

May 2, 2022

Filed Electronically

Canada Energy Regulator
Suite 210, 517 Tenth Avenue SW
Calgary, AB T2R 0A8

Attention: Ms. Ramona Sladic, Secretary of the Commission

Dear Ms. Sladic:

**Re: Foothills Pipe Lines (South B.C.) Ltd. (Foothills)
Foothills Zone 8 West Path Delivery 2023 (Project)
Order XG-002-2022 (Order)
Condition 9: Commitments Tracking Table No. 2
File: OF-Fac-Gas-F111-2020-02 02**

On March 2, 2022 the Canada Energy Regulator (CER or Commission) issued the Order approving the construction and operation of the Project.¹ The CER, pursuant to Condition 9 of the Order directed Foothills to file a Commitments Tracking Table (CTT) for the Project and Foothills filed the CTT (No. 1) on April 1, 2022.²

In accordance with Condition 9. b), Foothills encloses CTT No. 2, which provides an update (blacklined) for the Project CTT.

As required, Foothills will post the CTT on Foothills' external webpage for the Project at <https://www.tcenergy.com/operations/natural-gas/west-path-delivery-program/2023/>.

Foothills will also provide notification of this filing to all Indigenous groups engaged on the Project, in satisfaction of Condition 9. b).

If the CER requires additional information with respect to this filing, please contact me by phone at (403) 920-5198 or by email at david_yee@tcenergy.com.

Yours truly,
Foothills Pipe Lines (South B.C.) Ltd.

Original signed by

David Yee
Regulatory Project Manager
Regulatory Facilities, Canadian Natural Gas Pipelines

Enclosure

cc: Erin Robles Estoy, Canada Energy Regulator
Interested Indigenous groups

¹ CER Filing ID: C17973.

² CER Filing ID: C18409.

Commitment Number	Commitment To	Category	Description of Commitment	Source	Document References (CER Filing ID)	Status	Project Phase	Comments	Accountability
1	CER	Order Conditions	1. Condition Compliance Foothills must comply with all of the conditions contained in this Order unless the Commission otherwise directs.	Order XG-002-2022 Condition 1	C17973	In Progress	All Project Phases		Regulatory Project Manager Project Manager(s)
2	CER	Order Conditions	2. Design, Location, Construction and Operation Subject to Condition 4, Foothills must cause the approved Project to be designed, located, constructed, installed, and operated in accordance with the specifications, standards, commitments made, and other information referred to in its application or in its related submissions.	Order XG-002-2022 Condition 2	C17973	In Progress	All Project Phases		All Disciplines
3	CER	Order Conditions	3. Environmental Protection Foothills must implement or cause to be implemented all of the policies, practices, programs, mitigation measures, recommendations, procedures, and its commitments for the protection of the environment included in or referred to in its application or in its related submissions	Order XG-002-2022 Condition 3	C17973	In Progress	All Project Phases		Project Manager(s) Construction Manager(s) Environmental Planner(s)
4	CER	Order Conditions	4. Technical Specifications Foothills must file with the CER any technical specification updates for the Project components listed in the Application concurrently with its final Leave to Open application. Technical specification updates are limited to differences in pipe length, diameter, wall thickness, grade, or material that do not impact any other aspect of the Project as approved.	Order XG-002-2022 Condition 4	C17973	In Progress	Construction		Project Manager(s) Project Engineer(s)
5	CER	Order Conditions	5. GHG Emissions Mitigation Measures Plan – Project construction Foothills must file with the CER, at least 90 days prior to commencing construction , a GHG Emissions Mitigation Measures Plan for the direct GHG emissions generated from Project construction (including all temporary activities and right-of-way preparation). The plan must include: a) measures that will be implemented to salvage timber, including a description of how much timber will be salvaged during construction; b) a discussion of all possible mitigation measures, including offset measures considered to reduce GHG emissions during the construction phase; c) a rationale for not selecting any of the mitigation measures, including offset measures identified in part b); d) a description of mitigation and any offset measures selected for minimizing direct GHG emissions generated from Project construction, and the rationale for selecting these measures; and e) a description of how Foothills has considered the guidance in the most recent version of Environment and Climate Change Canada’s Strategic Assessment of Climate Change document in the identification of any offset measures.	Order XG-002-2022 Condition 5	C17973	In Progress	Pre-Construction	GHG Emissions Mitigation Measures Plan filed for the Project on March 15, 2022 (C18158). Request for relief from the CER was requested to accommodate early Project work planned to commence by May 17, 2022.	Project Manager(s) Construction Manager(s) Environmental Planner(s)

