



The Environmental Assessment Office's Assessment of an Application for a Certificate Amendment

Amendment #1 – Eastern Route Reduction of Certified Pipeline Corridor

WESTCOAST CONNECTOR GAS TRANSMISSION PROJECT

REQUESTED BY:

WESTCOAST CONNECTOR GAS TRANSMISSION LTD.

JULY 12, 2023

Pursuant to Section 32 of the Environmental Assessment Act, S.B.C. 2018, c.51



EAO

Environmental
Assessment Office



ACRONYMS AND ABBREVIATIONS

The Act	<i>Environmental Assessment Act</i> , S.B.C. 2018, c. 51
Amendment Application	Application to amend the Environmental Assessment Certificate for Amendment #1 - Eastern Route Reduction of Certified Pipeline Corridor
B.C.	British Columbia
BRFN	Blueberry River First Nations
CPC	Certified Pipeline Corridor
CPD	Certified Project Description
Certificate	Environmental Assessment Certificate
COSEWIC	Committee on the Status of Endangered Wildlife in Canada
EAO	Environmental Assessment Office
ENV	Ministry of Environment and Climate Change Strategy
GHG	Greenhouse Gases
HLFN	Horse Lake First Nation
HRFN	Halfway River First Nation
km	Kilometer
LWRS	Ministry of Land, Water and Resource Stewardship
MLIB	McLeod Lake Indian Band
PRFN	Prophet River First Nation
SARA	Species at Risk Act
SFN	Saulteau First Nations
TAC	Technical Advisory Committee
This Report	The EAO's Assessment of an Application for Certificate Amendment: Amendment #1 - Eastern Route Reduction of Certified Pipeline Corridor
VC	Valued Component
WCGT	Westcoast Connector Gas Transmission Project
WCGT Ltd.	Westcoast Connector Gas Transmission Ltd.

1.0 OVERVIEW OF PROPOSED AMENDMENT

Environmental Assessment Certificate

On November 25th, 2014, Westcoast Connector Gas Transmission Ltd. (WCGT Ltd.) was issued Environmental Assessment Certificate #E14-15 (the "Certificate") for the Westcoast Connector Gas Transmission Project (WCGT). The Certificate allows WCGT Ltd. to construct gas transmission pipelines and associated components traversing from the Cypress Area in northeast B.C. to Ridley Island near Prince Rupert, B.C. WCGT, as considered under the Certified Project Description (CPD) of the Certificate, would include the following infrastructure:

- Up to two sweet natural gas pipelines and associated components;
- Up to five compressor stations and associated components, including permanent access roads and bridges;
- Meter stations at up to three locations and associated components;
- A material offloading facility in Nasoga Gulf;
- Communications towers; and
- Ancillary facilities, which would include construction camp sites, pipe stockpile sites, log storage sites, rail sidings, contractor storage yards, laydown areas, borrow sites, hydrostatic test fill lines, upgraded roads and bridges, barge landing sites, and temporary access roads and workspace.

Since the issuance of the Certificate, the Environmental Assessment Office (EAO) has issued one extension to the Certificate. On April 25, 2019, WCGT Ltd. received an extension to the deadline in its Certificate to have substantially started WCGT, extending this timeline to November 25, 2024.

