

2.0 ENVIRONMENTAL ASSESSMENT PROCESS

This section provides a brief overview of the environmental assessment (EA) process under the British Columbia *Environmental Assessment Act* (BCEAA), including the role of the Application Information Requirements (AIR) in that process.

2.1 PROVINCIAL ENVIRONMENTAL ASSESSMENT PROCESS

Prince Rupert Gas Transmission Ltd. (PRGT) submitted the Project Description for the Project on May 21, 2013. On June 6, 2013, the British Columbia (BC) Environmental Assessment Office (EAO) issued a Section 10(1)(c) Order to PRGT confirming that the Project is a reviewable project pursuant to BCEAA and that it requires an Environmental Assessment Certificate (EAC) before proceeding with construction (Appendix A).

The Project is subject to review under Parts 4 and 5 of the Reviewable Projects Regulation of BCEAA. Thresholds under this regulation have been identified and are described below:

- Part 4, Table 8 (Petroleum and Natural Gas Projects), line 4 specifies new transmission pipeline facilities with a diameter greater than 323.9 mm and a length more than 40 km to be a reviewable project.
- Part 5, Table 9 (Water Management Projects), line 5 specifies a new facility, or a new activity unrelated to the construction of a new facility, that results in changes in or about a stream, marine coastline or estuary, and entails dredging, filling or other direct physical disturbance of more than 2 hectares of foreshore or submerged land, or a combination of foreshore and submerged land, below the natural boundary of a stream, marine coastline or estuary to be a reviewable project.

On November 8, 2013, the EAO issued a Section 11 Order requiring an EAC Application for the Project to be conducted in accordance with Schedule A, B, and C of the Order. A Section 11 Order is used to direct the proponent on the scope of the project, components to be assessed, effects to be considered, and the roles and responsibilities of the proponent (EAO 2011). On February 13, 2014, the EAO issued the final AIR; the purpose of the AIR is to specify the information required in the Application. The Application has been developed pursuant to the approved AIR, PRGT believes it meets all of the requirements specified therein, and complies with relevant instructions provided in the Section 11 Order, including the Aboriginal (including Nisga'a Nation) and Public Consultation Plans.

Table 2-1 provides an overview of milestones in the provincial EAC Application process completed to date.

Table 2-1: Overview of Key Provincial Environmental Assessment Milestones

Milestone	Date	Discussion/Description
Project Description	May 21, 2013	PRGT submitted a Project Description.
Section 10 Order	June 6, 2013	EAO issued an order under Section 10(1)(c) stating that the Project was reviewable under BCEAA and that an EAC Application was required.
Updated Project Description (1)	July 15, 2013	PRGT submitted an update to the Project Description.
Updated Project Description (2)	August 14, 2013	PRGT submitted an update to the Project Description.
Draft Section 11 Order provided to the Working Group	August 27, 2013	EAO provided the Working Group with the draft Section 11 Order and the PRGT's draft Valued Component (VC) Selection Document for their review. ¹
Draft AIR #1 submitted to EAO	August 28, 2013	PRGT submitted draft AIR #1 to EAO.
EAO teleconference regarding Section 11 Order and VC Selection Document	September 12, 2013	EAO teleconference with Working Group to review draft Section 11 Order and to provide an overview of the purpose of PRGT's draft VC Selection Document.
Proposed Pipeline Route Update (3)	September 13, 2013	PRGT submitted a letter and a map outlining the PRGT proposed route update.
EAO comments on draft AIR #1 received	September 15, 2013	EAO review and comments received on the PRGT draft AIR #1.
Draft AIR #2 submitted to EAO	October 4, 2013	PRGT submitted draft AIR #2 to EAO.
EAO provided draft AIR #2 to Working Group	October 4, 2013	EAO provided the Working Group draft AIR #2 for their review (21 days).
EAO Working Group Meeting	October 17, 2013	Meeting in Prince George to introduce the Project and to discuss the EAC Application process, timelines, and the draft AIR #2.
Working Group Round 1 comments on draft AIR #2 to EAO	October 25, 2013	Working Group Round 1 comments on draft AIR #2 were submitted to EAO.
Section 11 Order	November 8, 2013	EAO issued an Order under Section 11 requiring the EAC Application for the Project to be conducted in accordance with Schedule A, B, and C of the Order.
Responses to Round 1 Working Group comments submitted to EAO	November 12, 2013	PRGT provided responses in the comment tracking table to all Round 1 comments received from the Working Group on the draft AIR, and changes were made, as appropriate, to the draft AIR #3 prior to its submission to the EAO.
Draft AIR #3 submitted to EAO	November 12, 2013	PRGT submitted draft AIR #3 to EAO.
EAO provided draft AIR #3 to Working Group	November 12 - 13, 2013	EAO provided the Working Group draft AIR #3 for their review (16-17 days).