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6	CER	Order Conditions	<p>6. Updated Environmental Protection Plan Foothills must file with the CER, at least 60 days prior to commencing construction, for approval, an updated Project-specific Environmental Protection Plan (EPP), which Foothills must implement. The updated EPP must include, but not be limited to, the following:</p> <ul style="list-style-type: none"> a) environmental protection procedures (including site-specific plans), criteria for implementing these procedures, mitigation measures, and monitoring applicable to all Project phases and activities; b) any updates to contingency plans and management plans; c) a description of the condition to which Foothills intends to reclaim and maintain the rights-of-way, once construction has been completed, and a description of measurable goals for reclamation; d) all specific mitigation related to species at risk, including whitebark pine and their habitat, ungulate wintering range, bighorn sheep range, and species identified through field surveys; e) a watercourse crossing inventory table including a description of fish habitat and fish presence; f) updated environmental alignment sheets; g) evidence demonstrating that consultation took place with relevant government authorities, where applicable; and h) a revision log of the updates made, with a reference to where the updates can be found in the revised document. 	Order XG-002-2022 Condition 6	C17973	In Progress (Pending Approval)	Pre-Construction	EPP filed for the Project on March 17, 2022 (C18190).	Project Manager(s) Construction Manager(s) Environmental Planner(s) Indigenous Relations

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7	CER	Order Conditions	<p>7. Acid Rock Drainage Mitigation Plan Foothills must file with the CER, at least 60 days prior to commencing construction, for approval, a Project-specific Acid Rock Drainage Mitigation Plan. The plan must be incorporated and filed as an appendix to the EPP, and must include:</p> <ul style="list-style-type: none"> a) goals and measurable objectives regarding the Acid Rock Drainage Mitigation Plan; b) the methods and procedures to be used to achieve the mitigation goals; c) the criteria to determine if the mitigation goals have been met; d) each location the acid rock mitigation measures will be implemented, the purpose for the locations selected, and the timing for installation; e) the frequency of monitoring activities along the right-of-way and in temporary workspaces; f) a description of contingency measures to be applied, should the selected mitigation measures not be sufficient; g) a schedule of expected reporting to the CER on the progress and success of the measures implemented; and h) evidence of consultation with relevant regulatory authorities regarding the proposed mitigation. 	Order XG-002-2022 Condition 7	C17973	In Progress (Pending Approval)	Pre-Construction	Acid Rock Drainage Mitigation Plan filed for the Project on March 17, 2022 (C18190), as Appendix 1F of the EPP (C18190).	Project Manager(s) Project Engineer(s) Construction Manager(s) Environmental Planner(s)

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8	CER	Order Conditions	<p>8. Temporary Construction Camp</p> <p>a) In the event that Foothills requires a temporary construction camp, Foothills must file with the CER, at least 45 days prior to commencing construction of the Camp, for approval, an environmental and socio-economic protection plan for the camp that includes the following:</p> <ul style="list-style-type: none"> i) the location of the camp and a description of the environmental setting; ii) a suitably-scaled plot plan that includes satellite imagery showing land use in the immediate and surrounding areas; iii) the size of the camp in hectares; iv) the predicted human occupancy of the camp including the number of people to be accommodated at the camp and the number of camp staff; v) the proposed schedule for constructing, operating, and dismantling the camp; vi) identification of the environmental and socio-economic effects of constructing, operating, and dismantling the camp; vii) a description of all proposed mitigation measures associated with vi); viii) documentation describing Foothills' consultation with the relevant municipalities, regional authorities, and all potentially affected stakeholders and Indigenous peoples; ix) a summary of any issues or concerns raised by municipalities, regional authorities, and all potentially affected stakeholders and Indigenous peoples; and x) a description of how the issues and concerns identified in ix) are addressed in the environmental and socio-economic protection plan for the camp or, if not addressed, an explanation as to why not; and <p>b) Foothills must provide a copy of the environmental and socio-economic protection plan to anyone who raised issues or concerns in a) ix) and, within 7 days of the filing in a), provide confirmation to the CER that it provided those copies; or</p> <p>c) If no camp is required, Foothills must file with the CER, within 30 days after commencing operations, confirmation that no camp was constructed.</p>	Order XG-002-2022 Condition 8	C17973	Complete	Pre-Construction and Construction	A Temporary Construction Camp is currently not planned for the Project. If a camp is required, Foothills will file an environmental and socio-economic protection plan, for approval, as per Condition 8 a). Should it be determined no camp is required, Foothills will file a confirmation, as per Condition 8 c).	Project Manager(s) Environmental Planner(s) Construction Manager(s) Indigenous Relations

