

Substantially Started Determination Application

Prince Rupert Gas Transmission Project

November 19, 2024

PRGT

CONTENTS

ABBREVIATIONS LIST	5
EXECUTIVE SUMMARY	6
1 INTRODUCTION	11
2 PROJECT OVERVIEW	12
2.1 PROJECT DESCRIPTION	12
2.1.1 Work Programs Completed to Date	14
2.1.2 Construction Readiness Decision and Regulatory Uncertainty	15
2.2 PROJECT APPROVALS	17
2.2.1 Environmental Assessment Certificate #E14-06	17
2.2.2 BC Energy Regulator Permits	19
2.2.3 Supplementary Permits	20
2.3 PURPOSE AND NEED FOR THE PROJECT	20
2.3.1 Fulfilling the Nisga'a Final Agreement	20
2.3.2 Economic Impact	21
2.3.3 Indigenous Economic Reconciliation	21
2.3.4 Environmental Sustainability	22
2.4 CURRENT PROJECT STATUS	22
2.4.1 Forecasted Activities	26
2.5 SUMMARY OF ENGAGEMENT ON SUBSTANTIALLY STARTED DETERMINATION REQUEST	26
2.5.1 Indigenous Nations Engagement	26
2.5.2 Regulatory Engagement	27
3 EAO SUBSTANTIAL START DETERMINATION CONSIDERATIONS	29
3.1 EAO SUBSTANTIALLY STARTED DETERMINATION POLICY AND PRECEDENCE	29
3.2 CONSTRUCTION OF PIPELINES	29
3.3 PRGT'S APPROACH TO THE YEAR-1 CONSTRUCTION PROGRAM	30
4 ASSESSMENT OF THE PROJECT COMPARED TO THE EAO'S SUBSTANTIALLY STARTED DETERMINATION POLICY FACTORS	32
4.1 FACTOR 1- WHAT TIME, EFFORT, AND RESOURCES HAVE BEEN INVESTED TO PHYSICALLY DEVELOP ONE OR MORE MAIN PROJECT ELEMENTS?	32
4.1.1 Construction	32
4.1.2 Permitting	51
4.1.3 Expenditures and Local Spend	60
4.2 FACTOR 2- HOW HAVE THE ACTIVITIES UNDERTAKEN TO DATE CONTRIBUTED TO THE DEVELOPMENT OF THE OVERALL PROJECT?	61
4.3 FACTOR 3- IS THE ACTIVITY OR COMPONENT IDENTIFIED IN THE CPD AS PART OF THE PROJECT?	62
5 PROJECT BENEFITS	64

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

5.1	INDIGENOUS AND LOCAL EMPLOYMENT AND PROCUREMENT	64
5.2	COMMUNITY CONTRIBUTIONS AND BENEFITS	65
5.3	INDIGENOUS BENEFITS	66
5.3.1	Indigenous Support	67
6	SUMMARY	68
7	REFERENCES	69
APPENDIX A	CONSTRUCTION PROGRESS PHOTOBOOK	70

LIST OF TABLES

TABLE ES-1: PROJECT EXPENDITURES TO NOVEMBER 2024	7
TABLE 2-1: CURRENT BCER PERMITS	20
TABLE 4-1: ROAD MAINTENANCE AND UPGRADE PROGRESS AT THE WESTERN FRONT AS OF NOVEMBER 12, 2024	39
TABLE 4-2: CLEARING PROGRESS ALONG THE PIPELINE ROW AT THE WESTERN FRONT AS OF NOVEMBER 12, 2024	39
TABLE 4-3: ROAD MAINTENANCE AND UPGRADE PROGRESS AT THE EASTERN FRONT AS OF NOVEMBER 12, 2024	43
TABLE 4-4: CLEARING PROGRESS ALONG THE PIPELINE ROW AT THE EASTERN FRONT AS OF NOVEMBER 12, 2024	43
TABLE 4-5: GINLULAK ROAD CONSTRUCTION STATUS AS OF NOVEMBER 12, 2024	46
TABLE 4-6: BORROW PIT CONSTRUCTION STATUS ALONG GINLULAK ROAD AS OF NOVEMBER 12, 2024	46
TABLE 4-7: SGA SGIN'IST LODGE CONSTRUCTION DETAILS AS OF NOVEMBER 12, 2024	50
TABLE 4-8: BRIDGE INSTALLATION PROGRESS AS OF NOVEMBER 12, 2024	51
TABLE 4-9: LIST OF PROJECT PERMITS	53
TABLE 4-10: PROJECT EXPENDITURES TO NOVEMBER 2024	61
TABLE 4-11: CONSTRUCTION OF THE PROJECT'S CPD COMPONENTS	63
TABLE 5-1: INDIGENOUS EMPLOYMENT OPPORTUNITIES	64
TABLE 5-2: NUMBER OF INDIGENOUS AND LOCAL EMPLOYMENT OPPORTUNITIES, WEEK OF OCTOBER 19, 2024	65
TABLE 5-3: PROJECT COMMUNITY SPEND	66
TABLE 5-4: PROJECT INDIGENOUS-OWNED BUSINESS SPEND	66

LIST OF FIGURES

FIGURE 2-1: ORIGINAL AND AMENDED PROJECT ROUTE, 2014 TO 2024	13
FIGURE 4-1: YEAR-1 (2024) CONSTRUCTION PROGRAM TIMELINE	36
FIGURE 4-2: YEAR-1 (2024) CONSTRUCTION PROGRAM AREA ON NISGA'A LANDS	37
FIGURE 4-3: BRUSHING OUT ACCESS ROADS AND REMOVING MATERIAL FROM SITE, AUGUST 2024	40
FIGURE 4-4: ACCESS ROAD CULVERT INSTALLATION, SEPTEMBER 2024	41
FIGURE 4-5: BUNCHER AT WORK FELLING TREES, SEPTEMBER 2024	41
FIGURE 4-6: TIMBER SKIDDED INTO PILES FOR PROCESSING, SEPTEMBER 2024	42
FIGURE 4-7: INSTALLING ESC MEASURES ALONG ACCESS ROAD, AUGUST 2024	44
FIGURE 4-8: BALLASTING OF ACCESS ROAD, SEPTEMBER 2024	44

PRGT

FIGURE 4-9: SKIDDING AND PROCESSING ALONG THE ROW, SEPTEMBER 2024	45
FIGURE 4-10: AERIAL VIEW OF COMPLETED CLEARING SECTION, 2024	45
FIGURE 4-11: COMPLETED PERMANENT BRIDGE INSTALLATION, OCTOBER 2024	48
FIGURE 4-12: LOADING TRUCKS AT BORROW PIT (1 OF 4), SEPTEMBER 2024	48
FIGURE 4-13: AERIAL VIEW OF SGA SGIN’IST LODGE SITE (AUGUST 2024)	49
FIGURE 4-14: AERIAL VIEW OF SGA SGIN’IST LODGE (OCTOBER 2024)	49

Abbreviations List

Abbreviation	Definition
BC	British Columbia
BCER	British Columbia Energy Regulator
BC OGC	British Columbia Oil and Gas Commission
CPC	Certified Pipeline Corridor
CPD	Certified Project Description
CEMP	Construction Environmental Management Plan
DFO	Department of Fisheries and Oceans Canada
EA	Environmental Assessment
EAC	Environmental Assessment Certificate
EAO	Environmental Assessment Office
ESC	Erosion and sediment control
FID	Final Investment Decision
FNCI	First Nations Climate Initiative
FOR	Ministry of Forests
FSR	Forest service road
Ksi Lisims LNG Project	Ksi Lisims LNG – Natural Gas Liquefaction and Marine Terminal Project
Ledcor	Ledcor Group
LNG	Liquefied natural gas
NLG	Nisga’a Lisims Government
PRGT	Prince Rupert Gas Transmission Ltd.
ROW	Right of Way
SSD Policy	Substantial Start Determination Policy
SPR	Secondary Provincial Roads
the Submission	Substantial Start Application
SUP	Special Use Permit
TC Energy	TC Energy Corporation

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Executive Summary

Prince Rupert Gas Transmission Ltd. (PRGT), the holder of Environmental Assessment Certificate (EAC) #14-06, is seeking a substantially started determination for the Prince Rupert Gas Transmission Project (the Project).

PRGT began the Environmental Assessment (EA) for the Project on June 6, 2013, under the 2002 *Environmental Assessment Act* and was issued EAC #14-06 on November 25, 2014. In accordance with the 2002 *Environmental Assessment Act*, the original term of the EAC was five years. A one-time five-year extension was issued in 2019, and the current requirement of the EAC is that the Project must be substantially started by November 25, 2024.

The Project, as originally certified, included 768 kilometres (km) of a land-based pipeline and 112 km of twin marine-based pipelines, along with supporting infrastructure, which would deliver natural gas to the now cancelled Pacific NorthWest LNG Facility on Lelu Island, near Prince Rupert, British Columbia (BC). The Project is currently intended to provide natural gas to the Ksi Lisims LNG – Natural Gas Liquefaction and Marine Terminal Project (Ksi Lisims LNG Project) at Wil Milit, BC, on Nisga’a-owned lands on Pearse Island, approximately 15 km west of the Nisga’a Village of Gingolx and 82 km north of the Port of Prince Rupert, BC.

The term “substantially started” is not defined in the 2018 *Environmental Assessment Act*; however, the BC Environmental Assessment Office’s (EAO’s) Substantial Start Determination Policy (SSD Policy; EAO 2021) guides EAC holders on the substantially started determination process. The SSD Policy notes that substantially started determinations are made on a case-by-case basis in light of all relevant factors, and have primarily focused on:

1. What time, effort, and resources have been invested to physically develop one or more main project elements?
2. How have the activities undertaken to date contributed to the development of the overall project? For example, are the activities in relation to a significant or important step, or are they ancillary, secondary, or temporary?
3. Is the activity or component identified in the Certified Project Description (CPD) as part of the project?

The SSD Policy outlines those efforts such as financial investments, acquired licenses and permits, and prerequisite studies for physical construction can support a substantially started determination.

PRGT has invested 12 years of significant time, effort and resources to physically develop the Project, expending approximately \$584 million, including undertaking meaningful physical construction activities in 2024 (Table ES-1).

Highlights from the Project include:

- The Nisga’a Nation acquiring an equal equity stake in the Project and facilitating construction, beginning to fulfill the Nisga’a citizens vision of a future where sovereign decision-making would bolster economic independence under the Nisga’a Final Agreement.
- Obtaining all key BC Energy Regulator (BCER) permits required for the pipeline, compressor, and meter stations (11 permits) in 2015, 10 of which have been extended and aligned with the current CPD. In total PRGT has received 34 key federal and provincial authorizations (excluding the EAO) and 29 authorizations from the Nisga’a Lisims Government (NLG). The total investment is approximately \$91 million (M) (CAD).
- Supporting Project management, engineering and technical items to accomplish Project advancement with an investment of approximately \$336M (CAD).

PRGT

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

- Meaningful and substantive engagement with Indigenous Nations resulting in 15 of 19 (now 20) Project Agreements. From 2012 to 2023 PRGT conducted more than 20,000 engagements (e.g., emails, calls, meetings) and over 1,100 direct meetings with 20 Indigenous Nations along the pipeline corridor – an investment of approximately \$87M (CAD).
- Providing milestone related Project Agreement payments of approximately \$25.2M (CAD), and \$14.5M (CAD) in capacity and technical support funding to Indigenous Nations.
- Obtaining the significant statutory amendment to the Nisga'a Lava Bed Memorial Park (Anhluut'ukwsim Laxmihl Angwinga'asanskwhl Nisga'a Park) to facilitate construction which required amending the Nisga'a Final Agreement by the Government of Canada, the Province of BC, and the Nisga'a Nation.
- Contributing approximately \$2.2M (CAD) to local community spend (June to September 2024), promoting a positive environment for future generations.
- Directing approximately \$24M (CAD) towards local Indigenous businesses.
- Generating more than 110,700 employment hours for more than 368 construction personnel working on the Year-1 Construction Program between August 24 and November 12, 2024, resulting in clearing of more than 42 km of the initial pipeline right-of-way (ROW), installing nine permanent bridges, and upgrading 47 km of permanent access roads – an investment of approximately \$70M (CAD).

TABLE ES-1: PROJECT EXPENDITURES TO NOVEMBER 2024

Category	\$ Amount (CAD)
	Total (2013 to November 2024)*
Commercial Contracts	\$17,553,000
Environment and Regulatory	\$90,876,000
Indigenous and External Relations**	\$87,160,000
Land	\$16,827,000
Project Financial Controls and Engineering	\$12,531,000
Project Management and Construction	\$335,574,000
Supply Chain	\$13,155,000
Safety, Quality, and Document Controls	\$10,260,000
Total	\$583,936,000
*Note: Expenditure values have been rounded to the nearest thousand.	
**Note: Indigenous and External Relations Spend includes Indigenous employment and direct community spend.	

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

PRGT began preparations for construction alongside the EA process, aiming to start work in early 2015 to meet the timeline for the Pacific NorthWest LNG Facility. By mid-2015, PRGT had made significant progress, advancing Project engineering, construction planning, and permitting, while also securing Project Agreements with 15 of the 19 (now 20) Indigenous Nations along the pipeline route. Although PRGT submitted a notice to commence construction to the EAO in May 2015, delays from Pacific NorthWest LNG led to the postponement of construction. The Project faced further setbacks when the Pacific NorthWest LNG Facility was cancelled by its owner in 2017, forcing PRGT to seek a new customer.

Since 2017, a key challenge has been the significant decline in companies pursuing LNG export projects in northwest BC, driven by shifts in both domestic and international markets. This was further compounded by the global COVID-19 pandemic from early 2020 to 2022, which created considerable uncertainty around major capital investments, particularly for export-oriented projects. The pandemic also caused delays in regulatory approvals for major projects worldwide, including in BC. In 2023, PRGT announced an agreement to advance the development of the Project to include a new terminus at the Ksi Lisims LNG Project and ensure that the pipeline was ready for construction. However, the progress of the Ksi Lisims LNG Project through the EA process was initially hindered by the pandemic and later by an almost 8-month dispute resolution process. On September 3, 2024, the EAO accepted the Revised Application for the Ksi Lisims LNG Project, and the facility is now advanced enough to give PRGT the certainty needed to proceed with physical construction activities.

Despite external factors, such as market changes, COVID-19, and the Ksi Lisims LNG Project's delays, PRGT notes that it remains required to have substantially started the Project by November 25, 2024. PRGT recognizes that under the 2018 *Environmental Assessment Act*, BC extended the overall duration of EACs for projects, from a total of 10 years to 15 years. By allowing for this longer total duration for an EAC, BC recognizes that the science used to complete an EA, and the EA conclusions, are sufficiently robust to allow for the authorization to remain valid for up to 15 years. In addition, the 2018 Act included a provision in s.56(2)(b) that the Minister may terminate an EAC on the twentieth anniversary of its issuance if the project is not operational.

Following the change in LNG customer, PRGT reviewed key elements of the Project's design, leading to two major design modifications submitted to the EAO as amendment requests. The Marine Route Alternative Amendment would enable the Project to deliver gas to the Ksi Lisims LNG Project. The Eastern Route Alternative Amendment was developed in response to concerns raised by Indigenous Nations, involving a 172 km reroute at the eastern end of the pipeline to a new starting point near Chetwynd, BC. This amendment also includes the proposal for a new compressor station, designed to accommodate both electric and natural gas-fired compressors. Unlike the original EAC, PRGT now anticipates that only this single compressor station will be required to meet the compression needs of the Ksi Lisims LNG Project.

As described above, PRGT has undertaken significant and substantive engagement with Indigenous Nations over the past 12 years. Additional commitments to refresh the existing Project Agreements to ensure improvements from recent Project learnings, as well as to address inflation impacts, have been advanced along with a commitment to explore equity ownership option for any Nation interested along the PRGT corridor. These Project Agreements provide the basis of Indigenous support for PRGT and serve as an important foundation for ongoing dialogue and preparation for upcoming construction activities. To date, PRGT has provided approximately \$25.2M (CAD) in milestone Project Agreement payments and \$14.5M (CAD) in capacity and technical support funding. Under the more recent Project Development Agreement between PRGT and TC Energy Corporation (TC Energy), a further \$4.4M (CAD) was spent advancing Indigenous relations for the Project.

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

Recognizing the requirement to have substantially started the Project by November 25, 2024, and the EAO's SSD Policy emphasis on physical works, PRGT adopted a careful and strategic approach to planning and executing those works. PRGT noted that the regulation triggering the need for an EA defines a reviewable pipeline project as one with a length of at least 40 km. Accordingly, with the support of the Nisga'a Nation, PRGT developed construction plans for over 40 km of pipeline on Nisga'a Lands, recognizing that this segment would have constituted a reviewable project in and of itself under the 2002 *Environmental Assessment Act*. PRGT also planned to establish a worker camp and carry out necessary permanent road and bridge upgrades and installations, along with other ancillary works to facilitate continued construction. As the Nisga'a Nation is a part-owner of the Ksi Lisims LNG Project and the host Indigenous Nation, PRGT worked closely with representatives of the Nisga'a Nation to plan construction activities that would clearly demonstrate fulfillment of the EAO's substantial start requirements.

In 2022, when granting extensions to each permit for the Project, the BCER introduced a new condition into each permit stipulating that a final investment decision (FID) be made by the Project's LNG facility customer. The purpose of this condition was to reduce the likelihood of long-term or permanent impacts occurring without the Project being fully developed. However, this condition was introduced unilaterally by the BCER and the BCER did not adequately engage with the Nisga'a Nation, and NLG indicated that this condition interfered with its jurisdiction and law-making authority over Nisga'a Lands. The Nisga'a Nation worked closely with the BCER and PRGT to amend the BCER pipeline permit for spread 5 to only include a pipeline corridor on Nisga'a Lands (Permit Section 5B). In doing so, the Nisga'a Nation has agreed to accept any impacts or risks associated with pipeline construction advancing without the Project being fully developed or the LNG facility customer having made an FID.

While the EAO's SSD Policy emphasizes the completion of physical works necessary for a project's operation, this approach differs from the typical sequence of pipeline construction, where most permanent infrastructure is built in the later stages. On May 24, 2024, PRGT notified the EAO of its plan to begin construction on August 24, 2024. In preparation for the Year-1 Construction Program, PRGT has undertaken extensive field and office activities, including finalizing and filing key permit amendments, completing essential engineering studies and field investigations, and updating Project Agreements and commitments.

PRGT has advanced the Year-1 Construction Program on Nisga'a Lands at four locations: the West Front, East Front, Sga Sgin'ist Lodge, and along Ginlulak Road. Between August 24 and November 12, 2024, PRGT will have had over 600 people present on-site, where more than 368 total construction workers were employed, and 141 visitors on-site. During Year-1 construction PRGT also mobilized more than 200 pieces of equipment to carry out clearing operations, road development, campsite construction, bridge installations, erosion and sediment control measures, environmental monitoring, and other field support activities.

To date, PRGT has completed:

- Clearing and preparing over 42 km of the initial pipeline ROW;
- Installing nine new permanent bridges and associated infrastructure;
- Developing and using four borrow pits to source materials for construction;
- Upgrading and maintaining 47 km of access roads;
- Constructing workforce accommodations and on-site office facilities to support 222 individuals at Sga Sgin'ist Lodge; and
- Establishing ancillary sites for equipment storage (laydown yard, stockpile site, and contractor storage yard).

