Appendix G

List of BMPs and Recommendations

Port Delfin LNG Best Management Practices (BMPs)

Delfin LNG LLC (Delfin LNG) has identified best management practices (BMPs) for the construction and operation of the proposed Project. Delfin LNG has committed to implementing these measures to comply with Federal, State, and local requirements for permits, and to reduce potentially adverse environmental impacts if a license is issued for the proposed Project.

BMP-1: The proposed Project would be designed, constructed, tested, operated, and maintained to conform or exceed the requirements of applicable Federal, State, and local regulations.

BMP-2: All Project-related activities would comply with Federal regulations to control the discharge of operational wastes such as bilge and ballast waters, trash and debris, and sanitary and domestic waste that would be generated from vessels associated with the proposed Project.

BMP-3: Delfin LNG would adhere to the Project-specific plans as well as other Federal and State permit requirements including the U.S. Army Corps of Engineers (USACE) Nationwide Permit 12.

BMP-4: Prior to construction and operation, Delfin LNG would prepare and submit for approval a construction and operation spill prevention, control, and countermeasures (SPCC) Plan and Facility Response Plan (FRP) detailing emergency procedures for addressing accidental releases and spills during construction and releases.

BMP-5: All construction vessels would operate in accordance with SPCC plans. All vessels would have spill containment kits and spill response plans for use in the event of a release. Typically, a spill response kit for a vessel other than an oil carrier must be capable of cleaning up an on-deck spill of a half-barrel or less.

BMP-6: Delfin LNG would provide a hydrostatic test plan for approval by the Unites States Coast guard (USCG) prior to any hydrostatic testing of pipelines. Delfin LNG does not currently plan on using a dye as part of hydrostatic testing; however, if subsequent design work should call for the use of a dye as part of hydrostatic testing, Delfin LNG would use an United State Environmental Protection Agency (USEPA)-approved dye.

BMP-7: Delfin LNG would test the discharge water from the hydrostatic testing of the existing U-T Offshore System (UTOS) and High Island Offshore System (HIOS) pipeline systems for the presence of hydrocarbons, including the use of the USEPA's "visible sheen test." Delfin LNG would filter the hydrostatic discharge water sufficiently in order to meet the requirements of the general permit governing hydrostatic testing operations in the Gulf of Mexico.

BMP-8: Delfin LNG would design the floating liquefied natural gas vessel (FLNGVs) such that equipment on the main deck with the potential to release hydrocarbons is installed above

drain/drip pains or within contained areas that would collect rainwater, wash water, and other fluids, which would be pumped or gravity drained to slop tanks.

BMP-9: Delfin LNG would use the first-flush principal for rainwater collection and treatment.

BMP-10: While ambient levels of contaminants were found to be low and the potential for introduction of toxic substances into the water column appear negligible, increases in turbidity may be measurable and require monitoring to ensure compliance with marine water standards. These standards would be established as part of the permitting process.

BMP-11: A turbidity/suspended sediment monitoring program may be implemented to provide data on ambient bed load contribution to the water column during piling installation. This program would be analogous with what is required for offshore oil and gas exploration and production in the Gulf of Mexico.

BMP-12: Delfin LNG would acquire the appropriate individual or project-based NPDES permits for the continuous and intermittent discharges for the various on-board service systems. The NPDES permit would be administered by the USEPA for Federal waters and would require periodic monitoring for compliance under the Clean Water Act (CWA). The National Pollutant Discharge Elimination System (NPDES) permits would establish set standards for individual chemical constituents in effluent discharges based on receiving water resource value and quality and established numerical water quality criteria. Continuous discharges would include sanitary, reverse osmosis, bilge, and ballast water from the four FLNGVs. In addition to these permanent discharges, intermittent discharges would also require monitoring as part of the NPDES permit. Similar discharges from the calling liquefied natural gas carrier (LNGCs) at the proposed Port would also occur. Compliance monitoring of individual constituents in the discharges would vary and methods for monitoring may include inline electronic monitoring or direct effluent sampling for laboratory analysis. Compliance would be reported based on frequency of monitoring and established regulatory requirements as part of required discharge monitoring reporting in the NPDES permit. All associated discharges from the FLNGVs and LNGCs would be managed under the NPDES permit. Frequency of reporting and compliance would be required as part of the permitting reporting process. Unique or variable effluents may require whole effluent toxicity testing (WET) to determine compliance for mixed constituent effluents. Additional BMPs may be established for monitoring and sampling frequency for NPDES compliance monitoring for the FLNGVs.

