

1 **Ontario Energy Board (Board Staff) INTERROGATORY #1 List 1**

2
3 **Interrogatory**

4
5 **Ref. Exh. A/T 1/S 1/p1/par 2 (as related to Issue No. 2 of the Board approved Issues List)**

6
7 For each of the following categories of early access activities proposed by Hydro One,
8 please describe and specify: (i) purpose; (ii) sequence and timing; (iii) duration; (iv)
9 locations along the proposed route; (v) types of equipment involved; (vi) number of crew
10 members required; (vii) type and size of area of disturbances; and (viii) potential impacts:

- 11
12 a. Legal surveys;
13 b. Engineering surveys;
14 c. Soil testing;
15 d. Property appraisals;
16 e. Archaeological surveys;
17 f. Biological surveys; and
18 g. Environmental investigations.

19
20 **Response**

21
22 **a. Legal surveys**

23
24 (i) purpose: To define limits of widened corridor for environmental examinations and
25 engineering design and calculate corridor and (for properties subject to buy-out) non-
26 corridor area to facilitate appraisals, negotiations and acquisition of land rights. The legal
27 surveys involve property boundary retracement, measurement and staking by survey
28 crews.

29
30 (ii) sequence and timing: Commencing work in the Bruce Area in Summer 2007

31
32 (iii) duration: 1 day for initial site investigation of existing monumentation and ½ day to
33 set new bars on a typical rural property

34
35 (iv) locations along the proposed route: Each property impacted by the widened corridor,
36 namely the properties in the widened corridor, the properties subject to buyout, and the
37 properties over which temporary access routes are required.

38
39 (v) types of equipment involved: Computerized transit, GPS receiver, hand tools, wooden
40 stakes, and iron bars; a chainsaw, brushsaw or axe for brushing and tree pruning;
41 possibly an all-terrain vehicle.
42

1 (vi) number of crew members required: 2 member field crew.
2

3 (vii) type and size of area of disturbances: Hand digging at existing monumentation
4 locations to an approximate depth of 0.6 m. Replacement of excavated material and
5 placement of wooden stake to mark location. New iron bar installations will be placed at
6 a 0.6 m. depth.
7

8 (viii) potential impacts: Co-ordination of property access to defer impact on crop lands
9 until post harvest. Some all terrain vehicles will be used to access the corridor where
10 possible and with permission.
11

12 **b. Engineering surveys**
13

14 (i) purpose: To undertake examination of topography to allow for detailed design of line
15 including structure type, height, location and footing requirements. Field review of
16 conditions as necessary. The engineering surveys involve property staking and
17 measuring by survey crews.
18

19 (ii) sequence and timing: Commencing in the summer of 2007.
20

21 (iii) duration: about 2 hours per location.
22

23 (iv) locations along the proposed route: A limited number of locations will need to be
24 reviewed in field (less than 10% of tower locations) within the widened corridor.
25

26 (v) types of equipment involved: Camera, tape measure, and possible survey equipment
27 (i.e., transit) . A light vehicle will be used on existing roads. Otherwise access by foot.
28

29 (vi) number of crew members required: 1 to 3 engineers/technicians.
30

31 (vii) type and size of area of disturbances: within widened corridor; negligible
32 disturbance.
33

34 (viii) potential impacts: Co-ordination of property access to defer impact on crop lands
35 until post harvest. Some all terrain vehicles will be used to access the corridor where
36 possible and with permission.
37

38 **c. Soil testing**
39

40 (i) purpose: to verify soil conditions in order to design tower footings; the work involves
41 bore hole drilling (6" – 8" diameter bore holes) to a depth of 30 ft. to 60 ft., depending on
42 location, on selected properties.

1
2 (ii) sequence and timing: commencing in the fall of 2007

3
4 (iii) duration: 1 day/location

5
6 (iv) locations along the proposed route: at angle tower locations and limited number of
7 suspension structures, on selected properties (approx. 50 – 60) within the widened
8 corridor, and off-corridor for access road planning.

