

EAO's Summary Evaluation Report for an Extension of an Environmental Assessment Certificate

*Coastal GasLink Pipeline Project
EA Certificate #E14-03*

Requested by:
Coastal GasLink Pipeline Limited

October 15, 2019

Pursuant to Section 18 (2) of the Environmental Assessment Act, S.B.C. 2002, c.43 (Act)

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ACRONYM AND DEFINITION LIST

Aboriginal Interests	Aboriginal rights and title, and treaty rights		EAC #E14-03 for CGL
Act	<i>Environmental Assessment Act</i>	Extension Report	EAO's Summary Evaluation Report for an Extension of an EAC
B.C.	British Columbia	FLNRORD	Ministry of Forests, Lands, Natural Resource Operations and Rural Development
C&E	Compliance and Enforcement		
Certificate Holder	Coastal GasLink Pipeline Ltd. (Holder of the EAC)	OGC	B.C. Oil and Gas Commission
CGL	Coastal GasLink Project	SEEMP	Socio-economic Effects Management Plan
CPD	Certified Project Description	SHAR	South of Houston Alternate Route
EA	Environmental Assessment	TOC	Table of Conditions
EA Application	Application for an Environmental Assessment Certificate (2014)	TT	Tracking Table
EA Report	The EAO's Assessment Report (2014)	UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
EAC	Environmental Assessment Certificate	WG	Advisory Working Group
EAO	The Environmental Assessment Office		
EMP	Environmental Management Plan		
ENV	Ministry of Environment and Climate Change Strategy		
EPIC	The EAO Electronic Project Information Centre		
Extension Application	Application to request a one-time five-year extension of the		

1.0 OVERVIEW OF REQUESTED EXTENSION

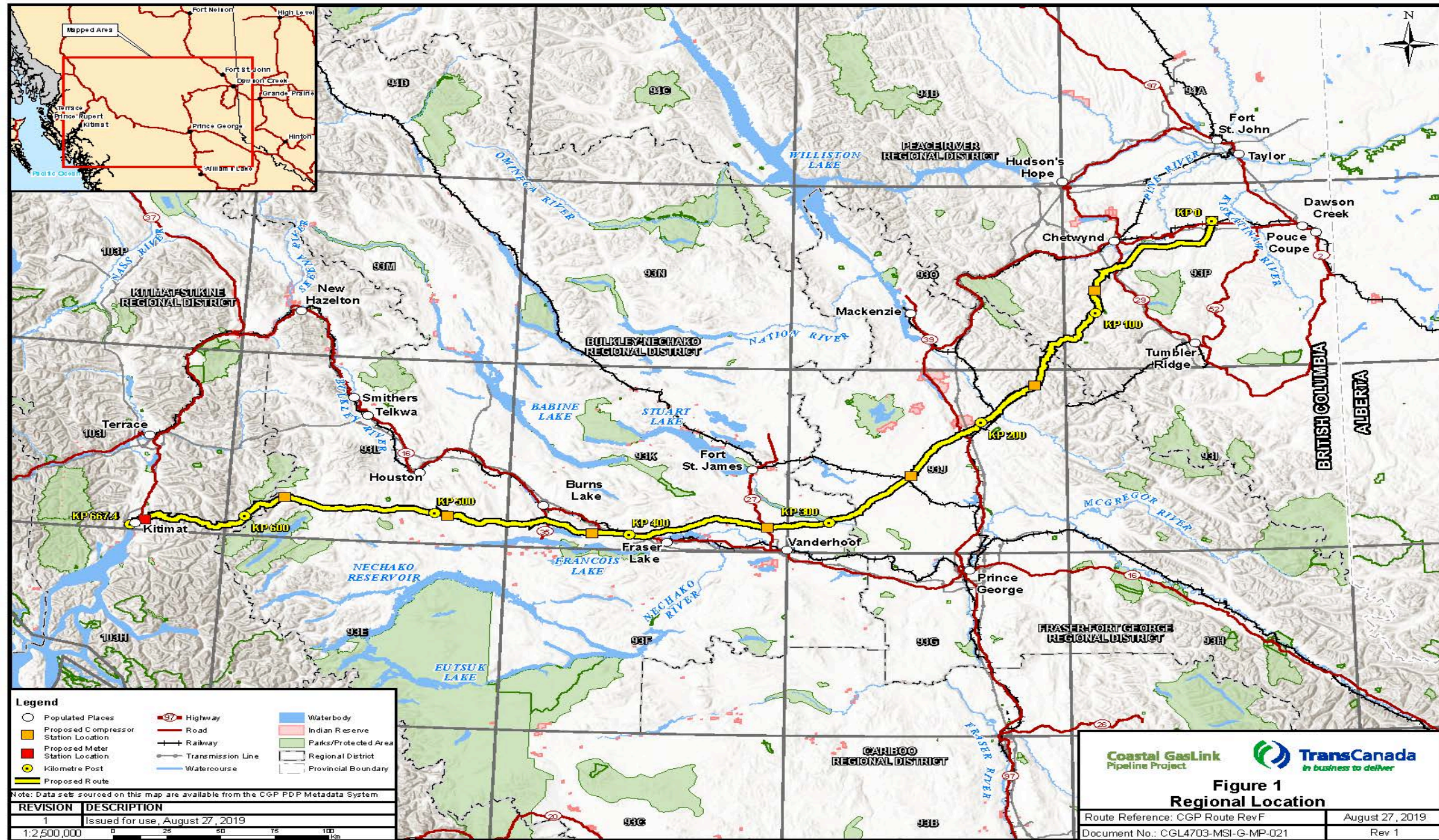
On October 23, 2014, the Minister of Environment and the Minister of Natural Gas Development issued Coastal GasLink Pipeline Limited (Certificate Holder), the Environmental Assessment Certificate #E14-03 (EAC) for the Coastal GasLink Pipeline Project (CGL). Documentation relating to the environmental assessment (EA) of CGL, the EAC, Certified Project Description (CPD), and Table of Conditions (TOC) are on the Environmental Assessment Office (EAO) [Electronic Project Information Centre \(EPIC\)](#).

