



November 12, 2021

SENT BY EMAIL ONLY

Recipient Title Name
Recipient Address Line 1
Recipient Address Line 2
CITY PT A1B 2C3
Email@Address.com

Dear **Recipient Title Name**:

Subject: Joint BC Environmental Assessment Office (BCEAO) and Impact Assessment Agency of Canada (Agency) Comment period for the guidelines and plans for the GCT Deltaport Expansion – Berth Four Project

We look forward to your participation in the planning phase of the federal impact assessment and provincial environmental assessment (the assessment) for the proposed GCT Deltaport Expansion – Berth Four Project (the Project). On October 28, 2021, the BCEAO and the Agency made their respective determinations that the Project should proceed with an assessment. On November 3, 2021, the federal Minister referred the assessment to an independent review panel. You can view the referral decision on the Canadian Impact Assessment Registry (the Registry) [here](#).

The aim of this letter is to inform you of an opportunity to review and provide comments on documents related to the scope of the project, the scope of the assessment, information requirements and engagement and provide guidance to support your review. The documents include:

- BCEAO's [draft Process Order](#) (to be posted on November 10, 2021);
- the [draft Joint Guidelines](#);
- the [draft Joint Indigenous Engagement and Partnership Plan](#); and
- the [draft Joint Assessment Plan](#).

These documents are now posted on the Registry and/or BCEAO's Project Information Centre (EPIC) for your review.

A \$5,000.00 grant is available to support [Indigenous nation]'s participation at this stage of the planning phase. For access and details about the grant, please contact Joelle Houde, the Agency's Funding Program Officer for the Project at <email address removed>

Comment period on Planning Phase

On November 10, the Impact Assessment Agency of Canada (the Agency) and British Columbia Environmental Assessment Office (BCEAO) will initiate a 43-day public comment period to seek input from government authorities, the public, and other participants on the draft documents above, excluding the Joint Indigenous Engagement and Partnership Plan. We welcome comments from Indigenous nations starting today, November 12, 2021.

Information sessions

December 2, 2021 from 10 am to 12 pm: The Agency and BCEAO will hold an information session specifically for Indigenous nations. The session will focus on section 5 "Description of Engagement with Indigenous Nations" and section 12 "Assessment of Impacts on Indigenous Interests" of the Joint Guidelines. We will also cover the Joint Indigenous Engagement and Partnership Plan.

November 30, 2021 from 10:00-11:30 am and December 2, 2021 from 6:30 to 8:00 pm: There will also be public information sessions on the Joint Guidelines; Indigenous nations are welcome to attend.

The Agency and BCEAO would also welcome the opportunity to meet directly with your Nation during the comment period to answer any questions and discuss your comments and concerns.

What We Heard

The Agency has compiled a "What We Heard" document. This document includes information provided by your nation during the assessment of the following projects: Trans Mountain Expansion – [initial consideration](#); Trans Mountain Expansion – [second consideration](#); [Roberts Bank Terminal 2 Project](#); [Tilbury Marine Jetty Project](#); [GCT Deltaport Expansion - Berth Four Project](#) (DP4). This was in response to requests from a number of nations to collect and include the substantial work that has been done over the last decade by Indigenous nations in the Salish Sea and Lower Fraser River regions. We encourage you to validate the information in this document, add any missing content and make any edits you wish. Please consider sending this document

back to the Agency at deltaport@iaac-aeic.gc.ca so that it can be posted on the Registry website as part of the assessment on this project. The Agency would be pleased to discuss this document further.

Questions for consideration on the [draft Joint Guidelines](#)

A. Scope of the assessment

The Agency and BCEAO are seeking input on the appropriate scope of the assessment of the project, which includes providing direction to the Proponent on:

- the selection of valued components (VCs) and sub-components;
- the selection of appropriate geographic and temporal scope for the assessment of effects and cumulative effects;
- the spatial boundaries proposed, which can be found in Appendix 1 of the draft Joint Guidelines.

