



APPENDIX A  
ANNUAL COMPLIANCE REPORT  
CONDITION REQUIREMENTS  
CONDITION 10.0





## **10.0 Implementation Schedule**

*10.1 The Proponent shall submit an implementation schedule for conditions contained within this Decision Statement to the Agency, or anyone designated pursuant to s. 89 of CEEA 2012, 15 days prior to construction.*

Status: Complete

Supporting Analysis: This condition was completed on February 3, 2015.

*10.2 The Proponent shall submit an update to this implementation schedule in writing to the Agency, or anyone designated pursuant to s. 89 of CEEA 2012, every two years on March 31, starting the year following the date of the initial submission of the implementation schedule until completion of the activities.*

Status: Ongoing

Supporting Analysis:

An updated Implementation Schedule was provided to CEEA on September 8, 2017. The schedule contained the following revisions for 2017;

- 2017-09-06, condition 2.2 revised timing to all phases, consultation manner confirmed first but changes to consultation manner may occur, based on feedback from Aboriginal Groups
- 2017-09-06, condition 3.2.4 revise timing to operations to reflect the change in timing of wetland construction
- 2017-09-06, various, changed tense for conditions completed during the construction phase e.g., 3.2.5, 3.4, 3.5, 3.7
- 2017-09-06, condition 3.6 extend timing to include all project phases when pumping from fish bearing waters may occur
- 2017-09-06, condition 3.8.4 extend timing to include all project phases when rock is handled
- 2017-09-06, condition 8.5.2 changed rationale to tie condition timing to construction timing
- 2017-09-06, condition 5.5, 6.6 and 7.1.4 updated timing to reflect completed date – no change in timing occurring throughout all project phases

A copy of the 2017 Implementation Schedule can be found in the Supporting Documentation for Appendix A.

*10.3 The Proponent shall provide the Agency, or anyone designated pursuant to s. 89 of CEAA 2012, with notice of any implementation schedule changes from the initial schedule or any subsequent updates 30 days prior to the implementation of the change.*

Status: Ongoing

Supporting Analysis:

An updated Implementation Schedule was provided to CEAA on September 8, 2017. Condition 10.2 outlines the changes.

### **Supporting Documentation**

Condition 10.2 – 2017 Implementation Schedule Version 3 (September 2017)

**RAINY RIVER PROJECT  
FEDERAL ENVIRONMENTAL ASSESSMENT  
IMPLEMENTATION SCHEDULE FOR CONDITIONS IN DECISION STATEMENT, VERSION 3, SEPTEMBER 2017**

	<b>CONDITION</b>	<b>TIMING (as applicable)</b>	<b>TIMING RATIONALE</b>
<b>1.</b>	<b>Definitions</b>		
<b>2.</b>	<b>General Conditions</b>		
2.1	The Proponent shall, throughout all phases of the Designated Project, inform its actions in meeting the conditions set in this Decision Statement by the best available information and knowledge, based on validated methods and models, undertaken by qualified individuals and apply the best available economically and technologically feasible mitigation measures.	Construction, Operations, Post- operations	General condition referencing all project phases.
2.2	Where consultation is a requirement of the conditions set out in this Decision Statement, the Proponent shall first consult Aboriginal groups on the most appropriate manner in which to engage in consultation with them.	December 31, 2015, Construction, Operations, Post- operations	Aboriginal consultation plan developed Feb 2015, New Gold will continue to tailor consultation going forward based on feedback from Aboriginal Groups
2.3	The Proponent shall submit to the Agency an annual report on the implementation of the conditions set out in this Decision Statement with a supporting analysis for each of the conditions for the preceding calendar year on or before March 31, starting from the commencement of any activities in connection with the carrying out of the Designated Project. Each annual report shall describe how the Proponent has considered and incorporated the factors outlined in Condition 2.1 in the implementation of the conditions set out in this Decision Statement.	March 31, 2016 and annually going forward	Timing set by condition.
2.4	The Proponent shall, in consideration of the annual report for Condition 2.3, provide documentation to the Agency indicating the results of any monitoring for Conditions 3.8, 4.6, 5.2, 5.3, 5.4, 6.4, and 8.4. The documentation shall demonstrate whether the mitigation measures have proven effective and whether the predictions made during the environmental assessment were accurate. The documentation shall also detail any corrective actions taken by the Proponent should the mitigation measures prove not to be effective.	March 31, 2016 and annually going forward	Timing set by condition.
2.5	The Proponent shall make the report and documentation referred to in Conditions 2.3 and 2.4 available on its website no later than 30 days after submission to the Agency.	Within 30 days of submission to Agency	Timing set by condition.

