

# The EAO's Assessment of an Application for Certificate Amendment Amendment #6 - Marine Route Alternative

*PRINCE RUPERT GAS TRANSMISSION PROJECT*

**REQUESTED BY:**

**PRINCE RUPERT GAS TRANSMISSION LTD.**

**JULY 3, 2025**

*Pursuant to Section 32 of the Environmental Assessment Act, S.B.C. 2018, c.51*

## ACRONYMS AND ABBREVIATIONS

The Act	<i>Environmental Assessment Act</i> , S.B.C. 2018, c. 51
Amendment Application	Application to amend the Environmental Assessment Certificate #E14-06 for Amendment #6 - Request for the Marine Route Alternative
B.C.	British Columbia
BCER	British Columbia Energy Regulator
CPC	Certified Pipeline Corridor
CPD	Certified Project Description of the Certificate
CEMP	Construction Environmental Management Plan
Certificate	Environmental Assessment Certificate #E14-06
DFO	Fisheries and Oceans Canada
EA	Environmental Assessment
EAC	Environmental Assessment Certificate
EAO	Environmental Assessment Office
GHG	Greenhouse Gas
HMSP	Health and Medical Services Plan
km	Kilometre
LNG	Liquid Natural Gas
MMMP	Marine Mammal Monitoring Plan
NRCan	Natural Resources Canada
PRGT, the Project	Prince Rupert Gas Transmission Pipeline
PRGT Ltd., the Holder	Prince Rupert Gas Transmission Limited
SARA	<i>Species at Risk Act</i>
SEEMP	Social and Economic Effects Management Plan
TAC	Technical Advisory Committee
This Report	The EAO's Assessment of an Application for Certificate Amendment #6 - Request for Marine Route Alternative
VC	Valued Component(s)

## 1.0 OVERVIEW OF THE PROPOSED AMENDMENT

### 1.1. Background

On November 25, 2014, Prince Rupert Gas Transmission Ltd. (PRGT Ltd., the Holder) received Environmental Assessment Certificate #E14-06 (the Certificate) under the *Environmental Assessment Act*, 2002 for the Prince Rupert Gas Transmission pipeline (PRGT, the Project). As defined in Schedule A of the Certificate, the Certified Project Description (CPD), PRGT is certified to deliver natural gas from the Hudson Hope area in the northeast of British Columbia (B.C.) to the formerly proposed Pacific NorthWest LNG project, which was a natural gas liquification and export facility on Lelu Island in the Port of Prince Rupert, B.C. The Pacific NorthWest LNG project was terminated on September 26, 2017.

The EAO has issued five amendments to the Certificate and, at the time of writing this Amendment Assessment Report (the Report), the EAO is also assessing an additional amendment application:

- Amendment #1 (December 16, 2015): to accommodate marine ancillary facilities, including: a main spread marine camp, barge landing sites, material off-loading facilities, a dock, and a jetty;
- Amendment #2 (May 26, 2016): to accommodate a project change for the Mt. Milligan Route Alternative that departs from approximately kilometre (km) post 208 and rejoins at km post 235, and move the site of Witter Lake Compressor station approximately 15 km southeast of the current compressor station;
- Amendment #3 (May 26, 2016): to accommodate project changes for the Nass Camp Route Alternative that departs at approximately km post 662 and rejoins at km post 668;
- Amendment #5 (June 6, 2017): to create the Ksi Mat'in pipeline route and crossing located within Nisga'a Lands;
- Amendment #4 (December 20, 2017): to include two additional main spread construction camps and an additional stand-by compressor unit at each compressor station; and
- Proposed Eastern Route Alternative Amendment (under review): an amendment to reroute 172 km of the eastern section of the pipeline by moving the pipeline south and shortening the route by moving the initiation point west.

On June 21, 2024, the Holder submitted the Marine Route Alternative Amendment Application (Amendment Application) to amend the Certificate, per Section 32 of the *Environmental Assessment Act*, 2018 (the Act).

In the Amendment Application, PRGT Ltd. is requesting an alternative route for the pipeline (Marine Route Alternative) to supply natural gas to the Ksi Lisims LNG Facility (Ksi Lisims LNG), a proposed liquified natural gas (LNG) processing plant and marine terminal project located at Wil Milit on Pearse Island, approximately 14 km west of Nisga'a village of Gingolx, and 82 km north of the Port of Prince Rupert. Ksi Lisims LNG is currently undergoing the environmental assessment process. Construction of the Marine Route Alternative to Pearse Island, rather than the route to Lelu Island, would reduce the marine pipeline length by approximately 70 km. The purpose of PRGT Ltd.'s proposed Amendment Application is the following:

Create a Nass Bay Route: option to reroute 9.4 km of the pipeline corridor deviating approximately 1.5 km from the established Certified Pipeline Corridor (CPC). This would include a 0.2-hectare terrestrial expansion of the CPC just prior to where the pipeline would enter the marine environment at Nass Bay (Nass Bay Approach).

Ksi Lisims LNG Pipeline Connection: option to reroute the pipeline to terminate at the proposed Ksi Lisims LNG rather than at Lelu Island in the Port of Prince Rupert. This alternative would reroute the marine pipeline northward, through the Portland Inlet and Portland Canal to a new terminal point at the northern end of Pearse Island. This would also include a fiber optic cable co-located with the marine pipeline and a receipt meter station within the Ksi Lisims LNG footprint.