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Substantially Started Determination Application: Prince Rupert Gas Transmission Project

In conclusion, despite significant market changes since 2014, the impacts of the COVID-19 global pandemic, and regulatory delays, PRGT has made considerable progress in advancing the Project and has clearly demonstrated that it has been substantially started. To date, PRGT has invested approximately \$584M (CAD) in the Project, including physical construction work and delivering benefits to Indigenous Nations. The Project has secured agreements with 15 of the 19 (now 20) Indigenous Nations along the pipeline corridor and continues to make progress on agreements with the remaining Nations.

The construction of physical components, as outlined in the Project's CPD, is consistent with the scale of a major pipeline project that would have been reviewable under the 2002 *Environmental Assessment Act*. Specifically, over 42 km of the initial pipeline ROW has been cleared, a major camp has been established, ancillary construction sites (such as equipment storage and borrow pits) have been developed, and permanent roads and bridges have been upgraded or installed.

PRGT acknowledges the importance of the Project to the Nisga'a Nation, BC, and the Indigenous Nations along the pipeline route. PRGT is committed to responsibly advancing construction and operations in the coming years.

PRGT is seeking a positive substantially started determination for the Project pursuant to Section 31 of the BC *Environmental Assessment Act* 2018. This report provides the information required by the EAO to make a substantially started determination. PRGT is of the view that the Project activities described in this Substantial Start Application (the Submission) clearly demonstrate that the Project has substantially started. Once a positive substantially started determination is received, PRGT has confirmed commitment and intention to continue constructing and operating the Project, causing its EAC and associated conditions to remain relevant and in effect.

1 Introduction

Prince Rupert Gas Transmission Ltd. (PRGT), the holder of Environmental Assessment Certificate (EAC) #14-06, is seeking a substantially started determination for the Prince Rupert Gas Transmission Project (the Project).

PRGT began the Environmental Assessment (EA) for the Project on June 6, 2013, under the 2002 *Environmental Assessment Act* and was issued EAC #14-06 on November 25, 2014. In accordance with the 2002 *Environmental Assessment Act*, the original term of the EAC was five years, with provision for a five-year extension, which was issued in 2019. The EAC for the Project currently expires on November 25, 2024, unless the Project has been “substantially started” (Section 31, 2018 *Environmental Assessment Act*) or an extension is granted by cabinet.

The term “substantially started” is not defined in the 2018 *Environmental Assessment Act*; however, the British Columbia (BC) Environmental Assessment Office’s (EAO’s) Substantial Start Determination Policy (SSD Policy; EAO 2021) guides a proponent on the substantially started determination process pursuant to Section 31 of the 2018 *Environmental Assessment Act*. Under the SSD Policy, a substantially started determination is made on a case-by-case basis in light of all relevant factors, primarily focusing on:

- What time, effort, and resources have been invested to physically develop one or more main project elements?
- How have the activities undertaken to date contributed to the development of the overall project? For example, are the activities in relation to a significant or important step, or are they ancillary, secondary, or temporary?
- Is the activity or component identified in the Certified Project Description (CPD) as part of the project?

The SSD Policy outlines that evidence such as financial investments, acquired licenses and permits, and prerequisite studies for physical construction can support a substantially started determination. The SSD Policy also states the EAO may consult with Indigenous Nations, to understand their views relating to if the project has substantially started. Accordingly, a positive determination is justified by the physical construction completed, substantial investment, economic benefits, permits in place, and Indigenous engagement by the EAC expiry date. In addition to the SSD Policy, there is guidance regarding substantial start determinations from reasons for decision associated with past substantial start determinations which provide interpretations of the SSD Policy applied.

Since the Project began the EA process, PRGT has invested significant time, effort, resources, and expenditure towards preparing the Project for construction and operation, including developing Project elements listed in the CPD, which are crucial for the Project's completion. PRGT has taken a phased approach to preparing for construction works for the past 12 years, and in 2024, PRGT commenced construction works in alignment with the Nisga’a Nation’s laws and environmental protection requirements, PRGT’s commitments to Indigenous Nations and local communities, and in alignment with the Project’s approvals.

The following Substantial Start Application (the Submission) provides detailed information on the Project and a presentation of how the work completed to date clearly demonstrates that the Project has substantially started in line with the factors the EAO considers when determining a project's substantial start status (EAO 2021).

2 Project Overview

2.1 Project Description

The Project was certified by the EAO in 2014 as a natural gas pipeline designed to deliver natural gas from northeast BC to the northwest coast, near Prince Rupert, BC (Figure 2-1). At this time, PRGT was a wholly-owned subsidiary of TC Energy Corporation (TC Energy). EAC #14-06 authorized the following major Project components:

- The construction and operation of both a land-based and marine-based twin pipeline to carry natural gas from near Hudson's Hope to the then-proposed Pacific NorthWest LNG Facility on Lelu Island.
- 768 kilometers (km) of 1,219 millimeter (mm) diameter land-based pipeline and 112 km of twin 914 mm diameter marine-based pipeline, with a total length of up to 900 km depending on the chosen marine route.
- One meter station, three initial compressor stations (Phase 1), with plans for five additional stations for future expansion (Phase 2), and associated necessary infrastructure such as access roads, bridges, and construction camps.

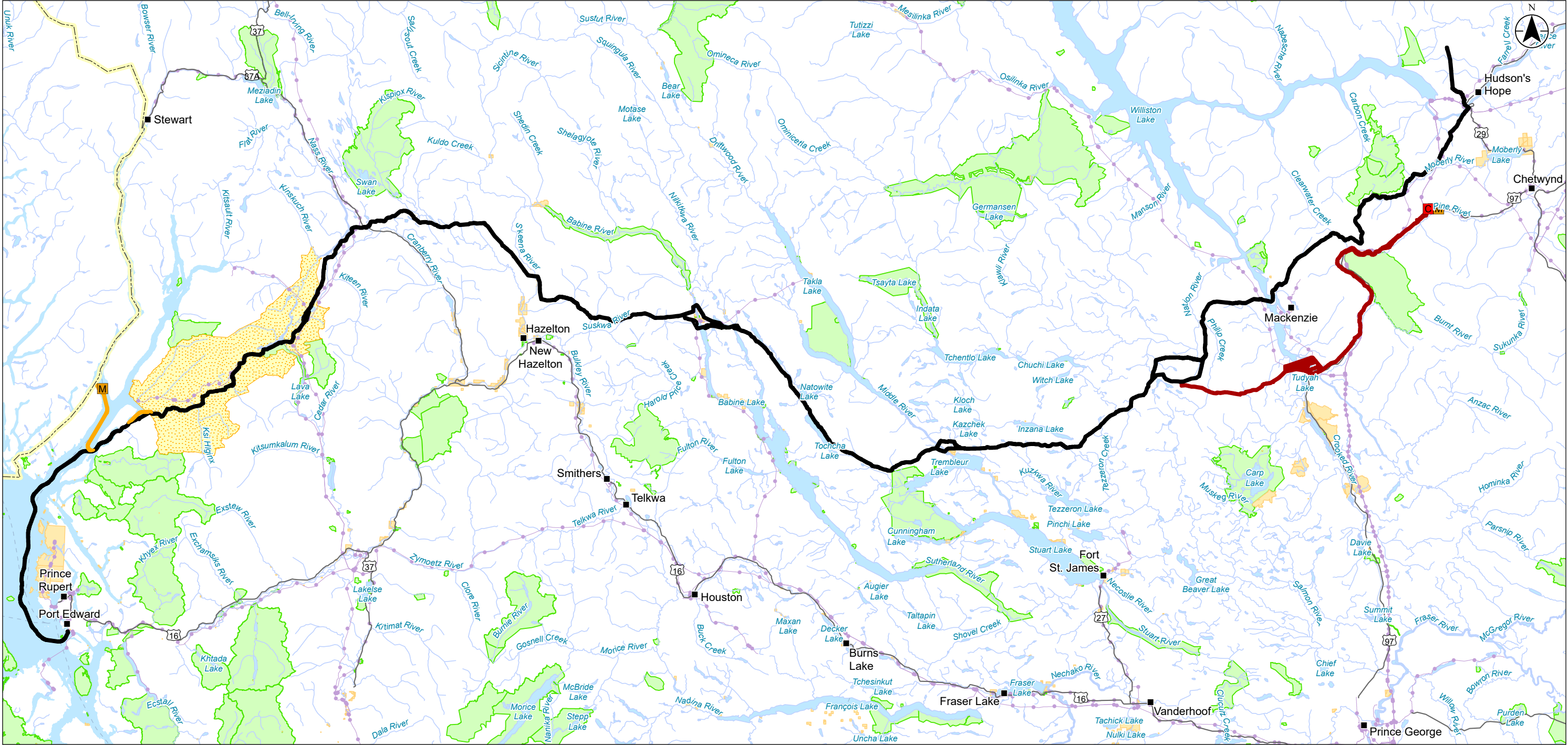
Phase 1 of the Project is designed to have an initial capacity of 1.85 billion cubic feet per day (BCF/D), and Phase 2 expanding capacity to 3.7 BCF/D. Based on the original route, engineering, and Project planning, it was estimated that the capital cost of the Project would be approximately \$5 billion (CAD) over three to four years of construction.

Following certification in 2014, PRGT continued to advance Project planning required for construction including submitting and receiving approval of all primary permits and most secondary permits (e.g., ancillary permits, access permits) required to advance Project construction.

In May 2015, PRGT submitted a Notice of Construction Start to the EAO. However, as the Pacific NorthWest LNG Facility, the Project's liquified natural gas (LNG) export partner, did not receive a federal EA Decision Statement until September 27, 2016, PRGT did not commence construction in 2015, as planned. The Pacific NorthWest LNG Facility's proponent issued a news release on July 25, 2017, that it would not proceed with developing the Pacific NorthWest LNG Facility, and notified the EAO on September 26, 2017, of its intent to let its EAC expire in November 2019.

As of 2023, the Project is now planned to supply natural gas to the proposed Ksi Lisims LNG – Natural Gas Liquefaction and Marine Terminal Project (Ksi Lisims LNG Project) at Wil Milit, BC, on Nisga'a-owned lands on Pearse Island, approximately 15 km west of the Nisga'a Village of Gingolx and 82 km north of the Port of Prince Rupert.

On June 12, 2024, PRGT filed an application with the EAO for the Marine Route Alternative Amendment to EAC #14-06, which presented an alternate pipeline route to the proposed Ksi Lisims LNG Project. Based on refined Project routing, and in response to concerns raised by Indigenous Nations, PRGT is also proposing an approximately 172 km alternate route (the Eastern Route Alternative Amendment), inclusive of a new pipeline initiation point that is approximately 37 km west of Chetwynd, BC. The Eastern Route Alternative would follow the Highway 97 corridor from this new initiation point to Tudyah Lake before proceeding west to rejoin the Certified Pipeline Corridor (CPC) southwest of Williston Lake and the town of Mackenzie, BC (Figure 2-1). The Eastern Route Alternative Amendment was filed with the EAO on August 23, 2024.



Notes

1. Coordinate System: NAD 1983 BC Environment Albers
2. Data Sources: DataBC, Government of British Columbia; Natural Resources Canada
3. Watercourse linework is from the Freshwater Atlas 1:50K dataset from DataBC

- City, Town, Village or District Municipality
- Highway
- International Boundary
- Railway
- Transmission Line
- Watercourse

- First Nations Reserve
- Nisga'a Lands
- Parks, Protected Areas, Ecological Reserves, and Conservancies
- Waterbody

- Compressor Station
- Meter Station
- Certified Pipeline Corridor (CPC)
- Proposed CPC for Eastern Route Alternative
- Proposed CPC for Marine Route Alternative

0 30 60 km
1:1,500,000 (at original document size of 11x17)

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Project Location Prince Rupert
Project Number 123514678
British Columbia
Prepared by TQULICHINI on 20240405
Requested by TPETERMANN on 20240405
Reviewed by NFORRESTER on 20240405
Client/Project/Report

Prince Rupert Gas Transmission Ltd.

Figure No.
2-1
Title
**EASTERN ROUTE ALTERNATIVE
AMENDMENT OVERVIEW**

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Substantially Started Determination Application: Prince Rupert Gas Transmission Project

The customer, the Ksi Lisims LNG Project, will be a net-zero greenhouse gas emissions LNG facility¹. Accordingly, PRGT has focused on exploring the electrification of Project compressor stations. The Eastern Initiation Compressor Station (proposed in the Eastern Route Alternative Amendment) will be designed to accommodate both electric and natural gas-fired compressors, with electricity provided by a third-party as a separate scope. At this time, PRGT anticipates that only the Eastern Initiation Compressor Station will be needed to support compression requirements for the Ksi Lisims LNG Project.² The original Project design included the operation of three compressor stations for required compression for the Project's Phase 1 capacity. To this end, the Project's compressor station design changes in the proposed Eastern Route Alternative Amendment reduces the number of compressor stations from three to one.

2.1.1 WORK PROGRAMS COMPLETED TO DATE

In preparation for construction readiness (prior to Project development pause in 2017), PRGT completed Work Programs across the entire Project route. The completion of these programs produced data required for the Project to be construction-ready and supported the Project's planning and permitting processes. PRGT has substantially started and advanced the Project by:

- Initiating engagement activities with Indigenous Nations across a full range of Project development activities, inclusive of Project Agreements (beginning in 2012);
- Applying for and receiving 11 BC Energy Regulator (BCER) primary pipeline and facility permits relevant to the original CPD (2015);
- Applying for and receiving five EAC amendments (2015 through 2017);
- Executing intrusive and non-intrusive field programs;
- Collaborating with the BC Ministry of Environment and Climate Change Strategy (then the Ministry of Environment, Conservation, Planning and Aboriginal Relations), and BC Parks to amend the Nisga'a Memorial Lava Bed Park boundary (2015) (details in Section 4.1.2.1); and
- Notifying the EAO of construction start in 2015 and preparing for the planned start of Project construction (in 2015) through execution planning and construction readiness reviews.

Work Programs that resulted in physical works along the Project route, and required to progress the Project included:

- Implementing geotechnical boreholes at crossing locations (including bridge locations, water crossings, and highways);
- Executing geotechnical investigations at:
 - Key transition areas between the onshore and offshore Project footprint;
 - Facilities sites;

¹ Ksi Lisims LNG. Project Information. Available online at:

<https://www.ksilisimslng.com/#:~:text=Net%20Zero%20Ready%20by%202030&text=In%20addition%2C%20the%20facility%20will,hydropower%20from%20the%20B.C.%20grid>. Accessed October 2024.

² A future amendment may be required to provide optionality for electric-drive compressor stations for PRGT's remaining compressor stations.

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

- Potential geohazard locations (including locations with potentially elevated landslide risk, areas with marine clays, and other material geohazards);
- Clearing and developing more than 100 helicopter landing areas and pad sites across the pipeline route (to facilitate field programs);
- Completing test pitting and test well drilling at multiple potential accommodation sites;
- Disposing drilling mud at multiple approved disposal sites.

Additional Work Programs that provided knowledge and data for the Project's construction readiness decision included:

- Performing approximately 3,000 km of routing and site scouting, including feature identification;
- Evaluating bridge locations at approximately 160 sites;
- Conducting access plan development, including evaluating greater than 2,700 km of access road routes; and
- Implementing environmental field programs.

Indigenous engagement to support construction readiness and advance project benefits for Indigenous communities included:

- Supporting Indigenous Nations to complete Traditional Land Use studies;
- Advancing Project Agreements, including procurement and workforce preparation, pre-final investment decision (FID) agreement payments and other project-related construction readiness activities; and
- Supporting engagement in various community education and field programs.

The historical Work Programs executed by PRGT represent investment, commitment and intention to construct and operate the Project. Following the subsequent 2023 construction readiness decision, additional Work Programs were conducted in preparation for Year-1 construction. Additional details regarding construction readiness are described in Sections 2.4 and 4.1.1. In addition to physical Work Programs, PRGT has advanced permits and regulatory approvals, described further in Section 4.1.2.

2.1.2 CONSTRUCTION READINESS DECISION AND REGULATORY UNCERTAINTY

Regulatory certainty and predictability are essential elements to support major project development and investment decisions in BC. To invest resources to start construction of a natural gas pipeline such as PRGT, there must be a high-level of confidence regarding the ability to successfully permit and build the facility that will ultimately receive the natural gas for processing.

By 2017, when the Pacific NorthWest LNG Facility was abandoned, PRGT had invested substantial time, effort and resources to ensure that the Project to be "construction ready". This included advancing agreements and relationships with Indigenous Nations, establishing Project teams, completing Project engineering and construction planning, and completing necessary regulatory approvals to commence construction.

Since 2017 PRGT has made efforts to continue to advance the Project. However, a primary limiting factor has been a substantial decline in the number of companies seeking to advance LNG export projects in northwest BC due to changes in both domestic and international markets. In addition, the global COVID-19 pandemic from early 2020 into 2022 resulted in a high-degree of uncertainty related to major capital project investments, particularly for export-oriented projects. It also

resulted in delays for major projects seeking to advance through regulatory processes throughout the world, including in BC. In 2023, the Ksi Lisims LNG Project agreed to advance the development of the Project to include a new terminus at Ksi Lisims LNG Project, to ensure the pipeline was ready for construction to transport natural gas.

The EA for the Ksi Lisims LNG Project was initiated in July 2021, with an aim of receiving an EAC decision by 2024. It was delayed in entering the EA process due to COVID-19. The Ksi Lisims LNG Project EA then experienced a material delay of almost eight months due to the new dispute resolution process established in the 2018 *Environmental Assessment Act*. This eight-month period was three times longer than the service standard for resolving disputes that the EAO indicated to the proponent. The outcome of the dispute resolution was that the issues raised were either not related to the project or not appropriate relative to the current phase of the EA. Due to procedural challenges, which have subsequently largely been addressed by new EAO guidance, there was no mechanism by which this delay could have been rectified through appropriate procedural measures.

The delays to PRGT's new partnership with an LNG customer, and significant delay in the Ksi Lisims LNG Project EA resulted in regulatory and timeline uncertainty that resulted in a material delay in PRGT being able to plan and initiate construction activities for the Project.

On September 3, 2024, the EAO accepted the Revised Application for the Ksi Lisims LNG Project. Despite the delays in advancing the Ksi Lisims LNG Project, and the consequential delays in advancing the Project; the Ksi Lisims LNG Project is now sufficiently advanced to provide sufficient certainty for PRGT to advance Year-1 construction. While PRGT has made substantial effort to advance construction readiness for many years, in the relatively short period of time since the confirmation of a delivery customer, PRGT has undertaken substantial physical works. PRGT notes that the works undertaken are equivalent to the initial construction works for a reviewable project under the BC Reviewable Projects Regulation (40/2009), and that construction activities in other spreads are constrained by permit conditions, particularly the requirement that the Project's customer make a positive FID.

2.2 Project Approvals

2.2.1 ENVIRONMENTAL ASSESSMENT CERTIFICATE #E14-06

EAC #E14-06 was issued with an expiry date of November 25, 2019. In December 2018, PRGT filed for a one-time EAC extension for the Project. On April 25, 2019, PRGT received a five-year extension to the EAC, extending the deadline to substantially start the Project to November 25, 2024. The issuance of EAC #E14-06 included 45 conditions that PRGT must implement to remain in compliance with the EAC (Schedule B, Table of Conditions).