¹ The VC selection document was not finalized; rather, the comments received on this document were addressed during the comment response period for the draft AIR.

Table 2-1: Overview of Key Provincial Environmental Assessment Milestones (cont'd)

Milestone	Date	Discussion/Description
Public Comment Period on the draft AIR #2	November 19, 2013 (midnight) to December 18, 2013 (midnight)	Public comment period for the draft AIR #2 and the Project.
EAO Technical Working Sub-Group Meeting: Marine Resources	November 19, 2013	Sub-Working Group meeting in Prince Rupert to provide an overview of pipeline construction methods as it relates to the marine environment and to discuss comments received from the Working Group and PRGT responses. Changes to the next draft of the AIR were discussed.
EAO Technical Working Sub-Group Meeting: Freshwater and Aquatic Resources	November 20, 2013	Sub-Working Group meeting in Terrace to provide an overview of pipeline construction methods as it relates to the freshwater environment and to discuss comments received from the Working Group and PRGT responses. Changes to the next draft of the AIR were discussed.
EAO Technical Working Sub-Group Meeting: Terrestrial and Wildlife	November 27, 2013	Sub-Working Group meeting in Prince George to provide an overview of pipeline construction methods as it relates to the terrestrial wildlife and vegetation (including soils) and to discuss comments received from the Working Group and PRGT responses. Changes to the next draft of the AIR were discussed.
EAO Mackenzie Open House on the draft AIR #2	November 27, 2013	Open House in Mackenzie to provide the public an opportunity to learn about the Project and the environmental assessment application process, including the draft AIR #2.
EAO Hudson's Hope Open House on the draft AIR #2	November 28, 2013	Open House in Hudson's Hope to provide the public an opportunity to learn more about the Project and the environmental assessment application process, including the draft AIR #2.
Working Group Round 2 comments on draft AIR #3 to EAO	November 29, 2013	Working Group Round 2 comments on draft AIR #3 were submitted to EAO.
EAO Hazelton Open House on the draft AIR #2	December 4, 2013	Open House in Hazelton to provide the public an opportunity to learn more about the Project and the environmental assessment application process, including the draft AIR #2.
EAO Port Edward Open House on the draft AIR #2	December 5, 2013	Open House in Port Edward to provide the public an opportunity to learn more about the Project and the environmental assessment application process, including the draft AIR #2.
Draft AIR #4 submitted to EAO	December 14, 2013	PRGT submitted draft AIR #4 to EAO based on feedback from the Working Group and public.
EAO provided draft AIR #4 to Working Group	December 14, 2013	EAO provided the Working Group draft AIR #4 for their review (27 days).
Responses to Round 2 Working Group comments submitted to EAO in comment tracking table	December 14, 2013	PRGT provided responses in the comment tracking table to all Round 2 comments received from the Working Group on the draft AIR, and changes were made, as appropriate, to the draft AIR #4 prior to its submission to the EAO.
Working Group Round 3 comments on draft AIR #4	January 10, 2014	Working Group Round 3 comments on draft AIR #4 were submitted to EAO.
Draft AIR #5 submitted to EAO	January 22, 2014	PRGT submitted draft AIR #5 to EAO.

Table 2-1: Overview of Key Provincial Environmental Assessment Milestones (cont'd)

Milestone	Date	Discussion/Description
Responses to Round 3 Working Group comments submitted to EAO	January 31, 2014	PRGT provided responses in the comment tracking table to all Round 3 comments received from the Working Group on draft AIR #4, and changes were made, as appropriate, to the draft AIR #5 prior to its submission to the EAO.
Responses to public comments submitted to EAO	February 1, 2014	PRGT submitted responses to public comments to EAO.
EAO Working Group meeting: Overview of the Project	February 5, 2014	Working Group meeting in Prince George to provide an overview of the Project and answer questions from Working Group members.
EAO Working Group meeting: Fish and Wildlife, including Wetlands	February 7, 2014	Working Group meeting in Prince George to present information on fish and wildlife, including wetlands and answer questions from Working Group members.
PRGT submits final draft AIR to EAO	February 13, 2014	PRGT submitted final draft AIR to EAO following final EAO comments.
EAO issued approved AIR	February 13, 2014	EAO issued approved AIR.
EAO Working Group meeting: Marine	February 13, 2014	Working Group meeting in Prince Rupert to present information on the marine components of the Project and answer questions from Working Group members.
Project Update (4)	March 24, 2014	PRGT submitted a letter and a map outlining the PRGT proposed route update to EAO.
Application submitted for Adequacy Review	April 3, 2014	PRGT Application submitted to EAO for Adequacy Review.
Application Evaluation Decision	May 2, 2014	EAO issued a letter stating that the PRGT Application meets the requirements set out in the AIR.

