

- Response monitoring to provide an empirical basis for understanding effects of the Project on the quality and quantity of fish habitat.

Furthermore, the Proponent must implement the Operational Environmental Management Plan, subject to any modifications required by DFO and FLNR, based on DFO's Habitat Compliance and Monitoring Framework. Whether the amendment is approved Commitment #11 will remain unchanged.

Certificate Condition # 14 requires the Proponent during the first year of Operations to:

- Conduct ramping tests to refine the preliminary ramping rates proposed in the Application;
- Conduct ramping studies to confirm flow travel times, stage change rates, and response of fish to flow ramping; and
- Develop a flow ramping protocol.

The results of the ramping tests and studies and flow ramping protocol must be shared with DFO and FLNR. The ramping protocol must be implemented and modified as required by DFO and FLNR. Whether the amendment is approved Commitments #11 and #14 will remain unchanged.

Schedule B of the Certificate lists other commitments that apply to protecting fisheries and aquatic habitat. EAO has not identified any new mitigation measures or conditions that should be attached to the Certificate in consideration of the proposed amendment.

#### **D. CONCLUSION AND RECOMMENDATION**

EAO is satisfied that the amendment review process has adequately identified and assessed the potential significant adverse environmental, economic, social, heritage and health effects of the proposed changes to the Project:

- the Proponent adequately consulted with government agencies, the public, and First Nations about the proposed changes to the Project; and
- the issues identified by government agencies, the public, and First Nations, which were within the scope of the Proposed Amendment, were adequately and reasonably addressed by the Proponent during the review of the amendment application; and,
- practical means have been identified to prevent or reduce any potential adverse environmental, social, economic, heritage or health impacts of the proposed Amendment such that no direct or indirect significant adverse effect is predicted.

EAO is also satisfied that:

- the issuance of the Certificate amendment will not impact the Aboriginal Interests of the 'Namgis First Nation or the Tlowitsis First Nation; and
- the provincial Crown has fulfilled its obligation to consult with and appropriately accommodate First Nations in relation to the potential issuance of an EA Certificate amendment for the proposed changes to the Project.