Since receipt of EAC #E14-06, PRGT has applied for and received approval for five EAC amendments. The approved amendments address changes to the pipeline route and the need for marine facilities and additional construction camps. The five EAC amendments are summarized as follows:

- EAC Amendment #1 – approved December 16, 2015: This amendment added ancillary facilities, including barge landing sites, material off-loading facilities, docks, and jetties to the Project. It also included an additional marine camp, bringing the total to 13 camps from the original 12.
- EAC Amendment #2 – approved May 26, 2016: This amendment approved the Mt. Milligan Route Alternative, altering the route from KP 208 to KP 235, and approved the Alternate Witter Lake Compression Station, which was approximately 15 km southeast of the original compressor station site.
- EAC Amendment #3 – approved May 26, 2016: This amendment was exclusively on Nisga’a Lands, and approved the Nass Camp Route Alternative, altering the pipeline route between approximately KP 662 and KP 668.
- EAC Amendment #4 – approved December 20, 2017: This amendment authorized two additional main spread construction camps, increasing the total to 15 camps. It also increased camp capacities, with eight camps accommodating up to 1,100 workers and three camps accommodating up to 700 workers. Standby compressor units were approved for each of the eight compressor stations.
- EAC Amendment #5 – approved June 6, 2017: This amendment was on Nisga’a Lands and expanded the CPC to include a crossing of the Ksi Mat’in River.

In 2024, PRGT submitted the following two additional Project design and routing modifications that require amendments to the Project’s EAC (Figure 2-1):

1. Marine Route Alternative Amendment (EAC Amendment #6) – filed with the EAO on June 12, 2024: This amendment includes two key components. First, the Nass Bay Route would add the option for PRGT to use a 9.4 km reroute of the pipeline corridor up to approximately 1.5 km from the CPC. Second, the Ksi Lisims LNG Pipeline Connection adds the option for PRGT to reroute the marine pipelines to terminate at the Ksi Lisims LNG Project, rather than at Lelu Island in the Port of Prince Rupert (Figure 2-1). This amendment includes the construction and operation of one new meter station, located at the inlet of the Ksi Lisims LNG Project on Nisga’a Lands.
2. Eastern Route Alternative Amendment (EAC Amendment #7) – filed with the EAO on August 23, 2024³: The Eastern Route Alternative Amendment was considered and designed following feedback received from Treaty 8 First Nations

³ The Eastern Route Alternative Amendment was filed in August 2024 to accommodate the sale of the Project to the Nisga’a Nation and Western LNG. The Project sale was completed prior to the filing of this amendment.

to address routing and cumulative effects concerns raised. The Eastern Route Alternative Amendment comprises three components:

- i. An eastern pipeline route option (the Eastern Route Alternative) that will start at an alternate initiation point approximately 37 km west of Chetwynd, BC, and join the approved Project right-of-way (ROW) at KP 230. The Eastern Route Alternative has been designed to be located adjacent to existing corridors and developments for approximately 80% of the route.
- ii. A new compressor station as an alternative option to the Johnson Creek Compressor Station along the original permitted pipeline route. The new compressor station has been designed for both electric and gas compressors. Electricity for the compressor station will be provided by a third-party under separate scope. This will be the single compressor station required to support the Ksi Lisims LNG Project.
- iii. A meter station co-located with the compressor station.

In 2018, the *Environmental Assessment Act* 2002 was replaced by the *Environmental Assessment Act* 2018. The revised Act reflects a shift in the EAO's focus toward promoting sustainability, advancing reconciliation with Indigenous peoples, and upholding its responsibilities by "protecting the environment and fostering a sound economy and the well-being of British Columbians and their communities." It emphasizes "conducting assessments in a thorough, timely, transparent, and impartial manner, considering environmental, economic, social, cultural, and health effects of assessed projects," as well as "facilitating meaningful public participation throughout assessments," "using the best available science, Indigenous Knowledge, and local knowledge in decision-making," and "coordinating assessments with other governments" (s. 2(2)(i), *Environmental Assessment Act* 2018).

The changes from the 2002 to the 2018 Act include changes related to the duration of an EAC, due to the recognition that some major projects require additional time to be "substantially started" and that most projects were requiring an extension of the initial EAC duration. Under the 2002 Act, the maximum durations for an EAC required that a project be **substantially started no more than 5 years after certificate issuance**, with the possibility of one 5-year extension for a total of 10 years (s.18[1], *Environmental Assessment Act* 2002). The 2018 Act extended the initial EAC duration, requiring that a project be **substantially started within 10 years of certificate issuance**, with the possibility of one 5-year extension for a total of 15 years (s.31(1), *Environmental Assessment Act* 2018). By allowing for this potential longer total duration for an EAC, BC recognizes that the science used to complete an EA, and the EA conclusions, are sufficiently robust to allow for the authorization to remain valid for up to 15 years. In addition, the 2018 Act included a provision in s.56(2)(b) that the Minister may terminate an EAC on the twentieth anniversary of its issuance if the project is not operational.

This extended timeline under the 2018 Act acknowledges that proponents may require more time to substantially start their projects, introducing flexibility and pragmatism for the range of external factors that can influence the development of complex, capital-intensive projects.

Notwithstanding the many obstacles that PRGT's Project has faced, PRGT has taken a carefully considered approach to the Year-1 Construction Program and made significant progress within the available time frame to substantially start the Project.

2.2.2 BC ENERGY REGULATOR PERMITS

In 2015, the BCER (formally the BC OGC) issued 11 primary Project permits to PRGT for seven pipeline sections (spanning the entire length of the Project), one meter station, and three compressor stations. These permits were approved for a two-year period, contingent on construction progress or the submission of an extension request. Due to the delay in Project construction, PRGT has submitted permit extension requests to the BCER on regular intervals since receiving the original permits. Since 2015, PRGT has maintained all primary BCER permits required to cover CPD Project components (with the exception of the Meter Station at Lelu Island), listed in Table 2-1.

PRGT has received current extensions for 10 BCER permits. All approved primary permits that align with the current CPD have been acquired. Three permits, covering Sections 5A, 6, and 7, have been extended to September 21, 2025, or the expiry of the EAC, whichever arrives first. Four pipeline permits, covering Sections 1, 2, 3, and 4, and the three compressor station permits are extended to November 25, 2024. PRGT has advanced Consultation & Notification and Pre-Engagement with Indigenous Nations to extend these permits for an additional year or the expiry of the EAC (whichever comes first). Extension applications for these BCER permits were submitted to the BCER in early October 2024. The Lelu Island Meter Station permit expired in September 2023; however, the proposed Lelu Island Meter Station is no longer required because of the proposed connection to the Ksi Lisims LNG Project.

PRGT is currently preparing BCER amendment applications for Sections 2, 6 and 7, to align with the proposed amended routes. New BCER facility permits will be required for the meter station co-located within the Ksi Lisims LNG Project footprint as part of the Marine Route Alternative Amendment, and the compressor station (co-located with a meter station) as part of the Eastern Alternative Route Amendment. Following regulatory approvals of the proposed amendments currently being reviewed by the EAO, PRGT is prepared to advance the additional BCER permits required for these facilities.

On April 18, 2024, the BCER initiated and approved a permit amendment for Pipeline Section 5, splitting it into two parts – 5A and 5B. Section 5B is applicable to Nisga’a Lands, while Section 5A is applicable to the remainder of Section 5, including lands within the Nisga’a Memorial Lava Bed Park. PRGT submitted a Notice of Construction to the EAO for Section 5B on May 24, 2024. Construction began in Section 5B on August 24, 2024.

TABLE 2-1: CURRENT BCER PERMITS

Permit Area Description*	Permit Number OGC Legacy / AD Number	Permit Issuance Date	Current Extension Date Extension Date of Issuance / Expiration Date
Pipeline Section 1	9708456 / 100082204	06 May 2015	02 Feb 2024 / 25 Nov 2024*
Pipeline Section 2 ⁴	9708458 / 100082205	06 May 2015	03 May 2024 / 25 Nov 2024*
Pipeline Section 3	9708459 / 100082373	12 Jun 2015	03 May 2024 / 25 Nov 2024*
Pipeline Section 4	9708460 / 100082374	12 Jun 2015	03 May 2024 / 25 Nov 2024*
Pipeline Section 5 ⁵	9708461 / 100082835	21 Sep 2015	20 Sep 2024 / 21 Sep 2025
Pipeline Section 6	9708462 / 100082836	21 Sep 2015	20 Sep 2024 / 21 Sep 2025
Pipeline Section 7	9708463 / 100082837	21 Sep 2015	22 Sep 2024 / 21 Sep 2025
Johnson Creek Compressor Station	9708510 / 100082385	17 Jun 2015	06 Feb 2024 / 25 Nov 2024*
Middle River Compressor Station	9708511 / 100082421	29 Jun 2015	16 Jun 2023 / 25 Nov 2024*
Compressor Station Borden Lake	9708512 / 100082678	20 Aug 2015	16 Jun 2023 / 25 Nov 2024*
Note:			
* PRGT submitted permit extension requests for Pipeline Sections 1 to 4, and the three compressor stations, in October 2024.			

2.2.3 SUPPLEMENTARY PERMITS

In addition to the EAC and BCER permits, PRGT has acquired an additional 34 federal and provincial permits, and 29 Nisga'a Lisims Government (NLG) permits required for Project construction, listed in Section 4.1.2; Table 4-9.

2.3 Purpose and Need for the Project

Aligned with broader provincial and national economic strategies, the purpose and need for the Project includes a spectrum of shared economic, social, and environmental objectives, described below.

2.3.1 FULFILLING THE NISGA'A FINAL AGREEMENT

The Nisga'a Nation became BC's first modern treaty Nation when the Nisga'a Final Agreement came into effect in 2000. Upon reaching this milestone, Nisga'a citizens envisioned a future where sovereign decision-making would bolster economic independence. Despite significant progress over the past 25 years, disparities persist. In 2019, following extensive community dialogue, the Nisga'a Nation outlined a plan for economic independence centered on securing a major industrial tenant: the LNG project they had pursued since 2014. The Ksi Lisims LNG Project, now in the final stages of review by the EAO, represents a culmination of a decade's effort. While a distinct project, PRGT is a critical part of the timely success of the Ksi Lisims LNG

⁴ An amendment to Pipeline Section 2 was approved June 29, 2015. The amendment approves construction within one of the two route options proposed beginning at approximately KP 208 and ending at approximately KP 235.

⁵ An amendment to Pipeline Section 5 was approved June 29, 2015. The amendment approves the Nass Camp pipeline re-route from kilometer post 657+243 to kilometer post 663+204. The Pipeline Section 5 Permit includes sections 5A and 5B.

Project. To safeguard their investment in the Ksi Lisims LNG Project and the generational prosperity it promises, the Nisga'a Nation has acquired an equal equity stake in the Project and is facilitating construction, including the activities described herein and the important relationships with other Indigenous Nations along the Project route.

2.3.2 ECONOMIC IMPACT

The Project is set to contribute significantly to economic growth in BC through directly and indirectly requiring labour, goods, and services during construction and operation. Over the Project's operating life, these requirements will provide significant tax (including income, sales, corporate, and property tax) and employment revenue for the provincial and federal government as well as the municipalities and regional districts the CPC traverses. As a mid-stream oil and gas Project, construction and operation will also stimulate upstream oil and gas exploration and production in northern BC, further generating considerable royalty revenue for the provincial government and creating additional employment opportunities for Canadians. Once commissioned, the Project will significantly increase Gross Domestic Product in BC and Canada. Tax and employment revenues generated by the Project can be used to develop provincial public services including health care, education, and infrastructure opportunities, further bolstering positive provincial impacts.

Project construction and operation is also critical to supporting job development and retention in northern BC and Canada. Project activities will generate short-term and long-term local and Canada-wide employment opportunities at an economically important time in BC. Specifically, Project construction activities are scheduled to ramp up as other major infrastructure projects in northern BC conclude. This timing is critical as many British Columbians, currently employed as workers, service providers, or suppliers by these projects, face impending under or unemployment. The impact of major projects ramping down has the potential to have significant negative impact for northern BC and for the province as a whole. For instance, the Coastal GasLink project, according to its November 2023 construction update, generated over 25,700 full-time equivalent jobs from 2013 to 2024. The Project and the resultant operation of the Ksi Lisims LNG Project will increase long-term benefits and can extend these construction employment opportunities for an additional four years, further bolstering Indigenous, local, provincial, and federal economies through considerable direct revenues, and indirect revenues from related economic activity.

2.3.3 INDIGENOUS ECONOMIC RECONCILIATION

A pivotal element of the Project is its dedication to ensuring meaningful participation for Indigenous Nations along the pipeline route, in alignment with the Nisga'a principle of Sayt-K'ilim-Goot (the "common bowl"). In addition to significant Project Agreement benefits, the Project is advancing an equity opportunity that will be offered to interested Indigenous Nations along the Project route. In combination with the Project Agreements and provincial pipeline/LNG benefits, the Project will be a significant catalyst for those seeking to establish stable, long-term own source revenues.

Educational and training programs are also core components of Project Agreements and are poised to further transform jobs into careers and foster entrepreneurial ventures among Indigenous citizens. Through active involvement in workforce and procurement processes, and by securing significant, long-term revenues, participating Indigenous communities can substantially enhance their ways of life with new employment and through sustaining service offerings that will improve overall quality of life.

2.3.4 ENVIRONMENTAL SUSTAINABILITY

The Nisga'a Nation are founding members of the First Nations Climate Initiative (FNCI). The FNCI is an Indigenous led policy initiative focused on assisting Canada, BC, Alberta, and Indigenous Nations in meeting international, national, provincial and Indigenous Nation objectives to address global climate change from greenhouse gas emissions. A major policy initiative of FNCI is the promotion of net-zero LNG as a transition step to the low carbon economy of the future while supporting "economic self-determination and restoration of traditional territories". It is important to the Nisga'a Nation that this Project work towards net-zero LNG production that is consistent with FNCI objectives. Under the Nisga'a Nation's guidance, the Project will seek to minimize environmental impacts as follows:

- Using renewable electricity sources from BC for pipeline compression (electrification included in the Eastern Route Alternative Amendment to support the Ksi Lisims LNG Project);
- Filing route amendments that would remove approximately 200 km from the Project footprint and avoid sensitive wildlife habitats;
- Connecting to the world's lowest-emission LNG facility, the Ksi Lisims LNG Project;
- Using Canadian natural gas with lower life-cycle emissions; and
- Continuing adherence to strong NLG and Canadian regulatory requirements and oversight.

Canadian natural gas has a low emission profile, a distinction that is largely attributable to Canada's stringent regulatory regime and proactive measures to limit methane emissions (BC EMLI 2024). Once liquefied and shipped to growing markets overseas, Canadian natural gas presents a compelling opportunity to offset higher-emitting fuels like coal and LNG from other jurisdictions like Russia. By substituting more carbon-intensive energy sources with Canadian natural gas, global emissions may be substantially reduced, contributing to international efforts to mitigate climate change and promote a cleaner, more sustainable energy future⁶.

2.4 Current Project Status

As part of the transfer of ownership of PRGT, TC Energy supported advancement of the Project and facilitated the ownership transition. The Nisga'a Nation see the development of the Project, along with the Ksi Lisims LNG Project, as an opportunity for economic reconciliation. PRGT, as a Nisga'a Nation co-owned project, is committed to supporting opportunities for Indigenous and local communities in BC.

From 2013 to November 2024, PRGT invested approximately \$584M (CAD) to develop the Project (details provided in Section 4.1.3). PRGT is committed to maintaining all necessary Project approvals and advancing planning and permitting amendments to facilitate the connection to the proposed Ksi Lisims LNG Project. To support Project construction, PRGT evaluated Project management options and selected Bechtel, a leading engineering, procurement, and construction company, to manage Project execution. Existing executed Project Agreements with Indigenous Nations remain in place to support the Project.

PRGT has been ramping up Project activities and preparing the Project for Year-1 construction for the past 18 months. During this time, PRGT has advanced Project redesign, commercial agreements, and Project development, preparing the

⁶ Government of Canada. (2023). Canada's Carbon Management Strategy. Available online at: <https://natural-resources.canada.ca/climate-change/canadas-green-future/capturing-the-opportunity-carbon-management-strategy-for-canada/canadas-carbon-management-strategy/25337#a4>. Accessed October 2024.

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

Project for construction start. Overall, Project construction has been delayed due to factors outside of PRGT's control, namely the Ksi Lisims EA dispute resolution process, and addressing the BCER condition that requires an FID prior to construction start.

Project activities have consisted of the following, since the announcement of the partnership between the Project and the Ksi Lisims LNG Project in 2023:

Construction

- Advanced key engineering and field-based studies to execute Project construction efficiently and safely (e.g., geotechnical investigations, geotechnical studies, test pitting and well drilling, Traditional Land Use studies, routing and site scouting, etc.);
- Designed the Year-1 (2024) Construction Program, focusing on key areas of the pipeline route to advance first;
- Notified the EAO of Construction Start on May 24, 2024 (construction started on August 24, 2024);
- Evaluated options and executed an agreement with Ledcor Group (Ledcor) to be the Prime Construction Contractor for the Year-1 Construction Program (May 2024);
- Evaluated options and executed an agreement with Bechtel to oversee and manage Project execution (July 2024);
- Completed pre-construction environmental surveys and flagging for the Year-1 Construction Program;
- Prepared for and executed the Year-1 Construction Program (Section 4.1.1); and
- Prepared for the Year-2 Construction Program, set to begin following spring break-up in 2025.

Permitting and Regulatory Requirements

- Maintained existing primary permits (through BCER permit extensions);
- Fulfilled and maintained EAC condition compliance for the Year-1 Construction Program, including:
 - All EAC and EAC Schedule B conditions, including conditions requiring and not requiring filing:
 - In preparation for Year-1 construction, PRGT submitted compliance verification of three EAC conditions and 10 EAC Schedule B Conditions (submitting a total of 29 to date),
- PRGT is in compliance with all terrestrial EAC and EAC Schedule B conditions (note that for Conditions 15 and 18 the EAO approved an extension of the requirement to fulfill these conditions prior to construction start to allow the EAO additional time to identify the responsible authority after the ministry changed from with the Ministry of Forests (FOR), Lands, Natural Resource Operations, and Rural Development to the Ministry of Water, Lands, and Resource Stewardship and the FOR),
 - All BCER Section 5B conditions, including conditions requiring and not requiring filing:
 - In preparation for Year-1 construction, PRGT submitted compliance verification of 22 BCER Section 5B conditions (submitting a total of 26 to date),
- Developed and implemented various management plans to fulfill permit conditions and maintain condition compliance;

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

- Filed EAC Amendment #6 on June 12, 2024, to add an option at the western portion of the pipeline route to end at the Ksi Lisims LNG Project (Marine Route Alternative Amendment);
- Filed EAC Amendment #7 on August 23, 2024, to add an option at the eastern portion of the pipeline route and establish the Eastern Initiation Compressor Station (Eastern Route Alternative Amendment);
- Submitted construction updates to the Department of Fisheries and Oceans Canada (DFO);
- Provided monthly reports to BCER and NLG;
- Submitted notifications to Transport Canada's Navigation Protection Program;
- Applied for and received various permits to support the Year-1 Construction Program, including the following permits and agreements:
 - Access Permits (15) from the BC Ministry of Transportation and Infrastructure for industrial use of existing approaches including upgrades where needed and installation of temporary approaches,
 - Road Use Permits (including Maintenance Order) from the FOR for use of Secondary Provincial Roads (SPRs) on Nisga'a Lands located within Rights of Way granted to FOR as outlined in the Nisga'a Final Agreement,
 - Road Use Permit from FOR for use of Nass Forest Service Road (FSR),
 - Works Permit and Consents to Connect from BC FOR for work within SPRs and Nass FSR including road upgrades, bridge replacements, and culvert installations on the SPRs and new or upgraded connections to the SPRs and FSR,
 - BC Hydro Compatible Use Letter for activities crossing or within proximity to BC Hydro infrastructure (138 kV transmission line and distribution lines),
- Completing Telus Communications Facility Crossing Agreements for activities crossing or within proximity to Telus infrastructure (communication lines),
- *Heritage Conservation Act* Heritage Inspection Permit to conduct field assessment to determine whether Project activities are anticipated to affect any archeological site (in support of Year 1 Construction as well as an additional application for a Project-wide Inspection Permit),
- *Water Sustainability Act* s.11 Change Approvals for changes in and about streams for watercourse crossing structures,
- *Water Sustainability Act* s.10 Short Term Water Use Approvals for temporary water withdrawal at approved points of diversion,
- NLG permitting and agreements completed in accordance with Nisga'a Final Agreement, NLG Legislation and PRGT Benefits Agreement dated October 29, 2014. This includes:
 - Revisions to First Temporary Right of Way and Access Right of Way to provide for improved constructability. Revisions were required to go through the Nisga'a Lands and Resource Committee for review and motion, to NLG Executive for review and motion, to finally the Wilp Si-ayuukhl Nisga'a for legislative approval which was obtained on July 30, 2024. Legislative approval was required as per the *Nisga'a Land Act*, which requires legislative approval of land dispositions over 5 hectares (ha).
 - Land Agreements including Pipeline Statutory Right of Way, Access Right of Way and other land tenures were included as schedules to Benefits Agreement which were completed on October 29, 2014, and held in escrow until July 31, 2024. The following agreements have been successfully released from escrow:
 - Pipeline Statutory Right of Way Agreement including Replacement of Plan.

