

Environmental Assessment Approval

Approval Date: MAY 21 2013

Alton Natural Gas Pipeline Project Alton Natural Gas Storage LP

Alton, Colchester County, Nova Scotia

The Alton Natural Gas Pipeline Project (the "Undertaking"), proposed by Alton Natural Gas Storage LP (the "Approval Holder") near Alton, Colchester County, Nova Scotia is approved pursuant to Section 40 of the *Environment Act* and Section 18(a) of the *Environmental Assessment Regulations*. This Approval is subject to the following conditions and obtaining all other necessary approvals, permits or authorizations required by municipal, provincial and federal acts, regulations and by-laws before commencing work on the Undertaking. It is the responsibility of the Approval Holder to ensure that all such approvals, permits or authorizations are obtained before commencing work on the Undertaking.

This Environmental Assessment Approval is based upon the review of the conceptual design, environmental baseline information, impact predictions, and mitigation presented in the Registration Document and Focus Report.

Terms and Conditions for Environmental Assessment Approval

1.0 General Approval

- 1.1 The Environmental Assessment Approval for the Undertaking is limited to the Undertaking as described in the Environmental Assessment Registration Document and Focus Report.
- 1.2 Expansion, modification or relocation of any aspect of the Undertaking from that proposed in the registration information must be submitted to the Environmental Assessment Branch for review and may require an environmental assessment (EA).
- 1.3 The Approval Holder must, within two years of the date of issuance of this Approval, commence work on the Undertaking unless granted a written extension by the Minister.
- 1.4 The Approval Holder must not transfer, sell, lease, assign or otherwise dispose of this Approval without the written consent of the Minister. The sale of a controlling interest of a business or a transfer of an approval

from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.

- 1.5 The Approval Holder must implement all mitigation and commitments in the Registration Document and Focus Report, unless approved otherwise by Nova Scotia Environment (NSE).
- 1.6 The Approval Holder must provide a report to NSE's Environmental Assessment Branch one year following construction of the Undertaking. The report must include, but not be limited to, site development, mitigation plans, monitoring results, and compliance with the Terms and Conditions of the EA Approval.

2.0 Project Location and Route Selection

- 2.1 Approval is based on the "Original Alignment" of the pipeline as described in the EA Registration Document and Focus Report.

3.0 Project Infrastructure and Activities

- 3.1 Prior to clearing and/or construction, the Approval Holder must submit the Environmental Management Plan (EMP) for review by Department of Fisheries and Oceans (DFO) and review and approval by NSE.
- 3.2 The Approval Holder must update and revise the EMP at the request of NSE, at any time during construction or operation of the Undertaking.
- 3.3 All revisions to the EMP must be forwarded to NSE for review and approval.
- 3.4 The Approval Holder must, in consultation with NSE and Fisheries and Oceans Canada, develop a post construction monitoring and reporting schedule to be included in the EMP.
- 3.5 The Approval Holder must distribute the EMP and all subsequent revisions to NSE and other regulatory agencies.

4.0 Proposed Wilderness Area Lands

- 4.1 Within four years of the date of this EA Approval, the Approval Holder must develop and implement a compensation plan that has been reviewed and approved by NSE, for impacts on the Stewiacke River Wilderness Area. This plan shall include, but may not be limited to, the securement of conservation land in the vicinity of the Undertaking for statutory protection by the province.
- 4.2 Prior to any clearing and /or construction in a proposed wilderness area the Approval Holder must provide notification to NSE.

- 4.3 The Approval Holder must ensure that any work within a designated wilderness area is approved by the Minister of Environment as required by the *Wilderness Areas Protection Act*.

5.0 Aquatic Habitat/ Surface Water/ Watercourse Crossings

- 5.1 The Approval Holder must not undertake any “wet” watercourse crossing, unless otherwise approved by NSE.
- 5.2 The Approval Holder must obtain an approval from NSE for the construction of watercourse crossings, as specified in the *Activities Designation Regulations*.
- 5.3 Any environmental impacts on the public water supply for the Town of Stewiacke must be corrected by the Approval Holder to the satisfaction of NSE.
- 5.4 Prior to clearing and/or construction, the Approval Holder must provide an approved security that is satisfactory to NSE. This security is to cover an alternate temporary and/or permanent drinking water supply in the event that the Undertaking impacts the public water supply.