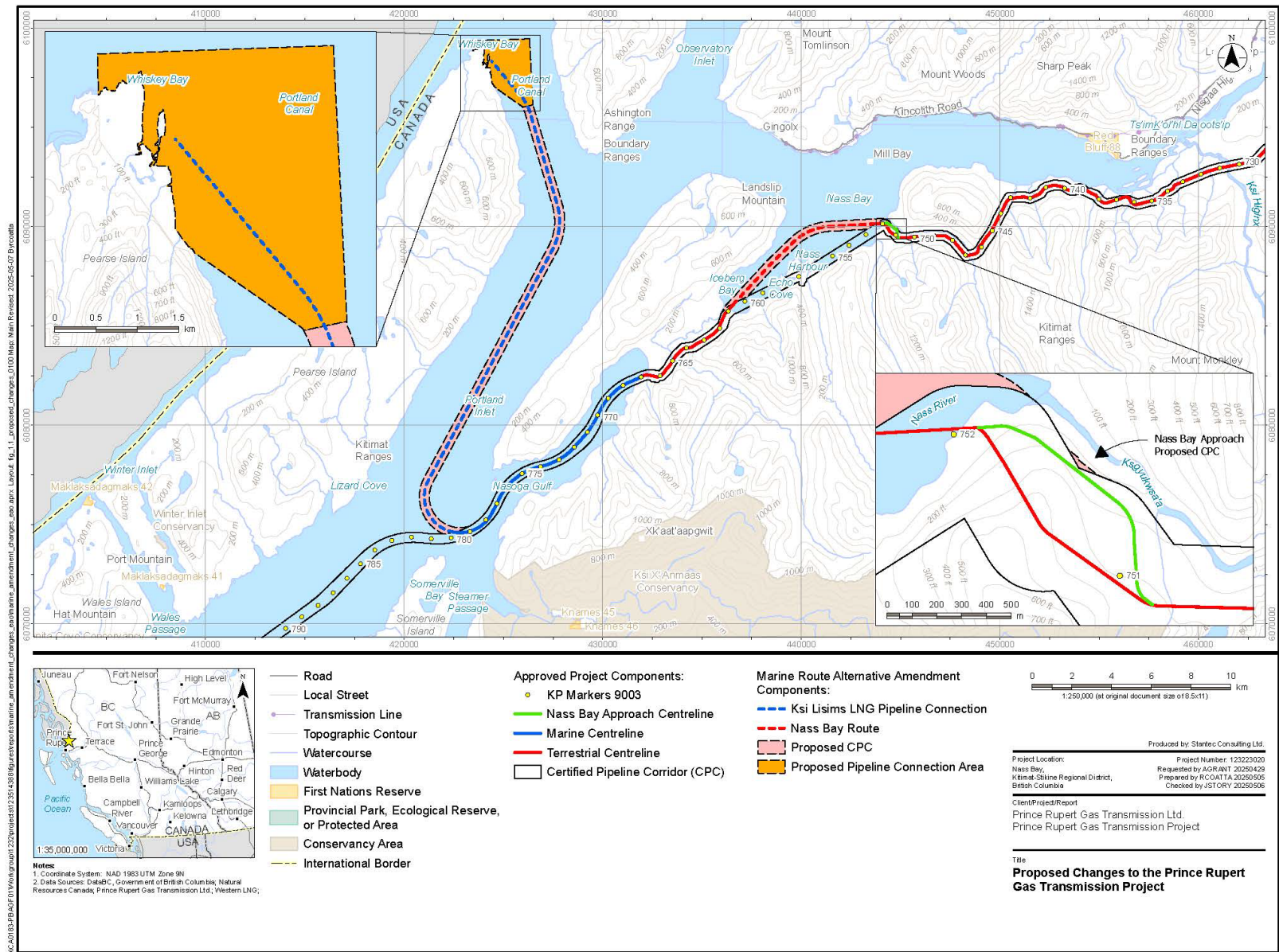


Figure 1. PRGT Marine Route Alternative



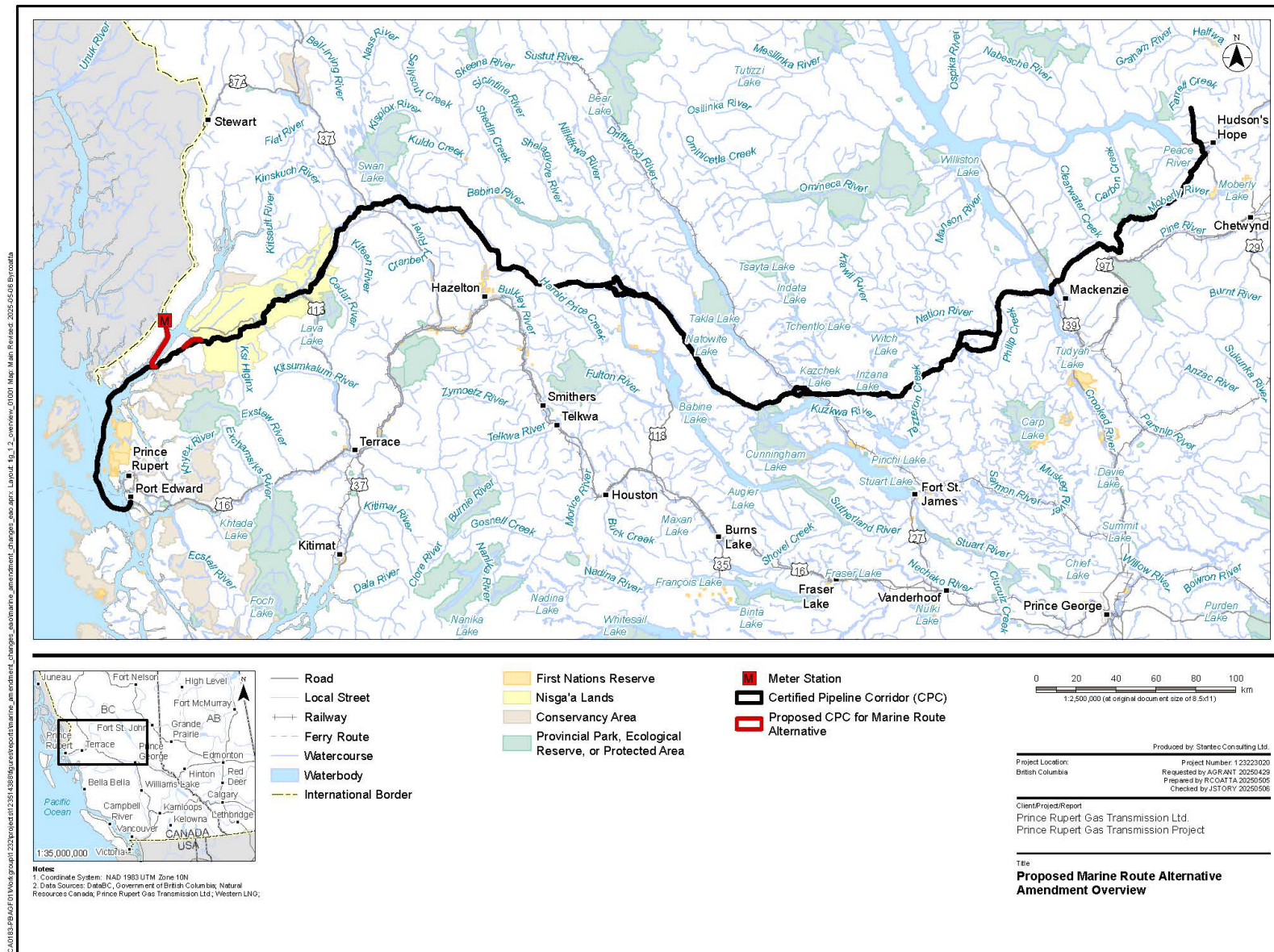


Figure 2. PRGT pipeline route and Marine Route Alternative

## 2.0 AMENDMENT ASSESSMENT PROCESS

The EAO determined the Amendment Application to be “typical” ([Amendments to Environmental Assessment Certificates and Exemption Orders – Guidance for Holders](#)) as the proposed changes are material but limited to how the Project will be implemented within areas where the interactions with Valued Components (VC) have already been assessed. The EAO’s amendment assessment process consisted of the following key steps:

- Review of the Amendment Application by the EAO, First Nations, and Technical Advisory Committee (TAC) members;
- Holding a public comment period;
- Consultation and consensus-seeking with First Nations;
- Issues resolution between TAC members and the Holder;
- Review of the draft Report and draft Amendment Order by First Nations, TAC members and the Holder; and
- Finalization and referral of the Report and Amendment Order to the Deputy Chief Executive Assessment Officer for decision. The Holder, First Nations and TAC are notified of the decision.

