

May 31, 2005

Ontario Energy Board
P.O. Box 2319
26th Floor
2300 Yonge Street
Toronto, Ontario
M4P 1E4

Attn: Betty Rozendaal, Project Advisor Market Operations

Utilities Kingston Response to Board Staff Interrogatories

**Re: Utilities Kingston –Application for Leave to Construct a Natural Gas Pipeline
Reinforcing Supply to the City of Kingston**

Board File No. EB-2005-0247

Dear Ms. Rozendaal:

I am pleased to submit the following response to interrogatories prepared by the Board Technical Staff. I trust you will find the response informative and satisfactory.

Land Issues

1. Ref. Section 1, Proposed Facilities, Item 4.

Please provide an update of the status of negotiations with regards to using the existing cased CN crossing along the east side of Sir John A. MacDonald Boulevard.

From the onset of the studies involved for this pipeline Utilities Kingston and their representatives have been in communication with CN representatives. During the week of May 16, 2005 Utilities Kingston representatives were in contact with CN Engineering Services Officer, Bob Logan to discuss Utilities Kingston's intentions to utilize an existing cased crossing which has space for the proposed pipeline. Mr. Logan has agreed to this proposal and will be providing a letter to verify this and that Utilities Kingston shall not require a crossing permit from CN.

2. Ref. Section 1, Proposed Facilities, Item 7.

a) *Please provide a status update of the negotiations with regards to the easements north and south of Highway 401, with the Cataraqui Region Conservation Authority and in particular with respect to the land owned by Homestead Landholdings.*

Representatives of the local Conservation Authority presented an offer from Utilities Kingston to the Conservation Authority Full Board at their regular meeting on April 27th. This offer was accepted as presented. The City of Kingston's Legal Department has prepared the documents necessary for the registration of this acquisition.

Homestead Landholdings has offered to grant an easement to Utilities Kingston across lands registered in their name for \$1.00 and all incurred costs to be paid by Utilities Kingston. The Legal Department of the City of Kingston is currently preparing the documents necessary for the registration of this acquisition.

While preparing the legal survey for the aforementioned land acquisitions, two properties not identified in the previous title searches became evident. One of these properties thought to be Conservation Authority lands is registered in the name of Anna Wise. Utilities Kingston staff met with Joe Wise who holds Power of Attorney for his mothers affairs on May 9th 2005. Utilities Kingston presented a formal offer to Mr. Wise for either the acquisition of an easement or for the conveyance of this small portion of land. Mr. Wise has accepted an offer for the conveyance of a portion of land 0.04 acres that exists having a natural severance between Sunnyside Rd. and the Concession Rd dividing the 3rd and 4th Frontenac Concessions.

The last of these properties mentioned in the previous paragraph is that owned by Bell Canada. This property, formerly the Kingston & Pembroke Rail Line is the subject of ongoing negotiations between SNC Lavalin and the Corporation of the City of Kingston. Bell does not use this property for any of their plant and are negotiating to transfer ownership of it to the municipality. Utilities Kingston staff have been in contact with representatives of Lavalin Inc. and although no written correspondence has been received from them, Utilities Kingston has been given verbal assurance that a Servitude for this crossing will be granted and is anticipating confirmation from Bell Canada.

- b) Please provide Utilities Kingston's strategy for obtaining easement rights required for construction of the proposed pipeline.*

Utilities Kingston favours an approach of negotiation when acquiring easement rights. Each of the affected property owners have been approached individually through registered mail followed with verbal conversation. Once the intention has been approved in principle by the Landowner Utilities Kingston will then make formal offer based upon fair market value as determined by an independent appraiser.

- c) Please file any documentation of Utilities Kingston's negotiations with any directly affected landowners since March 28, 2005.*

See letters attached.

3. Ref. Section 1, Construction Procedures, Schedule and Administration, Item 3.

- a) Please provide a detailed construction schedule indicating timing for construction and crossing of water ways.*

Due to seasonal constraints we expect construction to commence July 4th, 2005 and to allow for hydrostatic testing substantial completion will need to be in the first 2 weeks of December.

Utilities Kingston intends that this construction project will be broken down into three sub-projects, one being the rural area, one being the urban area and the last being the sensitive areas in particular the creek crossings and the Conservation Area.

Although the actual scheduling shall be up to the contractor Utilities Kingston reserves the right to alter the timing and sequence of events. Utilities Kingston shall dictate the timing for the water and Conservation Area crossings. The creek crossings shall occur while they are at their lowest

levels. As the levels in these tributaries rely heavily on spring run-off they will be at their lowest in July and August. The Conservation Area crossing should occur consecutive to the watercourse crossings during the dry season due to the lowlands and spring run-off.

4. Ref. Section 1, Construction Procedures, Schedules and Administration, Item 4 and

- a) Please provide Utilities Kingston's procedure and policy on removing rock along the pipeline route.

Section 11 of Utilities Kingston's Pre-Filed Evidence to the Ontario Energy Board contains several sections of Utilities Kingston Construction Manual. Each of the included sections details Utilities Kingston's policies on rock removal. Paragraph SPNG.10.3 contains policies on rock removal specific to gas works. Clause SPNG.10.3.01 refers the reader to item SPG.5 and SPE.6. SPE.6 which also is included in the evidence specifies Utilities Kingston Environmental policy with regards to rock removal.

- b) Please identify specific locations along the route where blasting may be necessary and provide blasting related construction specifications.

Although not included in the Pre-Filed evidence, Part VI A of Utilities Kingston Construction manual contains clause SPG.5 referred to above. This Clause reads:

SPG.6. Special Provisions for Blasting

- 01)** Rock blasting is not permitted in this contract.

5. Ref. Section 1, Construction Procedures, Schedule and Administration, Item 5 and Ref Section 1, Environmental Matters and Implementation Plans, Item 2 and, Ref. Environmental Assessment Summary and Report, Section 7, Permit Requirements p. 7-1

- a) Please provide status update on approvals with regards to the list of permits identified in Table 7.1

Permitting Agency/Contact	Reason for Permit	Status Update – May 2005
Canadian National Railway	Crossing of CN Railway Line near Sir John A. MacDonald	Discussions have been held with Mr. Bob Logan engineering staff at CN. Awaiting final confirmation of use of existing crossing of CN rail line under agreement between Utilities Kingston and CN (1990). As such, a second and separate crossing will not be required. Approval expected end May 2005.
Ministry of Transportation	MTO Encroachment Permit for Crossing of Highway 401	Discussions have been held with Mr. Sandy Newton. Currently expecting geotechnical report along with permit form and diagram showing crossing of 401. Approval expected June 2005.
TransCanada Pipelines	Crossing of TransCanada Pipeline near the Glenburnie Gate Station	Discussions have been held with TransCanada concerning pipeline crossing and stipulations of the National Energy Board. Currently expecting short letter indicating pipeline design specifications and diagram showing crossing of the pipeline. Approval expected June 2005.