9
10 (v) types of equipment involved: tracked drill rig, light vehicle, hand shovel.

11
12 (vi) number of crew members required: 2 to 3.

13
14 (vii) type and size of area of disturbances: footprint of tracked vehicle and bore hole
15 (approx. 6 – 8 inch diameter). Borehole will be back-filled upon completion.

16
17 (viii) potential impacts: Tracked vehicle will minimize impacts to soil/vegetation.
18 Minimal tree trimming and brushing. Flexibility to alter proposed borehole location with
19 property owner input.

20
21 **d. Property appraisals**

22
23 (i) purpose: property appraisals are necessary to assess the impact of the proposed
24 widened transmission corridor on specific property features including woodlots and
25 structures on or adjacent to the widened corridor, to facilitate fixing the site of work.

26
27 (ii) sequence and timing: Appraisals across the corridor will commence in the summer,
28 2007.

29
30 (iii) duration: 1 meeting with owner to gather details and undertake a site inspection.

31
32 (iv) locations along the proposed route: each property impacted by the widened corridor.

33
34 (v) types of equipment involved: camera, tape measure.

35
36 (vi) number of crew members required: 1 appraiser on foot.

37
38 (vii) type and size of area of disturbances: visit will involve visual inspection of property
39 and all structures and taking notes on all particulars.

40
41 (viii) potential impacts: none

42

1 **e. Archaeological surveys**

2
3 (i) purpose: to determine type and extent of archaeological resources and appropriate
4 mitigation by conducting surface checks for items of interest in recently ploughed fields
5 or, where no ploughing has recently occurred, by examining a shovelful of earth dug at 5-
6 meter intervals.

7 (ii) sequence and timing: Begin at the Bruce area and work east as much as is
8 practicable. For Stage 2, timing will be immediately after ploughing for agricultural
9 fields that would be ploughed in the year of study. For all other areas the timing window
10 is April through November.

11
12 (iii) duration: Stage 2: 1 day
13 Stage 3 and 4 studies are more detailed in scope and will focus on much smaller sites.
14 The timing and duration is dependent on the extent of the stage 2 finding.

15
16 (iv) locations along the proposed route: On the widened corridor and on potential access
17 routes off-corridor; all properties must be walked through during Stage 2. Stage 3 / 4, see
18 above.

19
20 (v) types of equipment involved: shovels, soil screening, sieve, tape measures

21
22 (vi) number of crew members required: Stage 2: 1-2 Stage 3/4 : 3 to 12; all on foot

23
24 (vii) type and size of area of disturbances: Stage 2: the area of a shovelful on a 5m grid.
25 Stage 3/4: determined by the significance of the find in consultation with Ministry of
26 Culture staff.

27
28 (viii) potential impacts: To be determined by the extent of the work necessary.

29
30 **f. Biological surveys**

31
32 (i) purpose: obtain baseline environmental data, to enable the determination of potential
33 environmental effects and appropriate mitigation. This activity will involve collection of
34 plant and wildlife and fisheries information, habitat assessments and delineation of
35 wetland and ANSI boundaries.

36 (ii) sequence and timing: vegetation surveys will occur in spring and summer, fisheries
37 surveys can occur any time in the summer. Animal and habitat observations will occur
38 once for each season.

39
40 (iii) duration: 1 – 2 days; depending on size of property and features present

1
2 (iv) locations along the proposed route: on the widened corridor and on potential access
3 routes off-corridor; each property with vegetation communities (other than cropped
4 farmland) will be assessed; fisheries assessments will occur only on those properties that
5 have watercourses.

6
7 (v) types of equipment involved: backpack electrofisher, binoculars, notepads, cameras
8 and fieldbooks.

9
10 (vi) number of crew members required: 2-3, on foot

11
12 (vii) type and size of area of disturbances: no disturbance is anticipated.

13
14 (viii) potential impacts: no impacts are anticipated.

