

# NORTHWATCH

March 10, 2020

Gazoduq Project  
Impact Assessment Agency of Canada  
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Sent by Email: [iaac.gazoduq.aeic@canada.ca](mailto:iaac.gazoduq.aeic@canada.ca)

Agency Review Team:

**Re. Comment on the Draft Tailored Impact Statement Guidelines for the  
Impact Assessment of the Gazoduq Project**

On January 22, 2020, the federal Impact Assessment Agency determined that an impact assessment was required for the Gazoduq Project, in accordance with section 16 of Canada's Impact Assessment Act (IAA) and that the impact assessment will be referred to an integrated review panel whose mandate covers both the IAA and the Canadian Energy Regulator Act (CERA)

On 30 January 2020 the Agency announced that they would accept comments until March 10<sup>th</sup> on draft Tailored Impact Statement Guidelines (Guidelines) and a draft Public Participation Plan.

Northwatch has reviewed the draft Public Participation Plan and provided comments under separate cover. Northwatch has also reviewed the draft Tailored Impact Statement Guidelines (Guidelines) and provides comment by way of this correspondence.

In summary, our comments on the draft Tailored Impact Statement Guidelines (Guidelines) include the following:

- The draft Guidelines do not include a glossary or a definitions section
- In some cases, the draft Guidelines uses terms in such a way as to require definition; for example, the Guidelines make extensive use of the word “significant”, including with respect: a significant number of equivalent habitats; environmentally, biologically and/or ecologically significant areas and culturally significant places and/or resources; economically or financially significant parameters; significant effects, expected effects and adverse effects; and in several instances to significant instances. The word “significant” appears numerous times, and in such a manner as to have created a concern in our review team about the level of subjectivity that may pervade the review as a result of this reliance on this undefined and unqualified terminology



- The draft Guideline describes the Gazoduq project as connecting TC Energy's main natural gas pipeline network in northeast Ontario to a natural gas liquefaction, storage and export complex in Saguenay, Quebec, which includes a new natural gas liquefaction and storage facility and a new maritime terminal in Saguenay, Quebec; this and other documents fail to provide any rationale for the pipeline (Gazoduq) and the LNG plant (GNL) being separate review processes, given that their mutual interdependence makes them in effect a single project (a fundamental principle of EA in Canada is one project, one review).
- The draft Guidelines state that the cumulative effects of both projects, Gazoduq and GNL, "combined with those of other physical activities, past or future, will be assessed as part of the assessments of each project" but lacks sufficient direction and to create confidence that this will be the case; the means by which this will happen must be much more clearly set out, particularly given that the GNL project review commenced several years in advance of the commencement of the Gazoduq review
- Throughout the draft Guidelines, there are several instances where the guidelines set out certain areas for examination (e.g. total capital expenditures, economic benefits, employment benefits, contracts and procurement, Gender based analysis, ) but fails to require the proponent to provide supporting information; in each of these instances, the proponent must be directed to clearly describe their methodology, the peer review process which their assessment was subject to, and the qualitative and/or quantitative data upon which they relied; in the case of estimates, the means of arriving at those estimates must be transparent and replicable, and the proponent must include sufficient information to allow the Panel, participants and other reviewers to examine and verify the basis and the outcome(s)
- The need and alternative sections should not be limited to "the perspective of the proponent"; the need, alternative, and alternative means should be examined in terms of the public interest and the public good
- The section on "*Effects of potential accidents or malfunctions*" (21.1) is included as a subsection of Section 21 "*Other effects to consider*". In our view, placing this important topic as a subsection of "Other" items to consider diminishes its importance and potentially signals to the proponent that this will be given less attention; given the track record of pipelines, this is the wrong message to send.
- The section on accidents and malfunctions (currently 21.1) should be a stand-alone section rather than a subsection, and should be expanded to include an examination of the implications of human error and of design error, and an examination of the potential for malevolent acts and the potential or likely outcomes of catastrophic errors and accidents (including as a result of malevolent acts) on potentially impacted area; considerations should include environmental, social and economic, and the examination should include both general analysis and scenario-based analysis.

As preparation for our review of the draft Guidelines, Northwatch generated an issues list against which to evaluate the completeness of the Guidelines. That issues list included the following as areas which must be given detailed consideration during the review process, and which must be described in detail and in an evidence-based approach in the Impact Assessment Statement:

1. Landowner consent
2. Landowner liability / access to compensation
3. Gazoduq liability for damages / cleanup
4. Cost estimates for cleanup
5. Cleanup standards
6. Site specific concerns around new pumping stations: eg access, right-of-way, infrastructure, energy demands
7. Identification of potentially impacted water bodies (including streams, creeks, ephemerals and wetlands)
8. Potential impacts on all water bodies(including streams, creeks, ephemerals and wetlands) including constructed water bodies which provide habitat and/or environmental services
9. Potential impacts on groundwater, recharge areas
10. Pipeline abandonment on private or crown land
11. Spacing of shut-off valves, rationale for selection of spacing
12. Lag time between identification of rupture and full shut off
13. Lag time between rupture / pipeline failure and identification of rupture /failure
14. Potential for pipeline “repurposing”
15. Potential for negative impacts on supply – and expansion of supply – to northern residents
16. Potential for negative impacts on supply to co-generation plants in northeastern Ontario, including (i.e. along TCPL Mainline) as a result in changes to supply
17. Potential for affects on tolling and rates for existing ratepayers / customers
18. Emergency response plans and strategies
19. Implications of emergency response plans for local first responders
20. Lost opportunity costs – both monetary and non-monetary – with respect to project impacts on environmental and resource values, including recreational, tourism, social, environmental services, agricultural, and natural resources

