

**Appendix C**  
**Aboriginal Rights and Related Interests**

**Pacific NorthWest LNG – Addendum to the  
Environmental Impact Statement  
Section 27 - Aboriginal Rights and Related  
Interests**

Draft



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## Abbreviations

\$	dollars
BC	British Columbia
BC EAO	BC Environmental Assessment Office
BC OGC	BC Oil and Gas Commission
CEA Agency	Canadian Environmental Assessment Agency
CMT	culturally modified tree
dAIR	draft Application Information Requirements
DFO	Fisheries and Oceans Canada
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPCC	Engineering, Procurement, Construction and Commissioning
FEED	front end engineering and design
FSC	communal food, social and ceremonial [fisheries]
GHG	greenhouse gas
ha	hectares
IBA	Impact benefits Agreement
IR	Indian Reserve
km	kilometres
LAA	local assessment area
LNG	liquefied natural gas
m <sup>3</sup>	cubic metres

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MaPP	Marine Planning Partnership for the North Pacific Coast
MOF	Materials off-loading facility
NC LRMP	North Coast Land and Resource Management Plan
PDA	project development area
PNW LNG	Pacific NorthWest LNG Limited Partnership
PRC	Prince Rupert Constructors
Pre-FEED	Pre-front end engineering and design
PRPA	Prince Rupert Port Authority
RAA	Regional Assessment Area
RRUC	Road Rail Utility Corridor
SLUPA	<i>Strategic Land Use Planning Agreement</i>
TEK	Traditional Ecological Knowledge
TFN	Tsimshian First Nations
the Project	Pacific NorthWest LNG Project
TLU/TK	traditional land use/traditional knowledge
TU/TK	Traditional Use/Traditional Knowledge
TUS	Traditional Use Study
VC	valued component

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## **27 ABORIGINAL RIGHTS AND RELATED INTERESTS**

### **27.1 ABORIGINAL RIGHTS**

#### **27.1.1 Introduction**

The purpose of this section is to satisfy the requirements under Sections 9.2 (Potential or Established Aboriginal Rights and Related Interests) and 10.2 (Adverse Impacts on Aboriginal Rights and Related Interests) of the Environmental Impact Statement (EIS) Guidelines issued by the Canadian Environmental Assessment Agency (CEA Agency) on June 7, 2013, and the requirements of Section 27.1 (Aboriginal Rights and Related Interests) of the Application Information Requirements issued by the British Columbia Environmental Assessment Office (BC EAO) on February 20, 2014. For the purposes of the EIS, the term “Aboriginal Rights” means asserted or determined Aboriginal and treaty rights.

As set out in Section 9.2 of the Final EIS Guidelines, five Aboriginal groups have potential or established Aboriginal rights and related interests on Lelu Island and the surrounding area:

- Metlakatla First Nation
- Lax Kw’alaams First Nation
- Gitxaala Nation
- Kitselas First Nation
- Kitsumkalum First Nation.

Information provided by the CEA Agency to the Proponent by letter on November 6, 2013 directed the Proponent to engage Gitga’at First Nation to collect information for the assessment of environmental effects as described in s. 5.1 (c) of the *Canadian Environmental Assessment Act 2012* and this consultation is dealt with as part of Section 21 of the EIS Addendum.

The objectives of this section are to:

- Describe the relevant asserted or determined Aboriginal Rights of each Aboriginal group provided directly through consultation activities (Section 27.1.3.7). Where direct information from an Aboriginal group was not provided to PNW LNG (e.g., Lax Kw’alaams First Nation), secondary research techniques and Coast Tsimshian proxies were used
- Describe background information on the ethnography, language, governance, and reserves of each Aboriginal group (Section 27.1.2)
- Describe available and relevant traditional use (TU) and/or traditional knowledge (TK) information (Section 27.1.2, Section 27.1.3.7, and Section 27.1.7.1)
- Summarize efforts undertaken to engage with the Aboriginal groups as part of collecting the information identified above, including a summary of engagement conducted prior to the submission of the EIS (see Section 27.1.2.8)

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- Summarize specific issues and concerns raised by Aboriginal groups in relation to the potential adverse impacts of the Project on potential or established Aboriginal Rights and related interests
- Describe potential adverse effects of the Project on asserted or determined Aboriginal Rights (Section 27.1.8)
- Describe measures that will be used to avoid or reduce potential adverse effects on asserted or determined Aboriginal Rights (Section 27.1.9)
- Characterize residual adverse effects on asserted or determined Aboriginal Rights after mitigation (Section 27.1.10)
- Provide a summary of outstanding Aboriginal Rights issues identified by the Aboriginal groups (Section 27.1.10)
- Describe the contribution of the Project to cumulative effects that may have effects on the asserted or determined Aboriginal Rights of the Aboriginal groups (Section 27.1.12)
- Summarize valued components (VCs) suggested for inclusion in the EIS by the potentially affected Aboriginal groups, whether or not those factors were included, and the rationale for any exclusions (Section 27.1.7.3)
- Summarize where and how traditional land use/traditional knowledge (TLU/TK) or other Aboriginal views were incorporated into the consideration of effects and potential adverse effects on asserted or determined Aboriginal Rights and related interests (Section 27.1.7.1).

**27.1.2 Background Information on Potentially Affected Aboriginal Groups**

This section provides background information on each of the potentially affected Aboriginal groups listed in Section 27.1.1. This includes:

- Background information and a map of the community's asserted traditional territory
- Information on their asserted or determined Aboriginal Rights.

**27.1.2.1 Understanding of Traditional Territory Boundaries**

The following description of the traditional territories of the interested Aboriginal groups is based on information obtained through engagement with Aboriginal groups, including traditional use studies provided by Metlakatla First Nation, Gitxaala Nation, Kitselas First Nation, Kitsumkalum First Nation, and Gitga'at First Nation (Calliou Group 2014; Crossroads CRM 2014; DMCS 2014; Inglis 2014; Pulla 2014).

Publicly available information was also drawn on. This includes *Statement of Intent* maps forwarded by First Nations to the BC Treaty Commission and publically available government-to-government land use planning and revenue sharing agreements. Asserted traditional territories overlap in the project area and there is disagreement between First Nations regarding the location of traditional territory boundaries and the strength of Aboriginal interests within those boundaries.

**27.1.2.2 Tsimshian Culture**

The six potentially affected Aboriginal groups are members of what is termed collectively as the Tsimshian culture. The Tsimshian cultural region (see Figure 27-1) includes the coastal waters between Milbanke Sound and Portland Inlet, and includes the Skeena and Nass River estuaries (Halpin and Seguin 1990). At the eastern boundary of Tsimshian territory, interior groups are situated along the Nass and Skeena Rivers and the lands surrounding their



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tributaries. In the west, the Tsimshian harvested and fished along Hecate Strait, up to where Tsimshian territorial waters meet with those of the Haida Nation.

While they share similar histories, oral traditions, language, and social organization, Tsimshian groups are generally subdivided by ethnographers into the following three sub-groups:

- Southern Tsimshian (Gitxaala Nation, Kitasoo/Xai'xais (Gidestsu) Nation and Gitga'at First Nation)
- Tsimshian (Metlakatla First Nation and Lax Kw'alaams First Nation are collectively identified in some federal documents as Coast Tsimshian and the Kitselas First Nation and Kitsumkalum First Nation sometimes collectively referred to in research documents as Up-river or Canyon Tsimshian [Coupland 1985; MacDonald, 1985])
- Gitxsan and Nisga'a Nations.

Southern Tsimshian groups traditionally occupied the coastal waters around Milbanke Sound and Douglas Channel, had a common language, and shared access to certain resource use sites (Miller 1997). The Gitxaala Nation lived primarily on the islands and mainland areas near Hecate Strait, south of the Skeena Estuary. Kitasoo/Xai'xais (Gidestsu) territory was located in the area of what is now called Princess Royal Island south to approximately Queen Charlotte Sound, and the Gitga'at primarily occupied areas at the mouth of the Douglas Channel.

Coast Tsimshian groups traditionally occupied areas around Chatham Sound and the eastern edge of the Hecate Strait, and from the estuary of the Skeena River up the Skeena River Canyon. The Metlakatla First Nation and Lax Kw'alaams First Nation are descended from the *Giluts'aaw*, *Ginandoiks*, *Ginaxangiik*, *Gispaxlo'ots*, *Gitando*, *Gitlaan*, *Gits'iis*, *Gitwilgyoots*, and *Gitzaxlaal* (commonly referred to as the Nine Tsimshian Tribes, Nine Tribes, or the Allied Tsimshian Tribes) (Seguin-Anderson 2006). Each of the Nine Tribes had their own individual territories, harvesting areas, and villages. However, with increasing demographic, social, and economic pressures following European settlement in the region, the Nine Tribes coalesced into a single common entity that later separated into two separate groups, Metlakatla First Nation and Lax Kw'alaams First Nation.

Often included in the Coast Tsimshian subgroup, the Kitselas and Kitsumkalum First Nations are not descended from the Nine Tribes. While their ancestors travelled to the mouth of the Skeena River and along the coast to harvest and gather, their primary winter villages were located east and upriver in the Skeena River canyon area.

The Gitxsan and Nisga'a Nations occupy inland territories along the Skeena and Nass Rivers. They are included in the Tsimshian culture primarily because of similarities in language, social systems and culture (Halpin and Seguin 1990).

Information about traditional Tsimshian practices, customs and traditions is found in oral histories and in ethno-historic and ethnographic sources. While each Tsimshian group is unique, their shared culture makes it possible to create a general description of Tsimshian practices, customs and traditions in the vicinity of the project area. These shared patterns are summarized in this section, followed by a more detailed description of each potentially affected group's unique history, social, and cultural background.

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The Tsimshian language family is a unique linguistic group that does not share common ancestry with any other North American Aboriginal language group. It consists of two major divisions; one dialect is shared between the Coastal and Southern Tsimshian, and the other dialect is spoken by the Nisga'a and Gitksan of the interior (Halpin and Seguin 1990).

Traditionally, both Coast Tsimshian and Southern Tsimshian lived in large, semi-permanent winter villages consisting of multiple related groups known as "Houses," "House-groups," or *wuwaap* (singular: *waap*). A House is the "autonomous socioeconomic unit of Tsimshian life" (Coupland 1985) and each House has an individual leader (*Sm'oogyet*) who inherits both a name and associated rights of the House's territory (McDonald 1985). In villages with more than one House, the leader of the most powerful House usually had leadership responsibilities for the community, with their authority derived from the status of their House group (Menzies 2011).

These Houses are connected through shared history and tradition with affiliated groups called clans, crest-groups, or *Bupdeex* (singular: *pdeex*) and traditionally formed the organizing structure of village residence. In general, a Coast or Southern Tsimshian person belonged (and belongs today) to one of four clans (Seguin-Anderson 2006):

- *Ginhada* (raven)
- *Gispuwudha* (blackfish)
- *Lasgiik* (eagle)
- *Laxgibuu* (wolf).

For Coast and Southern Tsimshian groups, life before contact with European explorers, traders, and settlers revolved around the harvesting of seasonally available food. Each house left its winter village during the spring to occupy small seasonal camps sites, collecting different resources as they became available and returning to the same winter village in the late fall or early winter. This is often described as a "seasonal round" by anthropologists.

In the late winter and early spring, Coast and Southern Tsimshian families would collect and process eulachon along major rivers. Eulachon grease was (and remains) a highly prized and nutrient-rich commodity that was traded along the Nass and Skeena Rivers and into the interior via well-established trade routes that are commonly referred to as "grease-trails" (Halpin and Seguin 1990). After the eulachon runs, groups would gather at seaweed camps to collect and dry seaweed and kelp, harvest intertidal resources (e.g., shellfish), fish for halibut, collect herring roe, and harvest tree bark and cambium.

During the summer months, seagull eggs and abalone would be collected from the beaches, and salmon were caught by fishing in the tidal waters (Halpin and Seguin 1990). As salmon began to enter the rivers in the early summer, Tsimshian people moved to traditional fishing sites and camps. The arrival of the first salmon of the year was a celebrated event, marked by ceremonies intended to give thanks and pay respect to the fish in order to ensure a good season (Boas 1916). During this time, berry harvesting started as well, continuing into the fall as different varieties ripened and were ready to be picked. Early autumn involved intense fishing of salmon runs, with the preservation of salmon for the winter months a priority. After the final salmon runs, the groups would return to their winter villages and hunt game. The cold months were also a time for feasting and other ceremonial events (Halpin and Seguin 1990). These travel and harvesting patterns continue today, sometimes in a modified form, and remain of central importance to modern Tsimshian culture.

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**27.1.2.3 Metlakatla First Nation**

27.1.2.3.1 Traditional Territory

The Metlakatla First Nation asserts that its traditional territory extends from the coastal islands in eastern Hecate Strait to Lakelse Lake near Terrace, BC; from the Portland Canal and Observatory Inlet in the north to the headwaters of the Ecstall River in the south; and includes the lower portions and the mouth of the Skeena River and its tributaries (MFN 2011; DMCS 2014). A map showing Metlakatla asserted traditional territory is provided in Figure 27-2.

27.1.2.3.2 Ethnography

Both Metlakatla First Nation and Lax Kw'alaams First Nation are descended from the Allied Tsimshian Tribes, or the Nine Tribes.

In 1847, the Hudson Bay Company established a trading post called Fort Simpson at the location of a *Gispaxlo'ot* seasonal camp site. Disease and declining populations, along with government programs and economic incentives, resulted in the Nine Tribes amalgamating together at that location. The community would later be renamed Port Simpson and became the main village of the Nine Tribes (DMCS 2014).

After Fort Simpson was founded, missionary William Duncan began preaching at the fort and converted a number of Tsimshian people to Christianity. In an effort to remove his congregation from the influences of non-Aboriginal settlers in the area, Duncan led a group of Tsimshian away from Fort Simpson and settled them at a fishing village site in what is now known as Metlakatla Pass. Once there, the group established the community of Metlakatla, and Duncan imposed new rules banning traditional cultural activities, such as the potlatch ceremony and the use of traditional medicines. Disputes with church officials caused Duncan to eventually leave Metlakatla and move again with part of his congregation to a new village site in Alaska in 1887 (Rettig 1980). Some Aboriginal community members remained at the Metlakatla Pass location and continued to reside there at a site known as Metlakatla. These Tsimshian people formed the community that is now the Metlakatla First Nation.

27.1.2.3.3 Language

Like other Coast Tsimshian people, the traditional language of the Metlakatla First Nation is *Sm'algayax*. According to the 2006 Canadian census, just over 5% of Metlakatla First Nation community members speak or understand *Sm'algayax* or another Aboriginal language (Statistics Canada 2007).

27.1.2.3.4 Land Use Setting and Planning

The area between the Nass and Skeena Rivers is classified as part of the Coastal Western Hemlock bio-geoclimatic zone. This zone has three characteristic flora patterns: a predominance of western hemlock, a sparse herb layer, and a predominance of several moss species (Pojar, Klinka, and Demarchi 1991). The coastal waters in the region provide a large variety of harvested fish species, including herring, eulachon, salmon, cod, halibut, cuttlefish, dogfish, flounder, and rockfish. Marine mammals that inhabit the area include seals and sea lions, sea otters, porpoises, and whales. The intertidal zones are rich with shellfish and other invertebrates, as well as seaweed and kelp, which are harvested for food (Seguin-Anderson 2006).

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A large number of plants have been and continue to be used for food, medicine, materials, and trade. These include hemlock, cedar, Sitka spruce, juniper, various berries, skunk cabbage, cow parsnip, crabapple, salal, Labrador tea, hellebore and many others (DMCS 2014).

Large mammals, such as moose, deer, mountain goats, bears, and wolves, occupy the terrestrial environment and have significant subsistence, trade, and cultural and spiritual values (DMCS 2014). Smaller mammals, such as beaver, marten, fox, otter, mink, and porcupine, are also hunted and trapped, while migratory waterfowl are hunted along the flats and mouths of rivers. Seagull eggs are collected from nesting sites along the coast, and other bird species are hunted for feathers and other materials (Seguin-Anderson 2006). Traditional freshwater, marine, and terrestrial foods currently used by the community include eulachon, salmon, clams, seaweed, octopus, ungulates, bears, herring roe-on-kelp, and a host of medicinal and food plants (DMCS 2014).

In 2006, Metlakatla First Nation, along with the Gitxaala Nation, Gitga'at First Nation, Kitselas First Nation, and Kitsumkalum First Nation, signed the *North Coast Land Use Planning Agreement* and then agreed to a *Strategic Land Use Planning Agreement* (SLUPA) in 2008. The Metlakatla First Nation also signed a *Reconciliation Protocol* with the provincial government in 2009 (Coastal First Nations and BC 2009).

27.1.2.3.5 Governance

Metlakatla First Nation’s traditional inherited leadership consists of hereditary leaders (*sm’gyigyet*) and elders. Hereditary leadership is derived through a matriarchal system. These individuals lead aspects of traditional Metlakatla First Nation culture. The elected council and chief (see Table 27-1 Current Metlakatla First Nation Elected Leadership

govern under the requirements of the *Indian Act*. Their office is located at Metlakatla, BC. Elections are held every three years, under a custom electoral system.

**Table 27-1 Current Metlakatla First Nation Elected Leadership**

Title	Name	Appointment Date	Appointment Ends
Chief	Harold Leighton	08/30/2013	08/29/2016
Councillor	Wayne J. Haldane	08/30/2013	08/29/2016
Councillor	Alrita J. Leask	08/30/2013	08/29/2016
Councillor	Alvin W. Leask Jr.	08/30/2013	08/29/2016
Councillor	David J. Leask	08/30/2013	08/29/2016
Councillor	Cynthia Smith	08/30/2013	08/29/2016
Councillor	James L. Nelson	08/30/2013	08/29/2016

Sources: AANDC 2013.

The Metlakatla First Nation also belongs to the Tsimshian First Nations Treaty Society, along with the Kitselas First Nation (Gitselasu), Kitsumkalum First Nation, Gitga’at First Nation, and Kitasoo/Xai’xais Nation. The Tsimshian First

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Nations Treaty Society is currently in Stage 4 (the negotiation of an agreement-in-principle stage) of the BC Treaty Commission process (MARR 2013d).

**27.1.2.3.6 Population and Economy**

According to the 2011 Canadian census, the total registered Metlakatla First Nation population is 860. The village of Metlakatla has 83 people and 48 private dwellings [S1/2 Tsimpsean 2, Indian Reserve (IR)] (Statistics Canada 2012). The median age of the population is 39.2 years, with 71.1% of the population over the age of 15. The only available data on employment rates comes from the 2006 Canadian census, which recorded a higher population on reserve (n = 101) and an unemployment rate of 45.5% (Statistics Canada 2007).

Reported occupation sectors for Metlakatla First Nation members include:

- Management
- Natural sciences and health
- Social science and government
- Sales and services
- Trades and related
- Primary industry.

In 1989, Metlakatla First Nation established a development corporation, which oversees the community's economic interests. Business operations under the Metlakatla Development Corporation include the Metlakatla Ferry Service, two gas stations, and the Coastal Shellfish Corporation (a hatchery facility and farm located in Prince Rupert). Metlakatla First Nation, along with Lax Kw'alaams First Nation, have partnered with two heavy civil construction contractors (JJM Construction Ltd. (JJM) and Emil Anderson Construction (EAC) Inc.) to form Prince Rupert Constructors (PRC). PRC is a contractor for the Road Rail Utility Corridor (RRUC) Project developed by the Prince Rupert Port Authority (PRPA) (PRC n.d.).

The Metlakatla First Nation Development Corporation also operates the First Nations Training and Development Centre, which provides or has provided early childhood education and career development programs (Metlakatla First Nation Development Corporation 2013). The corporation is also involved in a number of joint partnerships, including the North Co-Corp (a chartered ferry service) and the Gat Leedm Transportation Group (which provides an integrated supply chain for the north coast).

**27.1.2.3.7 Reserves**

Metlakatla First Nation has 16 reserves covering 3,464.4 hectares (Table 27-2). Metlakatla First Nation's primary community is Metlakatla First Nation, BC, located on the Tsimpsean 2 Reserve.

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**Table 27-2 Metlakatla First Nation Reserves**

Specific Name	Legal Description	Size (Hectares)
Avery Island 92	Entire Avery Island, north of Stephens Island in Bell Passage	20.40
Dashken 22	On east shore of Smith Island at the mouth of the Skeena River	3.00
Edye 93	All of a small Island in Edye Passage, south of Prescott Island	0.40
Khtahda 10	On left bank of the Skeena River at the mouth of the Khtada River	1.40
Khyex 8	On right bank of the Skeena River at the mouth of Khyex River	15.40
Kshoom 23	At north end of DeHorsey Island at the mouth of the Skeena River	2.60
Lakelse 25	On right bank of the Lakelse River, 1 mile northwest of Lakelse Lake	1.70
Meanlaw 24	On right bank of the Skeena River, 2 miles north of Veitch Point	8.40
Rushton Island 90	Rushton Island and one small island to the north, in Brown Passage at the entrance to Chatham Sound	6.80
S1/2 Tsimpsean 2	On the west coast of Tsimpsean Peninsula and the north end of Digby Island, on the east shore of Chatham Sound	3,270.00
Scuttsap 11	On left bank of the Skeena River, 1 mile southwest of Kwinitisa CN station	1.50
Shoowahtlans (Shawtlans) 4	West end of Shawattan Lake, north end of Morse Basin, 2 miles northeast of Prince Rupert	0.50
Squaderee 91	Lot 3914, on a point on the southwest coast of Stephens Island, north entrance to Hecate Strait	2.20
Tuck Inlet 89	Lot 390, at the head of Tuck Inlet, 10 miles north of Prince Rupert	1.60
Tugwell Island 21	Entire Tugwell Island, entrance to Venn Passage, 8 miles west of Prince Rupert	126.20
Wilnaskaucud 3	On the east shore of Kaien Island, 2 miles east of Prince Rupert	2.30

Source: AANDC (n.d.).

