

EAO's Assessment of an Application for Certificate Amendment

Prince Rupert Gas Transmission Project

EA Certificate #E14-06

*Amendment #4, Additional Construction Camps and Stand-by
Compressor Units*

Requested by:
Prince Rupert Gas Transmission Ltd.

December 20, 2017

Pursuant to Section 19 of the Environmental Assessment Act, S.B.C. 2002, c.43

ACRONYMS AND ABBREVIATIONS

Act	<i>Environmental Assessment Act</i>
AIA	Archaeological Impact Assessment
Application	Application for an Environmental Assessment Certificate
BC	British Columbia
BCOGC	BC Oil and Gas Commission
DFO	Fisheries and Oceans Canada
EAO	Environmental Assessment Office
EA	Environmental Assessment
EAC	Environmental Assessment Certificate
ECCC	Environment and Climate Change Canada
ENV	Ministry of Environment & Climate Change Strategy
FLNR	Ministry of Forests, Lands, Natural Resource Operations and Rural Development
ha	Hectares
NLG	Nisga'a Lisims Government
PRGT	Prince Rupert Gas Transmission Ltd.
RoW	Right of way
SEEMP	Socio-Economic Effects Management Plan
TRAN	Ministry of Transportation and Infrastructure
TC	Transport Canada

1.0 OVERVIEW OF PROPOSED AMENDMENT

On November 25, 2014, Prince Rupert Gas Transmission Ltd. (PRGT) was issued Environmental Assessment Certificate (EAC) #E14-06 under the *Environmental Assessment Act* (Act) for the Prince Rupert Gas Transmission Project (Project). The Project consists of a land-based pipeline and twin marine-based pipelines to transport natural gas from Hudson's Hope, British Columbia (BC) to Prince Rupert, BC.

On January 26, 2017, PRGT submitted an amendment application to the BC Environmental Assessment Office (EAO) requesting an amendment under Section 19 of the Act to revise Schedule A, Certified Project Description, of the EAC. PRGT has requested two additional main spread¹ construction camps for the terrestrial pipeline construction and an additional standby compressor unit at each of the eight certified compressor stations.

Construction Camps

The Certified Project Description includes three compressor station camps, nine main spread camps, and one marine camp, that would be able to house a total of up to 10,975 workers. PRGT has proposed two additional main spread construction camps along the pipeline route to align with the construction and prime contractor spread breaks being considered for the Project. PRGT stated that they are reviewing the camp locations along the entire pipeline right-of-way (RoW), in order to reduce travel times for workers and decrease the number of workers at each camp, which they have indicated may also reduce the potential effects of camps on nearby communities and infrastructure.

The two proposed additional camps would increase the size of the Project footprint by up to 53 hectares (ha) and result in a change from nine main spread construction camps (up to 1,100 workers each) to eight main spread construction camps (up to 1,000 workers each) and three smaller main spread camps (up to 700 workers each). The two proposed camps would increase the total number of workers in construction camps by 200, as the total number of workers at the other main spread construction camps would be reduced. The additional camps would be in operation for the same length of time (between 18 and 42 months, depending on construction timelines and activities) as the other main spread construction camps.

PRGT has stated that the locations of the two proposed camps are not known at this time, but that their locations would be consistent with the siting criteria considered during the

¹ Construction will be divided into sections called spreads.

environmental assessment (EA), which includes: land use, proximity to parks and protected areas, terrain, constructability, environmental constraints (e.g. ungulate winter range, old growth management areas), Visually Sensitive Areas², access, heritage and archaeological resources, Indigenous group input, stakeholder input, cost, and existing disturbances.

As per the EAC Condition #34, PRGT is required to follow the requirements outlined in the approved Socio-Economic Effects Management Plan (SEEMP)³, which includes ongoing engagement and issues resolution processes related to the location and potential effects of construction camps. PRGT stated that they would consult with potentially affected Indigenous groups, stakeholders, and government agencies once the proposed locations of the camps were identified and prior to applying to the BC Oil and Gas Commission (BCOGC) for permits. For any activity related to a proposed pipeline activity, whether on Crown lands, an application to the BCOGC is required that must include site specific information, as outlined in Section 24 of the *Oil and Gas Activities Act*. As required by the BCOGC, consultation would also continue through the permitting process.

Compressor Units

The Certified Project Description includes two compressor units at each of the eight compressor stations. PRGT has requested to add one additional compressor unit at each of the eight compressor stations should the expansion scenario (i.e., up to 3.6 billion cubic feet) identified in the EAC Application be undertaken. PRGT stated that the requirement for a standby compressor unit derives from the high pipeline availability (i.e., running time) criteria required by potential downstream liquefied natural gas plant operators. Only two of the three compressor units would be operated at a given time.