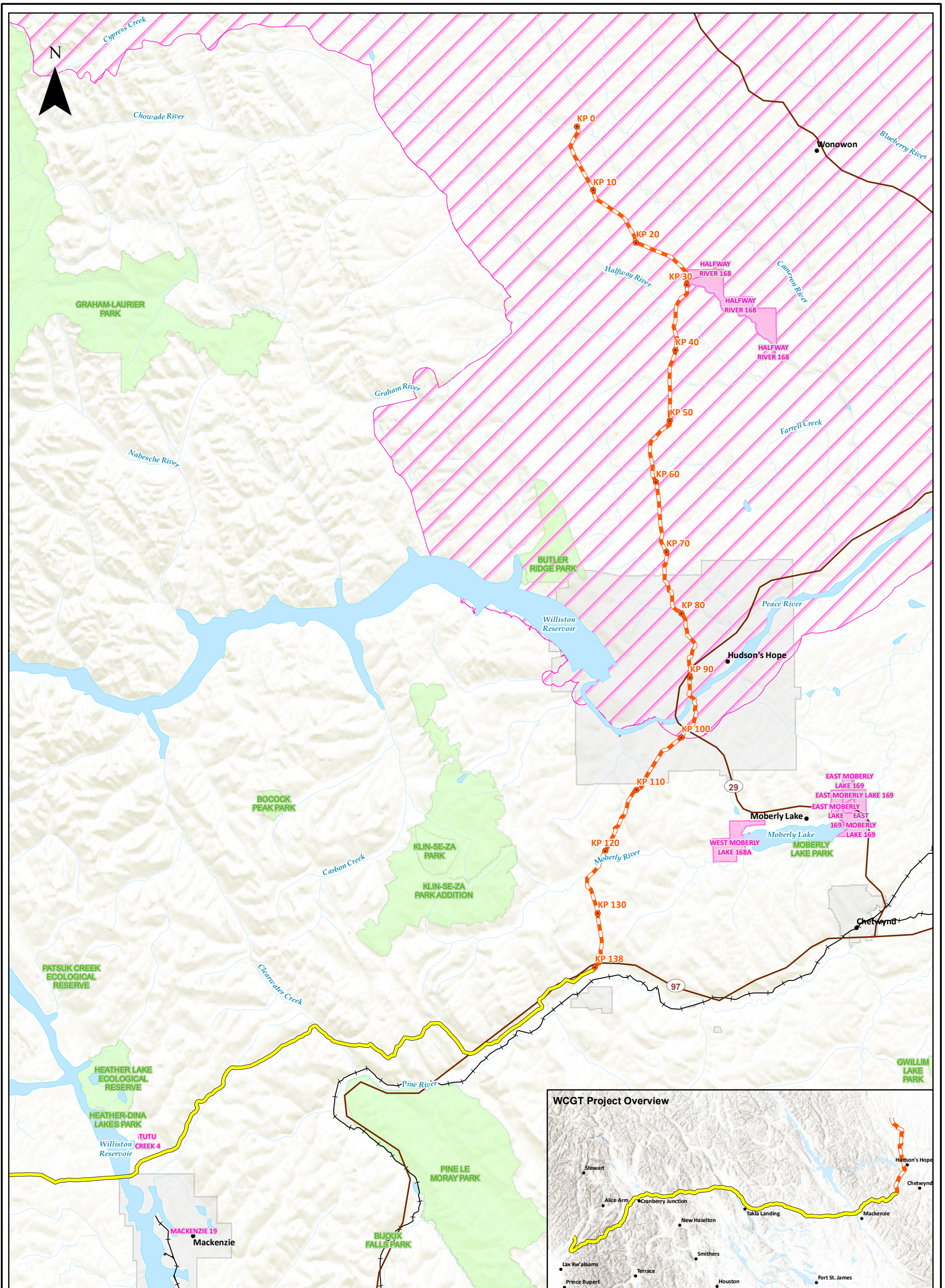
Application #1 to Amend the Certificate

On May 10, 2022, WCGT Ltd. submitted an application to amend the Certificate (Amendment Application) for WCGT, per [Section 32](#) of the *Environmental Assessment Act* (2018) (the Act). The EAO initiated review of the Amendment Application on June 22, 2022.

In the Amendment Application, WCGT Ltd. requested the following amendments to the Certificate:

- Reflect a new project initiation location from "Cypress Mountain area in northeast BC (56.70421 N, -122.22827 E) to Willow Flats area in northeast BC (55.642058 -122.226629)";
- Remove the initial 138 km of the Certified Pipeline Corridor (CPC) from the Certificate, as depicted on pages 2 to 29 of the CPD Map Sheets;
- Reflect removal of two main construction camps (preliminary locations and sizes set out in the memo titled Supplemental Response to FLNR-109-EAO (Memo), Tables 1, 2 and 3) to change the number of main construction camps from "up to 17" to "up to 15"; and
- Remove Condition 2 of the Certificate, which is specific to a length of pipeline that was to cross the Peace River adjacent to Highway 29 Hudson's Hope Bridge – as this section of pipeline is within the 138 km section being removed from the Certificate.

In the Amendment Application WCGT Ltd. stated that it had determined that the first 138 km of the eastern portion of the CPC (i.e., Kilometre Post [KP] 0 to KP 138 as described in Schedule A of the CPD) is no longer required to support the development of WCGT (see Figure 1).



