Ref | Objective - Commitments and Assurances | Timing | Delivered By | Approving/Lead Agencies | Advisory Agencies | Status | Comments
--- | --- | --- | --- | --- | --- | --- | 
1.1 | The Owner will ensure that required statutory Permits, Approvals and Authorizations are in place before proceeding with construction. | Pre-construction | VPA | DFO, EC, EAO | FN, MOE, COD, GVRD, FHA, HC | Complete | All required statutory Permits, Approvals and Authorizations were in place prior to proceeding with construction. 
1.2 | The Owner will prepare or have prepared a Construction Environmental Management Plan (EMP) for the Project as outlined in section 2 below and prior to the start of construction. The Construction EMP will provide contractors and on-site workers with procedures and requirements for meeting Permits, Approvals and Authorizations and for carrying out on-site activities using accepted BMPs and complying with conditions of the EAC. | Pre-construction | VPA | DFO, EC and EAO | FN, MOE, COD, GVRD, FHA, HC | Complete | The details of the Construction Environmental Management Plan are contained in Schedule B of the document titled "Fisheries Act S.35(2) Authorization, Authorization for Works or Undertakings Affecting Fish Habitat, Deltaport Third Berth Project", dated December 19, 2007, prepared by Hemmers on behalf of the Port. Construction EMPs were also developed and implemented by contractors for the marine works (Deltaport Constructors Limited) the upland civil works (Trow on behalf of BA Blacktop and MATCON Civil Constructors), and the BCRC Trackwork Extension at Gulf (Trow on behalf of Mainland Civils Works). Additional information related to the EMPs is available in Section 3 of this table. 
1.3 | The Owner will prepare or have prepared an Operation EMP, as outlined in section 3 below and dealing with environmental management aspects of the longer-term operations and maintenance of the Project. The Owner will ensure compliance with applicable BMPs, as well as with the EAC and with federal, provincial and municipal requirements of the Project. | Operation, Maintenance | VPA | DFO, EC and EAO | FN, MOE, COD, GVRD, FHA, HC | Complete | The Terminal Operator has updated their Operations EMP to include the 3rd berth. Additional information on this EMP is available in Section 3 of this table. 
1.4 | The Owner will ensure that the general content and intention of the Construction and Operation EMPs comply with the listing in section 21.2.1 of the EAC Application. | Construction, Operation, Maintenance | VPA | DFO and EAO | FN, MOE, COD, GVRD, FHA, HC | Complete | The marine works Environmental Management Plans (EMP) were reviewed by the VPA and the EAO working group in early 2007 and accepted as complete. The upland civil works EMPS were reviewed by VPFA and accepted as complete prior to the start of upland construction.

Construction Environmental Management Plan

2.1 | The Owner will develop or have developed and implement or have implemented a detailed Construction EMP. The development of this plan is described in the EAC Application (Section 21, pg. 694 onwards). | Pre-construction, Construction | VPA, Contractors | DFO, EC, HC | FN, GVRD, MOE, FHA, COO | See comments below. | The details of this Construction Environmental Management Plan are contained in the following documents: "Fisheries Act S.35(2) Authorization, Authorization for Works or Undertakings Affecting Fish Habitat, Deltaport Third Berth Project", dated December 19, 2006 and prepared by Hemmers; "Deltaport Constructors Ltd Project Environmental Management Plan, Deltaport Berth 3 Marine Works* (DCL EMP), dated January 2007; "Environmental Management Plan for Terminal Finishing Works, Deltaport Container Terminal, Berth 3 Expansion, Delta, British Columbia", dated May 2009 and prepared for BA Blacktop by Trow Associates Inc. (BA Blacktop EMP); "Project Environmental Management Plan, Deltaport Berth 3 Finishing Works for Terminal Systems Inc.", dated October 20, 2008 (MATCON EMP); "Environmental Work Plan for Third Berth Trackwork Extension at Gulf on BCRC Property, Delta, British Columbia", dated July 22, 2009 (Mainland EMP); and "Environmental Work Plan, Deltaport Third Berth Trackwork Extension, Grading of Causeway on BCRC Right-of-Way, Delta, British Columbia", dated November 17, 2009 (Trow EWP). Within the Fisheries Act Authorization, the EMPs are contained in Schedule B. The implementation of the plan was initiated with the start of marine and upland works, and is on-going through the BCRC trackwork. See subsequent Section 2 subsections for comments and status updates on the individual plans. 
2.2 | The Construction/Dredging Timing Plan shall form the basis for an Application for an EC "Disposal at Sea Permit", and must cover or include information that can be found on EC's website: http://www.ec.gc.ca/seadisposal/main/index_e.htm | Pre-construction (following determination under CEAA) | VPA, Contractors | DFO, TPN, CDD, MOE | GVRD, TFW | Complete | The Construction/Dredging Timing Plan is contained within Schedule B of the Fisheries Act Authorization (02-HPAC-PAT-000-000144, December 2006), within the plan titled Marine Environmental Management Plan. The Dredging Timing Plan is also contained within Section 4.1 of the DCL EMP (Jan 2007). The Disposal at Sea permit dated January 2, 2007 was received from Environment Canada after it was gazetted for public comment. 
2.3 | The Surface Water Quality Management and Sediment Control Plan shall be prepared for upland activities, largely associated with construction of additional rail siding from 57B Street to 64th Street. The plan must describe the following: | Construction | VPA, Contractors | EC, DFO, MOE, COD | GVRD, TFW | Completed and accepted by DFO as part of DFO Authorization (marine works). Completed for upland works. | The Surface Water Quality Management and Sediment Control Plan has been completed and a copy was included within Schedule B of the Fisheries Act Authorization (02-HPAC-PAT-000-000144, December 2006). In addition, contractors have developed separate EMPS for each upland construction phase including the civil upland works (BA Blacktop EMP and MATCON EMP), and BC Rail Trackwork at Gulf (Trow EWP). 

Prepared by the Vancouver Fraser Port Authority.

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Under the direction of the Owner, all contractors will develop a GVRD, EC, HC, GVRD, COD. In addition, all site contractors and/or consultants are required to submit their health and safety plans to the Port. The health and safety practices (see also section 9 below).

2.4 Waste Management Plan

A Hazardous Waste Management and Spill Control Plan shall be prepared to describe how the contractor will manage any hazardous waste material generated during Project construction as well as spill control procedures. The plan will describe the following:

- Regulatory requirements of the federal Transportation of Dangerous Goods Act and other requirements pertaining to the handling and disposal of hazardous materials and wastes;
- Procedures for fueling of equipment and storage and handling of petroleum products in accordance with all applicable guidelines, legislation, and best management practices;
- Outline a spill prevention, containment and cleanup contingency plan for hydrocarbon products, and all other deleterious substances that may be used in association with the Project. Include a list of appropriate containment and clean up materials to be present on site throughout the construction of the Project.; and
- List of contacts and emergency numbers.

2.5 Under the direction of the Owner, all contractors will develop a Health and Safety/Emergency Response Plan (Plan) for their component of work prior to the start of construction. The Plan would also outline emergency response procedures during construction. Although the primary responsibility for on-site emergency planning and response during construction rests with the contractors, the Owner will ensure that the developed Plans are not only site specific, but also meet all standards, BMP and guidelines applicable to emergency planning and incident response. Local government's emergency services (fire, police, and ambulance) are responsible for operational support to the extent that expertise and resources are available and to the extent that the response functions are within their mandate. The Plan would typically include, but not be limited to:
- Site location and prime contacts;
- Local emergency and Project contact numbers;
- Description and map of emergency routes;
- Safety equipment required;
- List of site hazards and mitigation; and
- Potential waste generation and disposal methods.

2.6 A Waste Management Plan for construction activities will be prepared and include the following:

- Detail measures to minimize the amount of waste generated; and
- Outline how waste and deleterious substances generated by construction of the Project will be appropriately contained by the contractors in the immediate work area, collected, and appropriately disposed of in accordance with all applicable legislation, guidelines, and best management practices (see also section 9 below).

Owner’s Table of Commitments and Assurances

Status Update as of January 31, 2011

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<tr>
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<th>Comments</th>
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<tbody>
<tr>
<td>1.1</td>
<td>Measures to minimize sedimentation of watercourses (ditches), and to prevent the discharge of deleterious substances or debris into the receiving environment;</td>
<td>Construction</td>
<td>VPA, Contractors</td>
<td>TC, MOE, EC</td>
<td>GVRD, FHA</td>
<td>Completed and accepted by DFO as part of DFO Authorization (marine works). Completed for upland works.</td>
<td>The Hazardous Waste Management and Spill Control Plan has been completed and a copy was included within Schedule B of the Fisheries Act Authorization (02-HPAC-PA1-000-000144, December 2006). In addition, this is included within the construction EMP for each construction phase including marine works, civil upland works and BC Rail Trackwork at Gufl.</td>
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<tr>
<td>1.2</td>
<td>Procedures for collection and analysis of water quality samples to ensure that site runoff complies with project specific requirements identified by regulatory agencies;</td>
<td>Construction</td>
<td>VPA, Contractors</td>
<td>HC, FPA, EC, MOE</td>
<td>GVRD, COD, TFN</td>
<td>Complete</td>
<td>All site contractors and/or consultants are required to submit their health and safety plans to the Port. The health and safety plans for contractors and consultants on site have been accepted. Emergency response procedures are documented within both Schedule B of the Fisheries Act Authorization 02-HPAC-PA1-000-000144, December 2006 (Hazardous Waste Management and Spill Control Plan) and the DCL EMP (Section 7.0). With respect to BCRC, the Port has been provided with a Final Environmental Work Plan (Tweo EWP) that addresses this commitment.</td>
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<tr>
<td>1.3</td>
<td>Protocols for regular monitoring, maintenance and repair of sediment control systems to ensure that these systems function effectively under all site conditions;</td>
<td>Construction</td>
<td>VPA, Contractors</td>
<td>MOE, COD, FPA</td>
<td>GVRD, EC, HC, TFN</td>
<td>Completed and accepted by DFO as part of DFO Authorization (marine works). Completed for upland works.</td>
<td>The Waste Management Plan has been completed and a copy was included within Schedule B of the Fisheries Act Authorization 02-HPAC-PA1-000-000144, December 2006, within the Marine Environmental Management Plan. In addition, a waste management plan is included within the construction EMP for each construction phase including marine works, civil upland works and BC Rail Trackwork at Gufl.</td>
</tr>
</tbody>
</table>
### Ref | Objective - Commitments and Assurances | Timing | Delivered By | Approving/Lead Agencies | Advisory Agencies | Status | Comments
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2.7 | A Noise Management Plan will be developed to ensure identified mitigation measures are implemented. This plan will include the following: | Construction | VPA, Contractors | COD, HC, FTR | GVRD, TFN | Complete | The Noise Management Plan was prepared as a component within the construction EMP for each construction phase including marine works, civil upland works, and BC Rail Trackwork at Gilt.
A noise monitoring study was conducted in June and July 2007 to evaluate any changes in construction noise from those predicted in the EA. The assessment concluded that the noise environment did not appear to have changed significantly since noise monitoring conducted prior to the start of Third Berth Construction. The draft report was shared with the DCLC noise sub-committee and the DCLC as a whole in June 2009. The Port is reviewing available best management practices for noise from Port Operations and will be assessing their applicability, in consultation with the DCLC Noise Sub-Committee, for the Deltaport Third Berth Project.
In addition, the VPPA continues to work with the DCLC and TSI on an on-going basis with regards to community noise concerns.

- Describe procedures for construction activities to meet the intent of Delta Noise Control Bylaw No. 1906, 1972 to avoid disturbance of the local community with 24 hour - 7 day per week construction periods.
- Set maximum allowable noise emissions for each type of machinery prior to construction to ensure that contractors do not utilize any excessively noisy equipment.
- Outline training requirements to ensure construction workers are aware of noise issues and to minimize noise where possible.
- List an environmental helpline and management procedure to deal with noise complaints that may arise from construction activities. Outline procedures to ensure complaints are investigated and appropriate noise amelioration measures established to mitigate future occurrences. See also section 22 and 23 of this Table.