- Access Right of Way Agreement including Replacement of Plan.
- Lands Right of Way Protocol Principles.
- Nisga’a Lands Short Term Lease Agreement for Ancillary Sites Ptn. 127, 128B, 129B (Nass Camp) and five log decks.
- Road Use Permit No. 3075-RUP-14-01 effective July 31, 2024.
- Timber Harvesting Contract No. 3075THC-14-01.
- Additional Agreements obtained as per legislative requirements:
- License of Occupation for Water Related Infrastructure.
- Temporary License of Occupation for Temporary Laydown Area (Nass Camp).
 - Special Use Permit (SUP) and Letter Amendment for use of Nisga’a Quarries.

Indigenous Engagement

- Continued Project-related Indigenous engagement through in-person meetings, virtual meetings, email communications, and phone calls to build an open and collaborative dialogue;
- Committed to refresh existing Project Agreements, negotiate Project Agreements with Nations who have not signed agreements to date as well as advancing an equity opportunity for interested Indigenous Nations;
- Undertook Indigenous engagement in relation to the change in PRGT’s ownership and the Project’s amendments, commencement of 2024 construction, and supplied a draft of this Submission;
- Provided an update and discussed the Year-1 Construction Program at Indigenous Leaders Summits (March and May 2024);
- Provided Project Update communications to 19 (now 20) Indigenous Nations in May 2024;
- Provided Summer Update communications to 20 Indigenous Nations in August 2024 (Horse Lake First Nation was included in August as the update included information relating to the Eastern Route Alternative Amendment);
- Conducted extensive engagement with NLG and received approval of NLG-led permits required for the Year-1 Construction Program;
- Prioritized Indigenous participation in Project construction as a primary focus of the Year-1 Construction Program, including Indigenous Nation members in pre-construction fieldwork and members from the Nisga’a Nation as construction monitors for a total of 300 person days (2023 to September 12, 2024);
- Supported Indigenous contributions to the Year-1 Construction Program through purchasing services from, and providing subcontracting opportunities, to the Nisga’a Nation and other Indigenous businesses.

2.4.1 FORECASTED ACTIVITIES

As of November 12, 2024, PRGT's 2024 Year-1 Construction Program is 100% complete physical activities and infrastructure installation. Ongoing activities will be executed until the onset of the winter season, including demobilization and clean-up. Details relating to construction progress and Project components are provided in Section 4.1.1; additional photos are provided in Appendix A.

PRGT is planning to resume construction activities following spring break-up in 2025. PRGT will decrease planned construction activities during the winter months due to climate and weather conditions, however on-site monitoring and management actions will continue to be implemented to confirm compliance with management plans.

Construction activities are anticipated to resume in 2025 in priority (approved) areas with long-lead times required for full build-out of pipeline construction. Commencing construction on other construction spreads depends upon receiving any necessary permits and fulfilling all permit conditions, including the BCER requirements for an FID to have been made by the Project's LNG facility customer. Once approval is received of the two EAC amendments, primary BCER permits, and relevant ancillary permits, PRGT is prepared to execute construction activities over the entire pipeline route. It is PRGT's intent for the pipeline to be commissioned in 2028 or early 2029, in alignment with the proposed in-service date for the Ksi Lisims LNG Project.

2.5 Summary of Engagement on Substantially Started Determination Request

2.5.1 INDIGENOUS NATIONS ENGAGEMENT

As an Indigenous co-owned company, PRGT prioritizes strong, positive relationships with Indigenous Nations along the pipeline route. PRGT has been making meaningful efforts to grow these relationships. For this reason, PRGT is currently focusing on bolstering engagement and strengthening relationships with other Indigenous Nations along the pipeline route.

PRGT has been engaging Indigenous Nations along the pipeline route since prior to the commencement of the EA process, beginning in January 2013. Significant time, effort, and resources have been directed towards advancing relationships with Indigenous groups since this time. PRGT is committed to completing Project construction in a good and just way and achieving Project operation in a manner that upholds Indigenous values of the land. PRGT's ongoing engagement with Indigenous Nations has resulted in signing Project Agreements with 15 of 19 (now 20) Indigenous Nations along the pipeline route. The remaining five agreements are set to enter into a negotiation phase. In addition to these Project Agreements, 17 of 19 Nations signed Pipeline/LNG Agreements with the Province of BC in support of the Project.

PRGT has undertaken significant and substantive engagement with Indigenous Nations in proximity to the Project over the past 12 years. From 2012 to 2023 PRGT conducted more than 20,000 engagements (e.g., emails, calls, meetings) and over 1,100 direct meetings with 20 Indigenous Nations along the pipeline corridor. After PRGT confirmed the Ksi Lisims LNG Project to be the Project's new customer, more than 1,000 additional engagements and over 70 meetings were conducted with 20 Indigenous Nations. The results of this engagement to date have been 15 Project Agreements signed and a commitment from PRGT to collaborate with the remaining five Indigenous Nations on Project Agreements for PRGT. Additional commitments to refresh the existing Project Agreements to ensure improvements from recent project learnings, as well as to address inflation impacts, have also been incorporated. These Project Agreements provide the basis of Indigenous support for PRGT and serve as an important foundation for ongoing dialogue and preparation for current and upcoming construction activities.

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

To date, PRGT has provided over \$25.2M (CAD) in milestone related Project Agreement payments, and \$14.5M (CAD) in capacity and technical support funding. Under the more recent Project Development Agreement with PRGT, a further \$4.4M (CAD) was allocated to advance Indigenous relations for the Project. The Project Agreements commit PRGT to significant additional milestone and ongoing operating payments as well as comprehensive approaches to procurement, workforce and other commitments of significance to PRGT and Indigenous Nations along the PRGT corridor. PRGT has also tabled an additional potential benefit, which is to put together an equity ownership opportunity for any Nation interested in pursuing an equity opportunity. This offer is incremental to Project Agreements.

Furthermore, PRGT has been committed to renewing and refreshing relationships with Indigenous Nations along the pipeline route since PRGT was selected as the preferred pipeline option for the Ksi Lisims LNG Project. Engagement activities have included email communications, meetings (virtual and in-person), and Indigenous Leaders Summits (in-person meetings).

PRGT's engagement to date has helped to inform the following:

- Route amendments;
- Approach(es) to Project Agreements with a particular focus on improving procurement;
- Equity offer;
- Environmental regulatory considerations;
- Providing new and updated information into communities; and
- Efforts to understand and address concerns raised by some members of Indigenous Nations along the pipeline corridor.

PRGT provided a notification to Indigenous Nations relating to the Project's substantially started determination efforts in February 2024 and shared a draft of this Submission in October 2024. Given that the Year-1 construction has occurred on Nisga'a Lands, PRGT has undertaken additional engagement with Nisga'a citizens, the four Nisga'a Village governments (Gitlaxt'aamiks, Gitwinksihlkw, Laxgalts'ap, and Gingolx), and the NLG. In consideration of the location of Year-1 construction, PRGT has requested and included letters of support from the four Nisga'a Village governments (Gitlaxt'aamiks, Gitwinksihlkw, Laxgalts'ap, and Gingolx), and the NLG.

2.5.2 REGULATORY ENGAGEMENT

In addition to Project Agreement and substantial start Indigenous engagement, PRGT has conducted engagement with regulatory agencies relevant to the Year-1 Construction Program prior to the Submission:

- PRGT met with the EAO a number of times in 2024 to discuss the approach to the Submission and the Year-1 Construction Program. PRGT's goal throughout these meetings was to engage the EAO, provide information related to the Year-1 Construction Program, clearly present PRGT's approach to being substantially started, and obtain any relevant feedback.
- PRGT also engaged the BCER in 2024 to advance the 2024 physical works construction program, including attending biweekly meetings and providing informal updates.
- On August 13 and 14, 2024, a workshop and field tour of Section 5B were conducted with BCER, EAO and NLG. The focus of the workshop was reviewing Lesson's Learned from the Coastal GasLink Pipeline project and how they

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

have been incorporated in PRGT's Year-1 Construction Program, as well as providing BCER, EAO and NLG with the opportunity to discuss compliance and enforcement expectations, processes and procedures.

- Beginning on August 26, 2024, PRGT held weekly construction update meetings for BCER, the EAO and NLG.

PRGT met with supplementary regulatory agencies to discuss the Year-1 Construction Program. Engaged agencies include BC Parks, the Ministry of Water, Land and Resource Stewardship, the FOR, DFO, and the Ministry of Energy, Mines and Low Carbon Innovation.

3 EAO Substantial Start Determination Considerations

3.1 EAO Substantially Started Determination Policy and Precedence

Under Section 31 of the *Environmental Assessment Act* 2018, a project's EAC expires at its deadline unless, "in the reasonable opinion of the Minister [of Environment and Climate Change Strategy]" the project is "substantially started".

The EAO's SSD Policy outlines the considerations used to assess whether a project can be considered substantially started. The SSD Policy does not define the word "substantial" or indicate a specific threshold that a project must complete to be deemed substantially started; the determination is made on a case-by-case basis.

The substantially started assessment focuses on the activities described within a project's CPD. The EAO's SSD Policy indicates that its determination of whether a project is sustainably started centers around three primary factors (p. 9, EAO 2019):

1. What time, effort, and resources have been invested to physically develop one or more main project elements?
2. How have the activities undertaken to date contributed to the development of the overall project? For example, are the activities in relation to a significant or important step, or are they ancillary, secondary, or temporary?
3. Is the activity or component identified in the CPD as part of the project?

The focus of the substantially started determination is on the physical activities that have been undertaken since the issuance of a project's EAC. To be substantially started the project does not need to have completed a particular proportion of construction, but rather it needs to be started "in its essentials, in a real and tangible way" (Taku River Tlingit First Nation v. British Columbia 2014). Greater weight is placed on the construction of permanent, long-term project components that demonstrate a significant step in project development. While costs and other activities, such as permitting and agreements, may be relevant to corroborate the extent/materiality of physical activities, those costs are given less weight in the analysis of whether a project has substantially started. In accordance with the SSD Policy, a substantially started determination is also made based on relevant case law.

3.2 Construction of Pipelines

Pipeline project construction typically follows a phased approach, wherein critical actions and activities are completed in one section prior to moving to other sections. The initial construction of pipeline projects often prioritizes construction in sections where construction is particularly complex and may require a longer duration to complete construction.

While construction is underway in complex sections, sections which are anticipated to take less time to complete are just beginning. For major pipelines, at times multiple sections may be constructed concurrently, but there is still sequencing within individual sections and across sections. This phased approach to pipeline construction is necessary due to the vast distances pipelines cover, making concurrent construction across the entire route impractical.

In addition, permanent, physical components of pipeline project construction, including placing pipe into the ground, typically occur during the latter stages of project construction. A proponent must first execute numerous construction activities to prepare the ground and surrounding area to receive pipe. The first "permanent" (or long-term) physical change resulting from a pipeline project is the cleared ROW. This ROW is established in alignment with the following sequence of construction measures:

1. Surveying site;
2. Clearing site of trees and vegetation;

3. Skidding and bunching timber;
4. Grubbing ground; and
5. Grading ground.

Only once the ROW is established may a proponent begin to proceed with laying out pipe sections for eventual placement into the ground. Preparing the ROW to receive pipe is a critical action that must be completed prior to mobilizing and placing pipe in the ground. To this end, the placement of pipe within the ROW does not happen until relatively late in the pipeline construction process.

PRGT's approach to Project construction aligns with the phased approach described in this section, wherein critical construction activities are completed in specific sections of the pipeline route prior to other areas and prior to placing pipe in the ground. This phased approach to pipeline construction is in alignment with typical industry best practices and prepares PRGT for future rapid Project construction once the initial construction activities are complete. The sections of the pipeline route selected to advance first require significant construction and access upgrades and are critical areas facilitating future Project construction.

3.3 PRGT's Approach to The Year-1 Construction Program

PRGT recognizes that under Section 31(4)(a) of the 2018 *Environmental Assessment Act* only the chief executive assessment officer has the ability to grant the single extension to the Project's EAC. PRGT also recognizes there are other options available to extend EAC durations that have previously been exercised, including the emergency variation powers under Section 46(1) and the regulatory exemption authority under Section 77(2)(h).

The Project would provide natural gas to the Ksi Lisims LNG Project, and ensuring the continuation of the Project's EAC is essential for the overall viability of the Ksi Lisims LNG Project. Therefore, PRGT has undertaken a carefully considered approach to developing the Project to ensure that it meets the EAO's standard for demonstrating that it is substantially started.

Since the ownership of PRGT has changed, it has been a priority to re-examine aspects of the overall Project design and to establish strong relationships with Indigenous Nations along the Project route. This has resulted in the recent amendment applications described in Section 2.2.1. While the Marine Route Alternative Amendment would allow the Project to provide natural gas to the Ksi Lisims LNG Project, the Eastern Route Alternative Amendment would reduce impacts to Indigenous Nations on the eastern end of the route and support the option of electrification of compression (and therefore support overall efforts to achieve net-zero).

The Year-1 Construction Program focuses 2024 physical works on Nisga'a Lands. The Nisga'a Nation, as co-owner of PRGT and co-owner of the Ksi Lisims LNG Project, has emphasized the importance of this economic opportunity in advancing the Nisga'a Nation's goal of economic self-determination, as well as increasing economic opportunities for other Indigenous Nations, BC and Canada. Based on this reasoning, the Nisga'a Nation has supported and permitted initial construction activities occurring on Nisga'a Lands. PRGT recognizes that construction on Nisga'a Lands is the most complex and long-lead construction on the entire Project route, due to the work required to construct and achieve safe access routes to critical Project areas.

Therefore, it was essential to commence construction in this section, as it requires a longer overall construction duration to complete. The substantial clearing and construction activities required on Nisga'a Lands have the potential to cause long-term effects to the environment. As such, PRGT will implement interim clean-up and reclamation measures throughout Project

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

construction as described in the Construction and Environmental Management Plan (CEMP). PRGT has made significant investments and progress in constructing the initial pipeline sections prior to November 25, 2024.

The total length of the initial pipeline ROW cleared as part of PRGT's Year-1 Construction Program spans more than 42 km. The establishment of this length of ROW exceeds the threshold for triggering an EA in BC as it is "a new transmission pipeline facility with a diameter > 323.9 and a length of ≥ 40 km" (BC Reviewable Projects Regulation 40/2009). PRGT's Year-1 Construction Program spans a length greater than 40 km along the cleared pipeline ROW, and as such, constitutes a length greater than what is required for a large diameter pipeline to be deemed a reviewable project. PRGT's Year-1 Construction Program is significant and substantial, surpassing the disturbance to trigger an EA if this section of ROW were a stand-alone Project.

4 Assessment of the Project Compared to the EAO's Substantially Started Determination Policy Factors

PRGT's 2024 physical construction efforts are substantial in the key Project area that was selected to advance first. PRGT has every intention to continue to advance construction in supplementary sections and to operate the Project in a timely manner following the receipt of a positive substantial start decision from the EAO. PRGT intends for the Project to be operational by the time the Ksi Lisims LNG Project is operational, anticipated in 2028 or early 2029.

Section 4 provides evidence of the effort made by PRGT under the heading of each factor listed in the SSD Policy, specifically:

- What time, effort, and resources have been invested to physically develop one or more main project elements? (Section 4.1);
- How have the activities undertaken to date contributed to the development of the overall project? For example, are the activities in relation to a significant or important step, or are they ancillary, secondary, or temporary? (Section 4.2); and
- Is the activity or component identified in the CPD as part of the project? (Section 4.3).

4.1 Factor 1 - What Time, Effort, and Resources Have Been Invested to Physically Develop One or More Main Project Elements?

This section provides an overview of PRGT's construction activities, permitting, and expenditures to date on the Project. The discussion below presents information on the construction activities to date, and also reports on the construction activities that are anticipated to be completed by November 25, 2024.

4.1.1 CONSTRUCTION

PRGT's Year-1 Construction Program concentrated on one key section of the pipeline route before expanding to other areas along the Project route, in line with the phased construction approach described above.

PRGT, co-owned by the Nisga'a Nation, has advanced Year-1 (2024) construction on Nisga'a Lands, along the western portion of the Project route. As a co-owner of PRGT and the Ksi Lisims LNG Project, the Nisga'a Nation accepts the impacts and risks associated with initial construction progress. The portion of the Project on Nisga'a Lands is a critical path forwards to successful Project construction on the western portion of the route, providing access to the marine Project area and pipeline terminus. Additionally, Nisga'a Lands require significant permanent infrastructure upgrades (such as access roads) to facilitate future construction along the pipeline ROW. By starting construction on Nisga'a Lands, PRGT is able to focus on long-lead components which are crucial for the pipeline's full build-out and are listed in the CPD, while confining initial impacts to a single segment of the route.

Current EAC amendments (the Marine Route Alternative Amendment and Eastern Route Alternative Amendment) are anticipated to be approved in Q1 and Q3 2025 (respectively) and will begin construction once BCER permit amendments are submitted and approved. The singular compressor station and meter stations required for Phase 1 of the Project and the full volume required to support the Ksi Lisims LNG Project are additionally included in these amendments. As such, PRGT is not able to construct in these Project areas, including Sections 1, 2, 6, 7, the meter stations and compressor station, as part of the Year-1 Construction Program. In addition, PRGT will require additional BCER facility permits for the compressor and meter station(s) proposed as part of the EAC amendments. Once approval of the two EAC amendments,

BCER permits, and relevant ancillary permits are received, PRGT is prepared to begin construction in these areas in a timely fashion, enabling the EAC and its conditions to remain relevant.

