

**SCHEDULE B**

**TABLE OF CONDITIONS**

**FOR THE**

**KSI LISIMS LNG – NATURAL GAS LIQUEFACTION AND MARINE**  
**TERMINAL**

**(PROJECT)**

**ENVIRONMENTAL ASSESSMENT CERTIFICATE # E25-01**

## TABLE OF CONTENTS

Definitions .....	2
Acronyms And Abbreviations .....	3
Conditions .....	4
1. Document Review .....	4
2. Document Updates .....	4
3. Document Development .....	4
4. Consultation .....	5
5. Compliance Verification and Reporting .....	6
6. Project Status Notification .....	6
7. Compliance Notification .....	7
8. Independent Environmental Monitor .....	7
9. Construction Environmental Management Plan .....	9
10. Public Information .....	11
11. Community Feedback Process .....	12
12. Greenhouse Gas Emissions and the Net-Zero Plan .....	13
13. Marine Transportation Communication Plan .....	14
14. Health and Medical Services Plan .....	15
15. Gender and Cultural Safety Plan .....	16
16. Worker Health and Wellness .....	18
17. Socioeconomic Management Plan .....	19
18. Road Transportation Management Plan .....	20
19. Project Electrification .....	21
20. Transmission Line Development Report .....	22
21. Regional Cumulative Effects Initiatives .....	23
22. Marine Water Quality Baseline Reporting .....	23
23. Wildlife Management Plan .....	24

## DEFINITIONS

Application	Revised Application from Nisga'a Nation, Rockies LNG Limited Partnership, and Western LNG LLC, July 12, 2024, to the Environmental Assessment Office applying for an Environmental Assessment Certificate, pursuant to Section 27 of the <i>Environmental Assessment Act</i> , accepted for review on September 3, 2024. The Application includes any supplementary information filed by the Holder for the purposes of completing the assessment.
Category A Lands	Category A Lands as defined by the Nisga'a Final Agreement.
Construction	The phase of the Project during which physical alteration of land, vegetation, or any other aspect of the natural environment occurs, including upgrading, repairing, replacing, or removing, any existing work or infrastructure. Construction also includes commissioning and start-up of the FLNGs, marine terminal, and supporting infrastructure. Construction does not include any activities conducted solely for investigative purposes under a valid permit or authorization.
Decommissioning	The phase of the Project where all production and related activities cease, where Project facility and infrastructure are decommissioned and/or removed from the site, and where reclamation activities are conducted and completed
First Nations	Gitga'at First Nation Gitxaala Nation Kitselas First Nation Kitsumkalum First Nation Lax Kw'alaams Band Metlakatla First Nation
Haida Nation	Haida Nation, as represented by the Council of the Haida Nation
Holder	The person to whom this Certificate has been issued, or, if this Certificate has been transferred in accordance with section 33 of the Act, the person to whom this Certificate has been transferred.
Nisga'a Nation	Nisga'a Nation, as represented by Nisga'a Lisims Government
Operations	The phase of the Project commencing on the date on which commercial production of liquefied natural gas begins.
Qualified Person	A person who has the training, experience and expertise in a discipline relevant to the field of practice set out in the condition.

Qualified Professional	A person who has the training, experience and expertise in a discipline relevant to the field of practice set out in the condition; 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.
Worker	Any person employed by the Holder of the Certificate, associated contractor(s) or subcontractor(s), working at the Project, or being housed in accommodations provided for the purpose of the Project's Construction and Operations.

## ACRONYMS AND ABBREVIATIONS

ATV	All Terrain Vehicle
B.C.	British Columbia
BCER	British Columbia Energy Regulator
CEMP	Construction Environmental Management Plan
Certificate	Environmental Assessment Certificate
EAO	Environmental Assessment Office
ENV	Ministry of Environment and Parks
ECCC	Environment and Climate Change Canada
FLNG	Floating Liquefied Natural Gas production, storage and offloading facility
IEM	Independent Environmental Monitor
LAA	Local Assessment Area
LNG	Liquefied Natural Gas
MOTT	Ministry of Transportation and Transit
Project	Ksi Lisims LNG Natural Gas Liquefaction and Marine Terminal

# CONDITIONS

## 1. Document Review

- 1.1 The requirements within this condition apply to all plans, programs or other documents required in this Certificate.
- 1.2 The EAO may, within 45 days, or another period if a condition in this Certificate provides otherwise, of receiving a document required by a condition (including updates under subsection 2.2 or paragraph 3.2(h)) notify the Holder that:
  - a) The Holder may implement the actions in the document; or
  - b) A revised document must be provided for review of the EAO and Nisga'a Nation.
- 1.3 If the EAO provides a notification under paragraph 1.2(b), the Holder must revise the document and provide it to the EAO for review in accordance with the notification, including any additional consultation required by the EAO.
- 1.4 If the EAO does not provide a notification to the Holder within the period referred to in subsection 1.1, the Holder may implement the actions in the document, unless a condition in this Certificate provides otherwise.

## 2. Document Updates

- 2.1 The requirements within this condition apply to all plans, programs, or other documents required in this Certificate.
- 2.2 The EAO may require the Holder to make changes to any document if the EAO determines that the implementation of the document is not:
  - a) Meeting one or more objectives set out in the relevant condition of this Certificate or the purpose and objectives set out in the document, as required by paragraph 3.1(a);
  - b) Having the effects, set out in the document, that are contemplated or intended; or
  - c) Consistent with changes in industry best practices or technology.
- 2.3 Any updates to documents by the Holder, based on subsections 2.2 or 3.2(h), must follow any notifications and instructions provided by the EAO regarding the updates.

