

**From:** [Anderson, Leith EAO:EX](#)  
**To:** [Engel, Parker EAO:EX](#)  
**Subject:** FW: LNG Canada-EAO comments on the Wildlife Management Plan  
**Date:** August 31, 2022 10:09:29 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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LNG Canada

Correspondence re: EA comments on revisions to the Wildlife Management Plan

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**From:** Anderson, Leith EAO:EX  
**Sent:** April 5, 2022 3:42 PM  
**To:** [Erin.Furlong@lngcanada.ca](mailto:Erin.Furlong@lngcanada.ca)  
**Cc:** Hutchison, Brennan EAO:EX <[Brennan.Hutchison@gov.bc.ca](mailto:Brennan.Hutchison@gov.bc.ca)>; Loveridge, Alexandria EAO:EX <[Alexandria.Loveridge@gov.bc.ca](mailto:Alexandria.Loveridge@gov.bc.ca)>  
**Subject:** RE: LNG Canada-EAO comments on the Wildlife Management Plan

Following up from our discussion earlier today:

Thanks for your quick response. I acknowledge that if flaring isn't part of construction, then it's reasonable to not include plans for flaring in the construction phase of the wildlife management plan. Should it occur that you produce a revised version of the plan, I would recommend that you include the specification that there is no flaring during construction (or similar language). This would clarify that the omission of flare management, as it relates to birds, from the plan is not problematic.

Thanks,  
Leith.

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**From:** [Erin.Furlong@lngcanada.ca](mailto:Erin.Furlong@lngcanada.ca) <[Erin.Furlong@lngcanada.ca](mailto:Erin.Furlong@lngcanada.ca)>  
**Sent:** April 5, 2022 8:22 AM  
**To:** Anderson, Leith EAO:EX <[Leith.Anderson@gov.bc.ca](mailto:Leith.Anderson@gov.bc.ca)>  
**Cc:** Hutchison, Brennan EAO:EX <[Brennan.Hutchison@gov.bc.ca](mailto:Brennan.Hutchison@gov.bc.ca)>; Loveridge, Alexandria EAO:EX <[Alexandria.Loveridge@gov.bc.ca](mailto:Alexandria.Loveridge@gov.bc.ca)>  
**Subject:** RE: LNG Canada-EAO comments on the Wildlife Management Plan

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Thank you Leith,

We are reviewing the comments below internally, as well as those received on the Vegetation plan.

I did want to respond immediately however and acknowledge that the reference to the OGC flaring management plan is not related to execute (construction) phase and therefore flaring was not included in this plan. Flaring will be addressed as we develop the wildlife plan for operations, which will commence this year.

We can discuss further at our connect later today,

Thanks again,  
Erin

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**From:** Anderson, Leith EAO:EX <[Leith.Anderson@gov.bc.ca](mailto:Leith.Anderson@gov.bc.ca)>  
**Sent:** Monday, April 4, 2022 4:34 PM  
**To:** Furlong, Erin L LNGC-P/S <[Erin.Furlong@lngcanada.ca](mailto:Erin.Furlong@lngcanada.ca)>  
**Cc:** Hutchison, Brennan EAO:EX <[Brennan.Hutchison@gov.bc.ca](mailto:Brennan.Hutchison@gov.bc.ca)>; Loveridge, Alexandria EAO:EX <[Alexandria.Loveridge@gov.bc.ca](mailto:Alexandria.Loveridge@gov.bc.ca)>; Anderson, Leith EAO:EX <[Leith.Anderson@gov.bc.ca](mailto:Leith.Anderson@gov.bc.ca)>  
**Subject:** LNG Canada-EAO comments on the Wildlife Management Plan

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Hi Erin,

Thank you for your patience in awaiting the EAO's comments on LNG Canada's proposed revision to the Wildlife Management

Plan, which was submitted to meet the requirements specified in [Condition 12](#) of LNG Canada's Environmental Assessment Certificate.

Please note that the EAO's review of the revised Wildlife Management Plan took note of the proposed changes in two separate submissions from LNG Canada, one which was submitted to the EAO in March 2021 and another version submitted in September 2021. However, the EAO's below notes referencing specific sections of the Wildlife Management Plan refer to document number "L001-09800-HE-7180-1910", which was submitted to the EAO for approval in September (although the date of the document is July 2021).

Please note that I am attaching "A Compendium of Wildlife Guidelines for Industrial Development Projects in the North Area, British Columbia", which FLNRORD noted is a very helpful document when dealing with wildlife and industrial activities and was not referenced in the WMP.