15
16 **g. Environmental investigations**

17
18 Other environmental investigations including hydrologic/water quality testing, landscape
19 and visual assessment, cultural and built heritage assessment, landowner and business
20 owner surveys, agricultural investigations, well water testing:

21
22 (i) purpose: obtain baseline environmental data, to enable the determination of potential
23 environmental effects and appropriate mitigation.

24
25 (ii) sequence and timing: hydrologic/water testing will occur concurrent with fisheries
26 assessments at watercrossings. Landscape and visual assessment will occur during leaf
27 cover and without leaf cover. Agricultural operations will be surveyed during spring and
28 summer. There is no particular timing window for the other environmental investigations.
29 All environmental investigations can be sequenced beginning at the Bruce area and
30 proceeding east.

31
32 (iii) duration: approximately one day per property per activity (exception for water
33 testing that will occur concurrently with fisheries assessments and well water sampling
34 which will be a short visit).

35
36 (iv) locations along the proposed route: hydrologic/water quality testing will be carried
37 out at all watercrossing locations. Landscape and visual assessment will be carried out at
38 all areas of high visual importance (e.g., NEC, river crossings.) Cultural and built
39 heritage assessments will be carried out for all areas of historical importance. Landowner
40 and business owner surveys will be administered to all affected property/business owners.
41 Agricultural surveys will occur on all agricultural operations. Well water testing will
42 occur within 100m of the proposed right of way or access roads.

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1

2 (v) types of equipment involved:

3 Hydrologic/water quality testing: backpack-sized water quality monitoring equipment.

4 Landscape and Visual Assessments: camera, binoculars and notepad.

5 Cultural and built heritage assessments: camera, notepad, tape measure

6 Landowner and business owner surveys: questionnaire, pen

7 Agricultural surveys: notepad, camera, soil testing kit.

8 Well testing: backpack-sized water quality monitoring equipment.

9

10 (vi) number of crew members required: 1-3 people, on foot

11

12 (vii) type and size of area of disturbances: no area of disturbance

13

14 (viii) potential impacts: none

15

1 **Ontario Energy Board (Board Staff) INTERROGATORY #2 List 1**

2
3 **Interrogatory**

4
5 **Ref. Exh. A/T 1/S 1/p1/par 2 (as related to Issue No. 2 of the Board approved Issues List)**

6
7 For each of the following categories of early activities proposed by Hydro One, please
8 describe the planned mitigation and restoration of impacts on current land uses:

- 9
10 a. Legal surveys;
11 b. Engineering surveys;
12 c. Soil testing;
13 d. Property appraisals;
14 e. Archaeological surveys;
15 f. Biological surveys; and
16 g. Environmental investigations.

17
18 **Response**

19
20 Due to the non-invasive nature of most of the early access activities, Hydro One expects
21 that there will be a minimal amount of mitigation and restoration required as a result of
22 disturbance or damage. However, Hydro One will undertake appropriate mitigation and
23 restoration, and compensation for damages will be paid consistent with section 98(2) of
24 the OEB Act, to the extent such disturbance or damage is caused.

25
26 **a. Legal surveys**

27 Mitigation/Restoration: The limited hand dug holes required to uncover existing
28 monumentation will be refilled and compacted to a pre-entry condition. Any new iron
29 bars will be set at least 0.6m below grade and buried. Minimal trimming of branches
30 and brush will be required. Scheduling will attempt to defer attendance on crop lands
31 until after harvest in the fall, 2007.

32
33 **b. Engineering surveys**

34 Mitigation/Restoration: Non-invasive. No mitigation required. Most surveys will be
35 undertaken using digital mapping.

36
37 **c. Soil testing**

38 Mitigation/Restoration: Minimal trimming of branches and brush will be required.
39 Tracked vehicles will be used to minimize impact on ground. Proposed borehole
40 locations will be relocated if necessary to avoid sensitive areas. Holes will be back filled
41 before leaving site.
42

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1 **d. Property appraisals**

2 Mitigation/Restoration: Non-invasive. No mitigation required.

3

4 **e. Archaeological surveys**

5 Mitigation/Restoration: To be determined by the extent of the work.

6

7 **f. Biological surveys**

8 Mitigation/Restoration: Non invasive. No mitigation required.

9

10 **g. Environmental investigations**, including hydrologic/water quality testing, landscape
11 and visual assessment, cultural and built heritage assessment, landowner and business
12 owner surveys, agricultural investigations, well water testing.