## 3. Document Development

- 3.1 The requirements within this condition apply to all plans, programs, or other documents (including any updates) required in this Certificate.
- 3.2 The Holder must ensure that each document includes the following information:
  - a) Purpose and objectives of the document;

- b) Roles and responsibilities of the Holder and Workers employed for the purposes of implementing the document;
  - c) Names and, if applicable, professional certifications and professional stamps, of those responsible for the preparation of the document;
  - d) Schedule for implementing the actions in the document throughout the relevant Project phases;
  - e) How the effectiveness of any mitigation measures will be evaluated including the schedule for evaluating effectiveness;
  - f) How the Holder will implement adaptive management to address effects of the Project if the monitoring conducted under subsection 3.3 shows that those effects:
    - i. Are not being mitigated to the extent contemplated in the Application; or
    - ii. Are different than those predicted in the Application;
  - g) Schedules and methods for the submission of reporting required under the applicable condition, and the form and content of those reports; and
  - h) Process and timing for updating the document, including any consultation with agencies, First Nations and Nisga'a Nation that would occur in connection with such updates.
- 3.3 The Holder must ensure that if a document includes monitoring requirements, the document includes:
- a) A description of baseline information that will be used to support monitoring of the effectiveness of mitigation;
  - b) Methods, location, frequency, timing and duration of monitoring; and
  - c) Scope, content and frequency of reporting of the monitoring results.

## 4. Consultation

- 4.1 Where a condition of this Certificate requires the Holder to consult a party or parties regarding the content of a document, the Holder must, to the satisfaction of the EAO:
- a) Provide written notice to each such party that:
    - i. Includes a draft of the document;
    - ii. Invites the party to provide its views on the content of the document; and
    - iii. Indicates:
      - A) If a timeframe for providing views to the Holder is specified in the relevant condition of this Certificate, what that timeframe is; or
      - B) If a timeframe for providing views to the Holder is not specified in the relevant condition of this Certificate, a reasonable period during which the party may submit views to the Holder;
  - b) Undertake a full and impartial consideration of the views and other information provided by a party;
  - c) Provide a written explanation to each such party that provides views as to:
    - i. How the views and information provided by the party have been considered and addressed in a revised version of the document; or

- ii. Why the views and information have not been addressed in a revised version of the document;
  - d) Maintain a record of consultation with each party regarding the document; and
  - e) Provide a copy of the consultation record to the EAO at the same time the associated document is submitted to the EAO.
- 4.2 During Construction and Operations, the Holder will offer to meet regularly with First Nations and Nisga'a Nation to discuss:
  - a) The conditions in this Certificate and their implementation, including any updates; and
  - b) Any concerns raised by First Nations and Nisga'a Nation.
- 4.3 The Holder must be available to meet with First Nations and Nisga'a Nation at least quarterly through Construction and the first year of Operations, then semi-annually thereafter, unless otherwise authorized by the EAO.

## **5. Compliance Verification and Reporting**

- 5.1 The Holder must provide to the EAO and Nisga'a Nation any document, data or information requested by the EAO for the purposes of compliance inspection and verification. The Holder must provide any document, data or information requested within the timeframe and in the manner specified by the EAO.
- 5.2 The Holder must submit a report to the EAO on the status of compliance with this Certificate at the following times, unless otherwise authorized by the EAO:
  - a) At least 30 days prior to the planned commencement of Construction; and
  - b) On or before March 31 in each year after the start of Construction, until five years after the start of Operations.
- 5.3 The report referred to in subsection 5.2 must be in a form satisfactory to the EAO. The EAO may adjust or extend this reporting requirement by providing written notice to the Holder.

## **6. Project Status Notification**

- 6.1 The Holder must notify the EAO and Nisga'a Nation in writing 30 days prior to the planned commencement of:
  - a) Construction;
  - b) Operations; and
  - c) Decommissioning.
- 6.2 The Holder must notify the EAO and Nisga'a Nation in writing within 30 days of the following milestones occurring:
  - a) Suspension of Construction, if any;
  - b) Suspension of Operations, if any;

- c) Completion of Decommissioning; and
  - d) Occurrence of additional Workers on site as per section 3.3(b) of the Certified Project Description.
- 6.3 The Holder must notify the EAO in writing, within 30 days after the issuance of this Certificate, of the primary contact for the Project and provide the physical address, email address and phone number(s) of the primary contact.
- 6.4 Should the primary contact for the Project change, the Holder must notify the EAO in writing within 30 days of the change occurring and provide the physical address, e-mail address and phone number(s) of the new primary contact.

## **7. Compliance Notification**

- 7.1 The Holder must notify the EAO and Nisga'a Nation as soon as practicable, and in any event no more than 72 hours, after the Holder determines that the Holder has not, or may not have, fully complied with this Certificate.

## **8. Independent Environmental Monitor**

- 8.1 The Holder must retain an Independent Environmental Monitor (IEM) throughout Construction and the first year of Operations and, if later, until the Holder has provided notice under paragraph 19.1(b) that the Holder has discontinued the use of power barges as a supplemental source of power for the Project. The IEM must be a Qualified Professional with a minimum of five years' experience in monitoring Construction activities, unless otherwise approved by the EAO.
- 8.2 Subject to any exceptions set out in the terms of engagement for the IEM, when providing information or reports to the EAO, the IEM must not provide such information or reports to the Holder in advance of providing such information or reports to the EAO.
- 8.3 The Holder must develop the terms of engagement for the IEM in consultation with First Nations and Nisga'a Nation.
- 8.4 No later than 45 days prior to the planned commencement of Construction, the Holder must:
  - a) Provide to the EAO, for approval, the name, organization and qualifications of the proposed IEM and the IEM terms of engagement; and
  - b) Provide notice to First Nations and Nisga'a Nation of the name, organization and qualifications of the proposed IEM.
- 8.5 Prior to a change in the IEM, the Holder must provide the name, organization and qualifications of the proposed new IEM to:
  - a) The EAO for approval; and
  - b) First Nations and Nisga'a Nation for information.