**27.1.2.4 Lax Kw'alaams First Nation**

**27.1.2.4.1 Traditional Territory**

Lax Kw'alaams First Nation has described its traditional territory as all of the lands and waters between the land surrounding the tributaries of the Skeena River, the height of land east of the Zymoetz River, and the Kitsumkalum River itself. To the west, traditional territory includes Nass Bay and the Nass River. To the north, traditional territory includes Wales and Pearse Islands and the Dundas and Stephens Islands groups, as well as lands and waters at the mouth of the Skeena stretching south along Grenville Channel (Lax Kw'alaams Indian Band 2010). For a map of Lax Kw'alaams asserted traditional territory see Figure 27-3.

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27.1.2.4.2 Ethnography

The Lax Kw'alaams First Nation is descended from the Allied Tsimshian Tribes or Nine Tribes (Seguin-Anderson 2006) and formed as a result of the demographic and economic pressures during the post-contact colonial period. Disease and declining populations, along with government programs and economic incentives, resulted in the Nine Tribes amalgamating together at the Hudson Bay Company's established trading post called Fort Simpson (later Port Simpson). Located at a *Gispaxlo'ot* seasonal camp site, the site became the primary winter village for all of the Nine Tsimshian Tribes (Marsden and Galois 1995) and would later be named *Lax Kw'alaams*, which is derived from the word *Laxlgw'alaams*, meaning in "the Island of the Wild Roses" (Lax Kw'alaams Indian Band n.d.).

27.1.2.4.3 Language

Lax Kw'alaams First Nation's traditional language is *Sm'algyax*. Reports from 2007 indicated that less than 1% of community members speak or understand *Sm'algyax* and that 160 community members were involved in programs to learn the language (FPHLCC n.d.). No Statistics Canada census data is available on Aboriginal language use for Lax Kw'alaams First Nation.

27.1.2.4.4 Land Use Setting and Planning

The Lax Kw'alaams First Nation asserted traditional territory is located in the Coastal Western Hemlock biogeoclimatic zone (see Section 27.1.2.3 for additional details). Lax Kw'alaams First Nation members have strong spiritual and cultural attachments to their traditional territory and the resources collected from it and view their relationship with the land as one of stewardship and responsibility (Seguin-Anderson 2006).

In 2008, the Lax Kw'alaams First Nation and the BC government signed a SLUPA, setting out land use objectives in the Lax Kw'alaams First Nation's traditional territory (Lax Kw'alaams Indian Band and BC 2008).

27.1.2.4.5 Governance

Lax Kw'alaams First Nation's traditional inherited leadership consists of hereditary leaders (*sm'gyigyeyt*) and elders. Hereditary leadership is derived through a matriarchal system. These individuals guide traditional aspects of Lax Kw'alaams First Nation culture. The elected council includes a mayor, deputy chief, and several councillors, elected under a custom electoral system (see Table 27-3). The council governs under the requirements of the *Indian Act*, and elections are held every three years. The council office is located in Lax Kw'alaams, BC.

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**Table 27-3 Current Lax Kw’alaams First Nation Elected Leadership**

<b>Title</b>	<b>Name</b>	<b>Appointment Date</b>	<b>Appointment Ends</b>
<b>Mayor</b>	Garry Reece	11/24/2011	11/24/2015
<b>Deputy Chief</b>	Helen Johnson	11/24/2011	11/24/2015
<b>Councillor</b>	Geraldine Alexcee	11/24/2011	11/24/2015
<b>Councillor</b>	Chris Sankey	11/24/2011	11/24/2015
<b>Councillor</b>	Stan Dennis	11/24/2011	11/24/2015
<b>Councillor</b>	Carl Sampson	11/24/2011	11/24/2015
<b>Councillor</b>	Barb Henry	11/24/2011	11/24/2015
<b>Councillor</b>	Rob Hughes	11/24/2011	11/24/2015
<b>Councillor</b>	Russell Mather Jr.	11/24/2011	11/24/2015
<b>Councillor</b>	Ted White	11/24/2011	11/24/2015
<b>Councillor</b>	Victor Kelly	11/24/2011	11/24/2015
<b>Councillor</b>	Lawrence Sankey	11/24/2011	11/24/2015
<b>Councillor</b>	Andrew Tait	11/24/2011	11/24/2015

Source: AANDC (n.d.).

27.1.2.4.6 Population and Economy

Currently, there are 3,624 members of the Lax Kw’alaams First Nation, with 19% of the population living on a reserve (Statistics Canada 2012).

A report published in 2004 (using information from the Lax Kw’alaams First Nation) indicated that the community has experienced recent economic growth, and that the number of able-bodied community members who were unemployed had dropped from around 80% in 2000 to less than 5% by 2004 (Matthews and Young 2005). This decrease in unemployment was largely attributed to the Lax Kw’alaams First Nation business ventures, including substantial forestry and fisheries operations. The Lax Kw’alaams Fishery is owned by the Lax Kw’alaams First Nation, produces canned fish, canned crab, canned seafood, fish roe, and fish-oil for the natural health industry, and exports products to the United States and China (Lax Kw’alaams 2009).

Lax Kw’alaams First Nation, along with Metlakatla First Nation have partnered with two heavy civil construction contractors (JJM Construction Ltd. (JJM) and Emil Anderson Construction (EAC) Inc.) to form Prince Rupert Constructors (PRC). PRC is a contractor for the PRPAs \$90M RRUC Project (PRC n.d.).

Forestry development is conducted by the Coast Tsimshian Resource LP, which is owned by the Lax Kw’alaams First Nation and managed by Brinkman Forest Ltd. This partnership holds two forest tenures in northwestern BC, with a combined allowable annual cut of over 550,000 m<sup>3</sup> (CTRLP N.d.).

In 2003, Lax Kw’alaams First Nation signed a forestry accommodation agreement with the Province of BC, providing the community with access to 650,000 m<sup>3</sup> of timber and \$6.85 million in shared revenue over five years.



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In 2005, the BC government paid \$3.1 million to the Coast Tsimshian Resources Limited Partnership (a Lax Kw'alaams First Nation business entity) for the return of timber harvesting rights that totaled 120,782 m<sup>3</sup>. This partnership has also received funding as part of the Tsimshian Accord to support cruise-ship tourism opportunities and the development of a shellfish aquaculture business (MARR 2013c).

27.1.2.4.7 Reserves

Lax Kw'alaams First Nation has a total of 78 reserves throughout its asserted traditional territory, totaling approximately 11,899 ha (see Table 27-4). Lax Kw'alaams First Nation's main community (Lax Kw'alaams 1) is located north of Prince Rupert and has a population of 678 individuals (Statistics Canada 2012).

**Table 27-4 Lax Kw'alaams First Nation Reserves**

Specific Name	Legal Description	Size (Hectares)
Alastair 80	Lot 7184, east shore of Alastair Lake, 13 miles south of the Skeena River	4.00
Alastair 81	Lot 7183, east shore of Alastair Lake, 15 miles south of the Skeena River	4.00
Alastair 82	Lot 7182, south end of Alastair Lake, 18 miles south of the Skeena River	4.00
Alder Creek 70	Lot 3935 on the left bank of Skeena River at the mouth of Alder Creek	4.00
Bill Lake 37	Lot 3953, north end of Bill Lake, 2 miles east of Work Channel	1.40
Birnie Island 18	Entire Birnie Island in Inskip Passage, 4 miles northwest of Lax Kw'alaams	45.90
Burnt Cliff Islands 20	Two islands off the west shore of Tsimpsean Peninsula, west of Tsimpsean IR 2, 5 miles southwest of Lax Kw'alaams	27.10
Carm Creek 38	Lot 3969, on the right bank of the Khutzeymateen River flowing into Khut Inlet, just west of the mouth of Carm Creek	2.00
Channel Islands 33	Lots 3921 and 22, the two most northerly islands of the Nares group, in Hudson Bay Passage, south of Dundas Island	28.20
Dashken 22	East shore of Smith Island at the mouth of the Skeena River	3.00
Dundas Island 32b	Lots 3923, 24, 25, 27, 61, 62, 72, and 73, on Dundas Island in Chatham Sound, and Lot 3919	18.20
Dzagayap 73	Lot 3937, on the left bank of the Skeena River, 2 miles southwest of the mouth of the Exchamsiks River	8.10
Dzagayap 74	Lot 3937, on the left bank of the Skeena River, 2 miles southeast of the mouth of the Exchamsiks River	4.10
Ensheshese 13	On the east shore of Work Channel at the mouth of the Exchamsiks River	18.20
Ensheshese 53	Lot 3946, on the east shore of Work Chanel at the mouth of the Exchamsiks River	2.30
Far West Point 34	Lot 3920, on the most westerly point of Dunira Island, west Chatham Sound	4.00
Finlayson Island 19	On the southeast shore of Finlayson Island, 3 miles southwest of Lax Kw'alaams	165.90

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<b>Specific Name</b>	<b>Legal Description</b>	<b>Size (Hectares)</b>
Gitandoiks 75	Lot 7180, on the left bank of the Skeena River, 1 mile west of the mouth of the Gitnadoix River	4.00
Gitandoiks 76	Lot 7187, on an Island in the Skeena River at the mouth of the Gitnadoix River	4.00
lakgwas 69	Lot 2584, on Klewnuggit Inlet at entrance to Brodie Lake, off Grenville Channel	0.40
lakvas 68	Lot 2586, at the first rapids on the Ecstall River, 2 miles southwest of Johnston Lake	20.00
lakwulgyiyaps 78	Lot 7186, on the right bank of the Gitnadoix River, 5 miles south of the mouth of the Skeena River	4.20
Imkusiyan 65	Lot 3929, on the right bank of Windsor River, 0.5 mile south of the mouth of the Skeena River at Windsor Point	5.00
Kasika 36	Lot 3952, on the east shore of Work Channel at the mouth of the stream from Bill Lake	2.50
Kasika 71	Lot 3934, on the right bank of the Kasiks River, 1 mile north of the mouth of the Skeena River	3.80
Kasika 72	Lot 3933, on the left bank of the Kasiks River, 2 miles north of the mouth of the Skeena River	4.20
Kasiks River 29	Lot 3978, at the head of the Kasiks River, 10 miles north of Kwinitza CN station	27.80
Kateen River 39	Lot 3968, on the right bank of the Kateen River, 5 miles east of the head of Khutzeymateen Inlet	1.60
Ketai 28	Lot 2588, on the north shore of Hevenor Inlet, west coast of Pitt Island	1.90
Khtahda 10	On the left bank of the Skeena River at the mouth of the Khtada River	1.40
Khutzeymateen 49	Lot 3966, at the mouth of the Khutzeymateen River at the head of Khutzey Inlet, off Portland Inlet	2.60
Khyex 8	On the right bank of the Skeena River at the mouth of the Khyex River	15.40
Klakelse 86	Lot 7179, on the left bank of the Skeena River, 2 miles southwest of the mouth of the Lakelse River	14.20
Knamadeek 52	Lot 3943, on the easterly shore of Work Channel, 11 miles from Portland Inlet	2.00
Knames 45	Lot 3970, on the Kwinamass River near the head of Kwinamass Bay, off Steamer Passage	6.60
Knames 46	Lot 3971, on the Kwinamass River adjoining Lachmach IR 16 and Knames IR 45	11.10
Knokmolks 67	Lot 2587, on the right bank of the Ecstall River	2.20
Ksabasn 50	Lot 3940, in Section 27, Township 1, on Tsimpian Peninsula fronting on Work Channel	1.60
Ksadagamks 43	Lot 3958, on the east tip of Wales Island at Swain Point, entrance to Portland Inlet and includes Small Islands	2.30
Ksadsks 44	Lot 3957, on the south coast of Wales Island, north of Tracy Island	1.80
Ksagwisgwas 62	Lot 3977, on the left bank of the Khyex River, 8 miles north of the mouth of the Skeena River	19.30
Ksagwisgwas 63	Lot 3930, on the left bank of the Khyex River, 5 miles north of the mouth of the Skeena River	3.50

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<b>Specific Name</b>	<b>Legal Description</b>	<b>Size (Hectares)</b>
Ksames 85	Lot 7178, on the left bank of the Skeena River, 1 mile southeast of Shames CN station	8.10
Kshaoom 23	At the north end of DeHorse Island at the mouth of the Skeena River	2.60
Kstus 83	Lot 7176, on the right bank of the Exstew River, 3 miles above the mouth of the Skeena River	11.40
Kstus 84	Lot 7177, on the left bank of the Exstew River, 5 miles above the mouth of the Skeena River	14.60
Ktamgaodzen 51	Lot 3941, on the east shore of Work Channel, 5 miles from Portland Inlet	4.40
Kyex 64	Lot 3928, on the left bank of Khyex River, 3 miles north of the mouth of the Skeena River	3.10
Lachmach 16	Near the head of Work Channel at the mouth of the Lachmach River	11.20
Lakelse 25	On the right bank of the Lakelse River, 1 mile northwest of Lakelse Lake	1.70
Lakgeas 87	Lot 3967, on the right bank of the Lakelse River, 2 miles northwest of Lakelse Lake	4.90
Lax Kw'alaams 1	At Lax Kw'alaams, on the Tsimpsean Peninsula	10,857.30
Maganktoon 56	Lot 3945, on the west shore of Davies Bay at the head of Work Channel	7.40
Maklaksadagmaks 41	Lot 3955, on Pearse Island on a bay on the northeast side of Wales Passage off Portland Inlet	3.60
Maklaksadagmaks 42	Lot 3956, on the most northerly tip of Wales Island, west entrance to Portland Inlet	17.30
Me-yan-law 47	Lot 3939, on the south coast of Somerville Island fronting on Steamer Passage	2.90
Meanlaw 24	On the right bank of the Skeena River, 2 miles north of Veitch Point	8.40
Meyanlow 58	Lot 3954, at the head of Quottoon Inlet off Work Channel	33.40
Ndakdolk 54	Lot 3949, on the east shore of Work Channel, 6 miles north of the entrance to Quottoon Inlet	2.10
Nishanocknawnak 35	Lot 3951, on the east shore of Work Channel at the entrance to Quottoon Inlet	49.40
Pitt Island 27	Lot 2589, west shore of Pitt Island at entrance to Hevenor Inlet from Petrelk Channel	2.20
Prince Leboo Island 32	Lot 3918, entire Prince Leboo Island, off southwest tip of Dundas Island	83.40
Psacelay 77	Lot 7181, on the right bank of the Gitnadoix River, at mouth of Clay Creek	3.90
Red Bluff 88	Lot 3965, on the north side of Nass Bay, at mouth of the Nass River	135.50
Salvus 26	Lot 3979, on the right bank of Skeena River, at mouth of Kasiks River	1.30
Scuttsap 11	On the left bank of the Skeena River, 1 mile southwest of Kwinitza CN station	1.50
Scuttsap 11a	Lot 3932, on the left bank of the Skeena River, 1 mile southwest of Kwinitza CN station, adjoins IR 11	11.30
Spakels 17	On the east shore of Sommerville Island, fronting on Steamer Passage	7.70
Spanaknok 57	Lot 3948, on the east shore of Quottoon Inlet of Work Channel	1.80
Spayaks 60	Lot 3947, on the east shore of Work Channel, about 5 miles from its head	1.10
Spokwan 48	Lot 3942, on the southeast shore of Steamer Passage, off Portland Inlet	2.00
Toon 15	At the head of Quottoon Inlet of Work Channel, at the mouth of the Toom River	8.10

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Specific Name	Legal Description	Size (Hectares)
Tsemknawalqan 79	Lot 7185, on the left bank of the Gitnadoix River, 8 miles south of the mouth of the Skeena River	4.80
Tymgowzan 12	On the south shore of Hogan Island, at entrance to Work Channel from Portland Inlet	29.50
Union Bay 31	Lot 3938, at the south end of Union Inlet, 4 miles southeast of Hogan Island, Chatham Sound	41.20
Wilskaskammel 14	On the east shore of Quottoon Inlet of Work Channel, 13 miles northeast of Prince Rupert	3.20
Wudzimagon 61	Lot 3944, on the south shore near head of Work Channel, off Portland Inlet	2.20
Zayas Island 32a	Lots 3926,59 and 60, three parcels on the north, east and south shores of Zayas Island, west of Dundas Island	6.40

Source: AANDC (n.d.).

**27.1.2.5 Gitxaala Nation**

27.1.2.5.1 Traditional Territory

Gitxaala Nation’s asserted traditional territory covers its eulachon fishing area on the Nass River, south to the coastal islands just north of Kitasu Bay. The western edge of its asserted territory extends seaward abutting against the marine territories of the Haida Nation. To the east, the territory extends to the mainland shore of Grenville Channel where it meets the Haisla and encompasses the Gitga’at asserted territories (Menziés 2011). A map showing Gitxaala asserted traditional territory is provided in Figure 27-4.

27.1.2.5.2 Ethnography

As with other Tsimshian First Nations, most written information available on traditional Gitxaala Nation culture is derived from the accounts of early European explorers and traders, ethnographic work completed during the late nineteenth and early twentieth centuries, oral traditions, and more recent ethnographic and anthropological field work (see Halpin and Seguin 1990, Marsden 2011, and Menziés 2011 for a review of these sources).

While the Gitxaala Nation is often discussed in the context of the larger collective Tsimshian cultural group because of cultural and linguistic similarities with other Tsimshian groups (Halpin and Seguin 1990), the Gitxaala Nation asserts that it has occupied its current asserted traditional territory before the arrival of other Aboriginal populations. The Gitxaala Nation views itself as distinct from other Tsimshian groups (Menziés 2011), and Gitxaala Nation oral histories assert that other Tsimshian populations arrived in Gitxaala Nation territory and were accommodated into its existing society (Matthew Hill in Menziés 2011).

The first recorded direct contact with European explorers occurred in 1792 when James Colnett, a British naval officer and trader, was reportedly welcomed by the Gitxaala Nation who provided him with information about moorage sites. However, members of Colnett’s crew attacked a group of Gitxaala, resulting in the deaths of three Gitxaala Nation individuals (Galois in Menziés 2011). Also in 1792, Spanish explorer Jacinto Caamaño recorded making contact with the Gitxaala Nation and documented Gitxaala feasting and gift giving (although these welcoming ceremonies were misunderstood as evidence of a willingness to trade) (Menziés 2011). In 1795,

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Charles Bishop, a British trader, documented his meetings with the Gitxaala Nation leader Seax. Seax is an important figure in Gitxaala Nation oral histories, and his meetings with Bishop are similarly recorded in their oral histories (Marsden 2011).

The Gitxaala Nation followed the seasonal round typical of Tsimshian groups (see Section 27.1.2.2) and had fishing, hunting, and gathering camps spread out throughout their territory. Terrestrial wildlife identified as important to the Gitxaala Nation and other Tsimshian include deer, mountain goats, bear, beaver, mink, marten, otter, weasel and squirrels, ducks, geese, and other sea birds (Marsden 2011; Menzies 2011; Satterfield et al. 2012). A variety of plants were harvested (and continue to be harvested) for medicine, food, and materials.

Herring, eulachon, salmon, steelhead, cod, halibut, flounder, and a variety of rockfish are harvested by Gitxaala Nation community members. The intertidal zones are rich with shellfish and other invertebrates, as well as seaweed and kelp, all of which are harvested for food (Seguin-Anderson 2006; Marsden 2011; Menzies 2011) .

After contact with European explorers and traders, epidemic disease outbreaks, increased European presence, and the expanding commercial interests of settlers within their territory led the remaining Gitxaala Nation population to focus its resource procurement on its core territory. As a result, the Gitxaala Nation were primarily centralized to the area surrounding Dolphin Island (Menzies 2011). The Gitxaala Nation's traditional territory underwent a significant centralization in the late nineteenth century. A quote from a Gitxaala Nation community member summarizes this transition: "There were so many little villages where the Gitxaala lived before they chose *Lach Klan* to live" (Thelma Hill in Menzies 2011).

#### 27.1.2.5.3 Language

The traditional language of the Gitxaala Nation is *Sm'alygyax*, although another dialect was spoken by members in the past (Halpin and Seguin 1990). In the 2006 Canadian Census, 11.9% of Gitxaala Nation members living on reserve had some knowledge of *Sm'alygyax* or another Aboriginal language (Statistics Canada 2007). A similar report by the Aboriginal Languages Initiative in 2008 found that 15% of community members on reserve spoke *Sm'alygyax*, with 1.5% engaged in a traditional language education program (FPHLCC n.d.).

