z662-15 and Enbridge's Engineering Standards and Guidelines. Further, Enbridge listed the equipment to be installed as part of the Project. However, Enbridge did not provide any detail on the design or installation of alternate sources of power and emergency shut-down systems at Westover Pump Station and other pump stations along Line 10 that may affect the operation of Line 10 Replacement Segment during emergency situations.

Reference ii) states the requirements for alternate power sources at compressor stations and pump stations.

Reference iii) states the requirements for emergency shutdown systems at pump stations.

**Request:** Provide the following:

- a) Confirmation whether every pump station that may affect the operation of the Line 10 Replacement Segment, has (or will have before the in-service date) an emergency shutdown system, including backup power supply which comply with the requirements of the OPR Section 12 and CSA Z662-15 Section 4.14.3.3;
- b) A description of the alternate source of power for each station; and
- c) A description of the means to bypass and isolate each station.



## **Environmental Matters**

### **4.6 Groundwater Quality and Quantity**

- Reference:**
- i) [A74508-2](#) Enbridge, Application, Section 6.2.3, Water Quality and Quantity, PDF page 95 of 316
  - ii) [A74508-2](#) Enbridge, Application, Section 6.2.3, Water Quality and Quantity, PDF page 96 of 316
  - iii) [A74508-2](#) Enbridge, Application, Table 6.2.3-1 of Section 6.2.3.2, PDF page 105 of 316

**Preamble:**

In Reference i) Enbridge noted that there are 311 documented groundwater wells within the Local Study Area.

In Reference ii), Enbridge indicated that concerns regarding water quality and quantity were identified during its consultation with landowners, of which one was the proximity of water wells to the replacement pipeline Right-of-Way (ROW).

In Reference iii), Enbridge stated that it will install monitoring wells at select locations near residences in the vicinity of the replacement pipeline route to monitor water quality and support the Permit to Take Water requirements and that they will conduct pre and post-construction testing for all water wells, as approved by the applicable regulatory authority, and/or landowners.

**Request:**

Discuss what corrective actions would be taken if, through the monitoring program, negative changes in groundwater quantity and quality are observed as a result of monitoring, as per Reference iii). Include the thresholds at which Enbridge would implement corrective actions.

### **4.7 Additional Mitigation for Woodland Areas**

- Reference:**
- i) [A74508-2](#) Enbridge, Application, Table 6.2.9-1 of Section 6.2.9 Vegetation, PDF page 153 of 316
  - ii) [A74508-2](#) Enbridge, Application, Section 6.2.9.3 Residual Effects Characterization and Significance Determination for Vegetation, PDF pages 156-157 of 316
  - iii) [A77227-2](#) Enbridge, Response to NEB IR 2.13, PDF page 39 of 71

- iv) The Greenbelt Plan (2005) Ontario Ministry of Municipal Affairs and Housing, 2005, Section 3.2.2, Natural Heritage System Policies, PDF page 20 of 63, <http://www.mah.gov.on.ca/AssetFactory.aspx?did=11171>
- v) [A77228-2](#) Enbridge, Response to Copetown Landowners Group IR No. 1.32, PDF page 56 of 69

**Preamble:**

In Reference i), Enbridge noted that a potential residual effect of construction and operation of the Project on vegetation is removal or alteration of ornamental trees, windbreaks or shelterbelts.

In Reference ii), Enbridge stated that, if a landowner requests that an agricultural vegetation feature not be disturbed, other options will be explored where feasible, such as: narrowing down the construction ROW; extending road bores beneath the feature; limiting grubbing; transplanting with a tree spade; or planting new trees/shrubs in another area.

In Reference iii), Enbridge stated that the Project will require the clearing of approximately 12.0 ha of woodland habitat, including the currently proposed ROW, temporary workspace and temporary access. Enbridge also noted that it has taken preventative or protective measures to avoid or reduce the Project's effects including pipeline re-alignment, reduced topsoil salvage width in areas of rare plants, seeding of disturbed areas as per the Line List after final clean-up, and post-construction monitoring of the ROW to identify areas where vegetation re-establishment has not progressed as expected.

