

## **Dagdick, Elise (CON)**

---

**From:** Roberts, Dave (CON)  
**Sent:** July-08-11 10:24 AM  
**To:** Dagdick, Elise (CON)  
**Cc:** Firlotte, Nicole (CON)  
**Subject:** RE: EA Proposal - Provident Energy Ltd. - NGL Pipeline Project (File 5526.00)  
**Attachments:** image001.jpg

The Wildlife & Ecosystem Protection Branch offers the following comments regarding the Provident Energy Ltd. NGL Pipeline Project Environment Act Proposal.

- It appears that Provident Energy Ltd. only used information on the Manitoba Conservation Data Centre website based on occurrences by ecoregion. This information is not necessarily up to date and does not include some new Species at Risk occurrences for the project area. Provident Energy Ltd. should be directed to contact the Manitoba Conservation Data Center to obtain more accurate and up to date information on Species at Risk occurrences within the proposed project area to assist in directing monitoring and mitigation planning efforts.
- Provident Energy Ltd. should be directed to provide the Manitoba Conservation Data Centre with all results of vegetation and wildlife monitoring that is undertaken as a part of this project. This information will allow for an independent assessment of the significance of Species at Risk found within the project area and ensure that Manitoba Conservation experts are directly involved in the development and implementation of mitigation plans for these Species at Risk.
- Provident Energy Ltd. should be directed to contact Mr. Tom Moran, Habitat Conservation Specialist, Manitoba Habitat Heritage Corporation, at 204-534-2363 to discuss appropriate compensation for instances where wildlife habitat destruction resulting from project construction cannot be adequately mitigated through avoidance or the reclamation process.

Contact me if you have any questions.

Dave Roberts  
Wildlife Lands & Habitat Specialist  
Manitoba Conservation  
Wildlife & Ecosystem Protection Branch  
Box 6000  
Gimli  
ph. 204-642-6078



---

**From:** Dagdick, Elise (CON)  
**Sent:** July-08-11 8:02 AM  
**To:** Roberts, Dave (CON)  
**Subject:** RE: EA Proposal - Provident Energy Ltd. - NGL Pipeline Project (File 5526.00)

The proposal is on our website at: <http://www.gov.mb.ca/conservation/eal/registries/5526provident/index.html>

## **Dagdick, Elise (CON)**

---

**From:** Cruickshank, Katherine (MLG)  
**Sent:** June-17-11 3:04 PM  
**To:** Dagdick, Elise (CON)  
**Subject:** Provident Energy Ltd. - NGL Pipeline Project

I have reviewed the application for a new pipeline project. The proposed line is in both RM of Wallace and RM of Pipestone. Both areas have their own Development Plan and Zoning By-law.

Pipeline projects, and there accessory structures, are considered in conformity to both By-laws. Therefore, we have no concerns with this proposal.

In particular, the RM of Wallace notes:

- 1) In the Trans Canada West Planning District Development Plan By-law Part 2 "Rural Area", Section 10 "Petroleum Resource Development Policies" states development permits will be required for petroleum installations other than oil wells.
- 2) The corresponding Zoning By-law (Wallace) includes production and delivery of gas as a public utility, which is a permitted use in the applicable "AG80" zone.

In the case of RM of Pipestone the Zoning By-law specifically notes in Part 2 policy 2.5 that "oil and gas exploration and extraction...and pipelines are deemed to be in compliance with this By-law if they are carried out, constructed and operated in accordance with federal and provincial law, except for oil field battery facilities and the Enbridge pumping station north of Cromer, which shall be subject to the provisions of this By-law."

Thank you for the opportunity to review this By-law.

### **Kate Cruickshank**

Community Planner



Local Government  
Community and Regional Planning  
2022 Currie Blvd  
Brandon, MB R7A6Y9  
Phone: 204-726-6273  
Fax: 204-726-7499  
Email: [katherine.cruickshank@gov.mb.ca](mailto:katherine.cruickshank@gov.mb.ca)

## **Dagdick, Elise (CON)**

---

**From:** Elliott, Jessica (CON)  
**Sent:** June-15-11 2:02 PM  
**To:** Dagdick, Elise (CON)  
**Subject:** Provident Energy Ltd - NGL Pipeline Project (file 5526.00)

Parks and Natural Areas Branch reviewed the roposal filed pursuant to the Environment Act for the Provident Energy Ltd - NGL Pipeline Project (file 5526.00). The Branch has no comments to offer.

**Jessica Elliott, M.E.Des.**  
Ecological Reserves and Protected Areas Specialist  
Parks and Natural Areas Branch  
Manitoba Conservation  
Box 53, 200 Saulteaux Cres  
Winnipeg MB R3J 3W3

*fax: 204-945-0012*

*phone: 204-945-4148*

*email: [Jessica.Elliott@gov.mb.ca](mailto:Jessica.Elliott@gov.mb.ca)*



**Before printing, think about the environment**

**Avant d'imprimer, pensez à l'environnement**

**Dagdick, Elise (CON)**

---

**From:** Stephens, Jonathan (CON)  
**Sent:** June-29-11 2:37 PM  
**To:** Dagdick, Elise (CON)  
**Subject:** EA Proposal - Provident Energy Ltd. - NGL Pipeline Project (File 5526.00)

The Sustainable Resource and Policy Management Branch and the Land Programs Branch have no concerns with the above noted project.



**Infrastructure and Transportation**  
Highway Planning and Design Branch  
Environment Section  
14<sup>th</sup> Floor – 215 Garry St., Winnipeg, Manitoba R3C 3P3  
T (204) 945-2369 F (204) 945-0593

June 17, 2011

Tracey Braun, M. Sc.  
Director, Environmental Assessment & Licensing Branch  
Manitoba Conservation  
123 Main St., Suite 160, Winnipeg, MB R3C 1A5

RE: Provident Energy Ltd. – NGL Pipeline Project  
Client File No 5526.00

Dear Director Braun:

MIT has reviewed the Environment Act Proposal for the above-mentioned project and has no concerns with the project as outlined. It appears that this project does not directly impact any Provincial Trunk Highway (PTH) or Provincial Road (PR) in the area. However, the possibility exists at the north end of the proposed pipeline, there may be a requirement to construct a new or temporary access and service road from PR 257 to the pipeline site to facilitate construction vehicles and activities. As such, we would like to include the following comment:

- If proposed project require access to Provincial Road (PR) No. 257, the proponent should be informed that, under the Highways and Transportation Protection Act, any new, modified or relocated access connection onto a PR will require a permit from Manitoba Infrastructure and Transportation (including changed use in access). A permit may also be required for any construction (above or below ground level) within 38.1 m (125 ft) or for any plantings within 15.2 m (50 ft) from the edge of the right of way of PR 257. Permit applications can be obtained by contacting Ashley Beck at the Brandon Office (204) 726-7000.

Thank you very much for providing us the opportunity to review the proposal.

Sincerely,



Kimber Osiowy, M. Sc., P. Eng.  
Manager of Environmental Services

**Manitoba**  
spirited energy

## **Dagdick, Elise (CON)**

---

**From:** Bezak, Dave (CON)  
**Sent:** June-29-11 3:11 PM  
**To:** Dagdick, Elise (CON)  
**Cc:** Molod, Rommel (CON)  
**Subject:** FW: Provident Energy Ltd. - NGL Pipeline Project (5526.00)

Elise, air quality-related comments from the Air Quality Section on the review of the above Emt Act proposal application are noted below. Thanks. DB.

---

**From:** Molod, Rommel (CON)  
**Sent:** June-29-11 2:53 PM  
**To:** Bezak, Dave (CON)  
**Subject:** Provident Energy Ltd. - NGL Pipeline Project (5526.00)

Dave,

Comments on the above Emt Act proposal:

- Minimal fugitive Volatile Organic Compounds (VOC) emissions from the NGL pipeline are expected if the proposed Leak Prevention and Detection System will be implemented.
- Dust will be generated during construction but this should be minimal.
- Noise generated during construction will be insignificant because there are no nearby residential dwellings along the pipeline.
- Though not specifically addressed by the proposal, air emissions will be generated from the operation of the compressor and/or pumps that drive the NGL product through the pipeline. At a specified threshold, Base Level Industrial Emission Requirements (BLIERs) which are part of the new Canadian Air Quality Management System currently under development may apply to the compressor/pumps unless they are electricity-driven.

Contact Person: Elise Dagdick

Rommel

**Rommel Molod**  
Air Quality Specialist  
Climate Change and Environmental Protection Division  
Manitoba Conservation  
Suite 160 123 Main Street  
Winnipeg MB R3C 1A5  
T (204) 945-7047  
F (204) 945-1211

DATE: July 5, 2011

## Memorandum

TO: Elise Dagdick  
Environment Officer  
Environmental Assessment and  
Licensing Branch  
Manitoba Conservation  
123 Main Street, Suite 160  
Winnipeg, Manitoba R3C 1A5

FROM: William Weaver, M.Sc.  
Environmental Review Officer  
Manitoba Water Stewardship  
200 Saulteaux Crescent, Box 14  
Winnipeg, Manitoba R3J 3W3

TELEPHONE: 945-6395  
FACSIMILE: 945-7419

CC: Laureen Janusz  
Kevin Jacobs  
Bob Betcher  
Curtis Hullick  
Stephen Carlyle

SUBJECT: **ENVIRONMENT ACT PROPOSAL FILE: 5526.00**  
**PROVIDENT ENERGY LTD.**  
**NATURAL GAS LIQUIDS PIPELINE PROJECT**

Manitoba Water Stewardship has reviewed the referenced file, forwarded for comment on June 9, 2011.

Manitoba Water Stewardship submits the following revised response, for the referenced file:

- Manitoba Water Stewardship requires an Environment Act Licence to include the following:
  - The Licencee is required to obtain an authorization, from Manitoba Water Stewardship, under *The Water Rights Act*, for the withdrawal of water for hydrostatic testing and borehole drilling:
    - A contact person is Mr. Rob Matthews, Manager, Water Use Licensing Section, telephone: (204) 945-6118 and
    - A contact person is Ms. Laureen Janusz, Fisheries Biologist, Fisheries Branch, telephone: (204) 945-7789.

**Date:** July 5, 2011  
**Subject:** Environment Act Proposal File 5526.00  
Provident Energy Ltd. – Natural Gas Liquids Pipeline Project

---

- The Licencee is required to obtain an authorization for the discharge of hydrostatic test water into surface waters, from Manitoba Water Stewardship:
  - A contact person is Ms. Wendy Ralley, Manager, Water Quality Management Section, telephone: (204) 945-8146.
  