Section 18(2) of the *Environmental Assessment Act* (the Act) allows for the holder of an EAC to apply for a one-time five-year extension of the deadline specified in the EAC for substantially starting CGL. On April 18, 2019, the Certificate Holder [submitted an application](#) to the EAO under Section 18(2) of the Act requesting a five-year extension of the October 23, 2019, deadline specified in the EAC.

2.0 PROJECT DESCRIPTION

CGL involves the construction and operation of an approximately 675-kilometre-long natural gas pipeline from near the community of Groundbirch (40 kilometers west of Dawson Creek) in northeast British Columbia (B.C.) to the LNG Canada Export Terminal, an LNG export facility located near Kitimat, B.C. (Figure 1 Project Overview Map). CGL will transport natural gas to the LNG Canada Export Terminal and construction of the two projects is occurring to meet the in-service date for the LNG Canada Facility. Additional project infrastructure includes up to eight compressor stations, meter stations, communication towers, and ancillary facilities, as described in the CPD.

The underwriters for CGL made a positive final investment decision to proceed with CGL in October 2018, and the Certificate Holder began construction in earnest in January 2019. At the time of filing the extension application with the EAO, the Certificate Holder provided information regarding the physical and non-physical activities that has been undertaken to date, and those that were anticipated prior to October 23, 2019. The Certificate Holder indicated that it wished to extend the EAC to complete construction already begun, to meet its contractual commitments to the parties underwriting the Project.



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Figure 1. Project Overview Map

3.0 THE EXTENSION APPLICATION REVIEW

The EAO established an advisory working group (WG) based on WG membership from the original EA, consisting of approximately 125 representatives of federal, provincial, and local governments, and Indigenous Nations. The EAO distributed the Extension Application to the WG and provided a 14-day review and comment period from June 4, 2019, to June 18, 2019, (extended to June 21 for Office of the Wet'suwet'en, at their request).

Indigenous Nations listed in Schedule C of the Section 11 Order (the lower end of the consultation spectrum) were also notified and provided a copy of the receipt of the Extension Application and will be informed of the decision.

Lheidli T'enneh First Nation, Yekooche First Nation, Saik'uz First Nation, Halfway River First Nation, Wiset First Nation, West Moberly First Nations, Sauteau First Nation, Burns Lake Indian Band, Blueberry River First Nations, Kitselas First Nation, and Wet'suwet'en First Nation submitted comments supporting the Extension Application. The B.C. Climate Action Secretariat, B.C. Ministry of Environment and Climate Change Strategy, B.C. Ministry of Forests, Lands, Natural Resource Operations and Rural Development, Environment Climate Change Canada, and McLeod Lake Indian Band indicated that they did not have any comments. Comments on the Extension Application were received from Nee Tahi Buhn Indian Band, Office of the Wet'suwet'en, Dark House, and Northern Health.

