TRANS MOUNTAIN EXPANSION PROJECT

SCHEDULE B

TABLE OF CONDITIONS

FOR AN

ENVIRONMENTAL ASSESSMENT CERTIFICATE

DEFINITIONS

Aboriginal Groups	All Aboriginal groups identified as Aboriginal Groups – Marine Shipping, and Aboriginal Groups – Terrestrial.
Aboriginal Groups – Marine Shipping	The following Aboriginal groups: Cowichan Tribes Ditidaht First Nation Esquimalt Nation Halalt First Nation Kwikwetlem First Nation Lake Cowichan First Nation Lyackson First Nation Maa-nulth First Nations: Uchucklesaht Tribe Yuułuʔiłʔatḥ (Ucluelet) First Nation Huu-ay-aht First Nations Ka:yu:kth/Che:k:tles7eth First Nation Toquaht First Nation Malahat First Nation Musqueam Nation Pacheedaht First Nation Pauquachin First Nation Penelakut Tribe Hwlitsum First Nation Scia'new (Beecher Bay) First Nation Seabird Island Band Semiahmoo First Nation Shxw'ow'hamel First Nation Snaw'Naw'As Nation Songhees Nation Soowahlie First Nation Squamish Nation Squiala First Nation Stz'uminus First Nation Tsartlip Indian Band Tsawout First Nation Tsawwassen First Nation Tseycum Indian Band Tsleil-Waututh Nation T'sou-ke First Nation
Aboriginal Groups – Terrestrial	The following Aboriginal groups: Adams Lake Indian Band Aitchelitz First Nation Ashcroft Indian Band Boothroyd Indian Band Boston Bar First Nation Canim Lake Indian Band Chawathil First Nation

Cheam First Nation
Coldwater Indian Band
Cook's Ferry Indian Band
Katzie First Nation
Kwantlen First Nation
Kwaw-Kwaw-Apilt First Nation
Kwikwetlem First Nation
Leq'a:mel First Nation
Lheidli-T'enneh Band
Lhtako Dene Nation
Little Shuswap Indian Band
Lower Nicola Indian Band
Lower Similkameen Indian Band
Lytton First Nation
Malahat First Nation
Matsqui First Nation
Musqueam Nation
Neskonlith Indian Band
Nooaitch Indian Band
Okanagan Indian Band
Oregon Jack Creek Indian Band
Penticton Indian Band
Peters First Nation
Popkum First Nation
Scowlitz First Nation
Seabird Island Band
Semiahmoo First Nation
Simpcw First Nation
Siska Indian Band
Shackan Indian Band
Shxwha:y First Nation
Shxw'ow'hamel First Nation
Skawahlook First Nation
Skeetchestn Indian Band
Skowkale First Nation
Skuppah Indian Band
Skwah First Nation
Soowahlie First Nation
Spuzzum First Nation
Squamish Nation
Squiala First Nation
Sumas First Nation
Tk'emlups Band
Tsawwassen First Nation
Tsleil-Waututh Nation
Tzeachten First Nation
Union Bar First Nations
Upper Similkameen Indian Band
Upper Nicola Indian Band
Westbank First Nation

Whispering Pines/Clinton Indian Band
Yakweakwioose First Nation
Yale First Nation

Application	Application by Trans Mountain Pipeline ULC as General Partner of Trans Mountain Pipeline L.P., submitted December 16, 2013, to the National Energy Board applying for a Certificate of Public Convenience and Necessity, pursuant to the *National Energy Board Act*.
Construction	The phase of the Project during which physical alteration of land, vegetation or any other aspect of the natural environment, occurs. For the purposes of this Schedule B, Construction: (i) does not include any activities conducted solely for investigative purposes under a valid permit or authorization, and (ii) includes upgrading, repairing, replacing, or removing, any existing work or infrastructure.
Holder	The Proponent or, if this Certificate has been transferred in accordance with the conditions below, the person to whom this Certificate has been transferred in accordance with such conditions.
NEB Condition	Reference to an NEB Condition is a reference to a condition in Appendix 3 to the NEB's report concerning the Trans Mountain Expansion Project published in May 2016.
Operations	The phase of the Project commencing on the date on which the Project has commenced the transportation and storage of oil, and ending on the date on which the Project ceases the transportation and storage of oil.
Project	The Trans Mountain Expansion Project as described in the Certified Project Description that forms part of this Certificate.
Protected Area	Means all of the following: a) A park as defined in the *Park Act*, b) An area established under the *Environment and Land Use Act* as a park or protected area, c) An area established or continued as an ecological reserve under the *Ecological Reserve Act* or by the *Protected Areas of British Columbia Act*, and d) A recreation area as defined in the *Park Act*.
Qualified Professional	A person who has training, experience and expertise in a discipline relevant to the field of practice set out in the condition, and who is registered with the appropriate professional organization in British Columbia, is acting under that organization's code of ethics and is subject to disciplinary action by that organization.