	<b>CONDITION</b>	<b>TIMING (as applicable)</b>	<b>TIMING RATIONALE</b>
<b>3.</b>	<b>Fish and Fish Habitat</b>		
3.1	The Proponent shall minimize changes caused by the Designated Project to water levels and water flows in the Pinewood River, the Minor Creek System, and the Modified Minor Creek System in such a way as to protect fish and fish habitat, by implementing mitigation measures including, but not limited to:		
3.1.1	Recycling of water, for ore processing, from the tailings management area and ponds constructed for water management;	Primarily during operations	Processing occurs during commissioning late in the construction phase, and during operations.
3.1.2	Optimizing the timing, position and quantity of final effluent discharge between the final effluent discharge points;	Construction, Operations, Post-operations	Effluent discharge occurs primarily during operations. Effluent discharge (timing and quantity) will be managed as needed, to minimize effects.
3.1.3	Filling the open pit during the decommissioning and abandonment phases in a manner which meets the flow requirements in the Pinewood River while allowing the pit to be filled as expeditiously as possible to reduce any adverse environmental effects; and	Post-operations	NG has committed to this approach once approvals are obtained in order to minimize long term effects.
3.1.4	not taking water from the Pinewood River when flows are below the minimum threshold set by Ontario.	Construction, Operations, Post-operations	NG has committed to not taking water during any project phase when flows are below the minimum threshold set by Ontario.
3.2	The Proponent shall, for all effluent, comply with the Metal Mining Effluent Regulations, the Fisheries Act and any site-specific water quality requirements set by Ontario. To ensure compliance, the Proponent shall implement, at a minimum, the following mitigation measures:		
3.2.1	Treat effluent prior to discharge to the environment;	Construction, Operations, Post-operations (if/as needed)	NG has committed to treating water as needed to meet requirements for all Project phases.

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	<b>CONDITION</b>	<b>TIMING (as applicable)</b>	<b>TIMING RATIONALE</b>
3.2.2	Treat tailings slurry to break down cyanide and precipitate heavy metals;	Primarily during operations	Tailings are produced during processing which will occur during plant commissioning (late in the construction phase), and during operations. Tailings will be treated during these periods.
3.2.3	Collect site contact water and seepage in ditches and divert to either the tailings management area or water management facilities for release via final discharge points;	Construction, Operations, Post-operations (active decommissioning)	Site contact water and seepage will be managed and monitored through designated discharge points per regulatory requirements.
3.2.4	Install and operate a water quality control structure in the constructed wetland to prevent the release of final effluent discharge not compliant with the Regulations or requirements; and	Operations	Constructed wetland construction timing revised to during operations
3.2.5	Install secondary containment on pipelines that cross the West Creek Diversion Channel to prevent accidental discharge of effluent.	Construction	Installed during construction phase and maintain during operations phase.
3.3	The Proponent shall control acid rock drainage and metal leaching so that all effluent and passive outflow from the Project Site comply with the Metal Mining Effluent Regulations, any site-specific water quality requirements set by Ontario, and the <i>Fisheries Act</i> , as applicable at any time. To ensure compliance, the Proponent shall implement, at a minimum, the following mitigation measures:		
3.3.1	Line the former Clark Creek channel (under the east mine rock stockpile) with non-potentially acid generating material;	Construction, Operations	Install during the construction and operations phases as the east mine rock stockpile is developed.
3.3.2	Sort waste rock into potentially acid generating and non-potentially acid generating rock stockpiles through the development and implementation of a detailed mine rock segregation program using criteria for determining potentially acid generating material set by Ontario;	Construction, Operations	Sorting will occur during the development mining (construction phase) and production mining (operation phase).

