Decision Statement
Issued under Section 54 of the *Canadian Environmental Assessment Act, 2012*

to
Woodfibre LNG Limited Partnership
c/o Christine Kennedy, President of Woodfibre Management Limited
Manager on behalf of the Woodfibre LNG Limited Partnership

#1020 – 1075 W. Georgia Street
Vancouver, British Columbia
V6E 3C9

for the
Woodfibre LNG Project

Description of the Designated Project
Woodfibre LNG Limited Partnership is proposing the construction and operation of a liquefied natural gas facility (LNG) located seven kilometres southwest of Squamish, British Columbia, on the northwestern shoreline of Howe Sound. The Designated Project includes the development of a natural gas liquefaction facility and an LNG transfer facility to enable the export of the LNG product to global markets via marine vessels. The Designated Project is expected to operate for at least 25 years and to produce between 1.5 and 2.1 million tonnes of LNG per year. In June 2017, the National Energy Board issued a 40-year export license for the Designated Project, extending the original 25-year license by 15 years.

Conduct of the environmental assessment
The Canadian Environmental Assessment Agency (the Agency) commenced an environmental assessment of the Designated Project under the *Canadian Environmental Assessment Act, 2012* on February 3, 2014. On February 19, 2014, the Minister of the Environment, under the authority of section 32 of the *Canadian Environmental Assessment Act, 2012*, granted the substitution of the environmental assessment process set out in British Columbia's *Environmental Assessment Act* for the *Canadian Environmental Assessment Act, 2012* process.

British Columbia's Environmental Assessment Office (the EAO) conducted an environmental assessment of the Designated Project in accordance with the substitution conditions set out in subsection 34(1) of the *Canadian Environmental Assessment Act, 2012*, including those additional conditions set by the Minister of the Environment, and in consideration of the *Memorandum of Understanding on Substitution of Environmental Assessments* (2013) entered into by the Agency and the EAO. The EAO submitted its report to the Agency on August 19, 2015.

Decision on environmental effects referred to in subsection 5(1) of the *Canadian Environmental Assessment Act, 2012*

In accordance with paragraph 52(1)(a) of the *Canadian Environmental Assessment Act, 2012*, after considering the report of the EAO on the Designated Project and the implementation of mitigation measures that I consider appropriate, I have determined that the Designated Project is not likely to cause significant adverse environmental effects referred to in subsection 5(1) of the *Canadian Environmental Assessment Act, 2012*.

In accordance with subsection 53(1) of the *Canadian Environmental Assessment Act, 2012*, I have established the conditions below in relation to the environmental effects referred to in subsection 5(1) of the *Canadian Environmental Assessment Act, 2012*, with which the Proponent must comply.

Decision on environmental effects referred to in subsection 5(2) of the *Canadian Environmental Assessment Act, 2012*

The carrying out of the Designated Project may require the following federal authorities to exercise a power or perform a duty or function conferred on them under an Act of Parliament other than the *Canadian Environmental Assessment Act, 2012*:

- The Minister of Fisheries and Oceans may issue an authorization under paragraph 35(2)(b) of the *Fisheries Act*; and
- The Minister of Transport may approve works in and about navigable waters under subsection 6(1) of the *Navigation Protection Act* and may permit ancillary works under subsection 9(1) thereof.

In accordance with paragraph 52(1)(b) of the *Canadian Environmental Assessment Act, 2012*, after considering the report of the EAO on the Designated Project and the implementation of mitigation measures that I consider appropriate, I have determined that the Designated Project is not likely to cause significant adverse environmental effects referred to in subsection 5(2) of the *Canadian Environmental Assessment Act, 2012*.

In accordance with subsection 53(2) of the *Canadian Environmental Assessment Act, 2012*, I have established the conditions below in relation to the environmental effects referred to in subsection 5(2) of the *Canadian Environmental Assessment Act, 2012*, with which the Proponent must comply.

Decision Statement under the *Impact Assessment Act*

A Decision Statement issued by me under subsection 54(1) of the *Canadian Environmental Assessment Act, 2012* and amended pursuant to section 308 of the *Budget Implementation Act, 2024*, is deemed, as of the day on which the amended Decision Statement is posted on the Canadian Impact Assessment Registry, to be a decision statement issued under subsection 65(1) of the *Impact Assessment Act*.

1 Definitions

1.1 *Aboriginal groups* means Squamish Nation, Tsleil-Waututh Nation, Cowichan Tribes First Nation, Halalt First Nation, Lake Cowichan First Nation, Lyackson First Nation, Musqueam Indian Band, Penelakut Tribe, Stz'uminus Nation and Métis Nation British Columbia.

1.2 *Agency* means the Canadian Environmental Assessment Agency.