Reference iv), refers to the requirements of Policy 3.2 of the Greenbelt Plan, including: minimize the amount of Greenbelt and Natural Heritage System that is traversed; avoid key natural heritage features unless there is no reasonable alternative; and minimize negative impacts and disturbances on features and their related functions, and where reasonable, maintain or improve connectivity.

Reference v), noted that the Copetown Landowners Group (CLG) requested additional information regarding treed land and wetland areas to be disturbed by the Line 10 Replacement Pipeline.

The Board notes that Enbridge's response to IR 2.13 did not provide sufficient mitigation to address the loss of woodlands and therefore requires clarification on when mitigative measures, such as those noted in Reference ii), could be implemented to further ensure that the amount of treed land cleared for the Project is minimized to the greatest extent possible.

**Request:** Provide:

- a) A commitment to identify on the final environmental alignment sheets all areas where mitigation measures noted in Reference i) of woodland to be affected by construction of the Project and for each provide a description of how the mitigation options presented in Reference ii) could be applied to further reduce any residual effects; and
- b) For all other areas not identified in a), the criteria for choosing the mitigation options that could be implemented to further reduce the amount of woodland to be cleared, to meet the intent of the Greenbelt Plan and address the Copeland landowner group's concerns (e.g., tree planting, limiting of mowing/clearing during operations in these areas).

#### 4.8 Contaminated Soils

- Reference:**
- i) [A74508-2](#) Enbridge, Application, Table 5.1-1 Summary of Environmental and Socio-Economic Settings, PDF Pages 44 of 316
  - ii) [A74508-22](#) Enbridge, Decommissioning Technical Report, Section 1.31, Reclamation of Areas Disturbed, PDF Page 40 of 51
  - iii) [A74508-9](#) Enbridge, Appendix 3 Decommissioning Environmental Technical Report, Table 7.0-1 Summary of Mitigation Measures, PDF Page 72 of 87

**Preamble:** Reference i) stated that there is a possibility that contaminated soils could be unexpectedly encountered due to the presence of potentially contaminated sites, however, Enbridge's search of the Federal Contaminated Sites Inventory revealed no registered contaminated sites within 5 km of both sides of the centre line.

Reference ii), noted that if residual contamination from a historical release is encountered during decommissioning activities, it will be assessed and remediated according to the NEB *Remediation Process Guide* in accordance with the currently applicable standards.

Reference iii), stated if previously unidentified contaminated areas are discovered while conducting ground disturbance activities associated with decommissioning, they will be addressed according to the standards described within the EPP to be prepared for the Line 10 Westover Segment Replacement Program.

It is not clear how Enbridge will sample for contaminated soils and what monitoring measures will be undertaken.

**Request:** Provide:

- a) The process by which Enbridge will sample for contaminated soils along the replacement pipeline route and on the existing ROW to be decommissioned, and when such sampling will take place; and
- b) What monitoring measures Enbridge will undertake.

#### **4.9 Butternut Trees**

- Reference:**
- i) [A74508-2](#), Application Section 6.2.11, Species at Risk of Special Conservation Status, page 6-100 (PDF page 169 of 316)
  - ii) [A74508-2](#), Application Section 6.2.11 Species at Risk of Special Conservation Status, page 6-102 (PDF page 171 of 316)
  - iii) [A78970-2](#) Enbridge, Supplemental ESA, Section 2.0 Changes to Project Details, PDF pages 8 of 57
  - iv) [A78552-2](#) Enbridge, Supplemental EPP, Table 5 , Appendix 0, PDF Page 301 of 303

**Preamble:** Reference i) stated that one vegetation species at risk, Butternut (*Juglans cinerea* L.), was observed within 50 meters of the existing Line 10. Butternut is listed as Endangered on SARA Schedule 1 due to its restricted range, few populations, and recent and widespread declines in abundance. Further, it is stated that supplemental vegetation surveys will confirm the presence and location of additional trees.

Reference ii) stated that Butternut is impacted by Butternut canker, a fungal disease that has spread across its range throughout Ontario and if removed, individual trees must be appraised by a Butternut Health Assessor and additional actions may be required and/or the assessor may restrict the removal of the individuals entirely.

