

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Tundra Oil and Gas Limited
PROPOSAL NAME: Sinclair to Cromer Oil Transport Pipeline
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Transmission
CLIENT FILE NO.: 5142.00

OVERVIEW:

The Proposal was dated October 11, 2005, and received on October 13, 2005. The advertisement of the Proposal read as follows:

“A Proposal has been filed by Tundra Oil & Gas Ltd to construct an 18 km pipeline (6 inch Steel) from Tundra’s Sinclair battery site located at Legal Subdivision (LSD) 03-04-08-29 W to the Cromer terminal at LSD 12-16-09-28 W. The proposed pipeline right-of-way is situated entirely on privately owned land within the Rural Municipality of Pipestone. Construction is scheduled to begin during December 2005. An Environmental Assessment Report has been submitted as part of the Proposal.”

The Proposal was distributed to the "Transportation" TAC for review and was advertised in the Virден Empire Advance and the Reston Recorder on Saturday October 22, 2005. It was placed in the Main Registry, the Manitoba Eco-Network, the St. James-Assiniboia Public Library, and the Border Regional Library in Virден. Comments were requested by November 21, 2005.

COMMENTS FROM THE PUBLIC:

No comments were received in response to the Environment Act advertisement of the Proposal.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Conservation Recommend that the proponent contact Lands Branch to determine whether any lands the pipeline will traverse require Crown Lands reservations.

Disposition: Comment can be accommodated as licencing conditions.

Manitoba Water Stewardship

- Recommend that an emergency response plan be prepared which details the mitigation measures that will be implemented during an emergency to protect water supplies, including the Cromer community well.
- The West Souris River Conservation District should be consulted prior to construction.
- Water crossing construction should adhere to the Water Crossings, 3rd edition (CPWCC) and the Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat. (DFO and MNR, 1996).
- Temporary and permanent sediment control measures are to be used to prevent sediment from entering streams during and after construction until all sites have been stabilized.
- Authorization under The Water Rights Act is required prior to conducting hydrostatic testing.
- Manitoba Water Stewardship requests that they be notified prior to open cut crossings of stream channels to ensure that the stream is dry and frozen at the time of construction and after the pipeline is buried to ensure that the material removed from the cut has been replaced and that the area has been rip-rapped.

Disposition: These comments can be accommodated as conditions in the Licence

Mines Branch No concerns

Intergovernmental Affairs and Trade Note the following:

- Pipelines are deemed to be in compliance with the RM of Pipestone Zoning By-Law.
- An area of high quality aggregate appears to exist south of Pipestone Creek and suggest that the pipeline might be relocated in this area to avoid an impact on the aggregate resource. Recommend that Mines Branch determine the importance of the aggregate deposit.
- Suggest that any affected homeowners be made aware of the proposed route.
- Arrangements should be in place between the proponent, the RM of Pipestone and the owners of other infrastructure with respect to municipal road crossings, and any hydro and telephone distribution lines.

Disposition:

- Mines Branch confirmed that they do not have concerns with respect to aggregate area.

- The Proposal notes that the route selected has attempted to minimize the length of the pipeline while minimizing impacts to sensitive areas, farmsites and residences and to accommodate landowner requests to extent feasible. Discussions with landowners has occurred during the process of acquiring easements. Technical comments on the Proposal indicate that the selected route is practical without creating significant adverse impacts.
- The Proposal has been discussed between the proponent, utility owners and the RM of Pipestone with respect to road and infrastructure crossing location and requirements.

Disposition: Comments do not need further accommodation within the terms and conditions of the Licence.

Historic Resources Branch No concerns

Transportation & Government Services T&GS has no objection to the Proposal. Note that permission will be required from T&GS for Provincial Road crossings. T&GS will have to review project specific details as a normal part of their approval process for PR crossings. T&GS requires a formal underground utility agreement for any proposed crossings or installations within provincial highway right-of-way. This agreement will also address restoration of right-of-way.

Disposition: This information will be forwarded to the proponent for direct follow up with MT&GS.

Canadian Environmental Assessment Agency (CEAA) Based on responses from federal departments, application of the *Canadian Environmental Assessment Act* with respect to the project will not be required. Fisheries and Oceans Canada (DFO) will be issuing an Operational Policy Statement to the proponent for the directional drilling portion of the project and a Letter of Advice for the open cut crossings.

Disposition: DFO requirements will be handled directly by DFO and the proponent.

PUBLIC HEARING

A public hearing is not recommended for this project as no public concerns were filed in response to the Environment Act advertisement of the Proposal.

RECOMMENDATION:

The TAC comments can be accommodated as conditions of licencing for the project. Therefore, it is recommended that the Development be licenced under The

Environment Act subject to the limits terms and conditions as described in the attached Draft Environment Act Licence. It is further recommended that enforcement of the Licence be assigned to the Western Region.

PREPARED BY:

Bryan Blunt
Environmental Assessment and Licensing
Land Use Section
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Telephone: (204) 945-7085
Fax: (204) 945-5229
e-mail: bblunt@gov.mb.ca