1.3 *Baseline* means the environmental conditions prior to initiating construction of the Designated Project.

1.4 *Construction* means the phase of the Designated Project during when site preparation, building or installation of any components of the Designated Project are undertaken by the Proponent.

1.5 *Culturally modified tree* means a tree that has been altered by Aboriginal people as part of their traditional use of the forest.

1.6 *Days* means calendar days.

1.7 *Decommissioning* means the phase of the Designated Project where the Proponent has permanently ceased commercial production and has commenced removal from service of any components of the Designated Project, and continues until the site is restored.

1.8 *Deleterious substance* means "deleterious substance" as defined in section 34 of the *Fisheries Act*.

1.9 *Designated Project* means the Woodfibre LNG Project as described in the Certified Project Description in Schedule A of the Environmental Assessment Certificate issued by the Government of British Columbia (Canadian Environmental Assessment Registry Reference Number 80060).

1.10 *Environment and Climate Change Canada* means the Department of the Environment as established under subsection 2(1) of the *Department of the Environment Act*.

1.11 *Environmental effects* means "environmental effects" as described in section 5 of the *Canadian Environmental Assessment Act, 2012*.

1.12 *Fish* means "fish" as defined in subsection 2(1) of the *Fisheries Act*.

1.13 *Fish habitat* means "fish habitat" as defined in subsection 2(1) of the *Fisheries Act*.

1.14 *Fisheries and Oceans Canada* means the Department of Fisheries and Oceans as established under subsection 2(1) of the *Department of Fisheries and Oceans Act*.

1.15 *Follow-up program* means "follow-up program" as defined in subsection 2(1) of the *Canadian Environmental Assessment Act, 2012*.

1.16 *Heritage value* means the aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present or future generations.

1.17 *Liquefied Natural Gas* or *LNG* means a fluid in a liquid state that is composed predominately of methane and that may contain minor quantities of ethane, propane, nitrogen or other components found in natural gas.

1.18 *Listed species at risk* means a species that is listed on the List of Wildlife Species at Risk set out in Schedule 1 of the *Species at Risk Act*.

1.19 *Migratory bird* means "migratory bird" as defined in subsection 2(1) of the *Migratory Birds Convention Act, 1994*.

1.20 *Mitigation measures* means "mitigation measures" as defined in subsection 2(1) of the *Canadian Environmental Assessment Act, 2012*.

1.21 Offsetting plan means "offsetting plan" as defined in section 1 of the Applications for Authorization under Paragraph 35(2) (b) of the Fisheries Act Regulations.

1.22 *Operation* means the phase of the Designated Project during which the commercial production takes place.

1.23 *Progressive reclamation* means a planned approach to reclamation which is carried out concurrently with all phases of the Designated Project to progressively return any physically disturbed areas to a state as close to the baseline as possible, as soon after the disturbance as practical.

1.24 *Project area* means the geographic area occupied by the Designated Project.

1.25 *Proponent* means Woodfibre LNG Partnership, by its general partner Woodfibre LNG General Partner Inc. and its successors or assigns.

1.26 *Qualified individual* means someone who, through education, experience and knowledge relevant to a particular matter, may be relied on by the Proponent to provide advice within his or her area of expertise.

1.27 *Reporting year* means from January 1 of a calendar year through December 31 of the same calendar year.

1.28 *Structure, site or thing of historical, archaeological, paleontological or architectural significance* means a structure, site or thing that is determined, on the basis of heritage value, to be directly associated with an important aspect or aspects of human history or culture.

Conditions

These conditions are established for the sole purpose of the Decision Statement issued under the *Canadian Environmental Assessment Act, 2012*. They do not relieve the Proponent from any obligation to comply with other legislative or other legal requirements of the federal, provincial, or local governments. Nothing in this Decision Statement shall be construed as reducing, increasing, or otherwise affecting what may be required of the Proponent to comply with all applicable legislative or legal requirements.

2 General conditions

2.1 The Proponent shall, throughout all phases of the Designated Project, ensure that its actions in meeting the conditions set out in this Decision Statement are considered in a careful and precautionary manner, promote sustainable development, are informed by the best available information and knowledge, including community and Aboriginal traditional knowledge, are based on validated methods and models, are undertaken by qualified individuals, and have applied the best available economically and technologically feasible mitigation measures.

2.2 The Proponent shall, where consultation is a requirement of a condition set out in this Decision Statement:

2.2.1 provide a written notice of the opportunity for the party or parties being consulted to present their views and information on the subject of the consultation;

2.2.2 provide sufficient information and a reasonable period of time to permit the party or parties being consulted to prepare their views and information;

2.2.3 provide a full and impartial consideration of any views and information presented by the party or parties being consulted; and

2.2.4 advise the party or parties that have provided comments on how the views and information received have been considered by the Proponent.