- 8.6 The Holder must not start Construction until the selection of the IEM and the terms of engagement have been approved by the EAO.
- 8.7 The Holder must ensure that the terms of engagement include, at a minimum, the following:
- a) A requirement for the IEM to undertake the following actions as directed by the EAO:
    - i. Observe, record for, and report to the EAO with respect to the Holder' compliance with this Certificate; and
    - ii. Provide information on compliance to the EAO and First Nations and Nisga'a Nation;
  - b) The role, responsibilities and qualifications of the IEM;
  - c) The nature and frequency of monitoring;
  - d) The process whereby the IEM will make recommendations to the Holder to take mitigative or corrective actions to address any non-compliance or potential non-compliance with this Certificate and how the recommendations will be communicated to the EAO;
  - e) Information to be provided to First Nations and Nisga'a Nation;
  - f) The situations in which the IEM has authority from the Holder or under other provincial or federal authorizations to stop work on part or all of the Project if the IEM determines that:
    - i. The Holder has not, or may have not, complied fully with the requirements of this Certificate; and
    - ii. Stopping work is necessary to prevent or reduce Project-related adverse effects as determined by the IEM; and
  - g) The process and timing for updating the terms of engagement, including any consultation with agencies, First Nations and Nisga'a Nation that would occur in connection with such updates; and
  - h) The requirement that, on completion of Construction, the first year of Operations and when the power barge use is discontinued, the IEM must submit a Project phase completion report to the EAO. The reports must be written by the IEM and must include:
    - i. A record of all non-compliances with this Certificate;
    - ii. A record of the recommendations made by the IEM to the Holder to prevent or address any non-compliance with this Certificate;
    - iii. A record of whether any recommendations from the IEM were implemented and the corresponding outcome of implementation;
    - iv. A record of all instances where the IEM required work be stopped for the reasons referred to in paragraph 8.7(f);
    - v. Assessment of the effectiveness of the mitigation measures required by the conditions of this Certificate for Construction and the first year of Operations; and
    - vi. (If applicable) recommendations on how to achieve and maintain compliance with the conditions of this Certificate for the next Project phase.

- 8.8 The Holder must ensure that the IEM is complying with the terms of engagement throughout the period that the IEM is retained by the Holder under subsection 8.1.

## **9. Construction Environmental Management Plan**

- 9.1 The Holder must retain one or more Qualified Professionals to develop a Construction Environmental Management Plan (CEMP). The plan must be developed in consultation with First Nations, Nisga'a Nation, British Columbia Energy Regulator (BCER), Northern Health Authority, the Canadian Coast Guard, Transport Canada, the Ministry of Environment and Parks (ENV), Ministry of Housing and Municipal Affairs and the Ministry of Water, Land and Resource Stewardship. The Holder must provide no less than 30 days for parties to provide views on the plan.
- 9.2 Following development of the plan, the Holder must provide the CEMP to the EAO for approval a minimum of 90 days prior to the planned commencement of Construction.
- a) The Holder must also provide the CEMP to First Nations and the Nisga'a Nation within 48 hours after submission to EAO.
- 9.3 The Construction Environmental Management Plan must include at least the following:
- a) How the mitigation measures applicable to Construction in Table A.1 – Mitigation and Enhancement Measures of Appendix A – Summary of Mitigation Measures of the Application will be implemented;
- 9.4 The Construction Environmental Management Plan must include, at a minimum, how the following will be addressed:
- a) Erosion and sediment control;
  - b) Site restoration;
  - c) Waste management;
  - d) Spill prevention and response related to hydrocarbon storage and leaks or other accidental emissions from machinery or equipment;
  - e) Water quality management (both freshwater and marine);
  - f) Acidification and eutrophication monitoring in aquatic and terrestrial environments;
  - g) Marine access to the Project site;
  - h) Noise management;
  - i) Environmental emergency response;
  - j) Hazardous waste management;
  - k) Air quality management;
  - l) In consideration of Nisga'a Nation and First Nation policies and procedures, Archaeological and heritage resources management including:
    - i. site-specific management of known archaeological and heritage resources; and
    - ii. chance find protocols (including both archaeological finds and potential paleontological finds) that will respect Nisga'a Nation protocols for discoveries on Category A Lands, and include notifying First Nations; and

- m) Results of any pre-construction surveys required for the CEMP must be shared with consultative parties in subsection 9.1 to inform appropriate mitigation and monitoring measures.
- 9.5 The CEMP must include a Wildlife and Wildlife Habitat Plan, including but not limited to the following:
- a) Measures to monitor and report on implementation of mitigation measures;
  - b) Measures to avoid or reduce Project-related loss or alteration of wildlife habitat features, impediments to wildlife movement, and injury or mortality of wildlife;
  - c) A plan to manage human-wildlife conflict to avoid or reduce direct wildlife mortality;
  - d) Reporting of project-related wildlife deaths, injuries and conflict animals;
  - e) Grizzly bear mitigations and reporting;
  - f) Results of pre-construction surveys for candidate bat habitat features (including roosts, hibernacula, and maternity roosts);
  - g) Where work is required to be completed during sensitive timing windows (such as due to safety considerations), and if that will affect a candidate bat roost, hibernacula, or maternity roost site, as identified in pre-construction surveys in paragraph 9.5(f), a Qualified Professional will determine appropriate feature-specific mitigations for effects;
  - h) Results of western screech owl pre-construction surveys that follow BC Resources Information Standards Committee standards to identify habitat and any additional mitigation measures for western screech owl;
  - i) The requirement for the bridge to cross the creek between the floating LNG facility cooling systems;
  - j) A wildlife incident monitoring program that will document and report wildlife strikes and mortality events applicable to the Project Construction marine transport activities between Gingolx, Prince Rupert and Port Edward and Project transportation activities on Highways 113 and 16 between Terrace, Prince Rupert and Gingolx; and
  - k) How migratory bird timing windows were incorporated into scheduling planned flaring events, where feasible from a technical and safety perspective, to minimise the risk of mortality and injury to birds during Construction.
- 9.6 The CEMP must include a Marine Underwater Noise Monitoring and Management Plan, including but not limited to the following:
- a) Mitigation and monitoring measures for protection of marine mammals and fish during in-water pile driving;
  - b) Use of vibratory methods when pile driving, to the extent possible, as determined by a Qualified Professional;
  - c) Use of bubble curtains if impact pile driving is required, as determined by a Qualified Professional; and
  - d) Measures to validate during the first year of Operations, the Application's predictions of underwater noise generated by the FLNG during Operations
- 9.7 The CEMP must include measures for mitigating effects on vegetation and wetlands, including but not limited to the following:
- a) Invasive species management;

- b) Natural revegetation or active reclamation in areas which are not required for Operations;
  - c) Implementation of windthrow management strategies, such as edge stabilization techniques, in areas of old growth forest; and
  - d) Design and construction measures to reduce effects on wetlands.
- 9.8 The Holder must not implement the plan or commence Construction until the plan has been approved by the EAO, unless otherwise authorized by the EAO.
- 9.9 The Holder must implement the plan, and any updates made pursuant to subsection 2.2 or paragraph 3.2(h), throughout Construction, under the direction of a Qualified Professional retained by the Holder, and to the satisfaction of the EAO.