The EAO established a TAC to assist with the EAO’s review of the Amendment Application. The TAC was comprised of technical experts and First Nations with the proposed Marine Route Alternative located within or near their territory. On March 12, 2025, PRGT Ltd. provided an updated CPC Memo for the terminus portion of the Marine Route Alternative pipeline route, which was provided to the TAC for review. The following parties were invited to participate on the TAC to provide advice, comments and feedback on the Amendment Application and draft Report:

### Local Governments:

- District of Port Edward
- City of Prince Rupert
- Regional District of Kitimat-Stikine
- North Coast Regional District

### First Nations:

- Nisga’a Nation (Nisga’a)
- Gitga’at First Nation (Gitga’at)
- Gitxaala First Nation (Gitxaala)
- Kitselas First Nation (Kitselas)
- Kitsumkalum First Nation (Kitsumkalum)
- Lax Kw’alaams Band (Lax Kw’alaams)
- Metlakatla First Nation (Metlakatla)

### Federal Government Departments:

- Fisheries and Oceans Canada (DFO)
- Environment and Climate Change Canada
- Transport Canada

### Provincial Government Ministries and Agencies, including Health Authorities:

- BC Energy Regulator (BCER)
- Ministry of Environment and Parks
- Ministry of Energy and Climate Solutions
- Ministry of Housing and Municipal Affairs
- Ministry of Transportation and Transit
- Ministry of Water, Land and Resource Stewardship
- Ministry of Jobs, Economic Development and Innovation
- Northern Health

### United States Agencies

- United States Environmental Protection Agency
- Department of Natural Resources
- Department of Fish and Game

### 3.0 PUBLIC ENGAGEMENT

A Public Comment Period for the Amendment Application was held from August 1 to September 3, 2024, with 40 public comment surveys completed during this time.

The main topics of concern from the public included:

- Administrative and environmental assessment processes: length of time since PRGT's 2014 Environmental Assessment (EA), calls to cancel the Project altogether, the substantial start decision and current validity of the Certificate, perception that construction is happening ahead of the decision, and ability for people affected to participate in the amendment assessment process.
- Greenhouse gas (GHG) impacts, climate change, opposition to new oil, gas and fossil fuel projects, and desire for more focus on green energy projects.
- Potential for the Marine Route Alternative to affect B.C.'s ability to reach legislated GHG emissions targets ([Climate Change Accountability Act, 2007](#)), and pollution from pipeline compressor stations.
- Cumulative effects, and environmental impacts to sensitive Skeena and Nass River areas and watersheds.
- Impacts to marine species including salmon, marine mammals, molluscs, crab, and eulachon.
- Impacts to marine food sources including concerns about contamination of fish and shellfish, salmon spawning, and migration.
- Social and economic effects caused by the Project, including strain on the health system, tourism impacts including fishing tourism, change to Project location resulting in change to employment from the Project, toll of mental energy and stress.

A Community Advisory Committee was not established for this amendment under [Section 22\(1\)](#) of the Act. This decision was based on the scope of the Amendment Application, as the proposed changes affect currently approved infrastructure, the effects to the public from this amendment are not anticipated to change and broader public engagement was part of the amendment assessment process.

### 4.0 FIRST NATION CONSULTATION AND CONSENSUS-SEEKING

The EAO and PRGT Ltd. conducted direct engagement with First Nations during the Amendment Application review process. The proposed Marine Route Alternative crosses the Nass Area and Nass Wildlife Area under the Nisga'a Treaty and the territories of Kitselas, Kitsumkalum, Lax Kw'alaams and Metlakatla. It also overlaps a Gitxaala eulachon fishing station on the Nass River. While they were not involved in the 2014 EA, Gitga'at was included in the amendment assessment process as they have asserted territory in the Marine Route Alternative area.

PRGT Ltd. began engagement with Nisga'a in October 2015 and began engaging other nations on a potential Nass Bay Route in 2016 and 2017, including Lax Kw'alaams, Gitxaala, Metlakatla, Kitsumkalum and Kitselas. The Nass Bay Route was then put on hold. From late 2023 to early 2024, PRGT Ltd. engaged with First Nations on the Marine Route Alternative, prior to submitting the Amendment Application, including engaging with Gitxaala, Kitselas, Kitsumkalum, Lax Kw'alaams, Metlakatla, and Nisga'a. PRGT Ltd. initiated engagement with Gitga'at in the fall of 2024, following the EAO's recommendation.

The EAO began consultation on the Amendment Application with Kitselas, Gitxaala, Kitsumkalum, Lax Kw'alaams, Nisga'a and Metlakatla in July 2024, and with Gitga'at in August 2024. The EAO offered these nations the opportunity to participate in the amendment assessment process, capacity funding for participation, participation on the TAC, as well as consensus-seeking opportunities on the proposed Marine Route Alternative, pursuant to Section 32(7) of the Act.

Throughout the amendment assessment process, the EAO offered to meet with all seven First Nations to discuss the amendment process, issues raised and potential impacts on First Nation rights, and other interests. A draft workplan was proposed by the EAO for First Nation review, reflecting the steps in the amendment assessment process and timelines for parties to complete their reviews and participate in the process. These seven First Nations had the opportunity to raise concerns or comments regarding the Amendment Application during the three separate review periods. Subsequently, the respective First Nations had the opportunity to raise concerns or comments on the draft referral materials provided by the EAO. The key concerns are included in section 5. The EAO revised the draft referral materials in consideration of First Nations input, including their key concerns, additional information provided, and if consensus had been reached.

The EAO also notified the Gitanyow Hereditary Chiefs, due to their territorial overlap with the Nass River Watershed, of the Amendment Application and responded to concerns raised in subsequent correspondence. The EAO received correspondence from the Gitksan Wilp Luutkudziwus regarding the Amendment Application and responded to concerns raised.

Nisga'a provided comments on the Amendment Application and met with the EAO during assessment of the Amendment Application. Following multiple emails with the EAO and review of the draft referral materials, Nisga'a stated they did not have any further comments at that time. Nisga'a stated that consensus had been reached with respect to the recommended approval of the Amendment Application.

Kitsumkalum provided comments on the Amendment Application and met with the EAO during both assessment of the Amendment Application and during review of the draft referral materials. Following these meetings, multiple emails, and comments on the draft referral materials, Kitsumkalum stated consensus had not been reached on the recommendation to approve the Amendment Application. Kitsumkalum's primary outstanding concerns were about disruption of fishing activities, fishing gear loss and damage, financial loss from diminished access to harvesting areas, avoidance of the pipeline area for harvesting activities leading to loss of that area, and cultural and community impacts from loss of traditional practices.

Gitxaala provided comments on the Amendment Application and met with the EAO during both assessment of the Amendment Application and during review of the draft referral materials. Following these meetings, multiple emails, and comments on the draft referral materials, Gitxaala stated consensus had not been reached on the recommendation to approve the Amendment Application. Gitxaala's primary outstanding concerns were related to lack of baseline data, glass sponge reefs, and the current CPC route to Lelu Island remaining in the Certificate.

Gitga'at provided comments on the Amendment Application and met with the EAO during both assessment of the Amendment Application and during review of the draft referral materials. Following these meetings, multiple emails, and comments on the draft referral materials, Gitga'at stated consensus had not been reached on the recommendation to approve the Amendment Application. Gitga'at's primary outstanding concerns were inadequate baseline data, adherence to least-risk timing windows, impacts to marine species (e.g., eulachon, sea lion) and harvesting in the area, and the existing strain on healthcare with concerns that this strain would be exacerbated by the Amendment Application.