2.3 The Proponent shall, where consultation with Aboriginal groups is a requirement of a condition set out in this Decision Statement, and prior to initiating that consultation, communicate with each Aboriginal group to determine the manner by which to satisfy the consultation requirements referred to in condition 2.2, including methods of notification, the type of information and the period of time to be provided when seeking input, the process for full and impartial consideration of any views and information presented and the means by which each Aboriginal group will be informed of how the views and information received have been considered by the Proponent.

2.4 The Proponent shall, where a follow-up program is a requirement of a condition set out in this Decision Statement:

2.4.1 undertake monitoring and analysis to verify the accuracy of the environmental assessment as it pertains to the particular condition and/or to determine the effectiveness of any mitigation measure(s);

2.4.2 determine whether additional mitigation measures are required based on the monitoring and analysis undertaken pursuant to condition 2.4.1; and

2.4.3 if additional mitigation measures are required pursuant to condition 2.4.2, implement the additional mitigation measures and monitor them pursuant to condition 2.4.1.

2.5 Where consultation with Aboriginal groups is a requirement of a follow-up program, the Proponent shall discuss with each Aboriginal group opportunities for the participation of that Aboriginal group in the implementation of the follow-up program as set out in condition 2.4.

2.6 The Proponent shall, commencing in the reporting year that implementation of the conditions set out in this Decision Statement begins, prepare an annual report that sets out:

2.6.1 the activities undertaken in the reporting year to comply with each of the conditions set out in this Decision Statement;

2.6.2 how the Proponent complied with condition 2.1;

2.6.3 for conditions set out in this Decision Statement for which consultation is a requirement, how the Proponent considered any views and information that the Proponent received during or as a result of the consultation;

2.6.4 the results of the follow-up program requirements identified in conditions 3.14, 4.3, 6.5, 7.2 and 9.3; and

2.6.5 any additional mitigation measures implemented or proposed to be implemented by the Proponent, as determined under condition 2.4.

2.7 The Proponent shall submit to the Agency the annual report referred to in condition 2.6, including an executive summary in both official languages, no later than March 31 following the reporting year to which the annual report applies.

2.8 The Proponent shall publish on the Internet, or any medium which is widely publicly available, the annual report and the executive summaries referred to in conditions 2.6 and 2.7, any plan(s) to offset the loss of fish and fish habitat referred to in condition 3.11, the archaeological and heritage resources management plan referred to in condition 8.1, the decommissioning plan referred to in condition 10.1, the annual report referred to in condition 10.3, the reports referred to in conditions 11.4.3 and 11.4.4, the communication plan referred to in condition 11.5, the implementation schedule referred to in condition 12.1 and any update(s) or revision(s) to the above documents, upon submission of these documents to the parties referenced in the respective conditions. The Proponent shall keep these documents publicly available for 25 years following the end of operation or until the end of decommissioning of the Designated Project, whichever comes first. The Proponent shall notify the Agency and Aboriginal groups of the availability of these documents once they are published.

2.9 The Proponent shall notify the Agency and Aboriginal groups in writing no later than 60 days after the day on which there is a transfer of ownership, care, control or management of the Designated Project in whole or in part.

2.10 If the Proponent is proposing to carry out the Designated Project in a manner other than described in condition 1.9, the Proponent shall notify the Agency in writing in advance of carrying out the proposed activities. As part of the notification, the Proponent shall provide:

2.10.1 a description of the proposed change(s) to the Designated Project and the environmental effects that may result from the proposed change(s);

2.10.2 any modified or additional measure to mitigate any environmental effect that may result from the proposed change(s) and any modified or additional follow-up requirement; and

2.10.3 an explanation of how, taking into account any modified or additional mitigation measure referred to in condition 2.10.2, the environmental effects that may result from the proposed change(s) may differ from the environmental effects of the Designated Project identified during the environmental assessment.

2.11 The Proponent shall provide to the Agency any additional information required by the Agency about the proposed change(s) referred to in condition 2.10, which may include the results of consultation with Indigenous groups and relevant authorities on the proposed change(s) and environmental effects referred to in condition 2.10.1 and the modified or additional mitigation measures and follow-up requirements referred to in condition 2.10.2.

3 Fish and fish habitat

3.1 The Proponent shall conduct in-water construction activities during timing windows of least risk for the area, unless otherwise agreed to by relevant federal and provincial authorities. If in-water construction activities cannot be conducted during timing windows of least risk, the Proponent

shall develop and implement additional mitigation measures, in consultation with Fisheries and Oceans Canada and Aboriginal groups, to protect fish during sensitive life stages.