#### 27.1.2.5.4 Land Use Setting and Planning

Gitxaala Nation's traditional territory is located in the Coastal Western Hemlock biogeoclimatic zone (see Section 27.1.2.3 for additional information on this zone).

In 2004, the Gitxaala Nation was involved in the *North Coast Land Use Planning Agreement*, and signed a SLUPA with the BC government in 2006. The islands surrounding core Gitxaala Nation territory (see Figure 27-4) are also listed as conservancies, and a management plan for those areas is currently under development (BC Parks 2013).

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27.1.2.5.5 Governance

Gitxaala Nation’s traditional leadership consists of inherited chiefs, elders, and clan councils, elected under a custom electoral system. This system primarily deals with cultural, spiritual, and internal matters, while the elected council focuses on external matters, such as interacting with other governments and interests (Menzie’s 2011). The current Gitxaala Nation chief and council were elected as per the requirements of the *Indian Act*. Council members are elected in April and serve two-year terms (see Table 27-5). Four of the five councillors are elected based on clan affiliation, with one councillor being elected from each of the four clans. The fifth councillor is elected without clan affiliation but must be less than 36 years old on the date of election (Gitxaala Nation 2009). The seat of governance is located in Kitkatla, BC on Dolphin Island. Publicly available information did not list a Chief, as of January 2014.

**Table 27-5 Current Gitxaala Nation Elected Leadership**

Title	Name	Appointment Date	Appointment Ends
Chief	vacant		
Deputy Chief	Clarence Innes	04/15/2013	04/15/2015
Councillor	Kirsten Barker	04/15/2013	04/15/2015
Councillor	Bruce Innes	04/15/2013	04/15/2015
Councillor	Timothy Innes	04/15/2013	04/15/2015
Councillor	Emma Moody	04/15/2013	04/15/2015
Councillor	Warren Nelson	04/15/2013	04/15/2015

Source: AANDC (n.d.)

27.1.2.5.6 Population and Economy

The main community of the Gitxaala Nation is the Village of Kitkatla, located on Dolphin Island. The current number of registered Gitxaala Nation community members is 1,915, with just under 23% (n=422) of Gitxaala Nation community members living on reserve (AANDC n.d.). According to the 2006 Canadian census, the average total earnings for Gitxaala Nation community members in 2006 was \$10,277, with an unemployment rate of 64% (Statistics Canada 2007). Reported occupations for Gitxaala Nation members in 2006 included:

- Management
- Natural sciences and health
- Social science and government
- Sales and services
- Trades and related
- Primary industry.

The 2006 Skeena Native Development Society survey listed similar labour sectors by participation, with the majority of Gitxaala Nation community members employed in the public sector (64%), followed by fisheries (28%) and then forestry and tourism (both 2%) (FERENCE Weiker & Company Ltd. 2009).

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The Gitxaala Nation has partnered with ICON Construction to form Coast Industrial Construction, a contractor for the RRUC Project developed by the PRPA (Prince Rupert Port Authority 2013).

27.1.2.5.7 Reserves

The Gitxaala Nation has 21 reserves totaling 1,885.2 ha (see Table 27-6).

**Table 27-6 Gitxaala Nation Reserves and Major Communities**

Specific Name	Specific Location	Size (Hectares)
Citeyats 9	South end of Pitt Island, north of McReight Point	14.80
Clowel 13	West shore of Pitt Island, at the entrance to Patterson Inlet from Principe Channel	6.10
Dolphin Island 1	Island in Browning Entrance of Hecate Strait	1,557.30
Grassy Islet 2	Small island northeast of Dolphin Island in the entrance to Ogden Channel off Hecate Strait	0.40
Keecha 11	East shore of Banks Island at Keecha Point on Principe Channel	1.60
Keswar 16	West coast of McCauley Island fronting on Browning Entrance to Principe Channel	8.50
Keyarka 17	East coast of Banks Island, 9.6 km from north end fronting on Principe Channel	5.00
Kitlawao 10	East shore of Banks Island, 9.6 km from south end fronting on Principe Channel	2.40
Kitsemlagan 19	Lot 2585, on west shore of Pitt Island at Curtis Inlet off Ala Passage, east of Anger Island	2.00
Kitsemlagan 19a	Lot 2585a, on west shore of Pitt island at Curtis Inlet off Ala Passage	5.40
Klaphlon 5	Northeast coast of Pitt Island fronting on Grenville Channel, south of Gibson Island	45.30
Klaphlon 5a	Northeast coast of Pitt Island fronting on Grenville Channel, west of IR 5	51.00
Kooryet 12	East shore of Banks Island fronting on Principe Channel west of Littlejohn point, Pitt Island	5.50
Kul 18	West shore of Bonilla Island in Hecate Strait, 12.8 km west of Banks Island	38.40
Kumowdah 3	On the stream between Lowe Inlet and Lowe Lake, east shore of Grenville Channel	74.50
Pa-aat 6	East shore of Pitt Island, at mouth of Salmon Inlet, Grenville Channel	6.00
Sand Island 4	An island north of Dolphin Island (IR 1) off Hecate Strait	2.00
Sheganny 14	West coast of Pitt Island at head of Patterson Inlet, off Principe Channel	11.00
Toowitz 8	South shore of Pitt Island, at head of Tuowitz Inlet, west of Fin Island	21.00
Tsimlairen 15	West coast of Pitt Island, on the south shore of Curtis Inlet, off Principe Channel	16.00
Tsimitack 7	On southeast part of Pitt Island fronting on Union Passage, north of Farrant Island	11.00

Source: AANDC (n.d.).

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**27.1.2.6 Kitselas First Nation**

27.1.2.6.1 Traditional Territory

Kitselas First Nation describes the extent of its territory as including the watersheds of the Skeena and Kitimat Rivers, from Lorne Creek in the east to the Skeena and Kitimat estuaries (see Figure 27-5). They also assert that they have traditional harvesting areas in coastal areas, in the lower Skeena River and the Skeena estuary, and in the Nass watershed (Kitselas First Nation 2010). A map showing Kitselas asserted traditional territory is included in Figure 27-5.

27.1.2.6.2 Ethnography

The Kitselas First Nation shares similar social organization with other Coast Tsimshian Groups and have four clans and multiple multi-family Houses. Historically, the Kitselas First Nation was less nomadic when compared to other Coast Tsimshian groups (Coupland 1985) and was able to spend both the summer and winter in the Kitselas Canyon area because of their level of control over the canyon. Because of this emphasis on territories within the canyons in the Skeena River drainage, the Kitselas and Kitsumkalum First Nations have been referred to as the Canyon Tsimshian by some researchers (Coupland 1985; McDonald 2003).

The canyon was both a critical fishing location and a major trade route between inland areas and the coast. Trade in berries, mountain goat wool, and other materials from the eastern side of the Coast Mountains regularly moved through the canyon west to coastal Aboriginal communities. Evidence of antiquity of these trading networks has been recovered in excavations at the site of *Gitlaxdzawk* along the banks of the river in the Kitselas Canyon (Coupland 1985; Kitselas First Nation 2010).

The Kitselas First Nation gathered plants and berries from lower elevations, frequently beside wetlands located along the upper Wedeene River and the headwaters of the Upper Kitimat River. Cottonwood and alder were used for smoking salmon, and plant fibers were collected for twine. Birch bark and skunk cabbage provided food wrappings, and birch, cedar, and spruce-root were used for fibers and containers. Common wildlife hunted include mountain goat, deer, and moose, and smaller fur bearing mammals, such as mink and beaver, were commonly trapped. Freshwater species of trout, whitefish and sturgeon were caught in Kitselas First Nation territory (and continue to be caught), and the annual salmon runs brought all salmon species into the canyon. Because the Kitselas First Nation was less nomadic than other coastal groups, the harvesting of returning salmon along the Skeena was an especially important resource activity.

The Hudson Bay Company and other traders started traveling up the Skeena River during the early 1800s mostly through the use of local First Nations guides; by the 1860s, the Skeena River was an established supply route to the interior (Berthiaume 1999).

In the early 1870s, a trading post was established at the mouth of the Skeena River at a Tsimshian village site called *Spaksut* or Spokeshute (Miller 1997). This site was traditionally a fall village site and a place of Tsimshian congregation. Once the post was built, the English name Port Essington was given to the village site and it became a trading and fishing hub (Large 1996). Port Essington became the starting point for steamships that travelled about 145 km up river to a landing site at *Gitaus*, an ancient Kitselas First Nation village (Berthiaume 1999).



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With the discovery of gold in the Kitselas Canyon in the 1870s, and the resulting disruption of the local traditional economy, the Kitselas First Nation village of *Gitaus* was abandoned as Kitselas First Nation people dispersed downriver to Port Essington and New Kitselas (Allaire, MacDonald, and Inglis 1979). In the late nineteenth century growth of the commercial fishing industry and construction of the Grand Trunk Pacific Railroad led to increased settlement in the area by non-Aboriginals, and the town of Kitselas was built at the steamboat landing site at *Gitaus* (Berthiaume 1999).

27.1.2.6.3 Language

The Kitselas First Nation is included linguistically with the Coast Tsimshian language, called *Sm'algayax*; however, certain words differ between the groups. According to the 2006 Canadian census, 11.8% of Kitselas First Nation community members living on reserve speak some *Sm'algayax* or another Aboriginal language (Statistics Canada 2007). No information about language programs or education was available, as of January 2014.

27.1.2.6.4 Land Use Setting and Planning

The Kitselas First Nation's asserted traditional territory is located along the Skeena River, with the majority of the territory in the Coastal Western Hemlock bio-geoclimatic zone, and with higher elevations within the Subalpine Mountain Hemlock and the Engelmann Spruce-Subalpine Fir bio-geoclimatic zones. The Coastal zone is known for its cool summers and wet winters. Inland up the Skeena River into the Kitselas Canyon, the moderating effects of the coastal climate diminishes and is replaced by a climate that is more characteristic of the BC interior, with longer frost seasons and reduced precipitation (Coupland 1985).

The *Kitselas Land Use Plan*, developed by their Lands Management Office, details future plans and development goals for the Kitselas First Nation reserves. The *Kitselas Land and Interest Law* (K.BC 2006 No.1) regulates the creation, granting, assigning, or transferring of an interest or license in Kitselas Land; the Kitselas Lands Register; and any zoning and land use planning. Kitselas First Nation has also been involved in the *North Coast Land Use Planning Agreement* and signed a SLUPA with the BC government in 2006.

27.1.2.6.5 Governance

The Kitselas First Nation's elected leadership consists of a chief and council (see Table 27-7). The Council is elected under the requirements of the *Indian Act*. Elections are held every two years in June. The seat of governance is located in IR 6, Kulsapai (*Gn spa*), just outside Terrace, BC, although the majority of the population resides at Kitselas IR 1.

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**Table 27-7 Current Kitselas First Nation Elected Leadership**

Title	Name	Appointment Date	Expiry Date
Chief	Joseph Bevan	06/13/2012	06/12/2015
Councillor	Wilfred Bennett	06/13/2012	06/12/2015
Councillor	Wilfred Bennett Sr.	06/13/2012	06/12/2015
Councillor	Judith Gerow	06/13/2012	06/12/2015
Councillor	Gerald Seymour	06/13/2012	06/12/2015
Councillor	Clarisa Spencer	06/13/2012	06/12/2015

Source: AANDC (n.d.).

Kitselas First Nation is a member of the Tsimshian First Nations Treaty Society (which also represents Metlakatla First Nation, Kitsumkalum First Nation, Gitga’at First Nation and Kitasoo/Xai’xais Nation), which is currently in Stage 4 (negotiation of an agreement-in-principle stage) of the BC Treaty Commission process (MARR 2013d), and on February 21, 2013, the Kitselas First Nation voted to approve an Agreement in Principle (MARR 2013a). This is a significant step in treaty making between the Kitselas, BC and Canada. Currently, only Canada has not approved the Agreement in Principle.

27.1.2.6.6 Population and Economy

The total registered population of Kitselas First Nation is 613, with just under 45% of the population living on a reserve (Statistics Canada 2012). The two major reserves (Kitselas IR #1 and Kulspai IR #6) have a total population of 315 people,<sup>1</sup> with the majority living at Kitselas IR 1 (Statistics Canada 2012). The median age at Kitselas IR #1 is 26.8, with 70% of the population over the age of 15; Kulspai IR 6 has a much higher median age (40), with 78.6% of the population over the age of 15. No data from the most recent census or National Household Survey in regards to labour and employment is available for Kitselas First Nation. The 2006 Canadian census lists an unemployment rate of 33.3% for the Kitselas First Nation community and provides the following occupation sectors for those who are employed (Statistics Canada 2007):

- Management
- Social science and government
- Sales and services
- Trades and related.

The Kitselas First Nation administers Kitselas Forest Products Ltd. The *Kitselas Land Use Plan* has identified some potential commercial interests on Kitselas First Nation reserves, including a rock quarry, recreational and cultural tourist sites, and a sawmill (Kitselas Land Management Office 2012).

<sup>1</sup> The discrepancy in numbers between AANDC and Statistics Canada is likely due to other non-Kitselas community members living on-reserve.

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27.1.2.6.7 Reserves

Kitselas First Nation has ten reserves, one of which (Port Essington) is jointly administered with Kitsumkalum First Nation (see Table 27-8). Including Port Essington, Kitselas First Nation reserves cover an area of 1,069.1 ha.

**Table 27-8 Kitselas First Nation Reserves**

Specific Name	Legal Description	Size (Hectares)
Chimdimash 2	On the Skeena River at the mouth of Chimdemash Creek	65.10
Chimdimash 2a	Left bank of Skeena River, between the mouths of Chimdemash and Mannix Creeks and adjoining IR #2	119.30
Ikshenigwolk 3	Left bank of Skeena River at the mouth of Legate Creek, 3.2 km south of Pacific CN station	28.70
Ketonedá 7	Left bank of Skeena River, 3.2 km southeast of Doreen CN station	40.80
Kitselas 1	On the Skeena river at the mouth of Kleanza Creek, 1.6 km south of Usk CN station	434.60
Kshish 4 (includes Kshish 4a)	On right bank of the Skeena River, north of the mouth of the Zymoetz River	258.30
Kshish 4b	An addition to IR #4, lot 2169, north of and adjoining IR #4	4.00
Kulspai 6	On left bank of Skeena River, 4.8 km south of Terrace, BC	6.90
Port Essington <sup>1</sup>	Port Essington townsite, on left bank of the Skeena River, at the mouth of the Ecstall River	2.00
Zaimoetz 5	On left bank of the Skeena River at the mouth of the Zymoetz River	109.40

**NOTE:**

<sup>1</sup> Port Essington is jointly owned by the Kitselas and Kitsumkalum First Nations.

**Sources:** Kitselas Land Management Office (2012); AANDC (n.d.)

**27.1.2.7 Kitsumkalum First Nation**

27.1.2.7.1 Traditional Territory

Kitsumkalum First Nation identifies its traditional territory as the areas surrounding the Kitsumkalum and Zymacord watersheds, as well as the Cedar River watershed (Kitsumkalum Band n.d.). Kitsumkalum also asserts its traditional territory includes other areas that includes Lakelse River, Cheweanlaw, Kiwnitsa (Skeena River), Ecstall River, and locations along Grenville Channel, Edy Pass, Stephens Island, and Work Channel. Kitsumkalum First Nation also asserts traditional territory south to Low Inlet in Grenville Channel and Cape George in the Hecate Strait, stretching north to the Alaska and Nisga’a Nation borders. In correspondence with the CEA Agency regarding the PNW LNG Project, Kitsumkalum First Nation has specifically asserted that it holds Aboriginal title “to Lelu Island and all the lands covered by this proposal”. In addition, Kitsumkalum First Nation representatives have asserted that there was an historic Kitsumkalum First Nation settlement on the northeast side of Lelu Island. A map showing Kitsumkalum asserted traditional territory is included in Figure 27-6.

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27.1.2.7.2 Ethnography

The Kitsumkalum First Nation is sometimes identified by some researchers as a Canyon Tsimshian group because of the group's harvesting and settlement locations around important river canyons and a tendency toward focusing winter activities further inland than other Tsimshian groups (Halpin and Seguin 1990). Kitsumkalum do not prefer the use of "Canyon Tsimshian" to identify their Nation. This inland occupational pattern, combined with their proximity to the neighbouring Nisga'a and Gitksan First Nations, gave the Kitsumkalum and Kitselas First Nations' cultural distinctiveness within the common heritage they share with other Coastal Tsimshian (McDonald 2006).

The Kitsumkalum First Nation traditionally participated in a seasonal round similar to other Coast Tsimshian groups. However, because Kitsumkalum First Nation used areas stretching out to the mouth of the Skeena River and up Grenville Channel, their traditional land use patterns involve the harvesting of additional marine species, including halibut, herring, a variety of rockfish, flounder, shellfish, chitons, sea cucumber and crabs, as well as marine plants such as seaweed and kelp.

The Kitsumkalum First Nation traditionally fished for eulachon and processed their catch during the spring along the mouth of the Nass River (McDonald 1985). These fish and the rendered oil made from them were traded all along the Nass and Skeena Rivers and into the interior along well-established traditional trade routes that have come to be known "grease-trails" (Halpin and Seguin 1990). The biotic diversity in Kitsumkalum First Nation territory has provided the opportunity for harvesting of a variety of plants used for food, traditional medicines, and as materials for crafts and manufactured goods. The gathering of these plant resources traditionally occurred throughout the seasons as they became available and was usually conducted around residential sites (McDonald 1985).

A modified version of the seasonal round is still practiced by Kitsumkalum First Nation members. The start of the eulachon run in the early spring marks the beginning of the spring harvesting season, followed by berry collecting in the late spring. Berries are also collected into the summer, and this activity continues into the fall. Seaweed and other foods are gathered throughout the late spring and summer. The first salmon run in June marks the start of salmon fishing season, which continues until the fall. The hunting of small game and fowl continues year round (McDonald 1985). The Kitsumkalum First Nation hunts a variety of animals throughout their territory. McDonald (1985) describes the diversity of traditionally harvested species as "a list of all available fauna, other than most small rodents, insectivores, reptiles, and amphibians." Traditionally, not all Houses had equal access to all harvested wildlife because of the range and territorial divisions of each (McDonald 1985).

Ethnographic research was limited in the Kitsumkalum First Nation area until the arrival of anthropologist Franz Boas in 1888, who visited the *Spaksut* (or *Spokeshute*) village (McDonald 2003). This was also the trading post known as Port Essington (see Section 27.1.2.6), and most of the European interactions with Kitsumkalum First Nation people occurred here. As a result, very little was written about the wider territory of the Kitsumkalum First Nation until the late twentieth century, when the establishment of the Kitsumkalum Social History Research Project began its research into Kitsumkalum First Nation culture (see McDonald 1985).

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27.1.2.7.3 Language

Like other Coast Tsimshian groups, the Kitsumkalum First Nation speaks *Sm'algayax* (Halpin and Seguin 1990); however, Kitsumkalum First Nation pronunciation and word use may differ from other Coast Tsimshian groups. For example, the Kitselas First Nation and other Coast Tsimshian use the word *walp*, which translates as “House”, while the Kitsumkalum First Nation uses the word *waap* (Halpin and Seguin 1990; Berthiaume 1999; McDonald 2003).

According to the 2006 Canadian census, 6.9% of the Kitsumkalum First Nation community members have some knowledge of *Sm'algayax* or another Aboriginal language (Statistics Canada 2007). A language needs assessment in 2008 reported that 4.3% of community members had some knowledge of *Sm'algayax*, while a further 4.8% were learning the language.

27.1.2.7.4 Land Use Setting and Planning

The Kitsumkalum First Nation occupies a similar environment to the one described previously in Section 27.1.2.6, with the Coastal Western Hemlock biogeoclimatic zone at lower elevations and the Subalpine Mountain Hemlock and the Engelmann Spruce-Subalpine Fir biogeoclimatic zones in higher elevations. Although their asserted traditional territory spans the Kitsumkalum and Zymacord watersheds, Kitsumkalum First Nation has also claimed use of areas stretching out to the mouth of the Skeena River and up Grenville Channel.

Kitsumkalum First Nation was involved in the *North Coast Land Use Planning Agreement* and signed a SLUPA in 2006 (MFLNRO 2013).

27.1.2.7.5 Governance

Kitsumkalum First Nation has both traditional inherited leadership structures made up of hereditary chiefs and elders, and an elected chief and council, elected under the requirements of the *Indian Act* (see Table 27-9) with government offices located in Kitsumkalum, BC. Elections are held every two years.

**Table 27-9 Current Kitsumkalum First Nation Elected Leadership**

Title	Name	Appointment Date	Expiry Date
Chief	Donald Terrence Roberts	03/08/2013	03/07/2015
Councillor	Cynthia Rose Bohn	03/08/2013	03/07/2015
Councillor	Wayne Herbert Bolton	03/08/2013	03/07/2015
Councillor	Tracy Selina Margret Sam	03/08/2013	03/07/2015
Councillor	Troy Alexander Sam	03/08/2013	03/07/2015
Councillor	Susan Elizabeth Spalding	03/08/2013	03/07/2015
Councillor	Katherine Cecilia Wesley	03/08/2013	03/07/2015
Councillor	Lisa Lorraine Wesley	03/08/2013	03/07/2015

Source: AANDC (n.d.).

