



Crown-Indigenous Relations
and Northern Affairs Canada

Relations Couronne-Autochtones
et Affaires du Nord Canada

Yukon Environmental and Socio-economic Assessment Act Consolidated Decision Document

This document meets the decision bodies' requirements as set out in the *Yukon Environmental & Socio-economic Assessment Act*.

Decision Bodies for this Project

Government of Yukon
Crown-Indigenous Relations and Northern Affairs Canada

Project

Project Name	Pointed Mountain Pipeline Abandonment Project - Additional Scope	YESAB File	2023-0160
Proponent Name	William Kerr		
Company Name	Westcoast Energy Inc		

Project Description

PROJECT SCOPE

The project scope defines the project to be assessed and includes all activities described in the project proposal and any subsequent information provided by the Proponent. The project scope includes the project summary, activities, details, as well as measures that will support the mitigation of adverse project effects.

Project Summary:

The abandonment of the Yukon portion of the Pointed Mountain Pipeline was assessed by YESAB in 2022 (project #2022-0065). The current Project is an amendment to include additional activities to those assessed in the Yukon by YESAB in 2022. The Pointed Mountain Pipeline is a transboundary pipeline beginning at kilometer post (KP) 0.0, located approximately 25 km northwest of Fort Liard, NWT, and angles southwest to approximately KP 55.64 in BC. Approximately 20.29 km of the pipeline is located in southeast Yukon (KP 29.38 to KP 49.67). Access to the Yukon portion of the pipeline will be from BC and will occur via a winter road along the Pointed Mountain Pipeline right-of-way (ROW).

Additional proposed activities in the Yukon include physical abandonment activities at PM-7A, which consists of the removal of exposed pipe; construction of additional winter road access (another 3.8 km) along the pipeline right-of-way from KP 34.28 to the NWT border; use of an additional water source (La Biche River); and ice bridge construction across the La Biche River.

Depending on regulatory approval, activities are planned to be completed under frozen conditions during the 2024/2025 winter construction season. Remediation and reclamation activities are planned to occur in winter/spring of 2025 under frozen ground conditions.

The Project is within the Traditional Territories of Liard First Nation and the Ross River Dena Council.

Project Activities:

Brushing (up to 0.8 ha)

- Brushing of the pipeline right-of-way for the winter access road and the work at PM-7A
- Clearing of merchantable timber is not required; all brushing within the pipeline ROW
- Non-merchantable timber and slash will be used for rollback (reclamation) along the ROW following

abandonment activities and will be disposed by mowing, chipping, grinding, and/or hauling offsite to a disposal facility (excess material only)

Yukon Environmental and Socio-economic Assessment Act Consolidated Decision Document

Winter Road Construction

- An additional 3.8 km of winter road is to be constructed along the pipeline right-of-way to the NWT border
 - Brushing along the ROW to a maximum width of 10 m to accommodate passing vehicles/equipment
 - Pullouts (10 m wide) may be created at regular intervals instead of widening the entire road length
- Route to be snowplowed and packed; when necessary, water will be sprayed onto packed snow to ice the surface; water withdrawn from the La Biche River
 - Avoid ripping the vegetation layer when clearing snow from areas not intended to have topsoil salvage (e.g. frozen ROW access areas)
- Water crossings (7):
 - 6 snowfills
 - Ice bridge over La Biche River
 - No ground disturbance required
 - Constructed with water from La Biche River
 - Water quality monitoring plan will be in place during ice bridge construction
 - Approach ramps constructed in lifts of flooded snow or ice spray
 - Routine flooding to maintain ice cover
 - Daily inspection and use of ground penetrating radar will be used to measure ice thickness
 - Decommissioning prior to spring break-up:
 - a v-notch will be placed in the center of ice bridge if safe to do so
 - ice bridge cleaned of any dirt, debris, contaminated soil/ice, if present
- Four wetlands will be crossed during frozen ground conditions
- Remove vehicle crossing structures and debris at watercourses prior to spring break-up; restore and stabilize streambeds, streambanks, and other disturbed areas
 - Avoid grading, if practical, when constructing bridge or snow fill
 - Recontour/stabilize banks and approach slopes, and install berms, cross ditches and/or silt fences where runoff from the construction footprint may flow into a watercourse
- Snow fill crossings should be notched prior to de-mobilization to facilitate drainage flows during melt conditions

Exposed Pipe Removal at PM-7A (located at approx. KP 46.30)