Key issues identified in relation to the Extension Application are outlined in [section 5](#) of this Extension Report. The EAO requested that the Certificate Holder discuss WG comments and resolve issues directly with commenters and document this to the EAO. Detailed WG comments, Certificate Holder's responses, and issue resolution efforts are documented in the "CGL_ Certificate Holder's Responses Tracking Table." The EAO also provided separate responses to WG comments related to the process or requiring a government response. These responses are captured in the "CGL_ EAO Responses Tracking Table." All tracking tables are available on the [EAO's EPIC website for CGL](#).

The EAO shared the EAO's and Certificate Holder's tracking tables with the WG members that provided comments and offered follow up discussions. The conclusions to these discussions are summarized in [section 5](#) of this report.

To inform the Executive Director's decision on whether to extend the EAC, the EAO considered the Certificate Holder's rationale for requiring an extension, their compliance record, and new or changed potential significant adverse effects that would require revisions to the EAC, CPD or TOC to address these new potential adverse effects.

4.0 REGULATORY CONTEXT AND REQUIREMENTS

The primary regulator that oversees the construction and operation of natural gas pipelines in B.C. is the Oil and Gas Commission (OGC) pursuant to the *Oil and Gas Activities Act*.

Regulatory agencies for many of the required authorizations participated in the EA and the Extension review as members of the WG.

A comprehensive list of regulatory authorities and authorizations required for the construction and operation of CGL are included in the [EA Report](#), Table 2-6: Authorizations that may be required for project planning, construction and operations and decommissioning and abandonment (pages 28 to 31).

5.0 SUMMARY OF ISSUES

5.1 Aboriginal Rights and Title (Aboriginal Interests)

5.1.1 *The Consultation Process*

Nee Tahi Buhn Indian Band, Office of the Wet'suwet'en, and Dark House expressed dissatisfaction with past consultation opportunities during the EA process and subsequent consultation by the EAO and Certificate Holder on the implementation of the EAC and for permitting requirements.

The EAO response identified information shared during previous and current consultation opportunities, the assessment of the potential impacts to Aboriginal Interests and measures to address those impacts documented in the EAO's Assessment Report for CGL, the EAC, and in the Reasons for Decision. Outlined below is the consultation processes undertaken to identify and seek to address issues raised by each Nation in relation to the Extension Application.

Nee Tahi Buhn Indian Band

The EAO directed the Certificate Holder to respond to the following concerns raised by Nee Tahi Buhn Indian Band: capacity funding; effects to raptor species; participation in investigative field work; compliance with EAC #E14-03 conditions regarding consideration of new information in updating Environmental Management Plans (EMP); lack of clarity in Certificate Holder's communication; and the need for further dialogue including discussing the agreement in place for CGL between Nee Tahi Buhn Indian Band and the Certificate Holder.

The EAO responded to issues related to regulatory decisions, traditional land use and traditional knowledge, EMP baseline data and the local and regional study areas, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and EA legislation. Ministry of Indigenous Relations and Reconciliation commenced discussions with Nee Tahi Buhn Indian Band in relation to the issues raised regarding the existing Benefits Agreement, and the OGC is continuing discussions regarding issues related to permitting and leave of conditions.

The EAO held a teleconference to discuss outstanding issues in August 2019. A subsequent meeting seeking resolution to those issues was held in September 2019 and involved Nee Tahí Buhn Indian Band, the EAO, the OGC, and the Certificate Holder. An action item plan was developed and agreed to by all parties during that meeting and the Certificate Holder committed to ensuring that Nee Tahí Indian Band is appropriately notified, involved, and consulted during all subsequent work within their traditional territory. This draft Extension Report was also provided to the Nee Tahí Buhn Indian Band for review and comment. The EAO and Nee Tahí Buhn Indian Band had a follow-up discussion on October 3, 2019 to discuss and seek to resolve their comments on the draft Extension Report prior to it being finalized.