- The Licencee is required to develop and implement a standard protocol to prevent the introduction of foreign biota:
  - Any equipment or machinery, such as large machinery, temporary bridges, mats, pump intake and screen, diversion dams, that is used in or near surface water, at different locations, will be visually inspected. Any plants, algae and/or animals will be removed, at least 100 metres away from surface waters. Equipment or machinery will be disinfected with a bleach solution, at least 100 metres away from surface waters.
  
- Under *The Water Resources Administration Act* (Manitoba), the Licencee must obtain authorization for any works or structures, prior to the commencement of construction, on a "provincial waterway." A "provincial waterway" is a water control work, natural water channel, or lake designated under *The Water Resources Administration Act* (Manitoba).
  - A contact person is Mr. Eugene Kozera, Director, Water Control Systems Management Branch, telephone: (204) 945-7474.
  
- Any handling and/or transportation of fish and mussels during salvage operations will require the Licencee to obtain a "Live Fish Handling Permit," prior to the commencement of this work, from Manitoba Water Stewardship:

**Date:** July 5, 2011  
**Subject:** Environment Act Proposal File 5526.00  
Provident Energy Ltd. – Natural Gas Liquids Pipeline Project

---

- A contact person is Ms. Laureen Janusz, Fisheries Biologist, Fisheries Branch, telephone: (204) 945-7789.
- All monitoring involving fish and/or benthic invertebrates requires the Licencee to obtain a Scientific Collection Permit, prior to the commencement of this work, from Manitoba Water Stewardship
  - A contact person is Ms. Laureen Janusz, Fisheries Biologist, Fisheries Branch, telephone: (204) 945-7789.
- The Licencee is required to comply with the Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat (attached).
  - When an "isolated" or open trench cut is implemented, Manitoba Water Stewardship requires that mussels, if found within the affected area, must be relocated to suitable habitat, located upstream of the crossing.
  - Prior to the commencement of any work to cross rivers, streams, or creeks, the Licencee is required to consult with Manitoba Water Stewardship:
    - A contact person is Mr. Bruno Bruederlin, Regional Fisheries Biologist, telephone: (204) 726-6452.
  - Manitoba Water Stewardship recommends implementing the following during water crossings:
    - Silt curtains shall be installed several metres past the riparian margin, along the right of way;
    - Biodegradable erosion control materials be used;

**Date:** July 5, 2011

**Subject:** Environment Act Proposal File 5526.00  
Provident Energy Ltd. – Natural Gas Liquids Pipeline Project

---

- All re-vegetation should implement a seed mix native to the area to prevent the spread of invasive species; and,
  - Construction that could lead to sediment transport into waterways shall be halted during periods of heavy precipitation.
- In order to protect riparian areas, including during trenchless drilling, the Licencee is required to establish and maintain an undisturbed native vegetation area located upslope from the ordinary high water mark and adjacent to all waterbodies and waterways connected to the provincial surface water network:
- A 30-metre undisturbed native vegetation area is required for lands located adjacent to surface waters;
  - Permanent development is prohibited within an undisturbed vegetation area;
  - The combined alteration—including new and existing structures—within this undisturbed native vegetation area is limited to a maximum of 25 % of the shoreline length (for example: 25 metres per 100 metres of shoreline length) of each lot for a boat house, path, dock, etc.; and,
  - Alteration within this undisturbed native vegetation area—including a dock and/or the removal of near shore or stream aquatic habitat—shall not occur unless an activity conforms to a Department of Fisheries and Oceans Canada Operational Statement or an activity is reviewed by the Department of Fisheries and Oceans Canada.

**Date:** July 5, 2011  
**Subject:** Environment Act Proposal File 5526.00  
Provident Energy Ltd. – Natural Gas Liquids Pipeline Project

---

- The Licencee shall comply with Manitoba Water Stewardship's Wetland Policy:
  - The net loss of semi-permanent or permanent wetlands shall not occur. Wetlands are defined as areas that are periodically or permanently inundated by surface or ground water long enough to develop special characteristics including persistent water, low-oxygen soils, and vegetation adapted to wetland conditions. These include but are not limited to swamps, sleughs, potholes, marshes, bogs and fens.
  - The Licencee shall establish and maintain an undisturbed native vegetation area with at least a 30-metre width.
- Prior to the commencement of construction, the Licencee is required to contact the Manitoba Habitat Heritage Corporation to ensure that the proposed development does not impact Conservation Agreement lands. It appears that the proposed development may impact Conservation Agreement lands located at the following location:
  - PT North ½ of NE Section 20, Township 9, Range 28W (map attached).
  - A contact person is Mr. Curtis Hullick, Field Manager, Manitoba Habitat Heritage Corporation, telephone: (204) 729-3501.
- The Licencee shall conduct directional drilling according to the Department of Fisheries and Oceans Canada Operational Statement on Directional Drilling.
  - A contact person at Manitoba Water Stewardship is Mr. Bruno Bruederlin, Regional Fisheries Biologist; telephone: (204) 726-6452

**Date:** July 5, 2011  
**Subject:** Environment Act Proposal File 5526.00  
Provident Energy Ltd. – Natural Gas Liquids Pipeline Project

---

- **The Licencee shall develop and implement an Emergency Response Plan, including the following:**
  - **In the event of a spill or leak, the Licencee will immediately notify downstream water treatment plant operators;**
  - **Vehicles and other equipment shall be fueled and serviced at least 100 metres away from any water body; and,**
  - **Implement staff with training and equipment in the area for rapid response in the event of an accident or malfunction.**
- **The Licencee is required to develop and implement an environmental protection plan, including the following:**
  - **A regular maintenance inspection schedule of the pipeline and**
  - **Electronic leak detection equipment.**
- **Before an Environment Act Licence is issued, Manitoba Water Stewardship requests the following clarification from the proponent:**
  - **The proponent needs to improve the discussion in section 5.1.3.3 of the proposal to provide sufficient information for Manitoba Water Stewardship to conduct a review of the proposed development's possible impacts on groundwater resources.**
    - **This discussion needs to include the following:**
      - **Potential impacts on groundwater quality in the event of a spill or leak;**

**Date:** July 5, 2011  
**Subject:** Environment Act Proposal File 5526.00  
Provident Energy Ltd. – Natural Gas Liquids Pipeline Project

---

- Gases or impurities being transported; and,
- Corrections on existing information found in section 5.1.3.3 of the proposal, such as the following error:
  - The proposal notes that bedrock aquifers are not located within 150 metres of the surface. However, the proposal mentions the presence of bedrock at the surface, later in another area of the document.
  - **Manitoba Water Stewardship recommends for the proponent explore air testing as an alternative to hydrostatic testing.**
- **Manitoba Water Stewardship submits the following comments:**
  - **Manitoba Water Stewardship does not object to this proposal, at this time.**
  - **The proposed development may impact Conservation Agreements held by the Manitoba Habitat Heritage Corporation, a provincial Crown Corporation that was established by The Manitoba Habitat Heritage Act. The Manitoba Habitat Heritage Corporation is governed by a board of directors that is responsible to the Minister of the Manitoba Department of Water Stewardship. The Manitoba Habitat Heritage Corporation's mandate includes the conservation, restoration and enhancement of fish and wildlife habitat in the province of Manitoba.**
  - **The Conservation Agreements Act (Manitoba) enables conservation organizations to enter into agreements with landowners to purchase or receive through donation a "conservation interest" on their property. These "conservation easements" are then registered on land title(s) as restrictive caveats in perpetuity. Conservation Agreements held by**

**Date:** July 5, 2011  
**Subject:** *Environment Act* Proposal File 5526.00  
Provident Energy Ltd. – Natural Gas Liquids Pipeline Project

---

the Manitoba Habitat Heritage Corporation place restrictions on the land, protecting it from breaking, burning, draining, degrading, converting, or in any other way disrupting the ecosystem components of habitats outlined in the Conservation Agreements. The Manitoba Habitat Heritage Corporation's main concern is that all measures are conducted to avoid and minimize impacts to its conservation interests and that the land be restored to the satisfaction of the Manitoba Habitat Heritage Corporation after construction of the pipeline and that any habitats in the area remain intact and unaffected. In the case that avoidance and minimization techniques do not fully protect habitat, the Manitoba Habitat Heritage Corporation requires appropriate compensation, as provided in an attached Development Policy.

- Wastewater (sewage and grey water) from work camps and other infrastructure should be collected in holding tanks and disposed of at a licensed wastewater treatment facility.
  
- The Manitoba Department of Water Stewardship's recent policy direction recommending undisturbed native vegetation areas to protect water is founded, in part, on the 135 recommendations in the Lake Winnipeg Stewardship Board's (December 2006) report titled, "Reducing Nutrient Loading to Lake Winnipeg and its Watershed, Our Collective Responsibility and Commitment to Action." All 135 recommendations were accepted in principle by the Minister of the Manitoba Department of Water Stewardship, on behalf of the Government of Manitoba.
  
- Maintaining an undisturbed native vegetation area immediately adjacent to the shoreline of lakes, rivers, creeks, and streams helps stabilize banks, provides aquatic and wildlife habitat and protects water quality through filtering overland runoff. The width of an undisturbed native vegetation area should be the widest width possible and practical. In conjunction with other best management practices such as eliminating fertilizer use adjacent to surface waters, and the proper management and disposal of waste water, maintaining an undisturbed native vegetation area adjacent to waterbodies is important to help prevent degradation of water quality.

**Date:** July 5, 2011  
**Subject:** Environment Act Proposal File 5526.00  
Provident Energy Ltd. – Natural Gas Liquids Pipeline Project

---

- A policy should be considered of only using soaps, shampoos, detergents and other cleaning products that are phosphate-free or that have 0.5 % or less phosphorus content are used in camps or housing facilities.
  
- The proponent needs to be informed of the following for information purposes:
  - Erosion and sediment control measures should be implemented until all of the sites have stabilized.
  
  - The Water Rights Act requires a person to obtain a valid licence to control water or construct, establish or maintain any “water control works.” “Water control works” are defined as any dyke, dam, surface or subsurface drain, drainage, improved natural waterway, canal, tunnel, bridge, culvert borehole or contrivance for carrying or conducting water, that temporarily or permanently alters or may alter the flow or level of water, including but not limited to water in a water body, by any means, including drainage, OR changes or may change the location or direction of flow of water, including but not limited to water in a water body, by any means, including drainage. If a proposal advocates any of the aforementioned activities, a person is required to submit an application for a Water Rights Licence to Construct Water Control Works. A person may contact the following Water Resource Officer to obtain an application and/or obtain information.
  
  - A contact person is Mr. Ed MacKay, C.E.T., Senior Water Resource Officer, Water Control Works and Drainage Licensing, Manitoba Water Stewardship, 1129 Queens Avenue, Brandon, Manitoba R7A 1L9, telephone: (204) 726-6226, email: ed.mackay@gov.mb.ca.

