

**Date:** Wed 11/03/2020 5:51 PM

**To:** 'rieanne.graham@aer.ca'; 'Camille.Almeida@aer.ca'

**Cc:** Afanasyeva, Aleksandra (IAAC/AEIC) <aleksandra.afanasyeva@canada.ca>; Tiege, Susan (IAAC/AEIC) <susan.tiege@canada.ca>

**From:** greg.bosse@canada.ca

**Subject:** Designation request for West Path Delivery 2022 and 2023 projects - Request for comments

Dear Rieanne and Camille,

On February 26, 2020, the Minister of Environment and Climate Change (the Minister) received a request to designate four projects under the Impact Assessment Act. The Agency understands that Foothills Pipe Lines (South B.C) Ltd. (Foothills) and NOVA Gas Transmission Ltd. (NGTL) are proposing the construction and operation of several pipeline segments and associated facilities between southwest Alberta and southeast British Columbia, as part of a broader West Path Delivery Program, which is made up of four distinct projects (the West Path Delivery 2022 and 2023 Projects).

The purpose of this email is to inform you of the designation request and to seek your input regarding provincial regulatory processes in relation to the projects, and any associated assessment of effects and public and Indigenous consultation.

#### **Designation Request**

Under subsection 9(1) of *Impact Assessment Act* (IAA) the Minister may by order, designate a physical activity that is not prescribed in the *Physical Activities Regulations*. The Minister may do this, if, in the Minister's opinion, the physical activity may cause adverse effects within federal jurisdiction or adverse direct or incidental effects (resulting from federal decisions, including funding), or public concerns related to those effects warrant the designation. In accordance with subsection 9(4) of IAA, it is expected that the Minister will respond, with reasons, to the request by May 27, 2020.

#### **The Projects**

The projects would include approximately 120 kilometres of natural gas pipeline, and associated infrastructure, such as meter stations and would allow for the transportation of natural gas from sources in Alberta and British Columbia to southwest Alberta and downstream markets. Foothills and NGTL are wholly owned subsidiaries of TransCanada PipeLines Limited, which is an affiliate of TC Energy Corporation.

#### *NOVA Gas Transmission Ltd. West Path Delivery 2022*

- Further information can be found [here](#).

#### *Foothills Pipe Lines Ltd. Zone 8 West Path Delivery 2022*

- Further information can be found [here](#).

#### *NOVA Gas Transmission Ltd. West Path Delivery 2023, and Foothills Pipe Lines Ltd. Zone 8 West Path Delivery 2023*

- Further information can be found [here](#).

The Agency requests that the attached form is returned by **March 30, 2020**. The Agency welcomes any additional information that the Alberta Energy Regulator may provide. Please note that information received will be uploaded to the Agency Registry website located: <https://iaac-aeic.gc.ca/050/evaluations/050?culture=en-CA>

**Important Note:** All records produced, collected or received in relation to the designation request process – unless prohibited under the *Access to Information Act* or *Privacy Act* – will be considered public and may be released. Should you wish to provide any comments or documents that contain confidential or sensitive information that you believe should be protected from release to the public, **please contact the Agency before submitting** the information. Information marked as confidential may not be kept confidential unless you contact the Agency prior to sharing the information.

Additional information regarding the process for designation requests can be found at: <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/designating-project-impact-assessment-act.html>

Should you have any additional questions or comments please contact Greg Bosse at [greg.bosse@canada.ca](mailto:greg.bosse@canada.ca) or at (587) 334-2941.

Regards,

**Greg Bosse**

Project Manager, Prairie and Northern Region

Impact Assessment Agency of Canada / Government of Canada

[Greg.Bosse@canada.ca](mailto:Greg.Bosse@canada.ca) | C. 587-334-2941

Gestionnaire de projets, Région des Prairies et du Nord

Agence d'évaluation d'impact du Canada / Gouvernement du Canada

[Greg.Bosse@canada.ca](mailto:Greg.Bosse@canada.ca) | C. 587-334-2941

**ATTACHMENT:** March 11, 2020  
**Provincial Advice Record: Designation Request under IAA**  
**Response requested by March 29, 2020**  
West Path Delivery Program

Ministry	
Lead Contact	
Full Address	
Email	
Telephone	
Alternate Ministry Contact	

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1. In general terms, please confirm and describe your ministry's role (if applicable) in the review of the Project.

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2. Please provide the contact information of the person or persons responsible for managing your ministry's oversight of the Project (if different from lead contact above).

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3. Describe the provincial legislative or regulatory process or approvals administered by your ministry that may assess or manage the potential adverse effects of the Project. For each mechanism or approval, please provide information regarding the following:

- Name of the process or authorization (e.g. certificate, licence, permit or approval) and the associated legislative framework;
- Whether (for each) the authorization would set conditions and if yes, what issues would those conditions address;
- Whether (for each) the authorization would require public and/or Indigenous consultation and if yes, provide information on the approach to be taken; and
- Whether (for each) your ministry has guidance material that would be helpful to the proponent or the Agency (please provide these as attachments or hyperlinks in your response).

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4. Confirm whether any authorization listed above would contemplate the following matters and if yes, discuss, in general, the benchmarks or standards to which a project of this nature may be held (be specific in relation to each point below that may be applicable to your ministry's mandate):

- **[RELEVANT ISSUES RAISED BY REQUESTER]**

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5. Have you received public comments/concerns in relation to the Project? If yes, provide an overview of the key issues and the way in which (in general terms) your ministry intends to address (or would normally manage) these matters.

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6. Have you received Indigenous community comments/concerns in relation to the Project? If yes, provide an overview of the key issues and the way in which (in general terms) your ministry intends to address (or would normally manage) these matters.

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7. Do you have any other information about the Project in relation to potential adverse effects or impacts to the public, or Indigenous peoples and their rights as protected under section 35 of the *Constitution Act, 1982*?

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Name of responder

\_\_\_\_\_  
Title of responder

\_\_\_\_\_  
Date