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d'impact du Canada

**EAO**

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December 23, 2020

**Sent by Email Only**

Mike McLellan  
Vice President, Project Development  
GCT Canada Limited Partnership  
mmclellan@globalterminals.com

Agency File No: 81010  
EAO File No: 30300-20/DPB4-05-06

Dear Mr. McLellan:

**Subject: Joint Summary of Issues and Engagement for the GCT Deltaport Expansion, Berth Four Project**

The Impact Assessment Agency of Canada (the Agency) and British Columbia's Environmental Assessment Office (EAO) conducted a comment period on the GCT Deltaport Expansion, Berth Four Project (the Project) from October 13 to November 27, 2020. Participants were invited to review the summary of the Initial Project Description and to provide feedback related to the proposed Project. The enclosed Joint Summary of Issues and Engagement (Joint Summary) reflects the issues raised through comments received from the public, Indigenous nations and technical advisors (federal authorities, provincial ministries, and local governments). As a next step, the Agency and the EAO expect GCT Canada Limited Partnership (GCT) to produce a single Detailed Project Description that will meet both federal and provincial requirements.

Pursuant to subsection 15(1) of the federal *Impact Assessment Act*, GCT must provide the Agency with a Detailed Project Description that sets out how it intends to address the issues in the Joint Summary and includes the information described in the *Information and Management of Time Limits Regulations* (the Regulations). The requirements for the Detailed Project Description are set out in Section 4 and Schedule 2 of the Regulations. Please consult the Agency's [Guide to Preparing an Initial Project Description and a Detailed Project Description](#) for further information.

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The guidelines for completing a Detailed Project Description for the EAO are included in the [Early Engagement Policy](#). Under Section 39(a) of the provincial *Environmental Assessment Act* (2018), GCT has up to one year to submit its Detailed Project Description from the issuance of the Joint Summary or the Chief Executive Assessment Officer may terminate the assessment of the Project.

The EAO notes that the Detailed Project Description is a foundational document for Process Planning, should the Project proceed to an environmental assessment (EA). The EAO strongly encourages GCT to submit additional documents along with the Detailed Project Description, including GCT's proposed Application Information Requirements, based on the EAO's [Application Information Requirements Guidelines](#).

The EAO expects GCT to engage with Indigenous nations and technical advisors during the development of the Detailed Project Description to ensure their interests are considered. This engagement will help avoid uncertainty and potential time delays later in the process. This engagement includes the sharing of drafts of the Detailed Project Description with these participants. The Detailed Project Description should include information provided in the Initial Project Description and updates, revisions and further details following engagement with Indigenous nations, technical advisors and other stakeholders. It is important that the Detailed Project Description describe how engagement activities and the Joint Summary were considered, and how they may have contributed to changes in the Project.

The EAO notes that the City of Richmond will be submitting comments on the Project in early 2021, and the EAO requires GCT to consider these comments in development of the Detailed Project Description.

GCT is asked to provide meaningful responses in the Detailed Project Description to the issues included in the Joint Summary. The Joint Summary and GCT's responses will be used to inform the Agency's decision on whether an impact assessment is required for the Project, and the EAO's decision on whether the Project should proceed to an environmental assessment under the provincial *Environmental Assessment Act* (2018).

In preparing the response, there may be some issues that, in the view of GCT, are outside of its care and control. In this situation, GCT may choose to identify the party or parties with the potential to address the issue(s).

For ease of reference, the Agency and the EAO request that the response to the Joint Summary be provided in a table with reference to other parts of the Detailed Project Description as warranted.

The Agency generally estimates that it could take approximately 30 days – or until January 22, 2021 in this case – to provide the Detailed Project Description for the federal process, including the response to the Joint Summary. In consideration of efforts being made to coordinate the federal Planning Phase steps under the *Impact Assessment Act* and the provincial Early Engagement phase steps under the *Environmental Assessment Act* (2018), the Agency recognizes that GCT may require additional time to produce the Detailed Project Description. You are encouraged to contact the Agency in the next few days to discuss how much time may be required.

GCT is reminded that all records produced, collected, or received in relation to the assessment of the Project—unless prohibited under the federal *Access to Information Act* or the provincial *Freedom of Information and Protection of Privacy Act*—will be considered public and posted on the Canadian Impact Assessment Registry Internet site and/or the EAO's Project Information and Collaboration website.

If you have any questions or if the Agency or the EAO can assist in facilitating engagement with Indigenous nations and technical advisors during the development of GCT's Detailed Project Description, please do not hesitate to contact Stefan Crampton from the Agency at [Stefan.Crampton@canada.ca](mailto:Stefan.Crampton@canada.ca) or Kim Walters from the EAO at [Kimberly.Walters@gov.bc.ca](mailto:Kimberly.Walters@gov.bc.ca).

Sincerely,



Regina Wright  
Regional Director, Pacific and Yukon  
Impact Assessment Agency of Canada



Elenore Arend  
Chief Executive Assessment Officer and  
Associate Deputy Minister  
British Columbia Environmental Assessment Office

Enclosure: GCT Deltaport Expansion, Berth Four Project – Joint Summary of Issues and Engagement

Cc:

Stefan Crampton, Project Manager, Impact Assessment Agency of Canada  
Kim Walters, Project Assessment Director, Environmental Assessment Office

# Joint Summary of Issues and Engagement

## 1.0 Introduction

GCT Canada Limited Partnership (GCT) is proposing to expand its existing GCT Deltaport Container Terminal, a container storage and handling facility located in Delta, British Columbia (B.C), approximately 35 kilometres south of Vancouver. As proposed, the GCT Deltaport Expansion, Berth Four Project would add a fourth berth on the east side of the Roberts Bank Causeway, include an expansion of the intermodal rail yard along the causeway (Roberts Bank Way) and dredging to provide safe access for ships. The additional land-based container storage and handling facilities would provide an additional two million 20-foot long storage containers (otherwise referred to as 20-foot equivalent units or TEUs) per year at the existing terminal.

