

ID #	Source			Doc Rev (Date)	Ref	Comment/Issue	Proponent Response	Proposed Change
	Commenter (Name)	Agency / First Nation	Date					
183	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-001	It is a glaring oversight and offensive to the Squamish Nation that the 'site history' recorded in the Application/EIS should begin with logging circa 1900. There is evidence of Squamish having used and occupied Howe Sound, among other areas, going back thousands of years. An accurate site history must address this use and occupation, in a manner acceptable to the Squamish.	Text has been updated in response to this comment. This section is intended to provide a brief overview of the history of industrial interests at the site. A fuller review of land and resource use relative to the project area will be included in Section 7.3, Non-Traditional Land and Resource Use, and Part C, First Nations Information Requirements.	For clarification, Section 2.2.1.1 has been changed from "Site History" to "Industrial Site History."
184	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-002	It is stated that the wetted pit will be filled with natural groundwater input. This assumption should be confirmed with field studies to ensure that surface flow from McNab Creek will not be captured by the pit.	Acknowledged. Section 13 Environmental Monitoring and Follow-up Programs will include a monitoring and reporting structure to verify the accuracy of the environmental assessment, including the implementation of measures taken to mitigate adverse environmental effects.	None proposed.
185	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-003	The consequences of the proposed use of the groundwater channel to recharge the pit pond should be scoped into the groundwater and aquatic habitat studies.	The potential effects of blocking a portion of the groundwater channel (in approximately year 6) to re-charge the pit pond is within the scope of the groundwater resource and fisheries and aquatic habitat studies and will be assessed.	None proposed.
186	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-004	The impacts of the hydraulic training berm (past and proposed additional works) should be scoped into the physical (groundwater resources) and aquatic habitat studies (compensation channel habitat)	The use of the hydraulic training berm as a component of the Proposed Project is within the scope of the groundwater resource and fisheries and aquatic habitat studies and will be assessed.	None proposed.
187	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-005	It seems surprising that a DFO study would assess whether an aggregate mine plan is possible for the site. Please provide a full citation (there is no reference list for this dAIR) for the DFO paper, and/or make it available to interested parties. The last sentence in this paragraph is incomplete.	Text has been updated in response to this comment.	Section 2.2.3.1 has been revised as follows: Preliminary studies in 2010 (Golder 2010a, 2010b, 2010c, 2010d, 2010e, 2010f, 2010g, 2010h, 2010i), an independent hydrogeologic review prepared for DFO (Elanco 2011) independent review in 2010 (DFO 2010), and ongoing studies in support of the EA EA 2013 , indicate that an aggregate mine plan is feasible for at the site. References have been included in Section 17 References.
188	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-006	The placement of overburden around the training berm should be scoped into the hydrology and aquatic habitat studies.	The placement of overburden as a component of the Proposed Project is within the scope of the groundwater resource and fisheries and aquatic habitat studies and will be assessed.	None proposed.
189	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-007	Please confirm that wash water will be discharged to the pit. Will there be any sediment treatment before that discharge?	Wash water will not be discharged into the pit lake. It will be processed for removal of fines and silt in a 95% efficient wash plant to be fed using recycled water from two large storage tanks. The 5% loss (via retention, evaporation and absorption) will be supplemented with make-up water by a groundwater well. The recycled wash water will be processed, screened and pressed to remove the sediment. Fines and silt will be mechanically dried. The resulting cakes of sediment will be mixed with organic overburden material and used for the construction of the north berm, as well as for progressive revegetation and reclamation activities.	Section 2.2.3.2 revised as follows: "Wash water will be processed for removal of fines and silt in a 95% efficient wash plant to be fed using recycled water from two large storage tanks. The 5% loss (via retention, evaporation and absorption) will be supplemented with make-up water by a groundwater well. The recycled wash water will be processed, screened and pressed to remove the sediment. Fines and silt will be mechanically dried. The resulting cakes of sediment will be mixed with organic overburden material and used for the construction of the north berm, as well as for progressive revegetation and reclamation activities. No wash water will be discharged."
190	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-008	The removal of the existing dock should be scoped in as an impact to marine habitat because of the biota which will have colonized the structure since its construction.	The scope of the proposed project includes the removal of the existing small craft dock. It will be considered as part of the marine assessment.	None proposed.
191	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-009	Spillage of aggregate and scouring or other changes due to boat and barge traffic should be anticipated. How will this be monitored if there is no baseline of the nearshore bathymetry? Such a baseline should be developed so that these events and changes can be tracked and addressed.	There are existing bathymetric and geophysics studies in the nearshore of the project site. Tug activity will be limited and within normal thruster limits while recovering and leaving barges. A detailed marine and marine underwater video and habitat mapping survey has been undertaken in the existing water lease area. The area is being used as an existing log dump area for crownland forest harvest activities. No impacts to existing habitats are anticipated related to tug and barge operations. Tug activities will be limited to once every two days.	None proposed.
192	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-010	It must be confirmed that the marine barging component of the proposed project as scoped includes the end points of the barging routes in Langley and Burnaby. (Maps and figures were not available to this reviewer to confirm same.)	The spatial boundary for marine transportation assessment includes the shipping route from the Proposed Project site through Ramillies Channel, Thornbrough Channel and Queen Charlotte Channel in Howe Sound and through to the north arm of the Fraser River. Project-related marine barge traffic will replace marine barge traffic from existing sites. Only incremental increases in marine traffic over baseline conditions will be assessed. The use of existing facilities at Langley and Burnaby are not within the scope for the assessment. The barge shipping route will involve existing navigation shipping routes.	None proposed.
193	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-011	Is there zero spillage of fuels or other hydrocarbons with all the marine traffic expected? Presumably there will be a spill response plan to deal with this type of accident.	No spills are anticipated. An assessment of potential accidents and malfunctions, including fuel or hydrocarbon spills, will be included in the EAC Application/EIS. Sections 12.1 Construction Environmental Management Programme and 12.2 Operational Environmental Management Programme include provisions for Spill Prevention and Emergency Response Procedures and Materials Storage, Handling and Waste Management.	None proposed.
194	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-012	Presumably the functional ecosystem to be created in the pit will be an aquatic one. Which section of the Application/EIS will describe this habitat? Which section of the Application/EIS will address the impact of converting a terrestrial ecosystem into an aquatic one?	Potential effects on terrestrial habitats will be assessed in Section 5.2 Terrestrial Habitat and Vegetation.	None proposed.

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195	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-013	The Projected Project Land Use section fails to note the Squamish Nation's Land Use Plan "Xay Temixw". This is a strategic level plan which sets out the Nation's future aspirations for its territory and the lands, waters and resources of the territory. The plan includes land zones and resource management strategies that need to be addressed as they apply to this proposed industrial development on Squamish's territorial lands and waters.	Text has been updated in response to comment. Part C, First Nations Information Requirements, Section 10.0, "Background," will also include references to First Nations land use plans, where available.	Section 2.6 revised to include the following: "- Identification of the land and resource management plans that the Proposed Project overlaps, including existing plans developed by First Nations. This will also include a list of the management objectives of the Land and Resource Management Plans;"
196	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-014	Freshwater benthic communities (flora and fauna) should be added as a Valued Component (VC).	Acknowledged that the use of benthic invertebrates and periphyton often provide meaningful indices for monitoring change in aquatic environments. Marine and freshwater benthic invertebrates are being collected. Initial surveys of benthic invertebrates indicated limited homogenous environments to monitor invertebrates in freshwater in a statistically robust manner. Complete periods of dry conditions were observed in all streams and creeks in the area including McNab Creek. Ongoing forest harvesting activities in the entire watershed, peak flood events, and low flow events will have strong impacts on freshwater benthic invertebrate density and community structure. Freshwater productivity is being measured using water quality (including nutrients and chlorophyll), fish distribution and habitat use. Aquatic Health is also being assessed as a VC under Surface Water Resources. Ref. BCEAO-017 and CEAA-036.	No changes proposed in Rev 1 (14Aug2014). Table 4 of Rev 3.1 (03Dec2014) revised to include the following under Surface Water Resources: VC - Aquatic Health Supporting Rationale - Changes in TSS / TDS and chemical quality may impact: - Periphyton – food source for invertebrates and fish; - Benthic invertebrates – link to food chain between periphyton and fish; also food source for fish and birds; and - Fish – top predator in freshwater food web.
197	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-015	Northern Abalone should be considered as a Marine benthic VC. Northern Abalone is on the federal list of species-at-risk (Threatened) and is Red-listed in BC.	While Northern abalone are a SARA-listed species, there are no known occurrences within the Proposed Project area and it has not been identified as a species that may potentially occur at the site. As a result, it has not been included as a VC. Careful study and assessment of existing marine habitat conditions has been undertaken for the project. The proposed project activities will be limited spatially to the existing water lease and an active area of log dump being used by BCTS for crownland forest harvesting activities. BURNCO has supported a Squamish Nation-led study that is intended to identify Squamish Nation interests in the project area and potential adverse project effects to those interests. Final VC selection will include species and communities of importance to First Nations that are not otherwise identified, where this information is made available through consultation.	None proposed.
198	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-016	Barn Swallow should be considered as a terrestrial wildlife and vegetation VC because it is a Blue-listed species, identified as Threatened by COSEWIC, and has been identified on the Property.	Some VCs were selected because they are particularly vulnerable or represent a biological niche that is representative of other species. For example, Common nighthawk was selected as a representative insectivorous bird species. Notwithstanding, all species at-risk identified for the Proposed Project area will be discussed in the EAC Application/EIS, with a more detailed level of analysis being provided for selected VCs which may be representative of other species. Rationale for excluding species potentially occurring in the project area from the list of selected valued components will be provided.	To clarify, Section 5.2.3.1 revised to include: " <u>Rationale for excluding species potentially occurring in the project area from the list of selected VCs will be provided.</u> "
199	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-017	Great Blue Heron, other raptor species (e.g., Bald Eagle, osprey), and their nests should be included as VCs. The nests of these species are protected year-round and Great Blue Heron is a species-at-risk and is known to occur on the Property.	Some VCs were selected because they are particularly vulnerable or represent a biological niche that is representative of other species. For example, Common nighthawk was selected as a representative insectivorous bird species. Notwithstanding, all species at-risk identified for the Proposed Project area will be discussed in the EAC Application/EIS, with a more detailed level of analysis being provided for selected VCs which may be representative of other species. Rationale for excluding species potentially occurring in the project area from the list of selected valued components will be provided.	To clarify, Section 5.2.3.1 revised to include: " <u>Rationale for excluding species potentially occurring in the project area from the list of selected VCs will be provided.</u> "
200	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-018	Coastal tailed frog should be considered as a VC because it is a species-at-risk and is known to occur in Harlequin Creek.	Agreed. Coastal tailed frog is included as a VC (Amphibian Species-at-Risk).	To clarify, Table 3 revised as follows: "- Amphibian Species-at-Risk, <u>including Coastal Tailed Frog.</u> "
201	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-019	Moose, deer and black bear are important wildlife to First Nations and should be included in the effects assessment.	Text has been updated in response to this comment.	In Section 4.2, supporting rationale for the identification of Terrestrial Wildlife and Vegetation VCs in Table 3 will be revised to include: "- <u>Species and communities of importance to First Nations that are not otherwise identified, where this information is made available through consultation.</u> "
202	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-020	Plants used by First Nations (traditional use, medicinal plants) should be included as a VC.	Text has been updated in response to this comment.	In Section 4.2, supporting rationale for the identification of Terrestrial Wildlife and Vegetation VCs in Table 3 will be revised to include: "- <u>Species and communities of importance to First Nations that are not otherwise identified, where this information is made available through consultation.</u> "

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203	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-021	The effects of sub-marine noise and boat traffic on marine mammals should be specifically addressed.	Acknowledged. Text will be revised to specifically include potential effects on marine mammals, including effects of underwater noise.	Section 5.1.5 revised to include the following: "- Direct and indirect effects on marine mammals and birds associated with shipping activities, including underwater noise."
204	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-022	Stability of pit and the hydraulic berm during and post-operation are long term geotechnical stability issues, and should be addressed in this section.	Section 5.3.5 Effects Assessment includes provisions for the following studies that will be done for Geotechnical and Natural Hazards VCs: - Stability evaluations of the Proposed Project for both static and seismic cases and consider several options for development / sequencing of the site to confirm facilities are developed in a safe manner; - Evaluation of existing or potential natural hazard conditions which could impact the sequencing of excavation and development of the pit slopes, stockpile locations or heights, and the stability of the adjacent McNab Creek channel sides slopes; and - A review of the potential impact of changes in surface water and groundwater seepage into or from the Project site	None proposed.
205	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-023	Release of hydrocarbons should be specifically mentioned.	An assessment of potential accidents and malfunctions, including fuel or hydrocarbon spills, will be included in the EAC Application/EIS. Sections 12.1 Construction Environmental Management Programme and 12.2 Operational Environmental Management Programme include provisions for Spill Prevention and Emergency Response Procedures and Materials Storage, Handling and Waste Management.	None proposed.
206	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-024	First Nations Rights should be included as a Social VC.	Text has been updated in response to this comment. Given First Nations rights and interests can cross-cut environment, economic, social, heritage, and health values, a "First Nations" section will be added to Table 3. The assessment of effects to First Nations rights and interests will be presented in Part C, First Nations Information Requirements.	In Section 4.2, a "First Nations" section will be added to Table 3, comprising the following: Discipline / Theme: - First Nations Consultation / Interests Valued Component(s): - Past, present, and anticipated future uses of the Project area for traditional purposes, including the identification of specific asserted Aboriginal rights / title; and, - Other Aboriginal interests relative to potential social, economic, environmental, heritage, and / or health effects of the Project (to the extent not already identified above). Definition and/or Supporting Rationale: To identify potential effects of the Proposed Project to Aboriginal rights and interests, and proposed mitigation to avoid or minimize adverse effects and/or to enhance benefits.
207	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-025	Traditional Land Use (e.g., First Nations access, hunting, fishing and gathering) should be included as a Social VC.	Text has been updated in response to this comment. Given First Nations rights and interests can cross-cut environment, economic, social, heritage, and health values, a "First Nations" section will be added to Table 3. The assessment of effects to First Nations rights and interests will be presented in Part C, First Nations Information Requirements.	In Section 4.2, a "First Nations" section will be added to Table 3, comprising the following: Discipline / Theme: - First Nations Consultation / Interests Valued Component(s): - Past, present, and anticipated future uses of the Project area for traditional purposes, including the identification of specific asserted Aboriginal rights / title; and, - Other Aboriginal interests relative to potential social, economic, environmental, heritage, and / or health effects of the Project (to the extent not already identified above). Definition and/or Supporting Rationale: To identify potential effects of the Proposed Project to Aboriginal rights and interests, and proposed mitigation to avoid or minimize adverse effects and/or to enhance benefits.
208	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-026	The effect of noise on wildlife (terrestrial and marine) should be included in the noise assessment on humans. The effect of noise on Roosevelt Elk is an important issue for First Nations and needs to be considered in the effects assessment.	The Terrestrial Wildlife and Vegetation Assessment (Section 5.2.5 Effect Assessment) includes sensory disturbance for wildlife (i.e., "potential for effects from alterations to noise and light regimes").	None proposed.