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9	CER	Order Conditions	<p>9. Commitments Tracking Table Foothills must:</p> <p>a) File with the CER, post on Foothills' website, and notify all potentially affected Indigenous peoples who have expressed to Foothills an interest in this Project, at least 30 days prior to commencing construction of the Project, a Commitments Tracking Table (CTT) listing all commitments made by Foothills in its Project Application or in its related submissions, including reference to:</p> <p>i) the documentation in which the commitment appears (for example, the Project Application, responses to information requests, permit requirements, or other);</p> <p>ii) traditional land and resource use information from potentially affected Indigenous peoples;</p> <p>iii) the accountable lead for implementing each commitment; and</p> <p>iv) the estimated timelines associated with the fulfillment of each commitment.</p> <p>b) Update the status of the commitments in a) on its Project website and file these updates with the CER and all potentially affected Indigenous peoples who have expressed to Foothills an interest in this Project on:</p> <p>i) a monthly basis until commencing operations; and ii) a quarterly basis until the end of the first year following the commencement of operations.</p> <p>c) Maintain at its Project site during the life cycle of the Project:</p> <p>i) the CTT listing all regulatory commitments and their completion status, including, but not limited to, those commitments resulting from Foothills' Project Application and subsequent filings and conditions from permits, authorizations, and approvals;</p> <p>ii) copies of any permits, approvals, or authorization issued by federal, provincial, or other permitting authorities, which include environmental conditions or site-specific mitigation or monitoring measures; and</p> <p>iii) any subsequent variances to any permits, approvals, or authorizations in c)ii).</p>	Order XG-002-2022 Condition 9	C17973	In Progress	All Project Phases	<ul style="list-style-type: none"> • <u>Commitments Tracking Table (CTT) No. 1 was filed on April 1, 2022 (C18409).</u> 	All Disciplines

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10	CER	Order Conditions	<p>10. Report on Engagement with Indigenous Peoples</p> <p>a) Foothills must file with the CER, at least 30 days prior to commencing construction of the Project, a report summarizing Foothills' engagement with all potentially affected Indigenous peoples after 28 July 2021. This report must include but not be limited to:</p> <ul style="list-style-type: none"> i) the methods, dates, and locations of consultation activities, including site visits; ii) a summary of the concerns raised by Indigenous peoples; iii) a description of how Foothills has addressed or will address the concerns raised; iv) a description of any outstanding concerns; and v) a description of how Foothills intends to address any outstanding concerns, or an explanation as to why no further steps will be taken. <p>b) Foothills must also provide a copy of the report to all Indigenous peoples who have expressed an interest in receiving a copy; and Foothills must, within 7 days of the filing in a), provide confirmation to the CER that it has provided those copies.</p>	Order XG-002-2022 Condition 10	C17973	In Progress Completed	Pre-Construction	<p>Condition 10 a) was filed on March 31, 2022 (C18375).</p> <p>Foothills will serve a copy of this filing to Indigenous groups engaged on the Project, in satisfaction of Condition 10 b)</p> <p>Condition 10 b) was filed on April 4, 2022 (C18427).</p>	Indigenous Relations
11	CER	Order Conditions	<p>11. Outstanding Traditional Knowledge Studies</p> <p>a) Foothills must file with the CER, at least 30 days prior to commencing construction of the Project, for approval, a report on any outstanding traditional knowledge studies for the Project. The report must include, but not be limited to:</p> <ul style="list-style-type: none"> i) a summary of the status of traditional knowledge studies undertaken for the Project, including Indigenous community-specific traditional land and resource use or culture and traditions studies and any supplementary field investigation or reconnaissance activities relevant to potentially affected Indigenous communities; ii) a summary of the concerns and/or effects of the Project on the current use of lands and resources for traditional purposes identified in the traditional knowledge studies completed since Foothills' last update; iii) a summary of the mitigation measures proposed by Foothills or by affected Indigenous communities to address concerns and Project effects identified in the traditional knowledge studies completed since Foothills' last update; iv) a description of how Foothills has considered and addressed information from any studies that it did not report on the CER's record for the Project; 	Order XG-002-2022 Condition 11	C17973	In Progress (Pending Approval)	Pre-Construction	<p>Condition 11 a) was filed on March 14, 2022, 2021 (C18130).</p> <p>Condition 11 b) filed on March 15, 2022 (C18159).</p>	Indigenous Relations