Metlakatla provided comments on the Amendment Application and met with the EAO during both assessment of the Amendment Application and during review of the draft referral materials. During meetings, and through correspondence and comments on the draft referral materials, Metlakatla raised concerns regarding the need for more meaningful Indigenous group consultation on management plans and mitigations, baseline data gaps, site-specific blasting mitigations and timing windows, potential impacts to terrestrial areas including rare plants and wetlands, and mitigations around cultural and spiritual sites. Following discussion with the EAO, Metlakatla stated that consensus had not been reached regarding baseline data gaps and blasting. Metlakatla remains concerned that baseline data gaps are insufficiently addressed by Certificate Conditions and Amendment Conditions (including requirements for a Marine Pipeline Construction Environmental Plan [CEMP]) and BCER permit conditions. Additionally, Metlakatla remained concerned that permitting processes are insufficient to ensure that blasting occurs within least risk timing windows. Metlakatla requested



a revised or new condition requiring updated marine baseline information prior to construction and a requirement within the Marine Pipeline CEMP that all blasting in the Nass Bay occur only during least risk timing windows.

Kitselas provided comments on the Amendment Application and met with the EAO during both assessment of the Amendment Application and during review of the draft referral materials. Following these meetings, multiple emails, and comments on the draft referral materials, Kitselas stated consensus had not been reached on the recommendation to approve the Amendment Application. Kitselas' primary outstanding concerns were the lack of sufficient baseline data from the Marine Route Alternative and the current CPC to Lelu Island remaining in the Certificate.

Lax Kw'alaams provided comments on the Amendment Application and met with the EAO during the assessment of the Amendment Application, as well as exchanged multiple emails with the EAO. Following review of the draft referral materials, Lax Kw'alaams provided a letter outlining their outstanding concerns. These included the lack of baseline information, disagreement with PRGT Ltd. and the EAO's conclusions on cumulative effects, which Lax Kw'alaams felt would be concentrated more heavily on a relatively pristine and important part of their territory, as well as impacts on eulachon populations, spawning and habitat.

Concerns and impacts to First Nations interests are addressed below in section 5 and specifically in section 5.9 if pertaining to impacts to section 35 rights.

## 5.0 KEY ISSUES AND EFFECTS

[Section 25](#) of the Act sets out the required assessment matters, which were included in the Amendment Application. Section 25(1) requires an assessment of the effects of the proposed project changes on First Nations, their Section 35 rights under the *Constitution Act*, 1982, and other interests. Section 25(2) of the Act sets out the matters that must be considered in every assessment.

Key issues regarding Section 25 matters that were raised by the TAC and First Nations during their review of the Amendment Application are outlined below. The full list of comments submitted and responses from PRGT Ltd. are detailed in the final Issues Tracking Table and technical memos, available on the [EAO Project Information Centre](#).

### 5.1. Marine Baseline Data

The Amendment Application included baseline data for the assessment area from a number of information sources including: 1) baseline studies completed for the 2014 EA; 2) a post-EA submission subtidal remotely operated vehicle study in Nass and Iceberg Bay; 3) a 2023 intertidal study in Nass Bay, Iceberg Bay, and Nasoga Gulf; 4) a 2023 remote-sensing analysis of marine vegetation in Nass Bay, Iceberg Bay, Nasoga Gulf, Portland Inlet, and Portland Canal; and 5) the 2024 Ksi Lisims LNG EAC Application.

Gitga'at, Gitxaala, Kitselas, Lax Kw'alaams, Metlakatla and DFO were concerned about the lack of baseline data regarding fish and fish habitat collected to assess the Marine Route Alternative, particularly in Portland Inlet and Portland Canal, as this area was not assessed in the 2014 EA, and the Proponent did not collect additional data on fish and fish habitat in this area to support the 2024 Amendment Application. Gitxaala stated that it finds the current level of baseline marine data collection inadequate. Gitga'at raised concerns about the route crossing Portland Inlet, as they feel it is a pristine and sensitive area. This area is used by a variety of sensitive and at-risk marine mammals and fish, such as Northern Resident Killer Whales (listed as Threatened under the *Species at Risk Act* (SARA)), Humpback whale (listed as Special Concern under SARA), harbour porpoise (listed as Special Concern under SARA), rockfish, eulachon, Pacific salmon, and herring. DFO noted that baseline surveys with more detailed site-specific information on fish, fish habitat, and glass sponge reef presence along the entire Marine Route Alternative would be required to support the Proponent's application for *Fisheries Act* authorization(s), if required for the Project.

PRGT Ltd. noted that baseline data was collected in this area for Ksi Lisims LNG, Westcoast Connector Gas Transmission and that the marine area was well characterized with sufficient baseline data to support the Amendment Application. In addition, PRGT Ltd. acknowledged they would be required to collect additional environmental data prior to construction in the marine environment to meet DFO's requirements, which would supplement the existing baseline data.

Following review of the draft Report, Metlakatla re-iterated their request for updated marine baseline information to be collected along the Marine Route Alternative. Metlakatla did not feel that the proposed Amendment Conditions provide certainty that updated baseline data will be collected.

#### 5.1.1. EAO's Conclusions

From review of the Amendment Application, supplemental information provided, and engagement with the TAC and First Nations throughout the amendment assessment process, the EAO is of the view that the marine baseline data provided by PRGT Ltd., including both recent (2023 and 2024) data, is sufficient and continues to support the findings of the 2014 EA. However, though the data was sufficient for the Amendment Application review process, the original conditions addressing the marine environment did not take into consideration fish, fish habitat, and glass sponge reef; additionally, the EAO acknowledges marine baseline data was a key concern for the First Nations consulted. In response, the EAO has proposed Amendment Condition #6: Marine Pipeline CEMP with a requirement for consideration of effects to marine fish, fish habitat, and glass sponge reef, within the marine CPC. Under Amendment Condition #6, PRGT Ltd. will be required to collect and provide further data prior to construction if gaps are identified when the pipeline route is determined. In addition, marine baseline data will be collected by PRGT Ltd. to satisfy other applicable regulatory requirements, including data required as part of the BCER and DFO permitting processes (e.g., BCER pipeline permit requirements related to marine water quality and monitoring both pre- and post-construction).

Based on the review of the Amendment Application, consideration of Certificate's conditions, including the Marine Sediment Management and Monitoring Plan (which includes marine water quality monitoring), the proposed Amendment Condition #6 and additional marine baseline data required for the BCER and DFO permitting processes, it is the EAO's view that this concern has been addressed.

## 5.2. Glass Sponge Reefs

PRGT Ltd.'s Amendment Application stated that residual effects to offshore habitat, including the seabed, will remain unchanged from the 2014 Application. However, PRGT Ltd. has committed to updating marine data, including sub-sea geology, by conducting field surveys conducted within and around the pipeline route to identify the location and extent of any glass sponge reefs, as they were not previously considered. PRGT Ltd. will develop a formal definition of "No Go" areas for glass sponge reefs with relevant regulatory agencies and First Nations during development of the Marine Pipeline CEMP. While known glass sponge reef complexes in Chatham Sound will be unaffected, smaller, undetected reefs in Portland Inlet could potentially be impacted, but overall conclusions from the 2014 EA are expected to remain the same.

