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INSPECTION RECORD

Project Name:	Coastal GasLink	**Inspection Report Status:**	FINAL
EA Certificate #:	E14-03	**Inspection No(s):**	FY18/19-12 FY18/19-24
Certificate Status:	Certified	**Inspection Date(s):**	2018-06-19to 2018-06-21 and 2018-07-09
Region:	Omineca	**Office:**	Victoria
Trigger:	Planned	**Inspector Name(s):**	Chris Parks, Director, Compliance and Enforcement
Sector:	Energy	**UTM:**	See "Inspection Summary"
Location Description:	The Coastal GasLink Project is a an approximately 650 km long natural gas pipeline connecting facilities in the vicinity of Groundbirch (40 km west of Dawson Creek) in northeast BC to the proposed LNG Canada facility near Kitimat. This inspection focussed on six locations along the pipeline route. UTMs for these locations are noted in the "Inspection Summary" section of this record.		
Inspection Summary:	EAO Compliance and Enforcement (C&E) received a complaint in January of 2018 regarding the Coastal Gas Link Project (Project). The Complainant alleged that physical works conducted by Coastal Gas Link Pipeline Limited (CGL) in 2013 and 2016 were not compliant with the requirements of the environmental assessment certificate (EAC) (Appendix A) issued for the Project, because; 1. These works were consistent with the definition of "Construction" set out in the Schedule B, Table of Conditions, of the EAC, and 2. CGL had not, at the time of the activity in question, competed specific pre-construction condition requirements set out in Schedule B. EAO Director, Compliance and Enforcement Chris Parks (C&E Parks) and EAO Operations Division Project Assessment Officer Dan Motisca inspected the Coastal GasLink (CGL) (Project) on June 19 to 21, 2018. Office of the Wet'suwet'en representative Mike Ridsdale joined C&E Parks and Motisca during inspection on June 21, 2018. C&E Parks and Compliance and Enforcement Officer Shayla Frechette (C&E Frechette) inspected one Project location on July 9, 2018. The purpose of these inspections was to inspect specific Project locations that were the subject of alleged construction activity associated with the "2016 Geotechnical Program", and geotechnical investigations conducted in 2013 at one location. The inspections were timed to allow inspection of the locations during snow-free conditions, and to prioritize Complainant participation on the inspection within their specific areas of concern. The following locations were inspected: • Intersection of Parrot and Carrier FSRs, 9U 646290E, 6007499N		

- East of Parrott FSR, 9U 663672E, 6005046N
- North of Goosly FSR 9U 667814E, 6004369N
- Goosly Lake site 9U 672896E, 6005179N
- East of Goosly FSR, 9U 678486E, 6002861N
- West of Anders Lake 10U 310588E, 6000988N
- Southwest of Seven Mile Lake Road, 10U 338122E, 5996420N
- Southeast of intersection of 14 Mile and Blue Mntn roads, 10U 427112E, 5998341N

On July 25, 2018, C&E Parks issued an inspection record to CGL requesting additional information to inform a compliance determination. CGL provided that information on September 5th, 2018 (Appendix B). On October 5th, C&E Parks issued an inspection record to CGL for their review and response to factual errors or omissions, and to provide any additional information they felt relevant to the matter. CGL provided a response on November 19, 2018 (Appendix C).

Note that while the definition of "Construction" set out in Schedule B, Table of Conditions, of the EAC is not a condition of the Project; however, the compliance determinations for conditions that identify pre-construction requirements documented in this inspection record are contingent on that definition.

After review of observations and information obtained during the inspection, and the information provided by CGL in response to this inspection record, the following compliance determinations have been made.

COMPLIANT with preconstruction requirements of EAC#E14-03 at the "North of Goosly FSR 9U 667814E, 6004369N" site, with respect to works conducted in 2013. These works were conducted in advance of the EAC being issued, under permit issued by the Oil and Gas Commission, and pursuant to EAOs Investigative Use Policy (Appendix D).

NOT COMPLIANT with preconstruction requirements of conditions 2, 8, 11, 20, 23, and 30 of EAC#E14-03, for geotechnical works conducted during 2016 at the following locations:

- Intersection of Parrot and Carrier FSRs, 9U 646290E, 6007499N
- East of Parrott FSR, 9U 663672E, 6005046N
- Goosly Lake site 9U 672896E, 6005179N
- East of Goosly FSR, 9U 678486E, 6002861N
- West of Anders Lake 10U 310588E, 6000988N
- Southeast of intersection of 14 Mile and Blue Mountain roads, 10U 427112E, 5998341N

CGL noted to C&E Parks that no Project activity had occurred at the "Southwest of Seven Mile Lake Road, 10U 338122E, 5996420N" inspection location. This is consistent with inspection findings at that location.