BMP-13: LNGCs calling on the proposed Port would be required to use approved equipment and follow and maintain records for ballast water and operational discharges (e.g., bilge, sanitary discharges) that are compliant with the International Convention for the Prevention of Pollution of Ships (MARPOL) and USCG standards. LNGCs operating fully within Federal waters would be required to operate under a Vessel General Permit (VGP). Inspections would require review of onboard records for assessing compliance.

BMP-14: Delfin LNG would institute impact minimization and mitigation measures throughout the course of the proposed Project. Although specific pile-driving mitigation measures are not yet final, if required, Delfin LNG would implement mitigation measures such as, but not limited to, use of lowest noise producing impact hammer available, use of a cofferdam system (including the introduction of bubbles within the annulus between the pile and the cofferdam) to reduce the transmission of marine noise), use of the pile driving soft start ramp up procedures preceded by clearing the surrounding waters by a Protected Species Observer (PSO), and call for a suspension of pile driving by the PSO should a protected species be observed in proximity to the active pile driving operation. Prior to operating at full capacity, Delfin LNG would implement a "soft start" with several initial hammer strikes at less than full capacity (i.e., approximately 40–60 percent energy levels) with no less than a 1-minute interval between each strike. PSOs would be present to conduct surveys before, during, and after all pile-driving activities to monitor for marine mammals within designated zones of influence (ZOIs).

BMP-15: The proposed Port would be designed and permitted under the DWPA, and thus would be required to meet all lighting stipulations as noted in 33 Code of Federal Regulations (CFR), Part 149. To this end, Delfin LNG would limit, to the greatest extent possible, the amount of total lighting used on the proposed Port to that required for safety and navigational concerns only. As such, to reduce the disruptive effects of lighting, all lighting at the proposed Port would be down-shielded to the greatest extent possible to reduce light dispersion to a minimum.

BMP-16: Standard mitigations for marine mammal monitoring would be in place during construction, operation, and decommissioning.

BMP-17: Delfin LNG would institute the procedures described in NOAA Fisheries Southeast Region guidelines for "Vessel Strike Avoidance Measures and Reporting for Mariners" (2008) which call for vessels to maintain a vigilant watch for marine mammals and sea turtles to avoid striking protected species. Delfin LNG would adhere to the reporting procedures related to injured or dead protected species described in these guidelines.

BMP-18: Delfin LNG commits to minimizing the area of subsea impact and duration of disturbance during installation and commissioning of the proposed Project. To minimize the area of subsea impact and duration of disturbance during decommissioning of the proposed Project, Delfin LNG would abandon subsea pipelines and other subsurface components more than 3 feet below mud line (BML), and cut all bottom founded items such as driven pile and grouted pile anchors no shallower than 15 feet (approximately 5 meters) BML to avoid exposure in the future due to storms, scouring, and other uses. Final site clearance would be verified by a trawling contractor to ensure compliance with Bureau of Ocean Energy Management (BOEM)/Bureau of Safety and Environmental Enforcement (BSEE) requirements and to ensure complete removal of infrastructure.

BMP-19: If the proposed Project cannot avoid targets identified as potentially significant cultural resources, then further investigations would be required to determine if these targets represent potential historic properties. If the targets are identified as historic properties, an appropriate treatment plan would need to be developed and implemented prior to construction.

BMP-20: Delfin LNG has developed an Unanticipated Discoveries Plan for the proposed Project (Appendix M). This plan will be reviewed by the Louisiana State Historic Preservation Office (SHPO), Texas SHPO, and BOEM. All proposed Project construction, operation, and decommissioning personnel should be familiar with the plan and the steps that Delfin LNG has agreed to follow in the event of the discovery of a significant cultural resource including human remains.