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209	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-027	Pre-application and Application/EIS review phase consultation information is to be developed jointly with the Squamish Nation, including consultation logs, activities constituting consultation, summaries of key issues, and any information on potential aboriginal rights that may be engaged by the proposed project. Failing that, the information on consultation to be presented must distinguish between that information Squamish agrees constitutes consultation with the proponent and information that Squamish does not agree constitutes consultation.	Section 3.3 will present a summary of consultation activities between BURNCO and First Nations in relation to the Proposed Project for the Pre-Application period, as well as outline proposed activities for EAC Application/EIS Review period. This section, and any documentation proposed to be submitted in support of the section, will be, to the extent possible, developed jointly with First Nations, and/or provided to First Nations in draft for review and comment in advance of submission of the final EAC Application/EIS to the EAO and CEA Agency.	None proposed.
210	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-028	Spatial boundaries for cumulative effects need to be defined too.	Agreed. Section 4.7.4 includes provisions to establish spatial and temporal boundaries for potential cumulative effects interactions and overlap with the Proposed Project.	None proposed.
211	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-029	The study area boundaries for wildlife, fisheries and marine LSAs are too small and must be expanded. For wildlife, large mammals such as bear, deer, elk all have much larger ranges than indicated. For fisheries, the anadromous species will be using the nearshore habitat at certain times, as well as freshwater, and have the potential to be affected during this life stage. For marine species, the increased boat traffic, possible aggregate spillage, possible fuel spills, other accidents and malfunctions etc. all have the potential to affect a much larger area – this must be accounted for in the Application/EIS.	The LSA is established to assess species with small home ranges while the RSA allows for the assessment of species with larger home ranges. The LSA is delineated by a 500 metre (m) buffer surrounding the Application Site and encompasses habitat within the McNab Valley similar to the Application Site, encompassing 633 ha. An LSA of this size encompasses the home range of species with smaller home ranges such as amphibians. The RSA is large enough to encompass seasonal home ranges of large fauna, such as grizzly bear (30,034 hectares) and is therefore considered appropriate to encompass home ranges of other large mammals such as deer and elk. The marine RSA includes the shipping route from the Proposed Project site through Ramillies, Thornbrough and Queen Charlotte channels in Howe Sound to the mouth of the north arm of the Fraser River. Text will be revised to specifically include potential effects on marine mammals, including effects of underwater noise.	Section 5.1.5 revised to include the following: "- <u>Direct and indirect effects on marine mammals and birds associated with shipping activities, including underwater noise.</u> "
212	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-030	The clear cut logging by Canfor and others must be addressed in proper cumulative effects assessment (particularly for the effects on wildlife habitat).	Acknowledged. Logging activities to be included as an activity to be considered as part of the cumulative effects assessment.	Table 4 revised to include: "- <u>large scale logging near to and within the Proposed Project area.</u> "
213	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-031	The distance for future forestry operations (2 to 10 km) is too small an area, considering the elimination of habitat for large mammals.	Acknowledged. Table 4 represents a preliminary list of past, present and future projects and activities to be considered as part of the cumulative effects assessment. The distance of 2 to 10 km represents the distance of anticipated future logging activities from the Proposed Project site. A more detailed analysis of projects will be considered in the cumulative effects assessment.	None proposed.
214	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-032	Squamish Nation rights and interests are integrally connected to environmental values and cannot be effectively addressed without Squamish involvement in determining assessment methodology, VCs, the spatial and temporal boundaries of the VCs, the relevant background information necessary to assessing impacts to VCs, the assessment of effects to VCs, mitigation, and residual and cumulative effects. Squamish's involvement in determining these in this EA must be addressed fulsomely in the Application/EIS.	Acknowledged. First Nations involvement in the EA will be described in Section 3.3. See response to comment SN-027.	None proposed.
215	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-033	The marine LSA for direct project effects is too small.	The marine LSA includes has been defined to include intertidal and subtidal areas potentially effected by on-site components of the Proposed Project, including the proposed marine terminal facilities in Thornbrough Channel (barge loader, conveyor and mooring buoy). Additional survey work has been undertaken at a marine sampling reference site to ensure a meaningful comparison is undertaken for the effects assessment. The marine RSA includes the shipping route from the Proposed Project site through Ramillies, Thornbrough and Queen Charlotte channels in Howe Sound to the mouth of the north arm of the Fraser River.	None proposed.
216	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-034	Marine and freshwater sampling design should include establishing sites for BACI comparison during operational monitoring	Marine sampling reference site is adjacent to the Potlach Creek watershed. Freshwater sampling reference sites are upstream of the Proposed Project on McNab Creek and also within neighbouring Harlequin Creek. All references will be unaffected by the Proposed Project.	None proposed.
217	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-035	Ephemeral streams and vernal pools should also be considered in the assessment of vegetation resources. These can provide important habitat for wildlife (e.g., amphibians).	Ephemeral streams and vernal pools, and associated wildlife species, are included in the terrestrial wildlife and vegetation assessment.	None proposed.
218	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-036	Rationale for excluding species (e.g., species at risk or species of management concern) potentially occurring in the project area should also be provided.	Rationale for excluding species potentially occurring in the project area from the list of selected valued components will be provided.	To clarify, Section 5.2.3.1 revised to include: "- <u>Rationale for excluding species potentially occurring in the project area from the list of selected VCs will be provided.</u> "

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219	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-037	A species specific RSA should be identified to assess project impacts on Roosevelt Elk. This species is of high importance both to the province and the Squamish Nation. The RSA for Roosevelt Elk should encompass the entire range of the relocated herd.	Roosevelt elk are recognized as a VC and will be discussed in detail in the effects assessment. Considerable effort has been put into the terrestrial RSA boundary, which encompasses sufficient area on which to base an assessment of effects to elk. There have been ongoing discussions with FLNRO regarding the range and habitat preferences of the Roosevelt elk population. The RSA as defined encompasses sufficient land base for assessment of cumulative effects on population and habitat of the elk herd.	None proposed.
220	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-038	Background information for wildlife VCs should include a brief description of life history, highlighting any sensitive stages.	Life history of wildlife VCs, including sensitive stages, will be included baseline study. Section 5.2.5 Effects Assessment contemplates the identification and evaluation of potential adverse effects on key life stage requirements of wildlife.	To clarify, Section 5.2.4 revised as follows: "The terrestrial wildlife and vegetation resource baseline study will provide detailed information in the VCs, <u>including sensitive life-cycle stages</u> , and all sources of information will be listed."
221	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-039	Needs to include legislation as indicated. Currently only inventory methods are outlined in this section. Include inventory methods for ungulates.	Legislation related to Terrestrial Wildlife and Vegetation will be discussed in Section 5.2.2. Inventory methods for ungulates will be included.	Section 5.2.3.3 Assessment Methods revised to include: "- <u>Ground-based Inventory Methods for Selected Ungulates: Moose, Elk and Deer, Version 2.0 (RIC 1998)</u> ;"
222	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-040	Squamish Nation information, interests, and potential effects and benefits must be disaggregated in the Economic and Social Effects sections of the Application/EIS because of the inequitable distribution of these effects as between First Nations and non-First Nations communities. To fail to separate these out will mean that the analysis in these sections will be meaningless with respect to the Squamish Nation's interests.	First Nations economic and social information and interests relative to potential project effects and benefits will be assessed separately in Part C, First Nations Information Requirements.	None proposed.
223	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-041	Squamish Nation information, interests, and potential effects and benefits must be disaggregated in the Economic and Social Effects sections of the Application/EIS because of the inequitable distribution of these effects as between First Nations and non-First Nations communities. To fail to separate these out will mean that the analysis in these sections will be meaningless with respect to the Squamish Nation's interests.	First Nations economic and social information and interests relative to potential project effects and benefits will be assessed separately in Part C, First Nations Information Requirements.	None proposed.
224	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-042	Squamish Nation experience with EAs previously has been that CEMPs and OEMPs are insufficiently developed prior to the conclusion of the EA processes associated with proposed projects and, as such, cannot be relied on as mitigation to address impacts to Squamish Nation interests. Direction should be given to ensure CEMPs and OEMPs are fully developed, and their terms included as certificate commitments and assurances (should a certificate issue), before the EA for this proposed project is concluded.	Acknowledged.	None proposed.
225	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-043	Specific management plans for bears should be included in the construction/operational Environmental Management Programs.	Bear management planning will be specifically addressed in Fish, Vegetation and Wildlife Protection to be included in Construction and Operational Environmental Management Programs.	To clarify, Sections 12.1 Construction Environmental Management Programme and 12.2 Operational Environmental Management Programme will be revised as follows: "- Fish, Vegetation and Wildlife Protection, <u>including Bear Management</u> ."
226	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-044	Squamish Nation experience has been that environmental monitoring and follow-up is very poorly done, often with no formal implementation of monitoring and follow-up on projects to ensure certificate commitments and assurances are met. Squamish will be seeking robust, clear, implementable, funded monitoring and follow-up programs set out as part of the certificate (should one issue) commitments and assurances for the project. Short of this goal being met as part of the EA, Squamish will be seeking to implement a monitoring and follow-up program that will be conducted by the Squamish and fully funded by the proponent for the life of the project and beyond as necessary to monitor residual effects.	Acknowledged.	None proposed.
227	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-045	The summaries of potential residual effects of the proposed project on Squamish rights and interests, after the application of mitigation measures and compensation strategies, are to be developed jointly with the Squamish Nation. Failing that, the information is to be presented in such a way that the reader can ascertain which information Squamish agrees with and which it does not.	BURNCO commits to providing opportunities to work jointly with applicable First Nations to identify potential residual project effects to First Nations rights or interests.	None proposed.
228	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-046	There is no mention of Traditional Use Studies being completed.	While traditional use studies per se are not a requirement of the BCEAA / CEAA process for project review, BURNCO has committed to funding a Squamish Nation-led study that is intended to identify Squamish Nation interests in the project area and potential adverse project effects to those interests. BURNCO has also committed to co-developing, with the Squamish Nation, mitigation measures to offset potential adverse effects to identified interests. These elements together are meant to largely address Part C, First Nations Information Requirements.	None proposed.
229	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-047	The information in this section is to be developed jointly with the Squamish. Failing that, the information is to be presented in such a way that the reader can ascertain which information Squamish agrees with and which it does not.	While traditional use studies per se are not a requirement of the BCEAA / CEAA process for project review, BURNCO has committed to funding a Squamish Nation-led study that is intended to identify Squamish Nation interests in the project area and potential adverse project effects to those interests. BURNCO has also committed to co-developing, with the Squamish Nation, mitigation measures to offset potential adverse effects to identified interests. These elements together are meant to largely address Part C, First Nations Information Requirements.	None proposed.