**Date:** July 5, 2011  
**Subject:** Environment Act Proposal File 5526.00  
Provident Energy Ltd. – Natural Gas Liquids Pipeline Project

---

- **The Manitoba Department of Water Stewardship is mandated to ensure the sustainable development of Manitoba's water resources. Manitoba Water Stewardship is committed to the goals of: protecting aquatic ecosystem health; ensuring drinking water is safe and clean for human health; managing water-related risks for human security; and stewarding the societal and economic values of our waterways, lakes and wetlands; for the best water for all life and lasting prosperity. Manitoba Water Stewardship achieves these goals, in part, through administering legislation, including The Water Protection Act, The Water Rights Act, and The Water Power Act.**

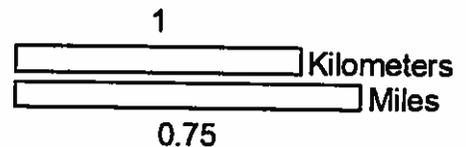
William Weaver, M.Sc.

# MHHC Property Near NGL Pipeline - EAP 5526.00 -



## Legend

 Duncan property





## The Manitoba Habitat Heritage Corporation

### - Development Policy -

#### Purpose:

In extreme circumstances, the Chief Executive Officer of The Manitoba Habitat Heritage Corporation (MHHC) may authorize development to occur on Conservation Agreement lands. The objective of this policy is to outline the conditions upon which MHHC may allow development and the compensation required for this dispensation.

#### Background:

The MHHC is a Crown corporation in the Province of Manitoba. Its mandate is to conserve, restore and enhance habitat for fish and wildlife populations. The MHHC is responsible to Manitoba Water Stewardship and operates in all regions of Manitoba. One of the tools the MHHC uses to protect habitat for fish and wildlife is a conservation agreement (CA) – typically known as a conservation easement or covenant in jurisdictions outside of Manitoba. The intent of these agreements is to ensure the habitat and the species (floral and/or faunal) for which it was protected will remain in perpetuity.

As signatories to a CA, both the title holder and the MHHC have an obligation to ensure the habitat remains in a condition suitable for which it was secured and that its ecological integrity is not damaged. Development such as resource extraction has a high probability of altering the ecological integrity of a habitat parcel and therefore appropriate action must be taken to mitigate<sup>1</sup> for these impacts.

#### Habitat Mitigation:

Project proponents must supply the MHHC with a mitigation plan for the proposed project. This plan should include details on how the proponent will minimize its ecological impact through 1) project siting and design, 2) general mitigation measures that could apply to all phases of the project and where appropriate 3) phase-specific measures for a) exploration, b) development, c) production, d) decommissioning and e) site reclamation. Also included in the plan will be a schedule for project reporting and monitoring by the proponent and the MHHC.

#### Party Liability:

The habitat mitigation plan will be reviewed by the MHHC and form the basis for a tri-party mitigation agreement between the proponent, the landowner and the MHHC. Upon successful project reclamation, MHHC will provide the proponent and landowner written notification that its conservation interests have been satisfied and it will no longer hold the

---

<sup>1</sup> Refers to the process of first avoiding the ecological impact, secondly, minimizing the ecological impact and thirdly, compensating for the ecological impact either on- or off-site.

proponent and/or the landowner liable for damages to conservation agreement lands as a result of the completed resource extraction project.

The MHHC will review the plan based on the following standard mitigation elements:

*1) Avoidance*

All project proponents are expected to avoid the habitat type for which the CA was secured. Based on the current oil and gas development areas, this will typically mean project siting, in order of preference, would be on lands not covered by a CA, areas of existing development, cultivated lands, tame pastures, woodlands, wetlands and lastly native prairie. This priority list is subject to change based on local influences including local threats and relative abundance of the habitat.

*2) Minimizing*

Project proponents are obliged to consult with the Manitoba Habitat Heritage Corporation and, at a minimum, utilize minimal disturbance techniques for development. Examples of such techniques for oil and gas development can be found in Appendix A.

*3) Compensation*

When it is deemed that compensation for lost and/or degraded ecosystem components is required, the proponent will provide funds to MHHC which will be used to protect and maintain additional habitat through the signing of new CAs. Standard ratios will be used in the determination of the level of compensation required. These ratios are based on the relative importance of the habitat class to wildlife, the current abundance and threat of the habitat, the type of compensation (restoration or preservation) and the timing of compensation (i.e. pre- or post disturbance).

Compensation for habitat impacts will be done based on fixed compensation ratios and on a cost recovery basis. Pre-development habitat assessments will be conducted by MHHC and based on habitat grading guidelines produced by the Conservation Data Centre of Manitoba.

Compensation Ratios:

Compensation Type	Wetland Class <sup>1</sup>			
	Class 1	Class 2	Class 3	Class 4-5
<i>In-Lien Fee</i> (post-disturbance compensation)				
Restoration / Enhancement	8:1	6:1	5:1	3:1
Securement	15:1	12:1	6:1	3:1
<i>Banking</i> (pre-disturbance compensation)				
Restoration / Enhancement	4:1	3:1	2.5:1	1.5:1
Securement	15:1	12:1	6:1	3:1

<sup>1</sup> Wetland classifications are based on Steward and Kantrud (1971)<sup>2</sup>

Compensation Type	Upland Habitat Class <sup>3</sup>			
	Class A	Class B	Class C	Class D
<i>In-Lien Fee</i> (post-disturbance compensation)				
Restoration / Enhancement	8:1	6:1	10:1	5:1
Securement	15:1	12:1	10:1	5:1
<i>Banking</i> (pre-disturbance compensation)				
Restoration / Enhancement	4:1	3:1	2.5:1	1.5:1
Securement	15:1	12:1	6:1	3:1

<sup>3</sup> Upland classifications are based on and Greenall (1996)<sup>1</sup>

Contact Information:

All enquiries are to be directed to the Field Manager at (204) 729-3502 or [mhhc@mhhc.mb.ca](mailto:mhhc@mhhc.mb.ca).

Any correspondence should be mail to:

Field Manager  
The Manitoba Habitat Heritage Corporation  
545 Conservation Dr.  
Brandon, MB R7A 7L8

<sup>2</sup> Steward, R.E. and H.A. Kantrud (1971), *Classification of natural lakes and ponds in the glaciated region*, Resource Publication 92, Bureau of Sport Fisheries and Wildlife, U.S. Fish and Wildlife Service, Washington, D.C. 57 pp.

<sup>3</sup> Greenall, J. (1996). *Element occurrence specifications and grading guidelines for Manitoba's terrestrial plant communities*, Manitoba Conservation Data Centre, Manitoba Conservation, Winnipeg, MB 26 pp.



The Manitoba Habitat Heritage Corporation

- Oil and Gas Mitigation Policy -

This policy, effectively immediately, has been reviewed and approved by the Board of The Manitoba Habitat Heritage Corporation.

\_\_\_\_\_  
Date

\_\_\_\_\_  
John Whitaker  
Chair,  
The Manitoba Habitat Heritage Corporation

\_\_\_\_\_  
Date

\_\_\_\_\_  
Tim Sopuck  
Chief Executive Officer,  
The Manitoba Habitat Heritage Corporation

## Appendix A: Oil and Gas Minimal Disturbance Practices Guidelines

These guidelines are meant to establish minimal disturbance criteria for which oil and gas developments may occur on MHHC conservation agreement (CA) lands or fee simple properties. All projects will be evaluated individually on a case by case basis and may or may not include all or part of the following conditions. Additional conditions may apply depending on the site and timing of development activity.

### Planning:

1. MHHC CA lands should be avoided wherever possible. Oil and gas developments, including access is preferred on cultivated areas to avoid MHHC CA lands.
2. To achieve minimal disturbance objectives, well site developments on CA lands need to meet the following criteria:
  - i. Positioned along road
  - ii. Located away from slope
  - iii. Located to avoid sensitive plant communities
  - iv. Located to avoid known nesting/breeding sites
  - v. Site selection must be on level ground
  - vi. Site selection must be in consultation with MHHC

### Access:

1. Access must be minimized to avoid habitat fragmentation
2. Maximum width of right of way for access route is 20 meters
3. Matting must be utilized in wet conditions to avoid rutting; frozen or dry condition access preferred
4. Prairie trails will be utilized for all inspections and maintenance
5. Hydro will be trenched/buried within the existing right-of-way

### Site Preparation:

1. Stripping of top soil will not generally be allowed
2. Minimal ground levelling for development will be allowed
3. If trees need to be felled they must be removed from property
4. No material; trees, earth, rocks or otherwise will be pushed into standing timber, streams, wetlands, mixed-grass prairie

### Drilling, Servicing and Maintaining (Well Development):

1. Well tailings and/or mud will not be stored on drilling site
2. Circulating tanks must be used to manage drilling fluids. No discharge of contaminants including salt water is allowed on drill site or on MHHC conservation interests

3. Matting must be utilized in wet conditions to avoid rutting; access during frozen or dry conditions are preferred
4. Mufflers must be utilized on pump jacks to reduce noise

#### Flow lines/Tank storage:

1. Flow line routing must attempt to avoid MHHC conservation interests, which may include boring
2. Flow lines must be bucket striped and soil replaced as removed
3. Maximum width of all flow line right-of-ways is 15 meters
4. Storage tanks must be located along the road to minimize large truck traffic

#### Reclamation:

1. Rehabilitation and final restoration must be completed to the satisfaction of MHHC
2. Native seed must be utilized where applicable (seed mixture will be approved by MHHC)
3. All refuse must be removed from well site and disposed of at landfill sites

*Regular site inspections and continued reclamation work will be undertaken by the proponent until such time when MHHC determines the reclamation to be successful.*



Canadian Environmental  
Assessment Agency

101 – 167 Lombard Avenue  
Winnipeg, Manitoba R3B 0T6

Agence canadienne  
d'évaluation environnementale

167, avenue Lombard, bureau 101  
Winnipeg (Manitoba) R3B 0T6

July 14, 2011

CEAA File No.: 4828 / MP011-031

MC File No.: 5526.00

Ms. Elise Dagdick  
Manitoba Conservation  
Environmental Stewardship Division  
123 Main Street, Suite 160  
Winnipeg, MB R3C 1A5

Dear Ms. Dagdick

**SUBJECT: NGL Pipeline – R.M. of Wallace, R.M. of Pipestone, MB  
Provident Energy Ltd.**

I am responding to the letter of June 9, 2011 from Tracey Braun, Director, Environmental Assessment and Licensing Branch, Manitoba Conservation to Dan McNaughton, Director, Canadian Environmental Assessment Agency (the Agency) regarding the project identified above.

I have undertaken a survey of federal departments with respect to determining interest in the project noted above. I can confirm that the project information provided has been distributed to all federal departments with a potential interest. Based on the responses to the survey the application of the *Canadian Environmental Assessment Act* (the Act) by a federal authority will **not** be required for this project. I have enclosed copies of the received responses for your file.