Commitment Number	Commitment To	Category	Description of Commitment	Source	Document References (CER Filing ID)	Status	Project Phase	Comments	Accountability
11 (cont'd)			<p>11. Outstanding Traditional Knowledge Studies (cont'd)</p> <ul style="list-style-type: none"> v) a description of any outstanding concerns raised by potentially affected Indigenous peoples regarding potential effects of the Project on the current use of lands and resources for traditional purposes, including a description of how these concerns have been or will be addressed by Foothills, or a detailed explanation of why these concerns will not be addressed by Foothills; vi) a summary of any outstanding traditional knowledge studies or follow up activities that will not be completed prior to commencing construction, including an explanation of why they are not being completed prior to construction; vii) estimated completion dates for any outstanding studies, if applicable, and a description of how Foothills has already identified, or will identify, any potentially affected traditional land and resource use sites or resources if the outstanding studies will not be completed prior to construction; and viii) a description of how Foothills has incorporated any revisions necessitated by the studies or follow-up activities into the EPP for the Project or, if appropriate, into Foothills' lifecycle oversight. <p>b) Foothills must also provide a copy of the report to all Indigenous peoples who have expressed an interest in receiving a copy; and Foothills must, within 7 days of the filing in a), provide confirmation to the CER that it provided those copies.</p>						
12	CER	Order Conditions	<p>12. Construction Schedule</p> <p>Foothills must, at least 14 days prior to commencing construction of the approved facilities, file with the CER a detailed construction schedule or schedules identifying major construction activities and must notify the CER of any modifications to the schedule or schedules as they occur.</p>	Order XG-002-2022 Condition 12	C17973	Complete	Construction	Condition 12 was filed on March 15, 2022 (C18160).	Project Manager(s) Construction Manager(s)

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13	CER	Order Conditions	<p>13. Breeding Bird Survey and Protection In the event that vegetation will be cleared or topsoil will be removed during restricted activity periods for non-migratory birds protected under provincial jurisdiction and for migratory birds, Foothills must retain a qualified avian biologist to carry out a survey or surveys prior to these activities to identify any birds and active nests located within the Local Assessment Area. Foothills must file with the CER, every 15 days when Foothills is actively clearing or removing topsoil during the breeding bird restricted activity period, the following:</p> <ul style="list-style-type: none"> a) results of the survey(s); b) site-specific mitigation and monitoring implemented, including: <ul style="list-style-type: none"> i) mitigation and monitoring developed in consultation with Environment and Climate Change Canada and the appropriate provincial government authorities to protect any identified migratory and non-migratory birds and their nests; ii) mitigation and monitoring developed in consultation with Environment and Climate Change Canada to protect any birds listed under the Species at Risk Act identified in the survey(s) and their nests; and c) evidence to confirm that the appropriate provincial and federal government authorities were consulted about the proposed methodology for the survey, the results from the survey, and the mitigation and monitoring to be used; and a description of any outstanding concerns they may have. 	Order XG-002-2022 Condition 13	C17973	Planned	Construction		Project Manager(s) Construction Manager(s) Environmental Planner(s)
14	CER	Order Conditions	<p>14. Fisheries Act Authorizations</p> <ul style="list-style-type: none"> a) For any instream activities that will require an authorization under paragraph 35(2)(b) of the Fisheries Act, Foothills must file with the CER, at least 14 days prior to commencing the respective instream activities, a copy of the authorizations; or b) within 30 days after commencing operations, Foothills must file confirmation that no authorizations were required for any instream activities. 	Order XG-002-2022 Condition 14	C17973	Planned	Construction		Project Manager(s) Construction Manager(s) Environmental Planner(s)

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15	CER	Order Conditions	<p>15. Acid Rock Drainage Mitigation Plan Reports Foothills must file with the CER:</p> <p>a) based on the schedule referred to in Condition 7 part g), Acid Rock Drainage Mitigation Report(s) that identify the progress and success of the mitigation measures and any contingency measures implemented for locations where acid rock was encountered; or</p> <p>b) within 30 days of completing construction, confirmation that no bedrock with acid generating potential was encountered</p>	Order XG-002-2022 Condition 15	C17973	Planned	Construction and Post-Construction	In accordance with Condition 7 g) Foothills commits to filing annual reports to the CER, by January 31, 2023 and 2024 respectively, on the progress and success of the measures implemented following completion of each construction season in 2022 and 2023; as outlined in section 6.3.1 of the ARD Mitigation Plan. Foothills also commits to filing bi-annual reports to the CER, if required, by June 30 and December 31 for a period of 5 years (starting in 2024) on the progress and success of the measures implemented post construction; as outlined in section 6.3.2 of the ARD Mitigation Plan (C18190, PDF page 1 of 387).	Project Manager(s) Project Engineer(s) Construction Manager(s) Environmental Planner(s)
16	CER	Order Conditions	<p>16. Condition Compliance by the Accountable Officer Within 30 days of the date that the approved Project is placed in service, Foothills must file with the CER a confirmation that the approved Project was completed and constructed in compliance with all applicable conditions in this Order.</p> <p>If compliance with any of these conditions cannot be confirmed, Foothills must file with the CER details as to why compliance cannot be confirmed. The filing required by this condition shall include a statement confirming that the signatory to the filing is the accountable officer of Foothills, appointed as Accountable Officer pursuant to section 6.2 of the Canadian Energy Regulator Onshore Pipeline Regulations.</p>	Order XG-002-2022 Condition 16	C17973	Planned	Post-Construction		All Disciplines