BMP-21: Delfin LNG commits to the zone of avoidance (ZA) with respect to the magnetic anomalies at the proposed Port and the positive sonar contacts at the proposed WC 167 bypass to avoid impacts on cultural resources during the installation and decommissioning phases of the proposed Port.

BMP-22: Siting the proposed Port in a location with limited oil and gas activity and without unique fishing or recreational properties or significant sediment resources minimizes impacts on ocean uses and marine traffic.

BMP-23: Siting the proposed Port more than 37 nautical miles from the Louisiana shore would prevent land-based viewers from having their viewshed impaired by the proposed Project.

BMP-24: The Delfin LNG Port Operations Manual (Appendix K) outlines the procedures and mitigation measures that would be in place for the proposed Port, including establishment of Safety Zones, Areas to Be Avoided (ATBAs), and No Anchoring Areas (NAAs) around each FLNGV (see Section 5), as well as other navigational aids.

BMP-25: If required by USCG, Delfin LNG would have selected construction and installation vessels make periodic very high frequency radio broadcasts advising nearby mariners of construction activities and the presence of any temporary safety zones.

BMP-26: Delfin LNG would communicate with the USCG, USACE, and Federal and State pilots in the region (Lake Charles Pilots Association and Sabine Pilots) to provide information concerning proposed Project construction and installation activities.

BMP-27: Notice to Mariners would be issued to provide wide notice of the temporary safety zone established during installation and commissioning of the proposed Project.

BMP-28: Delfin LNG would minimize fugitive emissions through proper piping design, good work practices, and the implementation of a leak detection and repair (LDAR) program.

BMP-29: Delfin LNG would minimize air emissions from marine vessels during construction through the operation and maintenance of vessels' engines in accordance with manufacturer recommendations. Delfin LNG would maintain and operate engines in accordance with recommended manufacturer operation and maintenance procedures.

BMP-30: Delfin LNG would install turbines for use aboard the FLNGVs equipped with dry low NOx burners to minimize emissions of NO_x.

BMP-31: Delfin LNG would minimize emissions of all other pollutants from the turbines through firing with natural gas during routine operations, use of low sulfur fuel, and implementation of good combustion practices. Delfin LNG would be in compliance with USEPA and North American Emission Control Area requirements, as well as New Source Performance Standards Subpart IIII to minimize air emission from the emergency generator and fire pump engines aboard the proposed FLNGVs.

BMP-32: Delfin LNG would minimize emissions from acid gas thermal oxidizers through the use of low NO_x burners, natural gas fuel, and good combustion practices.

BMP-33: Delfin LNG would minimize emissions of all pollutants from the proposed FLNGVs' flares through the use of good combustion practices.

BMP-34: Delfin LNG would limit greenhouse gas GHG and fugitive emissions through the use of best available control technology (BACT) controls, including waste heat recovery for the FLNGV power generation turbines, and implementation of a LDAR program. These required air emissions controls would be described in the proposed Project's Clean Air Act (CAA) permit issued by USEPA Region 6.

BMP-35: Delfin LNG would minimize fugitive emissions through proper piping design, good work practices, and the implementation of a LDAR program. Delfin LNG would further limit GHG emissions through the use of best available control technology (BACT) controls, including waste heat recovery for the FLNGV power generation turbines. These required air emissions controls would be described in the proposed Project's CAA permit issued by USEPA Region 6.

BMP-36: All Project-related activities would comply with Federal regulations to control noise generated from vessels associated with the proposed Project.

BMP-37: During construction, Delfin LNG would implement various procedure measures, including "soft starts." Prior to operating at full capacity, Delfin LNG would implement a "soft start" with several initial hammer strikes at less than full capacity (i.e., approximately 40–60 percent energy levels) with no less than a 1-minute interval between each strike.

BMP-38: Delfin LNG would ensure that all equipment has sound control devices no less effective than those provided by the manufacturer.

BMP-39: Standard mitigations for marine mammal monitoring and BMPs would be in place during construction, operation, and decommissioning. Any impacts resulting from Level A or Level B noise would be addressed with an Incidental Harassment Authorization from the Applicant.