The Impact Assessment Agency of Canada (the Agency) and B.C Environmental Assessment Office (EAO) have both accepted an Initial Project Description for the Project, which is subject to the federal *Impact Assessment Act* and the provincial *Environmental Assessment Act* (2018).

The Agency and the EAO are working cooperatively in a coordinated process for the initial phase of the Project's review in accordance with the [Impact Assessment Cooperation Agreement between Canada and British Columbia \(2019\) \(the Cooperation Agreement\)](#), and in support of the principle of “one project, one assessment.”

This Joint Summary of Issues and Engagement (Joint Summary) document has been prepared and issued by the Agency and the EAO as part of the federal Planning and provincial Early Engagement phases in the assessment of projects that are captured by both the federal *Impact Assessment Act* and the provincial *Environmental Assessment Act* (2018). In accordance with the Cooperation Agreement, this Joint Summary is issued to GCT in place of separate federal Summary of Issues and provincial Summary of Engagement documents.

As required by subsection 14 (1) of the federal *Impact Assessment Act* and paragraph 13(5)(a) of the provincial *Environmental Assessment Act* (2018), this Joint Summary provides:

- a summary of the issues raised to the Agency or the EAO by the public during the joint public comment period;
- comments from Indigenous nations related to their interests in the project area;
- key issues or concerns identified by Indigenous nations regarding the Project; and,
- comments provided by technical advisors<sup>1</sup> after reviewing GCT's Initial Project Description.

The Joint Summary also provides a list of participating Indigenous nations as per paragraph 13(5)(b) of the provincial *Environmental Assessment Act* (2018). GCT is required to consider the issues raised in the Joint Summary and respond to them in its Detailed Project Description and accompanying response to the Joint Summary. This Joint Summary, GCT's response to the Joint Summary, and GCT's Detailed Project Description will be used, among other things, by the Agency to determine whether a federal impact assessment is required, and by the EAO to determine if the project is ready to proceed to a provincial environmental assessment.

Further details on the Project can be accessed in the Initial Project Description, Engagement Plan and other documents on the Agency's [Canadian Impact Assessment Registry](#) or the EAO's [Electronic Project Information and Collaboration website](#) (EPIC).

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<sup>1</sup> Federal authorities, provincial ministries, local governments, and health authorities.

## 2.0 Early Engagement Overview

During the coordinated process, the Agency and the EAO have sought to understand how the public, Indigenous nations and technical advisors want to be engaged, and have gathered their initial interests, concerns, questions, feedback and knowledge regarding the Project. The Agency and the EAO hosted two virtual information sessions and held meetings and teleconferences with federal authorities, technical advisors and potentially affected Indigenous nations.

The unique circumstances arising from COVID-19 resulted in changes to the usual approaches of undertaking meaningful public engagement and Indigenous consultation. The Agency and the EAO assessed the situation with key participants, adjusted timelines for the coordinated process and adapted consultation and engagement activities to provide flexibility as needed to prioritize the health and safety of all Canadians.

### 2.1 Joint Public Comment Period

The Agency and the EAO held a 45-day joint public comment period from October 13 to November 27, 2020. Due to the COVID-19 pandemic and the associated physical distancing and self-isolation measures, virtual, rather than in-person, information sessions were held via webcast on November 5 and 10, 2020. The virtual information sessions included presentations on the federal and provincial assessment processes, a presentation by GCT on the project, and opportunities to ask questions online. The two virtual information sessions had approximately 26 and 46 participants, respectively.

53 individual public comments were received by the Agency and the EAO during the joint public comment period. Comments are summarized below in section 4.0.

## 3.0 Indigenous Nations and Organizations

The Agency and/or the EAO notified and requested input from the following Indigenous nations and organizations whose interests could reasonably be expected to be affected by the Project:

- \*Beecher Bay Indian Band (Scianew First Nation)
- \*Cowichan Tribes
- \*Ditidaht First Nation
- \*Esquimalt Nation (No'ilung Si'em 'i' sche'le'chu)
- \*Halalt First Nation
- Katzie First Nation
- Kwantlen First Nation
- Kwikwetlem First Nation
- Leq'á:mél First Nation
- \*Lyackson First Nation
- \*Maa-nulth First Nations (Huu-ay-aht First Nations, Ka:'yu:'k't'h'/Che:k'tles7et'h First Nations, Toquaht Nation, Uchucklesaht Tribe and Ucluelet First Nation)
- \*Malahat First Nation
- Matsqui First Nation
- \*Musqueam Indian Band
- Métis Nation British Columbia
- \*Pacheedaht First Nation
- \*Pauquachin First Nation

