

Second Indigenous Consultation Report ●

.....

September 2020



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1 Introduction

1.1 Project Overview

Vopak Development Canada Inc. (Vopak), a wholly-owned subsidiary of Royal Vopak, is investigating the opportunity to construct, own and operate a new bulk liquids tank storage facility in Prince Rupert, British Columbia (BC). This project is called the Vopak Pacific Canada Project (the Project).

The Project is proposed to be located on Ridley Island within the lands and waters under the jurisdiction of the Prince Rupert Port Authority (PRPA). At full build-out, the facility will have a capacity of 90,000 cubic metres (m³) of liquefied petroleum gas (LPG), 260,000 m³ of clean petroleum products (CPP) (diesel and/or gasoline), and 220,000 m³ of methanol. It will consist of the following major components:

- A bulk liquids tank storage facility.
- A jetty.
- Supporting infrastructure and facilities, including power supply and a wastewater treatment system.

The Project requires environmental effects determinations by federal authorities under Section 67 of the *Canadian Environmental Assessment Act, 2012* (CEAA 2012), as well as an Environmental Assessment Certificate (EAC) under the BC *Environmental Assessment Act* (BCEAA). The Project will undergo a coordinated environmental assessment (EA) process between the British Columbia (BC) Environmental Assessment Office (EAO) and federal authorities, coordinated by the PRPA. Vopak filed a Project Description with the provincial and federal government agencies on June 27, 2018 and the BC EAO issued the Terms of Reference (TOR)/Application Information Requirements (AIR) on July 26, 2019 and a revised version on August 20, 2020. A draft Environmental Effects Evaluation/Application for an EAC (EEE/Application) has been prepared for submission to the regulators in September 2020. .

1.2 Purpose of the Indigenous Consultation Report

This Indigenous Consultation Report (the Report) provides a summary of efforts undertaken by Vopak to consult with Indigenous Nations listed in Schedule B of the BC EAO's Section 11 Order in accordance with the approved Indigenous Consultation Plan (March 2019). Vopak filed the first report in November 2019 and this is the second Indigenous Consultation Report, which will be filed by Vopak with the BC EAO at the same time as the EEE/Application.

The first Indigenous Consultation Report was developed to satisfy requirements of Section 13.1.1 of the Section 11 Order to develop an Indigenous Consultation Report within 60 days after the issuance of the AIR. It provides a record of engagement activities in Stage 1 Initial Engagement and Stage 2 Pre- EEE/Application engagement up until the BC EAO's issuance of the TOR/AIR. The first report documents consultation and engagement activities that occurred between January 2, 2018 and July 31, 2019.

Pursuant to Section 13.3.1 of the Section 11 Order, Vopak is required to submit a second Indigenous Consultation Report at the time of submission of the EEE/Application. It is comprised of the following sections:

1. An overview of the Indigenous Consultation Plan (Section 2).
2. A summary of consultation activities for each Indigenous Nation from August 1, 2019 to July 15, 2020, including input received from the Indigenous Nation, and how Vopak has addressed the input (Section 3).
3. Next steps for Indigenous consultation activities (Section 5).

2 Indigenous Consultation Plan

The Indigenous Consultation Plan was developed as part of Vopak's commitment to provide meaningful opportunities for Indigenous Nations to participate in Project planning and design, and to raise concerns and issues. The Indigenous Consultation Plan was designed to meet the Indigenous consultation requirements set out in the Section 11 Order and requirements of Indigenous Nations.

The Indigenous Consultation Plan was submitted to the BC EAO on March 18, 2019, and is based on input received from Indigenous Nations on two draft versions. The BC EAO approved the plan in March 2019.

2.1 Overview

In its Section 11 Order for the Project, the BC EAO has directed Vopak to consult with the following six Indigenous Nations¹:

- Gitga'at First Nation
- Gitxaala Nation
- Kitselas First Nation
- Kitsumkalum First Nation
- Lax Kw'alaams Band
- Metlakatla First Nation

Vopak's Indigenous Consultation Plan describes Vopak's approach and methods for undertaking the following:

- Share Project-related information.
- Seek input from Indigenous Nations on the proposed Project, potential impacts of the Project on Aboriginal Interests, and ways of avoiding mitigating, addressing, or otherwise accommodating them, as appropriate.
- Work together to address issues and concerns raised by Indigenous Nations, in the hope that Vopak and Indigenous Nations will reach consensus.

Vopak's approach to Indigenous consultation mirrors the four stages of the BC EAO's regulatory process (**Table 2-1**).

¹ For the purposes of this Consultation Report, Indigenous Nations refers to Indigenous Nations Vopak is consulting with in respect of the Project, as directed by the BC EAO in the Section 11 Order.

Table 2–1: Vopak’s Staged Approach to Consultation with Indigenous Nations

Stage	Time Period	Status
Stage 1 – Initial Engagement	Covered the time period from the Project inception to the filing of the Project Description in June 2018.	Q1 2018 – June 2018 <i>Complete</i>
Stage 2 – Project Description and Terms of Reference/Pre-Application Phase Consultation	Covering the time period from the filing of the Project Description and Indigenous Consultation Plan, the issuance of the Section 11 Order, the development of the Terms of Reference (TOR)/Application Information Requirements (AIR), the collection of baseline information and the filing of a draft EEE/Application for an Environmental Assessment Certificate (EAC) and any supporting permitting applications that may be submitted concurrently.	July 2018 – July 2020 <i>Current</i>
Stage 3 – Draft EEE/Application Review Phase Consultation	Covering the time period from the acceptance of the draft EEE by Federal Authorities/Application for an EAC by the BC EAO and including any supporting permitting applications that may be submitted concurrently, to the receipt of the BC EAO decision on the Application for the EAC and federal determination on the EEE.	Summer 2020 – Spring 2021 <i>Future Stage</i>
Stage 4 – Ongoing Engagement	Covering the time period from the receipt of the BC EAO decision on the Application for the EAC and federal determination on the EEE, as well as any continuing synchronous permitting applications or any subsequent permitting applications, through construction, operations, and decommissioning of the proposed Project	Ongoing/Post-decision <i>Future Stage</i>

2.2 Consultation Objectives

The objectives of Vopak’s proposed consultation process are to:

- Include Indigenous Nations in the EA, such as scoping through input in the development of the TOR/AIR and execution through input on the EEE/Application and other means outlined below.
- Through ongoing engagement understand how Indigenous Nations wish to be consulted, including timelines for review of documents and provision of input.
- Provide timely and reasonable levels of capacity resources to Indigenous Nations to ensure they have the opportunity to adequately participate in Project consultation and understand potential impacts of the Project.
- Share timely and relevant Project information and seek input from Indigenous Nations on interests and concerns related to the Project and work together to address them.
- Understand Indigenous Nations’ community values, interests, and priorities.
- Understand what practices, traditions, or customs Indigenous Nations have been, or are currently engaged in, or are likely, in a reasonably foreseeable future be engaged in, provided that they have continuity with traditional practices, traditions or customs, in the vicinity of the proposed Project or in relation to the proposed Project.
- Determine how these practices, traditions, or customs may potentially be impacted by the proposed Project components and activities described in Section 2 of the Indigenous Consultation Plan.

- Explore in a collaborative manner appropriate measures to avoid, mitigate, or otherwise address or accommodate potential Project impacts on Aboriginal Interests.
- Ensure that issues raised are considered in the development and implementation of the Project and that such issues are addressed, resolved, or otherwise accommodated, as appropriate.
- Establish transparent communication, including on how input was incorporated and rationale for non-inclusion of input.
- Develop positive long-term relationships with Indigenous Nations.

3 Summary of Indigenous Consultation

For this second reporting period, Vopak has completed the following Stage 2 engagement activities: Air Dispersion Model Plan, Archaeological Impact Assessment Summary Report, Part C workplan, revised jetty design, Additional Marine Field Survey for the Marine Resources Valued Component letter memo, and the first Indigenous Consultation Report.

During Stage 2 Pre-EEE/Application engagement, Vopak sought to enable ongoing two-way communication with all Indigenous Nations and demonstrate that input received was considered throughout the development of EA-related documents, either by tracking how input was incorporated in documents or by providing rationale for non-inclusion of input. The input received:

- Informed the final Indigenous Consultation Plan and the final TOR/AIR, including the selection of Valued Components (VCs) and their study boundaries.
- Led to the development of field and desktop workplans to describe the methodology involved in assessing potential effects of the Project on certain VCs (as described in **Table 3–2**), which were shared with the Indigenous Nations for input.
- Informed the execution of the field program during the spring and summer of 2019 through the consultation on the field workplans.
- Led to the development of a workplan for Part C of the EEE/Application, which describes how Vopak intends to conduct its assessment of potential Project effects on Aboriginal Interests and meet requirements under CEAA 2012 Section 5(1)(c), which was also shared with the Indigenous Nations for input.
- Informed the effects assessments completed in Part B and Part C of the EEE/Application.

Table 3–1 provides a summary of engagement activities during Stage 2 Pre-EEE/Application Engagement from August 1, 2019 to July 15, 2020.