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Kitsumkalum First Nation is a member of the Tsimshian First Nations Treaty Society (the society also represents Metlakatla First Nation, Kitselas First Nation, Gitga'at First Nation and Kitasoo/Xai'xais Nation), which is currently in Stage 4 (negotiation of an agreement-in-principle stage) of the BC Treaty Commission process (MARR 2013d). On April 11, 2013, the Kitsumkalum First Nation voted to approve an Agreement in Principle (MARR 2013b).

27.1.2.7.6 Population and Economy

Kitsumkalum First Nation has a registered population of 729, with 31% of the population living on reserve (AANDC n.d.). The total population of its main reserve, Kitsumkalum IR #1 was listed as 302 people<sup>2</sup> in the 2011 Canadian census, with a mean age of 32 years (Statistics Canada 2012). There is no current employment and labour data available for Kitsumkalum First Nation; however, the 2006 Canadian census data listed an unemployment rate of 28%, with an average total income of \$24,962 (Statistics Canada 2007). Reported occupations for community members included:

- Management
- Natural sciences and health
- Social science and government
- Sales and services
- Trades and related
- Primary industry.

Kitsumkalum First Nation operates two different commercial resource companies. Their forestry services company is Kalum Ventures Ltd., while Kalum Rock Quarry and Logistic Park produces a variety of aggregate products (Kalum Quarry n.d.). Other businesses associated with the Kitsumkalum First Nation include the House of *Sim-oi-Ghets*, an arts and craft shop located in the Kitsumkalum Community Center, as well as a gas bar and an R.V. park (Kitsumkalum Band n.d.).

27.1.2.7.7 Reserves

Kitsumkalum First Nation has four reserves, one of which (Port Essington) is shared with Kitselas First Nation (see Table 27-10). Including Port Essington, Kitsumkalum First Nation reserves cover an area of 597 ha.

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<sup>2</sup> The discrepancy in numbers between AANDC and Statistics Canada is likely due to other non-Kitsumkalum community members living on reserve.

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**Table 27-10 Kitsumkalum First Nation Reserves**

<b>Specific Name</b>	<b>Legal Description</b>	<b>Size (Hectares)</b>
Dalk-ka-gila-qoeux 2	On the right bank of the Kitsumkalum River, 6 miles northwest of terrace	114.10
Kitsumkaylum 1	On the right bank of the Skeena River, at mouth of the Kitsumkalum River, 3 miles west of Terrace, BC	449.90
Port Essington	Port Essington townsite, on left bank of the Skeena River, at the mouth of the Ecstall River	2.00
Zimagord 3	On right bank of the Skeena River, at Remco CN station	31.00

Source: AANDC (n.d.).

**27.1.2.8 Gitga’at First Nation**

27.1.2.8.1 Traditional Territory

Gitga’at First Nation’s asserted traditional territory extends to the north along Douglas Channel along the height of separating Douglas Channel and the Skeena River, abutting the territory of Haisla Nation to the east. It bisects Hawkesbury Island and extends south along the height of land draining into Ursula Channel, then crosses Princess Royal Island and incorporates Aristazabal Island as it extends out to the Pacific Ocean. To the northwest it bisects Campania Island and then proceeds north along the height of lands separating Pitt Island and Grenville Channel. It then extends some distance up Grenville Channel before joining up with its northern boundary. A map showing the asserted traditional territory of Gitga’at is included in Figure 27-47.

27.1.2.8.2 Ethnography

There is no major ethnographic study of the Gitga’at. Early anthropological publications by Boas and Garfield dealt with aspects of the culture of the Port Simpson (Lax Kw’alaams) tribes. Later researchers have focused on other aspects of Tsimshian culture. The most extensive body of research among the Tsimshian and related tribes was initiated by Marius Barbeau of the National Museum in Ottawa in the early 1900s. Much of the fieldwork was undertaken by his Tsimshian assistant William Beynon. Most of the material remains unpublished.

Between 1915 and 1950, Barbeau and Beynon recorded *adawx* and associated information for the Tsimshian, Nisga’a, and Gitksan (aka Gitksan). Beynon in particular recorded the history and territories of the tribes and house groups including information on the origins, crests, personal names, and maps depicting the territories. Wilson Duff studied the Barbeau-Beynon files in Ottawa analyzing and reorganizing the material in his research notes. Duff’s work was not published; however, his research files are located in the Archives at the Museum of Anthropology at the University of British Columbia in Vancouver. Susan Marsden has worked for nearly four decades with the Barbeau-Beynon and Duff files in her studies. In 2012, she wrote a report for Gitga’at as part of their response to the proposed Enbridge Project (Marsden 2012).

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The Gitga'at are considered by anthropologists to be one of the Southern Tsimshian tribes (Halpin and Seguin 1990). They are interconnected with the other Tsimshian tribes by origin histories and intermarriages over the many generations. These ancestral ties create not only historical connections but also socio-economic ones. These connections are the basis for much of the trading, harvesting and political arrangements that persist to this day.

First contact with Europeans on the mainland of the north coast was in the southern Tsimshian area at Calamity Bay, at the south end of Banks Island. Here fur traders James Colnett in the *Prince of Wales* and Charles Duncan in the *Princess Royal* spent three weeks in September 1787, trading with the local inhabitants and exploring the region. In July/August 1792, the Spanish explorer Jacinto Caamano in the *Aranzazu* explored roughly the same area, and in June and July 1793, the Vancouver expedition expanded exploration in the same region. The journals from these expeditions provide the first descriptions of the indigenous people in the region.

The Gitga'at follow a seasonal round to effectively utilize the resources available throughout the year. The pattern of the seasonal round has changed over time in response to changing technologies, industrial and urban developments, participation in an industrial economy, settlement and resource harvesting by outsiders, and a changing resource base. Seafood resources have remained of central importance to the Gitga'at economy through these changes. Resources from the land have also remained a significant part of the Gitga'at economy (Inglis 2014).

Marine resources traditionally harvested include seals, sea lions, halibut, the various species of salmon, ling cod, black cod, red snapper, herring, herring eggs, abalone, clams, cockles, chitons, mussels, sea cucumbers, seaweed, king crab, Dungeness crab, prawns, and shrimp. Land resources traditionally harvested include deer, mountain goat, beaver, bear, various fur bearing animals, numerous species of berries, crab apples, hemlock and balsam inner bark, cow parsnip and other edible plants, and medicinal plants (Marsden 2012; Inglis 2014).

The Gitga'at had a number of settlements in the region including at Casey Point and Hays Creek on Kaien Island, Wolf Creek in Port Edward and Humpback Bay on Porcher Island. The Gitga'at also had important trading places on the lower Skeena River at the mouth of the Ecstall River, and at Lorne Creek near Doreen on the mid-Skeena River. There is a grease trail along the Ecstall River to the Skeena. Historically Gitga'at people travelled via that route and along Grenville Channel to conduct trade with other Tsimshian tribes (Inglis 2014).

The missionary community at Metlakatla in the Prince Rupert Harbour region was established by William Duncan of the Church Missionary Society in 1862 with a group of Tsimshian from Port Simpson. Other tribes joined in subsequent years. Gitga'at (Kitkaht) members began to join the community in 1863. Metlakatla prospered until 1887 when Duncan with most of his followers left British Columbia for Annette Island, Alaska, where they founded New Metlakatla. Most of the Gitga'at did not move to Alaska and continued living and harvesting resources in the Prince Rupert and Douglas Channel regions (Inglis 2014).

Indian Reserves were first established for the Gitga'at in 1889 at Hartley Bay and Kitkiata Inlet. Additional reserves were established for the Gitga'at by the Royal Commission on Indian Affairs in British Columbia (Inglis 2014).



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27.1.2.8.3 Language

The traditional language of the Gitga'at Nation is *Sm'alygyax*. A report by the Aboriginal Languages Initiative in 2014 found that 7.6% of Gitga'at members spoke *Sm'alygyax*, with nearly 80% being able to understand or speak it somewhat, and 6.5% being "learning speakers" (FPHLCC n.d.).

27.1.2.8.4 Land Use Setting and Planning

Gitga'at First Nation's traditional territory is located in the Coastal Western Hemlock biogeoclimatic zone (see Section 27.1.2.3 for additional information on this zone).

The Gitga'at signed a SLUPA with the BC government in 2006. The agreement contains land use zones, designations, and allowable uses within Gitga'at territory (no overlap with project components or activities). Protection areas and Biodiversity Areas are delineated in the Agreement. It also contains high value fisheries watershed management objectives. The management intent is to maintain the integrity of salmon habitat in watersheds that are of cultural importance to the Gitga'at. The management objective is to maintain water quality and quantity within the natural range of variability in identified anadromous fish-bearing and/or sensitive watersheds (Gitga'at First Nation and BC 2006).

The Gitga'at also signed a Reconciliation Protocol with the BC government in 2010. The agreement includes the building of a new ferry terminal at Klemtu, as well as sharing a portion of resource revenue and carbon offsets. Coastal First Nations (including the Gitga'at) will also be part of a new shared decision making process and the creation of an Alternative Energy Action Plan for their traditional territories (Coastal First Nations, Haisla Nation, and BC 2010).

27.1.2.8.5 Governance

Gitga'at society has a dual governance system that consists of a blend of traditional and modern laws, customs and structures (Gitga'at 2004). Gitga'at traditional leadership consists of inherited chiefs, Elders, and clan councils. Traditional governance is at the level of the house, or house group – "a matrilineal kin group and fundamental political and land owning unit in Gitga'at (Tsimshian) society, and it bears the name of its chief or headman (Marsden 2012). The hereditary chief of Gitga'at is Sm'oygit Wahmodmx of the Gispudwada (Blackfish or Killer whale) clan (Gitga'at 2004).

The current Gitga'at First Nation chief and council were elected under a custom electoral system. Elections for Village Council are held in early December and those elected serve two-year terms (see Table 27-11). The Village Council oversees the community of Hartley Bay, band administration and delivery of social programs and services (Gitga'at 2004).

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**Table 27-11 Current Gitga’at Nation Elected Leadership**

Title	Name	Appointment Date	Appointment Ends
Chief	Arnold Clifton	12/11/2013	12/10/2015
Deputy Chief	Kyle Clifton	12/11/2013	12/10/2015
Councillor	Earnest Hill	12/11/2013	12/10/2015
Councillor	Gregory Reece	12/11/2013	12/10/2015
Councillor	Marven Robinson	12/11/2013	12/10/2015

Source: AANDC (n.d.)

27.1.2.8.6 Population and Economy

The main community of the Gitga’at is Hartley Bay, located approximately 90 miles southeast of Prince Rupert and 50 miles southwest of Kitimat, at the confluence of the Grenville and Douglas Channels. Prince Rupert is also an important community for Gitga’at as it is home to a notable portion of off-reserve community members. Hartley Bay is accessible by floatplane or ferry from Prince Rupert (Gitga’at 2004). The current number of registered Gitga’at First Nation members is 737 (at October 2014) with just under 18% (n=134) of Gitga’at community members living on reserve (AANDC n.d.). Off reserve members commonly reside in Prince Rupert (approximately 500), Vancouver, or on Vancouver Island (Gitga’at 2004). Members regularly travel to and from Hartley Bay and Prince Rupert via ferry and personal boat (Gitga’at First Nation 2014).

Historically and presently many members are involved in the industrial fishery either on boats or working in a cannery to process fish. Through the industrial fishery and other activities in the Prince Rupert area Gitga’at members have been able to supply traditional foods for members living in both Prince Rupert and Hartley Bay.

Census of Canada data indicates that, in 2006, 50% of the population over the age of 15 at Hartley Bay was not in the labour force; meaning 50% of individual were neither employed nor unemployed, nor were these individuals seeking employment (Statistics Canada 2007). Reported occupations for Gitga’at members in 2006 included:

- Business, finance, and administration
- Natural sciences and health
- Social sciences and government
- Sales and services
- Processing, manufacturing, and utilities.

According to the 2006 Canadian census, the unemployment rate Gitga’at community members at Hartley Bay (Kulkayu IR 4) was 18.2%<sup>3</sup>. In comparison, the 2006 Skeena Native Development Society survey indicated the unemployment rates were higher at 57%. The survey also indicates that 67% of Gitga’at employment was within the public sector, or likely with the band office or village government (FERENCE Weiker & Company Ltd. 2009).

<sup>3</sup> Statistics Canada 2011 National Household Survey data (including income and other economic data) for Kulkayu (Hartley Bay) IR 4 is suppressed for data quality or confidentiality reasons.

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27.1.2.8.7 Reserves

The Gitga’at First Nation has 15 reserves (see Table 27-12).

**Table 27-12 Gitga’at First Nation Reserves and Major Communities**

Specific Name	Specific Location	Size (Hectares)
Gander Island 14 <sup>4</sup>	Islands of the Moore Group of the west coast of Aristazabal Island in Hecate Strait.	121.4
Gill Island 2	Left bank of the Quaal River, at its mouth on Kitkiata Inlet, Douglas Channel	0.1
Gribble Island 10	On west coast of Gribble Islands between Verney and Ursula Channel	2
Kahas 7	West coast of Princess Royal Island at Barnard Harbour	16.5
Kayel 8	On west shore of Princess Royal Island fronting on Campania Sound	1.6
Kitkahta 1	On the north shore of the Kitkiara Inlet of Douglas Channel	112.5
Kulkayu (Hartley Bay) 4	On south shore of Hartley Bay of Douglas Channel	130.7
Kulkayu (Hartley Bay) 4A	An additional to IR No. 4	45.3
Kunhunoan 13	On small bay, west coast of Gil Island, near Black Rock Point on Squally Channel	2.3
Lackzuswadda 9	An Island at entrance to Surf Inlet, west coast of Princess Royal Island	2.2
Maple Point 11	At Maple Point east shore of Gil Island between Squally and Whale Channels of Hecate Sound	50.2
Quall 3	On right bank of the Quaal River, one mile west of the mouth on Kitkiata Inlet of Douglas Channel	29
Quall 3A	An addition to IR No. 3, at the mouth of the Quall River, Kitkiata Inlet of Douglas Channel	74.5
Turtle Point 12	At Turtle Point, north end of Gil Island fronting on Wright Sound	51.8

Source: AADNC (n.d.).

**27.1.3 Summary of Engagement Activities**

This section summarizes engagement activities conducted prior to submission of the EIS, including the date and means of engagement, future planned engagement activities, and efforts undertaken to engage with Aboriginal groups.

**27.1.3.1 Consultation Activities Common to all Aboriginal Groups**

Following its Plan for Procedural Aspects of Aboriginal Consultation, PNW LNG has undertaken some consultation activities through a process that has been similar for all Aboriginal groups. Those activities have included negotiating and entering into Environmental Assessment Agreements (“EA agreements”) to provide capacity funding for the EA process and, with the initial five Tsimshian Nations, the negotiation of Impact Benefit Agreements (“IBAs”) to provide economic, employment and training benefits.

<sup>4</sup> This reserve is held in common with Haisla Nation and Kitasoo (AANDC n.d.).

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**27.1.3.1.1 Environmental Assessment Agreements**

PNW LNG has entered into environmental assessment (EA) agreements with Metlakatla, Gitxaala, Kitselas, Kitsumkalum and Gitga'at. Each of those agreements provided capacity funding to participate in the CEA Agency and BC EAO EA processes. The EA agreements with each First Nation also provided detailed work plans for studies and investigations to help identify Aboriginal rights and interests that may be affected by the Project.

PNW LNG has offered to negotiate an EA agreement with Lax Kw'alaams, but has been unable to reach a general engagement agreement for the Project or an EA agreement despite numerous attempts.

**27.1.3.1.2 Traditional Use Studies**

The EA agreements that PNW LNG has entered into with Aboriginal groups all provide funding for the completion of traditional use studies. To date, PNW LNG has received an interim draft Traditional Use Study ("TUS") from Metlakatla, Kitselas, Kitsumkalum and Gitga'at. Gitxaala has submitted a final version of its TUS and has also submitted a report entitled "Gitxaala Valued Components Report". PNW LNG has engaged with these Aboriginal groups to discuss the information contained in these TUS documents.

PNW LNG hopes the discussions on the TUS documents, and PNW LNG's review of the reports submitted by the Aboriginal groups will identify more specific and detailed information about how, when and by whom known Aboriginal interests and rights are utilized and practiced. This specific information will help PNW LNG plan, time and refine the Project as well as the mitigation measures it has presented. Subject to the confidentiality provisions of PNW LNG's EA agreements with Aboriginal Groups, PNW LNG has shared the information from the TUS's and the conclusions that flow from them with the CEA Agency.

**27.1.3.1.3 Capacity Funding**

In 2013, prior to entering into EA agreements, PNW LNG provided interim capacity funding to each of the initial five Tsimshian First Nations (not Gitga'at) to assist with providing capacity for initial consultation activities in the pre-EIS submission processes. Two payments of \$20,000 each were provided to each Nation. Gitxaala did not cash their cheques so the monies were effectively returned.

With the conclusion of formal EA agreements with Metlakatla, Gitxaala, Kitselas, Kitsumkalum and Gitga'at PNW LNG believes those First Nations have confirmed that they have sufficient capacity support to adequately engage in the EA process until December 2014.

As noted above, PNW LNG has offered to negotiate an EA agreement with Lax Kw'alaams; the presented scope of the agreement includes provision of capacity funding. On June 5, 2014, PNW LNG went even further and wrote to Lax Kw'alaams to confirm that it would reimburse Lax Kw'alaams for all documented and reasonable expenses associated with the EA process. Lax Kw'alaams has not responded to this offer.

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27.1.3.1.4 Impact Benefit Agreements

PNW LNG is in negotiations with Metlakatla, Lax Kw'alaams, Gitxaala, Kitselas and Kitsumkalum regarding IBAs and will continue to pursue IBAs with those Aboriginal groups. At time of writing, discussions with all five First Nations are active at the Term Sheet level. As agreements are reached at the IBA Term Sheet stage, First Nations are anticipated to write to the CEA Agency expressing support for the Project.

27.1.3.1.5 Pre-Application Consultation and Information Sharing

Pre-application consultation with each of the Aboriginal groups has included meetings where PNW LNG has presented information to Aboriginal groups, meetings with representatives of each of the Aboriginal groups, correspondence by letter and email and the exchange of technical information. PNW LNG hosted Open Houses in Prince Rupert and Port Edward on three separate occasions (November 2012, June 2013, and November 2013).

PNW LNG also offered to hold Open Houses with Aboriginal groups. Metlakatla accepted this offer and on March 18, 2013, PNW LNG held an Open House in Metlakatla Village for representatives of the Metlakatla Stewardship Office and members of the community that Metlakatla had selected. Other Aboriginal groups did not accept this offer. PNW LNG also invited Aboriginal groups to participate in a TERMPOL workshop on September 25, 2013. Kitsumkalum and Kitselas attended this workshop.

Aboriginal groups have participated in some baseline surveys and in monitoring programs. A complete list of studies that Aboriginal groups have participated in is attached as Appendix B. This Appendix includes participation in field studies that occurred after the EIS was submitted on February 28, 2014.

Before submitting its EIS, PNW LNG provided Aboriginal groups with a suite of baseline and engineering reports on topics such as:

- Pre-front end engineering and design (Pre-FEED) designs of the materials off-loading facility (MOF), the jetty/trestle and berths
- Marine resources with a focus on habitats in the foreshore and inter-tidal areas
- Archaeological inventories, including details with respect to the culturally modified trees (CMTs), on Lelu Island and on the mainland
- Bog and peat deposits on Lelu Island
- Lelu Island geology
- Bathymetry of the marine areas in and around Lelu Island
- Contaminated Site Phase I Site Investigation
- Marine vessel movements
- Terrestrial ecosystem and vegetation analyses
- Bird surveys
- Wildlife observations
- Sediment sampling results
- Geotechnical and geophysical assessments on Lelu Island and in the marine development areas.

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For a complete list of technical reports provided to Aboriginal Groups prior to EIS submission on February 28, 2014 please see the table in Appendix A.

**27.1.3.1.6 Consultation during the EA Process**

The EA process has provided numerous opportunities for Aboriginal groups to provide input on the Project. Those opportunities included the following:

- Comments on the Project Description
- Comments on the provincial draft Application Information Requirements (“dAIR”)
- Comments on the Canadian Environmental Assessment Agency’s Environmental Impact Statement Guidelines (“EISG”)
- Comments on PNW LNG’s joint Environmental Impact Statement and Application
- Working Group meetings held in Vancouver on July 31 and August 1, 2013
- Working Group meeting in Prince Rupert in April 2014
- Working Group meetings in Prince Rupert in May, 2014
- Working Group meetings in Vancouver in June 2014
- Working Group meetings in Vancouver in October, 2014
- Comments submitted through Canadian Environmental Assessment Agency’s Federal Information Request dated May 9, 2014.

Through these opportunities, PNW LNG has received and responded to hundreds of specific comments from Aboriginal Groups. PNW LNG’s responses have included explanation of the project design rationale, environmental assessment methods, clarification of information provided in reports and the EIS, and the development of mitigation measures.