Northwatch provides these comments as part of the review process under the Impact Assessment Act. In no way should the provision of these comments be construed as a statement of acceptance of the project or a belief that the negatives of the project can be sufficiently mitigated to allow the project to move forward. However, we appreciate that the Act allows proponents to put forward projects, even those that would not meet the tests of sustainability or being consistent with Canada’s climate change commitments.

## The Project

Gazoduc Inc. is proposing the construction and operation of a natural gas pipeline approximately 780 kilometres long between northeastern Ontario and Saguenay, Quebec. This proposed project would connect TC Energy Limited's existing main natural gas transmission system in northeastern Ontario to the proposed Énergie Saguenay Project, a natural gas liquefaction facility by GNL Québec in Saguenay, Québec. The project would also include three compressor stations, one metering station, approximately 25 block valves and a dedicated control centre.<sup>1</sup>

The Project, as currently proposed, includes approximately 780 km of natural gas transmission line and related components. Approximately 93% of the 780-km length will be in Québec. The remaining 7% will be in Ontario. For the purposes of this Project, the natural gas transmission line is an underground pipe of approximately 780 km in length that will transport natural gas from the interconnection point with TC Energy's mainline near Ramore, Ontario, to supply the future natural gas storage and export liquefaction complex in Saguenay, Québec.<sup>2</sup>

## Northwatch's Interest in the Project

Northwatch is a regional coalition in northeastern Ontario. Our members - individuals and member groups - reside in the six federal districts that comprise the region of northeastern Ontario, namely Algoma, Manitoulin, Sudbury, Nipissing, Timiskaming and Cochrane District. Northwatch was founded in 1988 with a dual mandate of providing a regional voice for environmental protection in northeastern Ontario and supporting public participation in environment-related decision-making.

Three of the six districts of northeastern Ontario - Nipissing, Timiskaming and Cochrane District - are transversed by an existing natural gas pipeline, known as the TransCanada Mainline. The Gazoduc Project would seek to construct an additional pipeline from Ramore, Ontario to the Saguenay in Quebec, including a portion in northeastern Ontario. The preferred planning area is in Cochrane District; the study corridor is in Cochrane and Timiskaming Districts.

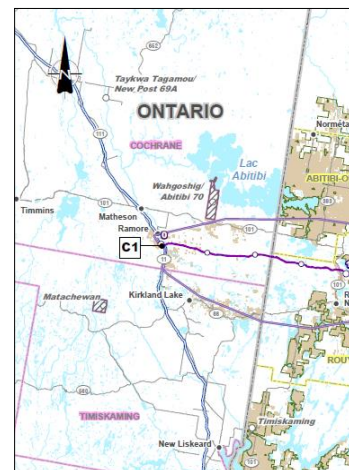


Figure 1 Initial Project Description Appendix A

The need and purpose of the project, potential environmental effects and impacts, climate related concerns, economic issues, potential effects on regional and future natural gas supply and prices, and potential consequences for wildlife, wildlife habitat, forest health, and species at risk are all concerns that Northwatch members have identified in connection with this project at this preliminary stage in our review. As with all natural resource and energy projects, Northwatch has a concern and interest in whether the review properly takes into account the potential for the project to impact on the rights of the Indigenous peoples and that the review requires that there be a clear expression of the free, prior and informed consent of Indigenous peoples with respect to the project in any part or in its entirety before any government body or agency grants permission for the project to proceed and before the proponent undertakes any activities on the land which would not be taken in the absence of an intent to proceed with the project.

<sup>1</sup> IAA Project Page for Gazoduc, as found at <https://ceaa-acee.gc.ca/050/evaluations/proj/80264?culture=en-CA>

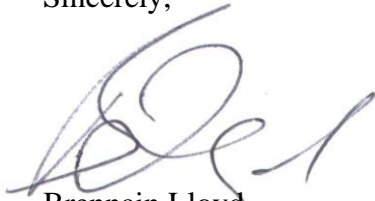
<sup>2</sup> Initial Project Description – Summary, Page 3, Section F.25.5.1 Main Components

## Conclusion

As was the case with the Project Description in 2019 and the draft Participation Plan review concurrent to this review of the draft Tailored Impact Statement Guidelines (Guidelines), due to the limited comment period and an already crowded work plan, we have had limited time to undertake this review, consult with our membership, and seek any technical expert or advice. As a result, these comments are preliminary.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Brennain Lloyd', is written over a faint, circular official stamp.

Brennain Lloyd  
Northwatch Project Coordinator