

April 9th, 2020

Premier John Horgan,
BC Parliament Buildings,
Victoria, BC

Delivered by email: Premier@gov.bc.ca

Re: Environmental Representation on BC's Economic Recovery Task Force

Dear Premier Horgan,

We appreciate that your government has been intensely focused on addressing the immediate needs of British Columbians facing the pandemic and the enormous changes in all of our lives. However, we are writing today about ensuring the future economic stimulus measures move us decisively towards the cleaner, greener economy that British Columbians want.

Unfortunately, the makeup of the recently announced Economic Recovery Task Force shows that BC is instead choosing business as usual. It was very disappointing to our organizations, and the hundreds of thousands of supporters we represent, that environmental representation was excluded from the Task Force.

Representation from **environmental organizations** on this Task Force is essential. Ensuring communities are healthier, more secure and resilient post-Covid to face future crises requires that environmental assets and values are central to economic recovery programs. Various representatives have worked with this government on key policy endeavours - from climate action to forestry to wildlife conservation - and environmental organizations must remain a key part of the conversation that could fundamentally reshape BC's economy for a generation.

As well, in 2018 the government proudly declared that CleanBC will be key to its industrial and economic strategy, yet neither **Minister Heyman** nor anyone from the government's **Climate Solutions Council** were included on the Task Force. This representation is necessary to ensure economic stimulus not only aligns with, but fast tracks, implementation of the CleanBC plan and the achievement of our GHG reduction targets.

While these conversations are just starting, we believe that economic stimulus should adhere to these key principles:

1. Ensure workers are at the forefront of economic stimulus. This emergency has confirmed that everyday workers are what holds our society together. They should be put first in decisions made about supports in our economy, and not asked to bear the brunt of transitions in industries that must change;
2. Prioritize those stimulus actions that further reconciliation with Indigenous communities, and ensure systemic inequalities are reduced or eliminated;
3. Invest in and incentivize building the low-carbon economy we want that will create skilled, resilient jobs in economic sectors with a bright future while ensuring BC meets or

exceeds its GHG reduction targets and is on a path towards Canada's commitment to meet net-zero by mid-century;

4. Enable British Columbians to plan for and implement measures that bring greater health and security for our communities in the future, such as providing stimulus funding for local farming and diverse food security systems; enabling more distributed energy generation; building green infrastructure; and securing clean and reliable water supplies and biodiversity habitat through better planning and restoration.

Though we are in the midst of this crisis, we know we will face future crises - severe climate change impacts, natural disasters, shocks to global energy and financial markets, other pandemics; it is our hope that this recovery leaves us better prepared for the next. We need to think outside the parameters of the social and economic constructs that brought us here if we want to rebuild our economy in a way that creates greater security and resilience for us all.

If you have any questions about our proposals or would like to discuss them further, please contact us through Lisa Matthaus, Organizing for Change, 250-888-5194 or lisa@organizingforchange.org.

Signed:

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**MINISTRY OF ENVIRONMENT AND
CLIMATE CHANGE STRATEGY
BULLETS**

April 16, 2020

CLIFF/eApprovals #: 357231/4485

PREPARED FOR: Honourable George Heyman, Minister of Environment and Climate Change Strategy (ENV)

SUBJECT: Trans Mountain Expansion Project (TMEP) and ENV Mandate

BULLET RESPONSE:

- In July 2017, ENV's Mandate Letter included employing "*every tool available to defend B.C.'s interests in the face of the expansion of the Kinder Morgan pipeline, and the threat of a seven-fold increase in tanker traffic on our coast*" as one of its major priorities.
- Since 2017 to date, ENV has been integrally involved in assisting the B.C. Ministry of Attorney General (AG) with its court applications advancing provincial interests of limiting unacceptable risks to B.C.'s environment, coast, and economy associated with the expansion of the federal Trans Mountain Pipeline (TMP).
- ENV's participation has consisted of providing technical advice focused on the impacts of marine spills and impacts from project-related tankers on Southern Resident Killer Whales.
- On April 26, 2018, the Province submitted a reference question to the B.C. Court of Appeal asking whether proposed legislation under the *Environmental Management Act* would be constitutional. The legislation would establish a permit system creating conditions for heavy oil travelling through B.C.
- On January 22, 2019, the Province filed its final argument in the National Energy Board's reconsideration process recommending against the issuance of certificate for approval of the TMEP.
- On May 24, 2019, the B.C. Court of Appeal ruled against the Province's proposed legislation saying it was outside provincial authority to create a permitting system with the power to frustrate or stop the operation of a federal government undertaking. The Province appealed the decision to the Supreme Court of Canada.
- On January 16, 2020, the Supreme Court of Canada unanimously dismissed the Province's application and upheld the B.C. Court of Appeal's earlier decision.

s.13; s.14

- Over the last several months, ENV staff have been holding productive discussions with Transport Canada, Environment and Climate Change Canada, and Natural Resources Canada on ways to align on the proposed spill management regulations with current requirements. For background, attached is ENV's review of the federal government's initiatives related to TMEP as of May 2019.
- In February 2020, ENV staff heard from Trans Mountain Corporation staff on the geographic response strategies and response times capabilities it currently has in place within its emergency management system.
- The TMP is a regulated person under ENV's spill management regulations, and is required to have spill contingency plan requirements in place. ENV will continue to connect with and monitor the progress of TMP in this respect.
- The B.C. Environmental Assessment Office is currently reviewing the conditions attached to the TMP's provincial environmental certificate, and it is anticipated the public, First Nations, and associations will have an opportunity to contribute to this review.

Attachment:

1. Federal Spill Initiatives Table (May 2019)

| | | |
|---|---|---|
| Contact: <i>Laurel Nash</i> <i>Environmental Protection</i> <i>Division</i> | Alternative Contact: <i>Elena Merritt</i> <i>Environmental</i> <i>Emergency and Land</i> <i>Remediation Branch</i> | Prepared by: <i>Greg Bauch</i> <i>Environmental Emergency and Land</i> <i>Remediation Branch/Victoria</i> |
| 250-953-4004 | 778-698-4413 | 778-698-4907 |

Table 1. Federal Spill Initiatives Table

May 28, 2019

| Topic | Initiative/document | Details | Link (source) |
|--|------------------------------|---|---|
| Federal Spill Response Preparedness | Oceans Protection Plan (OPP) | <ul style="list-style-type: none"> In 2016, the Government of Canada launched the comprehensive, national, \$1.5 billion Oceans Protection Plan. Spill preparedness initiatives include: <ul style="list-style-type: none"> Increase SAR and emergency response capacity; four new lifeboat stations in BC: Victoria, Hartley Bay, Port Renfrew, and Nootka; (estimated 32 positions/ongoing funding \$7M/year) 24/7 emergency response capacity Operations Centers; focused primarily on marine pollution incidents - operational by spring 2020 New RADAR facilities expanding coverage of BC Regional Response Planning Pilots – North Bio-shelf Region and Strait of Juan de Fuca Baseline Environmental data on BC north coast The <i>Northern Shelf Bioregion (NSB) Response Plan</i> is an operational area plan that guides emergency response to a marine pollution incident. It informs how response partners will work together to manage a spill. | https://www.tc.gc.ca/eng/report-canadians-investing-coasts-oceans-protection-plan.html# Measures focused on The NSB is in progress and all documents are draft https://www.tc.gc.ca/en/campaigns/protecting-coasts.html |
| Federal Spill Response - Response | Oceans Protection Plan (OPP) | <p>BC officials have been working closely with the federal government to help shape federal key priorities. Key initiatives to be funded under the OPP to date include:</p> <ul style="list-style-type: none"> National adoption of Incident Command System (ICS) Additional estimated 32 Response personnel and equipment at four new lifeboat stations Creating new CCG auxiliary program with Coast Indigenous people in BC Two emergency offshore towing vessels - off the coast of British Columbia - 3-year lease \$67M (1st vessel 2019) Alternative response measures (ARMS) research Potential Places of Refuge Pilot - Haida Gwaii Annex | https://www.tc.gc.ca/eng/report-canadians-investing-coasts-oceans-protection-plan.html# Measures focused on https://www.tc.gc.ca/en/campaigns/protecting-coasts.html |
| Federal Restoration | Oceans Protection Plan (OPP) | <ul style="list-style-type: none"> \$75M Coastal Restoration Fund that supports Indigenous and coastal communities undertaking projects in ecosystems vulnerable to marine shipping and development. BC's share is \$15.8M creating an opportunity to direct more funding towards BC salmon projects. 11 projects from Indigenous and community groups were funded in the first round. The Coastal Restoration Fund addresses historically degraded areas and will support projects that contribute to coastal restoration plans; support the identification of restoration priorities; and threats to marine species located on Canada's coasts. | https://www.tc.gc.ca/eng/report-canadians-investing-coasts-oceans-protection-plan.html# Measures focused on https://www.canada.ca/en/transport-canada/news/2017/05/coastal_restorationfund.html Info also obtained from a BC document |

| Topic | Initiative/document | Details | Link (source) |
|--------------------------------------|---|---|--|
| WCMRC Investments | Trans Mountain Enhancement Program | <ul style="list-style-type: none"> \$150 million invested in a spill response enhancement program New equipment and new response bases established in the Salish Sea \$10 million new response base in Nanaimo Reduced initial response times from more equipment and a new base on Fraser River 43 new response vessels, doubling the current WCMRC fleet to 88 vessels Eight new spill response bases in the Salish Sea. The proposed bases would include 24/7 on-water bases in Vancouver Harbour and North Saanich Approximately 120 new employees, most of who would be assigned to new bases on Vancouver Island The operating infrastructure to integrate the enhancements into a functional system | http://wcmrc.com/preparedness/strategies/ http://wcmrc.com/news/lease-agreement-signed-new-nanaimo-response-base/ |
| WCMRC Investments (continued) | Coastal Response Program & Geographic Response Strategies | <ul style="list-style-type: none"> Community education on what to expect when a spill occurs Outreach to collect information for local community members in the event they're needed during a spill Coastal mapping to identify coastal sensitivities | http://www.coastalresponse.ca/ |
| | | | |
| SRKW Investments | Enhancing Cetation Habitat and Observation (ECHO) Program | <ul style="list-style-type: none"> Vancouver Fraser Port Authority led initiative aimed at better understanding and managing the impact of shipping activities on at-risk whales throughout the southern coast of British Columbia. The long-term goal of the ECHO Program is to develop mitigation measures that will lead to a quantifiable reduction in potential threats to whales because of shipping activities. The goal of this agreement is to reduce acoustic and physical disturbances from large commercial vessels in Pacific waters, those vessels that call at the Port of Vancouver. This agreement commits the parties to do so through the development and implementation of threat reduction measures to support Southern Resident killer whale recovery and in advancing research and educational outreach. | https://www.transmountain.com/news/2016/enhancing-cetacean-habitat-and-observation-echo-program |
| | OPP | <ul style="list-style-type: none"> Broad approach to conservative marine management, including science/research to better understand threats to Southern Resident Killer Whale | Info obtained from a BC document |
| | Government of Canada - Species at Risk Act | <ul style="list-style-type: none"> SARA Recovery Strategy and Action Plan developed for both northern and Southern Resident Killer Whales. Provides strategy for action and specific measures to recover populations. Identifies critical habitat – habitat necessary for survival and recovery 5 SRKW Technical Working Groups established to support development of additional measures for 2019 | Info obtained from a BC document |
| | The Government of Canada and the Pacific Whale Association | <ul style="list-style-type: none"> The Government of Canada will be entering into an agreement with the Pacific Whale Watch Association who will refrain from offering tours on Southern Resident killer whales and will commit to taking other stewardship actions. This commitment will also allow them to approach other types of killer whales to 200 metres in the area. | Info obtained from a BC document |
| | | | |
| Science and oil spill studies | Oceans Protection Plan (OPP) - Department of Fisheries and Oceans | <ul style="list-style-type: none"> \$2.4 Million in scientific research at the Huntsman Marine Science Centre \$4.1 million to six international organizations for research projects that will help improve protocols and decision-making to minimize the environmental impacts of oil spills | https://www.canada.ca/en/fisheries-oceans/news/2019/03/government-of-canada-announces-major-investments-in-scientific-research-to-protect-canadian-waters-from-oil-spills.html https://www.canada.ca/en/fisheries-oceans/news/2019/03/government-of-canada-announces-major-investments-in-scientific-research-to-protect-canadian-waters-from-oil-spills.html |

| Topic | Initiative/document | Details | Link (source) |
|-------|---|--|--|
| | | | announces-major-investments-in-scientific-research-to-protect-canadian-waters-from-oil-spills.html |
| | Natural Resources Canada | <ul style="list-style-type: none"> Oil Spill Response Science (OSRS) - \$5 million for research, development and demonstration projects focused on improving recovery technologies and process for the clean up of heavy oil products spilled in marine environments. | https://www.nrcan.gc.ca/energy/funding/icg/19772 |
| | DFO | <ul style="list-style-type: none"> Status Report on the Knowledge of the Fate and Behaviour of diluted bitumen in aquatic ecosystems | https://waves-vagues.dfo-mpo.gc.ca/Library/40689487.pdf |
| | National Contaminants Advisory Group (NCAG) | <ul style="list-style-type: none"> The Environmental Effects of Diluted Bitumen on Marine Phytoplankton, Macroalgae, and Intertidal Vascular Plants | Research is ongoing Blurb at: http://www.dfo-mpo.gc.ca/science/rp-pr/ncag-gncc/projects-projets/028-eng.html |
| | Diluted Bitumen and Oil Spills: State of Science - 2018 | <ul style="list-style-type: none"> Outlines the state of science for diluted bitumen and oil spills -2018 | Draft Nuka Research and Planning Group Report Provided to the B.C. MOE - draft document |
| | Gainford Experiments | <ul style="list-style-type: none"> Oil weathering of diluted bitumen was studied at the Kinder Morgan/TransMountain Pipeline pump in Gainford, Alberta in 2013. Through visual observations, diluted bitumen resembled a heavy oil with no two-phase separation of diluent and bitumen during experimentation. During weathering experiments, no oil studied had sunk into the water column. It was found that as diluted bitumen weathered, density and viscosity increased and concentrations of BTEX diminished rapidly. | https://macmccarthy.com/wp-content/uploads/2015/12/2014-AMOP_Dilbit-Crude-Oil-Weathering.pdf |

ID: 4487, Title: MGH/PJH mtg w/ Organizing for Change [ESSP] - April 21

Approval Route: Ted Zimmerman>Alec Dale> Peter Trotzki>ESSPD ADM >Laurel Nash> Brittany Jackson > Mark > Carly Morgan (to submit to MO) > Marnie [for closing/OPR]

Assigned To: Welsh, Leah ENV:EX

Rush: Yes

Category: Other - Meeting Materials

Signature: Deputy Minister

Branch: Environmental Sustainability and Strategic Policy Division - ADMO

Other Number: 357231

Link:

Due Date: 2020-04-17

Date Completed: N/A

Date Initiated: 2020-04-16

| Title | Comments | Date |
|--|--|-----------------------|
| Llewellyn-Thomas, Marnie ENV:EX [Assignee] forwarded an eApprovals item to Welsh, Leah ENV:EX for action | Over to you for closing/OPR. Please have eapps history/documents added to CLIFF. Please ask staff not to close the CLIFF log unless EPD and CAS have already uploaded their materials as well. Last division to upload materials can close. Thank you! | 2020-05-11 3:57:49 PM |
| Morgan, Carly ENV:EX [Assignee] forwarded an eApprovals item to Llewellyn-Thomas, Marnie ENV:EX for action | Marnie, over to you for closing/OPR. Please have eapps history/documents added to CLIFF. Please ask staff not to close the CLIFF log unless EPD and CAS have already uploaded their materials as well. Last division to upload materials can close. Thank you! | 2020-05-11 3:47:04 PM |
| Gooderham, Coleen E ENV:EX [Colleague of Zacharias, Mark ENV:EX] approved the item and forwarded it to Morgan, Carly ENV:EX for action | No Comment | 2020-04-21 9:03:02 AM |

| Title | Comments | Date |
|---|--|---------------------------|
| Jackson, Brittany ENV:EX [Assignee] approved the item and forwarded it to Zacharias, Mark ENV:EX for action | No Comment | 2020-04-17 10:06:10 AM |
| Kennedy, Karla ENV:EX [Colleague of Jackson, Brittany ENV:EX] added a comment | Formatting edits made and sent to EAA contact as FYI. | 2020-04-17 10:05:20 AM |
| Nash, Laurel ENV:EX [Assignee] approved the item and forwarded it to Jackson, Brittany ENV:EX for action | Looks good to me. Thanks for opportunity to review. | 2020-04-17 9:47:14 AM |
| McGuire, Jennifer ENV:EX [Assignee] approved the item and forwarded it to Nash, Laurel ENV:EX for action | hi - a couple of bullets for you to review re: EMA - content was provided by PeterTrotzki | 2020-04-17 9:13:24 AM |
| Trotzki, Peter O ENV:EX [Assignee] approved the item and forwarded it to McGuire, Jennifer ENV:EX for action | EMA bullets added as requested. If more detail desired, see email I'll send to you and Marnie. Also did a bit of editing (typos) and formatting. | 2020-04-17 8:52:51 AM |
| McGuire, Jennifer ENV:EX [Assignee] approved the item and forwarded it to Trotzki, Peter O ENV:EX for action | hi Peter - over to you to add a high level bullet or two on recent EMA amendments. thanks | 2020-04-16 4:37:43 PM |
| Dale, Alec R ENV:EX [Assignee] forwarded an eApprovals item to McGuire, Jennifer ENV:EX for action | one minor edit on SAR bullets with explanation in comment | 2020-04-16 4:34:52 PM |
| Zimmerman, Ted ENV:EX [Assignee] approved the item and forwarded it to Dale, Alec R ENV:EX for action | Edited for brevity | 2020-04-16 4:17:27 PM |
| McGuire, Jennifer ENV:EX [Assignee] forwarded an eApprovals item to Zimmerman, Ted ENV:EX for action | hi - pls review and adjust the two bullets..pls limit additional context. | 2020-04-16 3:35:36 PM |

| Title | Comments | Date |
|---|---|---------------------------|
| Morgan, Carly ENV:EX [Colleague of McGuire, Jennifer ENV:EX] added a comment | Mark has also asked for a few high- level bullets on old growth forests. Updated MR email attached! | 2020-04-16 10:52:24 AM |
| Morgan, Carly ENV:EX deleted a document: ESSP - RUSH MR_ MGH_PJH mtg w_ Organizing for Change (357231) - DUE APR 17_ NOON.msg | Updated email attached. | 2020-04-16 10:51:51 AM |
| Morgan, Carly ENV:EX added a document: ESSP - RE_ RUSH MR_ MGH_PJH mtg w_ Organizing for Change (357231) - DUE APR 17_ NOON.msg | | 2020-04-16 10:51:36 AM |
| Llewellyn-Thomas, Marnie ENV:EX [Assignee] forwarded an eApprovals item to McGuire, 17th Noon Jennifer ENV:EX for action | DUE TO DMO (Brittany Jackson) April 17th Noon | 2020-04-16 10:07:50 AM |
| Morgan, Carly ENV:EX [Assignee] forwarded an eApprovals item to Llewellyn- Thomas, Marnie ENV:EX for action | Marnie, over to you for rush materials! Due to the DMO April 17 by noon. Thank you! | 2020-04-16 9:37:26 AM |
| Morgan, Carly ENV:EX added a document: ESSP - RUSH MR_ MGH_PJH mtg w_ Organizing for Change (357231) - DUE APR 17_ NOON.msg | | 2020-04-16 9:36:51 AM |
| Morgan, Carly ENV:EX added a document: bullets_template.docx | | 2020-04-16 9:36:03 AM |
| Morgan, Carly ENV:EX created this item | | 2020-04-16 9:34:57 AM |

**MINISTRY OF ENVIRONMENT AND
CLIMATE CHANGE STRATEGY
BULLETS**

April 16, 2020

File: 200-20

CLIFF/eApprovals #: 357231/4483

PREPARED FOR: Honourable John Horgan, Premier and Honourable, George Heyman, Minister of Environment and Climate Change Strategy.

SUBJECT: Bullet for Meeting with Organizing for Change

BULLET RESPONSE:

- On April 15, 2020, Organizing for Change sent a letter to Premier John Horgan and Minister George Heyman. Key themes of the letter included ensuring workers are supported through stimulus, that stimulus advances reconciliation and reduces inequality, that stimulus invests in a low-carbon economy, and that stimulus promotes the health and security of communities. Further, the letter discusses the lack of environmental representation on the Economic Recovery Task Force.
- This call is to follow-up on this letter and to ensure OFC understands that environmental issues remain a top priority for this government.

CleanBC Accomplishments/Next Steps

- A shift to a low-carbon economy remains a goal for this government, and is a central tenant of the CleanBC economic, energy and climate plan.
- Immediate response efforts must focus on supporting the people and communities that have been most impacted by COVID-19; but the longer-term economy recovery efforts will be informed by our other priorities, including CleanBC and our climate adaptation and resiliency goals.
- CleanBC committed to significant action to reduce greenhouse gas (GHG) emissions and transition to clean energy putting B.C. on a path to achieving its 2030 target of reducing GHG emissions by 40 percent below 2007 levels.
- We have invested over \$1.3 billion in CleanBC over the last 2 budgets. We are still committed to this investment and the more than 40 CleanBC commitments involving 10+ ministries.
- Significant accomplishments to date across the economy:
- Transportation:
 - *Zero-Emission Vehicle Act* requires all new cars sold to be zero emission by 2040 supported by continued incentives to buy new Clean Energy Vehicles (CEVs), with sales reaching almost 9 percent in 2019.
 - Significant expansion of B.C.'s CEV charging infrastructure, and new rebates for new charging stations in homes and workplaces.
 - Launch of a new Active Transportation Strategy for the province.
 - Commitments from Translink, BC Transit and BC Ferries to transition fleets to renewable energy.
- Buildings:

- CleanBC Better Homes Better Buildings program to expand incentives for energy efficiency retrofits for residential and commercial buildings.
 - Changes initiated to the BC Building Code to implement a retrofit code for 2024 and require all new buildings to be net zero energy ready by 2032.
- Industry:
 - CleanBC Program for Industry, which directs a portion of carbon tax to incentivize cleaner facilities and fund projects to reduce emissions. In 2019, industry received \$33.36m through the industrial incentive, and industry committed \$43 million to emission reduction projects.
 - Completed Phase 1 of the Low Carbon Industrial Strategy (LCIS) to review competitiveness and relative GHG intensity of BC's industries.
- Increasing the carbon tax with associated increases to the climate action tax credit for families.
- Amendments to the *Climate Change Accountability Act* to increase transparency and accountability of government's climate action include a requirement for annual reporting and establishment of an independent advisory council, both of which were launched in February 2020.
- The current economic emergency highlights the importance of support for workers across all sectors across B.C. and the CleanBC Job Readiness Plan, once released later in 2020, will take proactive measures to ensure workers are at the forefront of a shift to a low-carbon economy.
- Next steps on CleanBC include:
 - Continuing to implement CleanBC commitments announced in December 2018, with regular tracking/reporting on progress, and continuous improvement as needed and introducing new interim and sectoral targets.
 - Cross-government work to close the gap to the 2030 target, in partnership with the federal government, local government, First Nations, the Climate Solutions Council, and stakeholders.
 - Launching a Climate Preparedness and Adaptation Strategy.
 - Phase 2 of the LCIS including identify marketing and export opportunities based on the B.C. low-carbon advantage.
 - Continuing to engage with British Columbians and key stakeholders.
- Reconciliation with Indigenous communities is a core priority of this government, as proved by the passing of the *Declaration on the Rights of Indigenous Peoples Act* in the fall of 2019. Reconciliation is a lens through which we look on all our work and the response and recovery effort will be no different.
- The Economic Recovery Task Force includes a diversity of voices from across the political and economic spectrum. Though Minister George Heyman is not officially a member of the Task Force, he is involved in the weekly conference call with Premier Horgan and other members of cabinet and the members of the Task Force enabling Minister Heyman to bring the climate lens to these conversations so that any economic recovery will result in communities that are healthier, more secure and resilient post-COVID.
- Government at the political and staff levels are also working closely with the Federal Government on how B.C. can benefit from the many aspects of the federal COVID recovery plans, including infrastructure projects that support a low-carbon economic transition.