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230	Giroday, Lesley	Ratcliffe and Company on behalf of Squamish Nation	10-May-13	dAIR 1.0 (22Feb2013)	SN-048	It is Squamish Nation's view, based on its extensive experience with EAs in its territory over many years that a proper cumulative effects assessment (CEA) will not be undertaken in this EA under the respective provincial and federal legislation. The Crown developer and Squamish Nation should develop a CEA jointly as an adjunct to this EA to ensure these effects are appropriately assessed and the recommendations of a CEA are implemented. Further, Squamish does not support the disaggregation of a CEA for this proposed project as currently set out in the draft EISG/AIR; CEA deserves a stand-alone section. Squamish will be addressing this priority matter directly with the Crown; the Crown has a legal obligation to ensure our interests are not subject to "death by 1,000 cuts".	The proposed CEA approach and method are consistent with provincial and federal guidance. BURNCO commits to providing opportunities to work jointly with applicable First Nations to identify potential residual project effects, including cumulative project effects, to First Nations rights or interests. A summary of predicted residual effects, including both direct and cumulative effects, will be presented in Part F Conclusions and Commitments.	None proposed.
231	Hanson, Erin	Tsleil-Waututh Nation	31-May-13	dAIR 1.0 (22Feb2013)	TWN-001	Describe baseline studies that summarize known heritage sites within the project footprint and its vicinity.	Section 8.1.4 describes the assessment of baseline conditions as follows: The baseline assessment will be conducted in accordance with the requirements of the Heritage Conservation Act (HCA). The baseline assessment will provide a review of background information, environmental setting and characteristics for each heritage resource VC. Moreover, the baseline will be characterised using the following methods and approaches: - Literature and map reviews; - Review of readily available archival documentation; - Heritage Resource Overview Assessment (HROA); - Heritage Resource Impact Assessment (HRIA); - Comparison of heritage information in LSA to RSA; and - Completion of Heritage Conservation Act (HCA) Section 14 Inspection Permit obligations.	None proposed.
232	Hanson, Erin	Tsleil-Waututh Nation	31-May-13	dAIR 1.0 (22Feb2013)	TWN-002	Describe steps taken to ensure that the extent of known heritage sites within the project footprint is verified.	Section 8.1.4 describes the assessment of baseline conditions as follows: The baseline assessment will be conducted in accordance with the requirements of the Heritage Conservation Act (HCA). The baseline assessment will provide a review of background information, environmental setting and characteristics for each heritage resource VC. Moreover, the baseline will be characterised using the following methods and approaches: - Literature and map reviews; - Review of readily available archival documentation; - Heritage Resource Overview Assessment (HROA); - Heritage Resource Impact Assessment (HRIA); - Comparison of heritage information in LSA to RSA; and - Completion of Heritage Conservation Act (HCA) Section 14 Inspection Permit obligations.	None proposed.
233	Hanson, Erin	Tsleil-Waututh Nation	31-May-13	dAIR 1.0 (22Feb2013)	TWN-003	Describe steps taken to identify unknown heritage sites within the project footprint.	Section 8.1.4 describes the assessment of baseline conditions as follows: The baseline assessment will be conducted in accordance with the requirements of the Heritage Conservation Act (HCA). The baseline assessment will provide a review of background information, environmental setting and characteristics for each heritage resource VC. Moreover, the baseline will be characterised using the following methods and approaches: - Literature and map reviews; - Review of readily available archival documentation; - Heritage Resource Overview Assessment (HROA); - Heritage Resource Impact Assessment (HRIA); - Comparison of heritage information in LSA to RSA; and - Completion of Heritage Conservation Act (HCA) Section 14 Inspection Permit obligations.	None proposed.
234	Hanson, Erin	Tsleil-Waututh Nation	31-May-13	dAIR 1.0 (22Feb2013)	TWN-004	Describe the scales of significance applied to these sites.	Significance is defined as per the BC Archaeological Impact Assessment Guidelines, which include criteria for scientific, public, ethnic, historic, and economic criteria to be considered when evaluating archaeological resources.	None proposed.
235	Hanson, Erin	Tsleil-Waututh Nation	31-May-13	dAIR 1.0 (22Feb2013)	TWN-005	Describe the potential impact of this project to known heritage sites within the project footprint.	Section 8.1.6 of the EAC Application/EIS will identify and evaluate potential adverse effects of all phases of the Proposed Project on heritage resource VCs.	None proposed.
236	Hanson, Erin	Tsleil-Waututh Nation	31-May-13	dAIR 1.0 (22Feb2013)	TWN-006	Describe the proposed mitigation strategies for such heritage sites.	Section 8.1.6 of the EAC Application/EIS will identify measures to mitigate potential effects on heritage resources, including a discussion of their effectiveness and limitations.	None proposed.

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237	Hanson, Erin	Tsleil-Waututh Nation	31-May-13	dAIR 1.0 (22Feb2013)	TWN-007	Specify the source of the proposed wash water.	The wash plant will be fed using recycled water from two large storage tanks supplemented with make-up water by a groundwater well.	Section 2.2.3.2 revised as follows: "Wash water will be processed for removal of fines and silt in a 95% efficient wash plant to be fed using recycled water from two large storage tanks. The 5% loss (via retention, evaporation and absorption) will be supplemented with make-up water by a groundwater well. The recycled wash water will be processed, screened and pressed to remove the sediment. Fines and silt will be mechanically dried. The resulting cakes of sediment will be mixed with organic overburden material and used for the construction of the north berm, as well as for progressive revegetation and reclamation activities. No wash water will be discharged. "
238	Hanson, Erin	Tsleil-Waututh Nation	31-May-13	dAIR 1.0 (22Feb2013)	TWN-008	Provide an evaluation of how use of wash water will affect surface water.	Potential effects of wash water will be addressed in the assessment of Surface Water Resources.	None proposed.
239	Hanson, Erin	Tsleil-Waututh Nation	31-May-13	dAIR 1.0 (22Feb2013)	TWN-009	Provide an evaluation of how use of wash water will affect groundwater.	Potential effects of wash water will be addressed in the assessment of Groundwater Resources.	None proposed.
240	Hanson, Erin	Tsleil-Waututh Nation	31-May-13	dAIR 1.0 (22Feb2013)	TWN-010	The proposal includes 28 hectares of open water in the gravel pit for some period of time. The impact on surface water from pond evaporation should be evaluated as part of the review. Case studies from Washington State suggest that pond evaporation can have a much larger impact on water resources than the use of wash water.	The effects of pond evaporation will be considered in assessing potential effects on surface water. Referenced case studies will be reviewed and considered.	None proposed.
241	Hanson, Erin	Tsleil-Waututh Nation	31-May-13	dAIR 1.0 (22Feb2013)	TWN-011	The proposal includes 28 hectares of open water in the gravel pit for some period of time. The impact on groundwater from pond evaporation should be evaluated as part of the review. Case studies from Washington State suggest that pond evaporation can have a much larger impact on water resources than the use of wash water.	The effects of pond evaporation will be considered in assessing potential effects on groundwater. Referenced case studies will be reviewed and considered.	None proposed.
242	Hanson, Erin	Tsleil-Waututh Nation	31-May-13	dAIR 1.0 (22Feb2013)	TWN-012	Describe in detail proposed wastewater treatment and disposal.	Wash water will be processed for removal of fines and silt in a 95% efficient wash plant to be fed using recycled water from two large storage tanks. The 5% loss (via retention, evaporation and absorption) will be supplemented with make-up water by a groundwater well. The recycled wash water will be processed, screened and pressed to remove the sediment. Fines and silt will be mechanically dried. The resulting cakes of sediment will be mixed with organic overburden material and used for the construction of the north berm, as well as for progressive revegetation and reclamation activities. No wash water will be discharged. Household waste, and industrial solid waste, and liquid waste pumped from portable washroom facilities will be barged off-site and disposed of in approved facilities. The EAC Application/EIS will include a description of proposed wastewater treatment and disposal processes and facilities.	The following has been added to Section 2.2.4: "The EAC Application/EIS will include a description of proposed wastewater treatment and disposal processes and facilities."
243	Hanson, Erin	Tsleil-Waututh Nation	31-May-13	dAIR 1.0 (22Feb2013)	TWN-013	Describe in detail ... provisions for stormwater management and the quality and quantity of runoff from the site.	The EAC Application/EIS will include an Environmental Management Programme that included Sediment, Erosion and Drainage Control and Water Management Plans for construction and operational phases of the Project.	None proposed.
244	Hanson, Erin	Tsleil-Waututh Nation	31-May-13	dAIR 1.0 (22Feb2013)	TWN-014	The review will cover environmentally sensitive areas. The definition of "environmentally sensitive area" should be expanded to include any areas so identified by affected First Nations, and each should be given an opportunity to provide input.	The areas identified in the dAIR are examples of what the CEA Agency defines as "environmentally sensitive." These areas are equivalent to identified Valued Components, including areas identified as important to First Nations through consultation during the EA. See responses to comments SN-024 and SN-025.	None proposed.
249	Hanson, Erin	Tsleil-Waututh Nation	2-Aug-13	dAIR 1.0 (22Feb2013)	TWN-015	Thank you for sending these [draft responses to 31-May-2013 comments] along. We don't have any specific comments at this stage but I will get in touch should that change. We look forward to staying updated on the Project.	Acknowledged.	None proposed.
250	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-001.1	It is important that Squamish Nation's occupation and use of this area be appropriately acknowledged in the relevant sections of the Application/EIS. Squamish will review sections 7.3 and Part C to assess accuracy and completeness.	It is BURNCO's expectation that First Nations will provide the information needed to support Part C. BURNCO will provide a draft of this and other relevant sections of the EAC Application/EIS to First Nations for review and comment in advance of submission of the final EAC Application/EIS to the EAO and CEA Agency.	None proposed.
251	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-002.1	Squamish's initial comment has not been addressed. The issue as to whether the surface flow of McNab Creek will be captured by the pit must be addressed as part of the assessment of impact, not just through follow up monitoring. This is an unresolved concern.	Ref. SN-002 Potential effects on groundwater and surface water quantity and quality (including storm events) will be assessed using predictive models calibrated with empirical data. EAC Application/EIS will include a description of how model predictions were used to assess potential effects and how monitoring data was used to inform predictive modelling.	Section 4.1 General revised to include: "- A description of how model predictions were used to assess potential effects and how monitoring data was used to inform predictive modelling;"
252	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-005.1	Please provide a copy of the Elanco 2010 reference.	BURNCO was provided the document by DFO. BURNCO will request that DFO provide a copy to the Squamish Nation.	None proposed.

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253	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-007.1	Is the groundwater well mentioned for make-up water part of the project description?	The groundwater well for make-up water is included in the description of the Processing Plant and identified on Figure 3 of dAIR/EIS Guidelines Rev 1.1.	To clarify, Section 2.2.3.1 has been revised to include: - groundwater well as a source of make-up water for the processing plant;
254	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-009.1	Please provide a figure reference for the size of the water lease area.	Existing water lease (log tenure) area is shown in Figures 2 and 3 of dAIR/EIS Guidelines Rev 1.1.	Figures 2 and 3 revised to include existing log tenure area.
255	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-014.1	We do not agree that "peak flood events and low flow events" can be used as a rationale for not considering freshwater productivity as a VC. If there is no functional value at the primary production level in McNab due to very harsh natural conditions then the proponent should be able to demonstrate this. Squamish's initial comment has not been addressed. Freshwater benthic communities need to be addressed as a VC or VCs.	Ref SN-014 Water quality (including nutrients and chlorophyll) and fish distribution and habitat use are the critical indicators of potential effects of the Project and have therefore been selected as the focus of the assessment. There are no proposed discharges to / withdrawals from McNab Creek. Potential adverse impacts to McNab Creek and not anticipated. Notwithstanding, marine and freshwater benthic samples have been/are being collected. Aquatic Health is also being assessed as a VC under Surface Water Resources. Ref. BCEAO-017 and CEAA-036.	No changes proposed in Rev 1 (14Aug2014). Table 4 of Rev 3.1 (03Dec2014) revised to include the following under Surface Water Resources: VC - <u>Aquatic Health</u> Supporting Rationale - <u>Changes in TSS / TDS and chemical quality may impact:</u> - <u>Periphyton – food source for invertebrates and fish;</u> - <u>Benthic invertebrates – link to food chain between periphyton and fish; also food source for fish and birds; and</u> - <u>Fish – top predator in freshwater food web.</u>
256	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-015.1	The proponent states that there are no known occurrences of Northern abalone and that they have not been identified as a species that may potentially occur at the site. Since Northern abalone live in a wide variety of habitats this statement must be supported by a description of the methods used to determine this conclusion (i.e., Was this habitat based? Were surveys completed?).	Ref SN-015 The conclusion that there are no known occurrences of Northern abalone within the Proposed Project area is based on a desktop review (SARA Registry, BC Conservation Data Centre) and a review of habitat suitability. These results were calibrated based on dive and underwater camera video survey observations.	None proposed.
257	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-017.1	Squamish's initial comment has not been addressed. Raptors and their nests (including Great Blue Heron, Bald Eagle, Osprey) should be included since destroying the nests of these species has legal implications. If they are included as a VC this will lead to necessary mitigation (i.e., pre-clearing nest surveys).	Ref SN-017 Raptors and their nests will be considered in the assessment. The presence/absence of known observations was calibrated by field surveys throughout the Proposed Project site during which one eagle's nest was observed. Rationale for excluding species potentially occurring in the project area from the list of selected VCs will be provided. Limited clearing will be required. Construction Environmental Management Planning will include provisions for pre-clearing nest surveys.	None proposed.
258	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-019.1	Squamish's initial comment has not been addressed. Moose, deer, elk and black bear are important wildlife to First Nations and should be included in the effects assessment. Squamish is identifying them now as species of importance, no further process should be required. The initial comment has not been addressed and remains an unresolved, outstanding issue (Ref SN-019).	Ref SN-019 The importance of moose, deer, elk and black bear to First Nations is acknowledged. Roosevelt Elk have been included as a VC and are considered to represent other ungulate species. Moose range in British Columbia does not include the South Coast environment (Blood 2000). Deer and black bear will be considered in the assessment and have been reviewed as part of the wildlife surveys and study. Rationale for excluding species potentially occurring in the project area from the list of selected VCs will be provided.	None proposed.
259	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-020.1	Squamish will provide a list of traditional use and medicinal plants for inclusion as a VC.	Acknowledged.	None proposed.
260	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-024.1	Revise proposed language changes to: Discipline/Theme: First Nations Interests (delete "consultation").	Ref SN-024 Text has been updated in response to this comment.	Table 3 has been revised as follows: Discipline / Theme: - First Nations Consultation / Aboriginal Interests
261	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-025.1	Revise proposed language changes to: Discipline/Theme: First Nations Interests (delete "consultation").	Ref SN-025 Text has been updated in response to this comment.	Table 3 has been revised as follows: Discipline / Theme: - First Nations Consultation / Aboriginal Interests
262	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-027.1	Squamish's view is that any summary of consultation should be developed jointly and, to the extent that this is not possible, the summary must reflect Squamish's views as to what it agrees constitutes consultation and what it does not agree constitutes consultation.	Acknowledged. The summary of consultation activities will be, to the extent possible, developed jointly with First Nations. First Nations will be provided the applicable summary in draft for review and comment in advance of submission of the final EAC Application/EIS to the EAO and CEA Agency. It is BURNCO's intention that any disagreements regarding the characterization of what is and what is not consultation will be resolved prior to finalization. Outstanding issues will be clearly identified.	None proposed.
263	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-029.1	If the assessments methods used were the same for both the wildlife LSA and RSA this would be ok, however the dAIR indicates that TEM based wildlife suitability mapping is only being completed within the LSA meaning wide ranging species will miss this more detailed level of assessment. What kind of data will be collected in the RSA for large wildlife?	Habitat suitability modeling, calibrated by field surveys (for certain species), observations and wildlife camera-based studies, were as completed for selected VCs at the RSA level.	None proposed.

