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<b>To</b>	Sarah Devin, Senior Analyst, Compliance Promotion and Follow-Up Team
<b>From</b>	Lara Taylor, MRM, P.Eng. Environmental Assessment Lead
<b>Date</b>	November 25, 2024
<b>Subject</b>	Cedar LNG Project Amendment Application – Decision Statement Condition 2.16 – Federal Effects

## Introduction

Cedar LNG Partners LP, by its general partner Cedar LNG Partners (GP) Ltd. (Cedar), a Haisla Nation led partnership with Pembina Pipeline Corporation, is constructing a liquefied natural gas (LNG) export facility within the District of Kitimat, British Columbia (BC) (the Project). The Project underwent an environmental assessment from 2019 to 2023 and received an environmental assessment certificate (EAC) under BC’s *Environmental Assessment Act* (EAC #23 01) and a positive Decision Statement under Canada’s *Impact Assessment Act* (reference number 80208) in March 2023. The Project commenced construction in July 2024.

On October 25, 2024, Cedar applied to the Environmental Assessment Office (EAO) and Impact Assessment Agency of Canada (IAAC) to amend EAC #23-01 and the *Impact Assessment Act* Decision Statement (amendment application), respectively. In an email dated November 8, 2024, IAAC requested additional information to meet conditions 2.16.1, 2.16.2, and 2.16.3 of the Decision Statement as it relates to “effects within federal jurisdiction” and “direct or incidental effects” as defined in section 2 of the *Impact Assessment Act*.

Conditions 2.16.1 to 2.16.3 of the Decision Statement ask the Proponent to provide:

*2.16.1. a description of the proposed change(s) to the Designated Project and the federal effects that may result from the proposed change(s);*

*2.16.2. any modified or additional measure to mitigate any federal effect that may result from the proposed change(s) and any modified or additional follow-up requirement; and*

*2.16.3. an explanation of how, taking into account any modified or additional mitigation measure referred to in condition 2.16.2, the federal effects that may result from the proposed change(s) may differ from the federal effects of the Designated Project identified during the impact assessment.*

The purpose of this memorandum is to provide a summary of findings related to federal effects of the proposed changes described in the amendment application. Table 1 below provides a concordance between the list of potential federal effects as defined in section 2 of the *Impact Assessment Act*, and where the relevant information is presented in the amendment application.