Old Growth Forest Carbon

- Conserving old growth forests is one strategy within a portfolio of climate change mitigation options for forests since a hectare of old growth forest typically stores a larger amount of carbon than a hectare of younger, managed forest.
- However, the carbon benefits of old growth versus younger forests depend on a number of factors including growth rates (younger growing trees sequester more additional carbon from the atmosphere per year), the forest's resilience to future disturbances, what the harvested timber is used for (e.g. long lived wood products or paper/fuels), the percentage of residual fibre and whether that residual is burnt in slash piles.
- Broader effects on other areas must also be considered, as reducing the supply of timber from old growth may lead to an increase in harvesting somewhere else to compensate for market demand, thus reducing the overall benefit to the atmosphere.
- Where harvesting cannot be shifted to another area, there could be a decrease in the production of wood products, leading to greater use of more emissions-intensive materials in place of wood (e.g. cement).
- Reducing logging in old growth forests in the timber harvesting land base would also reduce stumpage revenue and rural jobs and may require compensation for tenure holders.
- The Ministry of Forests, Lands, Natural Resource Operations and Rural Development and other partners are undertaking research projects on old growth forests and carbon to improve our understanding of their GHG balance from a lifecycle perspective, including wood products, risks of future disturbances and synergies and trade-offs between multiple values.

Species at Risk

- B.C. will continue to provide leadership in species management by focusing on specific policy areas and working with the Federal government in their evaluation of the existing *Species at Risk* Act. The two policy areas selected for effort:
 - 1) renewal of the B.C. approach to listing of species at risk; and
 - 2) consistent implementation of mitigation and offsetting for new development activities in B.C.
- The policy work continues at a reduced pace due to a variety of work place disruptions related to COVID.

Water

- ENV continues to support the Ministry of Forests, Lands and Natural Resource Operations (FLNR) in improving the administration of groundwater license applications.
- ENV, FLNR and the Ministry of Agriculture are jointly developing policy to secure water access for livestock producers.
- Ongoing water stewardship and governance pilots with Splatshin and Five Nicola First Nations are demonstrating government's commitment to reconciliation and shared decision making.

Environmental Management Act amendments

- Bill 17 - 2019, the *Environmental Management Amendment Act, 2019*, received Royal Assent on May 16, 2019. This bill made amendments to improve the identification of contaminated sites in the province and to strengthen the investigative powers of members of the Conservation Officer Service.
- Bill 3 - 2020, the *Environmental Management Amendment Act, 2020*, received Royal Assent on March 5, 2020. These amendments enhance the oversight of soil relocation in BC for the better protection of human health and the environment.

Contact:

Jeremy Hewitt

Climate Action Secretariat

250 387-1134

Alternative Contact:

Neil Dobson

Climate Action Secretariat

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Prepared by:

Elaine Cross/Hilary Hop Wo

Climate Action Secretariat

778 974-2738

ID: 4483, Title: MGH/PJH mtg w/ Organizing for Change [CAS] - April 21

Approval Route: [Program area to advise] > ADM > Brittany Jackson > Mark > Carly Morgan (to submit to MO) > Jennifer Moran [for closing/OPR]

Assigned To: Morgan, Carly ENV:EX **Rush:** Yes **Category:** Other - Meeting Materials **Signature:** Deputy Minister
Branch: Climate Action Secretariat - ADMO **Other Number:** 357231 **Link:**

Due Date: 2020-04-17 **Date Completed:** 2020-05-13 **Date Initiated:** 2020-04-16

| Title | Comments | Date |
|--|---|------------------------|
| Walowina, Terri ENV:EX [Assignee] has closed this item for the following reason: Completed. | Close as per instruction by Jennifer Moran. | 2020-05-13 11:22:19 AM |
| Moran, Jennifer ENV:EX [Assignee] forwarded an eApprovals item to Walowina, Terri ENV:EX for action | Please have eapps history/documents added to CLIFF. Please don't close the CLIFF unless EPD and ESSP have already uploaded their materials as well. Last division to upload materials can close. Thank you! | 2020-05-11 11:02:38 PM |
| Morgan, Carly ENV:EX [Assignee] forwarded an eApprovals item to Moran, Jennifer ENV:EX for action | Jennifer, over to you for closing/OPR. Please have eapps history/documents added to CLIFF. Please ask staff not to close the CLIFF unless EPD and ESSP have already uploaded their materials as well. Last division to upload materials can close. Thank you! | 2020-05-11 3:43:18 PM |
| Kennedy, Karla ENV:EX [Assignee] forwarded an eApprovals item to Morgan, Carly ENV:EX for action | | 2020-04-20 10:06:25 PM |
| Moran, Jennifer ENV:EX [Assignee] approved the item and forwarded it to Kennedy, Karla ENV:EX for action | Bullets re: CleanBC achievements and next steps drafted to support the MGH mtg with OFC. We have added bullets on the Old growth to support that topic as well. Approved by Jeremy. | 2020-04-17 4:08:28 PM |
| Cross, Elaine ENV:EX [Assignee] forwarded an eApprovals item to Moran, Jennifer ENV:EX for action | Additional bullet created at top. | 2020-04-17 3:54:56 PM |
| Moran, Jennifer ENV:EX [Assignee] forwarded an eApprovals item to Cross, Elaine ENV:EX for action | Pls action JH comments and send back to me. thanks. | 2020-04-17 3:40:35 PM |
| Hewitt, Jeremy ENV:EX [Assignee] forwarded an eApprovals item to Moran, Jennifer ENV:EX for action | Pls add a bullet right up front that says 'On XX Organizing for Change sent a letter to XX. Key themes of the letter included X, Y, Z. This call is to follow-up on this letter and to ensure OFC understands that environmental issues remain a top priority for this government' I don't need to see it again after this is done. | 2020-04-17 3:24:46 PM |
| Moran, Jennifer ENV:EX [Assignee] approved the item and forwarded it to Hewitt, Jeremy ENV:EX for action | revised bullets for your review and approval. due to DMO asap. thank you. JMO. | 2020-04-17 3:18:29 PM |
| Dobson, Neil ENV:EX [Assignee] approved the item and forwarded it to Moran, Jennifer ENV:EX for action | updated | 2020-04-17 3:11:42 PM |
| Cross, Elaine ENV:EX [Assignee] approved the item and forwarded it to Dobson, Neil ENV:EX for action | Hi Neil - over to you for review/action | 2020-04-17 12:45:30 PM |
| Cross, Elaine ENV:EX [Assignee] forwarded an eApprovals item to Baltutis, Jesse ENV:EX for action | Hi Jesse - can you take a first stab at this and get back to me ASAP? Thanks | 2020-04-17 11:42:45 AM |
| Dobson, Neil ENV:EX [Assignee] forwarded an eApprovals item to Cross, Elaine ENV:EX for action | Sorry but we now have the letter OFC sent in. I am on a call now, can you please do a redraft asap based on JH comments for us, thanks N | 2020-04-17 11:01:08 AM |
| Moran, Jennifer ENV:EX [Assignee] forwarded an eApprovals item to Dobson, Neil ENV:EX for action | Neil, please see JH comments. I've attached the letters for your ref. JMO | 2020-04-17 10:52:24 AM |

| Title | Comments | Date |
|--|---|------------------------|
| Moran, Jennifer ENV:EX added a document: RUSH Materials Stakeholder calls - next week .msg | | 2020-04-17 10:50:17 AM |
| Hewitt, Jeremy ENV:EX [Assignee] forwarded an eApprovals item to Moran, Jennifer ENV:EX for action | The call has been set up in large part to respond to OFC's recent letter so these bullets need to inform that conversation directly. | 2020-04-17 10:38:17 AM |
| Moran, Jennifer ENV:EX [Assignee] approved the item and forwarded it to Hewitt, Jeremy ENV:EX for action | Bullets re: CleanBC achievements and next steps drafted to support the MGH mtg with OFC. Neil advises he has added bullets on the Old growth topic as well. please review and approve. DUE to DMO at noon today (april 17) thank you. | 2020-04-17 10:27:47 AM |
| Moran, Jennifer ENV:EX made some changes to this item's details | | 2020-04-17 10:21:54 AM |
| Moran, Jennifer ENV:EX made some changes to this item's details | | 2020-04-17 10:14:06 AM |
| Moran, Jennifer ENV:EX made some changes to this item's details | | 2020-04-17 10:13:57 AM |
| Dobson, Neil ENV:EX [Assignee] approved the item and forwarded it to Moran, Jennifer ENV:EX for action | approved. ESSP unlikely to have knowledge on old growth forest carbon issues so have included some bullets on that piece. Will need to be combined with whatever they produce | 2020-04-17 10:08:29 AM |
| Gilmore, Christopher ENV:EX [Assignee] forwarded an eApprovals item to Dobson, Neil ENV:EX for action | as discussed - looks like CleanBC achievements focus - with other parts coming from EPPD ... | 2020-04-16 10:57:12 AM |
| Moran, Jennifer ENV:EX [Colleague of Gilmore, Christopher ENV:EX] added a comment | ESSP will handle bullets on old growth forests | 2020-04-16 10:51:05 AM |
| Ines, Angela ENV:EX [Assignee] forwarded an eApprovals item to Gilmore, Christopher ENV:EX for action | Hi Chris, this is a rush request for bullets. Kindly reassign as needed. Thanks. | 2020-04-16 10:49:11 AM |
| Moran, Jennifer ENV:EX [Site Admin] forwarded an eApprovals item to Ines, Angela ENV:EX for action | Angela, obo Paul, please review with Chris Gilmore and action for drafting bullets ASAP. Neil advises he can be reached for content if needed. pls note due to ADMO 11am tomorrow. thanks. | 2020-04-16 10:46:30 AM |
| Moran, Jennifer ENV:EX [Assignee] forwarded an eApprovals item to Walowina, Terri ENV:EX for action | RUSH - Terri, please review and assign for drafting bullets asap. DUE back to me by 11am Friday April 17. thank you. | 2020-04-16 10:32:20 AM |
| Morgan, Carly ENV:EX [Assignee] forwarded an eApprovals item to Moran, Jennifer ENV:EX for action | Jennifer, over to you for rush materials! Due to DMO noon April 17. Thank you! | 2020-04-16 9:22:53 AM |
| Morgan, Carly ENV:EX added a document: RUSH MR_ MGH_PJH mtg w_ Organizing for Change (357231) - DUE APR 17_ NOON.msg | | 2020-04-16 9:22:21 AM |
| Morgan, Carly ENV:EX added a document: bullets_template.docx | | 2020-04-16 9:20:21 AM |
| Morgan, Carly ENV:EX created this item | | 2020-04-16 9:18:08 AM |

ID: 4485, Title: MGH/PJH mtg w/ Organizing for Change [EPD] - April 21

Approval Route: [Program area to advise] > ADM > Brittany Jackson > Mark > Carly Morgan (to submit to MO) > Jamin [for closing/OPR]

Assigned To: Mattu, Jamin ENV:EX **Rush:** Yes **Category:** Other - Meeting Materials **Signature:** Deputy Minister

Branch: Environmental Protection Division - ADMO **Other Number:** 357231 **Link:**

Due Date: 4/17/2020 **Date Completed:** N/A **Date Initiated:** 4/16/2020

| Title | Comments | Date |
|--|---|------------------------|
| Morgan, Carly ENV:EX [Assignee] forwarded an eApprovals item to Mattu, Jamin ENV:EX for action | Jamin, over to you for closing/OPR. Please have eapps history/documents added to CLIFF. Please ask staff not to close the CLIFF log unless CAS and ESSP have already uploaded their materials as well. Last division to upload materials can close. Thank you! | 5/11/2020, 3:46:13 PM |
| Gooderham, Coleen E ENV:EX [Colleague of Zacharias, Mark ENV:EX] approved the item and forwarded it to Morgan, Carly ENV:EX for action | No Comment | 4/21/2020, 9:02:30 AM |
| Jackson, Brittany ENV:EX [Colleague of Zacharias, Mark ENV:EX] added a comment | Mark - once you approve, Carly will add this to the consolidated document | 4/17/2020, 2:08:24 PM |
| Jackson, Brittany ENV:EX [Assignee] approved the item and forwarded it to Zacharias, Mark ENV:EX for action | No Comment | 4/17/2020, 2:07:55 PM |
| Mattu, Jamin ENV:EX [Colleague of Nash, Laurel ENV:EX] forwarded an eApprovals item to Jackson, Brittany ENV:EX for action | | 4/17/2020, 12:57:39 PM |
| Mattu, Jamin ENV:EX [Colleague of Nash, Laurel ENV:EX] added a comment | Approved by Laurel via email | 4/17/2020, 12:57:18 PM |
| Butterworth, Kevin ENV:EX [Assignee] approved the item and forwarded it to Nash, Laurel ENV:EX for action | Additionally added: 1.) an attachment on what the feds are currently doing in this area; 2.) what TMX is doing on their own; | 4/17/2020, 12:49:42 PM |
| Butterworth, Kevin ENV:EX deleted a document: Attachment 2_Federal Spill Initiatives Table (May 2019).docx | | 4/17/2020, 12:47:43 PM |
| Butterworth, Kevin ENV:EX deleted a document: MAG Legal Opinion (January31.2020).pdf | | 4/17/2020, 12:47:37 PM |
| Butterworth, Kevin ENV:EX added a document: Attachment 1_Federal Spill Initiatives Table (May 2019).docx | | 4/17/2020, 12:47:25 PM |
| Merritt, Elena ENV:EX [Assignee] forwarded an eApprovals item to Butterworth, Kevin ENV:EX for action | | 4/17/2020, 12:40:43 PM |
| Merritt, Elena ENV:EX added a document: Attachment 2_Federal Spill Initiatives Table (May 2019).docx | | 4/17/2020, 12:40:21 PM |
| Butterworth, Kevin ENV:EX [Assignee] forwarded an eApprovals item to Merritt, Elena ENV:EX for action | | 4/17/2020, 11:28:27 AM |
| Merritt, Elena ENV:EX [Assignee] forwarded an eApprovals item to Butterworth, Kevin ENV:EX for action | Hi Kevin, I have added the two additional bullets, and included the MAG legal opinion as a reference. Let me know if any other information is needed. Thanks. | 4/17/2020, 11:02:26 AM |
| Merritt, Elena ENV:EX added a document: MAG Legal Opinion (January31.2020).pdf | | 4/17/2020, 10:59:22 AM |
| Butterworth, Kevin ENV:EX [Assignee] forwarded an eApprovals item to Merritt, Elena ENV:EX for action | Please add bullets summarizing 1.) legal opinion on challenge with OGC 2.) Current approach and progress on response times with feds. I am just getting some direction from the DMO on two potential additional topics. Will circle back when they respond. Thanks! | 4/17/2020, 9:56:43 AM |
| Nash, Laurel ENV:EX [Assignee] forwarded an eApprovals item to Butterworth, Kevin ENV:EX for action | As discussed, please add current approach. Thanks | 4/17/2020, 9:20:15 AM |

| Title | Comments | Date |
|--|--|------------------------|
| Butterworth, Kevin ENV:EX [Assignee] approved the item and forwarded it to Nash, Laurel ENV:EX for action | For ADM review and approval. | 4/16/2020, 4:47:43 PM |
| Merritt, Elena ENV:EX [Assignee] forwarded an eApprovals item to Butterworth, Kevin ENV:EX for action | Hi Kevin, attached are high level bullets with a summary of ENV's involvement on the TMEP file. Please let me know if you would like to discuss. Thanks. | 4/16/2020, 4:37:39 PM |
| Merritt, Elena ENV:EX added a document: 357231_Bullets_TMEPSummary_16April2020FINAL.docx | | 4/16/2020, 4:36:49 PM |
| Merritt, Elena ENV:EX deleted a document: bullets_template.docx | | 4/16/2020, 4:36:31 PM |
| Bauch, Greg ENV:EX [Assignee] approved the item and forwarded it to Merritt, Elena ENV:EX for action | No Comment | 4/16/2020, 12:02:12 PM |
| Merritt, Elena ENV:EX [Assignee] forwarded an eApprovals item to Bauch, Greg ENV:EX for action | | 4/16/2020, 10:26:12 AM |
| Butterworth, Kevin ENV:EX [Assignee] forwarded an eApprovals item to Merritt, Elena ENV:EX for action | Looking for some high level bullets for MGH to use in a discussion with PJH on everything government has accomplished this mandate on TMX. | 4/16/2020, 10:22:49 AM |
| Mattu, Jamin ENV:EX [Colleague of Butterworth, Kevin ENV:EX] added a comment | TMX related bullets | 4/16/2020, 10:02:35 AM |
| Mattu, Jamin ENV:EX [Assignee] forwarded an eApprovals item to Butterworth, Kevin ENV:EX for action | | 4/16/2020, 9:55:06 AM |
| Mattu, Jamin ENV:EX [Assignee] added a comment | let's try to get this to the ADMO by end of day | 4/16/2020, 9:53:56 AM |
| Mattu, Jamin ENV:EX [Assignee] added a comment | additional info can be found in attachments | 4/16/2020, 9:53:06 AM |
| Morgan, Carly ENV:EX [Assignee] forwarded an eApprovals item to Mattu, Jamin ENV:EX for action | Jamin, over to you for rush materials! Due to DMO April 17 by noon. Thank you! | 4/16/2020, 9:33:28 AM |
| Morgan, Carly ENV:EX added a document: EPD - RUSH MR_ MGH_PJH mtg w_ Organizing for Change (357231) - DUE APR 17_ NOON.msg | | 4/16/2020, 9:32:59 AM |
| Morgan, Carly ENV:EX added a document: bullets_template.docx | | 4/16/2020, 9:31:10 AM |
| Morgan, Carly ENV:EX created this item | | 4/16/2020, 9:29:30 AM |

Pembina Pipeline w/ Haisla Nation & Cedar LNG - Meeting Request

From: Jeff Andrus <jeffa@strategies360.ca>
To: lwrs.minister@gov.bc.ca, Minister, LWRS LWRS:EX
<LWRS.Minister@gov.bc.ca>
Cc: Richardson, Roari EMLI:EX <Roari.Richardson@gov.bc.ca>, Richardson,
Roari LWRS:EX <Roari.Richardson@gov.bc.ca>
Sent: April 20, 2022 12:55:59 PM PDT
Received: April 20, 2022 12:56:39 PM PDT
Attachments: image001.png, Invitation_Pembina_Hosted Reception w Haisla Nation.pdf

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Dear Hon. Minister Josie Osborne, Minister of Land, Water and Resource Stewardship

On Wednesday, May 4th Pembina Pipeline is hosting Crystal Smith, Chief Councillor of the Haisla Nation, as partners in the Cedar LNG project, at an evening reception, which they would like you to attend, the invitation is attached.

Additionally, the next day, Thursday May 5th, Crystal Smith, Chief Councillor of the Haisla Nation, and senior executives from both Pembina Pipeline and Cedar LNG will be in Victoria and would like to request a meeting with you on behalf of Pembina Pipeline.

The Cedar LNG Project brings together the Haisla Nation and Pembina Pipeline Corporation to develop the Haisla Nation-led Project. The Project is a key element of the Haisla Nation's economic and social development strategy and will further advance reconciliation by allowing the Haisla Nation to—for the first time ever—directly own and participate in a major industrial development in its territory.

By using an innovative design philosophy that fits the facility into the local environment, the Cedar LNG Project will minimize the impact to the local environment while creating value for customers and prosperity for both the Haisla Nation and the region.

Please let me know what times would work for Minister Osborne's schedule on Thursday May 5th.

-
Kind regards,
Jeff Andrus



Jeff Andrus

Senior Manager Public Affairs, S360
Canada

C 604.700.7187

1505 WEST 2ND AVE
SUITE 500, VANCOUVER, BC
V6H 3Y4

STRATEGIES360.CA

YOU'RE INVITED

Join us for a special
evening reception

Crystal Smith, Chief
Councillor, Haisla Nation
and Pembina Pipeline
Corporation, as partners
in the Cedar LNG project,
invite you to attend a
special evening reception.

Wednesday, May 4, 2022
7:00 – 9:00 pm

Heron Rock Bistro
435 Simcoe, St, Victoria

Please RSVP to:
teresa.scambler@leg.bc.ca



HAISLA NATION



FW: Letter from Chief Councillor Crystal Smith: Cedar LNG project

From: Osborne.MLA, Josie <Josie.Osborne.MLA@leg.bc.ca>
To: Minister, LWRS LWRS:EX <LWRS.Minister@gov.bc.ca>
Sent: May 27, 2022 12:17:34 PM PDT
Received: May 27, 2022 12:18:22 PM PDT
Attachments: image001.png, Cedar LNG - Letter to Josie Osborne.pdf, Cedar LNG Project Overview.pdf

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

From: Cedar LNG Information <info@cedarlng.com>
Sent: May 27, 2022 9:57 AM
To: Osborne.MLA, Josie <Josie.Osborne.MLA@leg.bc.ca>
Cc: Cedar LNG Information <info@cedarlng.com>
Subject: Letter from Chief Councillor Crystal Smith: Cedar LNG project

Good morning. On behalf of the Cedar LNG partners – the Haisla Nation and Pembina – I wanted to provide you with information about [Cedar LNG](#) that we had hoped to share with you as part of the reception that was cancelled in early May due to Covid-19. Please see the attached letter from Haisla Nation Chief Councillor Crystal Smith and a project information package.