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264	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-032.1	The response to SN-027 does not assist in addressing this comment. The initial comment has not been addressed and remains a critical, outstanding issue (Ref SN-032).	Ref SN-027 and SN-032 First Nations involvement in determining the parameters for the EA, such as providing input into the development of the AIR/EIS Guidelines through commentary on drafts, will be summarized in Section 3.3 of EAC Application/EIS. First Nations will be provided the Section 3.3 summary in draft for review and comment in advance of submission of the final EAC Application/EIS to the EAO and CEA Agency. It is BURNCO's intention that any disagreements regarding the content in the summary will be resolved prior to finalization. Outstanding issues will be clearly identified.	None proposed.
265	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-040.1	The approach suggested will only be effective if Part C addresses economic and social information for First Nations in as fulsome a fashion as they are addressed in the "non-aboriginal" sections of the EIS/Application. Typically, this is not the case. This concern remains unresolved (Ref SN-040).	Ref SN-040 It is BURNCO's expectation that First Nations will provide the information needed to support Part C, and that First Nations will work with BURNCO to assess and mitigate potential effects of the Proposed Project on First Nations interests, as well as to identify potential benefits. BURNCO will provide a draft of Part C and other relevant sections of the EAC Application/EIS to First Nations for review and comment in advance of submission of the final EAC Application/EIS to the EAO and CEA Agency.	None proposed.
266	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-042.1	Ref SN-042 The initial comment has not been addressed and remains a critical outstanding concern.	Ref SN-042 Mitigation to address potential affects of the Proposed Project to First Nations rights and interests, including through CEMPs and OEMPs, will be, to the extent possible, developed jointly with First Nations. It is BURNCO's intention to work with First Nations to sufficiently advance these plans so that they can be relied upon, where appropriate, as mitigation to offset potential effects to First Nations rights and interests.	None proposed.
267	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-044.1	Ref SN-044 The initial comment has not been addressed and remains a critical outstanding concern.	Ref SN-044 BURNCO plans to implement a robust monitoring program and to meet all related commitments and assurances that would form conditions of an EA Certificate, if issued. BURNCO commits to discussing the development and implementation of this program with Squamish Nation.	None proposed.
268	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-045.1	Squamish's view is that summaries of potential residual effects of the proposed project on Squamish rights and interests should be developed jointly with the Squamish and, to the extent this is not possible, the summaries of effects must reflect Squamish's views as to what it agrees with and what it does not agree with.	Summaries of potential residual effects of the Proposed Project on First Nations rights and interests will be, to the extent possible, developed jointly with First Nations, and will be presented in Part C. First Nations will be provided the applicable summaries in draft for review and comment in advance of submission of the final EAC Application/EIS to the EAO and CEA Agency. It is BURNCO's intention that any disagreements regarding the summaries of potential residual effects will be resolved prior to finalization. Outstanding issues will be clearly identified.	None proposed.
269	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-046.1	It is important to note that a study to identify Squamish's interests as they have the potential to be engaged by the proposed project will need to be broader than a typical TUS. Squamish utilizes an "Aboriginal Interest and Use Study" approach which incorporates TUS, among other information.	It is BURNCO's understanding that the Squamish Nation-led study will identify all Squamish Nation interests that have the potential to be engaged by the Proposed Project, and that it will clearly identify how the Proposed Project will affect these interests. It is BURNCO's expectation that this study will substantially inform the information requirements for Part C.	None proposed.
270	Wilcox, Lisa	Squamish Nation	12-Aug-13	dAIR 1.0 (22Feb2013)	SN-048.1	Ref SN-048 The initial comment has not been addressed and remains a critical outstanding concern.	Ref SN-048 The concern expressed in the initial comment is acknowledged. BURNCO understands that Squamish Nation wishes to address this concern directly with the Crown.	None proposed.
359	Chief Bill Williams	Squamish Nation	28-Mar-14	dAIR 2.3 (26Feb2014)	SN-049.1	<u>Lack of consideration of Squamish values in VC development</u> Squamish Nation has identified a number of species of importance for various reasons, including biodiversity and ecosystem functioning and indicated that they should be included as Valued Components ("VC"). The latest draft AIR/EISg fails to include these as VCs. In section 4.2, "Selected Valued Components", the Proponent identifies that VCs are, in part, selected based on their importance to Aboriginal groups, and on issues raised by Aboriginal groups. This is not the case with the Squamish Nation, as our recommendations that freshwater benthic communities, moose, deer, elk, black bear, raptors (including Great Blue Heron, Bald Eagle, Osprey), northern abalone and traditional use and medicinal plants be included as VCs have not been adopted. Instead, the draft AIR/EISg proposes to identify wildlife species to be considered for assessment through consultation with interested Aboriginal groups in Part C of the Application for an environmental assessment certificate/Environmental Impact Statement ("Application"). The species of concern that we have identified to date should be assessed as VCs through the main environmental impact assessment for the Project to ensure a rigorous assessment of impacts on these species and allow for the development of appropriate mitigation measures. At a bare minimum, the rationale for excluding what Squamish Nation views to be key species as VCs, should be required by the AIR/EISg (Comments SN-015; SN-017; SN-018, SN-019; SN-020). Given Squamish Nation rights and interests are integrally connected to environmental values, and cannot be effectively addressed without Squamish involvement in determining the scope of the EA, the exclusion of these key species from the VC analysis calls into question the extent to which the Application will effectively assess Project impacts on Squamish rights and interests (Comment SN-032).	AIR/EIS Guidelines revised to incorporate a discussion of VCs suggested by Aboriginal groups and rationale for their exclusion of as selected VCs, where appropriate. This discussion and the corresponding rationales will be carried forward to the EAC Application/EIS.	Section 4.2 revised to include: <u>Rationale for excluding species potentially occurring in the project area from the list of selected VCs will be provided.</u> Table 4 revised to include the following in relation to Marine Resources VC Marine Benthic Communities (flora and fauna): <u>- Although suggested by Aboriginal groups as a candidate VC, Northern abalone has not been included as selected VC since it has not been identified as a species that may potentially occur within the Proposed Project area and there are no known occurrences of Northern abalone at the site. The conclusion that there are no known occurrences is based on a desktop review (SARA Registry, BC Conservation Data Centre) and a review of habitat suitability. These results were calibrated based on dive and underwater camera video survey observations</u> <u>-Rationale for excluding species potentially occurring in the project area from the list of selected VCs will be provided in the EAC Application/EIS.</u>

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360	Chief Bill Williams	Squamish Nation	28-Mar-14	dAIR 2.3 (26Feb2014)	SN-049.2	<p><u>Lack of consideration of Squamish values in VC development</u> Squamish Nation has identified a number of species of importance for various reasons, including biodiversity and ecosystem functioning and indicated that they should be included as Valued Components ("VC"). The latest draft AIR/EISg fails to include these as VCs.</p> <p>In section 4.2, "Selected Valued Components", the Proponent identifies that VCs are, in part, selected based on their importance to Aboriginal groups, and on issues raised by Aboriginal groups. This is not the case with the Squamish Nation, as our recommendations that freshwater benthic communities, moose, deer, elk, black bear, raptors (including Great Blue Heron, Bald Eagle, Osprey), northern abalone and traditional use and medicinal plants be included as VCs have not been adopted. Instead, the draft AIR/EISg proposes to identify wildlife species to be considered for assessment through consultation with interested Aboriginal groups in Part C of the Application for an environmental assessment certificate/Environmental Impact Statement ("Application"). The species of concern that we have identified to date should be assessed as VCs through the main environmental impact assessment for the Project to ensure a rigorous assessment of impacts on these species and allow for the development of appropriate mitigation measures. At a bare minimum, the rationale for excluding what Squamish Nation views to be key species as VCs, should be required by the AIR/EISg (Comments SN-015; SN-017; SN-018, SN-019; SN-020).</p> <p>Given Squamish Nation rights and interests are integrally connected to environmental values, and cannot be effectively addressed without Squamish involvement in determining the scope of the EA, the exclusion of these key species from the VC analysis calls into question the extent to which the Application will effectively assess Project impacts on Squamish rights and interests (Comment SN-032).</p>	AIR/EIS Guidelines revised to incorporate a discussion of VCs suggested by Aboriginal groups and rationale for their exclusion of as selected VCs, where appropriate. This discussion and the corresponding rationales will be carried forward to the EAC Application/EIS.	<p>Table 4 revised to include the following in relation to Terrestrial Wildlife and Vegetation VCs:</p> <p>- <u>Some species suggested by Aboriginal groups as candidate VCs have not been included as selected VCs (e.g., Barn swallow; Great blue heron, other raptor species and their nests; and moose, deer and black bear). In each case, selected VCs were chosen because they are particularly vulnerable or represent a biological niche that is representative of other species. For example, Common nighthawk was selected as a representative insectivorous bird species. Notwithstanding, all species at-risk identified for the Proposed Project area will be discussed in the EAC Application/EIS, with a more detailed level of analysis being provided for selected VCs which may be representative of other species.</u></p> <p>- <u>Rationale for excluding species potentially occurring in the project area from the list of selected VCs will be provided in the EAC Application/EIS.</u></p>
361	Chief Bill Williams	Squamish Nation	28-Mar-14	dAIR 2.3 (26Feb2014)	SN-049.3	<p><u>Lack of consideration of Squamish values in VC development</u> Squamish Nation has identified a number of species of importance for various reasons, including biodiversity and ecosystem functioning and indicated that they should be included as Valued Components ("VC"). The latest draft AIR/EISg fails to include these as VCs.</p> <p>In section 4.2, "Selected Valued Components", the Proponent identifies that VCs are, in part, selected based on their importance to Aboriginal groups, and on issues raised by Aboriginal groups. This is not the case with the Squamish Nation, as our recommendations that freshwater benthic communities, moose, deer, elk, black bear, raptors (including Great Blue Heron, Bald Eagle, Osprey), northern abalone and traditional use and medicinal plants be included as VCs have not been adopted. Instead, the draft AIR/EISg proposes to identify wildlife species to be considered for assessment through consultation with interested Aboriginal groups in Part C of the Application for an environmental assessment certificate/Environmental Impact Statement ("Application"). The species of concern that we have identified to date should be assessed as VCs through the main environmental impact assessment for the Project to ensure a rigorous assessment of impacts on these species and allow for the development of appropriate mitigation measures. At a bare minimum, the rationale for excluding what Squamish Nation views to be key species as VCs, should be required by the AIR/EISg (Comments SN-015; SN-017; SN-018, SN-019; SN-020).</p> <p>Given Squamish Nation rights and interests are integrally connected to environmental values, and cannot be effectively addressed without Squamish involvement in determining the scope of the EA, the exclusion of these key species from the VC analysis calls into question the extent to which the Application will effectively assess Project impacts on Squamish rights and interests (Comment SN-032).</p>	<p>In relation to traditional use and medicinal plants, BURNCO has supported a Squamish Nation-led study that is intended to identify Squamish Nation interests in the project area and potential adverse project effects to those interests. To date, the study has not been completed or shared with the proponent. Final VC selection will include species and communities of importance to First Nations that are not otherwise identified, where this information is made available through consultation. Rationale for excluding species potentially occurring in the project area from the list of selected VCs will be provided in the EAC Application/EIS.</p> <p>Section 5.3.5 include a provision to consider traditional ecological or community knowledge, where available, in the assessment of potential effects on terrestrial wildlife and vegetation.</p>	None proposed.