2.8 | A Wildlife and Vegetation Impact Mitigation Plan for off causeway rail and road works must be developed by the Owner to ensure identified mitigation measures are implemented. The plan will include the following:
- Procedures to ensure vegetation clearing during construction is kept to a minimum;
- Outline procedures for areas disturbed by construction activities to be re-vegetated with native grass species, thereby enhancing native species in the study area and minimizing the potential for establishment of non-indigenous species. In addition backshore planting plans will be developed to meet the Authorization requirements under section 35(2) of the Canadian Fisheries Act for the Project;
- Describe protocols to erect fences and silt curtains around the ditch between 57th Street and 44th Street to prevent disturbance to the grassy margins of the ditch, and to limit siltation to aquatic habitats;
- Outline procedures to store and/or dispose of food, garbage and petroleum products in an appropriate manner to prevent attraction of wildlife to construction sites;
- Outline a schedule to undertake construction works in upland areas in the winter months to limit sensory disturbance to wildlife or additional mitigation may apply:
- Outline the procedures to place barn owl nest boxes, through support of environmental stewardship programs, in areas towards Brunswick Point where they are less vulnerable to major motorways; and
- Relevant breeding seasons for:
  - Terrestrial mammals and breeding birds March 15 - July 31; and
  - Raptors/herons January 01 - August 15

2.9 | A Marine Environmental Management Plan must be developed by the owner, and applicable to the Project's operational phase as well, to meet the Authorization requirements under sub-section 35(2) of the Canadian Fisheries Act for the Project. Project and biota monitoring for the Adaptive Management Strategy. The VPA has submitted a conceptual draft Habitat Compensation Proposal (dated March 12, 2006) to DFO and EC,11 agreed by VPA and DFO/EC to contain satisfactory information and plan details to proceed with determination under CEAA and certification under the Act. The purpose and content of the Marine Environmental Management Plan is outlined in Schedule 1 of this Table. | Construction, Operation | VPA, Contractors, Terminal Operator | DFO, EC | TFN | Completed | The Marine Environment Management Plan has been completed and a copy was included within Schedule 8 of the Fisheries Act Authorization (02-HPAC-PA1-000-00144. December 2006). A Marine Environment Management Plan is also presented in Section 4.0 of the DCL EMP.
## Operation Environmental Management Plan

### 2.10  A Project specific Marine Water Quality Plan must be designed by the Owner based on the baseline water quality information to confirm the construction mitigation measures are functioning and no impacts are occurring in the marine environment. The Marine Water Quality Plan will form part of the Fisheries Act Authorization and support the Adaptive Management Strategy for the Project. The plan would:

- Outline procedures for collection and analysis of water quality samples to ensure that marine water quality complies with Project specific requirements identified by regulatory agencies.
- List protocols for regular monitoring, maintenance and repair of sediment control systems to ensure that these systems function effectively under all site conditions.
- Describe the responsibilities of the environmental monitor.
- Identify procedures for immediate notification of VPA's authorized site personnel and/or responsible authorities, in the event of an environmental incident such as discharge of deleterious substances from the project site occurs; and
- Identify measures to be taken in order to address and resolve issues arising from non-compliance with applicable standards, criteria, guidelines and/or approvals to the satisfaction of VPA and the applicable regulatory agencies.

### 2.11  The Owner will develop an Air Quality Impact Mitigation Plan as addressed in table 20.1 of the Application and further discussed in section 18 of this Table. The Plan will cover but not be limited to:

- The Owner, through the tendering of the Project, will implement air quality initiatives that will be undertaken during construction to reduce emissions to the air wherever possible.
- Use on-road (ultra low sulphur) diesel, where practical for all Project site based equipment that are capable of using such fuels.
- Use diesel particulate filters and/or other appropriate retrofits on construction equipment where possible (such as automatic anti-idling shut-offs).
- Use, where practicable, post 1996 shore based construction equipment and vehicles to reduce emissions of PM, hydrocarbons and nitrous oxides.
- Other measures using best available technology and continuous improvement to reduce air emissions discussed in detail in section 18 of this Table.

### 2.12  The Owner will develop a Traffic Management Plan as discussed during the Project review. The Plan must reflect other conditions discussed in section 7 of this Table and include:

- The Owner will develop a Plan to reduce the potential for traffic incidents in the local community resulting from construction activities related to the Project. All construction truck traffic, with the exception of materials sourced locally, shall access the site solely via provincial highways rather than roadways within Delta’s municipal jurisdiction.
- The Owner will instruct contractors to adopt reasonable efforts to use water borne delivery methods for construction materials and the removal of waste materials.

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**Owner’s Table of Commitments and Assurances**

**Status Update as of January 31, 2011**

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<tr>
<td>2.10 A Project specific Marine Water Quality Plan must be designed by the Owner based on the baseline water quality information to confirm the construction mitigation measures are functioning and no impacts are occurring in the marine environment. The Marine Water Quality Plan will form part of the Fisheries Act Authorization and support the Adaptive Management Strategy for the Project. The plan would:</td>
<td>Construction</td>
<td>VPA, Contractors</td>
<td>DFO</td>
<td>EC, TPN</td>
<td>Completed and accepted by DFO as part of Fisheries Act Authorization (02-HPAC-PA1-000-000144, December 2006). The Marine Water Quality Plan is also presented in the construction EMPs for each project phase including marine works, civil upland works and BC Rail Trackwork at Gulf.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.11 The Owner will develop an Air Quality Impact Mitigation Plan as addressed in table 20.1 of the Application and further discussed in section 18 of this Table. The Plan will cover but not be limited to:</td>
<td>Construction</td>
<td>VPA</td>
<td>VWRD</td>
<td>ECO, COD, FHA, HC, TPN</td>
<td>Complete</td>
<td>The Air Quality Impact Mitigation Plan was prepared as a component of the construction EMPs for each phase including marine works, civil upland works and BC Rail Trackwork at Gulf.</td>
<td></td>
</tr>
<tr>
<td>2.12 The Owner will develop a Traffic Management Plan as discussed during the Project review. The Plan must reflect other conditions discussed in section 7 of this Table and include:</td>
<td>Construction</td>
<td>VPA</td>
<td>MOT, COO, TransLink</td>
<td>VWRD, TPN</td>
<td>Complete</td>
<td>The Marine and Port Operators Contractor's original plan is contained within Section 9.0 of the DCL EMP and has been updated several times as construction has progressed. As construction and waste materials have been brought to and removed from the site primarily by water, not road, the focus of the plan has been on-site traffic. The Port's marine works construction contract specified that all general fill, preload, granular sub-base and aggregate base course materials should be imported by waterborne transport. This is estimated to have reduced project-related traffic on nearby roads by approximately 300,000 single dump truck loads, i.e., 300,000 return trips (600,000 one-way trips) on nearby roads. The Marine Works contractor was allowed to truck up to 50,000 m³ of surplus preload to a South Fraser Perimeter Road (SFPFR) site within Delta, since that created less traffic and emissions impact within Delta than fill located outside of Delta. Only 38,000 m³ was actually taken to the SFPFR site. Asphalt and ready-mixed concrete have been imported by truck, because there was no viable alternative that could provide the necessary time-sensitive delivery of these materials, which is essential for ensuring their quality. The Port and TSI have also built a temporary barge berth to bring construction materials to site by barge for terminal construction and for the east causeway habitat compensation project. This is expected to eliminate approximately 24,500 return truck trips through Delta.</td>
<td></td>
</tr>
</tbody>
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1. | Operation Environmental Management Plan |
2. | The Owner will develop or have developed and implement or have implemented a detailed Operation EMP. The development of this plan is described in the EAC Application (Section 21, pg. 894 onwards). |
3. | The Owner will develop or have developed and implement or have implemented a detailed Operation EMP. The development of this plan is described in the EAC Application (Section 21, pg. 894 onwards). |
4. | The Owner will develop or have developed and implement or have implemented a detailed Operation EMP. The development of this plan is described in the EAC Application (Section 21, pg. 894 onwards). |
5. | The Owner will develop or have developed and implement or have implemented a detailed Operation EMP. The development of this plan is described in the EAC Application (Section 21, pg. 894 onwards). |
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<tr>
<td>4.3</td>
<td>The Owner will ensure that the Terminal Operator updates the existing Deltaport Terminal Environmental Management Plan (September 2004) to ensure that operation of the DP3 Project is carried out in accordance with the environmental goals and requirements presented in the EAC Application and discussed in section 21.2.3 of the EAC Application. In addition, the Terminal Operator must add environmental management measures to assess and minimize noise from the operation of the Project. The Deltaport Terminal EMP must be updated to include mitigation measures identified in this Assessment Report and would include equipment alarms, machinery noise, and operator awareness and training. Further details of this requirement and commitment are included in section 17 onwards of this Table.</td>
<td>Operation</td>
<td>VPA, Terminal Operator</td>
<td>As above</td>
<td>As above</td>
<td>Complete</td>
<td>See above.</td>
</tr>
<tr>
<td>4.4</td>
<td>The Owner will ensure that the Port Operations Environmental Management Plan available for the DP3 Project is updated to incorporate the latest Project design as it applies to ballast water and bilge water. For reference, see VFPA Harbour Operations Manual Revision, December 2007.</td>
<td>Operation</td>
<td>VPA, Terminal Operator</td>
<td>DFO, TC</td>
<td>GVRD, COD, TFN</td>
<td>Complete</td>
<td>With the formation of Port Metro Vancouver, Port Operations and Procedures have been updated to include the wider navigational and proprietary jurisdiction and includes Deltaport as a three berth container terminal. The Owner will proactively implement such practices and procedures as may be required to sustain safe and environmentally sound standards of marine operations in this area.</td>
</tr>
<tr>
<td>4.5</td>
<td>The Owner must ensure that an Emergency Response Plan is available and updated by the Terminal Operator. The Terminal Operator must update the terminal Emergency Response Plan (ERP) prior to the commencement of terminal operations. The ERP would ensure that an organized and practiced response is provided to incidents and emergency situations that might affect the provision of port services at the Roberts Bank port facility. The ERP would distinguish the individual responsibilities of the Terminal Operator, Corporation of Delta, BC Rail Company (BCRC), and MOT and would cover sections listed in Schedule 1 to this Table.</td>
<td>Operation</td>
<td>VPA, Terminal Operator</td>
<td>EC, COD</td>
<td>GVRD, TFN</td>
<td>Complete</td>
<td>TSI has updated their Emergency Response Plan to include the third berth, and this plan is included in the Operations EMP. See Section 3 for additional information.</td>
</tr>
</tbody>
</table>