Commitment Number	Commitment To	Category	Description of Commitment	Source	Document References (CER Filing ID)	Status	Project Phase	Comments	Accountability
17	CER	Order Conditions	<p>17. Quantification of construction-related greenhouse gas (GHG) emissions</p> <p>Foothills must file with the CER, within 2 months after commencing operations, a quantitative assessment of the actual GHG emissions directly related to the construction of the Project, including all temporary infrastructure and right-of-way preparation (i.e., a refined estimate based on vehicles and equipment used, as well as fuel consumption, land clearing, and timber salvage). The assessment must include:</p> <ul style="list-style-type: none"> a) the methodology used for the assessment, including the sources of GHG emissions, assumptions, and methods of estimation; b) confirmation that Foothills has implemented mitigation and offset measures (if any) to minimize GHG emissions during the construction phase, as described in Condition 5; c) the total net GHG emissions generated from Project construction, including emissions generated by vehicles and equipment, land clearing, slash burning, and decay, after the implementation of any mitigation and offset measures; and d) a comparison and discussion of the net GHG emissions calculated in part c) with the predicted emissions in Foothills' Project Application. 	Order XG-002-2022 Condition 17	C17973	Planned	Post-Construction		Environmental Planner(s) Operations
18	CER	Order Conditions	<p>18. Net-zero Operational Greenhouse Gas Emissions Plan</p> <p>Foothills must file with the CER, within one year after commencing operations, a Net-zero Operational GHG Emissions Plan outlining its proposed actions to achieve net-zero GHG emissions for the operating Project, including from routine maintenance activities. The plan must include the following:</p> <ul style="list-style-type: none"> a) a description of Foothills' strategies to reduce emissions to achieve net-zero operational GHG emissions through either Project-specific improvements or system-wide actions at a corporate level, or a mix of Project-specific, system wide, or corporate actions, including a description of how these strategies will be accounted for in achieving net-zero GHG emissions for the Project's operational emissions; and b) a description of how Foothills proposes to update its plan periodically to reflect any material changes to applicable provincial and federal legislation and policies regarding net-zero GHG emissions that apply to the ongoing operations of the Project. 	Order XG-002-2022 Condition 18	C17973	Planned	Post-Construction		Environmental Planner(s) Operations

Commitment Number	Commitment To	Category	Description of Commitment	Source	Document References (CER Filing ID)	Status	Project Phase	Comments	Accountability
19	CER	Order Conditions	<p>19. Post-Construction Environmental Monitoring Reports On or before 31 January after each of the first, third, and fifth complete growing seasons following completion of final cleanup of the Project, Foothills must file with the CER a post-construction environmental monitoring report that:</p> <ul style="list-style-type: none"> a) describes the methodology used for monitoring, the criteria established for evaluating success, and the results found; b) identifies any modifications for the criteria established for evaluating reclamation success described in its EPP and the rationale for any modifications; c) identifies the issues to be monitored, including but not limited to unexpected issues that arose during construction and their locations (for example, on a map or diagram or in a table); d) describes the current status of the issues (resolved or unresolved), any deviations from plans, and corrective actions undertaken; e) assesses the effectiveness of the planned and corrective mitigation measures applied against the criteria for success; f) provides proposed measures and the schedule that Foothills plans to implement to address ongoing issues; and g) includes a detailed summary of Foothills' consultation undertaken with the appropriate provincial and federal authorities, and with affected Indigenous communities. h) The report must include, but not be limited to, the issues pertaining to species at risk, soils, vegetation, wildlife, weeds, watercourse crossings, and wetlands. 	Order XG-002-2022 Condition 19	C17973	Planned	Post-Construction		Environmental Planner(s) Operations
20	CER	Order Conditions	<p>20. Sunset Clause This Order shall expire on 2 March 2024 unless construction of the Project has commenced by that date.</p>	Order XG-002-2022 Condition 20	C17973	In Progress	Pre-Construction		Project Manager(s)
Project Application									
21	CER	Engineering Matters	Foothills will implement TC Energy's comprehensive Integrity Management Program (IMP) to monitor and ensure the integrity of the Project.	Application – Integrity Management	C11799-1	Planned	All Project Phases		Project Manager(s) Construction Manager(s) Operations
22	CER	Design Matters	Current regular preventative maintenance programs will be incorporated in the design and operation of the pipeline portion of the Project.	Application – Integrity Management	C11799-1	Planned	All Project Phases		Project Manager(s) Operations Pipeline Integrity
23	CER	Design Matters	TCPL will operate the Project in accordance with all applicable legislation, codes and standards, including the Onshore Pipeline Regulations (OPR) (NEB 2016) and Canadian Standards Association Z662-19: Oil and Gas Pipeline Systems (CSA Z662-19), and approval conditions.	Application – Integrity Management	C11799-1	Planned	Operations		Operations
24	CER	Design Matters	Due to the presence of a steep slope on the western side of the Flathead ridge, an engineered system will be used to assist in the installation of pipe along this steep slope section. This engineered system will be removed after final clean up.	Application-Construction & Inspection	C11799-1	Planned	Construction		Project Manager(s) Project Engineer Construction Manager