Cataraqi Region Conservation Authority	Crossing of Little Cataraqi Creek South of the 401 and North of Binnington Court & Easement required for access through Conservation Lands	The Conservation Authority has approved the crossing of the Cataraqi Creek as well as agreed to allow the pipeline to be installed in the Conservation Authority Area. Final logistics are currently being discussed between the two parties.
Trans-Northern Pipelines	Crossing of Petroleum Products Pipeline North of the 401 through CA lands	Discussions have been held with Walter Watt of Trans-Northern concerning pipeline crossing and stipulations of the National Energy Board. Currently expecting short letter indicating pipeline design specifications and diagram showing crossing of the pipeline. Approval expected June 2005.
Enbridge Pipelines Inc.	Crossing of Petroleum Products Pipeline along Perth Rd. south of Glenburnie.	Discussions have been held with Ms. Ann Newman of Enbridge concerning pipeline crossing and stipulations of the National Energy Board. Currently expecting short letter indicating pipeline design specifications and diagram showing crossing of the pipeline. Approval expected June 2005.
Ministry of the Environment	Permit to Take Water	The Permit to Take Water will be handled by the contractor in charge of pipeline installation.
Ministry of Culture	Clearance Certificate	A Stage II Archaeological Assessment will be conducted in late May to early June 2005 and prior to construction. It is expected that this clearance certificate will be granted shortly thereafter. Approval expected June 2005.

- b) *Please provide a status update of all agency approvals including OPCC members and any specific requirements requested from the various authorities.*

See table above.

- c) *Please provide a list of any outstanding issues and explain the strategy for addressing these issues identified in the OPCC reviews.*

The review by the OPCC identified no issues. The Ministry of Culture identified an interest in a Stage II Archaeological Assessment which will be complete in June 2005.

6. *Ref Section 3, List of Directly Affected Parties*

- a) *Please provide an updated list of directly affected landowners. Describe any outstanding issues, and how these issues have been resolved.*

Affected Landowner

Cataraqi Conservation Authority
Homestead Landholdings
Anna Wise
SNC/Lavalin (Bell Canada)

Outstanding Issues

None- Full Board has accepted offer for an easement.
None- Landowner has granted easement for \$1
None- Landowner has accepted offer to convey land
Require Easement- Negotiations with Lavalin/Bell proceeding.

7. *Ref. Section 5, Resolution from the City of Kingston Municipal Council Approving Project Funds*

- a) *Please provide a copy of the Resolution for the approval of the project by the City of Kingston.*

Utilities Kingston Pre-Filed evidence to the Board in particular section 5 contains the minutes from the City of Kingston Council Meeting No. 30. Page 711 of those minutes item (2) contains the recommendation from the Committee of the Whole to approve the Gas Utility Capital Budget. Page 712 of the same section of the Evidence item (3) contains the Council Resolution approving all items (1) through (3) of this report.

Environmental Matters, Section 6

8. *Ref. Environmental Assessment Summary and Report, Section 1.4, Rationale for Selection of Study Area, p. 1-2*

- a) *Please explain the significance of the key service points along the preferred route, in particular Counter St. at Sir John A. MacDonald Boulevard.*

Self explanatory are the north and south extremes of this pipeline being that one is our existing City Gate Station, the other being the point of demarcation for Queen's Co-Generation Plant. One of the intentions of this proposed pipeline is to provide back-up to an existing distribution system by adding points of supply along the route. One such planned regulating station will be in the industrial park on Binnington Ct where there is no redundancy or any way to 'loop' the system. The next planned point of take-off is likely more significant being that it will enable us to interconnect the two sources of supply. Our existing high pressure distribution main extends along Counter Street to Sir John A. Macdonald Blvd. By interconnecting the two high pressure systems at this point we will be enabled to conduct a much broader range of system planning and system failure preventative measures. The last planned of these locations will be at Palace Rd and Johnson St. Being the most south-easterly point on the route and a location where Utilities Kingston currently operates a hydro substation; this provides an ideal location to provide additional supply into this quadrant of the system.

9. *Ref. Environmental Assessment Summary and Report Section 3.17, Waste Disposal and Potentially Contaminated Sites, p. 3-19*

- a) *Please list locations and provide a map highlighting areas where potential contaminated soils may be found along on the preferred route and describe the procedure for handling and disposing of the soils as well as mitigation of these wastes.*

In the environmental report, several locations were identified as having the potential for contaminated soils. These areas are the lands adjacent to the Petro Canada cardlock at Binnington Court/Dalton Ave., the wetland area and tributary to Little Cataraqui Creek near Sir John A. MacDonald (sewage bypassing from the North end pumping station), and the Kingston Centre. (See map attached.)

Should contaminated soils be encountered during construction the contamination shall be managed in accordance with Ministry of Environment standards and in accordance with the Environmental Protection Act. Utilities Kingston has the resources available for the construction of soil containment facilities to facilitate testing, transfer and finally transfer of such soils to licensed facilities. Upon discovery work will be stopped while the type of contaminant is determined. Following determination of the level of contamination, a plan will be developed. The plan may consist of increasing cathodic protection in this area or wrapping (dependant upon type of contaminant). It may also determine that the contaminated soils should be removed and new clean materials used.

10. Ref. Environmental Assessment Summary and Report, Section 3.18, Recreation p. 3-20

- a) *Please provide areas along the preferred route where recreational activities could be potentially impacted. Indicate length of time and mitigation measures.*

The only recreational area the route for this pipeline crosses is the Cataraqui Conservation Area, as it passes through an unused portion of this it shall not impact any of their activities.

11. Ref. Environmental Assessment Summary and Report, Section 5.1.1, Physiography, Topography and Surficial Geology. P. 5-2

- a) *Please indicate the quantity of trees that will be removed during construction along the preferred route and describe Utilities Kingston's policy, procedure and mitigation practices for tree removal.*

It is possible that up to four maples may be removed from the Conservation Authority lands. Utilities Kingston and Conservation Authority Staff jointly walked this route and found the trees in question are either dead or suffering significant stress due to the ice storm of 1998. The Conservation Authority staff had no concerns regarding the removal of these trees and did not ask for compensation. The trees will be removed and the stumps will be left in the ground to assist in soil stability.

