

April 15, 2015

Don McCabe  
Alberta Energy Regulator  
Suite 1000, 250 – 5<sup>th</sup> Street S.W.  
Calgary, Alberta T2P 0R4

Dear Mr. McCabe,

**RE: Grand Rapids Pipeline GP Ltd. Grand Rapids Pipeline Project  
Decision 2014 ABAER 012  
Condition Compliance Update – Condition 21**

Grand Rapids Pipeline GP Ltd. (Grand Rapids) provides the following update to the Alberta Energy Regulator (AER) on compliance with Condition 21 of Decision 2014 ABAER 012 (Decision) for the Grand Rapids Pipeline Project (Project). Condition 21 states:

*Prior to construction, Grand Rapids must submit to the satisfaction of the AER, a KWBZ mitigation plan and schedule that identifies specific measures to minimize disturbance and address access management, restoration, and long-term monitoring. The KWBZ mitigation plan can be a standalone document or the details can be included in the updated C&R plan for the white area and EPP for the green area that are to be submitted to the AER prior to construction. Where it is not feasible to follow the guidance in the Integrated Standards and Guidelines, Grand Rapids must provide justification as to why the guidance in the document cannot be followed.*

The AER has requested the following, to ensure condition 21 is met:

*Grand Rapids will submit a KWBZ mitigation plan to the AER, either as a standalone document or the details can be included in the updated C&R plan for the white area and EPP for the green area that are to be submitted to the AER prior to construction.*

Grand Rapids commissioned TERA, a CH2M HILL Company (TERA), to complete wildlife surveys for the Project in 2012, 2013 and 2014. The wildlife field work included species-specific surveys using guidance from the Alberta Environment and Sustainable Resource Development [AESRD] 2013 *Sensitive Species Inventory Guidelines* such as bird point counts and amphibian surveys, as well as a review of wildlife features such as active stick nests, active dens, sharp-tailed grouse leks, mineral licks, and amphibian breeding ponds.

The surveys were conducted to include representative habitat types, as well as habitat types with potential to support species with special conservation status within the Project Footprint and adjacent areas. The adjacent area reviewed in the field ranged from 100-500 m outside of the Project Footprint and was based on land access and habitat potential. Binoculars were used to survey a greater area. Additionally, since 2012, multiple field crews have reviewed the Projects associated routing, the collection of baseline information and mitigation planning (e.g., wetlands, vegetation [rare plants and plant communities as well as weeds], aquatics, archaeological resources and timber surveys). All wildlife features incidentally observed by these crews were reported back to the Wildlife Specialist. A thorough review of the Project has been conducted over a 3 year period (2012 to 2014).

In the event that wildlife feature, such as a mineral lick or stick nest, is identified during clearing or construction, Section 9.0 of Grand Rapids Environmental Protection Plan (EPP), the Wildlife Species of

Concern Discovery Contingency Plan, prescribes the environmental protection measures to be implemented. This contingency plan is in place to ensure that the appropriate mitigation is applied as needed, such as work suspension until the feature is reviewed, contacting the appropriate regulatory authority if necessary and implementing the appropriate mitigation measures. An Environmental Inspector will be on-site to ensure the appropriate mitigation is implemented. In the event that clearing and/or construction is scheduled during the migratory bird nesting period, migratory bird nest sweeps will be conducted to identify active nests on or within a species-specific recommended buffer from the Project Footprint. Incidental observations of wildlife features during migratory bird nest sweeps will be recorded and the appropriate mitigation will be implemented, in consultation with the appropriate regulatory authority if necessary.

The site specific mitigation and general mitigation measures have been developed to reduce potential effects on wildlife and wildlife habitat and are documented in the EPPs and Environmental Alignment Sheets prepared for the Project. Accordingly, Grand Rapids respectfully contends that conducting a thorough search along the right-of-way and within an appropriate buffer on either side of the right-of-way using the *Sensitive Species Inventory Guidelines* before clearing and construction is a redundant measure. The mitigation measures include utilizing an on-site Environmental Inspector, development of a Wildlife Species of Concern Contingency Plan, and completion of migratory bird nest sweeps. Potential wildlife or unique habitat features were assessed by qualified and experienced Wildlife Biologists over a 3 year period (2012 to 2014).; the results of their assessment are applicable to the construction phase of the project, and therefore there is no need for an additional assessment prior to construction.

On October 20, 2014, Grand Rapids submitted an approval request to the AER for activity proposed within a restricted activity period. AER granted approval on October 28, 2014. Grand Rapids commits to ensuring this process is adhered to until the completion of construction activities. If you have any questions or can provide further direction on closing the condition, please do not hesitate to contact me.

Sincerely,



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