ENBRIDGE
Westcoast Connector Gas Transmission

1:500,000

0 5 10 15 km
(All Locations Approximate)

FIGURE 1
AMENDMENT TO REMOVE 138 KM OF THE CERTIFIED CORRIDOR
WESTCOAST CONNECTOR GAS TRANSMISSION LTD. WESTCOAST CONNECTOR GAS TRANSMISSION PROJECT

Kilometre Marker	Railway	Blueberry River FN Civil Claim Area
Removal of WCGT Certified Corridor (138 km)	Watercourse	Municipality
WCGT Certified Corridor	Waterbody	Park or Protected Area
Highway	First Nation	

Figure 1. WCGT Ltd.'s requested changes to the CPC from the Amendment Application.

2.0 AMENDMENT REVIEW PROCESS

Following the EAO's [Environmental Assessment Certificate and Exemption Policy](#) the EAO established the procedures for conducting the amendment review. The EAO considered the nature of the proposed physical changes to the project, the potential for these changes to cause new effects to Valued Components (VC), Indigenous interests and/or treaty rights, and matters prescribed under [Section 25](#) of the Act. Based on the analysis of these factors, the EAO determined that this would be a 'typical' amendment.

The EAO established a Technical Advisory Committee (TAC) to assist the EAO with its review of the Amendment Application. The EAO made requests to participate in the TAC based upon the potential interactions of the proposed changes with the parties' interests, and previous participation in the WCGT EA. Participants invited to participate in the TAC included:

- Agricultural Land Commission;
- BC Ministry of Energy, Mines and Low Carbon Innovation;
- BC Ministry of Environment and Climate Change Strategy;
- BC Ministry of Forests;
- BC Ministry of Land, Water and Resource Stewardship;
- BC Ministry of Transportation and Infrastructure;
- BC Municipal Affairs;
- BC Oil and Gas Commission;
- Blueberry River First Nations;
- District of Hudson's Hope;
- Doig River First Nation;
- Halfway River First Nation;
- McLeod Lake Indian Band;
- Peace Region Regional District;
- Prophet River First Nation;
- Saulteau First Nations; and
- West Moberly First Nation.

Lax Kw'alaams Band was not initially invited to participate in the TAC but raised interests in participating and was subsequently added to the TAC.

The EAO initiated review of the Amendment Application on June 22, 2022. A copy of the Amendment Application was shared with the TAC, along with a proposed project schedule, on July 8, 2022. The TAC members were given two weeks to review and comment on the project schedule and four weeks to review and comment on the Amendment Application. A draft of this Amendment Assessment Report was provided to the TAC on November 23, 2022. The TAC was given four weeks to review and comment. The issues raised by the TAC and the outcomes are provided in [Section 3.0 Summary of Key Issues and Effects](#) of this Report.

As part of the EAO's review of the Amendment Application, the EAO considered potential effects to Indigenous nations and their rights, including treaty rights. The EAO invited all B.C. based Treaty 8 Nations to participate in the amendment process and notified all other Nations included in Schedules B and C of the Certificate or with territorial overlaps with the remaining downstream portions of the CPC.

The EAO determined that there was low potential for public interest in the amendment due to the limited scope of the proposed changes to the north-easternmost portion of the CPC and the lack of anticipated additional on the ground

impacts associated with the removal of this portion of the pipeline route. As a result, the EAO did not conduct a public engagement and comment period for this Amendment Application, and a Community Advisory Committee was not established.

3.0 SUMMARY OF KEY ISSUES AND EFFECTS

3.1. Effects Assessed by WCGT Ltd.

WCGT Ltd. conducted an initial assessment of the effects of the proposed amendment on the VCs identified during the initial EA process. WCGT Ltd. identified that the proposed amendment, and associated removal of the northeastern-most portion of the CPC, would result in reduction of effects to all VCs assessed as compared to the originally approved Certificate. WCGT Ltd.'s view was that the design changes leading to the removal of the first 138 km of the CPC would eliminate any potential adverse residual or cumulative effects on VCs in the removal area that had been previously identified during the initial EA.

