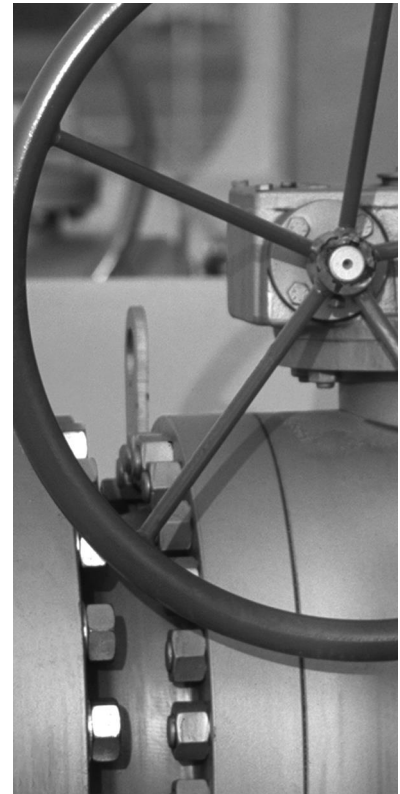


# A : PERMIT : DOCUMENTATION



SNC • LAVALIN



 **BearHead**  
**LNG**  
A subsidiary company of Liquefied Natural Gas Limited



Canadian Environmental  
Assessment Agency

Agence canadienne  
d'évaluation environnementale

Suite 200  
1801 Hollis Street  
Halifax Ns B3J 3N4

Bureau 200  
1801 rue Hollis  
Halifax, NE B3J 3N4

February 9, 2015

Mr. Paul MacLean  
Strategic and Regulatory Affairs Advisor  
Bear Head LNG  
1001 McKinney, Suite 400  
Houston TX 77002  
Via email: [pmaclean@Bearheadlng.com](mailto:pmaclean@Bearheadlng.com)

Dear Mr. McLean:

**SUBJECT: Proposed Bear Head LNG Project  
Submission of Project Description not required**

The Canadian Environmental Assessment Agency (the Agency) has reviewed additional information shared December 17, 2014, as well as January 16, 2015 and January 22, 2015 in relation to the proposed Bear Head LNG Project (the Project) in Port Hawkesbury, Nova Scotia.

Based on the information provided, it is understood that the LNG component of the proposed Project is included in section 14(d) of the *Regulations Designating Physical Activities* (the Regulations) under the *Canadian Environmental Assessment Act, 2012* (CEAA 2012). However, the submitted information clarifies that the design for the proposed project will be substantially the same as that for the LNG Marine Wharf Project (CEAR# 03-01-61), which was assessed under the former *Canadian Environmental Assessment Act*. As well, some construction of the LNG facility has already taken place. Therefore, in accordance with section 128 under CEAA 2012, it has been determined that the Act does not apply to the LNG component of the Project. In addition, because the Project would not use natural gas to generate electricity, the Agency does not consider the Project to be described in section 2(a) of the *Regulations Designating Physical Activities*.

Based on the above analysis, the Agency does not require submission of a project description for the Bear Head LNG Project, as currently described. Should you require additional information, please contact Shannan Murphy at [shannan.murphy@ceaa-acee.gc.ca](mailto:shannan.murphy@ceaa-acee.gc.ca) or 902-426-7789.

Sincerely,

Andrée Chevrier  
Acting Regional Director –Atlantic region

c.c. John Godbold, Bear Head LNG Corporation  
Derek Burney, Norton Rose Fulbright Canada







Department of  
Environment & Labour

PO Box 697  
Halifax, Nova Scotia  
B3J 2T8

Our File Number:  
10700-40  
40100-30-63

Office of the Minister

AUG 09 2004

Sylvester Swierzy  
Executive Vice-President, Development  
Access Northeast Energy Inc.  
PO Box 36108  
RPO Spring Garden Road  
Halifax, NS B3J 3S9

Dear Mr. Swierzy:

**Re: Environmental Assessment - Bear Head LNG Terminal**

The environmental assessment of the Bear Head LNG Terminal, has been completed.

This is to advise that I have approved the above project in accordance with Section 13(1)(b) of the *Environmental Assessment Regulations*, pursuant to Part IV of the *Environment Act*. I am satisfied following a review of the information provided by Access Northeast Energy Inc., and through the government and public consultation as part of the environmental assessment, that any adverse effects or significant environmental effects of the undertaking can be adequately mitigated through compliance with the attached terms and conditions.

This letter in conjunction with the attached terms and conditions constitutes my approval. This approval is subject to any other approvals required by statute or regulation, including but not limited to, approval under Part V of the *Nova Scotia Environment Act* (Approvals and Certificates section).

If you have any questions regarding the approval of this project, please contact the Manager, Environmental Assessment Branch, Mr. Chris Daly at (902) 424-4936.

Sincerely yours,

Kerry Morash  
Minister

Encl.

# Nova Scotia Environment and Labour ("NSEL")

## Environmental Assessment Approval

Approval Date: AUG 09 2004

### Bear Head LNG Terminal

Access Northeast Energy Incorporated, Proponent

Bear Head  
Richmond County

---

The Bear Head LNG Terminal, proposed by Access Northeast Energy Inc. (the "Proponent"), Bear Head, Richmond County, is approved pursuant to Section 13(1)(b). This Approval is subject to the following conditions and obtaining all other necessary approvals, permits or authorizations required by municipal, provincial and federal acts, regulations, by-laws, guidelines, policies or standards before commencing work on the Undertaking. It is the responsibility of the Proponent to ensure that all such approvals, permits or authorizations are obtained before commencing work on the Undertaking.

This Environmental Assessment Approval is based upon the review of the conceptual design, environmental baseline information, impact predictions, and mitigation presented in the Registration Information.

---

### Terms and Conditions for Environmental Assessment Approval

#### 1.0 General Approval

- 1.1 The Environmental Assessment Approval for the project is limited to the project as described in the registration document. Any proposal by the Proponent for expansion, extension, modification or relocation of any aspect of the project from that proposed in the registration document must be submitted to the Environmental Assessment Branch for review and may require an environmental assessment.
- 1.2 The Environmental Assessment Approval shall expire within two years of the date of its issuance unless the Proponent commences work on the Undertaking by the end of the two year period, unless granted a written extension by the Minister.

- 1.3 The Proponent shall not transfer, sell, lease, assign or otherwise dispose of this approval without the written consent of the Minister. The sale of a controlling interest of a business or a transfer of an approval from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.
- 1.4 The Proponent shall implement all mitigation and commitments in the Registration Document, unless approved otherwise by NSEL.