The Working Group provides the EAO with guidance regarding issues related to the EAC Application and provides recommendations regarding proposed mitigation measures for the Project (EAO 2011). Table 2-2 lists agencies, departments, and Aboriginal groups that are members of the Working Group for the Project. The EAO received feedback on three drafts of the AIR (# 2, 3 and 4) during three Working Group comment periods between October 2013 and January 2014.

Table 2-2: Agencies, Departments, and Aboriginal Groups on the Working Group for the Project

Organization	Organization
BC Oil and Gas Commission, Resource Development & Geology	Ministry of Environment, Environmental Protection Division – Omineca
BC Oil and Gas Commission, Major Projects	Ministry of Environment, BC Parks and Conservation Officer Service Division
City of Prince Rupert	Ministry of Forests, Lands and Natural Resource Operations
District of Chetwynd	Ministry of Forests, Lands and Natural Resource Operations, Regional Operations Division
District of Fort St. James	Ministry of Forests, Lands and Natural Resource Operations, Regional Operations Division - North Area

Table 2--2: Agencies, Departments, and Aboriginal Groups on the Working Group for the Project (cont'd)

Organization	Organization
District of Hudson's Hope	Ministry of Forests, Lands and Natural Resource Operations, Regional Operations Division, Northeast Region
District of Mackenzie	Ministry of Jobs, Tourism and Skills Training, Tourism Strategy and Policy
District of New Hazelton	Ministry of Transportation and Infrastructure, Engineering - Highways Department
District of Port Edward	Ministry of Transportation and Infrastructure, Pacific Gateway Branch
Environment Canada, Environmental Assessment Unit	Nak'azdli Band
Environment Canada, Environmental Protection Operations	Nisga'a Lisims Government
Fisheries and Oceans Canada	Peace River Regional District
Fisheries and Oceans Canada, Fisheries Protection Program	Prince Rupert Port Authority
Gitanyow First Nations, (Wilp Gamlakyltxw, Wilp Malii, Wilp Gwaas Hla'am, Wilp Watakhayetsxw and Luux Hon as represented by the Gitanyow Hereditary Chiefs)	Regional District of Fraser Fort George
Gitxsan First Nations (Delgamuukw, Geel, Gitludahl, Guutkunuxw, Gwii Yeehl, Gyetm Galdo, KliiyeemYagosip Lax Ha, Luutkudziiwus, Mauus, Wii Eelast, Wii Mugulsxw, Wosimlaxha, and Yagosip)	Regional District of Fraser-Fort George, Sustainable Development
Gitxaala Nation	Regional District of Kitimat-Stikine
Halfway River First Nation	Regional District of Kitimat-Stikine, Planning & Development Services
Kitselas First Nation	Saulteau First Nations
Kitsumkalum First Nation (Kitsumkalum Indian Band)	Skeena-Queen Charlotte Regional District
Lake Babine First Nation (Lake Babine Nation)	Tl'azt'en Nation
Lax kw'alaams First Nation (Lax Kw'alaams Band)	Transport Canada, Environmental Services
McLeod Lake Indian Band	Transport Canada
Metlakatla First Nation	Transport Canada, Navigable Waters Protection
Ministry of Aboriginal Relations and Reconciliation, Negotiations and Regional Operations Division	Takla Lake First Nation
Ministry of Agriculture, Risk Management and Competitiveness	Village of Granisle
Ministry of Agriculture	Village of Hazelton
Ministry of Environment, Environmental Protection Division	Yekooche First Nation
Ministry of Environment, Climate Action Secretariat	West Moberly First Nations

The EAO received feedback from the public on draft #2 of the AIR during a comment period between November 19 and December 18, 2013.

Prince Rupert Gas Transmission Ltd. received feedback on the draft AIR #2 during a public comment period between November to December 2013 and three Working Group comment periods between November 2013 and January 2014. Issues and concerns raised by the public, community members, regulators such as the EAO, the Working Group, and Aboriginal groups during the comment periods were identified, and changes were made to the AIR as a result of this feedback (see Table 2-3).

Prince Rupert Gas Transmission Ltd.'s Application was completed in accordance with the final AIR. Upon receipt of the Application, the EAO carried out a 30-day screening of the document to ensure its completeness prior to accepting the document and initiating the 180-day Application review process. Any minor points of clarification identified by the EAO were addressed by PRGT during the 30-day screening period, and the Application was revised and resubmitted (Appendix A-5). Supplemental information requested by the EAO will be provided as described in Appendix A-5.