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362	Chief Bill Williams	Squamish Nation	28-Mar-14	dAIR 2.3 (26Feb2014)	SN-014.2	<u>Inadequate assessment of effects on freshwater fish habitat</u> The scope of assessment for Project effects on fish habitat is inadequate. A full assessment of baseline conditions on freshwater fish habitat is necessary, which should include an assessment of freshwater benthic communities (flora and fauna) by adding this as a VC. This is essential to a fulsome EA, given the importance of McNab Creek and the importance of baseline data (e.g. on freshwater benthic communities) to the assessment of Project effects on freshwater fish habitat (Comment SN-014).	AIR/EIS Guidelines revised to incorporate a discussion of VCs suggested by Aboriginal groups and rationale for their exclusion of as selected VCs, where appropriate. This discussion and the corresponding rationales will be carried forward to the EAC Application/EIS. Aquatic Health is also being assessed as a VC under Surface Water Resources. Ref. BCEAO-017 and CEAA-036. Appendix A of Rev 3.1 (03Dec2014) revised to contain "Preliminary Valued Component and Study Area Rationale".	Table 4 revised to include the following in relation to Fisheries and Freshwater Habitat VCs: - <u>Although suggested by Aboriginal groups as a candidate VC, freshwater benthic communities have not been included as selected VC since freshwater productivity is being measured using water quality (including nutrients and chlorophyll), fish distribution and habitat use. Aquatic health is also being assessed as a VC under Surface Water Resources. Attention to higher trophic level VCs (salmonids), supplemented with water quality monitoring is expected to be adequate to assess the anticipated impacts of the Proposed Project. Freshwater benthic samples have been collected as the basis for aquatic health assessment and monitoring during project construction and operations since the use of benthic invertebrates and periphyton can provide meaningful indices for monitoring change in aquatic environments.</u> (NOTE: bold added for Rev 3.1 (03 Dec2014)) - <u>Rationale for excluding candidate VCs from the list of selected VCs will be provided in the EAC Application/EIS.</u> Table 4 of Rev 3.1 (03Dec2014) revised to include the following under Surface Water Resources: VC - <u>Aquatic Health</u> Supporting Rationale - <u>Changes in TSS / TDS and chemical quality may impact:</u> - <u>Periphyton – food source for invertebrates and fish;</u> - <u>Benthic invertebrates – link to food chain between periphyton and fish; also food source for fish and birds; and</u> - <u>Fish – top predator in freshwater food web.</u>
363	Chief Bill Williams	Squamish Nation	28-Mar-14	dAIR 2.3 (26Feb2014)	SN-040.2	<u>Inadequate assessment of economic and social effects</u> Given the reality that First Nations generally experience a greater socio-economic burden than benefit from industrial development in comparison to settler communities the AIR/EISg must ensure there is an adequate framework for assessing the socio- economic impacts of the Project on the Squamish Nation and its members by disaggregating this analysis from the general socio-economic analysis in Part B of the Application. The AIR/EISg should require a separate analysis in Part B, sections 6.0 (Assessment of Potential Economic Effects) and 7.0 (Assessment of Potential Social Effects) specific to socio-economic impacts on the Squamish Nation, and other affected First Nations, rather than including this analysis in Part C of the Application. This is because it has been Squamish Nation's experience that the analysis in Part C is not as fulsome as the 'non-aboriginal' sections of the Application (Comment SN-040).	In accordance with prevailing provincial guidance, First Nations economic and social information and interests relative to potential project effects and benefits will be assessed separately in Part C, First Nations Information Requirements. Based on discussions with Squamish Nation, BURNCO understands that it is the Squamish Nation's preference to provide the information needed to support Part C; BURNCO will work with Squamish Nation to enable the preparation of a fulsome assessment, as well as to identify potential benefits. BURNCO will provide a draft of Part C and other relevant sections of the EAC Application/EIS to First Nations for review and comment in advance of submission of the final EAC Application/EIS to the EAO and CEAA Agency.	None proposed.
364	Chief Bill Williams	Squamish Nation	28-Mar-14	dAIR 2.3 (26Feb2014)	SN-029.2	<u>Limitations of Proponent's assessment should be identified</u> The limitations associated with the various approaches taken by the Proponent to data collection and impact assessment should be described in their Application and the AIR/EISg should be amended to ensure this occurs. For example, the limitations of using Vegetation Resource Inventory data for habitat modeling in the Regional Study Area must be outlined in the Application (see Comment SN-029; draft AIR/EISg Rev. 2.3, at s. 5.3.3.3).	Acknowledged. Section 4.5.3 of the AIR/EIS Guidelines require that potential project-related residual effects be characterized as the basis for determining the significance of potential residual adverse effects for each VC. The level of confidence for each predicted effect will be discussed to characterize the level of uncertainty associated with both the significance and likelihood determinations. The sources and nature of uncertainty associated with residual effect predictions will be described to provide the basis for the stated level of confidence.	Section 4.5.3 clarified as follows: Potential project-related residual effects will be characterized as the basis for determining the significance of potential residual adverse effects for each VC. The level of confidence for each predicted effect will be discussed to characterize the level of uncertainty associated with both the significance and likelihood determinations. The sources and nature of uncertainty associated with residual effect predictions, including limitations of data collection and impact assessment methodologies, will be described to provide the basis for the stated level of confidence.
365	Chief Bill Williams	Squamish Nation	28-Mar-14	dAIR 2.3 (26Feb2014)	SN-018.1	On a similar vein, we note that the draft AIR/EISg does not indicate how coastal tailed frog will be assessed (coastal tailed frog is not included in the amphibian surveys or habitat suitability modelling, or inventory methods outlined in draft AIR/EISg s. 5.3.3.3). Squamish Nation requests that how coastal tailed frog is it to be assessed is set out in the AIR/EISg (Comment SN-018).	Surveys were conducted to assess potential amphibian breeding habitat, including coastal tailed frog, within the Project Area. There was no suitable coastal tailed frog breeding habitat observed within the Project Area. Subsequent amphibian surveys focused on species which may breed within the Project Area following Inventory Methods for Pond-breeding Amphibians and Painted Turtle, Version 2.0 (RIC 1998a). The Squamish Nation had previously stated (SN-018) that coastal tailed frog was known to occur in Harlequin Creek. While there may be more suitable habitat upstream, there was no suitable coastal tailed frog breeding habitat observed in the area of Harlequin Creek that may interact with Project-related activities. Therefore, no further study specifically related to coastal tailed frog was determined to be required.	Section 5.3.3 references "Inventory Methods for Pond-breeding Amphibians and Painted Turtle, Version 2.0 (RIC 1998a); Section 5.3.4, states that breeding surveys for pond-breeding amphibians were conducted following RISC guidelines and that general transects were conducted around identified breeding ponds to document adult amphibians. No further revisions are proposed.

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366	Chief Bill Williams	Squamish Nation	28-Mar-14	dAIR 2.3 (26Feb2014)	SN-050	<p><u>Inadequate consideration of Squamish Nation traditional land use (TLU), and Aboriginal rights</u></p> <p>While the Proponent has committed to funding a Project-specific traditional use study (TUS) no information is provided in the draft AIR/EISg as to how this information will be considered in the Application. We request that the Proponent's commitment to conduct a TUS be set out in the AIR/EISg, and that the Proponent be further required to include information from the TUS in the assessment of the proposed Project's impacts on Squamish's rights in the Application (Comment SN-046, SN-047).</p> <p>While the Proponent has committed to providing opportunities to work jointly with First Nations to identify potential residual effects on Aboriginal rights and interests, the AIR/EISg should require the Proponent to jointly develop summaries of the impacts of the proposed Project on Squamish Nation rights (including title) and interests, or to identify where in the Application Squamish Nation does not agree with the characterization of Project impacts on Squamish Nation's rights and interests (Comment SN-045).</p>	<p>Acknowledged. Section 11 of the AIR/EIS Guidelines requires the EAC Application/EIS to provide a non-confidential summary of past, present, and anticipated future uses of lands and resources in the Proposed Project area by Aboriginal groups including but not limited to current use of lands and resources for traditional purposes. BURNCO has supported a Squamish Nation-led study that is intended to identify Squamish Nation interests in the project area and potential adverse project effects to those interests. The effects assessment will consider traditional ecological or community knowledge, where available.</p>	<p>Section 13 revised as follows:</p> <ul style="list-style-type: none"> - Consider both federal and provincial consultation requirements, including CEA Agency's requirements for the Proponent to: <ul style="list-style-type: none"> - Describe current uses of lands and resources for traditional purposes for each Aboriginal groups identified in Section 10.0, as well as potential effects of changes to the environment resulting from the Proposed Project on these uses; - Provide each Aboriginal group identified in Section 10.0 with an opportunity to review this information; and - Summarize comments received from the Aboriginal groups identified in Section 10.0 in response to the information provided.
367	Chief Bill Williams	Squamish Nation	28-Mar-14	dAIR 2.3 (26Feb2014)	SN-051	<p><u>Lack of integration of Squamish Nation interests and perspectives</u></p> <p>In response to some of our comments the Proponent has committed to providing opportunities to "work jointly with applicable First Nations" to identify potential residual Project effects on our rights and interests, describe Squamish Nation's involvement in the EA, and "to the extent possible" jointly develop a summary of consultation. The AIR/EISg should explicitly require the Proponent to identify the extent to which information regarding Squamish Nation's interests in the Application has been jointly developed with the Squamish Nation in sections 3.2 (Aboriginal Information Distribution and Consultation) and 9.2.7 (Residual and Cumulative Effects Assessment, and Part C) of the AIR/EISg. In the alternative, the AIR/EISg should require that the Proponent set out what information regarding our rights and interests, involvement in the EA and consultation, Squamish Nation agrees or disagrees with (Comment SN-027; SN-032; SN-045).</p>	<p>Section 3.2 of the AIR/EIS Guidelines requires the development of a summary of consultation activities undertaken, including key issues identified and the degree to which Aboriginal groups' issues are considered resolved and/or addressed by the Proponent.</p> <p>Summaries of potential residual effects of the Proposed Project on First Nations rights and interests will be presented in Section 11. First Nations will be provided the applicable summaries in draft for review and comment in advance of submission of the final EAC Application/EIS to the EAO and CEA Agency. It is BURNCO's intention that any disagreements regarding the summaries of potential residual effects will be resolved prior to finalization. Outstanding issues will be clearly identified.</p> <p>Similarly, Section 13 of the AIR/EIS Guidelines will require BURNCO to describe current uses of lands and resources for traditional purposes, as well as potential effects of changes to the environment resulting from the Proposed Project on these uses. Squamish Nation will be provided an opportunity to review this information. Comments received from the Aboriginal groups in response to the information provided will be summarized and presented in the EAC Application/EIS.</p> <p>BURNCO has supported a Squamish Nation-led study that is intended to identify Squamish Nation interests in the project area and potential adverse project effects to those interests. The effects assessment will consider traditional ecological or community knowledge, where available.</p>	<p>Section 13 revised as follows:</p> <ul style="list-style-type: none"> - Consider both federal and provincial consultation requirements, including CEA Agency's requirements for the Proponent to: <ul style="list-style-type: none"> - Describe current uses of lands and resources for traditional purposes for each Aboriginal groups identified in Section 10.0, as well as potential effects of changes to the environment resulting from the Proposed Project on these uses; - Provide each Aboriginal group identified in Section 10.0 with an opportunity to review this information; and - Summarize comments received from the Aboriginal groups identified in Section 10.0 in response to the information provided.
368	Chief Bill Williams	Squamish Nation	28-Mar-14	dAIR 2.3 (26Feb2014)	SN-048.2	<p><u>Cumulative effects remain a critical concern</u></p> <p>The revised draft AIR/EISg does not address Squamish Nation's concerns with respect to a cumulative effects assessment. Existing guidance and policy on the assessment of cumulative effects will not result in adequate characterization of the erosion of Valued Components resulting from historic Crown decisions authorizing development in Squamish territory, coupled with planned future development decisions. Such decisions have already resulted in significant adverse effects to Squamish Nation lands and waters and to valued species, including marine mammals, salmon and many others.</p> <p>A cumulative effects assessment must take place either through a stand-alone section of the Proponent's Application, or outside the existing provincial and federal EA framework (Comment SN-048).</p>	<p>The EAC Application/EIS will consider cumulative effects for each VC that is determined to have a project-related residual effect. AIR/EIS Guidelines revised to reference the CEA Agency's Operational Policy Statement related to addressing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, in addition to associated guidance documents.</p>	<p>Section 4.5.4 revised as follows:</p> <p>The following policy statements and guidance documents guidelines and standards will be used:</p> <ul style="list-style-type: none"> - <u>Operational Policy Statement: Addressing Cumulative Environmental Effects under the Canadian Environmental Assessment Act (CEA Agency 2007);</u> - Addressing Cumulative Environmental Effects. A Reference Guide for the Canadian Environmental Assessment Act. (CEA Agency 1994); - Cumulative Effects Practitioners Guide (CEA Agency 1999); - Guideline for the Selection of Valued Components and Assessment of Potential Effects (BCEAO 2013). <p>CEA Agency 2007 added to Section 21 References.</p>
369	Chief Bill Williams	Squamish Nation	28-Mar-14	dAIR 2.3 (26Feb2014)	SN-052	<p>Further, the use of "context" as a factor to analyze residual effects of the proposed Project (AIR/EISg RV 2.3 at s. 4.5.3) is insufficient as it provides far too much discretion to the Proponent in gathering baseline data essential to the residual effects assessment. The decision of what constitutes appropriate "context" should not be left to the Proponent as it is far too vague and imprecise an information requirement to ensure Squamish Nation's concerns with respect to cumulative effects are addressed.</p>	<p>Context is considered one of the most critical factors when evaluating the importance of residual effects and refers primarily to the current and future sensitivity and resilience of the VC to project-related changes (BCEAO 2013). Other criteria considered in characterizing residual effects are magnitude, extent, duration, reversibility and frequency of potential effects.</p> <p>Golder Associates is an independent professional engineering and environmental services firm that BURNCO has selected to conduct the required studies and prepare the EAC Application/EIS for the proposed project. Selected components of the EAC Application/EIS will subject to third party review which will be documented in the submission. A Technical Working Group consisting of federal, provincial and local government agencies and First Nations has been established to review the Proposed Project.</p>	<p>None proposed.</p>