**TABLE 1 EFFECTS WITHIN FEDERAL JURISDICTION**

Effects within Federal Jurisdiction (as defined in section 2 of the <i>Impact Assessment Act</i> )	Section of Amendment Application Where the Effect is Assessed	Assessment Details	Amendment Application Findings	Changes to the Decision Statement Conclusions
(a) a non-negligible adverse change to the following components of the environment that are within the legislative authority of Parliament:				
(i) fish and fish habitat, as defined in subsection 2(1) of the <i>Fisheries Act</i> .	Section 7.6 Freshwater Fish; Appendix C	<p>Assessment of:</p> <ul style="list-style-type: none"> <li>Injury or mortality of freshwater fish within the context of section 34.4 of the <i>Fisheries Act</i></li> <li>Harmful alteration, disruption or destruction of freshwater fish habitat within the context of section 35 of the <i>Fisheries Act</i></li> <li>Degradation of freshwater quality within the context of section 36(3) of the <i>Fisheries Act</i></li> </ul>	<p>As described in Section 7.6.2 of the amendment application there will be no change in the potential effects of the proposed amendment components on water quality, fish habitat and fish health and/or mortality risk. No new effects pathways for freshwater fish were identified for the amendment. Avoidance measures discussed in the original application and the mitigations for fish and fish habitat outlined in the Construction Environmental Management Plan (CEMP) also apply to the amendment; no additional mitigation measures have been identified for freshwater fish.</p> <p><b>Injury or mortality of freshwater fish</b> (Section 7.6.3)</p> <p>The alternative transmission line will cross four fish-bearing watercourses and 27 non-fish-bearing watercourses. The proposed distribution powerline will cross one fish-bearing and eight non-fish-bearing watercourses. No instream works, channel realignments, or water withdrawals in fish-bearing watercourses are expected to occur for land-based infrastructure construction, including transmission line crossings and new access roads. As a result, no residual effects to fish health and mortality are predicted.</p> <p><b>Harmful alteration, disruption or destruction of freshwater fish habitat</b> (Section 7.6.3)</p> <p>There will be an increase in total riparian clearing for the proposed changes, as shown in Table 7.6.1 of the amendment application. Despite the increase in riparian clearing values for some of the watercourses, this residual effect would still be characterized as adverse and low in magnitude because it is not predicted to affect the sustainability and productivity of fish populations.</p> <p><b>Degradation of freshwater quality</b> (Section 7.6.3)</p> <p>While there will be increase in riparian clearing, Cedar will implement standard best management practices to protect water quality in fish-bearing and non-fish-bearing streams during construction (e.g., sediment control). Therefore, the potential residual effects to freshwater quality are predicted to be low.</p> <p>The proposed changes are not anticipated to result in substantial residual effects to freshwater fish and fish habitat. The proposed changes are not anticipated to result in:</p> <ul style="list-style-type: none"> <li>Death of fish by means other than fishing as per section 34.4 of the <i>Fisheries Act</i></li> <li>Harmful alteration, disruption, or destruction of fish habitat under section 35 of the <i>Fisheries Act</i></li> <li>Introduction of a deleterious substance in contravention of section 36(3) of the <i>Fisheries Act</i>.</li> </ul>	No change

