



ORDER AO-011-OPL-004-2020

IN THE MATTER OF the *Canadian Energy Regulator Act* (**CER Act**) and the regulations made thereunder; and

IN THE MATTER OF an application filed by Trans Mountain Pipeline ULC (**Trans Mountain**) under File OF-Fac-Oil-T260-2013-03 61, for approval of a deviation on lands depicted on the Plan, Profile and Book of Reference (**PPBoR**) for Segment 7.4 of the Trans Mountain Expansion Project (**TMEP**), pursuant to section 211 of the CER Act.

BEFORE the Commission of the Canada Energy Regulator (**Commission**) on 28 January 2022.

WHEREAS via Order OPL-004-2020 dated 2 June 2020, the Commission approved various PPBoR sheets in TMEP Segments 5, 6, and 7, including PPBoR Sheet M002-PM03025-001 in Segment 7.4;

AND WHEREAS via Order AO-001-OPL-004-2020 dated 24 November 2020, the Commission approved two deviations related to lands shown on PPBoR Sheets M002-M03028-002 and 003 in Segment 7.7;

AND WHEREAS via Order AO-002-OPL-004-2020 dated 14 April 2021, the Commission approved a deviation related to lands shown on PPBoR Sheets M002-M03028-002 and 003 in Segment 7.7;

AND WHEREAS via Order AO-003-OPL-004-2020 dated 28 June 2021, the Commission approved a deviation related to lands shown on PPBoR Sheets M002-M03011-075 and 076 in Segment 5.3;

AND WHEREAS via Order AO-004-OPL-004-2020 dated 19 July 2021, the Commission approved a deviation related to lands shown on PPBoR Sheet M002-M03011-062 in Segment 5.3;

AND WHEREAS via Order AO-005-OPL-004-2020 dated 31 August 2021, the Commission approved a deviation related to lands shown on PPBoR Sheet M002-M03013-011 in Segment 5.5;

AND WHEREAS via Order AO-006-OPL-004-2020 dated 27 September 2021, the Commission approved two deviations related to lands shown on PPBoR Sheet M002-M03011-070 in Segment 5.3;

AND WHEREAS via Order AO-007-OPL-004-2020 dated 15 October 2021, the Commission approved two deviations related to lands shown on PPBoR Sheets M002-M03011-073 and M002-M03013-014 in Segments 5.3 and 5.5, respectively;

AND WHEREAS via Order AO-008-OPL-004-2020 dated 3 November 2021, the Commission approved a deviation related to lands shown on PPBoR Sheet M002-M03011-065 in Segment 5.3;

AND WHEREAS via Order AO-009-OPL-004-2020 dated 16 November 2021, the Commission approved a deviation related to lands shown on PPBoR Sheet M002-M03011-078 in Segment 5.3;

AND WHEREAS via Order AO-010-OPL-004-2020 dated 25 January 2022, the Commission approved three deviations related to lands shown on PPBoR Sheets M002-M03013-007 to 009 in Segment 5.5;

AND WHEREAS on 22 December 2021, Trans Mountain filed an application pursuant to section 211 of the CER Act, including revised PPBoR Sheet M002-PM03025-001, for approval of a deviation on Tracts PC 7605.06 (owned by Her Majesty the Queen in Right of the Province of British Columbia c/o BC Oil and Gas Commission) and 7605.07 (owned by The Crown in Right of British Columbia Represented by Minister of Technology Innovation & Citizens' Services);

AND WHEREAS on 13 and 27 January 2022, Trans Mountain responded to concerns raised in letters filed respect to the proposed deviation;

AND WHEREAS Trans Mountain submitted that there are no other landowners or land parcels impacted by the proposed deviation;

AND WHEREAS Trans Mountain submitted that the intent of the proposed deviation is to facilitate a second attempt to complete the planned 1.5-kilometre-long horizontal directional drill (HDD) across the Fraser River between Surrey and Coquitlam, British Columbia;

AND WHEREAS Trans Mountain has notified the impacted landowners, as well as a land occupant (Forensic Psychiatric Institute), of the deviation application and has not received any comments or concerns;

AND WHEREAS the Commission is satisfied that Trans Mountain's engagement with potentially affected Indigenous peoples was adequate for this deviation;

AND WHEREAS the Commission is satisfied with Trans Mountain's engagement with other stakeholders with interests in the area (Metro Vancouver, BC Ministry of Transportation and Infrastructure, Vancouver Fraser Port Authority, and City of Coquitlam);

AND WHEREAS the Commission is of the view that the revised route is technically feasible to allow Trans Mountain to complete the HDD across the Fraser River and that no additional studies are required;

AND WHEREAS Trans Mountain submitted that the potential environmental and socio-economic effects associated with the proposed deviation are similar to those addressed in its application for the TMEP and related filings, and no new studies or mitigation measures are recommended beyond those identified during the OH-001-2014 and MH-052-2018 proceedings and subsequent condition compliance filings, which are incorporated within the updated Pipeline Environmental Protection Plan (filed under Condition 72 of Certificate of Public Convenience and Necessity OC-065).

IT IS ORDERED THAT the revised PPBoR designated as the following, in the Province of British Columbia, is hereby approved pursuant to subsection 211(1) of the CER Act:

Sheet	Portion	Revision	Date
Segment 7.4			
M002-PM03025-001	Book of Reference	2	13 December 2021
	Plan and Profile	2	13 December 2021

THE COMMISSION OF THE CANADA ENERGY REGULATOR

for
Ramona Sladic
Secretary of the Commission