



File OF-Fac-Gas-N081-2014-20 02
21 October 2015

Environment Canada
Environmental Assessment Division
Prairie and Northern Region, EA South
150 – 123 Main Street
Winnipeg, MB R3C4W2
Email: easouthpnr@ec.gc.ca

Hearing Order GH-002-2015
NOVA Gas Transmission Ltd. (NGTL) 2017 NGTL System Expansion (Project)
Request to a Federal Authority pursuant to Section 20(a) of the *Canadian*
Environmental Assessment Act, 2012

On 31 March 2015, NGTL applied to the National Energy Board (Board or NEB) under sections 52 and 58 of Part III, and Part IV of the National Energy Board Act for a recommendation and related approvals to construct and operate the Project, a proposed expansion of its NGTL System in northern Alberta.

The Board issued a Notice of Public Hearing on 29 May 2015, which included the List of Issues for consideration in the hearing for the Project. The Board issued Hearing Order GH-002-2015 ([Hearing Order](#)) which explains the procedures and steps in the hearing process approved by the Board for the assessment of the Project.

The Project is a “designated project” pursuant to section 2(1)(b) of the *Canadian Environmental Assessment Act, 2012* (CEAA 2012). As a result, it requires a CEAA 2012 environmental assessment for which the Board is the Responsible Authority. The Factors and Scope of the Factors for the Environmental Assessment have been developed pursuant to CEAA 2012 in Appendix IV of the [Hearing Order](#). This document has also been posted on the Canadian Environmental Assessment Registry Internet Site (Reference No. [80099](#)).

Pursuant to section 20(a) of CEAA 2012, the purpose of this letter is to request that Environment Canada, as a federal authority in possession of specialist or expert information or knowledge, provide such information or knowledge to the Board with respect to this Project. The particulars of this request are described below.

In its Project application, NGTL cites, on numerous occasions, a 2012 Environment Canada publication entitled, *Recovery Strategy for the Woodland Caribou (Rangifer tarandus caribou), Boreal population, in Canada*.¹

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¹ Environment Canada. 2012. Recovery Strategy for the Woodland Caribou (*Rangifer tarandus caribou*), Boreal population, in Canada. Species at Risk Act Recovery Strategy Series. Environment Canada, Ottawa. xi + 138 pp

For the purposes of conducting its environmental assessment for the Project, the Board requests confirmation as to whether the contents of this publication are current and remain accurate with respect to the Chinchaga, East Side Athabasca River (ESAR) and West Side Athabasca River (WSAR) caribou ranges. The Board also requests any additional relevant expert and specialist information or knowledge with respect to the Chinchaga, ESAR and WSAR caribou ranges that has been accumulated by Environment Canada subsequent to its publication date. In particular, the Board requests any information in Environment Canada's possession regarding the current status of the range plans for these three caribou ranges, and confirmation as to whether the action plan(s) for the Chinchaga, ESAR and WSAR ranges will be completed by December 2015 as described in the above-mentioned Recovery Strategy.

Furthermore, the Board requests any information or knowledge that Environment Canada may have, including but not limited to, species other than caribou identified pursuant to the *Species at Risk Act* which may be affected by the approval of the Project.²

The Board notes that Environment Canada applied for and was granted standing in the GH-002-2015 Hearing to provide a Letter of Comment, for which the filing deadline is 18 December 2015. Please consider providing a response to this request pursuant to section 20 of CEAA 2012 at the same time as that submission.

The Board has identified the following references from NGTL's Project application, and subsequent evidence filed on the GH-002-2015 Hearing record, about which Environment Canada may possess specialist or expert information or knowledge. To the extent that Environment Canada has specialist or expert information or knowledge in its possession which it considers relevant to these aspects of the environmental assessment of the Project, the Board requests that Environment Canada provide it in response to this letter. Environment Canada may provide any further commentary relevant to the Project application in its Letter of Comment.

Topic	Reference
Ecological context summary for caribou	Environmental and Socio-Economic Assessment (ESA), Table 7.10-1 – Ecological Context Summary for the Wildlife and Wildlife Habitat, page 7-165 to 7-167 (PDF page 165 to 167 of 498, A4K2R9)
Assessment of potential residual effects on caribou	ESA, Section 7.10.4. 2 – Boreal Woodland Caribou, page 7-198 to 7-201, (PDF pages 198 to 201 of 498, A4K2R9)
Mitigation measures	ESA, Table 7.10-2 – Mitigation for Wildlife and Wildlife Habitat, page 7-181 to 7-186 (PDF page 181 to 186 of 498, A4K2R9) and
Significance evaluation for caribou	ESA, Section 7.10.5 – Residual Effects Characterization and Significance Determination for Wildlife and Wildlife Habitat, pages 7-210 to 7-217, (PDF page 210 to 217 of 498, A4K2R9)

² See the Board's letter of 1 June 2015 to Environment Canada [[A70466](#)]

Cumulative effects on caribou	NGTL's Responses to NEB Information Request (IR) 1.13 – Cumulative Effects Methodology, pages 63 to 86 (PDF pages 64 to 87 of 127, A4R4Q0)
Environmental Protection Plans (EPP) and Environmental Alignment Sheets (EAS) that cross through caribou habitat	Boundary Lake Section EPP [EPP, A4T8S4] and EAS [EAS Part 1 of 2, A4T8T2 and EAS Part 2 of 2, A4T8T3] Pelican Lake Section EPP [EPP Part 1 of 2, A4T8S7 and EPP Part 1 of 2, A4T8S8] and EAS [EAS, A4T8T6]
Caribou Habitat Restoration and Offsets Mitigation Plan	Preliminary Caribou Habitat Restoration and Offset Mitigation Plan [A4T8R1]
NGTL responses to NEB IRs	NGTL's Responses to NEB IRs 2.10 to 2.15 (PDF pages 116 to 137 of 178, A4T1K8)

Should you have any questions regarding this request, please contact Board Counsel, Mark Watton, at 403-221-3262 or toll free at 1-800-899-1265.

Yours truly,

Original signed by S. Young

Sheri Young
Secretary of the Board

c.c. All Parties to the Hearing Order GH-002-201
Ms. Leslie Yasul, Senior Environmental Assessment Officer, Environment Canada
Ms. Anna Kessler, Environmental Assessment Officer, Environment Canada
Mr. Matthew Boeckner, Environmental Assessment Officer, Environment Canada