Acronyms and Abbreviations

Act	*Environmental Assessment Act*
Certificate	Environmental Assessment Certificate
EAO	Environmental Assessment Office
ECCC	Environment and Climate Change Canada
FLNRO	Ministry of Forests, Lands and Natural Resource Operations
MNGD	Ministry of Natural Gas Development
MOE	Ministry of Environment
MOTI	Ministry of Transportation and Infrastructure
NEB	National Energy Board
NEBA	*National Energy Board Act*
OGC	Oil and Gas Commission
OGAA	*Oil and Gas Activities Act*
TLU	Traditional Land Use
TMRU	Traditional Marine Resource Use

No.	Condition
1.	**Document Review and Implementation** Where a condition of this Certificate requires the Holder to provide a plan, program or other document, the Holder must provide the plan, program or other document to EAO in the timeframe referenced in such condition, unless otherwise approved by EAO. EAO may, within 60 days of receiving a copy of such plan, program or other document, advise that: a) The Holder may proceed to implement the plan, program or other document with or without revisions; or b) A revised plan, program, or other document must be provided for approval of EAO prior to a specified activity or milestone. If EAO advises pursuant to paragraphs (a) or (b) that changes are required to a plan, program, or other document, then the Holder must follow the instructions of EAO in that regard. If EAO does not advise on (a) or (b) within 60 days of EAO receiving a plan, program, or other document, the Holder may proceed to implement the plan, program or other document. The Holder may, or EAO may require the Holder to, revise any plan, program or other document if the Holder or EAO determines that the implementation of the plan, program or other document is not: a) Meeting one or more objectives of the plan, program or other document set out in the relevant condition of this Certificate; b) Having the effects contemplated or intended, as set out in the plan, program or other document itself; c) Consistent with the Certificate; or d) Consistent with changes in industry best practices or technology.
2.	**Plan Development** Where a condition of this Certificate requires the Holder to develop a plan, program or other document, any such plan, program or other document must, at a minimum, include the following information: a) Purpose and objectives of the plan, program or other document; b) Roles and responsibilities of the Holder, Project personnel and contractors; c) Names and if applicable, professional certifications and professional stamps/seals, for those responsible for the preparation of the plan, program, or other document; d) Schedule for implementing the plan, program or other document throughout the relevant Project phases; e) Means by which the effectiveness of the mitigation measures will be evaluated, including a schedule for evaluating effectiveness; f) Adaptive management plan to address effects of the Project if those effects: i) Are not mitigated to the extent contemplated in the Application; or ii) Are not predicted in the Application;

No.	Condition
	g) Schedules and methods for the submission of reporting to specific agencies, Aboriginal Group(s) and the public and the required form and content of those reports; and h) Process and timing for updating and revising the plan, program or other document, including any consultation with agencies and Aboriginal Groups that would occur in connection with such updates and revisions.
3.	**Consultation** Where a condition of this Certificate requires the Holder to consult a particular party or parties regarding the content of a plan, program or other document, the Holder must, to the satisfaction of EAO: a) Provide written notice to each such party that: i) Includes a copy of the plan, program or other document; ii) Invites the party to provide its views on the content of such plan, program or other document; and iii) Indicates: i. If a timeframe providing such views to the Holder is specified in the relevant condition of this Certificate, that the party may provide such views to the Holder within such time frame; or ii. If a timeframe providing such views to the Holder is not specified in the relevant condition of this Certificate, specifies a reasonable period during which the party may submit such views to the Holder; b) Undertake a full and impartial consideration of any views and other information provided by a party in accordance with the timelines specified in a notice given pursuant to paragraph (a); c) Provide a written explanation to each such party that provided comments in accordance with a notice given pursuant to paragraph (a) as to: i) How the views and information provided by such party to the Holder have been considered and addressed in a revised version of the plan, program or other document; or ii) Why such views and information have not been addressed in a revised version of the plan, program or other document; d) Maintain a record of consultation with each such party regarding the plan, program or other document; and e) Provide a copy of such consultation record to EAO, the relevant party, or both, promptly upon the written request of EAO or such party.
4.	**Compliance Reporting** The Holder must submit a report to EAO on the status of compliance with this Certificate at the following times: a) At least 30 days prior to the start of Construction; b) On or before January 31 in each year after the start of Construction; c) At least 30 days prior to the start of Operations; and d) On or before January 31 in each year after the start of Operations.

No.	Condition
	The reports must be in a form satisfactory to EAO. EAO may adjust or extend this reporting requirement by providing written notice to the Holder.
5.	**Compliance Verification** The Holder must provide any document, data or information requested by EAO for the purposes of compliance inspection and verification.
6.	**Phased Filings** Due to the Project's large spatial extent, the Holder may wish to commence Construction activities at specific locations at different times (i.e. using a phased approach). This may entail doing so on the basis of pipeline spreads of defined lengths, or by regions, or work areas, of the Holder's choosing. If the Holder intends to use a phased approach for Construction: a) The Holder must submit to EAO, at least 6 months before commencing Construction, a complete list of pipeline spreads, regions, or work areas for which, for the duration of Construction, the Holder proposes to submit the plans and other documents required by these conditions in a phased manner. Each pipeline spread, region, or work area must be clearly described and delineated; b) As part of its submission for a), the Holder must indicate the specific condition(s) and related pipeline spread(s), region(s), or work area(s) for which it intends to apply this phased approach; c) If the Holder's list of pipeline spreads, regions or work areas in a) above changes, the Holder must submit the revised list to EAO within two weeks; d) When submitting a plan or document required by these conditions, the Holder must clearly indicate which pipeline spread(s), region(s), or work area(s) the submission applies to; and e) Nothing in the condition changes the responsibility of the Holder for ensuring compliance with all conditions that apply to the pre-Construction period for each pipeline spread, region or work area prior to commencing Construction in that particular pipeline spread, region or work area.
7.	**Project Status Notifications** The Holder must notify EAO and Aboriginal Groups, in writing, three months prior to commencing Construction or Operations, and must provide the EAO with any application for decommissioning submitted to the NEB. The Holder must notify EAO and Aboriginal Groups – Terrestrial when it commences filing the Construction schedules with the NEB required by NEB Condition #62. The Holder must notify EAO of its filing of the Plan, Profile and Book of Reference pursuant to section 33 of the *National Energy Board Act* at the same time they are filed with the NEB.