Office of the Wet'suwet'en

Office of the Wet'suwet'en submitted 161 initial comments followed by a second letter reiterating and expanding on these concerns. Similar concerns had been responded to by the EAO in previous correspondence received from Office of the Wet'suwet'en, prior to the commencement of the extension review process. The EAO responded to seven primary themes identified from review of the OW letters: Aboriginal rights and title; consultation; biophysical-environmental; construction, compliance and conditions; archaeological; and the national inquiry and resulting report on Missing and Murdered Indigenous Women and Girls. The EAO directed select concerns to the OGC and Certificate Holder for their responses.

Following responses provided by the EAO and the Certificate Holder, Office of the Wet'suwet'en provided supplemental comments to support their assertion that the extension of the EAC would be unreasonable given their view that there have been numerous instances of non-compliance and that the Certificate Holder had demonstrated a lack of communication and dialogue regarding scheduling of construction. These concerns were also responded to by the Certificate Holder. The EAO and the OGC held a follow up call with Office of the Wet'suwet'en on August 22, 2019, to discuss Office of the Wet'suwet'en outstanding issues, which they summarized in a 67-question submission. At the request of Office of the Wet'suwet'en, the EAO and the OGC also responded to the 67-question submission in writing following the call. This draft Extension Report was also provided to the Office of the Wet'suwet'en for review, and they provided comment on September 30, 2019.

Dark House

The EAO responded to comments received from Dark House pertaining to: impacts on the land and ability to exercise their Aboriginal Interests, archaeological interests, compliance with the EAC, and risks to Dark House people associated with construction camps in their traditional territory.

The EAO asked the Certificate Holder to also respond to safety concerns related to the construction and operation of the construction camp within Talbits Kwah territory (Camp 9A).

The EAO provided an opportunity for further comment and offered to meet to discuss but did not receive a response from Dark House. The draft Extension Report was also provided to Dark House for review and comment. The EAO did not receive comments on the draft report.

5.1.2 Impacts to the land and the ability to exercise Indigenous rights, considerations to traditional land use and traditional knowledge

Nee Tahi Buhn Indian Band, Office of the Wet'suwet'en, and Dark House asserted that a potential extension of the EAC would result in impacts to the land that would impede their ability to exercise their Aboriginal rights.

The EAO stated that legally binding conditions attached to the EAC were designed to support the continuation of traditional activities on the ground and provide further opportunities to Indigenous Nations to be involved in the development or update of various EMPs, including opportunities to share traditional land use and traditional knowledge information.¹

In consideration of the above noted issues and the additional issues that were raised during the review of the Extension Application, the EAO is satisfied that an extension of the EAC would not have consequences to the Indigenous Nations' ability to exercise their Aboriginal Interests which has not otherwise been considered and addressed during the original EA and through the conditions of the EAC. The EAO notes that any current or future concerns will be considered and addressed as required through continued consultation activities related to the requirements of the EAC and of subsequent permitting.

5.1.3 Archaeological interests

Concerns were raised by Nee Tahi Buhn Indian Band, Office of the Wet'suwet'en and Dark House in relation to the risk of destruction of historical sites and cultural artefacts. Office of the Wet'suwet'en was particularly concerned about the Certificate Holder's alleged destruction of Wet'suwet'en cultural sites (Gitdumden Camp site, Kweese War Trail, and campsite lost to CGL Camp 9A).

The EAO response referred to condition #26 of the EAC that requires the Certificate Holder to develop an EMP that includes a Heritage Resource Discovery Contingency Plan and a Traditional Land Use Sites Discovery Contingency Plan, addressing "chance finds" of archaeological resources while work is under way. The EAO noted the Certificate Holder's invitation of participation in archaeological impact assessment (AIA) fieldwork extended to Nee Tahi Buhn Indian Band and Office of the Wet'suwet'en.

¹ Continued access to harvest medicinal and food source plants, traditional use activities and trap lines (condition #15); Information sharing or consultation on the development of plans required for future regulatory requirements, construction and operations activities (condition # 1, 7, 10, 15, 24, 26, 28, 29, 31); Opportunities to participate in construction monitoring (condition # 30); Consideration of TUS and or TEK in authorization applications related to the construction or operation (condition # 28).

The Certificate Holder reported in July 2019 a potential non-compliance in relation to not completing some pre-clearing AIA work as required under an OGC-authorized permit. In the OGC's September 16, 2019 letter to Office of the Wet'suwet'en, copied to the EAO, the OGC informed they were satisfied that the Certificate Holder completed the AIA work to the required standards, prior to commencing construction activities and was in compliance with the permit conditions in following the chance find of artefacts protocol.