Cedar LNG is a key element of the Haisla Nation's economic and social development strategy and will further advance reconciliation by allowing the Haisla Nation to – for the first time ever – directly own and participate in a major industrial development in its territory.

We look forward to finding another opportunity to connect in person later this fall. In the meantime, we would be happy to speak with you should you or your constituents have any questions or comments about the proposed Cedar LNG Project.

Take care,

Shawn Roth
External Affairs
403.966.5983
cedarlng.com





Haisla PO Box 1101
Kitamaat Village, BC | Canada V0T 2B0
250 639 9361 | info@cedarlng.com

May 26, 2022

Sent via email - Josie.Osborne.mla@leg.bc.ca

The Honourable Josie Osborne
Minister of Land, Water, and Resource Stewardship
Room 310 Parliament Buildings
Victoria, British Columbia, V8V 1X4

Dear Minister Osborne,

Re: Proposed Cedar LNG Project

On behalf of the Cedar LNG partners – the Haisla Nation and Pembina – I am writing to provide you with information about this historic project, details we had hoped to share with as part of the Cedar LNG reception that was cancelled in early May due to Covid-19. I also wanted to share my sincere disappointment in having to postpone the event.

Cedar LNG is a key element of the Haisla Nation's economic and social development strategy and will further advance reconciliation by allowing the Haisla Nation to – for the first time ever – directly own and participate in a major industrial development in its territory.

The Cedar LNG Project is poised to produce LNG with one of the lowest carbon footprints in the world, and as such, is strongly aligned with the Province of British Columbia's four conditions for LNG Proposals:

1. Cedar LNG will be Canada's **first Indigenous majority-owned and led LNG infrastructure project**
2. Cedar LNG has placed **environmental stewardship as a foundational project value**:
 - Powered entirely by renewable energy from BC Hydro
 - Small terrestrial footprint and floating design to minimize overall land impact
 - Use of innovative technology to minimize environmental effects, including a commitment to use air cooling units
3. Cedar LNG will deliver **significant tax revenues to government**, to support healthcare, education and other important services for British Columbians, year over year
4. Cedar LNG will provide **jobs and training opportunities for Indigenous and local communities**, and with the LNG Canada project ramping down as Cedar LNG construction ramps up, we will leverage opportunities to maintain the employment of local and Indigenous workers in the region

Our project represents a significant opportunity to work towards a net zero future in a manner that builds Indigenous capacity and self-determination – it is the way future energy projects should be developed and demonstrates how British Columbia can chart a new era for resource development.



We look forward to finding another opportunity to connect in person later this fall. In the meantime, we would be happy to speak with you should you or your constituents have any questions or comments about the proposed Cedar LNG Project.

Sincerely,

A handwritten signature in cursive script that reads "Crystal Smith".

Crystal Smith
Chief Councillor
Haisla Nation
CSmith@haisla.ca



Cedar LNG Project

Project Overview

SPRING 2022

Page 025 of 274 to/à Page 034 of 274

Withheld pursuant to/removed as

Copyright

FW: incoming - cedar lng

From: Minister, LWRS LWRS:EX <LWRS.Minister@gov.bc.ca>
To: LWRS Correspondence FLNR:EX <LWRS.Correspondence@gov.bc.ca>
Cc: Jones, Tristan LWRS:EX <Tristan.Jones@gov.bc.ca>
Sent: June 10, 2022 9:33:52 AM PDT
Received: June 10, 2022 9:33:53 AM PDT
Attachments: Scan_20220609.pdf

I think this belongs with FOR but unsure. Can you ask PSSP and see if they can speak to? Possibly SLU-North?

From: JCONSTAB <Jane.Constable@gov.bc.ca>
Sent: June 9, 2022 4:31 PM
To: Constable, Jane LWRS:EX <Jane.Constable@gov.bc.ca>
Subject: incoming - cedar lng



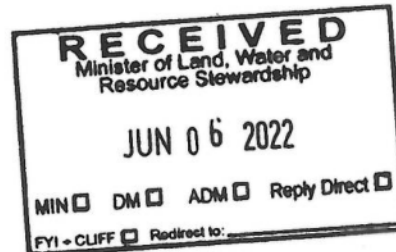
Haisla PO Box 1101
Kitamaat Village, BC | Canada V0T 2B0
250 639 9361 | info@cedarlng.com

May 26, 2022

Sent via email - Josie.Osborne.mla@leg.bc.ca

The Honourable Josie Osborne
Minister of Land, Water, and Resource Stewardship
Room 310 Parliament Buildings
Victoria, British Columbia, V8V 1X4

Dear Minister Osborne,



Re: Proposed Cedar LNG Project

On behalf of the Cedar LNG partners – the Haisla Nation and Pembina – I am writing to provide you with information about this historic project, details we had hoped to share with as part of the Cedar LNG reception that was cancelled in early May due to Covid-19. I also wanted to share my sincere disappointment in having to postpone the event.

Cedar LNG is a key element of the Haisla Nation's economic and social development strategy and will further advance reconciliation by allowing the Haisla Nation to – for the first time ever – directly own and participate in a major industrial development in its territory.

The Cedar LNG Project is poised to produce LNG with one of the lowest carbon footprints in the world, and as such, is strongly aligned with the Province of British Columbia's four conditions for LNG Proposals:

1. Cedar LNG will be Canada's **first Indigenous majority-owned and led LNG infrastructure project**
2. Cedar LNG has placed **environmental stewardship as a foundational project value**:
 - Powered entirely by renewable energy from BC Hydro
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 - Use of innovative technology to minimize environmental effects, including a commitment to use air cooling units
3. Cedar LNG will deliver **significant tax revenues to government**, to support healthcare, education and other important services for British Columbians, year over year
4. Cedar LNG will provide **jobs and training opportunities for Indigenous and local communities**, and with the LNG Canada project ramping down as Cedar LNG construction ramps up, we will leverage opportunities to maintain the employment of local and Indigenous workers in the region

Our project represents a significant opportunity to work towards a net zero future in a manner that builds Indigenous capacity and self-determination – it is the way future energy projects should be developed and demonstrates how British Columbia can chart a new era for resource development.



We look forward to finding another opportunity to connect in person later this fall. In the meantime, we would be happy to speak with you should you or your constituents have any questions or comments about the proposed Cedar LNG Project.

Sincerely,

A handwritten signature in blue ink that reads "Crystal Smith".

Crystal Smith
Chief Councillor
Haisla Nation
CSmith@haisla.ca

Accepted_Gitga'at Cedar LNG Check-in.msg

From: Short, Charles J LWRS:EX <Charles.Short@gov.bc.ca>
To: Short, Charles J LWRS:EX <Charles.Short@gov.bc.ca>
Sent: October 26, 2022 11:07:36 AM PDT
Received: October 26, 2022 11:07:36 AM PDT

Calendar Item Type: REPLY

FW: FOR ADVICE FW: Cedar LNG Application for Environmental Assessment Certificate - Gitxaala Nation statement

From: Manahan, Suzanne EMLI:EX <Suzanne.Manahan@gov.bc.ca>
To: Stockman, Fern P EAO:EX <Fern.Stockman@gov.bc.ca>, Mack, James LWRS:EX <James.Mack@gov.bc.ca>, Short, Charles J LWRS:EX <Charles.Short@gov.bc.ca>, Dann, Oliver IRR:EX <Oliver.Dann@gov.bc.ca>, Trumpy, Chris EAO:EX <Chris.Trumpy@gov.bc.ca>
Sent: October 26, 2022 11:33:59 AM PDT
Received: October 26, 2022 11:33:59 AM PDT
Attachments: 20221019_Gitxaala_Cedar-conditional non-consent_final_signed.pdf
FYI, if you haven't yet seen the attached.

Thanks,
Suzanne

From: McCann, Meghan EMLI:EX <Meghan.McCann@gov.bc.ca>
Sent: October 26, 2022 10:26 AM
To: Manahan, Suzanne EMLI:EX <Suzanne.Manahan@gov.bc.ca>
Subject: FOR ADVICE FW: Cedar LNG Application for Environmental Assessment Certificate - Gitxaala Nation statement

Hi Suzanne, looking for advice please.

From: Minister, EMLI EMLI:EX <EMLI.Minister@gov.bc.ca>
Sent: October 26, 2022 10:25 AM
To: McCann, Meghan EMLI:EX <Meghan.McCann@gov.bc.ca>
Subject: FOR ADVICE FW: Cedar LNG Application for Environmental Assessment Certificate - Gitxaala Nation statement

Hi Meghan,

Sending this for advice, please.

Thanks!

Hayley Hyndman (*she/her*)

Administrative Assistant to the Honourable Bruce Ralston

Minister's Office: Energy, Mines and Low-Carbon Innovation. Minister responsible for Consular Corps

Room 138 | Parliament Buildings | Victoria | British Columbia | V8W 9E2

Phone: 236-478-2913 | Fax: 250-356-3000 | Email: Hayley.Hyndman@gov.bc.ca

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From: Samantha Wagner <regaffairs.gtma@gitxaalanation.com>
Sent: October 21, 2022 3:17 PM
To: Minister, ENV ENV:EX <ENV.Minister@gov.bc.ca>; Minister, EMLI EMLI:EX <EMLI.Minister@gov.bc.ca>
Cc: Bruce Watkinson <director.gtma@gitxaalanation.com>; Heather Johnston <jao.gtma@gitxaalanation.com>; Hubert, Edwin EAO:EX <Edwin.Hubert@gov.bc.ca>; Harris, Jessica EAO:EX <Jessica.Harris@gov.bc.ca>; Yang, Sherry (IAAC/AEIC) <sherry.yang@iaac-aeic.gc.ca>; 'Cook, Nicola (IAAC/AEIC)' <nicola.cook@iaac-aeic.gc.ca>; Linda Innes

<chiefcouncillor@gitxaalanation.com>

Subject: Cedar LNG Application for Environmental Assessment Certificate - Gitxaala Nation statement

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good afternoon,

Please find attached Gitxaala Nation's submission, provided for by s. 12.2.13 of the Section 11 Order for the Cedar LNG Project (the Project), regarding whether Gitxaala Nation consents or does not consent to the issuance of an Environmental Assessment Certificate (EAC) for the Project sent on behalf of Chief Councillor, Linda Innes.

Regards,

Samantha Wagner
Regulatory Affairs Manager
GITXAALA TERRITORIAL MANAGEMENT AGENCY

280-110 1st Ave W
Prince Rupert BC
V8J 1A8
C:778-884-1444



GITXAALA NATION

11 Ocean Drive, Kitkatla, BC V0V 1C0
Phone: (250) 848-2214 Fax: (250) 848-2238
www.gitxaalanation.com

October 21, 2022

Honourable George Heyman
Minister of Environment and Climate Change Strategy
PO Box 9047 Stn Prov Gov
Victoria, BC V8W 9E2

Honourable Bruce Ralston
Minister of Energy, Mines and Low Carbon Innovation
PO Box 9060 Stn Prov Govt
Victoria, BC V8W 9E2

Emailed to ENV.Minister@gov.bc.ca and EMPR.Minister@gov.bc.ca

Dear Minister Heyman and Minister Ralston:

Re: Cedar LNG Application for Environmental Assessment Certificate

As the Elected Chief of the Gitxaala Nation, I am writing to you today regarding the opportunity set out in s. 12.2.13 of the Section 11 Order for the Cedar LNG Project (the Project) for the Nation to provide a submission on whether Gitxaala Nation consents or does not consent to the issuance of an Environmental Assessment Certificate (EAC) for the Project.

I understand the EAO requested this submission by today, October 21st, 2022, to meet the EAO's anticipated timing to refer decision materials to yourselves and to the Impact Assessment Agency of Canada (IAAC) on November 1st, 2022. This letter serves as this submission and highlights the primary outstanding concern Gitxaala Nation has with the EAO-led substituted review of the Project, which is that consultation with Gitxaala Nation is incomplete. In our view this situation has essentially nullified the ability of Gitxaala leadership to make a free, prior and informed decision regarding the issuance of an EAC for the Project *at this time*.

I am referring specifically to the consultation process with federal regulators on the federal conditions that would be imposed on this substituted Project. This consultation is not yet complete. My staff have advised that today is also the deadline from IAAC for written comments on the draft federal conditions, and in keeping with the appropriate standards of consultation, Gitxaala expects there will be a formal response from IAAC to that submission. We are aware of the jurisdictional complexities in the marine environment, however in light of the fact that this is a substituted impact assessment review process, we understand the provincial and federal governments each retain responsibility to ensure that the duty to consult and, where appropriate, accommodate has been satisfied. As such, Gitxaala does not understand how the EAO can justify expecting a notification of consent (or non-consent) from



GITXAALA NATION

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Phone: (250) 848-2214 Fax: (250) 848-2238
www.gitxaalanation.com

Indigenous Nations while consultation with those Nations on the mitigation of critical Project activities, i.e., marine shipping of LNG, are incomplete. In our view, until the Crown's consultation process is completed, the Crown has not yet fulfilled its legal obligations to consult and accommodate Gitxaala Nation in respect of the issuance of an EAC for the Project.

This is a grave concern for Gitxaala, as the approval and subsequent operation of the Project has the potential to severely adversely impact Gitxaala Nation's territory and unjustifiably infringe our constitutionally-protected rights, including our Aboriginal title and governance rights. This is particularly relevant for Gitxaala in the context of the direct and cumulative impacts of increased marine shipping from the Project in combination within the previously-approved LNG Canada Project, which has the same shipping route. As the LNG Canada Project has not yet begun operations, Gitxaala Nation has yet to feel the effects of the increased marine shipping from LNG Canada, and we remain deeply concerned about the impact of adding more LNG carriers to the identical shipping route. In the specific case of the Project, I note Gitxaala Nation was not satisfied with the assessment of the cumulative effects of shipping included by the EAO in their Assessment. Due to the current status of consultation, the Nation remains uncertain about how the effects of the Project-related shipping, carried out by third party shippers, would be monitored and managed if the Project were approved.

As you are aware, the shipping route for the Project passes through a central portion of the unceded territory of Gitxaala Nation that has been our home and provided for our Nation for thousands of years. There are Gitxaala house territories and named places throughout the broader Gitxaala territory from Prince Rupert Harbour to the south end of Aristazabal Island, including many within the proposed shipping route for the Project. Gitxaala have laws, or *ayaawx*, that are passed down through generations and provide the basis for how Gitxaala interact with and manage the territory and its resources and ensure the territory will be sustainable for generations to come. Respect and recognition of Gitxaala jurisdiction and *ayaawx* is fundamental to enabling free, prior and informed consent decision-making for proposed and ongoing industrial development in our territory. Without a clear understanding of how the predicted direct and cumulative effects from the Project's marine transport and shipping will be monitored and managed, Gitxaala Nation leadership cannot make a truly informed decision to issue a notification of consent or non-consent on the issuance of an EAC for the Project.

I understand that the concerns set out in this letter have been raised at every stage of the Project's review by Gitxaala Territorial Management Agency staff who have been participating in the working group and coordinating consultation activities on behalf of the Nation. I also understand there were no attempts by the EAO to adjust the process to resolve these concerns in anticipation of the situation we now find ourselves in.



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In conclusion, Gitxaala Nation is disturbed by how the EAO has managed the Crown's consultation obligations for the Project. Particularly how the EAO-led assessment process failed to enable a decision of free, prior and informed consent by Gitxaala leadership regarding the Province's decision of whether to approve the Project via the issuance of a certificate under s. 29(4) of the *Environmental Assessment Act, 2018*. As such Gitxaala Nation is unable to provide its free, prior, and informed consent to the issuance of an EAC at this time.

As a next step, Gitxaala is requesting a meeting with Canada and BC to discuss how our outstanding concerns relating to the impacts from the marine shipping component of the Project can be addressed.

Please contact Samantha Wagner (regaffairs.gtma@gitxaalanation.com) or Heather Johnston (iao.gtma@gitxaalanation.com) to arrange for a meeting.

Regards,

Chief Linda Innes
Gitxaala Nation

CC: Bruce Watkinson (director.gtma@gitxaalanation.com), GTMA
Sam Wagner (regaffairs.gtma@gitxaalanation.com), Heather Johnston (iao.gtma@gitxaalanation.com)
Edwin Hubert (edwin.hubert@gov.bc.ca), Jessica Harris (jessica.harris@gov.bc.ca), EAO
Sherry Yang (sherry.yang@iaac-aeic.gc.ca), Nicola Cook (nicola.cook@iaac-aeic.gc.ca), IAAC

Accepted_Gitga'at Cedar LNG Check-in (1).msg

From: Short, Charles J LWRS:EX <Charles.Short@gov.bc.ca>
To: Short, Charles J LWRS:EX <Charles.Short@gov.bc.ca>
Sent: October 26, 2022 11:39:43 AM PDT
Received: October 26, 2022 11:39:43 AM PDT

Calendar Item Type: REPLY

RE: FOR ADVICE FW: Cedar LNG Application for Environmental Assessment Certificate - Gitxaala Nation statement

From: Stockman, Fern P EAO:EX <Fern.Stockman@gov.bc.ca>
To: Manahan, Suzanne EMLI:EX <Suzanne.Manahan@gov.bc.ca>, Mack, James LWRS:EX <James.Mack@gov.bc.ca>, Short, Charles J LWRS:EX <Charles.Short@gov.bc.ca>, Dann, Oliver IRR:EX <Oliver.Dann@gov.bc.ca>, Trumpy, Chris EAO:EX <Chris.Trumpy@gov.bc.ca>
Sent: October 26, 2022 12:51:09 PM PDT
Received: October 26, 2022 12:51:09 PM PDT

We are considering. The intent of asking for notice of consent/ non consent is for those notices to be included in the package of materials referred to ministers for decision. Ministers typically respond to nations' notices at the time of their decision.

From: Manahan, Suzanne EMLI:EX <Suzanne.Manahan@gov.bc.ca>
Sent: October 26, 2022 12:02 PM
To: Stockman, Fern P EAO:EX <Fern.Stockman@gov.bc.ca>; Mack, James LWRS:EX <James.Mack@gov.bc.ca>; Short, Charles J LWRS:EX <Charles.Short@gov.bc.ca>; Dann, Oliver IRR:EX <Oliver.Dann@gov.bc.ca>; Trumpy, Chris EAO:EX <Chris.Trumpy@gov.bc.ca>
Subject: RE: FOR ADVICE FW: Cedar LNG Application for Environmental Assessment Certificate - Gitxaala Nation statement

Thanks Fern, is EAO drafting a response to the letter?

From: Stockman, Fern P EAO:EX <Fern.Stockman@gov.bc.ca>
Sent: October 26, 2022 11:59 AM
To: Manahan, Suzanne EMLI:EX <Suzanne.Manahan@gov.bc.ca>; Mack, James LWRS:EX <James.Mack@gov.bc.ca>; Short, Charles J LWRS:EX <Charles.Short@gov.bc.ca>; Dann, Oliver IRR:EX <Oliver.Dann@gov.bc.ca>; Trumpy, Chris EAO:EX <Chris.Trumpy@gov.bc.ca>
Subject: RE: FOR ADVICE FW: Cedar LNG Application for Environmental Assessment Certificate - Gitxaala Nation statement

Yes, EAO has this and is meeting with Gitxaala and IAAC later today on the federal conditions.

From: Manahan, Suzanne EMLI:EX <Suzanne.Manahan@gov.bc.ca>
Sent: October 26, 2022 11:34 AM
To: Stockman, Fern P EAO:EX <Fern.Stockman@gov.bc.ca>; Mack, James LWRS:EX <James.Mack@gov.bc.ca>; Short, Charles J LWRS:EX <Charles.Short@gov.bc.ca>; Dann, Oliver IRR:EX <Oliver.Dann@gov.bc.ca>; Trumpy, Chris EAO:EX <Chris.Trumpy@gov.bc.ca>
Subject: FW: FOR ADVICE FW: Cedar LNG Application for Environmental Assessment Certificate - Gitxaala Nation statement

FYI, if you haven't yet seen the attached.

Thanks,
Suzanne

From: McCann, Meghan EMLI:EX <Meghan.McCann@gov.bc.ca>
Sent: October 26, 2022 10:26 AM
To: Manahan, Suzanne EMLI:EX <Suzanne.Manahan@gov.bc.ca>
Subject: FOR ADVICE FW: Cedar LNG Application for Environmental Assessment Certificate - Gitxaala Nation statement

Hi Suzanne, looking for advice please.

From: Minister, EMLI EMLI:EX <EMLI.Minister@gov.bc.ca>
Sent: October 26, 2022 10:25 AM
To: McCann, Meghan EMLI:EX <Meghan.McCann@gov.bc.ca>
Subject: FOR ADVICE FW: Cedar LNG Application for Environmental Assessment Certificate - Gitxaala Nation statement

Hi Meghan,

Sending this for advice, please.

Thanks!

Hayley Hyndman (*she/her*)

Administrative Assistant to the Honourable Bruce Ralston

Minister's Office: Energy, Mines and Low-Carbon Innovation. Minister responsible for Consular Corps

Room 138 | Parliament Buildings | Victoria | British Columbia | V8W 9E2

Phone: 236-478-2913 | Fax: 250-356-3000 | Email: Hayley.Hyndman@gov.bc.ca

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From: Samantha Wagner <regaffairs.gtma@gitxaalanation.com>

Sent: October 21, 2022 3:17 PM

To: Minister, ENV ENV:EX <ENV.Minister@gov.bc.ca>; Minister, EMLI EMLI:EX <EMLI.Minister@gov.bc.ca>

Cc: Bruce Watkinson <director.gtma@gitxaalanation.com>; Heather Johnston <jao.gtma@gitxaalanation.com>; Hubert, Edwin EAO:EX <Edwin.Hubert@gov.bc.ca>; Harris, Jessica EAO:EX <Jessica.Harris@gov.bc.ca>; Yang, Sherry (IAAC/AEIC) <sherry.yang@iaac-aeic.gc.ca>; 'Cook, Nicola (IAAC/AEIC)' <nicola.cook@iaac-aeic.gc.ca>; Linda Innes <chiefcouncillor@gitxaalanation.com>

Subject: Cedar LNG Application for Environmental Assessment Certificate - Gitxaala Nation statement

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good afternoon,

Please find attached Gitxaala Nation's submission, provided for by s. 12.2.13 of the Section 11 Order for the Cedar LNG Project (the Project), regarding whether Gitxaala Nation consents or does not consent to the issuance of an Environmental Assessment Certificate (EAC) for the Project sent on behalf of Chief Councillor, Linda Innes.

