



Canada Energy Régie de l'énergie
Regulator du Canada

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T2R 0A8 T2R 0A8

File OF-Fac-Oil-T260-2013-03 61
26 October 2020

Mr. Scott Stoness
Vice President, Regulatory and Finance
Trans Mountain Canada Inc.
Trans Mountain Pipeline ULC
Suite 2700, 300 - 5 Avenue SW
Calgary, AB T2P 5J2
Email regulatory@transmountain.com

Dear Mr. Stoness:

**Trans Mountain Pipeline ULC (Trans Mountain)
Trans Mountain Expansion Project (Project)
Condition Compliance – Condition Filings and Updates for Temporary
Infrastructure Site relating to Spread 5B
Condition Compliance Letter Report No. 52**

On 19 July 2019, the National Energy Board (NEB) issued its decision on resuming the regulatory processes (Process Decision) ([C00593](#)). Please refer to the Process Decision for details on how the NEB decided processes would be resumed.

Trans Mountain has applied a phased approach to the construction of the Project. This Letter Report addresses new or updated filings as they apply to various Phases of the Project.

Appendix 1 includes the Commission of the Canada Energy Regulator (Commission) decision, and the Phases to which the decision applies, for:

- **Condition 59 – Worker accommodation strategy¹**
- **Condition 60 – Environmental and socio-economic assessment – s.58 temporary construction lands and infrastructure**
- **Condition 78 – Facilities Environmental Protection Plan**

Yours sincerely,

Original signed by

Jean-Denis Charlebois
Secretary of the Commission

Attachment

cc: Indigenous Advisory and Monitoring Committee (Trans Mountain)
c/o Ms. Michelle Wilsdon and Ms. Kimberley Lavoie
Attention of: Indigenous Partnership Office – West
Email nrcan.tmxcommittee-comitetmx.rncan@canada.ca
Trans Mountain, General Inbox, Email info@transmountain.com

¹ **Bolded numbers and titles** indicate that the condition is for Commission approval.

Appendix 1: Condition Compliance on Spread 5B Temporary Infrastructure Site (TIS)

Condition 59: Worker accommodation strategy			
Project Phases applicable to this decision	Pre-construction Filings relating to this Condition	Views of the Commission	Current Compliance Status
Spread 5B TIS	<p>C06332 dated 15 May 2020 (CAEPLA letter)</p> <p>C06929 dated 10 June 2020 (CAEPLA letter)</p> <p>C06896 dated 18 June 2020 (TM filing)</p> <p>C06930 dated 19 June 2020 (CAEPLA letter)</p> <p>C07262 dated 10 July 2020 (CAEPLA letter)</p> <p>C07401 dated 20 July 2020 (CAEPLA letter)</p> <p>C07586 dated 28 July 2020 (CER IR No. 39)</p> <p>C07661 dated 4 Aug 202 (IR deadline extension)</p> <p>C07733 dated 7 Aug 202 (IR deadline extension)</p> <p>C07741 dated 10 Aug 2020</p>	<p>The Commission notes that the objective of Condition 59² is to ensure that appropriate workforce accommodation measures have been designed and impacts to local infrastructure and services are minimized and municipal and/or provincial authorities were consulted. In addition for temporary camps, this condition will also ensure potential environmental and socio-economic impacts have been assessed, appropriate municipal and provincial permits will be granted, policies and codes of conduct have been developed and communicated to workers and the local community, and potentially affected residents were consulted.</p> <p>On 18 June 2020, Trans Mountain filed a worker accommodation strategy (WAS) and environmental and socio-economic assessment (ESA) pursuant to Conditions 59 and 60, respectively, with respect to its proposal to relocate the previously approved Cheam Apple Road Camp to a new site on the Ohamil Indian Reserve No. 1 near Hope, BC, referred to as the proposed 'Ohamil Camp Community' (Camp). In regards to the previously approved Cheam Apple Road Camp, Trans Mountain stated that Cheam First Nation had since withdrawn this site as an option for use by Trans Mountain and therefore an alternative site was sought in Spread 5B.</p> <p>Trans Mountain stated that the Shxw'ōwhámél First Nation (Shxw'ōwhámél) identified a site on Ohamil Indian Reserve No. 1 (near KP 1055) for Trans Mountain's consideration as a temporary worker accommodation site (construction camp) and that Shxw'ōwhámél had initiated its own development of a site that includes permanent infrastructure for accommodation, which could serve as a construction camp as part of an initial phase of its development. When accommodations are no longer needed by Trans Mountain, Shxw'ōwhámél would then repurpose the site and complete its development plans for its own long-term use. Land use and land development on the Ohamil Indian Reserve No. 1 are under Land Code and</p>	Approved for the Ohamil Camp Community associated with Spread 5B