Aboriginal Affairs and Northern Development Canada (AANDC) has reviewed the project information and determined it is not a Responsible Authority (RA) for this project. AANDC has identified the following First Nations may have an interest in the project based on their traditional territories:

- Canupawakpa First Nation
- Gamblers First Nation
- Pine Creek First Nation
- Rolling River First Nation
- Sapotaweyak Cree Nation
- Tootinaowaziibeeng Treaty Reserve
- Waywayseecappo First Nation
- Wuskwi Sipiik First Nation

AANDC has recommended that the proponent contact these groups to determine their interest in the project. If you have any questions regarding these First Nation groups the AANDC contact is Tebesi Mosala, he can be reached by phone at (204) 984-0711.

The Department of Fisheries and Oceans Canada (DFO) has reviewed the project proposal and determined it is not a RA for the project as proposed. The proponent is asked to review DFO's Operational Statement for Punch and Bore Crossings and/or High Pressure Directional Drilling (OS). If the OS applies to the project the proponent is asked to fill out a Notification form and forward it to DFO. The contact for DFO is Jeff Moyer. He can be reached by phone at (204) 622-4072 or by email at [Jeff.Moyer@dfo-mpo.gc.ca](mailto:Jeff.Moyer@dfo-mpo.gc.ca).

Transport Canada (TC) has reviewed the project information and determined it is not a RA for the project. TC has indicated the *Navigable Waters Protection Act* (NWPA) Minor Works guideline for Pipeline Crossings is likely applicable to the project, and an NWPA is not required. All conditions of the Minor Works guideline must be adhered to. If the project were to change, TC will reassess its role. The contact person for TC is Jennifer Van de Vooren. She can be reached by phone at (204) 983-1140 or by email at [Jennifer.Vandervooren@tc.gc.ca](mailto:Jennifer.Vandervooren@tc.gc.ca).

HC has indicated it is not a RA for the project, however HC could contribute expert knowledge in the area of human health to a RA if requested. The contact person for HC is Jackie Schollie. She can be reached at (204) 984-6645, or by email: [Jackie.Schollie@hc-sc.gc.ca](mailto:Jackie.Schollie@hc-sc.gc.ca).

Environment Canada (EC) has reviewed the project and determined it is not a RA for the project. EC could provide its expertise to an RA if requested. EC has an interest in the project and would like to be kept informed of the provincial review. The contact for EC is Krista Flood. Krista Flood is the EC contact for this project. She can be reached by phone at (780) 951-8946 or by email at [Krista.Flood@ec.gc.ca](mailto:Krista.Flood@ec.gc.ca).

No other federal interest in this project was received. Thank you for your effort to ensure coordination and close communication between provincial and federal levels of government. If I can be of further assistance, please feel free to contact me at (204) 984-3233 or by e-mail at: [Heather.flynn@ceaa-acee.gc.ca](mailto:Heather.flynn@ceaa-acee.gc.ca).

Sincerely,



Heather Flynn  
Environmental Assessment Officer

Encl.

c.c.: Mr. Kelly Scott – Kelly Wm. Scott & Associates  
Mr. Tebesi Mosala - AANDC  
Ms. Jennifer Van de Vooren – TC

Mr. Jeff Moyer – DFO  
Mr. Krista Flood - EC  
Ms. Jackie Schollie - HC



Canadian Environmental Assessment Agency

101 - 167 Lombard Avenue  
Winnipeg, MB R3B 0T6

Agence canadienne d'évaluation environnementale

101 - 167 avenue Lombard  
Winnipeg, MB R3B 0T6

510-1

101 - 167 Avenue Lombard  
Winnipeg, MB R3B 0T6  
May 2011

June 30, 2011

CEAA File No.: 4828 / MP2011-031  
MC File No.: 5526.00

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> MPMO                             | <input checked="" type="checkbox"/> HC- Rick Grabowewy | <input type="checkbox"/> PARKS - Wendy Botkin         |
| <input type="checkbox"/> CTA - John Woodward              | <input type="checkbox"/> HR Dev - N/A                  | <input type="checkbox"/> AAFC - environmental service |
| <input checked="" type="checkbox"/> DFO - Rick Erickson   | <input type="checkbox"/> CNSC - ceaainfo               | <input type="checkbox"/> AAFC - Bret Ward             |
| <input checked="" type="checkbox"/> INAC - Danielle Black | <input type="checkbox"/> NEB - N/A                     | <input type="checkbox"/> TC - PNR EA Team             |
| <input checked="" type="checkbox"/> EC - EA South PNR     | <input type="checkbox"/> NRCan - EA-SPI/EE-ISP         | <input type="checkbox"/> CFIA - Scott Thompson        |

SUBJECT: NGL Pipeline - R.M. of Wallace, R.M. of Pipestone, MB  
Provident Energy Ltd.

FCR RESPONSE DUE: July 13, 2011

In accordance with information-sharing requirements of the *Canada-Manitoba Agreement on Environmental Assessment Cooperation* (the Agreement), the Environmental Assessment and Licensing Branch, Manitoba Conservation (MC) has provided a copy of the above-referenced project proposal for review. The proposal is currently being considered by MC, pursuant to The Environment Act.

Please indicate (by checking the appropriate box) whether or not your department/agency:

1. has, or anticipates, a responsibility under Section 5(1) of CEAA to assess the environmental effects of the project (i.e. are an RA). Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, indicate trigger: \_\_\_\_\_

2. to determine whether, within your departmental mandate, you would be able to offer specialist advice to a Responsible Authority if requested (subsection 12(3) of the Act); and Yes \_\_\_\_\_ No \_\_\_\_\_  
Specify as appropriate: \_\_\_\_\_

3. requires additional information to make a determination referred to in a) or b) above. Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please describe additional information requirements or forward a request within 10 days after making the determination: \_\_\_\_\_

4. in the absence of a federal trigger, has an interest in the project related to its departmental mandate, and would like to participate in the provincial review (Clause 38(1) of the Agreement). Yes  No \_\_\_\_\_  
If yes, please describe requested involvement i.e. comments for the provincial Guidelines, review of EIS, etc.  
Comments and decision arising from also please  
consult if First Nations Communities whose traditional territories  
may be affected

Please respond to the above questions by July 13, 2011. If your response to any of the above determinations is positive, please provide the name and means of contact for a departmental representative for the review.

Name: Tebesi Mosa Telephone: (204) 984-0711

Address: 265 Hargrave St Fax: \_\_\_\_\_  
Winnipeg, MB R3B 0A1

E-mail: Tebesi.Mosa@inac.gc.ca

Signature: [Signature] Date: July 5/11

Responses and questions can be forwarded to the following:  
Name: Heather Flynn Email: Heather.Flynn@ceaa-acee.gc.ca  
Tel: 204-984-3233 Fax: 204-983-7174

Received - Env.

JUN 30 2011

Initial TE

210711  
932576



Canadian Environmental Assessment Agency

Agence canadienne d'évaluation environnementale

101 - 167 Lombard Avenue  
Winnipeg, MB R3B 0T8

101 - 167 avenue Lombard  
Winnipeg, MB R3B 0T8

June 30, 2011

CEAA File No.: 4828 / MP2011-031  
MC File No.: 5526.00

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> MPMO                             | <input checked="" type="checkbox"/> HC- Rick Grabowecky | <input type="checkbox"/> PARKS - Wendy Botkin         |
| <input type="checkbox"/> CTA - John Woodward              | <input type="checkbox"/> HR Dev - N/A                   | <input type="checkbox"/> AAFC - environmental service |
| <input checked="" type="checkbox"/> DFO - Rick Erickson   | <input type="checkbox"/> CNSC - ceaainfo                | <input type="checkbox"/> AAFC - Bret Ward             |
| <input checked="" type="checkbox"/> INAC - Danielle Black | <input type="checkbox"/> NEB - N/A                      | <input type="checkbox"/> TC - PNR EA Team             |
| <input checked="" type="checkbox"/> EC - EA South PNR     | <input type="checkbox"/> NRCan - EA-SPVEE-ISP           | <input type="checkbox"/> CFIA - Scott Thompson        |

**SUBJECT: NGL Pipeline – R.M. of Wallace, R.M. of Pipestone, MB  
Provident Energy Ltd.**

**FCR RESPONSE DUE: July 13, 2011**

In accordance with information-sharing requirements of the *Canada-Manitoba Agreement on Environmental Assessment Cooperation* (the Agreement), the Environmental Assessment and Licensing Branch, Manitoba Conservation (MC) has provided a copy of the above-referenced project proposal for review. The proposal is currently being considered by MC, pursuant to The Environment Act.

Please indicate (by checking the appropriate box) whether or not your department/agency:

- has, or anticipates, a responsibility under Section 5(1) of CEAA to assess the environmental effects of the project (i.e. are an RA). \_\_\_\_\_ Yes \_\_\_X\_\_\_ No  
If yes, indicate trigger: \_\_\_\_\_
- to determine whether, within your departmental mandate, you would be able to offer specialist advice to a Responsible Authority if requested (subsection 12(3) of the Act); and \_\_\_\_\_X\_\_\_ Yes \_\_\_\_\_ No  
Specify as appropriate: \_\_\_Please see email\_\_\_
- requires additional information to make a determination referred to in a) or b) above. \_\_\_\_\_ Yes \_\_\_X\_\_\_ No

If yes, please describe additional information requirements or forward a request within 10 days after making the determination:  
\_\_\_\_\_  
\_\_\_\_\_

- In the absence of a federal trigger, has an interest in the project related to its departmental mandate, and would like to participate in the provincial review (Clause 38(1) of the Agreement). \_\_\_\_\_ Yes \_\_\_X\_\_\_ No  
If yes, please describe requested involvement i.e. comments for the provincial Guidelines, review of EIS, etc.  
\_\_\_\_\_  
\_\_\_\_\_

Please respond to the above questions by July 13, 2011. If your response to any of the above determinations is positive, please provide the name and means of contact for a departmental representative for the review.

Name: Jeff Moyer Telephone: (204) 622-4072

Address: 302 Main Street South Fax: (204) 622-4066

Dauphin, Manitoba, R7N 1K7

E-mail: Jeff.Moyer@dfo-mpo.gc.ca

Signature: Jeff Moyer Date: July 12, 2011

Responses and questions can be forwarded to the following:

Name: Heather Flynn Email: Heather.Flynn@ceaa-acee.gc.ca

Tel: 204-984-3233 Fax: 204-983-7174

**Flynn,Heather [CEAA]**

**From:** Moyer, Jeff [Jeff.Moyer@dfo-mpo.gc.ca]  
**Sent:** Tuesday, July 12, 2011 2:26 PM  
**To:** Flynn,Heather [CEAA]  
**Subject:** 4828 DFO FCR Response (MP-2011-031)  
**Attachments:** DA-11-1385 - 4828 FCR Notification (MP-2011-031).pdf; Punch and Bore Crossings.pdf; High-Pressure Directional Drilling.pdf; Timing Windows.pdf; Notification Form.pdf

Hi Heather

<<DA-11-1385 - 4828 FCR Notification (MP-2011-031).pdf>>

DFO understands that there will be 3 watercourse crossings along the proposed pipeline route and that the proponent will adhere to Fisheries and Oceans Canada Manitoba Operational Statement for Punch and Bore Crossings and/or High Pressure Directional Drilling.