## **10. Public Information**

- 10.1 The Holder must establish a dedicated Project website or an alternative online medium that provides the same or better access to the Project information as a traditional website. The Holder must make the information required in subsection 10.2 available to the public without online tracking, or the need for registration, credentials or payment.
- 10.2 The Holder must include the following information on the website or alternative online medium:
- a) A copy of the current version of this Certificate and any amendments thereto;
  - b) A description of the Project, current Project status and Project updates;
  - c) The date of the last update of the website or alternative online medium;
  - d) Contact information for the Holder;
  - e) Reporting quarterly on the status of monitoring programs and the results of monitoring programs and activities required by conditions in this Certificate;
  - f) A description of how to submit questions or concerns about the Project to the Holder as required by Condition 11;
  - g) The means by which the Holder will respond to any questions or concerns submitted about the Project;
  - h) Notice of any community meetings or other public engagement opportunities for the public, First Nations or land users in addition to other forms of advertising (newspaper, radio, or social media) for the public engagement opportunities;
  - i) Public health and safety information related to the Project as relevant to the public;
  - j) Current versions of all plans required to be provided to the EAO by this Certificate, unless otherwise authorized by the EAO;
  - k) Descriptions of planned activities related to each Project phase including, as applicable, the anticipated timing, duration, and type of disturbance may occur to the public; and
  - l) Reports on the Project's electrification usage, as required in subsection 19.4.
- 10.3 The Holder must establish the Project website or alternative online medium at least 60 days prior to the planned commencement of Construction. The Project website or alternative online medium must be maintained throughout Construction and Operations and updated at least quarterly, unless otherwise authorized by the EAO.

## 11. Community Feedback Process

- 11.1 The Holder must establish communication methods for providing the public, First Nations, and Nisga'a Nation with information about the Project that enables the public, First Nations, and Nisga'a Nation to submit comments or concerns about the Project. These methods must include: a dedicated Project website as required by Condition 10, a telephone line, and newspaper notices; unless there are alternative medias that provide the same or better access to the Project information as these communication methods. The Holder must develop a process for triaging, tracking and reporting items raised through meetings, the Project website or via the telephone line or email address. The website or alternative online medium must allow the public, First Nations, and Nisga'a Nation to access the information required in subsection 10.2 without tracking, or the need for registration, credentials or payment.
- 11.2 The Holder must make the following information available through one or more of the communication methods:
- a) A description of how to submit questions or concerns about the Project to the Holder, including options for anonymous submissions and self-identification as Indigenous, and a description of how personally identifying information for any person submitting a comment will be kept confidential; and
  - b) The means by which the Holder will respond to any questions or concerns submitted about the Project.
- 11.3 The Project website, or alternative media as allowed for in subsection 10.1, must be updated at least quarterly during Construction and annually during Operations and Decommissioning, unless otherwise authorized by the EAO. Project updates must be published in newspapers or equivalent online publication mediums at least annually during Construction.
- 11.4 The Holder must prepare a report in consultation with First Nations and Nisga'a Nation on the community feedback process and engagement activities. The report must be to the EAO's satisfaction and provided to the EAO, Northern Health Authority, First Nations and Nisga'a Nation at the following times, unless otherwise authorized by the EAO:
- a) Quarterly from the date of commencement of Construction and throughout Construction and then annually during Operations and Decommissioning.
- 11.5 The Holder report in 11.4 must include the following information:
- a) A description of how the Holder have engaged and notified marine users, First Nations and Nisga'a Nation, and property owners within the local assessment area for marine use, as defined in section 7.11 of the Application of location and timing of Project activities;
  - b) The number and summary of comments and issues submitted through the community feedback process or other engagement activities of the Holder;

- c) Location information, where concerns are location-specific and non-confidential, and identification of trends or locations of concerns; and
  - d) A summary of the Holder' response to all issues raised, including any follow-up actions, mitigations, or resolutions applied.
- 11.6 The Holder must establish communication methods at least 60 days prior to the planned commencement of Construction.
- 11.7 The Holder must notify the EAO, First Nations and Nisga'a Nation, and Northern Health Authority of the establishment of the communication methods.
- 11.8 The communication methods must be maintained throughout Construction, Operations and Decommissioning, to the satisfaction of the EAO.

## **12. Greenhouse Gas Emissions and the Net-Zero Plan**

- 12.1 The Holder must implement, to the satisfaction of the EAO, the Net-Zero Plan within Section 6 of the Strategic Assessment of Climate Change Technical Data Report (Appendix 8B of the Application), dated August 2024 (or as updated or replaced from time to time).
- 12.2 Any offsets used in the implementation of the plan must be B.C. Offset Units unless alternative units are otherwise approved by the EAO, in consultation with the Climate Action Secretariat.
- 12.3 The Holder must, in consultation with the Climate Action Secretariat, ECCC, First Nations, and Nisga'a Nation, update the plan, to the satisfaction of the EAO, at least every five years during Construction and Operations.
- 12.4 The Holder must provide an update to the plan to the EAO and Nisga'a Nation, developed in consultation with the Climate Action Secretariat and ECCC, by June 30, 2028, and must include information on the status of transmission infrastructure and delivery of sufficient power described in the plan to electrify the Project, and implications to the Project's expected greenhouse gas emissions.
- a) If transmission infrastructure or sufficient power will not be available by January 1, 2030, the update must also demonstrate how the Project will be aligned with provincial net-zero policy (or as updated or replaced from time to time);
  - b) If the power barges will be used beyond five years following the start of Operations, the update will require, in consultation with First Nations, Nisga'a Nation, BCER and ENV details on how the Holder will monitor and address any additional effects not identified during the environmental assessment from continued power barge air quality emissions to the Surface Water Acidification and Eutrophication Study/Assessment Area, as defined in 7.4.4 in the Application, including, but not limited to:
    - i. A lichen monitoring plan developed by a Qualified Professional, to assess, monitor, mitigate and report on predicted effects to lichen for the duration of power barge use; and

- ii. Implementation of additional mitigation measures that may be required to address any impacts in respect of air quality not previously identified in the environmental assessment, until sufficient power is available to discontinue use of the power barges pursuant to subsection 19.1.
- 12.5 The plan, and any updates made pursuant to subsections 2.2 or 12.4 or paragraph 3.2(h), must be implemented throughout Construction, Operations, and Decommissioning under the direction of a Qualified Person retained by the Holder and to the satisfaction of the EAO.