The previous assessment of VCs considered for the certified project remains consistent for the remaining parts of WCGT. Generally, removing the first 138 km of the CPC and associated construction camps is positive since the project footprint is smaller and associated interactions with the natural and social environment are reduced. WCGT Ltd. stated that the project, when amended, would not present new positive or negative effects. The new start location proposed by this Amendment eliminates direct impact on:

- 32.5 km of caribou range for woodland caribou (*Rangifer tarandus*), Southern Mountain population – Moberly herd (i.e., Klinse-za), where the Recovery Strategy for the Woodland Caribou, Southern Mountain population (*Rangifer tarandus caribou*) in Canada (Environment Canada 2014) applies; woodland caribou are listed as Threatened under the Species at Risk Act (SARA) and Endangered by the Committee on the Status of Wildlife in Canada (COSEWIC), and are Red-listed in B.C.;
- 55.8 km of interaction with critical habitat for little brown myotis (*Myotis lucifugus*, listed as Endangered under SARA and by COSEWIC, and Yellow-listed in BC) and northern myotis (*Myotis septentrionalis*, listed as Endangered under SARA and by COSEWIC, and Blue-listed in B.C.);
- 1 crossing of Old Growth Management Areas (legal) amounting to approximately 6.1 km;
- 4 invasive plant occurrences amounting to approximately 8 metres;
- 50 wetlands amounting to approximately 4.8 km;
- 135 watercourse crossings, including Cameron River, Halfway River, and Peace River;
- 31 tracts of Agricultural Land Reserve amounting to approximately 75.4 km; and
- Peace Moberly Tract Protected Area, where the Peace Moberly Tract Sustainable Resource Management Plan outlines management direction for resource development.

WCGT Ltd. reported that the proposed changes under the Amendment Application are not anticipated to result in any negative changes or introduce additional risks or potential adverse effects on the environment, economic, social, heritage, and health values assessed for WCGT as certified.

The mitigation measures and relevant Conditions outlined in the Certificate will be applied as planned to the rest of WCGT. The EAO considered WCGT Ltd.'s assessment of effects and rationale and concluded that the matters described in [Section 25\(2\)](#) of the Act have been considered and no material adverse effects are expected on these matters as a result of the amendment.

3.2. Key Issues Raised and WCGT Ltd.'s Responses

Responses to the request for review and comment were received from twelve TAC members. Eight of these responses identified no additional effects or concerns from the proposed changes. Two responses were communications regarding new contacts for the review, and one highlighted limited capacity for review, requesting focused questions only. The final comment was a question regarding impacts to Greenhouse Gas (GHG) emissions from the proposed amendment in comparison against the initially proposed, and assessed, project. This question was forwarded to WCGT Ltd. for comment, who responded indicating that the proposed changes were anticipated to lead to reduced GHG emissions due to the reduction in construction and operational related emissions with the removal of a portion of the CPC.

The full list of comments made by the Technical Advisory Committee and responses by WCGT Ltd. are detailed in a [Comment Tracking Table](#) which can be found on the [EAO's Project Information Centre website](#).

4.0 INDIGENOUS NATION ENGAGEMENT

[Section 25](#) of the Act sets out the required assessment matters, and [Section 25\(1\)](#) of the Act requires an assessment of the effects of the project on Indigenous nations and their rights. [Section 25\(2\)](#) of the Act outlines additional matters that must be considered in every assessment. During the original EA, WCGT was assessed under the *Environmental Assessment Act* (2002) (2002 Act), and the effects of WCGT on the rights of each Indigenous nation listed in Schedule B of the Order under Section 11 of the 2002 Act were assessed.

On June 29, 2021, in the Supreme Court of British Columbia decision on *Yahey v. British Columbia*, Justice Burke found that the Province had infringed on Blueberry River First Nations' (BRFN) treaty rights in permitting the cumulative impacts of industrial development. Subsequently, B.C. and BRFN entered into the Blueberry River First Nations Implementation Agreement (Implementation Agreement) on January 18, 2023. The Implementation Agreement responds to the 2021 B.C. Supreme Court direction to work together on a new approach to land resource stewardship, address cumulative impacts on the land, protect Treaty rights, and create predictability for the natural resource sector in the Northeast. Additionally, B.C. entered into the Consensus Document with Treaty 8 nations; a set of initiatives to address the cumulative impacts of development on the meaningful exercise of Treaty rights. The *Yahey* decision and the subsequent Implementation Agreement and Consensus Document were considered as part of the EAO's Certificate amendment process.