Regards,

Samantha Wagner
Regulatory Affairs Manager
GITXAALA TERRITORIAL MANAGEMENT AGENCY

280-110 1st Ave W
Prince Rupert BC
V8J 1A8
C:s.22

Cedar LNG Project: Correspondence from the EAO – Gitga'at Nation

From: Engel, Parker EAO:EX <Parker.Engel@gov.bc.ca>
To: chrispicard@gitgaat.ca
Cc: SimoneReece@gitgaat.ca, dan.e.cardinall@gmail.com, Nicola.Cook@iaac-aeic.gc.ca, sherry.yang@iaac-aeic.gc.ca, Harris, Jessica EAO:EX <Jessica.Harris@gov.bc.ca>, Hubert, Edwin EAO:EX <Edwin.Hubert@gov.bc.ca>, Short, Charles J LWRS:EX <Charles.Short@gov.bc.ca>, Manahan, Suzanne EMLI:EX <Suzanne.Manahan@gov.bc.ca>, Stockman, Fern P EAO:EX <Fern.Stockman@gov.bc.ca>
Sent: October 27, 2022 1:17:27 PM PDT
Received: October 27, 2022 1:17:28 PM PDT
Attachments: image002.png, 393381_PICARD_FINAL SENT.pdf, image001.png

Good Afternoon,

Please find the attached correspondence on behalf of Fern Stockman, Executive Project Director, regarding the Cedar LNG Project.

Thank you,
Parker Engel

PARKER ENGEL (They/Them)

Administrative Assistant
Environmental Assessment Office
Government of British Columbia

 [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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File: ENVA-30050-20/CLET-04-02

Reference: 393381

October 27, 2022

SENT VIA EMAIL

Chris Picard
Gitga'at Oceans and Lands Department
ChrisPicard@gitgaat.ca

Dear Chris Picard:

Thank you for your letter dated October 24, 2022 outlining Gitga'at Nation's (Gitga'at) concerns with the mitigations proposed for the Cedar LNG project. Through this letter, I have summarized my understanding and response to each of the key issues raised by Gitga'at, with the aim to inform our final consensus seeking on the Cedar LNG environmental assessment (EA) prior to referral to Ministers on November 1, 2022.

Submission of Confidential Information

The EAO is able to receive the two confidential Gitga'at specific studies that informed Cedar LNG's Application and maintain the confidentiality of these studies. Section 75 of the *Environmental Assessment Act* (2018) has provisions for keeping Indigenous knowledge submitted by an Indigenous nation confidential supported by EAO policy that the EAO can implement for this EA. Edwin Hubert provided you with an email on October 25, 2022 outlining the steps for Gitga'at to submit this information to the EAO in confidence through the Chief Environmental Assessment Officer. Please reach out to Edwin if you have any questions regarding these steps.

Gitga'at's Outstanding Concerns

The EAO acknowledges Gitga'at's serious concerns about the effects of Cedar LNG on Gitga'at and its rights and Gitga'at's views regarding the adequacy of proposed mitigations to address these effects. I note our collaboration is ongoing on the assessment of Cedar LNG effects to Gitga'at's Indigenous interests (the Gitga'at section of Part C of the EAO's Assessment Report) to ensure we are accurately reflecting these concerns; the EAO and Gitga'at continue to iterate on the draft Gitga'at section. During

...2

**Environmental
Assessment
Office**

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Victoria BC V8W 9V1

Location:
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Victoria BC V8W 1L8

our call on October 25, 2022 we explored potential revisions to proposed mitigations and other avenues to address Gitga'at's outstanding concerns, described below.

Proposed Provincial and Federal Conditions

In your letter you state that Gitga'at lacks confidence that the consultation Cedar LNG Partners LP (Cedar) is required to undertake in the development of the various management plans will mitigate effects on Gitga'at rights. Proposed provincial condition 4 on consultation outlines the process Cedar will need to undertake to consult with Gitga'at in the development of reports and management plans to meet the requirements of the conditions requiring these documents. Cedar will be required to document how Gitga'at's views were considered and addressed in the draft plans. This information will be provided to the EAO when Cedar submits draft plans for EAO review. The EAO will engage Gitga'at to seek its views on the adequacy of Cedar's responses and seek to resolve outstanding issues prior to the EAO's decision regarding approval of plans.

Provincial condition 12 – Marine Transportation Communication Report. Gitga'at expressed its concerns with how concerns would be addressed through the grievance process identified in that condition. I note that Cedar would be required to consult Gitga'at in development of the grievance process through condition 4 described above. The EAO welcomes suggestions from Gitga'at for updates to this condition to address outstanding Gitga'at concerns.

Provincial condition 14 – Socioeconomic Management Plan. Gitga'at expressed outstanding concerns related to socioeconomic effects including reduced interest in wilderness tourism activities and increased costs of housing, services and capital construction. The EAO notes that mitigations within the plan would reduce these effects including measures to prioritize regional hiring and procurement, reduce impacts to local housing by limiting the renting of local housing and restrict non-local contractor workforce personnel from engaging in recreational hunting, fishing, ATV or snowmobile use. The EAO also notes the potentially minor positive effect to Gitga'at related to employment opportunities associated with Cedar LNG.

Gitga'at also stated that condition 14 only pertains to services and infrastructure delivered by provincial agencies and local governments, excluding those delivered by Indigenous nations. Are there additional details Gitga'at could provide to describe potential services delivered by Gitga'at that could be impacted by Cedar LNG and how. The EAO would like to understand these potential effects to determine collaboratively with Gitga'at if revisions to the proposed condition would address these effects.

Provincial condition 16 – Regional Cumulative Effects Initiatives is discussed below.

In your letter you proposed a condition that would require Cedar to address Gitga'at's suggested mitigation and accommodation measures given Gitga'at's views of the

...3

inadequacies of the proposed provincial and federal conditions. As previously communicated, the EAO does not believe it is appropriate to write a condition that would put the onus on Cedar to apply and monitor measures related to Gitga'at's use of their territory, and the EAO considers that this is still the issue with the proposed condition – Gitga'at Effects Management Plan. The EAO understands that Gitga'at is continuing impact benefit agreement discussions with Cedar and that those discussions include monitoring and mitigations. The EAO considers that support of these initiatives would be best funded directly by Cedar and that these initiatives remain under the control and responsibility of Gitga'at. For these reasons it is not appropriate to put legal obligations on Cedar around these initiatives through a proposed Environmental Assessment Certificate condition. The EAO understands that Gitga'at's concerns relate to the effects of Cedar in combination with the cumulative effects of marine shipping. As such, the EAO has responded below regarding proposed actions to address these concerns.

The EAO understands that Gitga'at is engaging directly with the Impact Assessment Agency of Canada regarding the proposed federal conditions.

Cumulative Effects of Marine Shipping

Gitga'at requested that the Crown commit to developing a plan with Gitga'at to manage cumulative effects, develop a cumulative effects management table with Gitga'at, and involve relevant federal and provincial representatives in this plan.

Based on conversations with Gitga'at, the EAO has updated draft provincial condition 16 to require the Holder to participate in any provincial initiatives in addition to any federal initiatives related to the cumulative effects of marine shipping in the region in which industry is invited to participate, and that the Holder must update the Marine Transportation Communication Report, Health and Medical Services Plan, and the Socioeconomic Management Plan to consider information from these cumulative effects initiatives.

The EAO is also aware that Gitga'at is involved in several provincial initiatives related to marine values, including the Environmental Stewardship Initiative, the Marine Plan Partnership, the development of a Coastal Marine Strategy, Marine Protected Areas Network and the federal Reconciliation Framework Agreement for Bioregional Oceans Management and Protection that the Province became a recent signatory of. The provincial Crown is offering to have government to government conversations with Gitga'at to explore how Gitga'at's concerns could be considered and addressed in these existing initiatives, through potential modifications to these initiatives or other venues. Charlie Short, Executive Director of the Water, Fisheries and Coastal Policy & Planning Division and Suzanne Manahan, Executive Lead at the Ministry of Energy, Mines and Low Carbon Innovation have offered to be contacts for these ongoing discussions.

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Next Steps

The EAO appreciates the collaborative engagement we have had with Gitga'at on this EA and looks forward to collaboratively finalizing referral materials with Gitga'at in the coming days. Should you have any questions or wish to discuss any matters within this letter, please reach out to Edwin or me, we continue to be available to discuss these matters with you.

Yours truly,



Fern Stockman
Executive Project Director
Environmental Assessment Office

cc: Simone Reece
Director
Gitga'at Oceans and Lands Department
SimoneReece@gitgaat.ca

Dan Cardinal
Major Projects Advisor
Gitga'at Oceans and Lands Department
Dan.e.Cardinall@gmail.com

Nicola Cook
Project Manager
Impact Assessment Agency of Canada
Nicola.Cook@iaac-aeic.gc.ca

Sherry Yang
Senior Consultation Analyst
Impact Assessment Agency of Canada
Sherry.Yang@iaac-aeic.gc.ca

Jessica Harris
A/Project Assessment Director
Environmental Assessment Office
Jessica.Harris@gov.bc.ca

...5

Edwin Hubert
A/Project Assessment Director
Environmental Assessment Office
Edwin.Hubert@gov.bc.ca

Charles Short
Executive Director of the Water, Fisheries and Coastal Policy & Planning Division
Ministry of Land, Water and Resource Stewardship
Charles.Short@gov.bc.ca

Suzanne Manahan
Executive Lead
Ministry of Energy, Mines and Low Carbon Innovation
Suzanne.Manahan@gov.bc.ca

FW: Cedar LNG Project: Correspondence from the EAO – Gitga'at Nation

From: Short, Charles J LWRS:EX <Charles.Short@gov.bc.ca>
To: Mack, James LWRS:EX <James.Mack@gov.bc.ca>
Sent: October 27, 2022 2:56:45 PM PDT
Received: October 27, 2022 2:56:45 PM PDT
Attachments: image002.png, image001.png, 393381_PICARD_FINAL SENT.pdf
FYI

From: Short, Charles J LWRS:EX
Sent: October 27, 2022 2:38 PM
To: Stockman, Fern P EAO:EX <Fern.Stockman@gov.bc.ca>; Manahan, Suzanne EMLI:EX <Suzanne.Manahan@gov.bc.ca>
Subject: RE: Cedar LNG Project: Correspondence from the EAO – Gitga'at Nation

s.13; s.16

Happy to discuss.

Charlie

From: Engel, Parker EAO:EX <Parker.Engel@gov.bc.ca>
Sent: October 27, 2022 1:17 PM
To: chriscard@gitgaat.ca
Cc: SimoneReece@gitgaat.ca; dan.e.cardinall@gmail.com; Nicola.Cook@iaac-aeic.gc.ca; sherry.yang@iaac-aeic.gc.ca; Harris, Jessica EAO:EX <Jessica.Harris@gov.bc.ca>; Hubert, Edwin EAO:EX <Edwin.Hubert@gov.bc.ca>; Short, Charles J LWRS:EX <Charles.Short@gov.bc.ca>; Manahan, Suzanne EMLI:EX <Suzanne.Manahan@gov.bc.ca>; Stockman, Fern P EAO:EX <Fern.Stockman@gov.bc.ca>
Subject: Cedar LNG Project: Correspondence from the EAO – Gitga'at Nation

Good Afternoon,

Please find the attached correspondence on behalf of Fern Stockman, Executive Project Director, regarding the Cedar LNG Project.

Thank you,
Parker Engel

PARKER ENGEL (They/Them)
Administrative Assistant
Environmental Assessment Office
Government of British Columbia
[Twitter.com/BC_EAO](https://twitter.com/BC_EAO)

EAO | Environmental
Assessment Office

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

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Re: Follow-up on OPP initiatives in DDRs

From: Dan Cardinall <dan.e.cardinall@gmail.com>
To: Lei, Cecilia <cecilia.lei@tc.gc.ca>
Cc: William, Joy (TC/TC) <joy.william@tc.gc.ca>, Beavis, Katherine (TC/TC) <katherine.beavis@tc.gc.ca>, Short, Charles J FLNR:EX <Charles.Short@gov.bc.ca>, Steve Diggon <sdiggon@coastalfirstnations.ca>
Sent: October 31, 2022 12:53:43 PM PDT
Received: October 31, 2022 12:53:56 PM PDT
Attachments: Cedar LNG_Summary Assessment Report_Draft_Oct20.docx, Vopak - Draft_Determination_Rationale_ - Joint FA_2022-07-29.pdf

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Cecilia,

Attached is one example - the draft VOPAK determination rationale. See for example what is written on pages 118 and 128-129.

In pages 128-29 Transport Canada explicitly refers to and relies on various RFA/OPP initiatives as measures that can or will serve to mitigate various residual and cumulative effects associated with the Project.

On page 142 you'll see that this information gets woven into the summary of conclusions, which then allows for the definitive statement that the Project "is not likely to result in significant adverse environment effects".

Another example can be found in the draft Cedar LNG summary assessment report produced by BC EAO in collaboration with federal agencies. You'll find that both BC and Canada are relying on RFA/OPP as mitigation measures by inserting conditions that require the proponent to participate in various RFA/OPP initiatives (see for example what's in page 11).

Dan

On 2022-10-31 11:02 a.m., Lei, Cecilia wrote:

UNCLASSIFIED / NON CLASSIFIÉ

Hello Dan,

I am following up on the discussion about OPP initiatives being referenced in DDRs at our RFA Regional Steering Committee last week. Could you please share with us the specific wording that you have concerns with? I understand that we'd need to look into this today/tomorrow if we're the make the internal timeline.

Best,
Cecilia

Cecilia Lei
she/her/elle

Regional Director, Oceans Protection Plan Engagement | Directrice régionale, engagement du plan de protection des océans
Transport Canada | Transports Canada
Cell: 236-688-4817
Cecilia.lei@tc.gc.ca



Environmental
Assessment Office

Summary Assessment Report for Cedar LNG Project (Cedar LNG)

With respect to the application by Cedar LNG Partners LP (Cedar) for an Environmental Assessment Certificate pursuant to the *Environmental Assessment Act*, S.B.C. 2002, c. 43 and the *Impact Assessment Act*, S.C. 2019, c. 28, s.1 as a substituted assessment

DRAFT October 20, 2022



1. INTRODUCTION

Cedar LNG Partners LP (Cedar), a Haisla Nation majority-owned partnership, is proposing to construct and operate the Cedar LNG Project (Cedar LNG) in Kitimat, British Columbia (B.C.). This Summary Assessment Report provides an overview of the Environmental Assessment (EA) for Cedar LNG as conducted by the Environmental Assessment Office (EAO). The Summary Assessment Report is prepared as an overview of the EAO's Assessment Report that meets the requirements of the *Environmental Assessment Act*, 2002 (the Act [2002]) and the *Impact Assessment Act* (IAA) and discusses the key findings and conclusions of the EA. More detailed information on Cedar LNG and the predicted effects can be found in the Assessment Report.

In B.C., the decision whether to issue an EA Certificate (EAC) is made under the Act by two deciding ministers, one of which is always the Minister of Environment and Climate Change Strategy and Minister Responsible for TransLink, and a second who is the minister through their cabinet position with responsibility for activities in a sector¹. For Cedar LNG, the second deciding minister is the Minister of Energy, Mines and Low Carbon Innovation. The EAO has prepared this report and the Assessment Report for consideration by these two provincial ministers. All EAs require the development of a proposed Table of Conditions (TOC) and a Project Description (PD) for consideration by the Ministers, which would become legally binding if the project receives an EAC. Together with the Assessment Report these documents are referred to as the Decision Materials.

Substitution of the Federal Environmental Assessment

On January 24, 2020, the federal Minister of the Environment approved EAO's substitution request for Cedar LNG. Substitution means that the EAO is responsible for carrying out the assessment of factors set out in the IAA as well as the procedural aspects of Indigenous consultation. The EAO has completed the EA consistent with the Impact Assessment Cooperation Agreement between Canada and British Columbia (Cooperation Agreement) (2019) entered into by the Impact Assessment Agency of Canada (the Agency) and the EAO, and has met the requirements of the IAA. In keeping with the Cooperation Agreement, the EAO considered the factors set out in subsection 22(1) of the IAA, provided opportunities for the public to meaningfully participate in the EA, conducted consultation with Indigenous peoples that may be affected by Cedar LNG, provided opportunities for the Agency to participate in consultation, and will provide an Assessment Report to the Agency that includes the findings and conclusions of the EA with respect to these factors. Ultimately, substitution results in a single assessment process designed to support Indigenous, provincial and federal decision makers.

Further detail regarding the assessment of federal requirements can be found in Section 6.9 of the Assessment Report.

¹ <https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/environmental-assessments/act-regulations-and-agreements/2002-act-regulations-and-agreements#responsibleministerorder>

2. PROJECT DESCRIPTION

On February 4, 2022, Cedar applied for an EAC to construct, operate and decommission Cedar LNG, a floating liquefied natural gas (FLNG) export facility and marine terminal. Cedar LNG would process and liquefy 11.3 million cubic metres (m³) or 400 million standard cubic feet of natural gas to produce approximately 3 million tonnes of Liquefied Natural Gas (LNG) per year and include storage capacity for up to 250,000 m³ of LNG. The approximately 88 hectares (ha) Cedar LNG Facility Area would contain the FLNG, marine terminal infrastructure, pipeline tie-in, warehouses, power substation, security building, access roads and parking. An approximately 8 kilometre (km) long transmission line would be constructed between the Facility Area and BC Hydro's Minette Substation to supply power to the project.

The Cedar LNG on-site Facility Area would be located within the District of Kitimat, approximately 10 km southwest of the town centre, and approximately three km west of Kitimaat Village, across the Kitimat Arm, on Haisla Nation owned, fee simple land within Haisla Nation's traditional territory. Cedar LNG would include shipping LNG between the marine terminal in Kitimat and the B.C. Coast Pilot Boarding Station located near the Triple Islands. LNG carriers would call on the marine terminal approximately once every seven to 10 days, or 50 times annually, resulting in 100 transits of the Marine Shipping Route.

Construction of Cedar LNG would be expected to take four years; operations would be expected to last a minimum of 25 years and up to 40 years; decommissioning would last approximately 12 months.

Cedar LNG would be located within the traditional territories of Gitga'at First Nation (Gitga'at), Gitxaala Nation (Gitxaala), Haisla Nation (Haisla), Kitselas First Nation (Kitselas), Kitsumkalum First Nation (Kitsumkalum), Lax Kw'alaams Band (Lax Kw'alaams), and Metlakatla First Nation (Metlakatla). The EAO also engaged Haida Nation represented by the Council of the Haida Nation (Haida), in relation to Cedar LNG-related marine shipping and notified Métis Nation British Columbia (MNBC) of major project milestones on behalf of the Agency, as part of the substituted assessment. More information on consultation with Indigenous nations is available in Section 6 of this report and Part C of the Assessment Report.

3. STRATEGIC CONTEXT

HAISLA NATION

Cedar LNG is a partnership of Haisla and Pembina Pipeline Corporation and, if approved and built, it would be one of the largest majority Indigenous Nation-owned infrastructure projects in Canada and the first Indigenous majority owned LNG export facility in Canada. Cedar LNG is a key element of Haisla's economic and social development strategy. The Project would create jobs, contracting and other economic opportunities for Haisla, the local community, Indigenous nations, and the northwest region of B.C. In addition, income generated by Cedar LNG would be invested in the Haisla community. Haisla reported to the EAO that they have seen the positive results of participating in industrial development, including the

construction of a new health center in the community, the construction of apartment complexes and townhouses, and the implementation of community supports such as an outreach worker for urban off reserve areas.

Haisla sees the advancement of Cedar LNG in its territory as further advancing reconciliation, as well as addressing Article 32 in the United Nations Declaration of Rights of Indigenous People, which states:

- Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources; and
- States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

Cedar LNG is expected to have positive effects for Haisla by supporting self-governance and self-determination for Haisla as the majority owner of Cedar LNG.

LEGISLATIVE REQUIREMENTS

Cedar LNG is subject to a number of new legislative requirements. Federally, Cedar LNG is the first project substituted under the IAA and will also likely be the first project decision under the IAA. As a project under the IAA, Cedar LNG is also the first project subject to the Strategic Assessment of Climate Change (SACC). The SACC sets out requirements for climate-change information that proponents of projects must provide and requires that projects with a lifetime beyond 2050 provide a credible plan to achieve net-zero emissions by 2050. More details on the results of the SACC are provided below in Section 5 and in Section 6.4 of the Assessment Report.

Provincially, while Cedar LNG is assessed under the Act (2002), the EAO incorporated aspects of the *Environmental Assessment Act* (2018) (the Act [2018]) into the Application Information Requirements in recognition that the Act (2018) was passed in the legislature at the time Cedar LNG was in its scoping phase. Cedar supported this inclusion and assessed certain matters of the Act (2018) in its Application. This included the consideration of additional assessment matters and consensus-seeking with Indigenous nations. The EAO notes that should Ministers issue an EAC for Cedar LNG, the project would be subject to the Act (2018) with respect to amendments, compliance and enforcement, and post certificate administration provisions.

4. ENVIRONMENTAL ASSESSMENT PROCESS

The Cedar LNG EA included engagement with government agencies, Indigenous nations and the public on potential environmental, economic, social, heritage and health effects, including cumulative effects, as

required under the Act (2002) and the IAA. Table 1 outlines key steps in the EA for Cedar LNG.