BMP-40: During construction and restoration, Delfin LNG would implement Delfin LNG's Wetland and Waterbody Construction and Mitigation Procedures (Appendix F) to avoid, minimize, and mitigate potential impacts.

BMP-41: During construction, Delfin LNG would implement its Spill Prevention and Response Plan for Construction (Appendix N) to prevent spills, leaks, and other releases of hazardous materials that could impact onshore water quality. Delfin LNG would also implement its Storm Water Pollution Prevention Plan (SWPPP) (Appendix N) to minimize impacts on surface waters. Delfin LNG would conduct all work in accordance with a Louisiana Pollutant Discharge Elimination System permit for stormwater and industrial waste water and would meet all provisions as provided in Louisiana Administrative Code (LAC) 33:IX.2701, et seq.

BMP-42: Delfin LNG would adhere to measures described in the Delfin LNG Procedures (Appendix F) and FERC Plan (FERC 2013). Delfin LNG would work with the USACE and other State and local agencies during the permitting process to ensure wetlands are protected during construction and operation of the proposed Project.

BMP-43: Delfin LNG would conduct necessary monitoring, reseeding, fertilizing, or other measures needed to re-establish a vegetative cover equivalent to similar adjacent areas.

BMP-44: Delfin LNG would use mechanical control of vegetation in the vicinity of waterbodies and would prohibit the use of herbicides within 100 feet of waterbodies.

BMP-45: Delfin LNG would adhere to the Project-specific Noxious Plant Control Plan (Appendix O). Delfin LNG would handle Chinese tallow tree, a noxious weed, per this plan, in order to mitigate the spread of this disease at the proposed DOF.

BMP-46: Vegetation clearing and grading activities during the non-breeding season for most avian species (October- February) to the extent practicable. Should grading or clearing activities for the DOF need to be conducted in other months, Delfin LNG would consult with the United States Fish and Wildlife Service (USFWS) in advance to determine appropriate site-specific measures to minimize potential impacts on birds.

BMP-47: To mitigate impacts on vegetation and potential wildlife habitat, Delfin LNG would restore and revegetate all areas not used for DOF operations following the guidelines and BMPs in the FERC Plan and Delfin LNG Procedures. Following construction, Delfin LNG would permanently stabilize disturbed areas within the construction site by covering with crushed rock (or the equivalent) or seeding with a grass that is compatible with the climate and easily maintained. If re-seeding of the construction work areas cannot be completed immediately following construction, Delfin LNG would mulch the disturbed areas and install appropriate erosion-control devices until final restoration and seeding can be completed. Roads and parking areas that may be disturbed by construction would be re-covered with crushed rock, concrete, or asphalt.

BMP-48: Delfin LNG proposes to take all measures possible to minimize the amount of total lighting used on the proposed terminal to that required for safety. Additionally, the amount of light should be minimized during the height of the trans-migratory period for bird species. To reduce the disruptive effects of lighting, all lighting at the terminal should be downshielded to keep the dispersion of light to a minimum. The shields would prevent the lights from shining skyward, instead directing the light to shine only on work areas. Shielded lighting has resulted in significant reductions in bird mortality (Evans 2002; Orr et al 2013). A heliport is proposed for the proposed Project's FLNGVs; Delfin LNG would install lighting on the heliport in accordance with USFWS guidelines for aviation safety lights. These guidelines specify that only white or red strobe lights should be used at night and that these strobes should be minimal in number, intensity, and number of flashes.

BMP-49: Delfin LNG would follow the recommendations of the FERC Plan (FERC 2013) and Procedures to mitigate localized slope failure hazards.

BMP-50: Should blasting be required for construction of the DOF, Delfin LNG would prepare and submit a blasting plan for FERC review and approval prior to conducting any blasting activities.

BMP-51: Delfin LNG would adhere to the Project-specific Federal Energy Regulatory Commission Plan (FERC 2013) and the Project-specific *Wetland and Waterbody Construction and Mitigation Procedures*, with regard to the use of appropriate erosion and sedimentation control measures during construction, until revegetation occurs. Following restoration and cleanup, the disturbed areas would be monitored to maintain erosion control structures and to repair any erosion.