The EAO noted that the incident related to the Gitdumden Camp site is subject to a court litigation. The EAO also confirmed that the information provided by Office of the Wet'suwet'en in relation to the destruction of any cultural sites were treated by the EAO Compliance & Enforcement (C&E) as complaints and are undergoing compliance determinations. At the same time the EAO committed to capture these concerns in the draft Extension Report, provide Office of the Wet'suwet'en an opportunity to comment on the draft Extension Report prior to finalizing and referring for decision, and to communicate the conclusions of the compliance determination by EAO C&E to Office of the Wet'suwet'en. The EAO also informed Office of the Wet'suwet'en of the new EAO C&E Indigenous Relations liaison section and our interest in continuing to work with Office of the Wet'suwet'en through this initiative.

The EAO is satisfied that the existing EAC conditions, requirements of the *Heritage Conservation Act*, and subsequent permitting through the OGC are sufficient measures to direct the Certificate Holder's activities on the ground in relation to the protection of archaeological values. Despite instances of non-compliance, the Certificate Holder has demonstrated willingness to identify and promptly remediate potential non-compliances.

5.1.4 Compliance with the EAC

Concern regarding the Certificate Holder's compliance with conditions of the EAC were raised by Indigenous Nations, in particular by Office of the Wet'suwet'en. In 2018 and 2019, Office of the Wet'suwet'en brought to the attention of the EAO multiple allegations of non-compliance with the EAC including those related to investigative works, wildlife incidents, access management, firearms policy, cultural sites and archaeological values.

The EAO's C&E has treated these allegations as complaints and conducted compliance inspections in accordance with the [Compliance and Enforcement Policy and Procedure, and made associated compliance determinations](#). The EAO notes that the EAC non-compliances identified on CGL, have been rectified, or are in the process of being rectified by the Certificate Holder. Given the currently available compliance records (not considering the ongoing compliance determinations where a decision has not been made), the EAO has found that the Certificate Holder was prompt in responding to remediation orders issued by the EAO. In addition, on several occasions the Certificate Holder has self-identified potential non-compliant activities and reported on their actions to rectify the non-compliance.

In the subsequent dialogue with Office of the Wet'suwet'en the EAO reaffirmed a desire to continue to work with Office of the Wet'suwet'en regarding CGL compliance. The EAO

identified opportunities for Office of the Wet'suwet'en to be further involved in compliance activities (such as monitoring compliance, participation in field inspections, receiving information on completion of remediation orders) through the C&E's Indigenous Relations Liaison Program. Condition 30 of the EAC also requires the Certificate Holder to provide opportunities for representatives from Indigenous Nations to participate in construction monitoring within their traditional territory. The Certificate Holder states that they have developed a Construction Monitoring and Community Liaison Program and are engaging with Indigenous groups to identify participants.

In consideration of the compliance concerns raised during the review of the Extension Application, the EAO is satisfied that despite instances of non-compliance, the Certificate Holder has demonstrated a commitment to remediation and returning to compliance.

5.1.5 UNDRIP and regulatory decisions

Nee Tahi Buhn Indian Band, Office of the Wet'suwet'en and Dark House raised concerns regarding B.C.'s commitment to UNDRIP and the calls to action of the Truth and Reconciliation Commission. Dark House requested that the Province seek consent in accordance with UNDRIP provisions. Office of the Wet'suwet'en commented on inadequate consideration given by the Province to free, prior and informed consent. Office of the Wet'suwet'en and Dark House affirmed their position of not consenting to the EAC extension for CGL. Nee Tahi Buhn Indian Band also opposed a decision in favour of the EAC extension until their concerns are resolved.

The EAO discussed the Province's commitment to advancing reconciliation with Indigenous peoples, adopting and implementing UNDRIP and the Calls to Action of the Truth and Reconciliation Commission. This includes engaging in meaningful consultation with the Indigenous Nations regarding the Certificate Holder's Extension Application and attempting to achieve consensus on issues of concern and ultimately the decision to be made consistent with article 32(2) of UNDRIP. The EAO approached the review of the Extension Application consistent with the Province's commitments.