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25	CER	Engineering Matters	The pipeline will be pressure tested at a minimum of 125% of the design pressure. The mainline, valve assemblies, and launcher and receiver assemblies will be shop tested and/or field tested when assembled.	Application -Construction & Inspection	C11799-1	Planned	Construction		Project Manager(s) Project Engineer Construction Manager(s)
26	CER	Design Matters	The Project will comply with the most recent version of all applicable legislation, codes and standards, including the Onshore Pipeline Regulations (OPR), Canadian Standards Association (CSA) Z662 Oil and Gas Pipeline Systems.	Application – E1	C11799-1	In Progress	All Project Phases		Project Manager(s) Project Engineer Operations
27	CER	Design Matters	Project facilities will not be used for sour service.	Application – E2-3	C11799-1	Planned	All Project Phases		Operations
28	CER	Design Matters	The Project will only use new pipeline materials.	Application – E3-1	C11799-1	Planned	All Project Phases	The Project will only use new pipeline materials, with the exception of re-use of an existing receiver barrel (refer to No. 30).	Project Manager(s) Project Engineer
29	CER	Design Matters	On completion of the Phase II Assessment, a geohazard mitigation and monitoring program for any moderate or high-rated hazard will be developed. Once in operation, those potential locations still of concern will be included within the TC Energy Pipeline Integrity Program for routine monitoring and inspection.	Application – Attachment 12: Engineering Matters Summary	C11799-5	Planned	Design and Construction	A Phase II assessment was completed in March 2021.	Project Manager(s) Project Engineer
30	CER	Design Matters	Foothills will be re-using an existing receiver barrel, currently installed at BCM20 (a-26-C/82-G-10) on the British Columbia Mainline Loop Leech Creek Section. An engineering assessment, which meets the requirements of Canadian Standards Association (CSA) Z662, Oil and Gas Pipeline Systems, was completed. The engineering assessment demonstrates that the reused material is fit for the intended service. The barrel will be upgraded to allow a larger kicker line to be installed. The barrel will be shop pressure tested and sent to the field to be installed at valve site BCM35 (b-84-D/82-G-7).	Application – Attachment 12: Engineering Matters Summary	C11799-5	Planned	Design and Construction		Project Manager(s) Project Engineer
31	CER	Design Matters	The proposed NPS 48 Elko Section will have a licensed MOP of 8690 kPa.	Application – Attachment 14: Pipeline PC and OPP	C11799-7	Planned	All Project Phases		Project Manager(s) Project Engineer Operations
32	CER	Design Matters	Overpressure protection (pressure-limiting) devices will be installed at spec break locations. The addition of the proposed pipeline will not impact the connected pipelines.	Application – Attachment 14: Pipeline PC and OPP	C11799-7	Planned	All Project Phases		Project Manager(s) Project Engineer Operations
33	CER	Land Matters Environment Matters	TWS will be required for grading through the sloped portions of the Project, as well as through the freehold land to accommodate topsoil stripping and storage. The TWS requirements for the Elko Section are subject to refinement as the Project progresses through detailed design and engineering. Before the start of construction, Foothills and the Prime Contractor for the Project will complete another assessment of lands required for construction activities. Once this assessment is completed, additional TWS may be required on a site-specific basis, which will be finalized in the field before, and potentially during construction.	Application – Attachment 20: Land Matters Summary	C11799-23	In Progress	Pre-Construction		Land Representative(s) Environmental Planner(s)