BMP-52: If the proposed Project cannot avoid cultural resources identified as potentially eligible for the NRHP, then further investigations would be required to determine if these qualify as historic properties. If the cultural resources are identified as historic properties, an appropriate treatment plan would need to be developed and implemented prior to construction.

BMP-53: Delfin LNG has developed an Unanticipated Discoveries Plan for the proposed Project (Appendix M). This plan should be reviewed by the Maritime Administration (MARAD) and Louisiana SHPO. All proposed Project construction, operation, and decommissioning personnel should be familiar with the plan and the steps that Delfin LNG has agreed to follow in the event of the discovery of a significant cultural resource including human remains.

BMP-54: Delfin LNG commits to evaluation of the extent of contamination, required avoidance measures and the potential impact on existing cultural resources in developing response measures to any Project-related upsets/accidents involving limited heavy hydrocarbons and debris.

BMP-55: Delfin LNG commits to making reasonable efforts to avoid or minimize damage to cultural resources and to reporting the discovery of any previously unreported cultural resources to FERC and the State SHPO, as described above. Delfin LNG further commits to preliminary documentation of the cultural resource, avoidance of further damage, and cooperation with FERC and the SHPO to develop appropriate plans regarding the discovery.

BMP-56: In the event that human remains are discovered, Delfin LNG commits to stopping work and following the Louisiana State guidelines outlined in the applicable portions of the Unmarked Human Burial Sites Preservation Act (La. Revised Statute [R.S.] 8:671–681) and the Louisiana Historic Cemetery Preservation Act (La. R.S. 25:931–943).

BMP-57: All Project-related activities would comply with Federal, State, and local regulations to control air emissions generated by construction and operation of the proposed DOF.

BMP-58: Delfin LNG would implement the following measures to minimize impacts on noise receptors during construction:

- Perform construction during daytime hours when there is less sensitivity to sound;
- Locate stationary construction equipment away from noise receptors where feasible;
- Turn off idling equipment when not in use; and,
- Install temporary acoustic barriers around stationary construction noise sources, as feasible.

BMP-59: The Project requires mitigation of noise emissions from many different sources in order to meet its commitments regarding noise levels at NSAs. Two primary noise sources are the turbine air inlets and exhausts, with key elements of the noise mitigation strategy including the use of silencers. Low-noise lube oil coolers will be installed In addition, the following key equipment components have been specified with acoustical building enclosures:

- Gas turbines;
- Gas compressors; and,
- Waukesha generator.

Building enclosures are normally steel sandwich construction: a steel skin, mineral wool within the wall section and perforated metal interior wall for sound absorption. At a minimum, walls/roof of the building should be constructed with exterior steel of 22 gauge and an interior layer of 4-inch thick unfaced fiberglass covered with 26-gauge steel perforated liner. The specification for the compressor building and generator buildings will include noise criteria of 85 dBA at 3 feet from the building for all penetrations.

FERC Rec-1: Delfin LNG shall follow the construction procedures and mitigation measures described in its applications and supplements (including responses to staff data requests) and as identified in the environmental impact statement EIS, unless modified by the Order. Delfin LNG must:

- Request any modification to these procedures, measures, or conditions in a filing with the Secretary of the Commission (Secretary);
- Justify each modification relative to site-specific conditions;
- Explain how that modification provides an equal or greater level of environmental protection than the original measure; and
- Receive approval in writing from the Director of the Office of Energy Projects (OEP) **before using that modification**.

FERC Rec-2: The Director of Office of Energy Projects (OEP) has delegated authority to take whatever steps are necessary to ensure the protection of all environmental resources during construction and operation of the proposed Project. This authority shall allow:

- The modification of conditions of the Order; and
- The design and implementation of any additional measures deemed necessary (including stop-work authority) to assure continued compliance with the intent of the environmental conditions as well as the avoidance or mitigation of adverse environmental impact resulting from proposed Project construction and operation.

FERC Rec-3: **Prior to any construction**, Delfin LNG shall file an affirmative statement with the Secretary, certified by a senior company official, that all company personnel, environmental inspectors (EIs), and contractor personnel will be informed of the EI's authority and have been or will be trained on the implementation of the environmental mitigation measures appropriate to their jobs **before** becoming involved with construction and restoration activities.