## **2.0 Facility Operations**

- 2.1 The Proponent, prior to construction, shall submit for review and approval, an Environmental Protection Plan for the project to be implemented through all phases of construction and operation of the facility.
- 2.2 The Proponent shall update and revise the Environmental Protection Plan (EPP) at the request of NSEL, at anytime during construction or operation of the Undertaking.
- 2.3 The Proponent shall provide NSEL's Regional or District Manager, Eastern Region, with a finalized abandonment plan, for review and approval, six months prior to the permanent shut down of the undertaking.

## **3.0 Surface Water Resources**

- 3.1 The Proponent, as part of the EPP, shall provide for review and approval:
  - a) details of a storm water management plan to minimize impacts to water quality during both construction and operational stages of the project.
  - b) details of a program for monitoring surface water quality, which includes but is not limited to proposed monitoring locations, sampling parameters and sampling frequency.

## **4.0 Wildlife and Terrestrial Habitat**

- 4.1 The Proponent, as part of the EPP, shall submit a wetland protection and mitigation plan to be reviewed and approved by NSDNR's Wildlife Division.
- 4.2 Prior to construction, the Proponent shall, in consultation with NSEL, develop and implement a wetland compensation plan.
- 4.3 The Proponent, as part of the EPP, shall provide a mitigation and follow-

up monitoring plan for the Southern Twayblade (*Listera australis*) to be reviewed and approved by NSDNR's Wildlife Division.

## **5.0 Air Quality and Dust**

- 5.1 The Proponent, as part of the EPP, shall submit for review and approval a dust control contingency plan to be implemented during facility construction.
- 5.2 The Proponent shall participate in future air shed management programs as required by NSEL.
- 5.3 The Proponent shall be required to conduct air quality monitoring at the request of NSEL.

## **6.0 Noise and Waste Management**

- 6.1 The Proponent, as part of the EPP, shall submit a noise management and contingency plan to ensure noise levels meet the NSEL noise guidelines, and to address any noise related complaints that occur during construction or operation.
- 6.2 The Proponent, as part of the EPP, shall submit for review and approval, a waste management plan to be implemented during construction and operation of the Undertaking. This plan will include waste minimization procedures, recycling procedures, and disposal procedures for both solid waste and hazardous wastes generated or handled on site.

## **7.0 Transportation**

- 7.1 The Proponent, as part of the EPP, shall submit for review and approval, a road traffic management plan to prevent or mitigate noise, dust and socio-economic impacts created by transportation activities occurring during the construction of the Undertaking.

## **8.0 Archaeological and Cultural Resources**

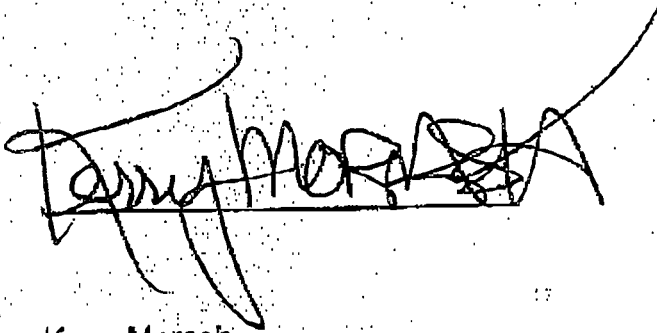
- 8.1 The Proponent, as part of the EPP, shall submit for review and approval, an Archaeological Contingency Plan, to be implemented in the event that archaeological resources are discovered at the project site. This plan shall include the requirement to halt work and contact the Curator of Archaeology at the Nova Scotia Museum, and Executive Director of the Confederacy of Mainland Mi'kmaq, immediately upon discovery of an archaeological site or artifact.

## 9.0 Contingency Plans

- 9.1 The Proponent, as part of the EPP, shall submit for review and approval, a Spill Management Plan and Emergency Spills Contingency Plan, to be implemented during construction and operation of the Undertaking.
- 9.2 Prior to operation of the facility, the Proponent shall provide a contingency plan that addresses fire at the facility to be reviewed and approved by the local fire and emergency service providers.

## 10.0 Public Participation

- 10.1 The Proponent shall form, at the request of NSEL, a Community Liaison Committee (CLC) in consultation with the NSEL and with municipal and community representatives. The *NSEL Guidelines for the Formation of a Community Liaison Committee* shall be used for the guidance of the Proponent and community.



Kerry Morash  
Minister of Environment and Labour





Our File Number: 92100-30

October 30, 2014

Mr. Dean Hart  
Bear Head LNG Corporation  
1001 McKinney, Suite 400  
Houston, TX, USA  
77002

Dear Mr. Hart:

**RE: Approval to Construct - Liquefied Natural Gas Plant  
Approval No. 2004-043229-R01  
PID # 75189415**

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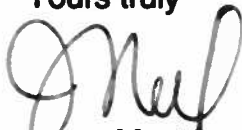
Enclosed please find Approval # 2004-043229-R01 issued to Bear Head LNG Corporation to Construct the Liquefied Natural Gas Plant at 241 Bear Island Rd, Point Tupper, Richmond County, Nova Scotia. Please ensure that you forward the original Approval to Bear Head LNG Corporation

Strict adherence to the attached terms and conditions is imperative in order to validate this approval.

Despite the issuance of this Approval, the Approval Holder is still responsible for obtaining any other authorization which may be required to carry out the activity, including those which may be necessary under provincial, federal or municipal law.

Should you have any questions, please contact the Port Hawkesbury District Office at (902) 625-0791.