13

14 Mitigation/Restoration: Non-invasive. No mitigation required.

15

1 **Ontario Energy Board (Board Staff) INTERROGATORY #3List 1**

2
3 **Interrogatory**

4
5 **Ref. Exh. A/T 1/S 1/p3-4/par 8 (as related to Issue No. 2 of the Board approved Issues List)**

- 6
7 a. What is the current status and plan of Hydro One's communications with affected
8 landowners regarding the access activities?
9
10 b. What are the next steps and plans for Hydro One's communications with affected
11 landowners regarding the access activities?
12
13 c. Please provide a summary of any records of communications to date.
14
15 d. Please describe Hydro One's planned landowner complaint tracking protocol including
16 how Hydro One will act on any complaints.
17

18 **Response**

- 19
20 a. Hydro One's plan is to provide sufficient advance notice to affected property
21 owners via telephone or written communications prior to accessing their
22 properties. Hydro One is supportive of Staff's proposal (contained in Condition
23 1) that notice be provided a minimum of 48 hours prior to entry, with the minor
24 exception that Hydro One suggests notice should be written or oral, rather than
25 both written and oral as Staff proposes. Please see Hydro One's response to
26 Board Staff IR # 5.
27

28 As part of Hydro One's overall project communication plan, various channels
29 have been established to provide Early Access information to affected landowners
30 along with other project information. This includes: personal letters (March and
31 April); newsletters (March and July); newspaper ads (April); Public Information
32 Centres (April and May); an established toll-free project hotline (1-877-345-
33 6799); and a project website: www.HydroOneNetworks.com/BrucetoMilton that
34 is updated on a regular basis.
35

- 36 b. As Hydro One awaits the Board ruling on its early access application, it has
37 directed its Property Agents to initiate individual contact with affected property
38 owners (with the exception of those landowners belonging to the Powerline
39 group, whose counsel has forbidden any direct contacts by Hydro One with
40 property owners who are members of Powerline) to explain the Early Access
41 activities and proposed schedule for entry onto the properties. This process has
42 involved both telephone calls and face-to-face meetings. If the Board approves the
43 Early Access application on acceptable terms and conditions, Hydro One will

1 notify all affected property owners in writing of the decision and of Hydro One's
2 plans and practice for entering properties.

3

4 c. Hydro One's Communication record with landowners to date includes:

5

6 ❖ Week of March 26, 2007 – Project Announcement Letter and Bruce to
7 Milton Connections Newsletter #1 (delivered via Canada Post Express
8 Mail)

9 ❖ Toll Free Project Hotline established early March 2007

10 ❖ Telephone contact and email communication with property owners and
11 Hydro One staff (ongoing)

12 ❖ Project Website launched March 26, 2007

13 ❖ Notice of Commencement of Environmental Assessment for the Bruce to
14 Milton Transmission Reinforcement Project was included with the OEB
15 Notice Package (Week of April 16, 2007)

16 ❖ Public Information Centres held in seven study area communities (April
17 30 – May 9, 2007)

18 ❖ Early Access Application Update mailed (May 3, 2007)

19 ❖ Full page newspaper ads in 16 local newspapers (April 19 – 26, 2007)

20 ❖ *Bruce to Milton Connections* Newsletter #1 delivered via Canada Post
21 Admail to all homes within 500 metres of widened Bruce to Milton
22 corridor (week of April 16, 2007).