WCGT Ltd. found that removing the first 138 km of pipeline from the project as certified will reduce potential cumulative effects on Treaty 8 Territory, including those within BRFN Territory. Relative to [Section 25\(1\)](#) of the Act, reducing the pipeline length is considered to be a positive effect since direct and indirect adverse effects of WCGT on Indigenous nations and their rights will be eliminated for the 138 km segment of pipeline located in Treaty 8 Territory. In general, the conclusions reached in the original Application remain the same for WCGT overall; however, there is a net reduction and avoidance in localized effects on the first 138 km of the certified project resulting from the proposed amendment. WCGT Ltd. stated that the pathways to effects identified in the original Application are valid and conclusions remain unchanged in territories where WCGT remains.

4.1. WCGT Led Engagement:

During development of the Amendment Application WCGT Ltd. engaged Indigenous nations including:

- Blueberry River First Nations;
- Doig River First Nation;
- McLeod Lake Indian Band;
- Metlakatla First Nation;

- Gitanyow Hereditary Chiefs;
- Gitxaala Nation;
- Gitxsan Hereditary Chiefs;
- Halfway River First Nation;
- Kitselas First Nation;
- Kitsumkalum Band;
- Lake Babine Nation;
- Lax Kw'alaams Band;
- Nak'azdli Whut'en First Nation;
- Nisga'a Lisims Government;
- Prophet River First Nation;
- Saulneau First Nations;
- Takla Lake First Nation;
- Tsay Keh Dene Nation; and
- West Moberly First Nations.

WCGT Ltd. shared a draft of the Amendment Application with all nations above providing an opportunity to comment or discuss the proposed amendment. WCGT Ltd. presented their assessment in the Amendment Application and stated that the proposed changes to the proposed pipeline route and associated infrastructure would not affect asserted or established Indigenous or Treaty rights or interests and would actually reduce potential negative impacts to interests and rights in Treaty 8 territory due to the associated removal of previously proposed infrastructure in Treaty 8 territory. WCGT Ltd. did not receive any comments or suggested changes regarding the Amendment Application material, or any specific interests or concerns raised regarding the Amendment Application. A summary of engagement can be found in the Amendment Application.

4.2. EAO Led Engagement:

The EAO began engagement on the Amendment Application in June, 2022. The EAO invited all B.C. based Treaty 8 First Nations to participate in the amendment process as a participating Indigenous nation as the proposed amended section overlaps Treaty 8 territory. Additionally, the EAO notified all Schedule B and C nations, as well as any other nations with territorial overlaps along the entirety of the proposed pipeline route, of the proposed amendment.

Of those Nations notified, eight responded with interest in participating in the process, of which four Nations identified as participating Indigenous nations and participated in the TAC: McLeod Lake Indian Band (MLIB), Sauleau First Nations (SFN), Prophet River First Nation (PRFN) and Lax Kw'alaams Band. Details on Indigenous nation participation in the Amendment Application review are provided below.

McLeod Lake Indian Band – MLIB raised interests in a meeting with the EAO to discuss the potential effects of the Amendment Application on MLIB Treaty 8 Rights and wildlife habitat assessments. On September 8, 2022, the EAO met with representatives of MLIB to discuss the Amendment Application and to better understand MLIB's specific concerns with the proposed amendment. Following general discussions on the proposed changes to WCGT under the Amendment Application, MLIB confirmed that it they did not have any specific concerns with the proposed amendment and were interested in continuing discussions regarding pipeline routing moving forwards.

Prophet River First Nation – PRFN identified as a participating Indigenous nation on June 28, 2022. The EAO shared materials for comment on August 4, 2022, including invitation to participate on the TAC. On November 22, 2022, the EAO shared a copy of the Draft Amendment Assessment Report with PRFN for comment. PRFN responded requesting additional information on the amendment including the source of gas to be transported through the pipeline, other companies involved in the gas supply and the associated increases in total upstream production. The EAO reached out to

WCGT Ltd. for further information, who responded that they do not currently have a commercial partner secured for gas supply, but that they are working with gas producers in B.C. and Alberta to identify potential partners.

The EAO met with PRFN on December 16, 2022, via video conference to further discuss the amendment application and PRFN interests and concerns. PRFN highlighted the potential risks of upstream development in their territory and concerns that providing additional transportation capacity through the development of WCGT would lead to additional development in their territory as required to supply the pipeline. PRFN noted the findings of the *Yahey Decision* and voiced concerns over the Province's ability to adequately assess the cumulative effects of industry on the environment and their treaty rights. PRFN further noted that the initial assessment of cumulative effects from WCGT did not adequately consider the associated impacts upstream development, and that this needs to be addressed before they can support the project moving forward. PRFN discussed the importance and value of their territory as a remaining area with limited impacts to date from industrial development, that is at risk as development is pushed beyond its previous limits.