- Penelakut Tribe
- Popkum First Nation
- Seabird Island First Nation
- Semiahmoo First Nation
- Shxw'owhamel First Nation
- Songhees First Nation
- Squamish Nation
- \*Stz'uminus First Nation
- \*S'ólh Téméxw Stewardship Alliance (via People of the River Referrals Office), supports a group of 15 Stó:lō First Nation member communities, which includes the following:
  - Aitchelitz First Nation
  - Chawathil First Nation
  - Cheam First Nation
  - Kwaw-Kwaw-Apilt First Nation
  - Semá:th (Sumas) First Nation
  - Shxwhá:y Village
  - Skowkale First Nation
  - Skwah First Nation
  - Soowahlie First Nation
  - Sq'ewá:lwx (Skawahlook) First Nation
  - Sq'éwlets (Scowlitz) First Nation
  - Squiala First Nation
  - Tzeachten First Nation
  - Yakweakwioose First Nation
  - Yale First Nation
- T'sou-ke First Nation
- Tsartlip First Nation
- Tsawout First Nation
- \*Tsawwassen First Nation
- Tseycum First Nation
- \*Tseil-Waututh Nation
- Ts'ubaa-asatx (Lake Cowichan First Nation)

\*indicates confirmed Participating Indigenous Nation under the *Environmental Assessment Act* (2018)

The Agency and the EAO made funding available to support participation by Indigenous groups in this phase of the assessment.

Under the provincial *Environmental Assessment Act* (2018), Indigenous nations can self-identify as a participating Indigenous nation for the assessment of a project. Participating Indigenous nations are afforded specific procedural rights under the provincial *Environmental Assessment Act* (2018), including capacity funding, consensus seeking processes, a procedure to communicate consent or withhold consent at key decision points, and access to facilitated dispute resolution.

Participating Indigenous nations under the provincial *Environmental Assessment Act* (2018) are identified in Table 1. The notices the EAO received from Indigenous nations self-identifying as participating Indigenous nations can be found on the EAO's [EPIC website](#).

Table 1 also identifies the Agency and the EAO’s preliminary understanding of Indigenous groups and nations’ interests in the Project area based on responses received from Indigenous groups and nations. Specific issues identified by Indigenous groups or nations are identified in Table 1. Some issues identified by Indigenous groups or nations will be reflected in Table 2 where those issues are common issues with other parties or specific to biophysical components. For specific concerns regarding effects to biophysical components of the environment, see Table 2.

**Table 1: Preliminary Understanding of Indigenous Interests**

<b>Indigenous Group or Nation</b>	<b>Participating Indigenous Nation under the provincial <i>Environmental Assessment Act</i> (2018)</b>	<b>Summarized Understanding of Interests</b>
<p><b>Cowichan Nation communities (Cowichan Tribes, Lyackson First Nation, Penelakut Tribe, Stz’uminus First Nation, Halalt First Nation)</b></p>	<p>Yes (except Penelakut Tribe as of December 18, 2020)</p>	<ul style="list-style-type: none"> <li>• Cowichan Nation communities have and continue to utilize this proposed Project area since time immemorial. Cowichan Nation communities’ members have utilized and continue to utilize the Salish Sea and surrounding marine and terrestrial waterways for Food, Social, and Ceremonial purposes, as well as for Economic opportunities.</li> <li>• Must recognize Aboriginal Rights and Title of other Indigenous nations in this area.</li> <li>• British Columbia’s and Canada’s commitments to implementing United Nations Declaration on the Rights of Indigenous Peoples must be reflected throughout the document.</li> <li>• Specific questions regarding past studies and data collection regarding sediment, disposal at sea, eelgrass and intertidal marsh habitat, water quality, noise.</li> <li>• Specific questions regarding mitigation measures for fish and fish habitat, water quality, Southern Resident Killer Whale, scour protection, dust control during construction, and spill response.</li> <li>• Concern regarding the Short Sea Shipping proposal.</li> <li>• Inclusion of communities in environmental and heritage monitoring.</li> <li>• Job opportunities and need for accommodations for workers outside of Metro Vancouver.</li> </ul>
<p><b>Maa-Nulth First Nations, Beecher Bay Indian Band (Scianew First Nation), Esquimalt Nation, Pauquachin First Nation</b></p>	<p>Yes</p>	<ul style="list-style-type: none"> <li>• Effects of the Project on the environment, including cumulative effects, must be thoroughly assessed.</li> <li>• Effective monitoring throughout life of Project required.</li> </ul>



Indigenous Group or Nation	Participating Indigenous Nation under the provincial <i>Environmental Assessment Act</i> (2018)	Summarized Understanding of Interests
		<ul style="list-style-type: none"> <li>• Negative impacts must be avoided or mitigated to the greatest extent possible; rehabilitation required where harm is done.</li> <li>• Compensation required for any cultural interference or loss suffered as a result of the harm caused by Project.</li> <li>• Concurrent with a decline in resources there is a shift in the economy from resource extraction to one centred around international trade.</li> <li>• Nations must receive a share of the wealth generated from the Project and preferential access to jobs, training and business opportunities.</li> <li>• The Project must recognize, thoroughly assess its impacts on and not unjustifiably infringe Aboriginal and/or Treaty Rights, including resource harvesting and traditional practices.</li> <li>• Concerned about effects from invasive species being brought to the area from ships, either on hull or in ballast water.</li> <li>• The overall health of the Ocean and its resources.</li> <li>• Impacts to treaty rights extend beyond the 12 nautical mile limit as Domestic Fishing Area extends beyond it. As a result, scope of assessment should extend to 200-mile nautical limit.</li> </ul>
<b>Malahat Nation</b>	<b>Yes</b>	<ul style="list-style-type: none"> <li>• Marine shipping may adversely impact Malahat’s Aboriginal rights and its ability to exercise its Douglas Treaty rights in relation to fishing and marine resource harvesting.</li> <li>• Marine shipping introduces safety concerns for Malahat’s ability to continue cultural traditions, connect with places of significance, transmit intergenerational knowledge and maintain connections.</li> <li>• Malahat Nation has stewardship responsibilities to marine species and has interests in food harvesting for a wide range of species. Without continued and reliable access to these, Malahat is likely to experience negative health consequences and a loss of cultural identity.</li> <li>• Request funding for capacity to carry out a territory wide Traditional Knowledge, Use and Occupancy study</li> </ul>