### Environmental Monitoring

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<tr>
<td>4.6</td>
<td>The Owner will ensure that general environmental monitoring and reporting for the construction and operation phases of the Project will be conducted, with respect to the terms and conditions of the EAC and other regulatory Permits, Approvals and Authorizations as applicable.</td>
<td>Pre-construction, Construction, Operation</td>
<td>VPA, Contractors, Terminal Operators</td>
<td>EAO, DFO, EC</td>
<td>TH, PHA, GVRD, COD, FN</td>
<td>Ongoing</td>
<td>See comments below.</td>
</tr>
<tr>
<td>4.7</td>
<td>The Owner will ensure that the monitoring of the Construction EMPs, outlined in section 21.2.4 of the EAC Application and in section 2 of this Table, will incorporate all plans developed for the construction phase of the Project and as detailed in the respective monitoring plans of the independent EMPs.</td>
<td>Construction</td>
<td>VPA, Contractors</td>
<td>EAO, DFO, EC</td>
<td>HCC, PHA, GVRD, COD, FN</td>
<td>Complete</td>
<td>The construction EMPs were developed prior to the commencement of marine works and upland works, and the programs themselves were initiated with the start of construction activities with the potential for adverse impacts and continued throughout construction.</td>
</tr>
<tr>
<td>4.8</td>
<td>The Owner will ensure that each of the environmental monitoring plans will outline the rationale for monitoring, the parameters to be monitored, monitoring program details, and follow-up actions to be taken by the Owner or the Terminal Operator as appropriate.</td>
<td>Pre-construction, Construction, Operation</td>
<td>VPA, Contractors, Terminal Operators</td>
<td>EAO, DFO, EC</td>
<td>HCC, PHA, GVRD, COD, FN</td>
<td>Complete</td>
<td>Each of the monitoring plans contained rationale, monitoring parameters and details of the programs within each of the individual plans. See Section 2 for additional comments.</td>
</tr>
<tr>
<td>4.9</td>
<td>The Owner will engage or have engaged an independent Environmental Monitor, or an environmental monitoring firm, for the construction phase of the Project. The Environmental Monitor will undertake environmental monitoring activities, and will implement each of the environmental monitoring plans developed for the Project and as reflected in the appropriate EMP. The Environmental Monitor will review, evaluate, and report to regulators on the construction activities and the effectiveness of the environmental control strategies and mitigation measures, with respect to the terms and conditions of the EAC and other regulatory Permits, Approvals and Authorizations that may apply.</td>
<td>Construction</td>
<td>VPA, Contractors</td>
<td>EAO, DFO, EC</td>
<td>HCC, PHA, GVRD, COD, FN</td>
<td>Complete</td>
<td>Hemmera was retained to provide construction environmental monitoring services for the marine and uplands construction (both now complete). The first weekly monitoring report was completed on January 26, 2007, and weekly reports were generated during any marine construction activities that had the potential to adversely impact marine resources. Monitoring reports for the marine works were distributed to DFO, EC, CWS, MOE, VFPA, VPD and DCL. Marine works are now complete. Hemmera was also retained by TSI to provide construction environmental monitoring services for the upland terminal construction portion of the DP3 project. Weekly monitoring continued to be reported throughout the upland works and will be compiled in one stand-alone report to the DFO for the entire DP3 project. Monitoring reports for the upland works were distributed to DFO, EC, CWS, MOE, VFPA, and TSI.</td>
</tr>
<tr>
<td>4.10</td>
<td>A program of archaeological monitoring will be implemented if any excavation activities occur in the vicinity of the Cohilukthan Slough (west of 46A Street). If any archaeological sites are discovered during the proposed site construction, these sites would be reported to the British Columbia Archaeology Branch and the TFN and works would cease, pending their consideration. These sites would then be assessed for significance and, if required, protection measures established with construction proceeding under the supervision of an archaeologist.</td>
<td>Construction</td>
<td>VPA, Contractors, BCRC</td>
<td>MCS</td>
<td>MCS, TFN</td>
<td>Complete</td>
<td>No excavation activities occurred in the vicinity of the Cohilukthan Slough (west of 48A Street).</td>
</tr>
<tr>
<td>4.11</td>
<td>The Owner will ensure that the monitoring of the Operation EMP, outlined in section 21.2.4 of the EAC Application and in section 3 of this Table, will incorporate all EMPs developed for the operation phase of the Project and as detailed in the respective monitoring plans of the independent EMPs.</td>
<td>Operation</td>
<td>VPA, Terminal Operator</td>
<td>EAO</td>
<td>MCS, TFN</td>
<td>Complete</td>
<td>VFPA has confirmed that the Terminal Operator (TSI) has updated their Operation EMP, including the Emergency Response Plan, to include the new berth.</td>
</tr>
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<tr>
<td>5.1</td>
<td>The Owner and the Government of Canada, represented by EC, have taken steps to conclude an Agreement on the compliance with the terms and conditions of an Adaptive Management Strategy for the inter-causeway marine and wildlife habitats. The Owners shall ensure that this Agreement and its environmental monitoring plan are fully complied with.</td>
<td>Construction, Operation</td>
<td>VPA, Terminal Operator</td>
<td>EC</td>
<td>DFO, GVRD, CDO, FN</td>
<td>On-going</td>
<td>The Scientific Advisory Committee (SAC) for the AMS was formed in 2007, with one member selected by each of the Port and EC, and the third jointly selected. The detailed AMS work plan, the 2007, 2008, 2009 and the third quarter of the 2010 quarterly reports and the 2007, 2008, and 2009 annual reports have been reviewed by the SAC. The 2007 annual report, dated July 2008, and the 2008 annual report, dated September 2009, and the 2009 annual report, dated September 2010, have been posted to the Port website at <a href="http://www.portmetrovancouver.com/projects/ongoing_projects/Deltaport_Third_Berth_Project/Environment.aspx">http://www.portmetrovancouver.com/projects/ongoing_projects/Deltaport_Third_Berth_Project/Environment.aspx</a>. The AMS will continue until 2014 and the annual reports for each year will be posted to the Port website.</td>
</tr>
<tr>
<td>5.2</td>
<td>The Owner will ensure that all details of Schedule B, dated April 2006, to the Agreement are complied with and shall conduct all required meetings to ensure that all parties to the Agreement, as specified in the Agreement and its Schedule B, comply with the intent of the Agreement and its amendments as required.</td>
<td>Construction, Operation</td>
<td>VPA, Terminal Operator</td>
<td>EC</td>
<td>DFO, GVRD, CDO, FN</td>
<td>On-going</td>
<td>The AMS agreement was signed in December 2006, and the AMS program is underway. The most recent meeting of the SAC to discuss the first three draft 2010 monitoring reports, and the upcoming 2010 annual report was held on December 8, 2010. The next meeting of the SAC is anticipated to be scheduled for late Winter 2011.</td>
</tr>
<tr>
<td>5.3</td>
<td>The Owner commits to participate in the Roberts Bank Environmental Stewardship Program.</td>
<td>Construction, Operation</td>
<td>VPA</td>
<td>EC</td>
<td>DFO, GVRD, CDO, FN</td>
<td>Complete</td>
<td>This initiative is being led by EC with support from the Port. Through the BIEAP-FREMP Management Committee a Reach Overview for Roberts and Steenburg Banks was initiated. A project steering committee was formed in late 2008 and comprises representatives from Environment Canada, Department of Fisheries and Oceans, Transport Canada, BC MOE, Metro Vancouver, YVR, Ministry of Agriculture, Fisheries and Food, Corporation of Delta, City of Richmond, City of Vancouver, Tsawwassen First Nation, Katzie First Nation and the Port. The steering committee’s first meeting was on Dec 5, 2008. Subsequent meetings were held in 2009 (Jan 20, Feb 12, May 28, Jun 26, Aug 11, and Sep 17) and 2010 (Feb 4, Apr 27 and Sept 23). In addition, a Stakeholders Workshop was held on June 8, 2010 and a follow-up Technical Research Workshop was held on November 25, 2010. The Roberts and Steenburg Banks Reach Overview provides a river-based description and analysis of water, shoreline and upland issues that transcend individual municipal and agency boundaries. The Reach Overview uses an Ecological Features and Function Approach to management that includes estuary and upland features, while taking into account the biological, economic and social characteristics of the estuary. The final document is intended to serve as a planning and decision making tool for municipal planners, agency staff, First Nations, developers, landowners and members of the public to integrate foreshore and upland activities. The document builds on existing FREMP area designation information, habitat inventory and classification data, and other reach overviews. The final document, Roberts Bank and Steenburg Bank Reach Overview, Phase was completed at the end of November 2010 and will be available on the BIEAP-FREMP website <a href="http://www.bieapfremp.org/main">http://www.bieapfremp.org/main</a> hemp.html or by request through VPA.</td>
</tr>
<tr>
<td>6.1</td>
<td>The Owner will involve the local community, other stakeholders and First Nations within an open and interactive consultation process during final design, construction and throughout the first year of operation. Consultation will be carried out according to BC government policies included in EAO’s Section 11 Order issued on September 17, 2004.</td>
<td>Pre-construction, Construction, early Operation</td>
<td>VPA</td>
<td>EAO, COD, TFN</td>
<td>Agency, FN</td>
<td>On-going</td>
<td>The DP3 Community Liaison Plan (CLP) outlines media relations activities that are undertaken to provide the public with current up-to-date information. The CLP is available on the project website and in library resource files.</td>
</tr>
<tr>
<td>6.2</td>
<td>The Owner will continue to update and make available media information materials, as part of its public information commitment.</td>
<td>Pre-construction, Construction, early Operation</td>
<td>VPA</td>
<td>EAO, COD, TFN</td>
<td>Agency, FN</td>
<td>On-going</td>
<td>Public open houses/Info sessions were held on May 29, May 31 and November 24 in 2007; May 29 and December 2 in 2008; March 14, May 30, June 27, July 12, November 28 and November 29 in 2009; June 5, June 12, June 13 and June 26 in 2010. The Port hosted a specific information session for the TFN community at the TFN recreation hall on July 22, 2009.</td>
</tr>
<tr>
<td>6.3</td>
<td>The Owner will implement a complaint tracking and response mechanism, agreed to by EAO prior to start of construction, for the construction phase of the Project. The owner will commit to the organization of a Community Liaison Committee (CLC), including a representative from COD, for addressing public concerns. The Owner will also continue to liaise with First Nations, independently or though the CLC, to address relevant concerns over project impacts.</td>
<td>Pre-construction, Construction, early Operation</td>
<td>VPA</td>
<td>EAO</td>
<td>Agency, FN</td>
<td>On-going</td>
<td>The Port implemented an issues and response tracking system during the pre-application phase of the Project, and the Deltaport Third Berth Project Community Liaison Committee (DCLC) formed in early 2007, with the first meeting held on March 22, 2007. The issues and response tracking system is outlined in the “Deltaport Third Berth Project Community Liaison Plan, Construction and First Year Operation Phase”, December 12, 2006, amended April 23, 2009, which is available online on the Port’s website. The draft Community Liaison Plan was reviewed by the EAO and approved via email on November 21, 2006. Tracking includes issues that arise via the project information and feedback line, through correspondence and meetings with team members, as well as issues raised at public events. In addition, comments received by or directed to the Deltaport Third Berth Project Community Liaison Committee (CLC), are included in overall issues tracking for the project. A copy of the DP3 Issues Tracking document is available on the project website and in library resource files. The DCLC is made up of eighteen members, including a representative from the Port, TSI, COD and TFN. The Terms of Reference has been adopted by the committee and is available on the Port website. The purpose of the committee is to work with the Port and port stakeholders to address issues pertaining to the construction and first-year operation of the project. The first meeting was held on March 22, 2007. Subsequent meetings in 2007 were held on April 19, May 1, June 11, June 26, July 3, September 6, October 25, and November 29. Meetings in 2008 were held on January 17, February 28, April 24, June 26, August 28, October 23 and November 27. Meetings in 2009 were held on January 22, February 19, April 16, June 18, September 17 and November 19. Meetings in 2010 were held on January 21, March 30, May 27, June 24th, September 29 and December 2. For First Nations liaison, see Section 6.1 and 6.4.</td>
</tr>
</tbody>
</table>

Prepared by the Vancouver Fraser Port Authority.  
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## Owner's Table of Commitments and Assurances

### Status Update as of January 31, 2011

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<thead>
<tr>
<th>Ref</th>
<th>Objective - Commitments and Assurances</th>
<th>Timing</th>
<th>Delivered By</th>
<th>Approving/Lead Agencies 1</th>
<th>Advisory Agencies</th>
<th>Status</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.4</td>
<td>The Owner will continue to engage in consultation with relevant First Nations identified in the Assessment Report® throughout the Post Review and Construction Phases, including discussions on economic development opportunities, employment and cultural display opportunities generated by the Project. More specifically, such consultation shall continue with those First Nations who have informed EAO or the Owner on the Projects adverse impacts on their asserted aboriginal rights, appropriate accommodation to reflect on such impacts as discussed and described in the EAO Assessment Report.</td>
<td>Pre-construction, Construction</td>
<td>VPA</td>
<td>EAO, FN</td>
<td>Agency, FN</td>
<td>On-going</td>
<td>Prior to Project certification, the Port consulted with a number of First Nations, including the Musqueam, TFN, Seneyen Alliance (SA), and the Huu-ay-hum Treaty Group (HTG). Since project initiation, project updates have been sent to all, including TFN, FN, HTG and Katzie. The project updates are available on the Port website at <a href="http://port.metrovancouver.org/projects/ongoing_projects/Deltaport_Third_Berth_Project/Project_updates.aspx">http://port.metrovancouver.org/projects/ongoing_projects/Deltaport_Third_Berth_Project/Project_updates.aspx</a>. In addition, the Port hosted an information session for the TFN community at the TFN recreation hall on July 29, 2009. Economic and employment opportunities for the TFN during the construction of DP3 included over 15 person years of employment and over $1.5 million in direct construction contracts.</td>
</tr>
<tr>
<td>6.5</td>
<td>Motive of construction, the Owner shall provide to this EAO a report on the results of discussions reflected in section 6.4. The report shall also include a discussion on any aboriginal fishery issues defined in section 13 of this Table.</td>
<td>Pre-construction</td>
<td>VPA</td>
<td>EAO</td>
<td>Agency, FN</td>
<td>Complete</td>
<td>This project has been completed and submitted to EAO. The report is titled “Deltaport Third Berth Project First Nations Consultation Report,” dated February 2007, and is available on the EAO website at: <a href="http://a100.gov.bc.ca/appsdata/epic/documents/p201210237431/1175340494025_daf0df9d4211585398b449535d6.pdf">http://a100.gov.bc.ca/appsdata/epic/documents/p201210237431/1175340494025_daf0df9d4211585398b449535d6.pdf</a></td>
</tr>
</tbody>
</table>

