

**ACTION PLAN FOR AER DECISION 2014-012**

**GRAND RAPIDS PIPELINE GP LTD.**

**APPLICATIONS FOR THE GRAND RAPIDS PIPELINE PROJECT,**

ACTION ITEM	REQUIRED ACTION/COMMENTS	DECISION: 2014-012	AER PROCESS TO ENSURE FOLLOW-UP	STATUS & EVIDENCE
1 Project	Grand Rapids must construct, operate, and reclaim the project in accordance with the specifications, standards, regulatory commitments, and other information referred to in its approved applications unless the AER directs otherwise.	Section: Appx. 1  P. 74	Grand Rapids will submit a summary report to the AER confirming that it constructed, operated, and reclaimed the project in accordance with the specifications, standards, regulatory commitments, and other information referred to in its approved applications unless the AER directs otherwise.	Pending -
2 Right-of-Way Plan	Grand Rapids must prepare and submit to the satisfaction of the AER on or before February 28, 2015, a detailed right-of-way monitoring and response plan for both the white and green areas. The plan must demonstrate its ability to effectively monitor the full length of its ROW and respond to issues that may arise during the extended construction period before the ROW is reclaimed. Within the plan, Grand Rapids must a) identify areas at high risk of wind and water erosion, water-body sedimentation, surface water ponding, and weed establishment, including watercourse crossing locations; b) state what methods it will use to monitor the ROW and any identified high-risk area (e.g., aerial reconnaissance, ground-based inspections, landowner observations); c) include when and how frequent it will monitor high-risk areas and sites; d) describe how it will respond to wind and water erosion, sedimentation, and the onset of weed growth, including logistics and timing; and e) list the types and locations of materials and equipment it will use to facilitate a timely and effective response to any issues that may arise.	Section: Appx. 1  P. 74	Grand Rapids will submit the plan to the AER on or before February 28, 2015.	Completed - The plan was submitted to the AER on February 28, 2015.  Grand Rapids submitted an update letter to the AER on April 15th, 2015.  The AER has reviewed the materials submitted and is satisfied that Grand Rapids has met the Condition requirements.

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3 C&R Plan and EPP	Prior to construction, Grand Rapids must submit, to the satisfaction of the AER, an updated and current C&R plan, and EPP for the green area that incorporates the results of all field assessments and all route changes that have occurred.	Section: Appx. 1 P. 74	Grand Rapids will submit the C&R plan and EPP to the AER prior to commencing construction.	Completed - The plans submitted by Grand Rapids were deemed satisfactory by the AER.
4 C&R Plan and EPP	Grand Rapids must use the minimal disturbance techniques outlined in its EPP for the green area and its applications for construction in the green area.	Section: Appx. 1 P. 74	Grand Rapids will submit a letter to the AER confirming that the requirement has been met.	Completed - Grand Rapids submitted a letter to the AER on April 15, 2015 confirming that the requirement has been met.
5 C&R Plan and EPP	Grand Rapids must ensure that the setbacks and restricted activity periods in the updated and complete C&R plan for the white area and EPP for the green area are consistent with those in the Integrated Standards and Guidelines.	Section: Appx. 1 P. 75	Grand Rapids will submit the C&R plan and EPP to the AER prior to commencing construction.	Completed - The plans submitted by Grand Rapids were deemed satisfactory by the AER.
6 Restricted Activity Period	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.	Section: Appx. 1 P. 75	Grand Rapids will submit an approval request to the AER for any activity proposed within a restricted activity period. If approval is granted, Grand Rapids will submit a search and mitigation results report to the AER.	Completed - Grand Rapids submitted an approval request to the AER for activity proposed within a restricted activity period on October 20, 2014. The AER granted approval on October 28, 2014.  Grand Rapids submitted an update letter to the AER on April 15th, 2015.  Grand Rapids submitted a letter to the AER outlining wildlife survey results on July 28, 2016 that was approved by the AER on August 15, 2016.
7 Wildlife Specialist	Grand Rapids must have a qualified wildlife specialist available during clearing and construction activities to ensure sensitive areas are clearly marked, to deal with issues that arise, and to ensure plans and conditions are being followed as intended.	Section: Appx. 1 P. 75	Grand Rapids will submit to the AER a letter signed by a qualified wildlife specialist confirming that the requirement has been met.	Completed - Grand Rapids submitted an update letter to the AER on April 15th, 2015.  Grand Rapids submitted a letter signed by a qualified wildlife specialist to the AER on July 28, 2016 that was approved by the AER on August 15, 2016.