TABLE 1 EFFECTS WITHIN FEDERAL JURISDICTION

Effects within Federal Jurisdiction (as defined in section 2 of the <i>Impact Assessment Act</i> )	Section of Amendment Application Where the Effect is Assessed	Assessment Details	Amendment Application Findings	Changes to the Decision Statement Conclusions
(i) fish and fish habitat, as defined in subsection 2(1) of the <i>Fisheries Act</i> .  (continued)	Section 7.7 Marine Resources  Appendix D	<p>Assessment of:</p> <ul style="list-style-type: none"> <li>• Harmful alteration, disruption or destruction of marine fish habitat within the context of section 35 of the <i>Fisheries Act</i></li> <li>• Degradation of marine water quality within the context of section 36(3) of the <i>Fisheries Act</i></li> <li>• Injury or mortality of marine fish within the context of section 34.4 of the <i>Fisheries Act</i></li> <li>• Injury, mortality and disturbance of marine mammals in the context of section 34 of the <i>Fisheries Act</i> and sections 7 and 38 of the Marine Mammal Regulations</li> </ul>	<p>As described in Section 7.7.2 of the amendment application, no new potential effects to marine resources are anticipated as a result of the catenary mooring system included in the amendment application. The amendment will adhere to existing mitigation measures, as described in the CEMP for the Project; no additional mitigation measures have been identified for marine resources.</p> <p><b>Change in habitat</b> (Section 7.7.2) Construction activities (e.g., marine construction) have the potential to permanently alter or destroy fish habitat used for rearing, feeding or migration. The catenary mooring system will require the Marine Terminal Area to be expanded by 241.5 ha to accommodate the associated mooring lines and anchors on the eastern side of the FLNG.</p> <p>As described in Section 7.7.3, Cedar submitted a Request for Review to DFO that described the changes to the Project that affect marine fish and fish habitat. The response from DFO will confirm whether the proposed catenary mooring system will result in a harmful alteration, disruption or destruction of fish habitat and whether a paragraph 35(2)(b) <i>Fisheries Act</i> authorization is required. Cedar does not believe the proposed changes will result in a harmful alteration, disruption or destruction of fish habitat but if DFO determines that an authorization is required, Cedar will develop a fish habitat offset plan for the effects to fish habitat as part of its application to prevent any loss of fish habitat productivity.</p> <p><b>Change in water quality</b> (Section 7.7.2) Exposure to elevated levels of total suspended solids (TSS) during in-water construction has the potential to affect fish health. During the placement of the mooring lines and anchors on the soft sediment of the seafloor, small, localized increases in TSS may occur. These structures will be lowered slowly from construction vessels and placed in the specific locations required by the engineering specifications and as a result disturbance of the seabed is expected to be minor. Any temporary increase in suspended sediments as a result of the installation of the catenary mooring system is anticipated to be minor and highly localized. No impacts to marine fish, invertebrates or marine habitat forming structures (e.g., sponges or corals) is anticipated as a result of increased TSS during the installation of the catenary mooring system.</p> <p><b>Change in behaviour of fish or marine mammals caused by sensory disturbances</b> (Section 7.7.2) A vessel will be used to place the mooring lines and anchors on the seafloor and will generate underwater noise as the engines position the vessel during installation. No additional noise beyond what was originally assessed is anticipated. No unique habitats or important feeding areas are known to exist within the expanded Marine Terminal Area.</p> <p><b>Injury of mortality of marine fish and marine mammals</b> (Section 7.7.2) The potential for the installation of the catenary mooring system to result in changes in fish or marine mammal injury or mortality risk due to the placement of the mooring lines and anchors was assessed. The placement of the mooring lines and anchors is not anticipated to affect marine mammals but may have minor impacts on fish (including invertebrates). Impacts to fish would be primarily associated with slow moving or sessile organisms (e.g., crabs, bivalves, sea cucumbers) that do not have the ability to move out of the way when the anchors are lowered to the seafloor. Motile organisms (primarily fish) are expected to move out of the impacted area given the slow speed of placement on the seafloor.</p>	No change
(ii) aquatic species, as defined in subsection 2(1) of the <i>Species at Risk Act</i> .	Section 7.6 Freshwater Fish  Section 7.7 Marine Resources  Appendix D	See above  See above	<p>No channel realignments, water withdrawals or new instream works are proposed in fish-bearing watercourses for land-based infrastructure construction, as a result of the proposed changes. Therefore, no freshwater aquatic species listed under <i>Species at Risk Act</i> are expected to be affected by the Project.</p> <p>The proposed changes are not anticipated to result in changes to the potential effects to marine species listed under <i>Species at Risk Act</i>. No species of conservation concern were observed during the subtidal fish and fish habitat survey conducted in May 2024 of the area of the seafloor near the proposed mooring line and anchor locations (Appendix D of the amendment application). In addition, the area where the anchors are proposed to be located is comprised of soft sediments, dominated by silts and sands, and are not designated as critical habitats for species at risk (Appendix D of the amendment application). The amendment will adhere to existing mitigation measures, as described in the CEMP for the Project; no additional mitigation measures have been identified for marine resources.</p>	No change  No change