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34	CER	Land Matters	In the event that TWS is required outside the lands that were assessed in the ESA, Foothills will assess the potential effects associated with the new TWS. In the event that further environmental surveys are required, Foothills will conduct required assessments when additional TWS is identified.	Application – Attachment 20: Land Matters Summary	C11799-23	In Progress	Construction		Land Representative(s)
35	CER	Land Matters	Foothills will apply to the BC Oil and Gas Commission (BCOGC) for provincial Crown land rights with the necessary permits or authorizations for the pipeline.	Application – Attachment 20: Land Matters Summary	C11799-23	In Progress	Pre-Construction		Land Representative(s) Environmental Planner(s)
36	CER	Land Matters	Foothills will continue ongoing discussion with permit holders and landowners to finalize and necessary agreements/consents.	Application – Attachment 20: Land Matters Summary	C11799-23	In Progress	Pre-Construction		Land Representative(s)
37	CER	Land Matters	The Project will utilize a Statutory Right-of-Way Agreement with NRCan and other landowners which will follow and comply with the BC Land Title Office registration process, and applicable federal law.	Application – Attachment 20: Land Matters Summary	C11799-23	In Progress	Pre-Construction and Construction		Land Representative(s)
38	CER	Land Matters	Foothills confirms that the land acquisition process for the Project will comply with the applicable sections of the CER Act, including sections 321 and 322.	Application – Attachment 20: Land Matters Summary	C11799-23	In Progress	Pre-Construction		Land Representative(s)
39	CER	Land Matters	The Project will utilize a Statutory Right-of-Way Agreement with freehold landowners. Foothills will obtain Crown approval from the BCOGC for the ROW and facilities located on Crown Land in advance of use of the land, under the BCOGC's Application Management System (AMS).	Application – Attachment 20: Land Matters Summary	C11799-23	In Progress	Pre-Construction		Land Representative(s)
40	Blood Tribe (BT)	Indigenous Relations Matters	Foothills replied noting it would review the findings of the TK study for the Project in the context of the ESA and considered for incorporation into Project planning, as appropriate, and provide proposed mitigation to the concerns raised.	Application – Attachment 22: Indigenous Matters Summary	C11799-26	Complete	Pre-Construction	On February 9, 2021, Foothills provided BT Foothills' responses and proposed mitigation measures in response to the concerns raised in BT's TK Report.	Indigenous Relations
41	Siksika Nation (SN)	Indigenous Relations Matters	Foothills replied noting it would review the findings of the TK study for the Project in the context of the ESA and considered for incorporation into Project planning, as appropriate, and provide proposed mitigation to the concerns raised.	Application – Attachment 22: Indigenous Matters Summary	C11799-26	Complete	Pre-Construction	On February 9, 2021, Foothills provided SN Foothills' responses and proposed mitigation measures in response to the concerns raised in SN's TK Report.	Indigenous Relations
42	Tobacco Plains Indian Band (TPIB)	Indigenous Relations Matters	In response to receipt of TPIB's comments on the Literature Review, Foothills noted it would submit TPIB's comments on the literature review to the Project team. Foothills noted that due to Project timelines, the feedback may not be incorporated into the ESA. However, Foothills noted that the comments would be reviewed in the context of the ESA and considered in Project planning as appropriate. Foothills committed to providing an update on how TPIB's comments on the literature review would be reflected in the Project Application.	Application – Attachment 22: Indigenous Matters Summary	C11799-26	Complete	Pre-Construction	On January 29, 2021, Foothills emailed TPIB a revised literature review that reflected revisions based on TPIB's feedback for inclusion in the ESA for the Project.	Indigenous Relations
Other (Foothills Project Updates, Responses to Information Requests, and Intervenor Evidence)									
43	CER	Environmental Matters	The Navigation and Navigation Safety Plan will be included in the Environmental Protection Plan (EPP) which will be provided to the prime contractor who is required to ensure all workers have access to and are aware of the EPP. The content regarding navigation and navigation safety and mitigation will be included	CER 2.1	C13195-1	Complete	Pre-construction	The Navigation and Navigation Safety Plan was included in the updated EPP filed on March 17, 2022 (Appendix 1F). (C18190)	Environmental Planner(s)

