

**IN THE MATTER OF
THE ENVIRONMENTAL ASSESSMENT ACT, S.B.C. 2002, c. 43 (THE ACT)**

AND

**IN THE MATTER OF
AN APPLICATION FOR AN ENVIRONMENTAL ASSESSMENT CERTIFICATE
BY
THE VANCOUVER CONVENTION CENTRE EXPANSION PROJECT LTD.
(VCCEP Ltd.)**

FOR THE

VANCOUVER CONVENTION CENTRE EXPANSION PROJECT (THE PROJECT)

ENVIRONMENTAL ASSESSMENT CERTIFICATE W04-04

Whereas,

- A. The Project comprises an approximately 34,000 m² addition of function space to the existing convention and exhibition facilities at Canada Place in Vancouver. The new facility, interconnected to the existing Canada Place facility, is to be located at the waterfront along the eastern perimeter of Coal Harbour and to the west of the existing cruise ship berth. VCCEP Ltd. is a corporation incorporated by the Province of British Columbia for the sole purpose of designing, constructing and commissioning the Project;
- B. The Project is a reviewable shoreline modification project under Table 9 of the Reviewable Projects Regulation;
- C. On February 26, 2003, the delegate of the Executive Director of the Environmental Assessment Office, under section 10(1)(c) of the Act, ordered that an environmental assessment certificate is required for the Project, and that VCCEP Ltd. may not proceed with the Project without an assessment;
- D. On January 29, 2004, the delegate of the Executive Director accepted for review the Application filed by VCCEP Ltd. for an environmental assessment certificate (the Certificate) for the Project, and established a public comment period for the Application;
- E. On January 29, 2004, the delegate of the Executive Director determined that the notification and consultation measures undertaken and proposed by VCCEP Ltd. for both the public and First Nations were adequate;

- F. The Application was reviewed by the public and by representatives from federal, provincial and local government agencies and made available to the Squamish Nation, the Tsleil-Waututh Nation, the Musqueam Indian Band and the Sto:Lo Nation;
- G. The documentation and correspondence listed in Schedule A, in particular, the "Owners Commitments and Assurances", dated July 12, 2004, includes acceptable commitments made by VCCEP Ltd. during the environmental assessment of the Project, and is subject to Condition 1 of this Certificate;
- H. The delegate of the Executive Director reported on the potential effects of the Project in a report entitled the "Vancouver Convention Centre Expansion Project Assessment Report" (the Assessment Report);
- I. The Executive Director has referred the Application, the Assessment Report, and Recommendations of the Executive Director and Reasons for Recommendations pursuant to s.17 of the Act, to the Minister of Sustainable Resource Management (the Minister), the Minister of Community, Aboriginal and Women's Services (the Responsible Minister), and the Minister of Water, Land and Air Protection (hereafter the Ministers); and,
- J. The Ministers have considered the Application, the Assessment Report, and the Recommendations of the Executive Director and Reasons for Recommendations.

Now Therefore,

The Ministers, pursuant to s.17(3) of the Act, hereby issue this Certificate to VCCEP Ltd. subject to the following conditions (the Conditions):

Conditions

- 1. VCCEP Ltd. must cause the Project to be designed, located, constructed, and operated in accordance with the Conditions of this Certificate and the documents and correspondence listed in Schedule A, and VCCEP Ltd. must comply with all of the Conditions of this Certificate to the reasonable satisfaction of the Minister.
- 2. Where, in the reasonable opinion of the Minister, there is a conflict or inconsistency between any of the documents listed in Schedule A, Condition 1 must be interpreted so that the contents of the later dated document will vary, repeal, rescind or supersede, as the case may be, the contents of earlier dated documents listed in Schedule A.
- 3. Where, in the reasonable opinion of the Minister, there is a conflict or inconsistency between any of the documents listed in Schedule A and the Conditions which follow, these Conditions must take precedence over and supersede the contents of the documents listed in Schedule A.

4. Despite Condition 1 above, if prior to the start of construction of the Project and as described in the documents listed in Schedule A, VCCEP Ltd. proposes a material change to the design, location, construction or operation of the Project and the change may in the opinion of the Executive Director have the potential for significant adverse effects, VCCEP Ltd. must then provide to the Executive Director:
 - a) an application in writing to amend the Certificate pursuant to s.19(1) of the Act; and,
 - b) plans, analysis, records and other information necessary for an effective assessment by the Executive Director of the potential impacts of the proposed change.
5. VCCEP Ltd. must submit to the Executive Director reports on the status of compliance with the Conditions of this Certificate, and the commitments cited in Schedule A, at the following points in the Project's development:
 - a) one month prior to start of construction of the Project; and
 - b) thereafter, annually until one month after the Project is fully operational.
6. This Certificate is of no force or effect until signed by the Ministers.
7. This Certificate does not constitute a permit, licence, approval or any other authority required under any other enactment.
8. VCCEP Ltd. must obtain the written consent of the Minister, such consent not to be unreasonably withheld, prior to disposing, whether legally, beneficially or otherwise, of:
 - a) this Certificate, or any right, title or interest conferred by this Certificate; or,
 - b) the Project.