Yours truly



Janet Mackinnon  
District Manager

**APPROVAL**

**Province of Nova Scotia**  
***Environment Act, S.N.S. 1994-95, c.1***

**APPROVAL HOLDER:** **Bear Head LNG Corporation**

**SITE PID:** **75189415**

**APPROVAL NO:** **2004-043229-R01**

**EXPIRY DATE:** **October 30, 2024**

**Pursuant to Part V of the *Environment Act, S.N.S. 1994-95, c.1* as amended from time to time, approval is granted to the Approval Holder subject to the Terms and Conditions attached to and forming part of this Approval, for the following activity:**

**Construction of a Liquefied Natural Gas Plant, and associated works, at or near 241 Bear Island Rd, Point Tupper, Richmond County in the Province of Nova Scotia.**

Administrator

  
Janet MacKinnon

Effective Date

October 30, 2014

# TERMS AND CONDITIONS OF APPROVAL

## Nova Scotia Environment

**Approval Holder:** Bear Head LNG Corporation  
**Project:** Liquefied Natural Gas Plant  
**Site:** 241 Bear Island Rd,  
Point Tupper, Richmond County  
PID # 75189415

**Approval No:** 2004-043229-R01

**File No:** 92100-30

**Map Series:** 11F11

**Grid Reference:** E632624 N5046404

### Reference Documents:

- Application dated July 23, 2014 and attachments.
- Previous Application dated June 24, 2005, and attachments.
- Application for Division V Approvals Under the Activities Designation Regulations for The Proposed Bear Head LNG Terminal Amendment to 2004-043229-A01.
- Anadarko Bear Head LNG Corporation, Environmental Protection Plan, Revision No. 2 ( Construction and Commissioning ), Dated June 15, 2005.
- Project No. NSD17393 Report to Nova Scotia Environment and Labour on Access Northeast Energy Inc. Application for Division I.
- Nova Scotia Environment and Labour ("NSDEL") Environmental Assessment Approval dated August 9, 2004, Bear Head LNG Terminal Access Northeast Energy.

### 1. Definitions

- a) "Act" means the *Environment Act* S.N.S. 1994-1995, c.1 and includes all regulations made pursuant to the Act.
- b) "Department" means the Eastern Region, Port Hawkesbury Office, of Nova Scotia Environment located at the following address:

Nova Scotia Environment  
Environmental Monitoring and Compliance Division  
Eastern Region, Port Hawkesbury Office  
218 MacSween Street, Suite 12  
Port Hawkesbury, NS B9A 2J9

Phone: (902) 625-0791

Fax: (902) 625-3722

- c) "Facility" means the Liquefied Natural Gas Plant and associated works.
- d) "Minister" means the Minister of Nova Scotia Environment.
- e) "NSE" means Nova Scotia Environment

## 2. **Scope of Approval**

- a) This Approval (the "Approval") relates to the Approval Holder and their application and supporting documentation, as listed in the reference documents above, to Construct the Facility, situated at or near 241 Bear Island Rd, Point Tupper, Richmond County (the "Site").
- b) The Facility shall be constructed and operated as outlined in the application for approval dated July 23, 2014 and supporting documentation.
- c) The Site shall not exceed the area as outlined in the application and supporting documentation.

## 3. **General Terms and Conditions**

- a) The Approval Holder shall construct, operate and reclaim its Facility in accordance with provisions of the:
  - i) *Environment Act* S.N.S. 1994-1995, c.1, as amended from time to time;
  - ii) Regulations, as amended from time to time, pursuant to the above Act;
- b) The Approval Holder is responsible for ensuring that they operate the Facility on lands which they own or have a lease or written agreement with the landowner or occupier. The Approval Holder shall be responsible for ensuring that the Department has, at all times, a copy of the most recent lease or written agreement with the landowner or occupier. Breach of this condition may result in cancellation or suspension of the Approval.

- c) **If there is a discrepancy between the reference documents and the terms and conditions of this Approval, the terms and conditions of this Approval shall apply.**
- d) **The Minister or Administrator may modify, amend or add conditions to this Approval at anytime pursuant to Section 58 of the Act.**
- e) **This Approval is not transferable without the consent of the Minister or Administrator.**
- f)
  - (i) **If the Minister or Administrator determines that there has been non-compliance with any or all of the terms and conditions contained in this Approval, the Minister or Administrator may cancel or suspend the Approval pursuant to subsections 58(A)(1) and 58(A)(2) of the Act, until such time as the Minister or Administrator is satisfied that all terms and conditions have been met.**
  - (ii) **Despite a cancellation or suspension of this Approval, the Approval Holder remains subject to the penalty provisions of the Act and regulations.**
- g) **The Approval Holder shall notify the Department prior to any proposed extensions or modifications of the Facility, including the active area, process changes or waste disposal practices which are not granted under this Approval. An amendment to this Approval will be required before implementing any change. Extensions or modifications to the Facility may be subject to the Environmental Assessment Regulations.**
- h) **Pursuant to Section 60 of the Act, the Approval Holder shall submit to the Administrator any new and relevant information respecting any adverse effect that actually results, or may potentially result, from any activity to which the Approval relates and that comes to the attention of the Approval Holder after the issuance of the Approval.**
- i) **The Approval Holder shall immediately notify the Department of any incidents of non-compliance with this Approval.**
- j) **The Approval Holder shall bear all expenses incurred in carrying out the environmental monitoring required under the terms and conditions of this Approval.**
- k) **Unless specified otherwise in this Approval, all samples required to be collected by this Approval shall be collected, preserved and analysed, by qualified personnel, in accordance with recognized industry standards and procedures.**

- l) Unless written approval is received otherwise from the Administrator, all samples required by this Approval shall be analysed by a laboratory that meets the requirements of the Department's "Policy on Acceptable Certification of Laboratories" as amended from time to time.
- m) The Approval Holder shall submit any monitoring results or reports required by this Approval to the Department. Unless specified otherwise in this Approval, All monitoring results shall be submitted within 30 days following the month of monitoring.
- n) The Approval Holder shall ensure that this Approval, or a copy, is kept on Site at all times and that personnel directly involved in the Facility operation are made fully aware of the terms and conditions which pertain to this Approval.
- o) This Approval is for the construction of a Liquefied Natural Gas Import Facility only. Any change in the project requires further review and Approval from Nova Scotia Environment. An Approval Amendment is required for Facility Operation.

#### **4. Construction of Facility**

- a) All erosion and sedimentation controls are to be in place prior to construction at this Facility in accordance with their EPP. Additional controls shall be implemented if Site runoff exceeds the discharge limits contained herein.
- b) Erosion and sedimentation controls are to be maintained and remain in place until the disturbed areas are stabilized.
- c) The Approval Holder shall ensure that the following discharge limits are met for any water which is discharged from the Site to a watercourse or wetland:

##### **Clear Flows (Normal Background Conditions):**

- i) Maximum increase of 25 mg/l from background levels for any short term exposure (24 hours or less)
- ii) Maximum average increase of 5 mg/l from background levels for longer term exposure (inputs lasting between 24 and 30 days)

##### **High Flow (Spring Freshets and Storm Events)**

- i) Maximum increase of 25 mg/l from background levels at any time when background levels are between 25 mg/l and 250 mg/l

- ii) Shall not increase more than 10% over background levels when background is > 250 mg/l
- d) Appropriate signage including the hours of operation, emergency telephone numbers and contacts are to be posted at the entrance to the Facility.
- e) The use of used oil as a dust suppressant is strictly prohibited. The generation of dust from the Site shall be suppressed as required.