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	<b>CONDITION</b>	<b>TIMING (as applicable)</b>	<b>TIMING RATIONALE</b>
3.3.3	Design and construct the perimeter ditching around the east mine rock stockpile and low grade ore stockpile to accommodate a 100-year flood event;	Construction, Operations	Ditching to be initiated during the construction phase and will expand as necessary during operations phases as the stockpiles are developed.
3.3.4	Use potentially acid generating material only for the purpose of constructing the tailing management dam, where saturated conditions can be maintained. Potentially acid generating material must not be used for any other construction purpose;	Construction, Operations	TMA construction will occur during the construction and operations phases.
3.3.5	Place an engineered cover over the east mine rock stockpile and any remaining ore stockpiles at or before the decommissioning phase. The cover should be designed to prevent infiltration of water and to limit infiltration of air during the decommissioning and abandonment phases;	Operations, Post-operations (active decommissioning)	Cover has been designed accordingly. Cover will be placed sequentially during operations and will be completed by end of active decommissioning phase.
3.3.6	Cover the tailings with water and maintain the tailings in a perpetually saturated state during the decommissioning and abandonment phases;	Post-operations	Tailings will be maintained in a permanent state of saturation after operations cease.
3.3.7	Fill the open pit, in accordance with Condition 3.1.3 and 3.1.4, as rapidly as practicable during the decommissioning and abandonment phases, using all available means, including directing drainage from the east mine rock stockpile into the pit; and	Post-operations (after mining ceases and flooding is initiated)	NG has committed to directing drainage to the open pit once approvals are obtained in order to minimize long term effects.
3.3.8	Control water quality in the open pit lake during the abandonment phase.	Post-operations (after mining ceases and flooding is initiated)	NG has committed to monitoring and managing open pit water quality in order to minimize long term effects.
3.4	The Proponent shall design and construct new road watercourse crossings for the realignment of Highway 600 to allow for fish passage in accordance with the Environmental Guide for Fish and Fish Habitat.	Construction	Completed during construction in accordance with the requirements of approvals.
3.5	The Proponent shall design and construct new road watercourse crossings for the realignment of Highway 600 to meet the Highway Drainage Design Standards of the Ministry of Transportation of Ontario.	Construction	Completed during construction in accordance with the requirements of approvals.

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	<b>CONDITION</b>	<b>TIMING (as applicable)</b>	<b>TIMING RATIONALE</b>
3.6	The Proponent shall design and construct water intakes meeting standards set out in the Freshwater Intake End-of-Pipe Fish Screen Guideline of the Department of Fisheries and Oceans Canada.	Construction, operations, Post-operations	Fish screens used, whenever pumping occurs in fish bearing waters
3.7	The Proponent shall both offset any residual serious harm to fish in accordance with subsection 35(2) of the <i>Fisheries Act</i> and associated regulations, and compensate for the loss of fish habitat resulting from the deposition of a deleterious substance into a tailings impoundment area in accordance with the Metal Mining Effluent Regulations, by recreating fish habitat in the West Creek Diversion Channel, West Creek Pond, Stockpile Pond Diversion Channel, Stockpile Pond, Clark Creek Diversion Channel, Clark Creek Pond, and Teeple Road Pond.	Construction	Completed initial compensation construction in accordance with the requirements of approvals during the construction phase.
3.8	The Proponent shall monitor water quality and quantity, and fish and fish habitat, to determine the effectiveness of the mitigation measures under Conditions 3.1, 3.2, 3.3 and 3.7. In doing so, the Proponent shall monitor, at a minimum:		
3.8.1	Water levels and flows, with respect to minimum flow thresholds for the Pinewood River set by Ontario, during periods of water taking as authorized pursuant to the <i>Ontario Water Resources Act</i> ;	Construction, Operations, Post-operations (potential for pit flooding)	Monitoring will occur during all water takings in accordance with approvals.
3.8.2	Effluent quality as per the requirements set out in the Metal Mining Effluent Regulations;	Construction, Operations, Post-operations	Monitoring will occur during all water discharges in accordance with approvals, including the MMER that applies to all project phases.
3.8.3	The effectiveness of recreated fish habitat. The monitoring shall be designed in accordance with any authorizations pursuant to subsection 35(2) of the <i>Fisheries Act</i> and associated regulations and/or the Metal Mining Effluent Regulations;	Construction, Operations	Monitoring will occur of effectiveness of compensation habitat in accordance with approved plans and approvals
3.8.4	The effectiveness of the potentially acid generating and non-potentially acid generating rock segregation program through ongoing geochemical verification of the waste rock during any period that waste rock is generated;	Construction, Operations and post operations	Rock segregation occurs during handling, construction, operations and post operations.