Gitxaala, Gitga'at, Kitselas, Nisga'a and DFO expressed concerns about insufficient baseline data along the Marine Route Alternative area, particularly for identification of glass sponge reef locations to be avoided and protected. Gitga'at was also concerned about turbidity impacts from potential dredging affecting sponges and corals. Gitxaala requested further clarification around "no-go" areas to be designated if glass sponge reefs were detected, and how this would be defined and incorporated into the Marine Pipeline CEMP. Kitselas also shared concerns about glass sponge reefs, wanting the pipeline route to be adjusted if they are found, as well as protected from accidents and sedimentation. DFO indicated that adverse effects to sensitive habitats such as glass sponge reefs due to pipeline installation may not be considered acceptable and would likely require route changes. DFO suggested PRGT Ltd. commit to surveying the route to avoid pipeline placement that might crush or cause sedimentation of the glass sponge reefs.

PRGT Ltd. has committed to conducting pre-construction surveys including bathymetric and geophysical surveys to identify substrates and presence of glass sponge reefs. Survey data would be used to “refine routing to avoid or mitigate effects to sensitive sponge reef areas.” PRGT Ltd. indicated that water quality monitoring would measure Total Suspended Solids during trenching, and that construction would be altered or halted if the Total Suspended Solids are above guideline levels. This will be outlined in the Marine Sediment Management and Monitoring Plan, as required by the Certificate’s Condition #9. PRGT Ltd. noted that sediment dispersion modeling may also be required.

### 5.2.1. EAO’s Conclusions

While the EAO acknowledges PRGT Ltd.’s intention to conduct pre-construction surveys and apply appropriate mitigation measures related to glass sponge reefs, including turbidity monitoring, the EAO believes that a potential uncertainty remains regarding PRGT Ltd. being required to determine the presence of glass sponge reefs and implement mitigation measures. In response to concerns raised by First Nations, and these uncertainties, the EAO recommends that potential effects to glass sponge reefs will be addressed as part of proposed Amendment Condition #6: Marine Pipeline CEMP and has included this requirement in the proposed condition.

Based on the review of the Amendment Application, consideration of the Certificate’s conditions and proposed Amendment Condition #6, it is the EAO’s view that the proposed Marine Route Alternative is unlikely to change the characterization of residual effects to the marine environment, including effects to glass sponge reefs.

## 5.3. Underwater Blasting and Noise Impacts

The Amendment Application identified that blasting may be required for the construction of the proposed marine pipeline route, for which PRGT Ltd. proposed two mitigation measures, including:

1. A temporary rock platform would be installed over the substrate to a height above high water, allowing blasting to occur when the area was dry. Blasting when the area is dry is expected to generate sound pressure levels of lower intensity than would be generated through in-water blasting; and
2. Blasting would be timed to occur during low tides to reduce sound pressure levels in the waters surrounding the temporary rock platform.

During review of the Amendment Application, Metlakatla, Gitga’at and DFO raised concerns regarding the impacts of underwater sound pressure from blasting on fish despite the implementation of mitigation measures, as well as the effects of the underwater blasting on fish habitat being irreversible. These parties requested additional underwater noise modelling be completed to not only predict the level and extent of underwater sound pressure from blasting, but also to characterize impacts to marine mammals and fish. Pre-construction surveys were requested to determine any additional site-specific mitigations to avoid harmful impacts to marine mammals, and for blasting to be conducted during DFO’s least-risk timing window for the Lower Nass area (November 30 to February 15) to reduce effects to sensitive life stages of fish. In addition, an experienced Qualified Environmental Professional was requested to conduct acoustic monitoring during blasting, as well as bubble curtains to be used prior to and during blasting and for fish injury and mortality to be monitored and recorded.

PRGT Ltd. prepared a memo titled "[Prince Rupert Gas Transmission Project: Application for Marine Route Amendment EAC #14-06 DFO-006 Information Response](#)" in response to specific concerns. PRGT Ltd. also indicated the Marine Mammal Monitoring Plan (MMMP) required under Certificate Condition #7 includes mitigations related to construction noise levels and blasting, and would be updated in consultation with DFO, First Nations and other regulatory agencies, as well. Additionally, PRGT Ltd. noted that marine portion of the Environmental Management Plan (Condition #36) would also include mitigation measures for blasting. Lastly, PRGT Ltd. noted that the [BCER pipeline permits](#) require development of a plan describing underwater noise modelling, calculations of pressure changes from in-water blasting, and

timing/timing-windows of construction activities. PRGT Ltd. has also committed to two new blasting-related mitigation measure options:

1. Specific configurations of blast hole patterns and explosive charge amounts; and
2. Use of air curtains to absorb blast energy, especially in sensitive areas.

Following review of the draft Report, Metlakatla stated they remained concerned about blasting occurring outside of least-risk timing windows, and requested blasting within the Nass Bay route occur only during least-risk timing window. Metlakatla also requested that the EAO incorporate a requirement regarding least-risk timing windows for blasting into the Amendment conditions to ensure protection of culturally important marine species.

### 5.3.1. EAO's Conclusions

While the EAO acknowledges that blasting mitigation is included in the MMMP and BCER pipeline permits, the EAO believes that a potential uncertainty remains in determining the pressure from blasting impacting fish. In response to concerns raised by First Nations, the EAO recommends underwater blasting noise and pressure management be addressed as part of the proposed Amendment Condition #6: Marine Pipeline CEMP, to compliment the Certificate Condition #36: Environmental Management Plan. This will require PRGT Ltd. to address both underwater blasting noise and pressure management. Further details regarding the specific requirements to meet this part of the Marine Pipeline CEMP will be determined through consultation with First Nations and regulatory agencies, requiring the EAO's approval prior to construction of marine pipeline.

Based on the review of the Amendment Application, consideration of the Certificate's conditions, other regulatory requirements, and the proposed Amendment Condition #6, it is the EAO's view that the proposed Marine Route Alternative is unlikely to change the characterization of residual effects to the marine environment from underwater blasting noise and pressure.

## 5.4. Eulachon

The Amendment Application outlined that concerns regarding eulachon were raised during the Proponent's engagement with various First Nations. The Amendment Application stated that the residual effects on eulachon are anticipated to have decreased from the 2014 EA, if the Marine Route Alternative is constructed, because this proposed pipeline route will no longer enter Chatham Sound in proximity to the spawning/rearing habitat associated with the Skeena River estuary.

Lax Kw'alaams raised concerns that the Marine Route Alternative may seriously and adversely impact eulachon and other marine species in the Nass River and Nass Bay estuary. Lax Kw'alaams requested more information about eulachon population, health, habitat, and potential impacts from the Project, and any eulachon-specific measures.

PRGT Ltd. prepared a memo on eulachon on January 31, 2025, titled "[Prince Rupert Gas Transmission Project: Application for Marine Route Amendment EAC #E14-06 – Eulachon Concerns Information Request](#)" in response to Lax Kw'alaams' request. PRGT Ltd. said the Marine Route Alternative is not expected to result in an increase in potential effects to eulachon compared to the Application. This included information from a Habitat Offsetting Plan for identification of eulachon habitat use and enhancement opportunities; however, this plan is not required by the Certificate and instead will be implemented during the permitting process, if applicable.