**5. Particulate Emissions (Dust)**

- a) Particulate emissions shall not exceed the following limits at or beyond the Site property boundaries:

Annual Geometric Mean      70  $\mu\text{g}/\text{m}^3$

Daily Average (24 hr.)      120  $\mu\text{g}/\text{m}^3$

- b) The use of used oil as a dust suppressant is strictly prohibited. The generation of dust from the Site shall be suppressed as required.
- c) Monitoring of particulate emissions shall be conducted at the request of the Department. The location of the monitoring station(s) for particulate will be established by a qualified person retained by the Approval Holder and submitted to the Department for approval, this may include point(s) beyond the property boundary of the Site.
- d) When requested, suspended particulate matter shall be measured by the EPA standard; EPA/625/R-96/010a; Sampling of Ambient Air for Total Suspended Particulate Matter (SPM) and  $\text{PM}_{10}$ . Using High Volume (HV) Sampler.

**6. Sound Levels**

- a) Sound levels measured at the Site property boundaries shall not exceed the following equivalent sound levels (Leq):

Leq    65 dBA 0700-1900 hours (Days)  
       60 dBA 1900-2300 hours (Evenings)  
       55 dBA 2300-0700 hours (Nights)

- b) Monitoring of sound levels shall be conducted at the request of the Department. The location of the monitoring station(s) for sound will be established by a qualified person retained by the Approval Holder and



submitted to the Department for approval, this may include point(s) beyond the property boundary of the Site.

**7. Spills or Releases**

- a) All spills or releases shall be reported in accordance with the *Act* (Part VI) and the *Environmental Emergency Regulations*.
- b) Spills or releases shall be cleaned up immediately in accordance with the *Act*.
- c) A quantity of spill/release response material is to be maintained on Site at all times.

**8. Environmental Protection Plan (EPP)**

- a) The Approval Holder shall ensure their "Environmental Protection Plan (EPP), dated June 15, 2005", or subsequent revisions, is adhered to.
- b) The Approval Holder shall review the EPP at least annually and update it if required. The Approval Holder shall provide Nova Scotia Environment with copies of any revision(s) of the EPP for review prior to implementation.

**9. Site Specific Conditions**

- a) The Approval Holder shall review with the Department provisions for the temporary handling of sanitary sewage and a potable water supply during the construction phase of the project.

**10. Reporting**

- a) The Approval Holder shall retain all monitoring results and make them available to the Department on request.

**11. Security and Insurance**

- a) Security and Insurance shall be provided as required under the "Activities Designation Regulations" (Division VI - Security and Insurance). Security and Insurance shall be in an amount and form acceptable to the Minister and shall

**be in place on or before December 10, 2014 and prior to re-commencement of construction activities.**



**NOVA SCOTIA UTILITY AND REVIEW BOARD**

**IN THE MATTER OF THE PIPELINE ACT**

- and -

**IN THE MATTER OF THE GAS PLANT FACILITY REGULATIONS**

- and -

**IN THE MATTER OF AN APPLICATION** by **BEAR HEAD LNG INC.** ("Bear Head LNG") to amend the **PERMIT TO CONSTRUCT** a **LIQUEFIED NATURAL GAS PLANT** at Bear Head near Point Tupper, Richmond County, Nova Scotia

**BEFORE:**



Peter W. Gurnham, Q.C., Chair  
Kulvinder S. Dhillon, P.Eng., Member  
Roberta J. Clarke, Q.C., Member

**ORDER**

**WHEREAS** Bear Head LNG applied to the Nova Scotia Utility and Review Board ("Board") on October 31, 2014, for an amendment to Permit to Construct LNG-BH-PC-02;

**AND WHEREAS** Lloyd's Register North America Incorporated ("LRNA"), the Board's certifying authority provided its report dated February 24, 2015 to the Board;

**AND WHEREAS** there were no submissions to the Board by formal intervenors or comments from the public by the date prescribed in the Directions on Procedure;

**AND WHEREAS** the Board has reviewed the application by Bear Head LNG for an amendment to the Permit to Construct and LRNA's report;

**IT IS HEREBY ORDERED** that the amendment to Permit to Construct LNG-BH-PC-02 attached hereto be granted effective March 13<sup>th</sup>, 2015.

**DATED** at Halifax, Nova Scotia, this 13<sup>th</sup> day of March, 2015.

  
\_\_\_\_\_  
Clerk of the Board

*R. Shum*

**NOVA SCOTIA UTILITY AND REVIEW BOARD**

**IN THE MATTER OF THE PIPELINE ACT AND THE GAS PLANT FACILITY  
REGULATIONS**

- and -

**IN THE MATTER OF AN APPLICATION** by **BEAR HEAD LNG INC.** ("Bear Head LNG") to amend the **PERMIT TO CONSTRUCT** a **LIQUEFIED NATURAL GAS ("LNG") PLANT** at Bear Head near Point Tupper, Richmond County, Nova Scotia

**WHEREAS** the Nova Scotia Utility and Review Board ("Board") granted a Permit to Construct, NSUARB-LNG-BH-PC-02 dated June 6, 2006 ("Permit to Construct"), as amended, to construct a LNG plant at Bear Head near Point Tupper, Richmond County, Nova Scotia as indicated in the Permit to Construct;

**AND WHEREAS** by letter dated October 31, 2014 Bear Head LNG made an application to the Board for an amendment to the Permit to Construct;

**AND WHEREAS** the application seeks approval of the project as described in the application, hereinafter referred to as the "proposed works";

**AND WHEREAS** the application also seeks approval of an extension of the expiry date of the Permit to Construct to December 31, 2019;

**AND WHEREAS** the Board issued Directions on Procedure whereby members of the public were invited to submit notice of intervention by November 26, 2014 and formal submissions or comments on the proposed LNG plant by December 3, 2014;

**AND WHEREAS** notices of intervention were filed by Heritage Gas Limited, Nova Scotia Power Inc. and Strait Area Chamber of Commerce and there were no further submissions;

**AND WHEREAS** the Certifying Authority for the Board pursuant to s. 22 of the *Gas Plant Facility Regulations (Nova Scotia)* is Lloyd's Register North America Incorporated ("LRNA");