The only other area of possible vegetation removal is where the pipeline is located west of Binnington Court. In this location, the City of Kingston owns the land and has no objection to the removal of a few immature trees. Depending upon the contractor selected for the construction, they may wish to directionally drill this area rather than cut the trees. No mitigation is proposed (nor requested by the City of Kingston) for the removal of these trees. However any clearing on municipal lands will require the consultation of the City of Kingston Parks and Recreation Forestry Department.

- b) *Specifically, please list the quantity or area of tree removal and indicate if any of the mature trees and semi mature trees to be removed in or along the border of the Cataraqui Conservation Authority lands are significant, rare or protected.*

None of the trees are significant, rare or protected.

- c) *Please indicate if this area of impact will affect the ANSI.*

There will be no impact on the earth science ANSI.

- d) *Please indicate the impact of tree removal to nesting birds and mitigation measures.*

A biological inventory of the two areas was undertaken on May 19, 2005. No bird nests were observed during the survey.

There will be no impact to nesting birds due to the small number of trees involved and the lack of any nests.

- e) *Please provide a copy of all correspondence with the Conservation Authority.*

As the majority of communication with the staff of the Cataraqui Conservation Authority has been oral very little written correspondence exists, what does exist is however is attached.

12. Ref. Environmental Assessment Summary and Report Section 5.1.3, Groundwater Impacts, p. 5-3

- a) *Please indicate the timing or status of the preconstruction well water survey.*

Utilities Kingston has contracted the services of Morey Chevrier Houle Ltd. for the performance of a well and septic survey. This firm are currently compiling ministry well records and shall be conducting field surveys in June, just prior to construction.

- b) *Provide the location and findings of any potentially impacted wells within 200 metres of the proposed route and describe mitigation measures.*

Andrew Chevrier has conducted a preliminary survey on a well at 1585 BurBrook Rd. A copy of his findings is attached.

- c) *Please provide a list and description of springs along the preferred route that feed landowner wells and that may be potentially impacted. Describe the mitigation measures.*

One spring has been identified along the preferred route, that being the spring discussed by an intervenor. This spring is primarily field run-off as it is at the crest of a large hill. This spring comes underground from the north of the road to the south where it drains into the municipal ditch. Andrew Chevrier observed this spring on a field visit May 17th. Mr Chevrier observed this spring nearly dry and discussed the impacts with Utilities Kingston staff. Mr. Chevrier's opinion was that due to the nature of this spring it does not actually offer anything to nearby wells and should the construction cross it on the south side it shall have no impact.

- d) *Please describe any landowner issues with regards to potentially impacted wells and indicate how these have been resolved.*

See 12 c) above and interrogatories to Ms. Carlson (attached)

13. *Ref. Environmental Assessment Summary and Report, Section 5.2.1, Watercourse Crossings, p. 5-4*

- a) *Please provide a status update with regards to the Permit to Take Water. Please indicate the source of water intake and location for discharge.*

Utilities Kingston operates the municipal water system for the City of Kingston. Should municipal water be utilized a Permit to Take Water will not be required. Another option shall be to procure water for testing from haulers. In this case the Water haulers shall already be in possession of said permit.

- b) *If municipal water is used and discharged into Lake Ontario, how will the chlorine be mitigated?*

Municipal water will not directly be discharged into Lake Ontario.

14. *Ref. Environmental Assessment Summary and Report, Section 5.2.1, Watercourse Crossings, p. 5-4*

- a) *Please list all watercourse crossings and confirm the method used for crossing. Please indicate the timing for these crossings.*

The location and names of the watercourse crossings are shown on the mitigation maps in Appendix G of the Environmental Report. The only watercourse crossing where only a directionally drilled crossing is proposed is Little Cataraqui Creek, immediately south of highway #401. In all other cases, a directionally drilled crossing is an option should there be high flow rates in the watercourses, however due to the lack of water and/or low flow of these watercourses

in the summer, wet crossing techniques are proposed. The pipeline will cross the following Watercourses (from north to south) as identified on the mitigation maps:

- a small tributary of the Little Cataraqui Creek along Perth Road, north of Bur Brook Rd.;
- A small tributary of the Little Cataraqui Creek along Sunnyside Road south of Bur Brook Road;
- A small tributary of the Little Cataraqui Creek along Sunnyside Road south of where Sunnyside Road heads due west; and
- A crossing of the Little Cataraqui Creek just south of Highway 401.

There are a few other areas that appear wet but are only local drainage. These areas are dry in the summer months

- b) *Please confirm if any fish surveys or assessments have been conducted or will be conducted prior to construction and crossing of water bodies.*

During consultation with agencies during the preparation of the environmental assessment (in particular with the Ministry of Natural Resources, Cataraqui Region Conservation Authority, and Environment Canada), responses indicated that no rare or endangered species (aquatic and terrestrial) were observed along the preferred route. Also, due to the crossing methods of the watercourses (directional drill), the Conservation Authority had no issues with the potential impacts to aquatic species in watercourses along the preferred route.

Nevertheless, as a result of request from an interested party, Utilities Kingston agreed to conduct a spring aquatic and terrestrial survey program. The field work for the program was conducted during the week of May 16-20, 2005. The program will look into the presence of any rare or endangered plant species along the preferred route and the presence of any aquatic species in the watercourses crossed. It is expected the report from this survey will be completed in the first week of June and will be provided to the OEB once completed.

15. *Ref. Environmental Assessment Summary and Report, Section 5.2.3, Wildlife p. 5-10*

- a) *Please indicate the methodology to be used to determine if any species or site encountered during construction is significant. Explain the mitigation and process to be followed.*

Most of the preferred route is either in the road allowance (north of Highway 401) or going through the built up area of the City of Kingston (south of 401). The Little Cataraqui Creek crossing south of Highway 401 was assessed by a biologist for rare plants and habitats. None were identified thus there is no requirement to provide mitigation.