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370	Chief Bill Williams	Squamish Nation	28-Mar-14	dAIR 2.3 (26Feb2014)	SN-053	Failure to ensure proper "capture" of Proponent's commitments Squamish Nation is concerned that commitments made by the Proponent to develop and implement Construction and Operation Environmental Management Programs and implement monitoring and follow-up programs will not be fleshed out early enough in the EA process or will be vaguely framed in the Application and therefore difficult to enforce. Squamish Nation requests that all commitments made by the Proponent in the Application are framed in an implementable and verifiable way that allows the Crown to ensure the terms and conditions are included in an EA decision. The AIR/EISg should be amended to make such framing a requirement (Comment SN-042, SN-044).	Section 17 includes requirements to outline a monitoring and reporting structure that will be adopted to verify the accuracy of the EA and to monitor the implementation of the effectiveness of proposed mitigation. Section 4.5.2 includes provisions to describe practical measures proposed to mitigate to an acceptable level potential adverse environmental, economic, social, heritage or health effects of the proposed Project on selected VCs. Descriptions of proposed mitigation measures in the EAC Application/EIS will include: - their suitability for project- and site-specific application; - their technical and economic feasibility; and - the extent to which their effectiveness can be measured and verified, including linkages to the Environmental Monitoring and Follow-up Program where appropriate.	Section 4.5.2 revised as follows: Descriptions of proposed mitigation will demonstrate the technical and economic feasibility of the measures, including their suitability for project- and site-specific application, if necessary. <u>Linkages will be made to the Environmental Monitoring and Follow-up Program presented in Section 17.0 where appropriate to monitor and verify the effectiveness of the measure proposed to mitigate potential environmental effects.</u> The level of detail provided will be commensurate with the risk associated with the potential effect being mitigated, and the degree to which the proposed mitigation has been proven effective in the same or similar applications elsewhere. Any uncertainty associated with the effectiveness of proposed mitigation measures will be described.
371	Chief Bill Williams	Squamish Nation	28-Mar-14	dAIR 2.3 (26Feb2014)	SN-054	Insufficient environmental monitoring and follow-up requirements Robust, implementable and fully funded monitoring and follow-up programs are essential to ensure mitigation measures are implemented and effective. Squamish Nation has requested that a monitoring and follow-up program is included as part of an environmental assessment certificate, if issued, or that Squamish implement and conduct a Proponent funded monitoring and follow-up program for the life of the Project and beyond as necessary to monitor residual effects. The current requirements in section 17, "Environmental Monitoring and Follow-up Programs", of the draft AIR/EISg are insufficient to ensure an effective program is proposed in the Application and make no mention of reporting requirements, duration of the program, or how it will be funded. It should not be left entirely to the discretion of the Proponent to develop this essential program. The draft AIR/EISg should be amended to include more explicit requirements with respect to this key aspect of the Project (Comment SN-02).	Section 17 includes requirements to outline a monitoring and reporting structure that will be adopted to verify the accuracy of the EA and to monitor the implementation of the effectiveness of proposed mitigation. This section will be revised to describe requirements to define funding responsibilities and potential opportunities for the involvement of Aboriginal groups in the development and implementation of a follow-up and monitoring program.	Section 17 revised as follows: The EAC Application/EIS will include the following information regarding follow-up programs: - Monitoring objectives; - Main program components, specific monitoring activities and schedule (<u>including duration</u>); and - Effectiveness assessment, including adaptive management, of measures proposed to mitigate potential environmental effects; - <u>Potential opportunities for the involvement of Aboriginal groups in the development and implementation of a follow-up and monitoring program;</u> and - <u>Funding responsibilities.</u>
372	Hanson, Eric	Tsleil-Waututh Nation	4-Apr-14	dAIR 2.3 (26Feb2014)	TWN-016	1. In Purpose of the AIR/EIS Guidelines (pg. ii), please clarify why the BCEAO has deleted the following section (from paragraph 2): "The Draft AIR/EIS Guidelines are submitted to the BCEAO and the CEA Agency for review and consultation with Aboriginal groups, governmental agencies and the public. The Proponent is responsible for responding to the comments received and revising the AIR/EIS Guidelines, as appropriate. Revised Draft AIR/EIS Guidelines are submitted to the BCEAO and the CEA Agency for final review and approval."	This section was removed following completion of the public and TWG comment periods since it refers to activities that had already occurred and were not material to the Purpose of the AIR/EIS Guidelines . The chronology of submission and review of iterative drafts of the AIR/EIS Guidelines are presented in the previous section entitled Version Control .	None proposed.
373	Hanson, Eric	Tsleil-Waututh Nation	4-Apr-14	dAIR 2.3 (26Feb2014)	TWN-017	2. In Section 2.4 (pg. 21), we request that the Strait of Georgia and Fraser River shipping routes be included in the scope of the proposed project, including existing routes and increases planned in the near future.	BURNCO's BC operations currently transport sand and gravel by barge from Treat Creek (northwest of Powell River), and as far away as Port McNeil on northern Vancouver Island, to existing facilities along the Fraser River in Burnaby and Langley. The development of the proposed Project would replace the need to transport aggregate from these sites. Instead, BURNCO would tow aggregate-filled barges (on average, one barge every two days) from the marine loading facility in Howe Sound through Queen Charlotte Channel to the Fraser River via both Thornbrough Channel (regular route) and Ramillies Channel (bad weather route). Beyond this point, Project-related shipping would fully replace existing barge traffic currently associated with existing BURNCO facilities, resulting in no change in BURNCO's contribution to existing marine traffic levels. The scope of the assessment of the marine shipping component has been defined as barge traffic in Howe Sound, Ramillies Channel, Thornbrough Channel, and Queen Charlotte Channel to south of Passage Island. The scope does not include shipping from where the barges meet the existing shipping lanes in the Strait of Georgia and in the Fraser River to BURNCO's existing facilities in Burnaby and Langley. The scope of the assessment of the marine shipping component was confirmed by the CEA Agency in a letter to BURNCO dated November 12, 2013.	Section 2.4 revised as follows: The scope of assessment of the marine shipping component of the Proposed Project consists of the barge traffic in Howe Sound, Ramillies Channel, Thornbrough Channel, and Queen Charlotte Channel to south of Passage Island (Figure 4). The scope <u>does</u> not include shipping from where the barges meet the existing shipping lanes in the Strait of Georgia and in the Fraser River to BURNCO's existing facilities in Burnaby and Langley (<u>CEA Agency 2013</u>). Section 21 revised to include: <u>CEA Agency. 2013. Letter to Mr. Derek Holmes, BURNCO Rock Products Ltd RE BURNCO Aggregate Mine Project. Dated November 12, 2013.</u>
374	Hanson, Eric	Tsleil-Waututh Nation	4-Apr-14	dAIR 2.3 (26Feb2014)	TWN-018	3. In Section 4.5.3 (pg. 43), we request that "First Nations" be added to read: "The significance of potential residual adverse effects will be determined for each VC based on the residual effects criteria and the likelihood of a potential residual effect occurring, a review of background information and available field study results, consultation with government agencies, First Nations, and other experts, and professional judgement."	Acknowledged.	Section 4.5.3 revised as follows: The significance of potential residual adverse effects will be determined for each VC based on the residual effects criteria and the likelihood of a potential residual effect occurring, a review of background information and available field study results, consultation with government agencies, <u>First Nations</u> , and other experts, and professional judgement.

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375	Hanson, Eric	Tsleil-Waututh Nation	4-Apr-14	dAIR 2.3 (26Feb2014)	TWN-019	4. In Section 4.5.4 (pgs. 44-47), we request clarification on the rationale for the BCEAO's changes to the Cumulative Effects Assessment section, particularly the deletion of: "The cumulative effects assessment will consider the predicted residual effects that could interact with the residual effects from other past, present or project future projects and activities."	The changes to Section 4.5.4 in dAIR/EISg Rev 2.3 dated February 26, 2014 were made to better align with prevailing policy statements and guidance, as well as to reduce duplication and redundancy in this section. The identified sentence was deleted because the same phase occurs at the beginning of the preceding paragraph which states: "Cumulative effects are defined as project-related residual effects that combine and act cumulatively with similar effects from other past, present and reasonable foreseeable projects and activities."	None proposed.
376	Hanson, Eric	Tsleil-Waututh Nation	4-Apr-14	dAIR 2.3 (26Feb2014)	TWN-020	5. In Section 5.1.6 (pg. 55), we request that there be a change to paragraph 1. We request that the original wording ("...including any serious harm to fish resulting from irreversible alteration, disruption or destruction of fish habitat or the direct destruction of fish") be changed to read: "...including any temporary or permanent harm to fish resulting from any alteration, disruption or destruction of fish habitat or the direct destruction of fish."	Acknowledged. AIR/EIS Guidelines have been updated to reflect proponent's responsibilities to avoid, mitigate and offset threats to commercial, recreational and Aboriginal fisheries as required by current Fisheries Act and DFO policies.	Table 3 revised to include the following description of Fisheries Act requirements: <u>General prohibition of work or activity that results in serious harm to fish that are part of a commercial, recreational or Aboriginal fishery (CRA), or to fish that support such a fishery under Section 35(1) and authorization under Section 35(2) of the Fisheries Act. Harmful alteration, or disruption or destruction of fish habitat under Section 35(1) and authorization under Section 35(2) of the Fisheries Act.</u> Section 5.1 and 5.2 revised to reflect fisheries protection provisions of the <i>Fisheries Act</i> , the Fisheries Protection Policy Statement and the Fisheries Productivity Investment Policy: A Proponent's Guide to Offsetting.
377	Hanson, Eric	Tsleil-Waututh Nation	4-Apr-14	dAIR 2.3 (26Feb2014)	TWN-021	6. In Section 5.2.3 (pg. 57), we request that all estuaries within the region of the proposed project and marine waters are included within the study area. TWN also requests that a water circulation and sediment transport model be required, to determine if water quality in English Bay and Burrard Inlet may be affected.	The Local Study Area for the marine resources assessment includes the intertidal and subtidal areas within the Proposed Project footprint including the proposed marine terminal facilities in Thornbrough Channel (barge loader and conveyor). The Regional Study Area includes the shipping route from the Proposed Project site through Howe Sound via Ramillies Channel, Thornbrough Channel and Queen Charlotte Channel to south of Passage Island.	Section 21 revised to include: <u>CEA Agency. 2013. Letter to Mr. Derek Holmes, BURNCO Rock Products Ltd RE BURNCO Aggregate Mine Project. Dated November 12, 2013.</u>
378	Hanson, Eric	Tsleil-Waututh Nation	4-Apr-14	dAIR 2.3 (26Feb2014)	TWN-022	7. In Section 5.2.6 (pg. 60), we request that there be a change to paragraph 1. We request that the original wording ("...including any serious harm to fish resulting from irreversible alteration, disruption or destruction of fish habitat or the direct destruction of fish") be changed to read: "...including any temporary or permanent harm to marine resources (fish, benthic communities, marine mammals, birds, etc.) resulting from any alteration, disruption or destruction of marine habitat or the direct destruction of marine resources."	Acknowledged. AIR/EIS Guidelines have been updated to reflect proponent's responsibilities to avoid, mitigate and offset threats to commercial, recreational and Aboriginal fisheries as required by current Fisheries Act and DFO policies.	Table 3 revised to include the following description of Fisheries Act requirements: <u>General prohibition of work or activity that results in serious harm to fish that are part of a commercial, recreational or Aboriginal fishery (CRA), or to fish that support such a fishery under Section 35(1) and authorization under Section 35(2) of the Fisheries Act. Harmful alteration, or disruption or destruction of fish habitat under Section 35(1) and authorization under Section 35(2) of the Fisheries Act.</u> Section 5.1 and 5.2 revised to reflect fisheries protection provisions of the <i>Fisheries Act</i> , the Fisheries Protection Policy Statement and the Fisheries Productivity Investment Policy: A Proponent's Guide to Offsetting.
379	Hanson, Eric	Tsleil-Waututh Nation	4-Apr-14	dAIR 2.3 (26Feb2014)	TWN-023	8. In Section 9.1.5 (pg. 116), we request a definition for the term "country foods." The effects on both land and marine based "country foods" should be assessed.	Health Canada (2010) defines country foods as those foods trapped, fished, hunted, harvested or grown for subsistence or medicinal purposes, or obtained from recreational activities such as sport fishing and/or game hunting. This definition is included in Table 4.	None proposed.
380	Hanson, Eric	Tsleil-Waututh Nation	4-Apr-14	dAIR 2.3 (26Feb2014)	TWN-024	9. In Part C, Section 13.0 (pg. 123), we request that "First Nations" be added to read: "The EAC Application/EIS will consider the federal, provincial and First Nations consultation requirements."	This section refers to consultation requirements delegated by the federal and provincial Crown. It is therefore not appropriate to include the suggested revision. Section 13 has been revised to clarify CEA Agency's consultation requirements.	Section 13 revised as follows: - Consider both federal and provincial consultation requirements, <u>including CEA Agency's requirements for the Proponent to:</u> - Describe current uses of lands and resources for traditional purposes for each <u>Aboriginal groups identified in Section 10.0, as well as potential effects of changes to the environment resulting from the Proposed Project on these uses;</u> - Provide each <u>Aboriginal group identified in Section 10.0 with an opportunity to review this information;</u> and - Summarize comments received from the <u>Aboriginal groups identified in Section 10.0 in response to the information provided.</u>
381	Hanson, Eric	Tsleil-Waututh Nation	4-Apr-14	dAIR 2.3 (26Feb2014)	TWN-025	10. Overall comment: We request maps of all the Local Study Area and Regional Study Area boundaries for the assessment.	Requested maps of local and regional study area boundaries are provided in Rev 3.0.	Section 4.3.1 revised to include: <u>Proposed LSAs and RSAs are presented in Appendix A.</u> Series of study area maps have been included as Appendix A.