No.	Condition
	Should the primary contact for the Project change from the primary contact that was provided to EAO in a letter dated August 30, 2016, the Holder must notify EAO, in writing, within one week of such change and provide the physical address, email address and phone number(s) of the new primary contact.
8.	**Compliance Notification** The Holder must notify EAO after the Holder determines that it has not complied with this Certificate, within the following time periods: a) As soon as practicable; or b) Within 72 hours, whichever is less.
9.	**Transfer of Certificate** a) Except as provided below, neither this Certificate nor any interest in it may be transferred to any person. This Certificate will be effectively transferred if the proposed Holder acknowledges that, upon transfer, it will be responsible for complying with the conditions of the Certificate, and both the proposed Holder and the Holder: i) Obtain consent for the transfer from the Executive Director, ii) Apply under Section 19 of the Act for such amendments to this Certificate, if any, as the Executive Director deems necessary to ensure compliance with and enforceability of this Certificate and to otherwise reflect the proposed transfer, and iii) Confirm by written notice to the Executive Director, within 14 days of the completion of all aspects of the transfer transaction other than this notice, that the transfer has been completed. b) An interest in this Certificate may be transferred by way of a grant of security to lenders or financers without consent. c) A transfer of this Certificate to a trustee in bankruptcy, by a receiver or a trustee in bankruptcy pursuant to a court approved sale, or as part of a court approved arrangement under the *Company Creditors Arrangement Act* may occur without consent. If this Certificate is transferred without consent, the new and former Holder must notify the Executive Director within 30 days of the transfer and apply within the time specified by the Executive Director for any amendments to this Certificate that the Executive Director deems necessary to ensure compliance with and enforceability of this Certificate and to otherwise reflect the proposed transfer.
10.	**Aboriginal Consultation Reports** The Holder must develop, in consultation with Aboriginal Groups, Aboriginal consultation reports.

	The Aboriginal consultation reports must: a) Summarize the efforts undertaken by the Holder to consult with Aboriginal Groups, including consultations to meet the requirements set by the NEB Conditions 96 and 146 and the conditions set out in this Certificate; b) Identify the comments and information received from Aboriginal Groups during consultation; c) Demonstrate how any new information obtained through consultation with Aboriginal Groups, including through TLU or TMRU investigations has been considered and incorporated into the Holder's activities, plans or programs with the objective of avoiding or minimizing Project effects on Aboriginal Groups; d) Provide an update on the status of issues resolution with Aboriginal Groups; e) Identify the measures the Holder has implemented, or intends to implement, and the timeframe for implementation, to address issues raised by Aboriginal Groups, including measures to, as much as technically and economically feasible, avoid, minimize, and offset the adverse effects of the Project on the Aboriginal Groups; f) Describe the actions the Holder has taken or will take to provide training, employment, business, and contracting opportunities to Aboriginal Groups; g) Describe the outcomes of the actions taken by the Holder pursuant to (e); h) Outline on-going or future consultation activities, including those required by NEB Conditions 96 and 146 and the conditions set out in this Certificate; and i) Identify the comments received from Aboriginal Groups during consultation on the draft Aboriginal consultation report and explain how the comments were considered or addressed. The Holder must provide Aboriginal consultation reports to EAO at least two months prior to the commencement of Construction, one year after commencement of Construction, and both one year and five years after commencement of Operations. EAO may amend these timelines and may request additional reports at any time by providing written notice to the Holder. Prior to providing an Aboriginal consultation report to EAO, the Holder must share the draft Aboriginal consultation report with Aboriginal Groups for their review and comment for no less than 30 days.
11.	**Aboriginal Marine Outreach Program** The Holder must develop and implement an Aboriginal marine outreach program in consultation with Aboriginal Groups – Marine Shipping that must, in addition to meeting all of the requirements set out in NEB Condition 131, include the means by which the Holder will: a) Communicate with Aboriginal Groups – Marine Shipping regarding relevant marine-related initiatives, programs, and research that the Holder is directly or indirectly involved in to address the impacts of increased Project-related tanker traffic in the Salish Sea; b) Consult with Aboriginal Groups – Marine Shipping to identify potential activities and actions that the Holder may undertake to support safe