Reference iii) stated that Butternut was identified at multiple locations and that the results of the surveys are in the preliminary EPP and will be used to inform protection measures including contingency plans for Butternut and for other plant species at risk.

Reference iv) indicated that a Butternut Health Assessment will be completed to determine the class of Butternut trees within the project footprint. The Temporary Work Space will be narrowed up, if possible, to avoid removal or impacts to Butternut trees, however, if impacts cannot be avoided seedlings will be planted.

**Request:**

Provide the following:

- a) Whether the Butternut trees identified in Reference iii) will be impacted by construction;
- b) When a Butternut Health Assessor will be able to assess the trees and provide a recommendation;
- c) A discussion of the mitigation measures to be implemented if Butternut trees will be impacted by the proposed pipeline replacement project; and
- d) An update on consultation with the Ministry of Natural Resources and Forestry with respect to Butternut trees including any correspondence which indicates their agreement with the proposed mitigation (i.e., planting of seedlings) referred to in Reference iv).

## **Indigenous Matters**

### **4.10 Impacts on Traditional Land Use**

- Reference:**
- i) [A77766-1](#) Six Nations of the Grand River (SNGR), Oral Traditional Evidence (OTE) Affidavit, PDF page 5 of 11
  - ii) [A78265-1](#) SNGR, OTE, PDF page 30-32, 39-40, 45-46 of 47
  - iii) [A74506-31](#) Enbridge, Section 5 Aboriginal Engagement, PDF page 2 of 14
  - iv) [A74508-2](#) Enbridge, Appendix 6.1 ESA Part 1a of 10, PDF page 214-215 of 316
  - v) [A78970-2](#) Enbridge, Supplemental ESA, Section 3.0 Consultation and Engagement Update, PDF pages 10 of 57
  - vi) [A78970-2](#) Enbridge, Supplemental ESA, Section 4.8 Traditional Land and Resource Use, PDF pages 28 of 57
  - vii) [A78970-2](#) Enbridge, Supplemental ESA, Section 4.8 Traditional Land and Resource Use, PDF pages 29 of 57
  - viii) [A78970-2](#) Enbridge, Supplemental ESA, Section 4.8 Traditional Land and Resource Use, PDF pages 38 of 57

- ix) [A78970-2](#) Enbridge, Supplemental ESA, Section 4.8 Traditional Land and Resource Use, PDF pages 38-39 of 57
- x) [A78970-2](#) Enbridge, Supplemental ESA, Section 3.0 Consultation and Engagement Update, PDF pages 9-22 of 57

**Preamble:**

In Reference i) SNGR expressed concerns that the Project will disturb wildlife and their habitat which "...will create problems for Six Nations [of the Grand River] hunters and gatherers who may be using areas along or adjacent to the pipeline route." SNGR noted that there are SNGR hunters who hunt on or near the proposed Project route.

In Reference ii) SNGR raised several concerns about the impact of the Project on traditional activities, including gathering plants and fishing.

Reference iii) listed the Aboriginal groups Enbridge identified and consulted for the Project.

In Reference iv) Enbridge noted that the Project route is located in an agricultural setting on privately-owned and fee simple lands where hunting or trapping is only allowed with the permission of the landowner.

In Reference v) Enbridge stated that SNGR has not expressed that a Traditional Knowledge Study is necessary for the Project. Enbridge also stated that SNGR and Enbridge have been engaged in discussions around the environmental assessment process, potential impacts, and key mitigation measures for wildlife, fish habitat and watercourse crossing management and that a Capacity Funding Agreement has been signed to facilitate SNGR's participation in the Project.

Reference vi) stated that Enbridge's field investigations identified multiple species of plants identified by SNGR to be medicinal. Enbridge stated that the species discovered are considered common and secure in Ontario and are widely available in the greater Project area.

Reference vii) stated that deer were identified as a species of interest by SNGR and that white-tailed deer were observed during field investigations along the Project route. Enbridge stated that they are considered common and secure in Ontario and are abundant throughout the province.

Reference viii) stated additional mitigation measures for vegetation are not required and are addressed in the Project-specific preliminary EPP and EAS [Filing ID A5D8Y1 and A5D8Y2], which will be updated prior to construction, as applicable.