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420	Chief Bill Williams	Squamish Nation	22-Sep-14	dAIR 3.0 (20Aug2014)	SN-055	Omnibus Ref BCEAO-017, BCEAO-018, CEAA-036.	BCEAO advised that no further response from BURNCO is required since the issues raised have all been addressed previously by BURNCO or by BCEAO/CEAA/ BCEAO/CEAA will respond directly to Squamish Nation to direct their attention to the earlier responses. AIR/EIS Guidelines will be revised to: - ADD pink salmon and their habitat to Fisheries and Freshwater Resources VCs; - ADD Aquatic Health to Surface Water Resource VCs; - clarify and refine study area boundaries, especially for Fisheries and Freshwater Habitat, Surface Water Resources and Groundwater Resources; and - ADD Appendix A to present a "Preliminary Valued Component and Study Area Rationale".	Appendix A revised to contain "Preliminary Valued Component and Study Area Rationales". Table 4 revised as follows: - Fisheries and Freshwater Habitat - Anadromous chum and coho, and pink salmon and cutthroat trout species and their habitats. - Although suggested by Aboriginal groups as a candidate VC, freshwater benthic communities have not been included as selected VC since freshwater productivity is being measured using water quality (including nutrients and chlorophyll), fish distribution and habitat use. <u>Aquatic health is also being assessed as a VC under Surface Water Resources</u> . Attention to higher trophic level VCs (salmonids), supplemented with water quality monitoring is expected to be adequate to assess the anticipated impacts of the Proposed Project. Freshwater benthic samples have been collected as the basis for <u>aquatic health assessment and</u> monitoring during project construction and operations since the use of benthic invertebrates and periphyton can provide meaningful indices for monitoring change in aquatic environments. - ADD <u>Aquatic Health</u> as a VC under Surface Water Resources.
421	Hanson, Erin	Tsleil-Waututh Nation	1-Oct-14	July 2014 Layout	TWN-026	Tsleil-Waututh is concerned that the processing area and stockpiles have increased significantly. To accommodate this proposed project size increase, we request information on the percentage of second growth forest that will be fallen, as well as the additional number of trees to be fallen from the July 2014 revisions, in comparison to what was planned in September 2013.	Refinements were made to the size and orientation of the processing area components of the BURNCO Aggregate Project (the Project). The nature, extent and rationale for these changes were presented in our August 5, 2014 memo. In response to your specific question about the increase in mature 2nd growth forest that will be removed compared to the September 2013 conceptual layout, we have calculated that an additional 6.85 acres will be cleared.	None proposed.
422	Hanson, Erin	Tsleil-Waututh Nation	1-Oct-14	July 2014 Layout	TWN-027	Tsleil-Waututh notes that the new location of the barge load out area is closer to McNab Creek which has a greater potential to impact this significant fish-bearing estuary in Howe Sound. Tsleil-Waututh request to receive all reports and studies on McNab Creek's fish and fish habitat, marine mammals, intertidal zone, and marine water quality when available.	You have requested copies of "all reports and studies on McNab Creek's fish and fish habitat, marine mammals, intertidal zone and marine water quality". We are please to share the following baseline study documents on fish and freshwater habitat, marine resources, surface water resources and groundwater resources which will be reflected in our effects assessment: APPENDIX 5.1-A Fisheries and Freshwater Habitat Baseline APPENDIX 5.2-A Marine Biophysical Baseline APPENDIX 5.2-B Marine Mammal Baseline APPENDIX 5.5-A Surface Water Hydrological Baseline APPENDIX 5.5-B Baseline Data Report: McNab Valley Surface Water Quality, 2009 – 2014 APPENDIX 5.6-A Hydrogeological Characterization (Groundwater Flow) APPENDIX 5.6-B Geochemical Evaluation of Groundwater Samples (Groundwater Quality) We would be pleased to discuss the results of these studies with you or to respond to any further questions you may have.	None proposed.
423	Hanson, Erin	Tsleil-Waututh Nation	1-Oct-14	July 2014 Layout	TWN-028	Tsleil-Waututh does appreciate the more robust dirt berm that will be extending out from the increased processing area.	With respect the processing area vegetated dirt berm, we can confirm that it will be more substantial than previously proposed and will cover 9,083 m2, compared to 1,348 m2 in the Sept 2013 conceptual layout. In addition, the shorter large loading conveyor requires a buffer area of 962 m2 compare to 3,305 m2 proposed previously.	None proposed.
482	Gall, Chris	Métis Nation BC	18-Nov-15	Part C Baseline (17Nov2017)	MET-001	Thanks so much for contacting us Sandra. When would you be looking for additional information by? The next three weeks, I have a significant amount of work on my plate and am wondering if late December would be acceptable.	We are trying to complete the effects assessment in the next couple of weeks. I realize it is short notice but if you could provide something sooner, we would appreciate it. Please let me know if you'd like to discuss further. I'd be happy to give you a call.	n/a

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483	Sauder, Ruth	Penelekut Tribe	30-Nov-15	Part C Baseline (17Nov2017)	PEN-001	<p>This is without a doubt the strangest referral documentation I have ever seen. I will assume that Burnco is some sort of gravel/aggregate company, but other than that I am utterly unaware of who you are, or what the referral is that is being referenced.</p> <p>Please advise where you accessed the information that you're relying on with respect to this community. Unless it was provided to Burnco or Golder by Penelakut then it is NOT appropriate for them to utilize this information in any way. If I am mistaken I apologize, but I don't believe I've ever had any contact of any sort from anyone about this referral until receiving this info. from you today. I will look at the provincial EAO website in an attempt to garner more information about this project. But for the time being I think you should consider yourself as having NOT YET consulted with this FN in any way.</p> <p>I will be in touch again when I have done some reading. I've now made an attempt to look at your project at the BC EAO website and was not able to access anything. As a starting point could you please email me the link to your project details and that way I should be able to simply click on the link to get in.</p>	<p>Thank you for your response. I understand how this referral may have been confusing for you.</p> <p>The Canadian Environmental Assessment Agency (the Agency) has previously communicated with the Penelakut Tribe with respect to the BURNCO Aggregate Project, most recently on December 17, 2014 when the Agency provided the Approved EAC Application Information Requirements/EIS Guidelines. The Agency has held the primary responsibility with respect to consultation on this Project and procedural aspects have not been delegated to BURNCO.</p> <p>BURNCO is required to provide materials to First Nations for review and comment before submitting the EAC Application for review. We have provided the documents in our previous email for these purposes. By providing information at this stage we hope to more accurately reflect the views of the Penelakut Tribe in the assessment process.</p> <p>The link to Project information on the BCEAO website is here: http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_project_home_355.html</p> <p>We have copied the Kevin Inouye, Project Manager at the Agency so you may follow up on prior communications if you wish.</p> <p>I hope this helps. Please let me know if you require any further information or assistance.</p>	None proposed.
484	Sauder, Ruth	Penelekut Tribe	1-Dec-15	Part C Baseline (17Nov2017)	PEN-002	<p>Are you able to provide me with a GPS point or a google screen shot of where this proposed gravel pit is located? That would possibly simplify the process.</p> <p>However, I'm still very concerned that someone who has never, ever spoken to anyone at Penelakut is seeking to submit information as part of the EAO process that purports to be a representation of Penelakut TUS in the area. That can't happen.</p>	<p>Please find a location map attached. The Project is located on the western shore of Howe Sound in the lower McNab Creek Valley, approximately 22 km west-southwest of Squamish and 35 km northwest of Vancouver. Geographic coordinates are 49° 34' 00" N; 123° 23' 20".</p> <p>The previously attached traditional land and resource use information is a desktop study only taken from publicly available sources such as published environmental assessment reports and ethnographic studies. We would be pleased to receive any additional information or comments you wish us to consider in the assessment.</p>	n/a
485	Sauder, Ruth	Penelekut Tribe	1-Dec-15	Part C Baseline (17Nov2017)	PEN-003	<p>You can't simply take our materials that we have provided in other contexts and plunk them into your process. We don't even have a way of verifying what is your source for this information or whether it is accurate. If you want to rely upon Penelakut information about our Traditional Uses then you or the proponent should be engaged in a consultation with this FN. You do NOT have Penelakut's permission to simply cobble together info. you've obtained from who knows where and claim it is somehow representative of Penelakut TUS. If you consider yourself a professional then I can't believe that you consider this an acceptable approach. There has NOT been any consultation with Penelakut on this project by you or the proponent and you cannot simply use materials that may or may not be accurate as part of your process without our input or Permission. Nor does this FN have the capacity to review projects for CEAA and Burnco without the dollars to hire someone to do that work. Be advised that we have NOT been consulted on this project nor have we been engaged at any level in this process. This is nothing more than the worst type of cultural appropriation without compensation or consultation. It doesn't rise to the level of consultation of any sort, let alone 'meaningful' consultation. You need to take Penelakut information not provided by Penelakut out of your materials. It is nothing more than hearsay.</p> <p>Quit trying to turn consultation into a bureaucratic process that works only for the bureaucrats and the proponents, and start recognizing that the primary premise of any type of consultation protocol is that it be for the benefit of the affected FNs. You're destroying the consultation process with this type of cynical, meaningless, and sloppy work, and in fact it only gives us more work to do with insufficient resources to do it, with not even minimal compensation for the time it takes to deal with you. Your process is only a burden to our community and will not result in any sort of s.35 protection of our asserted rights or title.</p>	None provided.	n/a

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486	Sauder, Ruth	Penelekut Tribe	12-Jan-16	Part C Baseline (17Nov2017)	PEN-004	<p>As you've already been told once, you don't get to simply find Penelakut use info. in the public domain and then cut and paste it into your process and call it consultation. Any information that is out there is owned by Penelakut and you do not have the right to publish it or use it without our permission. Nor do you know the source of what you've accessed, and nor do you know that it is in fact correct Penelakut information. Nor is it likely to contain the most up-to-date current use information.</p> <p>For the final time, we have not been consulted on this project, and I am giving you specific instructions that you may NOT use information that you gathered about Penelakut without Penelakut engagement for the purposes of this or any consultation.</p> <p>Any information which you've attached to this email has not been reviewed by Penelakut, and may not be relied upon or used by you or anyone without Penelakut permission in this or any consultation.</p> <p>Stop doing what is convenient for you, and start following proper consultation processes.</p> <p>And I am really appalled that you chose to send this email yesterday to my Chief without copying me, given my previous email to you on this matter. I query what you were trying to accomplish in doing that.</p> <p>I am directing you to attach this email to the Burnco documents to be submitted in the Environmental Review process for this project, but don't include any other documents about Penelakut not provided by Penelakut.</p>	<p>Thank you for your response. I apologize for not copying you on the original email and not referring to your earlier communications with us.</p> <p>As you note, the background and land and resource use information is based only on publicly available sources, including published environmental assessment reports, ethnographic studies and websites. We understand your concerns about the use of this information in the EAC Application/EIS. We do not consider the use of information in the public domain as consultation. Procedural aspects of consultation have not been delegated to the Proponent (BURNCO Rock Products Ltd. (BURNCO)) for this project.</p> <p>BURNCO is providing these materials for review and comment before submitting the EAC Application/EIS to the BCEAO Office and to the CEA Agency. Golder provided the documents in the previous email to Penelakut Tribe for review and input on BURNCO's behalf. By providing information at this stage we hope to more accurately reflect the views of the Penelakut Tribe in the assessment process. We would be pleased to receive any additional information or comments you wish us to consider in the assessment. Should Penelakut choose not to review the documents and provide comments, we will make notations in the relevant sections of the EAC Application/EIS stating that Penelakut Tribe has not provided information and does not support the use of publicly-available information in the Application. We will also include the content of your email in the Aboriginal Consultation section. Both the CEA Agency and BCEAO are copied on this email so they are aware of your concerns.</p>	<p>Make notations in the relevant sections of the EAC Application/EIS stating that Penelakut Tribe has not provided information and does not support the use of publicly-available information in the EAC Application/EIS.</p> <p>Include 12-Jan-2016 email content in the Aboriginal Consultation section.</p>
487	Smith, Tanya	Tsleil-Waututh Nation	19-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-029	Just a quick note to let you know this hasn't fallen off our radar. We will send comment responses by Feb 1.	Thank you. If you need any additional information, please do not hesitate to contact me.	n/a
488	George, Larry	Cowichan Tribes	21-Jan-16	Part C Baseline (17Nov2017)	CT-001	Only some members of the <i>Hwlitsum</i> people can accurately be described as having been part of the historic Cowichan Nation.	The proponent agrees to the change.	<p>Section 10.1.5, paragraph 3 has been changed to make it more specific to Cowichan Tribes:</p> <p>"Members of the Cowichan Tribes are descendants of various local groups or "tribes" within the historic Cowichan Nation (CT 2014). Currently, the term Cowichan Tribes specifically denotes those Cowichan Nation communities who trace their ancestry to local groups with winter villages on the Cowichan and Koksilah Rivers and Cowichan Bay (Cowichan Tribes n.d. a)..."</p>
489	George, Larry	Cowichan Tribes	21-Jan-16	Part C Baseline (17Nov2017)	CT-002	<i>Hwlitsum</i> is no longer affiliated in any way with the Cowichan Nation Alliance.	The proponent agrees to the change.	All references to Hwlitsum being affiliated with Cowichan Nation Alliance have been removed.
490	George, Larry	Cowichan Tribes	21-Jan-16	Part C Baseline (17Nov2017)	CT-003	In addition to intentions to re-establish a land base and river access the Cowichan Nation Alliance also plans to reestablish permanent residences as well as economic ventures and employment opportunities at the Tl'uqutinus site (see attached [Cowichan Nation Alliance] Declaration [for Reconciliation])	The proponent agrees to the change.	<p>The following text has been added to the reference to Tl'uqutinus in Section 11.3.2.4 Cowichan Tribes Use:</p> <p>"In correspondence sent to the Proponent in January 2016, Cowichan Tribes noted that the Cowichan Nation Alliance intends to re-establish permanent residences as well as economic ventures and employment opportunities at the Tl'uqutinus site."</p>
491	George, Larry	Cowichan Tribes	21-Jan-16	Part C Baseline (17Nov2017)	CT-004	Under the section "hunting/trapping", please include the Cowichan peoples also historically trapped and hunted beaver and sea otter.	The proponent agrees to the change.	<p>The following text added to 11.3.2.4.2 Harvesting of Terrestrial Resources:</p> <p>"Cowichan peoples also historically trapped and hunted beaver and sea otter."</p>
492	Sauder, Ruth	Penelekut Tribe	22-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	PEN-005	<p>If you want us to review these materials, the standard protocol is for the proponent or their agents to enter into a 'participation' agreement with us in order that we have the capacity to respond to your request. If we can't pay people to do the work then we can't do the work. I'm assuming you and others are getting paid, so I query why anyone thinks we shouldn't be paid.</p> <p>Are you going to contact me about making an arrangement for consultation with this FN? Otherwise, as I said to you before, you do not have permission to utilize unsubstantiated materials you've found about Penelakut, in this process. That isn't consultation, it is reliance on hearsay. This is how mistaken assumptions about a FN get perpetuated from one project to the next, which is a problem that has happened regarding Penelakut, particularly with respect to much of the shockingly uninformed work that we have seen Golder produce in the past, and currently, with respect to other projects that we are actually reviewing and commenting on.</p>	None provided.	n/a
493	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-030	In the section titled 'Assessment of Potential Effects on Tsleil Waututh Nation Aboriginal Rights' on page 9, Tsleil-Waututh requests that the following statement is added: "Part C and this EAC Application does not, in any way, abrogate or derogate from any Aboriginal, treaty, title or other rights or freedoms that pertain to Aboriginal peoples."	The proponent agrees to add the suggested statement.	The statement has been added to the beginning of Section 11.3 Assessment of Potential Effects on Tsleil-Waututh Nation and other Aboriginal Groups.