---

For a number of routine projects that pose little risk to fish habitat in Canada, DFO's Habitat Management Program developed Operational Statements to assist with project planning and with project plan reviews by DFO staff and other resource management agencies. For these low risk works, acceptable practices are outlined in each Operational Statement. You may proceed with your project without a DFO review when you meet the conditions and "Measures to Protect Fish and Fish Habitat" found within the applicable Operational Statement. If the OS applies to your proposed works and if you can incorporate the stated measures, then you are asked to fill out the Notification form and forward it to our office with reference to DFO file # DA-11-1385.

For information on Manitoba Operational Statements click on this link <http://www.dfo-mpo.gc.ca/regions/central/habitat/os-ee/provinces-territoires-territoires/mb/index-eng.htm>.

<<Punch and Bore Crossings.pdf>> <<High-Pressure Directional Drilling.pdf>> <<Timing Windows.pdf>>  
<<Notification Form.pdf>>

Thank You

**Jeff Moyer**

Fish Habitat Biologist | Biologiste, Habitat du poisson  
Dauphin Office – Manitoba District | Bureau de Dauphin – District du Manitoba  
Prairies Area | Secteur des Prairies  
Central and Arctic Region | Région du Centre et de l'Arctique  
Fisheries and Oceans Canada | Pêches et Océans Canada

302 Main Street South / 302, rue Main Sud  
Dauphin, Manitoba / Dauphin (Manitoba)  
R7N 1K7 / R7N 1K7

Telephone/Téléphone : 204 622-4072  
Facsimile/Télécopieur : 204 622-4066  
E-mail/Courriel : [Jeff.Moyer@dfo-mpo.gc.ca](mailto:Jeff.Moyer@dfo-mpo.gc.ca)

Visit our website/Consultez notre page d'accueil <http://www.dfo-mpo.gc.ca/oceans-habitat/>  
Government of Canada | Gouvernement du Canada

7/12/2011



Canadian Environmental Assessment Agency

Agence canadienne d'évaluation environnementale

101 - 167 Lombard Avenue  
Winnipeg, MB R3B 0T6

101 - 167 avenue Lombard  
Winnipeg, MB R3B 0T6

July 6, 2011

CEAA File No.: 4828 / MP2011-031  
MC File No.: 5526.00

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> MPMO                             | <input checked="" type="checkbox"/> HC- Rick Grabowecy | <input type="checkbox"/> PARKS - Wendy Botkin         |
| <input type="checkbox"/> CTA - John Woodward              | <input type="checkbox"/> HR Dev - N/A                  | <input type="checkbox"/> AAFC - environmental service |
| <input checked="" type="checkbox"/> DFO - Rick Erickson   | <input type="checkbox"/> CNSC - ceaainfo               | <input type="checkbox"/> AAFC - Bret Ward             |
| <input checked="" type="checkbox"/> INAC - Danielle Black | <input type="checkbox"/> NEB - N/A                     | <input checked="" type="checkbox"/> TC - PNR EA Team  |
| <input checked="" type="checkbox"/> EC - EA South PNR     | <input type="checkbox"/> NRCan - EA-SPI/EE-ISP         | <input type="checkbox"/> CFIA - Scott Thompson        |

**SUBJECT:** NGL Pipeline - R.M. of Wallace, R.M. of Pipestone, MB  
Provident Energy Ltd.

**FCR RESPONSE DUE:** July 13, 2011

In accordance with information-sharing requirements of the *Canada-Manitoba Agreement on Environmental Assessment Cooperation* (the Agreement), the Environmental Assessment and Licensing Branch, Manitoba Conservation (MC) has provided a copy of the above-referenced project proposal for review. The proposal is currently being considered by MC, pursuant to The Environment Act.

Please indicate (by checking the appropriate box) whether or not your department/agency:

1. has, or anticipates, a responsibility under Section 5(1) of CEAA to assess the environmental effects of the project (i.e. are an RA). See attached letter Yes  No

2. to determine whether, within your departmental mandate, you would be able to offer specialist advice to a Responsible Authority if requested (subsection 12(3) of the Act); and  Yes  No  
Specify as appropriate: information related to navigation

3. requires additional information to make a determination referred to in a) or b) above. Yes  No

If yes, please describe additional information requirements or forward a request within 10 days after making the determination:

4. in the absence of a federal trigger, has an interest in the project related to its departmental mandate, and would like to participate in the provincial review (Clause 38(1) of the Agreement). Yes  No   
If yes, please describe requested involvement i.e. comments for the provincial Guidelines, review of EIS, etc.

Please respond to the above questions by July 13, 2011. If your response to any of the above determinations is positive, please provide the name and means of contact for a departmental representative for the review.

Name: Jennifer Vandevoren Telephone: 204-983-1140  
Address: 344 Edmonton St. Fax: 204-983-5048  
WCA, MB R3B 0P6  
E-mail: jennifer.vandevoren@tc.gc.ca  
Signature: J Vandevoren Date: July 12, 2011

Responses and questions can be forwarded to the following:  
Name: Heather Flynn Email: [Heather.Flynn@ceaa-acee.gc.ca](mailto:Heather.Flynn@ceaa-acee.gc.ca)  
Tel: 204-984-3233 Fax: 204-983-7174



Transport  
Canada

Transports  
Canada

Prairie and Northern Region  
344 Edmonton Street  
Winnipeg, Manitoba R3C 0P6

Canadian Environmental Assessment Agency  
101-167 Lombard Avenue  
Winnipeg, MB R3B 0T6

July 12, 2011

Your File: 4828/MP2011-031  
Our File: 6-325

Attention: Heather Flynn

**Subject: NGL Pipeline – RM of Wallace, RM of Pipestone, MB (Provident Energy Ltd.) - Federal Coordination Referral Response**

Transport Canada has reviewed the project information provided regarding the NGL Pipeline Project. Based on the information provided, we are unlikely to have a responsibility under Section 5(1) of the *Canadian Environmental Assessment Act* and will not be a Responsible Authority.

It is our understanding that the project involves three watercourses that will be crossed using boring techniques with no in-stream work. In this case, the *Navigable Waters Protection Act* (NWPA) Minor Works guideline for Pipeline Crossings (attached) is likely applicable and an NWPA approval is not required. All conditions of the Minor Works guideline must be adhered to. If the project changes, we will reassess our role in the Environmental Assessment.

Since three waterways will be crossed, Transport Canada can offer specialist advice, if requested, regarding impacts to navigation. As such, we can participate as a Federal Authority in the CEAA Environmental Assessment.

Please contact me if you have any questions regarding Transport Canada's role in the Environmental Assessment process or call 1-877-842-5606 for questions regarding the NWPA.

Sincerely,

Jennifer Van de Vooren  
Environmental Officer

Phone (204) 983-1140  
Fax (204) 983-5048  
jennifer.vandevoreen@tc.gc.ca

cc. NWP - PNR



Canadian Environmental  
Assessment Agency

Agence canadienne  
d'évaluation environnementale

101 - 167 Lombard Avenue  
Winnipeg, MB R3B 0T6

101 - 167 avenue Lombard  
Winnipeg, MB R3B 0T6

June 30, 2011

CEAA File No.: 4828 / MP2011-031  
MC File No.: 5526.00

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> MPMO                             | <input checked="" type="checkbox"/> HC - Rick Grabowecky | <input type="checkbox"/> PARKS - Wendy Botkin         |
| <input type="checkbox"/> CTA - John Woodward              | <input type="checkbox"/> HR Dev - N/A                    | <input type="checkbox"/> AAFC - environmental service |
| <input checked="" type="checkbox"/> DFO - Rick Erickson   | <input type="checkbox"/> CNSC - ceainfo                  | <input type="checkbox"/> AAFC - Bret Ward             |
| <input checked="" type="checkbox"/> INAC - Danielle Black | <input type="checkbox"/> NEB - N/A                       | <input type="checkbox"/> TC - PNR EA Team             |
| <input checked="" type="checkbox"/> EC - EA South PNR     | <input type="checkbox"/> NRCan - EA-SPI/EE-ISP           | <input type="checkbox"/> CFIA - Scott Thompson        |

**SUBJECT: NGL Pipeline – R.M. of Wallace, R.M. of Pipestone, MB  
Provident Energy Ltd.**

**FCR RESPONSE DUE: July 13, 2011**

In accordance with information-sharing requirements of the *Canada-Manitoba Agreement on Environmental Assessment Cooperation* (the Agreement), the Environmental Assessment and Licensing Branch, Manitoba Conservation (MC) has provided a copy of the above-referenced project proposal for review. The proposal is currently being considered by MC, pursuant to The Environment Act.

Please indicate (by checking the appropriate box) whether or not your department/agency:

1. has, or anticipates, a responsibility under Section 5(1) of CEAA to assess the environmental effects of the project (i.e. are an RA). Yes  No   
If yes, indicate trigger: \_\_\_\_\_

2. to determine whether, within your departmental mandate, you would be able to offer specialist advice to a Responsible Authority if requested (subsection 12(3) of the Act); and Yes  No   
Specify as appropriate: \_\_\_\_\_

3. requires additional information to make a determination referred to in a) or b) above. Yes  No

If yes, please describe additional information requirements or forward a request within 10 days after making the determination: \_\_\_\_\_

4. In the absence of a federal trigger, has an interest in the project related to its departmental mandate, and would like to participate in the provincial review (Clause 38(1) of the Agreement). Yes  No   
If yes, please describe requested involvement i.e. comments for the provincial Guidelines, review of EIS, etc. N/A

Please respond to the above questions by July 13, 2011. If your response to any of the above determinations is positive, please provide the name and means of contact for a departmental representative for the review.