Section of WMP <sup>1</sup>	Text from Wildlife Management Plan	EAO Comment
All	Various places throughout	<p>There are many instances of language that reduces the clarity, measurability and accountability of the mitigation. Examples include "where possible", "may", "should". In cases where plan language is insufficient, the EAO, as the regulator responsible for administering the certificate, will determine whether the holder implemented requirements correctly. For example, if a plan says, "erosion prevention works will be installed, if necessary", the EAO would then determine if it's necessary to install erosion prevention works.</p> <p>Please amend language in the plan to ensure that it is clear, measurable and accountable.</p>
p. 6.4.1	Flare Management Plan will be developed in conformance with the Project Facility Permit issued by the OGC.	<p><a href="#">Condition 12</a> specifies that the Wildlife Management Plan must "Specify the consideration of migratory bird timing windows when scheduling planned flaring events, where feasible from a technical and safety perspective, to minimise the risk of mortality and injury to birds during Construction and Commissioning."</p> <p>The March 2021 edit of the Wildlife Management Plan removed the following language "In order to minimise the risk of mortality and injury to birds during flaring events during commissioning and in engagement with EC, FLNR, OGC and Haisla Nation a specific flaring management plan will be submitted to OGC and BC EAO for approval prior to the commissioning and startup phase of the project (this will be the first planned flaring event)."</p> <p>&gt;&gt;In making this change, LNG Canada has effectively proposed one of the requirements of the Condition 12 be handled by a plan other than the Wildlife Management Plan. Given that the Wildlife Management Plan requires the EAO's approval, please ensure that the plan itself meets all requirements specified in <a href="#">Condition 12</a>, including those related to migratory bird timing windows as it relates to flare management. The EAO cannot approve a Wildlife Management Plan that does not meet this requirement.</p>
12.2	n/a	Please clarify that the term "change" in Section 12.2 refers to any modification to the text, including any deletions or additions.
12.2	Changes that would trigger formal consultation and engagement activities will be based on changes to: <ul style="list-style-type: none"> <li>• An avoidance, management or mitigation measure;</li> <li>• Monitoring program requirements; and</li> <li>• Reporting program</li> </ul>	<p>It appears that the "Consultation and Engagement of Review Changes" section was added in its entirety in the March 2021 revision of the WMP.</p> <ol style="list-style-type: none"> <li>1. Please define "formal consultation" in this context. My understanding is that the paragraphs immediately following the bulleted list of activities that would trigger consultation describes the "formal consultation" process. If this is the case, please clarify.</li> <li>2. How would LNG Canada ensure that the proposed changes to items that may not fit precisely within this list do not alter or remove any specifications that are substantive from FLNR, OGC, ECCC or Haisla Nation's point of view?</li> </ol> <p>The EAO suggests that, at minimum, LNG provide notification to the parties of the proposed changes and allow a specified time for the parties to flag their concerns.</p>
12.2	Note that the focus of the review will be on those changes being proposed.	<p>The EAO welcomes LNG Canada's practice of submitting red-line copies, which highlight the changes being proposed. That said, the EAO reserves the opportunity to comment on parts of the WMP for which LNG Canada did not suggest revisions if the EAO determines that the implementation of the document is not:</p> <ul style="list-style-type: none"> <li>- meeting objectives set out in the relevant condition(s) of the Certificate or the purpose and objectives set out in the document,</li> <li>- having the effects, set out in the document, that are contemplated or intended, or</li> </ul>

		- consistent with changes in industry best practices or technology.
12.2	Comments received from regulators and Indigenous groups within the scope of the Condition will be recorded either within the supplemental memo or in a consultation comment tracker (CCT) and addressed prior to the subsequent document submission to EAO.	<p>The EAO would determine which comments are within the scope of the review. As such, please record all comments received from regulators and Indigenous nations/groups.</p> <p>Please remove “within the scope of the Condition”.</p>
12.2	<p>There may be other types of changes to the EMP made during the scheduled review, for example:</p> <ul style="list-style-type: none"> <li>• Administrative (i.e. contract strategy, regulator name changes)</li> <li>• Updated Regulations List (in Appendix)</li> <li>• Requests from agencies or Indigenous groups for wording changes for clarity</li> </ul>	<p><u>Condition 8</u> requires that the WMP be developed “in consultation with EC, FLNR and OGC” and that reasonable efforts be made to engage with Haisla Nation in developing and sharing information regarding the WMP.</p> <p>Some small changes to wording or punctuation can alter the commitment. As such the EAO proposes that LNG Canada should not assume that such changes can be implemented without engagement. Suggest removing this bullet (in red text). Consultation should be conducted on such changes.</p> <p>The EAO suggests that, at minimum, LNG provide notification to the parties of the proposed changes and allow a specified time for the parties to flag their concerns.</p>

1.

2.

Thanks,

**LEITH ANDERSON**

Project Assessment Officer  
Environmental Assessment Office  
Government of British Columbia

OFFICE: 778-698-9337

[Twitter.com/BC\\_EAO](https://twitter.com/BC_EAO)



***The EAO respectfully acknowledges that it carries out its work on the traditional territories of Indigenous nations throughout British Columbia.***

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Controlled Document

## Wildlife Management Plan

Document Number	L001-09800-HE-7180-1910
DCAF Control ID	N/A
Document Revision	0C
Document Status	Issued for Approval
Discipline Document Type	HE7180 - Other Report
Author Organization	JFJV
Revision Date	08-Jul-2021
Export Control	EAR99
Security Classification	Restricted
Approving Organization	JFJV

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