PRGT Ltd. noted that data collected for Ksi Lisims LNG, whereby a series of marine fish surveys were completed within the marine resources Regional Assessment Area, was also considered, including surveys specifically targeting migrating adult eulachon returning to the Nass River. PRGT Ltd. also noted the ecological and cultural importance of eulachon is well understood by the Proponent, including the Nisga'a for whom eulachon is an important part of their livelihood, through their technical and assessment studies conducted for the Project and PRGT Ltd.'s ongoing engagement with First Nations



and regulators. Eulachon harvesting and processing locations will be considered in construction timing, and updates to the applicable marine management plans required by the Certificate (e.g., Condition #6: Fisheries Interaction Plan; Condition #5: Marine Access and Traffic Management Plan) which will include consultation with First Nations.

Following review of the draft Report, Lax Kw'alaams stated they remained concerned about impacts to eulachon and were not satisfied with PRGT Ltd.'s eulachon memo, believing it lacked key information such as decreasing eulachon size, and potential effects to eulachon spawning and development habitat in their territory.

#### 5.4.1. EAO's Conclusions

While the EAO supports PRGT Ltd.'s intent to incorporate eulachon considerations into construction planning, development, and implementation of site-specific mitigation measures, the EAO believes that a potential uncertainty remains in determining the impact of construction on eulachon. In response to concerns raised by First Nations, the EAO recommends potential effects to eulachon be addressed as part of the proposed Amendment Condition #6: Marine Pipeline CEMP, via the requirement to address potential effects to marine fish and fish habitat within the marine CPC. This will require PRGT Ltd. to mitigate potential impacts that are identified to eulachon within the marine CPC. Further details regarding the specific requirements to meet this part of the Marine Pipeline CEMP will be determined through consultation with First Nations and regulatory agencies, requiring the EAO's approval prior to construction of marine pipeline.

Based on the review of the Amendment Application, consideration of Certificate's conditions, including the Fisheries Interaction Plan, the proposed Amendment Condition #6 and applicable permits (e.g., DFO; BCER), it is the EAO's view that the proposed Marine Route Alternative is unlikely to change the characterization of residual effects to the marine environment, including eulachon.

### 5.5. Removal of Current Route to Lelu Island

The Certificate required PRGT to terminate at the formerly proposed Pacific NorthWest LNG project on Lelu Island in the Port of Prince Rupert. The proposed Marine Route Alternative passes through Nass Bay, Portland Inlet and Portland Canal to allow the pipeline to terminate at Ksi Lisims LNG on Pearse Island.

Gitxaala, Kitselas and Kitsumkalum raised concerns about the currently certified route to Lelu Island remaining in the CPD as an option and requested further commitment that this route would not be permitted to be constructed.

In response to Nations' concerns, PRGT Ltd. stated that, if the Marine Amendment is approved by the EAO, they intend to construct the route to Ksi Lisims LNG rather than the route to Lelu Island. Despite PRGT Ltd. not committing to removing the current route to Lelu Island from the CPD, the proposed Amendment Order allows for only one of the two marine pipeline options to be constructed. However, PRGT Ltd. discussed with the EAO, BCER and First Nations regarding submission of an amendment application to remove the section of the pipeline to Lelu Island, should both the Amendment Application and the BCER pipeline permit amendment for pipeline section 7 be approved. In addition, the EAO has been informed by the BCER that PRGT Ltd. has already submitted the application to amend pipeline section 7, and it is currently under review.

#### 5.5.1. EAO's Conclusions

Within the context of the Marine Route Alternative amendment assessment process, the EAO cannot remove the currently certified portion of the pipeline route. The EAO acknowledges that if this Amendment Application is approved, the CPD would have an additional marine pipeline route option for PRGT. However, if approved, the Amendment Order will state that "from the marine entry point in Nasoga Gulf to the receiving meter station, one of two options will be selected", these options being the route to Lelu Island or route to Pearse Island, thus restricting PRGT Ltd. to constructing along only one of the marine pipeline routes.

## 5.6. Cumulative Effects

PRGT Ltd. concluded in their Amendment Application that, due to the approximately 70 km reduction in length in the proposed Marine Route Alternative, if this route is selected, the cumulative effects on marine resources are expected to be lower than the current marine route with a reduction in interaction with past, present, and reasonably foreseeable projects and activities based on the approximately 70 km reduction in pipeline length of the Marine Route Alternative in comparison to the approved pipeline route.

DFO, Ministry of Housing and Municipal Affairs, Kitsumkalum, Kitselas, Lax Kw'alaams, and Metlakatla raised concerns about specific cumulative effects that were not assessed in the 2014 EA. This included interactions with the proposed Ksi Lisims LNG and Nass Valley Transmission Line projects, marine habitat, socioeconomic effects, and additional marine traffic in a "pristine" environment given the nature and extent of impacts in other parts of the region and that this has been identified as an important area for some First Nations in the practice of their rights. In addition, it was noted that the reduction in the length of the pipeline should not be assumed to result in a decrease in cumulative effects and that the Marine Route Alternative would result in the cumulative effects being concentrated more heavily in this relatively pristine and important part of their territory.

First Nations also raised concerns about cumulative effects of additional road traffic, additional workers and work camps for all the new projects in this area, which would increase strain on communities and services, and would be a large influx of people in a small, remote area. Concerns were also raised regarding cumulative increase in pressure on infrastructure, increase in highway usage (only one highway available). Kitsumkalum requested that PRGT Ltd. complete an updated cumulative effects assessment before proceeding with substantial start or amendment decisions, or regulators (EAO and/or BCER) could conduct the cumulative effects assessment, with environmental and socioeconomic considerations.

PRGT Ltd. stated that cumulative effects resulting from the proposed Marine Route Alternative would be less than the current route due to the shorter length of pipeline (by approximately 70 km), as the alternative route would remove or reduce cumulative interactions with the Prince Rupert region including with the marine traffic and community infrastructure and services associated with the region, and avoid past, present, and reasonably foreseeable projects and activities within the regional assessment area of the marine pipeline route to Lelu Island. Further, the EAC for the Westcoast Connector Gas Transmission Project, which was included in the 2014 EA's cumulative effects assessment, has now expired, and therefore is no longer expected to interact cumulatively with PRGT.

### 5.6.1. EAO's Conclusions

To address the potential for future cumulative effects in the region, the EAO recommends Amendment Condition #7: Regional Cumulative Effects Initiatives, requiring PRGT Ltd. to participate in any regional cumulative effects initiatives that are created, related to socioeconomic or marine shipping, if they are invited.

Based on the review of the Amendment Application, consideration of Certificate's conditions, proposed Amendment Condition #7 and the [BCER's pipeline permit](#) requirements for BCER to assess and provide a description of all cumulative effect-related mitigation and offsetting measures that the Project would need to implement during and post-construction, it is the EAO's view that the proposed Marine Route Alternative has a low likelihood to change the characterization of cumulative effects.