**AND WHEREAS** LRNA submitted its report on the application dated February 24, 2015 and the Board invited interested parties to comment on the LRNA report by March 6, 2015 and no comments were received;

**AND WHEREAS** the Board has the authority to issue an amendment to the Permit to Construct pursuant to s. 10(1) of the *Gas Plant Facility Regulations (Nova Scotia)*;

**NOW THEREFORE**, the Board grants to Bear Head LNG an amendment to the Permit to Construct, and amends certain Conditions of the Permit to Construct as follows, with all other conditions remaining in effect:

3. Components or systems of the Proposed Works requiring design appraisal to be identified by the Certifying Authority prior to commencement of construction (the "Identified Components").
4. Bear Head LNG shall deliver to the Certifying Authority all design and materials information pertaining to the Identified Components as identified on the maintained Master Document Register (MDR) and, in any event, before commencing field installation of each such Identified Component. If after review of such information, the Certifying Authority determines that an Identified Component does not or will not comply with the *Gas Plant Facility Regulations (Nova Scotia)*, the Code of Practice or the applicable codes and standards referenced therein, the Certifying Authority shall notify Bear Head LNG and, upon receipt of such notice, Bear Head LNG shall promptly (and in any event prior to the submission of an application for a "License to Operate") remedy any such non-compliance.
5. Bear Head LNG shall provide reasonable notice to the Certifying Authority of its intended schedule of activities for the proposed works and shall permit representative(s) from the Certifying Authority to be on site, as required, to monitor construction of the proposed works.
11. Unless extended or earlier terminated, this Permit to Construct shall expire on December 31, 2019.

Dated at Halifax, Nova Scotia, this 13<sup>th</sup> day of March, 2015.



\_\_\_\_\_  
Clerk of the Board





Navigation Protection Program  
Programme de protection de la navigation  
P.O. Box / C.P. 42  
95 Foundry Street-Heritage Court  
Moncton, N.B. E1C 8K6

Your File Votre référence

Our File Notre référence  
8200-03-2355

January 12, 2015

Bear Head LNG Corporation  
1201 Lake Robbins Drive  
The Woodlands, TX, 77380

**Re.: Request by Bear Head LNG Corporation for Approval Extension of the Marine Terminal located at Strait of Canso, in the Province of Nova Scotia**

We are in receipt of your letter dated February 25, 2014 requesting an extension to the time limits placed on commencement and completion of your work. A review of our file indicates that following approvals were issued for the work:

- Section 5(1) Navigable Waters Protection Act (NWP) dated June 28, 2005.
- Section 10(2) Alteration NWP dated March 7, 2006.

On April 1, 2014 the Navigable Waters Protection Act (NWP) was repealed and replaced with the Navigation Protection Act (NPA). Works approved pursuant to the NWP are now under the legislative framework of the Navigation Protection Act and remain valid. The NPA does not stipulate time limits for completion, commencement or expiry of works. Therefore the expiry conditions as stated in your 5(1) NWP approval are no longer applicable.

Please note all other conditions and plans as approved must be adhered to when construction is commenced and completed. Should the proposed work deviate from your approval you will be required to submit a new application for Notice of Works to the Navigable Waters Protection Program.

Further information on the NPA may be found at: <http://www.tc.gc.ca/eng/programs-632.html>

Should you have any questions, please do not hesitate to contact our office in Moncton at (506) 851-3113 or by facsimile transmission at (506) 851-7542 or by e-mail at [nppatl-ppnatl@tc.gc.ca](mailto:nppatl-ppnatl@tc.gc.ca)

Sincerely,

Carl Ripley  
Manager, Navigation Protection Program  
Transport Canada  
Atlantic







P.O. Box 1006  
Dartmouth, Nova Scotia  
B2Y 4A2

**FEB 19 2015**

*Your file            Votre référence*

*Our file    Notre référence*  
05-HMAR-MA7-00100

Mr. John Godbold  
Project Director  
Bear Head LNG Corporation  
1001 McKinley Street  
Suite 400  
Houston, Texas  
United States of America  
77002

Dear Mr. Godbold:

**Subject: Notification of Modifications to Dates in Conditions of Paragraph 35(2) Fisheries Act authorization 05-HMAR-MA7-00100**

The Fisheries Protection Program (the Program) of Fisheries and Oceans Canada hereby modifies the conditions that relate to the period during which the work, undertaking or activity that will result in serious harm to fish can be carried on, for the authorization issued to you under paragraph 35(2) of the *Fisheries Act* on April 12, 2006 and subsequently amended March 31, 2009, and April 19, 2012.

The period during which the work, undertaking, or activity can be carried on as referenced in Authorization Number 05-HMAR-MA7-00100 is modified as follows:

- Under the “*Valid Authorization Period*” the date has been changed from “**March 31, 2015**” to “**December 31, 2019**”.

The Program has determined that the modification of the dates in the conditions of authorization will not increase the level of harm to fish and habitat described in the authorization.

A copy of the original authorization and a copy of this letter must be kept on site while the work is in progress. Work crews must be familiar with and able to adhere to the conditions.

Failure to comply with the conditions of the authorization may lead to prosecution under the *Fisheries Act*.

**Canada**

If you or anyone conducting work on your behalf has any questions, please contact Tony Henderson at our Dartmouth, NS office at (902) 401-0602, by fax at (902) 426-1489, or by email at [Tony.Henderson@dfo-mpo.gc.ca](mailto:Tony.Henderson@dfo-mpo.gc.ca).

Yours sincerely,



Faith G. Scattolon  
Regional Director-General  
Maritimes Region

cc: D. Hart, Bear Head LNG  
T. Henderson, DFO  
P. MacLean, Bear Head LNG

October 6, 2004

Mr. Robert Federico  
Jacques Whitford Limited  
3 Spectacle Dr  
UNIT 1  
Halifax, NS  
B3B 1W8

Dear Mr. Federico:

**RE: Approval to Construct - Wetland Infill - Unnamed Wetland At Bear Head  
Approval No. 2004-043228**

---

Enclosed please find Approval # 2004-043228 issued to 3091698 Nova Scotia Company to construct the Wetland Infill on Unnamed Wetland At Bear Head at Point Tupper, Richmond County, Nova Scotia. Please ensure that you forward the original Approval to 3091698 Nova Scotia Company.

This approval or a copy is to be kept on-site at all times. All personnel involved in the project must be made fully aware of the terms and conditions of this approval. The terms and conditions are shown as attached and it is the Approval Holder's responsibility to ensure that they are followed. Failure to comply with the terms and conditions is an offence.