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	<b>CONDITION</b>	<b>TIMING (as applicable)</b>	<b>TIMING RATIONALE</b>
3.8.5	Water quality in the open pit, pursuant to any requirements set by Ontario in the Mine Closure Plan for the Designated Project; and	Post-operations (until pit is flooded and water quality meets approval requirements)	NG has committed to monitoring and managing open pit water quality in order to minimize long term effects.
3.8.6	The maintenance of a perpetually saturated state of the tailings, for 25 years from the start of the decommissioning phase of the Designated Project.	25 years post-operations	Tailings will be maintained in a permanent state of saturation after operations cease. Monitoring will occur for 25 years at a minimum.
<b>4.</b>	<b>Migratory Birds</b>		
4.1	The Proponent shall carry out all phases of the Designated Project in a manner that avoids harming or killing migratory birds, or disturbing, destroying or the taking of nests or eggs, with consideration of guidance provided in:		
4.1.1	Environment Canada's policy on Incidental Take of Migratory Birds in Canada; and	Construction, Operations, Post-operations	Applies to all project phases.
4.1.2	Environment Canada's avoidance guidelines on General Nesting Periods of Migratory Birds in Canada.	Construction, Operations, Post-operations	Applies to all project phases. The majority of clearing is anticipated to occur during the construction phase.
4.2	The Proponent shall, at all times, implement noise reduction measures to control sound levels from machinery to avoid harassing migratory birds.	Construction, Operations, Post-operations (active decommissioning)	Applies to all phases where extensive heavy equipment in use.
4.3	The Proponent shall install and use site lighting fixtures in a manner that reduces light pollution in the surrounding environment to avoid disturbance to nocturnal species, such as the Common Nighthawk ( <i>Chordeiles minor</i> ).	Construction, Operations, Post-operations (active decommissioning)	Applies to all phases where extensive lighting is in use.

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	<b>CONDITION</b>	<b>TIMING (as applicable)</b>	<b>TIMING RATIONALE</b>
4.4	The Proponent shall deter migratory birds from using the tailings management area.	As applicable	NG will deter migratory birds from using the tailings management area at any time where water quality within the area is anticipated to be of concern. Modelling does not indicate a concern during construction, operations or post-operations at this time.
4.5	The Proponent shall provide comparable replacement artificial nesting structures for Barn Swallows ( <i>Hirundo rustica</i> ) prior to the removal of existing nesting structures.	Prior to nest removal (Construction, Operations)	NG will provide replacement structures in advance of nests being removed.
4.6	The Proponent shall monitor migratory birds, breeding activity and mortality, to evaluate the effectiveness of mitigation measures under Conditions 4.1 to 4.3. If monitoring demonstrates an inconsistency with those conditions, then document how this has been rectified. Monitoring starts at construction and ceases at the end of the decommissioning phase.	Construction, Operations, Post-operations (active decommissioning)	Timing set by condition.
4.7	The Proponent shall monitor use of the tailings management area by migratory birds under Condition 4.4 from the start of the operations phase to the end of the decommissioning phase.	Operations, Post-operations (active decommissioning)	Timing set by condition.
4.8	The Proponent shall monitor the effectiveness of the artificial nesting structures created for Barn Swallows ( <i>Hirundo rustica</i> ).	Construction, Operations	NG will monitor and report on use of replacement structures in accordance with Wildlife Monitoring Plan. Nesting structures to be fully functional by early operations at the latest.
<b>5.</b>	<b>Health of Aboriginal Peoples</b>		
5.1	The Proponent shall, during the construction, operations, and decommissioning phases of the Designated Project, control exceedances of the Canadian Ambient Air Quality Standards and meet air quality requirements established by Ontario at the nearest human receptor by:	Construction, Operations, Post-operations (active decommissioning)	Timing set by condition
5.1.1	Implementing fugitive dust best management practices;		