Following the 30-day screening period, the 180-day Application review stage will commence, during which the Working Group, Aboriginal groups and the public will have an opportunity to comment on the Application. As soon as the Application is accepted by the EAO, it is placed on the BC EAO Project Information Centre (e-PIC) for the public and other interested parties to review. The public will have a 30- to 45-day formal public comment period (concurrent to the 180-day review) to provide comments on the Application. PRGT will then respond to comments received. EAO-led open houses will also be held during the 30- to 45-day public comment period. EAO will arrange and chair Working Group meetings and technical sub-group meetings, as necessary. PRGT will attend, where required, to discuss substantive issues.

During the 180-day Application review stage, the EAO will draft the assessment report, which will be shared with the Working Group, Aboriginal groups and PRGT for input. This draft report will include the extent to which concerns have been addressed by PRGT and whether any issues remain outstanding. The Executive Director of the EAO will develop recommendations as to whether an EAC should be issued, along with a draft EAC should the ministers choose to sign. These recommendations and draft EAC will be provided to the Minister of Environment and the Minister of Natural Gas Development. The draft EAC will detail how the Project must be designed and constructed, and all the commitments PRGT has made to address concerns raised through the EAC Application process for consideration by the Ministers. The submission of the Recommendations from the Executive Director, and the draft EAC to the ministers, ends the 180-day Application review stage.

Once the ministers receive the above documents, they have a maximum of 45 days to reach a decision on the issuance of an EAC. The EAO will notify the government agencies, Aboriginal groups, and PRGT of the decision. Once notification has been sent out, the EAO will post the assessment report, information bulletin, and the EAC, if issued.

Table 2-3: Documented Issues and Concerns Identified during the Preparation of the AIR and Application and How These Issues Are Addressed

Issue or Concern	How Addressed
Air Quality	
Request to discuss and incorporate official airshed management strategies into the AIR	Text was added to the AIR to indicate that if the Project's air quality regional assessment areas transect an officially designated BC airshed, then the Application will discuss the applicable airshed management strategies.
Potential effects of compressor stations on air quality	Potential effects of compressor stations on air quality are addressed in the Application.
Greenhouse Gases	
Concern that increased emissions of greenhouse gases (GHGs) were not addressed appropriately in early versions of the AIR	GHGs were added as a new VC to the AIR, with the associated indicators of GHGs and the potential effect of change in emissions of GHGs.
Acoustic Environment	
Potential effects of compressor stations, construction, and traffic on the acoustic environment	Potential effects of compressor stations, construction, and traffic on the acoustic environment are addressed in the Application.
Water Quality, Hydrology, Freshwater Aquatic Resources, and Marine Resources	
Concern that freshwater aquatic resources (Section 10) and marine resources (Section 11) did not appropriately address changes in water quality	Water quality (Section 8) and hydrology (Section 9) were added as new VCs. Aspects of water quality that could potentially affect fish habitat are included in the freshwater aquatic resources (temperature and total suspended solids) and marine resources (total suspended solids) sections of the Application.
Hydrology	
Potential effects on surface water flow and drainage patterns	Potential effects on surface water flow and integrity of surface water drainage patterns are addressed in the Application.
Freshwater Aquatic Resources	
Request that white sturgeon be included as an indicator in the freshwater aquatic resources assessment because white sturgeon are present in the Nechako and Stuart River drainages, and the Nechako River population is listed as Endangered under the federal <i>Species at Risk Act</i>	The AIR was updated to include white sturgeon as an example of a 'fish species at risk' indicator.
Concern that the local assessment area (LAA) and regional assessment area (RAA) were not large enough and did not specify that effects can happen in areas parallel to watercourses	The LAA and RAA were revised to include instream and riparian habitat, and expanded to include areas further downstream (up to 1 km downstream in the LAA and a minimum of 1 km downstream in the RAA, depending on site-specific conditions).

Table 2-3: Documented Issues and Concerns Identified during the Preparation of the AIR and Application and How These Issues Are Addressed (cont'd)