Table 3–1: Summary of Pre-EEE/Application Engagement Activities (August 2019 – July 2020)

Engagement Activity	Description	Status
Develop communications tools and materials.	Vopak continued to maintain a project website that members of Indigenous Nations can access publicly.	Ongoing.
Communications and information sharing.	<p>Vopak continued to share information about the Project and key regulatory documents for review and input. Information shared in this second reporting period included:</p> <ul style="list-style-type: none"> • Archaeological Impact Assessment Summary Report. • No dredge option. • Revised jetty design. • Project updates. • Additional Marine Field Survey for the Marine Resources Valued Component letter and memo. • Indigenous Consultation Report (#1). 	Ongoing: Vopak will continue to consult with Indigenous Nations throughout the life of the Project.
Ongoing consultation meetings.	<p>Vopak has held meetings with Indigenous Nations, including Chiefs, advisors, and staff members to:</p> <ul style="list-style-type: none"> • Discuss desired level of participation in the Project and regulatory process and capacity funding to support their participation. • Discuss capacity funding, timelines, and Terms of Reference for Nation-specific Traditional Use Studies (TUS). • Provide opportunities for feedback and input on the EA and permitting process, including the EA methods, use of secondary sources and Nation-specific TUSs, VC-specific workplans, and the Part C workplan. This has included meetings to discuss comments, as needed. 	Ongoing: Vopak will continue to meet with the Nations to seek feedback on potential effects of the Project on Aboriginal Interests, and to develop measures to avoid, mitigate, or otherwise address or accommodate these effects.
Working Group Meetings (Disposal at Sea permitting and revised jetty design).	<p>Vopak has held meetings with Indigenous Nations to discuss Disposal at Sea (DAS), revised jetty design, alternative sites, and constraints. All six Indigenous Nations have participated in these discussions.</p> <p>Vopak also provided memos to each Indigenous Nation requesting further feedback regarding the revised jetty design.</p>	Ongoing: Vopak will continue to participate in Working Group meetings, as directed by the BC EAO and PRPA. Vopak has redesigned the Project to no longer require dredging and Disposal at Sea.

Engagement Activity	Description	Status
Traditional Use Studies (TUSs).	<p>Vopak provided funding for the Indigenous Nations to complete Nation-specific TUSs for the Project. Vopak has received the following:</p> <p>Draft TUSs:</p> <ul style="list-style-type: none"> • Gitxaala Nation – Gitxaala Use Study: Vopak Development Canada Inc. Vopak Pacific Canada Project. • Kitsumkalum First Nation – Memorandum – Re: Preliminary Indigenous Land Use Research Results – Proposed Vopak Pacific Canada Project. <p>Final TUSs:</p> <ul style="list-style-type: none"> • Gitga’at First Nation – Preliminary Report: Gitga’at First Nation Traditional Use and Occupancy Study for the Vopak Project, Ridley Island, Prince Rupert Harbour Region. • Kitselas First Nation – Kitselas First Nation Traditional Use and Occupancy Study for the Vopak Project. Ridley Island, Prince Rupert Harbour Region. • Lax Kw’alaams Band – Traditional Land Use and Occupancy Study for Vopak Development Canada Inc.’s Proposed Vopak Pacific Canada Bulk Liquids Storage Facility Project on Ridley Island. • Metlakatla First Nation – Metlakatla First Nation Traditional Use and Ecological Knowledge of the Vopak Pacific Canada Project Area. 	Ongoing: Vopak will continue to engage with the Indigenous Nations to discuss the information from the TUSs and the potential impacts from the Project.
Capacity Funding Agreement.	Vopak has entered into capacity funding agreements with each of the six Indigenous Nations. These capacity funding agreements support the participation of each Indigenous Nation in the regulatory process.	Complete.
Indigenous Consultation Report #1 review.	Vopak provided draft versions of the first Indigenous Consultation Report to the Indigenous Nations for their review and comment, September 24 to October 3, 2019. Vopak received comments from all six Indigenous Nations. Vopak incorporated the comments into the first Indigenous Consultation Report and filed the Report with the BC EAO on November 15, 2019.	Complete.
Preparation for submission of the Draft EEE/Application for an EAC.	<p>Vopak provided draft workplans and reports to the Indigenous Nations for review and feedback as follows:</p> <ul style="list-style-type: none"> • September 6-10, 2019: Archaeological Impact Assessment (AIA) Summary Report. • August 2 and November 13, 2019: revised Part C Workplan. • July 15: Additional Marine Field Survey for the Marine Resources Value Component letter and memo. 	Ongoing: Vopak will continue to address comments received on the Marine Field Survey and summary and methodology for Part C memos and will continue to consult with Indigenous Nations throughout the pre-EEE/Application engagement phase.

Engagement Activity	Description	Status
<p>Preparation for submission of the Draft EEE/Application for an EAC. (Cont'd)</p>	<p>Vopak has received comments on the workplans from the following Indigenous Nations:</p> <ul style="list-style-type: none"> • Gitxaala Nation comments on the Part C workplan. • Kitselas First Nation comments on the Part C workplan. • Kitsumkalum First Nation comments on the AIA Summary Report and Part C workplan. • Lax Kw'alaams Band comments on the AIA Summary Report and Part C workplan. • Metlakatla First Nation comments on the Part C workplan. 	
<p>Environmental monitoring activities.</p>	<p>Vopak has provided each Indigenous Nation opportunities to participate in environmental monitoring activities that includes:</p> <ul style="list-style-type: none"> • Terrestrial survey field monitoring: <ul style="list-style-type: none"> ○ April 26-30, 2019 ○ May 1, 2019 ○ May 23-26, 2019 ○ July 7-9, 2019 ○ June 26-27 ○ August 7, 2019 • Marine survey field monitoring: <ul style="list-style-type: none"> ○ April 22-25, 2019 ○ May 5-10, 2019 ○ May 11-13, 2019 ○ August 2-6, 2019 • Marine mammals survey field monitoring: <ul style="list-style-type: none"> ○ May 27-30, 2019 • Freshwater fish survey field monitoring: <ul style="list-style-type: none"> ○ June 11-13, 2019 ○ August 28-29, 2019 • Heritage and archaeology field monitoring: <ul style="list-style-type: none"> ○ May 21-24, 2019 ○ May 27, 2019 ○ June 23, 2020 	<p>Ongoing: Vopak will continue discussing environmental monitoring activities with the Indigenous Nations.</p>

Engagement Activity	Description	Status
Discussion of COVID-19 safety procedures.	Vopak has discussed COVID-19 safety procedures with each Indigenous Nation to confirm the Indigenous Nations were comfortable with Vopak safety measures.	Ongoing: Vopak will continue to have discussions with each of the Indigenous Nations around COVID-19 and related Project-specific safety measures.
Second Indigenous Consultation Report review.	Vopak is providing this draft Second Indigenous Consultation Report to the Indigenous Nations for their review and comment and will address comments received in the final Second Indigenous Consultation Report that will be submitted to the BC EAO.	To be completed.

A summary of consultation activities undertaken by Vopak with each Indigenous Nation from August 1, 2019 to July 15, 2020 is described in the following sections.

3.1 Gitga’at First Nation

Table 3–2 provides a summary of Vopak’s key consultation activities with the Gitga’at First Nation in this second reporting period during Stage 2 – Pre-EEE/Application engagement. Comments, interests, and concerns raised, as well as Vopak’s response are captured in **Table 3–3**. Concerns raised to date have been addressed or are part of an ongoing discussion with the Indigenous Nation.

Table 3–2: Chronology of Key Engagement Activities with the Gitga’at First Nation

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement		
August 30, 2019	Email	Vopak provided revisions to the Traditional Use Study (TUS) Terms of Reference.
September 10, 2019	Email	Vopak provided the Archaeological Impact Assessment Summary Report.
September 11, 2019 – April 16, 2020	Email	Negotiations for the Capacity Funding Agreement.
September 16, 2019	Email	Vopak provided revisions to the TUS Terms of Reference.
September 24, 2019	Email	Vopak provided the draft Indigenous Consultation Report #1.
October 24, 2019	Email	Vopak provided responses to comments on Disposal at Sea (DAS).
October 31, 2019	Phone call/ email	Discussion between Vopak and the Gitga’at First Nation regarding TUS agreement. Vopak provided the draft TUS Agreement.
November 13, 2019	Email	Vopak provided the revised Part C workplan, updated Aboriginal Interests, Indicators, rationale, and list of secondary sources for review.
November 14, 2019 – February 14, 2020	Emails/phone call	Vopak received and responded to comments on the TUS Agreement.
February 10, 2020	Meeting/email	Vopak informed the Gitga’at First Nation that they will be pursuing the no dredge option, and that a DAS permit would no longer be required.
April 1, 2020	Meeting (phone call)	Working Group Meeting on the revised jetty design.
April 23, 2020	Email	Vopak received Gitga’at First Nation’s TUS Final Report.
April 30, 2020	Meeting (phone call)	Meeting to discuss the revised jetty design, additional baseline studies for marine resources and heritage and archaeology, as well as COVID-19 procedures for fieldwork Vopak also provided an update on EEE/Application progress that included a submission timeline. Vopak circulated meeting notes on May 15, 2020.
May 6, 2020	Virtual meeting	Introductory meeting with the CEO of Gitga’at Development Corporation to discuss Project updates and COVID 19 safety measures.
May 26, 2020	Email	Vopak provided responses to Gitga’at First Nation’s comments on the revised jetty design.

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement		
June 22, 2020	Email	Vopak communicated with the CEO of Gitga’at Development Corporation that the Project Description is being updated for the EA; Vopak provided a memo outlining the jetty update.
June 23, 2020	Virtual meeting	Meeting to discuss Project updates and Part C review.
June 23, 2020	Virtual meeting	Vopak met with Gitga’at to learn about their Human Health and Wellbeing Study.
July 15, 2020	Phone call	Meeting to discuss the Additional Marine Field Survey Memo, Part C Memo, EEE/Application process, and the consultation report.
July 15, 2020	Email	Vopak provided their Additional Marine Field Survey for the Marine Resources Valued Component letter and memo.