It is the Approval Holder's duty to advise the Department of any new and relevant information respecting any adverse effect that results or may result from the approved activity, which comes to the Approval Holder's attention after the issuance of the approval. This is required under Section 60 of *the Environment Act*.

If the activity is altered, extended or modified beyond the description given in this approval, please reapply as a new approval may be required.

Please provide the undersigned with three days notice prior to the commencement of the work.

Within 14 days of completion of the work authorized under this approval, the Approval Holder is required to submit the enclosed form entitled "Nova Scotia Environment and Labour Completion of the Approved Work".

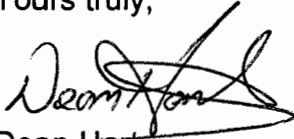
Despite the issuance of this Approval, the Approval Holder is still responsible for obtaining

any other authorization which may be required to carry out the activity, including those which may be necessary under provincial, federal or municipal law.

Please call at once, if you or the Approval Holder have any questions about the conditions of this approval, especially those pertaining to the actual construction.

Should you or the Approval Holder have any questions, please contact Dean Hart, Eastern Region, Port Hawkesbury Office at (902) 625-0791.

Yours truly,

A handwritten signature in black ink, appearing to read "Dean Hart", written over a horizontal line.

Dean Hart  
Inspector

cc Lawrence MacDonald  
Terry MacPherson  
Creig Hominick DFO  
Ken Anderson P. Eng.

## APPROVAL

Province of Nova Scotia  
Environment Act, S.N.S. 1994-95, c.1

APPROVAL HOLDER: 3091698 Nova Scotia Company

APPROVAL NO: 2004-043228

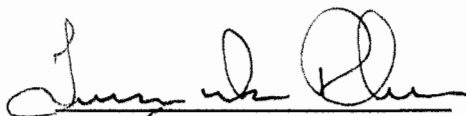
EFFECTIVE DATE: October 6, 2004

EXPIRY DATE: December 31, 2006

Pursuant to Part V of the *Environment Act*, S.N.S. 1994-95, c.1 as amended from time to time, approval is granted to the Approval Holder subject to the Terms and Conditions attached to and forming part of this Approval, for the following activity:

Construction of a Wetland Infill on Unnamed Wetland At Bear Head at or near Point Tupper, Richmond County in the Province of Nova Scotia.

Administrator  
Date Signed

  
October 06, 2004

# TERMS AND CONDITIONS OF APPROVAL

## Nova Scotia Environment and Labour

**Project:** 3091698 Nova Scotia Company  
Wetland Infill on Unnamed Wetland At Bear Head  
Point Tupper, Richmond County

**Approval No:** 2004-043228

**File No:** 95100-30

**Map Series:** 11F/11

**Grid Reference:** E - 632624 N - 5046404

### Reference Documents:

- Application dated August 13, 2004 and attachments.
- Application for Division I and Division V Approvals Under the Activities Designation Regulations for The Proposed Bear Head LNG Terminal.
- Anadarko Bear Head LNG Corporation, Environmental Protection Plan, Revision No. 0 ( Construction ), Dated October 5, 2004.
- Project No. NSD17393 Report to Nova Scotia Environment and Labour on Access Northeast Energy Inc. Application for Division I.
- Nova Scotia Environment and Labour ("NSDEL") Environmental Assessment Approval dated August 9, 2004, Bear Head LNG Terminal Access Northeast Energy.

### 1. Definitions

- a) "Act" means the *Environment Act* S.N.S. 1994-1995, c.1 and includes all regulations made pursuant to the Act.
- b) "Department" means the Eastern Region, Port Hawkesbury Office, of the Nova Scotia Environment and Labour.
- c) "Facility" means the Wetland Infill and associated works.
- d) "Minister" means the Minister of the Nova Scotia Environment and Labour.

## 2. Scope of Approval

- a) This Approval (the "Approval") relates to the Approval Holder and their application and supporting documentation, as listed in the reference documents above, to infill Wetlands At Bear Head situated at or near Point Tupper, Richmond County (the "Site").
- b) The Facility shall be constructed as outlined in the application for approval dated August 13, 2004 and supporting documentation.
- c) The proponent shall adhere to the Terms and Conditions of the Environmental Assessment Approval, Dated August 9, 2004.

## 3. General Terms and Conditions

- a) The Approval Holder shall construct, operate and reclaim its Facility in accordance with provisions of the:
  - i) *Environment Act* S.N.S. 1994-1995, c.1;
  - ii) Regulations pursuant to the above Act;
  - iii) Any future amendments to the Act and regulations
  - iv) Nova Scotia Watercourse Alteration Specifications (1997) Legal and General
- b) No authority is granted by this Approval to enable the Approval Holder to construct the Facility on lands which are not in the control or ownership of the Approval Holder. It is the responsibility of the Approval Holder to ensure that such a contravention does not occur. The Approval Holder shall provide, to the Department, proof of such control or ownership upon expiry of any relevant lease or agreement.
- c) If there is a discrepancy between the reference documents and the terms and conditions of this Approval, the terms and conditions of this Approval shall apply.
- d) The Minister or Administrator may modify, amend or add conditions to this Approval at anytime pursuant to Section 58 of the Act.
- e) This Approval is not transferable without the consent of the Minister or Administrator.
- f) (i) If the Minister or Administrator determines that there has been non-compliance with any or all of the terms and conditions contained in this Approval, the Minister or Administrator may cancel or suspend the Approval pursuant to subsections 58(2)(b) and 58(4) of the Act, until such



time as the Minister or Administrator is satisfied that all terms and conditions have been met.