### Specific Construction and Operation Issues

<table>
<thead>
<tr>
<th>7.1</th>
<th>The specific traffic commitments to be undertaken in consultation with MOT and COD include:</th>
<th>Construction, Operation</th>
<th>VPA, Terminal Operator, Contractors</th>
<th>MOT, COD, TFN, ALC</th>
<th>GVRFD, TransLink</th>
<th>See comments below.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- Implement signal modifications at Highway 17/Ladner Trunk Road, as appropriate and approved by MOT and COD.</td>
<td>Construction, Operation</td>
<td>VPA, Terminal Operator, Contractors</td>
<td>MOT, COD, TFN, ALC</td>
<td>GVRFD, TransLink</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>- Extend HOV lanes on Highway 17;</td>
<td>Construction, Operation</td>
<td>VPA, Terminal Operator, Contractors</td>
<td>MOT, COD, TFN, ALC</td>
<td>GVRFD, TransLink</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>- Monitor pre- and post-construction noise adjacent to Highway 17 improvements and if necessary implement appropriate sound attenuation measures, subject to results of monitoring;</td>
<td>Construction, Operation</td>
<td>VPA, Terminal Operator, Contractors</td>
<td>MOT, COD, TFN, ALC</td>
<td>GVRFD, TransLink</td>
<td>Complete</td>
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<td>Complete</td>
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<td>Deleted from Project</td>
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<td>On-going</td>
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<tr>
<td>7.2</td>
<td>The Owner will ensure that Transport Canada will undertake a warrant review for an overpass at the 80th Street rail crossing as part of their Roberts Bank rail corridor assessment and determine the appropriate funding if an overpass is required.</td>
<td>Construction, Operation</td>
<td>VPA</td>
<td>IC, COD, ALC</td>
<td>GVRFD, TransLink</td>
<td>Review complete, implementation on-going</td>
</tr>
<tr>
<td>7.3</td>
<td>The Owner will implement signal modifications at Ladner Trunk Road and Highway 17 (including Optimize Signal Timing; Move the Detector Loops; and Relocate the Northbound and Southbound Detector Loops).</td>
<td>Operation</td>
<td>VPA</td>
<td>MOT, COD</td>
<td>GVRFD, TransLink</td>
<td>Complete</td>
</tr>
<tr>
<td>7.4</td>
<td>The Owner will work with MOT to amend the Motor Vehicle Act thereby restricting commercial vehicles to the southbound lanes on Highway 17.</td>
<td>Construction, Operation</td>
<td>VPA</td>
<td>MOT, COD</td>
<td>GVRFD, TransLink</td>
<td>Complete</td>
</tr>
<tr>
<td>7.5</td>
<td>The Owner will work with BCR to add appropriate geometric changes to the highway ramps in the southeast quadrant of the Ladner interchange.</td>
<td>Construction, Operation</td>
<td>VPA</td>
<td>MOT, COD</td>
<td>GVRFD, TransLink</td>
<td>Complete</td>
</tr>
<tr>
<td>7.6</td>
<td>The Owner will work with BC Rail Port Sub Ltd. and the Delta emergency service providers to ensure that the existing emergency access protocols are adhered to for the specific grade crossings including access to Boundary Bay Airport (36th Ave., 72nd St., 80th St.), and 64th Street.</td>
<td>Construction, Operation</td>
<td>VPA</td>
<td>COC, ALC</td>
<td>GVRFD, TransLink</td>
<td>Complete</td>
</tr>
</tbody>
</table>

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Prepared by the Vancouver Fraser Port Authority.
The Owner will participate with the COD and other stakeholders in the preparation of an incident management plan regarding traffic management and assist with the geometric and structural improvements to accommodate incident management bypass traffic and response measures along with safety improvement measures on Deltaport Way associated with truck incidents on the corridor.

Construction, Operation
VPA
MOT, COD
GVRD, TransLink
On-going

The Port continues to consult with COD and other stakeholders on those issues (see section 7.2). The Roberts Bank Rail Corridor Study identified a series of improvements in the corridor that are currently in the implementation planning stage. The detailed road concepts in the vicinity of the road crossings are being developed by the RBRC partners. Each project has a Project Steering Committee and technical committees that meet monthly, at a minimum. The overall Program partnership meets once each quarter, at a minimum. In addition, the Port has been working with the Provincial Gateway office to consider other road-related issues brought forward by COD and other stakeholders. A local access improvement program has been developed and agreed to by principle in farmers, COD, MOT, the Provincial Gateway office, TC, MOE, etc. At a January 12, 2009 Council meeting, Delta Council endorsed the plan presented by Delta Engineering (and supported by DFO) for an overpass at 28th Ave prior to the closure of 57B. (See comment 7.1).

7.2 The Owner will ensure that any repairs to the crest protection in the new tug basin, if required, will be designed as part of the Roberts Bank Rail Corridor Road Rail Interface Study, which was completed in February 2007 (See 7.2 above). Preliminary design is underway on all of these projects and detailed design is proceeding on 152nd Street, Panorama Ridge, 418 Street and 89th Street. Website: www.portsbankrailinterface.ca.

Construction, Operation
VPA
Non-specific
GVRD, TransLink
On-going

This has been considered as part of the Roberts Bank Rail Corridor Road Rail Interface Study, which was completed in February 2007 (See 7.2 above). Preliminary design is underway on all of these projects and detailed design is proceeding on 152nd Street, Panorama Ridge, 418 Street and 89th Street. Website: www.portsbankrailinterface.ca.

Construction, Operation
VPA
Non-specific
GVRD, TransLink
On-going

This work is on-going and involves liaison with MOT, COD, the DCLC, and others. Meetings held to address truck traffic issues include a June 5, 2009 meeting with COD, Delta Police, RCMP, MOT, and TSI, an August 26, 2009 meeting with the DCLC traffic sub-committee, and a September 17, 2009 meeting with DCLC (TSI also attended). In addition, TSI has developed a Traffic Management Plan (TMP) for the Deltaport facility. The TMP was finalized in 2009 and revised in Spring 2010 after the opening of Berth 3. The Port monitors performance of TSI’s TMP on a daily basis to ensure that TSI takes appropriate actions as necessary to address traffic problems.

PMV and TSI have committed to further work with the Delta community with the establishment of the ‘Delta Container Truck Traffic Working Group’. This Group is co-chaired by PMV & TSI and additional members include the Corporation of Delta, BC Ministry of Transportation (Highways & CVSB), Delta Police Department, RCMP, and ICBC. The working group works together to address traffic issues such as terminal gate congestion, issues related to the habitat compensation project located along the East Causeway, community issues, etc. The Work Group met on an approximately monthly basis during 2010 and have committed to continue working together through 2011.

Coastal Geomorphology
The Owner shall commit to a long-term coastal geomorphology monitoring program as reflected in the AMS referenced in section 5 above, and consistent with the Habitat Compensation Plan and any future Fisheries Act Habitat Authorization monitoring requirements.

Construction, Operation
VPA, Terminal Operator
EC, DFO
COD, TN, MOE, NRCan
Implemented

This commitment is met through the Adaptive Management Strategy monitoring program. The monitoring programs have been designed to be consistent with each other to maximize the utility of the data gained. Monitoring for both programs is on-going.

8.1 The Owner will ensure that shoreline protection (sleeping rock revetment) along the newly created shoreline has been designed to minimize reflection and propagation of waves. VPA will be provided with the P.Eng signed as-built drawings upon completion of all construction works.

Construction, Operation
VPA, Terminal Operator
EC, DFO
COD, TN, MOE, NRCan
Complete

The newly created shoreline has been designed to minimize reflection and propagation of waves. VPA will be provided with the P.Eng signed as-built drawings upon completion of all construction works.

8.2 The Owner will ensure that any repairs to the crest protection in the new tug basin, if required, will be planned and constructed to maintain its current location and function, thereby mitigating any potential effects.

Construction, Operation
VPA, Terminal Operator
EC, DFO
COD, TN, MOE, NRCan
Complete

The design of the new tug basin includes details ensuring the current location and function of the crest protection will be maintained. Dredging of the tug basin and slope protection have been completed. The VPA received a DFO Authorization (HPAC-PAL-050-000144-2) in December 2008 for construction of a temporary barge berth facility located within the new Deltaport tug basin. Modification of the crest protection was authorized for the temporary barge berth facility. The modification of the crest protection is reported on in the weekly environmental monitoring reports submitted to the DFO.

Water Quality
The Owner will ensure that the construction works and operations for the Project are conducted in compliance with legislated requirements and BMPs, with particular attention to construction practices that prevent the introduction of deleterious substances, pursuant to section 36(3) of the Fisheries Act, into fish frequented waters.

Construction, Operation
VPA, Contractors, Terminal Operator
EC
COD, TN, DFO
Complete

See comments below.

9.2 The Owner will also commit to the following measures during construction:

Construction, Operation
VPA, Contractors, Terminal Operator
EC
COD, TN, DFO
Complete

The construction of the container dkcs was initiated on January 18, 2007, and the Water Quality Management Plan was implemented.
Complete (salt and habitat compensation) will be conducted as per Section 2.10 of this Table. As mentioned in section 4.0 above, an Environmental Monitor has been on site during construction works that have the potential to impact the aquatic environment.

Sediment Quality

16. The Owner will ensure that the construction works and operations for the Project are conducted in compliance with environmental Protection Requirements, the EMPs discussed above and relevant BMPs and shall commit to sediment quality monitoring as reflected in the AMS referenced in section 5.5, above.

16.1 The Owner will meet suspended sediment recommendations of the "Canada Water Quality Guidelines for the Protection of Aquatic Life" and the "BC Approved Water Quality Guidelines".

16.2 Stormwater from the Deltaport DP3 terminal will be directed through an on-site interceptor and catch basins to act as a sedimentation tank to collect possible contaminants prior to discharging storm water effluent to the ocean.

16.3 The Owner will decommission and replace the eight existing storm outlets, located along the northern perimeter of Deltaport, with new storm outlets, located away from intertidal areas to drain the blowout basin into the deeper water.

16.4 The Owner will fit new storm outlets with shut-off valves to terminate flow from the Project should a possble spill occur on the terminal and enter the stormwater system.

Marine Environment

17. The Owner has agreed to develop a Final Habitat Compensation Plan that meets DFO Policy objectives in support of a Fisheries Act authorization for the construction of the Deltaport Third Berth Project. See Schedule 1 EMP, Marine Environment Management Plan for additional details on the Final Habitat Compensation Plan and monitoring.

17.1 The Owner has agreed that the Final Habitat Compensation Plan and Habitat Authorization will reflect all onsite and off site options identified in the Proposed Habitat Compensation Plan (March 12, 2006). The owner recognizes that the habitat targets specified in the Proposed Habitat Compensation Plan (March 12, 2006) may change as more detailed information and plans are developed to meet the requirements of a Section 35(2) Fisheries Act authorization.

17.2 As part of the Habitat Compensation Plan, the owner is committed to entering an agreement with Ducks Unlimited Canada, DFO, EC and such other agencies or organizations as may be identified as being appropriate to ensure that the proposed off-site compensation is delivered in a timely and efficient manner. This agreement will commit the owner to providing $1.5 million in funding to ensure the off-site compensation program is achieved.

17.3 The Owner contributes to the following measures to protect the fish habitat:

- No dredging is permitted in waters less than 5-m CD deep from March 1 to August 20 for the protection of juvenile salmon unless the works area is adequately isolated from fish bearing waters to the satisfaction of DFO; and

- Implement containment dykes for dredging and terminal land fill operations to contain materials and prevent spill-over into surrounding foreshore areas.

- Dredged material will be pumped into the contained terminal area where the solids settle out.

- Decant water and suspended silt will be completely contained during the landfill process and will either be re-pumped via submerged pipeline or deposited via bottom dump barge to approved EC disposal ocean sites.

- Comply with DFO dredging guidelines for the protection of marine resources susceptible to total suspended solids (TSS) limits at Roberts Bank. Implement a marine water quality monitoring plan referenced in section 2.10 of this Table.

-Implement a marine water quality monitoring plan referenced in section 2.10 of this Table.

- Comply with DFO guidelines for the protection of marine resources susceptible to total suspended solids (TSS) levels at Roberts Bank.

- Water effluent to the ocean. Dredged material will be pumped into the contained terminal area where the solids settle out. Pumping of dredged material to behind containment dike #1 was completed January 25, 2008. Decant water and suspended silt was pumped by the Contractor into submerged pipeline to an approved ocean disposal site. Additional water was permitted to flow through the semi-porous perimeter dike as per tidal influences.


- The Owner will obtain a notification of activity in a letter dated January 22, 2008. Fish and crab salvages were conducted as per DFO guidelines.

- The construction works were conducted in compliance with the conditions of the Fisheries Act Authorization (02-HFAC-PA1-000-000144, December 2006). An additional mitigation measure was implemented (see below).

- The Port's involvement ends with the provision of the funds.

