



File 3200-T099-1
2 June 2005

Mr. Tony Epp
Senior Program Officer
Canadian Environmental Assessment Agency
100 Revillon Building.
10237 – 104th Street
Edmonton, AB T5J 1B1
Facsimile (780) 422-7705

Dear Mr. Epp:

**Terasen Pipelines Ltd. (Terasen), TMX Anchor Loop Project
Notice pursuant to the *Federal Coordination Regulations***

The Board offers the following information in response to your letter to the Terasen Project Referral Distribution List dated 3 May 2005 and the associated project description for the Terasen Pipelines TMX Anchor Loop project (the Project).

The project description notes that a certificate of public convenience and necessity under section 52 of the *National Energy Board Act* is required for the Project to proceed and that the proponent expects to submit regulatory applications at the end of 2005. Once Terasen submits an application for approval to the National Energy Board, the NEB will become a responsible authority (RA) for the environmental assessment (EA) of the Project pursuant to the *Canadian Environmental Assessment Act*.

Your letter indicates that Parks Canada has preliminarily determined that it will conduct a screening as prescribed in the CEA Act. Once it has been determined which federal authorities will be RAs for the process, to ensure that all RAs have a common understanding, the Board requests that you coordinate a process by which all RAs declare in writing their view of which level of environmental assessment is required for the Project (screening, comprehensive study, panel review or mediation).

In order for the NEB to determine the level of environmental assessment required, further information about the right-of-way to be used is required. To determine whether the Project will

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be using 75 km of new right-of-way or not, the Board requires a break down of the distance of right-of-way for the Project that would be new right-of-way and the distance that would be within or abutting:

- the existing Trans Mountain pipeline right-of-way;
- highway right-of-way;
- road right-of-way;
- power line right-of-way,
- abandoned rail grade right-of-way; and
- any other type of right-of-way.

The Board will also require a description of each type of right-of-way discussed above to address the level to which they are cleared, maintained, and active rights-of-way.

In addition, the Board is of the view that a complete project description should not only include a description of the consultation activities undertaken by the proponent, but also the results of those consultation activities. Therefore, the Board requests that Terasen be asked to provide the results of its consultation activities to supplement its project description as filed.

The Board is of the view that, following the identification of RAs and agreement on the required level of environmental assessment, a scoping exercise should take place shortly among all RAs for the Project to establish the scope of the environmental assessment.

If you have questions on this matter, please contact Ms. Alison Farrand at (403) 299-2761.

Yours truly,

A handwritten signature in black ink, appearing to read 'Michel L. Mantha', with a long horizontal line extending to the right.

Michel L. Mantha
Secretary

- c.c. Jennifer Scott, Terasen Pipelines, facsimile (403) 514-6622
Howard Heffler, Terasen Pipelines, facsimile (403) 514-6419
Dr. Bruce Leeson, Parks Canada, facsimile (403) 292-4404
John Olyslager, Parks Canada, facsimile (403) 292-4404
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