Issue or Concern	How Addressed
Uncertainty of which fish species would be examined in the freshwater aquatic resources assessment	The AIR was revised to include examples of indicators (e.g., salmon and trout).
Potential effects on species at risk and fish habitat, watercourse crossing methods, and harm to fish	Potential effects on species at risk and fish habitat, watercourse crossing methods, and harm to fish are addressed in the Application.
Marine Resources	
Concern that the marine resources section would not examine particular fish species in detail	A list of fish species is included in the list of indicators.
Uncertainty of which species would be examined in the marine resources section	The AIR was revised to include examples of indicators.
Concern that harm to fish and potential effects on fish habitat and estuaries would not be addressed	Harm to fish and potential effects on fish habitat and estuaries are addressed in the Application.
Soils	
Concern that soil erosion and soil depth would not be addressed	Soil erosion and soil depth will be addressed in the Application.
Vegetation and Wetland Resources	
Concern that the terrestrial ecosystem mapping (TEM) and rare plant surveys should not only focus on species and communities of interest (at risk) but on all ecosystems affected in the LAA and RAA	The AIR was updated to include an assessment of all ecological communities that have the potential to be affected by the Project, in addition to communities of interest (at risk).
Potential effects on wetlands and old growth forests	Potential effects on wetlands and old growth forests are addressed in the Application.
Wildlife and Wildlife Habitat	
Request to add the following indicators: Kermode bear, grey wolf, furbearers (American beaver, lynx, wolverine, showshoe hare), deer species, porcupine, marmot, bat species, great blue heron <i>fannini</i> , Canada warbler, goose, trumpeter swan, and bald eagle; and provide rationale for indicator inclusion and exclusion	A summary of all wildlife potentially interacting with the Project, rationale for indicator inclusion and exclusion, and the addition of two indicators (great blue heron <i>fannini</i> and Canada warbler) is included in the Application.
Request to carry out significance determinations for caribou herds and grizzly bear populations	Significance determinations for indicators and for caribou herds and sub-regional populations of grizzly bear are included in the Application.
Request to add project-specific assessment boundaries for grizzly bear and woodland caribou	Through consultation, revised methods and spatial boundaries for the assessment of grizzly bear (BC MOE) and caribou (BC MFLNRO) are included in the assessment.
Request to include effects of increased linear features, particularly potential changes to predator-prey dynamics, and potential effects on moose populations	To provide a more comprehensive assessment on predator-prey dynamics, a detailed cumulative effects assessment for moose is included in the Application.
Request to consider the cumulative effects of future projects, forestry, and recreational activity	Cumulative effects assessment includes reasonably foreseeable future activities and physical works of other projects.
Request to add interactions between Project activities and wildlife and wildlife habitat	The potential for an interaction between Project activities and wildlife and wildlife habitat is included in the Application.

Table 2-3: Documented Issues and Concerns Identified during the Preparation of the AIR and Application and How These Issues Are Addressed (cont'd)

Issue or Concern	How Addressed
Wildlife and Wildlife Habitat (cont'd)	
Request to provide linkages between wildlife and wildlife habitat and other VCs	Linkages between wildlife and wildlife habitat and other VCs (e.g., land and resource use, vegetation and wetland resources, transportation) are included throughout the Application.
Request to consider wildlife mortality resulting from increased road traffic	Potential road traffic effects on wildlife mortality are included in the Application.
Request to include sensory disturbances during construction and operation (e.g., road and helicopter traffic)	Inclusion of potential sensory effects (e.g. noise, helicopter) during construction and operation are included in the Application.
Employment	
Many First Nations requested that measurable parameters for the employment assessment be disaggregated by sub-population.	The following text was added to the baseline conditions section of the assessment: "Information will be disaggregated (e.g., by sub-population, geographic area, and/or communities where practical." In the potential effects section of the assessment, the following text was added: "The distribution of the potential effects will be discussed."
Request that potential effects on training and education for First Nations be addressed	"Changes in training requirements" was added as an indicator
Request that project opportunities for employment of members and for procurement of goods and services from First Nations businesses be addressed	"Changes in labour availability" and "changes in migration and labour force stability" were used as indicators of potential project effects on employment
Concern about potential effects on wage levels and the potential for inflation	This feedback was considered in the decision to use "changes in wages rates" as an indicator of potential project effects on employment
Community Infrastructure and Services	
Concern that the LAA and RAA would not include communities such as the village of Hazelton, District of New Hazelton, City of Terrace, and Nisga'a lands	The LAA was revised to include all census subdivision populated communities that fall within Regional District Electoral Areas that are intersected by the project footprint. The RAA was updated to include all LAA communities and additional communities that might serve as staging communities or service hubs to the Project.
Concern that quality of life, well-being, crime, and other issues were not addressed in the Application	An overview of quality of life indicators for populations in the assessment area is provided in the Application, and a more detailed synopsis of quality of life indicators in the RAA is provided in the Technical Memorandum on Quality of Life Indicators
Request that measurable parameters for the community infrastructure and services section be disaggregated by sub-population	The following text was added to the baseline conditions section: "Information will be disaggregated (e.g., by sub-population, geographic area, and/or communities where practical." In the potential effects section, the following text was added: "The distribution of the potential effects will be discussed."
Potential effects on housing availability and on local infrastructure (e.g., emergency services and sewage waste management)	Potential effects on housing availability and on local infrastructure are addressed in the Application.