Name: Jackie Schollie Telephone: 204-984-6645  
Address: 510 Logimodure Blvd Fax: 204-983-5692  
Wpg. MB. R2J 3Y2  
E-mail: jackie.schollie@hc-sengc.ca  
Signature: [Signature] Date: July 7/11

Responses and questions can be forwarded to the following:

Name: Heather Flynn Email: [Heather.Flynn@ceaa-acee.gc.ca](mailto:Heather.Flynn@ceaa-acee.gc.ca)  
Tel: 204-984-3233 Fax: 204-983-7174



Environmental Health Program  
Healthy Environments and Consumer Safety Branch  
510 Lagimodiere Blvd  
Winnipeg, MB R2J 3Y1

July 7, 2011

*Our file* MB/SK-2011/12-070  
*Your file* MP2011-031

Heather Flynn  
Environmental Assessment Officer, Prairie Region  
Canadian Environmental Assessment Agency  
Suite 101, 167 Lombard Avenue.  
Winnipeg, MB R3B 0T6

**Subject: Health Canada's FCR response regarding the NGL Pipeline – R.M. of Wallace, R.M. of Pipestone, MB Project**

Dear Ms. Flynn;

---

Thank you for your notification letter received on June 30, 2011 inquiring about Health Canada's role in the environmental assessment of the aforementioned project under the Federal Coordination Regulations.

Based on the information provided, Health Canada has determined that it is not a Responsible Authority (RA) under Section 5 of the *Canadian Environmental Assessment Act* (the Act) with regards to the present scope of the project.

In the context of subsection 12(3) of the Act, Health Canada currently has expertise in the following biophysical areas related to human health that may apply to the project:

- Air quality health effects
- Contamination of country foods (e.g. fish, wild game, garden produce, berries, etc)
- Drinking and recreational water quality
- Radiological effects
- Electric and magnetic fields effects
- Noise impacts
- Human health risk assessment (HHRA) and risk management
- Federal air, water, and soil quality guidelines/standards used in HHRA's

- Toxicology (multimedia - air, water, soil), and
- First Nations and Inuit Health

Should an RA, or a territorial / provincial authority, identify any specific human health concerns with respect to the aforementioned project, Health Canada would be pleased to provide expertise upon request as a Federal Authority, pursuant to subsection 12(3) of the Act, or under a territorial / provincial EA process.

Note that Health Canada now requires a written request prior to providing any expertise in its possession. The request should be specific on the nature of the expertise requested, preferably outlining targeted questions or concerns, and should include the deadline for Health Canada's response. In order to assist us and avoid unnecessary delays, it is suggested that project information such as the scope of project, the scope of the assessment and the subject areas and/or portions of documents to be reviewed be provided at the time of the request for advice, if you have not already done so.

Your written request for expertise should be forwarded to the attention of the undersigned.

Sincerely,



Jackie Schollie, B. Env. St. Major  
Safe Environments Program Analyst  
Manitoba - Saskatchewan Region  
Health Canada  
510 Lagimodiere Blvd.  
Winnipeg, MB R2J 3Y1

cc: Stan Hnatiuk, (Health Canada)



Environment Environnement  
Canada Canada

ENVIRONMENTAL PROTECTION  
PRAIRIE & NORTHERN REGION  
Room 200, 4999-98 Ave. NW  
Edmonton, Alberta  
T6B 2X3

Our file #: 4194-10-5/3212

Your file #: 4828 / MP2011-031

July 13, 2011

Heather Flynn  
Canadian Environmental Assessment Act  
Suite 101, 167 Lombard Ave  
Winnipeg, Manitoba  
R3B 0T6

Dear Ms. Flynn,

**RE: PROVIDENT ENERGY – PROPOSED NGL PIPELINE PROJECT**

Environment Canada (EC) has reviewed the Environmental Assessment (EA) for the above proposed project. EC is not a Responsible Authority (RA) under the *Canadian Environmental Assessment Act (CEAA)* because:

- a) EC is not a proponent of the project and is not conducting any act or thing that commits the department to carrying out the project in whole or in part;
- b) EC is not making or authorizing any form of payment or other financial assistance to the proponent for the purpose of enabling the project to be carried out in whole or in part;
- c) EC does not administer any lands involved in enabling the project to be carried out in whole or in part; and
- d) EC does not issue a permit, license, grant an approval or take any action for the purpose of enabling the project to be carried out in whole or in part.

EC is prepared to provide specialist advice or expert information or knowledge on the proposal as per subsection 12(3) of the *CEAA* with a focus on federal statutes, regulations, policy, and associated program concerns as defined by EC's mandate. Should an RA identify additional specific environmental concerns with respect to the aforementioned project, EC, as a Federal Authority, will provide specialist or expert information or knowledge pursuant to subsection 12(3) of the *CEAA*. EC has distributed the above mentioned EA to its experts for review and is prepared to submit comments in a separate letter following this FCR response.

EC has an interest in the environmental assessment of this project and would like to be kept informed and may participate in the environmental assessment process, consistent with the intent of Clause 62 of the new *Canada-Manitoba Agreement on Environmental Assessment Co-operation*.

EC looks forward to continued dialogue and co-operation with respect to this Project. If you have any questions, please contact me at (780) 951-8946.

*(original signed by)*

**Krista Flood**  
Environmental Assessment Coordinator

Canada



## PUNCH & BORE CROSSINGS

Fisheries and Oceans Canada  
Northwest Territories Operational Statement

Version 3.0

For the purpose of this Operational Statement, the term punch and bore refers to a trenchless crossing method which involves the excavation of a vertical bell hole or shallow depression on either side of the watercourse. Horizontal punching or boring between the two points, at an appropriate depth below the watercourse, completes the creation of a passage-way for the crossing. Punch and bore crossings allow cables and pipelines to be installed under watercourses without imparting any disturbance to the bed and banks. Punch and bore crossings differ from high-pressure directional drilled crossings, in that no pressurized mud systems are required, thereby avoiding the risk of sediment release due to frac-out.

Punch and bore crossings can negatively impact fish and fish habitat due to erosion and sedimentation from site disturbance and dewatering of bell holes or the collapse of the punch or bore hole under the stream. Disturbing riparian vegetation can reduce important shoreline cover, shade and food production areas. Machinery fording the stream can disturb bottom and bank substrates, disrupt sensitive fish life stages, and introduce deleterious substances if equipment is not properly maintained. Impacts can be reduced if an emergency response plan and clean-up materials are in place.

The general order of preference for carrying out a cable or pipeline stream crossing in order to protect fish and fish habitat is: a) a punch or bore crossing, b) high-pressure directional drill crossing (see *High-Pressure Directional Drilling Operational Statement*), c) dry open-cut crossing, and d) isolated open-cut crossing (see *Isolated or Dry Open-cut Stream Crossings Operational Statement*). This order must be balanced with practical considerations at the site.

Fisheries and Oceans Canada (DFO) is responsible for protecting fish and fish habitat across Canada. Under the *Fisheries Act* no one may carry out a work or undertaking that will cause the harmful alteration, disruption or destruction (HADD) of fish habitat unless it has been authorized by DFO. By following the conditions and measures set out below you will be in compliance with subsection 35(1) of the *Fisheries Act*.

The purpose of this Operational Statement is to describe the conditions under which it is applicable to your project and the measures to be incorporated into your project in order to avoid negative impacts to fish habitat. You may proceed with your punch or bore crossing project without a DFO review when you meet the following conditions:

- your planned work is not located in a critical area, as identified in a NWT Community Conservation Plan or other applicable land use plan,

- the crossing is not a wet open-cut crossing,
- the crossing technique will not damage the stream bed or bank and thereby negatively impact fish or fish habitat,
- the site does not occur at a stream location involving known fish spawning habitat, particularly if it is dependent on groundwater upwelling, and
- you incorporate the *Measures to Protect Fish and Fish Habitat when Conducting Punch and Bore Crossings*, listed below.

If you cannot meet all of the conditions listed above and cannot incorporate all of the measures listed below then your project may result in a violation of subsection 35(1) of the *Fisheries Act* and you could be subject to enforcement action. In this case, you should contact the DFO office in your area if you wish to obtain DFO's opinion on the possible options you should consider to avoid contravention of the *Fisheries Act*.

You are required to respect all local, municipal, territorial or federal legislation that applies to the work being carried out in relation to this Operational Statement. The activities undertaken in this Operational Statement must also comply with the *Species at Risk Act* ([www.sararegistry.gc.ca](http://www.sararegistry.gc.ca)). If you have questions regarding this Operational Statement, please contact the DFO office in your area (see Northwest Territories DFO office list).

We ask that you notify DFO, preferably 10 working days before starting your work by filling out and sending the Northwest Territories Operational Statement notification form ([www.dfo-mpo.gc.ca/regions/central/habitat/ce-ec/prov-terr/index\\_e.htm](http://www.dfo-mpo.gc.ca/regions/central/habitat/ce-ec/prov-terr/index_e.htm)) to the DFO office in your area. This information is requested in order to evaluate the effectiveness of the work carried out in relation to this Operational Statement.

### Measures to Protect Fish and Fish Habitat when Conducting Punch and Bore Crossings

1. A punch or bore crossing can be conducted at any time of the year provided there is not a high risk of failure and it does not require in-water activities such as machinery fording.
2. Design the punch or bore path for an appropriate depth below the watercourse to prevent the pipeline or cable from becoming exposed due to natural scouring of the stream bed.
3. While this Operational Statement does not cover the clearing of riparian vegetation, the removal of select plants may be

necessary to access the construction site and to excavate the bell holes. This removal is to be kept to a minimum and within the utility right-of-way.

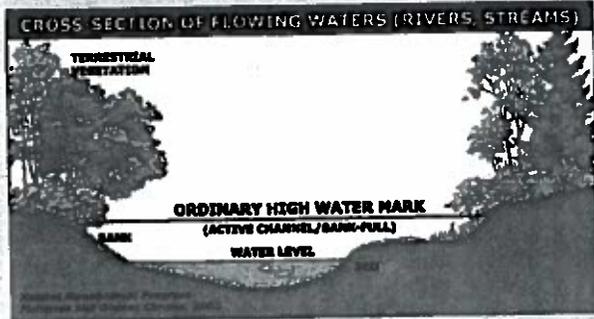
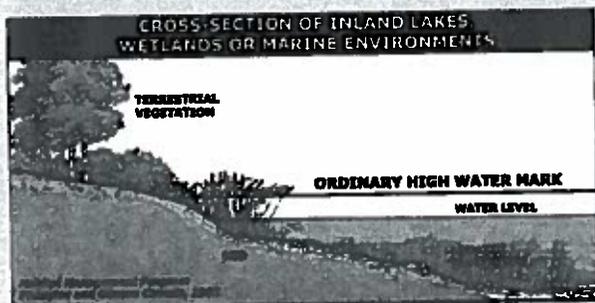
4. Install effective sediment and erosion control measures before starting work to prevent entry of sediment into the water body. Inspect them regularly during the course of construction and make all necessary repairs if any damage occurs.
5. Machinery fording the watercourse to bring equipment required for construction to the opposite side is limited to a one-time event (over and back) and should occur only if an existing crossing at another location is not available or practical to use. A *Temporary Stream Crossing Operational Statement* is also available.
  - 5.1. If minor rutting is likely to occur, stream bank and bed protection methods (e.g., swamp mats, pads) should be used provided they do not constrict flows or block fish passage.
  - 5.2. Grading of the stream banks for the approaches should not occur.
  - 5.3. If the stream bed and banks are steep and highly erodible (e.g., dominated by organic materials and silts) and erosion and degradation are likely to occur as a result of equipment fording, then a temporary crossing structure or other practice should be used to protect these areas.
  - 5.4. Time the one-time fording to prevent disruption to sensitive fish life stages by adhering to appropriate fisheries timing windows (see the *Northwest Territories In-Water Construction Timing Windows*).
  - 5.5. Fording should occur under low flow conditions and not when flows are elevated due to local rain events or seasonal flooding.
6. Operate machinery on land above the ordinary high water mark (HWM) (see definition below) and in a manner that minimizes disturbance to the banks of the watercourse.
  - 6.1. Machinery is to arrive on-site in a clean condition and is to be maintained free of fluid leaks.
  - 6.2. Wash, refuel and service machinery and store fuel and other materials for the machinery away from the water to prevent any deleterious substance from entering the water.
  - 6.3. Keep an emergency spill kit on site in case of fluid leaks or spills from machinery.
7. Excavate bell holes beyond the HWM, far enough away from any watercourse to allow containment of any sediment or deleterious substances above the HWM.
  - 7.1. When dewatering bell holes, remove suspended solids by diverting water into a vegetated area or settling basin, and prevent sediment and other deleterious substances from entering the watercourse.
  - 7.2. Stabilize any waste materials removed from the work site (including bell holes) to prevent them from entering the watercourse. This could include