FERC Rec-4: The authorized facility location(s) shall be as shown in the EIS, as supplemented by filed alignment sheets, and shall include all of the staff's recommended facility locations identified in the EIS. **As soon as they are available, and before the start of construction**, Delfin LNG shall file with the Secretary any revised detailed survey alignment maps/sheets at a scale not smaller than 1:6,000 with station positions for all facilities approved by the Order. All requests for modifications of environmental conditions of the Order or site-specific clearances must be written and must reference locations designated on these alignment maps/sheets.

Delfin LNG's exercise of eminent domain authority granted under Natural Gas Act (NGA) section 7(h) in any condemnation proceedings related to the Order must be consistent with these authorized facilities and locations. Delfin LNG's right of eminent domain granted under NGA section 7(h) does not authorize it to increase the size of its natural gas pipeline to accommodate future needs or to acquire a right-of-way for a pipeline to transport a commodity other than natural gas.

FERC Rec-5: Delfin LNG shall file with the Secretary detailed alignment maps/sheets and aerial photographs at a scale not smaller than 1:6,000 identifying all route realignments or facility relocations, and staging areas, pipe storage yards, new access roads, and other areas that would be used or disturbed and have not been previously identified in filings with the Secretary. Approval for each of these areas must be explicitly requested in writing. For each area, the request must include a description of the existing land use/cover type, documentation of landowner approval, whether any cultural resources or federally listed threatened or endangered species would be affected, and whether any other

environmentally sensitive areas are within or abutting the area. All areas shall be clearly identified on the maps/sheets/aerial photographs. Each area must be approved in writing by the Director of OEP **before construction in or near that area**.

This requirement does not apply to extra workspace allowed by FERC's Upland Erosion Control, Revegetation, and Maintenance Plan and/or minor field realignments per landowner needs and requirements which do not affect other landowners or sensitive environmental areas such as wetlands.

Examples of alterations requiring approval include all route realignments and facility location changes resulting from:

- implementation of cultural resources mitigation measures;
- implementation of endangered, threatened, or special concern species mitigation measures;
- recommendations by state regulatory authorities; and
- Agreements with individual landowners that affect other landowners or could affect sensitive environmental areas.

FERC Rec-6: Within 60 days of the acceptance of the authorization and before construction begins, Delfin LNG shall file an Implementation Plan with the Secretary for review and written approval by the Director of OEP. Delfin LNG must file revisions to the plan as schedules change. The plan shall identify:

- How Delfin LNG will implement the construction procedures and mitigation measures described in its application and supplements (including responses to staff data requests), identified in the EIS, and required by the Order;
- How Delfin LNG will incorporate these requirements into the contract bid documents, construction contracts (especially penalty clauses and specifications), and construction drawings so that the mitigation required at each site is clear to onsite construction and inspection personnel;
- The number of EIs assigned, and how the company will ensure that sufficient personnel are available to implement the environmental mitigation;
- Company personnel, including EIs and contractors, who will receive copies of the appropriate material;
- The location and dates of the environmental compliance training and instructions Delfin LNG will give to all personnel involved with construction and restoration (initial and refresher training as the proposed Project progresses and personnel change), with the opportunity for OEP staff to participate in the training session(s);
- The company personnel (if known) and specific portion of Delfin LNG's organization having responsibility for compliance;
- The procedures (including use of contract penalties) Delfin LNG will follow if noncompliance occurs; and
- For each discrete facility, a Gantt or PERT (Program Evaluation Review Technique) chart (or similar project scheduling diagram), and dates for:
    - the completion of all required surveys and reports;
    - the environmental compliance training of onsite personnel;
    - the start of construction; and
    - the start and completion of restoration.

FERC Rec-7: Delfin LNG shall employ at least one Environmental Inspector (EI) per construction spread. The EI shall be:

- Responsible for monitoring and ensuring compliance with all mitigation measures required by the Order and other grants, permits, certificates, or other authorizing documents;
- Responsible for evaluating the construction contractor's implementation of the environmental mitigation measures required in the contract (see condition 6 above) and any other authorizing document;
- Empowered to order correction of acts that violate the environmental conditions of the Order, and any other authorizing document;
- A full-time position, separate from all other activity inspectors;
- Responsible for documenting compliance with the environmental conditions of the Order, as well as any environmental conditions/permit requirements imposed by other federal, state, or local agencies; and
- Responsible for maintaining status reports.