23 ❖ Property Agent contact (telephone and face-to-face meetings) with
24 affected property owners initiated in July and to continue through out
25 project duration

26 ❖ *Bruce to Milton Connections Newsletter #2* mailed to affected property
27 owners (July 13, 2007)

28 ❖ Website updates at key project milestones

29 ❖ Newspaper ad in local papers end of July 2007 to provide general project
30 update

31 ❖ Notice of Submission of EA Terms of Reference to the Ministry of the
32 Environment to be placed in local newspapers starting in early August
33 2007

34 ❖ Regular letters and newsletter at key project milestones mailed to property
35 owners and other key stakeholders

36

Ontario Energy Board (Board Staff) INTERROGATORY #4 List 1

Interrogatory

Ref. Exh. A/T 1/S 1/Attachement C/ (as related to Issue No. 2 of the Board approved Issues List)

a. Please discuss Hydro One rationale for including a form of agreement “Access-Testing and Associated Access Routes” in the pre-filed evidence with the application under s. 98. Explain in which instances Hydro One will offer this form of agreement to the affected landowners and to which lands this agreement will apply.

b. Please explain the status of negotiations with directly affected landowners regarding “Access-Testing and Associated Access Routes” agreement? What are the prospects and anticipated timeline for closing these negotiations?

Response

a) The written agreement template labeled “Access—Testing and Associated Access Routes” is intended for use only with landowners over whose lands Hydro One requires the rights to construct and use temporary access routes in connection with the early access activities. In most cases, Hydro One expects that access to landowner lands for vehicles and equipment in order to complete the early access activities will be made via road crossings or other right-of way access, and that it will not be necessary to construct access routes on landowner lands to the widened corridor. However, there may be a limited number of cases where the use or construction of access routes to the widened corridor is necessary, and in those limited circumstances, Hydro One will seek a written agreement with landowners.

b) As Hydro One awaits the Board ruling on early access, it has directed its property agents to initiate contact with affected landowners (with the exception of those landowners belonging to the Powerline group, whose counsel has forbidden any direct contacts by Hydro One with property owners who are members of Powerline) to explain the early access activities, including the location of potential temporary access routes to the proposed widened corridor that may be required in connection with the early access activities. This involves both telephone calls and face-to-face meetings. In the event the Board approves the Early Access application on acceptable terms and conditions, Hydro One will notify all affected landowners of the decision and of Hydro One’s plans, practices and proposed schedule for entering properties, consistent with any terms and conditions included in the Board Order. Hydro One will also initiate meetings and negotiations with the affected property owners, on whose property a temporary access route is required, to secure access rights pursuant to an “Access-Testing and Associated Access Route Agreement.”

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1 As indicated in the May 3rd clarification letter sent to landowners, the “Access-
2 Testing and Associated Access Route Agreement” is meant to be used only in the
3 limited number of cases where temporary access routes are required.
4

Ontario Energy Board (Board Staff) INTERROGATORY #5 List 1

Interrogatory

Ref. Exh. A/T 1/S 1/p 4-5/par 10 (as related to Issue No. 3 of the Board approved Issues List)

Please comment on appropriateness of potential conditions prepared by Board Staff:

1) Hydro One is to provide oral and written notice to landowners a minimum of 48 hours prior to entry. Access is to be limited for a subsequent 7 day window in which entry could occur. (Example: Hydro One will provide notice by Friday for a 7 day access window beginning Monday and running to the following Sunday). Where Hydro One has not been able to contact a landowner prior to access, Hydro One is to keep a record of activities conducted and make it available to the landowner.

2) Notice is to include list of activities to be performed during the access window. Description and checklist of activities are to be based on, but not limited to, the following:

- Legal surveys involving property staking and measuring by survey crews along the perimeter of the widened corridor;
- Engineering surveys involving property staking and measuring by survey crews within the widened corridor;
- Soil testing on selected properties involving bore hole drilling within the widened corridor using a tracked vehicle;
- Property appraisals including woodlot assessments on each affected property;
- Biological surveys by personnel on foot involving collection of plant and wildlife information within the widened corridor and on potential access routes off-corridor;
- Archaeological surveys by personnel on foot involving surface-checks for items of interest in recently ploughed fields and where no ploughing has recently occurred a shovelful of earth dug at 5-metre intervals within the widened corridor and on potential access routes off-corridor;
- Other environmental investigations by personnel on foot including access road planning, hydrologic/water quality testing and habitat assessment including wetlands reconnaissance, within the widened corridor and on potential access routes off-corridor.