² Condition 59 was previously considered under NEB Letter Report Nos. 2 and 6, dated 11 August 2017 and 27 September 2017 ([A85416](#) and [A86331](#), respectively).

	<p>(TM Response to IR No. 39)</p> <p>C07807 dated 12 Aug 2020 (CAEPLA letter on IR No. 39)</p> <p>C07989 dated 20 Aug 2020 (TM response to CAEPLA comments)</p> <p>C08048 dated 26 Aug 2020 (TM engagement update)</p> <p>C08068 dated 27 Aug 2020 (CAEPLA comments on TM's update)</p> <p>C08107 dated 31 Aug 2020 (CAEPLA letter on update)</p> <p>C08278 dated 11 Sept 2020 (TM engagement update 2)</p> <p>C08305 dated 14 Sept 2020 (CAEPLA comments on TM's update 2)</p>	<p>are managed by Shxw'ōwhámél under the <i>First Nations Land Management Act</i>.</p> <p>Trans Mountain stated that the Camp would provide sleeping accommodations, each with private bath, for 350 workers. A recreation and administrative complex, with lounge and kitchen-dining area, would also be provided. An occupational health clinic and security buildings would be free-standing and positioned within the construction camp to support the Project. Trans Mountain stated that the Camp will be operated by a BC-based camp services provider (referred to by Trans Mountain as 'the Operator') working in partnership with Shxw'ōwhámél. Trans Mountain stated it will be relying on Shxw'ōwhámél and the Operator to ensure that all relevant permits related to development and operation of the site as a construction camp will be obtained prior to Trans Mountain's occupancy of the Camp.</p> <p>Trans Mountain stated that Project engagement is completed in a phased approach. Spread 5B Project construction start notifications which included the proposed development of a camp in Spread 5B were distributed on 24 April 2020.</p> <p>Trans Mountain carried out engagement activities with 40 Indigenous peoples, 26 local residents identified in the Laidlaw area, and local governments including the Fraser Valley Regional District (FVRD). Trans Mountain's engagement with identified stakeholders was, and is, focused on the proposed occupancy and use of the Camp.</p> <p>Trans Mountain stated that on 5 May 2020 it had issued a 'Notice of Intent to Use' the Camp to local governments (FVRD and the District of Hope), 26 adjacent landowners in the Laidlaw area (by hand), the public via Trans Mountain's Project website, and Indigenous peoples. Once contractual agreements with Shxw'ōwhámél were completed in July 2020 a 'Notice of Intent to Use' was distributed to landowners, local governments, emergency officials and first responders. The 'Notice of Intent to Use' clearly outlined Shxw'ōwhámél's responsibility for the site development and indicated how stakeholders could stay updated or contact Trans Mountain for more information.</p> <p>The Canadian Association of Energy and Pipeline Landowner Associations (CAEPLA) submitted letters dated 15 May 2020, 10 June 2020, 19 June 2020, and 10 July 2020 on behalf of the Laidlaw Community Group, which consists of local residents in the immediate vicinity of Trans Mountain's Camp. These letters from CAEPLA asserted a lack of consultation from Trans Mountain regarding the Camp, questioned Trans Mountain's assertions concerning the independent development of the Camp and stated that</p>	
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		<p>no further consideration should be made by the Commission about Trans Mountain's filings with respect to approval of the Camp until consultation with local residents and landowners has been completed and community concerns have been resolved. On 20 July 2020, a member of the public living near the Camp, Ms. Tina Laursen sent a letter to the Commission expressing concerns with the Camp and requested that Trans Mountain engage in meaningful dialogue with the people of Laidlaw, understand their concerns and work with them to address and mitigate those concerns.</p> <p>On 28 July 2020, the Commission issued Information Request (IR) No. 39 regarding consultation matters, a facility site drawing and site-specific mitigation measures for the Camp. Trans Mountain filed its response to IR No. 39 on 10 August 2020.