	Aboriginal traditional marine use and to support on-going education and planning related to spill preparedness and response, in consideration of the increased Project-related tanker traffic; and c) Inform Aboriginal Groups – Marine Shipping of opportunities to participate in activities and actions or be informed of the marine-related initiatives, programs, and research activities in (a) and (b). The Holder must provide reports on the completed activities and results of the marine outreach program to EAO and Aboriginal Groups – Marine Shipping at least three months prior to the planned commencement of Operations, and at one year and five years after commencement of Operations.
12.	**Involvement of Aboriginal Groups in Construction and Post-Construction Monitoring** The Holder must, in consultation with Aboriginal Groups – Terrestrial, prepare a plan to support the participation of Aboriginal Groups – Terrestrial in Construction and post-Construction monitoring. The plan must, in addition to meeting all of the requirements set out in NEB Condition 98, include a plan to provide training to Aboriginal monitors and a commitment to report out on the results of the program to individual Aboriginal Groups – Terrestrial and EAO within one year after the commencement of Operations. The report must: a) Describe the participation of each Aboriginal Group – Terrestrial in Construction monitoring; b) Describe training that was offered to the Aboriginal monitors; c) Describe how the information obtained from the Aboriginal monitors was considered and applied by the Holder; and d) Identify the opportunities the Holder will provide to Aboriginal Groups – Terrestrial to participate in any post-Construction monitoring programs. The Holder must develop and implement the plan in consultation with Aboriginal Groups – Terrestrial and submit it to EAO at the time the plan required by NEB Condition 98 is filed with the NEB.
13.	**Aboriginal Cultural Awareness and Recognition** At least three months prior to commencing Construction in an Aboriginal Group's asserted or established traditional territory or treaty lands, the Holder must commence consultation with the Aboriginal Group to identify opportunities for cultural awareness and recognition. The Holder must offer opportunities to Aboriginal Groups that include holding ceremonies, installing signage, executing cultural protocols, recognizing cultural heritage, and providing cultural awareness training to Project personnel. If specific opportunities for cultural awareness and recognition are requested by an Aboriginal Group, the Holder must determine the scope and content of the cultural awareness and recognition opportunity and associated activities, in consultation with the Aboriginal Group and must support or conduct such activities, or must provide a rationale to the Aboriginal Group explaining why a specific request or activity is not practicable.

14.	**Public Communications and Engagement** The Holder must continue to engage the public from the date of issuance of this Certificate until the end of Operations. Within 90 days of the issuance of this Certificate, the Holder must establish and maintain a dedicated Project website for the life of the Project. The website must: a) Provide general information regarding the Project and Project status; b) Provide information about Construction and Operations activities; c) Provide information regarding progress in permitting processes that follow the issuance of this Certificate; d) Include information that would promote safety in and surrounding the Project area; and e) Provide contact information. The Holder must provide a public engagement summary report one year after the commencement of Construction and one year after the commencement of Operations, unless otherwise directed by EAO. The public engagement report must include: a) The stakeholders engaged, including the stakeholders identified in the Holder's stakeholder engagement report dated September 2016, submitted to EAO; b) The methods(s), date(s), and location(s) of engagement activities; c) A summary of issues or concerns raised; and d) The measures taken or that will be taken to address or respond to concerns, or an explanation as to why no further action is required to respond to issues or concerns.
15.	**Provincial Agency Consultation Plan** Several NEB Conditions require the Holder to consult with "Appropriate Government Authorities". The Holder must submit to EAO a list of the provincial government authorities that will be consulted on the NEB Conditions and the Conditions that they will be consulted on. Condition 1 of this Certificate does not apply to this condition (Condition 15).
16.	**Wildlife Species at Risk Mitigation and Offset Plan** The Holder must cause one or more Qualified Professionals to develop a wildlife species at risk mitigation and preliminary offset plan in consultation with FLNRO, MOE, ECCC, OGC and Aboriginal Groups – Terrestrial. The plan must, in addition to meeting the requirements set out in NEB Condition 44: a) Be developed in a manner consistent with BC's *Policy for Mitigating Impacts on Environmental Values* (2014, or as amended from time to time); b) Identify provincially red-listed species and the species listed in appendix 1 to this table of conditions and the habitats necessary to meet their associated life requisites that would be directly or indirectly impacted by the

	Project, as determined by a Qualified Professional; c) Identify species listed as Threatened or Endangered under Schedule 1 of the *Species at Risk Act* (SARA) and associated draft, candidate, proposed or final critical habitat identified under SARA that would be directly or indirectly impacted by the Project, as determined by a Qualified Professional; d) Be developed to be consistent with any applicable provincial recovery strategies, to meet the requirements of any applicable provincial implementation plans, and to support or augment applicable provincial species at risk management objectives; e) Describe the mitigation measures and the expected residual effects of the Project on those species and habitats identified in (b) and (c), as determined by a Qualified Professional; f) Include a discussion of the potential for time lags between when Project effects occur and when mitigation measures would become fully functional, taking into account the expected effectiveness of mitigation measures; g) Identify the criteria that will be applied to determine the need for offset measures for any species and habitats identified in (b) and (c); h) Include a discussion of how offset objectives will be developed, including the use and selection of offset ratios, with the aim of achieving no-net-loss in relation to those species and habitats identified in (b) and (c); i) Describe the types of offset measures that will be considered, the process for selecting which will be implemented, an estimation of the probability of their success, and how offset sites will be selected; and j) Identify the Aboriginal Groups – Terrestrial that have asserted or established traditional territory or treaty lands which overlap with those species and habitats identified in (b) and (c). The Holder must provide the preliminary offset plan to EAO for approval, and to FLNRO, MOE, ECCC, OGC and relevant Aboriginal Groups – Terrestrial identified in (j), at least six months before the commencement of Operations. If, after five years after the commencement of Operations, monitoring of habitats for species as identified in (b) and (c) above indicates that impacts remain, the Holder must cause one or more Qualified Professionals to develop a final wildlife species at risk offset plan for that species' habitats as identified in (b) and (c) above. The Holder must develop the wildlife species at risk offset plan(s) in consultation with FLNRO, MOE, ECCC, OGC and relevant Aboriginal Groups – Terrestrial identified in (j). The wildlife species at risk offset plan(s)must: a) Be developed in a manner consistent with BC's *Policy for Mitigating Impacts on Environmental Values* (2014, or as amended from time to time); b) Be developed to be consistent with the approved preliminary offset plan(s); c) Be developed to be consistent with any applicable provincial recovery strategies, to meet the requirements of any applicable provincial implementation plans, and to support or augment applicable provincial