3.2 The Proponent shall implement measures to mitigate adverse environmental effects of the Designated Project on fish and fish habitat from changes to water quality during all phases of the Designated Project. The mitigation measures shall include:

3.2.1 implementing erosion control measures and sediment control measures during all phases of the Designated Project;

3.2.2 revegetating disturbed riparian areas, using native plant species, after construction;

3.2.3 using silt control measures around in-water construction activities; and

3.2.4 preventing wet concrete or cement-laden water from entering the marine environment.

3.3 The Proponent shall implement measures to mitigate adverse environmental effects of the Designated Project on fish, including mortality, physical injury and behavioral change, during all phases of the Designated Project. The mitigation measures shall include:

3.3.1 isolating instream construction activities in Mill Creek from adjacent streamflow;

3.3.2 salvaging and relocating fish during instream construction activities requiring isolation of freshwater fish habitat in Mill Creek;

3.3.3 maintaining minimum flow in Mill Creek and Woodfibre Creek to support fish and fish habitat;

3.3.4 designing, installing and operating a water intake structure to avoid or reduce the risk of injury and mortality to fish in Mill Creek and Woodfibre Creek;

3.3.5 taking into consideration the British Columbia Marine and Pile Driving Contractors Association's *Best Management Practices for Pile Driving and Related Operations* when conducting pile installation; and

3.3.6 implementing low-noise methods or sound dampening technologies to reduce the intensity of the sound generated or the level of sound propagation through the water column if underwater pressure pulse levels exceed 30 kilopascals during pile installation.

3.4 The Proponent shall prevent or avoid the destruction of fish, or any potentially harmful effects to fish habitat, during all phases of the Designated Project when using explosives in or around water frequented by fish.

3.5 The Proponent shall remove existing creosote-treated piles in a manner to prevent the mobilization of deleterious substances in water frequented by fish, and taking into consideration navigational safety.

3.6 The Proponent shall design, install and operate any marine water intake to avoid or reduce the incidental capture of fish through entrainment and impingement, including the risk of entrainment of Pacific herring (*Clupea pallasi*) larvae.

3.7 The Proponent shall design, install and operate any marine discharge diffuser to prevent the deposit of a deleterious substance in water frequented by fish.

3.8 The Proponent shall establish and maintain marine mammal underwater noise impact areas for all construction activities to avoid adverse behavioural change in or injury to marine mammals. In doing so, the Proponent shall:

3.8.1 identify each construction activity that generates underwater noise levels greater than 160 decibels and 190 decibels at a reference pressure of one micropascal and the periods of time when each activity occurs;

3.8.2 for all marine mammals except pinnipeds, establish the boundary of the marine mammal underwater noise impact area for each construction activity identified in condition 3.8.1 at the distance from the activity at which the underwater noise level is predicted to reach 160 decibels;

3.8.3 for pinnipeds, establish the boundary of the marine mammal underwater noise impact area for each construction activity identified in condition 3.8.1 at the distance from the activity where underwater noise levels reach 190 decibels or at a distance of 150 metres, whichever is the greater distance;

3.8.4 employ a marine mammal observer, who is a qualified individual, and require that person to detect and report the presence of marine mammals in the marine mammal underwater noise impact areas identified in conditions 3.8.2 and 3.8.3 during construction activities identified in condition 3.8.1;

3.8.5 stop or not start the construction activities identified in condition 3.8.1 if marine mammal(s) are detected in their respective marine mammal underwater noise impact area identified in condition 3.8.2 or condition 3.8.3, and only begin or continue the construction activities identified in condition 3.8.1 once the marine mammal(s) have moved out of their respective marine mammal underwater noise impact area; and

3.8.6 implement mitigation measures, including sound dampening technology such as bubble curtains and soft-start procedures, to reduce construction noise levels in the underwater noise impact areas identified in conditions 3.8.2 and 3.8.3.

3.8.7 monitor continuously the levels of underwater noise at the boundaries of both marine mammal underwater noise impact areas while the construction activities identified in condition 3.8.1 are ongoing. The Proponent shall immediately halt the construction activities if hydroacoustic monitoring indicates that noise levels at either boundary exceed their respective threshold, and not resume without implementing sound attenuation measure(s), which could include increasing the distance of the underwater noise impact areas, to reduce noise levels below the thresholds.

3.9 The Proponent shall require that LNG vessels associated with the Designated Project respect speed profiles applicable to the operation of the Designated Project, subject to navigational safety, to prevent or reduce the risks of collisions between LNG vessels and marine mammals.

3.10 The Proponent shall require that LNG vessels and tug operators associated with the Designated Project report collisions with marine mammals in Howe Sound to the Canadian Coast Guard within two hours of a collision occurrence, and notify Aboriginal groups in writing.