### **13. Marine Transportation Communication Plan**

- 13.1 The Holder must develop a plan regarding Marine Transportation Communication. The plan must be developed in consultation with First Nations, Nisga'a Nation, Haida Nation, Canadian Coast Guard, and Transport Canada. The Holder must provide no less than 30 days for parties to provide views on the plan.
- 13.2 Following the development of the plan, the Holder must provide the plan to the EAO and Nisga'a Nation for review a minimum of 60 days prior to the planned commencement of Construction-related marine shipping.
- 13.3 The plan must include a description of how the Holder will undertake the following:
  - a) Regular communication of Project activities that may affect marine use with marine users, in an accessible, plain language, and succinct format, including commercial, recreational and First Nations and Haida Nation's fisheries, including Nisga'a Nation's fisheries, recreationists, commercial tourism operators, Transport Canada, Fisheries and Oceans Canada, and relevant stakeholders;
  - b) Establish an accessible liquefied natural gas (LNG) carrier shipping schedule notification processes for First Nations, Haida Nation, and Nisga'a Nation;
  - c) Reporting mechanisms for First Nations, Haida Nation, and Nisga'a Nation, and marine users to report on any concerns related to LNG carrier interference with marine use as required in paragraph 11.2(a);
  - d) Location information, where concerns are location-specific and non-confidential, and identification of trends or locations of concerns; and
  - e) Establishment of a grievance process for First Nation, Haida Nation, and Nisga'a Nation marine users experiencing loss of marine access, fishing equipment or other marine use effects, as a result of Project-related marine shipping and transportation including;
    - i. A process for settlement of claims for loss of fishing gear.
- 13.4 The plan and its findings or conclusions, and any updates made pursuant to subsection 2.2 or paragraph 3.2(h), must be implemented under the direction of a Qualified Person retained by the Holder during any period of the Project when Project-related marine shipping is ongoing, to the satisfaction of the EAO.

## 14. Health and Medical Services Plan

- 14.1 The Holder must retain a Qualified Person(s) with education in public health and/or health services and a minimum of five years' experience in the planning and delivery of health care services for natural resource development projects, unless otherwise authorized by the EAO, to develop a plan for health and medical services for the Project Workers. The plan must be developed in consultation with Northern Health Authority, First Nations and Nisga'a Nation. The Holder must provide no less than 60 days for parties to provide views on the plan.
- 14.2 Following the development of the plan, the Holder must provide the plan to the EAO and Nisga'a Nation for review a minimum of 60 days prior to the planned commencement of Construction, unless otherwise authorized by EAO.
- 14.3 The plan must include at least the following:
- a) Identification of how the guidance and recommendations from "Northern Health Authority Emergency Roles and Responsibilities", "Expectations of Industrial Medical Service Providers" (or as updated or replaced from time to time), "Health and Medical Services Plan Best Management Guide for Industrial Camps" (Northern Health Authority, March 2015, or as updated or replaced from time to time), "Communicable Disease Management Guide" (Northern Health Authority, January 2023, or as updated or replaced from time to time), and "Health and Safety During the Opioid Overdose Emergency: Northern Health Authority's Recommendations for Industrial Camps" (Northern Health Authority, August 2018, or as updated or replaced from time to time) has been incorporated into the Health and Medical Services Plan and a rationale for any guidance from these documents not incorporated;
  - b) Identification of how guidance and relevant reports from First Nations' and Nisga'a Nation's health departments has been considered;
  - c) A plan for addressing communicable disease, including risk assessment and management, preparedness, disease and infection prevention, and outbreak protocols;
  - d) Provision of on-site medical services including, first aid, medical rooms, primary care, culturally appropriate mental health support, occupational health and emergency care at the worksite by on-site medical staff;
  - e) The means by which the Holder will minimize impacts to local non-urgent care services including by requesting Workers to seek medical care in their home communities or in camps, where medical services are provided in camps;
  - f) A communication strategy between the Holder and local health service providers on matters including patient care and transfer, data collection and reporting;
  - g) How health reporting will be produced quarterly during Construction and annually during Operations and Decommissioning, including information pertaining to the following for Workers:
    - i. Observational information, where provided from Northern Health Authority, on the management of health and medical services pressures;



- ii. Number of Worker presentations to site-based or camp-based clinic or aid station;
    - iii. Workplace referrals to a doctor or Nurse Practitioner;
    - iv. Number of on-duty Worker visits to hospital;
  - h) A process through which the Projects impacts to the public health care system, including non-urgent care services, will be adaptively managed; and
  - i) How the mitigation measures applicable to Community Health and Wellness and Infrastructure and Services in Table A.1 – Mitigation and Enhancement Measures of Appendix A – Summary of Mitigation Measures of the Application will be implemented.
- 14.4 The Holder must track the use of, and Worker satisfaction with, the health and medical services and facilities offered at the Worker accommodation, with the intent to adapt these medical services and facilities to best support Workers' recreational, physical and mental health needs.
- 14.5 The plan, and any updates made pursuant to subsection 2.2 or paragraph 3.2(h), must be implemented throughout Construction, Operations and Decommissioning under the direction of a Qualified Person(s) retained by the Holder and to the satisfaction of the EAO.