Table 1: Major Milestones of the Cedar LNG Substituted EA

| Dates | Milestones |
|---------------------------------|--|
| Pre-Application | |
| August 22, 2019 | Proponent submits <u>Project Description</u> to EAO. |
| August 30, 2019 | Proponent submits <u>Initial Project Description</u> to Agency. |
| August 30, 2019 | The EAO issues a <u>Section 10(1)(c) Order</u> designating Cedar LNG as a reviewable project requiring an EA. |
| September 17, 2019 | The EAO wrote a <u>letter</u> to the Agency requesting for substitution for the EA of Cedar LNG under IAA. |
| September 19 – October 20, 2019 | Agency provides notice to the public on commencing the <u>Public Comment Period</u> on the Initial Project Description and request for substitution. |
| October 30, 2019 | Agency prepares <u>Summary of Issues (SOI)</u> and shares with Proponent. |
| December 6, 2019 | Agency posts the Proponent's <u>Detailed Project Description and responses to SOI</u> |
| December 13, 2019 | EAO issues the <u>Section 11 Order</u> to specify the scope of the roles and responsibilities of Cedar and the EAO including requirements for public consultation and Indigenous consultation and federal IAA requirements if substitution is granted |
| December 19, 2019 | The Agency posted the Notice of Impact Assessment Decision with Reasons for Cedar LNG on the federal Canadian Impact Assessment Registry at: https://iaac-aeic.gc.ca/050/evaluations/document/133318 |
| January 24, 2020 | Federal <u>Ministerial substitution decision</u> , granting the request for substitution for the EA of Cedar LNG |
| June 3 - July 19, 2021 | The EAO held a 45-day <u>public comment period</u> on the draft Application Information Requirements (dAIR) which included the Valued Components Selection document. The Public Comment Period included two Virtual Open Houses on June 8 and June 10 of 2021 that Cedar participated in. Approximately 10 members of the public participated. A total of 22 comments were received during the public comment period |
| November 15, 2020 | The EAO issued the approved <u>Application Information Requirements (AIR)</u> to Cedar. The AIR establishes information that must be collected, analyzed and included as part of Cedar's Application for an EAC. |
| Application Review | |
| December 15, 2020 | The EAO received Cedar's Application for an EAC for Cedar LNG. The EAO began the 30day Application screening process |
| January 14, 2022 | The EAO sent a <u>letter</u> to Cedar advising the EAO has approved the Application for a detailed EA review. The EAO also identified additional information that Cedar is to provide before submitting the updated Application for formal review |
| February 4, 2022 | The EAO received the Application and posted it to <u>EPIC</u> |

| Dates | Milestones |
|---------------------------------|---|
| February 4, 2022 | The EAO initiated the <u>180-day assessment of the Application</u> under Section 16(1) of the Act (2002). |
| February 17, 2022 | The EAO <u>amended</u> the Section 11 Order, pursuant to Section 13 of the Act (2002), reducing the number of Indigenous Consultation Reports required during the EA. |
| February 28 - April 14, 2022 | The EAO held a 45-day <u>public comment period</u> on the Application. The Public Comment Period included a Virtual Open Houses on March 16, 2022, that Cedar participated in. Approximately 20 members of the public participated. A total of 16 comments were received during the public comment period |
| March 31 - July 14, 2022 | The EAO received 26 Technical Memos from Cedar that responded to issues raised by the Working Group and the EAO posted these documents to <u>EPIC</u> |
| September 21 – October 14, 2022 | The EAO held a public comment period on a draft of its decision materials, prior to referral to Ministers. |
| September 22, 2022 | The EAO <u>amended</u> the Section 11 Order, pursuant to Section 13 of the Act (2002), to shorten the public comment period on the EAO's decision materials in light of the mourning period marking the passing of Queen Elizabeth II. |
| November 1, 2022 | The EAO sent a letter to Cedar retroactively extending the 180-day legislated timeline for Application Review to allow for more time to resolve issues raised by the Working Group and consider public comments received on the decision materials. |
| November 1, 2022 | The EAO referred Cedar LNG to provincial Ministers for a decision on whether to issue an EAC under Section 17 of the Act |
| November 1, 2022 | The EAO provided the Assessment Report, Summary Assessment Report, and French version of the Executive Summary to the federal Minister of Environment and Climate Change to inform the federal decision. |

The EAO established a Working Group of technical advisors, consisting of federal, provincial, and local government representatives, as well as representatives of potentially affected Indigenous nations. The EAO sought and considered advice from the Working Group to understand and assess the potential adverse effects associated with Cedar LNG including on key EA documents such as the Application Information Requirements, the Application and the Assessment Report.

OTHER REQUIRED AUTHORIZATIONS

If an EAC is issued, Cedar LNG would also require various permits from federal and provincial governments. Most provincial permits would be administered through processes led by the B.C. Oil and Gas Commission, the Ministry of Environment and Climate Change Strategy, the Ministry of Forests and the Northern Health Authority. A full listing of the potential provincial and federal permits for Cedar LNG is available in the Joint Permitting/Regulatory Coordination Plan. The EAO's Regulatory Coordination Issues Tracking Table (Appendix 5 in the Assessment Report) contains information on issues raised during the EA and provincial conditions and key federal mitigation measures that would be applicable to Cedar LNG.

Marine shipping associated with Cedar LNG would be required to meet the international standards and Canadian regulations set out by Canada's compliance-based marine safety and security systems, which are

designed to protect life, property, and the marine environment. Compliance with those standards and regulations would be monitored and enforced through existing compliance and enforcement programs. Transport Canada is the federal lead regulator of marine shipping and has the authority to regulate pleasure craft, as well as Canadian and foreign vessels operating in Canadian waters extending 12 nautical miles offshore. More information on the regulatory framework related to marine shipping is available in Part A of the Assessment Report.

5. KEY CONCLUSIONS OF THE ENVIRONMENTAL ASSESSMENT

EAs in B.C. use Valued Components (VCs) as a methodological or organizing framework for the assessment of the potential effects of projects. VCs are components of the natural and human environment that are considered by the proponent, public, Indigenous groups, scientists, other technical specialists and government agencies involved in the assessment process to have scientific, ecological, economic, social, cultural, archaeological, historical, or other importance. The selection and assessment of VCs also takes into consideration the factors relevant to subsection 22(1) of the IAA and incorporates aspects of the Act (2018). The VCs and other matters assessed are outlined in Table 2.

Table 2: Matters Assessed in the Cedar LNG EA

| Environmental Effects | Social and Economic Effects |
|--|---|
| Air Quality (Section 5.1) | Employment and Economy (Section 5.7) |
| Acoustics (Section 5.2) | Land and Resource Use (Section 5.8) |
| Vegetation Resources (Section 5.3) | Marine Use (Section 5.9) |
| Wildlife (Section 5.4) | Infrastructure and Services (Section 5.10) |
| Freshwater Fish (Section 5.5) | Heritage Effects |
| Marine Resources (Section 5.6) | Heritage (Section 5.11) |
| Other Matters | Health Effects |
| Malfunctions and Accidents (Section 6.1) | Human Health (Section 5.12) |
| Consistency with Land Use Plans (Section 6.2) | Requirements of the <i>Impact Assessment Act</i> |
| Potential Changes to the Project that may be Caused by the Environment (Section 6.3) | Federal Lands (Section 6.9.2) |
| Greenhouse Gas Emissions (Section 6.4) | Other Provinces (Section 6.9.3) |
| Alternative Means (Section 6.5) | Outside Canada (Section 6.9.4) |
| Effects on Biophysical Factors that Support Ecosystem Function (Section 6.6) | Indigenous Peoples Physical and Cultural Heritage and Current Use of Lands and Resources for Traditional Purposes (Section 6.9.5) |
| Effects on Current and Future Generations (Section 6.7) | Health, Social or Economic Conditions of the Indigenous Peoples of Canada (Section 6.9.6) |
| Human and Community Well-Being (Section 6.8) | Contribution to Sustainability (Section 6.9.7) |
| | Climate Change (Section 6.9.8) |

The Assessment Report assesses the effects of Cedar LNG on the identified VCs and other matters, identifies key mitigation measures for each of the VCs, and reaches conclusions on the residual project-

specific and – where applicable – cumulative effects for VCs. A summary table of the EAO's residual effects for all VCs is contained in [Appendix A](#) of this report.

As part of the provincial EA process, the EAO is also responsible for developing a proposed EAC TOC and a PD that would become legally binding and subject to compliance and enforcement oversight should the provincial Ministers issue an EAC. In consultation with the Working Group and Indigenous nations, and in consideration of input from the public, the EAO proposed 16 conditions to ensure the residual effects of Cedar LNG are adequately avoided, minimized or offset, and to ensure that uncertainty would be managed to the extent possible. In addition, the EAO recommended 65 federal Mitigation Measures and 9 Follow-up Programs under the IAA to the Agency to inform the development of federal conditions. The EAO recommended these federal Mitigation Measures to address effects of federal interest. The EAO has proposed a Project Description, which specifies the Project that Cedar would be legally authorized to construct and operate (should an EAC be issued), based on Cedar's Application and the restrictions identified during the EA.

The EAO identified a number of residual adverse effects of Cedar LNG, which are described below. After considering the proposed mitigation measures, which would become legally binding as parts of the EAC; the federal Mitigation Measures, which directly informed the federal conditions; and the permitting and other regulatory requirements that Cedar LNG would be subject to, the EAO determined that all residual adverse effects would not be significant and positive effects have been enhanced to the extent possible.

The remainder of this section summarizes the key themes that, due to their complexity and level of attention given by Indigenous nations, the Working Group and the public, became the main focus of the EA: air quality, greenhouse gases (GHG), marine use, marine resources, infrastructure and services, risk of accidents or malfunctions, and human and community well-being. A detailed discussion of each of these key themes can be found in the Assessment Report.

GREENHOUSE GAS EMISSIONS

Greenhouse gas emissions were assessed for Cedar LNG to meet federal and provincial requirements. As required for substituted projects under the IAA, Cedar prepared its Application for an EAC to provide the information required by Environment and Climate Change Canada (ECCC)'s Strategic Assessment of Climate Change (SACC), including a net-zero emissions plan describing how Cedar LNG would achieve net-zero emissions by the year 2050. Furthermore, Section 25 of the Act (2018) states that every assessment must consider greenhouse gas emissions, including potential effects on the province being able to meet its targets under the *Greenhouse Gas Reduction Targets Act*.

Cedar LNG would generate direct and indirect emissions during all phases of the Project. Upstream GHG emissions associated with Cedar LNG would occur during operations and include activities from the location the natural gas is extracted (production and processing) and its transportation to the Cedar LNG Project site. While upstream GHG emissions are not considered part of the Project, they were assessed for context and are estimated to be 975 kilotonne (kt) of Carbon Dioxide Equivalent (CO₂e) per year during operations.

Cedar estimated that Cedar LNG would result in a total of 36.7 kt CO₂e of direct GHG emissions during Construction, which would contribute 0.06 percent to provincial and 0.005 percent to federal GHG emissions during Construction (in comparison to 2019 totals). Cedar estimated that Cedar LNG would result in approximately 251.3 kt CO₂e/year of direct and indirect emissions during operations, which is largely attributed to the production of LNG. Emissions would contribute 0.38 percent to the provincial and 0.034 percent to the federal GHG emissions during operations (in comparison to 2019 emission totals).

Cedar provided a SACC Technical Report, which included information on carbon sinks, upstream GHG emissions, best available technology and best environmental practices determination, a net-zero emissions plan, a climate resilience assessment and an assessment of uncertainty in regard to the quantitative and qualitative information. The key decision made as part of this plan is to connect to the BC Hydro grid, which would result in reductions of approximately 537 kt CO₂e/year (96 percent) compared to an LNG-powered facility.

The Cedar LNG net-zero emissions plan within the SACC Technical Report provided information demonstrating how the Cedar LNG net GHG emissions will equal 0 kt CO₂e by 2050, in accordance with the requirements of the SACC and in alignment with the *Canadian Net-Zero Emissions Accountability Act*. The net-zero plan addresses Cedar LNG's emissions from construction, operations, and decommissioning. Cedar has stated that they will reduce GHG emissions by 30 percent by 2030 (relative to the baseline 2019 emissions). To offset the remaining GHG emissions, ensuring Cedar LNG reaches net-zero by 2050, Cedar plans to purchase offset credits; however, in the future Cedar will consider alternative options to meet Canada's net-zero by 2050 target.

During the EA, concerns were raised by the Working Group, Indigenous nations and the public related to Cedar LNG's impacts on climate change and GHG emissions from marine shipping from the assessment. In response, Cedar provided information clarifying its assessment and confirmed that its net-zero plan would conform to the SACC requirements, including the inclusion of shipping emissions within scope of the Project (from the facility to the Triple Island Pilot Boarding Station). As part of the EA, ECCC also reviewed the SACC Technical Report and concluded that Cedar provided the required information for the SACC. ECCC noted the Cedar's key mitigation measure to use BC Hydro's clean grid electricity provides significant GHG emissions reductions and may offer further reductions as renewable electricity expands. The Project is likely to be one of the lowest intensity emission producers of LNG globally, largely because of its reliance on clean BC electricity.

Considering the concerns raised during the EA by the Working Group, Indigenous nations and the public, the EAO is proposing the following EAC conditions, federal Mitigation Measures and Follow-up Programs related to GHGs:

- Condition 10: a Greenhouse Gas Reduction Plan, including an estimation of GHG emissions, consideration of provincial emissions reduction targets and schedules, an analysis of best achievable technologies to minimize GHG emissions, and an explanation for technologies and measures to be and not be implemented. This plan would work in tandem with legislation

governing GHG emissions, including the *Greenhouse Gas Industrial Reporting and Control Act*, which establishes a GHG intensity limit for LNG produced, the *Climate Change Accountability Act*, which sets GHG emission reduction requirements for the oil and gas sector, and the CleanBC Roadmap to 2030, which sets out a series of actions for B.C. to meet the 2030 emissions reduction target;

- Federal Mitigation Measures under the IAA to meet the federal requirement for net-zero emissions by January 1, 2050, as required by the SACC; and
- A Follow-up Program for GHG emissions under the IAA to compare predictions in the Application to the GHG emissions calculated to meet the federal reporting requirements under ECCC's Greenhouse Gas Reporting Program, and outline and justify discrepancies.

After considering the proposed mitigation measures, the EAO concludes that Cedar LNG would have a residual adverse effect due to increased GHG emissions. In consideration of the low magnitude of the predicted effects, as well as the proposed provincial condition and federal Mitigation Measures, the EAO is satisfied that Cedar LNG would not have significant adverse effects on GHG emissions.

AIR QUALITY

Activities associated with the construction, operation and decommissioning of Cedar LNG could result in impacts to air quality through the emission of criteria air contaminants (CACs). CAC emissions would occur during each phase of Cedar LNG from various marine and land-based activities, including construction of infrastructure, traffic, liquefaction of natural gas, transportation, LNG loading and transport. Cedar's Application evaluated the following CACs predicted to be emitted as a result of Cedar LNG:

- Nitrogen dioxide (NO₂);
- Sulphur dioxide (SO₂);
- Carbon monoxide (CO); and
- Fine particulate matter (PM) with a diameter of less than 2.5 microns (PM_{2.5}).

At the facility site under the baseline scenario (which included the not yet operating LNG Canada Export Terminal [LNG Canada]), modelled concentrations of 1-hour NO₂, SO₂ and PM_{2.5} and annual SO₂ and PM_{2.5} are all predicted to exceed the BC ambient air quality objectives (AQO) and/or Canadian Ambient Air Quality Standards (CAAQS), primarily as a result of the Rio Tinto aluminum smelter. With the addition of Cedar LNG, small increases for these CACs are predicted.² There were no predicted exceedances of the AQO for CO or annual NO₂. Along the marine shipping route, the air quality modelling predicted exhaust emissions from marine vessels would result in CAC concentrations to increase but remain below the AQO and CAAQS.

² The increase in exceedances of the application case in comparison to the baseline scenario ranged from <1 percent to 2.6 percent

Members of the Working Group, Indigenous nations and the public raised concerns regarding predicted air emissions from the Project, modelling techniques, and cumulative effects in the Kitimat airshed. Northern Health and ECCC recommended that Cedar participate in airshed-wide management strategies (such as Kitimat Airshed Group) to identify opportunities for emission reductions. Indigenous nations raised concerns around the effects of marine shipping emissions and requested mitigations for air emissions from shipping.

In response to these comments, Cedar provided additional modelling and information, committed to joining the Kitimat Airshed Group and began the process to become a member. Cedar also proposed a community feedback process and a marine transportation plan, which provide venues for the community and Indigenous nations to raise concerns about air quality and mechanisms for Cedar to address those concerns.

The EAO notes that, as part of the permitting process for Cedar LNG, the B.C. Oil and Gas Commission (OGC) would require detailed project design with updated emissions modelling, justification of the equipment and consideration of ENV's best achievable technology policy. An air quality management plan and monitoring program would be expected to be conditions of a permit. Considering the concerns raised during the EA by the Working Group and Indigenous nations, the EAO is proposing the following EAC conditions, federal Mitigation Measures and Follow-up Programs related to air quality:

- EAC Condition 9: a construction environmental management plan, including air quality management measures;
- EAC Condition 11: a community feedback process and recommended federal Mitigation Measure, requiring Cedar to develop a mechanism for members of the community to submit feedback and concerns about Cedar LNG, including comments related to air quality;
- EAC Condition 12: a marine transportation and communication report, including mechanisms for Indigenous nations and marine users to report on any concerns related to LNG carrier interference with marine use;
- EAC Condition 16: regional cumulative effects initiatives, requiring Cedar to participate in regional cumulative effects initiatives, specifically the Kitimat Airshed Group or successor airshed monitoring programs established by the Province that include participation from industry;
- The recommended federal Mitigation Measure for a marine transportation plan, including the requirement that Cedar participate in regional marine shipping initiatives; and
- A Follow-up program for air quality under the IAA, which would include comparison of air quality modelling results, federal and provincial air quality objectives, and residual effects characterization criteria applied in the Application to present air quality data.

After considering the proposed mitigation measures, the EAO concludes that increases in CACs from Cedar LNG would be a residual adverse effect to the air quality VC for both the FLNG facility and vessels travelling along the shipping route. In consideration of the proposed provincial conditions, federal Mitigation Measures and Follow-up Program, the EAO is satisfied that this residual adverse effect would not be significant, and that Cedar LNG would not have significant cumulative effects on the air quality VC.

MARINE USE

Construction, operation and decommissioning of Cedar LNG has the potential to cause a change in marine navigation, changes in marine fisheries, effects to recreation and tourism, and effects to aesthetic conditions. Potential effects on the marine use VC are discussed in detail in Section 5.9 of the Assessment Report.

Members of the Working Group and Indigenous nations raised several concerns related to potential effects on marine use, including related to wake effects, marine fisheries, and Indigenous marine use. Reviewers also requested further information on Cedar's proposed marine shipping notification process and associated communication protocols that are intended to mitigate impacts to marine users.

In order to address concerns related to wake effects, Cedar provided a supplementary wake analysis that analyzed the effects of ship-generated waves on specific shoreline types of particular interest. Cedar concluded that since the majority of wake generated by Project-related vessels is within the range of ambient conditions, it does not expect wake to cause impacts to marine vegetation on shorelines. Cedar acknowledged the safety risk to elders or children from Indigenous nations that may be harvesting marine resources along the shoreline when large shipping vessels are passing (that is, risk of being knocked over by a wake wave) but based on their tidal data, LNG carrier schedules, and expected vessel speed, it was reported that wake waves would occur at any one location of shoreline for just over one minute per LNG carrier transit. Cedar proposed a follow-up program for marine use, which would include a review to determine whether new wake-related information (on wave characteristics on marine shipping activities) or mitigation measures (to reduce wake effects on Indigenous traditional harvesting activities) is available and a study of marine vegetation.

To address concerns related to marine shipping communication protocols and planning, Cedar proposed to develop a marine transportation plan in the Application. The marine transportation plan would include reporting mechanisms for Indigenous nations and marine users to report on concerns related to LNG carrier interference with marine use, as well as a community feedback process that would include a reporting mechanism for community concerns.

Based on the feedback received and responses provided by Cedar, the EAO proposes the following EAC conditions, federal Mitigation Measures and Follow-up Programs to address concerns related to marine use:

- EAC Condition 11: a community feedback process, as described in the Air Quality section of this report and in Section 5.1: Air Quality of the Assessment Report;
- EAC Condition 12: a marine transportation communication report and the federal Mitigation Measure for a marine transportation plan, which includes the following:
 - Regular communication of project activities that may affect marine use with marine users,

- including commercial, recreational and Indigenous fisheries, recreationalists, commercial tourism operators, Transport Canada, Fisheries and Oceans Canada and relevant stakeholders;
- Establish LNG carrier shipping schedule notification processes for Haisla, Gitga'at, Gitxaala, Kitselas, Kitsumkalum, Lax Kw'alaams, Metlakatla and Haida;
- Reporting mechanisms for Haisla, Gitga'at, Gitxaala, Kitselas, Kitsumkalum, Lax Kw'alaams, Metlakatla, Haida and marine users to report to Cedar on any concerns related to LNG carrier interference with marine use;
- Location information, where concerns are location-specific and non-confidential, and identification of trends or locations of concerns; and
- Establish a grievance process for Indigenous marine users experiencing loss of fishing gear or other marine use effects.
- EAC Condition 16: regional cumulative effects initiatives, requiring Cedar to participate in relevant federal initiatives related to effects of marine shipping in the region, in which industry is invited to participate; and
- A Federal Follow-up Program for Marine Use.

The EAO notes that marine shipping is a federally regulated activity and navigation, communication and safety are regulated and managed by Transport Canada, the Canadian Coast Guard, and the Pacific Pilotage Authority. This includes the following requirements:

- Use of escort tugs between the Triple Island Pilot Boarding Station and Kitimat during LNG carrier transits and to assist with berthing and de-berthing/departure in accordance with Pacific Pilotage Authority;
- Maintenance of safe operating distances from other marine craft (operation); and
- Maintenance of safe speeds as described in rule six of the Collision Regulations.

See Part A of the Assessment Report for further details on the Marine Regulatory Framework. The EAO is of the view that the existing federal regulation of marine shipping in combination with the proposed provincial conditions and federal mitigation measures would address the effects to marine use identified during the EA.

After considering the relevant mitigation measures, the EAO concludes that Cedar LNG would result in residual adverse effects to the marine use VC though a change in marine navigation and a change in marine fisheries and other uses, and that Cedar LNG would not have significant adverse residual or significant cumulative effects on the marine use VC.

INFRASTRUCTURE AND SERVICES

Cedar LNG has the potential to increase local population size and affect local and regional housing as well as infrastructure and services. Construction will last approximately four years with an average of 230 to 315 persons over this period and an estimated peak workforce of 350 to 500 from April to October during each year of construction (starting in second year). Operation of Cedar LNG is expected to require

approximately 100 full-time staff with the majority being from the local population, utilizing existing housing in Kitimat and the surrounding area. During operations an additional 100 persons will also be required every three to five years to perform scheduled shutdown and maintenance. The workforce in all phases will be recruited locally as much as possible. However, construction and operation will require some specialized trades and qualifications/experience that will likely be sourced from elsewhere in B.C., Canada or internationally. An increase in population size would increase the demand on a variety of infrastructure and services including municipal services, policing, emergency services, health services, education, accommodation, and transportation infrastructure.

Members of the Working Group and Indigenous nations raised concerns related to data sufficiency presented in the Application, demands on infrastructure (particularly health services and accommodation) and cumulative effects.