In addition, the Agency and BCEAO are also seeking input on the geographic extent of activities that are relevant to the assessment of the project, such as marine shipping and road and rail transportation. Please provide comments on the geographic extent of the following activities related to the project:

- assessing marine shipping incidental to the project beyond the 12 nautical mile limit of the territorial sea of Canada (please refer to section 15 of the draft joint guidelines);
- assessing road transportation beyond the proponent's lease boundary (please see section 17.1 of the draft joint guidelines);
- assessing rail transportation beyond the proponent's lease boundary (please see section 17.2 of the draft joint guidelines).

B. Indigenous specific sections of the Guidelines

- Please review section 5 "Description of Engagement with Indigenous Nations", the draft Joint Indigenous Engagement and Partnership Plan and the draft Joint Assessment Plan and consider what process-based comments your nation would like to provide.
- Please review section 12 "Assessment of Impacts on Indigenous Interests" to provide comments on the proposed methodology for directing the proponent to work with your Nation.
- Please review section 13 "Nation-specific Assessment" to provide comments on what are the key elements that should be considered specific to your Nation¹.

¹ On September 16, the Agency and the BCEAO shared a preliminary draft of sections 11 and 12, now included in the joint draft guidelines as Section 12 and Section 13

C. Key sections of the guidelines based on concerns raised to date by Indigenous nations

- **Section 9.10 “Marine Mammals”** outlines the boundaries, potential effects, mitigation, and enhancement measures required in the Proponent’s assessment. Are there elements to be added or adjusted in this section, notably from the lens of the cultural importance of Southern Resident Killer Whales?
- **Section 9.9 “Marine Fish and Fish Habitat”** outlines the boundaries, existing conditions, potential effects, mitigation and enhancement measures for several fish species and subcomponents. Given your nation’s particular interest and concerns regarding impacts to fish and fish habitat, are there elements and/or species of fish to be added or adjusted in this section?
- **Section 8.8 “Cumulative Effects Assessment”** and **Section 12.2 “Cumulative Impacts on Indigenous Interests”** outline numerous requirements for the Proponent’s impact statement.
- **Section 11 Human Health:** Are there any VCs or related determinants of health and well-being relevant to consider in this section of the guidelines?

BCEAO Consensus Seeking Process

During the planning phase, the BCEAO will work with the Agency and participating Indigenous nations through a consensus seeking process on:

- The procedural requirements of the assessment;
- The scope of project;
- The methods used to assess impacts on Indigenous interests; and
- The information requirements including any requirements for Indigenous knowledge and any requirements to support Indigenous-led assessments.

Activities that support consensus-seeking may include 1:1 meetings, information sessions, community meetings and meetings of technical experts. The goal is to meet the needs of all participants and support nations in their decision-making process. The main purpose is for the BCEAO, the Agency and participating Indigenous nations to have mutual understanding of how comments and concerns might be addressed during the planning phase or subsequent assessment phases.

See the [*Guide to Consensus-Seeking under the Environmental Assessment Act, 2018*](#) for more information regarding consensus-seeking obligations during the EA process.

Important note

The Agency and BCEAO will post your comments on the Registry and EPIC. This information will form part of the Project's file, in accordance with the *Impact Assessment Act*. The Agency and BCEAO will not publish home addresses, telephone numbers, email addresses and signatures. Please contact the Agency and BCEAO before providing information you believe should be protected from the public. Please see the Agency policy on [Protecting Confidential Indigenous Knowledge under the Impact Assessment Act](#) and the BCEAO [Guide to Indigenous Knowledge in Environmental Assessments](#).

If you have questions, concerns or would like to set up a meeting with the Agency and BCEAO, please do not hesitate to contact us at your earliest convenience.

Thank you.

Sincerely,

<Original signed by>

Analise Saely
Consultation Lead
Impact Assessment Agency of Canada

<contact information removed>

Brendan Mather
Project Assessment Director
Environmental Assessment Office

<contact information removed>

Registry Links:

- [Draft Joint Guidelines](#)
- [Draft Joint Assessment Plan](#)
- [Draft Joint Indigenous Engagement and Partnership Plan](#)

EPIC Link:

- BCEAO's [draft Process Order](#) (to be posted on November 10, 2021)

Attachment:

- What We Heard document