- PM-7A is located in a swamp and on an unnamed tributary to the La Biche River
- Partial or full removal of beaver dam located on top of the exposed pipe at PM-7A
- Workspace (400 m x 20.12 m) within the pipeline right-of-way
- Removal of approx. 105 m of exposed pipe
 - Brushing vegetation and packing snow for access to the area and to create a workspace
 - Excavate to expose pipe
 - Dewatering if groundwater encountered
 - Water discharged to a well-vegetated upland area through a filtration device (if required) and at a rate that allows infiltration; protect ground at discharge location from scouring/erosion.
 - Sediment laden water is not allowed to enter a waterbody or wetland without filtration.
 - Cut and cap pipeline well above high-water mark on each side of watercourse; removal of pipeline section by pulling it out from one side of watercourse
 - If this method cannot be carried out (i.e. pipe pull causes slumping), instream work may be required:
 - Under frozen conditions, open cut crossing method will be used
 - Although unlikely, if flowing water encountered, the dam and pump method will be used
 - A water quality monitoring plan will be developed and implemented should flowing water be encountered
 - Reclamation: backfill and recontour excavation; spread removed vegetation back over

Yukon Environmental and Socio-economic Assessment Act

Consolidated Decision Document

disturbed area; install signage

- Excavations must also be sloped where they start and end to allow ramps for access and egress

Test Lead Post (TLP)

- Removal of TLP at km 33.17; located within the pipeline ROW
- Excavation to pipeline depth with an excavator or hydrovac

Water Use

- Water withdrawal is required for winter access construction and possible hydrovac for TLP removal
- Two water source locations will be used to support winter access construction/maintenance
 - La Biche River (new water source)
 - Previously assessed location (between PM-7 and PM-7A)
 - Up to 100 m³/day from either water source
- Intake hose will be suspended off the waterbody bottom and equipped with a screen to prevent fish uptake
- Adequate water flow rates and/or depth levels will be maintained to protect aquatic life and allow for

downstream use

- Water pump placed in secondary containment

Equipment and Fuel Use/Storage

- Use of heavy equipment
 - All equipment, including mats, are required to be cleaned and free of soil or vegetative debris prior to

arriving onsite

- In wetland area (PM-7A), wide-track, low-ground pressure equipment, and/or swamp or rig mats will

be utilized

- Equipment parked on-site overnight must be equipped with secondary containment (e.g. drip pans)
- Fuel Use
 - No on-site fuel storage
 - Spill kits will be readily available at refueling sites and worksites
 - No refueling/maintenance within 30 m of a wetland or waterbody

Reclamation & Monitoring

- Once physical abandonment activities are complete, reclamation of disturbed sites will occur
- Disturbed areas will be restored as near as practical to pre-construction conditions
 - replacing topsoil, de-compacting soil, preparing a seedbed
- Allow natural regeneration or carry out active restoration methods (e.g. seeding, conifer seedling planting)
- Wetlands will not be seeded; if required, replanting of salvaged trees and shrubs along the edge of the

wetland

- Any garbage or debris removed and disposed of as per applicable regulation
- Post-construction monitoring will occur for five years

Other

- The Proponent will notify affected land users (e.g. First Nation groups, trappers, and outfitters) of the Project schedules before construction occurs.
- If archaeological, historical, or paleontological resources are identified during construction, suspend work in the vicinity and develop a mitigation plan in consultation with First Nations and appropriate regulatory authority.
- All-terrain vehicles and snowmobiling by personnel on the project footprint is prohibited.
- Utilize multi-passenger vehicles for the transport of construction crews.
- Ensure all project personnel and visitors receive a pre-job orientation including pipeline right-of-way traffic control measures.
- Mammal den surveys should be completed along the access and right-of-way that impact

Yukon Environmental and Socio-economic Assessment Act Consolidated Decision Document

mature forest prior to any activities. If an active den is discovered prior to, or during activities, consult with a Wildlife Resource Specialist and implement the appropriate site-specific mitigation.

- If previously unidentified locations with listed weed infestations are found on the construction footprint, the EI(s) or designate(s) will be contacted and will establish the appropriate mitigation or control procedures prior to continuing construction activities in the area.
- During pre-construction surveys, environmental features (e.g. rare plants) will be identified and delineated prior to construction activities.
- Delineate the edge of the riparian buffer zone before commencing any disturbance activities in the vicinity of a watercourse.
- Maintain low growing vegetation or a vegetated ground mat within the buffer zone of watercourses to the extent practical.
- Regrade areas with vehicle ruts, erosion gullies, or where excavation areas have settled.
- When constructing in wetland areas, up to 30 cm of topsoil will be stripped from the excavation area and stockpiled separately to preserve the native seed stock.
- Recontour the wetland and restore surface drainage patterns to as close to preconstruction profile as practical. Install temporary erosion control devices (e.g. silt fences) within 24 hours of backfilling the wetland crossing.

Decision Bodies for this Project

Consolidated Decision

Yes

Decision Body Consultation

Per section 78 of YESAA, the decision bodies for the project have consulted one another and have agreed to issue this consolidated decision document.

Crown Indigenous Relations and Northern Affairs Canada and the Government of Yukon will issue a joint decision.

First Nations Consultation

Liard First Nation

Ross River Dena Council

A. Consultation under YESAA section 74

Yes

Liard First Nation and Ross River Dena Council have been sent letters for consultation with a proposed comment period until July 14, 2024.