TABLE 1 EFFECTS WITHIN FEDERAL JURISDICTION

Effects within Federal Jurisdiction (as defined in section 2 of the <i>Impact Assessment Act</i> )	Section of Amendment Application Where the Effect is Assessed	Assessment Details	Amendment Application Findings	Changes to the Decision Statement Conclusions
(iii) migratory birds, as defined in subsection 2(1) of the <i>Migratory Birds Convention Act</i> , 1994.	Section 7.5 Wildlife Appendix B	Assessment of potential disturbance or destruction of the nest or an egg of a migratory bird within the context of section 6 of the Migratory Birds Regulations	<p>An assessment of potential effects to nesting habitat for migratory birds is provided in Section 7.5.2 of the amendment application. Mitigation measures described in the CEMP for wildlife are sufficient for managing adverse effects of the proposed changes on habitat, movement, and mortality risk. No change in mitigation or enhancement measures is proposed. A summary of potential effects to migratory birds as a result of the proposed changes is provided below:</p> <ul style="list-style-type: none"> <li>• The reduction in habitat availability for old forest songbird community is predicted to be less than the approved transmission line because old forest will no longer be affected.</li> <li>• The availability of marbled murrelet nesting habitat will change from a predicted loss (Assessment Report) to no loss. This is due to the relocation of the alternative transmission line downslope and out of marbled murrelet suitable habitat and federally delineated polygons where biophysical attributes of critical habitat may be present.</li> <li>• Young forest songbird community nesting habitat availability changes from a predicted loss of 9.1% (Assessment Report) to a predicted loss of 25.4% of what is available within the marine terminal Local Assessment Area (LAA). This is due to the relocation and increase in width of the alternative transmission line and the addition of the distribution powerline, both of which intersect pole/sapling and young forest along the lower slope of the marine terminal LAA. The potential effect is overestimated because this songbird community is adapted to early seral, recovering forest conditions and some young forest songbird species are expected to use recovering and maintained early seral habitat within the alternative transmission line right of way following construction. Also, this songbird community does not include species of conservation concern.</li> <li>• The alternative transmission line and the addition of the distribution powerline are not predicted to result in changes in habitat (i.e., through sensory disturbance) for marine birds as there will be no additional interaction with shipping, infrastructure, or lighting, and no effects on terrestrial habitat.</li> <li>• No pileated woodpecker nest cavities were identified during the 2024 wildlife surveys along the amendment application Project component target areas (Appendix B of the amendment application).</li> </ul>	<p>Yes – the Decision Statement notes that the Designated Project occurs in the critical habitat of marbled murrelet, a migratory bird and threatened species under the <i>Species at Risk Act</i>. In contrast, the alternative transmission line proposed in the amendment application is located outside of the critical habitat for marbled murrelet, therefore no adverse effects are predicted.</p> <p>This change is a benefit as it removes/eliminates the federal effects that were predicted in the Decision Statement.</p>
(iv) any other component of the environment that is set out in Schedule 3.	n/a	n/a	There are no other components of the environment set out in Schedule 3 to the <i>Impact Assessment Act</i> (Components of the Environment and Health, Social or Economic Matters)	No change
(b) a non-negligible adverse change to the environment that would occur on federal lands	Section 7.3 Acoustic	Assessment of potential change to noise levels during construction	<p>As described in section 7.3.2, the proposed alternative transmission line is closer to all receptors considered in the EAC Application, resulting in higher construction noise compared to the approved transmission line. Similarly, the construction of the distribution powerline and related activities will increase noise levels for receptors near the distribution powerline during construction. The noise level at all receptors is predicted to remain in compliance with the applicable noise thresholds, whether construction occurs along the approved transmission line alignment or the alternative alignment, and with the addition of the new distribution powerline.</p> <p>Mitigation measures described in the CEMP are sufficient for managing adverse effects of the proposed changes on noise levels. No change in mitigation or enhancement measures is proposed.</p>	No change