4.1.1.1 CONSTRUCTION PREPARATION

Prior to 2024, PRGT undertook significant field-based and office-based activities to prepare for the Project's construction, including the following activities:

- Initiating engagement activities with Indigenous Nations across a full range of project development activities, inclusive of Project Agreements (beginning in 2012);
- Applying for and receiving 11 BCER primary pipeline and facility permits relevant to the original CPD (2015);
- Applying for and receiving five EAC amendments (2015 through 2017);
- Executing intrusive and non-intrusive field programs;
- Collaborating with the BC Ministry of Environment and Climate Change Strategy (then the Ministry of Environment, Conservation, Planning and Aboriginal Relations), and BC Parks to amend the Nisga'a Memorial Lava Bed Park boundary (2015) (details in Section 4.1.2.1); and
- Notifying the EAO of construction start in 2015 and preparing for the planned start of Project construction (in 2015) through execution planning and construction readiness reviews.

Work Programs that resulted in physical works along the Project route, and required to progress the Project included:

- Implementing geotechnical boreholes at crossing locations (including bridge locations, water crossings, and highways);
- Executing geotechnical investigations at:
 - Key transition areas between the onshore and offshore Project footprint;
 - Facilities sites;
 - Potential geohazard locations (including locations with potentially elevated landslide risk, areas with marine clays, and other material geohazards);
- Clearing and developing more than 100 helicopter landing areas and pad sites across the pipeline route (to facilitate field programs);
- Completing test pitting and test well drilling at multiple potential accommodation sites;
- Disposing drilling mud at multiple approved disposal sites.

Additional Work Programs that provided knowledge and data for the Project's construction readiness decision included:

- Performing approximately 3,000 km of routing and site scouting, including feature identification;
- Evaluating bridge locations at approximately 160 sites;
- Conducting access plan development, including evaluating greater than 2,700 km of access road routes; and
- Implementing environmental field programs.

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

Indigenous engagement to support construction readiness and advance project benefits for Indigenous communities included:

- Supporting Indigenous Nations to complete Traditional Land Use studies;
- Advancing Project Agreements, including procurement and workforce preparation, pre-FID agreement payments and other project-related construction readiness activities; and
- Supporting engagement in various community education and field programs.

The pre-2024 Work Programs executed by PRGT represent investment, commitment and intention to construct and operate the Project. Following the subsequent 2023 construction readiness decision, additional Work Programs were conducted in preparation for Year-1 construction.

Prior to the commencement of construction on August 24, 2024, PRGT undertook significant field-based and office-based activities in preparation for Early-Works Construction including detailed readying crews for mobilization, finalizing engineering plans, completing field investigations, and ensuring compliance with relevant permits. Beginning in July 2024, PRGT mobilized an approximately 50-person crew to undertake pre-construction non-intrusive activities on Nisga'a Lands.

Non-physical construction preparation activities have included:

- Notifying the EAO of Project Construction Start on May 24, 2024. As such, PRGT was allowed to start Project construction on August 24, 2024;
- Submitting EAC Amendment #6 on June 12, 2024, altering the marine route of the pipeline corridor to align with the connection to the Ksi Lisims LNG Project;
- Submitting EAC Amendment #7 on August 23, 2024, altering an eastern portion of the pipeline route in response to engagement with Indigenous groups;
- Submitting secondary permits required for the Year-1 Construction Program to relevant governing agencies (e.g., *Water Sustainability Act* Section 10 and 11 permits, *Heritage Conservation Act* Investigation Permit, *Wildlife Act* Fish and Amphibian Salvage permits);
- Meeting with the DFO to discuss Project updates and mitigation measures;
- Maintaining regulatory certainty by continuing to engage on and submit pipeline and facility BCER permit extension requests to the BCER to accommodate the updated 2024 construction schedule and allow for full Project construction 2025-onwards;
- Engaging Qualified Forestry Professionals to be present during clearing activities to direct the use of salvaged timber;
- Developing and submitting environmental condition plans, notifications, and reports to the EAO, the BCER, the Nisga'a Nation, and other pertinent regulators in alignment with regulatory requirements;
- Tracking and monitoring actions to align with permit conditions and regulatory requirements;
- Evaluating options and selecting Ledcor Group (Ledcor) as the Prime Construction Contractor for the Year-1 Construction Program in May 2024;
- Performing contract development and contract execution with the Prime Construction Contractor and five major subcontractors;
- Evaluating Project management options and negotiating and executing an agreement with Bechtel (a leading engineering, procurement, and construction company) to manage and lead overall Project execution (July 2024);

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

- Developing Project processes and tracking systems to manage substantial start construction (e.g., signage inventory, watercourse crossing plans);
- Refreshing engineering in select areas along the pipeline alignment;
- Refreshing road and bridge engineering designs;
- Completing prerequisite field studies required for construction;
- Completing topography field surveys on approximately 100 km of the eastern reroute; and
- Receipt of a SUP from the Nisga'a Nation under the *Nisga'a Forest Act*, for the use of four borrow areas for material for constructing the Project (August 6, 2024). The request includes the use of Nisga'a Lands to produce materials for road construction and maintenance to support PRGT's Timber Harvesting Contract (3075THC-14-01), and associated road use permits (3075-RUP-14-01). Defined under the *Nisga'a Forest Act*, the NLG has jurisdiction over Nisga'a Lands to use permits, tenures etc. to infrastructure proponents.

Physical construction preparation activities have included:

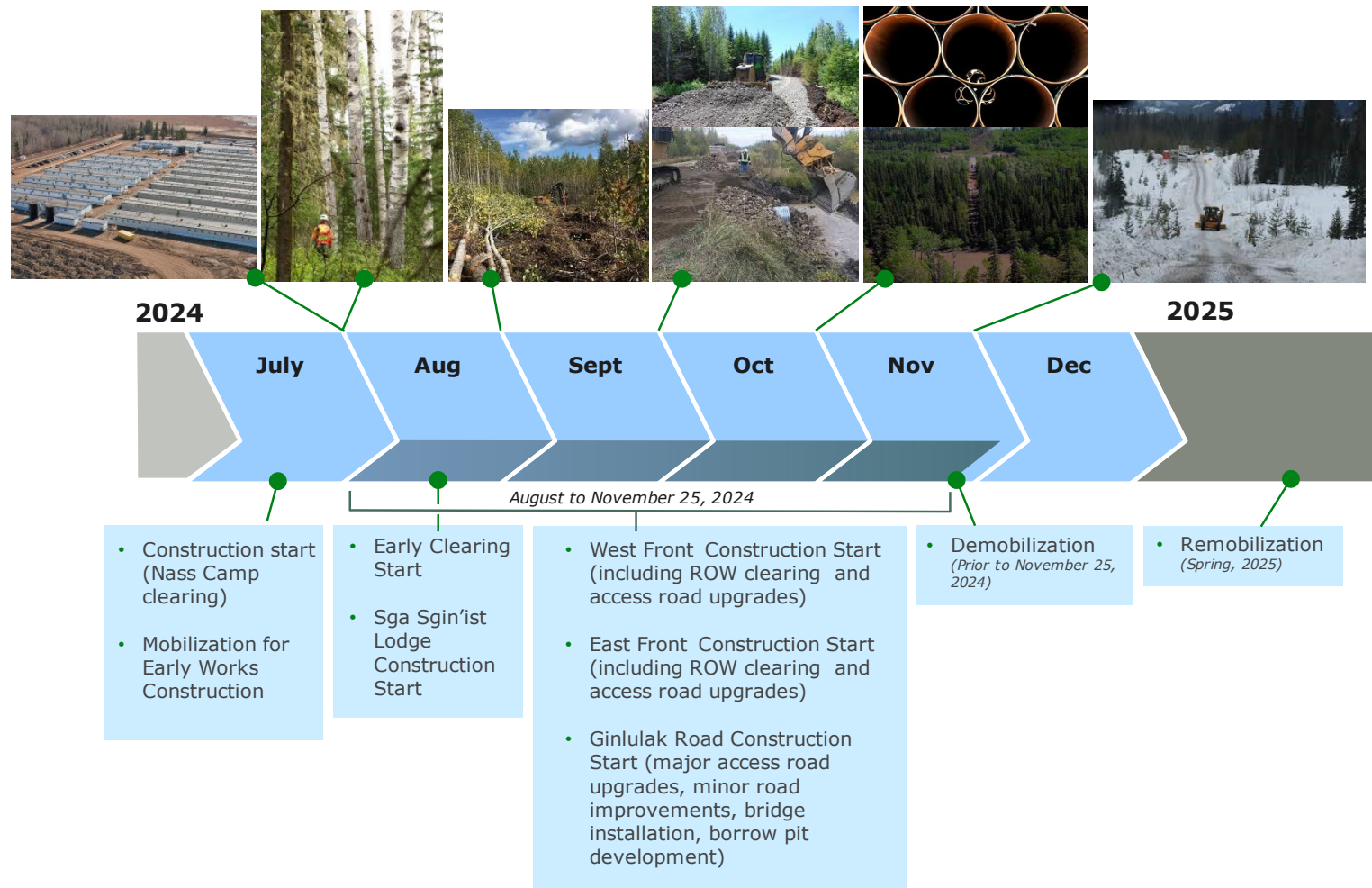
- Completing pre-construction field work, including surveying Project areas for streams/stream classification, wetlands, fish presence, bird nests, bat roosts, species at risk, wildlife features, amphibian habitat, and potential archeological sites, as committed to in the CEMP;
- Gathering preliminary engineering survey data collection on crossings, facility locations, and topographic data;
- Accomplishing bridge fabrication;
- Completing corridor, boundary, and environment feature flagging along 42 km of the pipeline route;
- Installing various signage throughout the ROW and along access roads;
- Installing archeological feature fencing by replacing rope and ribbon with snow fencing at archeological sites and no-go zones;
- Installing mats over box culverts, splashguards at bridges, and silt fencing along access roads and multiple other locations;
- Constructing conveyance channels and installing isolation pumps as part of erosion and sediment control (ESC) and water quality mitigation measures;
- Completing pre-clearing walk downs of the pipeline ROW to increase understanding of field conditions, obstacles, and identifying applicable mitigation measures prior to clearing;
- Carrying out drilling and blasting at pre-designated locations to contribute to ongoing development efforts;
- Tracking and monitoring actions to align with permit conditions and regulatory requirements; and
- Executing primary and secondary sweeps to locate area lines in pipeline sections spanning 110,500 m.

With the Prime Construction Contractor for the Year-1 Construction Program selected, required permits and permit amendments received, engineering completed, and field investigations in place prior to August 2024, PRGT advanced the necessary items to substantially start Project construction.

4.1.1.2 YEAR-1 (2024) CONSTRUCTION PROGRAM

PRGT has advanced the Year-1 Construction Program (Figure 4-1) on Nisga'a Lands at four locations: the West Front, East Front, Sga Sgin'ist Lodge, and along Ginlulak Road (Figure 4-2). Each of the construction activities undertaken at these locations are described below. Construction progress photos are provided in this section and Appendix A.

PRGT



CLIENT: Prince Rupert Gas Transmission Ltd.
GRAPHICS NUMBER: MPF-24ERM-010:2

FIGURE 4-1: YEAR-1 (2024) CONSTRUCTION PROGRAM TIMELINE

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

Between August 24 and November 12, 2024, construction crews spent more than 110,700 hours on the Year-1 Construction Program. As of this Submission, the Year-1 Construction Program is 100% complete from a physical activity and infrastructure installation perspective, consisting of:

- Clearing of more than 42 km of the initial pipeline ROW;
- Installing nine new permanent bridges and associated infrastructure, including culverts;
- Developing and using four borrow pits to source materials for the Year-1 Construction Program;
- Upgrading and maintaining 47 km of access roads;
- Constructing workforce accommodations and on-site office facilities to support 222 individuals at Sga Sgin'ist Lodge;
- Establishing ancillary sites for equipment storage (laydown yard, stockpile site, contractor storage yard at Sga Sgin'ist Lodge/Nass Camp);
- Mobilizing more than 200 pieces of equipment; and
- Employing 368 regular construction workers (and providing access to 141 visitors) to complete clearing operations, road development works, camp site development and installations, bridge installations, ESC measures, and field support actions.

Western Front- Pipeline ROW and Temporary Workspace

The Western Construction Front consists of work occurring within Nisga'a Lands west of Nisga'a Memorial Lava Bed Provincial Park (Figure 4-2; Appendix A). Work along the Western Front is focused on clearing the initial ROW in addition to upgrading and maintaining access roads. Creating access is an essential activity prior to starting grade activities required for both the major civil and mechanical portion of the Project. Focusing on these activities will put PRGT in a position to start geotechnical activities and final ROW grade planning early in 2025, setting the Project up for success going forward.

From August 24, 2024, to November 12, 2024, PRGT completed maintenance activities on approximately 11.3 km of existing roads, reinstated over 1 km of decommissioned roads and cleared more than 1.3 km of new access road ROW. Overall access road work on the Western Front has amounted to over 13 km to date and included brushing, grading existing roads, installing culverts, ballasting, and clearing new access (Figures 4-3 and 4-4). As of November 12, 2024, all access road upgrades at the Western Front are complete. Status of access roads within the Western Front is listed in Table 4-1.

In addition to access road development, PRGT executed ROW clearing and timber processing at the Western Front. Construction crews completed the Year-1 Construction Program clearing and processing scope by November 12, 2024, clearing and processing 17.7 km of the ROW. Clearing work has consisted of felling merchantable timber, nonmerchantable timber, processing felled timber for marketing, decking of timber for trucking, and consolidating debris for disposal (Figures 4-5 and 4-6, and Table 4-2).

The Year-1 Construction Program does not involve construction within the Nisga'a Memorial Lava Bed Provincial Park. Additional details relating to construction within this provincial park are provided in Section 4.1.2.1.

TABLE 4-1: ROAD MAINTENANCE AND UPGRADE PROGRESS AT THE WESTERN FRONT AS OF NOVEMBER 12, 2024

Access Roads	Upgrade Status
Road #16	Complete
Road #18	Complete
Road #19	Complete
Road #20	Complete
Road #21A	Complete
Road #22A	Complete
Road #22, 22B, 22C	Complete
Road #23	Complete
Road #23B	Complete

TABLE 4-2: CLEARING PROGRESS ALONG THE PIPELINE ROW AT THE WESTERN FRONT AS OF NOVEMBER 12, 2024

Clearing Section	Clearing Status	Bunching (ha)	Skidding (ha)	Processing (ha)	% Complete
Clearing KP 692+271 to KP 693+754	Complete	2.97	2.97	2.97	100%
Clearing KP 698+854 to KP 701+640	Complete	5.57	5.57	5.57	100%
Clearing KP 701+920 to KP 707+155	Complete	11.07	11.07	11.07	100%
Clearing KP 707+405 to KP 708+350	Complete	1.64	1.64	1.64	100%
Clearing KP 708+675 to KP 708+900	Complete	0.45	0.45	0.45	100%
Clearing KP 709+645 to KP 710+894	Complete	5.32	5.32	5.32	100%
Clearing KP 712+658 to KP 714+450	Complete	3.76	3.76	3.76	100%
Clearing KP 717+372 to KP 718+930	Complete	4.26	4.26	4.26	100%

Clearing Section	Clearing Status	Bunching (ha)	Skidding (ha)	Processing (ha)	% Complete
Clearing KP 719+150 to KP 720+375	Complete	0.78	0.78	2.10	100%
Clearing KP 725+150 to KP 725+515	Complete	0.73	0.73	0.73	100%
Clearing KP 726+363 to KP 727+259	Complete	1.87	1.87	1.87	100%

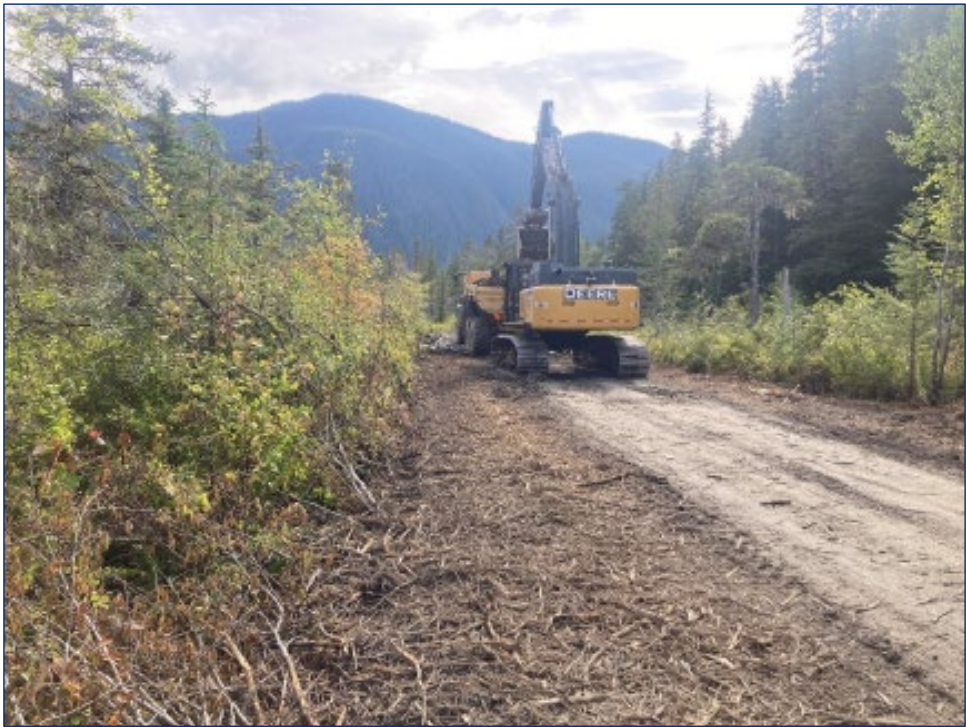


FIGURE 4-3: BRUSHING OUT ACCESS ROADS AND REMOVING MATERIAL FROM SITE, AUGUST 2024



FIGURE 4-4: ACCESS ROAD CULVERT INSTALLATION, SEPTEMBER 2024



FIGURE 4-5: BUNCHER AT WORK FELLING TREES, SEPTEMBER 2024



FIGURE 4-6: TIMBER SKIDDED INTO PILES FOR PROCESSING, SEPTEMBER 2024

Eastern Front – Pipeline ROW and Temporary Workspace

The Eastern Construction Front consists of work occurring within Nisga'a Lands east of Nisga'a Memorial Lava Bed Provincial Park (Figure 4-2 and Appendix A). Work along the Eastern Front is focused on clearing the initial ROW in addition to upgrading and maintaining access roads. Creating access is a pivotal activity prior to starting grade activities required for both the major civil and mechanical portion of the Project. Focusing on these activities will put PRGT in a position to start geotechnical activities and final ROW grade planning early in 2025, setting the Project up for success going forward.

As of November 12, 2024, all access road upgrades at the Eastern Front are complete. From August 24, 2024, to November 12, 2024, PRGT completed maintenance on approximately 10 km of existing roads, reinstated over 6.7 km of decommissioned roads and cleared approximately 600 meters (m) of new access road ROW. Overall access road work on the Eastern Front has amounted to over 17 km to date and included brushing, grading existing roads, installing culverts, ballasting, and clearing new access (Figures 4-7 and 4-8). Status of road upgrades across the Eastern Front is listed in Table 4-3.

In addition to access road development, PRGT executed ROW clearing and timber processing at the Eastern Front. Construction crews completed the Year-1 Construction Program clearing and processing scope by November 12, 2024, clearing and processing more than 24 km of the ROW. Clearing work has consisted of felling merchantable timber, nonmerchantable timber, processing felled timber for marketing, decking of timber for trucking, and consolidating debris for disposal (Figures 4-9 and 4-10, and Table 4-4).