</p> <p>On 12 August 2020, CAEPLA filed a letter stating that it appeared that Trans Mountain had been actively involved in the development of the Camp site since July 2019 at the very latest and expressed concern that Trans Mountain may possibly be violating Conditions 59 and 60 in connection with the development of the Camp. CAEPLA also stated that local residents were concerned about the increases in traffic in the area and the increased risk to safety and security including possible spread of the COVID-19 virus that would result from the influx of outside temporary workers to the camp.</p> <p>CAEPLA requested that the Commission deny Trans Mountain's 18 June 2020 application for approval, direct Trans Mountain to carry out consultation with local residents and landowners including the Laidlaw Community Group and file an updated WAS and ESA for the Camp that address the concerns of the community.</p> <p>On 20 August 2020, Trans Mountain stated that it disagrees with CAEPLA's position and requested that the Commission deny CAEPLA's requested relief.</p> <p>Trans Mountain commented about the development of the Camp site in its response to IR No. 39 and its 20 August 2020 response to comments by CAEPLA. Trans Mountain asserted that independently from Trans Mountain, Shxw'ōwhámél, at their own discretion, working with their own local developer, cleared, graded and developed the 20-acre site as part of a long-term development for the First Nation. Trans Mountain indicated that the development and the long-term use of the site are entirely within the jurisdiction of the Shxw'ōwhámél. Further, Trans Mountain stated that it had asked Shxw'ōwhámél not to proceed with any development activities specifically related to or in</p>	
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		<p>anticipation of Trans Mountain’s use of the site, which was not confirmed until July 2020.</p> <p>Trans Mountain stated in its 20 August 2020 letter that it has engaged directly with potentially affected landowners and residents regarding its occupation of the Camp and provided responses to the following concerns of local residents:</p> <ul style="list-style-type: none"> • increases in local traffic –Trans Mountain plans to use the Hunter Creek Road Exit to the north of the Camp site for all traffic to and from the site which will minimize impacts to residences. • increased risk to safety and security – Trans Mountain stated that these issues are addressed in Trans Mountain’s approved <i>Worker Accommodation Strategy</i> and Camp policies including the <i>TMEP Worker Code of Conduct</i>³ which Trans Mountain has confirmed will apply to its occupation of the Camp. • possible spread of the COVID-19 virus – Trans Mountain stated that it has specific measures in response to COVID-19 to minimize the spread within camps and communities where workers may be present and provided links to the <i>Report on Trans Mountain’s COVID-19 Preparedness and Planning</i> which is periodically updated and maintained publicly on Trans Mountain’s website.⁴ <p>Trans Mountain committed to:</p> <ul style="list-style-type: none"> • continue to accommodate all reasonable requests regarding stakeholders’ preferred form of engagement – such as through identified representatives; • consider any additional measures or actions that nearby landowners or residents identify as required to address issues, and where appropriate, track and incorporate them into its Project execution plans; and • continue to be as responsive as possible to landowner requests and concerns as may be raised in the future. <p>In addition to the above commitments, Trans Mountain stated it is working closely with Shxw’ōwhámél LandSea Limited Corporation (SLLP) to identify and address concerns about the proposed occupancy of the Camp.</p>	
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³ In Appendix E of the approved Worker Accommodation Strategy, PDF pages 76-80 of 80, [A85812-3](#)