Indigenous Group or Nation	Participating Indigenous Nation under the provincial <i>Environmental Assessment Act</i> (2018)	Summarized Understanding of Interests
		<p>to engage in assessment processes with a fuller understanding of potential impacts and how these can be effectively minimized.</p> <ul style="list-style-type: none"> <li>• Food fish distribution is an important and much-celebrated component of community events as it provides important sustenance to elders and other community members.</li> <li>• Marine fisheries provide economic opportunity since Malahat holds commercial licenses for, or economic interests in, the harvesting of a number of species.</li> </ul>
<b>Musqueam Indian Band</b>	<b>Yes</b>	<ul style="list-style-type: none"> <li>• Musqueam holds a constitutionally protected right to harvest fish to meet its food, social and ceremonial needs that is consistently being impacted from the industrialization and development of the Fraser River, and could be further impacted by the Project.</li> <li>• A loss of fish or access to fish resources in one season can lead to economic impacts for Musqueam fishers who rely on the resource for economic well-being.</li> <li>• If changes lead to gaps in knowledge, effects may persist over generations.</li> <li>• The Project area is a historical and contemporary preferred fishing area which cannot be substituted with a location elsewhere.</li> <li>• The Project footprint overlaps with an important crab harvesting area that is already being threatened by development. Any further development could lead to significant adverse impacts.</li> <li>• Any increase in shipping in the vicinity of the Project area can have significant adverse impacts to Musqueam proven fishing rights and ability to safely traverse the water in the area.</li> <li>• There are potential Project interactions with the Musqueam Sense of Place and Identity</li> <li>• Despite ongoing industrial development of the area, the potential for Musqueam cultural heritage sites at DeltaPort is still high due to its location in historical and current fishing routes.</li> </ul>

Indigenous Group or Nation	Participating Indigenous Nation under the provincial <i>Environmental Assessment Act</i> (2018)	Summarized Understanding of Interests
		<ul style="list-style-type: none"> <li>Increased disruption to the protection, persistence, and living of Musqueam šx<sup>w</sup>təhim (i.e., ways, manners, and customs) and snəweyət (i.e., teachings received since childhood, including identity and responsibilities) as a result of Project construction and operations.</li> </ul>
<b>Pacheedaht First Nation</b>	<b>Yes</b>	<ul style="list-style-type: none"> <li>Will be directly impacted by the Project as the shipping lanes go through Pacheedaht First Nation's Marine territory. As a result, significant potential to impact Pacheedaht First Nation's ability to exercise its Aboriginal title and rights.</li> <li>Being able to govern, and safely access, the Marine Territory and Swiftsure Bank is central to who Pacheedaht are as a people.</li> <li>Concerns about avoidance of the marine territory by Pacheedaht members due to concerns about collisions, habitat contamination, contamination of resources and discharges and spills.</li> <li>Due to the presence of the international shipping lanes through Swiftsure Bank and the core of Pacheedaht First Nation's Marine Territory, the project has the potential to significantly impact Pacheedaht First Nation's ability to exercise its Aboriginal title and rights, including governance rights, culture and diet.</li> <li>Disruption to the sense of quiet that is required for harvesting that supports spiritual connection to the marine territory.</li> </ul>
<b>S'ólh Téméxw Stewardship Alliance</b>	<b>Yes</b>	<ul style="list-style-type: none"> <li>Cumulative effects of the Project in consideration of all the other projects taking place within S'ólh Téméxw (Stó:lō traditional territory) and along the Fraser River.</li> <li>Confusion regarding the status of the Project in that initially the S'ólh Téméxw Stewardship Alliance was told by the Vancouver Fraser Port Authority that the Project was not moving forward.</li> </ul>
<b>Tsawwassen First Nation</b>	<b>Yes</b>	<ul style="list-style-type: none"> <li>Project is likely to result in significant adverse effects to Tsawwassen First Nation Treaty rights and culture,</li> </ul>

Indigenous Group or Nation	Participating Indigenous Nation under the provincial <i>Environmental Assessment Act</i> (2018)	Summarized Understanding of Interests
		<p>including right to fish and harvest crab, migratory birds, wildlife and plants. Effects to species' habitats from the Project must be considered.</p> <ul style="list-style-type: none"> <li>• Decline in salmon deeply troubling as continued access to Fraser River salmon was a key goal in negotiating Tsawwassen First Nation's treaty.</li> <li>• Impacts to Tsawwassen First Nation's archaeological, paleontological, architectural, heritage and/or cultural interests.</li> <li>• Ability to access fishing and harvest areas and resulting adverse effects to food security.</li> <li>• Adverse impacts on Tsawwassen First Nation socio-economic indicators, including those arising from increased road and marine traffic, road closures, decreased land access, population growth and increased cost of living. Concern how the Project may interact with traditional Tsawwassen First Nation economies.</li> <li>• Impacts to spiritual and culture well-being, including by affecting member's knowledge and language about their home.</li> <li>• Impacts on human health, mental and social well-being.</li> <li>• Visual disturbance, as People Facing the Sea, from Project construction and operation and its impact on the health of the community.</li> <li>• Negative effects to Southern Resident Killer Whale are unacceptable. The species holds social, cultural and ceremonial values to Tsawwassen First Nation members.</li> <li>• Impacts to self-governance and stewardship and will stand to undermine Tsawwassen First Nation laws.</li> <li>• Consideration whether the Project will advance the ongoing process of reconciliation with Canada and B.C.</li> </ul>
<b>Tsleil-Waututh Nation</b>	<b>Yes</b>	<ul style="list-style-type: none"> <li>• Existing cumulative environmental effects leading to the loss and degradation of biodiversity, traditional food species, and habitats in the Fraser River and Burrard Inlet are indicative of ongoing violations against ecological</li> </ul>