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8 McLeod Services & Contracting Ltd. Lands	In the absence of any other agreement between Grand Rapids and McLeod Services & Contracting Ltd. regarding the width of the ROW on their lands, Grand Rapids must limit the width of its permanent ROW to 24 m on NE 5-065-19W4M.	Section: Appx. 1 P. 75	Grand Rapids will submit a letter to the AER outlining the final construction plan on McLeod Services & Contracting Ltd. lands at least 14 days before constructions begins on the lands.	Completed - Grand Rapids submitted a letter to the AER on May 25, 2015 confirming that Grand Rapids reduced the permanent ROW width through McLeod Services & Contracting Ltd. lands to 24 m.
9 Trenholms' Lands	In the absence of any other agreement between Grand Rapids and D. and D. Trenholm (the Trenholms) about construction methods and schedule for crossing their lands, Grand Rapids must construct the 508.0 mm main line and reclaim that portion of the ROW in a single construction season before stripping the ROW and constructing the 914.0 mm main line on SE and NE 10-062-20W4M (Trenholms' lands). If Grand Rapids and the Trenholms reach an agreement on an alternative construction and reclamation method or schedule, Grand Rapids must notify the AER of the plan for the Trenholms' lands at least 14 days before construction begins on the Trenholms' lands.	Section: Appx. 1 P. 75	Grand Rapids will submit a letter to the AER outlining the final construction plan on the Trenholms' lands at least 14 days before constructions begins on the lands.	Completed - Based on the confirmation from Trenholms that there are no outstanding concerns, the AER has reviewed the materials and is satisfied that Grand Rapids has met the requirements outlined in the condition.

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10 Ms. Mitchell's Lands	<p>Grand Rapids must consult with M. Mitchell to develop a plan to address her concerns regarding fencing and access across the ROW to the east side of her pasture during construction and her concerns about water ponding. Grand Rapids must submit the results of this consultation with Ms. Mitchell and the final construction and reclamation plan that addresses Ms. Mitchell's concerns to the AER at least 14 days before beginning construction on her lands located in NE 32-058-20W4M. If Grand Rapids is unable to reach a mutually agreed to plan with Ms. Mitchell, it must submit to the panel a summary of its efforts to do so, and all proposed mitigation plans it has presented to Ms. Mitchell to address her concerns. Upon review the panel may require that further work occurs prior to commencing construction on Ms. Mitchell's lands.</p>	<p>Section: Appx. 1 P. 75</p>	<p>Grand Rapids will submit consultation results and the final construction and reclamation plan that addresses Ms. Mitchell's concerns to the AER at least 14 days before construction begins on her lands located in NE 32-058-20W4M. If mutually agreed to plans are not reached, Grand Rapids will submit a summary of efforts and all proposed mitigation plans presented to Ms. Mitchell to the AER for review and further direction.</p>	<p>Completed - The AER reviewed materials submitted by Grand Rapids on September 25th, 2015 , including the signed executed term agreement by Ms. Mitchell, and is satisfied that Grand Rapids has met the requirements outlined in the condition.</p>

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11 Alternative Route Analysis	Grand Rapids must not construct or carry out any incidental activities, including clearing or preparing the ROW, for the segments of the main lines between LSD 16-6-056-20W4M and SE 28-055-21W4M unless Grand Rapids satisfies the panel that the applied-for route is the superior route. Grand Rapids must conduct an analysis of at least one alternative pipeline route that avoids the MEG lands located in Sections 26, 27, and 35 of Township 055-21W4M and the lands located along the north side of the CN rail line and within Strathcona County's heavy industrial policy area that Grand Rapids is prepared to construct. The analysis must include a comparison of the identified alternative route with the currently applied-for route and detailed information on any stakeholder concerns. Once the analysis is complete, Grand Rapids must submit it to the panel for review. Upon review, the panel may require further analysis, direct Grand Rapids to file an amendment application for the alternative route, or permit Grand Rapids to proceed with the currently applied-for route if it is satisfied it is the most suitable one.	Section: Appx. 1  P. 75	Grand Rapids will submit an alternative route analysis report to the AER for review and further direction.	Completed - The AER confirms that Grand Rapids has satisfied the requirements of condition 11. For more information refer to Decision 2016 ABAER 001.