Table 3–3: Summary of Issues, Concerns, and Response to the Gitga’at First Nation

Topic	Comment, Interest, or Concern Raised	Source	Vopak’s Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Cumulative Effects.	Large vessels and cargo ships anchoring in addition to other attendant ships will pose a risk to travel routes.	Traditional Use and Occupation Study (TUOS).	Vopak will address this concern in the Cumulative Effects Assessment on Access and Travel in Part C and Marine Use and Navigation in Part B.	Ongoing.	
Jetty design.	Concern that jetty and moorings may prevent small boat traffic from travelling inside Coast Island when transiting between Prince Rupert and Port Edward. Interested in the design restrictions for new berths. Interested to know the details of the construction of anchor points, and if there will be any type of dolphins designed to hold ships.	Comments on revised jetty design.	Vopak expects that small boat traffic will be able to travel underneath, however, the Port of Prince Rupert may develop navigation protection zones. The specific design restrictions will be included in the Accidents and Malfunctions Section of the EEE/Application. Information about anchor construction will be included in Section 2 of the EEE/Application. Although not currently part of the Project Description, effects of protection barriers will also be included in the EEE/Application.	Ongoing.	

3.2 Gitxaala Nation

Table 3–4 provides a summary of Vopak’s key consultation activities with the Gitxaala Nation in this second reporting period during Stage 2 – Pre-EEE/Application engagement. Comments, interests, and concerns raised, as well as Vopak’s response are captured in **Table 3–5**. Concerns raised to date have been addressed or are part of an ongoing discussion with the Indigenous Nation.

Table 3–4: Chronology of Key Engagement Activities with the Gitxaala Nation

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement		
August 2, 2019	Email	Vopak provided an attachment of the Part C workplan that outlines how Vopak is proposing to engage with the Nation.
August 2, 2019	Email	Vopak provided documents related to the Working Group Meeting on July 24 – Disposal at Sea (DAS) Permitting.
August 26 – September 27, 2019	Email	Discussion of Traditional Use Study (TUS) and TUS Terms of Reference.
August 22, 2019	Email	Vopak received comments on the Part C workplan.
September 6, 2019	Email	Vopak provided the Archaeological Impact Assessment Summary Report.
September 25 – November 14, 2019	Email	Vopak received and responded to comments on the Indigenous Consultation Report #1.
September 27, 2019 – June 24, 2020	Email/phone call	Negotiations for the Capacity Funding Agreement.
October 25, 2019	Email	Vopak provided the DAS Constraints Matrix.
November 13, 2019	Email	Vopak provided the revised Part C workplan, updated Indigenous Interests, Indicators, and rationale; responses to comments on the Part C workplan, and list of secondary sources for the Gitxaala Nation approval.
November 25, 2019	Email	Vopak provided a table of concordance to show how Vopak plans to address Valued Components provided by the Gitxaala Nation.
December 3, 2019	Email	Vopak received the draft TUS from Gitxaala Environmental Monitoring (GEM).
February 12-18, 2020	Email/phone call	Discussion on Project effects and cumulative effects assessment processes.
February 13, 2020	Email/phone call	Vopak informed Gitxaala Nation that they will be pursuing the no dredge option, and that a DAS permit would no longer be required.
March 17 – April 14, 2020	Email	Discussion between Gitxaala Nation and Vopak regarding project design updates.
April 1, 2020	Meeting (phone call)	Working Group Meeting on the revised jetty design.
April 2, 2020	Email	Vopak received Financial information and TUS memo from the Gitxaala Nation.

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement		
May 2, 2020	Email	Vopak received an email notification from the Gitxaala Chief regarding updates to the Kitkatla Development Corporation.
May 6, 2020	Phone call	Call with Gitxaala Chief to discuss Project updates. Determined that a Project update meeting with Chief and council would be arranged at Gitxaala's request.
May 7, 2020	Meeting (phone call)	Meeting to discuss the revised jetty design, additional baseline studies for marine resources and heritage and archaeology, as well as COVID-19 procedures for fieldwork Vopak also provided an update on EEE/Application progress that included a submission timeline. Vopak circulated meeting notes on May 15, 2020.
May 26, 2020	Email	Vopak provided responses to comments on the revised jetty design.
May 29, 2020	Email	Vopak provided Gitxaala with a copy of the Canadian Science Advisory Report – Marine Shipping.
June 12, 2020	Virtual meeting	Meeting to discuss Project updates and Part C review.
July 10, 2020	Phone call	Meeting to discuss the Additional Marine Field Survey Memo, Part C Memo, EEE/Application process, and the consultation report.
July 15, 2020	Email	Vopak provided their Additional Marine Field Survey for the Marine Resource Value Component letter and memo.