TABLE 4-3: ROAD MAINTENANCE AND UPGRADE PROGRESS AT THE EASTERN FRONT AS OF NOVEMBER 12, 2024

Access Roads	Road Status
Roads #1A and B	Complete
Road #2	Complete
Road #3	Complete
Road #8	Complete
Road #9	Complete
Road#10	Complete
Road #13	Complete

TABLE 4-4: CLEARING PROGRESS ALONG THE PIPELINE ROW AT THE EASTERN FRONT AS OF NOVEMBER 12, 2024

Clearing Section	Clearing Status	Bunching (ha)	Skidding (ha)	Processing (ha)	% Complete
Clearing KP 652+750 to 659+068	Complete	15.25	15.25	15.25	100%
Clearing KP 660+218 to 668+746	Complete	24.58	24.58	24.58	100%
Clearing KP 668+896 to KP 676+980	Complete	22.05	22.05	22.05	100%
Clearing KP 677+375 to KP 678+495	Complete	3.06	3.06	3.06	100%



FIGURE 4-7: INSTALLING ESC MEASURES ALONG ACCESS ROAD, AUGUST 2024



FIGURE 4-8: BALLASTING OF ACCESS ROAD, SEPTEMBER 2024



FIGURE 4-9: SKIDDING AND PROCESSING ALONG THE ROW, SEPTEMBER 2024



FIGURE 4-10: AERIAL VIEW OF COMPLETED CLEARING SECTION, 2024

Ginlulak Road

In addition to work on the Western and Eastern Fronts, PRGT has advanced construction along Ginlulak Road, a critical location required to continue construction into 2025 and beyond (Figure 4-2 and Appendix A). Construction along Ginlulak Road is focused on major upgrades, permanent bridge installation, and development of borrow sites.

Ginlulak Road and other Project access roads are a critical component of pipeline construction, enabling the efficient and safe execution of the Project. Proper planning and maintenance of these roads is essential for ensuring the timely and cost-effective completion of the Project. Ginlulak Road provides critical infrastructure for the transportation of heavy

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

machinery and construction materials to the construction site. Ginlulak Road is also required for worker mobility to move equipment and workers to the western portion of the Project. This road is a permanent road, providing critical access for emergency vehicles and personnel, in the event of an accident or emergency. The Nisga'a Nation will continue to use Ginlulak Road in the future for access to areas along the western portion of the pipeline route.

Prior to construction starting along Ginlulak Road, construction crews identified sensitive environmental features and installed signage as required. An ESC Plan for the Ginlulak Road was created and implemented to mitigate impacts to the surrounding area from construction activities.

As of October 26, 2024, PRGT successfully completed approximately 15 km of major access upgrades along Ginlulak Road (Table 4-5), installed nine permanent bridges (all bridges planned for in the Year-1 Construction Program), and continued development of four borrow pits producing approximately 38,400 m³ of aggregate. By November 12, 2024, PRGT has completed a total of 17 km of major road upgrades, development of four borrow pits and production of approximately 56,651 m³ of aggregate (Table 4-6).

TABLE 4-5: GINLULAK ROAD CONSTRUCTION STATUS AS OF NOVEMBER 12, 2024

Access Roads	Road Upgrade Status	Overall Quantity (m)	Quantity Complete (m)	Quantity Remaining (m)
Road #24	Complete	16,394	16,394	N/A, Complete
Road #24A	Complete	2,247	2,247	N/A, Complete

TABLE 4-6: BORROW PIT CONSTRUCTION STATUS ALONG GINLULAK ROAD AS OF NOVEMBER 12, 2024

Quarry	Produced Aggregate to Date (m ³)	Forecast Remaining (m ³)	Total (m ³)
KM 4.5 Quarry	14,810	N/A, Complete	14,810
KM 13.2 Quarry	27,021	N/A, Complete	27,021
KM 3.1 Gravel Pit	920	N/A, Complete	920
KM 1.6 Monkley Dump Pit	13,900	N/A, Complete	13,900
Total	56,651	N/A, Complete	56,651

Major access upgrades have consisted of clearing of existing vegetation, significantly building up the existing road grade, installing culverts, widening roads, and installing pullouts to improve safety and accessibility. Permanent bridge installation along the Ginlulak Road has included the removal of previous bridge structures, abutment walls, and foundations (where applicable). PRGT has successfully installed new bridge foundations, abutment walls, bridge structures, and rip-rap armoring required to mitigate scouring during high flows at the crossing locations and safety barriers in compliance with provincial and federal legislation (Figure 4-11).

Borrow pits have been developed along Ginlulak Road, governed by a SUP under the *Nisga'a Forest Act* to support material needs required for the road upgrades and permanent bridge installations, reducing the need for long haul trucking and expediting construction while reducing impacts on local roadways. Borrow pit construction consists of clearing existing vegetation, stripping of overburden, drilling pilot holes and blasting to create the required material. PRGT has conducted

several blasts at the borrow pit locations to provide truckloads of rip-rap to support bridge construction and installation (Figure 4-12).

Sga Sgin'ist Lodge

Sga Sgin'ist Lodge is located to the east of Nisga'a Memorial Lava Bed Provincial Park (Figure 4-2 and Appendix A), comprising a workforce accommodation camp capable of housing 222 individuals and associated ancillary sites (laydown yard, stockpile site, and contractor storage yard). The development and completion of Sga Sgin'ist Lodge facilitates future construction by providing a place for construction workers to reside while working on the Project.

PRGT's construction efforts on the Sga Sgin'ist Lodge site began on August 24, 2024, and consisted of soil stripping, grading, fencing, and development of the workforce camp, laydown yard, stockpile site, and contractor storage yard. Construction has consisted of installing office trailers, on-site tanks to provide potable water and wastewater, floors, kitchen modules, and top rail fencing. Environmental mitigation measures have also been implemented, including installing and operating bear fencing and safety and security fencing, providing access to wildlife proof waste bins and spill barrels, developing environmental response trailers, implementing ESC measures, and backfilling ditches. Plumbing and electrical work is now completed. Sga Sgin'ist Lodge welcomed initial residents on September 27, 2024, and was fully functional and operational in early October 2024. The lodge recreation room was opened on October 6, 2024. On October 10, 2024, PRGT welcomed residents into executive suites. Construction workers completed and occupied dorms 1 through 6 by October 12, 2024. Construction progress photos depicting Sga Sgin'ist Lodge pre- and post-construction are provided in Figures 4-13 and 4-14, below.



FIGURE 4-11: COMPLETED PERMANENT BRIDGE INSTALLATION, OCTOBER 2024



FIGURE 4-12: LOADING TRUCKS AT BORROW PIT (1 OF 4), SEPTEMBER 2024



FIGURE 4-13: AERIAL VIEW OF SGA SGIN'IST LODGE SITE (AUGUST 2024)



FIGURE 4-14: AERIAL VIEW OF SGA SGIN'IST LODGE (OCTOBER 2024)

PRGT staked the area for transmission line crossings between Terrace, BC and Sga Sgin’ist Lodge in August 2024. Power is currently provided to Sga Sgin’ist Lodge through the use of on-site generators.

At the time of Sga Sgin’ist Lodge operation, in early October, approximately 10 ha has been cleared, and 6 ha graded (Table 4-7). PRGT will complete additional work at the Sga Sgin’ist Lodge ancillary sites prior to November 25, 2024, and in spring 2025. Until November 25, 2024, construction crews will continue clearing their work areas and completing outstanding actions prior to demobilizing from site. Sga Sgin’ist Lodge is a Project construction camp that will be in place until construction is complete, providing housing for the Project’s workforce close to the Project route and workspaces.

In August 2024, PRGT acquired approximately 5 ha from the NLG through a temporary License of Occupation for the use of Nass Camp, located adjacent to Sga Sgin’ist Lodge. Nass Camp was previously cleared and graded by the Nisga’a Nation. PRGT used the Nass Camp area to temporarily store equipment while the Sga Sgin’ist Lodge was undergoing construction. PRGT will continue to use the Nass Camp temporary storage area during Project construction, as required and in agreement with NLG. In total, the combined ground area used for Year-1 Construction activities at Sga Sgin’ist Lodge and Nass Camp temporary storage area is up to 15 ha.

TABLE 4-7: SGA SGIN’IST LODGE CONSTRUCTION DETAILS AS OF NOVEMBER 12, 2024

Footprint	Total Area Used (ha)
Sga Sgin’ist Lodge and Ancillary Sites (Stockpile and Laydown areas)	10.0
Temporary Storage Areas (Nass Camp)	5.0
Combined Total	15.0

Bridge Installation and Upgrades

PRGT has executed bridge installation and upgrades along Ginlulak Road to support this critical path forwards to the full build-out of Project construction. As of November 12, 2024, construction crews completed bridge construction and installation at all bridge locations planned in the Year-1 Construction Program (nine bridge locations, Table 4-8). Bridge construction work has consisted of installing temporary decking, completing site staging and set-up, excavating and rip-rap key, installing substructures, placing rip-rap and backfill, installing superstructures, and completing bridge end fill and construction approaches. PRGT has also implemented scour protection measures at each bridge location.

Demobilization

At the time of this Submission, PRGT has demobilized construction crews at the onset of the winter season. Due to the nature of the work, ongoing maintenance activities are required throughout the winter, including implementing and monitoring ESC measures, and continued site-specific Work Programs for Year-2 construction planning. Equipment will remain at Sga Sgin’ist Lodge and ancillary areas over the winter in preparation for spring 2025 remobilization. PRGT intends to remobilize crews in spring 2025 to resume access road construction, upgrades, and continue ROW clearing in alignment with the phased approach to pipeline construction.

TABLE 4-8: BRIDGE INSTALLATION PROGRESS AS OF NOVEMBER 12, 2024

Bridge Unit	Completed Stages
BR1	Install Temporary Decking, Site Staging and Set-Up, Excavation and Rip-Rap Key, Substructure Installation, Rip-Rap and Backfill, Superstructure Installation, Bridge End fill and Approach Construction
BR2	Install Temporary Decking, Site Staging and Set-Up, Excavation and Rip-Rap Key, Substructure Installation, Rip-Rap and Backfill, Superstructure Installation, Bridge End fill and Approach Construction
BR3	Install Temporary Decking, Site Staging and Set-Up, Excavation and Rip-Rap Key, Substructure Installation, Rip-Rap and Backfill, Superstructure Installation, Bridge End fill and Approach Construction
BR4	Install Temporary Decking, Site Staging and Set-Up, Excavation and Rip-Rap Key, Substructure Installation, Rip-Rap and Backfill, Superstructure Installation, Bridge End fill and Approach Construction
BR6	Install Temporary Decking, Site Staging and Set-Up, Excavation and Rip-Rap Key, Substructure Installation, Rip-Rap and Backfill, Superstructure Installation, Bridge End fill and Approach Construction
BR11	Install Temporary Decking, Site Staging and Set-Up, Excavation and Rip-Rap Key, Substructure Installation, Rip-Rap and Backfill, Superstructure Installation, Bridge End fill and Approach Construction
BR12	Install Temporary Decking, Site Staging and Set-Up, Excavation and Rip-Rap Key, Substructure Installation, Rip-Rap and Backfill, Superstructure Installation, Bridge End fill and Approach Construction
BR13	Install Temporary Decking, Site Staging and Set-Up, Excavation and Rip-Rap Key, Substructure Installation, Rip-Rap and Backfill, Superstructure Installation, Bridge End fill and Approach Construction
BR14	Install Temporary Decking, Site Staging and Set-Up, Excavation and Rip-Rap Key, Substructure Installation, Rip-Rap and Backfill, Superstructure Installation, Bridge End fill and Approach Construction

Environmental Protection

In consultation with the Nisga'a Nation, PRGT has taken a measured and thoughtful approach to Project construction that reduces the potential of adverse environmental effects occurring. Where possible, the Year-1 Construction Program was designed to include discontinuous clearing to avoid clearing through the riparian zones of watercourses and wetlands. ESC measures have been and will continue to be implemented and monitored throughout Project construction. If construction is to occur within restricted activity periods for wildlife, applicable mitigation have been and will continue to be applied from PRGT's CEMP. Waste has been and will continue to be collected and disposed of in accordance with PRGT's approved Chemical and Waste Management Plan.

4.1.2 PERMITTING

The EAO's SSD Policy states that while the Minister's decision will primarily focus on physical developments, licenses and permits required for construction will also be considered in a substantial start determination.

The receipt of EAC #14-06 and the 11 primary BCER pipeline and facility permits include conditions that PRGT must fulfill and maintain throughout Project construction and operation. PRGT has dedicated significant resources to complying with these conditions. As of this Submission, PRGT is in compliance with all EAC and BCER conditions relevant to this stage of the Project and the Year-1 Construction Program. Several permit conditions are deemed to be future or ongoing Project

obligations. PRGT has demonstrated the effectiveness of complying with currently applicable conditions and will achieve compliance with outstanding conditions as the Project progresses. PRGT's permitting strategy includes a comprehensive tracker to monitor compliance with permit conditions, demonstrating ongoing preparation for full Project construction. Compliance documentation has been submitted to the EAO and BCER to support this.

PRGT's permitting strategy focuses on proactively identifying, developing, and submitting Project permits to ensure they are available to support construction and operation. At the time of this Submission, PRGT has received approval of all permits relevant to the Year-1 Construction Program including currently holding 34 key provincial and federal authorizations (excluding permits provided by the EAO and NLG) including various permits such as amphibian and fish salvage permits, wildlife permits, road permits, permits authorizing the construction of Project ancillary facilities, and permits under the *Energy Resource Activities Act* (authorized by the BCER). PRGT is currently in the process of completing annual permit reporting, as required by the Year-1 Construction Program permits. PRGT has created a comprehensive permit tracker to monitor the status key permits, which requires substantial effort, time, and resources. A list of currently held permits and Project permits submitted for review by November 25, 2024, is provided in Table 4-9.

In addition to federal and provincial permits, PRGT has conducted extensive engagement with the NLG. This extensive engagement has resulted in the issuance of 29 NLG-led Project permits required for the Year-1 Construction Program. PRGT will continue to conduct engagement with NLG as the Project progresses through further construction and development, to further bolster this relationship and promote the receipt of required permits on time.

PRGT has also been regularly submitting and receiving approval of permit extension requests for primary BCER Project permits and ancillary permits. The BCER has confirmed PRGT's ancillary BCER permits will be automatically extended alongside the extensions for the primary BCER permits. PRGT has also submitted permit extension requests for project-wide Section 12.4 *Heritage Conservation Act* permits. PRGT has submitted an additional four permit applications to the relevant authorizing body which are currently under review (including the two EAC amendments).

On July 23, 2024, PRGT submitted an EAC Compliance Status Report to the EAO as required by Condition 1-a of the EAC. In alignment with Condition 1-a, PRGT's EAC Compliance Status Report was submitted one month prior to Year-1 construction start. The report indicates PRGT self-assessed the Project to be in compliance with EAC conditions relevant to the Year-1 Construction Program. The remaining EAC conditions were deemed to be future obligations of the Project. PRGT previously provided a self-assessed EAC Compliance Status Report to the EAO fulfilling this condition in 2015, relevant to Project construction planning at that time. As the Project did not progress to construction in 2015, PRGT submitted an updated report in fulfillment of Condition 1-a in 2024.

On September 13, 2024, and October 23, 2024, the BCER conducted inspections of the Year-1 Construction Program, focusing on access roads, bridges/temporary bridges, the ROW clearing footprint, and water quality monitoring sites. All construction activities were deemed to be in compliance with BCER permits at the time of both inspections.

On October 2, 2024, the EAO conducted an inspection of the Year-1 Construction Program. At the time of Submission, the EAO has not finalized and released the Inspection Report.

On October 17, 2024, PRGT informed the BCER and NLG of one non-compliance self-disclosure relating to clearing outside the approved construction footprint by 0.2 ha, but within the permitted NLG statutory ROW.

NLG staff attended and participated in all planned regulatory inspections. At the time of Submission, no non-compliance notifications have been received from NLG on any inspection occurrence.

TABLE 4-9: LIST OF PROJECT PERMITS

Project Component	Permit Name	Permit Number	Regulator	Status	Expiry Date
Environmental Assessment Certificate					
All	EAC for PRGT	#E14-06	EAO	Active	November 25, 2024
All	EAC Amendment #1	#E14-06	EAO	Active	December 16, 2015
All	EAC Amendment #2	#E14-06	EAO	Active	May 26, 2016
All	EAC Amendment #3	#E14-06	EAO	Active	May 26, 2016
All	EAC Amendment #4	#E14-06	EAO	Active	December 20, 2017
All	EAC Amendment #5	#E14-06	EAO	Active	June 6, 2017
All	EAC Amendment #6 (Marine Route Alternative Amendment)	#E14-06	EAO	Submitted	Application currently under review
All	EAC Amendment #7 (Eastern Route Alternative Amendment)	#E14-06	EAO	Submitted	Application currently under review
BCER Pipeline and Facility Permits					
Section 1	BCER Permit for Pipeline Section 1 - Extension	9708456 / 100082204	BCER	Active, Extension Submitted	November 25, 2024
Section 2	BCER Permit for Pipeline Section 2 - Extension	9708458 / 100082205	BCER	Active, Extension Submitted	November 25, 2024
Section 3	BCER Permit for Pipeline Section 3 - Extension	9708459 / 100082373	BCER	Active, Extension Submitted	November 25, 2024
Section 4	BCER Permit for Pipeline Section 4 - Extension	9708460 / 100082374	BCER	Active, Extension Submitted	November 25, 2024
Section 5A	BCER Permit for Pipeline Section 5A - Extension	9708461 / 100082835	BCER	Active	September 21, 2025

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

Project Component	Permit Name	Permit Number	Regulator	Status	Expiry Date
Section 6	BCER Permit for Pipeline Section 6 - Extension	9708462 / 100082836	BCER	Active	September 21, 2025
Section 7	BCER Permit for Pipeline Section 7 - Extension	9708463 / 100082837	BCER	Active	September 21, 2025
Section 5B	BCER Permit for Pipeline Section 5B (Nisga'a Amendment)	9708461 / 100119498	BCER	Active	Evergreen
Middle River C/S	BCER Permit for Middle River C/S - Extension	9708511 / 100082421	BCER	Active, Extension Submitted	November 25, 2024
Johnson Creek C/S	BCER Permit for Johnson Creek C/S - Extension	9708510 / 100082385	BCER	Active, Extension Submitted	November 25, 2024
Borden Lake C/S	BCER Permit for Borden Lake C/S -Extension	9708512 / 100082678	BCER	Active, Extension Submitted	November 25, 2024
Construction Permits					
Section 5A	BC Parks- Parks Use Permit (Research) for Lava Park	100439143	BC Parks	Approved	N/A
Section 5B	Amphibian Salvage Permit (2024 Construction Area)	SM24-851836 / 100442164	WLRS	Approved	October 31, 2024
Section 5B	Fish Salvage Permit (2024 Construction Area)	SM24-851726	FOR	Approved	December 31, 2024
Section 5B	Fish Salvage Permit (2024 Construction Area)	XHAB 176 2024	DFO	Approved	December 31, 2024
Section 5B	Fish Inventory Permit (2024 Construction Area)	SM24-851717	FOR	Approved	December 31, 2024
Section 5B	Fish Inventory Permit (2024 Construction Area)	XR 219 2024	DFO	Approved	December 31, 2024