3.11 The Proponent shall, in consultation with Fisheries and Oceans Canada and Aboriginal groups, develop and implement any plan(s) required to offset the loss of fish and fish habitat associated with the carrying out of the Designated Project.

3.12 For any fish habitat offset areas proposed in any offsetting plan(s) under condition 3.11, and prior to submitting the offsetting plan to Fisheries and Oceans Canada, the Proponent shall determine whether there are adverse effects:

3.12.1 on migratory birds and their habitats;

3.12.2 on terrestrial species, including amphibians and reptiles, and their habitats;

3.12.3 on listed species at risk and their habitats;

3.12.4 on the current use of lands and resources for traditional purposes by Aboriginal peoples;

3.12.5 on the flow rates, water depths or water widths that may affect the passage of a vessel, including a vessel used by Aboriginal peoples in the context of their current use of lands and resources for traditional purposes;

3.12.6 on physical and cultural heritage and structure, site or thing that is of historical, archaeological, paleontological or architectural significance to Aboriginal peoples; and

3.12.7 from potential sources of contamination including polycyclic aromatic hydrocarbons, dioxins, furans, copper, lead, zinc, tri-n-butyltin, arsenic, cadmium and methyl-mercury in the receiving environment.

3.13 The Proponent shall, if there are adverse effects on any of the elements set out in conditions 3.12.1 to 3.12.7, avoid or lessen those adverse effects.

3.14 The Proponent shall, in consultation with Fisheries and Oceans Canada and Aboriginal groups, develop, prior to construction, and implement, during all phases of the Designated Project, a follow-up program to verify the accuracy of the environmental assessment and to determine the effectiveness of the mitigation measures identified under conditions 3.1 to 3.10.

4 Migratory birds

4.1 The Proponent shall carry out all phases of the Designated Project in a manner that protects migratory birds and avoids harming, killing or disturbing migratory birds or destroying, disturbing or taking their nests or eggs. In this regard, the Proponent shall take into account Environment and Climate Change Canada's *Avoidance Guidelines*. The Proponent's actions in applying the *Avoidance Guidelines* shall be in compliance with the *Migratory Birds Convention Act, 1994* and with the *Species at Risk Act*.

4.2 The Proponent shall:

4.2.1 restrict flaring to the minimum required during operation, maintenance activities or emergencies to prevent the accumulation of natural gas and protect from overpressure;

4.2.2 minimize flaring required for operation and maintenance activities during night time and during periods of migratory bird vulnerability; and

4.2.3 control operational lighting to avoid attracting migratory birds.

4.3 The Proponent shall develop, prior to construction and in consultation with Aboriginal groups, and implement, during all phases of the Designated Project, a follow-up program to verify the accuracy of the environmental assessment as it pertains to the environmental effects of the air

cooling system on migratory birds and to determine the effectiveness of the mitigation measures used to avoid harm to migratory birds, their eggs and nests, including the measures used to comply with conditions 4.1 and 4.2.

5 [Removed, *Budget Implementation Act, 2024*]

5.1 [Modified and moved to Condition 6.1.4, *Budget Implementation Act, 2024*]

5.2 [Removed, *Budget Implementation Act, 2024*]

6 Human health

6.1 The Proponent shall implement noise and air emission reduction measures during all phases of the Designated Project to avoid or reduce adverse environmental effects on human health, including:

6.1.1 complying with the *Waste Discharge Regulation* under British Columbia's *Environmental Management Act* for air emissions;

6.1.2 following best management practices and guidance from the British Columbia Oil and Gas Commission's *Noise Control Best Practices Guidelines*;

6.1.3 complying with the operational noise requirement of the British Columbia Oil and Gas Commission's *Liquefied Natural Gas Facility Regulation*; and

6.1.4 utilize electric drives during operation for the compression of natural gas or utilize other technology that would result in equivalent or reduced emissions of air contaminants.

6.2 The Proponent shall, in consultation with Aboriginal groups and other parties who may be adversely affected by the noise caused by the Designated Project, develop, prior to construction, and implement, during all phases of the Designated Project, a mechanism for receiving noise complaints associated with the Designated Project. The Proponent shall respond in a timely manner to any noise complaint(s) received.

6.3 The Proponent shall install and manage exterior lighting from all components of the Designated Project and during all phases of the Designated Project to prevent excessive emanation of light, by following the International Commission on Illumination's *CIE 150:2003 Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations*, while meeting marine transportation and aviation safety requirements.

6.4 The Proponent shall monitor, during construction and operation, water quality and sediment, using as a benchmark the Canadian Council of Ministers of the Environment's *Water Quality Guidelines for the Protection of Aquatic Life* and *Interim Sediment Quality Guidelines for the Protection of Aquatic Life*, and shall communicate any exceedance(s) of the Guidelines attributable to the Designated Project to relevant government authorities and Aboriginal groups, and implement additional mitigation measures to remedy those exceedances.

