

**ENVIRONMENTAL ASSESSMENT OFFICE
INFORMATION NOTE**

May 29, 2018
File: 280-20/BN2018
CLIFF/tracking #: 316623

PREPARED FOR: Honourable George Heyman, Minister of Environment and Climate Change Strategy

ISSUE: Trans Mountain Expansion (TMX) Project Transfer of Ownership to Federal Government

BACKGROUND:

- Trans Mountain Pipeline ULC (Trans Mountain), a wholly owned subsidiary of Kinder Morgan Canada, is proposing to expand the existing Trans Mountain pipeline system for the transport of oil between Edmonton, Alberta and Burnaby, British Columbia (BC) with the construction and operation of approximately 987 km of new pipeline.
- Along with the pipeline expansion, TMX has new and modified facilities, such as pump stations and tanks, and the reactivation of 193 km of existing pipeline.
- On November 29, 2016, the federal Governor-in-Council (GIC) approved TMX.
- The Environmental Assessment Office (EAO) referred TMX to ministers for decision on December 8, 2016.
- On January 11, 2017 the Ministers announced their decision to issue an Environmental Assessment Certificate (EAC) for the portion of the Project in BC.
- 60 Indigenous groups were consulted on the BC portion of the pipeline corridor. A total of 96 Indigenous groups were consulted for the project, including for the marine shipping portion.
- To date, all of the pre-construction management plans have been filed with and accepted by the EAO, with the exception of the Coldwater Aquifer Management Plan which states that the EAC holder cannot start construction on this section of the corridor until six months after submission of plan to the EAO.
- EAO is working with the National Energy Board (NEB) and provincial agencies on coordinated compliance and enforcement (C&E) oversight of TMX.

DISCUSSION:

- Transfer of the EAC will require an amendment, as determined by the Executive Director, under section 19 of the *Environmental Assessment Act*. First Nations are consulted at the notification level for these amendments. Public consultation is not undertaken.
- The existing provincial EAC and all of the conditions attached to the certificate cannot be transferred unless the new EAC holder acknowledges that, upon transfer, it will be responsible for complying with the conditions of the EAC.

Contact:
Scott Bailey
EAO, ADM

250-387-2307

Alternate Contact:
Nathan Braun
Executive Project
Director

778 698-9280

Prepared by:
Edwin Hubert
Project Assessment Officer

778 698-9323

Reviewed by	Initials	Date
Assoc. DM		
ADM	SB	May 29
Dir./Mgr.		
Author		