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

Project Component	Permit Name	Permit Number	Regulator	Status	Expiry Date
Section 5B	General Wildlife Permit (Aerial Survey)	SM24-851937	WLRS	Approved	September 30, 2024
Section 5B	General Wildlife Permit (Beaver Dam Removal)	SM24-865497	FOR	Approved	December 31, 2024
Section 5B	Section 10 POD - Package 1 (Dragon Lake, Ksi Martin and Quilgauw)	0006730/100119618	BCER	Approved	August 14, 2026
Section 5B	Section 10 POD - Package 2 (Nass)	100119747	BCER	Approved	August 14, 2026
Section 5B	Section 11 CIAS (Roads) - Application 1 (Priority)	100119774	BCER	Approved	N/A
Section 5B	Section 11 CIAS (Roads) - Application 2	100119782	BCER	Approved	N/A
Section 5B	Road Permits/Agreements	DKM-RUP-24-PRGT-001	FOR	Approved	Associated to permitted road use activity, no expiry date explicitly stated
Campsite, Storage Area, Laydown	Campsite, Stockpile, Laydown (Site 111, 112A & 112B)	9640721	BCER	Active, Extension Requested	November 25, 2024
Storage Area	Storage Area (Site 113, 114A & 114B)	9640912	BCER	Active	March 1, 2026
Storage Area	Storage Area (Site 108 & 109)	9640909	BCER	Active	February 9, 2026
Campsite	Campsite (Site 115)	9640913	BCER	Active, Extension Requested	November 25, 2024
Storage Area	Storage Area (Site 117A & 117B)	9640924	BCER	Active, Extension Requested	November 25, 2024

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

Project Component	Permit Name	Permit Number	Regulator	Status	Expiry Date
Storage Area	Storage Area (Site 135)	9640960	BCER	Active, Extension Requested	November 25, 2024
Campsite, Storage Area	Campsite, Storage Area (Sites 133 & 134)	9640987	BCER	Active, Extension Submitted	October 20, 2024
Storage Area	Storage Area (Site 126C)	9641001	BCER	Active, Extension Requested	November 25, 2024
Campsite, Storage Area	Campsite, Storage Area (Sites 126A & 126B)	9641003	BCER	Active	No expiry
Storage Area	Storage Area (Sites 116C & 116D)	9641010	BCER	Active, Extension Requested	November 25, 2024
Campsite, Storage Area	Campsite, Storage Area (Site 113C)	9643599	BCER	Active, Extension Requested	November 25, 2024
Storage Area	Storage Area (Burton Creek Log Storage)	9641987	BCER	Active, Extension Requested	November 25, 2024
Section 4	Indian Lands Registry System	E5661-3-607	INAC	Active	No expiry explicitly stated
Section 1	HCA Section 12.4 (Alteration)	Amendment 2015-9010 (GjRq-2)	BCER	Approved, Extension Requested	November 25, 2024
Section 2	HCA Section 12.4 (Alteration)	Amendment 2015-9002 (GhSn-8)	BCER	Approved, Extension Requested	November 25, 2024
Section 4	HCA Section 12.4 (Alteration)	Amendment 2015-9003 (GhSp-49 and GhSp-52)	BCER	Approved, Extension Requested	November 25, 2024
Section 2	HCA Section 12.4 (Alteration)	Amendment 2015-9004 (GfSk-8 and GfSk-9)	BCER	Approved, Extension Requested	November 25, 2024
Section 5A	HCA Section 12.4 (Alteration)	Amendment 2015-9015 (GjTe-11, GjTe-12, GjTe-13 and GjTe-15)	BCER	Approved, Extension Requested	November 25, 2024

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

Project Component	Permit Name	Permit Number	Regulator	Status	Expiry Date
Section 5B	Heritage Inspection Permit- Potential Work Study Areas	11200-30/24A0148	BCER	Approved	N/A
All	Heritage Inspection Permit- Project-Wide	N/A	BCER	Submitted	Application currently under review
NLG Permits					
Section 5B	Investigative Use Permit(s) (2024)	Doc 2174, File 600037	NLG	Approved	August 15, 2025
Section 5B	Nisga'a consent for Heritage Investigations	N/A	NLG	Approved	N/A
Section 5B	Land Use Permit - Echo Cove	N/A	NLG	Active	August 31, 2024
Section 5B	Special Use Permit - non-invasive environmental assessment field work	N/A	NLG	Active	N/A
Section 5B	Licence of Occupation – Geotechnical Assessments	N/A	NLG	Active	N/A
Section 5B	Licence of Occupation – Geotechnical Assessments	N/A	NLG	Active	N/A
Borrow Sites	Special Use Permit – borrow source for aggregate material	N/A	NLG	Active	N/A
Borrow Sites	Special Use Permit – borrow source for aggregate material	N/A	NLG	Active	N/A
Borrow Sites	Special Use Permit – borrow source for aggregate material	N/A	NLG	Active	N/A

Project Component	Permit Name	Permit Number	Regulator	Status	Expiry Date
Borrow Sites	Special Use Permit – borrow source for aggregate material	N/A	NLG	Active	N/A
Nass Camp	Temporary Licence of Occupation for temporary lay down area at Nass Camp	N/A	NLG	Active	N/A
Nass Camp	Licence of Occupation – Water Related Infrastructure	N/A	NLG	Active	N/A
Nass Camp	Licence of Occupation – access to water diversion and channels – Nass Camp	N/A	NLG	Active	N/A
Nass Camp/Section 5B	Licence of Occupation – access to water diversion and channels – Ksi Martin	N/A	NLG	Active	N/A
Nass Camp/Section 5B	Licence of Occupation – access to water diversion and channels – Quilgaw	N/A	NLG	Active	N/A
Nass Camp/Section 5B	Licence of Occupation – access to water diversion and channels – Nass River	N/A	NLG	Active	N/A
Nass Camp/Section 5B	Investigative Use Permit	N/A	NLG	Active	N/A
Nass Camp	Timber Harvesting Contract with KATC for early clearing at Nass Camp	N/A	NLG	Active	N/A
Nass Camp/Section 5B	Land Use Permit for Assessment Field Work	N/A	NLG	Active	N/A

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

Project Component	Permit Name	Permit Number	Regulator	Status	Expiry Date
Nass Camp	License of Occupation – temporary infrastructure laydown area	N/A	NLG	Active	N/A
Section 5B	Private Land Short Term Infrastructure Lease	N/A	NLG	Active	N/A
Section 5B	Nisga'a Lands Short Term Infrastructure Lease	N/A	NLG	Active	N/A
Access Routes	Road Use Permit	N/A	NLG	Active	N/A
Section 5B	Lease for Above-Ground Pipeline Installations	N/A	NLG	Active	N/A
Nass Camp/Section 5B	Lands ROW Protocol Principles	N/A	NLG	Active	N/A
Section 5B	Pipeline Statutory ROW	N/A	NLG	Active	N/A
Access Routes	Access Statutory ROW	N/A	NLG	Active	N/A
Nass Camp/Section 5B	Private Land Short Term Infrastructure Site Lease	N/A	NLG	Active	N/A
Nass Camp/Section 5B	Timber Harvesting Contract	N/A	NLG	Active	N/A
Notes: N/A – Not available					

4.1.2.1 AMENDMENT TO NISGA'A MEMORIAL LAVA BED PROVINCIAL PARK BOUNDARY

The advancement of the Project has included the permanent amendment to the Nisga'a Lava Bed Memorial Park (Anhluut'ukwsim Laxmihl Angwinga'asanskwhl Nisga'a Park). This park was established as part of the Nisga'a Final Agreement, between the Government of Canada, the Province of BC, and the Nisga'a Nation.

On June 9, 2015, an amendment to the *Protected Areas of British Columbia Act* modified the Nisga'a Memorial Lava Bed Park boundary to remove approximately 63.5 ha for the proposed Project pipeline. Concurrently, the land removed from the park were established as Nisga'a Memorial Lava Bed Corridor Protected Area No. 2. The amendment to the park boundary is contingent upon the start of Project construction within the park.

The amendment to the Nisga'a Lava Bed Memorial Park (Anhluut'ukwsim Laxmihl Angwinga'asanskwhl Nisga'a Park) also required amending the Nisga'a Final Agreement by the Government of Canada, the Province of BC, and the Nisga'a Nation.

These significant statutory amendments, and the associated efforts required by PRGT to support these processes require substantial effort, time, and resources and are a demonstration of intent to start the Project in a meaningful and tangible way.

At this time, PRGT has elected to not advance Project construction within the provincial park until a positive substantial start decision has been provided by the EAO. However, to date PRGT has conducted sufficient fieldwork within the park (permitted under Park Use Permits from BC Parks) to prepare for Project construction within the park. Data from fieldwork was used to develop and file the Condition 28 plan with the EAO (required prior to construction within the park). In consultation with NLG, PRGT may perform additional fieldwork studies within the park in 2025, prior to progressing construction activities.

4.1.2.2 SPECIAL USE PERMITS

In 2024, PRGT received one SUP permit from the NLG for four borrow sites, in accordance with Section 3(1)(b) of the *Nisga'a Forest Act*. These borrow sites, located on Nisga'a Lands, have been used for Year-1 construction including sand pits, gravel pits, rock quarries, or other quarries that provide materials for road construction or maintenance.

In addition, PRGT previously received approval of a supplementary SUP from NLG to conduct non-invasive EA field work on Nisga'a Lands. Emphasizing positive Indigenous engagement, PRGT will continue to engage NLG in advance of timelines required to receive required Project permits.

4.1.3 EXPENDITURES AND LOCAL SPEND

PRGT has directed significant capital expenditure towards advancing the Project. PRGT's total expenditure spanning 2013 to November 2024 is nearly \$584M (CAD), indicating the significant amount of time, effort, and resources directed towards substantially starting the Project. PRGT has directed capital expenditure towards construction readiness items including but not limited to securing Project permits and contractors, fulfilling regulatory and environmental commitments, developing Project safety controls, directing engineering services, and executing construction activities. Table 4-10 provides PRGT's total capital Project expenditures by category, spanning 2013 to November 2024.

Approximately \$2.2M (CAD) of PRGT's recent expenditures (June to September 2024) have been directed towards Indigenous and local contractors. PRGT will continue to direct spend towards Indigenous and local contractors as Project construction progresses.

TABLE 4-10: PROJECT EXPENDITURES TO NOVEMBER 2024

Category	\$ Amount (CAD) Total (2013 to November 2024)*
Commercial Contracts	\$17,553,000
Environment and Regulatory	\$90,876,000
Indigenous and External Relations**	\$87,160,000
Land	\$16,827,000
Project Financial Controls and Engineering	\$12,531,000
Project Management and Construction	\$335,574,000
Supply Chain	\$13,155,000
Safety, Quality, and Document Controls	\$10,260,000
Total	\$583,936,000
*Note: Expenditure values in this table have been rounded to the nearest thousand.	
**Note: Indigenous and External Relations Spend includes Indigenous employment and community spend.	

4.2 Factor 2 - How Have the Activities Undertaken to Date Contributed to the Development of the Overall Project?

Pipeline construction is a complex process that involves several critical steps to ensure the pipeline is installed efficiently and safely and includes many steps prior to pipe installation within a trench or commissioning. In the construction of large-complex pipeline projects that cross multiple different land uses, ecosystems, and cultural areas, the steps of surveying, clearing, and access road completion are meticulously planned and executed due to their fundamental role in ensuring the overall success and safety of the Project.

PRGT's construction and permitting activities detailed in Section 4.1 represent significant and important steps towards developing the overall Project. As described previously, PRGT's 2024 construction focus on Nisga'a Lands was important due to the long-lead components of the CPD and duration required on this section of the Project route. Constructing new and upgraded access roads and bridges and establishing the four borrow sites and Sga Sgin'ist Lodge site (both the workforce camp and the ancillary sites) are essential to facilitate future pipeline construction and access at the pipeline's Western Front. Likewise, completing construction activities along Ginlulak Road also facilitates future access to the Project.

Since 2016, PRGT has completed surveying as a first critical step, as it involves detailed mapping and analysis of the pipeline route, which helps in identifying optimal paths that minimize environmental effects and ensure regulatory compliance. The precision of this data allows engineers to design the pipeline layout with considerations for topographical variations, soil stability, and potential geological hazards. Without thorough surveying, the risk of encountering unexpected challenges during construction increases, potentially leading to costly delays and safety hazards.

Following surveying, and starting in 2024, clearing has been conducted to prepare the land for pipeline installation. Clearing involves the removal of vegetation, rocks, and other obstructions, which is necessary to create a clean, unobstructed workspace. This step is not just about making space; it is also about preventing future interference with the

pipeline, such as root growth or soil erosion, which could damage the infrastructure. Clearing tasks are completed with precision to meet specific engineering, environmental, and socio-economic standards, ensuring that the pipeline will be secure and durable throughout its operational life once installed. Grading, the process of leveling the ground, is equally crucial as it ensures a stable foundation for construction equipment and eventually, the pipeline. PRGT's Year-1 Construction Program does not include grading within the ROW, aligning with current and intended ESC measures and commitments in the CEMP. Once grading is initiated, PRGT will implement additional ESC measures as required by the CEMP.

Finally, the completion of access roads is vital for maintaining the efficiency and safety of the construction process. Access roads are carefully designed to accommodate the transportation of heavy machinery, materials, and workforce to the construction site. Their construction is typically prioritized to ensure that all other phases of the project can proceed without interruption. Well-constructed access roads reduce the time and cost associated with moving equipment and materials, minimize wear and tear on vehicles, and provide reliable routes for emergency services if needed. Additionally, these roads are essential for environmental protection, as they help control and direct traffic flow, reducing the impact on surrounding ecosystems and communities. By completing these steps methodically, the construction team ensures a solid foundation for the pipeline, reduces risks, and promotes the overall efficiency and success of the Project.

PRGT has phased the Project's construction to protect the environment and communities along the pipeline route. This approach involves breaking down the Project into smaller, manageable sections, each with specific timelines and environmental protection controls. During each phase, construction activities are carefully planned and monitored to minimize environmental disruption. For instance, work in ecologically sensitive areas has been scheduled outside of breeding seasons or periods of high ecological activity, reducing the impact on wildlife, fish, and plants. Similarly, construction near local communities is phased to limit disruptions, such as noise, traffic, and dust, often incorporating community feedback to address concerns and align with local schedules. Phased construction also allows for environmental restoration efforts to be integrated into the Project, ensuring that each completed section of the pipeline is rehabilitated before moving on to the next, thereby reducing the overall footprint of the construction activities. This methodical approach not only safeguards the environment and communities but also fosters transparency and trust between PRGT and the affected stakeholders.

PRGT's construction and permitting activities detailed in Section 4.1 represent significant and important steps toward constructing the remaining portions of the Project.

4.3 Factor 3 - Is the Activity or Component Identified in the CPD As Part of the Project?

The EAO's SSD Policy asks if the components or activities included in the CPD will be counted towards a substantial start determination (EAO 2021). In alignment with the SSD Policy, the physical Project components described in Section 4 are listed within the Project's Table 4-4 and 2-4 of the CPD. Components of the Year-1 Construction Program are shown in Figure 4-2.

All components and construction activities to date are exclusively for the Project. PRGT would not have undertaken any of the development activities described in the Submission if not for the intention to develop the Project. The physical Project components listed in Section 4 are described in the CPD. With the confirmation of a delivery partner through the Ksi Lisims LNG Project, the sale of PRGT entities, and the receipt of numerous regulatory approvals (including the amendment of a provincial park boundary), PRGT has the support required to continue advancing Project construction in a timely manner.

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

The Year-1 Construction Program activities support the advancement of components identified in the CPD. Table 4-11 lists the components in the Project's CPD and summarizes the status of construction activities completed in 2024.

TABLE 4-11: CONSTRUCTION OF THE PROJECT'S CPD COMPONENTS

Certified Project Description (CPD) Component	Year-1 Construction Program ((2024) Activity Summary
Land-based and marine-based pipelines and associated components	42+ km of the initial pipeline corridor cleared on Nisga'a Lands (65% total of BCER Section 5B).
Compressor stations and associated components	Original Project design included three compressor stations for Phase 1. Current Project design requires only one compressor station to support Phase 1 operation, and the full volume required to operate the Ksi Lisims LNG Project. This compressor station, the Eastern Initiation Compressor Station, was proposed in 2024 in the Eastern Route Alternative Amendment. As per the Eastern Route Alternative Amendment and Marine Route Alternative Amendment, no compressor stations are required on Nisga'a Lands.
Meter station and associated components	An additional meter station is proposed in the Eastern Route Alternative Amendment, co-located with the Eastern Initiation Compressor Station. A new meter station location is proposed in the Marine Route Alternative Amendment co-located with the Ksi Lisims LNG Project.
12 Construction camps	One 222-person camp constructed and operational (Sga Sgin'ist Lodge), clearing spanning approximately 10 ha.
Temporary storage areas	Three storage areas established with equipment stored, approximately 5 ha in total size (located at Nass Camp).
Stockpile sites	One stockpile site established at Sga Sgin'ist Lodge.
Contractor storage yards	One contractor storage yard developed at Sga Sgin'ist Lodge.
Laydown yards	One laydown yard developed at Sga Sgin'ist Lodge.
Borrow sites	Four borrow sites developed and operational producing approximately 56,651 m ³ of aggregate.
Upgraded and maintained roads	Major upgrades and maintenance along 47 km of access roads.
New bridges	Construction of nine permanent bridges.
Rail sidings	Not needed on Nisga'a Lands.

5 Project Benefits

Construction and operation of the Project will bring lasting economic and social benefits to the Province of BC and Canada. From construction, when jobs will be provided to Indigenous Nations and local communities, to operation, when Project community contributions will extend to Indigenous Nations and local communities along the pipeline route.

5.1 Indigenous and Local Employment and Procurement

PRGT is committed to providing employment and procurement opportunities to Indigenous Nations and local communities along the pipeline route. PRGT recognizes the value in giving back to the communities the pipeline traverses and is excited for the opportunity to facilitate economic and employment opportunities for local communities.

PRGT has developed a comprehensive strategy to engage and employ Indigenous individuals throughout the Project's construction and operational phases. This strategy is detailed in the Project's Engagement Plan, which describes historical and ongoing efforts to ensure that Indigenous and local services are prioritized in the Project's supply chain. This plan will be continually updated as Project Agreements are refreshed, and other negotiations activities advance.

To date, PRGT has provided over \$25.2M (CAD) in milestone related Project Agreement payments and \$14.5M (CAD) in capacity and technical support funding to Indigenous groups. Since 2024, under the more recent Project Development Agreement between PRGT and TC Energy, a further \$4.4M (CAD) was allocated to advance Indigenous relations for the Project. The Project Agreements commit PRGT to significant additional milestone and ongoing operating payments as well as comprehensive approaches to procurement, workforce and other commitments of significance to PRGT and Indigenous Nations along the PRGT corridor. PRGT has also tabled an additional potential benefit, which is to put together an equity ownership opportunity for any Nation interested in pursuing an equity opportunity. This offer is incremental to Project Agreements.

To support the Year-1 Construction Program and physical works start, PRGT has employed Indigenous wildlife monitors since 2023, and in 2024, PRGT conducted career fairs and youth engagement meetings to facilitate occupational interest in the Project and provide employment and procurement opportunities to Indigenous groups. Table 5-1 provides an overview of Indigenous employment opportunities (as the number of person days provided to Indigenous personnel) for Year-1 construction to September 12, 2024. PRGT is committed to continuing to provide employment and procurement opportunities to Indigenous groups throughout construction and operation

TABLE 5-1: INDIGENOUS EMPLOYMENT OPPORTUNITIES

Indigenous Employment Opportunity	Number of Person Days	Date
Wildlife Monitors	55	2023
	46	January 1 to September 12, 2024
Boat Operators (Northern Sunrise Charters)	3	January 1 to September 12, 2024
Employees	34	January 1 to September 12, 2024
Construction Monitors	4	January 1 to September 12, 2024
Field Staff	130	January 1 to September 12, 2024
Office Staff	28	January 1 to September 12, 2024
Total	300	2023 to September 12, 2024

Substantially Started Determination Application: Prince Rupert Gas Transmission Project

In addition to Indigenous employment, PRGT is committed to providing employment and procurement opportunities to local and provincial residents to further bolster the economic and societal benefits the Project is able to provide to local communities. Table 5-2 provides the number of employment opportunities for the Year-1 Construction Program provided to BC Resident and Indigenous individuals the week of October 19, 2024.