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Effects within Federal Jurisdiction (as defined in section 2 of the <i>Impact Assessment Act</i> )	Section of Amendment Application Where the Effect is Assessed	Assessment Details	Amendment Application Findings	Changes to the Decision Statement Conclusions
(b) a non-negligible adverse change to the environment that would occur on federal land (continued)s	Section 9 Other Matters under s. 25 of the Act	Assessment of potential change to greenhouse gas (GHG) emissions including the potential effects on the province being able to meet its targets under the <i>Greenhouse Gas Reduction Targets Act</i> .	<p>As described in Section 9 of the amendment application, the larger area of clearing required for the wider right-of-way for the alternative transmission line and the newly proposed distribution powerline line along the Bish Creek Forest Service Road will result in a 62% increase in construction GHG emissions. This is a small increase.</p> <p>The distribution powerline will bring electricity to the Project during construction, which will reduce the overall use of gasoline and diesel generators during construction and replace that energy with low GHG intensity BC grid electricity. The amount of this reduction depends on construction timing and use. There is no change in operation-phase emissions.</p> <p>The Assessment Report did not provide a discussion on the potential effects of construction GHG emissions but did conclude the Project would not have significant adverse effects on GHG emissions in consideration of the provincial greenhouse gas reduction plan and mitigation measures under the <i>Impact Assessment Act</i> related to GHGs. The Decision Statement concluded the extent of significance for transboundary effects from GHG emission is predicted to be low. The mitigations indicated in the CEMP for GHG emissions during construction remain relevant. As a result, the change in GHG emissions does not affect this conclusion.</p>	No change
(c) a non-negligible adverse change to the marine environment that is caused by pollution and that would occur outside Canada	n/a	n/a	<p>The Canada-USA border is approximately 150 km north of Kitimat. Potential effects caused by accidental spills to marine waters during construction of the Project will be limited to local effects and will not extend outside of Canada.</p> <p>Best management practices and mitigation measures outlined in the CEMP are expected to effectively address potential effects to water quality during construction. No new mitigation measures are proposed.</p>	No change
(d) a non-negligible adverse change — that is caused by pollution — to boundary waters or international waters, as those terms are defined in subsection 2(1) of the <i>Canada Water Act</i> , or to interprovincial waters	n/a	n/a	<p>The Canada-USA border is approximately 150 km north of Kitimat. Potential effects caused by accidental spills to water during construction of the Project are not predicted to extend outside of Canada. The proposed changes are not anticipated to impact boundary waters or international waters.</p> <p>The Cedar site is approximately 600 km west of the British Columbia-Alberta border. Potential effects caused by accidental spills to water during construction of the Project are not predicted to extend outside of BC. The proposed changes are not anticipated to impact interprovincial waters.</p> <p>Best management practices and mitigation measures outlined in the CEMP are expected to effectively address potential effects to water quality during construction. No new mitigation measures are proposed.</p>	No change