Crown-Indigenous Relations and Northern Affairs Canada sent letters of consultation, seeking the views of Liard First Nation and Ross River Dena Council on July 10, 2024.

B. First Nations Consultation - General

Additional letters were sent to transboundary First Nations: Acho Dene Koe First Nation, Dease River First Nation and Kwadacha Nation.

YESAB Recommendation

Under s. 56(1)(b) of the *Yukon Environmental and Socio-economic Assessment Act*, the Watson Lake Designated Office recommends to the Decision Bodies that the Project be allowed to proceed, subject to specified terms and conditions. The Designated Office determined that the Project will have significant adverse environmental and socio-economic effects in or outside Yukon that can be mitigated by those terms and conditions.

Decision

Yukon Environmental and Socio-economic Assessment Act

Consolidated Decision Document

Pursuant to section 75 and 80, the Yukon government and Crown-Indigenous Relations and Northern Affairs Canada have considered the assessment of this project and:

- Accept the recommendation and the terms and conditions as follows:
- Reject the recommendation and the terms and conditions as follows for the reason(s) specified:
- Vary the recommendation and the terms and conditions as follows for the reason(s) specified:

Rationale for Decision

The YESAB recommendations have been reviewed and have been determined to be appropriate for the scope of the project.

Yukon Environmental and Socio-economic Assessment Act Consolidated Decision Document

Term	Term &	Status	Reason
1	YESAB: The Proponent shall groundtruth the winter trail prior to use to ensure adequate snowpack depth. The Proponent shall use the winter road only under frozen ground conditions and shall establish a minimum of 10 cm of packed snow (not including depth hoar) on the winter road. An increase in snow depth shall be established where required to a depth that will not disturb duff/surface vegetation layer. Consequently, while a 10 cm depth is considered the minimum pack snow depth, a packed snow depth of 15-20 cm should be achieved whenever possible, especially where the road travels over sensitive ground (i.e. tussock terrain).	Agree	--
2	YESAB: The Proponent shall travel with blade-up on equipment at all times to ensure no damage to the snowpack and avoid any ground disturbance. The exception is during plowing activities.	Agree	--
3	YESAB: If ungulates are observed within 1 km of the active work areas, project activities will cease, if safe to do so, until the animal(s) have left the area on their own accord.	Agree	--
4	YESAB: The Proponent shall create alternating side gaps in the snowbanks along the winter road that are spaced a minimum of every 500 m.	Agree	--
5	YESAB: Wildlife shall be given the right of way on the winter road. If wildlife is encountered while traveling on the winter road, vehicles/equipment shall stop, as long as it is safe to do so, and an appropriate distance shall be maintained until the animal(s) has left the area.	Agree	--
6	YESAB: Beaver dam removal/partial removal shall occur as per DFO's Code of practice: Beaver dam breaching and removal, which requires this work to occur during fish protection timing windows (not under winter conditions), unless otherwise determined by YG Environment. The Proponent shall contact YG Environment (the Liard Regional Office – 867-536-3210) and, if required, Fisheries and Oceans Canada (Whitehorse Office – 867-333-9075) to discuss the timing of the beaver dam breach/removal and conditions that will be required to conduct the activity	Agree	--
7	YESAB: Upon discovery of a heritage resource, including those as defined by the UFA and YESAA, the Proponent shall notify the Liard First Nation, the Ross River Dena Council, and the Acho Dene Koe First Nation, in addition to the Government of Yukon. Notification shall occur prior to collecting or moving the resource.	Agree	--

Yukon Environmental and Socio-economic Assessment Act Consolidated Decision Document

Date

Project Recommendation 2024-06-27

Recommendation Received From

Designated Office - Watson Lake

Authority

By signing below, the Yukon government has exercised its authority as per YESAA section 75 to issue a decision document on this project.


Name Ignatius Yankey **Position** A/Director
Phone 867-334-6144 **Email** ignatius.yankey@yukon.ca

Signature  **Date** 2024-07-31

Original signed by EMR-Geothermal and Petroleum Resources

By signing below, Crown-Indigenous Relations and Northern Affairs Canada has exercised its authority as per YESAA section 75 to issue a decision document on this project.

Name Robin Bradasch **Position** Regional Director General, Yukon
Phone 867-332-2986 **Email** Robin.Bradasch@rcaanc-cirnac.gc.ca

Signature  **Date** 2024-07-31

Original signed by Crown-Indigenous Relations and Northern Affairs Canada

Distribution

Project Proponent	Yes
Other Decision Bodies	No
Major Projects Yukon, Executive	Yes
YESAB Designated Office	Yes
YESAB Executive Committee	No
Yukon Surface Rights Board	No
Yukon Water Board	No
Land Use Planning Commission	
Independent Regulatory Agency	

Yukon Environmental and Socio-economic Assessment Act

Consolidated Decision Document

Other Body/Person as Required