- All components except for the sandbar stabilization component are complete. In October, 2005, DFO advised the Port that the proposed sandbar stabilization/dredge channel modification works did not address all the risk factors and would not proceed. As per the DFO authorization, the Port is instead providing funds for a third party (to be chosen by DFO) to develop fish habitat elsewhere in the estuary. The Port's involvement ends with the provision of the funds.

- The off-site compensation agreement, the "Fish and Migratory Bird Habitat Agreement", December 5, 2006, was executed by all parties (DFO, EC, Ducks Unlimited Canada, VPA, and the Pacific Salmon Foundation) in December 2006. The Port provided funding and the works were conducted by other signatories to the agreement. The Rose-Kirkland Island habitat compensation works were completed in Spring 2009. A DFO biologist toured the site with a Ducks Unlimited Canada biologist in August 2009 and both were very satisfied with the work. A new, similar project will be initiated on Frenchman Island in 2010, using funds left over after completion of the Rose-Kirkland project.

- The owner will comply with DFO guidelines to minimize disruption of intertidal/subtidal mudflat habitat or loss of individual adult crabs and fishes:

- No dredging is permitted in waters less than 5-m CD deep from March 1 to August 15 for the protection of juvenile salmon unless the works area is adequately isolated from fish bearing waters to the satisfaction of DFO; and
Owner's Table of Commitments and Assurances
Status Update as of January 31, 2011

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<th>Status</th>
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<tbody>
<tr>
<td>11.2</td>
<td>The Owner will ensure that any densification equipment (i.e. vibro-flotation head) is shut down while densification equipment is being relocated.</td>
<td>Construction, Operation</td>
<td>VPA</td>
<td>DFO</td>
<td>FN</td>
<td>Complete</td>
<td>Marine vibro-densification work is complete. Based on the acoustic monitoring conducted for this equipment (noise from the equipment did not propagate well through shallow waters and behavioural disturbance to whales was found to occur at less than 200 metres and even less for other marine mammals) and because the repeated shut down and start up of the equipment was possibly more detrimental than allowing it to run, the vibro-densification head was not routinely shut down during small movements of the equipment. However, the head was brought up to shallow waters prior to movement to minimize the propagation of the sound waves. During any significant movement of the equipment, it was shut down. Note that these modified procedures complied with the Fisheries Act Authorization (02-HPAC-PAC-001-000144, December 2006), based on the acoustic monitoring and modeling submitted to DFO for review and approval.</td>
</tr>
<tr>
<td>12.2</td>
<td>The Owner commits to prepare a report on Orcas pods in the vicinity of the Project and to assess avoidance and mitigation measures (the 0.5 kHz trigger threshold, vessel speeds) when pods are traversing the offshore area of Roberts Bank.</td>
<td>Construction</td>
<td>VPA</td>
<td>DFO</td>
<td>FN</td>
<td>Complete</td>
<td>The Marine Mammal Monitoring program has been completed. Originally, eight Marine Mammal Surveys were planned. However, one additional survey was conducted, for a total of nine surveys. The reports are dated as follows: June and September 2007, January, May, June, August and September 2008, and January and May 2009. All reports have been submitted to DFO.</td>
</tr>
<tr>
<td>14.2</td>
<td>The Owner will work with BC Pilots to develop an education and awareness program about marine mammals and have pilots of vessels transiting to Roberts Bank steer away from observed marine mammals when vessel safety is not compromised.</td>
<td>Operation</td>
<td>VPA</td>
<td>DFO</td>
<td>FN</td>
<td>On-going</td>
<td>The Port developed a marine mammal awareness pamphlet, entitled &quot;Marine Mammals of the Roberts Bank Area.&quot; Distribution of the pamphlet began in December 2008 and continues to be distributed as appropriate. The pamphlet has been distributed to marine pilots, marine contractors, various agencies, at open houses, and more. Additionally, the Port is working with its marine mammal monitoring program consultant on a series of guiding principles for marine pilots in the development of the marine mammal awareness and education program.</td>
</tr>
<tr>
<td>15.1</td>
<td>The Owner and its contractors will use reasonable efforts to avoid any disruption of aboriginal or commercial fisheries.</td>
<td>Pre-construction, Construction</td>
<td>VPA</td>
<td>EAO, DFO</td>
<td>Complete</td>
<td>The marine works component of the Project is complete.</td>
<td></td>
</tr>
<tr>
<td>15.2</td>
<td>The Owner will ensure that the applicable mitigation and compensation regarding watershelf and coastal seabirds is implemented and shall commit to bird monitoring as reflected in the AMS referenced in section 2 above.</td>
<td>Construction, Operation</td>
<td>VPA, Contractors</td>
<td>EC, ME</td>
<td>On-going</td>
<td>See comments below.</td>
<td></td>
</tr>
</tbody>
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<tr>
<td>14.1</td>
<td>The Owner will ensure that it is in compliance with the Migratory Birds Convention Act (MBCA), the Species at Risk Act (SARA), and the Migratory Birds Regulations (MBR) for the life-cycle duration of the Project.</td>
<td>Construction, Operation</td>
<td>VPA, Contractors</td>
<td>EC, MOE</td>
<td>MOE</td>
<td>On-going</td>
<td>The Port has been in compliance with the Migratory Birds Convention Act (MBCA), the Species At Risk Act (SARA), and the Migratory Birds Regulations (MBR) during construction. Waterfowl and coastal seabird surveys were conducted as part of the first three years of the AMS and the results are included in the annual reports. The 2007, 2008 and 2009 Annual AMS reports are available on the VPA website at <a href="http://portofvancouver.com/Libraries/PROJECTS_Deltaport_Third_Berth_Project/080718_AMS_2007_Annual_Final_sfb.asx">http://portofvancouver.com/Libraries/PROJECTS_Deltaport_Third_Berth_Project/080718_AMS_2007_Annual_Final_sfb.asx</a>. *Great blue heron and brant surveys will continue to be conducted as a part of the AMS during key timing windows for these species. During construction activities, observations of waterfowl and coastal seabirds were also made during environmental monitoring and reported in the weekly EM reports that were distributed to DFO, EC, CWS, and MOE, amongst others.</td>
</tr>
<tr>
<td>14.2</td>
<td>Although construction of the Project would not impact the pelagic cormorant colony nesting on the Westshore jetty structure, the Owner commits to consult with government and non-government agencies to establish pelagic cormorant resting/nesting structures in the study area away from port docks</td>
<td>Construction, Operation</td>
<td>VPA, Contractors</td>
<td>EC, MOE</td>
<td>MOE</td>
<td>On-going</td>
<td>Impacts on cormorants have ameliorated significantly since Westshore modified its maintenance activities to reduce impacts on cormorants which have ameliorated significantly since Westshore modified its maintenance activities to reduce impacts on cormorants which have ameliorated significantly since Westshore modified its maintenance activities to reduce impacts on cormorants which have ameliorated significantly since Westshore modified its maintenance activities to reduce</td>
</tr>
<tr>
<td>14.3</td>
<td>Relocation of the osprey nest to a safer location. The Owner will work with the appropriate regulatory authorities to relocate this nest.</td>
<td>Construction, Operation</td>
<td>VPA, Contractors</td>
<td>EC, MOE</td>
<td>MOE</td>
<td>Complete</td>
<td>The osprey nest was relocated on March 13, 2007 to a location approximately 260m north of the new perimeter deck and approximately 120m east of the Deltaport Causeway. Regulatory authorities were consulted and a MOE wildlife permit (#SU07-31495) was issued to Hemmera on behalf of the VPA prior to nest relocation. The osprey have been observed in the area following relocation; however, they are not yet using the relocated nest.</td>
</tr>
<tr>
<td>14.4</td>
<td>The Owner will undertake construction works in upland areas (off causeway) in the winter months to prevent impacts to nesting species and to limit sensory disturbance to wildlife. Nesting time windows are listed in section 2.8.</td>
<td>Construction, Operation</td>
<td>VPA, Contractors</td>
<td>EC, MOE</td>
<td>MOE</td>
<td>Complete</td>
<td>The BCRC Trow EWPs includes mitigation for impacts to ditches.</td>
</tr>
</tbody>
</table>

**Terrestrial Wildlife and Vegetation**

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<tr>
<td>15.1</td>
<td>The Owner will ensure that the land-based construction works for the upland causeway rail corridor components of the Project are conducted in compliance with applicable legislative requirements and BMPs, with particular attention to storm water management on the sites during construction, excavation and disposal of fill and concrete works. Further the Owner must ensure that municipal community planning is reflected in mitigation of terrestrial and vegetation impacts along the rail corridor. This may include applicable permits for development along watercourses, permits to deposit or remove soil or other material, and environmental reviews of specific works in and around environmentally-sensitive areas.</td>
<td>Pre-construction, Construction</td>
<td>VPA, Contractors, BCRC</td>
<td>MOE, EC</td>
<td>COD, TFN</td>
<td>Complete</td>
<td>BCRC provided Environmental Work Plans (Mainland and Trow EWPs) that addressed this commitment.</td>
</tr>
<tr>
<td>15.2</td>
<td>The Owner will comply with all terms and conditions of Permits, Approvals and Authorizations, and environmental BMPs.</td>
<td>Pre-construction, Construction</td>
<td>VPA, Contractors, BCRC</td>
<td>MOE, EC</td>
<td>COD, TFN</td>
<td>Complete</td>
<td>BCRC provided Environmental Work Plans (Mainland and Trow EWPs) that addressed this commitment.</td>
</tr>
<tr>
<td>15.3</td>
<td>The Owner will follow or have followed the Construction EMP for storm water management on the site during construction, in relation to material excavation and disposal of fill, concrete works, and other activities.</td>
<td>Pre-construction, Construction</td>
<td>VPA, Contractors, BCRC</td>
<td>MOE, EC</td>
<td>COD, TFN</td>
<td>Complete</td>
<td>BCRC provided Environmental Work Plans (Mainland and Trow EWPs) that addressed this commitment.</td>
</tr>
<tr>
<td>15.4</td>
<td>The Owner will ensure vegetation cleared during construction is kept to a minimum. This would maximize the habitat buffer between the edge of rail bed and adjacent habitats (e.g. ditches).</td>
<td>Pre-construction, Construction</td>
<td>VPA, Contractors, BCRC</td>
<td>MOE, EC</td>
<td>COD, TFN</td>
<td>Complete</td>
<td>The Port has been provided with the BCRC EWPs (Mainland and Trow EWPs) that address this commitment.</td>
</tr>
<tr>
<td>15.5</td>
<td>The Owner will maximize the movement of people and machinery through vegetated areas.</td>
<td>Pre-construction, Construction</td>
<td>VPA, Contractors, BCRC</td>
<td>MOE, EC</td>
<td>COD, TFN</td>
<td>Complete</td>
<td>BCRC provided Environmental Work Plans (Mainland and Trow EWPs) that addressed this commitment.</td>
</tr>
<tr>
<td>15.6</td>
<td>The Owner will manage interactions between employees/contractors and wildlife and will store and/or dispose of food, garbage and petroleum products in an appropriate manner to prevent attraction of wildlife to construction sites.</td>
<td>Pre-construction, Construction</td>
<td>VPA, Contractors, BCRC</td>
<td>MOE, EC</td>
<td>COD, TFN</td>
<td>Complete</td>
<td>BCRC provided Environmental Work Plans (Mainland and Trow EWPs) that addressed this commitment.</td>
</tr>
<tr>
<td>15.7</td>
<td>The Owner must, through their Contractors, take every reasonable step to ensure that the landscape, vegetation, bushes and trees are protected during construction of the rail works.</td>
<td>Pre-construction, Construction</td>
<td>VPA, Contractors, BCRC</td>
<td>MOE, EC</td>
<td>COD, TFN</td>
<td>Complete</td>
<td>BCRC provided Environmental Work Plans (Mainland and Trow EWPs) that addressed this commitment.</td>
</tr>
<tr>
<td>15.8</td>
<td>The Owner commits to meet the intent of COD’s Official Community Plan policies regarding environmentally-sensitive areas, specifically sections 2.4.1 - 2.4.15 and 2.4.21 - 2.4.26.</td>
<td>Pre-construction, Construction</td>
<td>VPA, Contractors, BCRC</td>
<td>MOE, EC</td>
<td>COD, TFN</td>
<td>Complete</td>
<td>BCRC provided Environmental Work Plans (Mainland and Trow EWPs) that addressed this commitment.</td>
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<tr>
<td>16.3</td>
<td>The Owner will ensure that it is in compliance with the Migratory Birds Convention Act (MBCA), the Species at Risk Act (SARA), and the Migratory Birds Regulations (MBR) for the life-cycle duration of the Project.</td>
<td>Pre-construction, Construction</td>
<td>VPA, Contractors, BCRC</td>
<td>MOE</td>
<td>ECC, TPN</td>
<td>Complete</td>
<td>BCR provided Environmental Work Plans that addressed this commitment.</td>
</tr>
<tr>
<td>16.4</td>
<td>The Owner will support appropriate environmental stewardship programs to place barn owl nest boxes in areas towards Brunwick Point where they are less vulnerable to major motorways.</td>
<td>Pre-construction, Construction</td>
<td>VPA, Contractors</td>
<td>MOE</td>
<td>ECC, TPN</td>
<td>On-going</td>
<td>In the absence of a formal environmental stewardship program, the Port is constructing barn owl boxes and working with SFU on their distribution.</td>
</tr>
<tr>
<td>16.5</td>
<td>The Owner will become involved in barn owl management planning, either through a Barn Owl Management Team, or its ad hoc equivalent.</td>
<td>Pre-construction, Construction</td>
<td>VPA, Contractors</td>
<td>MOE</td>
<td>ECC, TPN</td>
<td>Complete</td>
<td>see 16.4 above.</td>
</tr>
<tr>
<td>16.8</td>
<td>The Owner will minimize impacts to foreshore marshes by adhering to the following mitigation measures:</td>
<td>Pre-construction, Construction</td>
<td>VPA, Contractors, BCRC</td>
<td>MOE</td>
<td>ECC, TPN</td>
<td>Complete</td>
<td>BCR provided Environmental Work Plans (Mainland and Trow EWPs) that addressed this commitment.</td>
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### Air Quality