covering spoil piles with biodegradable mats or tarps or planting them with grass or shrubs.

- 7.3. After suitably backfilling and packing the bell holes, vegetate any disturbed areas (see Measure 11).
8. Monitor the watercourse to observe signs of malfunction during all phases of the work.
9. For the duration of the work, keep on-site and readily accessible, all material and equipment needed to contain and clean-up releases of sediment-laden water and other deleterious substances.
10. Develop a response plan that is to be implemented immediately in the event of a sediment release or spill of a deleterious substance. This plan is to include measures to: a) stop work, contain sediment-laden water and other deleterious substances and prevent their further migration into the watercourse; b) notify all applicable authorities in the area, including the closest DFO office; c) promptly clean-up and appropriately dispose of the sediment-laden water and deleterious substances; and d) ensure clean-up measures are suitably applied so as not to result in further alteration of the bed and/or banks of the watercourse.
11. Vegetate any disturbed areas by planting and seeding preferably with native trees, shrubs or grasses and cover such areas with mulch to prevent erosion and to help seeds germinate. If there is insufficient time remaining in the growing season, the site should be stabilized (e.g., cover exposed areas with erosion control blankets to keep the soil in place and prevent erosion) and vegetated the following spring. If re-vegetation is not possible due to climatic extremes and/or lack of appropriate seed or stock, the site should be stabilized using effective sediment and erosion control measures. In areas with permafrost, care should be exercised to ensure these measures do not cause thawing or frost heave.
  - 11.1. Maintain effective sediment and erosion control measures until re-vegetation of disturbed areas is achieved or until such areas have been permanently stabilized by other effective sediment and erosion control measures, in the event that re-vegetation is not possible.

**Definition:**

**Ordinary high water mark (HWM)** – The usual or average level to which a body of water rises at its highest point and remains for sufficient time so as to change the characteristics of the land. In flowing waters (rivers, streams) this refers to the "active channel/bank-full level" which is often the 1-2 year flood flow return level. In inland lakes, wetlands or marine environments it refers to those parts of the water body bed and banks that are frequently flooded by water so as to leave a mark on the land and where the natural vegetation changes from predominately aquatic vegetation to terrestrial vegetation (excepting water tolerant species). For reservoirs this refers to normal high operating levels (Full Supply Level).



**FISHERIES AND OCEANS CANADA OFFICES IN NORTHWEST TERRITORIES**

**Yellowknife Area Office**  
Fisheries and Oceans Canada  
Suite 101 – Diamond Plaza  
5204 – 50th Ave.  
Yellowknife, NT X1A 1E2  
Phone: (867) 669-4900  
Fax: (867) 669-4940

**Inuvik District Office**  
Fisheries and Oceans Canada  
Box 1871  
Inuvik, NT X0E 0T0  
Phone: (867) 777-7500  
Fax: (867) 777-7501

*Aussi disponible en français*

[http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/modernizing-moderniser/epmp-pmpe/index\\_f.asp](http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/modernizing-moderniser/epmp-pmpe/index_f.asp)



## DIRECTIONAL DRILLING

Fisheries and Oceans Canada  
Quebec Operational Statement

Version 3.0

For the purpose of this Operational Statement, the term Directional Drilling (DD) means trenchless methods of crossing a watercourse using pressurized mud systems. DD is used to install cables and pipelines for gas, oil, telecommunications, fibre optics, power, sewer, oil and water lines underneath watercourses and roads. This method is preferable to open-cut and isolated crossings since the cable or pipeline is drilled underneath the watercourse with very little disturbance to the bed or banks, to fish and fish habitat. DD involves drilling a pilot bore hole underneath the watercourse towards a surface target, back-reaming the bore hole to the drill rig while pulling the pipe along through the hole. This process typically uses the freshwater gel mud system composed of a mixture of clean, freshwater as the base, bentonite (clay-based drilling lubricant) as the viscosifier and synthetic polymers.

The general order of preference for carrying out a cable or pipeline stream crossing in order to protect fish and fish habitat is: a) a punch or bore crossing (see *Punch & Bore Crossing Operational Statement*), b) DD crossing, c) dry open-cut crossing, and d) isolated open-cut crossing (see *Isolated or Dry Open-cut Stream Crossings Operational Statement*). This order must be balanced with practical considerations at the site.

One of the risks associated with DD is the escape of drilling mud into the environment as a result of a spill, tunnel collapse or the rupture of mud to the surface, commonly known as "frac-out". A frac-out is caused when excessive drilling pressure results in drilling mud propagating toward the surface. The risk of a frac-out can be reduced through proper geotechnical assessment practices and drill planning and execution. The extent of a frac-out can be limited by careful monitoring and having appropriate equipment and response plans ready in the event that one occurs. DD can also result in a disturbance of riparian vegetation and sedimentation and erosion due to operation of equipment on the shoreline or fording to access the opposite bank.

Fisheries and Oceans Canada (DFO) is responsible for protecting fish and fish habitat across Canada. Under the *Fisheries Act* no one may carry out a work or undertaking that will cause the harmful alteration, disruption or destruction (HADD) of fish habitat unless it has been authorized by DFO. By following the conditions and measures set out below you will be in compliance with subsection 35(1) of the *Fisheries Act*.

The purpose of this Operational Statement is to describe the conditions under which it is applicable to your project and the measures to incorporate into your project in order to avoid negative impacts to fish habitat. You may proceed with your high-pressure directional drill project without a DFO review when you meet the following conditions:

- there is a low risk of frac-out, supported by a geo-technical assessment,

- the crossing is not a wet open-cut crossing,
- you have an emergency frac-out response plan and a contingency crossing plan in place that outline the protocol to monitor, contain and clean-up a potential frac-out and an alternative method for carrying out the crossing, and
- you incorporate the *Measures to Protect Fish and Fish Habitat when Directional Drilling* listed below in this Operational Statement.

If you cannot meet all of the conditions listed above and cannot incorporate all of the measures listed below then your project may result in the violation of subsection 35(1) of the *Fisheries Act* and you could be subject to enforcement action. In this case, you should contact the DFO office in your area if you wish to obtain DFO's opinion on the possible options you should consider to avoid contravention of the *Fisheries Act*.

You are required to respect all municipal, provincial, territorial or federal legislation that applies to the work being carried out in relation to this Operational Statement. The activities undertaken in this Operational Statement must also comply with the *Species at Risk Act* ([www.sararegistry.gc.ca](http://www.sararegistry.gc.ca)). If you have questions regarding this Operational Statement, please contact DFO by telephone at 418-775-0726 or by email at [Habitat-qc@dfo-mpo.gc.ca](mailto:Habitat-qc@dfo-mpo.gc.ca).

We ask that you notify DFO, preferably 10 working days before starting your work by filling out and sending the Quebec Operational Statement notification form ([http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/modernizing-moderniser/epmp-pmpo/qc/form\\_e.asp](http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/modernizing-moderniser/epmp-pmpo/qc/form_e.asp)) to : Fisheries and Oceans Canada, Fish habitat management branch, 850 route de la Mer, C.P. 1000, Mont-Joli, Québec, G5H 3Z4; Fax: 418-775-0658. This information is requested in order to evaluate the effectiveness of the work carried out in relation to this Operational Statement.

### Measures to Protect Fish and Fish Habitat when Directional Drilling

1. Use existing trails, roads or cut lines wherever possible, as access routes to avoid disturbance to the riparian vegetation.
2. Design the drill path to an appropriate depth below the watercourse to minimize the risk of frac-out and to a depth to prevent the line from becoming exposed due to natural scouring of the stream bed. The drill entry and exit points are far enough from the banks of the watercourse to have minimal impact on these areas.

3. While this Operational Statement does not cover the clearing of riparian vegetation, the removal of select plants may be necessary to access the construction site. This removal should be kept to a minimum and within the road or utility right-of-way.
4. Machinery fording the watercourse to bring equipment required for construction to the opposite side is limited to a one-time event (over and back) and should occur only if an existing crossing at another location is not available or practical to use. A *Temporary Stream Crossing Operational Statement* is also available.
  - 4.1. If minor rutting is likely to occur, stream bank and bed protection methods (e.g., swamp mats, pads) should be used provided they do not constrict flows or block fish passage.
  - 4.2. Grading of the stream banks for the approaches should not occur.
  - 4.3. If the stream bed and banks are steep and highly erodible (e.g., dominated by organic materials and silts) and erosion and degradation are likely to occur as a result of equipment fording, then a temporary crossing structure or other practice should be used to protect these areas.
  - 4.4. Time the one-time fording to prevent disruption to sensitive fish life stages by adhering to appropriate fisheries timing windows (between June 27 and September 1, unless it is clearly established that the work schedule will not interfere with the fish species life cycles).
  - 4.5. Fording should occur under low flow conditions and not when flows are elevated due to local rain events or seasonal flooding.
5. Operate machinery on land (above the high water mark and in a manner that minimizes disturbance to the banks of the watercourse.
  - 5.1. Machinery is to arrive on site in a clean condition and is to be maintained free of fluid leaks.
  - 5.2. Wash, refuel and service machinery and store fuel and other materials for the machinery away from the water to prevent any deleterious substance from entering the water.
  - 5.3. Keep an emergency spill kit on site in case of fluid leaks or spills from machinery.
  - 5.4. Restore banks to original condition if any disturbance occurs.
6. Construct a dugout/settling basin at the drilling exit site to contain drilling mud to prevent sediment and other deleterious substances from entering the watercourse. If this cannot be achieved, use silt fences or other effective sediment and erosion control measures to prevent drilling mud from entering the watercourse. Inspect these measures regularly during the course of construction and make all necessary repairs if any damage occurs.
  - 6.1. Dispose of excess drilling mud, cuttings and other waste materials at an adequately sized disposal facility located away from the water to prevent it from entering the watercourse.