## 5.7. Social and Economic Considerations

The Amendment Application stated that pressures on B.C.'s health care systems have changed since 2014. However, the Amendment Application noted that the potential use of community infrastructure and services is not a new impact from the Marine Route Alternative, nor would any new communities be impacted. The Project's contribution to effects on community infrastructure and services are anticipated to be the same as, or less than, what was previously assessed in the 2014 Application, if the Marine Route Alternative is constructed. This is primarily due to the alternative route avoiding

the Prince Rupert region and thereby eliminating or considerably reducing interactions with regional marine traffic and community infrastructure and services. In addition, Condition #34 of the Certificate, requires the Holder to develop and implement a Social and Economic Effects Management Plan (SEEMP) that includes consideration of potential effects on local health and social services and incorporates mitigations. As part of the 5-year extension of the Certificate granted by the EAO in 2019, PRGT Ltd. committed to developing a Health and Medical Services Plan (HMSP) for implementation alongside the SEEMP. The SEEMP was developed in 2016. The HMSP has not been developed and will undergo consultation with First Nations and will be developed in consultation with relevant regulatory agencies, including the Northern Health Authority, to avoid or reduce pressures on local and regional health and medical service from Project-employed out-of-region workers.

Gitga'at, Gitxaala and Kitsumkalum raised concerns about potential impacts to healthcare services in Terrace and Prince Rupert, due to potential additional pressure on emergency services from PRGT. Gitxaala raised concerns about accidents and malfunctions, specifically emergency response effectiveness and time to respond due to the remote location of the new proposed route and terminus.

PRGT Ltd. stated that the Marine Route Alternative is not expected to result in new accident or malfunction scenarios that have not already been considered in the 2014 Application. The Holder demonstrated that the distance for medivac flights to Vancouver is similar to the certified route and terminus location. For other accidents or malfunctions requiring emergency response, travel by boat from the certified terminus is comparable to the distance to reach the proposed Ksi Lisims LNG facility on Pearse Island. PRGT Ltd. also referred to multiple management plans, required by the Certificate, that will be implemented, including the SEEMP, HMSP, Spill Contingency Plan, Adverse Weather Contingency Plan, Fire Suppression Contingency Plan, and Flood and Excessive Flow Contingency Plan, to meet the conditions of the Certificate. In addition, PRGT Ltd. has committed to updating and modernizing the SEEMP to current standards and best practices prior to beginning mechanical construction.

#### 5.7.1. EAO's Conclusions

The EAO acknowledges the concerns regarding potential socioeconomic effects of PRGT; however, the EAO has determined that these potential effects are addressed by the SEEMP, which PRGT Ltd. has committed to updating through consultation with First Nations, as well as Northern Health and the Ministry of Housing and Municipal Affairs. In addition, the EAO feels that potential malfunctions and accidents, as well as access to emergency services, will be addressed by the HSMP, Spill Contingency Plan and additional management plans PRGT Ltd. is required to implement by the Certificate.

However, to address the potential for regional cumulative effects to socioeconomic issues, the EAO has proposed Amendment Condition #7: Regional Cumulative Effects Initiatives. Amendment Condition #7 would require PRGT Ltd. to participate in a regional social and economic management and monitoring committee, if this committee is formed and applicable to the Marine Route Alternative CPC.

Based on the review of the Amendment Application, consideration of Certificate's conditions, including the SEEMP, and proposed Amendment Condition #7, it is the EAO's view that the proposed Marine Route Alternative is unlikely to change the characterization of social and economic effects.

### 5.8. Marine Geohazard Risk

Natural Resources Canada (NRCan) provided information late in the review process that the proposed Marine Route Alternative for transmission lines along the seafloor is in an area of high-risk seafloor activity, from the Nass River and in the Portland Canal, where the route would cross towards Pearse Island. NRCan noted this is a high-risk area for submarine infrastructure such as transmission cables and pipelines, due to frequent density flow events in the channel and high bathymetric change causing risk of erosion or burial from a single event. NRCan said similar hazards exist in other areas where large rivers meet the marine environment.

PRGT Ltd. responded that they are aware of the risk and design considerations, and that the marine pipeline will be constructed to meet engineering design standards, as required under the *Energy Resources Activities Act*. Compliance and adherence to these standards will be overseen by BCER. PRGT Ltd. will integrate geophysical and marine survey data into design for site-specific considerations and limitations, including micro-routing within the pipeline right-of-way. PRGT's [marine pipeline permits](#), issued by the BCER, have existing conditions to file a report on monitoring and maintenance of ground and slope stability (BCER pipeline permit Condition #36), and to complete a geohazard assessment and field changes manual for geohazards (BCER pipeline permit Condition #57) to the satisfaction of BCER prior to construction.

### 5.8.1. EAO's Conclusions

The EAO recognizes that there are geohazards present along the marine route. These will be addressed at the permitting level by the BCER either during the permit application stage or through detailed design post-permit application. The BCER informed the EAO that through review of submissions they will determine if additional conditions are required for the BCER pipeline permit.

Based on the review of the Amendment Application, consideration of the Certificate's conditions and associated permit requirements, it is the EAO's view that the proposed Marine Route Alternative is unlikely to change the conclusions regarding accidents and malfunctions, including geohazard risks.

## 5.9. Effects of PRGT on First Nation Rights

All seven First Nations raised a variety of concerns regarding potential effects of the Marine Route Alternative on specific VCs and other key issues, which have been discussed in sections 5.1 to 5.7. A few First Nations also raised concerns with respect to the potential effects of the Marine Route Alternative on their Section 35 rights. The primary concern raised was the potential impacts on marine harvesting rights.

Gitga'at's, Kitsumkalum's, Lax Kw'alaams' and Metlakatla's concerns regarding potential impacts on marine harvesting rights during construction and/or operations included the following:

- Effects of underwater blasting and noise on fish and mammals (e.g., migration of salmon, eulachon, and various marine mammals; see section 5.3);
- Effects to fish and fish habitat, especially eulachon (see section 5.4); and
- Effects on access to fish and marine mammal (sea lion) harvesting areas, including Nass Bay and Portland Inlet (e.g., marine traffic during construction, risks of bottom trawling or longline fishing over pipelines during operations, risk of snagging and damage to fishing gear).
  - Gitga'at is working on an updated Traditional Use Study (TUS), particularly for use in Portland Inlet.

PRGT Ltd. responded to concerns raised about impacts to fish and marine mammals from blasting and noise with mitigations measures that would be implemented (refer to section 5.3), noting that potential effects would be addressed by the MMMP, Marine Pipeline CEMP, BCER pipeline permit requirements, and through other regulatory requirements (e.g., *Fisheries Act*). PRGT Ltd. stated that potential effects to fish, including eulachon (section 5.4), would be addressed by them in consultation with First Nations developing and implementing the Certificate's Condition #5: Marine Access and Traffic Management Plan for Pipelines, Condition #6: Fisheries Interaction Plan, Condition #8: Crab Movement Mitigation and Monitoring Plan, and Condition #36: Environmental Management Plan (for the marine portion of the pipeline).

PRGT Ltd. indicated that the Traditional Use Study will be used to inform PRGT-related impacts to Gitga'at, as related construction planning and site-specific mitigations. The TUS information will then be incorporated into the applicable marine management plans. PRGT Ltd. is committed to and required by BCER permit conditions and Certificate Condition #38 to consider Indigenous knowledge information provided by potentially impacted First Nations for construction planning and site-specific mitigations.