The EAO acknowledged PRFN concerns and reiterated that the scope of the current consultation is limited to the proposed amendment which does not open the existing certificate to review beyond the impacts of the amendment. It was noted that upstream development required to supply WCGT would be subject to separate permitting and assessment processes, which would be required to consider the cumulative effects of development in PRFN territory, as well as the considerations brought forward and findings of the *Yahey Decision*. PRFN acknowledged that the scope of the current amendment was not able to address their broader concerns regarding cumulative effects and indicated that they would continue to pursue solutions to cumulative effects assessments, and opportunities to assess and address the potential cumulative effects of development on their territories through other authorizations processes including upstream development permits, and the second WCGT Ltd. extension request. PRFN did not have specific concerns associated with the removal of the first 138 km of the proposed pipeline corridor given the likely associated reduction of impacts from this change.

Saulteau First Nations –SFN confirmed interest in participating in the amendment process as a participating Indigenous nation. The EAO shared the Amendment Application with SFN requesting input as both a participating Indigenous nation and member of the TAC; however, no comments or feedback was provided by SFN.

Halfway River First Nation – Halfway River First Nation (HRFN) provided a letter of support for the amendment to the EAO on April 6, 2022, prior to the EAO's initiation of engagement. The letter noted that HRFN understood the Amendment Application would lead to an overall reduction of the length of the CPC and the associated project footprint, and that HRFN was supportive of the elimination of the section between the Cypress and Willow Flats Areas. The EAO extended an invitation to HRFN to participate in the EA process on June 28, 2022, to which HRFN responded on July 25, 2022, reiterating their understanding of the associated removal of the CPC within HRFN territory. The EAO extended an additional offer for participation in the process as a participating Indigenous nation on August 18, 2022; however, did not receive confirmation of participation in the process.

Blueberry River First Nations – On August 8, 2022, BRFN responded to the EAO's initial correspondence regarding the Amendment Application, providing notification of opposition to the amendment. BRFN identified lack of adequate consultation on the 2019 Extension to the Certificate, and the lack of appropriate roles for Indigenous nations, in both the initial EA process and the extension, under the 2002 Act. BRFN also raised opposition to changes to the Certificate being made under the amendment process, the significant impacts that provincial decisions have had on BRFN's treaty rights and reiterated the findings of *Yahey v. British Columbia* decision regarding the cumulative effects of unsustainable development, including from oil and gas and pipeline infrastructure projects, on BRFN's treaty rights. BRFN also identified concerns that WCGT would lead to further oil and gas development in the area, potentially further infringing BRFN rights.

The EAO responded to this letter on October 5, 2022, acknowledging BRFN's concerns with the project and opposition to the amendment, and requesting additional information on the specific concerns of the amendment under consideration. The EAO's initial assessment of the effects of the proposed amendment suggests reduced effects of the project on BRFN's

Treaty rights, associated with the removal of the portion of the approved CPC from BRFN territory. BRFN was invited to join the process as a participating Indigenous nation and a meeting offer to further discuss BRFN's specific concerns with the Amendment Application was extended. On November 22, 2022, the EAO shared a copy of the Draft Amendment Assessment Report with BRFN for comment.

On December 12, 2022, BRFN and the EAO met via videoconference to further discuss the amendment application and the concerns raised by BRFN in the August 8, 2022, letter to the EAO. BRFN elaborated their concerns with respect to upstream development and cumulative effects of projects in their territory impacting their treaty rights, and the ongoing negotiations regarding cumulative effects assessments of projects following the *Yahey Decision*. BRFN acknowledged the limited scope of the current amendment and potential reduction of impacts within BRFN territory due to the proposed changes; however, reiterated their concerns with the Province's approach to cumulative effects assessments and noted that considering portions of projects in isolation does not allow for adequate consideration of cumulative effects. BRFN stated opposition to the project, and any associated amendments, until the potential cumulative effects of the project and associated development are resolved.