Commitment Number	Commitment To	Category	Description of Commitment	Source	Document References (CER Filing ID)	Status	Project Phase	Comments	Accountability
			in pre-construction orientations for construction crews and contractors.						
44	CER	Transportation Matters	Foothills will submit and update the data files with a winter 2021 capacity of 79.4 e ⁶ m ³ /d	CER 2.3	C13195-1	Complete	Post-Construction	Updated data files were filed with the CER, via Email, in August 2021.	Regulatory Project Manager
45	CER	Environmental Matters	Whitebark Pine mitigation measures, and any updates required by ECCC as part of the SARA permit conditions, will be incorporated into the Environmental Protection Plan (EPP), when an updated EPP is filed with the CER prior to construction.	CER 2.10	C13195-1	In Progress	Pre-construction	As of March 2022, the SARA permit has not been issued by ECCC. Once it is issued, Foothills will submit an updated EPP that includes the SARA permit terms and condition.	Environmental Planner(s)
46	CER	Environmental Matters	Foothills is continuing to refine the engineering design and should a need for bank armoring be identified, Foothills will provide an updated fish habitat assessment and supporting plans.	CER 2.11	C13195-1	Complete	Pre-construction	The information was provided on March 23, 2022 (C18278).	Environmental Planner(s)
47	CER	Environmental Matters	The results of 2021 aquatic surveys regarding the four crossings classified as "TBD", associated least risk windows and any additional mitigation will be filed in September 2021.	CER 2.12	C13195-1	Complete	Pre-construction	The information was provided on March 23, 2022 (C18278). As noted in the filing this information was not available in September 2021, as previously indicated in the response to CER 2.12 (C18278).	Environmental Planner(s)
48	British Columbia Métis Federation (BCMF)	Indigenous Relations Matters	TK Report received on June 28, 2021 and is currently under review with Foothills. Foothills will provide BCMF with responses and proposed mitigation measures to issues and concerns identified in BCMF's TK Report and offer to meet to discuss the Project-specific feedback.	CER 3.3	C13976-1	Complete	Pre-Construction	On July 21, 2021, Foothills provided BCMF Foothill's responses and proposed mitigation measures in response to the concerns raised in BCMF's TK Report.	Indigenous Relations
49	Elk Valley Métis Association (EVM)	Indigenous Relations Matters	Upon receipt, Foothills will review the Final TK Report and provide a response to EVM with an offer to meet.	Condition 11: Outstanding Traditional Knowledge Studies	C18130-1	In Progress	Pre-Construction		Indigenous Relations
50	Piikani Nation	Indigenous Relations Matters	Upon receipt, Foothills will review the Final TK Report and provide a response to PKN, with an offer to meet.	Condition 11: Outstanding Traditional Knowledge Studies	C18130-1	In Progress	Pre-Construction		Indigenous Relations
51	Samson Cree Nation (SCN)	Indigenous Relations Matters	On February 3, 2022, Foothills received an email from SCN providing their TK Report for the Project. Foothills replied by email the same day confirming receipt. Foothills noted it would review the Report and provided update responses to any Project-specific concerns and proposed mitigations that differed from those provided in response to the interim TK Report.	Condition 10: Report on Engagement with Indigenous Peoples	C18375-1	Complete	Pre-Construction	On March 8, 2022, Foothills provided SCN Foothills' responses and proposed mitigation measures in response to the concerns raised in SCN's Final TK Report.	Indigenous Relations
52	Shuswap Indian Band (SIB)	Indigenous Relations Matters	SIB's Final TK Report is currently under review by Foothills. Following an initial review for potential interactions or effects identified by SIB, no sites, features or areas of concerns requiring additional mitigation were identified for inclusion in the EPP and EAS. Upon final review, Foothills will provide a response to SIB with an offer to meet.	Condition 11: Outstanding Traditional Knowledge Studies	C18130-1	Complete	Pre-Construction	On April 1, 2022, Foothills provided SIB Foothill's responses and proposed mitigation measures in response to the concerns raised in SIB's Final TK Report.	Indigenous Relations
53	Stoney Nakoda Nations (SNN)	Indigenous Relations Matters	Upon completion of an agreement and receipt of a report, Foothills will review the Final TK Report and provide a response to SNN.	Condition 11: Outstanding Traditional Knowledge Studies	C18130-1	Planned	Pre-Construction		Indigenous Relations

Commitment Number	Commitment To	Category	Description of Commitment	Source	Document References (CER Filing ID)	Status	Project Phase	Comments	Accountability
54	TPIB	Indigenous Relations Matters	On November 30, 2021, Foothills received an email from TPIB with their TK Report attached. The same day Foothills replied by email confirming receipt and noting that the report would be reviewed, and proposed mitigations would be developed, in response to any Project-specific issues or concerns raised in the report.	Condition 10: Report on Engagement with Indigenous Peoples	C18375-1	Complete	Pre-Construction	On January 18, 2022, Foothills provided TPIB Foothills' responses and proposed mitigation measures in response to the concerns raised in TPIB's Final TK Report.	Indigenous Relations
55	Tsuut'ina Nation (TSN)	Indigenous Relations Matters	On September 29, 2021, Foothills received an email from TSN providing TSN's TK Report for the Project. On the same day Foothills replied via email confirming receipt and noting that the report would be reviewed, and proposed mitigations would be developed, in response to any Project-specific issues or concerns raised in the report.	Condition 10: Report on Engagement with Indigenous Peoples	C18375-1	Complete	Pre-Construction	On January 31, 2022, Foothills provided TSN Foothills' responses and proposed mitigation measures in response to the concerns raised in TSN's TK Report.	Indigenous Relations