⁴ <https://www.transmountain.com/covid19>

		<p>Trans Mountain filed two further updates on engagement with residents and interested parties on 26 August 2020 and 11 September 2020. CAEPLA filed letters about both of these engagement updates on 27 August 2020 and 14 September 2020 respectively, and also copied the Commission on a 31 August 2020 letter it addressed to Trans Mountain regarding engagement.</p> <p>The Commission is satisfied with the consultation to date. The Commission notes Trans Mountain's initial consultation and consultation updates. The Commission also notes Trans Mountain's commitment to providing ongoing engagement sessions (including virtually, or by limited in-person meetings) with Indigenous peoples and the nearby stakeholders, including with members of the Laidlaw community, which will continue on through Q3 and Q4 of 2020. The Commission notes that Trans Mountain's consultation is based on occupancy rather than development of the site.</p> <p>Regarding the environmental and socio-economic impacts for the Camp, the Commission notes Trans Mountain's commitments to comply with the requirements of all applicable CER conditions that are relevant to occupancy of the construction camp, and provided additional detail on the applicable mitigations in its response to IR No. 39.4.</p> <p>The Commission notes that, in addition to the requirements of Condition 59, Trans Mountain is required by Condition 13 to have a Socio-Economic Effects Monitoring Plan. This monitoring plan includes indicators that will be used in pinpointing where and when a Project mitigation, policy or program intended to reduce adverse socio-economic effects during construction is working as planned or may need improvement or adaptation.</p> <p>The Commission is of the view that Trans Mountain has satisfied the requirements of Condition 59 for the Camp.</p> <p>The Commission approves the 18 June 2020 Condition 59 submission for the Ohamil Camp Community, associated with Spread 5B.</p>	
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Condition 60: Environmental and socio-economic assessment – s.58 temporary construction lands and infrastructure			
Project Phases applicable to this decision	Pre-construction Filings relating to this Condition	Views of the Commission	Current Compliance Status
Spread 5B TIS	<p>C06332 dated 15 May 2020 (CAEPLA letter)</p> <p>C06929 dated 10 June 2020 (CAEPLA letter)</p> <p>C06896 dated 18 June 2020 (TM filing)</p> <p>C06930 dated 19 June 2020 (CAEPLA letter)</p> <p>C07262 dated 10 July 2020 (CAEPLA letter)</p> <p>C07401 dated 20 July 2020 (CAEPLA letter)</p> <p>C07586 dated 28 July 2020 (CER IR No. 39)</p> <p>C07661 dated 4 Aug 2020 (IR deadline extension)</p> <p>C07733 dated 7 Aug 2020 (IR deadline extension)</p> <p>C07741 dated 10 Aug 2020 (TM Response to IR No. 39)</p> <p>C07807 dated 12 Aug 2020</p>	<p>The Commission notes that the objective of Condition 60 is to verify that Trans Mountain has completed environmental and socio-economic assessments (ESA) for all TISs, and that all associated mitigation measures have been identified.</p> <p>On 18 June 2020, Trans Mountain filed a worker accommodation strategy (WAS) and ESA pursuant to Conditions 59 and 60, respectively, with respect to its proposal to relocate the previously approved Cheam Apple Road Camp to a new site on the Ohamil Indian Reserve No. 1 near Hope, BC, referred to as the proposed 'Ohamil Camp Community' (Camp). In regards to the previously approved Cheam Apple Road Camp, Trans Mountain stated that Cheam First Nation had since withdrawn this site as an option for use by Trans Mountain and therefore an alternative site was sought in Spread 5B.</p> <p>Trans Mountain stated that the Shxw'ōwhámél First Nation (Shxw'ōwhámél) identified a site on Ohamil Indian Reserve No.1 (near KP 1055) for Trans Mountain's consideration as a temporary worker accommodation site (construction camp) and that Shxw'ōwhámél had initiated its own development of a site that includes permanent infrastructure for accommodation, which could serve as a construction camp as part of an initial phase of its development. When accommodations are no longer needed by Trans Mountain, Shxw'ōwhámél would then repurpose the site and complete its development plans for its own long-term use. Land use and land development on the Ohamil Indian Reserve No. 1 are under Land Code and are managed by Shxw'ōwhámél under the <i>First Nations Land Management Act</i>.</p> <p>Trans Mountain stated that the Camp would provide sleeping accommodations, each with private bath, for 350 workers. A recreation and administrative complex, with lounge and kitchen-dining area, would also be provided. An occupational health clinic and security buildings would be free-standing and positioned within the construction camp to support the Project. Trans Mountain stated that the Camp will be operated by a BC-based camp services provider (referred to by Trans Mountain as 'the Operator') working in partnership with Shxw'ōwhámél. Trans Mountain stated it will be relying on Shxw'ōwhámél and the Operator to ensure that all</p>	Approved for the Ohamil Camp Community associated with Spread 5B