PNW LNG held an open house in Prince Rupert on April 8, 2014. All six Aboriginal groups were invited to these sessions. PNW LNG also invited Aboriginal groups on boat tours and onsite visits of Lelu Island and surrounding marine areas in April 9, 2014. Metlakatla, Kitsumkalum and Kitselas attended those tours.

On April 16, 2014, PNW LNG, in excess of any requirements in the EA process, invited representatives of each Aboriginal group to tour an operational Petronas LNG facility in Bintulu, Malaysia. Kitsumkalum representatives attended that tour from May 10 to 15, 2014.

**27.1.3.1.7 Chronology of Consultation Activities**

PNW LNG has had numerous interactions with Aboriginal groups during its consultation regarding the Project. For a complete chronology of those interactions to November 24, 2014, please see Appendix C.

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**27.1.3.2 Consultation Activities with Metlakatla First Nation**

PNW LNG began to engage Metlakatla in the summer of 2012 and IBA negotiations began in the fall of 2012. Those negotiations have now produced a Term Sheet. Through those negotiations, PNW LNG hopes to reach an agreement with Metlakatla that will provide significant economic benefits, procurement, employment and training opportunities for Metlakatla and its members.

Concurrent with the IBA negotiations, PNW LNG began negotiations for an EA agreement with Metlakatla. The EA agreement was approved via a Band Council Resolution on August 22, 2013 and the agreement was executed on September 17, 2013. Prior to concluding the EA agreement, PNW LNG engaged with Metlakatla on a variety of subjects including the feasibility assessments of the Project and Pre-Front End Engineering Design (Pre-FEED), the potential impacts of the Project on Aboriginal groups' interests, Aboriginal rights and title, and opportunities to participate in the Project.

PNW LNG also provided Metlakatla the opportunity to participate in archaeological inventory surveys and to investigative geotechnical programs on Lelu Island and to tour the project site. Metlakatla was also provided the opportunity to participate in the studies on marine inter-tidal and foreshore biological surveys, marine sediment sampling programs, country foods baseline assessments, fresh water fisheries inventories, migratory bird surveys, archaeological investigations on the mainland, baseline soil and vegetation acidification surveys. Please see Appendix B for a complete list of studies that Aboriginal groups have participated in.

On March 18, 2013, PNW LNG held an Open House in Metlakatla Village for representatives of the Metlakatla Stewardship Office and members of the community that Metlakatla had selected. PNW LNG provided information on the Project and its design to Metlakatla members. Issues discussed included the design of the jetty trestle and marine terminal, project design features to avoid or offset potential environmental impacts, field study results from 2012 and an overview of the program of field studies for 2013.

Significant consultation occurred regarding marine and terrestrial geotechnical feasibility investigations in the summer and fall of 2013. Metlakatla participated in monitoring of marine and near-shore marine borehole drilling. Through its archaeological consultants, Metlakatla participated in, and monitored, archaeological investigations that led to the cataloguing of in excess of 500 CMTs on Lelu Island. Following this, Metlakatla also participated in Archaeological Impact Assessment of Lelu Island, which led to the development of a protocol for handling CMTs and a chance find protocol for archaeological resources for the Lelu Island geotechnical survey programs. Discussions are still continuing with Metlakatla to finalize an Archaeological and Heritage Resources Management Plan. PNW LNG has funded Metlakatla's participation in all of these studies. In October, 2013, PNW LNG provided Metlakatla with a report confirming that the geotechnical feasibility investigations did not result in any adverse environmental impacts.

PNW LNG's EA agreement with Metlakatla included a work plan for organized consultation between PNW LNG and Metlakatla. Key deliverables in that work plan include the completion of a TUS, a Socio-Economic Study and a Disposal at Sea Study to investigate alternative locations for disposal of dredged materials. The EA Agreement also provided Metlakatla with capacity funding for its participation in the EA process and associated studies.

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On May 31, 2014, Metlakatla provided PNW LNG with a TUS and an Impact Assessment of LNG and Other Developments. The TUS has confirmed the Aboriginal rights and interests that have been identified in previous consultations with Metlakatla. PNW LNG has met with Metlakatla to discuss the findings of the TUS and Impact Assessment of LNG and Other Developments and how those findings should inform the EIS and PNW LNG's mitigation plans.

The work plan developed jointly by Metlakatla and PNW LNG has led to numerous meetings to discuss progress on the various studies and to exchange information and discuss findings. Those meetings have also included discussions of environmental monitoring of project construction and operations, conceptual habitat offset and compensation programs (including a boat tour of potential sites for offsetting programs) and the PNW LNG Skeena estuary research and stewardship initiatives. Metlakatla has also provided comments through the EA process, such as comments made on the dAIR and on the EIS through the Working Group. PNW LNG has worked to respond to those comments both diligently and thoroughly.

In December 2013, PNW LNG provided Metlakatla drafts of the Aboriginal Consultation Plan and the Aboriginal Consultation Report that was submitted with the EIS. Metlakatla provided comments on both the draft Aboriginal Consultation Plan and the draft Aboriginal Consultation Report, which PNW LNG integrated into the final versions of each document.

On January 14, 2014, PNW LNG provided Metlakatla with revised plans for the design and placement of the jetty-trestle on Agnew Bank, the project design changes known as "Option F". PNW LNG discussed the project design changes and the designs that were considered with Metlakatla.

On November 30, 2014, PNW LNG and the Metlakatla Governing Council signed an agreement that resolved several technical issues raised by the Metlakatla around key environmental assessment issues (fish and fish habitat, air quality, dredging and disposal at sea, cumulative effects, archaeology on Lelu Island, impacts on traditional use, socioeconomic and health impacts, and long-term monitoring and management), and agreed to a path forward on those issues.

PNW LNG will continue to work with Metlakatla to finalize the Archaeological and Heritage Resources Management Plan.

PNW LNG will continue to consult with Metlakatla on mitigation measures with regards to its Aboriginal rights and interests beyond the completion of the EA process as stipulated in any IBA.

For a complete chronology of the consultation activities involving Metlakatla, please see Appendix C.



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**27.1.3.3 Consultation Activities with Lax Kw'alaams First Nation**

PNW LNG began to engage Lax Kw'alaams in the summer of 2012. In addition IBA negotiations began in the fall of 2012. IBA negotiations with Lax Kw'alaams were paused in the late summer of 2014 when Lax Kw'alaams experienced governance related issues. On November 20, 2014 a federal court issued a decision regarding those issues. PNW LNG hopes to resume IBA negotiations with Lax Kw'alaams now that a court has addressed Lax Kw'alaams' governance issues. Through those negotiations, PNW LNG hopes to reach an agreement with Lax Kw'alaams that will provide significant economic benefits, procurement, employment and training opportunities for Lax Kw'alaams and its members.

In 2012 and early 2013, PNW LNG's consultation activities with Lax Kw'alaams followed the same sequence as Metlakatla. PNW LNG pursued negotiations regarding an EA agreement. Lax Kw'alaams was invited to monitor archaeological inventory surveys, to investigative geotechnical programs on Lelu Island and to tour the project site. Lax Kw'alaams was also provided the opportunity to participate in the studies on marine inter-tidal and foreshore biological surveys, marine sediment sampling programs, country foods baseline assessments, fresh water fisheries inventories, migratory bird surveys, archaeological investigations on the mainland, baseline soil and vegetation acidification surveys. Lax Kw'alaams participated in archaeological surveys on March 15 and from March 18 to 22, 2013 associated with the geotechnical feasibility investigations (described below).

Lax Kw'alaams objected to the geotechnical feasibility investigations that PNW LNG planned to conduct in the spring of 2013. The geotechnical feasibility investigations included drilling 29 boreholes on Lelu Island and eight boreholes in the marine environment along the trestle-jetty location. The PRPA, after discussions with Lax Kw'alaams, required PNW LNG to undertake more consultation with Lax Kw'alaams and Metlakatla before undertaking the geotechnical feasibility investigations. This led to three meetings and a number of email and phone conversations between PNW LNG, Lax Kw'alaams, and their representatives, in April and May 2013. Lax Kw'alaams submitted a list of 54 questions to PNW LNG regarding the geotechnical feasibility investigations. PNW LNG responded to all of those questions in writing on May 9, 2013. Lax Kw'alaams provided follow up questions, and PNW LNG responded in writing to those questions on May 28, 2013. In response to Lax Kw'alaams' questions regarding the geotechnical investigation, PNW LNG also provided Lax Kw'alaams with 22 technical documents and reports including:

- An archaeological inventory
- An archaeological monitoring and mitigation plan
- A field exploration plan
- Findings of the underwater surveys of marine borehole locations
- Bog and peat analysis surveys
- An environmental management plan
- Safety guidelines for working over water
- Emergency response plans
- Guidelines issued by the Department of Fisheries and Oceans to prevent the entrainment of fish
- The MSDS information sheet on guar gum, a potential additive in the sea-water based drilling fluid.

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In response to Lax Kw'alaams concerns, PNW LNG implemented mitigation measures for the protection of the marine environment and for the management of archaeological resources on Lelu Island. The PRPA determined the consultation and the mitigation measures to be sufficient and authorized the geotechnical feasibility investigations to proceed subject to PNW LNG's presented protocols being followed. Lax Kw'alaams took the position that consultation and the presented mitigation measures were not sufficient and continued to oppose the geotechnical feasibility investigations.

On November 7, 2013, PNW LNG confirmed, with a report prepared by its consultant Stantec, that the geotechnical investigation did not result in any adverse environmental impacts to fish or fish habitat and that only one culturally modified tree was removed for safety reasons. The culturally modified tree was managed using protocols developed jointly with PNW LNG and Metlakatla. Despite repeated requests for Lax Kw'alaams to provide its protocol for the handling of culturally modified trees, or to work with PNW LNG and Metlakatla in developing such a protocol, Lax Kw'alaams declined to do so. Lax Kw'alaams did not accept PNW LNG's offers to participate in any marine or archaeological monitoring (e.g., Lax Kw'alaams members did participate on two occasions in accompanying archaeologists performing their studies on Lelu Island) during the geotechnical feasibility investigations.

PNW LNG has extended 41 invitations to Lax Kw'alaams to meet with it to discuss the Project. Lax Kw'alaams accepted nine of those invitations, declined four of those invitations, and has not responded to 28 invitations.

Lax Kw'alaams has invited PNW LNG to meet with it three times. PNW LNG accepted two of those invitations. One of those accepted meetings was scheduled for 10:30 am May 6, 2014 and was to discuss Lax Kw'alaams submission regarding its asserted claim to Aboriginal rights and title to Lelu Island. Lax Kw'alaams cancelled that meeting on the morning of May 6, 2014. Lesley Giroday, legal counsel for Lax Kw'alaams, confirmed later that day that she no longer had instructions to discuss the Lax Kw'alaams submission with PNW LNG.

PNW LNG has requested that this meeting be rescheduled, but has not received a response from Lax Kw'alaams. PNW LNG declined a meeting to discuss a fisheries research program and instead proposed a meeting to discuss an alternative estuary conservation initiative. For a complete list of the invitations exchanged between PNW LNG and Lax Kw'alaams, please see Appendix D.

The following meetings have occurred between PNW LNG and Lax Kw'alaams:

- A project update meeting on March 14, 2013 attended by Lax Kw'alaams and PNW LNG
- Three meetings between late March and May 2013 regarding the geotechnical feasibility investigations
- A technical meeting on marine resources on November 5, 2013
- A meeting between PNW LNG and Lax Kw'alaams on December 12, 2013
- A dinner meeting on June 5, 2014 to discuss conceptual fish habitat offset programs
- Two meetings between PNW LNG and the Lax Kw'alaams IBA negotiating team, on June 27, 2014 and July 8, 2014, to discuss EA-related marine issues. IBA meetings are normally not on the record and subject to confidentiality.

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During the technical meeting on marine resources held on November 5, 2013 senior leadership of both PNW LNG and Lax Kw'alaams met with their technical advisors on marine issues. PNW LNG had previously provided Lax Kw'alaams with its Marine Data Technical Report. Lax Kw'alaams' technical advisors, the Aboriginal Independent Science Review Team subsequently provided PNW LNG with a report critiquing the Marine Data Technical Report. When requested by PNW LNG, Lax Kw'alaams declined to identify the authors of the Aboriginal Independent Science Review Team's critique or to make those authors available to discuss their critique of the Marine Data Technical Report.

During the meeting of December 12, 2013, PNW LNG offered to discuss capacity funding, an EA agreement, and PNW LNG presented the concept of establishing the Skeena Estuary Conservation Foundation. Lax Kw'alaams had previously proposed a fishery study. PNW LNG understood that the purpose of this study was to confirm high fishery values. As PNW LNG had already accepted high fishery values over the entire area for multiple species and mitigation plans are modelled around high fishery values, PNW LNG declined to participate in that study. PNW LNG instead presented the Skeena Estuary Conservation Foundation, in part, as an alternative to Lax Kw'alaams' proposed study. The Skeena Estuary Conservation Foundation would provide the opportunity for longer-term studies of fishery values and enhancement measures. PNW LNG attempted to follow up on the discussion of December 12, 2013 with Lax Kw'alaams.

A Lax Kw'alaams representative from the Skeena Fisheries Commission attended a dinner meeting with PNW LNG on June 11, 2014. That dinner included a brain-storming session on potential habitat offsetting measures. Despite not being able to meet with Lax Kw'alaams representatives for consultation regularly during 2013 and 2014, PNW LNG has been able to meet with its IBA negotiating team. In early summer 2014, Lax Kw'alaams IBA negotiators were willing to have on-the-record discussions regarding potential environmental impacts and the potential effects those impacts could have on Lax Kw'alaams' Aboriginal interests. Two meetings have occurred on those issues: one on June 27, 2014 and one on July 8, 2014. Since November 20, 2014, Lax Kw'alaams has agreed to future meetings and engagement on these issues.

Lax Kw'alaams is also participating in the Side Table on marine issues, led by the Government of Canada. Through that process Mayor Reece of Lax Kw'alaams had been meeting with Greg Kist, former CEO of PNW LNG. Although Lax Kw'alaams has not met with PNW LNG regularly to consult, Lax Kw'alaams has participated in the EA process by providing written comments. Lax Kw'alaams has provided written comments on many occasions. Some examples include the following:

- 11 comments on the Project Description submitted via letter to Progress Energy Canada Ltd. dated December 21, 2012 and emailed on January 25, 2013
- 112 detailed comments on the Environmental Impact Statement Guidelines via a letter dated March 14, 2013 to Jack Smith of the CEA Agency
- 11 comments on the Section 11 Order via a letter to Kenneth Howes of the BC EAO dated August 19, 2013
- 40 specific comments and 15 general comments on the dAIR submitted via a letter dated October 4, 2013 to Kenneth Howes of BC EAO
- Additional comments regarding the Section 11 Order and the EA Process dated November 5, 2013
- 314 follow-up comments on the dAIR submitted via letter dated December 13, 2013 to Kenneth Howes of EAO and that also contained four more general comments

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- Additional comments regarding the EA Process in a letter dated January 15, 2014 to Lindsay Jones of PNW LNG
- Additional comments on the Section 11 Order, the Crown's duty to consult, capacity funding, scope of the consultation and capacity funding via a letter dated March 31, 2014
- 320 specific comments regarding the EIS and 27 additional comments specific to marine and fisheries information submitted via letter dated May 1, 2014 to both EAO and CEA Agency
- 53 information requests submitted to the CEA Agency via letter dated May 23, 2014 (after the period for submitting information requests had closed)
- Additional comments on the Consultation Plan, the EA process, the EIS Information Requirements, the Environmental Impact Statement, Lax Kw'alaams' interests, Environmental Assessment methodology in a letter dated June 3, 2014 to Mike Lambert of PNW LNG
- Additional comments on the Consultation Record in a letter to PNW LNG also dated June 3, 2014.

The comments address issues ranging from project location, jetty-trestle location, potential impacts to marine resources, archaeological resources, marine navigation, the consultation process, EA timelines, EA methodology, impacts to wildlife to issues such as storm water run-off and facility lighting, to name a few. Since PNW LNG has been unable to discuss many of those comments in person with Lax Kw'alaams' representatives, wherever appropriate, PNW LNG has responded to Lax Kw'alaams' comments in writing.

The critical, integral issue for Lax Kw'alaams has been the potential effect of construction and operation of the marine terminal on their ability to exercise Aboriginal right to fish. Lax Kw'alaams opposed the Project on those grounds publically (e.g., distribution of You Tube videos through social media) up until June 2014 when, due to Lax Kw'alaams internal governance issues, they effectively ceased participating in the environmental assessment.

In September 2014, PNW LNG introduced the marine terminal design mitigation that included a suspended bridge-trestle that allowed liquefied natural gas (LNG) piping infrastructure to clear Flora Bank so that no project marine infrastructure would be constructed on Flora Bank. This design mitigation eliminates dredging for a berth pocket adjacent to Flora Bank and significantly reduces the volume of material for disposal-at-sea. PNW LNG believes that the terminal re-design addresses the Lax Kw'alaams major concerns with potential impacts to fishing and fish.

In January and June of 2013, PNW LNG provided Lax Kw'alaams with a total of \$40,000 in capacity funding and PNW LNG expressed its willingness to negotiate an EA agreement with Lax Kw'alaams to provide for a structured plan for consultation and the capacity funding to support it. Including the letter of January 24, 2013, PNW LNG has invited Lax Kw'alaams, in writing, to negotiate capacity funding to participate in the EA process at least five times. In the absence of an EA Agreement, in a letter dated July 23, 2013, PNW LNG offered Lax Kw'alaams \$60,000 in funding to complete a TUS. On July 29, 2013, Lax Kw'alaams declined to accept this funding saying that the funding was insufficient and that an Aboriginal Interest and Use Study would be required. Lax Kw'alaams has declined to enter into further discussions regarding the funding that would be required for a TUS or elaborate on the difference between a TUS and an Aboriginal Interest and Use Study.

PNW LNG will continue its attempts to engage Lax Kw'alaams in consultations. It will continue to meet with Lax Kw'alaams' IBA negotiating team and engage in on-the-record discussions of potential environmental impacts and potential impacts to Aboriginal interests whenever the Lax Kw'alaams' IBA negotiating team has the mandate

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to discuss such issues on the record. PNW LNG will continue to engage with Lax Kw'alaams through the federal Side Table on marine issues. PNW LNG remains committed to funding all of Lax Kw'alaams reasonable and documented expenses associated with the EA process if an EA agreement can be reached.

PNW LNG is committed to consulting with Lax Kw'alaams on mitigation measures with regards to its Aboriginal rights and interests beyond the completion of the EA process and throughout the permitting process required for all aspects of project construction and operations. This will include offering to develop a work plan and provide capacity funding to support it. The work plan will reflect management and environmental monitoring plans as suggested through the EA process and consultation with Aboriginal groups in the project permitting process.

For a complete chronology of interactions with Lax Kw'alaams, please see Appendix C.

**27.1.3.4 Consultation Activities with Gitxaala Nation**

PNW LNG began to engage Gitxaala in the late summer and fall of 2012. Engagement initially started through an exchange of letters and then developed into discussions in December 2012 and January 2013 regarding capacity funding for participation in the EA process and a TUS. Those discussions were initially sporadic and in the absence of formal negotiations, PNW LNG wrote to Gitxaala on January 24, 2013 providing capacity funding PNW LNG also wrote to Gitxaala on July 23, 2013 offering to fund a TUS. PNW LNG continued discussions with Gitxaala regarding capacity funding for an EA agreement and executed the EA agreement on May 8, 2014. Concurrently with EA discussions, PNW LNG has engaged with Gitxaala on IBA discussions.

The EA agreement describes a work plan for Gitxaala's participation in the EA process and provides funding for that work plan and Gitxaala participation in the EA process. That funding includes funding for a TUS and a Socio-Economic Study. A Gitxaala Use Study prepared for Port Edward Area LNG Projects and a Gitxaala Valued Component Report have been received to date. Through discussions with Gitxaala, PNW LNG has been made aware of a number of Gitxaala Aboriginal interests. PNW LNG will continue to engage Gitxaala regarding the TUS with the intent of providing more specificity and detail regarding how, when, where and by whom Gitxaala interests are accessed and exercised. PNW LNG will use the information from Gitxaala TUS, and its discussions with Gitxaala regarding the TUS, to refine mitigations measures it is already developing. Subject to confidentiality provisions, PNW LNG will provide more information regarding the findings of Gitxaala's TUS and how they have informed mitigation measures in its supplemental Aboriginal Consultation Report.

Gitxaala also provided PNW LNG with extensive information about its asserted rights and title claim to Lelu Island and the project area. PNW LNG's review of the material provided has increased its understanding of Gitxaala's traditional uses of Lelu Island and the project area.

PNW LNG will also review the interim draft Socio-Economic Study once it is received and consider how the new level of detail it provides can refine mitigation measures already contemplated. PNW LNG will discuss the findings of the Socio-Economic Study, and the refinements of mitigation measures with Gitxaala. PNW LNG will include any non-confidential material from Gitxaala's Socio-Economic Study in its Addendum to the Aboriginal Consultation Report.