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Effects within Federal Jurisdiction (as defined in section 2 of the <i>Impact Assessment Act</i> )	Section of Amendment Application Where the Effect is Assessed	Assessment Details	Amendment Application Findings	Changes to the Decision Statement Conclusions
(e) with respect to the Indigenous peoples of Canada, a non-negligible adverse impact — occurring in Canada and resulting from any change to the environment — on:				
(i) physical and cultural heritage,	Section 7.10 Heritage Section 8 Indigenous Interests Appendix E	<p>Section 7.10 of the amendment application assessed potential effects to physical heritage, including culturally modified trees (CMTs), archaeological resources, and materials or other physical evidence of human habitation or use before 1846.</p> <p>Section 8 of the amendment application assessed the potential effects of the Project on the Indigenous Interests. Where it has been identified as an interest of concern by a community, the assessment has considered effects on cultural heritage that may result from the Project.</p>	<p>Fieldwork was conducted in June 2024 to complete a heritage survey within areas that may be adversely affected by the alternative transmission line and addition of the distribution powerline (Appendix E of the amendment application). As described in Section 7.10.1 and 7.10.2, two archaeological sites (GaTe-11 and GaTe-20) are new potential effects associated with the alternative transmission line. No identified heritage sites are in conflict with the new distribution powerline right-of-way.</p> <p>Cedar has committed to avoidance or mitigation of all known heritage sites and will implement the CEMP chance find procedure should a site be identified during construction. The mitigation measures associated with the increase in sites affected from one CMT heritage feature at one identified site to four features at three identified sites has not changed. However, as two of the three heritage sites are stumps of historically logged trees, the archaeological significance is assessed as low. For the GaTe-20 CMT feature, viable stem-round samples can be collected to record the age of the heritage site. The Provincial Heritage Register will be updated with the results of site mitigation and sampling results. Haisla Nation has not identified any site-specific concerns related to heritage based on engagement and Indigenous knowledge information and traditional use sites shared with Cedar.</p> <p>Consistent with the results of the Assessment Report and the Decision Statement, the proposed changes are not predicted to result in residual adverse effects to the Heritage valued component, including physical heritage and archeological, paleontological, or architectural sites or structures, as defined under Sections 2(e)(i) and (iii) of the <i>Impact Assessment Act</i> (Section 7.10 Heritage). Through engagement with Haisla Nation, this conclusion is understood to extend to Haisla Nation's use and integrity of sacred and culturally important sites and landscape features, and in combination with the prediction for no change in access to marine and terrestrial areas, no changes to the characterization of residual effects are anticipated in relation to Haisla Nation culturally important sites or landscape features.</p>	No change
(ii) the current use of lands and resources for traditional purposes, or	Section 8 Indigenous Interests	<p>Section 8 assesses the impacts to Indigenous Interests of Haisla Nation associated with the proposed changes to the Project, including:</p> <ul style="list-style-type: none"> <li>• Changes to Harvesting Rights</li> <li>• Changes to Use and Integrity of Sacred and Culturally Important Sites and Landscape Features</li> <li>• Changes to Indigenous Governance</li> <li>• Changes to Indigenous Health and Well being</li> </ul>	<p>As described in Section 8.2.1 of the amendment application, the construction of the proposed changes to the Project may result in the same or similar potential effects on Haisla Nation interests as those identified in Section 11.0 of the EAC Application and the Assessment Report. Potential pathways for changes to Haisla Nation interests are therefore the same as those identified in the EAC Application. A summary of potential effects to current use of lands and resources for traditional purposes by Haisla Nation is provided below:</p> <ul style="list-style-type: none"> <li>• The majority of areas that will be subject to clearing activities are on private lands, which are currently inaccessible for the exercise of Indigenous rights. Though traditional use plant species occur throughout the marine terminal LAA, they are tree, shrub or herb species which are expected to persist throughout most of the disturbance footprint following construction, as most of the disturbance to vegetation associated with the Project (and the alternative transmission line specifically) is in the form of tree clearing.</li> <li>• The change in location and width of the alternative transmission line right-of-way and the addition of the distribution powerline are not predicted to result in a change in movement or mortality risk for species of cultural importance to Haisla Nation.</li> <li>• No change to the characterizations of residual effects on habitat for freshwater fish, fish species of cultural importance for Haisla Nation are predicted due to the proposed changes.</li> <li>• Adverse changes in the access to and availability of terrestrial harvesting areas are expected during Project construction. Access restrictions will be put in place for the period of construction and will continue during operation of the cleared alternative transmission line right-of-way, consistent with findings for the Project as currently approved. No changes to the characterization of residual effects are anticipated in relation to Haisla Nation access and travel in the marine or terrestrial environments (e.g., harvesting sites, culturally important sites or landscape features).</li> <li>• As the Project is Haisla owned, the proposed changes are understood to be reflective of Haisla Nations' ability to make decisions regarding land and marine use within its traditional territory. This conclusion is supported by the results of Cedar's engagement with Haisla Nation regarding the amendment application (Section 4.0).</li> </ul> <p>The Assessment Report concluded the potential for adverse effects of the Project on the Indigenous Interests of Haisla Nation had been adequately avoided, minimized or otherwise accommodated. Based on the engagement undertaken with Haisla Nation, characterization of residual effects for the proposed changes remains unchanged from the Assessment Report.</p>	No change