	species at risk management objectives; d) Provide an evaluation of the success of mitigation measures implemented; e) Include a rationale for any instances in which offsets are not proposed, despite the identification of residual effects during post-construction monitoring; f) Include a rationale for the identified offset measures to be implemented to address residual impacts, and a timeline for implementation, including a discussion of the potential time lags between when Project effects would occur and when offset measures would become fully functional; and g) Include a plan for monitoring the effectiveness of offset measures, including methods and reporting schedule, and for further mitigation or offsetting of any impacts that remain after mitigation measures have been implemented. The Holder must provide the plan to EAO for approval, and to FLNRO, MOE, ECCC, OGC and Aboriginal Groups – Terrestrial within six years following the commencement of Operations. The plan and any amendments thereto must be implemented under the supervision of a Qualified Professional and to the satisfaction of EAO for the duration of the timeframes identified in the plan(s).
17.	**Weed and Vegetation Management Plan** The Holder must prepare a weed and vegetation management plan that must, in addition to meeting all of the requirements set out in NEB Condition 45: a) Describe the actions that will be, or have been, taken to consult with: i) Aboriginal Groups whose asserted or established traditional territory or treaty lands may be affected by the Holder's vegetation control activities; and ii) Private landowners whose lands may be affected by the Holder's vegetation control activities; regarding options for vegetation control before the Holder uses herbicides in such areas; b) Describe the measures to mitigate impacts to traditional use plants; and c) Identify the means by which the Holder will provide opportunities for Aboriginal Groups – Terrestrial, that have plant gathering areas identified through Project TLU studies, to access these areas in order to harvest, salvage or translocate any traditional use plants that would be cleared, prior to the commencement of clearing. The Holder must develop the plan in consultation with FLNRO, OGC and Aboriginal Groups – Terrestrial and submit it to EAO at least four months before the commencement of Construction. The plan and any amendments thereto, must be implemented throughout Construction and Operations and to the satisfaction of EAO.

18.	**Grizzly Bear Mitigation and Monitoring Plan – North Cascades Population** The Holder must retain one or more Qualified Professionals to develop a grizzly bear mitigation and monitoring plan for the North Cascades Grizzly Bear Population Unit that must, in addition to meeting all of the requirements set out in NEB Condition 56: a) Be developed in a manner consistent with BC's *Policy for Mitigating Impacts on Environmental Values* (2014, or as amended from time to time); b) Include requirements for the immediate reporting of all grizzly bear sightings and interactions to MOE; c) Identify monitoring measures that would be taken in response to grizzly bear sightings or interactions; and d) Describe the role of wildlife monitors during construction, including any plans for wildlife monitors to be armed for ensuring protection of worker safety in situations of potential human wildlife conflict. The Holder must develop the plan in consultation with MOE, FLNRO, OGC and relevant Aboriginal Groups – Terrestrial and submit it to EAO at least four months before the commencement of Construction. The plan and any amendments thereto, must be implemented throughout Construction and Operations under the supervision of a Qualified Professional and to the satisfaction of EAO.
19.	**Grizzly Bear Mitigation and Monitoring Plan – Robson, Wells Grey and Columbia-Shuswap Populations** The Holder must retain one or more Qualified Professionals to develop a grizzly bear mitigation and monitoring plan for Robson, Wells Grey and Columbia-Shuswap Grizzly Bear Population Units that must: a) Be developed in a manner consistent with BC's *Policy for Mitigating Impacts on Environmental Values* (2014, or as updated from time to time); b) Provide information about the location and timing of all planned construction camps in British Columbia and how grizzly bear protection has been factored into site selection; c) Demonstrate how the Holder will avoid locating construction camps in class 1 or class 2 seasonal grizzly bear habitat as defined in the British Columbia Wildlife Habitat Rating Standards (1999), unless the location of a construction camp in class 1 or class 2 seasonal grizzly bear habitat is approved by EAO; d) Describe the means by which, if the location of a construction camp in class 1 or class 2 seasonal grizzly bear habitat is approved by EAO, the Holder will minimize impacts on grizzly bears; e) Include mitigation measures to avoid or minimize potential impacts to grizzly bears, including mitigations described in the wildlife conflict management plan, the worker accommodation strategy required by condition 23 of this Certificate, in the access management plan required by condition 22 of this Certificate and in consideration of mapped grizzly bear habitat; f) Include requirements for the reporting of all grizzly bear sightings and