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Gitxaala has participated in the Working Group and has provided comments throughout the EA process. PNW LNG has responded to all of Gitxaala's comments. PNW LNG has provided Gitxaala technical reports and had meetings with Gitxaala to discuss those reports.

PNW LNG is negotiating an IBA with Gitxaala. Through those confidential negotiations, PNW LNG hopes to reach an agreement with Gitxaala that will provide significant economic benefits, procurement, employment and training opportunities for Gitxaala and its members. Those discussions are still in the early stages, but PNW LNG remains optimistic that an agreement can be reached.

PNW LNG will continue to consult with Gitxaala on mitigation measures with regards to its Aboriginal rights and interests beyond the completion of the EA Process and throughout the permitting process required for all aspects of project construction and operations. This will include amending the EA agreement to reflect a jointly developed work plan and capacity funding to support it. The work plan will reflect management and environmental monitoring plans as suggested through the EA Process and Aboriginal groups consultation the permitting process.

For a complete chronology of PNW LNG's interactions with Gitxaala, please see Appendix C.

**27.1.3.5 Consultation Activities with Kitselas First Nation**

PNW LNG began to engage Kitselas in November 2012 by providing initial field study results and inviting Kitselas to attend a workshop. Kitselas attended a meeting about the Project with PNW LNG in December 2012 and provided Kitselas with more technical information about the Project at that meeting.

PNW LNG wrote to Kitselas on January 24, 2013 providing capacity funding. PNW LNG also wrote to Kitselas on July 23, 2013 offering to fund a TUS. PNW LNG continued discussions with Kitselas regarding capacity funding for an EA agreement and those discussions led to an EA agreement with Kitselas on July 22, 2014. Concurrently with EA discussions, PNW LNG has engaged with Kitselas on IBA discussions.

The EA agreement provides funding for Kitselas' participation in the EA process. It also provides funding for a TUS. An interim draft of the TUS has been received. Through discussions with Kitselas, PNW LNG has been made aware of a number of Kitselas' Aboriginal interests. PNW LNG will continue to engage Kitselas regarding the TUS with the intent of providing more specificity and detail regarding how, when, where and by whom Kitselas' interests are accessed and exercised. PNW LNG will use the information from Kitselas' TUS, and its discussions with Kitselas regarding the TUS, to refine mitigation measures it is already developing. Subject to confidentiality provisions, PNW LNG will provide more information regarding the findings of Kitselas' TUS and how they have informed mitigation measures in its supplemental Aboriginal Consultation Report.

Kitselas has participated in the Working Group and has provided comments throughout the EA process, but to a lesser degree than other Aboriginal groups. PNW LNG has responded to all of Kitselas' comments throughout that process. PNW LNG has provided Kitselas technical reports and had meetings with Kitselas to discuss those reports. Some of those reports have detailed results of archaeological investigations on Lelu Island.

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PNW LNG is negotiating an IBA with Kitselas. Through those negotiations, PNW LNG hopes to reach an agreement with Kitselas that will provide significant economic benefits, procurement, employment and training opportunities for Kitselas and its members. As of November 24, 2014, a Term Sheet for the IBA has been concluded with Kitselas and a letter of support from Kitselas for the Project is forthcoming.

PNW LNG will continue to consult with Kitselas on mitigation measures with regards to its Aboriginal rights and interests beyond the completion of the EA process and throughout the permitting process required for all aspects of project construction and operations. This will include amending the EA agreement to reflect a jointly developed work plan capacity funding to support it. The work plan will reflect management and environmental monitoring plans as suggested through the EA process and Aboriginal groups consultation in permitting process.

For a complete chronology of PNW LNG's interactions with Kitselas, please see Appendix C.

**27.1.3.6 Consultation Activities with Kitsumkalum First Nation**

PNW LNG began to engage Kitsumkalum in October of 2012. Initial engagement delivered information about the Project through letters. Kitsumkalum participated in field studies for soil sampling and marine bird surveys in August 2012 and January 2013. PNW LNG also provided Kitsumkalum with technical information about the Project in October and December 2012. PNW LNG invited Kitsumkalum to attend an information session regarding the Project in December 2012.

PNW LNG wrote to Kitsumkalum on January 24, 2013 providing capacity funding. PNW LNG wrote to Kitsumkalum on July 23, 2013 offering to fund a TUS. PNW LNG continued discussions with Kitsumkalum regarding capacity funding for an EA agreement and executed EA agreement on April 3, 2014. Kitsumkalum passed a Band Council Resolution on April 2, 2014 authorizing the execution of the EA agreement. Concurrent with EA discussions, PNW LNG has engaged with Kitsumkalum in IBA discussions that continue at time of writing of this EIS Addendum.

The EA agreement provides funding for Kitsumkalum's participation in the EA process. It also provides funding for a TUS and a Socio-Economic Study. An interim draft of the TUS has been received. Through discussions with Kitsumkalum, PNW LNG has already been made aware of a number of Kitsumkalum's Aboriginal interests.

PNW LNG will continue to consult with Kitsumkalum regarding the TUS with the intent of providing more specificity and detail regarding how, when, where and by whom Kitsumkalum's interests are accessed and exercised. PNW LNG will use the information from Kitsumkalum's TUS, and its discussions with Kitsumkalum regarding the TUS, to refine mitigations measures it is already developing. Subject to confidentiality provisions, PNW LNG will provide more information regarding the findings of Kitsumkalum's TUS and how they have informed mitigation measures in its Addendum to the Aboriginal Consultation Report.

PNW LNG will review the Socio-Economic Study once it is received and consider how the new level of detail it provides can refine mitigation measures already contemplated when it receives the interim Socio-Economic Study and discusses it with Kitsumkalum. PNW LNG included non-confidential material from Kitsumkalum's Socio-Economic Study in its Addendum to the Aboriginal Consultation report.



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Kitsumkalum has participated in the Working Group and has provided comments throughout the EA process. PNW LNG has responded to all of Kitsumkalum's comments throughout that process. PNW LNG has provided Kitsumkalum technical reports and had meetings with Kitsumkalum to discuss those reports. Some of those reports have detailed results of archaeological investigations on Lelu Island. Kitsumkalum participated in further archaeological work on Lelu Island in July 2014. PNW LNG is negotiating an IBA with Kitsumkalum. Through those negotiations, PNW LNG hopes to reach an agreement with Kitsumkalum that will provide significant economic benefits, procurement, employment and training opportunities for Kitsumkalum and its members. Those discussions are still in the early stages, but PNW LNG remains optimistic that an agreement can be reached.

PNW LNG will continue to consult with Kitsumkalum on mitigation measures with regards to its Aboriginal rights and interests beyond the completion of the EA Process and throughout the permitting process required for all aspects of project construction and operations. This will include amending the EA agreement to reflect a jointly developed work plan and capacity funding to support it. The work plan will reflect management and environmental monitoring plans as suggested through the EA process and Aboriginal groups consultation throughout the permitting process.

For a complete chronology of PNW LNG's interactions with Kitsumkalum, please see Appendix C.

**27.1.3.7 Consultation Activities with Gitga'at First Nation**

PNW LNG's discussions with Gitga'at led to an EA agreement with Gitga'at on April 10, 2014. Gitga'at passed a Band Council Resolution on April 24, 2014 ratifying the EA agreement.

The EA agreement provides funding for a TUS and a Socio-Economic Study. A Preliminary Results Report of a Traditional Use and Occupancy Study has been received. Through discussions with Gitga'at, PNW LNG has been made aware of a number of Gitga'at's Aboriginal interests. PNW LNG will continue to engage Gitga'at regarding the TUS with the intent of providing more specificity and detail regarding how, when, where and by whom Gitga'at's Aboriginal interests are accessed and exercised. PNW LNG provided the information from Gitga'at's TUS, and its discussions with Gitga'at regarding the TUS, to refine mitigations measures. Subject to confidentiality provisions, PNW LNG has provided information regarding the findings of Gitga'at's TUS and how they have informed mitigation measures in its supplemental Aboriginal Consultation Report.

PNW LNG will continue to consult with Gitga'at on mitigation measures with regards to its Aboriginal rights and interests beyond the completion of the EA process and throughout the permitting process required for all aspects of project construction and operations. This will include amending the EA agreement to reflect a jointly developed work plan and the capacity funding to support it. The work plan will reflect management and environmental monitoring plans as suggested through the EA process and Aboriginal groups consultation in the permitting process.

For a complete chronology of PNW LNG's interactions with Gitga'at, please see Appendix C.



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**27.1.4 Information on Each Aboriginal Group’s Potential or Established Rights**

**27.1.4.1 Introduction**

Data sources for this section include information from:

- Past research conducted in the region
- Publicly available TU/TK information
- Project-specific TK/TK information
- Engagement with potentially affected Aboriginal groups
- Knowledge gained from the collection of baseline data during a literature review and qualitative and quantitative analysis
- Information gathered for the assessments of other VCs
- Government reports
- Court decisions and related court documents.

The Proponent funded Traditional Use Studies (TUS) for the Aboriginal Groups. To date, TUS reports have been completed and were submitted between May 2014 and August 2014 for Metlakatla First Nation, Gitxaala Nation, Kitselas First Nation, and Kitsumkalum First Nation. Gitga’at First Nation have also submitted an interim TUS report (Calliou Group 2014b; Crossroads CRM 2014; DMCS 2014; Inglis 2014; Pulla 2014) The Proponent met individually with Metlakatla First Nation, Gitxaala Nation, Kitselas First Nation, and Kitsumkalum First Nation to review findings and to determine if an approach could be developed to provided further site specific information to the categories of uses outlined in the TUS, clarify issues, concerns and potential interactions, and to discuss potential mitigation measures. Information contained in the TUS reports and collected during subsequent meetings and correspondence informed the assessment of effects on Aboriginal rights and related interests.

To date, a TUS has not been completed for Lax Kw’alaams First Nation. The Proponent recognizes Lax Kw’alaams First Nation’s strong claim to Aboriginal rights to hunt, fish and gather plants and cedar bark. The Proponent provided Lax Kw’alaams First Nation with capacity funding in 2013, and on June 5, 2014 went even further writing to Lax Kw’alaams First Nation to confirm that it would reimburse Lax Kw’alaams for all documented and reasonable expenses associated with the EA process. This offer included capacity funding to conduct a TUS. PNW LNG attempted to engage with to Lax Kw’alaams First Nation to attempt to collect information about the Nation’s Current Aboriginal Uses, and its issues, concerns, and interests in relation to potential impacts of the Project on the Nations’ Current Aboriginal Use. In 2012 and 2013, PNW LNG pursued negotiations regarding an EA agreement with Lax Kw’alaams First Nation. The Nation was also invited to monitor archaeological inventory surveys, to investigative geotechnical programs on Lelu Island, to tour the project site, and to participate in a wide variety of studies.<sup>5</sup>

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<sup>5</sup> Studies include marine inter-tidal and foreshore biological surveys, marine sediment sampling programs, country foods baseline assessments, fresh water fisheries inventories, migratory bird surveys, archaeological investigations on the mainland, baseline soil and vegetation acidification surveys.

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Since the studies undertaken in mid-2013, PNW LNG has extended 41 invitations to Lax Kw'alaams First Nation to meet with it to discuss the Project. Lax Kw'alaams First Nation accepted nine of those invitations, declined four and not responded to 28.

In the absence of primary information provided to PNW LNG from Lax Kw'alaams, PNW LNG has made reasonable efforts to collect information related to Lax Kw'alaams First Nation's Current Aboriginal Use from secondary sources. Table 27-13 presents secondary sources reviewed.

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**Table 27-13 Secondary Sources Reviewed for Lax Kw’alaams Current Aboriginal Use**

Title	Date	Relevant Information	Source
<b>Recent and ongoing Environmental Assessments</b>			
Canpotex Potash Terminal Project	2013	Lax Kw’alaams included as an Aboriginal group. No detailed information on Current Aboriginal Use	<a href="http://www.ceaa-acee.gc.ca/050/documents/p47632/81285E.pdf">http://www.ceaa-acee.gc.ca/050/documents/p47632/81285E.pdf</a>
Northwest Transmission Line Project	2010	The Lax Kw’alaams First Nation asserted territories include territories on the lower Skeena River, winter villages at Prince Rupert Harbour, coastal areas such as the outer Islands around Prince Rupert such as the Dundas islands and Stephens Island, and areas north of the Skeena River to Portland Inlet, including Work Channel and the Khutzeymateen Inlet. No Current Aboriginal Use information provided	<a href="http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_project_home_299.html">http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_project_home_299.html</a>
Prince Rupert Gas Transmission Project	Under review	Section 33.12.1.1 of Part C of the Application has some information on Land Use and Practices: “The Lax Kw’alaams Band Fishery, wholly owned by Lax Kw’alaams Band, is the leading canned food producer in Port Simpson. The company’s products comprise canned fish, canned crab, canned seafood, fish roe, and fish-oil (omega 3) for natural food supplements industry. Lax Kw’alaams Band also has ownership of the Coast Tsimshian Fishery, which is certified by the Marine Stewardship Council (LKB 2010).”	<a href="http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_project_home_403.html">http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_project_home_403.html</a>
LNG Canada Export Terminal Project	In progress	Lax Kw’alaams included as an Aboriginal group. Currently available information on the project does not include current use information	<a href="http://www.ceaa-acee.gc.ca/050/details-eng.cfm?evaluation=80038">http://www.ceaa-acee.gc.ca/050/details-eng.cfm?evaluation=80038</a>
Prince Rupert LNG Project	In progress	Lax Kw’alaams included as an Aboriginal group. Currently available information on the project does not include current use information	<a href="http://www.ceaa-acee.gc.ca/050/details-eng.cfm?evaluation=80042">http://www.ceaa-acee.gc.ca/050/details-eng.cfm?evaluation=80042</a>
Aurora LNG Digby Island	In progress	Lax Kw’alaams included as an Aboriginal group. Currently available information on the project does not include current use information	<a href="http://www.ceaa-acee.gc.ca/050/details-eng.cfm?evaluation=80075">http://www.ceaa-acee.gc.ca/050/details-eng.cfm?evaluation=80075</a>
<b>Lax Kw’alaams First Nation’s public information</b>			
Lax Kw’alaams First Nation website	n.d.	References history of fishing, no mention of species or locations.	<a href="http://laxkwalaams.ca/">http://laxkwalaams.ca/</a>

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Title	Date	Relevant Information	Source
<b>Legal Decisions</b>			
Lax Kw'alaams Indian Band v. Canada (Attorney General), 2011 SCC 56, [2011] 3 S.C.R. 535	2011	References history of trade in eulachon grease and Lax Kw'alaams First Nation's current commercial fishing interests. No further details on Current Aboriginal Use provided.	<a href="https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/7972/index.do">https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/7972/index.do</a>
<b>Scholarly and grey literature</b>			
English, Schmidt, Ruggerone, and Devitt. Surveillance Report British Columbia Commercial Sockeye Salmon Fisheries. Intertek Moody Marine: Dartmouth, NS	2012	Lax Kw'alaams communal food, social and ceremonial (FSC) sockeye fishery in Area 5, Skeena River Watershed and approach waters	<a href="http://www.msc.org/track-a-fishery/fisheries-in-the-program/certified/pacific/british-columbia-sockeye-salmon/assessment-downloads-1/20120828_SR_SAL19.pdf">http://www.msc.org/track-a-fishery/fisheries-in-the-program/certified/pacific/british-columbia-sockeye-salmon/assessment-downloads-1/20120828_SR_SAL19.pdf</a>
Charles R. Menzies and Caroline F. Butler, "The Indigenous Foundation of the Resource Economy of BC's North Coast" Labour/Le Travail, 61 (Spring 2008), 131–149.	2008	Mention of industrial forestry. No other Current Aboriginal Use documented	<a href="http://www.iltjournal.ca/index.php/ilt/article/view/5529/6393">http://www.iltjournal.ca/index.php/ilt/article/view/5529/6393</a>
Matthews and Young (2005). Development on the Margin-Development Orthodoxy and the Success of Lax Kw'alaams, British Columbia - Journal of Aboriginal Economic Development, 2005	2005	Acquisition of timber assets. No other Current Aboriginal Use documented.	<a href="http://portal.usask.ca/docs/Journal%20of%20Aboriginal%20Economic%20Development/JAED_v4no2/JAED_v4no2_Article_pg100-108.pdf">http://portal.usask.ca/docs/Journal%20of%20Aboriginal%20Economic%20Development/JAED_v4no2/JAED_v4no2_Article_pg100-108.pdf</a>
Cassidy and Dale After Native Claims?: The Implications of Comprehensive Claims Settlements for Natural Resources in British Columbia. Institute for Research on Public Policy: Halifax, NS.	1988	Discussion of Lax Kw'alaams First Nations' 1983 agreement with Dome Petroleum Ltd. with respect to its Grassy Point LNG Project. No details on Lax Kw'alaams First Nations' Current Aboriginal Use	Institute for Research on Public Policy: Halifax, NS.
Kessel Community involvement in "mega-project" planning : a case study of the relationship between the Lax Kw'alaams Indian Band and Dome Petroleum	1984	Most community members work in the fishing industry (cannery or onboard trollers and gillnetters)	<a href="http://circle.ubc.ca/handle/2429/25001">http://circle.ubc.ca/handle/2429/25001</a>

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In addition to the TUS reports, the following specific data sources were used:

- Academic Sources, including PhD Theses and Journal Articles (Coupland 1985; McDonald 1985; Halpin and Seguin 1990; Matthews and Young 2005; McDonald 2006)
- Books and other reference materials (i.e., Emmons 1912; Boas 1916; Miller 1997; Moerman 1998; Berthiaume 1999; McDonald 2003; Haggarty and Lutz 2006; Muckle 2007)
- Technical reports (i.e., Seguin-Anderson 2006; Ference Weiker & Company Ltd. 2009; Gill and Ritchie 2011; Marsden 2011; Menzies 2011; Marsden 2012; Satterfield et al. 2012).

In addition, for the purposes of this EIS, PNW LNG commissioned a report that synthesized publically-available information regarding current and past Aboriginal use of Lelu Island (Clark 2013).

**27.1.4.2 Background on the Nature of Aboriginal Rights**

Section 35 of the *Constitution Act* (1982) sets out the rights of Aboriginal people in Canada and states:

35. (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

(2) In this Act, "aboriginal peoples of Canada" includes the Indian, Inuit and Métis peoples of Canada.

(3) For greater certainty, in subsection (1) "treaty rights" includes rights that now exist by way of land claims agreements or may be so acquired.

(4) Notwithstanding any other provision of this Act, the aboriginal and treaty rights referred to in subsection (1) are guaranteed equally to male and female persons.

Aboriginal rights are constitutionally protected rights held by Aboriginal people that relate to activities that are an element of a practice, custom, or tradition integral to the distinctive culture of the Aboriginal group claiming such rights, and have continuity with the practices, customs and traditions that existed prior to contact with European society. They may include (but are not limited to) rights related to activities such as hunting, fishing, and trapping, and include Aboriginal title<sup>6</sup>.

If proven in court or accepted by the Crown, Aboriginal title provides an Aboriginal group with the right to exclusive possession of land, the right to control how land is used, and the right to the economic benefits from that land<sup>7</sup>. As the first instance of Aboriginal title was only confirmed by the Supreme Court of Canada in 2014, the specific nature of the rights associated with Aboriginal title remains to be clarified. PNW LNG understands that Aboriginal groups have asserted that they have Aboriginal title to areas that are within, or are near to, the project development area. PNW LNG also understands that Aboriginal groups have not proven their Aboriginal title claims in court and that the Crown has not accepted these assertions of Aboriginal title..

<sup>6</sup> *R. v. Van der Peet*, [1996] 2 S.C.R. 507, 137 D.L.R. (4th) 289

<sup>7</sup> *Tsilhqot'in Nation v. British Columbia*, 2014 SCC 44

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**27.1.4.3 Metlakatla First Nation Potential and Established Aboriginal Rights**

Metlakatla First Nation asserts that it has Aboriginal rights (including Aboriginal title) in its asserted traditional territory. It acknowledges that it shares common territory and interests with its Tsimshian neighbors (MFN and BC 2006). Metlakatla First Nation has specifically asserted that Lelu Island is in the heart of its traditional territory, and that the lands and waters on, and surrounding, Lelu Island have longstanding traditional and current use by Metlakatla First Nation members (Metlakatla Stewardship Office Pers. comm. 2013). Metlakatla First Nation staff representatives assert that development of Lelu Island and associated marine-based activities will affect its Aboriginal title (Metlakatla Stewardship Office Pers. comm. 2013).

In a letter dated June 14, 2013 sent by the CEA Agency to the Metlakatla First Nation regarding the consultation approach for the federal environmental assessment for the Project, the CEA Agency noted that the federal government had assessed the Coast Tsimshian (Metlakatla First Nation and Lax Kw'alaams First Nation) as having a strong claim to Aboriginal rights related to marine harvesting, as well as plant and cedar bark harvesting in the Prince Rupert Harbour area. In addition the federal government viewed the Coast Tsimshian as having a weak to moderate claim to Aboriginal title in particular locations in the Prince Rupert Harbour area.