- (ii) Despite a cancellation or suspension of this Approval, the Approval Holder remains subject to the penalty provisions of the Act and regulations.
- g) The Approval Holder shall notify the Department prior to any proposed extensions or modifications of the Facility, including the active area, process changes or waste disposal practices which are not granted under this Approval. An amendment to this Approval will be required before implementing any change. Extensions or modifications to the Facility may be subject to the Environmental Assessment Regulations.
- h) Pursuant to Section 60 of the *Act*, the Approval Holder shall submit to the Administrator any new and relevant information respecting any adverse effect that actually results, or may potentially result, from any activity to which the Approval relates and that comes to the attention of the Approval Holder after the issuance of the Approval.
- i) The Approval Holder shall immediately notify the Department of any incidents of non-compliance with this Approval.
- j) The Approval Holder shall bear all expenses incurred in carrying out the environmental monitoring required under the terms and conditions of this Approval.
- k) Unless specified otherwise in this Approval, all samples required to be collected by this Approval shall be collected, preserved and analysed, by qualified personnel, in accordance with recognized industry standards and procedures.
- l) All samples required by this Approval shall be analysed by a laboratory that is:
  - i) Accredited by the Standards Council of Canada
  - ii) Accredited by another agency recognized by the Nova Scotia Environment and Labour to be equivalent to the Standards Council of Canada
  - iii) Maintaining an acceptable standard in a proficiency testing program conducted by the Canadian Association for Environmental Analytical Laboratories for all parameters being reported

- iv) Maintaining an acceptable standard in a proficiency or performance testing in another program considered acceptable to the Nova Scotia Environment and Labour for all parameters being reported.
- m) The Approval Holder shall submit any monitoring results or reports required by this Approval to the Department. Unless specified otherwise in this Approval, all monitoring results shall be submitted within 30 days following the month of monitoring.
- n) The Approval Holder shall ensure that this Approval, or a copy, is kept on Site at all times and that personnel directly involved in the Facility operation are made fully aware of the terms and conditions which pertain to this Approval.
- o) Within 14 days of completion of the work authorized under this approval the Approval Holder shall submit the form entitled "Nova Scotia Environment and Labour Completion of the Approved Work".
- p) All contact with the Nova Scotia Environment and Labour shall be through the following office:

Nova Scotia Environment and Labour  
Environmental Monitoring and Compliance Division  
Eastern Region, Port Hawkesbury Office  
Unit 126, 400 Reeves Street  
Port Hawkesbury, NS B9A 2R5

Phone: (902) 625-0791  
Fax: (902) 625-3722

#### **4. Site Specific Terms and Conditions**

- a) The commitments outlined in the Environmental Protection Plan are considered to be binding and are to be followed at all times. Disruption of the wetland is to be limited to the areas as outlined in the Application and supporting documentation.
- b) Silt laden water is to be prevented from exiting the disturbed area as a result of the construction activities.
- c) Contractors supplying materials for this activity must have the appropriate authority to obtain such materials and the material must be suitable for the purpose intended. Infill material is to be non-toxic to aquatic life and non-ore bearing. Slate or shale rock is not to be used without prior approval from the Department. Compliance with the Nova Scotia Environmental & Labour's

*Activities Designation Regulations and the Sulphide Bearing Material Disposal Regulations*, is required. The material must be placed carefully and in such a manner to prevent disturbance to the wetland portion not infilled.

- d) The final grade of the fill must be stabilized as quickly as possible to prevent erosion and sedimentation of the wetland portion not infilled.
- e) The edges of the infill are to be stabilized with suitable stabilization methods as outlined in the Environmental Protection Plan or clean rock that is non-porous, non-erodible, non-toxic to aquatic life and non-ore bearing and shall be placed on a competent slope for absolute stability. The rock must be placed carefully and in such a manner to prevent disturbance to the wetland portion not infilled. A sufficient type and amount of rock must be used to stabilize the fill to prevent movement and erosion / sedimentation.
- f) Adequate barrier material must be utilized at the wetland infill boundary as a sedimentation control measure to prevent erosion and sedimentation of the wetland portion not infilled.
- g) No asphalt, concrete or other construction debris may be used as fill material.
- h) All construction debris shall be promptly removed from the site and properly disposed of, so that it cannot enter the wetland.
- i) All work operations shall be conducted in such a manner to prevent erosion, sedimentation and disturbance to the wetland portion not infilled.
- j) All exposed areas in the immediate area as a result of the construction activity shall be stabilized as soon as possible to prevent erosion and subsequent siltation to the remaining wetland.
- k) This project will be audited to ensure compliance to the terms and conditions of this Approval.
- l) The extent of infill is not to exceed the distances described in the application supporting documentation and set out in the Approval Terms & Conditions.
- m) Ensure that all required erosion and sediment control measures are maintained and modified as required or until site stabilization has occurred as siltation of watercourses is not permitted.



Environment and Labour

**COMPLETION OF THE APPROVED WORK**

A condition of this Approval requires that the Approval Holder notify the Environment and Labour that the work authorized is complete.

Please enter the information on this sheet and return it to the Nova Scotia Environment and Labour at the following address:

Nova Scotia Environment and Labour  
Environmental Monitoring and Compliance Division  
Eastern Region, Port Hawkesbury Office  
Unit 126, 400 Reeves Street  
Port Hawkesbury, NS B9A 2R5

Phone: (902) 625-0791  
Fax: (902) 625-3722  
NSDEL Contact: Dean Hart

APPROVAL NUMBER: 2004-043228

NAME OF APPROVAL HOLDER: 3091698 Nova Scotia Company

NAME OF WATERCOURSE: Unnamed Wetland At Bear Head

WORK AUTHORIZED: Wetland Infill

NAME OF CONTRACTOR: \_\_\_\_\_

DATE WORK WAS COMPLETED: \_\_\_\_\_

COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
Date





**Transportation and  
Infrastructure Renewal**

*Eastern District*

1420 Highway 4  
Port Hawkesbury, NS  
B9A 3J3

Bus: 902-625-4050  
Fax: 902-625-0763

9 December 2014

Bear Head LNG  
c/o—Lavalin Inc.  
Suite 200, Park Lane Terraces  
5657 Spring Garden Road  
Halifax, NS  
B3J 3R4

Attention: John Godbold – Project Director

**RE: BEAR HEAD LNG – BREAKING OF SOILS PERMIT (NSTIR PERMIT NUMBER 21-04-29)**

Thank you for your letter of November 12, 2014 concerning additional permit requirements for this project.

No additional permits are required concerning the Bear Island site access road at this time. Should future construction or civic work be required that could impact this section of road, a new permit application would be required.

The Traffic Impact Study which was completed in 2004 for this project has been reviewed and we do not feel that an additional study is necessary based on the current project description.

If you have any additional questions or concerns, please do not hesitate to contact my office at (902) 625-4050.