Table 3–5: Summary of Issues, Concerns, and Response to the Gitxaala Nation

Topic	Comment, Interest or Concern Raised	Source	Vopak’s Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Gitxaala Use Study and Use of Secondary Sources.	Any previously conducted Gitxaala Nation use studies or secondary information that Vopak may access in the public record must not be relied upon in this EA. Vopak’s assessment of impacts to the Gitxaala Nation interests should be based on information provided by the Gitxaala Nation. While parts of the Use Study may inform Vopak’s assessment, the Gitxaala Nation’s ecological knowledge cannot be described as ‘included’.	Comments on Part C workplan.	Vopak updated the Gitxaala Nation chapter of Part C with information provided in the draft Gitxaala Use Study. Vopak provided the Gitxaala Nation a list of secondary sources for review. Vopak acknowledges that information from the Use Study will inform the assessment rather than being included in the assessment and has opted to refer to Gitxaala Nation’s TUS as Use Study.	Ongoing.	Gitxaala Nation has indicated that Vopak is able to rely on the draft report in order to complete the EEE/Application, and do not anticipate any substantial revisions between the draft report and final report.
Effects on Indigenous Peoples (Nation-specific VCs).	A Gitxaala Nation VC report is necessary to identify the Gitxaala Nation values, appropriate sub-values, indicators, and relevant thresholds and characterisations that flow from the Gitxaala Nation’s knowledge and laws.	Comments on Part C workplan.	Vopak has provided a table of concordance to the Gitxaala Nation to identify how example Gitxaala Nation VCs provided to Vopak are addressed in the EEE/Application.	Ongoing.	
Capacity Funding.	Capacity funding is required for the Gitxaala Nation to fully participate in the EA process. The review of EA-related documentation to date has been constrained due to a full capacity funding agreement not being put in place.	Comments on Part C workplan.	Vopak and the Gitxaala Nation entered into a capacity funding agreement.	Complete.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Rail.	<p>Concerns regarding potential cumulative effects on Aboriginal Interests related to increase in railway traffic and accidents and malfunctions.</p> <p>Concerns of wildlife mortality and increased loss of resource harvesting access/quality along the railway as a cumulative result of increased railway traffic and herbicides.</p>	Gitxaala Use Study.	<p>BC EAO will not be including increases in rail traffic as an off-site project component for this Project. Rail traffic would be more appropriately and effectively considered and mitigated, if necessary, by the principal regulator, Transport Canada (TC). The BC EAO will ensure that TC is provided with all comments, questions or concerns received from the Working Group and Indigenous Nations regarding potential effects associated with rail traffic.</p> <p>Although it will not form a part of the EEE/Application, Vopak will submit a rail traffic memo to the Project Working Group which will assess the effect on increased rail traffic on wildlife strikes, traffic at rail crossings, potential accidents and malfunctions, and human health (i.e., noise and air quality).</p>	Ongoing.	
Linked Valued Components to Gitxaala specific Values.	<p>Aboriginal Interests are interrelated and linked to biophysical, socio-economic, and heritage VCs (e.g., noise, visual quality, marine traffic, air quality, and climate change have implications for non-consumptive cultural values, such as feeling of serenity; this affects sense of place/ sense of attachment, cultural identity, and governance systems).</p>	Comments on Part C workplan.	<p>Vopak acknowledges the inter-relationships between the Aboriginal Interests and between Aboriginal Interests and Part B VCs; Vopak updated the linked VCs table and Methodology section for Part C; Vopak has assessed effects on each Aboriginal Interests by including effects on related Interests and Part B VCs.</p>	Ongoing.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Perceived Effects.	The perception of potential health impacts can affect cultural identity, governance systems, and a sense of place because members have decreased desire to engage in traditional practices in an industrial setting. This puts pressure on governance system, a sense of place, and cultural identity.	Comments on Part C workplan.	Vopak recognizes that Harvesting Rights, Sense of Place/Sense of Attachment, Cultural Identity, Governance Systems, and Indigenous Health can be affected by both real and perceived impacts to human health; Vopak has incorporated perceived effects into the Part C assessment.	Ongoing.	
Potential Effects on Harvesting Rights.	Additional loss of fishing and harvesting rights due to cumulative industrial projects. Increased pressure on local fishing industry suffering from past projects. Potential to affect the marine through stormwater and wastewater discharge, and marine infrastructure. Increased vessel traffic on marine mammals, fish, impediment to harvesting, and wakes.	Gitxaala Use Study and Comments on Part C workplan.	Vopak will be pursuing the no dredge option; Disposal at Sea is no longer required. Vopak's assessment of potential effects on Harvesting Rights was informed by the assessments from linked VCs (e.g., marine resources); Vopak revised the indicators to address the concerns raised. Vopak will develop and implement the Construction and Operations Environmental Management Plan (EMP) in consultation with Indigenous Nations.	Ongoing.	
Potential Effects on Sense of Place /Sense of Attachment.	Increased sense of loss with traditional hunting and ceremonial practices due to already restricted access to Ridley Island, decreased sense of place due to change in island aesthetics. Implications for non-consumptive cultural values from unwanted noise, marine traffic, visual quality, and ambient light.	Gitxaala Use Study.	Vopak's assessment of potential effects on Sense of Place and Sense of Attachment was informed by the assessments from linked VCs; Vopak revised the indicators to address the concerns raised. Vopak is committed to working with Indigenous Nations in developing and implementing Environmental Management Plan to reduce adverse impacts on Sense of Place/Sense of Attachment.	Ongoing.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Potential Effects on Access and Travel.	<p>Project terminal/jetty, trestle, and safety regulations would prevent the Gitxaala Nation members from using the safe travel route (i.e., close to shores of Lelu and Ridley islands). This could put the Gitxaala Nation members at greater risk of boating accidents and take away teaching opportunities of younger generation of the safety routes.</p> <p>Increased loss of sacred places and cultural identity attached to Ridley Island by furthering restrictions of access.</p> <p>Severe weather conditions may reach previously protected areas as a result of removing trees on Ridley Island.</p> <p>Strong current or tides, and increased exposure to wind in Inverness Passage and Flora Bank will make boat rides along or underneath the jetties risky.</p>	Gitxaala Use Study.	<p>Vopak's assessment of Access and Travel was informed by the assessments of linked VCs (e.g., Marine Use and Navigation); Vopak revised the indicators to address the concerns raised.</p> <p>Vopak will develop a Marine Use and Navigation Management Plan in consultation with Indigenous Nations.</p>	Ongoing.	
Potential Effects on Indigenous Governance Systems.	<p>Effects on harvesting, and access and travel from changes in climate all have correlating effects on governance systems as they are closely linked.</p> <p>Avoidance or changes in important areas or House territories as a result of noise and visual quality can lead to effects on traditional governance associated with those locations.</p> <p>of different cultural events, which may affect governance systems.</p>	Gitxaala Use Study and Comments on Part C workplan.	<p>Vopak's assessment of Indigenous Governance Systems was informed by the assessments of linked VCs (e.g., noise, human health, marine resources); Vopak revised the indicators to address the concerns raised.</p> <p>Vopak plans to continue to work with Indigenous Nations to define mitigation measures to address potential impacts to land use objectives.</p>	Ongoing.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Potential Effects on Indigenous Governance Systems. (Cont'd)	<p>Increased shipping can affect the appearance of governance and control over House territories.</p> <p>Changes in economic conditions and infrastructure and services can change individual's ability to participate in a variety.</p>		<p>Vopak recognizes the linkages and interconnectedness of Aboriginal Interests and VCs and will work with Indigenous Nations to develop and implement construction and operation Environmental Management Plans (EMP) to reduce adverse effects on Indigenous Governance Systems.</p>		
Potential Effects on Cultural Identity.	<p>GHG/air quality, noise, visual quality, and ambient light can all potentially affect cultural heritage through potential effects on places of particular importance to the Gitxaala Nation.</p> <p>Changes in marine resources and navigation can affect community cultural practices associated with harvesting, resource distribution, and feasts.</p> <p>Changes in economic conditions and infrastructure and services can change individual's ability to participate in a variety of different cultural events.</p> <p>The proposed Project is located on unceded lands that have been appropriated for industrial use without consultation, accommodation, or consent of the Gitxaala Nation.</p>	<p>Gitxaala Use Study and Comments on Part C workplan.</p>	<p>Vopak's assessment of Cultural Identity was informed by the assessments of linked VCs (e.g., noise, air quality, human health, and marine resources); Vopak revised the indicators to address the concerns raised.</p> <p>Vopak recognizes the linkages and interconnectedness of Aboriginal Interests and VCs and will work with Indigenous Nations to develop and implement construction and operation Environmental Management Plans (EMP) to reduce adverse effects on VCs linked to Cultural Identity.</p>	<p>Ongoing.</p>	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Potential Effects on Indigenous Health.	<p>Quality of harvested food through potential bioaccumulation of toxins harvested foods.</p> <p>Change in air quality will affect human health.</p> <p>Effects on community wellbeing, access to resources, cultural continuity and gender-based effects – project act cumulatively with other projects.</p> <p>Decreased desire to engage in traditional practices in an industrial setting due to reduced quality of experience. This in turn could impact Indigenous Health.</p> <p>Increased stress on services and infrastructure, and increased wealth inequality.</p> <p>Exposure to dust particulates, GHGs, and air contaminants and pollutants.</p>	Gitxaala Use Study and Comments on Part C workplan.	Vopak's assessment of Indigenous Health was informed by the assessments of linked VCs (e.g., air quality, human health, and economic conditions); Vopak revised the indicators to address the concerns raised.	Ongoing.	
Potential Effects on Indigenous Socio-Economic Conditions.	<p>Temporary labour force on community health and affordable housing (disproportionately affects Indigenous people).</p> <p>Effect on community infrastructure.</p> <p>Wealth disparity, especially as cost of living increases (i.e., food, rent, travel, services, etc.) that accompany increased employment in the area that is often felt the hardest by Indigenous groups who, without proper mitigations, are unable to participate in the new opportunities.</p>	Gitxaala Use Study and Comments on Part C workplan.	Vopak's assessment of Indigenous Socio-Economic Conditions was informed by the assessments of linked VCs (e.g., community services and infrastructure, and human health); Vopak revised the indicators to address the concerns raised.	Ongoing.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Potential Effects on Indigenous Physical and Cultural Heritage.	<p>GHG emissions, noise, visual quality, and ambient light can all potentially affect cultural heritage through potential effects on places of particular importance to the Gitxaala Nation.</p> <p>Changes in marine resources and navigation could affect certain community cultural practices associated with resource harvesting, resource distribution, and feasts.</p>	Gitxaala Use Study and Comments on Part C workplan.	Vopak's assessment of Indigenous Physical and Cultural Heritage was informed by the assessments of linked VCs (GHG emissions, noise, visual quality, ambient light, marine resources, marine use and navigation); Vopak revised the indicators to address the concerns raised.	Ongoing.	
Accidents and Malfunctions.	Concern about accidents and malfunctions of marine shipping.	Gitxaala Use Study and Comments on Part C workplan.	Vopak assessed accidents and malfunctions; the assessment will include worse case scenarios (e.g., fires, vessel spills).	Complete.	
Cumulative Effects.	<p>Concerns that cumulative tanker traffic will increase the risk of potential accidents, invasive species introduction and adverse effects on water health and marine life.</p> <p>Concerns that the collective development will have adverse impacts to the health and availability of resources.</p>	Gitxaala Use Study.	Vopak will address this concern in the cumulative effects assessment on Access and Travel in Part C and Marine Use and Navigation in Part B.	Ongoing.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Jetty design.	<p>Suggests that the proponent use caution in stating that a reduction in the trestle footprint would possibly reduce impacts to the marine use and navigation VC.</p> <p>There is a need for more detailed information in the EEE/Application to fully understand high winds, storms, wave activity, other shipping, anchor dragging and other potential impacts from mooring buoys, and potential effects of the wash from the vessel during maneuvering activities.</p>	Comments on revised jetty design.	<p>Revised jetty design will not be described as mitigation for specific effects on any VCs. The berth expansion is included in the cumulative effects assessment for Marine Use and Navigation.</p> <p>Although not currently part of the Project Description, effects of protection barriers will also be included in the EEE/Application.</p> <p>These concerns will be described in Sections 6 and 5.4 of the EEE/Application. The anchor system is designed to resist loads that are expected during the worst conditions.</p>	Ongoing.	

3.3 Kitselas First Nation

Table 3–6 provides a summary of Vopak’s key consultation activities with Kitselas First Nation during Stage 2 – Pre-EEE/Application engagement. Comments, interests and concerns raised, as well as Vopak’s response are captured in **Table 3–7**. Concerns raised to date have been addressed or are part of an ongoing discussion with the Indigenous Nation.

Table 3–6: Chronology of Key Engagement Activities with the Kitselas First Nation

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement		
September 10, 2019	Email	Vopak provided the Archaeological Impact Assessment Summary Report.
September 11 – March 31, 2019	Email	Discussion about Traditional Use and Occupancy Study (TUOS) Terms of Reference.
September 27 – October 22, 2019	Email	Vopak received and responded to comments on the Indigenous Consultation Report.
September 27, 2019	Phone call	Discussion of Part C workplan comments.
October 8, 2019	Email	Vopak provided the Memorandum of Understanding.
November 13, 2019	Email	Vopak provided the revised Part C workplan, updated Indigenous Interests, Indicators, and rationale, and list of secondary sources for Kitselas First Nation approval.
November 18-19, 2019	Email	Vopak received Endorsed funding agreements.
November 27, 2019	Email	Vopak received follow-up comments on the Part C workplan.
Jan 7, 2020	Phone	Discussion on EEE/Application and project updates.
March 9, 2020	Email	Vopak provided Initial Funding Agreement and received Kitselas Final TUOS.
April 1, 2020	Meeting (phone call)	Working Group Meeting on revised jetty design.
April 28, 2020	Meeting (phone call)	Meeting to discuss the revised jetty design, additional baseline studies for marine resources and heritage and archaeology, as well as COVID-19 procedures for fieldwork Vopak also provided an update on EEE/Application progress that included a submission timeline. Vopak circulated meeting notes on May 15, 2020.
May 26, 2020	Email	Vopak provided responses to comments on revised jetty design.
June 15, 2020	Teleconference	Meeting to discuss Project updates, Heritage and Archaeology scope/field work and Impact Benefit Agreement.
July 13, 2020	Meeting (phone call)	Meeting to discuss the Additional Marine Field Survey Memo, Part C Memo, EEE/Application process, and the Consultation Report.
July 15, 2020	Email	Vopak provided their Additional Marine Field Survey for the Marine Resource Value Component letter and memo.