In *Lax Kw'alaams Indian Band v. Canada (Attorney General)* (2011), the Supreme Court of Canada reiterated and did not contradict the findings of the lower court trial judge concerning the practices, customs, and traditions of the pre-contact Coast Tsimshian, (a term the court defined as comprising the nine tribes that Lax Kw'alaams First Nation and Metlakatla First Nation would later evolve from):

- Coast Tsimshian people harvested a wide variety of fish resources and products through an array of fishing techniques, with salmon and eulachon forming the core of their subsistence economy
- Harvesting and consumption of marine resources and products, including the creation of a surplus supply for winter consumption, was an integral part of the distinctive culture of the Coast Tsimshian.

In its assessment report for the proposed NaiKun Wind Project, BC EAO found that, for the purposes of the Crown's duty to consult with regard to that project, Metlakatla First Nation traditionally used the portion of the submarine cable area from the proposed NaiKun wind farm along the northeast coast of Haida Gwaii eastward through Edye Passage between Stephens and Porcher Islands and the area crossed by the overhead transmission cable from Ridley Island to the mainland at Port Edward, for fishing, marine mammal hunting, marine harvesting, and vegetation harvesting, including timber harvesting (BC Environmental Assessment Office 2009).

For the purposes of the assessment for the proposed NaiKun Wind Project, BC EAO assumed that Metlakatla First Nation had a strong *prima facie* case in support of its Aboriginal right to fish, hunt marine mammals, and harvest marine resources for food, social, and ceremonial purposes within the mainland submarine cable corridor and cable landfall location for that project, and also in support of its Aboriginal right to hunt, trap, and gather within the mainland terrestrial portion of the proposed NaiKun project area, including the cable landfall and transmission line. BC EAO also assumed that Metlakatla First Nation had a strong *prima facie* case in support of an Aboriginal right to harvest timber in the same area for domestic purposes. Furthermore, BC EAO assessed that Metlakatla First Nation had a *prima facie* case in support of an Aboriginal title claim to the terrestrial area covered

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by the Naikun Wind Project. This area included both the mainland cable landfall along Ridley Island and Port Edward and transmission line to the Port Edward substation (BC Environmental Assessment Office 2009).

**27.1.4.4 Lax Kw’alaams First Nation Potential and Established Aboriginal Rights**

In 2002, Lax Kw’alaams First Nation commenced a proceeding in the BC Supreme Court and sought a declaration that it has existing Aboriginal rights to harvest all species of “Fish Resources” (defined to mean all species of fish, shellfish, and aquatic plants) within its “tribal territories,” and to sell them on a commercial scale in Canada. In her decision, Madam Justice Satanove wrote the following:

No one disagrees that the pre-contact Coast Tsimshian and the present day Coast Tsimshian are a fishing people. Indeed, their very existence is attributed to the abundance of marine and riverine foods available to them. There are, however, two types of Fish Resources that supersede all others in their influence on Coast Tsimshian history and culture, and those are eulachon and salmon. These fish dictated where and how the pre-contact Coast Tsimshian spent their time during the year. They were revered in ritual, endowed with supernatural qualities in the halait, or adaawx, and formed the core of the subsistence economy. All other Fish Resources pale by comparison.<sup>8</sup>

Madam Justice Satanove concluded, in part, that Lax Kw’alaams First Nation had proven that the harvesting and consumption of fish resources and products, including the creation of a surplus supply for winter consumption, was an integral part of the distinctive Coast Tsimshian culture.

In *Lax Kw’alaams Indian Band v. Canada (Attorney General)* (2011), the Supreme Court of Canada reiterated and did not contradict the following findings of the lower court trial judge concerning the practices, customs, and traditions of the pre-contact Coast Tsimshian (a term the court defined as comprising the nine tribes that Lax Kw’alaams First Nation and Metlakatla First Nation would later evolve from):

- The Coast Tsimshian harvested a wide variety of fish resources and products through an array of fishing techniques
- Harvesting and consumption of fish resources and products, including the creation of a surplus supply for winter consumption, was an integral part of their distinctive culture.

In a letter dated June 14, 2013 sent by the CEA Agency to the Lax Kw’alaams First Nation regarding the consultation approach for the federal environmental assessment for the Project, the CEA Agency noted that the federal government had assessed the Coast Tsimshian (which they specifically defined as the Metlakatla First Nation and Lax Kw’alaams First Nation) as having a strong claim to Aboriginal rights related to marine harvesting as well as plant and cedar bark harvesting in the Prince Rupert Harbour area. In addition the federal government viewed the Coast Tsimshian as having a weak to moderate claim to Aboriginal title in particular locations in the Prince Rupert Harbour area. They found that potential adverse impacts of the Project on the potential Aboriginal rights of the Coast Tsimshian within the Prince Rupert Harbour area were moderate to severe and included impacts on fishing, shellfish and marine plant harvesting, terrestrial plant harvesting and historic marine navigation in and around Lelu Island by the main components of the Project.

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<sup>8</sup> *Lax Kw’alaams Indian Band v. Canada (Attorney General)*, 2008 BCSC 447 (CanLII)

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In written correspondence with the CEA Agency in August 2013, Lax Kw'alaams First Nation asserted that it has a strong claim to Aboriginal rights within the Prince Rupert Harbour area. It also asserted that its Aboriginal rights include fishing, shellfish and marine plant harvesting, terrestrial plant harvesting, and historical marine navigation, that it is not limited to those rights, and that its protected Aboriginal rights include “countless practices” integral to the distinctive Lax Kw'alaams First Nation culture, including:

- Practices related to governing and stewarding lands waters and resources in Lax Kw'alaams First Nation territory
- Spiritual and cultural practices
- Commercial (trade) practices
- Economic components of Aboriginal title and cultural interests (Lax Kw'alaams 2013 pers. comm.).

In that same correspondence, Lax Kw'alaams First Nation asserted that the ethno-historic, ethnographic, oral history and archaeological evidence for its Aboriginal title to particular locations in the Prince Rupert Harbour area was “extensive” and, in its opinion, described a well-developed society that used and occupied the area for thousands of years. It further asserted that, at and after the assertion of Crown sovereignty, Lax Kw'alaams First Nation ancestors regularly and exclusively used and occupied the lands and waters in the Prince Rupert Harbour area in a manner sufficient to support a strong Aboriginal title claim. Furthermore, it asserted that regular use and occupation by Lax Kw'alaams First Nation ancestors grounded a strong Aboriginal title claim to Lelu Island, which it characterized as adjacent to permanent village sites where “thousands of Coast Tsimshian lived for thousands of years, and adjacent to a flourishing fishery that Lax Kw'alaams has always depended on.” In support of this, the Lax Kw'alaams First Nation noted the presence of hundreds of culturally modified trees on Lelu Island (Lax Kw'alaams 2013 pers. comm.).

On January 21, 2014, after other verbal attempts, PNW LNG wrote to Lax Kw'alaams and requested their Lax Kw'alaams Land Use Plan (2004). The Proponent's understands that this plan documents their cultural and heritage values around Lelu Island. No response was received from Lax Kw'alaams to this request.

In its assessment report for the NaiKun Wind Project, BC EAO acknowledged that in recent court decisions Lax Kw'alaams First Nation had established generally that its predecessors fished and lived in the Prince Rupert Harbour area, on the coastal islands known as the Dundas Island Group, and along the mouth and some of the tributaries of the lower Skeena River. BC EAO acknowledged that there was a strong *prima facie* case in support of an Aboriginal right to fish, hunt marine mammals, and harvest marine resources for food, social and ceremonial purposes in some of the project area, specifically in the Prince Rupert Harbour area, on the coastal islands known as the Dundas Island Group, and along the mouth and some of the tributaries of the lower Skeena River.

For the purposes of the Crown's duty in relation to the Project, BC EAO assumed that Lax Kw'alaams First Nation had a good *prima facie* case in support of an Aboriginal right to hunt, trap and gather in the mainland terrestrial portion of the project area, including the cable landfall on Ridley island and Prince Edward and the transmission line to the Port Edward substation. For the purposes of the Crown's duty in relation to the Project, BC EAO assumed that Lax Kw'alaams First Nation also had a strong *prima facie* case in support of an Aboriginal right to harvest timber for domestic purposes in the mainland terrestrial portion of the project area.



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For the purposes of the duties associated with the NaiKun Wind Project, BC EAO assumed that a *prima facie* case existed in support of an Aboriginal title claim to some of the terrestrial portion of the area encompassing the proposed Naikun Wind Project, including the cable landfall area and overhead transmission line area in the Port Edward area (BC Environmental Assessment Office 2009).

**27.1.4.5 Gitxaala Nation Potential and Established Aboriginal Rights**

In a letter dated June 14, 2013 sent by the CEA Agency to the Gitxaala Nation regarding the consultation approach for the federal environmental assessment for the Project, the CEA Agency noted that the federal government had assessed the Gitxaala Nation as having a weak claim to potential Aboriginal rights in the Prince Rupert Harbour area, and a very weak claim to Aboriginal title in the Prince Rupert Harbour area. Potential adverse impacts on the potential Aboriginal rights of the Gitxaala Nation within the Prince Rupert Harbour area were identified as moderate to severe, and included adverse impacts on fishing, shellfish and marine plant harvesting, terrestrial plant harvesting and historic marine navigation in and around Lelu Island.

Gitxaala Nation asserts “sovereign Aboriginal rights”, including Aboriginal title, jurisdiction and stewardship over the lands, water and resources within their asserted traditional territories based on their laws, oral history and customs (Gitxaala Nation and BC 2006). In a letter to the CEA Agency, dated March 11, 2013, Gitxaala Nation has also asserted unextinguished Aboriginal title and rights to the Prince Rupert Harbour area, including Lelu Island (Gitxaala Nation 2013 Pers. comm.). In addition, the Gitxaala Nation, through their environmental monitoring office, has stated:

This is one of a number of projects proposed for the Prince Rupert and Port Edward areas, which are areas that Gitxaala members have and continue to intensively use and occupy in accordance with Gitxaala’s distinctive culture and way of life. For a variety of reasons – including historical connection to and use of the area – these are important population centres for Gitxaala and locations where Gitxaala members continue to exercise their section 35 rights.” (Gitxaala Environmental Monitoring pers. comm. 2013).

In their assessment report for the NaiKun Wind Farm Project, BC EAO found that Gitxaala Nation traditionally used a portion of the submarine cable area from the proposed wind farm to the mainland (particularly areas near Porcher Island and Edye Passage) for fishing, marine mammal hunting, and marine resource harvesting, and that those harvesting activities continue today, including in areas around Porcher Island and Edye Passage. For the purposes of the Crown’s duty to consult in relation to the Project, BC EAO assumed that Gitxaala Nation had the following (BC Environmental Assessment Office 2009):

- A strong *prima facie* case in support of an Aboriginal right to fish, hunt marine mammals and harvest marine resources for food, social and ceremonial purposes within a portion of the submarine mainland transmission line route
- A *prima facie* case in support of an Aboriginal right to hunt, trap, and gather within the mainland terrestrial portion of the project area, including the cable landfall and transmission line.

In addition, BC EAO assumed that Gitxaala Nation had a *prima facie* case in support of an Aboriginal right to harvest timber for domestic purposes within the mainland terrestrial portion of the project area, including the cable landfall and transmission line.

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The BC EAO also found that the Gitxaala Nation had a *prima facie* case in support of an Aboriginal title claim to the portion of the project area of the cable landfall on Ridley Island and the transmission cable to Port Edward and a portion of the submarine cable area from the wind farm to the mainland in the vicinity of Porcher Island and Ede Passage (BC Environmental Assessment Office 2009).

**27.1.4.6 Kitselas First Nation Potential and Established Aboriginal Rights**

Kitselas First Nation has asserted that they have Aboriginal title to their entire asserted traditional territory based on their exercise of land and resource management jurisdiction over the entire area (BC Environmental Assessment Office 2008).

In a letter dated June 14, 2013 sent by the CEA Agency to the Kitselas First Nation regarding the consultation approach for the federal environmental assessment for the Project, the CEA Agency noted that the federal government had assessed the Kitselas First Nation as having a very weak claim to Aboriginal rights and title in the Prince Rupert Harbour area. Potential adverse impacts on the potential Aboriginal rights of the Kitselas First Nation within Prince Rupert Harbour area were moderate to severe, and included potential adverse impacts on fishing, shellfish and marine plant harvesting, and marine navigation in and around Lelu Island.

**27.1.4.7 Kitsumkalum First Nation Potential and Established Aboriginal Rights**

In a letter to the CEA Agency dated March 4, 2013, Kitsumkalum First Nation Chief Councillor Don T. Roberts stated that, with regard to the PNW LNG Project, “(the Kitsumkalum Indian Band holds Aboriginal Rights and Title to Lelu Island and all of the lands covered by this proposal” (Kitsumkalum Indian Band 2013 pers. comm.).

On June 14, 2013, CEA Agency wrote to Kitsumkalum First Nation regarding its proposed consultation approach for the federal environment assessment for the Project. The federal government’s position at that time was that the Kitsumkalum First Nation had a very weak claim to Aboriginal rights and Aboriginal title within the Prince Rupert Harbour area.

In response, the Kitsumkalum First Nation informed the CEA Agency by letter that they were actively gathering oral history, archival information, archaeological information, and published information, and were carrying out genealogical research in support their claim that they occupied territory in and around Prince Rupert Harbour at the time of contact and at the time of the assertion of sovereignty by the British Crown. Kitsumkalum First Nation wrote the following:

*“The coast is a crucial and significant part of Kitsumkalum Tsimshian tradition and culture. Harvesting from our coastal sites has always provided significant subsistence for our community. We continue to exercise our Aboriginal rights within and around the Prince Rupert Harbour area and larger coast today, and rely on this subsistence to feed our community and other cultural activities such as feasts and teaching our youth. It also provides us with an economy that is much needed by our people.”*

Kitsumkalum First Nation asserted that, based on the genealogy of its members and traditional law, it holds Aboriginal title to certain coastal sites within and around the Prince Rupert Harbour area and that “the connection of Kitsumkalum to our history and traditions on the coast, as well as our current use of these areas, remains

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unchanged”. More specifically, Kitsumkalum First Nation asserted Aboriginal rights, including Aboriginal title, to Casey Point [on the west coast of Kaien Island within the local assessment area (LAA)] and a nearby settlement at Barrett Rock. Kitsumkalum First Nation asserted that Casey Point is a site owned by Kitsumkalum First Nation according to their *ayaawk* (traditional law). Kitsumkalum First Nation characterized Casey Point as “a settlement and resource area with great cultural importance”, as an area that was “strategic for Kitsumkalum’s economic pattern” that served as a base for resource harvesting and as a settlement site for members enroute to other key locations: *Spa Xksuutks* (Port Essington), *Kwel’mass* (Island Point), and *Lax Spa Suunt* (Arthur Island)”.

Kitsumkalum First Nation also asserted in its letter that there was a Kitsumkalum First Nation settlement on the northeast (mainland) side of Lelu Island, with recorded sites consisting of culturally modified trees.

Kitsumkalum First Nation is currently entering Stage 5 of the BC treaty process (negotiation of a Final Agreement). As part of negotiations of an Agreement-in-Principle under the BC treaty process, Kitsumkalum First Nation has noted that it has led federal, provincial, and treaty commission officials on tours identifying certain coastal sites that they assert that they have traditionally used “since time immemorial and continue to do so today,” including Casey Point on Kaien Island and Lelu Island.

### **27.1.4.8 Gitga’at First Nation Potential and Established Aboriginal Rights**

The Gitga’at First Nation asserts Aboriginal rights to use traditional sites and to harvest traditional marine and terrestrial food in the Prince Rupert Harbour area. It has also stated that the Project may cause potential adverse impacts to fishing, shellfish and marine harvesting in and around Lelu Island.

The CEA Agency, via letter of November 6, 2013, directed PNW LNG to engage Gitga’at First Nation to collect information for the purpose of assessing environmental effects under s. 5.1(c) of the *Canadian Environmental Assessment Act 2012*. The November 6, 2013 letter noted that some of Gitga’at’s members currently use lands and resources for traditional purposes in the Prince Rupert harbour area. In a letter dated February 19, 2014, the BC EAO took the view that given Gitga’at’s asserted Aboriginal rights related to the Project, consultation at the lower end of the Haida spectrum was appropriate. In letters dated September 24, 2014 and August 22, 2014, BC EAO has also indicated that recent submissions made by Gitga’at have not changed its February 19, 2014 assessment of Gitga’at’s interests in the project area. In its September 24, 2014 letter, BC EAO noted that Gitga’at’s most recent submission does not confirm that Gitga’at occupied sites in the Prince Rupert Harbour area at the times which are relevant for determining Aboriginal rights (1787) and Aboriginal title (1846).

### **27.1.5 Overview of Key Comments and Concerns**

#### **27.1.5.1 General Comments and Concerns of Aboriginal Groups**

Table 27-14 provides an overview (as understood by PNW LNG) of general key comments and concerns provided by two or more of the interested First Nations. Specific additional key issues raised by individual Aboriginal groups are discussed in subsequent sections.

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**Table 27-14 Overview of Key Comments and Concerns Provided by Aboriginal Groups**

Key Comments and Concerns	Responses Provided by Government or Pacific NorthWest LNG
<b>Engagement, Consultation and Participation</b>	
Duty to consult	<p>PNW LNG is undertaking procedural aspects of the duty to consult. PNW LNG is committed to ongoing Aboriginal engagement throughout the life of the Project.</p> <p>PNW LNG had entered into an Environmental Assessment agreements with all Tsimshian First Nations except Lax Kw'alaams that provides band-specific capacity funding for to support the environmental assessment process as well as other activities, including alternate disposal at sea analyses, TU/TK studies and “community-specific” Socio-Economic Impact Assessments.</p> <p>PNW LNG has documented numerous attempts to engage Lax Kw'alaams. These consultations are summarized in Appendix 27A, building on the original Appendix A in the EIS submitted February 28, 2014.</p>
Concerns about strength of claim assessments and identification of First Nations' interests	<p>PNW LNG takes no position on the relative strength of claims to Aboriginal rights and title in the vicinity of the Project, or conclusions reached by the federal and provincial governments regarding those claims.</p> <p>However, PNW LNG has collected and reviewed publicly available information about Aboriginal rights and title to the Prince Rupert Harbour area to better understand the Aboriginal rights and interests that could be affected by the Project at Lelu Island.</p> <p>PNW LNG provided resources to five First Nations under EA agreements to resource and complete TU/TK studies. An EA agreement was not reached with Lax Kw'alaams and a TU/TK study was not completed and submitted by that First Nation.</p> <p>PNW LNG continues to engage Aboriginal groups to learn about and respond to their interests and concerns regarding the Project and welcomes any information provided by Aboriginal groups regarding the potential impacts of the Project on their interests.</p>
<b>Environmental Assessment Methodology</b>	
Selection of valued components	<p>PNW LNG has reviewed the possible range of potential VCs and has selected those VCs that meet both federal and provincial requirements and are likely to address anticipated concerns of interested Aboriginal groups (identified based on prior experience with other projects that are similar to the Project or are located in the Prince Rupert and Kitimat areas).</p> <p>One of the considerations for choosing VCs was that potential adverse effects on the VC must be meaningful and measurable and of concern to Aboriginal people. PNW LNG reviewed submissions from the aboriginal groups with respect to their views on VC's, and where appropriate, incorporated their views into VC selection with the assistance of the environmental assessment regulators.</p>
Selection of study areas	<p>The LAAs for each VC includes the specific geographic areas within which potential effects can be measured and assessed. The regional assessment area (RAA) for each VC includes a larger area that establishes context for project-specific effects and is the area for which the Project's contribution to cumulative effects will be assessed.</p>
Baseline studies and conditions	<p>Baseline conditions are described using a combination of field studies and a review of existing literature. Baseline data was collected using local ecological knowledge (where available) and field surveys using methods accepted by provincial and federal regulators.</p> <p>PNW LNG also commissioned an Aboriginal use and occupancy study to better understand the historical context and possible current uses of Lelu Island for traditional purposes (Clark 2013). Where applicable, data from the literature was integrated with project-specific field studies to assess effects on VCs.</p>