On March 2, 2023, BRFN provided a letter to the EAO in response to the draft Amendment Assessment Report stating that BRFN does not believe the necessary assessment of potential effects has been performed due to the limited scope considered in the assessment, and that proceeding with the amendment would contravene the recent BC-BRFN Implementation Agreement. The EAO responded on July 10, 2023 providing details on the assessment of impacts considered in relation to the amendment and reiterated the EAO's perspective that the proposed amendment would reduce impacts on VCs within the area of CPC removal. This includes reduced impacts to the Wildlife and Wildlife Habitat VC, including reducing the extent of adverse impacts to caribou and cumulative effects to caribou habitat in the amendment area as compared to the initial EA's findings due to the removal of 138 km of CPC construction in that area. The response also acknowledged that the EAO and BRFN fundamentally disagree on the scope of the amendment and noted that EAO would be proceeding to decision in the coming weeks.

Horse Lake First Nation – The EAO notified Horse Lake First Nation (HLFN) of the Amendment Application on June 30, 2022. HLFN responded noting potential effects of the project on their way of life, plants, animals, water and more. The EAO responded offering to meet to discuss, and followed-up by telephone, leaving a message with the offer to connect; however, EAO and HRFN did not further connect.

Lax Kw'alaams Band – Lax Kw'alaams Band were notified of the Amendment Application as they were included in Schedule B of the Section 11 Order. On July 15, 2022, Lax Kw'alaams Band responded to this notification stating the EAO's initial assessment finding no expected impacts to Lax Kw'alaams Band from the amendment was incorrect and requesting further involvement than simple notification. Lax Kw'alaams Band cited concerns regarding both the source and destination locations of the pipeline, and changes in potential public benefits associated with the Project since the initial granting of the EAC in 2014, and stated opposition to the Amendment. Lax Kw'alaams Band provided notice to the EAO on August 29, 2022, of their intention to participate in the TAC and as a participating Indigenous nation. The EAO responded to this request on Sept. 7, 2022, adding Lax Kw'alaams Band to the TAC, requesting input on the Amendment Application as a TAC member and offering to set up a meeting to further discuss their specific interests in the changes proposed under the Amendment Application. The EAO followed up a number of times offering another opportunity to discuss and provide input, but no response has been received to date.

Gitxsan Nation - The EAO notified Gitxsan Nation of the Amendment Application through the Watershed facilitators and through individual Wilps where not represented by a Watershed facilitator. The Skeena Watershed facilitator responded by telephone raising interest in the project. The EAO responded by phone, leaving a message offering to meet to discuss, but did not receive a response.

4.3. Summary

The EAO provided opportunities for the participation of potentially affected Indigenous nations in the amendment process and has attempted to accurately reflect the input received in this Amendment Assessment Report. The EAO shared a draft copy of the Amendment Assessment Report with all Nations who had raised interest in the amendment, providing an opportunity to further discuss and provide additional comments. Additional input received from Indigenous nations has incorporated into this Amendment Assessment Report.

5.0 CONCLUSIONS

The EAO is satisfied that:

- The Amendment Application and supporting information adequately identified and assessed the potential positive and negative adverse changes to the environmental, economic, social, cultural and health effects of WCGT resulting from the proposed amendment;
- Existing monitoring and mitigation requirements required in the Certificate are adequate to manage effects along the remaining portions of WCGT, and no additional conditions are necessary for this amendment;
- The effects of the amendment on potentially affected Indigenous nations, as described in [Section 25\(1\)](#) of the Act, have been appropriately assessed and have been addressed to the satisfaction of the EAO;
- The matters described in [Section 25\(2\)](#) of the Act have been considered and no material adverse impacts are expected in the effects on these matters as a result of the amendment;
- Efforts to seek consensus on the concerns that Indigenous nations raised with the Amendment Application and these conclusions were undertaken, with consideration given to the purpose of the EAO to support reconciliation with Indigenous peoples in B.C. as set out in [Section 2\(2\)\(b\)\(ii\)](#) of the Act; and
- The provincial Crown has fulfilled its statutory and constitutional obligations owed to Indigenous nations relating to the issuance of an amendment to the Certificate for the changes proposed in the Application.

These conclusions are based on the EAO's consideration of the Amendment Application information, the results of the EAO's engagement and consultation with Indigenous nations; comments from the TAC on the Amendment Application and WCGT Ltd.'s responses to these comments, and the monitoring and mitigation requirements listed under the Certificate.

The EAO recommends that the Deputy Chief Executive Assessment Officer, upon consideration of the conclusions in this Report and any other relevant factors, issue an Order under [Section 32](#) of the Act to allow the requested amendment of the Certificate for WCGT, including updates to the Certified Project Description.

Addendum: Amendment # 1 Order