Table 3–7: Summary of Issues, Concerns, and Response to the Kitselas First Nation

Topic	Comment, Interest or Concern Raised	Source	Vopak’s Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Use of secondary sources/ TLU Studies.	The Part C assessment on Kitselas First Nation Aboriginal Interests should be informed by Kitselas First Nation TUS; secondary sources, including previous TUSs from Kitselas should be used sparingly.	Discussions regarding TUS.	Vopak has provided funding for Kitselas First Nation to complete a TUS and will incorporate the TUS into Part C assessment once received from the Kitselas First Nation. Vopak also provided a list of secondary sources to the Kitselas First Nation for review.	Ongoing.	
TUS.	Scope of TEK and TLU studies in collaboration with Kitselas First Nation and timeline for completion to accommodate capacity constraints facing Indigenous Nations.	Comment on Part C workplan.	Vopak prepared terms of reference of TUS with Kitselas First Nation and changed the EEE/Application submission timeline to accommodate.	Complete.	
Assessment spatial boundaries.	Revise spatial boundaries to create local and regional assessment areas. Kitselas is of the view that its traditional territory represents the RSA for assessing effects to its interests.	Comments on Part C workplan.	Vopak used the overlap in study area provided in Kitselas First Nation’s TUS with RSAs of the linked VCs to assess potential effects on Kitselas First Nation’s Aboriginal Interests.	Ongoing.	
Disposal at Sea.	The Kitselas First Nation emphasizes the importance of seeking on-land disposal alternatives to Disposal at Sea.	Working Group Meeting.	Vopak will be pursuing the no dredge option; Disposal at Sea is no longer required.	Complete.	
Sense of Place/Sense of Attachment.	Concern that effects on air quality and climate change have implications for non-consumptive cultural values. Unwanted light has implications for non-consumptive cultural values including peaceful enjoyment of the environment.	Comments on Part C workplan.	Vopak considered changes in visual quality, air quality, noise, and ambient light in the assessment of Sense of Place and Sense of Attachment and the assessment of Indigenous Health; Vopak revised the indicators to address concerns raised.	Complete.	Kitselas will review the EEE/Application to ensure Vopak’s stated “Actions to Address Kitselas” are indeed represented.

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Indigenous Health.	Project operations will dramatically increase rail traffic through our community.	Comments on Part C workplan.	<p>The BC EAO will not be including increases in rail traffic as an off-site project component for this Project. Rail traffic would be more appropriately and effectively considered and mitigated, if necessary, by the principal regulator, Transport Canada (TC). The BC EAO will ensure that TC is provided with all comments, questions or concerns received from the Working Group and Indigenous Nations regarding potential effects associated with rail traffic.</p> <p>Although it will not form a part of the EEE/Application, Vopak will submit a rail traffic memo to the Project Working Group which will assess the effect on increased rail traffic on wildlife strikes, traffic at rail crossings, potential accidents and malfunctions, and human health (i.e., noise and air quality).</p>	Ongoing.	
Indigenous Socio-Economic Conditions.	<p>Concern about effects on:</p> <ul style="list-style-type: none"> • Non-consumptive use and sense of place that affects Indigenous socio-economic conditions. • Risks disproportionately impact vulnerable subgroups (e.g., women, children, families) across a project-affected community. 	Comments on Part C workplan.	<p>Vopak recognizes the linkages between changes in visual quality, air quality, noise, and ambient light in Indigenous Socio-economic conditions.</p> <p>Vopak considered these effects in the assessment of Indigenous Socio-Economic Conditions and revised the indicators to address concerns raised.</p>	Completed.	Kitselas will review the EEE/Application to ensure Vopak's stated "Actions to Address Kitselas" are indeed represented.

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Indigenous Socio-Economic Conditions (cont'd).	Marine traffic, labour force, and regional community services. Availability of government assisted living and low-income housing.				
Cumulative effects.	Increased blocking of access and travel to coastal areas between Prince Rupert/Port Edward poses a threat to resource harvesting practices and maintenance of traditional knowledge.	Traditional Use and Occupation Study (TUOS).	Vopak will address this concern in the cumulative effects assessment on Access and Travel in Part C and Marine Use and Navigation in Part B.	Ongoing.	
Jetty design.	Concerns of vessel size and weather. Concern about the potential impacts to the sea floor from anchoring system. Design change and its impact to expected rail traffic. Kitselas expects any risk assessments of spills to include this design. Concerned with data collection efforts during the COVID-19 health climate. Concerned about pilot's navigation.	Comments on revised jetty design.	Effects from the revised design will be assessed in VCs where a potential Project interaction with a VC has been identified previously. Although not currently part of the Project Description, effects of protection barriers will also be included in the EEE/Application. Vopak has started to engage with Kitselas First Nation about this point and will continue discussions as more information becomes available. No major issues related to safe navigation and berthing were identified.	Complete.	Kitselas will review the EEE/Application to ensure Vopak's stated "Actions to Address Kitselas" are indeed represented.

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Human Health Risk Assessment.	<p>Concern that the risk assessment is limited in scope as it does not follow the Health Impact Assessment (HIA) guidelines.</p> <p>Concern that the Project will add to impacts from historical trauma, governmental policies and dislocation from culture.</p> <p>Concern regarding the negative implication that will result from land displacement.</p> <p>Concern that the Project will contribute to housing issues.</p> <p>Concern that the Project will contribute to unhealthy spending and access to disposable income.</p> <p>Interested to know what training and long-term employment opportunities the Project will offer.</p> <p>Concern that the Project will hinder access to basic health and emergency health services.</p> <p>Concern of the safety and wellbeing of the community in the event of an emergency related to the transportation of hazardous materials.</p> <p>Interested to know how the Project will promote the safety of women in the Project area.</p> <p>Interested to learn about Vopak's health and safety measures to support the health and safety of the workers, and the local communities.</p>		<p>Vopak will continue to engage with Kitselas First Nation on their concerns, including how the concerns were discussed in the EEE/Application.</p>	<p>Ongoing.</p>	

3.4 Kitsumkalum First Nation

Table 3–8 provides a summary of Vopak’s key consultation activities with the Kitsumkalum First Nation during Stage 2 – Pre-EEE/Application engagement. Comments, interests and concerns raised, as well as Vopak’s response are captured in **Table 3–9**. Concerns raised to date have been addressed or are part of an ongoing discussion with the Nation.

Table 3–8: Chronology of Key Engagement Activities with the Kitsumkalum First Nation

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement		
August 2 – November 13, 2019	Email	Discussions on the Part C Workplan.
August 8, 2019	Email	Vopak provided responses to comments on the Air Dispersion Model Plan.
August 15 – October 29, 2019	Emails, phone meetings	Discussions and negotiations on workplan and Capacity Funding Agreement.
September 6, 2019	Email	Vopak provided the Archaeological Impact Assessment Summary Report.
September 28, 2019	Email	Vopak received comments on the Archaeological Impact Assessment Summary Report.
October 3, 2019	Email	Vopak provided the draft Indigenous Consultation Report.
October 23, 2019	Email	Vopak provided a list of plans associated with the Construction Environmental Management Plan for review.
October 24, 2019	Email	Vopak provided responses to comments on Disposal at Sea (DAS).
November 5, 2019 – April 16, 2020	Meeting (phone call)/emails	Vopak received and provided comments on the TUS Agreement.
November 9, 2019	Email	Vopak provided comment tracking table for the Indigenous Consultation Report (ICR) #1 with incorporated comments by the Kitsumkalum First Nation.
November 27, 2019	Email	Vopak provided responses to comments on the Archaeological Impact Assessment Summary Report.
December 10, 2019	Email	Vopak provided project footprint shapefile.
February 14, 2020	Email	Vopak informed the Kitsumkalum First Nation that they will be pursuing the no dredge option, and that a DAS permit would no longer be required.
April 1, 2020	Meeting (phone call)	Working Group Meeting on the revised jetty design.
April 16, 2020	Email	Discussion on project scope regarding rail traffic assessment.
April 24, 2020	Meeting (phone call)	Meeting to discuss the revised jetty design, additional baseline studies for marine resources and heritage and archaeology, as well as COVID-19 procedures for fieldwork Vopak also provided an

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement		
		update on EEE/Application progress that included a submission timeline. Vopak circulated meeting notes on May 15, 2020.
May 26, 2020	Email	Vopak provided responses to comments received on the jetty design.
June 12, 2020	Teleconference	Meeting to discuss Project updates.
July 10, 2020	Meeting (phone call)	Meeting to discuss the Additional Marine Field Survey Memo, Part C Memo, EEE/Application process, and the consultation report.
July 15, 2020	Email	Vopak provided their Additional Marine Field Survey for the Marine Resources Valued Component letter and memo.