Indigenous Group or Nation	Participating Indigenous Nation under the provincial <i>Environmental Assessment Act</i> (2018)	Summarized Understanding of Interests
		<p>thresholds and Tsleil-Waututh Nation laws.</p> <ul style="list-style-type: none"> <li>• Impacts to food sovereignty</li> <li>• Concern about impacts to community, culture, and teachings, which are tied to the well-being and survival of Southern Resident Killer Whales.</li> <li>• The Project falls within Tsleil-Waututh Nation’s consultation area and is thus subject to the conditions of Tsleil-Waututh Nation’s Stewardship Policy, which outlines laws and requirements for meaningful consultation.</li> </ul>

The Agency and the EAO expect GCT to engage with each of the Indigenous nations listed in section 3.0 to ensure their interests and issues are reflected in the Detailed Project Description.

## 4.0 Summary of Issues

This section provides a high-level summary of the issues raised in comments received by the Agency and the EAO from the public, Indigenous nations, federal authorities, and technical advisors on GCT's Initial Project Description (see Table 2). GCT is directed to review the original submissions posted on the Agency's [Canadian Impact Assessment Registry](#) and the EAO's [EPIC](#) website. Note that this document provides a summary of comments received; it does not evaluate those concerns, nor does it define what is to be addressed in the impact assessment.

**Table 2: Summary of Issues Raised**

<p><b>Accidents, Malfunctions, and Public Safety</b></p> <ul style="list-style-type: none"><li>• Potential for adverse environmental and human health effects from accidents and malfunctions. This includes collisions, grounding, allision (the running of one ship upon another ship that is stationary), and/or spills during the operation of marine vessels, and hazardous material spills caused by train derailment, road and rail transport, and/or operation of land-based machinery.</li><li>• Effects of accidents and spills on the environment will differ off the continental shelf due to the presence of different environmental dynamics; the scope of the impact assessment must include this area.</li><li>• Concern that the Project should not proceed until a proper risk analysis is conducted, and until there is a world class emergency response program and resources in place to deal with a major spill into the marine environment.</li><li>• Details regarding the type of cargo being transported, to better tailor any required emergency response, as well as a list of applicable compensation regimes that apply in the event of different types of spills.</li><li>• Questions regarding who will be held financially and physically responsible for the cost of cleaning up a spill and seeking more detail on GCT's spill response plan.</li></ul>
<p><b>Acoustic Environment (terrestrial)</b></p> <ul style="list-style-type: none"><li>• Effects due to noise causing disturbance to the local population. A noise assessment of the area, including sensitive receptors, should be conducted. The assessment should be in accordance with Health Canada's guidance to compare baseline, Project-sourced noise, and Project + baseline noise levels, and should include cumulative effects.</li><li>• An analysis of local transportation options (short sea shipping and truck transportation) would permit an assessment of their positive and negative effects on noise.</li><li>• Concerns regarding increased vessel noise and light pollution at Project site through Project development, implementation, and future increased port/facility uses.</li></ul>
<p><b>Alternative Means of Carrying Out the Project</b></p> <ul style="list-style-type: none"><li>• Clarity as to the feasibility of expanding Deltaport seaward to use one berth of the adjacent coal terminal (Westshore) when that lease is up for renewal in 2026, as well as an assessment of costs versus benefits of this option.</li></ul>
<p><b>Alternatives to the Project</b></p> <ul style="list-style-type: none"><li>• Clarity and further detail as to why the Port of Prince Rupert was not considered as an alternative to the Project.</li><li>• Further assessment of alternatives required, including on whether lands at Fraser Surrey Docks could be re-purposed to provide for expanded container capacity.</li><li>• Clarity and further detail regarding the need for both Roberts Bank Terminal 2 Project (RBT2) and Deltaport Berth 4 Project (DP4), and how DP4 will consider RBT2 in its alternative assessment should RBT2 be approved.</li></ul>

**Atmospheric Environment.**

- Effects on air quality from the Project, resulting in impacts to sensitive ecosystem receptors, contamination of nearby land and waterbodies, and effects on plants, wildlife, fish and fish habitat, and human health.
- Use of the most stringent Canadian Ambient Air Quality Standards, B.C. Ambient Air Quality Objectives or regional standards, to undertake an assessment of existing baseline, project-only, and future (baseline + project), and cumulative effects.
- Clarify the effectiveness of providing shore power as a mitigation measure to reduce emissions, if individual vessels are not required to have this technology.

**Archaeological Sites**

- Impacts on archaeological resources at the Project site and impacts to archaeological sites from waves and resulting erosion from marine shipping.
- Request for the conduct of an archeological overview assessment/archeological impact assessment to understand existing baseline conditions).

