

Environmental Assessment Approval

Approval Date: DEC 22 2016

Bear Paw Pipeline Project Bear Paw Pipeline Corporation Inc.

Guysborough - Richmond County, Nova Scotia

The Bear Paw Pipeline Project (the "Undertaking"), proposed by Bear Paw Pipeline Corporation Inc. (the "Approval Holder") is approved pursuant to Section 40 of the *Environment Act* and Section 13(1)(b) 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 Additional Information.

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 Additional Information.
- 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.
- 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, unless otherwise approved by Nova Scotia Environment (NSE).
- 1.6 The Approval Holder must report on the status of conditions of this Approval at a schedule to be determined by NSE.

2.0 Project Infrastructure and Activities

- 2.1 Prior to commencement of the Undertaking, the Approval Holder must submit the Environmental Protection Plan (EPP) for review and to the satisfaction of NSE.
- 2.2 The Approval Holder must update and revise the EPP, at the request of NSE, at any time during construction or operation of the Undertaking.
- 2.3 All revisions to the EPP must be forwarded to NSE for review and acceptance.
- 2.4 The Approval Holder must, in consultation with NSE, develop a post construction monitoring and reporting schedule to be included in the EPP.
- 2.5 The Approval Holder must distribute the EPP and all subsequent revisions to NSE.

3.0 Flora and Fauna

- 3.1 Prior to commencement of the Undertaking, the Approval Holder must conduct baseline surveys for wildlife and wildlife habitat along sections of the pipeline corridor not already inventoried, unless otherwise approved by NSE. Spatial and temporal boundaries must be established in consultation with NSE, Nova Scotia Department of Natural Resources (NSDNR) Wildlife Division and the Canadian Wildlife Service (CWS).
- 3.2 Prior to commencement of the Undertaking, and based on the results of the baseline surveys, the Approval Holder must develop and implement a Wildlife Management Plan (WMP) as part of the EPP. The WMP must include avoidance and mitigation measures to be employed to reduce

project effects on species at risk and species of conservation interest. The WMP must be developed and implemented to the satisfaction of NSE, NSDNR, Wildlife Division and CWS.

- 3.3 All digital wildlife survey data for significant habitats, species at risk and those of conservation concern in the form of shape files and point locations must be provided to NSDNR, Wildlife Division. The Approval Holder must report to NSE that these files have been provided to NSDNR, Wildlife Division.
- 3.4 The Approval Holder must clear vegetation outside of the breeding season for most bird species (April 1 to August 15), unless otherwise approved by NSE.

4.0 Wetlands

- 4.1 Prior to commencement of the Undertaking, the Approval Holder must develop a Wetland Management Plan, as part of the EPP, that details the potential impacts to wetlands, methods and plans for avoidance, wetland assessment, mitigation and/or compensation. The plan must be developed in consultation with NSE.
- 4.2 The Approval Holder must not construct or operate within 30 metres of any wetland unless otherwise approved in writing by NSE. No development or removal of vegetation within this 30 metre buffer is permitted, unless otherwise approved by NSE.
- 4.3 If avoidance of wetlands is not possible during the development of the Undertaking, any loss of wetland habitat through direct infilling or indirectly through alteration of wetland hydrology will require a wetland evaluation and application for alteration under the Activities Designation Regulations.

5.0 Protected Areas

- 5.1 In the event that the proposed Chedabucto Fault Nature Reserve is designated and cannot be avoided by the Undertaking, within four years of the date of this Approval, the Approval Holder must develop and implement a nature reserve compensation or mitigation plan, unless otherwise approved in writing by NSE. This plan must be developed in consultation with and to the satisfaction of NSE.

6.0 Groundwater Resources

- 6.1 Prior to commencement of the Undertaking, the Approval Holder must submit to NSE a groundwater well survey that identifies all wells and/or water supplies within 300 m of the Undertaking and provide for each:
- Location coordinates (based on GPS UTM, NAD83 coordinates);
 - Indication of water supply type (e.g. drilled well, dug well, other);
 - Baseline water quantity (proponent to provide methodology for approval) and quality (minimum general chemistry, metals – such as RCAP-MS, and bacteria); and
 - Indication of water supply use (e.g. commercial business, industrial use, residential use, registered public drinking water supply).
- 6.2 Prior to commencement of the Undertaking, the Approval Holder must submit to NSE for review and approval, a groundwater monitoring program to evaluate potential impacts to both groundwater quantity and quality. Based on the results of the monitoring program, the Approval Holder must make necessary modifications to mitigation plans and/or operations to prevent any unacceptable environmental effects, to the satisfaction of NSE.
- 6.3 Prior to any blasting, the Approval Holder is required to conduct a pre-blast survey for water wells within 800 m of the point of blast. The survey must be conducted in accordance with a "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.
- 6.4 The Approval Holder must replace, at their expense, any water supply which has been lost or damaged as a result of project operations to the satisfaction of NSE.