Office of the Wet'suwet'en referred to article 10 of UNDRIP asserting that the Certificate Holder's removal of personal and cultural property from the Gitdumden camp goes against the requirement to not remove Indigenous Nations from their territory. There is pending litigation related to the property removal and therefore the EAO was not able to comment on this matter.

In consideration of the above noted key issues and the additional issues that were raised during the review of the Extension Application, the EAO is satisfied that despite any changes to the regulatory environment, a potential approval of the extension request would not have consequences that have not otherwise been considered and appropriately addressed during the original EA.

5.1.6 *Comments on the draft Extension Report*

Nee Tahi Buhn Indian Band

In their final comments on the draft Extension Report, and on the EAO responses in the tracking table, Nee Tahi Buhn Indian Band requested that past concerns documented during consultation on SHAR be reiterated and taken into consideration in the extension decision. In particular, Nee Tahi Buhn Indian Band emphasized the following: inadequate capacity funding and consultation; inadequate considerations given to traditional land use and traditional environmental knowledge; and, misrepresentation of information related to wildlife habitat, vegetation, wetlands, water and fisheries values.

Nee Tahi Buhn Indian Band believes that the current EA process is outdated and that the existing mitigation measures associated with CGL do not adequately protect their Aboriginal Interests. Nee Tahi Buhn Indian Band requested that an extension to the EAC not be granted before a new EA is conducted under the anticipated new legislation.

The information shared regarding field visits within the SHAR amended corridor is, in the EAO's view, consistent with the 2014 Assessment Report, which assessed CGL as potentially having a moderate impact on Nee-Tahi-Buhn Band's asserted Aboriginal right to hunt, a minor impact on Nee-Tahi-Buhn Band's asserted Aboriginal right to gather plants of interests, and a minor impact on the right to fish. The 2018 SHAR amendment identified that there would not be any change in effects from what was assessed during the original EA.

The new EA legislation is not currently in force and when it comes into force will not require a new EA for projects that have already been certified.

Office of the Wet'suwet'en

In their submission Office of the Wet'suwet'en reiterated their concerns regarding the Certificate Holder's noncompliance with the EAC that continue to remain unresolved, in particular those related to: impacts to the Kweese War Trail; Office of the Wet'suwet'en's order request for "cease and desist" of August 29, 2019 made to the Minister of ENV, to the Minister of FLNRORD, and to the OGC; and, continuing noncompliance with the SEEMP. They also reiterated concerns regarding Missing and Murdered Indigenous Women and Girls and cited the 71 recorded cases of murdered and missing women and girls between Prince Rupert and Prince George. Office of the Wet'suwet'en requested inclusion of Missing and Murdered Indigenous Women and Girls report's recommendations in the SEEMP. How the Province is working to address those recommendations are discussed below in [section 5.2.2](#), as well as how that relates to the Certificate Holder's requirements under the EAC.

Office of the Wet'suwet'en also identified what they consider unaddressed ENV comments during the 2014 EA. The EAO notes that the ENV tracking table provided was subsequently updated during the EA and is available on EPIC.

Office of the Wet'suwet'en also expressed concerns regarding the procedural aspects of consultation delegated to the Certificate Holder as it relates to EAC condition requirements. No changes to those EAC conditions are being proposed and as such, the Certificate Holder must continue to consult with all Indigenous groups identified in the EAC, which includes the Office of the Wet'suwet'en.

Office of the Wet'suwet'en considers that the Province has not fulfilled its consultative obligations towards Office of the Wet'suwet'en and requested that the EAC not be extended.

5.2 Social Effects

5.2.1 Health Effects

Northern Health requested that a requirement for site specific health and medical services plans be included as part of the extension decision. The Certificate Holder committed to developing site specific health and safety plans in alignment with Northern Health's Health and Medical Services Plan Best Management Guide (March 2015, or as updated). The Certificate Holder reported that they have started providing Northern Health with copies of these plans for review and comment. The EAO understands that the Certificate Holder is also engaging Northern Health on the implementation of the SEEMP and in the SEEMP reporting provided to the EAO semi-annually in alignment with summer and winter construction seasons during the construction phase.

In consideration of the issues raised and commitments made by the Certificate Holder and the requirements of the EAC, the EAO is satisfied that a potential approval of the extension request would not have consequences that could not be appropriately addressed by the existing provisions of the EAC.