Table 3–9: Summary of Issues, Concerns, and Response to the Kitsumkalum First Nation

Topic	Comment, Interest or Concern Raised	Source	Vopak’s Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Potential Effects on Harvesting Rights.	Risk of contaminants in traditional foods from dredging and disposal of dredgeate in the marine environment. Concerns about potential increased damage to the habitat of cultural keystone species.	Comments on Part C workplan.	Vopak will be pursuing the no dredge option; Disposal at Sea no longer required. Vopak assessed potential effects on cultural keystone species and habitat in the assessment of potential effects on Harvesting Rights and marine resources.	Ongoing.	
Potential Effects on Access and Travel.	The Kitsumkalum First Nation has traditionally used and has interests associated with Ridley Island, so even if Project is complete and reclamation complete that interest is lost now and would continue to be lost (i.e., all characterizations of effects should then be considered ‘not reversible’).	Comments on Part C workplan.	Although much of Ridley Island is not accessible, Vopak included Ridley Island in the assessment of potential effects on Access and Travel.	Ongoing.	
Potential Effects on Indigenous Governance Systems.	Indicators for Harvesting Rights do not quite capture a fundamental aspect of that right; changes in quantity and quality of the resources are more complex and site (wa’ap) specific based on Indigenous governance systems.	Comments on Part C workplan.	Vopak assessed effects on potential changes in quantity and quality of resources as they relate to site (wa’ap) specific Indigenous Governance Systems. Vopak revised the indicators to address concerns raised.	Ongoing.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Potential Effects on Indigenous Health.	<p>Concern regarding potential for marine sediment contamination (dioxins and furans) from dredging and disposal of dredgeates; consequent effect on human health via potential uptake and bioaccumulation of contaminants in 'traditional' foods.</p> <p>Concern about potential effects on air quality, noise, light, and soils that affect human health. For example, the ground flare will increase noise pollution.</p>	Comments on Part C workplan.	<p>Vopak will be pursuing the no dredge option; Disposal at Sea is no longer required.</p> <p>Vopak considered effects on air quality, noise, ambient light, and soil quality in the assessment of Indigenous Health; Vopak revised the indicators to address concerns raised.</p>	Ongoing.	
Potential Effects on Indigenous Socio-Economic Conditions.	Concern about adverse economic effects on communities most likely to be called upon to provide labour, goods, and services for Project construction and operations.	Comments on Part C workplan.	Vopak considered a range of issues, such as community equity, services, and access to healthcare, in the assessment of Indigenous Socio-Economic Conditions and revised the indicators to address concerns raised.	Ongoing.	
Rail Traffic.	Concerns regarding rail and impacts from rail; increased number in key road crossings; accidents and malfunctions; concerns regarding train derailments, impact of increased train traffic through Kitsumkalum villages and fishing access locations as well as along Skeena Estuary and marine environment.	Comments on Part C workplan.	The BC EAO will not be including increases in rail traffic as an off-site project component for this Project. Rail traffic would be more appropriately and effectively considered and mitigated, if necessary, by the principal regulator, Transport Canada (TC). The BC EAO will ensure that TC is provided with all comments, questions or concerns received from the Working Group and Indigenous Nations regarding potential effects associated with rail traffic.	Ongoing.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Rail Traffic (<i>cont'd</i>).	Concerns regarding rail and impacts from rail on fishing access locations: increase in rail traffic has the potential to restrict access to the Kitsumkalum First Nation members to harvest areas. Concern about cumulative increased rail traffic from other project in Prince Rupert/Port Edward.		Although it will not form a part of the EEE/Application, Vopak will submit a rail traffic memo to the Project Working Group which will assess the effect on increased rail traffic on wildlife strikes, traffic at rail crossings, potential accidents and malfunctions, and human health (i.e., noise and air quality).		
TEK/TUS Information.	An Application/EEE submission without primary TK/TU information from Kitsumkalum First Nation will be considered incomplete. If Vopak uses secondary sources, Kitsumkalum First Nation would like to provide input prior to the submission of the EEE/Application.	Comments on Part C workplan.	Vopak proposes to work with Kitsumkalum First Nation to identify ways to incorporate the TEK/TUS after the Draft EEE/Application is submitted. Vopak will use content from draft forms of the TEK/TUS and has provided the list of secondary sources for input; Vopak is currently engaging with Kitsumkalum First Nation on this point.	Ongoing.	
Cumulative Effects.	Concerns about potential increased damage to the habitat of cultural keystone species. Increased limited access to trails and access routes due to rail lines, gates and removal of bridges.	Traditional Use Study (TUS).	Vopak will address this concern in the Cumulative Effects Assessment on Access and Travel in Part C and Marine Use and Navigation in Part B.	Ongoing.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Jetty design.	<p>Concerned about the height of the trestle allowing fishing vessels to pass.</p> <p>Concerned about the placement of the new marine terminal design considering distances from existing infrastructure in proximity.</p>	<p>Comments on revised jetty design.</p>	<p>Effects of the Project on navigation will be assessed as part of the Marine Use and Navigation VC.</p> <p>The risk of marine ship collision within the marine study area will be assessed in Section 6.</p> <p>Although not currently part of the Project Description, effects of protection barriers will also be included in the EEE/Application.</p>	<p>Ongoing.</p>	

3.5 Lax Kw'alaams Band

Table 3–10 provides a summary of Vopak's key consultation activities with the Lax Kw'alaams Band during Stage 2 – Pre-EEE/Application engagement. Comments, interests and concerns raised, as well as Vopak's response are captured in **Table 3–11**. Concerns raised to date have been addressed or are part of an ongoing discussion with the Indigenous Nation.

Table 3–10: Chronology of Key Engagement Activities with the Lax Kw'alaams Band

Date	Method of Engagement	Purpose/ Outcome
Stage 2 – Pre-EEE/Application Engagement		
August 2, 2019	Email	Vopak provided documents related to the Working Group Meeting – Disposal at Sea (DAS) Permitting on July 24.
August 28 – October 31, 2019	Emails/meetings (phone)	Vopak received and provided comments on the Part C Workplan.
September 10, 2019	Email	Vopak provided the Archaeological Impact Assessment Summary Report.
September 10, 2019	Email	Vopak provided draft TUS Terms of Reference.
September 11, 2019	Email	Vopak received the map of the Lax Kw'alaams Local and Regional Study Areas.
September 28, 2019	Email	Vopak received comments on the Archaeological Impact Assessment Summary Report.
October 1, 2019	Email	Vopak provided a draft Indigenous Consultation Report.
October 2, 2019	Email	Vopak provided DAS Working Group meeting documents.
October 24, 2019	Email	Vopak provided responses to the comments on DAS.
October 25, 2019	Email	Vopak provided the DAS Constraints Matrix.
November 19, 2019	Email	Vopak received the Lax Kw'alaams Band TUS; Vopak provided a list of species in the Field Study.
November 22, 2019	Email	Vopak received food web graphics.
December 5, 2019	Email	Vopak provided DAS options matrix.
December 13, 2019	Email	Vopak received DAS site map and Lax Kw'alaams DAS concerns.
January 7, 2020	Phone call	Vopak informed Lax Kw'alaams Band that the EEE/Application submission date is postponed.
February 10 – April 17, 2020	Phone call/email	Project updates were shared with Lax Kw'alaams, including a notification that the Cumulative Effects Assessment timelines has been impacted by COVID-19.
March 9, 2020	In-person	Project updates were discussed with the COO of Lax Kw'alaams Business Development Corporation LP. Discussed setting up a leadership to leadership meeting once the Lax Kw'alaams Mayor and Council were available. Also discussed communication processes.
March 11, 2020	In-person	Vopak attended the Coast Tsimshian Career Fair Roundtable.

Date	Method of Engagement	Purpose/ Outcome
Stage 2 – Pre-EEE/Application Engagement		
March 17 – 27, 2020	Email	Project information regarding Geotechnical work was shared with the COO of Lax Kw'alaams Business Development Corporation LP. COVID-19 measures and contracting opportunities were also discussed.
March 27, 2020	Email	Vopak informed Lax Kw'alaams that the geotechnical work has been postponed due to COVID-19.
March 27, 2020	Email	Vopak shared information on the Project's marine geotechnical work plans with the COO of Lax Kw'alaams Business Development Corporation LP.
April 1, 2020	Meeting (phone call)	Working Group Meeting on the revised jetty design.
April 21, 2020	Meeting (phone call)	Vopak met with the COO of Lax Kw'alaams Business Development LP and discussed project updates, the Geotech work plan, COVID-19 safety measures, contracting opportunities, and engagement processes.
April 28, 2020	Email	Vopak received a PDF copy of Lax Kw'alaams Cultural Handbook.
May 1, 2020	Email	Vopak received comments on the revised jetty design.
May 4, 2020	Meeting (Phone call)	Meeting to discuss the revised jetty design, additional baseline studies for marine resources and heritage and archaeology, as well as COVID-19 procedures for fieldwork Vopak also provided an update on EEE/Application progress that included a submission timeline. Vopak circulated meeting notes on May 13, 2020.
May 19-26, 2020	Email and phone call	Discussed planned geotechnical work and the potential of an environmental monitoring opportunity.
May 26, 2020	Email	Vopak provided responses to comments on jetty design.
June 5, 2020	Email	Vopak emailed the COO of Lax Kw'alaams Business Development Corporation LP to set up a leadership to leadership meeting.
June 8, 2020	Email	Vopak notified the COO of Lax Kw'alaams Business Development Corporation LP that the marine geotechnical work has been postponed.
June 15, 2020	Phone call	Phone call to discuss Project updates, EEE/Application and Archaeological Survey plans.
July 2, 2020	Phone call	Engagement updates and a discussion around the timelines for upcoming engagements, including a leadership to leadership meeting occurred with the COO of Lax Kw'alaams Business Development Corporation LP.
July 9, 2020	Email	Vopak inquired with the COO of Lax Kw'alaams Business Development Corporation LP about the timing of setting up a leadership to leadership meeting noting Vopak's availability to meet.
July 9-10, 2020	Phone call	Vopak provided an update on the progress and timelines of the Additional Marine Field Survey Memo, Part C Memo, EEE/Application process, and the consultation report.
July 15, 2020	Email	Vopak provided their Additional Marine Field Survey for the Marine Resource Value Component letter and memo.