6.5 The Proponent shall, in consultation with Aboriginal groups and relevant health authorities, develop, prior to construction, and implement a follow-up program to verify the assessment

predictions regarding the bioavailability and bioaccumulation of contaminants in fish consumed by humans. The follow-up program shall include:

6.5.1 prior to the commencement of marine in-water construction activities, establishing baseline conditions in the tissue of shellfish and groundfish for polycyclic aromatic hydrocarbons, polychlorinated dibenzo-p-dioxins and furans, copper, lead, zinc, tributyltin, arsenic, cadmium and methylmercury and using this information to update the human health risk assessment for the consumption of shellfish and groundfish;

6.5.2 during marine in-water construction activities, monitoring the re-suspension and bioavailability of polycyclic aromatic hydrocarbons, dioxins, furans, copper, lead, zinc, tri-n-butyltin, arsenic, cadmium and methyl-mercury in the tissue of shellfish and groundfish; and

6.5.3 if a potential for human health risk is identified in the updated human health risk assessment for the consumption of shellfish and groundfish referred in condition 6.5.1 or through monitoring referred in condition 6.5.2, conducting additional sampling of polycyclic aromatic hydrocarbons, dioxins, furans, copper, lead, zinc, tri-n-butyltin, arsenic, cadmium and methyl-mercury in the tissue of shellfish and groundfish to confirm the assessment predictions regarding the bioavailability and bioaccumulation of contaminants in fish consumed by humans. If required, additional sampling shall start immediately upon completion of marine in-water construction activities and continue for one year following completion of marine in-water construction activities. The Proponent shall communicate the results of the follow-up program, including the results of any additional sampling, to Aboriginal groups.

7 Current use of lands and resources for traditional purposes and socioeconomic conditions

7.1 The Proponent shall, in consultation with Aboriginal groups and other marine users, develop, prior to construction, and implement, during all phases of the Designated Project, a communication protocol related to marine transportation. The communication protocol shall include procedures and practices for sharing information between the Proponent and Aboriginal groups and other marine users on the following:

7.1.1 location and timing of construction activities associated with the Designated Project-related, location and timing of ferry and water taxi traffic associated with the Designated Project and location of the marine access route to be used by LNG vessels associated with the Designated Project in Howe Sound;

7.1.2 location and timing of traditional activities by Aboriginal groups and of activities by other marine users;

7.1.3 Designated Project-related safety procedures, such as navigation aids, updated navigational charts and use of escort tugboats;

7.1.4 areas where navigation may be controlled for safety reasons;

7.1.5 speed profiles and schedules applicable to the operation of LNG vessels associated with the Designated Project; and

7.1.6 ways in which Aboriginal groups and other marine users can provide feedback to the Proponent about adverse environmental effects related to navigation caused by

activities associated with the Designated Project, including construction activities and the operation of ferry and water taxi and LNG vessels.

7.2 The Proponent shall, in consultation with Aboriginal groups, develop, prior to construction, and implement, during the construction and operation phases of the Designated Project, a follow-up program to verify the accuracy of the predictions made during the environmental assessment in relation to the effects of the wake generated by Designated Project-related vessels on the current use of lands and resources for traditional purposes and on physical and cultural heritage and structures, sites or things of historical, archaeological, paleontological or architectural significance. The follow-up program shall include:

7.2.1 monitoring during the construction period and the first two years of operation of the degree of wake generated by Designated Project-related vessels and of adverse environmental effects on harvesters caused by vessel wake attributable to Designated Project-related vessels at key harvest sites and during key harvest periods for Aboriginal groups and on physical and cultural heritage and structures, sites or things of historical, archaeological, paleontological or architectural significance located on or near the shoreline and identified in consultation with Aboriginal groups; and

7.2.2 providing the results of the follow-up program and details of any additional mitigation measures implemented as a result of the follow-up program to Aboriginal groups.

7.3 The Proponent shall, prior to construction, consult with Aboriginal groups to seek opportunities for marine and land access around the Project area for Aboriginal groups to practice their current use of land and resources for traditional purposes and to pursue socioeconomic opportunities, subject to safety requirements in the Project area.

7.4 The Proponent shall provide Aboriginal groups with the implementation schedule and any update(s) or revision(s) to that schedule as stated in condition 12 at the same time the Proponent provides the schedule to the Agency.