Duration of Certificate

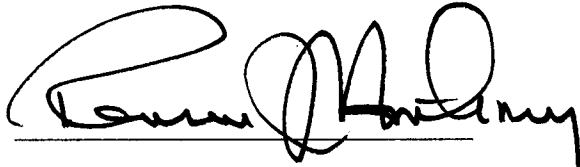
9. VCCEP Ltd. must have, in the reasonable opinion of the Minister, substantially started the construction of the Project within five years of the date of issue of this Certificate, if not this Certificate expires.

Suspension, Cancellation and Amendment of Certificate

10. This Certificate may be subject to cancellation, suspension in whole or in part, amendments, or the attachment of new Conditions, for any of the following reasons:
 - a) the Minister has reasonable and probable grounds to believe that VCCEP Ltd. is in default of:
 - i. an order of the Courts under section 35(2), 45 or 47 of the Act;
 - ii. an order of the Minister made under section 34 or 36 of the Act; or,
 - iii. one or more requirements or Conditions of this Certificate or
 - b) VCCEP Ltd. or its officers or employees when acting on behalf of VCCEP Ltd., have been convicted of an offence under the Act, with respect to the Project.

The Conditions of this Certificate are agreed to by VCCEP Ltd. this

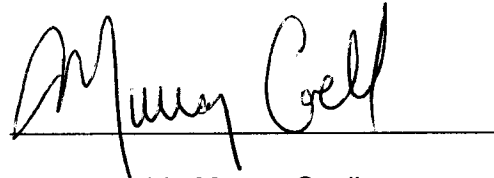
13th day of July, 2004




Mr. Russell J. Anthony
President and CEO
Vancouver Convention Centre Expansion Project Ltd.



Honourable George Abbott
Minister of Sustainable Resource
Management



Honourable Murray Coell
Minister of Community, Aboriginal
and Women's Services



Honourable Bill Barisoff
Minister of Water, Land and Air Protection

Issued this 28th day of July, 2004, in Victoria, British Columbia.

SCHEDULE A

DOCUMENTATION AND CORRESPONDENCE FOR THE VANCOUVER CONVENTION CENTRE EXPANSION PROJECT (VCCEP)

January 19, 2004	Vancouver Convention Centre Expansion Project (VCCEP): Application for an Environmental Assessment Certificate (EAC), Volume 1 and Appendices Volume 2.
March 18, 2004	Email from Jeff Matheson, EBA Engineering Consultants Ltd. (EBA) to Jan E. Hagen, Environmental Assessment Office (EAO), enclosing the Final Minutes with attachments from the Proponent's March 8, 2004 meeting to review VCCEP noise and vibration issues.
March 19, 2004	Letter from David Walker, Vancouver Convention Centre Expansion Project Ltd. (VCCEP Ltd.) to Jan E. Hagen (EAO), with a response to the Ministry of Small Business and Economic Development's March 1, 2004 comments on the EAC Application (Application).
April 13, 2004	Email from Richard Sims (EBA) to Jan E. Hagen (EAO), with a response from VCCEP Ltd. to the March 25, 2004 comments from Federal Agencies on the Application.
April 13, 2004	Email from Richard Sims (EBA) to Jan E. Hagen (EAO), with a response from VCCEP Ltd. to the City of Vancouver's March 26, 2004 comments on the Application.
April 13, 2004	Email from Richard Sims (EBA) to Jan E. Hagen (EAO), with a response from VCCEP Ltd. to the Vancouver Coastal Health Authority's March 31, 2004 comments on the Application.
April 29, 2004	Email from Rick Hoos (EBA) to Karie Hardie (EAO), enclosing a PDF file illustrating the fish habitat compensation plan and a second file illustrating changes to the plan included in the Application.
May 12, 2004	Email correspondence from Richard Sims (EBA) to Karie Hardie (EAO), enclosing the following document: <ul style="list-style-type: none">• Synopsis for the EAO: VCCEP Test Densification and Pile Driving Program, dated May 12, 2004.

May 18, 2004	Letter from David Walker (VCCEP Ltd.) to Jan E. Hagen (EAO), regarding public and First Nations consultation activities conducted since the submission of the Application.
May 31, 2004	Email from Richard Sims (EBA) to Karie Hardie (EAO), regarding the VCCEP sustainability goals established by the Project's Sustainability Advisory Committee.
June 14, 2004	Email from Richard Sims (EBA) to Jan E. Hagen (EAO), enclosing the VCCEP Summary Project Schedule dated June 10, 2004.
June 15, 2004	Email from Richard Sims (EBA) to Jan E. Hagen (EAO), enclosing a copy of the submission to Dave Carter, Fisheries and Oceans Canada (DFO), dated June 15, 2004, on fish habitat skirt design.
June 29, 2004	Email from Richard Sims (EBA) to Jan E. Hagen (EAO), enclosing a copy of the submission to Dave Carter (DFO) dated June 29, 2004, on fish habitat skirt design.
July 6, 2004	Email from Richard Sims (EBA) to Jan E. Hagen (EAO), enclosing a copy of the submission to Jeff Johansen (DFO) dated July 6, 2004, on fish habitat skirt design details.
July 7, 2004	Email from Richard Sims (EBA) to Jan E. Hagen (EAO), enclosing a copy of the submission to Jeff Johansen (DFO) dated July 7, 2004, on a structural concept for the elevated concourse foundation and associated fish habitat compensation.
July 12, 2004	Email from Richard Sims (EBA) to Jan E. Hagen (EAO), confirming agreement with the "Owner's Commitments and Assurances" dated July 12, 2004.