	interactions to MOE; g) Identify monitoring measures that would be taken in response to grizzly bear sightings or interactions; and h) Describe the role of wildlife monitors during construction, including any plans for wildlife monitors to be armed for ensuring worker safety in situations of potential human wildlife conflict. The Holder must develop the plan in consultation with MOE, FLNRO, OGC and relevant Aboriginal Groups – Terrestrial and submit it to the EAO for approval, at least four months before the commencement of Construction. The plan and any amendments thereto, must be implemented throughout Construction and Operations under the supervision of a Qualified Professional and to the satisfaction of EAO.
20.	**Caribou Mitigation and Monitoring** The Holder must develop caribou mitigation and monitoring plans and programs that must, in addition to meeting all of the requirements set out in NEB Conditions 37, 128, and 149: a) Be consistent with relevant provincial legislation, regulations, policies and programs existing at the time of submitting filings for the NEB Conditions including, but not limited to, BC's *Policy for Mitigating Impacts on Environmental Values* (2014, or as amended from time to time); and b) Be consistent with any provincial recovery strategies, any provincial implementation plans, and any provincial species at risk management objectives. The Holder must consult with FLNRO, MOE, OGC and Aboriginal Groups – Terrestrial with asserted or established traditional territory or treaty lands that overlap caribou ranges on the development and implementation of the caribou mitigation and monitoring plans and programs. The Holder must submit the caribou mitigation and monitoring plans and programs to FLNRO, MOE, OGC, and EAO at the same time they are filed with the NEB. The Holder must submit the assessment and monitoring reports required by NEB Conditions 36 and 150 to EAO, FLNRO, MOE and OGC at the same time they are filed with the NEB. If requested by MOE or FLNRO the Holder must, to the satisfaction of EAO, participate in caribou recovery or management initiatives being undertaken by the provincial government.
21.	**Provincial Parks and Protected Areas Offsetting** The Holder must prepare a preliminary offset plan in consultation with MOE (BC Parks) for any Protected Areas (if park boundary adjustments are approved by an Order in Council) that would be impacted by the Project. The offset plan

	must: a) Be developed in a manner consistent with BC's *Policy for Mitigating Impacts on Environmental Values* (2014, or as amended from time to time); b) Identify the mitigation measures and the expected residual effects, both direct and indirect, of the Project on each Protected Area, as determined by a Qualified Professional; c) Discuss the objectives of offset measures, including the aim of achieving no-net-loss of native biodiversity, ecological integrity and recreational values, as relevant to each Protected Area; d) Describe the types of offset measures that will be considered, including financial offset measures, the process for selecting which will be implemented, an estimation of the probability of their success, and how offsets will be selected; e) Include a timeline for the implementation of the offset measures; and f) Describe how the effectiveness of the offset measures will be monitored, including methods and reporting schedule. The Holder must consult on the preliminary offset plan with Aboriginal Groups – Terrestrial that have asserted or established traditional territory or treaty lands that overlap with areas identified in the preliminary offset plan and submit it for EAO's approval six months before the commencement of Operations. The preliminary offset plan and any amendments thereto, must be implemented throughout Construction and Operations and to the satisfaction of EAO. If, after five years after the commencement of Operations, post-Construction environmental monitoring indicates there are residual effects to Protected Areas, the Holder must develop a final offset plan(s). The Holder must develop any final offset plan(s) in consultation with BC Parks, MOE, and Aboriginal Groups – Terrestrial that have asserted or established traditional territory or treaty lands that overlap with areas identified in the final offset plan(s). The final offset plan(s) must: a) Be developed in a manner consistent with BC's *Policy for Mitigating Impacts on Environmental Values* (2014, or as amended from time to time); b) Be developed to be consistent with the approved preliminary offset plan; c) Provide an evaluation of the success of the mitigation measures implemented; d) Include a rationale for any instances in which offsets are not proposed, despite the identification of residual effects during post-Construction monitoring; e) Include a rationale for the identified offset measures to be implemented to offset residual impacts, and a timeline for implementation, including a discussion of the potential time lags between when Project effects would occur and when offset measures would become fully functional; and f) Include a plan for monitoring the effectiveness of offset measures, including methods and a reporting schedule, and for further mitigating or offsetting any impacts that remain after mitigation measures have been implemented.

	The Holder must provide the plan to EAO, BC Parks and Aboriginal Groups – Terrestrial that have asserted or established traditional territory or treaty lands that overlap with areas identified in the offset plan for EAO's approval within 6 years following the commencement of Operations. The plan and any amendments thereto, must be implemented under the supervision of a Qualified Professional and to the satisfaction of EAO.
22.	**Access Management Plan** The Holder must prepare an access management plan or plans for the pipeline right of way that must, in addition to meeting all of the requirements set out in NEB Condition 47: a) Include deactivation measures for temporary access roads and other temporary works, to be implemented following the completion of Construction; b) Describe the types and locations of, and rationale for all access that will be required for the Project, including new permanent access roads, temporary access roads only required during Construction, and upgrades to existing access roads; c) Identify measures to avoid or mitigate the disruption caused by Construction or Operations to the exercise of the rights of access of provincially authorized trappers and guide outfitters, and of members of Aboriginal Groups carrying out traditional use activities; and d) Identify the means by which access within the Riparian Reserve Zone of streams with a Riparian Class of S1, S2, or S3, as defined in the Environmental Protection and Management Regulation under the OGAA, will be minimized. The Holder must develop the plan in consultation with FLNRO, MOTI, OGC and Aboriginal Groups – Terrestrial and submit it to EAO at least four months prior to the commencement of Construction. The plan and any amendments thereto, must be implemented throughout Construction and Operations and to the satisfaction of EAO.
23.	**Worker Accommodation Strategy** The Holder must prepare a worker accommodation strategy that must, in addition to meeting all of the requirements set out in NEB Condition 59: a) Identify the construction camps the Holder plans to construct during the Construction of the Project; b) Identify the Aboriginal Groups – Terrestrial whose asserted or established traditional territory or treaty lands overlap with the locations of the construction camps identified in the plan; c) Show the distance between Aboriginal communities and Indian Reserves and the construction camps; d) Include a description of how the potential environmental and social-economic impacts of construction camps on potentially impacted Aboriginal