Table 2-3: Documented Issues and Concerns Identified during the Preparation of the AIR and Application and How These Issues Are Addressed (cont'd)

Issue or Concern	How Addressed
Transportation	
Concern that the LAA needed to be expanded to capture the effects of the Project on transportation infrastructure and navigable waters	The LAA was adjusted to include all the main routes (major roads and highways, airports, and railways) used to transport workers, goods, and equipment to and from the Project, as well as the navigable waters that have the potential to be disrupted by pipeline construction and operation activities. The RAA was also adjusted to include the transportation network connecting to the LAA in the broader scope of BC.
Request for specific details to be included in the Application related to information on current traffic and use of transportation infrastructure and navigable waters, estimated traffic volumes, and details about offshore pipelay activities pertaining to navigability	Details on current traffic and use of transportation infrastructure and navigable waters, estimated traffic volumes, and offshore pipelay activities pertaining to navigability are included in the Application.
Concerns about the effects of the Project on road and bridge conditions, particularly with respect to heavy vehicle demands	The potential change in heavy vehicle demand was addressed in the Application, and specific mitigation measures were included to address these concerns.
Visual Quality	
Concern that the Project would likely overlap designated Scenic Areas with established visual quality objectives and that these overlaps should be reported	Section 1.5 of the AIR was updated to include Visual Sensitivity Areas in the list of criteria considered during selection of the pipeline route and facility locations.
Concerns that the EAC Application should consider the effects of both visual sensitivity class (VSC)-1 and VSC-2 during selection of the pipeline route	The AIR was updated to specify that available data contained within DataBC will be used when characterizing existing conditions for visual quality, where possible and appropriate.
Land and Resource Use	
Potential damage to sensitive areas, parks, and protected areas; compatibility with land use plans; potential effects on forestry activities; and potential effects on recreation opportunity and sites	Potential damage to sensitive areas, parks, and protected areas; compatibility with land use plans; potential effects on forestry activities; and potential effects on recreation opportunity and sites are addressed in the Application.
Heritage and Archaeological Resources	
Concern that palaeontological sites might be encountered during the course of the Project	Palaeontological resources was subsequently added as an indicator to the Application.
Human Health	
Indication by many Aboriginal groups that their diets largely consist of subsistence-type foods such as fish, that access to an abundance of traditional foods is a high priority for Aboriginal communities, and that country foods should be added as an indicator in the human health section (Section 29).	Traditional and country foods were added as an indicator in the human health section.
Potential effects on drinking water and air quality	Potential effects on drinking water and air quality are addressed in the Application.

For more detailed information regarding the issues and concerns raised during these comment periods, refer to the Working Group comment tracking table (Appendix C-3) and the public comment submissions and responses (Appendix C-4). For more detailed information regarding the results of consultation with Aboriginal groups and a discussion of Aboriginal Interests and concerns, see each Aboriginal group's chapter in Section 33. A summary of key Aboriginal Interests and concerns can be found at the end of Section 33. For more detailed information regarding the issues and concerns raised by Nisga'a Nation, refer to Section 34.

2.2 FEDERAL ENVIRONMENTAL ASSESSMENT PROCESS

On October 24, 2013, amendments to the Regulations Designating Physical Activities under the *Canadian Environmental Assessment Act, 2012* (CEAA) came into effect, removing non-National Energy Board regulated pipelines as a type of designated activity requiring consideration under CEAA. The Canadian Environmental Assessment Agency reviewed the Project Description for the Project (received October 17, 2013) and in a letter to PRGT dated October 25, 2013, determined that the Project no longer meets the definition of a physical activity under CEAA and did not require a federal environmental assessment (Appendix B). Although a federal environmental assessment is not required, some portions of the Project that occur on federal lands (administered by the Prince Rupert Port Authority) will be subject to s.67 requirements of CEAA.

As such, the Project is not undergoing a substituted, coordinated, or other type of federal review process, nor has it been designated as a major resource project pursuant to the federal Cabinet Directive on Improving the Performance of the Regulatory System for Major Resource Projects.

Federal departments will retain a role in the environmental assessment process through participation in the Working Group by providing input to the environmental assessment process, including drafting the AIR and Application review. Federal participants in the Working Group include representatives from:

- Fisheries and Oceans Canada
- Transport Canada
- Prince Rupert Port Authority
- Environment Canada.

2.3 NISGA'A FINAL AGREEMENT

2.3.1 Assessment Requirements

The proposed ROW passes through the Nass Area, Nass Wildlife Area, and Nisga'a Lands, where Nisga'a Nation holds interests pursuant to the Nisga'a Final Agreement (NFA). As the Project has the potential to have adverse environmental effects on residents of Nisga'a Lands, Nisga'a Lands or Nisga'a Interests set out in the NFA, PRGT has conducted an assessment in accordance with Chapter 10 of the NFA. Pursuant to paragraph 8(e) of Chapter 10, PRGT is required to assess whether the Project can reasonably be expected to have adverse environmental effects on residents of Nisga'a Lands, Nisga'a Lands, or Nisga'a Interests set out in the NFA. Pursuant to paragraph 8(f) of Chapter 10, PRGT is required to assess the effects of the Project on the existing and future economic social and cultural well-being of Nisga'a citizens who may be affected by the Project. These assessments, including a description of the approach used, are provided in Section 34.