**Agricultural Land Reserve**

- Concerned that the Project will negatively impact surrounding farmland in the provincial Agricultural Land Reserve (ALR), both as a result of heavy particulates and air contaminants settling on the soil, and from the conversion of ALR land to industrial land.

**Climate Change and Greenhouse Gas (GHG) Emissions**

- Contribution of the Project's emissions on Canada's environmental commitments and climate change, and how this could impact regional, provincial and federal targets.
- Clarity on the scope of activities included in the GHG emissions estimates (including incidental physical activities), and descriptions of the methodologies and assumptions used for the quantification of GHG emissions from each activity.
- Consideration of best available technologies, best environmental practices, and mitigation measures to reduce GHG emissions.
- Clarity of the type of activities that would result in impacts on carbon sinks by ecosystem type.

**Cultural**

- Harm from cultural interference, loss of culture, or limited access to traditional territories and access to traditional foods, and potential for Project to result in significant cumulative effect on aspects of Indigenous current use and cultural heritage.
- Effects to marine mammals resulting in effects to Indigenous spirituality, culture, heredity, cosmology and mythology.
- Effects of increased marine shipping activity on cultural health, including from reduced access to fishing and harvesting sites, reduced ability to travel in small vessels for subsistence travel, and effects to important cultural marine mammals such as Southern Resident Killer Whale (SRKW).

**Cumulative Effects**

- Cumulative effects (including from marine shipping) on the Salish Sea ecosystem, the Fraser River estuary, air quality, noise and vibration, sensory disturbance, migratory birds, wetlands, underwater noise, Southern Resident Killer Whales, fish and fish habitat, wildlife species, climate change, and intangible cultural heritage.
- Lack of an appropriate baseline from which to measure existing cumulative effects and need for a holistic cumulative effects assessment incorporating Indigenous knowledge of all past and present development, to inform the DP4 impact assessment.
- Request that cumulative effects assessment incorporate the 40 different infrastructure projects being advanced by the Greater Vancouver 2030 Program.
- Cumulative effects on Indigenous groups' ability to engage in current use of lands and resources for traditional purposes, practice their culture, governance, as well as impacts to Indigenous rights. This includes the extent to which the ability to exercise such rights that have already been lost.
- Ability of Indigenous nations to participate meaningfully in the management of those effects.
- Interest in long-term plans to assess cumulative effects from increased ship and tanker traffic to and from the site prior, during, and after construction, as well as into future.

**Current and Future Generations**

- Concern that further degradation of Roberts Bank will reach a tipping point and reduce the quality of life for Lower Mainland residents, as well as destroy natural resources for future generations.

**Differential Impacts upon Diverse Persons and Groups**

- Differential impacts based on sex and gender, which may include groups identified by age, place of residence, ethnicity, socio-economic status, employment status or disability for example, in a variety of ways including:
  - Employment opportunities;
  - Access to revenues;
  - Access to safe and affordable housing;
  - Compensation or benefits and expanded investment in the local community;
  - Decision making roles for new innovation and technologies; and
  - Access to services and programs that account for the perspective, knowledge and experiences of individuals and communities.
- The Project may create and exacerbate existing inequalities.

**Economic Conditions**

- Effects of the Project on the local and regional economy (including BC Tourism and commercial fisheries), local job creation, and labour force.
- Consideration of employment barriers for under-represented groups and hiring strategies to ensure they are represented.
- Effects of the Project to Indigenous communities, and details on compensation, including emergency compensation, for any impacts, as well as how wealth generated will be shared.
- Clarity on the accuracy of market projections for the container shipping industry.
- Concern that opportunity costs of building the Project are higher than the stated benefits due to lack of appropriate valuation of the benefits that the local environment provides.

**Ecosystems**

- Effects of the Project on the sensitive Fraser River estuary and Salish Sea ecosystem, including on globally significant wetlands and critically important bird habitat.

**Effects of the Environment on the Project**

- Effects of the environment on the Project such as earthquakes, climate change, and sea-level rise.
- Clarity on incorporation of climate change considerations into project design, and the development of habitat compensation plans.

**Environmental and Impact Assessment Processes**

- Concerns about the credibility of information generated throughout the assessment process and the opportunity to participate in the process.
- Concerns regarding public confidence in the assessment process; including need for greater openness and transparency regarding the process and opportunities for meaningful public engagement.
- Clarification on scope of impact assessment, including effects from road, rail activities and marine shipping.
- Clarification on how size of the ships will be assessed, as opposed to just the increase in number.
- Effects must be avoided, and mitigation measures pursued to the greatest extent, including rehabilitation, planting of native species/removal of invasive species, effective monitoring, and placing openings into the Roberts Bank and ferry causeway.



**Fish and Fish Habitat**

- Effects on fish and fish habitat (including salmon and crab) through habitat destruction and degradation, dredging, pile driving noise/vibrations, impediments to migration, and mortality.
- Effects to fish from changes in marine water quality and sediment re-suspension.
- Effects to Indigenous peoples and Indigenous rights as a result of adverse effects to fish.
- Request for a clear description of measures to avoid and mitigate effects to fish and fish habitat, and a description of offsetting measures for any residual effects following avoidance and mitigation. Measures must speak to their effectiveness and feasibility.
- Concern that Project will negate existing environmental remediation programs and provincial and federal commitments, aimed at restoring resources (including fish) in the Fraser River.