The total number of running compressor units (up to two compressor units running at each of the eight compressor stations) would not change from that used in the air dispersion modelling in the EAC Application. There would be no change to the Project emissions as a result of a third compressor unit as the total number of running units (two) would remain unchanged. The third compressor unit would remain off and only be started in the event that one of the other units was unable to operate (e.g., for a planned maintenance shut-down or as a result of a mechanical failure).

No change to the Project footprint would be required, as the certified compressor station footprints would be sufficient to accommodate an additional compressor unit. The compressor

² Defined as “...an area that is considered to be sufficiently sensitive to visual alteration to warrant special consideration in strategic and operational planning.” (Ministry of Forests, Visual Landscape Inventory, Procedures & Standards Manual [May 1997])

³ <https://projects.eao.gov.bc.ca/p/prince-rupert-gas-transmission/docs?folder=195>

stations would be used for the 40-year duration of the Project.

2.0 AMENDMENT REVIEW PROCESS

The EAO determined that the amendment application was a ‘Typical Amendment’ based on a material but limited change to the Project. The amendment, if approved, would require a revision to the Certified Project Description.

Following the EAO’s review of the amendment application for completeness, the amendment application was accepted for review on February 28, 2017.

The EAO determined the following approach to consultation:

- The level of public interest and the likely level of impact resulting from the proposed changes were viewed as low. As such, a public comment period was not required; and
- The potential impact on Aboriginal Interests⁴ was viewed as low to moderate; as the EAO’s preliminary view was that the proposed amendment was unlikely to change the potential effects assessed during the EA review process in 2014.

Advisory Working Group Consultation Summary

The EAO identified relevant government agencies to review the amendment application and notified the agencies of the amendment process on February 16, 2017. Agencies were identified based on the scope of the amendment application. Representatives from Nisga’a Lisims Government (NLG), Environment and Climate Change Canada (ECCC), Ministry of Forests, Lands and Natural Resource Operations and Rural Development (FLNR), Ministry of Environment & Climate Change Strategy (ENV), BCOGC, Ministry of Transportation and Infrastructure (TRAN), Fisheries and Oceans Canada (DFO), and Transport Canada (TC) were invited to participate in the amendment review.

The amendment application was provided to the advisory working group for review on March 1, 2017, with the opportunity to provide comments until March 14, 2017. The EAO received responses from ECCC, BCOGC, TRAN, and TC confirming they had reviewed the amendment application and did not have comments. DFO chose not to participate in the review. The EAO met via teleconference with NLG and received a letter from NLG, dated March 16, 2017, stating that NLG did not have any comments on the amendment application at the

⁴ Aboriginal Interests are asserted or determined Aboriginal rights, including title, and treaty rights.

current time. The EAO received comments from FLNR and ENV. The EAO required PRGT to respond to all comments during the course of the review of the amendment application. The issues tracking table is available on the EAO's website.⁵ A draft of this assessment report was provided to the advisory working group on August 14, 2017. The EAO received comments on the draft assessment report from FLNR and ENV.

Indigenous Group Consultation Summary

The locations of the two new proposed main spread construction camps have not been determined by PRGT. Because the proposed camp locations are not known the EAO consulted with all Indigenous groups listed on Schedule B and C of the Section 11 and Section 13 Orders.

On March 1, 2017, the EAO sent a letter to all Indigenous groups listed on Schedule B and Schedule C of the Section 11 and Section 13 Orders, to notify them of the amendment application and invite comments. The EAO required that PRGT respond to all Indigenous group comments during the course of the amendment application review. The issues tracking table is available on the EAO's website.⁶

The EAO met via teleconference with Gitanyow Hereditary Chiefs, Gitxsan Nation (Geel and Gutginuxw), Kitsumkalum First Nation, Lax Kw'alaams Band, Metlakatla First Nation, Nak'azdli Band, NLG, Takla Lake First Nation, and Tl'azt'en Nation regarding the proposed amendment. Comments were submitted to the EAO by Gitanyow Hereditary Chiefs, Lax Kw'alaams Band, Metlakatla First Nation, Nak'azdli Band, and Takla Lake First Nation.

3.0 SUMMARY OF ISSUES AND EFFECTS

PRGT concluded in its amendment application that the potential effects associated with the addition of two main spread construction camps and eight standby compressor units are unlikely to result in a change in the assessment results presented in the Application, with the implementation of mitigation measures outlined in the Application and the EAC conditions.

The advisory working group and Indigenous groups conducted a review of the amendment application and identified key issues and questions relating to the proposed Project changes. A summary of the comments and PRGT's responses are provided below.

⁵ <https://projects.eao.gov.bc.ca/p/prince-rupert-gas-transmission/docs?folder=215>.