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12 Alternative Route Analysis	Grand Rapids must not construct or carry out any incidental activities, including clearing or preparing the right-of-way, for the segments of the main lines between NE 7-055-21W4M and SE 6-054-22W4M unless Grand Rapids satisfies the panel that the applied-for route is the superior route. Grand Rapids must conduct an analysis on at least one alternative pipeline route that avoids the Fort Industrial Estates Ltd. (FIE) lands located in the west half of Section 1-055-22W4M and the lands within the city of Fort Saskatchewan that Grand Rapids is prepared to construct. The analysis must include a comparison of the identified alternative route with the currently applied-for route and detailed information on any stakeholder concerns. Once the analysis is complete, Grand Rapids must submit it to the panel for review. Upon review, the panel may require further analysis, direct Grand Rapids to file an amendment application for the alternative route, or permit Grand Rapids to proceed with the currently applied-for route if it is satisfied that it is the most suitable route.	Section: Appx. 1  P. 76	Grand Rapids will submit an alternative route analysis report to the AER for review and further direction.	Completed - The AER confirms that Grand Rapids has satisfied the requirements of condition 12. For more information refer to Decision 2015 ABAER 004.

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13 Alternative Route Analysis	<p>Grand Rapids must not construct or carry out any incidental activities, including clearing or preparing the ROW, for the segments of the main lines between NE 7-055-21W4M and SE 6-054-22W4M unless Grand Rapids satisfies the panel that the applied-for route is the superior route. Grand Rapids must conduct an analysis of at least one alternative pipeline route that avoids the Guenette lands located in the south half of Section 34-054-22W4M, NW 27-054-22W4M, and NE 28-054-22W4M that Grand Rapids would be prepared to construct. The analysis must include a comparison of the alternative route identified with the currently applied-for route and detailed information regarding any stakeholder concerns. Once the analysis is complete, Grand Rapids must submit it to the panel for review. Upon review, the panel may require further analysis, direct Grand Rapids to file an amendment application for the alternative route, or permit Grand Rapids to proceed with the currently applied for route should the panel be satisfied that it is the most suitable route.</p>	<p>Section: Appx. 1 P. 76</p>	<p>Grand Rapids will submit an alternative route analysis report to the AER for review and further direction.</p>	<p>Completed - The AER confirms that Grand Rapids has satisfied the requirements of condition 13. For more information refer to Decision 2015 ABAER 004.</p>

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14 Construction and Reclamation Plan	Grand Rapids must consult with N. and D. Pentelechuk and 631913 Alberta Ltd. (collectively the Pentelechuks) to develop a construction plan to address their concerns regarding effects to their agriculture operations. In addition to construction methods and schedule, the plan must specifically address equipment cleaning measures and actions to minimize topsoil disturbance. Grand Rapids must submit the final construction and reclamation plan, which addresses the Pentelechuks' concerns, to the AER at least 14 days prior to construction on their lands. If Grand Rapids is unable to reach a mutually agreed to plan with the Pentelechuks, it must submit a summary of its efforts to do so, and all proposed plans it has presented to the Pentelechuks to address their concerns. Upon review, the panel may require that further work occurs prior to commencing construction on the Pentelechuks lands located at the west half of SE 35-5-23W4M, SW 35-053-23W4M, NW 26-053-23W4M, and SE 27-053-23W4M.	Section: Appx. 1  P. 76	Grand Rapids will submit the final construction and reclamation plan to the AER at least 14 days before construction begins on the Pentelechuks' lands. If mutually agreed to plan is not reached, Grand Rapids will submit a summary of efforts and all proposed plans presented to Pentelechuks to the AER for review and further direction.	Completed - The AER reviewed materials submitted by the parties, and is satisfied that Grand Rapids has made sufficient efforts to consult with Pentelechuks and is satisfied that the construction and reclamation plan meets the requirements outlined in the Condition.
15 Pipeline Water Crossings	Grand Rapids must assess all of its pipeline water crossings to ensure that all isolation valves are appropriately located and operated in a manner that complies with clause 4.4.8 in CSA Z662 and to take steps to further limit the amount of bitumen or diluent that could be released in the event of an incident.	Section: Appx. 1  P. 77	Grand Rapids will submit a letter to the AER confirming that the requirement has been met and outlining steps taken to further limit bitumen or diluent release in the event of an incident.	Completed - Grand Rapids confirmed in writing on February 3, 2015 that all isolation valves located at water crossings comply with Clause 4.4.8 of CSA Z662.  Grand Rapids submitted a letter to the AER on April 29, 2015 outlining steps taken to further limit bitumen or diluent release in the event of an accident.
16 Fish-Bearing Watercourse Crossings	Grand Rapids through the use of a qualified aquatic environment specialist must assess the status of all fish-bearing watercourse crossings at the time of construction to verify that the proposed crossing method remains valid.	Section: Appx. 1  P. 77	Grand Rapids will submit to the AER a letter signed by a qualified aquatic environmental specialist outlining results of the assessment.	Ongoing - Grand Rapids submitted an update letter to the AER on April 15, 2015.  Grand Rapids submitted the letter signed by a qualified aquatic environmental specialist outlining results of the assessment on June 12, 2018.