**Geology, Geochemistry, and Geological Hazards**

- Inclusion of a seismic hazard assessment and effects related to seismic activity
- Inclusion of the effects of the project on tidal and coastal geomorphic environments, including increased sedimentation on the foreshore and wake effects.

**Human Health and Well-Being**

- Concern regarding effects to human health from increased air, light, vibration and noise pollution, including from marine, road and rail activities.
- Concern regarding effects to Indigenous health because of real or perceived changes in the quality of marine species relied upon for food harvesting, health and cultural identity.
- Inclusion of maps and diagrams identifying human receptor locations and distances between them and the project.
- Request for meaningful engagement on mitigations and compensation for effects to air quality, noise, light pollution.
- Increased psychological and emotional stress from uncertainty over Project effects.

**Indigenous Peoples' Rights**

- Concerns raised by Indigenous nations about shipping effects on fishing and harvesting rights, food security, use/enjoyment of treaty lands, and human health effects from pollution that negatively impact treaty rights, aboriginal title, governance rights, and culture.
- Clarity on how the United Nations Declaration on the Rights of Indigenous People's will be applied to the assessment.
- Clarity on whether the alternatives assessment considered impacts to Indigenous rights, including fishing grounds.
- Impacts from accidents and malfunctions to Aboriginal and or Treaty rights, including resource harvesting, traditional practices and culture and heritage sites.
- Concern of the usage of past accommodation measures or old data from past projects being utilized as supplementary or supporting information to support this proposed Project.
- Potential Project interactions with sense of place and identity including increased disruption of sense of place as a result of changes to valued places and place characteristics (e.g. from marine traffic, noise disturbances and ecological changes); disruption of identity and increased disconnection from cultural heritage due to direct and indirect Project effects on fishing, ceremonies, gatherings, and consumption of traditional foods.

**Infrastructure and Services**

- Concern over port expansion and increases in road traffic, congestion and accidents on highways, bridges, tunnels, and increased rail shipping impacting safety and infrastructure in the Lower Mainland, Fraser Valley and Fraser Canyon.
- Shipping efficiencies should be a priority over development, including the development of off-site parking, container storage, and loading in areas that are less sensitive.

**Land and Resource Use**

- Concern over zoning, as proposed development area for DP4 is not designated as "Industrial" under the Metro Vancouver Regional Growth Strategy.

**Marine Use (Excluding Navigation)**

- Concern over effects on aquatic environments including water quality, marine mammals, fish and plant habitats, invasive species, harvesting, safety, culture, heritage, and economy caused by shipping and presence of ships.
- Concern about disposal of dredged material and if it will be disposed of in the Salish Sea.

**Marine Shipping**

- Request for marine shipping to be scoped into the assessment.
- Clarity regarding increases in marine shipping should the short sea shipping berth not be constructed.
- Request for a ship size and traffic study to evaluate the impacts of larger vessels (e.g. from Panamax to Post-Panamax and Ultra Large Container Vessel-size vessels) with detailed description of frequency, routing, speed, transit time of vessels, types and sizes of vessels, density statistics, cargo types, ports of origin and destination, and identification of areas where close encounters or crossing traffic is likely to support marine safety.
- Concern for effects on indigenous peoples' environment, health, culture, heritage sites and rights including management, fishing, harvesting, transmission of knowledge and safety on the water.
- Concern regarding safety hazards from increased vessel traffic, loss of fishing gear, and the inhibition of harvesting activities.
- Clarity required regarding operational details, including vessel movements, for short sea shipping activities.

**Marine Mammals**

- Concern regarding the lack of assessment of impacts to Southern Resident Killer Whale, and the applicability of Section 11 of the *Species at Risk Act*.
- Concern about effects of marine shipping and short sea shipping to Southern Resident Killer Whale, including from increased underwater noise, ship strikes and physical disruption, anchorages (including resuspension of seabed contaminants like PCBs), and toxic fuel spills, and other non-acoustic pathways. This will lead to changes to behavior, foraging and survival.
- Concern about effects on marine mammals (including cetaceans and seals/sea lions) and reduction in their access to prey through reduced ability to forage, low prey availability, the alteration and destruction of fish habitat, and fish mortality (Chinook salmon).
- Concern about marine noise levels and monitoring with respect to Southern Resident Killer Whale.
- Clarity regarding the effectiveness of speed restrictions, vessel routing and construction mitigation measures as mitigation measures to reduce adverse effects to Southern Resident Killer Whale and its critical habitat.

**Migratory Birds**

- Concern over potential impacts to the Pacific Flyway and degrading the environment for migratory/overwintering shorebirds and waterfowl, birds of prey, and species at risk.
- Concern for effects to biofilm, and corresponding effects to migratory birds.
- Clarity regarding distance of the Project to the Western Hemisphere Shorebird Reserve Network Site.
- Additional clarity required regarding effects pathways, including habitat degradation due to terminal operations, pollution associated with increased train and truck traffic (e.g. road, rail, and ship traffic), and climate change impacts.

**Navigation**

- Concern that navigational hazards are high in the Tsawwassen Ferry/Roberts Bank/Fraser River delta area and safety restrictions should be assessed and increased to mitigate collisions, spills and risk to public safety.