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Location of Additional Camps

Gitanyow Hereditary Chiefs, Gitksan Nation (Geel), Kitsumkalum First Nation, Lax Kw'alaams Band, Metlakatla First Nation, Nak'azdli Band, NLG, Takla Lake First Nation, and Tl'azt'en Nation raised concerns about the potential locations of the additional camps, and the inability to assess effects given the absence of location information in the amendment application.

PRGT stated that they are currently reviewing the camp locations along the entire pipeline RoW with an aim to reduce the potential effects of camps on communities and infrastructure, including reducing travel times for workers and decreasing the number of workers at each camp. PRGT stated that the locations of the two proposed additional camps are not known at this time, but noted that the specific camp locations would be reviewed in a manner consistent with the camps included in the original EAC Application. PRGT confirmed that they would consider locations identified in the original EAC Application as future locations for camps. PRGT recognizes that additional permitting beyond the amendment process would be required, including BCOGC Crown land tenures, MOE Waste Discharge permit, and municipal permits, where applicable.

Lax Kw'alaams Band, Metlakatla First Nation, and Takla Lake First Nation raised concerns about the scope of consultation activities prior to the BCOGC permitting process and the reliance on consultation during the BCOGC process to address their concerns.

The EAO notes that while the locations of the two additional camps are not known at this time, PRGT has indicated that when the location of the camps is known that they will undertake consultation with Indigenous groups whose asserted traditional territory overlaps the proposed camp locations. As well, the BCOGC permitting process would require consultation with Indigenous groups. The approved SEEMP also outlines ongoing consultation and engagement by PRGT throughout construction and operation, and notes specific mitigation and consultation measures for camps. Consistent with the EAO's assessment of the EAC Application and the Certified Project Description, the exact spatial location of ancillary facilities, which includes camps, is to be determined through subsequent permitting processes.

Air Quality

During its review of the amendment application, ENV raised questions about PRGT's plans for solid waste disposal at the proposed camps, air emissions associated with solid waste incinerators proposed at the additional camps, and potential emissions from the proposed additional compressor units.

PRGT confirmed they are currently planning to incinerate solid waste on-site, pending approval

from ENV. PRGT acknowledged that a site-specific permit under the *Environmental Management Act* would be required to authorize air emissions from any solid waste incinerators. PRGT stated they would follow incineration practices as per Environment and Climate Change Canada's (ECCC) *Fact Sheet: Technical Document for Batch Waste Incineration*, and that the additional camps would be located in areas where emissions can easily disperse.

ENV requested that potential impacts to air quality from solid waste incineration at the additional camps be assessed as part of the amendment application. PRGT prepared a technical memo estimating the waste incineration emissions associated with the two proposed camps⁷. Following receipt of the memo, ENV confirmed that they had no outstanding concerns related to the amendment application, and that solid waste incineration at the two additional camps would be addressed during permitting under the *Environmental Management Act*.

Should the amendment be approved, the EAO would amend Section 3 of the Certified Project Description to state that up to two compressor units at each compressor station may run at a given time.

Community and Infrastructure Services

Lax Kw'alaams Band and Metlakatla First Nation raised questions about the potential impact of the additional camps on local infrastructure and services. Lax Kw'alaams Band also expressed concerns about how potential effects due to the additional camps would be assessed and addressed given the SEEMP has been finalized. Additionally, Lax Kw'alaams Band was concerned about the possibility of further amendment applications in the future by PRGT to add more camps and further increase the workforce.

In response, PRGT stated that, through the review of the camp locations, they aim to reduce local infrastructure impacts by:

- positioning camps strategically along the RoW to reduce travel distance of workers to the job site, thereby reducing traffic on roads used by the public; and
- reducing worker loads at campsites, thereby reducing camp wastes and the need for disposal at individual municipal landfills, should on-site disposal not be practical.

PRGT confirmed that, should additional effects be identified or unpredicted effects arise, the SEEMP would not need to be amended but the adaptive management (Section 6.1) and issues management processes (Section 3.5) outlined in the SEEMP would be followed. These processes provide for the engagement of affected parties, development and monitoring of new

⁷ <https://projects.eao.gov.bc.ca/p/prince-rupert-gas-transmission/docs?folder=215>.

mitigation measures, and reporting out of activities and results to affected parties and through the semi-annual SEEMP reports. Pending the review of the camp locations for the Project, PRGT stated that there may be changes to camp locations but an additional increase in camp workforce beyond this amendment is not anticipated.

ENV raised questions about PRGT's plans for disposal of additional camp waste, specifically if sewage would be treated and disposed of on-site as per the *Municipal Wastewater Regulation* or trucked to an existing authorized facility, such as a local or regional municipal wastewater treatment facility.