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17 Water Quality Monitoring Program	Where watercourses are not dry or frozen to bottom at the time of construction and where flowing water occurs, Grand Rapids must, through the use of a qualified aquatic environmental specialist, ensure that a water quality monitoring program is implemented during construction to monitor and confirm the effectiveness of the mitigation measures employed. This requirement applies to both horizontal directional drilling and isolated open cut crossings.	Section: Appx. 1 P. 77	Grand Rapids will submit to the AER a water quality monitoring program implementation report signed by a qualified aquatic environmental specialist.	Completed - The report was submitted to the AER on February 26, 2015.  Grand Rapids submitted an update letter to the AER on April 15, 2015.  The AER has reviewed the materials and responses to information requests and is satisfied that Grand Rapids has met the Condition requirements.
18 Suspended Sediment Thresholds	Any exceedance of ESRD's suspended sediment thresholds must be reported to the AER immediately and appropriate mitigation measures must be implemented.	Section: Appx. 1 P. 77	Grand Rapids will notify the AER of any threshold exceedance events and submit reports outlining mitigation measures implemented.	Ongoing - Grand Rapids notified the AER of an exceedance of turbidity levels at the Unnamed Tributary to the Wondering River (WC27) and submitted a report outlining root causes and mitigation measures on March 16, 2015.  Grand Rapids submitted an update letter on June 12, 2018 confirming that no further exceedance events have occurred since March 16, 2015.
19 Post-Construction Aquatic Monitoring and Mitigation Plan	Grand Rapids must develop, submit and implement to the satisfaction of the AER, a post-construction aquatic monitoring and mitigation plan that is specific to watercourse crossings, fish, and fish habitat. The temporal scope of the plan must extend beyond the construction season to the operation of the pipeline to ensure that installation, reclamation, and habitat recovery have been adequate. The plan must outline monitoring frequency, mitigation, and proposed response timing to address any issues noted in the monitoring. The plan must be provided to the AER on or before February 28, 2015.	Section: Appx. 1 P. 77	Grand Rapids will submit a post-construction aquatic monitoring and mitigation plan to the AER on or before February 28, 2015.	Completed - The plan has been submitted to the AER on February 28, 2015.  Grand Rapids submitted an update letter to the AER on April 15, 2015.  The AER has reviewed the materials submitted and is satisfied that Grand Rapids has met the Condition requirements.

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20 Post-Construction Reclamation Assessment	Grand Rapids must submit to the satisfaction of the AER, a post-construction reclamation assessment (PCRA) based on the 2010 Reclamation Criteria for Wellsites and Associated Facilities or the most recent reclamation criteria available at the time of reclamation. The assessment is to be submitted no later than two growing seasons following completion of reclamation. Monitoring of wetland hydrological function in both the white and green areas must be included as a component of the post-construction reclamation assessment.	Section: Appx. 1  P. 77	Grand Rapids will advise the AER of the date the reclamation has been completed and submit a post-construction reclamation assessment to the AER no later than two growing seasons following completion of reclamation.  As part of condition 14 compliance direction by the AER, Grand Rapids is required to include a separate section for the Pentelchuk lands that describes the results of the PCRA conducted for those lands.	Ongoing - Grand Rapids submitted a proposed Post-Construction Reclamation Assessment methodology on May 29, 2017. Reviewed by the AER on June 19, 2017.  On November 29, 2017, Grand Rapids submitted a revised Post-Construction Reclamation Assessment methodology proposal. Review completed and clarification questions sent to Grand Rapids by the AER on January 16, 2018.
21 KWBZ Mitigation Plan and Schedule	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.	Section: Appx. 1  P. 77	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.	Ongoing - Grand Rapids submitted a KWBZ mitigation plan for the crossing of the La Biche River in the white area that was deemed satisfactory by the AER.  Grand Rapids conducted consultation regarding KWBZ mitigation plans on September 14, 2015 for upcoming winter construction work.