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494	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-031	Tsleil-Waututh requires that all references to the Tsleil-Waututh "traditional territory" boundary are changed to the Tsleil-Waututh "consultation area," as consistent with Tsleil-Waututh Nation's Stewardship Policy. There is a difference between what we consider our traditional and consultation area boundaries and we are happy to provide clarification at our next meeting. (This comment also pertains to similar wording used within the Consultation Report.)	The proponent agrees to the change.	The requested change has been made.
495	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-032	Tsleil-Waututh is deeply concerned that marine shipping is excluded from the assessment. Increases in marine shipping in Howe Sound, Burrard Inlet and the Fraser River are of profound concern to Tsleil-Waututh Nation as described in Morin (2015: 395-405). Until this component is added into the application, consultation and the assessment of impacts to our rights, title and interests are incomplete.	On October 4, 2013, BURNCO provided CEA Agency with information on the incremental effects of barging from the sand and gravel pit site at McNab Creek to BURNCO's existing load-out facilities in Burnaby and Langley, B.C. BURNCO's analysis of the incremental changes to existing barge traffic indicated that there would be: <ul style="list-style-type: none"> • 0% net change from south of Passage Island, along the Strait of Georgia, to the North and South Arms of the Fraser River, and • 0% net change along the Fraser River to the load-out facilities in Burnaby and Langley. As a result, CEA Agency limited the scope of marine shipping for the Application to include barge traffic in Howe Sound, Ramillies Channel, Thornbrough Channel and Queen Charlotte Channel (south of Passage Island) and excluded existing shipping lanes in the Strait of Georgia and in the Fraser River to BURNCO's facilities in Burnaby and Langley.	No changes proposed regarding the exclusion of marine shipping. The Application includes Tsleil-Waututh's concern regarding marine shipping in Section 12.0 Other Aboriginal Interests and has been updated as follows: "In correspondence addressed to the BC EAO and the Proponent regarding the Proposed Project, Tsleil-Waututh Nation requested that shipping routes in the Strait of Georgia and Fraser River and all the estuaries in the region be included in the scope of the assessment. The Proponent provided in its analysis of incremental changes to existing barge traffic within the waters of Tsleil-Waututh Nation's consultation area as a result of the Proposed Project, which confirmed the exclusion of the Strait of Georgia and Fraser River from the effects assessment." The comments will also be added to the Consultation Summary.
496	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-033	It is not appropriate for the following document be used and cited as it is under internal review at the Ministry of the Attorney General given gross inadequacies: "TWN: A Review of historic and ethnographic references". Please remove all references to the document in-text and works cited.	Based on comment number TWN-07, the Proponent assumes that Tsleil-Waututh is referring to the EAO 2010 (Environmental Assessment Office's <i>Evergreen Line Rapid Transit Project Assessment Report</i> , December 2010).	The following reference and all citations have been deleted from the Application: Environmental Assessment Office's Evergreen Line Rapid Transit Project Assessment Report, December 2010.
497	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-034	Morin (2015) report is cited in the body of the document but excluded from the list of references. We expect that this be corrected in the reference list.	The Proponent agrees.	The following reference has been added to the document: Morin, Jesse. 2015. Tsleil-Waututh Nation's History, Culture and Aboriginal Interests in Eastern Burrard Inlet. Redacted version available at: http://twnsacredtrust.ca/wp-content/uploads/2015/05/Morin-Expert-Report-PUBLIC-VERSION-sm.pdf . Accessed January 2016.
498	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-035	The majority of mitigation measures are highly focused on more consultation activities with Tsleil-Waututh. We encourage strong consultation and engagement of our Nation; however, we would like to see more detailed and pointed suggestions for mitigation of impacts proposed by BURNCO. We will work with BURNCO to refine these suggestions as needed.	The Proponent looks forward to working with Tsleil-Waututh on refining the suggested mitigation activities outlined in the Application.	No changes proposed.
499	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-036	Regarding Tsleil-Waututh's occupation of IR#3 (p.5), the balance of evidence indicates that TWN had inhabited the IR#3 area for millennia (at least 3000 years) prior to the historic era. See Morin (2015:198). This just one of up to 12 villages occupied by Tsleil-Waututh people prior to contact. We request that this section be updated accordingly. To be clear reference to the EAO (2010) report, which currently under review as previously mentioned, should be replaced by the Morin (2015) report.	The Proponent has made the requested changes.	The information from EAO 2010 has been replaced with the new text provided by Tsleil-Waututh Nation. The first sentences in the paragraph under the Aboriginal Regional Setting section for Tsleil-Waututh Nation (Section 10.1.2) have been updated as follows+17: "Tsleil-Waututh Nation's main community is located in North Vancouver, BC on the shore of Burrard Inlet, between Maplewood Flats and Deep Cove at Burrard Inlet Indian Reserve (IR) 3 (AANDC 2015). Evidence indicates that Tsleil-Waututh Nation had inhabited a village at the Burrard Inlet IR 3 site for millennia (at least 3000 years) prior to the historic era (Morin 2015:198) and is only one of up to 12 villages occupied by Tsleil-Waututh people prior to contact (Morin 2015)."
500	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-037	Tsleil-Waututh is not confident that the Project will have positive effects on fish habitat. We are equally unsure of the Project impacts to salmonids (p.23, 24). We will be forwarding comments on the Fish Habitat Offset Plan accordingly. We request that BURNCO forward relevant studies, or reference appropriate sections of the Application to substantiate their conclusions in this regard.	The Proponent looks forward to receiving Tsleil-Waututh's comments on the Fish Habitat Offset Plan. Section 11.3 Assessment of Potential Effects in the EAC Application/EIS refers the reader to Sections 5.1 and 5.2 for the results of the effects assessment on salmonids.	No changes proposed.
501	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-038	Tsleil-Waututh is concerned that intangible cultural heritage will be impacted due to increased numbers of non-native people accessing the area (p. 31). We would like to see stronger mitigation and adaptation options are more clearly suggested, we will work with BURNCO to refine them.	The Proponent looks forward to working with Tsleil-Waututh on refining the suggested mitigation activities outlined in the Application.	No changes proposed.
502	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-039	It is acknowledged that the Project has a high likelihood of impact to the quality of current use experience in the area (p.46). We would like to see stronger mitigation and adaptation options identified to lessen this impact during the construction and operation phases at the very least.	Mitigation measures proposed in Marine Transport (Section 7.2), Visual Resource (Section 7.4) and Noise (Section 9.2) will be designed to minimize Project effects on use of Howe Sound and reduce the effects on the visual quality when experiencing Howe Sound. The additional consultation activities proposed as mitigation in Section 11.3.5 will focus on addressing the incremental effects on Tsleil-Waututh Nation's quality of current use experience. It is expected that stronger mitigation and adaptation options to lessen the effects on Tsleil-Waututh Nation's quality of current use experience will be identified during these consultation activities. As noted in the response to TWN-009, The Proponent looks forward to working with Tsleil-Waututh on refining the suggested mitigation activities outlined in the Application.	No changes proposed.

ID #	Source			Doc Rev (Date)	Ref	Comment/Issue	Proponent Response	Proposed Change
	Commenter (Name)	Agency / First Nation	Date					
503	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-040	<p>We would like to clarify that the following potential activities or communications are not to be considered part of the consultation process (inclusive of information sharing):</p> <ul style="list-style-type: none"> - Communications unrelated to the Project; - Interactions with Tsleil-Waututh members or staff not identified as part of Tsleil-Waututh's consultation team; - Interactions with Tsleil-Waututh field crews; and - Any involvement with Tsleil-Waututh-owned businesses, such as Inlailwatash. <p>Ultimately, there must be an ongoing dialogue between BURNCO and Tsleil-Waututh in which each group has enough time to consider the information provided, incorporate views, and respond to each other. To be sure, the number or type of consultation activities is less important than the substantive nature and genuine approach of each consultation activity.</p>	Clarifications and comments have been noted.	<p>The following text has been added to the summary of Pre-Application Consultation with Tsleil-Waututh in Section 13.1.2:</p> <p>"The following summary of consultation activities between Tsleil-Waututh Nation was written by the Proponent and reviewed by Tsleil-Waututh Nation. Following their review, Tsleil-Waututh Nation provided clarification that they do not consider the following activities or communications to be part of the consultation process (inclusive of information sharing):</p> <ul style="list-style-type: none"> ■ Communications unrelated to the Project; ■ Interactions with Tsleil-Waututh members or staff not identified as part of Tsleil-Waututh's consultation team; ■ Interactions with Tsleil-Waututh field crews; and ■ Any involvement with Tsleil-Waututh-owned businesses, such as Inlailwatash."
504	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-041	<p>Include a statement, indicating that BURNCO will demonstrate where they have incorporated feedback of Aboriginal Groups within all phases of the Project, and provide a rationale for instances where feedback was not incorporated.</p>	Comments have been noted.	<p>The following text has been added to Section 13.2 Proposed Consultation Activities During Application Review:</p> <p>"The Proponent will demonstrate where they have incorporated feedback of Aboriginal Groups during the review of the EAC Application/EIS, and provide a rationale for instances where feedback was not incorporated."</p> <p>The following text has been added to Section 13.3 Proposed Consultation Post-Environmental Assessment Certificate:</p> <p>"The Proponent will demonstrate where they have incorporated feedback of Aboriginal Groups within all phases of the Project, and provide a rationale for instances where feedback was not incorporated."</p>
505	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-042	<p>In addition, Tsleil-Waututh does not consider "sharing project information" to suffice as consultation on its own accord. Rather, it is one of the first steps to building a relationship between Aboriginal Groups and the proponent. Tsleil-Waututh request that this is clarified within the Plan. Therefore, we request:</p> <p>BURNCO include language in the Plan, clarifying that the provision of information to Aboriginal Groups does not constitute consultation on its own accord but is rather one step of the larger consultation process.</p>	Comments have been noted.	<p>The following text has been added to the end of the list of consultation activities in Section 13.2 Proposed Consultation Activities During Application Review:</p> <p>"The Proponent acknowledges that the provision of information to Aboriginal groups does not constitute consultation on its own accord but is rather one step of the larger consultation process."</p>
506	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-043	<p>BURNCO will include a statement regarding confidentiality, such as, "Where and when formally requested, the proponent will respect Aboriginal Groups' requests to keep information confidential. Where needed, the proponent will work with Aboriginal Groups to develop suitable terms or agreements to protect confidentiality."</p>	Comments have been noted. The Proponent will also need to ensure that it can fulfill requirements for sharing information to regulators as needed for review of the Application or in conditions included in the EAC.	<p>The following text has been added to Section 13.2 Proposed Consultation Activities During Application Review:</p> <p>"Where and when formally requested, the Proponent will respect Aboriginal groups' requests to keep information confidential. Where needed, the Proponent will work with Aboriginal groups to develop suitable terms or agreements to protect confidentiality, while ensuring that the Proponent can fulfill requirements to provide information to regulators for review of the EAC Application/EIS. The Proponent will seek approval, not just review, from the relevant Aboriginal group before sharing information with BC EAO."</p> <p>The following text has been added to Section 13.3 Proposed Consultation Post-Environmental Assessment Certificate:</p> <p>"Where and when formally requested, the Proponent will respect Aboriginal groups' requests to keep information confidential. Where needed, the Proponent will work with Aboriginal groups to develop suitable terms or agreements to protect confidentiality, while ensuring that the Proponent is able to comply with conditions of the EAC related to provision of information. The Proponent will seek approval, not just review, from the relevant Aboriginal group of information before sharing with the EAO."</p>
507	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-044	<p>BURNCO will obtain permission from Tsleil-Waututh Nation, in writing, before posting our responses on websites or sharing otherwise (other than the BCEAO website).</p>	Comments noted. The Proponent will discuss with Tsleil-Waututh the posting or sharing of information on a case-by-case basis.	No changes proposed.
508	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-045	<p>BURNCO update consultation plan to reflect gaining Aboriginal Group approval, not just review, before sharing with the EAO. This will ensure that all views are reflected accurately.</p>	Comments noted.	See response to TWN-14 for how this comment is addressed in the updated Part C.
509	Smith, Tanya	Tsleil-Waututh Nation	29-Jan-16	Part C/Pre-App Consult Report (11Jan2016)	TWN-046	<p>Within the application review activities phase, we request that a statement be added requiring a decision-making framework be established between the proponent and Aboriginal Groups, in not Tsleil-Waututh specifically. This decision-making framework will enable consistent and fair dialogue, while facilitating any minor dispute resolution at preliminary stages as necessary. Tsleil-Waututh will work with BURNCO to establish this framework.</p>	Comments noted.	<p>The following text has been added to Section 13.2 Proposed Consultation Activities During Application Review:</p> <p>"The Proponent will seek to develop a decision-making framework for consultation meetings with <i>Skwúmesh</i> Nation and Tsleil-Waututh Nation to enable consistent and fair dialogue, while facilitating any minor dispute resolution at preliminary stages of discussions."</p>