TABLE 5-2: NUMBER OF INDIGENOUS AND LOCAL EMPLOYMENT OPPORTUNITIES, WEEK OF OCTOBER 19, 2024

Subcontractor	Number of BC Residents	Number of Nisga'a Personnel	Number of Indigenous Personnel	Number of Project Personnel	Percent of Indigenous Personnel
Allnorth Consultants Ltd.	13	0	0	15	0%
Duz Cho Construction L.P	27	2	5	14	36%
Gitxsan Safety Services	5	1	6	7	86%
Royal Camp	11	8	9	23	39%
Skeena Industrial Services	7	2	2	8	25%
Surespan Construction	6	2	4	14	29%
G'Alexcee	6	3	6	6	100%
LeMare	25	7	7	48	15%
Mur-cal	15	6	14	32	44%
LPL (Ledcor)	4	4	4	-	-
Northern Valley	4	4	4	4	100%
Total	123	39	61	171	36%

5.2 Community Contributions and Benefits

Several Indigenous and non-Indigenous communities are in proximity to the pipeline route. PRGT is committed to providing community contributions and benefits to these Indigenous and local communities. While physical Project construction is progressing, PRGT recognizes the importance of contributing to local community development, as community development promotes a positive environment for future generations. As an example of PRGT's commitment and contributions, to date 11 cedar trees harvested from the Project's clearing have been donated to the Nisga'a Village Governments and schools for cultural use.

PRGT has directed Project community spend to supporting Indigenous and non-Indigenous communities, as denoted in Table 5-3. In addition, as part of the Year-1 Construction Program, PRGT acquired services from, and provided subcontracting opportunities to Indigenous personnel. Project spend on Indigenous services and subcontracting

opportunities is provided in Table 5-4. PRGT is committed to continuing to provide financial support to local communities and Indigenous Nations throughout the life of the Project.

TABLE 5-3: PROJECT COMMUNITY SPEND

Community	Approximate Total Spend (\$ CAD) May to September 2024
Terrace	\$335,478
New Aiyansh	\$51,142
Gingolx	\$2,410
Chetwynd	\$26,500
Mackenzie	\$21,683
Total Community Spend	\$437,213

TABLE 5-4: PROJECT INDIGENOUS-OWNED BUSINESS SPEND

Indigenous Business	Approximate Total Spend (\$ CAD) to May to November 2024
Total Indigenous-owned Business Spend	\$24,836,000

5.3 Indigenous Benefits

PRGT is committed to developing the Project in a manner that benefits Indigenous Nations along the route. Throughout the summer and fall of 2024, PRGT assembled teams to ensure the capacity to meaningfully engage Indigenous Nations and meet the expectations for Project Agreements. PRGT is looking to renew agreements with Indigenous Nations, with opportunities that include:

- **Financial Commitments:** Financial Commitments will be updated to account for inflationary impacts since the signing of Project Agreements. Nations currently without Project Agreements – Saulteau, West Moberly, Nak'adzli, Kitsumkalum, Gitxaala, will be engaged in Project negotiations on a fair and equitable basis with those that currently have agreements.
- **Procurement:** Engagement will occur to update the procurement sections of the Project Agreements, utilizing recent experiences with other major projects, mutually beneficial improvements can be included that provide greater certainty and also recognition of the significant advancement of capacity and business partnerships within Nations over the past decade.
- **Equity:** PRGT is committed to establishing an equity offering process for all Indigenous Nations interested in equity participation. This dialogue will occur separately and in parallel with the Project Agreement updates.
- **Timelines:** The Project Agreement discussions started in September 2024, based on previous high-level commitments by the new owners, with all interested Indigenous Nations. Given the unique nature of this negotiation process, efforts will be directed towards completing the Project Agreement updates and negotiations by early spring 2025. The equity discussions are expected to extend into 2025.

As part of engagement efforts, in-person meetings have been or are set to be scheduled for fall 2024, with discussions extending into 2025. Additionally, PRGT is planning equity opportunity dialogue later in fall 2024 for all interested Nations. An Indigenous Leaders' Summit is now scheduled for early January 2025 in Prince George. PRGT has organized the

Indigenous Leader's Summit collaboratively with all Indigenous Nations, so that all voices and perspectives continue to be considered while making informed Project decisions.

PRGT also remains dedicated to upholding the pre-engagement process and implementing new operational planning and mitigation measures, co-developed with the BCER and Treaty 8 Nations. These measurements are designed to safeguard Treaty Rights and manage cumulative effects, ensuring that the Project proceeds in a manner respectful of Indigenous Knowledge, values, and concerns. As the Project moves forward, PRGT remains dedicated to fostering strong, mutual beneficial relationships with Indigenous communities, ensuring that the Project not only supports economic reconciliation but also respects and uplifts the cultures, traditions, and rights of Indigenous peoples.

5.3.1 INDIGENOUS SUPPORT

Indigenous support is important for developing infrastructure projects in a good way. PRGT has undertaken significant and substantive engagement with Indigenous Nations in proximity to the Project over the past 12 years. From 2012 to 2023 PRGT conducted more than 20,000 engagements (e.g., emails, calls, meetings) and over 1,100 direct meetings with 20 Indigenous Nations along the pipeline corridor. After PRGT confirmed the Ksi Lisims LNG Project to be the Project's new customer, more than 1,000 additional engagements and over 70 meetings were conducted with 20 Indigenous Nations. The results of this engagement have been 15 Project Agreements signed to date and a commitment from PRGT to collaborate with the participating Indigenous Nations across the Project. Additional commitments to refresh the existing Project Agreements to ensure improvements from recent project learnings, as well as to address the impact of inflation have also been incorporated. The Project Agreements provide the basis of Indigenous support for PRGT and the Project and serve as an important foundation for ongoing dialogue and preparation for full Project development activities.

PRGT has dedicated significant efforts towards cultivating Indigenous support for the Project, underscoring the Project's commitment to meaningful engagement and collaboration with Indigenous communities. PRGT's substantial investment in building Indigenous support for the Project highlights the importance of fostering positive relationships with Indigenous communities well before the start of physical construction, ensuring a strong foundation for collaboration and mutual benefit.

6 Summary

PRGT is seeking a positive substantially started determination for the Project pursuant to Section 31 of the BC *Environmental Assessment Act* 2018. This report provides the information required by the EAO to make a substantially started determination. PRGT is of the view that the Project activities described in this Submission clearly demonstrate that the Project has substantially started. Once a positive substantially started determination is received, PRGT has confirmed commitment and intention to continue constructing and operating the Project, causing its EAC and associated conditions to remain relevant and in effect.

Recognizing the requirement to have substantially started the Project by November 25, 2024, and the EAO's SSD Policy emphasis on physical works, PRGT adopted a careful and strategic approach to planning and executing those works. PRGT noted that the regulation triggering the need for an EA defines a reviewable pipeline project as one with a length of at least 40 km. Accordingly, PRGT developed construction plans for over 40 km of pipeline on Nisga'a Lands, acknowledging that this segment alone would meet the criteria for a reviewable project. PRGT also planned to establish a worker camp and carry out necessary permanent road and bridge upgrades, along with other ancillary works.

PRGT has invested significant time, effort and resources to physically develop the Project since 2012, including undertaking meaningful physical construction activities in 2024. These efforts included Project engineering, construction planning and execution, Indigenous benefits and relationships, and regulatory authorizations and requirements. To date, PRGT has invested approximately \$584M (CAD) towards advancing the Project and undertaking construction works. In 2015 PRGT received all key BCER permits required for the pipeline, compressor, and meter stations (11 permits), 10 of which have been repeatedly extended and aligned with the current CPD (the non-extended permit being no longer applicable to the current CPD). In total PRGT has received 34 key federal and provincial authorizations (excluding the EAO) and 29 authorizations from the NLG.

Once a positive substantially started determination is received, PRGT has confirmed commitment and intention to continue constructing and operating the Project, causing its EAC and associated conditions to remain relevant and in effect.

7 References

Acts and Regulations

Environmental Assessment Act, SBC 2002, c.43.

Environmental Assessment Act, SBC 2018, c.51.

Energy Resource Activities Act, SBC 2008, c.36.

Heritage Conservation Act, RSBC 1996, c.187.

Nisga'a Final Agreement, SC 2000, c.7.

Nisga'a Forest Act, Unofficial Consolidation

Nisga'a Land Act, Unofficial Consolidation

Protected Areas of British Columbia Act, SBC 2000, c.17.

Reviewable Projects Regulation, BC Reg 40/2009.

Water Sustainability Act, SBC 2014, c.15.

Wildlife Act, RSBC 1996, c.488.

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British Columbia Environmental Assessment Office (BC EAO), EAO Substantial Start Determination Policy, Version 1.0, June 15, 2021. Available online at: [substantially_started_determination_policy_final.pdf \(gov.bc.ca\)](#). Accessed October 2024.

BC EAO, Reasons for Determination of the Chief Executive Assessment Officer – KSM, July 25, 2024. Available online at: [KSM SSD Reasons CEAO.pdf \(gov.bc.ca\)](#). Accessed October 2024.

BC Ministry of Energy, Mines, and Low Carbon Innovation (BC EMLI), B.C. Cuts Harmful Emissions from Oil and Gas Sector, September 9, 2024. Available online at: [BC Gov News](#). Accessed October 2024.

Nisga'a Nation and Western LNG, Nisga'a Nation and Western LNG to purchase PRGT natural gas project, March 14, 2024. Available online at: [2024.03.14_NR_PRGT_Acquisition.FINAL_.pdf \(nisgaanation.ca\)](#). Accessed October 2024.

Taku River Tlingit First Nation v. British Columbia (Minister of Environment), 2014, BCSC 1278. Available online at: [2014 BCSC 1278 \(CanLII\) | Taku River Tlingit First Nation v. British Columbia \(Minister of Environment\) | CanLII](#). Accessed October 2024.

Appendix A Construction Progress Photobook

Camp



August 2024 –
Construction crew
morning safety
tailgate meeting



August 2024 - Aerial
View of Sga Sgin'ist
Lodge



Aerial View of Sga
Sgin'ist Lodge, Pre-
Construction (August
2024)



Aerial View of Sga
Sgin'ist Lodge, Post-
Construction (October
2024)



August 2024 – Camp
pad layout at Sga
Sgin'ist Lodge



August 2024 – Camp
pad grading at Sga
Sgin'ist Lodge



August 2024 – Office trailer installation and setup at Sga Sgin'ist Lodge.



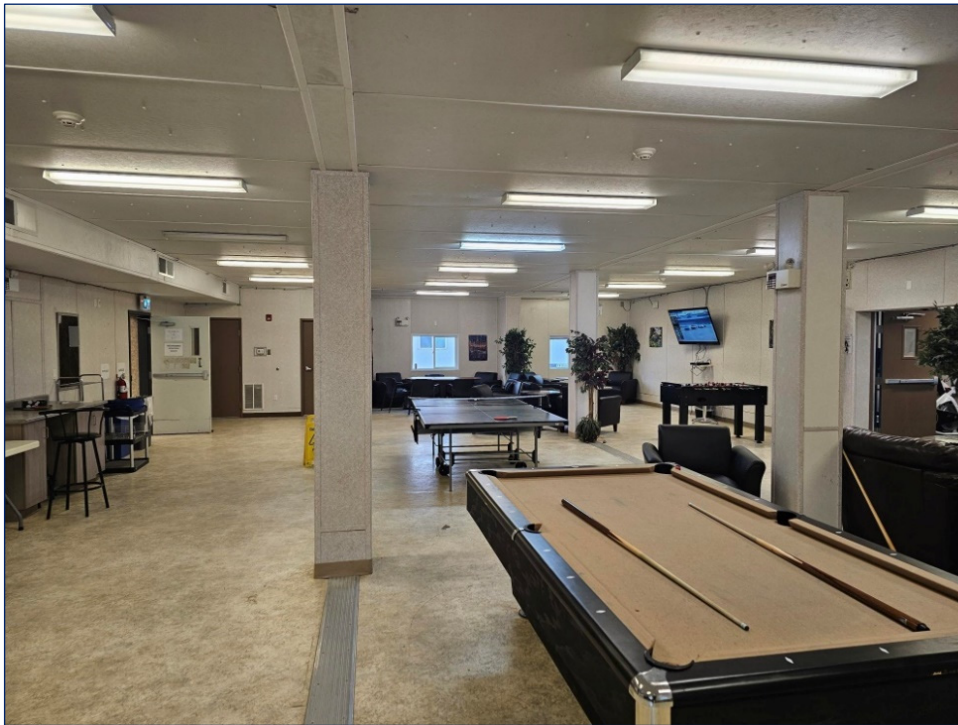
August 2024 – Camp kitchen installation and setup at Sga Sgin'ist Lodge.



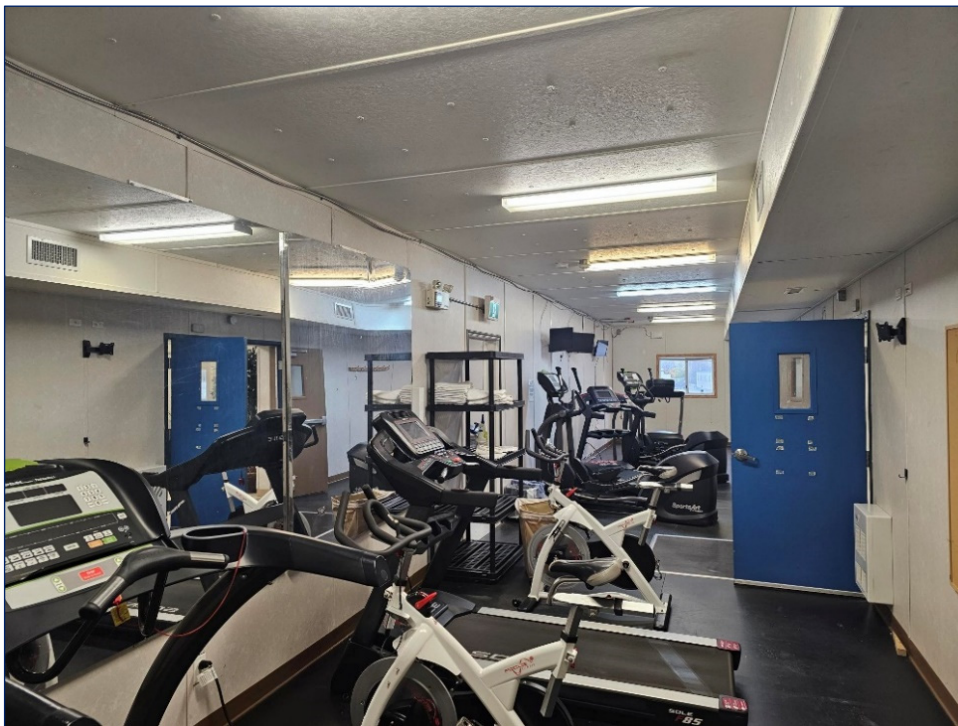
August 2024 – Dorm installation and setup at Sga Sgin'ist Lodge.



September 2024 – Sga Sgin'ist Lodge security and wildlife fence installation.



October 2024 –
Recreational room at
Sga Sgin'ist Lodge.



October 2024 – Gym
at Sga Sgin'ist Lodge.



October 2024 – Gym
at Sga Sgin'ist Lodge.

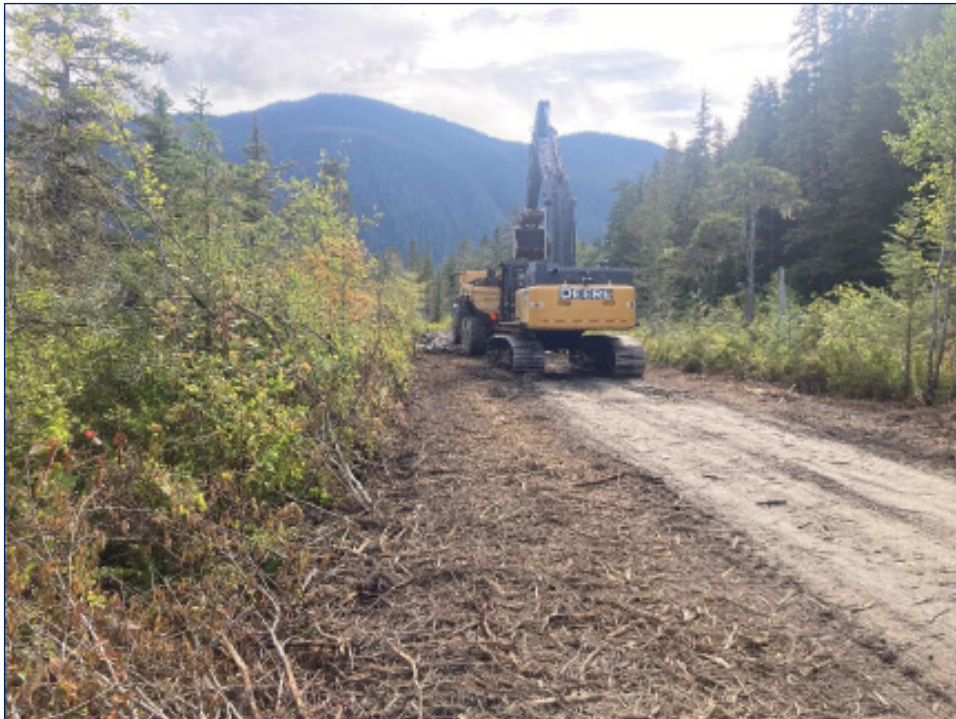


October 2024 – Sga
Sgin'ist Lodge.

Access



August 2024 – Setting up road signage.



August 2024 –
Brushing out access roads and removing material from site.



August 2024 –
Brushing out access
roads.



August 2024 –
Installing ESC along
access roads.



August 2024 –
Reinforcing culvert
locations along access
for overweight loads.



September 2024 –
Access road culvert
installation.



September 2024 –
Placement of ballast
for pullouts along
access prior to
bringing up road
grade.



September 2024 –
Ballasting of access
road.



October 2024 –
Ballasting of access
road.

Clearing



August 2024 – Log
Loader at work.



September 2024 –
Buncher at work
felling trees.



September 2024 –
Right-of-Way Clearing
progressing.



September 2024 –
Skidding timber into
piles for processing.



September 2024 –
Timber skidded into
piles for processing



September 2024 –
Processing timber.



September 2024 –
Raked piles of debris
for disposal.



September 2024 –
Skidding and
processing.



September 2024 –
Decking and sorting of
processed timber.



Aerial view of the
pipeline ROW

Bridges



September 2024 –
Installation of
permanent bridge
footings.



September 2024 –
Installation of
permanent bridge
ballast walls.



October 2024 –
Completed permanent
bridge installation.



October 2024 –
Completed permanent
bridge installation.

Borrow Pit/Aggregate Sites



September 2024 –
Borrow pit drilling.



September 2024 –
Borrow pit drilling and
development.



September 2024 –
Borrow pit
development.



September 2024 –
Loading trucks at
borrow pit.



September 2024 –
Preparing material for
trucks.



October 2024 –
Preparing material for
trucks.