

# Environmental Assessment Approval

Approval Date: AUG 26 2013

## Pictou County Natural Gas Pipeline Heritage Gas Limited

Pictou County, Nova Scotia

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The Pictou County Natural Gas Pipeline (the "Undertaking"), proposed by Heritage Gas Limited (the "Approval Holder") Pictou 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.

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### 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.
- 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, 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 Infrastructure and Activities**

- 2.1 Prior to clearing and/or construction, the Approval Holder must submit the Environmental Management Plan (EMP) for review and approval by NSE.
- 2.2 The Approval Holder must update and revise the EMP at the request of NSE, at any time during construction or operation of the Undertaking.
- 2.3 All revisions to the EMP must be forwarded to NSE for review and approval.
- 2.4 The Approval Holder must, at the request of NSE, develop a post construction monitoring and reporting schedule to be included in the EMP.
- 2.5 The Approval Holder must distribute the EMP and all subsequent revisions to NSE and other regulatory agencies.
- 2.6 If Horizontal Directional Drilling is not feasible for any watercourse or wetland crossing, the Approval Holder must contact NSE. An EMP specific to these crossings must be submitted to NSE, Nova Scotia Department of Natural Resources (DNR) Fisheries and Oceans Canada (DFO) for review and approval prior to start of construction on affected crossings.

## **3.0 Aquatic Habitat/ Surface Water/ Watercourse Crossings**

- 3.1 The Approval Holder must obtain an approval from NSE for the construction of watercourse crossings, as specified in the *Activities Designation Regulations*.

#### **4.0 Groundwater**

- 4.1 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.

#### **5.0 Flora and Fauna**

- 5.1 The Approval Holder must complete a late season rare plant survey. Final location of the pipeline to be approved by NSE in consultation with DNR's Wildlife Division, pending review of survey results.
- 5.2 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.
- 5.3 Clearing of vegetation must be conducted outside of the breeding season for most bird species (May 1 to August 31), unless otherwise approved by NSE.
- 5.4 The Approval Holder must use natural species to re-vegetate exposed soil in forest and riparian zones.

#### **6.0 Wetlands**

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

#### **7.0 Air Quality and Noise**

- 7.1 The Approval Holder must not burn any materials generated as a result of construction activities.
- 7.2 The Approval Holder must conduct air quality monitoring or dust monitoring at the request of NSE.

## **8.0 Public Consultation**

- 8.1 The Approval Holder must form, at the request of NSE, a Community Liaison Committee (CLC) The NSE *Guidelines for the Formation of a Community Liaison Committee* shall be used for the guidance of the Approval Holder and community.
- 8.2 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.

## **9.0 Nova Scotia Mi'kmaq**

- 9.1 The Approval Holder must solicit CLC membership from the Mi'kmaq community if a CLC is requested to be formed by NSE.

## **10.0 Archaeological and Heritage Resources**

- 10.1 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 Kwilmukw Maw-Klusuaqn Negotiation Office.
- 10.2 The Approval Holder must cease work and contact the Special Places Coordinator, Nova Scotia Department of Communities, Culture and Heritage immediately upon discovery of any fossil or suspected fossils during any phase of the proposed Undertaking.

## **11.0 Contingency Planning**

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

## **12.0 Decommissioning and Site Reclamation**

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

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Sterling Belliveau  
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Minister of Environment