In response to these concerns, Cedar proposed to develop and implement a local hiring policy to reduce the influx of non-local workers; an accommodation policy to limit the construction workforce from renting local housing; a health and medical services plan, which would include providing onsite first-aid stations, medical room(s) with beds and certified first-aid staff, as well as an employee and family assistance program; and an infrastructure and services Follow-up Program to track labour force and health care use information.

In consideration of the concerns noted above, the EAO is proposing the following EAC conditions, federal Mitigation Measures and Follow-up Programs related to infrastructure and services:

- EAC Condition 9: a construction environmental management plan, including a waste management plan to reduce usage of landfills in the Local Assessment Area;
- EAC Condition 11: a community feedback process, to receive and address community concerns and complaints about Cedar LNG, including those related to infrastructure and services;
- EAC Condition 13: a health and medical services plan, that would address: communicable disease, require the provision of on-site first aid, emergency management at the work site, measures to minimize impacts to local non-urgent care services, and communication between Cedar and health care providers;
- EAC Condition 14: a socioeconomic management plan, that would require Cedar to prioritize local hiring and procurement to reduce the increase in population associated with the Project workforce as well as an accommodation policy that includes measures to ensure that accommodation for non-local contractor construction personnel is exclusively within existing work camps or other temporary accommodations and does not include rental of local housing;
- EAC Condition 16: regional cumulative effects initiatives, requiring Cedar to participate in 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 issues; and
- A Follow-up Program under the IAA, which would provide annual employment and health reporting on Cedar LNG's labour force, where workers are from, and their accommodation (if non-local), as

well as information on workplace hospital visits in Terrace and Kitimat, to collect data on the impacts of Cedar LNG on infrastructure and services in the area.

After considering all relevant proposed mitigation measures, the EAO concludes that Cedar LNG would result in the following residual adverse effects to the infrastructure and services VC:

- Changes in infrastructure and services (including health services);
- Change in accommodation availability; and
- Change in transportation infrastructure.

In consideration of the moderate nature of effects that would be greatest during construction, and the proposed provincial conditions and federal Mitigation Measures and Follow-up Program, which would allow effects to be monitored and adaptively managed, the EAO is satisfied that Cedar LNG would not have significant adverse residual or significant cumulative effects on the infrastructure and services VC.

RISK OF MALFUNCTIONS AND ACCIDENTS

During construction, operations and decommissioning of Cedar LNG, unplanned malfunction or accidents associated with Cedar LNG activities or processes could arise, resulting in potential effects to environmental, economic, social, heritage or health values. Malfunctions and accidents were assessed due to their importance to Indigenous nations and stakeholders, to meet the requirements under Section 22(1)(a)(i) of the IAA and in consideration of the assessment matters in Section 25 of the Act (2018).

The risk of the following malfunctions and accidents was assessed:

- Loss of containment of LNG from the FLNG Facility;
- Spills of hazardous materials;
- Emergency FLNG shutdown;
- Loss of LNG containment;
- Fire or explosion;
- LNG carrier grounding, collisions, and allisions; and
- FLNG allision.

During the EA, the Working Group raised several concerns related to emergency response and health services capacity at the FLNG; as well as the effects, mitigation and emergency response for marine shipping malfunctions or accidents. In response to concerns, Cedar proposed to: participate in the development of shipping-related spill response plans and facilitate the involvement of Indigenous nations; to prepare a report following any Cedar LNG carrier incident that results in a release of cargo or fuel to the environment; and to work with the Canadian Coast Guard (CCG) to establish responses for incidents at the facility.

Considering the information provided, the EAO proposes the following provincial conditions, federal

Mitigation Measures and Follow-up Programs related to accidents and malfunctions:

- EAC Condition 9: a construction environmental management plan, which would include spill response measures;
- EAC Condition 12: a marine transportation communication report, including mechanisms for Indigenous nations and marine users to report on any concerns related to LNG carrier interference with marine use;
- Recommended federal Mitigation Measures for a marine transportation plan, and a community feedback process, as described above;
- Recommended federal Mitigation Measures requiring Cedar to implement a maintenance program for operations that includes regular inspections and maintenance of the FLNG equipment and infrastructure to ensure the facility is maintained in a state of good repair, following the guidance of equipment manufacturers;
- Recommended federal Mitigation Measures requiring Cedar to implement programs during construction and operation that address site safety and response to unplanned incidents;
- Recommended federal Mitigation Measures requiring Cedar to implement an emergency management program for operations consistent with CSA Z246.2;
- Recommended federal Mitigation Measures requiring Cedar to work with the CCG during development of its operations phase emergency response program to establish roles, responsibilities and communication processes for responses to incidences that may occur at the facility (operations); Cedar to participate, as relevant, in the development of shipping-related spill response plans or other agreements subject to the requirements of the *Canada Shipping Act* (2001); and to facilitate the involvement of Haisla, Gitga'at, Gitxaala, Haida, Kitselas, Kitsumkalum, Lax Kw'alaams and Metlakatla in the development of these shipping-related spill response plans, where appropriate; and
- Recommended federal Mitigation Measures requiring Cedar to share information with Haisla, Gitga'at, Gitxaala, Kitselas, Kitsumkalum, Lax Kw'alaams, Metlakatla, Haida and CCG, on any Cedar LNG carrier incident that results in a release of cargo or fuel to the environment. The report will include a description of the incident, identification of the government agencies that are engaged in a response to the malfunction or accident, a summary of environmental information collected (if available), and mitigation measures adopted and implemented to prevent future occurrences (if applicable).

The EAO notes that Cedar LNG must be designed in accordance with the Liquefied Natural Gas Facility Regulation (LNGFR) (*Oil and Gas Activities Act*), and the B.C. Building Code and District of Kitimat bylaws. Cedar must also prepare an emergency management program following the Emergency Management Regulation (*Oil and Gas Activities Act*) and under the LNGFR must implement a Security Management Plan and display signage at the facility including emergency notification information. Based on the safety studies submitted to the OGC a decision maker may require the establishment of a marine safety zone. The EAO is of the view that there is a well-established provincial permitting process and regulatory regime

that covers emergency management and detailed engineering design reviews and requirements for the FLNG Facility.

The EAO notes that marine shipping is a federally regulated activity and navigation, communication and safety, as well as emergency response are regulated and controlled by Transport Canada, the CCG, and the Pacific Pilotage Authority. See Section 3.1 of the Assessment Report for further details on the Marine Regulatory Framework. The EAO is of the view that the existing federal regulation of marine shipping in combination with the proposed provincial conditions and federal Mitigation Measures would address the potential effects of a marine shipping malfunction or accident identified during the EA.

Based on the analysis contained within the Assessment Report, the EAO is satisfied that the potential malfunctions and accidents associated with Cedar LNG have been adequately identified, assessed and mitigated for the purposes of this EA.

HUMAN AND COMMUNITY WELL-BEING

The assessment of human and community well-being considered potential Project-related social, economic, cultural and health effects that contribute to changes in social determinants of health and which may impact human and community well-being. This assessment also considered effects using a GBA Plus³ approach. Section 25(2)(a) and (d) of the Act (2018) requires that positive and negative direct and indirect effects of a project, including environmental, economic, social, cultural and health effects, as well as disproportionate effects on distinct human populations (including populations identified by gender), be considered in every assessment. As well, Section 22(1)(s) of the IAA requires the assessment consider the intersection of sex and gender with other identity factors. Further details on the assessment of human and community well-being are provided in Section 6.8 of the Assessment Report.

Cedar LNG has the potential to impact Indigenous culture and identity, food security, infrastructure and services, as well as employment and economy in the region due to a potential influx of temporary non-local workers. At the same time, Cedar LNG will provide Haisla with an opportunity to take ownership of industrial development on their lands and use revenues to support local social, educational, and health programs. Economic and social benefits are expected to be positive effects of Cedar LNG to both Haisla and the region.

During the EA, Working Group members, Indigenous nations and the public raised concerns related to impacts to education, childcare, differential effects to under-represented groups, food insecurity, and risks to the safety of Indigenous women and girls. These potential effects could differentially impact those with

³ GBA Plus is an analytical process that provides a rigorous method for the assessment of systemic inequalities, as well as a means to assess how diverse groups of women, men, and gender diverse people may experience policies, programs and initiatives. The “plus” in GBA Plus acknowledges that GBA Plus is not just about differences between biological (sexes) and socio-cultural (genders). GBA Plus considers many other identity factors such as race, ethnicity, religion, age, and mental or physical disability, and how the interaction between these factors influences the way we might experience government policies and initiatives. See here for further details: <https://women-gender-equality.canada.ca/en/gender-based-analysis-plus.html>

disabilities or chronic illnesses, as they rely on the overburdened healthcare system in the area, low to medium-low income populations (due to the demand in subsidized housing), and women, who may not be able to enter the workforce due to lack of available childcare. In responding to these concerns, Cedar noted that the influx of non-local workers is predicted to be small due to Cedar's prioritization of local hiring and the number of non-local employees who may require childcare would likely be small and the additional demands they may impose on infrastructure and services will be correspondingly low. Cedar provided additional information on GBA Plus effects and noted the proposed mitigation measures for infrastructure and services (on hiring, housing and health services) would also mitigate effects to human and community well-being.

In response to the concerns noted above, the EAO is proposing the following provincial conditions, federal Mitigation Measures and Follow-up Programs related to human and community well-being:

- EAC Condition 11 and recommended federal Mitigation Measure: a community feedback process, providing a mechanism for members of the community to submit concerns related to the impacts of Cedar LNG;
- EAC Condition 14, a socioeconomic management plan, and recommended federal Mitigation Measures including requirements for Cedar to:
 - Prioritize Regional hiring and procurement;
 - Develop and implement an accommodation policy that includes measures to ensure that Cedar LNG's workforce would be required to reside solely in existing work camps or other temporary accommodations and does not include rental of local housing;
 - Provide on the job training and apprenticeships to support positive educational and employment outcomes;
 - Develop and implement policies and training pertaining to a workplace code of ethics, cultural sensitivity, drug and alcohol use, a respectful workplace and workplace violence (including gender-based violence); and
 - Gender equity and diversity employment measures and practices;
- A Follow-up program under the IAA for GBA Plus, which would include:
 - Review of any new disaggregated data that becomes available for Kitimat and the region where workforce would be hired from (such as using Census 2021 data, once available) to support development of the gender equity and diversity policy; and
 - Report out on the results of the gender equity and diversity policy including voluntarily provided data on workforce hired by identity factors (such as gender, Indigenous Peoples, LGBTQ2+, (dis)abled people, newcomers/Immigrants and so on) and job type during construction and the first five years of operation.

After considering the proposed provincial conditions and federal mitigation measures, the EAO concludes that there would be a moderate magnitude of effects on human and community well-being, with effects

being both positive and adverse. The EAO is satisfied that adverse effects on these factors would be appropriately mitigated and minimized to the extent possible for the Project.

6. INDIGENOUS CONSULTATION

The Government of B.C. has a constitutional duty to consult and (if appropriate) accommodate Indigenous nations where they have asserted or established Aboriginal rights and title, as recognized and affirmed by Section 35 of the *Constitution Act* (1982) (Section 35 rights), that may be adversely impacted by provincial government decisions. The Government of B.C. also supports the implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) during consultation with Indigenous nations. In addition to Section 35 rights and UNDRIP, consistent with the Notice of Substitution Approval, B.C. conducted consultation with Indigenous groups identified by the Agency for consultation and provided the Agency with the opportunity to participate in consultation.

In the past, the provincial EA process focused primarily on effects to Section 35 rights that the courts and/or treaties have generally addressed to date: (typically) hunting, fishing, trapping, and gathering rights, as well as title. For Cedar LNG, the EA considered an assessment of effects to Indigenous interests in the broader sense, including any interests related to an Indigenous nation, such as health and wellbeing, as well as their Section 35 rights (collectively, Indigenous Interests).

Throughout the EA, the EAO consulted with the following Indigenous nations:

- Schedule B Indigenous Nations:
 - Gitga'at First Nation;
 - Gitxaala Nation;
 - Haisla Nation;
 - Kitselas First Nation;
 - Kitsumkalum First Nation;
 - Lax Kw'alaams Band;
 - Metlakatla First Nation;
- Schedule C Indigenous Nations:
 - Haida Nation, as represented by the Council of the Haida Nation (CHN).

Schedule B Indigenous nations were consulted at the deep end of the *Haida* spectrum. CHN was consulted deeply on Project-related marine shipping. As part of the substituted EA process, the EAO also consulted all of the above Indigenous nations on behalf of the federal government; as well, potential effects on the Métis Nation British Columbia (MNBC) were assessed as per Section 13 of the Section 11 Order. The EAO distributed provincial funding to assist Indigenous nations to participate in the EA process. Additionally, the EAO distributed funding provided by the Agency to support potentially affected Indigenous groups' participation in the substituted EA.

The EAO also assigned certain consultation responsibilities to Cedar and directed Cedar to consult with Indigenous nations about the potential effects of Cedar LNG on Indigenous Interests. Cedar carried out its consultation responsibilities over the course of the EA and provided reports to the EAO regarding the key issues and status of resolution.

EAO-led engagement activities supported the implementation of UNDRIP through seeking free, prior and informed consent with Indigenous nations. Indigenous nations and the EAO worked together during the EA process with the goal of seeking to achieve consensus on key issues and documents in order to support Indigenous, provincial and federal decision-making. Approaches to consensus-seeking with the EAO varied across Indigenous nations and, for some, included the identification of check-ins that aligned with key milestones in the EA process, and the development of a consensus tracking tool for documenting and communicating out issues resolution activities and outcomes. EAO-led engagement with Indigenous nations included the following:

- Participating in the Working Group;
- Regular government-to-government calls between the EAO and each Indigenous nation;
- Opportunities to identify Indigenous Interests that may be adversely affected by Cedar LNG and to discuss potential measures to avoid, mitigate, address or otherwise accommodate potential adverse effects on Indigenous Interests, as appropriate;
- Opportunities to participate in issue/topic-specific Working Group sessions with the EAO;
- Opportunities to review and comment on key documents, including: the draft Project Description, draft Section 11 Order, draft AIR, Cedar's Application, supplemental materials and topic-specific memos, the EAO's draft Assessment Report (including Part C of the Assessment Report), the draft Project Description (PD), and draft Table of Conditions (TOC);
- Opportunity to collaboratively draft sections of the EAO's Assessment Report (Part C) within established timelines; and
- Opportunity to submit a document outlining the Indigenous nation's views on the Assessment Report, PD and TOC and whether the Indigenous nation consents or does not consent to the issuance of an environmental assessment certificate, to be included in the package of materials sent to decision makers when Cedar LNG is referred for decision.

Further detail regarding consultation with Indigenous nations is provided in Part C of the Assessment Report. Key concerns and conclusions regarding the seriousness of potential impacts to Indigenous Interests are summarized below.

HAISLA NATION

Haisla's traditional territory spans from Douglas Channel to Kitimat Arm, covering approximately 13,000 square kilometres (km²), of water and land along the north coast of B.C. The Cedar LNG marine terminal, Facility Area and transmission line are located on Haisla fee simple land within Haisla's traditional territory. Approximately the first 50 km of the Marine Shipping Route, between the Triple Island Pilot

Boarding Station and the marine terminal is located within Haisla traditional territory. Haisla's traditional territory (and reserve lands) overlaps the project assessment areas for all the VCs.

Haisla and the EAO worked together throughout the EA, which included joint work planning, consensus-seeking and collaborative drafting of the Haisla section of the Assessment Report.

During the EA, Haisla's comments focused on the importance of Cedar LNG to Haisla Nation and ensuring the proposed mitigation measures were reasonable and appropriate for the Project. EAC conditions (specifically Condition 14: socioeconomic management plan) and recommended federal Mitigation Measures proposed to maximize benefits of interest to Haisla include:

- Hiring and training measures that prioritize regional hiring and procurement;
- Providing on the job training and apprenticeship opportunities; and
- Working with the Haisla employment department, local and regional Indigenous employment centers, local and regional training and education facilities, and communities to increase opportunities for Indigenous and local community members to obtain training required for project participation.

In the Assessment Report, the EAO and Haisla completed an assessment of the potential effects of Cedar LNG on Haisla's Indigenous Interests. The EAO concluded that, in consideration of the information available to the EAO, the proposed EAC condition, recommended federal Mitigation Measures, federal Follow-up Programs, and the permitting and other regulatory requirements that Cedar LNG would be subject to, the EAO's analysis of potential residual and cumulative effects, there would be:

- Negligible to minor impact on marine harvesting and minor impact on terrestrial harvesting;
- Minor impact on use and integrity of sacred and culturally important sites and landscape features;
- Minor negative impact and minor positive impact on Indigenous governance;
- Minor negative impact and minor positive impact on health and well-being.

Haisla communicated that the Cedar LNG project is consistent and compatible with the way the Haisla Nation choose to use their Aboriginal title lands and waters; and that Cedar LNG will benefit the Haisla community for many years to come, while always striving to reduce impacts to the environment.

The EAO concluded that the potential adverse effects of Cedar LNG on the Indigenous Interests of Haisla have been adequately avoided, minimized or otherwise accommodated, and that the EAO's engagement with Haisla has met the provincial Crown's duty to consult.

COAST TSIMSHIAN

Though now independent Nations under the *Indian Act*, Metlakatla and Lax Kw'alaams are comprised of

waap (house groups) of the nine Allied Tribes of the Coast Tsimshian.⁴ The Coast Tsimshian territories extend from the mouth of the Nass River to south of the mouth of the Skeena River, covering the Lower Skeena to east of the Zymoetz River near Terrace and west to the adjacent mainland coasts and islands into the Hecate Strait. The Cedar LNG shipping route bisects a key and integral marine area within the Coast Tsimshian territories. The area of particular concern is from the northwest side of Porcher Island to the Triple Island area and out to Dixon Entrance (these areas are inclusive of Stephens Island, the Tree Knob Group, Melville Island, Dundas Island, Dunira Island, Zayas Island, and all of Chatham Sound more generally).

Lax Kw'alaams, Metlakatla and the EAO worked together throughout the EA, which included joint work planning and consensus-seeking. Lax Kw'alaams and Metlakatla co-drafted a single assessment with Indigenous Interests identified through their experiences with other EAs in Coast Tsimshian traditional territories, consistent with UNDRIP, and the Indigenous Interests identified in Cedar's Application, followed by review and input by the EAO.

Coast Tsimshian identified the greatest potential for adverse effects from Cedar LNG to marine harvesting and Sense of Place Interests and focused its assessment on these Interests. Coast Tsimshian noted that harvesting could be impacted from changes in marine resource availability from the effects of Cedar LNG, as well as the location, timing and duration of Coast Tsimshian marine harvesting activities due to interference with access to preferred harvesting sites, marine and shoreline safety concerns, and sensory disturbance. Project-related marine traffic also has the potential to adversely affect Coast Tsimshian marine and shoreline users' attachment to and emotional connection with place due to sensory disturbance (visual effects, noise), increased unwanted interactions with other marine users and further industrialization of Coast Tsimshian marine territories. Cedar LNG has the potential to exacerbate current adverse effects on Coast Tsimshian peoples' sense of place by increasing marine traffic and thereby reducing Coast Tsimshian peoples' quiet enjoyment of marine and shoreline-based activities. Key EAC Conditions, recommended federal Mitigation Measures and Follow-up Programs related to these effects include a marine transportation communication report (Condition 12) and marine transportation plan (federal Mitigation Measure) with mechanisms for Indigenous nations to raise concerns on LNG carrier interference with marine use as well as a grievance process to have those concerns addressed; and a marine use Follow-up Program regarding wake and marine vegetation.

In the Assessment Report, the Coast Tsimshian and the EAO concluded that Cedar LNG is anticipated to result in moderate effects on marine harvesting and sense of place. Coast Tsimshian stated that while Coast Tsimshian peoples have demonstrated notable resilience to past and ongoing pressures on their

⁴ Prior to European settlement, the Coast Tsimshian organized into the following nine Allied Tribes: Gitwilygoots, Gits'iis, Gitzaxlaal, Ginaxangiik, Ginandoiks, Gitando, Giluts'aaw, Gispaxlo'ots, and Gitlaan (Halpin and Anderson, 1990; MacDonald, 2006; 2009; Martindale and Marsden, 2011); a tenth tribe, the Gitwilkseba, gradually became so reduced in size during the contact period that its remnants were absorbed by the other tribes. The present-day communities of Lax Kw'alaams and Metlakatla are both descended from these Allied Tribes.

Interests, their ability to exercise their rights within their traditional territories is highly constrained. Commercial and sport fishing, urban development in the Prince Rupert Harbour, port-related industrial development, increased boat traffic, habitat declines for important marine species and climate change (among other factors) have resulted in Coast Tsimshian marine harvesting and sense of place approaching thresholds of acceptable change. Cedar LNG would contribute to existing pressures, and combine with reasonably foreseeable projects and activities that would accelerate downward trends in the realization of these Coast Tsimshian Interests. In particular, Project-related marine traffic and increased recreational fishing would result in moderate residual adverse effects on Coast Tsimshian peoples' marine harvesting efforts and success, as well as Coast Tsimshian marine and shoreline users' sense of place.

For more information regarding Coast Tsimshian's methods and assessment ratings, refer to the Indigenous nation specific sections of the Assessment Report.

The EAO concluded that the potential adverse effects of Cedar LNG on the Indigenous Interests of Coast Tsimshian have been adequately avoided, minimized or otherwise accommodated, and that the EAO's engagement with Coast Tsimshian has met the provincial Crown's duty to consult.

GITGA'AT FIRST NATION

Gitga'at is one of the Indigenous nations of the lower Skeena River (north coast region) who form the broader Tsimshian Nation. Gitga'at's traditional territory covers approximately 14,000 km² of water and coastal land encompassed, including the lower Douglas Channel. Gitga'at's traditional territory (and reserve lands) overlaps the project assessment areas for nine VCs (air quality, acoustic, wildlife, marine resources, employment and economy, land and resource use, marine use, infrastructure and services, human health).

Gitga'at and the EAO worked together throughout the EA, which included joint work planning, consensus-seeking and collaborative drafting of the Gitga'at section of the Assessment Report.