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	CONDITION	TIMING (as applicable)	TIMING RATIONALE
5.1.2	Maintaining site roadways to control silt loading;		
5.1.3	Using water sprays at the crusher and at active stockpiles;		
5.1.4	Using dust control equipment;		
5.1.5	Using low-sulphur diesel equipment and using pollution control equipment on mobile heavy equipment and meeting the Canadian Environmental Protection Act for the emissions from this equipment and vehicles; and		
5.1.6	Revegetating disturbed areas in a manner that minimizes all exposed dust sources.		
5.2	The Proponent shall monitor air quality to evaluate the effectiveness of mitigation measures under Condition 5.1. Monitoring starts with construction and ceases at the commencement of the decommissioning phase.	Construction, Operations	Timing set by condition.
5.2.1	The Proponent shall alert the Aboriginal groups in cases of exceedances of the Canadian Ambient Air Quality Standards and air quality requirements established by Ontario at the nearest human receptor.		
5.3	The Proponent shall monitor wells located within the open pit dewatering zone of influence, used by Aboriginal groups for drinking water, for water quality and quantity. Monitoring starts with construction and ceases after the first 10 years of the decommissioning phase.	Construction, Operations, Post-operations (10 years)	Timing set by condition.
5.3.1	The Proponent shall alert Aboriginal groups who use wells located within the open pit dewatering zone of influence for drinking water in cases of exceedance of water quality standards established by Ontario. The Proponent shall alert these Aboriginal groups as soon as possible once any exceedance is detected.		
5.4	The Proponent shall monitor key contaminants, including mercury, arsenic, cadmium and lead, for their concentrations in Northern Pike ( <i>Esox lucius</i> ) and Walleye ( <i>Sander vitreus</i> ) in the Pinewood River. Monitoring starts with construction and ceases 10 years after the start of the decommissioning phase.	Operations, Post-operations (10 years)	Timing set by condition
5.4.1	The Proponent shall alert the Aboriginal groups in cases of exceedance of provincial, federal or international health-based criteria. The Proponent shall alert these Aboriginal groups as soon as possible once any exceedance is detected.		
5.5	The proponent shall consult with the Aboriginal groups on the implementation of Conditions 5.2, 5.3 and 5.4.	Construction, Operations, Post-operations	Implementation during all phases.
<b>6.</b>	<b>Current use of Lands and Resources for Traditional Purposes</b>		

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	<b>CONDITION</b>	<b>TIMING (as applicable)</b>	<b>TIMING RATIONALE</b>
6.1	The Proponent shall provide access to private lands to Aboriginal groups for their current use of land, including hunting and plant harvesting.	Construction, Operations, Post-operations	Applies to all project phases.
6.2	The Proponent shall avoid use of herbicides along the transmission line corridor unless required to prevent fire hazards. The Proponent shall minimize the removal of non-woody vegetation within the transmission line corridor.	Construction, Operations	Vegetation management only required for construction and operations phases.
6.3	The Proponent shall, throughout all phases of the Designated Project, undertake progressive habitat restoration as per any requirements set by Ontario in the Mine Closure Plan for the Designated Project. Habitat restoration shall include:	Construction, Operations	Applies to habitat restoration including progressive reclamation during late construction phase and through operations phase.
6.3.1	A consideration of habitat types that support a diversity of wildlife species and traditional uses by Aboriginal peoples, including ungulates and furbearers, as well as native plant species previously collected at the Project Site for food and medicinal purposes; and	Construction, Operations, Post-operations	Applies to habitat restoration including both progressive and final reclamation.
6.3.2	Separating and stockpiling removed organic rich material during construction of open pit and during tailings dam stripping) for use to support revegetation and other reclamation activities.	Construction, Operations	Materials will be separated and stockpiled during TMA and pit (to be developed during construction and operations phases).
6.4	The Proponent shall monitor habitat restoration to verify the success of revegetation efforts. Monitoring starts with construction and ends once habitat has been restored and proven effective.	Construction, Operations, Post-operations	Monitoring of habitat restoration will be primarily post-operations after final reclamation is complete; will be conducted in accordance with the Closure Plan and Wildlife Monitoring Plan.
6.5	The Proponent shall restore access to the Project Site for the Aboriginal groups during the decommissioning phase, to the extent that such access is safe, for their traditional purposes.	Post-operations	Timing set by condition.
6.6	The proponent shall consult with the Aboriginal groups on the implementation of Conditions 6.1, 6.4 and 6.5.	Construction, Operations, Post-operations	Implementation during all phases consistent with Aboriginal Consultation Plan, February 2015 or as amended