7.0 Surface Water Resources

- 7.1 The Approval Holder must not undertake any Undertaking related activities within 30 metres of a watercourse, unless otherwise approved by NSE. No development or removal of vegetation within this 30 metre buffer is permitted, unless otherwise approved by NSE.

- 7.2 The Approval Holder must obtain an approval from NSE for the construction of watercourse crossings as specified in the Activities Designation Regulations.
- 7.3 Prior to commencement of the Undertaking, the Approval Holder must submit to NSE for review and approval, a detailed erosion and sedimentation control (ESC) plan.
- 7.4 Prior to commencement of the Undertaking, the Approval Holder must submit a surface water monitoring program. Based on the results of the monitoring program, the Approval Holder must make necessary modifications to mitigation plans and/or operations to prevent any unacceptable environmental effects, to the satisfaction of NSE.
- 7.5 All surface water protection and management programs must be updated/revised to reflect the development of the Undertaking. This is to take place over the lifetime of the Undertaking, at a schedule acceptable to NSE, and revised as approved by NSE.

8.0 Greenhouse Gas Emissions

- 8.1 Prior to commencement of the Undertaking, the Approval Holder must submit a Greenhouse Gas (GHG) Management Plan to NSE, for review and approval. The plan will include a full accounting of all anticipated GHG emissions based on detailed project design and explanation of how major technology choices are best-available technology for GHG mitigation. The plan will also include details on GHG emissions monitoring and reporting, and ongoing GHG management and abatement practices.
- 8.2 The Approval Holder will be required to update the GHG Management Plan annually and submit for NSE review and approval on or before March 31.

9.0 Noise and Dust

- 9.1 The Approval Holder must develop a blast plan for review and approval. The plan must include a pre-blast survey for structures and water supplies within 800 metres of the blast area, a detailed blast monitoring plan, and a full blast damage response policy.

- 9.2 At the request of NSE, the Approval Holder must develop and implement an air quality and/or dust monitoring plan. This plan must include but not be limited to sampling locations, parameters, monitoring methods, protocols and frequency. Based on the results of the monitoring programs as proposed, the Approval Holder must make necessary modifications to mitigation plans and/or operations as required by NSE.
- 9.3 At the request of NSE, the Approval Holder must monitor noise levels. Based on the results of monitoring program as proposed, the Approval Holder must make necessary modifications to mitigation plans and/or operations as required by NSE.

10.0 Archaeological and Heritage Resources

- 10.1 Prior to commencement of the Undertaking, the Approval Holder must address outstanding archaeological requirements, to the satisfaction of Nova Scotia Department of Communities Culture and Heritage (CCH).
- 10.2 The Approval Holder must cease work and contact the Coordinator, Culture and Heritage Division, CCH immediately upon discovery of an archaeological site or artifact unearthed during any phase of the Undertaking. If the find is of suspected or certain Mi'kmaq origin, the Approval Holder must also contact the Executive Director of the KMKNO.

11.0 Public Engagement

- 11.1 The Approval Holder must appoint a contact person designated to deal with complaints from the public, and must provide the contact person information to NSE 30 days prior to the commencement of any work. Records of these complaints and associated actions must be made available to NSE upon request.
- 11.2 At the request of NSE, the Approval Holder must form a Community Liaison Committee (CLC). The NSE Guidelines for the Formation of a Community Liaison Committee should be used for guidance. The Approval Holder must operate the CLC for the duration of the Undertaking and until released in writing by NSE.

12.0 First Nation and Aboriginal Engagement

12.1 Prior to commencement of the Undertaking, the Approval Holder must develop and implement a Mi'kmaq Engagement Plan for the Undertaking, which will include a process for communicating project details and seeking input from the Mi'kmaq community.

13.0 Contingency Plans

13.1 Prior to commencement of the Undertaking, the Approval Holder must submit for review and approval a Contingency Plan developed in accordance with NSE's Contingency Planning Guidelines that addresses:

- Discharges, emissions, escapes, leaks or spills of dangerous goods and/or waste dangerous goods;
- Explosions, fires, accidents and/or other potential emergencies; and
- Sensitive shoreline mapping and quantitative risk assessment.

The plan shall be developed in consultation with local fire and emergency service providers, and demonstrate compliance with Federal and Provincial regulatory requirements.

13.2 Contingency plans must be updated/revised to reflect the development of the Undertaking. This is to take place over the lifetime of the Undertaking, at a schedule acceptable to NSE, and revised as approved by NSE.

14.0 Decommissioning and Site Reclamation

14.1 The Approval Holder must submit a decommissioning and site reclamation plan to NSE for review and approval at least one year prior to the permanent shutdown of the Undertaking. The Approval Holder must reclaim the site to the satisfaction of NSE.



Margaret Miller, MLA
Minister of Environment