FERC Rec-8: Beginning with the filing of its Implementation Plan, Delfin LNG shall file updated status reports with the Secretary on a monthly basis until all construction and restoration activities are complete. On request, these status reports will also be provided to other federal and state agencies with permitting responsibilities. Status reports shall include:

- An update on Delfin LNG's efforts to obtain the necessary federal authorizations;
- The construction status of the proposed Project, work planned for the following reporting period, and any schedule changes for stream crossings or work in other environmentally-sensitive areas;
- A listing of all problems encountered and each instance of noncompliance observed by the EI(s) during the reporting period (both for the conditions imposed by the Commission and any environmental conditions/permit requirements imposed by other federal, state, or local agencies);
- A description of the corrective actions implemented in response to all instances of noncompliance, and their cost;
- The effectiveness of all corrective actions implemented;
- A description of any landowner/resident complaints which may relate to compliance with the requirements of the Order, and the measures taken to satisfy their concerns; and
- Copies of any correspondence received by Delfin LNG from other federal, state, or local permitting agencies concerning instances of noncompliance, and Delfin LNG's response.

FERC Rec-9: Prior to receiving written authorization from the Director of OEP to commence construction of any Proposed Project facilities, Delfin LNG shall file with the Secretary documentation that it has received all applicable authorizations required under federal law (or evidence of waiver thereof).

FERC Rec-10: Delfin LNG must receive written authorization from the Director of OEP **before placing the proposed Project into service**. Such authorization will only be granted following a determination that rehabilitation and restoration of the right-of-way and other areas affected by the proposed Project are proceeding satisfactorily.

FERC Rec-11: Within 30 days of placing the authorized facilities in service, Delfin LNG shall file an affirmative statement with the Secretary, certified by a senior company official:

- That the facilities have been constructed in compliance with all applicable conditions, and that continuing activities will be consistent with all applicable conditions; or
- Identifying which of the conditions in the Order Delfin LNG has complied with or will comply with. This statement shall also identify any areas affected by the proposed Project where compliance measures were not properly implemented, if not previously identified in filed status reports, and the reason for noncompliance.

FERC Rec-12: Delfin LNG **shall not begin construction** of the DOF facilities and/or use of staging, storage, or temporary work areas and new or to-be-improved access roads **until**:

- Delfin LNG files with the Secretary:
    - remaining cultural resources survey report(s);
    - site evaluation report(s) and avoidance/treatment plan(s), as required; and
    - comments on the cultural resources reports and plans from the Louisiana SHPO.
- The Advisory Council on Historic Preservation is afforded an opportunity to comment if historic properties would be adversely affected; and
- The FERC staff reviews and the Director of OEP approves the cultural resources reports and plans, and notifies Delfin LNG in writing that treatment plans/mitigation measures (including archaeological data recovery) may be implemented and/or construction may proceed.

All materials filed with the Commission containing **location, character, and ownership information** about cultural resources must have the cover and any relevant pages therein clearly labeled in bold lettering: "**CONTAINS PRIVILEGED INFORMATION - DO NOT RELEASE**."

FERC Rec-13: Delfin LNG shall file a noise survey with the Secretary **no later than 60 days** after placing the DOF Compressor Station in service. If a full load condition noise survey is not possible, Delfin LNG shall provide an interim survey at the maximum possible horsepower load and provide the full load survey **within 6 months**. If the noise attributable to the operation of all of the equipment at the DOF Compressor Station under interim or full horsepower load conditions exceeds an L_{dn} of 55 dBA at any nearby NSAs (or noise-sensitive areas), Delfin LNG shall file a report on what changes are needed and shall install the additional noise controls to meet the level **within 1 year** of the in-service date. Delfin LNG shall confirm compliance with the above requirement by filing a second noise survey with the Secretary **no later than 60 days** after it installs the additional noise controls.