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22 Caribou Protection Plan	Grand Rapids must submit, to the satisfaction of the AER, its caribou protection plan for the project prior to construction in defined caribou range. The plan must include a site-specific construction schedule and an access management plan to minimize the effect of human activity on caribou. The plan must also clarify the specific mitigation measures it will use and where they will be used and incorporate relevant guidance from the section "Caribou Range" in the enhanced approval process Integrated Standards and Guidelines.	Section: Appx. 1  P. 78	Grand Rapids will submit a caribou protection plan to the AER prior to construction in defined caribou range.	Completed - The plan submitted by Grand Rapids for 2014/2015 construction period was approved by the AER on October 28, 2015.  Grand Rapids submitted an updated Caribou Protection plan for 2015/2016 construction period on October 16, 2015. The AER approved the plan on November 3, 2015.
23 Caribou Ranges Activity	Grand Rapids must obtain approval from the AER for any activity proposed within defined caribou ranges during the restricted activity period from February 15 to July 15.	Section: Appx. 1  P. 78	Grand Rapids will submit an approval request to the AER for any activity proposed within defined caribou ranges during the restricted activity period.	Completed - Grand Rapids submitted an approval request to the AER for activity proposed within defined caribou ranges during the restricted activity period as part of the Caribou Protection Plan. The AER granted approval on October 28, 2014.  Grand Rapids submitted an updated Caribou Protection Plan for 2015/2016 construction period on October 16, 2015. The AER approved the plan on November 3, 2015.
24 Caribou Habitat Restoration Plan	Grand Rapids must submit, to the satisfaction of the AER, its caribou habitat restoration plan for disturbance that occurs within defined caribou range by February 28, 2015. The plan must identify the strategies, specific measures, and schedule that will be used for habitat restoration efforts within caribou range and demonstrate how the activities will support the objectives of the Government of Alberta's and Canada's recovery strategies and plans.	Section: Appx. 1  P. 78	Grand Rapids will submit a caribou habitat restoration plan to the AER by February 28, 2015.	Completed - Grand Rapids submitted a request to the AER to extend the submission deadline for the caribou habitat restoration plan to September 1, 2016. The AER has reviewed the request and granted the extension.  Grand Rapids submitted the caribou habitat restoration plan to the AER on August 31, 2016. The AER reviewed the plan and requested an update to the plan on September 16, 2016.  Grand Rapids submitted the updated plan to the AER on December 2, 2016. The plan was approved by the AER on January 6, 2017.

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25 Spill Response and Emergency Response Procedures	Grand Rapids must consult with and review its spill response and emergency response procedures with Michele Mitchell and Cactus Holdings Ltd. and Westways Contractors (1986) Ltd. and any other landowner along the ROW who expresses an interest in emergency response or spill response procedures during the preparation of its corporate ERP and site-specific spill response plan.	Section: Appx. 1 P. 78	Grand Rapids will submit a letter to the AER confirming that the requirement has been met.	Completed - Grand Rapids submitted the letter to the AER on May 3, 2017 confirming that the requirement has been met.  The ERP and site-specific spill response plan was deemed technically complete by the AER on May 2, 2018.
26 Spill Response and Emergency Response Procedures	Grand Rapids must submit its corporate ERP and site-specific spill response plan to the AER prior to commencement of its pipeline operations.	Section: Appx. 1 P. 78	Grand Rapids will submit its corporate ERP and site-specific spill response plan to the AER prior to commencement of its pipeline operations.	Completed - Grand Rapids submitted its corporate ERP and site-specific spill response plan to the AER on May 18, 2017. The AER requested additional information on June 21, 2017.  The ERP and site-specific spill response plan was deemed technically complete by the AER on May 2, 2018.

*The conditions imposed in approvals/licence(s) are monitored by the Alberta Energy Regulator (AER). The AER has developed a process whereby an action plan is developed internally to ensure that AER staff monitor conditions arising from decision reports for compliance. The conditions are managed in an action plan that is updated quarterly with statuses of conditions. The action plan defines the action required, timeframes for completion, and a summary of the evidence provided to confirm a condition was met. For more information, please contact the Action Plan Administrator at (403) 297-4289.*