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	CONDITION	TIMING (as applicable)	TIMING RATIONALE
<b>7.</b>	<b>Aboriginal Archaeological, Heritage and Cultural Resources</b>		
7.1	The Proponent shall, for all phases of the Designated Project:		
7.1.1	Avoid known culturally significant sites;	Construction, Operations, Post-operations	During all project phases.
7.1.2	Assess additional culturally significant sites, if discovered;	Construction, Operations, Post-operations	During all project phases.
7.1.3	Establish a procedure for Aboriginal groups to safely access the Project Site for cultural and ceremonial purposes;	Construction, Operations, Post-operations	Procedure established February 2015 and ongoing through all phases as safe.
7.1.4	Preserve any discovered burial sites;	Construction, Operations, Post-operations	During all project phases.
7.1.5	Salvage and preserve any artifacts that cannot be maintained in-situ; and	Construction, Operations, Post-operations	During all project phases.
7.1.6	Transfer artifacts in Condition 7.1.5 to a facility identified by Aboriginal groups, in consultation with the Ontario Ministry of Tourism, Culture and Sport.	Construction, Operations, Post-operations	During all project phases.
7.2	The proponent shall consult with the Aboriginal groups on the implementation of Condition 7.1.	Construction, Operations	Project footprint will reach its maximum during the operations phase.
<b>8.</b>	<b>Effects that may be related to Federal Authorizations</b>		
8.1	The proponent shall, in implementing Condition 3.7, take measures to avoid or lessen adverse effects:	Construction	Completed compensation construction in accordance with the requirements of approvals during the construction phase.
8.1.1	On migratory birds and their habitats;		
8.1.2	On terrestrial species, including amphibians and reptiles, and their habitats;		
8.1.3	On species at risk and their habitats;		
8.1.4	On current use of lands and resources for traditional purposes by Aboriginal peoples;		
8.1.5	On sites of cultural significance to Aboriginal peoples; and		

	<b>CONDITION</b>	<b>TIMING (as applicable)</b>	<b>TIMING RATIONALE</b>
8.1.6	From potential sources of contamination (e.g., mercury, arsenic, cadmium and lead).		
8.2	The Proponent shall, in implementing Condition 6.3, take into consideration the habitat needs of species at risk consistent with final recovery strategies or action plans, or alternatively, rely on best available information where recovery plans or action plans for the species are not yet completed for the species at risk.	Construction, Operations, Post-operations (active decommissioning)	During all project phases.
8.3	The Proponent shall provide about 1,400 hectares of private land as habitat for Eastern Whip-poor-will ( <i>Antrastomus vociferous</i> ) and Bobolink ( <i>Dolichonyx oryzivorus</i> ).	Construction	Completed
8.4	The Proponent shall monitor the effectiveness of the habitat in Condition 8.3.	Construction, Operations	Assessment of habitat effectiveness to be completed in accordance with the Wildlife Monitoring Plan.
8.5	The Proponent shall:		
8.5.1	Maintain a fence around the tailings management area to prevent access by wildlife; and	Construction, Operations, Post-operations (active decommissioning)	No longer required once tailings management area is reclaimed.
8.5.2	Implement measures to prevent Snapping Turtles ( <i>Chelydra serpentina</i> ) from entering the following components of the Designated Project:	Construction, Operations, Post-operations (active decommissioning)	Based on timing of construction of project component e.g., sediment ponds not constructed until operations phase. No longer required once project area is reclaimed.
8.5.2.1	Tailings management area;		
8.5.2.2	Water management pond;		
8.5.2.3	Water discharge pond;		
8.5.2.4	Constructed wetland;		
8.5.2.5	Overburden pile;		
8.5.2.6	West mine rock pile; and		
8.5.2.7	Sediment ponds 1 and 2.		
<b>9.</b>	<b>Accidents or Malfunctions</b>		
9.1	In the event of an accident or malfunction with the potential to cause adverse environmental effects, the Proponent shall:		