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Effects within Federal Jurisdiction (as defined in section 2 of the <i>Impact Assessment Act</i> )	Section of Amendment Application Where the Effect is Assessed	Assessment Details	Amendment Application Findings	Changes to the Decision Statement Conclusions
<p>(iii) any structure, site or thing that is of historical, archaeological, paleontological or architectural significance.</p>	<p>Section 7.10 Heritage Section 8 Indigenous Interests Appendix E</p>	<p>Section 7.10 of the amendment application assessed potential effects to physical heritage, including CMTs, archaeological resources, and materials or other physical evidence of human habitation or use before 1846.</p> <p>Section 8 of the amendment application assessed the potential effects of the Project on the Indigenous Interests. Where it has been identified as an interest of concern by a community, the assessment has considered effects on cultural heritage that may result from the Project.</p>	<p>As noted above, fieldwork was conducted in June 2024 to complete a heritage survey within areas that may be adversely affected by the alternative transmission line and addition of the distribution powerline (Appendix E of the amendment application). As described in Section 7.10.1 and 7.10.2, two archaeological sites (GaTe-11 and GaTe-20) are new potential effects associated with the alternative transmission line. No identified heritage sites are in conflict with the new distribution powerline right-of-way.</p> <p>Cedar has committed to avoidance or mitigation of all known heritage sites and will implement the CEMP chance find procedure should a site be identified during construction. The mitigation measures associated with the increase in sites affected from one CMT heritage feature at one identified site to four features at three identified sites has not changed. However, as two of the three heritage sites are stumps from historically logged trees, the archaeological significance is assessed as low. For the GaTe-20 CMT feature, viable stem-round samples can be collected to record the age of the heritage site. The Provincial Heritage Register will be updated with the results of site mitigation and sampling results. Haisla Nation has not identified any site-specific concerns related to heritage based on engagement and Indigenous knowledge information and traditional use sites shared with Cedar.</p> <p>Consistent with the results of the Assessment Report and the Decision Statement, the proposed changes are not predicted to result in residual adverse effects to the Heritage valued component, including physical heritage and archeological, paleontological, or architectural sites or structures, as defined under Sections 2(e)(i) and (iii) of the <i>Impact Assessment Act</i> (Section 7.10 Heritage). Through engagement with Haisla Nation, this conclusion is understood to extend to Haisla Nation's use and integrity of sacred and culturally important sites and landscape features, and in combination with the prediction for no change in access to marine and terrestrial areas, no changes to the characterization of residual effects are anticipated in relation to Haisla Nation culturally important sites or landscape features.</p>	<p>No change</p>