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<tr>
<td>16.1</td>
<td>The Owner will ensure that it is in compliance with the Migratory Birds Convention Act (MBCA), the Species at Risk Act (SARA), and the Migratory Birds Regulations (MBR) for the life-cycle duration of the Project.</td>
<td>Pre-construction, Construction</td>
<td>VPA, Contractors, BCRC</td>
<td>MOE</td>
<td>ECC, TPN</td>
<td>Complete</td>
<td>BCR provided Environmental Work Plans that addressed this commitment.</td>
</tr>
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</table>

#### Air Quality Management Plan

- Potential for impacts from equipment exhaust, dust and odours.
- Visual inspections on a daily basis for potential dust and odour issues, and
- Options to reduce construction worker trips (i.e., carpooling, transit, other non-polluting transportation modes).
- Paved sections of the worksite and roads that are subject to accumulations of dust will be
- Covered road vehicles will be used in the transport of bulk fine materials to or from the Project
- Diesel particulate filters and/or other appropriate retrofits where possible (such as automatic anti-idling shut-offs) will be used on all construction equipment and construction vehicles capable of use.
- Engine idling reduction (including provision for automatic anti-idling shut-off mechanism, if feasible).
- Operation of equipment at optimum rated loads.
- Routine equipment maintenance procedures.
- Options to reduce construction worker trips (i.e., carpooling, transit, other non-polluting transportation modes).
- A worksite speed limit will be put in place to further reduce dust.
- Paved sections of the worksite and roads that are subject to accumulations of dust will be
- Engine idling reduction (including provision for automatic anti-idling shut-off mechanism, if feasible).
- Operation of equipment at optimum rated loads.
- Routine equipment maintenance procedures.
- Options to reduce construction worker trips (i.e., carpooling, transit, other non-polluting transportation modes).
- A worksite speed limit will be put in place to further reduce dust. |
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<tr>
<td>16.1</td>
<td>The Owner commits, and must ensure that the Terminal Operator also commits, to diligently work towards a reduction of emissions from container vessels calling at Deltaport.</td>
<td>Operation</td>
<td>VPA, Terminal Operator</td>
<td>EC, GVRD</td>
<td>COD, TFN</td>
<td>On-going</td>
<td>See comments below.</td>
</tr>
<tr>
<td>16.2</td>
<td>The Owner commits to diligently working with environmental groups to ensure that remediation of the former Deltaport and expansion of the Port is consistent with the Protection of Marine Mammals Act.</td>
<td>Construction/Operation</td>
<td>VPA, Terminal Operator</td>
<td>EC, GVRD</td>
<td>COD, TFN</td>
<td>On-going</td>
<td>This work is ongoing and is being led by EC and TC with support from the Port. The amended Annex VI includes emission Control Areas (ECAs) which include both SOx and NOx requirements (vs. a SECA which focused solely on SOx). Canada has ratified Annex VI in conjunction with the United States under a North American ECA and comes into effect in 2012. The port continues development of the &quot;Northwest Ports Clean Air Strategy&quot; with the Ports of Seattle and Tacoma that will help bridge to an ECA. Also, the Port's Diferentiated Harbour Dues Program includes incentives for using fuel with low sulphur content. Canada has passed regulations to prevent the annexation of Annex VI until 2012. Effective April 1, 2010, the Port also implemented the use of biofuels in terminal equipment to further reduce emissions in August 2006.</td>
</tr>
<tr>
<td>18.1</td>
<td>The Owner commits, and must ensure that the Terminal Operator also commits, to diligently work towards a reduction of emissions from container vessels calling at Deltaport.</td>
<td>Operation</td>
<td>VPA, Terminal Operator</td>
<td>EC, GVRD</td>
<td>COD, TFN</td>
<td>On-going</td>
<td>See comments below.</td>
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| 18.2 | The Owner commits to assessing a differential port tariff system where cleaner ships (less emitting) calling on the Port of Vancouver are charged lower fees as a reward system to encourage a reduction in marine vessel air emissions. | Construction, Operation | VPA, Terminal Operator | EC, GVRD | COD, TFN | Complete | The concept is being piloted in the Port's Grain Terminal Program. Additional information on the Truck Licensing Program is available on the VFPA's website at http://portvonanvancouver.com/.

**Noise, Dust and Vibration**

1. **Contribution to Port Road Traffic**
   - The Owner or its security personnel must ensure that non-reservation trucks continue to shut down their engines while waiting in queue during times when the Deltaport Terminal gates are closed (i.e. currently before 7:00 AM, 12:00 PM during to 12:30 PM, and after 4:00 PM). Signs should be posted to offer guidance and to ensure that non-reservation trucks are not shut down when in queue.
   - Since night-gates were reinstituted in June 2009, the Terminal Operator operates 5 night-gates per week. In 2010, TSI has also reallocated night-time reservations.

2. **Deltaport Terminal**
   - The Owner commits to completing the feasibility study for shore based power for ships in the Port in 2007. The study was submitted to the Environmental Assessment Office in June 2007.

3. **Deltaport Terminal**
   - The Owner or its security personnel must ensure that non-reservation trucks continue to shut down their engines while waiting in queue during times when the Deltaport Terminal gates are closed (i.e. currently before 7:00 AM, 12:00 PM during to 12:30 PM, and after 4:00 PM). Signs should be posted to offer guidance and to ensure that non-reservation trucks are not shut down when in queue.
   - Since night-gates were reinstituted in June 2009, the Terminal Operator operates 5 night-gates per week. In 2010, TSI has also reallocated night-time reservations.

4. **Deltaport Terminal**
   - The Owner commits to completing the feasibility study for shore based power for ships in the Port in 2007. The study was submitted to the Environmental Assessment Office in June 2007.

5. **Deltaport Terminal**
   - The Owner or its security personnel must ensure that non-reservation trucks continue to shut down their engines while waiting in queue during times when the Deltaport Terminal gates are closed (i.e. currently before 7:00 AM, 12:00 PM during to 12:30 PM, and after 4:00 PM). Signs should be posted to offer guidance and to ensure that non-reservation trucks are not shut down when in queue.
   - Since night-gates were reinstituted in June 2009, the Terminal Operator operates 5 night-gates per week. In 2010, TSI has also reallocated night-time reservations.

6. **Deltaport Terminal**
   - The Owner commits to completing the feasibility study for shore based power for ships in the Port in 2007. The study was submitted to the Environmental Assessment Office in June 2007.

7. **Deltaport Terminal**
   - The Owner or its security personnel must ensure that non-reservation trucks continue to shut down their engines while waiting in queue during times when the Deltaport Terminal gates are closed (i.e. currently before 7:00 AM, 12:00 PM during to 12:30 PM, and after 4:00 PM). Signs should be posted to offer guidance and to ensure that non-reservation trucks are not shut down when in queue.
   - Since night-gates were reinstituted in June 2009, the Terminal Operator operates 5 night-gates per week. In 2010, TSI has also reallocated night-time reservations.

8. **Deltaport Terminal**
   - The Owner commits to completing the feasibility study for shore based power for ships in the Port in 2007. The study was submitted to the Environmental Assessment Office in June 2007.

9. **Deltaport Terminal**
   - The Owner or its security personnel must ensure that non-reservation trucks continue to shut down their engines while waiting in queue during times when the Deltaport Terminal gates are closed (i.e. currently before 7:00 AM, 12:00 PM during to 12:30 PM, and after 4:00 PM). Signs should be posted to offer guidance and to ensure that non-reservation trucks are not shut down when in queue.
   - Since night-gates were reinstituted in June 2009, the Terminal Operator operates 5 night-gates per week. In 2010, TSI has also reallocated night-time reservations.

10. **Deltaport Terminal**
    - The Owner commits to completing the feasibility study for shore based power for ships in the Port in 2007. The study was submitted to the Environmental Assessment Office in June 2007.

11. **Deltaport Terminal**
    - The Owner or its security personnel must ensure that non-reservation trucks continue to shut down their engines while waiting in queue during times when the Deltaport Terminal gates are closed (i.e. currently before 7:00 AM, 12:00 PM during to 12:30 PM, and after 4:00 PM). Signs should be posted to offer guidance and to ensure that non-reservation trucks are not shut down when in queue.
    - Since night-gates were reinstituted in June 2009, the Terminal Operator operates 5 night-gates per week. In 2010, TSI has also reallocated night-time reservations.

12. **Deltaport Terminal**
    - The Owner commits to completing the feasibility study for shore based power for ships in the Port in 2007. The study was submitted to the Environmental Assessment Office in June 2007.

13. **Deltaport Terminal**
    - The Owner or its security personnel must ensure that non-reservation trucks continue to shut down their engines while waiting in queue during times when the Deltaport Terminal gates are closed (i.e. currently before 7:00 AM, 12:00 PM during to 12:30 PM, and after 4:00 PM). Signs should be posted to offer guidance and to ensure that non-reservation trucks are not shut down when in queue.
    - Since night-gates were reinstituted in June 2009, the Terminal Operator operates 5 night-gates per week. In 2010, TSI has also reallocated night-time reservations.

14. **Deltaport Terminal**
    - The Owner commits to completing the feasibility study for shore based power for ships in the Port in 2007. The study was submitted to the Environmental Assessment Office in June 2007.

15. **Deltaport Terminal**
    - The Owner or its security personnel must ensure that non-reservation trucks continue to shut down their engines while waiting in queue during times when the Deltaport Terminal gates are closed (i.e. currently before 7:00 AM, 12:00 PM during to 12:30 PM, and after 4:00 PM). Signs should be posted to offer guidance and to ensure that non-reservation trucks are not shut down when in queue.
    - Since night-gates were reinstituted in June 2009, the Terminal Operator operates 5 night-gates per week. In 2010, TSI has also reallocated night-time reservations.

16. **Deltaport Terminal**
    - The Owner commits to completing the feasibility study for shore based power for ships in the Port in 2007. The study was submitted to the Environmental Assessment Office in June 2007.

17. **Deltaport Terminal**
    - The Owner or its security personnel must ensure that non-reservation trucks continue to shut down their engines while waiting in queue during times when the Deltaport Terminal gates are closed (i.e. currently before 7:00 AM, 12:00 PM during to 12:30 PM, and after 4:00 PM). Signs should be posted to offer guidance and to ensure that non-reservation trucks are not shut down when in queue.
    - Since night-gates were reinstituted in June 2009, the Terminal Operator operates 5 night-gates per week. In 2010, TSI has also reallocated night-time reservations.

18. **Deltaport Terminal**
    - The Owner commits to completing the feasibility study for shore based power for ships in the Port in 2007. The study was submitted to the Environmental Assessment Office in June 2007.

19. **Deltaport Terminal**
    - The Owner or its security personnel must ensure that non-reservation trucks continue to shut down their engines while waiting in queue during times when the Deltaport Terminal gates are closed (i.e. currently before 7:00 AM, 12:00 PM during to 12:30 PM, and after 4:00 PM). Signs should be posted to offer guidance and to ensure that non-reservation trucks are not shut down when in queue.
    - Since night-gates were reinstituted in June 2009, the Terminal Operator operates 5 night-gates per week. In 2010, TSI has also reallocated night-time reservations.