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	Please note that the compliance determinations in this report reflect the findings from the inspection dates noted above and that these determinations can change at any time upon information gathered through future inspections or if new information is obtained by EAO C&E.
Activity:	On Site
Certificate Holder's Name:	Coastal GasLink Pipeline Ltd.
Certificate Holder's Contact(s):	Karen Etherington, Director, Environment, TransCanada Kim Ogilvie, Manager, Canadian Environmental Planning and Permitting, TransCanada
In attendance:	Dan MOTISCA (Project Assessment Officer, BC Environmental Assessment Office) Mike RIDSDALE (June 21, 2018) (Office of the Wet'suwet'en)
Mailing Address:	450 1sr Street S.W. Calgary, AB T2P 5H1
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Requirement Description	"Construction" is defined by Schedule B of EAC#E14-03 as follows: **All activities associated with the Construction of the Project including; any physical alteration to the Certified Pipeline Corridor by the Holder for the purposes of site preparation and activities that modify the land, vegetation, or natural environment; including ground disturbance related to the building of all Project components.**
Findings	The definition of "Construction" set out in the EAC identifies that construction includes any physical disturbance of the Certified Pipeline Corridor by the Holder for the purposes of advancing the Project. The definition does not exclude works such as the cutting of timber, clearing of vegetation, geotechnical earthworks, or the placement of infrastructure such as monitoring wells for "investigative" purposes. Where environmental assessment certificates contemplate exclusion of investigative activities from the construction phase, this exclusion is included within the definition of construction set out in the environmental assessment certificate issued for the project. In addition, EAO provides guidance to proponents and certificate holders regarding investigative activities via the publically available "Investigative Use For Major Projects" policy (Appendix D). This policy notes that "Sometimes work authorized under an investigative use license or through compliance with the Permissions Policy is also considered pre-construction or construction activity under a certificate/exemption order. To ensure compliance in these cases, Holders must also meet the requirements of the

	certificate/exemption order before proceeding." During the inspections C&E Parks noted that Project works had occurred consistent with the definition of construction at six locations. CGL provided as-built drawings for the works conducted at these locations (see appendices E and F). The as-built drawings note that there has been physical disturbance of approximately 1.42 hectares, including cutting timber, disturbance of soil, and placement of monitoring wells. These activities were undertaken after, and are therefore subject to the requirements of the EAC. Photos 1 through 4 provide examples of the works conducted at the six locations.  Photo 1: Vegetation clearing and ground disturbance at "West of Anders Lake 10U 310588E, 6000988N", CGL descriptor "Borrow Site PBS52".



Photo 2: Vegetation clearing and ground disturbance at "East of Goosly FSR, 9U 678486E, 6002861N", CGL descriptor "Borrow Site PBS28".



Photo 3: Monitoring well installed 12 July 2016 at "East of Goosly FSR, 9U 678486E, 6002861N", CGL descriptor "Borrow Site PBS28".

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	 Photo 4: Vegetation clearing and ground disturbance at "Goosly Lake site 9U 672896E, 6005179N", CGL descriptor "Borrow Site PBS23".
Compliance	Not Applicable

Requirement Description	The following 23 conditions of EAC#E14-03 have specific requirements that must be met prior prior to commencing construction of the Project: Condition 1 – Submission of Technical Data Reports (TDRs) Condition 2 – Table of Concordance with respect to kilometer posts Condition 3 – Condition Greenhouse Gas Management Plan Condition 4 – Water Quality Management Plan Condition 5 – Acid Rock Construction Response Plan Condition 6 – Wetland Management Plan Condition 7 – Grizzly Bear Mitigation and Monitoring Plan Condition 8 – Grizzly Bear Agreement Condition 9 – Human/Wildlife Conflict Management Plan Condition 10 – Caribou Mitigation and Monitoring Plan Condition 11 – Caribou Agreement Condition 13 – Marbled Murrelet Recovery Strategy Condition 14 – Wildlife and Wildlife Habitat Management Plan Condition 15 – Access Control Management Plan Condition 17 – Preconstruction habitat assessments for CDC red and blue listed plants and ecological communities

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	Condition 19 – Visual Quality Management Plan Condition 20 – Old Growth replacement areas Condition 22 – Consultation with Timber Tenure Holders Condition 23 – Notification of Timber Tenure Holders Condition 24 – Social Effects Management Plan Condition 26 – Environmental Management Plan Condition 28 – Notification of Aboriginal Groups Condition 30 – Provision of monitoring opportunities to Aboriginal groups See Appendix A for specific condition language.
Findings	C&E Parks reviewed information submitted to EAO by CGL after the issuance of the EAC and in response to the OPR inspection record. This information included plans and other documents that are required prior to construction commencing. The following plans, documents, or other requirements are noted as not complete as of the date of inspections: Condition 2 – Table of Concordance with respect to kilometer posts Condition 8 – Grizzly Bear Agreement Condition 11 – Caribou Agreement Condition 20 – Old Growth replacement areas Condition 23 – Notification of Timber Tenure Holders Condition 30 – Provision of monitoring opportunities to Aboriginal groups
Compliance	Out with regard to the preconstruction requirements for the conditions identified above, as of the date of the inspections conducted in June and July of 2018.

Actions Required by Proponent(s) & Additional Comments:	
COASTAL GAS LINK PIPELINE IS HEREBY WARNED THAT THE PROJECT WAS NOT COMPLIANT WITH THE PRECONSTRUCTION REQUIREMENTS OP CONDITIONS #s 2, 8, 11, 20, 23, AND 30 OF EAC#E14-03 AS OF THE DATES OF INSPECTION. SEE REGULATORY CONSIDERATIONS SECTION FOR ADDITIONAL INFORMATION.	
Inspection Conducted by: Chris Parks, Director, Compliance and Enforcement	**Date Signed:** January 16, 2019
Enclosure(s) to Proponent(s) & Description:	
Appendix A: EAC#E14-03 Appendix B: CGL response to C&E Parks information request Appendix C: CGL response of Opportunity to Respond inspection record Appendix D: EAO Investigative Use Policy Appendix E: CGL Post Construction Plans Geotechnical Investigation Program Nadina Forest District Borrow Sites Appendix F: CGL Post Construction Plans Geotechnical Investigation Program Vanderhoof Forest District Borrow Site	
Regulatory Consideration:	
At of the date of this inspection record CGL has now complied with the preconstruction requirements of EAC#E14-03.	

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