Key issues raised by Gitga'at related to concerns regarding the cumulative effects of marine shipping on marine harvesting. Gitga'at noted concerns that there have been significant changes to the availability of resources harvested by Gitga'at members due to industrial overharvesting and Gitga'at members having experienced increased vessel traffic throughout their territorial water that are perceived to interfere with their harvesting plans and travel vessels. Many key marine resources no longer are available in their historic abundance; in particular, abalone and sea cucumber are no longer readily available due to industrial over-harvesting. Gitga'at feel that Gitga'at members have been pushed out of the areas of most concentrated use and cultural importance over time, and the large-scale cumulative impacts have affected Gitga'at's way of life and infringed on their rights. Gitga'at's concerns regarding cumulative effects included: the health and well-being of Gitga'at members, the increase in marine traffic, the increase in local populations, marine safety and air quality. Gitga'at may experience the effects from Cedar LNG marine shipping activities on their Indigenous interests disproportionately based on Gitga'at's strong linkages and dependence on marine resources.

Key EAC Conditions, recommended federal Mitigation Measures and Follow-up Programs related to these concerns include a marine transportation communication report (Condition 12) and marine transportation plan (federal Mitigation Measure) with mechanisms for Indigenous nations to raise concerns on LNG carrier interference with marine use and a grievance process to have them addressed; a marine use Follow-up Program regarding wake and marine vegetation; and a requirement that Cedar participate in regional cumulative effects initiatives (Condition 16).

In the Assessment Report, the EAO and Gitga'at completed an assessment of potential impacts of Cedar LNG on Gitga'at's Indigenous Interests. In consideration of the proposed EAC conditions, recommended federal Mitigation Measures, federal Follow-up Programs, and the permitting and other regulatory requirements that Cedar LNG would be subject to, as well as the EAO's analysis of potential residual and cumulative effects, Gitga'at concluded that there would be:

- [Impacts pending from Gitga'at]

The EAO concluded that the potential adverse effects of Cedar LNG on the Indigenous Interests of Gitga'at have been adequately avoided, minimized or otherwise accommodated, and that the EAO's engagement with Gitga'at has met the provincial Crown's duty to consult.

GITXAALA NATION

Gitxaala's territory encompasses the lands and waters spanning from Prince Rupert Harbour, south to Ariztazabal Island and includes Banks Island, McCauley Island, Pitt Island, the western side of Campania Island, portions of the mainland adjacent to Grenville Channel and surrounding waterways, as well as an oolichan fishing station on the Nass River. Portions of Gitxaala territory (including Lach Klan [Kitkatla]) are encompassed within the identified project assessment areas for nine VCs: (air quality, acoustic, wildlife, marine resources, employment and economy, land and resource use, marine use, infrastructure and services, and human health).

Gitxaala and the EAO worked together throughout the EA, which included joint work planning and consensus-seeking. Gitxaala drafted its own section of the Assessment Report, "Gitxaala Risk and Impact Assessment Report" structured around Gitxaala VCs and the information provided in Cedar's Application, with review and input by the EAO.

The key issue raised by Gitxaala was the effect of increased marine traffic in Gitxaala territorial waters on current and future generations. Gitxaala was of the view that the effects to Gitxaala Nation rights and title from marine transport and shipping are not limited to impacts on harvesters and marine users. As articulated in Cedar's Application, project related marine operations would also lead to residual project effects to marine navigation and marine fisheries and other uses, including Gitxaala's marine travel routes to access harvesting areas, sacred places, household goods and supplies, and healthcare services. In addition to navigational impacts the timing and frequency of increased large vessel traffic may impact Gitxaala citizens' ability to safely harvest at preferred times, in preferred locations, and to access sacred

places, which Gitxaala views as serious infringements of Gitxaala rights. Given Gitxaala's strong connections to its territory, the increased shipping will affect all Gitxaala citizens and Gitxaala's constitutionally protected title, including Gitxaala's right to govern and manage its territory according to Gitxaala law. Gitxaala emphasized that these impacts are especially concerning as they extend beyond Cedar LNG to the cumulative effects of all increased shipping that is resulting from the ongoing economic development across the region.

Key EAC Conditions, recommended federal Mitigation Measures and Follow-up Programs related to these concerns include a marine transportation communication report (Condition 12) and marine transportation plan (federal Mitigation Measure) with mechanisms for Indigenous nations to raise concerns on LNG carrier interference with marine use and a grievance process to have those concerns addressed; a marine use Follow-up Program regarding wake and marine vegetation; and a requirement that Cedar participate in regional cumulative effects initiatives (Condition 16).

At the conclusion of the EA, Gitxaala noted outstanding concerns regarding the timing, process and engagement opportunities for the Navigational Risk Assessment and the proposed federal Mitigation Measure for the marine transportation plan. Gitxaala is of the view that without further actions by Cedar or the Crown in collaboration with Gitxaala, Cedar LNG would result in severe and significant effects to Gitxaala VCs with Moderate risk of effects to Cultural Identity and Harvesting and High risk of effects to Governance and Sacred Places.

Gitxaala reached the following determinations on their assessment of Gitxaala's VCs:

- Significant for Governance;
- Significant for Harvesting;
- Significant for Cultural Identity; and
- Significant for Sacred Places.

For more information regarding Gitxaala's methods and assessment ratings, refer to the Gitxaala Nation section of the Assessment Report.

The EAO acknowledges Gitxaala's conclusions that residual effects are anticipated on Gitxaala's VCs. The EAO concluded that the potential adverse effects of Cedar LNG on the Indigenous Interests of Gitxaala have been adequately avoided, minimized or otherwise accommodated, and that the EAO's engagement with Gitxaala has met the provincial Crown's duty to consult.

KITSELAS FIRST NATION

Kitselas territory stretches from the Pacific Ocean, on B.C.'s North Coast, inland up the Skeena River Valley. Portions of Kitselas are encompassed within the identified project assessment areas for nine VCs: (air quality, acoustic, wildlife, marine resources, employment and economy, land and resource use, marine use, infrastructure and services, and human health).

Kitselas and the EAO worked together throughout the EA, which included joint work planning and consensus-seeking. Kitselas drafted its own section using Kitselas' Values and methods for characterizing effects with iterative review and input by the EAO.

Key issues raised by Kitselas during the EA related to management plans and cumulative effects. Kitselas wanted to ensure proposed mitigation measures (in particular management plans) had sufficient detail and included monitoring and adaptive management to confirm if project effects can be mitigated. Kitselas noted that Cedar had proposed management plans as mitigation without providing the plans but was of the view that the additional mitigation measures and commitment to several federal Follow-up Programs largely balanced their concerns. Furthermore, Kitselas noted that Cedar's commitment to consult Kitselas on the development of management plans, which they have already begun to act on, provided Kitselas with a higher degree of confidence in their effectiveness. Kitselas expressed concerns on how cumulative effects are assessed and considered and expressed the view that a strategic effects assessment of marine traffic on B.C.'s north coast should be undertaken before future projects with components that include marine traffic are allowed.

Key EAC Conditions, recommended federal Mitigation Measures and Follow-up Programs related to these concerns include Follow-up Programs for marine use and infrastructure and services; a socio-economic management plan (Condition 14); and a requirement that Cedar participate in regional cumulative effects initiatives (Condition 16).

Kitselas reached the following determinations of respect for Kitselas Values:

- Cedar LNG represents Tolerance for Kitselas History;
- Cedar LNG represents Tolerance to Respect for Kitselas Future;
- Cedar LNG represents Tolerance where Kitselas ways with respect to Kitselas' lands are concerned;
- Cedar LNG represents Ambivalence with respect to Kitselas' authority. Kitselas has had say in the project's development; and
- Cedar LNG represents Ambivalence to Tolerance of Kitselas community.

For more information regarding Kitselas' methods and assessment ratings, refer to the Kitselas First Nation section of the Assessment Report.

The EAO concluded that the potential adverse effects of Cedar LNG on the Indigenous Interests of Kitselas have been adequately avoided, minimized or otherwise accommodated, and that the EAO's engagement with Kitselas has met the provincial Crown's duty to consult.

KITSUMKALUM FIRST NATION

Kitsumkalum is one of the original *Galts'ap* (communities) who form the broader Tsimshian Nation. The main reserve lands are located where the mouth of the Skeena and Kalum Rivers meet. The Kitsumkalum traditional territory covers approximately 5,941 km², including the Kitsumkalum and Zymacord

watersheds, Lakelse Lake, as well as the Skeena River and the Prince Rupert Coast, spanning in the north from Portland Inlet, through Chatham Sound to the south in Grenville Channel.

Kitsumkalum and the EAO worked together throughout the EA, which included joint work planning, consensus-seeking and collaborative drafting of the Kitsumkalum section of the Assessment Report.

Key issues raised by Kitsumkalum during the EA related to the concerns that population increases from Cedar LNG and how these could negatively affect the quality and quantity of resources, Kitsumkalum harvesting, use and experience. These effects are of particular concern in conjunction with other projects. Kitsumkalum noted concerns on cumulative effects of projects on housing shortages and wage disparity as well.

Key EAC Conditions, recommended federal Mitigation Measures and Follow-up Programs related to these concerns include Follow-up Programs for infrastructure and services; a socio-economic management plan (Condition 14); and a requirement that Cedar participate in regional cumulative effects initiatives (Condition 16).

In consideration of the proposed EAC conditions, recommended federal Mitigation Measures, federal Follow-up Programs, and the permitting and other regulatory requirements that Cedar LNG would be subject to, and the EAO's analysis of potential residual and cumulative effects, the EAO concluded that the Cedar LNG would have the following impacts to Kitsumkalum's Interests:

- Negligible to minor on Harvesting rights;
- Negligible to minor on Use and Integrity of sacred and culturally important sites and landscape features;
- Minor negative impact and minor positive impact on Indigenous governance; and
- Minor negative impact and minor positive impact on Indigenous health and wellbeing.

Kitsumkalum did not share the view that the project would have positive effects. [Other views of Kitsumkalum pending].

The EAO concluded that the potential adverse effects of Cedar LNG on the Indigenous Interests of Kitsumkalum have been adequately avoided, minimized or otherwise accommodated, and that the EAO's engagement with Kitsumkalum has met the provincial Crown's duty to consult.

HAIDA NATION

Haida Territories are located approximately 85 km west of Prince Rupert, and include the Haida Gwaii archipelago (Graham Island and Moresby Island) as well as 150 smaller islands. Haida Territories, including reserve lands and territorial waters, are not located within the Marine Shipping Route assessment boundary or any of the other identified Project assessment areas. The Marine Shipping Route and pilot

boarding location at or near Triple Islands are approximately 24 km east of Haida territorial waters between Dixon Entrance and Hecate Strait.

Haida considered shipping to be a core component of Cedar LNG and raised concerns regarding the scope used to assess the effects of shipping as the assessment area did not extend to Haida Territories, despite LNG vessels having to travel through Haida Territories to get to the marine terminal. Based on the transit of LNG vessels through Haida Territories, Haida requested that Haida Gwaii be included in the spatial boundaries of the EA. The EAO recognizes Haida's rights within Haida territorial waters and Haida's interests and concerns regarding marine shipping. The EAO engaged with Haida during the EA to understand its concerns regarding potential effects of the Project and impacts to Haida's Interests.

Key concerns raised by Haida during the EA related to the scope of the assessment and the effects of shipping within Haida Territories include effects on marine mammals, invasive species, GHG emissions, air quality effects, impact on Haida commercial and traditional fisheries as well as tourism, navigational safety, and potential accidents and malfunctions.

Key EAC Conditions, recommended federal Mitigation Measures and Follow-up Programs related to these concerns include a marine transportation communication report (Condition 12) and marine transportation plan (federal Mitigation Measure) with mechanisms for Indigenous nations to raise concerns on LNG carrier interference with marine use and a grievance process to have those concerns addressed; a federal Mitigation Measure recommending that Cedar be required to participate in the development of shipping-related spill response plans or other agreements and facilitate the involvement of Indigenous nations; and a requirement that Cedar participate in regional cumulative effects initiatives (Condition 16).

The EAO concluded that the EAO's engagement with Haida has met the provincial Crown's duty to consult and the EAO's efforts to address concerns raised by Haida in relation to Cedar LNG were reasonable.

Haida expressed its opposition to any increase in LNG traffic through Haida Territories, noting that increases in marine transportation on the Pacific North Coast are a critical concern for Haida due to potential environmental impacts, including spills, which are detrimental to Haida Gwaii ecosystems and marine resources, and its people.

MÉTIS NATION BRITISH COLUMBIA

The EAO notified Métis Nation British Columbia (MNBC) of major project milestones on behalf of the Agency, as part of the substituted assessment. MNBC reported to Cedar that interactions between marine shipping and harvesters is MNBC's primary interest in the Project given Metis families have specific harvesting areas in the vicinity of the Project. Considering the EAO's analysis of potential residual and cumulative effects, the conditions identified in the Certified Project Description, Table of Conditions and the federal Mitigation Measures, the EAO concluded that Cedar LNG would have the following residual effects to Métis:

- Negligible to minor effects on changes in consumption and harvest; and
- Negligible to minor effects on changes in the use and integrity of sacred and culturally important sites and landscape features.

7. PUBLIC CONSULTATION

Public consultation requirements are intended to provide multiple, meaningful opportunities for the public to provide input. Public consultation opportunities described in this section fulfill the requirements outlined in the IAA. The EAO hosted three public comment periods and two virtual information sessions in total during the Pre-Application and Application Review stages of the EA:

- A 45-day public comment period from June 3 to July 19, 2021, on the draft Application Information Requirements, including two virtual information sessions held on June 8 and June 10 that Cedar participated in. Approximately 10 members of the public attended. The EAO received a total of 22 comments during the public comment period.
- A 45-day public comment period from February 28 – April 14, 2022, on the Application, including a virtual information session held on March 16 that Cedar participated in. Approximately 20 members of the public participated. A total of 16 comments were received during the public comment period.
- A 23-day public comment period from September 21 – October 14, 2022 on the EAO's draft Decision Materials, including the draft Assessment Report, draft Project Description, draft provincial EAC conditions and draft federal conditions of a Decision Statement. The EAO received a total of 171 comments during the public comment period.

The EAO required Cedar to respond to all the public comments received and to prepare a [Public Consultation Plan](#) early in the EA that set out Cedar's consultation objectives and activities. Cedar undertook consultation activities in support of its Public Consultation Plan (as outlined in Cedar's Public Consultation Reports), including: establishing a Cedar LNG website; engaging key stakeholders via email, meetings, and other forms of communication; holding open houses and information sessions virtually and in the evenings to increase accessibility; and a commitment to host community meetings with interested parties to discuss updated information related to Cedar LNG and contracting, training and employment opportunities. The Public Consultation Plan and Cedar's Public Consultation Reports are available on the EAO's EPIC website.

The key issues raised by the public through the submitted public comments are listed in the table below (Table 3). These comments and Cedar's responses were considered and discussed further in the relevant sections of the Assessment Report and responded to individually in Cedar's Public Consultation Reports. Key issues raised by the public helped to inform the EAO's assessment of Cedar LNG, including requests for technical information during the EA, the completion of the EAO's Summary and Assessment Reports, and the development of the EAO's proposed EAC conditions.

Table 3. Key concerns raised by the public during the Cedar LNG EA

| Key Issue | Section in Assessment Report | Proposed Mitigation Measures |
|--|---|--|
| Greenhouse Gas Emissions <p>Concerns with allowing LNG projects to go ahead if B.C. and Canada are serious about meeting net-zero GHG commitments by 2050.</p> <p>Use of fossil fuels and the need for a complete Strategic Assessment of Climate Change.</p> <p>Concerns that upstream emissions are not properly estimated; concern with the adequacy of Cedar's cumulative GHG analysis.</p> <p>Public perception that currently the northwest electrical grid is not able to supply the necessary power and Cedar LNG will burn gas for electricity production</p> | <p>Section 6.4: Greenhouse Gas Emissions</p> <p>Section 6.9.8: Considering Environmental Obligations and Commitments in Respect of Climate Change</p> | <p>Condition 10: a Greenhouse Gas Reduction Plan, which would require Cedar to consider emission reduction targets and schedules, provide an analysis of best available technologies, practices and processes for minimizing GHG emissions, and a summary of how Cedar will achieve net-zero GHG emissions by 2050.</p> <p>Federal Mitigation Measures requiring Cedar to develop a Net-Zero Plan to demonstrate how Cedar LNG will not emit greater than net 0 kt CO₂e/year by January 1, 2050.</p> <p>Specification within the provincial Project Description and a federal Mitigation Measure and that requires Cedar to use electricity to power the liquefaction of natural gas throughout operations.</p> <p>A Follow-up Program for GHG emissions under the IAA to compare predictions in the Application to the GHG emissions calculated to meet the federal reporting requirements under ECCC's Greenhouse Gas Reporting Program, as well as to outline and justify discrepancies.</p> |
| Air Quality <p>Concerns related to air emissions, including inadequate air dispersion modelling.</p> | <p>Section 5.1: Air Quality</p> | <p>Condition 9: a Construction Environment Management Plan, which would require Cedar to implement air quality management measures.</p> <p>Condition 11: a Community Feedback Process, which would allow members of the community to submit concerns related to the project to Cedar, including concerns regarding air emissions.</p> <p>Condition 16: a Socioeconomic Management Plan, which would require Cedar to participate in cumulative effects initiatives, specifically the Kitimat Airshed Group, or a successor airshed monitoring program established by the Province.</p> <p>A Follow-up Program for air quality under the IAA, which would include a comparison of air quality modelling results, federal and provincial air quality objectives, and residual effects characterization criteria applied in the Application to present air quality data.</p> |
| Human Health <p>Concerns related to human health, including impacts from project air emissions and impacts from spills and leaks on the local community and Indigenous nations.</p> | <p>Section 5.1: Air Quality</p> <p>Section 5.12: Human Health</p> | <p>Condition 9: a Construction Environment Management Plan, which would require Cedar to implement air quality management measures.</p> <p>Condition 11: a Community Feedback Process, which would allow members of the community to submit concerns related to the project to Cedar, including concerns regarding air emissions.</p> <p>Condition 16: a Socioeconomic Management Plan, which would require Cedar to participate in cumulative effects initiatives, specifically the Kitimat Airshed Group, or a successor airshed monitoring program established by the Province.</p> <p>Condition 15: a Baseline Soil Condition Report, requiring Cedar to conduct soil sampling and prepare a report on results, which must</p> |

| | | |
|---|--------------------------|---|
| | | <p>include a consideration of potential pathways for exposure by human and environmental receptors if concentrations exceed applicable soil standards. Should operable pathways exist, Cedar would be required to complete a Human Health and Ecological Risk Assessment to inform additional sampling, mitigation and/or monitoring measures.</p> <p>Federal Mitigation Measures related to air quality requiring Cedar to manage vehicle and equipment emissions by conducting regular maintenance, controlling fugitive dust emissions from the movement of construction equipment, and to develop and implement a community feedback process.</p> |
| <p>Issues Beyond the Scope of the Review</p> <p>Upstream impacts of fossil fuel extraction, fracking, fugitive methane and flaring in the exploration and development of natural gas production.</p> <p>The effect of pipeline systems on the environment and Indigenous nations.</p> <p>The need to move beyond building fossil fuel infrastructure and to invest in renewable low carbon technologies such as wind, solar, and wave power projects</p> | 4.4: Public Consultation | N/A |

8. LOCAL GOVERNMENT CONSULTATION

The District of Kitimat, City of Terrace and Regional District of Kitimat Stikine were invited and participated in the Working Group for Cedar LNG. The EAO considered the concerns of and potential effects to local governments during the EA and these concerns are discussed further in the relevant sections of the Assessment Report. Key issues raised by local governments helped inform the EAO's assessment of Cedar LNG, including requests for technical information, the completion of this report and Assessment Report, and the development of the EAO's proposed EAC conditions.

Local governments raised the following key concerns related to Cedar LNG:

- Socioeconomic effects associated with increased population numbers, including cost of living and homelessness;
- Increased demands on infrastructure and services;
- Effects on regional employment, including contracting opportunities for local businesses; and
- Air emissions and air quality.

In response to these concerns, the EAO is proposing the EAC conditions, federal Mitigation Measures and Follow-up Programs, as described in the sections above on air quality, infrastructure and services, and human and community-well-being.

9. FEDERAL GOVERNMENT PARTICIPATION

In granting substitution of the EA, the federal Minister was satisfied the EAO would involve the Federal Authorities in the EA. The following federal departments participated in the review of Cedar's documents, including the draft VCs, dAIR, Application and EAO's draft Assessment Report and proposed EAC conditions:

- The Canadian Coast Guard provided comments and information related to its regulatory and statutory responsibilities within the themes of marine shipping, accidents and malfunctions, cumulative effects and Follow-up Programs;
- Environment and Climate Change Canada provided comments and information related to its regulatory and statutory responsibilities within the themes of vegetation, wildlife, marine mammals, water quality, cumulative effects, air quality, GHGs, accidents and malfunctions, and strategic assessment of climate change;
- Employment and Social Development Canada provided comments and information related to its regulatory and statutory responsibilities within the themes of community profiles on socioeconomics of the workforce for the project, jobs created, barriers to employment participation for local underrepresented groups and Indigenous nations labour force including GBA Plus;
- Fisheries and Oceans Canada provided comments and information related to its regulatory and statutory responsibilities within the themes of fish and fish habitat as well as marine mammals;
- Health Canada provided advice and information related to its statutory responsibilities to support the assessment of impacts on human health;
- Indigenous Services Canada provided advice and information related to Indigenous nations employment, workforce requirements and employment opportunities;
- Innovation, Science and Economic Development provided comments on contracting requirements, auditing, need for an enforcement program and needing measures in place to address effects that are beyond Cedar's control;
- Natural Resources Canada provided comment on seismicity, terrain hazards, marine environment and marine geohazards (including tsunamis);
- Public Safety Canada participated, but did not raise any issues or concerns related to its mandate;
- Transport Canada provided comments and information related to its regulatory and statutory responsibilities within the themes of marine navigation, accidents and malfunctions, cumulative effects, identification of mitigation measures and Follow-up Programs; and
- Women and Gender Equality Canada provided comments and information related to expertise in the application of GBA Plus and gender equality as well as information related to gender-based

violence.

Under substitution, the Assessment Report will be submitted to the federal Minister of Environment and Climate Change, consistent with Section 34(1)(d) of the IAA and in order for the federal Minister to make decisions under subsection 60(1) of the IAA within the time limits set out in the IAA.

The Assessment Report will be made available to the public, consistent with Section 33(1)(h) of the IAA.