6.0 Groundwater

- 6.1 Prior to any blasting, the Approval Holder must conduct a pre-blast survey for water wells within 800 m of the point of blast. The survey must be conducted in accordance with the NSE “Procedure for Conducting a Pre-Blast Survey”. Any water well impacts from the blasting must be corrected by the Approval Holder to the satisfaction of NSE.

7.0 Flora and Fauna

- 7.1 Prior to clearing and/or construction, the Approval Holder must provide DNR’s Regional Services and Wildlife Division staff with digital way point files revealing precise locations for all “RED”, “YELLOW” and “UNDETERMINED” listed species based on actual field inventories for rare/endangered vascular, non-vascular plants, lichen, birds, mammals, and reptiles within the affected corridor. The Approval Holder must report to NSE that the files have been provided to DNR. Final location of the pipeline must be determined in consultation with DNR’s Wildlife Division, pending review of inventory results.
- 7.2 Site preparations that include deforestation, clearing and grubbing must be undertaken between September 1st and March 30th in order to minimize impacts on breeding birds that may include endangered and threatened species listed under the *Species at Risk Act* and/or the *Nova Scotia Endangered Species Act*, unless otherwise approved by NSE.

- 7.3 If site preparation activities occur between mid-July and August 31st, the Approval Holder must prepare and implement a monitoring and mitigation plan for breeding activity (i.e. nesting) pursuant to the *Migratory Bird Convention Act*, in consultation with DNR and the Canadian Wildlife Service.
- 7.4 The Approval Holder must use natural species to re-vegetate exposed soil in forest and riparian zones.
- 7.5 The Approval Holder must contact DNR prior to any site investigations, construction, or project related access planned on Crown lands.
- 7.6 Prior to construction, the Approval Holder must undertake wood turtle nesting surveys and all nesting areas must be avoided. All wood turtles found or observed must be reported immediately to DNR's Wildlife Division and the Regional Biologist.

8.0 Wetlands

- 8.1 The Approval Holder must obtain an approval from NSE for the wetland alterations, as specified in the *Activities Designation Regulations*.
- 8.2 The Approval Holder must provide GPS boundary coordinates and shape files of all wetlands delineated for the Undertaking to NSE.

9.0 Air Quality and Noise

- 9.1 The Approval Holder must participate in future air shed management programs as required by NSE.
- 9.2 The Approval Holder must not burn any materials generated as a result of construction activities.
- 9.3 The Approval Holder must conduct air quality monitoring or dust monitoring at the request of NSE.

10.0 Public Consultation

- 10.1 The Approval Holder must form, at the request of NSE, a Community Liaison Committee (CLC) for both the Alton Natural Gas Storage Facility and this Undertaking, in consultation with NSE and with municipal and community representatives. The NSE *Guidelines for the Formation of a Community Liaison Committee* shall be used for the guidance of the Approval Holder and community.
- 10.2 The Approval Holder must provide, for review and approval by NSE, procedures for hearing and responding to community concerns raised during the construction and operation of the Undertaking.

11.0 Nova Scotia Mi'kmaq

- 11.1 The Approval Holder must develop and implement a Mi'kmaq Communication Plan for the Undertaking, which will include a process for communicating project details and seeking input from the Mi'kmaq community.
- 11.2 The Approval Holder must solicit CLC membership from the Mi'kmaq community if a CLC is requested to be formed by NSE.

12.0 Archaeological and Heritage Resources

- 12.1 The Approval Holder must submit reports for archaeological resource impact assessments conducted for this Undertaking, to Nova Scotia Department of Communities, Culture and Heritage for review and approval. Based on the conclusions and recommendations of this review, further studies and/or mitigation may be required at the request of NSE.
- 12.2 The Approval Holder must cease work and contact the Special Places Coordinator, Nova Scotia Department of Communities, Culture and Heritage immediately upon discovery of an archaeological site or artifact unearthed during any phase of the proposed Undertaking. If the find is of certain or suspected Mi'kmaq origin, the Approval Holder must also contact the Executive Director of the KMKNO.

13.0 Contingency Planning

- 13.1 Prior to clearing and/or construction the Approval Holder must submit the Emergency Response and Contingency Plan to NSE for review and approval.
- 13.2 The Approval Holder must contact NSE immediately upon discovery of any contaminated soil.

14.0 Decommissioning and Site Reclamation

- 14.1 The Approval Holder must provide NSE with a finalized abandonment plan, for review and approval, six months prior to the permanent shut down of the Undertaking.



Sterling Belliveau
Minister of Environment