## **15. Gender and Cultural Safety Plan**

- 15.1 The Holder must retain one or more Qualified Person(s) with training and experience relevant to human resources, gender and cultural safety, and industrial camps to develop a gender and cultural safety plan which would apply to all Workers of the Project. The plan must be developed in consultation with Northern Health Authority, First Nations and Nisga'a Nation. The Holder must provide no less than 30 days for parties to provide views on the plan.
- 15.2 Following the development of the plan, the Holder must provide the plan to the EAO and Nisga'a Nation for review a minimum of 60 days prior to the planned start of Construction, unless otherwise authorized by EAO.
- 15.3 The plan must include at least the following:
- a) A gender-based violence prevention program that applies to all Workers and includes, at a minimum:
    - i. How the Holder has considered and incorporated recommendations from the "Addressing Gender-Based Violence and Harassment: Emerging Good Practice for the Private Sector" (International Finance Sector 2020, or as updated or replaced from time to time);
    - ii. A bullying and harassment policy that communicates the Holder commitment to fostering a safe, respectful, and inclusive work environment, with clear guidelines on unacceptable behavior and the consequences for violations;

- iii. Workplace harassment and violence prevention training that educates Workers on respectful workplace behaviour, proactive bystander intervention, and empowering Workers to create a culture of accountability;
  - iv. A Worker code of conduct that will be applicable to, and signed by, all Workers and must include at least the following:
    - A) Details outlining consequences for not complying with the code of conduct, including potential termination and removal from the Project and disqualification for re-employment at the Project;
    - B) Details outlining forms or actions of unacceptable Worker behaviour and the process for addressing and correcting unacceptable Worker behaviour;
    - C) Standards for behaviour at work to deter sexual exploitation, abuse, and harassment as well as gender-based violence; and
    - D) How the Worker code of conduct will be implemented and communicated at the Project site, including Worker accommodations, and endorsed by the Workers.
  - v. Gender and cultural safety training as part of Worker onboarding. This training must include topics that address at least the following:
    - A) The risk for Indigenous women and girls to be disproportionately impacted by industrial camps and how their lived experiences are often different from non-Indigenous peoples and Indigenous men;
    - B) Privilege and discrimination based on gender, class, and ethnicity; and
    - C) Historical context of the area and intergenerational trauma.
  - vi. Violence and sexual harassment or abuse prevention training as part of Worker onboarding. This training must include at least the following:
    - A) Mandatory sexual exploitation, abuse, and harassment prevention training provided for all Workers with refresher training at least once per year,
    - B) Staff supervisors of Workers must undergo additional training sessions, conducted by a Qualified Person(s) with appropriate training in workplace violence and sexual harassment or abuse, to enable the Holder and staff supervisors to effectively support Workers who disclose instances of workplace sexual exploitation, abuse, and harassment and gender-based violence; and
    - C) Annual reporting on the number of Workers having completed training.
- b) A gender-based violence response program that includes, at minimum:
  - i. A confidential reporting system, that is culturally sensitive, and trauma informed, for individuals to report complaints of sexual exploitation, abuse, harassment, and gender-based violence associated with the Project;
  - ii. Procedures for how the Holder will respond to the complaints made to the reporting system outlined in paragraph 15.3(b)(i) or any other mechanism by which a complaint is made to the Holder;
  - iii. A comprehensive process to address and prevent retaliation against individuals who raise complaints, concerns, or disclose information regarding

workplace misconduct, including but not limited to gender-based violence, sexual exploitation, abuse and harassment. This process must include, at a minimum, the following:

- A) Clear definition of retaliation;
  - B) Reporting mechanisms;
  - C) Investigation protocols;
  - D) Protection measures;
  - E) Disciplinary actions; and
  - F) Support services.
- iv. How the Holder will ensure Workers are informed and aware of how the reporting system will work, through documented orientation or training procedures, what happens when a complaint is made, and how Workers can be protected from reprisals; and
  - v. Quarterly reporting that summarizes aggregated data on the number and types of complaints received by the Holder as described in paragraph 15.3(b), including those submitted under means other than the confidential reporting system.
    - A) These reports must summarize the Holder's response or actions taken to address the complaints; and
    - B) The reports must be prepared to the EAO's satisfaction, must be provided to the EAO, Northern Health Authority, First Nations and Nisga'a Nation, and must include annual reporting on the number of Workers having completed each type of training described in paragraph 15.3 (a) (v) and (vi).

15.4 The plan, and any updates made pursuant to subsection 2.2 or paragraph 3.2(h), must be implemented throughout Construction, Operations and Decommissioning under the direction of a Qualified Person(s) retained by the Holder and to the satisfaction of the EAO.

## **16. Worker Health and Wellness**

16.1 The Holder must ensure the following medical and/or mental health professionals and services are provided and accessible to Workers at the Project location, throughout Construction, Operations, and Decommissioning, to the satisfaction of the EAO:

- a) The Holder must retain a Qualified Professional(s), including but not limited to a Nurse Practitioner, to provide medical services within the Worker accommodation, at all hours of the day, to reduce use of and reliance on non-emergency medical services in the northern health region of B.C.;
- b) Medical professional(s) at the Worker accommodation must be equipped to provide timely access to a qualified mental health support professional;
- c) Medical professional(s) at the Worker accommodation must be trained in sexual health and on-site medical facilities must offer sexual health related resources and options for medical referrals; and

- d) Substance use awareness training must be provided by the Holder as part of Worker orientation. Workers must be provided reasonable accommodations to access substance use support services on and off shift to ensure continuity of care without the risk of permanent employment loss.

## **17. Socioeconomic Management Plan**

17.1 The Holder must retain a Qualified Person(s) with a minimum of five years' experience in the planning and delivery of socioeconomic programs for natural resource development projects, unless otherwise authorized by the EAO, to develop a plan to adaptively manage potential direct socioeconomic effects on services and infrastructure delivered by provincial agencies, local governments, First Nations and Nisga'a Nation. The scope of the plan is for effects that are directly attributable to the Project and related to the Project's Workers living in communities located in the Infrastructure and Services Local Assessment Area (LAA) identified in the Application. The plan must be developed in consultation with Northern Health Authority, the Ministry of Housing and Municipal Affairs, the City of Prince Rupert, the City of Terrace, the North Coast A Regional District Electoral Area, District Municipality of Port Edward, Nisga'a Nation, Regional District of Kitimat-Stikine and First Nations. The Holder must provide no less than 30 days for parties to provide views on the plan.