The EAO's assessment undertaken in the Assessment Report fulfills the federal requirements and conditions as described in (1) the IAA, (2) the Cooperation Agreement, and (3) the Federal Minister of the Environment's *Notice of Substitution Approval under the Impact Assessment* for the Project in the following ways:

- Section 6.9 of the Assessment Report includes the following:
 - A description of where each federal requirement is located within the Assessment Report;
 - An assessment of the following requirements under the IAA:
 - IAA Section 2(b): a change to the environment that would occur on federal lands, in a province other than the one where the physical activity or the designated project is being carried out, or outside Canada;
 - IAA Section 2(c): current use of lands and resources for traditional purposes and cultural heritage
 - IAA Section 2(d): any change occurring in Canada to the health, social or economic conditions of Indigenous peoples of Canada;
 - IAA Section 22(1)(h): the extent to which the designated project contributes to sustainability; and
 - IAA Section 22(1)(i): the extent to which the effects of the designated project hinder or contribute to the Government of Canada's ability to meet its environmental obligations and its commitments in respect of climate change;
- Section 5.4: Wildlife, Section 5.5: Freshwater Fish, and Section 5.6: Marine Resources include the EAO's assessment of the Species at Risk Act (SARA) subsection 79(2): the identification of adverse effects on the SARA-listed wildlife species and their critical habitats and associated mitigation and monitoring measures; and
- As part of the substituted EA, the EAO consulted the Indigenous nations listed in Section 6 of this report on behalf of the federal government, including Métis Nation of British Columbia and Haida Nation, as well as the distribution of federal capacity funding to all Indigenous nations consulted (details provided in Part C of the Assessment Report).

In addition to the conditions proposed by the EAO for incorporation in the provincial EA certificate, the federal government will be proposing conditions related to the above federal requirements, which would become legally binding if Cedar LNG is approved by Canada.

10. ADDITIONAL CONSIDERATIONS

Ministers may consider other matters that are relevant to the public interest in making their decision in whether to grant an environmental assessment certificate to the proponent. The following potential economic benefits and contributions to community development of Cedar LNG were presented in Cedar's Application and considered during the Application Review period.

Economic Benefits

Cedar estimated that total direct capital expenditures for Cedar LNG would be between \$1.8 and approximately \$3.0 billion (estimated in 2019 Canadian dollars). The major percentage of capital costs are associated with material cost for the FLNG facility, which would be built overseas in Asia. Project spending is estimated to result in \$257 million in Gross Domestic Product (GDP) contributions over the four-year Construction phase, with \$107 million of this estimate in direct effects (100 percent occurring in B.C.), \$94 million in indirect effects (63.8 percent occurring in B.C.) and \$56 million in induced effects (67.9 percent occurring in B.C.). During the 40-year Operations phase of Cedar LNG, the annual GDP contributions are estimated at \$85 million, comprised of \$24 million in direct effects (100 percent occurring in B.C.) and \$22 million in induced effects (68.2 percent occurring in B.C.).

Cedar LNG would also create jobs with a peak workforce of up to 500 full-time equivalent workers (FTEs) during construction, 100 FTEs over the 40-year life of the facility during operations, and up to 100 to 150 workers during decommissioning.

Contribution to Community Development

With Haisla being the majority owner of Cedar LNG, Cedar would directly support Haisla through the generation of business profits, which would be invested back into the Haisla community. Cedar LNG will create jobs, contracting and other economic opportunities for Haisla, the local community, neighbouring Indigenous nations and the Northwest Region of B.C.

11. CONCLUSIONS

Based on:

- Information contained in Cedar's Application, and supplemental information provided by Cedar, Indigenous nations and Working Group members during Application Review;
- Cedar and the EAO's consultation with Indigenous nations, federal, provincial and local government agencies and the public;
- Comments received during the Cedar LNG EA made by Indigenous nations, federal, provincial and local government agencies as members of the EAO's Working Group, and Cedar's and the EAO's responses to those comments;

- Comments received during the Cedar LNG EA during the public comment periods, and Cedar's responses to those issues;
- Issues raised by Indigenous nations regarding the potential effects of Cedar LNG to their Indigenous Interests, and Cedar's response and best efforts to address those issues;
- Issues raised by Indigenous nations that were outside of the scope of the Cedar LNG EA, and the federal and provincial agencies' and Cedar's approaches to address those issues;
- The design of Cedar LNG as specified in the EAO's proposed Project Description (Schedule A of the EAC, if issued) which authorizes the Project components and activities that may occur;
- Mitigation measures identified in the EAO's proposed conditions (Schedule B of the EAC, if issued) to be implemented by Cedar during all phases of Cedar LNG;
- The EAO's recommended Mitigation Measures under the IAA intended to inform federal conditions that would be implemented by Cedar during all phases; and
- Permitting and other regulatory requirements that Cedar LNG would be subject to if it receives an EAC and positive federal decision.

Considering Indigenous nations' views of the Project including:

- Haisla expressed that the Cedar LNG project is consistent and compatible with the way the Haisla Nation choose to use their Aboriginal title lands and waters. Cedar LNG will benefit the Haisla community for many years to come, while always striving to reduce impacts to the environment.
- Kitselas believes that cumulative effects to which the Project contributes are currently underestimated in the Assessment Report. However, given that Kitselas understands that Cedar will implement all conditions and commitments expressed throughout the assessment process thus far and provide reasonable accommodation to Kitselas for residual impacts resulting from the Project, Kitselas determined that the potential adverse effects of Cedar LNG on the Indigenous Interests of Kitselas have been adequately avoided, minimized, or otherwise accommodated.
- Lax Kw'alaams concluded that Cedar LNG is likely to result in moderately severe residual adverse impacts on its marine harvesting rights and sense of place.
- [Other views of Indigenous nations pending].

The EAO is satisfied that:

- The EA process has adequately identified and assessed potential adverse environmental, economic, social, heritage and health effects of Cedar LNG, having regard to the proposed conditions set out in the Table of Conditions (Schedule B to the EAC, if issued), and the recommended Mitigation Measures under the IAA;
- Cedar LNG would further advance reconciliation with Haisla, because Haisla would directly own and participate in a major industrial development in their territory;
- Positive effects of the Project, including to Haisla and the regional economy, have been maximized to the extent possible;
- Other assessment matters have been adequately assessed including: risks and uncertainties

associated with effects, interactions between effects, the risks of malfunctions and accidents, disproportionate effects on distinct human populations, effects on biophysical factors that support ecosystem functions, effects on current and future generations, contributions to sustainability, consistency with land use plans, GHG emissions, alternative means for carrying out the project, and potential changes to the Project that may be caused by the environment;

- Consultation with agencies and the public has been adequately carried out;
- Issues identified by government agencies and members of the public, which were within the scope of the EA, were adequately and reasonably addressed during Application Review;
- Cedar would result in adverse residual or cumulative effects to environmental, social, heritage and health VCs, but with the application of mitigation measures and legally binding conditions, these effects would not be significant;
- The collaborative engagement and consensus seeking efforts as well as the Crown's process of seeking to understand potentially outstanding issues and impacts with Haisla, Gitga'at, Gitxaala, Kitselas, Kitsumkalum, Lax Kw'alaams, Metlakatla and Haida has been carried out in good faith;
- The potential for adverse effects on the Indigenous Interests of Indigenous nations that are within the scope of this EA, has been avoided, minimized or otherwise accommodated to a reasonable level; and [conclusion pending further engagement and discussion with Indigenous nations, including some nations' assessment conclusions]
- On matters within the scope of this EA, the provincial Crown has fulfilled its legal obligations to consult and accommodate potentially affected Indigenous nations related to the issuance of an EAC for Cedar LNG. [conclusion pending further engagement and discussion with Indigenous nations, including some nations' assessment conclusions]

APPENDIX A – SUMMARY CHARACTERIZATION OF RESIDUAL EFFECTS ON VALUED COMPONENTS

| Valued Components | Residual Effects | Context (Resilience) | Direction & Magnitude | Geographic Extent | Duration | Frequency | Reversibility | Affected Populations | Risk (Likelihood and Consequences) | Uncertainty | Significance (Residual Effects) | Significance (Cumulative Effects) |
|----------------------|--|----------------------|-----------------------|-------------------|-----------|------------------|---------------|----------------------|---|-------------|---------------------------------|-----------------------------------|
| Air Quality | Air quality in the Facility Area | Low | Adverse and Low | Local | Long-term | Frequent/Regular | Reversible | Disproportionate | Likelihood: High Consequence: Minor Risk: Moderate | Moderate | Not significant | Not significant |
| | Air quality in the Marine Shipping Route | Low to High | Adverse and Low | Regional | Long-term | Frequent/Regular | Reversible | Disproportionate | Likelihood: High Consequence: Minor Risk: Low | High | | |
| Acoustics | Acoustics in the Facility Area | Moderate | Adverse and Low | Local/Regional | Long-term | Continuous | Reversible | Disproportionate | Likelihood: High Consequence: Moderate Risk: Moderate | Moderate | Not significant | Not significant |
| | Acoustics in the Marine Shipping Route | Low | Adverse and Low | Local/Regional | Long-term | Regular | Reversible | Disproportionate | Likelihood: High Consequence: Moderate Risk: Moderate | Moderate | | |
| Vegetation Resources | Change in abundance of plant species of interest | Low | Adverse and Low | Local | Permanent | Continuous | Reversible | N/A | Likelihood: High Consequence: Minor Risk: Low | Low | Not significant | Not significant |
| | Change in abundance or condition of ecological communities of interest | Low | Adverse and Low | Local | Permanent | Continuous | Irreversible | N/A | Likelihood: High Consequence: Minor Risk: Low | Low | | |
| | Change in wetland | Low | Adverse and Low | Local | Permanent | Continuous | Irreversible | N/A | Likelihood: High | Low | | |

| Valued Components | Residual Effects | Context (Resilience) | Direction & Magnitude | Geographic Extent | Duration | Frequency | Reversibility | Affected Populations | Risk (Likelihood and Consequences) | Uncertainty | Significance (Residual Effects) | Significance (Cumulative Effects) |
|-------------------|---|----------------------|-----------------------------|---|------------------------|---------------------------|-------------------------|----------------------|---|-------------|---------------------------------|-----------------------------------|
| | functions | | | | | | | | Consequence: Minor Risk: Low | | | |
| | Change in native vegetation health and diversity due to air emissions | Low | Adverse and Low | Local | Permanent | Continuous | Reversible | N/A | Likelihood: Medium Consequence: Minor Risk: Low | Low | | |
| Wildlife | Change in habitat | Low to Moderate | Adverse and Moderate | Local | Long-term to Permanent | Infrequent and Continuous | Reversible/Irreversible | N/A | Likelihood: High | Moderate | Not significant | Not significant |
| | Change in movement | Low to Moderate | Adverse and Low to Moderate | Local for physical barriers and Regional for effects on corridors | Long-term to Permanent | Continuous | Reversible | N/A | Consequence: Low to Moderate Risk: Moderate | | | |
| | Change in mortality risk | Low to Moderate | Adverse and Low to Moderate | Local and Regional | Long-term to Permanent | Infrequent and Continuous | Reversible | N/A | | | | |
| Freshwater Fish | Changes in water quality | Low to Moderate | Adverse and Low | Local | Medium-term | Infrequent | Reversible | N/A | Likelihood: Medium Consequence: Moderate | Low | Not significant | Not significant |
| | Changes in fish habitat from riparian clearing | Moderate | Adverse and Low | Local | Medium-term | Infrequent | Reversible | N/A | Risk: Moderate | | | |
| | Changes in fish health/mortality | Moderate | Adverse and Low | Local | Medium-term | Infrequent | Reversible | N/A | | | | |
| Marine Resources | Change in water quality | Low to Moderate | Adverse and Low | Site-specific | Long-term | Infrequent to Regular | Reversible | N/A | Likelihood: Medium Consequence: Moderate Risk: Moderate | Moderate | Not significant | Not significant |

| Valued Components | Residual Effects | Context (Resilience) | Direction & Magnitude | Geographic Extent | Duration | Frequency | Reversibility | Affected Populations | Risk (Likelihood and Consequences) | Uncertainty | Significance (Residual Effects) | Significance (Cumulative Effects) |
|------------------------|--|--------------------------------|-----------------------|--|-----------|---------------------------|---------------|----------------------|---|-------------|---------------------------------|-----------------------------------|
| | Change in habitat | Low to Moderate | Adverse and Moderate | Site-specific and Local | Long-term | Infrequent | Irreversible | N/A | Likelihood: Medium Consequence: Moderate Risk: Moderate | Moderate | | |
| | Change in behaviour of fish or marine mammals | Low to Moderate | Adverse and Moderate | Regional | Long-term | Infrequent and Regular | Reversible | N/A | Likelihood: Moderate to High Consequence: Moderate Risk: Moderate | Moderate | | |
| | Change in fish or marine mammal injury or mortality risk | Low to Moderate | Adverse and Moderate | FLNG: Site-specific Marine Shipping Route: Regional | Long-term | Infrequent and Continuous | Reversible | N/A | Likelihood: Medium to Low Consequence: Moderate Risk: Moderate | Moderate | | |
| Employment and Economy | Change in regional employment | Moderate | Positive and Moderate | Local/Regional | Long-term | Continuous | Reversible | Disproportionate | N/A | Moderate | Not significant | Not significant |
| | Change in regional business | Moderate | Positive and Moderate | Local/Regional | Long-term | Continuous | Reversible | Disproportionate | N/A | Moderate | | |
| | Change in regional economy | LAA/RAA: Moderate B.C.: Low | Positive and Moderate | Local/Regional | Long-term | Continuous | Reversible | Disproportionate | N/A | High | | |
| Land and Resource Use | Change in private property and tenured land and resource use | Moderate | Adverse and Low | Local | Long-term | Continuous | Reversible | N/A | Likelihood: High Consequence: Minor Risk: Low | Low | Not significant | Not significant |
| | Change in non-tenured land and resource use | Moderate | Adverse and Moderate | Local | Long-term | Continuous | Reversible | N/A | Likelihood: High Consequence: Minor Risk: Low | Low | | |

| Valued Components | Residual Effects | Context (Resilience) | Direction & Magnitude | Geographic Extent | Duration | Frequency | Reversibility | Affected Populations | Risk (Likelihood and Consequences) | Uncertainty | Significance (Residual Effects) | Significance (Cumulative Effects) |
|-----------------------------|--|----------------------|-----------------------------|-------------------|-----------|--------------------------------|-------------------------|----------------------|--|-----------------|---------------------------------|-----------------------------------|
| Marine Use | Change in marine navigation | Medium | Adverse and Low | Regional | Long-term | Regular/Frequent to Continuous | Reversible | Disproportionate | Likelihood: High Consequence: Moderate Risk: Moderate | Low | Not significant | Not significant |
| | Change in marine fisheries and other uses | Medium | Adverse and Moderate | Regional | Long-term | Regular/Frequent to Continuous | Reversible | Disproportionate | Likelihood: High Consequence: Moderate Risk: Moderate | Moderate | | |
| Infrastructure and Services | Changes in infrastructure and services (including health services) | Low | Adverse and Low to Moderate | Regional | Long-term | Continuous | Reversible | Disproportionate | Likelihood: Medium to High Consequence: Minor Risk: Moderate | Moderate | Not significant | Not significant |
| | Change in accommodation availability | Low | Adverse and Low to Moderate | Regional | Long-term | Continuous | Reversible | Disproportionate | | | | |
| | Change in transportation infrastructure | Low | Adverse and Low to Moderate | Regional | Long-term | Continuous | Reversible | Disproportionate | | | | |
| Heritage | No residual effects predicted | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Human Health | Changes to air quality in the Facility Area | Low | Adverse and Moderate | Local | Long-term | Continuous | Reversible/Irreversible | Disproportionate | Likelihood: High Consequence: Moderate Risk: Moderate | Low to moderate | Not significant | Not significant |
| | Changes to noise in the Facility Area | Moderate | Adverse and Low | Local/Regional | Long-term | Continuous | Reversible/Irreversible | Disproportionate | | | | |
| | Changes to air quality along the Marine Shipping Route | Moderate | Adverse and Moderate | Local | Long-term | Infrequent | Reversible/Irreversible | Disproportionate | Likelihood: High Consequence: Minor | Moderate | Not significant | Not significant |

| Valued Components | Residual Effects | Context (Resilience) | Direction & Magnitude | Geographic Extent | Duration | Frequency | Reversibility | Affected Populations | Risk (Likelihood and Consequences) | Uncertainty | Significance (Residual Effects) | Significance (Cumulative Effects) |
|-------------------|--|----------------------|-----------------------|-------------------|-----------|------------------|-------------------------|----------------------|------------------------------------|-------------|---------------------------------|-----------------------------------|
| | Changes to noise along the Marine Shipping Route | Low | Adverse and Low | Local | Long-term | Frequent/Regular | Reversible/Irreversible | Disproportionate | Risk: Low | | | |

DRAFT

Vopak Pacific Canada Project

The Federal Authorities Determination Rationale

for the *Canadian Environmental Assessment Act, 2012* and *Impact Assessment Act* (2019)

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Page 097 of 274 to/à Page 270 of 274

Withheld pursuant to/removed as

Copyright

RE: Follow-up on OPP initiatives in DDRs

From: Lei, Cecilia <cecilia.lei@tc.gc.ca>
To: dan.e.cardinall@gmail.com
Cc: William, Joy (TC/TC) <joy.william@tc.gc.ca>, Beavis, Katherine (TC/TC) <katherine.beavis@tc.gc.ca>, Short, Charles J FLNR:EX <Charles.Short@gov.bc.ca>, Steve Diggon <sdiggon@coastalfirstnations.ca>, Deery, Sinead (she,her | elle,la) (TC/TC) <Sinead.Deery@tc.gc.ca>
Sent: November 1, 2022 4:15:27 PM PDT
Received: November 1, 2022 4:15:27 PM PDT

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

UNCLASSIFIED / NON CLASSIFIÉ

Hi Dan,

Thank you for sharing these. We've taken a look and have requested changes in light of your comments. I understand my colleagues in the Programs branch will follow up with the details.

We will follow up separately regarding the RFA Communications Protocol.

Thanks again for bringing your concerns to our attention.

Best,
Cecilia

From: Dan Cardinall <dan.e.cardinall@gmail.com>
Sent: Monday, October 31, 2022 12:54 PM
To: Lei, Cecilia <cecilia.lei@tc.gc.ca>
Cc: William, Joy (TC/TC) <joy.william@tc.gc.ca>; Beavis, Katherine (TC/TC) <katherine.beavis@tc.gc.ca>; Short, Charles J FLNR:EX <Charles.Short@gov.bc.ca>; Steve Diggon <sdiggon@coastalfirstnations.ca>
Subject: Re: Follow-up on OPP initiatives in DDRs

Cecilia,

Attached is one example - the draft VOPAK determination rationale. See for example what is written on pages 118 and 128-129.

In pages 128-29 Transport Canada explicitly refers to and relies on various RFA/OPP initiatives as measures that can or will serve to mitigate various residual and cumulative effects associated with the Project.

On page 142 you'll see that this information gets woven into the summary of conclusions, which then allows for the definitive statement that the Project "is not likely to result in significant adverse environment effects".

Another example can be found in the draft Cedar LNG summary assessment report produced by BC EAO in collaboration with federal agencies. You'll find that both BC and Canada are relying on RFA/OPP as mitigation measures by inserting conditions that require the proponent to participate in various RFA/OPP initiatives (see for example what's in page 11).

Dan

On 2022-10-31 11:02 a.m., Lei, Cecilia wrote:

Hello Dan,

I am following up on the discussion about OPP initiatives being referenced in DDRs at our RFA Regional Steering Committee last week. Could you please share with us the specific wording that you have concerns with? I understand that we'd need to look into this today/tomorrow if we're the make the internal timeline.

Best,
Cecilia

Cecilia Lei
she/her/elle

Regional Director, Oceans Protection Plan Engagement | Directrice régionale, engagement du plan de protection des océans
Transport Canada | Transports Canada
Cell: 236-688-4817
Cecilia.lei@tc.gc.ca

FW: 271545 Incoming: Thank You & Meeting Request - Chief Councillor, Crystal Smith - Haisla Nation

From: Minister, MUNI MUNI:EX <MUNI.Minister@gov.bc.ca>
To: Minister, LWRS LWRS:EX <LWRS.Minister@gov.bc.ca>
Sent: December 13, 2022 2:59:38 PM PST
Received: December 13, 2022 2:59:39 PM PST
Attachments: Meeting Request - Minister Cullen.docx, image001.jpg

Good afternoon ,

I just wanted to pass this along to MNC's new MO so that it's flagged in your inbox as a meeting request for him!

Thanks guys,

Nicole Moreira (she/her)

Administrative Assistant to The Honourable Anne Kang
Ministry of Municipal Affairs
P: 778-401-6289 | E: Nicole.Moreira@gov.bc.ca

From: Crystal Smith <CSmith@haisla.ca>
Sent: November 18, 2022 3:03 PM
To: Cullen.MLA, Nathan LASS:EX <Nathan.Cullen.MLA@leg.bc.ca>; Minister, MUNI MUNI:EX <MUNI.Minister@gov.bc.ca>
Cc: Walters, Hailey MUNI:EX <Hailey.Walters@gov.bc.ca>; jamesmcnish@gov.bc.ca; Andrews, Scott MUNI:EX <Scott.Andrews@gov.bc.ca>; Carolyn Ringham <CRingham@haisla.ca>; Michael Eddy <MEddy@pembina.com>
Subject: 271545 Incoming: Thank You & Meeting Request - Chief Councillor, Crystal Smith - Haisla Nation

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good afternoon Hon. Minister Cullen,

Can you see the attached letter please



HAISLA NATION COUNCIL

Crystal Smith

Chief Councillor

Haisla Nation Council

500 Gitksan PO Box 1101 Haisla, B.C V0T 2B0

Email: crystal.smith@haisla.ca

Tel: 2506399361 ext. 111

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HAISLA NATION COUNCIL

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Toll Free: 1-888-842-4752 | Fax: 250-632-2840 or 250-632-4794

November 17, 2022

Sent via email - nathan.cullen.MLA@leg.bc.ca; MAH.Minister@gov.bc.ca

cc: hailey.walters@gov.bc.ca & jamesmcnish@gov.bc.ca & scott.andrews@gov.bc.ca

Dear Hon. Minister Cullen:

Meeting Request – Haisla Nation, Chief Crystal Smith

On behalf of The Haisla Nation and the Cedar LNG project, I wanted to reach out to you with a request to meet. Recently we had a chance to speak with some of your colleagues at a reception that we hosted but unfortunately you were unable to attend.

We would appreciate the opportunity to provide you with updates on the Cedar LNG project in British Columbia and how it is taking concrete steps toward economic reconciliation. We are committed to working with you to create economic growth and opportunities for British Columbians and First Nations while continually working to protect our environment.

As we were not able to speak with you at the reception, I would welcome the chance to start a conversation with you about the importance of this project to our Nation as we move forward.

Please let me know what times would work with your schedule.

Sincerely,

Crystal Smith
Chief Councillor
Haisla Nation