Table 3–11: Summary of Issues, Concerns, and Response to the Lax Kw’alaams Band

Topic	Comment, Interest or Concern Raised	Source	Vopak’s Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Potential effects on Harvesting Rights.	The Project will affect harvesting rights and social/ceremonial practices.	Comments on Part C workplan.	Vopak considered effects on food, social, and ceremonial activities and effects on species connectivity in the assessment of potential effects on Harvesting Rights; Vopak revised the indicators to address concerns raised.	Ongoing.	
Potential effects on Sense of Place /Sense of Attachment.	Effects on marine and terrestrial resources used in social and ceremonial services will affect sense of attachment.	Comments on Part C workplan.	Vopak’s assessment of Sense of Place and Sense of Attachment was informed by the assessment of VCs such as marine resources and terrestrial resources that are used by the Lax Kw’alaams Band in social and ceremonial services. Vopak revised the indicators to address concerns raised.	Ongoing.	
Potential effects on Access and Travel.	Increased shipping could result in increased wakes within traditional (canoe) navigation routes. This could result in changes in quantity/availability and location of navigation routes for traditional boat use. Increased noise and decreased visual quality could impact Band members’ desire to travel.	Comments on Part C workplan.	Vopak’s assessment of effects on Access and Travel was informed by the assessment of VCs such as marine use and navigation. Effects of increased noise and decreased visual quality related to desire to travel and partake in traditional activities were assessed for other Aboriginal Interests. Vopak revised the indicators to address concerns raised.	Ongoing.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Potential effects on Cultural Identity.	Cultural identity is not separate from other Aboriginal Interests but a conglomeration of all other Aboriginal Interests.	Comments on Part C workplan.	Vopak assessed effects on Cultural Identity by assessing other Aboriginal Interests such as Harvesting Rights, Access and Travel, Sense of Place and Sense of Attachment, Indigenous Physical and Cultural Heritage. Vopak revised the indicators of Cultural Identity to address concerns raised.	Ongoing.	
Potential effects on Indigenous Health.	Potential effects on the Lax Kw'alaams Band village (Old Port Simpson) residents (individuals) from changes in air quality, GHG emissions, and marine resources.	Comments on Part C workplan.	Vopak will be pursuing the no dredge option; Disposal at Sea no longer required. Potential effects on the Lax Kw'alaams Band residents' health were assessed in Indigenous Health; however, Vopak considers potential changes in air quality do not extend to the Lax Kw'alaams Band village. Vopak revised the indicators of Indigenous Health to address concerns raised.	Ongoing.	
Potential effects on Indigenous Physical and Cultural Heritage.	The Project will impact the Lax Kw'alaams Band's historic and current uses of their lands, waters, and resources; impacts on land use sites are not isolated in time or space but are cumulative with past, current, and future development.	Comments on Part C workplan.	Vopak revised the indicators of Indigenous Physical and Cultural Heritage to address concerns raised.	Ongoing.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Cumulative Effects	Multiple jetties/berths from multiple projects and their cumulative environmental effects. Proposed bulk liquids storage facility in addition to the existing cumulative resource development and their associated activities will cause adverse effects over a substantial portion of their territory.	Traditional Use Study (TUS).	Vopak will address this concern in the Cumulative Effects Assessment for Indigenous Interests in Part C and for marine use and navigation and marine resources in Part B.	Ongoing.	
Revised Jetty Design	Concern about the anticipated impact of marine shipping into port. Concerned about the shape of the LSA.	Comments on revised jetty design.	Effects of marine shipping will be assessed in the Marine Use and Navigation VC of the EEE/Application. The revised LSA for the marine resources, marine habitats, and marine sediment quality was developed based on the same criteria that was outlined in the TOR/AIR. Although not currently part of the Project Description, effects of protection barriers will also be included in the EEE/Application.	Ongoing.	
Air Quality.	Interested in receiving the measurements that were proposed in the model to be able to compare it to the baseline values. Concern that the report used to inform the plan is outdated.	Air Dispersion Model.	Vopak will continue to engage with the Lax Kw'alaams Band to discuss their concerns with the air dispersion model and how it was used in the EEE/Application.	Ongoing.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Archaeological Impact Assessment.	<p>Interested in receiving additional information on the newly identified CMTs that were found in the Project area.</p> <p>Interested to know how the Project will impact the CMTs located within the Project area.</p> <p>Interested to know more details on the cultural depression sites located within the Project area.</p> <p>Interested in receiving additional information on the vegetation that was located within the Project area.</p> <p>Interested in reviewing a more detailed Archaeological Impact Assessment report.</p> <p>Lax Kw'alaams will want to review any Chance Find Management Plans.</p> <p>Lax Kw'alaams will want to be immediately notified of any archaeological finds.</p>	Summary of Archaeological Impact Assessment.	Vopak will continue to engage with the Lax Kw'alaams Band on the archaeology work completed for the Project, including the information provided in the draft EEE/Application.	Ongoing.	

3.6 Metlakatla First Nation

Table 3–12 provides a summary of Vopak’s key consultation activities with the Metlakatla First Nation during Stage 2 – Pre-EEE/Application engagement. Comments, interests and concerns raised, as well as Vopak’s response are captured in **Table 3–13**. Concerns raised to date have been addressed or are part of an ongoing discussion with the Indigenous Nation.

Table 3–12: Chronology of Key Engagement Activities with the Metlakatla First Nation

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement		
August 7, 2019	Email	Vopak provided responses to comments on the Air Dispersion Modeling Plan.
August 28, 2019	Email	Vopak received comments on the TUS guidelines.
September 17, 2019	Email	Vopak received comments on the Part C workplan.
October 1-11, 2019	Email	Vopak received and provided comments on the draft Indigenous Consultation Report (ICR) #1 and received the Metlakatla First Nation’s Culturally Modified Tree (CMT) Policy.
October 24, 2019	Email	Vopak provided responses to comments on the Disposal at Sea (DAS).
October 25, 2019	Email	Vopak provided the DAS Constraints Matrix.
October 31, 2019	Meeting (phone)	Part C workplan discussion between Vopak, Metlakatla First Nation, and Lax Kw’alaams Band.
November 13, 2019	Email	Vopak provided responses to comments on the Part C workplan, revised list of Part C Aboriginal Interests and indicators, and list of secondary sources for Metlakatla First Nation to review.
December 13, 2019	Email	Vopak received the TUS: Metlakatla First Nation Traditional Use and Ecological Knowledge of Vopak Pacific Canada Project Area prepared by Metlakatla Stewardship Society on November 11, 2019.
January 7, 2020	Email	Vopak informed Metlakatla First Nation that the EEE/Application submission date is postponed.
February 10, 2020	Phone call/ email	Discussion on project updates.
February 20, 2020	Email	Vopak received Cumulative Effects Assessment information.
February 24 – April 22, 2020	Email	Discussed the reporting aspects for the Initial Funding Agreement and Capacity Funding Agreement.
March 11, 2020	In-person	Vopak attended the Coast Tsimshian Career Fair Roundtable.
March 10, 2020	In-person	Vopak met with the Director of Operations of Metlakatla Development Corporation to discuss project updates, Project timelines, geotechnical work plans, environmental monitoring opportunities, contracting and procurement opportunities, engagement processes and upcoming engagements.

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement		
March 17 – 27, 2020	Email	Project information regarding Geotechnical work was shared with the Director of Operations of Metlakatla Development Corporation. COVID-19 measures and contracting opportunities were also discussed.
March 27, 2020	Email	Vopak informed Metlakatla that the remainder of the geotechnical work has been postponed due to COVID-19.
March 27, 2020	Email	Vopak shared information on the Project's marine geotechnical work plans with the Director of Operations of Metlakatla Development Corporation.
April 1, 2020	Meeting (phone call)	Working Group Meeting on the jetty design.
April 20, 2020	Meeting (phone call)	Meeting to discuss the revised jetty design, additional baseline studies for marine resources and heritage and archaeology, as well as COVID-19 procedures for fieldwork Vopak also provided an update on EEE/Application progress that included a submission timeline. Vopak circulated meeting notes on May 15, 2020.
April 23, 2020	Email	Vopak received Funding Expenditure Report Draft.
May 22-26, 2020	Email and phone call	Discussed planned geotechnical work and the potential of an environmental monitoring opportunity.
May 26, 2020	Email	Vopak provided map of boreholes and COVID-19 policies.
June 8, 2020	Email	Vopak notified Metlakatla that the marine geotechnical work has been postponed.
June 8 – July 9, 2020	Email, phone calls	Discussed potential project timelines and potential interactions with neighbouring business with the Director of Operations of Metlakatla Development Corporation.
June 15, 2020	Teleconference	Virtual meeting to discuss Project updates and archaeological field work.
June 18, 2020	Virtual meeting	Meeting with Metlakatla Leadership to discuss Project updates, employment opportunities, jetty design, and confirmation that the DAS will no longer be required.
July 8, 2020	Email	Vopak received an additional concern regarding sediment disturbance related to the Project revised jetty design.
July 10, 2020	Meeting (phone call)	Meeting to discuss the Additional Marine Field Survey Memo, Part C Memo, EEE/Application process, and the consultation report.
July 15, 2020	Email	Vopak provided their Additional Marine Field Survey for the Marine Resources Valued Component letter and memo.