20. **Deltaport Terminal**
    - The Owner commits to completing the feasibility study for shore based power for ships in the Port in 2007. The study was submitted to the Environmental Assessment Office in June 2007.

21. **Deltaport Terminal**
    - The Owner or its security personnel must ensure that non-reservation trucks continue to shut down their engines while waiting in queue during times when the Deltaport Terminal gates are closed (i.e. currently before 7:00 AM, 12:00 PM during to 12:30 PM, and after 4:00 PM). Signs should be posted to offer guidance and to ensure that non-reservation trucks are not shut down when in queue.
    - Since night-gates were reinstituted in June 2009, the Terminal Operator operates 5 night-gates per week. In 2010, TSI has also reallocated night-time reservations.

22. **Deltaport Terminal**
    - The Owner commits to completing the feasibility study for shore based power for ships in the Port in 2007. The study was submitted to the Environmental Assessment Office in June 2007.
The Owner will ensure that instructions are provided to their contractors throughout the pre-construction and construction phases to minimize possible effects related to noise, dust and vibration. The Owner must comply with the intent of COD Noise Bylaw No. 1906, 1972 and the Delta Zoning Bylaw (section 802) to avoid disturbance of the local community with 24-hour/7-day week construction periods.

The DCLC is made up of eighteen members, including a representative from the Port, TSI, COD and TFN. The Terms of Reference of the Committee include the consideration of noise. The Committee is forming a noise subcommittee to address noise concerns.

A management procedure, such as a 24-hour helpline, will be put in place by the Owner to deal with noise complaints that may arise from construction activities. Each complaint will be investigated and appropriate noise reduction measures established to mitigate future occurrences.

The Owner will incorporate BMP and mitigation measures reflected in this Table into the contract documentation for construction contractors, including the requesting of low emission equipment, machinery noise control, and equipment alarms.

The Owner will ensure that the Terminal Operator prepares an Operation Noise Management Plan containing environmental management measures to assess and minimize noise from the construction of the Project.
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<tr>
<td>24</td>
<td>The Owner shall ensure that the design, construction, operation and maintenance of the Project attempts to minimize any public health concerns associated with the Project.</td>
<td>Pre-construction, Construction, Operation, Maintenance</td>
<td>VPA</td>
<td>BC, PHA, COO, TPN</td>
<td>EAO</td>
<td>On-going</td>
<td>see comments below for information on individual commitments.</td>
</tr>
<tr>
<td>24.1</td>
<td>The Owner shall ensure that construction contractors are aware of their obligations to comply with all applicable standards and regulations regarding the handling and use of any hazardous materials that they may be using during construction (e.g., uninsured concrete).</td>
<td>Pre-construction, Construction, Operation, Maintenance</td>
<td>VPA</td>
<td>BC, PHA, COO, TPN</td>
<td>EAO</td>
<td>Complete</td>
<td>the contractors have each developed a plan within their respective Construction EMPS that addresses this issue. Independent environmental monitoring has been conducted during the marine and upland phases of construction. No issues with this commitment were identified during monitoring activities. Construction is now complete.</td>
</tr>
</tbody>
</table>

**Visual/Lighting**

25.1 The Owner shall ensure that all contractors and the Terminal Operator construct and operate the Project with minimal adverse visual and lighting effects.

| Construction, Operation | VPA, Terminal Operator | none | COO, TPN | On-going | see comments below. |

25.2 The Owner shall commit to organizing a CLC referenced in section 6.3 of this Table, whose terms of reference shall include any visual and lighting impacts generating public concerns. The Owner shall develop a 24-hour help line for visual/lighting concerns/events, enabling contractors and terminal personnel to identify what events and operations are causing adverse impacts in the Tsawwassen communities, including the TPN Flanese.

25.3 The Owner shall develop a 24-hour help line for visual/lighting concerns/events, enabling contractors and terminal personnel to identify what events and operations are causing adverse impacts in the Tsawwassen communities, including the TPN Flanese.

25.4 The Owner must ensure the dredge lighting system shields light from spilling outside the basic dredge working footprint of the dredge.

25.5 The Owner shall ensure all contractors and the Terminal Operator construct and operate the Project with minimal adverse visual and lighting effects.

25.6 The Owner will ensure that all contractors and the Terminal Operator construct and operate the Project with minimal adverse visual and lighting effects.

25.7 The Owner must ensure that the Terminal Operator undertakes the following measures:

- Ensure lighting equipment is pointed north and west, where possible, to reduce impacts to residents who are typically located east and south of the Roberts Bank port facility.
- Implement shielding on construction lighting.
- Use downlight style, cut-off luminaries for illumination of wharf and container yard areas.
- Use less intrusive lighting sources such as metal halide luminaries exclusively for illumination of gantry crane deflector lighting.
- Reduce the amount of lighting during periods of low activity using lighting control systems.
- Incorporate an automatic light shutdown system when the booms of new ship-to-shore gantry cranes are raised and inactive for longer than 15 minutes.

25.8 The Owner will evaluate the use of intutive mounting systems for lighting on ship-to-shore gantry cranes to minimize light throw during raising and lowering of the equipment. The Owner will examine options for mounting luminaires on the arms of ship-to-shore gantry cranes to prevent them from rotating when the arms are raised and lowered.

| Operation | VPA, Terminal Operator | none | COO, TPN | On-going | |

The Owner will ensure that all contractors and the Terminal Operator construct and operate the Project with minimal adverse visual and lighting effects.

| Construction, Operation | VPA, Terminal Operator | none | COO, TPN | On-going | |

The Owner shall ensure that all contractors and the Terminal Operator construct and operate the Project with minimal adverse visual and lighting effects.
26.5 The Owner will consider change of gantry crane colour and, where practical, options for a landscape buffer strip to be established along the outer edge of the Roberts Bank causeway. Operation VPA, Terminal Operator none GVRD, COD, TFN Complete The three new Quad Cranes are white. This was deemed to be the best overall colour to satisfy the need for landscape buffering and aesthetics as well as for providing adequate visual recognition for aircraft safety. As an added benefit, stress cracks and fractures are clearly revealed on white and thus assist with maintenance and safety inspections.

26.6 The Owner will ensure that consideration is given to enhanced socio-economic aspects of the Project. Pre-construction, Construction, Operation VPA, Terminal Operator none GVRD, COD, TFN, TransLink Complete The Owner will ensure that consideration is given to enhanced socio-economic effects as outlined in the specific commitments below, and that any transfer of the EAC to the Terminal Operator will also ensure the transfer of all relevant commitments.

26.7 The Owner will develop a community liaison plan to minimize construction-related impacts. Pre-construction, Construction, Operation VPA, Terminal Operator none GVRD, COD, TFN, TransLink Complete A Deltaport Community Liaison Plan (CLP) was sent to the EAO in December 2006 for review. A copy of the CLP was sent to the Corporation of Delta and TFN on January 15, 2007 for review and comment, and the Plan has since been adopted. The CLP includes tactics to minimize construction-related impacts on the community including: the formation of DCLL, project feedback and information line, feedback mechanisms, newsletters, public events, project advisories and other communications, as required. The CLP can be viewed on the VPA website http://portmvancouver.com/About/PROJECTS/Deltaport_Third_Berth_Project/2006-12

26.8 The Owner will ensure that the Project Implementation team designs, constructs and operates the Project with care and attention to the provision of emergency services to the Project. The Owner will resolve Project-related transportation and traffic issues in consultation with COD and TFN. Pre-construction, Construction, Operation VPA, Terminal Operator none GVRD, COD, TFN, TransLink Complete Construction is complete.

26.9 The Owner will ensure that the Project Implementation team designs, constructs and operates the Project in accordance with applicable bylaws and codes. Pre-construction, Construction, Operation VPA, Terminal Operator none GVRD, COD, TFN, TransLink Complete Following completion of construction, the VPA will receive Peace, signed as built drawings, which will provide confirmation that the works were built to the applicable codes. The Port has issued a permit to TSI for the Deltaport Third Berth finishing works (upland terminal construction), which requires them to construct according to all applicable laws and other necessary approvals.

26.10 The Owner will participate in Transport Canada’s assessment of the Roberts Bank rail corridor to identify and seek solutions to rail crossing issues in Delta, Surrey and Langley. Pre-construction, Construction, Operation VPA, Terminal Operator none GVRD, COD, TFN, TransLink Complete The Roberts Bank rail corridor assessment was completed in early 2007, and the results were documented in a report titled “Roberts Bank Rail Corridor: Road/Rail Interface”, dated January 2007. The study was coordinated by Transport Canada with other participants including MOT, TransLink, Greater Vancouver Gateway Council and the Port. The Port continues to actively participate in ongoing discussions with Transport Canada to advance the projects identified in the Road/Rail Interface Study in the affected communities. Each project has a Project Steering Committee and technical committees that meet monthly, at a minimum, and the overall Program partnership meets once a quarter, at a minimum. Preliminary and detailed design fit for projects are currently underway for completion by the end of 2010 (estimated).

26.11 The Owner and the Terminal Operator will use reasonable efforts to transport construction materials to and from materials from the Project by barge to minimize additional highway traffic. Pre-construction, Construction, Operation VPA, Terminal Operator none GVRD, COD, TFN, TransLink On-going The Port's marine works construction contract specified that all general fill, preload, granular sub-base and aggregate base course materials was to be imported by waterborne transport. This is estimated to have reduced project-related traffic on nearby roads by approximately 300,000 single dump truck loads, i.e. 300,000 return trips (600,000 one-way trips) on nearby roads. To date, most project materials have been imported by water and waste materials have been exported by water. The Marine Works contractor was allowed to truck up to 50,000 m³ of waste prior to a South Fraser Perimeter Road (SFPFR) site within Delta, since that created less traffic and emissions impact within Delta than the previous fill source for that site. Only 38,000 m³ was actually taken to the SFPFR site. The Port and TSI have built a temporary barge berth for importing materials needed for the East Causeway habitat compensation works and for TSI's pavement foundations, as well as to remove material excavated from the East Causeway as part of the compensation works. This is expected to have eliminate approximately 24,500 return truck trips through Delta. In addition, operational traffic management improvements, highway 17 improvements and road-rail interface improvements (see Section 7 of this table) will aid in easing congestion from third party operations.

26.12 The Owner will monitor the impact of construction activities on community services such as fire, police and emergency response during construction and commits to discuss appropriate levels of emergency access to the Project with COD. Pre-construction, Construction, Operation VPA, Terminal Operator none GVRD, COD, TFN, TransLink On-going The Port will coordinate regular meetings with fire, ambulance, police and emergency response providers to review emergency access to the site and monitor use of services.

26.13 The Owner and Terminal Operator will use reasonable efforts to purchase goods and services and source employment in the local community during construction and operation of the Project. Pre-construction, Construction, Operation VPA, Terminal Operator none GVRD, COD, TFN, TransLink Complete Delta-based Graham Construction & Engineering is a partner in the joint venture firm (Deltaport Constructors Ltd) to which the Port awarded the $195 million marine works contract. That contract includes requirements to provide significant employment and contracting opportunities for the TSI, which has been done through over 15 person years of employment and over $1.5 million in direct construction contracts.
### Owner's Table of Commitments and Assurances