Reference ix) indicated that the route revisions should reduce the impact of the Project on wildlife because the revisions have resulted in a larger proportion of the Project on agricultural and disturbed land, and have reduced the amount of the Project within treed land and wetlands.

Reference x) is a summary of Enbridge's consultation and engagement efforts between 28 April and 28 July 2016.

- Request:** Provide an update on consultation activities around traditional land use that have taken place with consulted Aboriginal groups (Reference v) since 28 July 2016, including but not limited to:
- a) A summary of consultation activities carried out, including the dates and method of contact;
  - b) A summary of traditional land use issues and concerns raised and those mentioned in References i), ii), ix) and x);
  - c) Enbridge's consultation efforts around any new concerns raised and those mentioned in References i), ii), ix) and x); and
  - d) A description of how Enbridge has addressed or will address any concerns raised, including any mitigation measures for concerns raised in References i), ii), ix) and x); or an explanation as to why no further action is required to address any particular concerns.

## Land Matters

### 4.11 Land Acquisition Update

- Reference:**
- i) [A76417-7](#) Enbridge, Section 8 Land Matters Update, PDF page 1-3 of 4
  - ii) [A77745-2](#) CLG, Written Evidence, PDF page 1-2 of 14

**Preamble:** Reference i) stated that 100% of fee simple landowners and 13% of fee simple other landowners have been served with a Section 87 Notice. It also shows that Enbridge has acquired land rights for 90% of the required fee simple land and 12% of fee simple other land.

Reference i) noted that as of 18 April 2016 nine tracts of fee simple land have not been acquired. These tracts represent sixteen landowners, seven of whom are Intervenor in the Project's hearing process, either as individuals or represented by CLG.

Reference ii) listed four properties that are directly affected by the Project and CLG members whose properties are near the proposed route deviation.

**Request:** Provide:

- a) Updated tables 8.3, 8.5 and 8.6 in Reference i) and include a row or create a separate table summarizing the status of notification and land acquisition for CLG members;
- b) The approximate date Enbridge anticipates acquiring all land rights required for the Project;
- c) Enbridge's next steps in terms of landowner consultation for these tracts around land acquisition; and
- d) A summary of the actions Enbridge intends to take if land is not acquired by the date specified in b).

#### **4.12 Copetown Area Landowners**

**Reference:** i) [A77745-2](#) CLG, Written Evidence, PDF page 1-2 of 14  
ii) [A78492-3](#) Enbridge, Response to NEB Ruling No. 6 – Attachment 1 – Appendix A – Line 10 Copetown Area Map, PDF page 1 of 1

**Preamble:** Reference i) indicated that there are seven other CLG members who own residential properties in close vicinity of the proposed route deviation.

Reference ii) is a map of the Copetown Area.

**Request:** Elaborating on the map provided in Reference ii), identify the locations, including tract numbers, of the other CLG members identified in Reference i).

#### **4.13 Consultation**

**Reference:** i) [A77228-2](#) Enbridge, Response to Copetown Landowners Group IR No. 1, IR 1.8 f), PDF page 14 of 69  
ii) [A77228-23](#) Enbridge, Attachment 1 to Copetown Landowners Group IR No. 1.8.f



- iii) [A77745-2](#) CLG, Written Evidence, PDF pages 4-7 of 14
- iv) [A78970-2](#) Enbridge, Supplemental ESA, Section 3.0 Consultation and Engagement Update, PDF pages 9-22 of 57

**Preamble:** Reference i) indicated that there are eight directly affected tracts of land where landowners have expressed concerns regarding the Project's proposed route.

Reference ii) provided a table summary of consultation conducted with landowners.

Reference iii) provided the concerns relevant to Tracts 23, 24, 27, 34, 36, a summary of which includes:

- The quality of previous and current consultation conducted by Enbridge;
- The potential for impairment of soil and soil productivity;
- The potential for irreparable disruption of extensive and systematic tile drainage systems (clay tile) and grassed waterways;
- The potential for negative impacts on wetland(s);
- The potential for negative impacts on speciality crops such as hazelnut tree field test plot or premium value vegetable crop production, including impacts on future development potential;
- The potential impacts for future development plans such as: a landscape construction and nursery stock business; and
- The potential impacts to access to the remainder of certain properties.