5.2.2 Construction camps

Office of the Wet'suwet'en and Dark House expressed concerns regarding potential impacts to their members, including women and girls, from industrial construction camps in their territory and referred to the federal report [Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls](#). The EAO is aware that B.C. has committed to developing a 'path forward' to ending violence against Indigenous women and girls. This path is being developed in collaboration with survivors, family members and communities and not only addresses the inquiry's Calls for Justice, but also historic, B.C.-specific recommendations previously provided to government. This work is closely aligned with government's commitments to reconciliation and the implementation of the UNDRIP. It is also complementary to government's commitment to ensure gender equity is reflected in the provincial government's budgets, policies, and programs.

This summer, representatives from across government ministries reviewed the Calls for Justice and past recommendations to determine current progress in addressing systemic causes of violence and recommended solutions, as well as preliminary priorities and opportunities for

additional action. Several Indigenous-led, community-based engagements will take place across the province to determine community priorities and opportunities for collaboration. This work will result in the identification of recommendations for government to build a path forward to end violence and inform the creation of an interim response to the final report

The Certificate Holder also provided a summary of their key mitigation measures in relation to a construction camp in Office of the Wet'suwet'en and Dark House territory (Camp 9A). The EAO response referred to the condition #24 SEEMP requirements to implement, monitor and report on the effectiveness of mitigation set out in the Application and in the SEEMP. There is also a requirement for adaptive management and implementation of alternative mitigation if unpredicted effects directly related to CGL were identified. To meet the requirements of condition 24, the EAO requested that the Certificate Holder consider in the SEEMP how effects related to industrial development, including construction camps, on Indigenous communities including women, children and other vulnerable populations, will be identified and addressed and how Indigenous Nations will be engaged in the identification and monitoring of potential social impacts. The EAO receives semi-annual SEEMP reports in alignment with summer and winter construction seasons during the construction phase. The EAO reviews these reports and posts them on EPIC. Additionally, the Certificate Holder pointed to their Issues Management Process described in section 3.4.2 of SEEMP. This process requires the Certificate Holder to engage SEEMP contacts identified in section 3.1 of the SEEMP including all Indigenous groups and report to the EAO on the results of engagement.

In consideration of the issues raised and commitments made by the Certificate Holder and the requirements of the EAC, the EAO is satisfied that a potential approval of the extension request would not have consequences that could not be appropriately addressed by the existing provisions of the EAC.

5.3 Environmental Effects

Nee Tahi Buhn Indian Band, Office of the Wet'suwet'en and Dark House raised concerns regarding the potential effect on terrestrial and aquatic habitats and wildlife and the cumulative effects of CGL on the environment.

During the EA, the EAO consulted with the Indigenous Nations in developing the Application Information Requirements, in accepting the Application, and in developing the EAO's Assessment Report and the proposed EAC conditions. The EAC conditions are intended to mitigate potential impacts of CGL, including potential effects to fish and water quality (conditions #4 and #5) and wildlife and wildlife habitat (Conditions #7 to #15). The Certificate Holder's EMP contains further details on the methods that will be used to meet these conditions and manage and mitigate potential effects on wildlife and aquatic and terrestrial habitats.

In consideration of the issues raised and commitments made by the Certificate Holder and the

requirements of the EAC, the EAO is satisfied that a potential approval of the extension request would not have consequences that could not be appropriately addressed by the existing provisions of the EAC.

6.0 CONCLUSIONS

Based on:

- Information contained in the Certificate Holder's Extension Application;
- Certificate Holder's consultation efforts with Indigenous Nations prior to submission of the Extension Application; and
- Certificate Holder's responses to comments and concerns from the WG and the EAO.

And given:

- The EAO conclusion that issues raised by the WG and Indigenous Nations were adequately and reasonably addressed; and
- That material changes in circumstances relevant to the Extension Application have not occurred since the original EA that could affect the EA conclusions or require revisions to the EAC, CPD and TOC.

The EAO is satisfied that:

- An approval of the extension request would not constitute a material change with consequences to Indigenous Nations' exercise of their Aboriginal Interests that could not be appropriately addressed by the existing TOC; and
- The Crown's duty to consult and appropriately accommodate potential impacts of the proposed extension on Aboriginal Interests have been adequately fulfilled.

The EAO recommends that the Executive Director issue an Order under Section 18(4) of the Act to extend the EAC for CGL for five years, noting that all other requirements arising from the original assessment remain in effect for the duration of the lifecycle of CGL.