17.2 Following the development the plan, the Holder must provide the plan to the EAO, for approval a minimum of 60 days prior to the planned commencement of Construction.

17.3 The plan must include at least the following:

- a) Hiring and training measures that:
  - i. Prioritize regional hiring and procurement with First Nations and Nisga'a Nation;
  - ii. Provide on the job training and apprenticeship;
  - iii. Work with regional employment agencies and economic development organizations to assist in planning for increased demand for Construction and Operations Workers;
  - iv. Identify potential shortages of Workers with specific skill requirements and training, and work with regional agencies to increase opportunities for Indigenous and regional community members to obtain training required for Project participation; and
  - v. Ensure the Holder and its contractors will adopt and implement policies and practices for providing opportunities to regional businesses and contractors.
- b) Development and implementation of an accommodation policy that includes:
  - i. Measures to ensure that accommodation for Workers during Construction, Operations and Decommissioning is exclusively within existing work camps or other temporary accommodations, including floating work camps, and does not include using rental housing for Workers;
  - ii. Measures to minimize and avoid rental housing by Workers during Construction, Operations, and Decommissioning; and

- iii. Rationale and documentation for any Workers that are permitted to rent housing and the expected duration of residence.
  - c) Development and implementation of a program to restrict non-local Workers from engaging in recreational hunting, fishing, ATV or snowmobile use during on-duty but off-work hours within the Infrastructure and Services LAA identified in the Application, including avoiding areas identified by the Nisga'a Nation and First Nations;
  - d) The means by which the Holder will engage with First Nations, Nisga'a Nation, local governments and provincial government infrastructure and service providers regarding Project activities and actions related to the implementation and monitoring effectiveness of mitigation measures for socioeconomic effects;
  - e) Annual employment reporting during Construction and the first five years of Operations. These reports will include information pertaining to:
    - i. The labour force, specifically:
      - A) The number of people working (direct and contracted);
      - B) Voluntarily provided identity factors, such as gender and ethnicity;
      - C) The home location of Workers; and
      - D) Accommodation of each Worker (if non-local).
  - f) A description of policies and training being implemented pertaining to those identified in subsection 15.3;
  - g) Gender equity and diversity employment measures and practices to be implemented during Construction and Operations;
  - h) Identification of thresholds (based on the results of annual employment reporting, engagement with First Nations, Nisga'a Nation, local governments and provincial government agencies and feedback received through Condition 11 (Community Feedback Process) for further mitigation on topics, including but not limited to:
    - i. Impacts to health and medical services; and
    - ii. Impacts to housing; and
  - i) Identification of childcare service needs attributable to Project Workers.
  - j) How the mitigation measures applicable to Community Health and Wellness, Employment and Economy, and Infrastructure and Services in Table A.1 – Mitigation and Enhancement Measures of Appendix A – Summary of Mitigation Measures of the Application will be implemented.
- 17.4 The Holder must not implement the plan or commence Construction until the plan has been approved by the EAO, unless otherwise authorized by the EAO.
- 17.5 The plan, and any updates made pursuant to subsection 2.2 or paragraph 3.2(h), must be implemented throughout Construction, Operations and Decommissioning under the direction of a Qualified Person(s) retained by the Holder and to the satisfaction of the EAO.

## **18. Road Transportation Management Plan**

- 18.1 The Holder must retain a Qualified Professional(s) to develop a transportation management plan to assess road traffic impacts resulting from Project-related activities

in consultation with First Nations, Nisga'a Nation, and Ministry of Transportation and Transit (MOTT). The Holder must provide no less than 30 days for consulted parties to provide views on the plan.

18.2 Following the development of the plan, the Holder must provide the plan to the EAO for review a minimum of 60 days prior to the planned commencement of Construction.

18.3 The plan must include at least the following:

- a) A Transportation Impact Assessment consistent with requirements outlined by MOTT and their guidelines, and consult with MOTT and affected First Nations and Nisga'a Nation on issues resolution identified in the Transportation Impacts Assessment;
- b) Traffic management measures that address increased road traffic resulting from the Project;
- c) Measures to mitigate impacts of Project-related transportation on the safety and efficiency of other users of the road transportation network;
- d) Adaptive management procedures to address transportation effects on services and infrastructure delivered by provincial agencies and local governments and affected First Nations and Nisga'a Nation resulting from an increase in Project-related road traffic;
- e) An emergency response plan to address any road transportation related accidents or malfunctions;
- f) A restriction of Worker transportation methods to Project-supplied shuttle services with departure locations identified in the Application from Prince Rupert/Port Edward, Terrace and/or Gingolx; and
- g) A restriction on Workers' use of personal vehicles to access the Project-related transportation routes and require Workers to park at designated locations within Prince Rupert/Port Edward, Terrace or Gingolx in order to access Project supplied shuttle services/pick-up locations or accommodations.

18.4 The plan, and any updates made pursuant to subsection 2.2 or paragraph 3.2(h), must be implemented throughout Construction, Operations and Decommissioning under the direction of a Qualified Professional(s) retained by the Holder and to the satisfaction of the EAO.

## **19. Project Electrification**

19.1 Subject to subsection 19.2, once the Project is connected and commissioned to the BC Hydro grid,

- a) the Holder must use the full electrical capacity for Project Operations that is available and supplied to the Project by BC Hydro and reduce the use of power barges as a supplemental source of power for the Project accordingly; and
- b) once sufficient electrical capacity for Project Operations is available and supplied to the Project by BC Hydro, the Holder must notify First Nations, Nisga'a Nation and the EAO and discontinue the use of power barges as a supplemental source of power for the Project within 30 days.