	Groups – Terrestrial has been assessed, and a description of relevant mitigation measures; and e) Include a plan for provision of medical and health services for employees and contractors using the construction camps. The Holder must develop the plan in consultation with FLNRO, MOE, OGC, municipal governments, regional district governments, and Aboriginal Groups – Terrestrial, within whose boundary or asserted or established traditional territory or treaty lands a construction camp has been proposed, and submit it to EAO at least three months before the commencement of Construction. The plan and any amendments thereto, must be implemented throughout Construction and to the satisfaction of EAO.
24.	**Workforce Conduct** Throughout Construction and Operations, the Holder must implement and enforce an employee and contractor code of conduct that ensures that those constructing or operating the Project are prohibited from hunting, fishing, trapping and gathering plants during work hours. Throughout Construction and Operations, the Holder must prohibit those constructing or operating the Project, with the exception of wildlife monitors referenced in conditions 18 and 19 of this Certificate, from possessing or storing firearms, bows and crossbows, or fishing equipment in construction camps or in work vehicles.
25.	**Coldwater Aquifer** The Holder must retain one or more Qualified Professionals to prepare a hydrogeological report relating to the aquifer at Coldwater Indian Reserve No. 1 that must, in addition to meeting all the requirements set out in NEB Condition 39: a) Characterize the aquifer recharge and discharge sources and aquifer confinement; and b) Include an assessment of the vulnerability the aquifer. The Holder must develop the report in consultation with Coldwater Indian Band and FLNRO and submit it to EAO, Coldwater Indian Band and FLNRO a minimum of six months prior to the start of Construction between Veale Road and Kingsvale Pump Station. Unless established by a qualified professional hydrogeologist, in consultation with FLNRO and Coldwater Indian Band, as a non-vulnerable aquifer, the aquifer at Coldwater Indian Reserve No. 1 must conduct groundwater monitoring of the aquifer that meets the requirements set out in NEB Condition 130.
26.	**Drinking Water** In the event that a spill originating from the Project is confirmed to have

	contaminated drinking water, as determined by a Qualified Professional, the Holder must provide one or more alternate source(s) of drinking water for all persons who use water for human or animal consumption from the contaminated water source for the period of time during which contamination exists. If the Qualified Professional has determined that a spill from the Project has contaminated drinking water, the Holder must notify EAO and MOE within the following time periods after the determination: a) As soon as practicable, or b) wWthin72 hours, Whichever is less.
27.	**Archaeological – Heritage Resources** The Holder must cause a Qualified Professional to develop a plan, in consultation with FLNRO, OGC, and Aboriginal Groups – Terrestrial, for the mitigation of any impacts of the Project on archaeological and heritage resources in accordance with the *Heritage Conservation Act*. The plan must, in addition to meeting all the requirements set out in NEB Condition 100, include the means by which the Holder will: a) Consult with Aboriginal Groups – Terrestrial on the reporting, management and mitigation of impacts to archaeological/heritage sites or resources, including incorporating the input of the Aboriginal Groups – Terrestrial regarding site-specific management; b) Assist Aboriginal monitors referred to in condition 12 of this Certificate, and those constructing or operating the Project in recognizing and identifing archaeological/heritage values; c) Address potential disturbance of archaeological/heritage sites or resources during Construction; and d) Manage chance finds of archaeological/heritage sites or resources during Construction. The Holder must provide the plan to EAO, FLNRO, OGC and Aboriginal Groups – Terrestrial for review a minimum of two months prior to the planned commencement of Construction of individual Project components. The plan and any amendments thereto, must be implemented throughout Construction under the supervision of a Qualified Professional and to the satisfaction of EAO.
28.	**Greenhouse Gas Reporting** The Holder must prepare a greenhouse gas assessment report that must, in addition to meeting all of the requirements set out in NEB Condition 140, quantify and report greenhouse gas emissions resulting from Project Construction in a manner that is consistent with British Columbia's *Greenhouse Gas Industrial Reporting and Control Act* and regulations under that *Act.* The Holder must provide the assessment report to Climate Action Secretariat

	within two months after commencing Operations and notify EAO on the same date.
29.	**Greenhouse Gas Offsets** The Holder must develop a plan to offset greenhouse gas emissions from the Project Construction in British Columbia. The plan must: a) Meet all of the requirements of NEB Condition 142 as they pertain to Project Construction in British Columbia, and b) Demonstrate that the Holder will cause to be retired offset units under the *Greenhouse Gas Industrial Reporting and Control Act* equal to the greenhouse gas emissions from Project Construction in British Columbia.
30.	**Pipeline Design to Reduce Spill Risk** The Holder must provide MOE, FLNRO, MNGD and OGC with copies of the assessments required under NEB Conditions 15 (Pipeline risk assessment), 22 (Updated terminal risk assessments) and 129 (Final terminal risk assessments) at the time they are filed with the NEB.
31.	**Oil Spill Containment and Recovery (OSCAR) Units** Before commencing Operations, the Holder must: a) Undertake a risk assessment and gap analysis to determine the need for additional Oil Spill Containment and Recovery (OSCAR) units, trained responders and operational support, and the most effective locations for placement of those resources; b) Establish any additional OSCAR units, trained responders and operational support required, as per the analysis conducted pursuant to a); and c) Ensure that sufficient spill response resources are available for each fixed facility (terminal and tank farm) to respond to a worst case spill as defined by MOE. The Holder must fulfill the requirements of this condition in consultation with MOE. The Holder must demonstrate completion of this condition to EAO and MOE at least six months prior to the commencement of Operations.
32.	**Emergency Response Plans** The Holder must prepare emergency response plans for the pipeline, Sumas and Burnaby Terminals and the Westridge Marine Terminal (Response Plans) that must, in addition to meeting all of the requirements set out in NEB Conditions 125 and 126: a) Demonstrate the Holder's intended use of the incident command system to respond to emergencies; b) Include supplemental plans and guidelines for: i) Incident notification and communications; ii) Oiled wildlife care;