7. Monitor the watercourse to observe signs of surface migration (frac-out) of drilling mud during all phases of construction.

#### **Emergency Frac-out Response and Contingency Planning**

8. Keep all material and equipment needed to contain and clean up drilling mud releases on site and readily accessible in the event of a frac-out.
9. Implement the frac-out response plan that includes measures to stop work, contain the drilling mud and prevent its further migration into the watercourse and notify all applicable authorities, including the closest DFO office in the area (telephone 418-775-0726 and FAX 418-775-0658). Prioritize clean up activities relative to the risk of potential harm and dispose of the drilling mud in a manner that prevents reentry into the watercourse.
10. Ensure clean up measures do not result in greater damage to the banks and watercourse than from leaving the drilling mud in place.
11. Implement the contingency crossing plan including measures to either re-drill at a more appropriate location or to isolate the watercourse to complete the crossing at the current location. See *Isolated or Dry Open-cut Stream Crossings Operational Statement* for carrying out an isolated trenched crossing.
12. Stabilize any waste materials removed from the work site to prevent them from entering the watercourse. This could include covering spoil piles with biodegradable mats or tarps or planting them with preferably native grass or shrubs.
13. Vegetate any disturbed areas by planting and seeding preferably with native trees, shrubs or grasses and cover such areas with mulch to prevent erosion and to help seeds germinate. If there is insufficient time remaining in the growing season, the site should be stabilized (e.g., cover exposed areas with erosion control blankets to keep the soil in place and prevent erosion) and vegetated the following spring.
  - 13.1. Maintain effective sediment and erosion control measures until revegetation of disturbed areas is achieved.

*Aussi disponible en français*

[http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/modernizing-moderniser/epmp-pmpa/index\\_f.asp](http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/modernizing-moderniser/epmp-pmpa/index_f.asp)

DFO/2007-1283

©Her Majesty the Queen in Right of Canada 2007



# NOTIFICATION FORM

Fisheries and Oceans Canada  
Quebec Operational Statement

Version 3.0

## PROPONENT INFORMATION

NAME: \_\_\_\_\_ STREET ADDRESS: \_\_\_\_\_  
 CITY/TOWN: \_\_\_\_\_ PROVINCE/TERRITORY: \_\_\_\_\_ POSTAL CODE: \_\_\_\_\_  
 TEL. NO. (RESIDENCE): \_\_\_\_\_ TEL. NO. (WORK): \_\_\_\_\_  
 FAX NO: \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_

## CONTRACTOR INFORMATION (provide this information if a Contractor is working on behalf of the Proponent)

NAME: \_\_\_\_\_ STREET ADDRESS: \_\_\_\_\_  
 CITY/TOWN: \_\_\_\_\_ PROVINCE/TERRITORY: \_\_\_\_\_ POSTAL CODE: \_\_\_\_\_  
 TEL. NO. (RESIDENCE): \_\_\_\_\_ TEL. NO. (WORK): \_\_\_\_\_  
 FAX NO: \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_

## PROJECT INFORMATION

Select Operational Statements that are being used (check all applicable boxes):

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aquatic Vegetation Removal         | <input type="checkbox"/> Isolated Pond Construction                                   | <input type="checkbox"/> Punch & Bore Crossings       |
| <input type="checkbox"/> Beach Creation for Residential Use | <input type="checkbox"/> Isolated or Dry Open-cut Crossing                            | <input type="checkbox"/> Routine Maintenance Dredging |
| <input type="checkbox"/> Bridge Maintenance                 | <input type="checkbox"/> Maintenance of Riparian Vegetation in Existing Rights-of-Way | <input type="checkbox"/> Submerged Log Salvage        |
| <input type="checkbox"/> Clear-Span Bridges                 | <input type="checkbox"/> Moorings   | <input type="checkbox"/> Temporary Stream Crossing    |
| <input type="checkbox"/> Dock Construction                  | <input type="checkbox"/> Overhead Lines   | <input type="checkbox"/> Underwater Cables            |
| <input type="checkbox"/> Directional Drilling               | <input type="checkbox"/> Public Beach Maintenance                                     |   |
| <input type="checkbox"/> Ice Bridges and Snow Fills         |   |   |

Select the type of water body or watercourse at or near your project:

- River, Stream, Creek       Marine (Ocean or Sea)       Pond or wetland (pond is less than 8 hectares)  
 Lake (8 hectares or greater)       Estuary

## PROJECT LOCATION (S) (fill out this section if the project location is different from Proponent Information; append multiple project locations on an additional sheet if necessary)

Name of water body or watercourse	Coordinates of the Project (UTM co-ordinate or Degrees, Minutes, Seconds), if available	
Legal Description (Plan, Block, Lot, Concession, Township, Section, Range)	Easting:	Northing:
	Latitude:	Longitude:
Proposed Start Date (YYYY/MM/DD):	Directions to Access the Project Site (i.e., Route or highway number, etc.)	
	Proposed Completion Date (YYYY/MM/DD):	

We ask that you notify DFO, preferably 10 working days before starting your work, by filling out and sending in, by mail or by fax, this notification form to: Fisheries and Oceans Canada, Fish habitat management branch, 850 route de la Mer, C.P. 1000, Mont-Joli, Quebec, G5H 3Z4; Fax: 418-775-0658. This information is requested in order to evaluate the effectiveness of the work carried out in relation to the Operational Statement.

I, \_\_\_\_\_ (print name) certify that the information given on this form is, to the best of my knowledge, correct and complete.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Note: If you cannot meet all of the conditions and cannot incorporate all of the measures in the Operational Statement then your project may result in a violation of Subsection 35(1) of the Fisheries Act and you could be subject to enforcement action. In this case, you should contact the DFO office in your area if you wish to obtain DFO's opinion on the possible options you should consider to avoid contravention of the Fisheries Act.

Information about the above-noted proposed work or undertaking is collected by DFO under the authority of the Fisheries Act for the purpose of administering the fish habitat protection provisions of the Fisheries Act. Personal information will be protected under the provisions of the Privacy Act and will be stored in the Personal Information Bank DFO-SCI-605. Under the Privacy Act, individuals have a right to, and on request shall be given access to, any personal information about them contained in a personal information bank. Instructions for obtaining personal information are contained in the Government of Canada's Info Source publications available at [www.infosource.gc.ca](http://www.infosource.gc.ca) or in Government of Canada offices. Information other than "personal" information may be accessible or protected as required by the provisions of the Access to Information Act.



Canadian Environmental  
Assessment Agency

101 – 167 Lombard Avenue  
Winnipeg, Manitoba R3B 0T6

Agence canadienne  
d'évaluation environnementale

167, avenue Lombard, bureau 101  
Winnipeg (Manitoba) R3B 0T6

July 14, 2011

CEAA File No.: 4828 / MP2011-031  
MC File No.: 5526.00

Mr. Kelly Scott  
Kelly Wm. Scott & Associates  
32 Royal Abbey Rise N.W.  
Calgary, AB T3G 4Y5

Dear Mr. Scott:

**SUBJECT: NGL Pipeline – R.M. of Wallace, R.M. of Pipestone, MB  
Provident Energy Ltd.**

The Environmental Assessment & Licensing Branch of Manitoba Conservation forwarded a copy of your proposal to the regional office of the Canadian Environmental Assessment Agency (the Agency). Manitoba Conservation requested that the Agency, on behalf of federal government departments, identify any environmental assessment requirements that would exist under the *Canadian Environmental Assessment Act* (the Act) with respect to the project.

Please accept this letter as notification that the project information provided by Manitoba Conservation was shared with all federal departments with a potential interest. Based on the responses to the survey an environmental assessment of the project under the Act will not be necessary.

Aboriginal Affairs and Northern Development Canada (AANDC) has reviewed the project information. AANDC has identified the following First Nations may have an interest in the project based on their traditional territories:

- Canupawakpa First Nation
- Gambiers First Nation
- Pine Creek First Nation
- Rolling River First Nation
- Sapotawayak Cree Nation
- Tootinaowazilbeeng Treaty Reserve
- Waywayseecappo First Nation
- Wuskwi Spihk First Nation

AANDC has recommended you contact these First Nations to determine any interest in the project. If you have any questions regarding the First Nations the AANDC contact is Tebesi Mosaia, he can be reached by phone at (204) 984-0711.

The Department of Fisheries and Oceans Canada (DFO) has reviewed the project proposal. You are asked to review DFO's Operational Statement for Punch and Bore Crossings and/or High Pressure Directional Drilling (OS). If the OS applies to the project you are asked to fill out a Notification form and forward it to DFO. A copy of the response from DFO is attached for your review. The contact for DFO is Jeff Moyer. He can be reached by phone at (204) 622-4072 or by email at [Jeff.Moyer@dfo-mpo.gc.ca](mailto:Jeff.Moyer@dfo-mpo.gc.ca).

Transport Canada (TC) has reviewed the project information and determined it does not have a responsibility for the project. TC has indicated the *Navigable Waters Protection Act* (NWPA) Minor Works guideline for Pipeline Crossings is likely applicable to the project, and an NWPA is not required. All conditions of the Minor Works guideline must be adhered to. The contact person for TC is Jennifer Van de Vooren. She can be reached by phone at (204) 983-1140 or by email at [Jennifer.Vandervooren@tc.gc.ca](mailto:Jennifer.Vandervooren@tc.gc.ca). A copy of the letter from TC is attached for your files.

Environment Canada (EC) and Health Canada (HC) have also reviewed the project information and determined they do not have a responsibility for the project.

No other federal interest was identified by our survey. This letter is not an approval to begin construction. Provincial requirements will be identified separately following a review coordinated by Manitoba Conservation. Construction should not begin until you receive clearance from Manitoba Conservation (Environmental Assessment & Licensing Branch) and any provincial concerns and requirements have been met.

If you have any questions concerning the Act or its Regulations, please feel free to contact me by telephone at (204) 984-3233 or by email at: [Heather.Flynn@ceaa-acee.gc.ca](mailto:Heather.Flynn@ceaa-acee.gc.ca).

Sincerely,



Heather Flynn  
Environmental Assessment Officer

Encl.

c.c.: Ms. Elise Dagdick – SE