- b) *Please provide a copy of the spring survey used to identify wildlife habitat in the area.*

A biologist has completed the spring survey and it is expected the report from this survey will be completed in the first week of June and will be provided to the OEB once completed

16. *Ref. Environmental Assessment Summary and Report, Section 5.3.1.3, Vibration p. 5-13*

- a) *Please describe the restoration procedure and policy for construction related damages. How will these potential damages be monitored during and after construction?*

Restoration will be undertaken as per standard pipeline construction procedures undertaken in Ontario. Once the pipeline has been installed, the original grades and slopes will be re-

established and a vegetative cover will be re-established as soon as possible through hydroseeding or other methods depending upon the site. Construction related damages will be documented and repaired. During construction, the pipeline inspectors and the environmental inspector will monitor restoration and damage. Section 6.3.1 of the Environmental Report outlines the monitoring program.

17. Ref. Environmental Assessment Summary and Report, Section 5.3.7, Cultural Environment p. 5-17

- a) *Please provide an update of the archaeological investigations of the preferred route.*

The Stage II assessment will be undertaken prior to commencement of construction. A licensed archaeologist has been retained but has not completed the assessment yet.

- b) *Please confirm that the Stage 2 Assessment will be conducted.*

See 17 a)

- c) *Identify any significant issues and locations of any archaeological remains.*

See 17 a)

- d) *Describe mitigation measures and strategy.*

If it is not possible to avoid the artifacts, they will be documented and salvaged (as per Ministry of Culture guidelines) prior to construction taking place in this area.

18. Ref. Environmental Assessment Summary and Report, Section 6, Environmental Inspection and Monitoring Recommendations. P. 6-1

- a) *Please confirm whether an environmental inspector will be used on this project during construction.*

An environmental inspector will be used on the project.

- b) *Please indicate if the inspector will be available throughout the construction or only at specific sites at particular times.*

The inspector will be available to oversee construction north of Highway 401 and up to the intersection of Dalton Avenue/Sir John A. MacDonald Blvd. The inspector will be available at most locations in this area. An environmental inspector will not be used for city street construction.

- c) *Please indicate the inspector's qualifications, role, and affiliation to Utilities Kingston.*

Utilities Kingston proposes to use an independent, third-party environmental inspector from SENES Consultants (Mr. J. Muraca, one of the authors of the Environmental Report). In this fashion, there will be continuity between the preparation of the environmental assessment and the construction program. Mr. Muraca performed a similar service for Enbridge Gas Distribution in the Greater Toronto area.

- d) *Please describe in detail Utilities Kingston's environmental training program for contractors.*

A project initiation meeting will be held to identify the significant environmental aspects of the project, discuss expectations and procedures. The presentation will be made by Mr. Mario Buszynski, who has acted as an environmental inspector on numerous Enbridge Gas Distribution pipelines. In attendance will be the contractor's Construction Superintendent and foremen, pipeline inspectors from Utilities Kingston and the SENES environmental inspector. Following the office orientation session, a review of the pipeline route will be conducted, pointing out significant areas and discussing construction techniques. The environmental inspector will provide day-to-day environmental commentary to contractor's foremen (on the job training). Documentation of environmental matters will be done on a daily basis.

e) *Please provide dates for this training and confirm that these training sessions have occurred.*

Dates of training have yet to be determined. The OEB will be advised of the dates once the start date (of construction) has been confirmed with the pipeline contractor.

Sincerely,

J.A. Keech
President and CEO

Attachments: Letter of Approval from Rob Gerritsen, CCRA
Letter from Alf Hendry, Homestead Landholdings
Letter of Acceptance of Offer from Joe Wise
Letter to Joe Wise
Letter from Joe Wise
Utilities Kingston Response to Liz Carlson Interrogatories
Report from A. Chevrier
Map Indicating Possible Contaminated Areas

1387 Sunnyside Road
Kingston, Ontario
K7L 4V4

May 18, 2005

Utilities Kingston
211 Counter Street
P O Box 790
Kingston, Ontario
K7L 4X7

Attn: Jim Miller and Dale Sopha

RE: Natural Gas Line Feed
City of Kingston
Your File: E11-14-01 2004

Received your letter dated May13, 2005.

Your offer of \$500.00 for the small parcel of land owned by Ann Wise as described in your letter is acceptable.

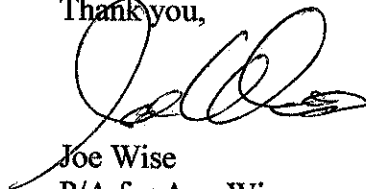
Since this is a transfer of title, I understand that all costs for legal, surveys and transfer expenses shall be paid by Utilities Kingston or City of Kingston and not Ann Wise.

The Power of Attorney from Ann Wise to myself George E. Wise (also known as Joe Wise) is registered at the Frontenac County Registry Office.

Should you need me please call me at 541-7618.

I will be out of town from May 24, 2005 until June 2, 2005.

Thank you,



Joe Wise
P/A for Ann Wise

MOREY HOULE CHEVRIER ENGINEERING LTD.

5497 Manotick Main Street
P.O. Box 59
Ottawa, Ontario K4M 1A2
Tel.: (613) 692-8686
Fax: (613) 692-6411
www.mhceng.com



May 19, 2005

Our ref: 05-222

Utilities Kingston
211 Counter Street
P.O. Box 790
Kingston, Ontario
K7L 4X7

Attention: Mr. Dale Sopha, C.E.T.

RE: ASSESSMENT OF POTENTIAL EFFECTS OF GAS MAIN CONSTRUCTION
ON THE WELL, SEPTIC SYSTEM AND CISTERN
1585 BUR BROOK ROAD
KINGSTON, ONTARIO

Dear Sirs:

This letter provides our comments on the potential effects of the proposed gas main construction on the water supply well, septic system and cistern at the above noted property.

Background

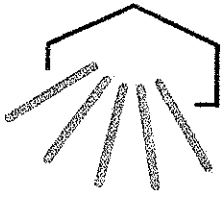
Based on our discussions, the proposed gas main will be constructed on either the north or south side of Bur Brook Road, approximately 1.5 metres from the edge of the pavement. The depth of the gas main will be approximately 1.5 metres. The construction will be carried out using conventional cut and cover excavation techniques. The bedrock removal within the excavation will be carried out using hoe ramming techniques; that is, no blasting will be allowed.

Site Reconnaissance

A site reconnaissance was carried out by the undersigned on May 16, 2005. At that time, we viewed the conditions at the site and along Bur Brook Road. Information on the location and construction of the well, septic system and cistern were discussed with the owner, Mrs. Carlson, and her son.