In response, PRGT confirmed that they are intending to treat and dispose of sewage on-site as per the *Municipal Wastewater Regulation*, and that detailed estimates would be developed once contractors have been hired. Prior to the start of construction, should PRGT decide not to treat on-site, contractors would obtain permits to use waste and waste water management infrastructure from the appropriate municipal and regional districts. The EAO is satisfied that waste management would be addressed during permitting under the *Environmental Management Act*.

Wildlife and Ecosystems

Takla Lake First Nation raised concerns about potential effects to wildlife (including grizzly bear and caribou) and Gitksan Nation (Gutginuxw) raised concerns about potential impacts to streams and areas of old growth cedar. During the review of the amendment application, FLNR raised concerns about potential human-wildlife conflict at the additional camp locations and the importance of knowing the specific locations of the additional camps and the mitigation associated with protecting the resource values in proximity to the additional camps, especially with human-wildlife high-risk camp locations.

In response, PRGT stated they would consult with potentially affected Indigenous groups prior to, and during the permitting process, to discuss PRGT's efforts to avoid or minimize potential effects to wildlife (including grizzly bear and caribou), watercourses, and old growth forest areas, and to address any concerns. PRGT confirmed that they would consider the risk to grizzly bears when considering the location of the additional camps, as per the siting criteria requirements, and consult with FLNR on the proposed camp locations prior to the BCOGC permitting process. PRGT stated that they would also consult with FLNR and the EAO on the need for additional mitigation measures, if required, and updates to management plans.

The EAO also notes that there are several EAC conditions that require management plans to address potential impacts to wildlife and wildlife habitat, including Grizzly Bear Mitigation and Monitoring Plan (Condition # 14), Human-Wildlife Conflict Plan (Condition # 16), Caribou

Mitigation and Monitoring Plan (Condition #17), Moose Monitoring Plan (Condition #19), Access Management Plan (Condition # 23), and Old Growth Areas (Condition #30).

Heritage Resources

Takla Lake First Nation and FLNR raised concerns about potential effects to archaeological resources.

In response, PRGT confirmed that they would consider heritage and archaeological resources as part of the camp siting process. As part of the planning process and as required by the BCOGC, PRGT would complete an Archaeological Assessment Information Form, and, if deemed necessary by a qualified archaeologist, would conduct an Archaeological Impact Assessment (AIA) to identify the potential for archaeological resources and any required mitigation should there be finds. PRGT would provide potentially affected Indigenous groups with the opportunity to participate in archaeological field programs, if they are required. As per PRGT's Heritage Resource Management Plan, PRGT would provide copies of the interim AIA's to Indigenous groups whose asserted traditional territory intersects the camp areas.

Conclusions

Based on the review of PRGT's Amendment Application, as well as input from other government agencies, NLG, and Indigenous groups, and consideration of existing EAC conditions and subsequent permitting requirements, it is the EAO's view that the proposed amendment activities are unlikely to change the characterization of residual effects identified in the EAO's assessment of the Application for an EAC.

PRGT would be required to undertake engagement and consultation for the two additional camp locations with relevant Indigenous groups, both through the requirements outlined in the SEEMP and through subsequent permitting processes. Based on the review of the Holder's Amendment Application, as well as input by Indigenous groups, the EAO's view is that the proposed Project changes are unlikely to change the conclusions related to Aboriginal Interests identified in EAO's assessment of the EAC Application. The EAO does not recommend any additional mitigations or changes to the EAC Table of Conditions.

4.0 CONCLUSION

Based on:

- Information contained in PRGT's amendment application and supplemental technical memo on the estimated waste incineration emissions for the proposed additional camps;
- Comments on the amendment application from Indigenous groups, government agencies, including NLG, and PRGT's responses to those comments and their commitment to ongoing consultation;
- The EAO's consultation with NLG and Indigenous groups; and
- Consideration of the existing EAC #E14-06, including the Table of Conditions and Certified Project Description.

The EAO is satisfied that:

- The conditions and commitments contained in the amendment application adequately identified and assessed the potential adverse changes to the environmental, economic, social, heritage, and health effects of the Project resulting from the proposed amendment;
- The potential for adverse effects on Aboriginal Interests has been avoided, minimized or otherwise accommodated to an acceptable level and that issues raised by Aboriginal groups have been adequately addressed;
- The Crown has fulfilled its obligations for consultation with Indigenous groups relating to the issuance of an amendment to EAC #E14-06;
- The Crown has fulfilled its obligations under Chapter 10 of the Nisga'a Final Agreement relating to the issuance of an amendment to EAC #E14-06; and
- No additions or amendments to EAC #E14-06's table of conditions are necessary.

The EAO recommends that EAC #E14-06 be amended, under Section 19 of the Act, to allow the requested two additional construction camps and eight additional compressor units as described in the amendment application.