In addition, prior to the commencement of construction, the BCER pipeline permit conditions require PRGT Ltd. to engage with potentially affected First Nations and to consider any pertinent information they provide in order to assess the potential impacts of pipeline operations on the current use of land and resources for traditional purposes.

Following review of the draft Report, the EAO received comments from four First Nations regarding First Nation Rights. These comments have been summarized below.

Lax Kw'alaams expressed concerns about the information relied upon to assess cumulative effects and impacts to marine values in this amendment, including eulachon. Lax Kw'alaams stated that the cumulative effects assessment does not account for Lax Kw'alaams perspective on cumulative effects that PRGT is in a relatively remote, pristine and undisturbed part of Lax Kw'alaams territory, relative to the nature and extent of impacts in other parts of the region, that the area around the project has been identified as an important area for Lax Kw'alaams to practice their rights, and that the amendment would result in the cumulative effects being "concentrated more heavily in a relatively pristine and important part of [Lax Kw'alaams'] territory".

Kitsumkalum specifically noted that the effects on access to harvesting areas would result in long-term and operation disruption in fishing activities, ongoing financial losses due to diminished access to harvesting areas and cultural and community impacts stemming from loss of traditional practices. While they recognized that gear loss was being considered, Kitsumkalum reiterated that loss of access to fishing areas was being overlooked, especially as they felt this had the potential for cumulative effects with the potential for increased vessel traffic and a proposed submarine transmission line, both related to Ksi Lisims LNG.

Gitga'at also raised concerns regarding the impacts to their rights not being considered by PRGT Ltd. in their Amendment Application, despite PRGT passing through Gitga'at's asserted territory, as well as use and occupancy sites. Gitga'at also spoke about traveling to harvest sea lion near the Nass River.

Metlakatla stated that concerns remained regarding baseline data gaps, blasting and requested the Amendment Order to include a condition requiring adherence to least-risk timing windows to ensure protection of culturally important marine species and mitigations around cultural and spiritual sites. In addition, Metlakatla requested that Indigenous knowledge be integrated into management plans, specifically for marine harvesting, culturally important plants and medicines, wildlife, and wetlands.

### 5.9.1. EAO's Conclusions

As per Section 25(1) of the Act, the EAO assessed the potential impacts of the Marine Route Alternative on First Nations and their Section 35 rights. Condition #38 of the Certificate requires PRGT Ltd. to discuss development of any plans set out in the Certificate with interested Nations and is committed to develop, in consultation with Nations, new or updated marine management plans. Certificate Condition #38 also requires PRGT Ltd. to consider TUS or TEK provided by First Nations in further authorization applications related to the project.

In response to concerns raised by First Nations, the EAO recommends potential impacts to First Nation Section 35 rights be addressed as part of the proposed Amendment Condition #6: Marine Pipeline CEMP, which will mitigate the effects of construction of the pipeline in the marine environment and potential impacts to marine harvesting rights. PRGT Ltd. has informed the EAO they will be updating many of their currently approved monitoring and mitigation plans, which will include consultation with First Nations prior to submission to the EAO. PRGT Ltd. will also be required to follow Certificate Condition #5: Marine Access and Traffic Management Plan for Pipelines and Certificate Condition #6: Fisheries Interaction Plan. In addition, PRGT Ltd. is required to collect additional environmental data prior to construction in the marine environment by the BCER for regulatory compliance, and potentially by the DFO to satisfy requirements under the federal *Fisheries Act*. Both BCER and the DFO regulatory processes include engagement with First Nations.

Based on the review of the Amendment Application, consideration of the Certificate's conditions, proposed conditions in the Amendment Order and consultation and consensus-seeking with First Nations, it is the EAO's view that there is a potential for negative effects on marine harvesting rights due to the perception of risk to fishing gear snagging on the pipeline. The EAO understands from the consultation with First Nations that community members could be reluctant to fish overtop of the pipeline route, and may decide to fish elsewhere, because of the potential for gear snags and loss of fishing gear. Although there is a compensation plan in place under the Certificate's Condition #6: Fisheries Interaction Plan, the EAO heard from First Nations the concern regarding the time it might take to be compensated from lost fishing gear, potentially impacting livelihood. Multiple sections of the Marine Route Alternative are located within marine harvesting areas. The Proponent indicated that due to the shape of the pipeline on the seafloor, the risk of snags is low; however, DFO provided the opinion that there remains a risk. The EAO concludes there is a risk of lost or damaged fishing gear that could impact fishing activities on the seabed (e.g., bottom trawling, longline fishing) and therefore any associated Section 35 rights. The Certificate's Condition #6 is intended to mitigate this risk and associated impacts.

### 5.10. Other Required Assessment Matters

Given the limited potential for proposed effects resulting from the Marine Route Alternative that have not been discussed in section 5.1 to 5.9, the EAO concludes that there would be no new or negligible impacts to the remaining Section 25(2) matters.

## 6.0 PROPOSED CERTIFICATE UPDATES

The EAO proposes the following changes to the Certificate:

- Update the CPD and Mapbook, to include the Marine Route Alternative option; and
- Add seven conditions in the Amendment Order, these being:
  - Compliance Notification;
  - Document Review;
  - Document Updates;
  - Document Development;
  - Consultation;
  - Marine Pipeline CEMP; and
  - Regional Cumulative Effects Initiatives.

## 7.0 CONCLUSIONS

Based on:

- The information provided in the Amendment Application and supplemental information provided by PRGT Ltd. during review of the Amendment Application;
- PRGT's engagement with Nisga'a, Gitga'at, Gitxa'la, Kitselas, Kitsumkalum, Lax Kw'alaams and Metlakatla;
- The EAO's engagement with TAC members, consultation with First Nations and engagement Gitanyow and the Gitxsan Wilp Luutkudziwus;
- Comments on the Amendment Application from the TAC, including First Nations, and PRGT Ltd.'s responses to those comments;

- Requirements under the federal *Fisheries Act* and BCER pipeline permits; and
- Management plans, as well as monitoring and mitigation requirements, under the Certificate to address potential effects along the Marine Route Alternative CPC.

The EAO is satisfied that:

- The conditions and commitments contained in the Amendment Application, and the proposed additional conditions included as part of the amendment, adequately identified and assessed the potential adverse changes to the environmental, economic, social, cultural and health effects of the Project resulting from the proposed Marine Route Alternative;
- The changes outlined in the Amendment Application are unlikely to cause additional or incremental negative effects to First Nations or their Section 35 rights;
- Efforts to seek consensus on any concerns that First Nations raised during the assessment of the Amendment Application were undertaken, with consideration given to the purpose of the EAO to support reconciliation with Indigenous peoples in B.C. as set out in Section 2(2)(b)(ii) of the Act;
- The provincial Crown has fulfilled its statutory and constitutional obligations owed to First Nations relating to the issuance of an amendment to the Certificate for the changes proposed in the Amendment Application; and
- The Certificate should be amended to reflect design changes outlined in the Amendment Application.

The EAO recommends that the Deputy Chief Executive Assessment Officer, upon consideration of the conclusions in this Report and any other relevant factors, issue an EAC Amendment under [Section 32\(3\)](#) of the Act to allow the requested changes to the Certificate for the Marine Route Alternative.

Addendum: Amendment #6 Order