1 3) Reasonable accommodation is to be made to the early access schedule for landowner
2 requests/concerns to ensure access activities do not interfere with landowners operations.

3
4 4) Landowners can be present to observe early access activities subject to Hydro One
5 safety policies and procedures and the Occupational Health and Safety Act.

6
7 5) Upon request the landowners are to be provided with results of the information
8 collected by the early access activities, subject to applicable MNR or other agency
9 disclosure guidelines (e.g., with respect to species-at-risk protection).

10
11 6) Hydro One is to ensure gates/fences/entryways used by Hydro One personnel or its
12 agents in connection with early access activities are closed. Work sites are to be left in a
13 safe condition overnight.

14
15 7) Affected areas are to be restored to their original condition to the extent possible and
16 practicable failing which, damages to be paid as per section 98 (2) of the OEB Act.

17
18 **Response**

19
20 Hydro One is in substantial agreement with Staff's proposed conditions and suggests the
21 following minor clarifying revisions to some of the numbered sections. Changes,
22 including rationale where necessary, are shown as strike-outs for deletions and bolded for
23 additions, with rationale shown in parentheses.

24
25 1) Hydro One is to provide oral ~~and/or~~ written notice [rationale: unnecessary to
26 provide both oral and written notice] to landowners a minimum of 48 hours prior
27 to entry. Access is to be limited for a subsequent 7 day window in which entry
28 could occur. (Example: Hydro One will provide notice by Friday for a 7 day
29 access window beginning Monday and running to the following Sunday). Where
30 Hydro One has not been able to contact a landowner prior to access, Hydro One is
31 to keep a record of activities conducted and make it available to the landowner.

32
33 2) Notice is to include list of activities to be performed during the access window.
34 Description and checklist of activities are to be based on, but not limited to, the
35 following:

- 36
37 • Legal surveys involving property staking and measuring by survey crews along
38 the perimeter of the widened corridor, **along the perimeter of properties subject**
39 **to buy-out, and for temporary access routes (as required)** [rationale: include
40 buy-out properties and temporary access routes in the legal survey work];
41

- 1 • Engineering surveys involving property staking and measuring by survey crews
2 within the widened corridor;
3
- 4 • Soil testing on selected properties involving bore hole drilling within the widened
5 corridor using light vehicles and equipment; **and access road planning**;
6
- 7 • Property appraisals including woodlot assessments on each affected property;
8
- 9 • Biological surveys by personnel on foot involving collection of plant and wildlife
10 information, **habitat assessments and delineation of wetland and ANSI**
11 **boundaries** within the widened corridor and on potential access routes off-
12 corridor;
13
- 14 • Archaeological surveys by personnel on foot involving surface-checks for items
15 of interest in recently ploughed fields and where no ploughing has recently
16 occurred a shovelful of earth dug at 5-metre intervals within the widened corridor
17 and on potential access routes off-corridor;
18
- 19 • Other environmental investigations by personnel on foot including ~~access road~~
20 ~~planning, hydrologic/water quality testing and habitat assessment including~~
21 ~~wetlands reconnaissance,~~ **hydrologic/water quality testing, landscape and**
22 **visual assessment, cultural and built heritage assessment, landowner and**
23 **business owner surveys, agricultural investigations, and well water testing,**
24 within the widened corridor and on potential access routes off-corridor.
25
- 26 6) Hydro One is to ensure gates/fences/entryways used by Hydro One personnel or
27 its agents in connection with early access activities are ~~closed~~ **left as found**
28 [rationale: gates to be left in original condition rather than always closed]. Work
29 sites are to be left in a safe condition overnight.