<p><b>Other</b></p> <ul style="list-style-type: none"> <li>• Consideration to re-establish the Fraser River Estuary Management Plan, which could inform future provincial and federal assessments.</li> <li>• Plans and reports referenced in the Initial Project Description should be made public, such as a waste management plan and the Black Quay Consulting report.</li> <li>• Clarity on why Canada should risk its environment to handle U.S. container traffic coming through Roberts Bank, which could be handled by U.S. ports.</li> <li>• Potential effect of COVID-19 on projected employment and job creation data, and potential effect of COVID-19 on trade.</li> <li>• Alternative uses/activities associated with the short sea shipping portion of the Project if short sea shipping is deemed unfeasible.</li> </ul>
<p><b>Project Contribution to Sustainability</b></p> <ul style="list-style-type: none"> <li>• Metro Vancouver recommends incorporating Regional Green Infrastructure Network Resource Guide into development principles, design, and project planning to enhance habitat, shade and other ecosystem services within built environment.</li> <li>• Concern regarding further development and the ability to maintain the ecological integrity of Roberts Bank and the Salish Sea.</li> </ul>
<p><b>Public and Stakeholder Engagement</b></p> <ul style="list-style-type: none"> <li>• Concerned about consultation fatigue and duplication of efforts after being involved in the environmental assessment process for the Roberts Bank Terminal 2 Project.</li> </ul>
<p><b>Purpose of and Need for the Project</b></p> <ul style="list-style-type: none"> <li>• Clarity on Project purpose, given potential that a future world economy could require less cargo shipping and greater local resilience.</li> <li>• Clarity on Project need, given existing port capacity on the West Coast.</li> </ul>
<p><b>Social Conditions</b></p> <ul style="list-style-type: none"> <li>• Concern over impacts to local municipalities as a result of increased road/rail traffic.</li> <li>• Concern over lack of appropriate funding for the provision of emergency services on Port Lands.</li> </ul>
<p><b>Species at Risk, Wildlife and their Habitat</b></p> <ul style="list-style-type: none"> <li>• Construction and operation will negatively affect wildlife, species at risk, and their habitat in the project area, including as a result of harm and disturbance, changes in critical habitat, mortality or injury, reduced food source availability, and disruption in predatory/prey relationships.</li> <li>• Concern about road or rail infrastructure, increased capacity to existing linear transportation corridors, and increases in road or rail traffic that could result in increased wildlife injury/mortality.</li> <li>• Sensory disturbances (noise, vibration, lighting) from construction and operation may cause changes to a species' movement, migration patterns, avoidance or attraction to an area.</li> <li>• Potential effects and proposed offset for overlap with Roberts Bank Wildlife Management Area.</li> </ul>
<p><b>Transboundary</b></p> <ul style="list-style-type: none"> <li>• Inclusion of transboundary environments in assessment study areas.</li> <li>• Effects on fish and fish habitat from DP4 will have significant direct impacts for Indigenous people and their treaty rights in the US, especially as it relates to increased vessel movements in US shipping lanes and the effects on subsistence culture and spiritual ways of life.</li> </ul>
<p><b>Visual Environment</b></p> <ul style="list-style-type: none"> <li>• Concern for visual effects from anchorages and their resulting light and air emissions.</li> </ul>

- Concern from visual effects from the Port, marine ships, and impacts to the health of communities.

#### **Transportation (Land)**

- Request that a traffic impact assessment be completed, and that road and rail be scoped into the assessment at a regional scale to address concerns about increased traffic and resulting light, noise and air pollution.

#### **Water Quality and Processes**

- Concern about effects of construction on water quality from on-site activities, in-water works, incidental activities (including oil, fuel, hazardous waste spills), dredging, deposition of soils and sediments to waterbodies via surface water run-off, and the deposition of wastewater, storm water, sanitary sewer, dust and particulates, affecting aquatic receptors such as fish, marine mammals, and aquatic plants. Increased discharges and waste will interact with perceptions on safety of harvested food.
- Concern about crest protection and introduction of rock fill impacting sediment movement within the delta and surrounding areas, as well as eelgrass beds and other critical habitat processes like nutrient transfer.
- Clarity regarding the quantity of water that the Project will utilize, and how this may impact the City of Delta's municipal water forecasts.

#### **Wetlands**

- Concern for effects to critical staging and overwintering habitats for wildlife such as intertidal/subtidal wetlands, eelgrass, marsh, mudflats, and sand flats.
- Geomorphological processes such as dendritic erosion, disturbance of natural sediment distribution processes, and wetland recession may increase as a result of additional industrial activity and engineered structures such as causeways and pilings.
- Alteration of natural sedimentation processes may alter the natural water quality regime that supports habitat functions for migrating and overwintering birds (i.e., Biofilm) and lead to further degradation and loss of wetlands habitat for species as salmon and migratory birds.
- Concern about effectiveness of mitigation and remediation efforts as estuarine habitat restoration and compensation programs have suffered a very high failure rate and have not been successful in replacing/relocating hatchery areas, nesting areas, or aquatic migratory paths.

## 5.0 Next Steps

The next steps in this initial phase of the coordinated process include:

- GCT is required to submit a Detailed Project Description to the Agency and the EAO that includes responses to the issues raised in the Joint Summary.
- GCT is expected to engage with technical advisors and each of the Indigenous groups and nations listed in section 3.0 to ensure their interests and issues are reflected in the Detailed Project Description.
- GCT is encouraged to submit additional documents along with the Detailed Project Description, including GCT's proposed Application Information Requirements.

The Agency will use, among other things, the Detailed Project Description, to determine whether a federal impact assessment is required and the EAO will use it to determine if the Project is ready to proceed to a provincial environmental assessment