Sincerely,

Darren Blundon  
Area Manager  
Inverness South/Richmond/Iona

cc. Crysta Cumming, Peng – SNC Lavalin Inc.  
Dean Hart – Bear Head LNG  
Gerard Jessome – District Director





**Natural Resources**  
**Land Services Branch**  
**Land Administration Division**

PO Box 698  
1701 Hollis Street, 3rd Floor  
Halifax, NS B3J 2T9

Phone: (902) 424-3160  
Fax: (902) 424-3173

December 11, 2014

SNC-Lavalin Inc. (General Engineering – Nova Scotia)  
c/o Chrysta Cumming  
Suite 200, 5657 Spring Garden Road  
Halifax, NS B3J 3R4

Dear Ms. Cumming:

Re: Bear Head LNG site, IWC 04-070

I am writing regarding your recent inquiry to confirm the status of permit IWC 04-070. The Department has recently come to the conclusion that the province owns no land within the federal harbours in Nova Scotia therefore you do not require a permit from the department.

Permits for activities related to the Strait of Canso Harbour fall under the jurisdiction of the Government of Canada. The following is contact information for the local office of Transport Canada:

45 Alderney Drive  
PO Box 1013  
Dartmouth NS B2Y 4K3  
Tel: 902-426-4421

Please let me know if you have any questions.

Yours truly,

A handwritten signature in blue ink, appearing to read "Melanie Cameron", written in a cursive style.

Melanie Cameron, L.L.B.  
Manager, Acquisitions and Disposals

cc: Dan MacLean, DNR





## Eastern District Planning Commission

32 Paint St., Unit 4, Port Hawkesbury NS B9A 3J8  
Tel : 902-625-5364  
Fax : 902-625-1559  
1-888-625-5361

John D. Bain  
Director  
jdbain@edpc.ca

December 1, 2014

Mr. John Godbold, Project Director  
Bear Head LNG Corporation  
1001 McKinney Street, Suite 400  
Houston, Texas  
77002

**BY Email: [dhart@bearheadlng.com](mailto:dhart@bearheadlng.com)**

### **Reference: Development Permit for the Bear Head LNG Terminal**

Dear Mr. Godbold,

Further to your application for a development permit dated November 18, 2014, please be advised that the property identified as PID 75189415 and shown on the attached zoning confirmation map is for the most part zoned Port Industrial (I-2) zone with a smaller portion of the property zoned Heavy Industrial (I-3) zone. Among other uses, "Bulk terminals; Marine terminals and other port related facilities; Oil storage terminals; and I-3 Uses which require on-site port facilities subject to the requirements of the I-3 zone" are permitted uses within the Port Industrial (I-2) zone. Within the Heavy Industrial (I-3) zone "Oil and Gas Processing Plants and Refineries" are permitted. Therefore a Liquid Natural Gas Terminal, consisting of ship unloading facilities, LNG storage tank areas and regasification (vaporization) areas, is a permitted use under the *West Richmond Municipal Planning Strategy and Land Use By-law*.

Therefore, please find attached to this letter **Municipal Development Permit # RI-D2014-140** for a Liquid Natural Gas Facility. Please note that each individual component of the facility would be subject to development permits at the time of actual construction.

Also please note that the issuing of this general development permit does not exempt your client from applying for and receiving building permits for any developments which require these permits prior to construction commencing. After reviewing your plans we would note that building permits will be required for the MCC/FAR Buildings, the Control Room, the Workshop and Stores, the Administration Buildings, the Gas Gate Station, the Sub-Station Building, all foundations for equipment, the existing LNG Tank 1 and 2 foundations and the Marine Jetty.

I trust this is satisfactory however if you have any further questions related to this property please do not hesitate to contact me at one of the above numbers or addresses.

Sincerely,

John D. Bain  
Director

/jb

Enc.(2)

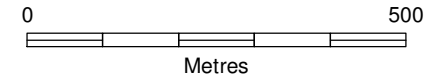
# EASTERN DISTRICT PLANNING COMMISSION

## Zoning Confirmation Map

WEST RICHMOND PLAN AREA

Point Tupper

Richmond County, Nova Scotia



**I-3**

**I-2**

Property of:  
BEAR HEAD LNG CORPORATION  
PID 75189415  
Zoning:  
**I-2 Port Industrial**  
**I-3 Heavy Industrial**

Bear  
Island  
Cove

STRAIT  
OF  
CANSO

Bear  
Island  
Cove

**I-2**



EASTERN DISTRICT PLANNING COMMISSION  
This map is a graphical representation of property boundaries which approximate the size, configuration and location of properties. This map is not a land survey and is not intended to be used for legal descriptions. THIS IS NOT AN OFFICIAL RECORD.



THE MUNICIPALITY  
OF THE COUNTY OF

LA MUNICIPALITÉ  
DU COMTÉ DE

# RICHMOND

## DEVELOPMENT PERMIT

Permit # RI-D2014-140

Application Date: November 18 2014

Site Address Port Malcolm Rd, Point Tupper  
PID 75189415 AAN 09550062

Zone(s) I-2, I-3  
estimated Value of work: \$2,000,000,000.00

Use Description Liquefied Natural Gas Facility

Building Plan Submitted N Class of Work : New Use Bldg Type : Industrial  
Site Plan Submitted N Proposed Use : Industrial Uses

Owner Bear Head Lng  
Corporation  
Po Box 2380  
Halifax NS B3J3E5

Applicant Bear Head LNG  
Corporation  
1001 McKinney Street,  
Suite 400  
Houston TX 77002  
(W)713-986-0600

Contractor

**Conditions:**

Fees: \$40.00

General Permit to permit the use only.  
Individual Components will require separate Development Permits.  
Development Permit does NOT exempt Owner from applying for and  
obtaining any necessary Building Permits prior to construction.

Setbacks:  
(in feet)

Front	Back	Left	Right	Max Height
30.0	25.0	15.0	10.0	50.0

### PERMIT TO BE DISPLAYED ON-SITE

INSPECTIONS CARRIED OUT BY THE BUILDING OFFICIAL SHALL IN NO WAY RELIEVE THE OWNER AND/OR CONTRACTOR FROM THEIR RESPONSIBILITY FOR CARRYING OUT THE WORK OR HAVING IT CARRIED OUT IN CONFORMANCE WITH THE NOVA SCOTIA BUILDING CODE

You are required to notify the office of the building official for all inspections

- Stage 1 : Footing in place / Location Certificate
- Stage 2 : Foundation with drain tile, not back filled
- Stage 3 : Sub-Floor Plumbing
- Stage 4 : Sub-Floor Insulation
- Stage 5 : Framing, roof tight, rough in plumbing
- Stage 6 : Insulation / vapour barrier
- Stage 7 : Final Inspection: Exterior and interior of structure completed

Building Official

December 1st 2014

*[Signature]*  
DEVELOPMENT OFFICER