2.3.2 Consultation with Nisga'a Nation

The nature and extent of consultation with Nisga'a Nation, as represented by the Nisga'a Lisims Government, and a list of comments received during consultation with the Nisga'a Lisims Government are provided in Section 34, including the status of issues considered resolved or addressed during the preparation of the AIR and the Application (Table 34-9 and Appendix X-1).

2.4 APPLICABLE AUTHORIZATIONS

The primary regulator for construction and operation of a natural gas pipeline in BC is the Oil and Gas Commission (OGC), pursuant to the *Oil and Gas Activities Act* (OGAA). The OGC was developed as a Crown corporation through the enactment of the *Oil and Gas Commission Act*, which has since transitioned to the OGAA in 2010, to oversee oil and gas operations in BC (OGC 2012). The commission's responsibility extends from the exploration and development phases through to operation and decommissioning (OGC 2012). OGC roles include reviewing and assessing applications for industry activity, consulting with First Nations, and ensuring compliance with provincial legislation (OCG 2012).

Tables 2-4, 2-5, and 2-6 provide preliminary lists of the permits, licences, approvals, and authorizations that may be required during project planning, construction, and operation phases, respectively (to be confirmed upon detailed design).

The pipeline will not provide utility service, and toll or tariff approvals will not be sought from the BC Utilities Commission.

Table 2-4: Potential Authorizations Required during Project Planning

Permit or Consent	Legislation	Responsible Agency
Provincial		
Investigative use permits (e.g., drilling investigations, helipad construction): temporary occupation of Crown land and cutting permits	<i>Land Act</i> , Section 14	OGC
	<i>Forest Act</i>	OGC
Approval for short-term use of water	<i>Water Act</i> , Section 8	OGC
Heritage investigation permit	<i>Heritage Conservation Act</i> , Section 14	OGC; Archaeology Branch
Fish collection permit	<i>Wildlife Act</i>	Ministry of Forest, Lands and Natural Resource Operations (MFLNRO)
Forest service road use	<i>Forest Act</i>	OGC
Ancillary sites (e.g., camps): temporary occupation of Crown land and licence of occupation and cutting permit	<i>Land Act</i> , Section 14/39	OGC
	<i>Forest Act</i>	OGC
Approval for changes in and about a stream	<i>Water Act</i> , Section 9	OGC
Federal		
Scientific fish collection	<i>Fishery (General) Regulations</i> , Section 52 and <i>Management of Contaminated Fisheries Regulation</i> , Section 4	Fisheries and Oceans Canada (DFO)
Approval of scientific instruments	<i>Navigation Protection Act</i> ²	Transport Canada
Letter of Advice for marine geophysical and geotechnical programs	<i>Fisheries Act</i> , Section 35	Fisheries and Oceans Canada
Port Authority approval to conduct marine geophysical program	<i>Canada Marine Act and Regulations</i>	Prince Rupert Port Authority (PRPA)
Nisga'a Lisims		
Special Use Permits	<i>Nisga'a Forest Act</i>	Nisga'a Lisims Government
Licences of Occupation	<i>Nisga'a Land Act</i>	Nisga'a Lisims Government
Permits of Occupation	<i>Nisga'a Land Act</i>	Nisga'a Lisims Government
Investigative Permits	<i>Nisga'a Land Act</i>	Nisga'a Lisims Government

² That Navigation Protection Act (NPA) came in to force on April 1, 2014, replacing the Navigable Waters Protection Act (NWPA) as the legislation that governs rights to navigation in Canada. As such the Project will be subject to compliance and permitting under the NPA and not the NWPA. As NWPA was in effect at the time of writing of the application it is mentioned in various sections of the Application, however PRGT acknowledges that the NPA is now in effect.