8 Physical and cultural heritage, and structure, site or thing of historical, archaeological, paleontological or architectural significance

8.1 The Proponent shall, in consultation with Aboriginal groups, develop, prior to construction, and implement, during all phase of the Designated Project, an archaeological and heritage resources management plan for the Designated Project. The archaeological and heritage resources management plan shall take into account the British Columbia's *Handbook for the Identification and Recording of Culturally Modified Trees*. The archaeological and heritage resources management plan shall include:

8.1.1 a description of structures, sites or things of historical, archaeological, paleontological or architectural significance (including culturally modified trees) that may be encountered by the Proponent during construction;

8.1.2 procedures and practices for on-site monitoring of construction activities that may affect a structure, site or thing of historical, archaeological, paleontological or architectural significance (including culturally modified trees) and for the identification and removal of that structure, site or thing; and

8.1.3 a chance find protocol, should a previously unidentified structure, site or thing of historical, archaeological, paleontological or architectural significance (including culturally modified trees) be discovered by the Proponent or brought to the attention of the Proponent, during construction, by an Aboriginal group or another party.

9 Listed species at risk

9.1 The Proponent shall conduct pre-clearing surveys to determine the distribution of little brown myotis (*Myotis lucifugus*), and establish, in consultation with relevant government authorities, buffer zones around active hibernacula and active roosts.

9.2 The Proponent shall, prior to construction and throughout all phases of the Designated Project, install and maintain roosting structures to offset any loss of little brown myotis (*Myotis lucifugus*) roosting habitat.

9.3 The Proponent shall develop and implement a follow-up program to monitor the little brown myotis (*Myotis lucifugus*) usage of buffer zones and roosting structures to determine the effectiveness of the mitigation measures throughout all phases of the Designated Project and to verify the accuracy of the environmental assessment as it pertains to the environmental effects of the air cooling system on little brown myotis (*Myotis lucifugus*).

10 Decommissioning

10.1 At least one year prior to the end of operation, the Proponent shall develop, in consultation with Aboriginal groups and relevant government authorities, and submit to the Agency a decommissioning plan. The decommissioning plan shall include a description of:

10.1.1 any consultation undertaken by the Proponent during the development of the decommissioning plan, including any issues raised by Aboriginal groups and other parties during consultation and how these issues were addressed by the Proponent;

10.1.2 the components of the Designated Project that will be decommissioned by the Proponent and the components that will not be decommissioned;

10.1.3 the desired end-state objectives of the Project area;

10.1.4 the components of the environment that may be adversely affected by decommissioning activities or by components of the Designated Project that will not be decommissioned;

10.1.5 how the Proponent will mitigate and monitor adverse environmental effects from decommissioning activities;

10.1.6 how the Proponent will conduct in-water and land-based decommissioning activities (including the location, the scheduling and sequencing of activities);

10.1.7 the plan for progressive reclamation, if appropriate; and

10.1.8 the manner and timing of consultation of Aboriginal groups and other relevant parties throughout the decommissioning phase.

10.2 The Proponent shall implement the decommissioning plan referred in condition 10.1.

10.3 The Proponent shall, from the reporting year in which decommissioning begins until the end of the decommissioning phase or for a maximum of 25 years, submit to the Agency a written annual report no later than March 31 of the following reporting year. The written annual report shall include a description of:

10.3.1 the decommissioning activities undertaken by the Proponent during the reporting year;

10.3.2 any adverse environmental effects identified by the Proponent with respect to the decommissioning activities identified in condition 10.3.1;

10.3.3 a description of the mitigation measures that were implemented by the Proponent to mitigate the adverse environmental effects identified in condition 10.3.2 and the results of any associated monitoring;

10.3.4 any modifications made to the decommissioning plan referred in condition 10.1; and

10.3.5 consultation undertaken by the Proponent with Aboriginal groups and other relevant parties during the reporting year.

11 Accidents or malfunctions

11.1 The Proponent shall take all reasonable measures to prevent accidents or malfunctions that may result in adverse environmental effects.

11.2 The Proponent shall, prior to construction, consult with Aboriginal groups on the measures to be implemented to prevent accidents or malfunctions.

11.3 The Proponent shall, prior to construction and in consultation with relevant federal and provincial authorities and Aboriginal groups, develop an emergency response plan in relation to the Designated Project.

