

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 6**

Grand Rapids Pipeline GP Ltd. (Grand Rapids) provides the following update to the Alberta Energy Regulator (AER) on compliance with Conditions 6 of Decision 2014 ABAER 012 (Decision) for the Grand Rapids Pipeline Project (Project). Condition 6 states:

*Grand Rapids must obtain approval from the AER for any activity proposed within a restricted activity period. If AER approval is obtained, Grand Rapids must ensure a thorough search along the ROW and within an appropriate buffer on either side of the ROW for wildlife and unique habitat features such as nests, active dens, leks, mineral licks, and amphibian breeding areas. The search must be done by experienced personnel using the Sensitive Species Inventory Guidelines before clearing and construction. Appropriate mitigation must be applied following direction in the Integrated Standards and Guidelines and the results are to be submitted to the AER.*

The AER has requested the following, to ensure condition 6 is met:

*Grand Rapids will submit an approval request to the AER for any activity proposed within a restricted access period. If approval is granted, Grand Rapids will submit a search and mitigation results report to the AER.*

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 a 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,



Tammy Ramanat  
Senior Environmental Planner  
450 – 1st Street S.W.  
Calgary, Alberta T2P 5H1  
(403) 920-7378 tammy\_ramanat@transcanada.com