**Status Update as of January 31, 2011**

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<tr>
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<tbody>
<tr>
<td>26.9</td>
<td>The Owner shall continue to participate in discussions with the Gateway Program, COD and other agencies regarding regional solutions to potential road and traffic issues in Delta.</td>
<td>Pre-construction, Construction, Operation</td>
<td>VPA, Terminal Operator</td>
<td>none</td>
<td>GVRD, COD, TFN, TransLink</td>
<td>On-going</td>
<td>Della Council passed a resolution on January 14, 2009 to generally support the construction of an overpass at 41B Street (and closure of 57B) and Deltaport Way subject to confirmation of integration between Tsawwassen First Nation's Road Network Plan and Delta's Road Network. Also, Delta Council endorsed the plan presented by Delta Engineering (and supported by the DFI) for an overpass on 28th Ave. (See comment 7.1). PMV continues to participate in ongoing discussions with relevant agencies regarding regional truck routes. More recently, VFPA confirmed its support for overnight truck traffic restrictions on Ladner Trunk Road. VFPA notes that this is a temporary measure and that a full prohibition of through truck traffic would be implemented upon completion of the South Fraser Perimeter Road in 2012. 41B and 28th Avenue projects are currently under construction.</td>
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#### Accident and Malfunctions

| 27 | The Owner must ensure that all commitments designed to prevent or minimize accidents and malfunctions resulting from the Project are implemented. | Design, Construction, Operation | VPA, Contractors, Terminal Operator | TC, EC, COD | GVRD | Implemented | See comments below. |
| 27.1 | The Owner shall ensure that the transport and storage of dangerous goods is carried out in compliance with the federal Transportation of Dangerous Goods Act (TDG). All dangerous goods transported by water within the Port of Vancouver must also be under permit issued by the Harbour Master Office. | Pre-construction, Construction, Operation | VPA, Terminal Operator | none | GVRD, COD, TFN, TransLink | Implemented | The Port continues to commit to the observation and enforcement of the Transportation of Dangerous Goods Act. |
| 27.2 | The Owner will observe the International Convention for the Prevention of Pollution from Ships (MARPOL), and MARPOL Annex V. | Pre-construction, Construction, Operation | VPA, Terminal Operator | none | GVRD, COD, TFN, TransLink | Implemented | The Port continues to commit to the observation and enforcement of MARPOL. |
| 27.3 | The Owner will ensure that the following fuelling and spill measures are committed to by all contractors and the Terminal Operator: | Pre-construction, Construction, Operation | VPA, Terminal Operator | none | GVRD, COD, TFN, TransLink | Implemented | The commitments can be found in the respective Contractor’s construction EMPs (see Section 2). In addition, an independent Environmental Monitor has been employed by the VFPA and/or TSI during the construction phases of this Project. The environmental monitoring reports were submitted to DFO, EC, CWS and MOE, amongst others during the course of construction work. |

1. Conduct fuelling of equipment and storage of petroleum products (e.g. fuel, oil, lubricants) over and adjacent to the marine environment in an appropriate manner and handle in compliance with all applicable guidelines, legislation, and best management practices.
2. Have an appropriate spill prevention, containment and cleanup contingency plan for hydrocarbon products (e.g., fuel, oil, hydraulic fluid, lubricants), and all other deleterious substances used in association with the Project.
3. The spill prevention, containment and cleanup contingency plan will be put in place prior to work commencing at the Project site.
4. Be required to have appropriate containment and clean up plans on site throughout the course of work on the Project.
5. Submit contractor’s spill prevention, containment and cleanup contingency plans to the appropriate regulatory agencies for review prior to work commencing.
6. Comply with the operator’s Fuel Management and Dispensing Operating Procedure, which is part of the existing Deltaport Terminal Environmental Management Plan.
7. Conduct fuelling for road container trucks or employee vehicles off-site, away from the existing Deltaport Container Terminal at approved fuelling facilities.
8. The Owner will ensure that the contractor has a Waste Management Plan in place to ensure that all waste and deleterious materials generated by construction of the Project are appropriately contained in the immediate work area, collected, and appropriately disposed of in accordance with all applicable legislation, guidelines, and best management practices. The Owner will enforce procedures for collection and disposal of shipboard waste as a requirement of the Project. The Owner will ensure that the Terminal Operator’s waste management EMP is updated to include the Project and use the operator’s established environmental procedures for items used at the terminal.
9. The Owner and Terminal Operator will ensure that their contractors develop a health and safety plan for each component of contractor work prior to the start of construction. The health and safety plan would typically include:
   - Local emergency and project contact numbers;
   - Description and map of emergency routes; Safety equipment required;
   - List of site hazards and mitigation;
   - Potential waste generation and disposal methods; and
   - Outline emergency response procedures to be followed during construction in the health and safety plan. | Pre-construction, Construction, Operation | VPA, Terminal Operator | none | GVRD, COD, TFN, TransLink | Complete | Addressed as a component of each Contractor’s construction EMP. In addition, an independent Environmental Monitor was employed by the VFPA and/or TSI during the construction phases of this Project. The environmental monitoring reports were submitted to DFO, EC, CWS and MOE, amongst others during the course of construction work. |
10. The Owner and Terminal Operator will ensure that their contractors develop a Health and Safety Plan prior to working on site. To date, all have complied with this commitment, and the Port has received copies of the plans. This requirement will remain for all future Contractors/Consultants working on site. | Pre-construction, Construction, Operation | VPA, Terminal Operator | none | GVRD, COD, TFN, TransLink | Complete | The Port required each Contractor/Consultant to have a Health and Safety Plan prior to working on site. To date, all have complied with this commitment, and the Port has received copies of the plans. This requirement will remain for all future Contractors/Consultants working on site. |

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¹ Agencies currently working on the project:
- VPA: Vancouver Fraser Port Authority
- TSI: TransLink Safety Initiative
- COD: City of Delta
- DFO: Department of Fisheries and Oceans
- EC: Environment Canada
- CWS: Canadian Wildlife Service
- MOE: Ministry of Environment
- TFN: Tsawwassen First Nation
- DFI: Delta Fire Department

Prepared by the Vancouver Fraser Port Authority.
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<tr>
<td>27.7</td>
<td>The Owner and the Terminal Operator will enforce the following design, measures:</td>
<td>Pre-construction, Construction, Operation</td>
<td>VPA, Terminal Operator</td>
<td>none</td>
<td>GVRD, COD, TPN, TransLink</td>
<td>Complete</td>
<td>The Terminal Operator confirmed commitment to these design measures via email on February 12, 2007. The drainage installation has been completed. The storm drain outfalls located along the northern perimeter of Deltaport were temporarily re-routed to a new temporary perimeter drain and their flows passed through interceptors before discharge. They have been replaced with new storm outfalls. As-built drawings have been received and are currently under review.</td>
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**Miscellaneous Commitments and Assurances**

28.1 The Owner must ensure that if required by the EC Disposal at Sea Program staff, the Contractors have Disposal at Sea Program staff on site during sampling of any material proposed for disposal at sea; the Owner must provide the results of chemical analysis to the Program; the Program will then consult with the Regional Ocean Disposal Advisory Committee and if the results are acceptable, the Contractor may apply for a Disposal at Sea Permit under the direction of the Owner. | Pre-construction, Construction | VPA, Contractors | EC | COD, TPN | Complete | Under negotiation, Ocean Up Garbage Permit issued on January 2, 2007. |

28.2 Based on information available in the EAC Application ocean disposal of dredged material will be required. The Owner will be responsible for all required regulatory approvals pursuant to the Disposal at Sea Regulations (2001) under the Canadian Environmental Protection Act, 1999. | Pre-construction, Construction | VPA, Contractors | EC | COD, TPN | Complete | The initial Ocean Disposal Permit (#4543-2-03414) received from EC was dated January 2, 2007. An amendment to the Permit was received from EC on July 09, 2007 for a volume change not to exceed 690,000 cubic meters. A second amendment to the Permit was received from EC on December 03, 2007 for a change to the expiration of the Permit, from April 17, 2007 to April 16, 2008. A second Ocean Disposal Permit (#4543-2-03449), dated March 17, 2008, was received from EC for a volume of 20,000 cubic meters. Non-compliances with the Permits occurred in 2007 and 2008, including ocean disposal outside of the authorized disposal site and disposal in exceedance of the permit limit. VPA self-reported the non-compliances to EC and DFO immediately upon learning of the incidents and has been cooperating with EC to investigate the incidents. In addition, VPA implemented additional checks and balances to minimize the potential for non-compliances. These included requiring the contractor to provide daily reports on ocean disposal activities and requiring them to retain an independent marine surveyor during disposal activities. |

Notes:
1. (P) The ‘Owner’ is understood to mean the applicant for an environmental assessment certificate (Certificate) pursuant to BCEAA (i.e. Vancouver Port Authority - VPA) and to whom the Certificate may be issued. Any transfer of commitments and assurances in this Appendix E by the Owner to a selected third party, such as the current terminal operator (TSI Inc.), must comply with all conditions of the Certificate. A potential full transfer of the Certificate and its conditions to TSI, if contemplated - as the new ‘Owner’ - requires a name change for the holder of the Certificate and necessitates an Amendment to the Certificate. (Q) The Owner has also confirmed that their Summary of Potential Impacts and Mitigation Measures in Section 40 of the EAC Application, Table 20.1. The relevant commitments in Table 20.1 are superseded by the Appendices. (R) In accordance with the Certificate of Amalgamation issued under Part 5.1 of the Port Authorities Management Regulations pursuant to the Canada Marine Act and having an effective date of January 1, 2008, the Vancouver Fraser Port Authority is the successor to the Vancouver Port Authority, the Fraser River Port Authority and the North Fraser Port Authority. (S) Abbreviations of Approving and Advisory Agencies: Agency = Canadian Environmental Assessment Agency; ALC = Agriculture Land Commission; CCO = Corporation of Delta; CWS = Canadian Wildlife Service; DFO = Fisheries and Oceans Canada; EAO = BC Environmental Assessment Office; EC = Environment Canada; FPA = Fraser Harbor Authority; GVRD = Greater Vancouver Regional District; FPN = First Nations; HC = Health Canada; MAA = Ministry of Agriculture; MCO = Ministry of Commerce; MDE = Ministry of Environment; MED = Ministry of Transportation; NRCan = Natural Resources Canada; TPN = TransLink; TTP = Transportation of Dangerous Goods Act; TWE = Transport Canada (ColRegs). The Owner will observe. (T) Environment Act. (U) Regulations that govern marine transportation, including the Canada Shipping Act and Transportation of Dangerous Goods Act. (V) Canada Marine Act. (W) To comply with acts and regulations that govern marine transportation, including the Canada Shipping Act and Transportation of Dangerous Goods Act. (X) Canada Shipping Act. (Y) To comply with acts and regulations that govern marine transportation, including the Canada Shipping Act and Transportation of Dangerous Goods Act. (Z) Canada Shipping Act. (AA) To comply with acts and regulations that govern marine transportation, including the Canada Shipping Act and Transportation of Dangerous Goods Act. (AB) To comply with acts and regulations that govern marine transportation, including the Canada Shipping Act and Transportation of Dangerous Goods Act. (AC) To comply with acts and regulations that govern marine transportation, including the Canada Shipping Act and Transportation of Dangerous Goods Act. (AD) To comply with acts and regulations that govern marine transportation, including the Canada Shipping Act and Transportation of Dangerous Goods Act. 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<tr>
<td>17.</td>
<td>17. The VPA undertook a revision of the EAC Application Air Quality chapter, which was distributed to reviewers in December 2005.</td>
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<td>18.</td>
<td>18. Initiatives related to reducing air emissions are outlined in letter correspondence dated October 18, 2005 from Alisa Blencowe, VPA to Morris Meen, IC and Hugh McAllister, GVRD and letter correspondence dated September 30, 2005 from Jon Murphy, TSI to Jim Cox, VPA.</td>
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<td>19.</td>
<td>19. The International Convention for the Prevention of Pollution from Ships (MARPOL) is the main international convention of the International Maritime Organization (IMO) covering prevention of pollution of the marine environment by ships from operational or accidental causes. The SOx emission limits of Annex VI of MARPOL include a global cap of 0.1% on a mass basis of the sulphur content of fuel oil used on board ships and establishment of &quot;SOx Emission Control Areas&quot; (SECA's) where vessels must use fuel oil with a sulphur content of no more than 0.1% on a mass basis or fit an exhaust gas cleaning system or use any other technological method to limit SOx emissions to ≤ 0.2g/kWh (as SO2 mass). However, the EA process cannot fetter other national and international legislation and measures to introduce new SECA's.</td>
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<td>21.</td>
<td>21. Consisting of at least VPA, the Terminal Operator and selected contractors for the construction of the Project.</td>
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Acronym Definitions: AMS = Adaptive Management Strategy; BCRC = BC Rail Company; CD = chart datum; CEAA = Canadian Environmental Assessment Act; CLC = Community Liaison Committee; CMHA = Canada Mortgage & Housing Corporation; ColReg = International Regulations for the Prevention of Collision at Sea; CLP = Community Liaison Plan; DCLC = Deltaport Third Berth Community Liaison Committee; DCL = Deltaport Constructors Limited; DCL EMP = DCL Environmental Management Plan; DFI = Delta Farmers Institute; DFO = Department of Fisheries and Oceans; DPS = Deltaport Third Berth Project; EA = Environmental Assessment; EMP = Environmental Management Plan; ERP = Emergency Response Plan; EWP = Environmental Work Plan; FREMP = Fraser River Estuary Management Program; HGT = Hul'qumi'num Group Treaty; HOV = High Occupancy Vehicle; MARPOL = International Convention for the Prevention of Pollution from Ships; MBCA = Migratory Birds Convention Act; MBR = Migratory Birds Regulations; MV = Metro Vancouver; RTGs = Rubber Tired Gantry Crane; SARA = Species at Risk Act; TDG = Transportation of Dangerous Goods; TSI = Terminal Systems Inc.