11.4 In the event of an accident or malfunction with the potential to cause adverse environmental effects, the Proponent shall implement the emergency response plan referred to in condition 11.3 and shall:

11.4.1 notify relevant federal and provincial authorities and Aboriginal groups of the accident or malfunction as soon as possible and, in writing, the Agency;

11.4.2 implement immediate measures to mitigate any adverse environmental effects associated with the accident or malfunction;

11.4.3 submit a written report to the Agency no later than 30 days after the day on which the accident or malfunction took place. The written report shall include:

11.4.3.1 a description of the accident or malfunction and of its adverse environmental effects;

11.4.3.2 the measures that were taken by the Proponent to mitigate the adverse environmental effects of the accident or malfunction;

11.4.3.3 any views received from relevant federal and provincial authorities and Aboriginal groups with respect to the accident or malfunction, its adverse environmental effects or measures taken by the Proponent to mitigate adverse environmental effects;

11.4.3.4 a description of any residual adverse environmental effects, and any additional measures required by the Proponent to mitigate residual adverse environmental effects; and

11.4.3.5 details concerning the implementation of the emergency response plan referred to in condition 11.3;

11.4.4 submit a written report to the Agency no later than 90 days after the day on which the accident or malfunction took place, on the changes made to avoid a subsequent occurrence of the accident or malfunction, and on the implementation of any additional measures to mitigate residual adverse environmental effects taking into account the information in the written report submitted pursuant to condition 11.4.3.

11.5 The Proponent shall develop and implement a communication plan in consultation with Aboriginal groups. The communication plan shall be developed prior to construction and shall be implemented and maintained up to date during all phases of the Designated Project. The plan shall include:

11.5.1 the types of accidents or malfunctions requiring a notification by the Proponent to the respective Aboriginal groups;

11.5.2 the manner by which Aboriginal groups shall be notified by the Proponent of an accident or malfunction and of any opportunities for the Aboriginal groups to assist in the response to the accident or malfunction; and

11.5.3 the contact information of the representatives of the Proponent that the Aboriginal groups may contact and of the representatives of the respective Aboriginal groups to which the Proponent provides notification.

12 Implementation schedule

12.1 The Proponent shall submit an implementation schedule for conditions contained in this Decision Statement to the Agency, or anyone designated pursuant to section 89 of the *Canadian Environmental Assessment Act, 2012*, at least 30 days prior to the start of construction. The implementation schedule shall indicate the commencement and completion dates for each activity relating to conditions set out in this Decision Statement.

12.2 The Proponent shall submit an update to this implementation schedule in writing to the Agency, or anyone designated pursuant to section 89 of the *Canadian Environmental Assessment Act, 2012*, every two years on or before March 31, until completion of the activities.

12.3 The Proponent shall provide the Agency, or anyone designated pursuant to section 89 of the *Canadian Environmental Assessment Act, 2012*, with a revised implementation schedule if any material change(s) occur from the initial schedule referred to in condition 12.1 or any subsequent update(s). The Proponent shall provide the revised implementation schedule at least 30 days prior to the implementation of the change.

13 Record keeping

13.1 The Proponent shall maintain a written record, or a record in an electronic format compatible with that used by the Agency, and retain and make available that record to the Agency, or anyone

designated pursuant to section 89 of the *Canadian Environmental Assessment Act, 2012*, at a facility close to the Designated Project in Canada (local facility). The record shall include information related to the implementation of the conditions set out in this Decision Statement, and the results of all associated monitoring, including:

13.1.1 the place, date and time of any sampling, as well as techniques, methods or procedures used;

13.1.2 the dates and the analyses that were performed;

13.1.3 the analytical techniques, methods or procedures used in the analyses;

13.1.4 the names of the persons who collected and analyzed each sample and documentation of any professional certification(s) relevant to the work performed that they might possess; and

13.1.5 the results of the analyses.

13.2 The Proponent shall retain and make available upon demand to the Agency, or anyone designated pursuant to section 89 of the *Canadian Environmental Assessment Act, 2012*, the information referred to in condition 13.1 at a facility in Canada close to the Designated Project (or at another location within Canada and agreed upon by the Agency, should the local facility no longer be maintained). The information shall be retained and made available throughout construction and operation, and for 25 years following the end of operation or until the end of decommissioning of the Designated Project, whichever comes first.

Issuance

This Decision Statement is issued in Ottawa, Ontario by:

< Original signed by >

The Honourable Catherine McKenna
Minister of the Environment

Date March 17, 2016

Amendment

This Decision Statement is amended in Ottawa, Ontario by:

< Original signed by >

The Honourable Catherine McKenna
Minister of the Environment

Date March 7, 2018

Amendment

This Decision Statement is amended in Ottawa, Ontario by:

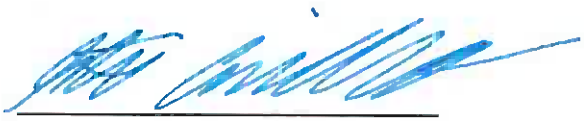
< Original signed by >

The Honourable Steven Guilbeault
Minister of the Environment

Date August 4, 2023

Amendment

This Decision Statement is amended in Ottawa, Ontario by:



The Honourable Steven Guilbeault
Minister of the Environment

Date July 26, 2024