	<p>(CAEPLA letter on IR No. 39)</p> <p>C07989 dated 20 Aug 2020 (TM response to CAEPLA comments)</p> <p>C08048 dated 26 Aug 2020 (TM engagement update)</p> <p>C08068 dated 27 Aug 2020 (CAEPLA comments on TM's update)</p> <p>C08107 dated 31 Aug 2020 (CAEPLA update on update)</p> <p>C08278 dated 11 Sept 2020 (TM engagement update 2)</p> <p>C08305 dated 14 Sept 2020 (CAEPLA comments on TM's update 2)</p>	<p>relevant permits related to development and operation of the site as a construction camp will be obtained prior to Trans Mountain's occupancy of the Camp.</p> <p>Trans Mountain stated that Project engagement is completed in a phased approach. Spread 5B Project Construction Start notifications which included the proposed development of a camp in Spread 5B were distributed on 24 April 2020.</p> <p>Trans Mountain carried out engagement activities with 40 Indigenous peoples, 26 local residents identified in the Laidlaw area, and local governments including the Fraser Valley Regional District (FVRD). Trans Mountain's engagement with identified stakeholders was, and is, focused on the proposed occupancy and use of the Camp.</p> <p>Trans Mountain stated that on 5 May 2020 it had issued a 'Notice of Intent to Use' the Camp to local governments (FVRD and the District of Hope), 26 adjacent landowners in the Laidlaw area (by hand), the public via Trans Mountain's Project website, and Indigenous peoples. Once contractual agreements with Shxw'ōwhámél were completed in July 2020 a 'Notice of Intent to Use' was distributed to landowners, local governments, emergency officials and first responders. The 'Notice of Intent to Use' clearly outlined Shxw'ōwhámél's responsibility for the site development and indicated how stakeholders could stay updated or contact Trans Mountain for more information.</p> <p>The Canadian Association of Energy and Pipeline Landowner Associations (CAEPLA) submitted letters dated 15 May 2020, 10 June 2020, 19 June 2020, and 10 July 2020 on behalf of the Laidlaw Community Group, which consists of local residents in the immediate vicinity of Trans Mountain's Camp. These letters from CAEPLA asserted a lack of consultation from Trans Mountain regarding the Camp, questioned Trans Mountain's assertions concerning the independent development of the Camp and stated that no further consideration should be made by the Commission about Trans Mountain's filings with respect to approval of the Camp until consultation with local residents and landowners has been completed and community concerns have been resolved. On 20 July 2020, a member of the public living near the Camp, Ms. Tina Laursen sent a letter to the Commission expressing concerns with the Camp and requested that Trans Mountain engage in meaningful dialogue with the people of Laidlaw, understand their concerns and work with them to address and mitigate those concerns.</p> <p>On 28 July 2020, the Commission issued Information Request (IR) No. 39 regarding consultation matters, a</p>	
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		<p>facility site drawing and site-specific mitigation measures for the Camp. Trans Mountain filed its response to IR No. 39 on 10 August 2020.</p> <p>On 12 August 2020, CAEPLA filed a letter stating that it appeared that Trans Mountain had been actively involved in the development of the Camp site since July 2019 at the very latest and expressed concern that Trans Mountain may possibly be violating Conditions 59 and 60 in connection with the development of the Camp. CAEPLA also stated that local residents were concerned about the increases in traffic in the area and the increased risk to safety and security including possible spread of the COVID-19 virus that would result from the influx of outside temporary workers to the camp.