TABLE 1 EFFECTS WITHIN FEDERAL JURISDICTION

Effects within Federal Jurisdiction (as defined in section 2 of the <i>Impact Assessment Act</i> )	Section of Amendment Application Where the Effect is Assessed	Assessment Details	Amendment Application Findings	Changes to the Decision Statement Conclusions
(f) a non-negligible adverse change occurring in Canada to the health, social or economic conditions of the Indigenous peoples of Canada; and.	Section 8 Indigenous Interests	<p>Section 8 assesses the impacts to Indigenous Interests of Haisla Nation associated with the proposed changes to the Project, including:</p> <ul style="list-style-type: none"> <li>• Changes to Harvesting Rights</li> <li>• Changes to Use and Integrity of Sacred and Culturally Important Sites and Landscape Features</li> <li>• Changes to Indigenous Governance</li> <li>• Changes to Indigenous Health and Well being</li> </ul>	<p>As described in Section 8.2.1 of the amendment application, the construction of the proposed changes to the Project may result in the same or similar potential effects on Haisla Nation interests as those identified in Section 11.0 of the EAC Application and the Assessment Report. Potential pathways for changes to Haisla Nation interests are therefore the same as those identified in the EAC Application. A summary of potential effects to the health, social or economic conditions of Haisla Nation as a result of the proposed changes is provided below:</p> <ul style="list-style-type: none"> <li>• Most areas that will be subject to clearing activities are on private lands, which are currently inaccessible for the exercise of Indigenous rights. Though traditional use plant species occur throughout the marine terminal LAA, they are tree, shrub or herb species which are expected to persist throughout most of the disturbance footprint following construction, as most of the disturbance to vegetation associated with the Project (and the alternative transmission line specifically) is in the form of tree clearing</li> <li>• The change in location and width of the alternative transmission line right-of-way and the addition of the distribution line are not predicted to result in a change in movement or mortality risk for species of cultural importance to Haisla Nation.</li> <li>• Clearing for the alternative transmission line and distribution powerline will introduce new human alterations to the landscape. The effect of the proposed changes is anticipated to produce a change in the existing visual character and quality for Haisla Nation. No new lighting emissions will result from the proposed amendments and therefore viewpoints for Haisla Nation will not change.</li> <li>• No change to the characterizations of residual effects on habitat for freshwater fish, fish species of cultural importance for Haisla Nation are predicted due to the proposed changes.</li> <li>• Adverse changes in the access to and availability of terrestrial harvesting areas are expected during Project construction. Access restrictions will be put in place for the period of construction and will continue during operation of the cleared alternative transmission line right-of-way, consistent with findings for the Project as currently approved. No changes to the characterization of residual effects are anticipated in relation to Haisla Nation access and travel in the marine or terrestrial environments (e.g., harvesting sites, culturally important sites or landscape features).</li> <li>• While the changes in the amendment have an interaction with human health related to annoyance from noise, the health risk is expected to remain limited such that existing proposed acoustic mitigations will be effective (Table 7.1.2 of the amendment application).</li> <li>• No changes to the characterization of residual effects are anticipated in relation to Haisla Nation governance. The number of people employed on the Project during construction (up to 500 people) will not increase through the proposed changes. No changes to the characterization of residual effects related to changes in regional employment, business and economy, infrastructure, services, accommodation and transportation are expected.</li> <li>• As the Project is Haisla owned, the proposed changes are understood to be reflective of Haisla Nation ability to make decisions regarding land and marine use within its traditional territory. This conclusion is supported by the results of Cedar's engagement with Haisla Nation regarding the amendment application (Section 4.0).</li> </ul> <p>The Assessment Report concluded the potential for adverse effects of the Project on the Indigenous Interests of Haisla Nation had been adequately avoided, minimized or otherwise accommodated. Based on the engagement undertaken with Haisla Nation, characterization of residual effects for the proposed changes remains unchanged from the Assessment Report.</p>	No change
(g) a non-negligible adverse change to a health, social or economic matter that is within the legislative authority of Parliament that is set out in Schedule 3.	n/a	n/a	There are no other health, social or economic matters set out in Schedule 3 to the <i>Impact Assessment Act</i> (Components of the Environment and Health, Social or Economic Matters)	No change



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## Conclusions

The proposed changes in the amendment application only affect Project-related effects predicted to occur during construction; no effects predicted during operation of the Project will change. Based on the assessments presented within the amendment application and summarized in this memo, it is Cedar's conclusion that the proposed changes do not alter the findings or conclusions of the Decision Statement. With respect to the findings set out in Section 2.3 of Schedule 2 of the Decision Statement, predicted adverse effects within federal jurisdiction, after appropriate mitigation measures are implemented, for the Project with the proposed amendments remain unchanged and are predicted to be low or negligible.

The mitigation measures already recommended by both the CEMP and the Assessment Report remain appropriate for the amendment. Potential effects will be managed through existing and planned management plans (including the CEMP, Socioeconomic Management Plan, Marine Transportation Management Plan and Health and Medical Services Plan). The amendment has not identified additional mitigation measures and no additional effects to Indigenous Interests are anticipated. Cedar has engaged and will continue to engage with Haisla Nation, Kitselas First Nation, Kitsumkalum First Nation, Gitga'at First Nation, Gitxaala Nation, Metlakatla First Nation, Lax Kw'alaams Band, Métis Nation British Columbia, and Haida Nation.

We trust that this information fulfils the requirements of condition 2.16 of the Decision Statement requested by the IAAC. Any questions regarding this response or if further information is required, please contact Lara Taylor at [lara.taylor@cedarlng.com](mailto:lara.taylor@cedarlng.com).