	iii) Convergent volunteer management; and iv) Environmental sampling and monitoring (including, air monitoring). c) A description of how the Holder will coordinate the participation of first responders, agencies, municipalities and regional districts, and Aboriginal Groups – Terrestrial that may be involved in an emergency response related to the Project. The Holder must provide the emergency response plan for the pipeline to EAO, MOE, MNGD and OGC and Aboriginal Groups – Terrestrial at least six months prior to the commencement of Operations.
33.	**Geographic Response Plans** The Holder must develop and implement in consultation with MOE, MNGD, OGC and Aboriginal Groups – Terrestrial in-land based geographic response plans for the Project. The geographic response plans must be submitted to EAO and MOE, at least six months prior to the commencement of Operations.
34.	**Coastal Geographic Response** If requested by the provincial government, federal government or a certified response organization, the Holder must participate in British Columbia coastal geographic response planning undertaken by the provincial government, federal government or a certified response organization.
35.	**Fate and Behaviour of Bitumen Research** The Holder must provide a report regarding the current and future research programs that the Holder is leading, jointly leading, supporting, or otherwise involved in regarding the behaviour and recovery of heavy oils spilled in freshwater and marine aquatic environments, including research programs having the objective of providing spill responders with improved information on how to effectively respond to spills. The report must be developed in consultation with the MOE, MNGD, OGC, ECCC, Canadian Coast Guard and Aboriginal Groups. The report must include: a) A statement of the funding provided or allocated to ensure the research is undertaken and concluded within a specified period; b) Specifics of the Holder's approach to ongoing engagement with the NEB, ECCC, Canadian Coast Guard, MOE, MNGD, OGC and Aboriginal Groups in the research programs; c) Research topics, including the different physical and chemical properties of the oil and other products intended to be shipped from the Westridge Marine Terminal, product weathering, dispersion and oil/sediment interactions, product submergence, product behaviour and cleanup following in-situ burning, and cleanup and remediation options for sediments and shoreline;

	d) The scope, objectives, methods, and timeframe for the research topics; e) How the Holder will incorporate applicable results of the research into its emergency preparedness and response plans; f) How the Holder will work with spill responders to support the incorporation of the results of the research into their emergency preparedness plans and programs; and g) A plan for reporting to the NEB, ECCC, Canadian Coast Guard, MOE, MNGD, OGC and Aboriginal Groups on the progress of the research program. The Holder must provide the report to EAO, MOE, MNGD, OGC, ECCC, Canadian Coast Guard and Aboriginal Groups prior to the commencement of Operations, and must provide progress updates pursuant to g) above at both one year and five years after commencement of Operations. EAO may amend these timelines and may request additional reports at any time by providing written notice to the Holder.
36.	**Emergency Preparedness and Response Exercise and Training Program and Reporting** The Holder must prepare an emergency preparedness and response exercise and training program for the pipeline, Sumas and Burnaby Terminals and the Westridge Marine Terminal. The program must, in addition to meeting all of the requirements set out in NEB Condition 119, show how the Holder will test its: a) Plans with respect to the management of waste oil; b) Evacuation (shelter-in-place) plans; c) Oiled wildlife plans; d) Fire pre-plans; and e) Sampling and monitoring plans.
37.	**Pre-Operations Emergency Response Exercises** Prior to commencing Operations, the Holder must undertake emergency response exercises that must, in addition to meeting all of the requirements set out in NEB Condition 136: a) Invite MOE, potentially affected municipalities,regional districts, Aboriginal Groups and first responders, as identified based on the location of each exercise, to observe or participate in the exercises; b) Complete exercises for each of the following scenarios: i) Full-scale full-bore rupture under ice and snow conditions in BC; ii) Deployment of emergency equipment for a full-bore rupture into major river in BC under peak flow conditions; and iii) Deployment of emergency equipment for a tank fire at the Burnaby Terminal. The Holder must provide the reports required by NEB Condition 136 to EAO within three months after completing each exercise, along with a report on the exercises referenced in paragraph (b) that is consistent with the requirements of NEB Condition 136 (c).

Appendix 1: Blue-listed species of provincial concern for inclusion in condition 16

1. Fisher
2. Bats (various species)
3. Western Toad
4. North American Racer
5. Sharp-tailed Grouse
6. Short-eared Owl
7. Rusty Blackbird
8. Flammulated Owl
9. Great Blue Heron
10. Bald Eagle
11. Common Nighthawk
12. Olive-sided Flycatcher
13. Wolverine
14. Northern red-legged frog
15. Trowbridge's shrew
16. Coastal tailed frog