</p> <p>CAEPLA requested that the Commission deny Trans Mountain's 18 June 2020 application for approval, direct Trans Mountain to carry out consultation with local residents and landowners including the Laidlaw Community Group and file an updated WAS and ESA for the Camp that address the concerns of the community.</p> <p>On 20 August 2020, Trans Mountain stated that it disagrees with CAEPLA's position and requested that the Commission deny CAEPLA's requested relief.</p> <p>Trans Mountain commented about the development of the Camp site in its response to IR No. 39 and its 20 August 2020 response to comments by CAEPLA. Trans Mountain asserted that independently from Trans Mountain, Shxw'ōwhámél, at their own discretion, working with their own local developer, cleared, graded and developed the 20-acre site as part of a long-term development for the First Nation. Trans Mountain indicated that the development and the long-term use of the site are entirely within the jurisdiction of Shxw'ōwhámél. Further, Trans Mountain stated that it had asked Shxw'ōwhámél not to proceed with any development activities specifically related to or in anticipation of Trans Mountain's use of the site, which was not confirmed until July 2020.</p> <p>Trans Mountain stated in its 20 August 2020 letter that it has engaged directly with potentially affected landowners and residents regarding its occupation of the Camp and provided responses to the following concerns of local residents:</p> <ul style="list-style-type: none">• increases in local traffic - Trans Mountain plans to use the Hunter Creek Road Exit to the north of the Camp site for all traffic to and from the site which will minimize impacts to residences.• increased risk to safety and security – Trans Mountain stated that these issues are	
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		<p>addressed in Trans Mountain’s approved <i>Worker Accommodation Strategy</i> and camp policies including the <i>TMEP Worker Code of Conduct</i>⁵ which Trans Mountain has confirmed will apply to its occupation of the Camp.</p> <ul style="list-style-type: none"> • possible spread of the COVID-19 virus – Trans Mountain stated that it has specific measures in response to COVID-19 to minimize the spread within camps and communities where workers may be present and provided links to the <i>Report on Trans Mountain’s COVID-19 Preparedness and Planning</i> which is periodically updated and maintained publicly on Trans Mountain’s website.⁶ <p>Trans Mountain committed to:</p> <ul style="list-style-type: none"> • continue to accommodate all reasonable requests regarding stakeholders’ preferred form of engagement – such as through identified representatives; • consider any additional measures or actions that nearby landowners or residents identify as required to address issues, and where appropriate, track and incorporate them into its Project execution plans; and • continue to be as responsive as possible to landowner requests and concerns as may be raised in the future. <p>In addition to the above commitments, Trans Mountain stated it is working closely with Shxw’ōwhámél LandSea Limited Corporation (SLLP) to identify and address concerns about the proposed occupancy of the Camp.</p> <p>Trans Mountain filed two further updates on engagement with residents and interested parties on 26 August 2020 and 11 September 2020. CAEPLA filed letters about both of these engagement updates on 27 August 2020 and 14 September 2020 respectively, and also copied the Commission on a 31 August 2020 letter it addressed to Trans Mountain regarding engagement.</p> <p>Regarding the ESA for the Camp, the Commission notes Trans Mountain’s commitments to comply with the requirements of all applicable CER conditions that are relevant to occupancy of the construction camp, and provided additional detail on the applicable mitigations in its response to IR No. 39.4.</p>	
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⁵ In Appendix E of the approved Worker Accommodation Strategy, PDF pages 76-80 of 80, [A85812-3](#)