Water Supply Well

The water supply well is located on the east side of the existing house (see Photograph on Figure 1) approximately 30 metres from the centreline of the road. The well was originally constructed at the same time as the house (1950's) and consists of a drilled well with reported depth of about 76 metres (250 feet). The top of the well is below ground surface. A submersible pump was installed in the well in 1979



utilities kingston
water sewer gas electricity networks
all your utility services under one roof

211 Counter Street P.O. Box 790
Kingston ON K7L 4X7
Tel: 613. 546.1181
Fax: 613. 542.1463
www.utilitieskingston.com

April 13, 2005

Anna Wise
1387 Sunnyside Rd
Kingston, Ont
K7L 4V4

Dear Mrs. Wise:

As you may or may not be aware, Utilities Kingston is currently conducting studies to install a new natural gas pipeline to supply the City of Kingston. The proposed route for this pipeline from Glenburnie to Queen's Cogeneration site brings it along Perth Rd, along Burr Brook Rd, down Sunnyside Rd to a point where it crosses the Conservation Area under the 401 and on through the city.

During the planning and design phase of this project, we discovered through our property search work that a small portion of property along the preferred route is registered in your name. This would be a portion of land south of Sunnyside Rd and north of the Concession Rd. This property as shown on the attached map is approximately 160 square meters (1730 sq ft or 0.04 acre).

The purpose of this letter is to inquire if you may be interested in either granting an easement to Utilities Kingston or possibly conveying the piece in it's entirety as the easement we would require would consume better than half of this portion of property. I would also note that subject to your agreement, Utilities Kingston would cover all costs associated with any easement or property transfer such as surveys, legal agreements, etc.

We would appreciate your consideration of the above request to obtain an easement or to acquire this parcel to facilitate the proposed gas pipeline into the City. We will give you a call within a week or so to discuss this further, however should you wish to discuss this sooner, please feel free to contact either myself, 546-1181 ext 2475 or Dale Sopha who is assisting with the technical aspects of the project at 546-1181 ext 2259.

Sincerely,

Jim Miller
Manager, Utilities Technical Services

**CATARAQUI REGION CONSERVATION AUTHORITY**

1641 Perth Road, P.O. Box 160 Glenburnie, Ontario K0H 1S0
Phone: (613) 546-4228 Fax: (613) 547-6474
E-mail: crca@cataraquiregion.on.ca

May 17, 2005

Mr. Jim Miller
Manager Utilities Technical Service
Utilities Kingston
211 Counter Street
Kingston, ON, K7L 4X7

VIA FACSIMILE 542-1463 ONLY

Dear Mr. Miller

**RE: REQUEST FOR EASEMENT
LITTLE CATARAQUI CREEK CONSERVATION AREA**

I am pleased to provide you with the following motion passed at the Full Authority meeting on April 27, 2005.

Resolution 74-05

Moved by John Bonser
Seconded by Bob Morrison

THAT the Cataraqui Region Conservation Authority accept the appraised value and final easement for the Utilities Kingston Easement on the Little Cataraqui Creek Conservation Area.

Carried.

I trust that if you require anything further you do not hesitate to contact me.