Reference iv) is a summary of Enbridge's consultation and engagement efforts between 28 April and 28 July 2016.

- Request:**
- a) Provide an updated consultation summary, as seen in Reference ii).
  - b) Provide an update on consultation activities that have taken place since 30 May 2016 with landowners. Indicate if the landowners are a part of CLG. The update should include but is not limited to:
    - b.1) A summary of consultation activities carried out, including the dates and method of contact;
    - b.2) The issues and concerns raised;

- b.3) Enbridge's consultation efforts around any new concerns raised and those mentioned in Reference iii);
  - b.4) Any recommended input received on mitigation through consultation; and
  - b.5) A description of how Enbridge specifically has addressed or will address the concerns raised, including those mentioned in Reference iii), or an explanation as to why no further action is required or will be taken to address the concerns.
- c) By 7 October 2016, file an update on consultation and engagement efforts, as seen in Reference iv). The update should include but is not limited to:
- c.1) A summary of consultation activities carried out, including the dates and method of contact;
  - c.2) The issues and concerns raised;
  - c.3) Enbridge's consultation efforts around any new concerns raised; and
  - c.4) A description of how Enbridge specifically has addressed or will address the concerns raised, or an explanation as to why no further action is required or will be taken to address the concerns.

## **Socio-Economic Matters**

### **4.14 Impact of HDD Noise on Human Receptors**

- Reference:**
- i) [A77227-2](#) Enbridge, Response to NEB IR No. 2.26, PDF page 69-70 of 71
  - ii) [A78970-2](#) Enbridge, Supplemental ESA – Part 1 of 3

**Preamble:** Reference i) indicated that eleven tracts of land with thirteen landowners will be impacted at three HDD locations. Enbridge stated that the closest residence from each of the three HDD locations are located 62 m (HONI Corridor Valley HDD), 407 m (Westover HDD) and 525 m (Environmentally Sensitive Area HDD) away.

Reference i) outlined mitigation measures that fall into three potential categories: avoidance, measures to be implemented during construction and operation, and compensation.

Reference also stated that of the eleven impacted properties, all but two have been acquired/optioned and that none of the impacted landowners have identified any concerns with the HDDs proposed to date.

Reference ii) is Enbridge's supplemental ESA, which provided an update on routing revisions.

**Request:**

Provide the following:

- a) Confirmation that Enbridge has indicated the approximate level of noise implications of HDD activities to directly affected landowners;
- b) An update on the land acquisition process of the two impacted properties that have not been acquired; and
- c) A description of any issues or concerns raised by affected stakeholders since 30 May 2016 and how these concerns have been or will be addressed **or** a justification as to why no further steps would be taken to address any concerns.
- d) Update the response in Reference i) on HDD activities if it is impacted by changes explained in Reference ii).

**4.15 Future Enbridge Facilities**

**Reference:**

- i) [A77745-2](#) CLG, Written Evidence, PDF page 3 of 14
- ii) [A3T0V8](#) Enbridge, Application for the Line 11 Westover Segment Replacement Project (2014)

**Preamble:**

In Reference i), in paragraphs 14 and 15 of the reference CLG stated concern that the width of the proposed Project route (10 m) is designed to contain the replacement Line 10 and future pipelines. CLG further stated that "[If the Project is approved]...any future Enbridge pipeline, including any Line 11 replacement pipeline, will follow the new corridor in the Copetown area."

Reference ii) is an application filed by Enbridge on 17 January 2014 for the Line 11 Westover Replacement Project, which included the replacement of approximately 3.2 km segment of Line 11 from the downstream side of the Westover Station isolation valve.

Enbridge stated that the project was a part of Enbridge's ongoing pipeline integrity management and maintenance program. The project was granted approval by the NEB in August 2014 (MO-113-2014 and XO-E101-016-2014).

**Request:** Respond to CLG's concerns in Reference i). Specifically, respond to CLG's concern that Enbridge will not follow the existing Line 10 ROW through the golf course but would use the new corridor for any future developments including any potential Line 11 pipeline.