

Trans Mountain Expansion Project Status

Spring 2016 Summer 2016 Fall 2016 Winter 2016



NEB Hearing Panel

The mandate of the NEB Hearing Panel was to prepare an evidence-based recommendation report on whether or not the Trans Mountain Expansion Project (Project) is in the Canadian public interest. On 19 May 2016, the NEB submitted the Project [Recommendation Report](#) to Governor in Council (GIC). As outlined in the [Summary of Recommendation](#), the NEB recommended that GIC approve the Project, subject to 157 Conditions. The work of the hearing panel is now complete. The NEB's Report is now with GIC, who will determine whether or not to approve the Project.

This is represented by the top row in the diagram.

Interim Measures

On January 27 2016 Government announced interim measures for pipeline Reviews. Specifically for the Trans Mountain Expansion Project, the Government announced it would

- Undertake deeper consultations with Indigenous peoples and provide funding to support participation in these consultations;
- Assess the upstream greenhouse gas emissions associated with this project and make this information public; and,
- Appoint a Ministerial Representative to engage communities, including Indigenous communities potentially affected by the project, to seek their views and report back to the Minister of Natural Resources.

On 17 May 2016, The Honourable Jim Carr, Minister of Natural Resources, [announced](#) that Ms. Kim Baird, Mr. Tony Penikett and Dr. Annette Trimbee would comprise the Trans Mountain Pipeline Expansion Project Ministerial Panel. The panel is tasked with engaging communities and local Indigenous groups and reviewing feedback that will be provided online regarding the project and project-related issues. The panel's work starts in June and concludes in November with a report to Minister Carr, which will be made public. [[link to more information](#)]

This is represented by the middle row in the diagram.

Greenhouse Gas Emissions

On 19 May 2016 — Environment and Climate Change Canada published the [draft Review of Related Upstream Greenhouse Gas Emissions Estimates](#) for the Trans Mountain Expansion Project (TMX). The document provides an estimation of the greenhouse gas (GHG) emissions released as a result of upstream production associated with the proposed Trans Mountain Pipeline Expansion Project, and an overall discussion of the project's potential impact on GHG emissions. After a public review period, a final report will be provided to GIC in November.

This is represented by the bottom row in the diagram.

Governor in Council Decision

The final decision on whether or not the Project should proceed will be made by the Governor in Council (GIC). The NEB's recommendation report is one of the factors that GIC will consider when making the final decision on whether or not the Project should proceed.

The Government of Canada announced in January 2016 it would undertake deeper consultations with Indigenous peoples, further engage the public and affected communities along the proposed pipeline routes, and undertake an assessment of upstream greenhouse gas emissions for the Trans Mountain Expansion Project.

Based on this input, the GIC will decide in December 2016 whether to order the NEB to issue a Certificate of Public Convenience and Necessity (Certificate) or to dismiss the Application. GIC could also direct the NEB to conduct a reconsideration of the NEB's report.

If the GIC orders the NEB to dismiss the Application, then the Board will dismiss the Application and no further steps take place.

If the GIC orders the NEB to issue a Certificate, the Board will issue a certificate (with conditions).

The GIC may refer the report back to NEB, and ask it to reconsider the recommendation, or any of the terms and conditions set out in the report, before GIC makes a decision.

If a Certificate is issued, Trans Mountain must prepare and submit to the NEB a plan, profile and book of references of the pipeline. For projects that do require a certificate, the company cannot construct the project until it has applied for and received NEB approval of the detailed or exact route. [Details about the Detailed Route process are found in the NEB's [Pipeline Regulation in Canada: A Guide for Landowners and the Public](#), Chapter 4.