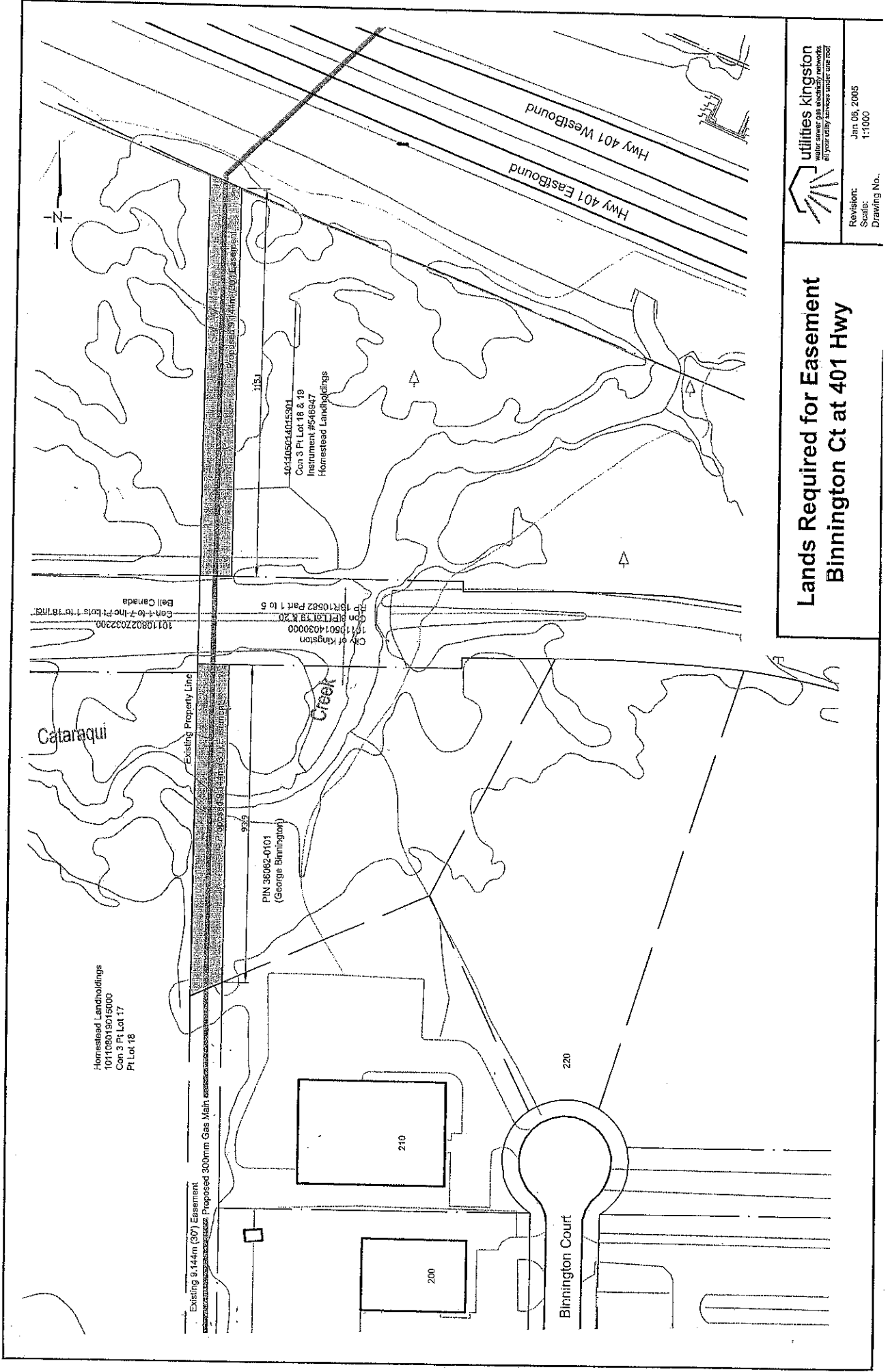
Yours truly,

Robert J. Gerritsen
Conservation Lands Coordinator

RJG/rg - Ext. 234 - rgerrit@cataraquiregion.on.ca



A Member of the Conservation Ontario Network



Lands Required for Easement Binnington Ct at 401 Hwy



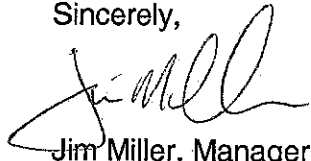
utilities Kingston
 WATER, SEWER AND GAS
 400 GUYTON STREET SUITE 200
 KINGSTON, ONTARIO

Revision: Jan 05, 2005
 Scale: 1:1000
 Drawing No.:

We would also like to recognize that as this would represent an acquisition of interest in property by the City, normal procedures would be undertaken to determine fair market value, obtain surveys etc at our expense. At this time a 9.1m wide easement as shown on the attached drawing would be sufficient to accommodate our needs for the pipeline and would represent the limits of any "restrictions" as noted above.

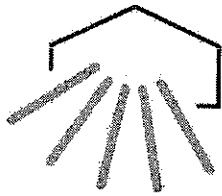
We would appreciate Homesteads consideration of this proposal and I am available to answer any questions or provide further clarification as required. In the interim please feel free to contact Dale Sopha, Engineering Assistant if you have any technical questions regarding the pipeline or the undersigned.

Sincerely,



Jim Miller, Manager Utilities Technical Services

cc. ✓ Dale Sopha, Engineering Assistant
Chris Phippen, Utilities Engineer
Jim Keech, President & CEO Utilities Kingston



utilities kingston
water sewer gas electricity networks
all your utility services under one roof

1211 John Counter Blvd.
P.O. Box 790
Kingston ON K7L 4X7
Tel: 613.546.1181
www.utilitieskingston.com

January 12, 2005

Alf Hendry,
Homestead Landholdings
80 Johnson Street
Kingston Ontario
K7L 1X7.

Dear Mr. Hendry:

**RE: Grant of Easement
Natural Gas Line**

In reference to our earlier discussion regarding the possibility of acquiring an easement from Homestead, I would like to provide the following background information for your consideration of this request.

Utilities Kingston manages and operates on behalf of the City the natural gas distribution system within our service area boundary (the old City). The existing gas feed (from Glenburnie southerly along Perth Road/Division Street) is approximately 45 years old and is the only source of gas supply for about 11,000 customers. Utilities Kingston wants to establish a second supply line to enable operational flexibility, systems planning for gas and increased supply to accommodate additional gas demand within the City.

The gas line that may affect Homestead's property would be a 12" steel pipe which is required to meet all safety and technical standards applied by various regulatory bodies to transport natural gas at intermediate to high pressures (450-500 psi). By comparison the national pipelines which are also steel are at 900 psi. The pipe is installed about 1.2 meters deep to the top of pipe with a trench width of approximately 1 meter. As with other pipe lines use of the property after installation is generally not that restrictive provided that access to the line is maintained. Vegetative replanting is usually not an issue provided large trees are prohibited. Driveways or even streets crossing the line are not an issue either. Buildings or extensive parking lots constructed on top of the pipeline would obviously be a concern. The only other significant concern would be activities requiring excavation on or near the pipe line.

Future activity (by Utilities Kingston) along the route is generally minimal. In this case periodic inspections of the pipe line would occur such as checking on cathodic protection or visual markers. In cases where repair or maintenance would be required the type of equipment required would generally be of back hoe/truck nature.

Following construction, remediation of the disturbed area would occur and the site returned to its original condition. The only restrictions needed would be to ensure that we could access the length of the pipe alignment. A requirement of the leave to construct with the Ontario Energy Board is to monitor the remediation efforts for a complete growing season and a final report with the OEB.

1425445 Ontario Limited

The gas line proposed for the easement is a 12" steel pipe which is required to meet all safety and technical standards applied by various regulatory bodies to transport natural gas at intermediate to high pressures (450-500 psi). By comparison the national pipelines which are also steel are at 900 psi. The pipe is installed about 1.2 meters deep to the top of pipe with a trench width of 1 meter. As with other pipe lines use of the property after installation is generally not that restrictive. Vegetative replanting is usually not an issue provided large trees are prohibited, farming uses can continue, passive recreational activities (trails etc) are not a problem either. The only significant concern would be activities requiring excavation on or near the pipe line. Crossing the pipe line with equipment is generally not an issue either.

Future activity (by Utilities Kingston) along the route is generally minimal. In this case periodic inspections of the pipe line (on foot given the terrain) would occur such as checking on cathodic protection or visual markers. In cases where repair or maintenance would be required the type of equipment would generally be of back hoe/truck nature.

Following construction, remediation of the disturbed area would occur. As to the appearance and future use of this alignment, if it were to be returned to its original condition, any operations of either the CRCA or Utilities Kingston would go unhindered. The only restrictions needed would be to leave a pathway for emergency access, i.e. no permanent structures or foliage large enough to prevent small (tractor mounted) construction equipment. A requirement of the leave to construct with the Ontario Energy Board is to monitor the remediation efforts for a complete growing season and a final report with the OEB.

We would also like to recognize that as this would represent an acquisition of interest in property by the City, normal procedures would be undertaken to determine fair market value, obtain surveys etc at our expense.

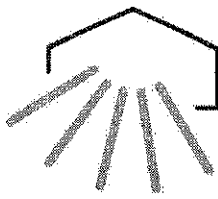
In summary, by utilizing the existing concession road and an existing trail inside the Conservation Area this project could be completed with very minimal clearing or disruption to the natural vegetative conditions. The concession road would need to be modified to allow access but following construction could be returned to almost original state and possibly gated if desired to prevent any intrusion. At this time 10m wide easement along the western most edge of the Authority's property would be sufficient to accommodate our needs for the pipeline and would represent the limits of any "restrictions" as noted above.