Table 2-5: Potential Authorizations Required Prior to Project Construction

Permit or Consent	Legislation	Responsible Agency
Provincial		
Master licence to cut	<i>Forest Act</i> , Section 47	MFLNRO
Pipeline: construction and operation of a pipeline, temporary occupation of Crown land and licence of occupation, cutting permit, <i>Heritage Conservation Act</i> clearance, and approval for changes in and about a stream	<i>Oil & Gas Activities Act</i> , Section 24/25	OGC
	<i>Land Act</i> , Section 14/39	OGC
	<i>Forest Act</i> , Sections 47 and 117	OGC
	<i>Heritage Conservation Act</i>	OGC; Archaeology Branch
	<i>Water Act</i> , Section 9	OGC
Facilities and Ancillary Sites: construction and operation, temporary occupation of Crown land and licence of occupation, cutting permit, <i>Heritage Conservation Act</i> clearance, and approval for changes in and about a stream	<i>Oil & Gas Activities Act</i>	OGC
	<i>Land Act</i> , Section 14/39	OGC
	<i>Forest Act</i>	OGC
	<i>Heritage Conservation Act</i>	OGC; Archaeology Branch
	<i>Water Act</i> , Section 9	OGC
Roads: temporary occupation of Crown land and licence of occupation, cutting permit, <i>Heritage Conservation Act</i> clearance, and approval for changes in and about a stream	<i>Land Act</i> , Section 14/39	OGC
	<i>Forest Act</i>	OGC
	<i>Heritage Conservation Act</i>	OGC; Archaeology Branch
	<i>Water Act</i> , Section 9	OGC
Prescribed roads (private land)	<i>Oil and Gas Activities Act</i>	OGC
Site alteration permit	<i>Heritage Conservation Act</i> , Section 12	OGC
Forest service road use	<i>Forest Act</i>	OGC
Approval for short term use of water	<i>Water Act</i> , Section 8	OGC
Approval to use land in the Agricultural Land Reserve for non-farm use (for facilities)	<i>Agricultural Land Commission Act</i>	Agricultural Land Commission/ OGC
Park boundary adjustment	<i>Park Act</i>	MOE, Parks and Protected Areas (BC Parks)
Use or occupancy permits to cross or use highway ROW	<i>Transportation Act</i> , Section 62	MOTI
Federal		
Ministerial authorization, with conditions, to carry on a work, undertaking, or activity that may cause serious harm to fish that are part of a commercial, recreational, or Aboriginal fishery, or to fish that support such a fishery	<i>Fisheries Act</i> , Section 35(2)(b)	Fisheries and Oceans Canada
Approval to interfere with navigation	<i>Navigation Protection Act</i>	Transport Canada
Explosives user magazine licence	<i>Explosives Act</i>	Natural Resources Canada
Disposal of material at sea	<i>Canadian Environmental Protection Act</i> , Section 127(1)	Environment Canada

Table 2-5: Potential Authorizations Required Prior to Project Construction (cont'd)

Permit or Consent	Legislation	Responsible Agency
Nisga'a Lisims		
Timber Harvesting License or Timber Harvesting Contract	<i>Nisga'a Forest Act</i>	Nisga'a Lisims Government
Special Use Permits	<i>Nisga'a Forest Act</i>	Nisga'a Lisims Government
Road Permit	<i>Nisga'a Forest Act</i>	Nisga'a Lisims Government
Licences of Occupation	<i>Nisga'a Land Act</i>	Nisga'a Lisims Government
Permits of Occupation	<i>Nisga'a Land Act</i>	Nisga'a Lisims Government
Investigative Permits	<i>Nisga'a Land Act</i>	Nisga'a Lisims Government

Table 2-6: Potential Authorizations Required during and following Project Construction

Permit or Consent	Legislation	Responsible Agency
Provincial		
Fish collection permit	<i>Wildlife Act</i>	MFLNRO
Wildlife sundry permits (beaver dam removal, wildlife salvage, amphibian relocation)	<i>Wildlife Act</i>	MFLNRO
Burning permits	<i>Forest Act</i>	MFLNRO
Water discharge permit (hydrotesting)	<i>Environmental Management Act</i>	OGC
Waste discharge permit (air emissions at facilities)	<i>Environmental Management Act</i>	OGC
Federal		
Scientific fish collection	<i>Fishery (General) Regulations, Section 52 and Management of Contaminated Fisheries Regulation, Section 4</i>	Fisheries and Oceans Canada
Nisga'a Lisims		
Timber Harvesting License or Timber Harvesting Contract	<i>Nisga'a Forest Act</i>	Nisga'a Lisims Government
Special Use Permits	<i>Nisga'a Forest Act</i>	Nisga'a Lisims Government
Road Permit	<i>Nisga'a Forest Act</i>	Nisga'a Lisims Government
Licences of Occupation	<i>Nisga'a Forest Act</i>	Nisga'a Lisims Government
Permits of Occupation	<i>Nisga'a Land Act</i>	Nisga'a Lisims Government
Statutory Rights of Way	<i>Nisga'a Land Act</i>	Nisga'a Lisims Government
Leases	<i>Nisga'a Land Act</i>	Nisga'a Lisims Government
Various zoning and development permits	Nisga'a Village Government laws and regulations	Nisga'a Village Government(s)
Regional or Municipal		
Food, water, accommodations, and sewerage for industrial camps	<i>Public Health Act, Seward System Regulation</i>	Local health authority
Various zoning permits	Municipal bylaws	Regional districts and municipalities