- 19.2 The Holder must not use power barges to supply power to the Project after the notice under subsection 19.1(b) is received by the EAO.
- 19.3 Once the Project commences Operations, and until notice under subsection 19.1(b) is received, the Holder must submit a report to EAO, on an annual basis, on the status of the Project's electrification usage. The report must be to the satisfaction of the EAO. The report must include at least the following:
- a) The amount of power being supplied to the Project by BC Hydro and how much of the Project's capacity is being supplemented by the power barges under subsection 19.1(a);
  - b) The rationale for the supplemental use of power barges with a timeline on when the Project intends to use the full electric capacity for the Project from BC Hydro; and
  - c) How this is aligned with any updates to the plan provided in paragraph 12.4(b).;

## **20. Transmission Line Development Report**

- 20.1 The Holder must retain a Qualified Professional(s) to develop a report to confirm baseline conditions and outline the results from pre-construction surveys required for future regulatory authorizations and mitigation planning for the final transmission line section between Ksi Lisims LNG and Nisga'a Lands (as defined under the Nisga'a Treaty).
- 20.2 The Holder must ensure that the report includes at least the following:
- a) How the mitigation measures identified in Table A-2 – Summary of Mitigation Measures, Appendix A of the Application, will be implemented;
  - b) Confirmation of federal and provincial authorizations required to construct, operate and decommission the transmission line;
  - c) Confirmation of baseline conditions through pre-construction surveys and assessments that assess and identify the following:
    - i. Sensitive wetlands and vegetation, including vegetation surveys of rare plants of conservation concern as well as culturally and traditionally-important plants;
    - ii. Aquatic and marine environments, including fish and fish habitat;
    - iii. Wildlife and wildlife habitat;
    - iv. Geographical hazards; and
    - v. Archaeology and heritage sites, as determined under an Archaeological Impact Assessment completed in consultation with Nisga'a Nation and First Nations.
- 20.3 The Holder must provide the report to the BCER, ENV, Ministry of Water, Land and Resource Stewardship, First Nations, Nisga'a Nation and the EAO a minimum of 60 days prior to the planned commencement of Construction of the transmission line.
- 20.4 The report must be developed to the satisfaction of the EAO and to the satisfaction of a Qualified Professional(s) retained by the Holder.

## **21. Regional Cumulative Effects Initiatives**

- 21.1 The Holder must participate in and contribute to a regional social and economic management and monitoring committee, if such a committee (or its equivalent) is created by the provincial or local government, to address regional socioeconomic and environmental issues in which industry is invited to participate, unless otherwise authorized by the EAO.
- 21.2 The Holder must participate in the appropriate airshed group, or successor airshed monitoring programs, if such a group or program(s) is created by the provincial government in which industry is invited to participate, unless otherwise authorized by the EAO.
- 21.3 The Holder must participate in relevant federal and provincial initiatives related to effects of marine shipping in the region, including impacts to heritage resources and traditional use practices, and in which industry is invited to participate, unless otherwise authorized by the EAO.
- 21.4 The Holder must consider information and recommendations from the cumulative effects initiatives in this condition and review and update, as applicable, the plans and reports of this Certificate. These updated plans and reports must be submitted to the EAO, the Nisga'a Nation and First Nations, at a minimum, every 5 years, or as required under subsection 2.3, from the commencement of Operations and throughout Operations, unless otherwise authorized by the EAO.

## **22. Marine Water Quality Baseline Reporting**

- 22.1 The Holder must retain a Qualified Professional(s) to develop, conduct, and report the results of a marine water quality baseline monitoring program that characterizes pre-disturbance water quality conditions within the marine receiving environment. The Holder must develop the marine water quality baseline monitoring program in consultation with ENV and BCER.
- 22.2 The Holder must ensure that the report includes at least the following:
  - a) Identification of how ENV's *Marine Monitoring Guidance* (2019 or as updated or replaced from time to time) has been incorporated into the marine water quality baseline monitoring program and a rationale for any guidance from this document that was not incorporated;
  - b) Results and interpretation of the marine water quality data collected through the marine water quality baseline monitoring program;
  - c) Identification of potential contaminants of concern within the proposed effluent discharge and their baseline concentrations within the receiving environment;
  - d) Potential effects of predicted effluent discharges on the marine water quality baseline conditions; and



- e) For any results in the report that identify any additional effects not identified during the environmental assessment of the Project, the Holder must describe additional mitigation measures that will be implemented.
- 22.3 The Holder must provide the report to ENV, BCER, and the EAO a minimum of 60 days prior to the commencement of Construction.
- 22.4 The report must be developed to the satisfaction of the EAO and to the satisfaction of a Qualified Professional(s) retained by the Holder.

## **23. Wildlife Management Plan**

- 23.1 Holder must retain one or more Qualified Professional(s) to develop a wildlife management and monitoring plan for Operations and Decommissioning. The plan must be developed in consultation with First Nations, Nisga'a Nation, BCER, and the Ministry of Water, Land and Resource Stewardship. The Holder must provide no less than 30 days for parties to provide views on the plan.
- 23.2 Following development of the plan, the Holder must provide the plan to the EAO for review a minimum of 90 days prior to the planned commencement of Operations.
- a) The Holder must also provide the plan to First Nations and the Nisga'a Nation within 48 hours after submission to EAO.
- 23.3 The plan must include at least the following:
- a) How the mitigation measures applicable to wildlife and wildlife habitat in Table A.1 – Mitigation and Enhancement Measures of Appendix A – Summary of Mitigation Measures of the Application will be implemented;
  - b) Identification of mitigation measures and migratory bird timing windows, to minimize the risk of mortality and injury to birds during planned flaring events during Operations, as feasible from a technical and safety perspective;
  - c) Measures to minimize project-related loss or alteration of wildlife habitat features, impediments to wildlife movement, and injury or mortality of wildlife;
  - d) Reporting of project-related wildlife deaths, injuries and conflict animals
  - e) A plan to manage human-wildlife conflict to minimize direct wildlife mortality; and
  - f) A wildlife incident monitoring program that will document and report wildlife strikes and mortality events applicable to the Project, including marine transport activities between Gingolx, Prince Rupert and Port Edward and Project transportation activities on Highways 113 and 16 between Terrace, Prince Rupert and Gingolx.
- 23.4 The Holder must implement the plan, and any updates made pursuant to subsection 2.2 or paragraph 3.2(h), throughout Operations and Decommissioning, under the direction of a Qualified Professional retained by the Holder, and to the satisfaction of the EAO.