We would appreciate the Authority's consideration of this proposal and we are available to answer any questions or provide further clarification as required. In the interim please feel free to contact Dale Sopha, Engineering Assistant, or the undersigned.

Sincerely,

Jim Miller, Manager Utilities Technical Services

cc. Jim Keech, President & CEO Utilities Kingston
dd. Joseph Muraca, Senes Consultants Limited



utilities kingston
water sewer gas electricity networks
all your utility services under one roof

211 Counter Street P.O. Box 790
Kingston ON K7L 4X7
Tel: 613.546.1181
www.utilitieskingston.com

October 29, 2004

Cataraqui Region Conservation Authority
P.O. Box 160
Glenburnie, Ontario K0H 1S0

Attention: Rob Gerritsen,
Conservation Lands Coordinator

**RE: Natural Gas Line Feed
City of Kingston
Acquisition of Easement
Our File: E11-14-2004**

Recently staff at the CRCA, Utilities Kingston and Senes Consulting attended at the westerly boundary of the Authority's property to walk a potential alignment for a new natural gas line feed into the City of Kingston. We appreciate the time taken and the comments/discussion to date.

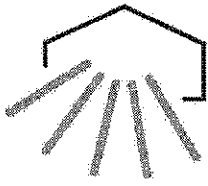
Utilities Kingston represents the City of Kingston regarding the management and operation of the natural gas distribution system within our service area boundary. The existing gas feed (from Glenburnie southerly along Perth Road/Division Street) is approximately 45 years old and is the only source of gas supply for about 11,000 customers. Utilities Kingston wants to establish a second supply line to enable operational flexibility and systems planning for gas within the City. At this time we would like to formally request consideration by the Authority of an easement to accommodate the planned infrastructure. To assist in the early evaluation of this proposal by the Authority, I would like to offer the following background information.

Along the westerly limits of the conservation authority property (off of Sunnyside Road exists an old logging lane/fire break. This corridor runs in a generally north-south direction from the southerly limit of the lands, north of the Hwy 401, to a point where it starts to generally run in the direction of Sunnyside road, then eventually meets with the former concession road. This is shown on the attached drawing by a solid black line.

At its narrowest, this path (road) is 6 to 7m wide and is generally clear of any mature vegetation except near the Sunnyside Road area. We are proposing that the new gas line be installed in this corridor. Construction activities could be undertaken without removing anything other than perhaps some undergrowth. On the drawing a dashed line from Sunnyside Road to meet with this logging road represents a path that was mapped utilizing GPS. This location does have challenging grades but would be conducive to pipeline construction with minimal disruption to the vegetation. Some clearing would be required, but it might be possible to construct without removing any large trees.

Crossing Hwy 401, if approved by MTO, would require enabling some method of bringing equipment off the highway onto the south side where the ground is at its highest and driest. A drill would then go northerly under the highway and southerly into an existing City of Kingston easement running behind the properties along Binnington Court.

1425445 Ontario Limited



utilities kingston
water sewer gas electricity networks
all your utility services under one roof

211 Counter Street P.O. Box 790
Kingston, ON K7L 4X7
Tel: 613.546.1181
Fax: 613.542.1463
www.utilitieskingston.com

TO:	Rob Gerritsen, Conservation Lands Coordinator CRCA	Fax Number 547-6474
FROM:	Jim Miller, Manager Utilities Technical Services Ext. 2475	Fax Number
Date: May 18, 2005	Number of Pages 4	Hard Copy to follow yes

Comments:

Rob, Please find attached our letter outlining the gas pipeline project, some background information and our request for consideration by the Authority to grant an easement for this infrastructure.

Please confirm the time, date, and location for your Board meeting.

Regards,

Jim Miller, Manager Utilities Technical Services

cc. Joe Muraca, Senes Consulting Limited

CONFIDENTIALITY --

*This information is intended for use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and has exemption from disclosure under the Municipal Freedom of Information and Protection Act. If you are not the intended recipient, be aware that any disclosure, copying, transmission, or use of the contents of this transmission is prohibited. If you have received the transmission in error, please notify our office by telephone immediately so we may arrange to retrieve the transmission at no cost to you.
1425445 Ontario Limited*



CATARAQUI REGION
CONSERVATION AUTHORITY
P.O. Box 160, 1641 Perth Rd
Glenburnie ON K0H 1S0

Morey Houle Chevlier Engineering Ltd.
Andrew Chevrier
5497 Manotick Main Street
Manotick, ON, K4M 1A2

CRCA Contact Name: Robert Gerritsen
Phone Number: 613-546-4228 Ext. 234
Fax Number: 613-547-6474
E-mail: rgerrit@cataraquiregion.on.ca

Conservation Area, Outdoor Centre or Education Program Booking

SCIENTIFIC PERMIT		ISSUE DATE:	25-Nov-04
		PERMIT #:	CA043359
FUNCTION START DATE:	November 30, 2004	FUNCTION END DATE:	December 1, 2004
ARRIVAL TIME:	dawn	DEPARTURE TIME:	dusk
NAME OF GROUP: Morey Houle Chevrier Engineering Ltd.			
PERSON IN CHARGE: Andrew Chevrier			
ADDRESS: 5497 Manotick Main Street Manotick, ON, K4M 1A2			
TELEPHONE: (613) 692-8686			
NO. OF PEOPLE: N/A		AGE: N/A	
CONSERVATION AREA: Little Cataraqui Creek Conservation Area			
SECTION/FACILITIES: Southwest Portion of the Property			
PROGRAM/USE: Geotechnical Investigation			
SPECIAL NOTES: Details on the equipment and access to be in conformity with the attached memorandum and dated November 2, 2004. The access route may be subject to change and is to be determined and confirmed in the field with CRCA staff.			
FEE: N/A			
G.S.T. #R106879158		TOTAL:	\$0.00
G.S.T. TAX CODE: T		G.S.T.:	\$0.00
		SUB-TOTAL:	\$0.00
(TAX CODES: T=TAXABLE; Z=ZERO RATED; E=EXEMPT; I=INCLUDED)			
LIABILITY INSURANCE REQUIRED:	YES (X)	RECEIVED ()	
	NO ()		
PERMIT NOT VALID UNTIL LIABILITY INSURANCE CONFIRMED. PAYMENT DUE ON DATE OF FUNCTION.			