⁶ <https://www.transmountain.com/covid19>

		<p>The Commission is satisfied with the consultation to date. The Commission notes Trans Mountain's initial consultation and consultation updates. The Commission also notes Trans Mountain's commitment to providing ongoing engagement sessions (including virtually, or by limited in-person meetings) with Indigenous peoples and the nearby stakeholders, including with members of the Laidlaw community, which will continue on through Q3 and Q4 of 2020. The Commission notes that Trans Mountain's consultation is based on occupancy rather than development of the site.</p> <p>The Commission accepts Trans Mountain's assertion that it will be occupying what is an already-developed site, on land that is managed by Shxw'ōwhámél under the <i>First Nations Land Management Act</i>, and as such is not required to conduct archaeological impact studies within the boundary of the site.</p> <p>Regarding potential environmental effects, the Commission is satisfied with Trans Mountain's assertion that by occupying an already-developed site, the overall Project footprint will be reduced, and that given the site has already been cleared and graded, habitat for, for example, migratory birds is limited. Further, Trans Mountain stated that the applicable mitigation measures provided in the Temporary Lands and Infrastructure Environmental Protection Plan (detailed in response to IR No. 39.4) will govern Trans Mountain's occupancy of the site and the Commission finds this acceptable.</p> <p>The Commission notes that, in addition to the requirements of Condition 60, Trans Mountain is required by Condition 13 to have a Socio-Economic Effects Monitoring Plan. This monitoring plan includes indicators that will be used in pinpointing where and when a Project mitigation, policy or program intended to reduce adverse socio-economic effects during construction is working as planned or may need improvement or adaptation.</p> <p>The Commission has considered the ESA and related submissions. Given the limited environmental effects due to the proposed site's location within an already developed and cleared site, the use of existing access roads, the requirements of the Socio-Economic Effects Monitoring Plan (Condition 13), and consultation carried out with the public and Indigenous peoples, the Commission is satisfied that the ESA for the relocated construction camp on the Ohamil Indian Reserve No. 1, denoted Camp, has been completed and that all associated mitigation measures have been identified.</p>	
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		<p>The Commission is of the view that Trans Mountain has satisfied the requirements of Condition 60 for the Camp.</p> <p>The Commission approves the 18 June 2020 ESA submission for the Ohamil Camp Community, associated with Spread 5B.</p>	
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Condition 78: Facility Environmental Protection Plan			
Project Phases applicable to this decision	Pre-construction Filings relating to this Condition	Views of the Commission	Current Compliance Status
Spread 5B TIS	<p>C06896 dated 18 June 2020 (TM filing)</p> <p>C06919 dated 19 June 2020 (TM filing)</p> <p>C07741 dated 10 August 2020 (TM Response to IR No. 39)</p>	<p>On 18 June 2020, Trans Mountain submitted a filing pursuant to Conditions 59 and 60 with a request to relocate the previously approved Cheam Apple Road Camp in Spread 5B to a new site on the Ohamil Reserve No. 1 near Hope, BC (Ohamil Camp Community). Trans Mountain also submitted an environmental site drawing on 19 June 2020 pursuant to Condition 78 e). On 10 August 2020, in response to an information request from the Commission, Trans Mountain submitted an updated version of the environmental site drawing, together with a list of the site-specific mitigations that will be applied.</p> <p>The Commission is of the view that the updated environmental site drawing, together with the accompanying description of mitigations, satisfies the requirements of Condition 78 e) for this site.</p> <p>The Commission approves the 10 August 2020 updated environmental site drawing for the Ohamil Camp Community, associated with Spread 5B.</p>	Approved for the Ohamil Camp Community associated with Spread 5B