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	CONDITION	TIMING (as applicable)	TIMING RATIONALE
9.1.1	Notify the Agency and other relevant regulatory agencies of the occurrence as soon as possible;	Construction, Operations, Post-operations	Applies to all project phases.
9.1.2	Implement measures to minimize any adverse environmental effects associated with the occurrence as soon as possible; and	Construction, Operations, Post-operations	Applies to all project phases.
9.1.3	Submit a written report to the Agency as soon as possible in the circumstances, but at the latest 30 days after the day on which the accident or malfunction took place; the written report must include:	Construction, Operations, Post-operations; within 30 days of incident	Applies to all project phases.
9.1.3.1	The measures that were taken to mitigate the effects of the occurrence;		
9.1.3.2	If an emergency response plan was implemented, details concerning its implementation; and		
9.1.3.3	Changes made to avoid a subsequent occurrence of the accident or malfunction.		
<b>10.</b>	<b>Implementation Schedule</b>		
10.1	The Proponent shall submit an implementation schedule for conditions contained within this Decision Statement to the Agency, or anyone designated pursuant to s. 89 of CEAA 2012, 15 days prior to construction.	15 days prior to construction	Timing set by condition.
10.2	The Proponent shall submit an update to this implementation schedule in writing to the Agency, or anyone designated pursuant to s. 89 of CEAA 2012, every two years on March 31, starting the year following the date of the initial submission of the implementation schedule until completion of the activities.	Every two years starting March 31, 2016	Timing set by condition.
10.3	The Proponent shall provide the Agency, or anyone designated pursuant to s. 89 of CEAA 2012, with notice of any implementation schedule changes from the initial schedule or any subsequent updates 30 days prior to the implementation of the change.	30 days prior to implementation	Timing set by condition.



	<b>CONDITION</b>	<b>TIMING (as applicable)</b>	<b>TIMING RATIONALE</b>
<b>11.</b>	<b>Record Keeping</b>		
11.1	The Proponent shall record, retain and make available to the Agency, or anyone designated pursuant to s. 89 of CEEA 2012, upon demand, at a facility close to the Designated Project area (local facility), information related to the implementation of the conditions of this Decision Statement, including:	Construction, Operations, Post-operations	Applies to all monitoring starting from construction
11.1.1	The results of all monitoring, including:		
11.1.2	The place, date and time of any sampling;		
11.1.3	The dates and the analyses that were performed;		
11.1.4	The analytical techniques, methods or procedures used in the analyses;		
11.1.5	The names of the persons who collected and analyzed each sample and documentation of any professional certifications relevant to the work performed that they might possess; and		
11.1.6	The results of the analyses.		
11.2	The proponent shall retain and make available upon demand to the Agency, or anyone designated pursuant to s. 89 of CEEA 2012, the information contained in Condition 11.1 for a minimum of twenty-five years or until decommission ends, whichever is longer, unless otherwise specified, at a facility close to the Designated Project area (or at a location within Canada and agreed upon by the Agency, should the local facility no longer be maintained).	Construction, Operations, Post-operations	Timing set by Condition 11.1.

**Revision history**

- 2017-09-06, condition 2.2 revised timing to all phases, consultation manner confirmed first but changes to consultation manner may occur, based on feedback from Aboriginal Groups
- 2017-09-06, condition 3.2.4 revise timing to operations to reflect the change in timing of wetland construction
- 2017-09-06, various, changed tense for conditions completed during the construction phase e.g., 3.2.5, 3.4, 3.5, 3.7
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