We hope your visit is enjoyable. If you have any questions before your outing, please call the CRCA during regular office hours 8:30 a.m. to 4:30 p.m., Monday through Friday.

Date 25/11/04 Approved by 

While you are visiting our facilities, your group is responsible for its conduct and any damages of any kind caused by negligence. You are also required to comply with our regulations for the use of a Conservation Area (Ontario Regulation 99/90 made under Section 29 of the Conservation Authorities Act, RSO 1990).

- Fires are allowed only in the barbecues or fire pits provided.
- Dogs and other pets must be kept on a leash not more than two metres in length.
- No alcoholic beverages are permitted (except in the Little Cataraqui Creek Outdoor Centre with an approved Special Occasion Permit).
- Do not injure, damage, disturb or remove any structure, rock, plant, animal or other property living or dead.

A copy of the regulations in their entirety is available from the CRCA office.



A Facsimile Transmittal
from the
Cataraqui Region
Conservation Authority

Date: 25/11/04 File: _____
To: JIM MILLER FaxNo: 542-1463
PUC
From: ROBERT GORRITSEN @ 234
Re: GEOTECHNICAL INVESTIGATION

Number of pages 5 (including cover)

- As requested
- Original to follow
- For your information
- Treat as original

Message:

JIM
- ACCESS PERMIT FOR GEOTECH.
- LETTER RE: MOTION FROM
FULL AUTHORITY. LAST NIGHT
WILL BE FORWARDED WHEN
MINUTES ARE AVAILABLE.



CATARAQUI REGION CONSERVATION AUTHORITY
1641 Perth Road • P.O. Box 160 • Glenburnie, Ontario • K0H 1S0
Telephone: (613) 546-4228 Fax: (613) 547-6474
E-mail: crca@cataraquiregion.on.ca Website: www.cataraquiregion.on.ca

Letter to:
Utilities Kingston


May 19, 2005
05-222

-3-

We trust that this letter is sufficient for your purposes. If you have any questions concerning this information, please call.

Yours truly,

MOREY HOULE CHEVRIER ENGINEERING LTD.



A.F. Chevrier, P.Eng.
Principal

Figure 1

Morey Houle Chevrier Engineering Ltd.

TOTAL P.04

or 1980. The amount of water supplied by the well is reported to be sufficient only for consumption purposes. The quality of the well water is reported to be satisfactory.

On-Site Septic System

The septic system is located southeast of the house and consists of a Class IV system with a septic tank and leaching bed. The leaching bed appears to be in-ground or partially raised. It is understood that the leaching bed is currently operating satisfactorily.

Cistern

A cistern has been installed at the southeast corner of the house to augment the water supply to the house. It is understood that the cistern is of stone masonry construction with an interior cementitious parging. The parging has reportedly been damaged due to blasting at the McAdoo Quarry and requires repair. Water from the roof is discharged via the eaves troughing to the cistern. The water is then pumped to a plastic holding tank.

Effects of the Proposed Construction

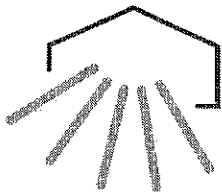
Based on our examination of bedrock outcrops in the vicinity of the site, it is expected that the subsurface near 1585 Bur Brook Road is characterized by thin deposits of fill and glacial till, followed by limestone bedrock. The bedrock consists of thinly to medium bedded, grey limestone. Some open and weathered joints are expected in the upper part of the formation.

Based on our experience, bedrock removal in the vicinity of the subject property could be carried out using hoe ramming techniques. In areas where an upper layer of fractured and weathered bedrock is encountered, bedrock removal could likely be carried out using hydraulic excavation equipment, possibly augmented with the hoe ramming equipment.

The vibration effects due hoe ramming are minor and localized. In our opinion, the proposed construction should not have any significant effects on the existing well, septic system and cistern, which are located at least 30 metres from the centreline of the roadway.

To provide background information on the condition of the existing water supply well, we recommend that a pre-condition survey of the existing well be carried out. One sample of the water should be obtained and tested for the bacteriological and chemical parameters listed in the "Ontario Drinking Water Objectives".

Morey Houle Chevrier Engineering Ltd.



May 20, 2005

Joe Wise
1387 Sunnyside Rd
Kingston, Ont K7L 4V4

**RE: Natural Gas Line Feed
City of Kingston
Acquisition of Land
Our File: E11-14-01 2004**

Recently staff of Utilities Kingston and yourself attended at a parcel of land on Sunnyside Rd registered in the name of Anna Wise to view a potential alignment for a new natural gas line feed into the City of Kingston. This was to discuss the possibility of either an easement across this land or perhaps the conveyance of the entire parcel. I would like to express that we appreciate the time taken and the comments/discussion to date.

Utilities Kingston represents the City of Kingston regarding the management and operation of the natural gas distribution system within our service area boundary. The existing gas feed (from Glenburnie southerly along Perth Road/Division Street) is approximately 47 years old and is the only source of gas supply for over 11,000 customers. Utilities Kingston wishes to establish a second supply line to enable operational flexibility and systems planning for gas within the City.

At this time we would like to formally request consideration by yourself, having power of attorney in these matters for the conveyance of this small parcel as shown on the attached drawing (E11-14-01/101) as Part 1 to accommodate the planned infrastructure. Following the discussion between yourself and Mr. Sopha it is generally felt that conveying this portion of land may be the more favorable than an easement across it.

An appraisal has already been conducted in this area and indicates the property value to be \$3500 to \$5000 per acre. However being that this land exists having a natural severance we consider that to offer \$500.00 for this portion would be reasonable.

We would also like to recognize that as this would represent an acquisition of interest in property by the City, normal procedures necessary for this transfer of title, surveys, legal fees etc would be undertaken at our expense. Should this offer be acceptable please respond in writing to the undersigned at your earliest possible convenience such that we may start the process of the transfer.

We appreciate your consideration of this proposal and we are available to answer any questions or provide further clarification as required. In the interim please feel free to contact Dale Sopha, Engineering Assistant, or the undersigned.

Sincerely,

Jim Miller, Manager Utilities Technical Services

cc. Jim Keech, President & CEO Utilities Kingston
Joseph Muraca, Senes Consultants Limited

DS/



LEGEND:
- - - Study Area Boundary
..... Preferred Route

**Existing
Glenburnie
Gate Station
(Start Point)**

**Study Area
Boundary**

**Queen's University
Central Heating Plant
(End Point)**

CITY OF KINGSTON