Table 3–13: Summary of Issues, Concerns, and Response to the Metlakatla First Nation

Topic	Comment, Interest or Concern Raised	Source	Vopak’s Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Potential effects on Harvesting Rights.	<p>Loss of harvestable resources, increased vessel congestion, accidents or malfunctions.</p> <p>Loss of income or livelihood.</p> <p>Decrease in food security.</p> <p>Increased risk to personal health or safety.</p> <p>Loss of physical use and access to traditional sites.</p> <p>Negative impact on harvesters and participation of country foods harvest and consequent effects on traditional knowledge transfer and overall human wellbeing.</p> <p>Changes in oceanography.</p> <p>Permanent removal of marine resources and alienation of harvest areas.</p> <p>Impact of shipping to valued marine habitat.</p>	Comments on Part C workplan.	Vopak will be pursuing the no dredge option; Disposal at Sea no longer required. Vopak considered effects on food, social, and ceremonial activities and effects on species connectivity in the assessment of potential effects on Harvesting Rights; Vopak revised the indicators to address concerns raised; Vopak assessed potential effects on country foods harvest participation and consequent effects on knowledge transmission and human wellbeing in the assessment of Sense of Place and Sense of Attachment, Indigenous Governance Systems, Cultural Identity, and Indigenous Health.	Ongoing.	
Potential effects on Sense of Place /Sense of Attachment.	<p>Decrease visual quality, air quality, marine water quality and increase noise and light may impact human health which could have an adverse effect on sense of place or sense of attachment due to decreased desire to engage in traditional practices in an industrial setting and decrease in ability to use and enjoy the area for traditional purposes.</p>	Comments on Part C workplan.	<p>Vopak considered visual quality, air quality, noise, and ambient light in the assessment of Sense of Place and Sense of Attachment.</p> <p>Vopak revised the indicators to address concerns raised.</p>	Ongoing.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Potential effects on Access and Travel.	Marine shipping may impact access and travel routes due to vessel congestion and safety zones. Damage and/or access restrictions to terrestrial and marine routes used for accessing harvesting or recreation locations.	Comments on Part C workplan and Metlakatla First Nation Traditional Use Study (TUS).	Vopak assessed effects from marine shipping and vessel congestion on Access and Travel. Vopak revised the indicators to address concerns raised.	Ongoing.	
Potential effects on Indigenous Governance Systems.	Alienation of and impacts to lands and resources reduces the Metlakatla First Nation's stewardship authority in the following ways. Change in ability to make decisions regarding use or alteration of traditional lands. Change in physical condition/access to lands. Decreased ability to implement objectives and strategies outlined in the Metlakatla First Nation Land Use Plan, Marine Use Plan, and conservancy management plans.	Comments on Part C workplan and Metlakatla First Nation Traditional Use Study (TUS).	Vopak assessed potential effect on the Nation's stewardship and governance in the assessment of Indigenous Governance Systems; Vopak revised the indicators to address concerns raised.	Ongoing.	
Potential effects on Cultural Identity.	Participation in harvest has a strong social/mental/spiritual health component. Decreased participation of country foods harvest and consequent loss of traditional knowledge transmission, overall human wellbeing, and loss of intergenerational connectedness.	Comments on Part C workplan and Metlakatla First Nation Traditional Use Study (TUS).	Vopak considered participation in harvesting as a social/mental/spiritual health component in the assessment of Cultural Identity. Vopak revised the indicators to address concerns raised.	Ongoing.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Potential effects on Cultural Identity (<i>cont'd</i>).	<p>Transiting vessels may impact visual quality which may result in impact on human health and cultural identity.</p> <p>Damage and/or destruction of areas holding place names could lead to loss of TEK.</p>		<p>Vopak will develop and implement the Construction and Operations Environmental Management Plan (EMP) to reduce impacts to VCs such as marine resources linked to cultural identity.</p>		
Potential effects on Indigenous Health.	<p>Large temporary workforces may affect social determinants of health.</p> <p>Visual quality, light, and noise from vessels may impacts human health.</p> <p>Air pollution and noise from LPG cooling process may impact human health and Indigenous Nation's ability to practice rights and title.</p> <p>Decrease in participation of country foods harvest and consequent effects on TEK transfer and human wellbeing.</p> <p>Inability to practice traditional activities on the land could have adverse effects on mental health and personal wellbeing through loss of culture, community bonding/fabric, intergenerational connectedness, and access to recreational areas.</p> <p>Decrease in country foods consumption could lead to higher rates of diabetes and hypertension.</p> <p>Key species harvested for traditional purposes may be contaminated, which would increase health risk.</p>	<p>Comments on Part C workplan and Metlakatla First Nation Traditional Use Study (TUS).</p>	<p>Vopak considered effects on social determinants of health, air quality, ambient light, noise, vessel traffic, participation in traditional practices, personal safety, intergenerational connectedness, and country foods consumption in the assessment of Indigenous Health.</p> <p>Vopak revised the indicators of Indigenous Health to address concerns raised.</p> <p>Vopak will develop and implement the Construction and Operations Environmental Management Plan (EMP) to reduce impacts to VCs such as air quality, GHG emissions, and marine resources linked to Indigenous Health.</p>	<p>Ongoing.</p>	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Potential effects on Indigenous Health (cont'd).	<p>Increased risk to personal safety when harvesting.</p> <p>Increased risk of environmental emergency.</p> <p>Increased exposure to transient populations associated with increase in crime and addiction.</p>				
Potential effects on Indigenous Socio-Economic Conditions.	<p>Potential to exacerbate the systemic social challenges facing Indigenous people in completing education and training programs.</p> <p>Construction may affect housing affordability, availability, and cost of housing repairs.</p> <p>Increased pressure on housing stock (and other services) if local or Metlakatla members are not able to secure job opportunities related to the Project.</p> <p>Decreased desire to engage in traditional practices in an industrial setting.</p> <p>Decreased ability of the Metlakatla community to use land and resources for economic development.</p> <p>Increased competition for resources with the non-Metlakatla recreational users.</p> <p>Increased pressure on fishing stock if workers participate in the sports fishing sector while employed by the Project.</p> <p>Decrease in trade items and associated loss of income and livelihood.</p>	Comments on Part C workplan and Metlakatla First Nation Traditional Use Study (TUS).	<p>Vopak considered effects on social determinants of health, air quality, light, noise, vessel traffic, participation in traditional practices, personal safety, intergenerational connectedness, and country foods consumption in the assessment of Indigenous Socio-Economic Conditions.</p> <p>Vopak revised the indicators to address concerns raised.</p>	Ongoing.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Potential effects on Indigenous Socio-Economic Conditions (cont'd).	<p>Elimination of the Metlakatla economic development aspirations for area.</p> <p>Increased local employment and salaries may impact the Metlakatla agencies and businesses' own operations.</p> <p>Increase on-reserve populations and housing pressure.</p> <p>Decrease employment and community economy post-construction.</p> <p>The Project may reduce social cohesion by:</p> <ul style="list-style-type: none"> • Increasing income disparity between community members. • Increasing employment but reducing volunteerism. • Decreasing employee ability to attend community and family functions. • Increasing substance abuse. 				
Potential effects on Indigenous Physical and Cultural Heritage.	Loss of site-specific TEK and disruption of cultural transmission of knowledge and intergenerational connectedness.	Comments on Part C workplan and Metlakatla First Nation Traditional Use Study (TUS).	<p>Vopak assessed potential effects on knowledge transmission and intergenerational connectedness in the assessment of Indigenous Physical and Cultural Heritage.</p> <p>Vopak revised the indicators to address concerns raised.</p> <p>Vopak is developing mitigations to address Project contribution to cumulative impacts on physical and cultural heritage and will seek input from Indigenous Nations.</p>	Ongoing.	

Topic	Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Cumulative Effects.	Concerns about cumulative increased traffic and pollution, loss of cultural keystone species increased loss of access to traditional harvesting sites; potential spills and an increase of air, water and noise pollution; potential future increase of sport fishers; the livelihood of Metlakatla future generations; lack of consultation with the Metlakatla First Nation from previous experience with proposed Watson Island project.	Traditional Use Study (TUS).	Vopak will address this concern in the Cumulative Effects Assessment on Access and Travel in Part C and Marine Use and Navigation in Part B.	Ongoing.	
Jetty design.	Concerned of sediment contamination and disturbance in the proposed MBM system area due to the effects of mooring buoys and shipping.	Comments on revised jetty design.	Vopak provided information on the project's impact on sediment contamination and disturbance. Additional information will be provided in marine resources in Part B. Although not currently part of the Project Description, effects of protection barriers will also be included in the EEE/Application.	Ongoing.	

4 Summary of Potential Adverse Impacts on Aboriginal Interests and Preliminary Mitigation Measures

Pursuant to Section 13.3.3 of the Section 11 Order, the Report is required to identify the potential adverse impacts of the proposed Project on Aboriginal Interests, including Paragraph 5(1)(c) factors, and identify how these potential adverse impacts will be mitigated or otherwise addressed or accommodated, as appropriate.

Vopak is currently preparing the draft EEE/Application that will assess the potential adverse impacts on Aboriginal Interests and include proposed mitigation measures that the Project will engage with the Indigenous Nation on throughout the review process. As outlined in the Part C workplan, mitigation measures will be proposed for each Aboriginal Interest where there is a predicted effect.

The preliminary potential adverse effects on Aboriginal Interests that were identified by the Indigenous Nation throughout our engagements will be incorporated into in the draft EEE/Application. Additionally, the TEK/TLUS information provided by each of the six Indigenous Nations will be used to inform the Part B Value Component (VC) baselines, effects, and mitigation measures to avoid, mitigate, or otherwise address or accommodate the potential impacts.

Following the submission of the draft EEE/Application, Vopak will actively engage with the Working Group as well as consult with the individual Indigenous Nations on the assessment of impacts and proposed mitigation measures. Vopak will record all comments provided by the Indigenous Nations and track how feedback and concerns are addressed throughout the process. It is anticipated that this communication will be reported in Indigenous Consultation Report #3 to be submitted 100 days after the draft EEE/Application is filed.

5 Next Steps

Vopak will continue to engage with the Indigenous Nations in accordance with the approved Indigenous Consultation Plan. Vopak appreciates the input received from Indigenous Nations to date and looks forward to continuing to work with the Indigenous Nations throughout the EA process and developing long-term positive relationships. As an immediate next step, as Vopak has sought feedback from Indigenous Nations on the draft Second Indigenous Consultation Report, Vopak will be filing this report at the same time as the draft EEE/Application to meet regulatory requirements.