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Key Comments and Concerns	Responses Provided by Government or Pacific NorthWest LNG
Concerns about use of baseline studies from similar projects in a similar receiving environment to supplement baseline data	<p>PNW LNG has included information from published literature along with the results of recent project-specific studies and modelling in the EIS to predict potential effects of the Project on several VCs. PNW LNG believes that this baseline information is sufficient to determine potential effects from the Project for the environmental assessment process.</p> <p>Prior to submission of the EIS, PNW LNG provided baseline study reports to Aboriginal groups as they became available.</p>
The scope of the assessment, in regard to other development in the area.	<p>Inclusion of large scale industrial development of the Harbour and Ridley Island in the 1970s and early 1980s is in the baseline for the Current Use of Lands and Resources for Traditional Purposes VC.</p> <p>PNW LNG has revised the project inclusion list (for the purposes of identifying other projects and activities for the cumulative effects assessment) to include the Westcoast Connector Pipeline Project and the following projects located in Kitimat: the LNG Canada facility, the Rio Tinto KMP Project, and the Kitimat LNG Project.</p>
Timelines	<p>The timelines for review and comment on environmental assessment submissions are set by the CEA Agency and the BC EAO, and the environmental assessment process for the Project conformed to those timelines.</p> <p>Wherever possible, PNW LNG will continue to provide Aboriginal groups with any future studies and reports as soon as they are available.</p>
<b>Cumulative Effects</b>	
Methodology for cumulative effects assessments of certain VCs	<p>Section 4 of the EIS describes the process for cumulative effects assessment. The assessment of cumulative effects follows the process established by the CEA Agency and the BC EAO. The EIS includes a cumulative effects assessment for all VCs that have a residual effect identified through the project assessment (i.e., continue to have potential for overlapping effects with other projects and activities).</p>
Cumulative effects on Aboriginal rights and Aboriginal title	<p>The EIS includes an assessment of the potential contribution of the Project to cumulative effects on the current use of lands and resources for traditional purposes. PNW LNG maintains that, given the complexities and uncertainties involved with measuring cumulative effects on Aboriginal rights and title, the assessment of those cumulative effects is difficult to determine.</p> <p>It is PNW LNG’s present understanding, that, as of November 15, 2014, both the provincial and federal governments are assembling a comprehensive process that engages Tsimshian First Nations and provides substantive resources to address cumulative effects within the Skeena River estuary. An initial project may focus on cumulative impacts to fish. PNW LNG will participate fully in the cumulative effects assessment exercise.</p>
<b>Aquatic Habitat</b>	
Effects on freshwater environments and associated fish habitat	<p>Potential effects on Lelu Island wetland habitats have been considered in the EIS and PNW LNG envisions a wetland compensation commitment as mitigation to the impacts to the loss of the peat bogs on Lelu Island. Potential effects of changes in air quality on fresh water bodies were included in the EIS.</p> <p>Baseline studies on freshwater aquatic resources include those resources used by Aboriginal people, consistent with provincial and federal environmental assessment requirements. Freshwater baseline studies for ephemeral streams on Lelu Island revealed that the existing habitat is not expected to support any permanent resident or anadromous populations due to a lack of suitable habitat.</p>

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Key Comments and Concerns	Responses Provided by Government or Pacific NorthWest LNG
Effects on Salmon Habitat and Migration	<p>This was a key, integral issue expressed by all of the First Nations. The project design changes were shared with all six First Nations on September 15, 2014 for comments. None of the First Nations commented to PNW LNG that they opposed the marine terminal design mitigation. Many communicated informally to PNW LNG that the marine terminal design mitigation reduced their concerns with respect to adverse impacts to fish and fish habitat and to Flora Bank,</p> <p>The marine terminal design mitigation has resulted in the following:</p> <ul style="list-style-type: none"> <li>• Project infrastructure – and its construction – avoids Flora Bank by suspending the trestle on a suspension bridge over Flora Bank</li> <li>• Overall project dredge areas are reduced from ~90 ha to ~6 ha</li> <li>• Disposal at sea is substantively reduced from ~7,000,000 m<sup>3</sup> to less than ~ 200,000 m<sup>3</sup></li> <li>• Maintenance dredging at the MOF is expected to be infrequent, if at all</li> <li>• Breakwaters (~5.4 ha) are eliminated</li> <li>• Seabed armouring (~21.2 ha) at the berth is eliminated</li> <li>• No dredging will be required at the berths as they are in deep water</li> <li>• Fish habitat compensation projects are smaller in scale and scope.</li> </ul> <p>The above substantive changes increased the overall cost of the Project by hundreds of millions of dollars (actuals cannot be provided as Engineering, Procurement, Construction and Commissioning (EPCC) contractors are competing to build the Project as this process is confidential). Class 5 estimate for the suspension bridge is estimated at \$500 million.</p> <p>The approach of addressing potential effects to fish and fish habitat altered by the Project, and then offsetting permanent loss or serious harm where it cannot be avoided or otherwise mitigated through habitat enhancement and/or habitat restoration, is practical and consistent with scientific and regulatory approaches.</p> <p>The mitigations will be substantive, monitored for effectiveness and will endure over the life of the Project.</p> <p>In consultation with Fisheries and Oceans Canada (DFO) and Tsimshian Nations, PNW LNG has embarked on further multi-season fish presence and habitat utilization baseline studies to further confirm any conservative assumptions, inform mitigations and post-CEAA 2012 decision authorizations.</p>
Effects on Salmon Habitat and Migration (cont'd)	<p>In addition, it is PNW LNG's understanding, as of November 15, 2014, that both the provincial and federal governments are assembling a comprehensive process that engages Tsimshian First Nations and provides substantive resources to address cumulative effects within the project LAA and RAA portions of the Skeena River estuary. PNW LNG will participate fully in the cumulative effects assessment exercise. One of the pilot projects will focus on cumulative impacts to fish resources in the Skeena River estuary.</p>

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Key Comments and Concerns	Responses Provided by Government or Pacific NorthWest LNG
<b>Marine Navigation</b>	
Access to Traditional Use Marine Areas	<p>PNW LNG has assessed potential impacts of First Nations’ potential avoidance of high-traffic marine areas in the Current Use of Land and Resources for Traditional Purposes VC section traditional marine use.</p> <p>PNW LNG has adapted the design of the road bridge from Lelu Island to the mainland and over Lelu Slough to enable vessels up to the size of gill-netters to pass unimpeded, at high tide, under the bridge. This was a key concern expressed by First Nations and stakeholders.</p> <p>In addition, the suspension bridge-trestle will also at a specific location near the northwest corner of Lelu Island enable vessels up to the size of gill-netters to pass unimpeded, at high tide, under the suspended bridge. This allows vessels to continue to use the north-south channel along the west side of Lelu Island.</p> <p>PNW LNG has voluntarily joined with BG Group and is participating in a TERMPOL process to study both temporary and permanent effects of increased shipping on marine navigation and safety. PNW LNG invited First Nations to an information gathering session as part of this process.</p> <p>Transport Canada will assess marine infrastructure for compliance with the <i>Navigable Waters Protection Act</i>.</p>
Concern over light and noise impacts of increased shipping	<p>LNG Carriers coming into the Port of Prince Rupert along the existing shipping route from Triple Island will be lit for safety as required by regulations.</p> <p>PNW LNG is incorporating ambient light mitigation measures into marine infrastructure project design while maintaining safe lighting as the LNG Plant and marine terminal are 24 hour, 7 days per week operations.</p> <p>Impacts from noise have been assessed. Noise will be within established regulatory thresholds. Noise modelling is presented in the Acoustic Environment VC (EIS Section 8) as well as the Human and Ecological Health VC (EIS Section 19).</p>
Food security and quality	<p>PNW LNG addresses issues related to country food consumption under the Community Health and Well-Being and Human and Ecological Health VCs of the EIS.</p> <p>A risk assessment study in support of these sections concludes that there will be no significant health or ecological risks and marine country foods will continue to be safely consumed.</p> <p>Select species of marine country foods will be monitored living in marine areas disturbed by the Project before and after any necessary dredging and related marine construction at the MOF, to confirm that marine country foods are safe to consume.</p>
<b>Traditional Use of Land and Marine Waters</b>	
Marine Use	<p>PNW LNG has studied local marine use and navigation as part of the environmental assessment for the Project and has modified the design of its suspended bridge-trestle and the mainland road access bridge from the project site to the mainland so that gill netters will be able to navigate under both structures at high tide.</p> <p>Potential project-related effects on fishing are also addressed in the Marine Resource VC.</p>
Potential effects of dredging and related disposal of dredged material at sea	<p>Potential effects from dredging and related disposal of material at sea have been substantially reduced as a result of complete removal of the previously planned marine berth area on Agnew Bank which would have required extensive dredging and disposal at sea.</p> <p>Dredging and disposal at sea is now limited to that needed to construct the MOF.</p>



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Shipping activities interfering with fishing equipment	<p>Project related LNG carrier traffic, which will be subject to pilotage by the Coast Pilots and, within the Port of Prince Rupert, by PRPA-required practices and procedures and Canadian regulations, is not expected to have significant effects on fishing activities including fishing gear.</p> <p>On average only one LNG carrier will be coming and going from the Port of Prince Rupert and will be safely piloted on existing shipping routes. Those shipping routes are used currently by many trans-Pacific ships calling on the Port of Prince Rupert. Documented substantive existing conflicts between shipping and commercial fishing have not been provided to PNW LNG.</p>
Potential marine water contamination and contamination of marine resources harvested for traditional foods	<p>The Project will not contaminate marine waters. LNG facility wastes are treated and sent into the Port Edward wastewater treatment system. Stormwater will be collected at the LNG facility site and will be treated and sent into marine waters via outfalls.</p> <p>The potential for marine water contamination from the disturbance of existing sediments at the MOF due to dredging is eliminated. The sediments have been comprehensively sampled and meet or exceed Environment Canada disposal at sea criteria.</p> <p>Marine waters will be monitored for total suspended solids and turbidity during dredging and at the disposal at sea site at Brown’s Passage. If environmental thresholds are exceed during either dredging or disposal at sea activities, the Project will modify the activities to bring them within the relevant thresholds.</p> <p>This issue is assessed within the Human and Ecological Health VC (EIS Section 19) and the Marine Resources Use VC (EIS Section 13) (updated in Appendix A of the EIS Addendum). In response to concerns about year-round impacts, PNW LNG has included assessment of seasonal impacts through literature reviews and extensive sediment sampling in the marine infrastructure and dredging area.</p>
Hunting and Trapping	<p>Hunting and trapping on Lelu Island is not an authorized activity on Port lands. Never-the-less, Aboriginal groups have stated that Lelu Island was a location where they have trapped or hunted in the past. The Port intends to lease the entire island to PNW LNG. The entire island will become a major industrial site. Hunting and trapping activities will no longer be practical or permitted.</p>
Hunting and Trapping (cont’d)	<p>PNW LNG has assessed concerns about the ability to maintain current access to lands and resources for traditional purposes in the Current Use of Land and Resources for Traditional Purposes VC (EIS Section 21) and in the Aboriginal Rights and Related Interests section (EIS Section 27).</p>
<b>Archaeological Values</b>	
Efforts to Preserve Archaeological Values	<p>Lelu Island is a cultural landscape containing over 500 CMTs, all of which have been inventoried. Two stone artefacts have also been discovered in eastern foreshore areas. No other artefacts or cultural and heritage sites have been located on Lelu Island or in the foreshore.</p> <p>The federal authorization of the PNW LNG Project will result in a federal land lease of Lelu Island to the Project. Lelu Island will become a large scale industrial site. Those CMTs in the 30 metre no disturbance buffer that will circumnavigate most of Lelu (e.g., except where the buffer is interrupted by necessary infrastructure) will be retained. The CMTs within the LNG facility area will be removed.</p> <p>PNW LNG has prepared an Archaeological Impact Assessment (AIA) for the initial geotechnical investigative program on Lelu Island, as well as completed Archaeological Inventories on the island and the foreshore (Appendix R of the EIS) and an Archaeological Impact Assessment (Appendix S of the EIS) for Lelu Island. PNW LNG also developed a CMT Handling Protocol as part of the Archaeological and Heritage Resource Management Plan in cooperation with Aboriginal groups.</p>



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	These reports were provided to the interested Aboriginal groups for review prior to submission of the EIS. PNW LNG has developed an Archaeological and Heritage Resource Management Plan to address concerns relating to “chance finds” of any un-inventoried arch resources and to address the existing CMTs. PNW LNG will work with interested Aboriginal groups in implementing the plan once project construction begins.
<b>Project Safety</b>	
Shipping Collisions	Potential project-related effects on marine safety, including the safety of existing vessel traffic, have been addressed in Marine Resources VC (updated in Appendix A of the EIS Addendum) as well as a shipping risk assessment study conducted for PNW LNG as part of the TERMPOL process.  Risks to shipping will also be addressed through the approval process under the Navigation Protection Act administered by Transport Canada. In addition, project related shipping will be obliged to follow vessel traffic management procedures (including mandatory pilotage) established by the PRPA.
Loss of LNG Containment	The TERMPOL studies include a risk analysis of cargo containment loss through all possible scenarios of shipping accidents, including navigation (collision, grounding, etc.), cargo transfer and vessel collisions with the jetty-trestle and the suspended bridge-trestle. Accidents and malfunctions are discussed in detail in EIS Section 22.
Effects of Natural Disasters	PNW LNG’s design for the Project must address potential impacts from earthquakes and tsunamis (see EIS Section 23) as this a regulated requirement.
Hydrocarbon Spills	Risk of hydrocarbon spills are assessed in Accidents and Malfunctions (EIS Section 22) as well as risk assessments conducted for the facility and shipping. PNW LNG must have plans in place to address spills as these too are a regulated requirement.
<b>Socio-Economic Impacts</b>	
Socio-Economic Impacts on First Nations Communities	Where possible and appropriate, PNW LNG has analyzed potential project-related effects on land and resources of importance to Aboriginal groups. Specific measures to address the unique economic and social conditions of both on and off- reserve Aboriginal people are detailed in EIS Appendix A. Four of five Tsimshian Nations produced community-specific socio-economic impact assessments. The results from these assessments were incorporated into the EIS where practical.  PNW LNG has prepared separate baselines for First Nations persons living on- and off-reserves, and the non-Aboriginal population for many communities from census data from 2001 and 2006 when assessing the potential impact of the Project on Aboriginal groups. In further response to requests that the AIR data be disaggregated for all relevant VCs relating to well-being, quality of life, socio-economic status and population health, PNW LNG has disaggregated this information where possible.  PNW LNG has assessed the potential effects of the Project on the land and resources of importance to individual Aboriginal groups in EIS Section 21: Current Use of Land and Resources for Traditional Purposes and the businesses supported by those resources are also addressed in the EIS.  The LAA for Economic Environment was revised to include the mainland portion of the Skeena Queen Charlotte Regional District, to include some Aboriginal areas.  EIS Appendix A provides additional information on PNW LNG’s response to socio-economic concerns.

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Key Comments and Concerns	Responses Provided by Government or Pacific NorthWest LNG
Economic Opportunities	<p>PNW LNG continues to make efforts to negotiate IBAs with Aboriginal groups that may provide employment and procurement opportunities. Two Term Sheets for two IBAs are near to execution, or have been executed at time of writing (Metlakatla and Kitselas, respectively). IBA negotiations continue with Lax Kw'alaams, Kitsumkalum and Gitxaala. PNW LNG has solicited information regarding Aboriginal businesses that might be able to provide goods and services to the Project. PNW LNG continues to welcome such information.</p>
Economic Opportunities (cont'd)	<p>PNW LNG has facilitated meetings between Aboriginal businesses and the three competing FEED contractors to explore opportunities for Aboriginal peoples' economic participation. PNW LNG will continue to facilitate such meetings and will continue to inform its FEED contractors of the need to explore economic opportunities with Aboriginal people.</p>
<b>Air Quality</b>	
Project Air Emissions	<p>The LAA for Air Quality is based on capturing worst-case meteorological conditions using results from the worst overall year (maximum concentrations in 2009). PNW LNG has also confirmed that emissions from project-associated marine activities have been quantified along the potential shipping routes and that these emissions are not an air quality concern. Air dispersion modelling completed to date shows no potential exceedances of any air emission thresholds as a result of the Project.</p> <p>As part of the EIS review and permitting process the BC Oil and Gas Commission (BC OGC) will review emission mitigation measures before providing air emission permits for the Project and will oversee the monitoring in collaboration with the PRPA and any other proponents (e.g., BG Group). The BC OGC regulatory framework includes periodic air emission audits and a compliance and enforcement regime.</p> <p>The Air Quality VC includes predictions of the dispersion of acidifying compounds as well as other details on potential project-related air quality effects.</p>
Greenhouse Gas Emissions	<p>Project design and technology will manage greenhouse gas (GHG) emissions to low rates when compared to global GHG emissions from already operating LNG facilities in other countries (see EIS Section 7).</p> <p>PNW LNG has committed to installing aero-derivative compressors. This is comparatively new technology and will reduce GHG emissions. The LNG Plant is also being designed to accept electric power from the BC Hydro grid if that energy is available and needed in the future.</p> <p>PNW LNG will be subject to new GHG regulations that have been recently passed into law by the province.</p>
<b>Visual Quality</b>	
Visual Impact of Shipping	<p>The Visual Quality VC was revised to account for viewpoints along potential shipping routes and within the vicinity of Lelu Island.</p> <p>Viewpoints were identified through stakeholder interviews, literature reviews, and professional judgment; these are identified in the EIS and have been updated in the EIS Addendum.</p> <p>LNG Carriers visiting the Port of Prince Rupert will be lit as required by regulations.</p>
Ambient Light	<p>PNW LNG is incorporating an ambient light mitigation measures into project design while maintaining safe lighting for a major industrial energy facility of this scale and scope.</p>

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Key Comments and Concerns	Responses Provided by Government or Pacific NorthWest LNG
<b>Wildlife</b>	
Concerns about the potential for wildlife to avoid key habitat as result of the Project	Potential project-related effects on wildlife and wildlife habitat have been addressed in the Terrestrial Wildlife and Marine Birds Section and include mitigation measures (e.g., maintaining a riparian buffer, wetland compensation plan, fish habitat offsetting) to reduce adverse effects.  The marine terminal design mitigation will reduce effects for change in habitat availability and use in nearshore waters around Lelu Island.

**27.1.5.2 Key Comments and Concerns of Metlakatla First Nation**

Additional key comments and concerns specific to Metlakatla First Nation identified during consultation (and as understood by PNW LNG) are summarized in Table 27-15.

**Table 27-15 Overview of Key Comments and Concerns Provided by Metlakatla First Nation**

Key Comments and Concerns	Responses Provided by Government or Pacific Northwest LNG
<b>Cumulative Effects</b>	
First Nations groups should determine cumulative effects on their interests	PNW LNG notes that individual First Nations may assess cumulative effects differently; therefore, PNW LNG has adopted the standard environmental assessment approach to cumulative effects assessment. PNW LNG will continue to consult with First Nations regarding concerns regarding cumulative effects of project development in their asserted territories. PNW LNG will participate in government-led regional cumulative effects assessments.
<b>Aboriginal Cultural Identity</b>	
Negative impact on distinctiveness of culture including; Sense of place or place names through loss of access. Loss of knowledge/traditional skills. Loss of community fabric. Loss of culture and history	Potential project effects including harvest activities, heritage, culture and spiritual concerns are assessed in sections 21 and 27 of the EIS.  PNW will work with First Nations to develop and implement cultural awareness programs for the Project.
<b>Socio-Economic Impacts</b>	
Loss of income/livelihood from: Decrease in population of plants, fish and animals.	Changes in wildlife, vegetation and marine species are assessed in sections 10, 11, 12 and 13 of the EIS. These assessments were used to inform the assessments of sections 21 and 27 of the EIS. Potential effects on resources from recreational activities were assessed in sections 15.5.3 and section 18.5 of the EIS.
Increased competition for resources with non-aboriginal recreational users.	PNW LNG and their EPCC contractor will consider shift rotation during construction as well as having third part accommodation services provide for on-site recreational facilities at work camps to help reduce the impacts of increased workers on local recreation and resources.

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Key Comments and Concerns	Responses Provided by Government or Pacific Northwest LNG
<b>Marine Resources</b>	
Potential effects of dredging and the related disposal of dredged material at sea	Potential effects from dredging and ocean disposal in terms of potential effects on fish habitat and interference with vessel navigation are assessed in the Marine Resource VC (EIS Section 13) (updated in Appendix A of the EIS Addendum) and the Navigation and Marine Resource Use VC (EIS Section 15). PNW LNG will work with the Metlakatla First Nation to assess potential ways to monitor effects of disposal at Brown Passage.
Requests for underwater acoustic field studies	PNW LNG has undertaken acoustic modelling of underwater noise to assess potential effects on marine resources including fish and marine mammals.  To further understand the potential effects of underwater noise on fish and marine mammals, and in recognition of the importance of Flora Bank and the Skeena Estuary, the LAA for Marine Resources has been increased to include the project development area (PDA), potential shipping routes and an additional 10 km buffer.
Concerns over the importance of impacts on juvenile species (salmon in particular), and the characterization of fish habitat	PNW LNG has added potential effects on juvenile species to the EIS.
<b>Marine Navigation</b>	
Concern over increased shipping impacting both fishing activities and their associated economic benefits	Potential effects of increased shipping on fishing are assessed in the Navigation and Marine Resource Use VC.

**27.1.5.3 Key Comments and Concerns of Lax Kw'alaams First Nation**

Additional key comments and concerns specific to Lax Kw'alaams First Nation identified during consultation (and as understood by PNW LNG) are summarized in Table 27-16.

**Table 27-16 Overview of Key Comments and Concerns from Lax Kw'alaams First Nation**

Key Comments and Concerns	Responses Provided by Government or Pacific NorthWest LNG
<b>Marine Resources</b>	
Effects on Marine Ecosystems	The Marine Resource Use VC (EIS Section 13) (updated in Appendix A of the EIS Addendum) assesses potential project effects on fish and fish habitat and includes mitigation measures for adverse effects.
Concerns regarding the location of the marine trestle and jetty, construction activities and project location, and the perceived potential impact on fish habitat and marine resources	EIS Section 2.4 (Alternative Means of Carrying out the Project) includes an assessment of the alternative locations of the marine terminal.

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Key Comments and Concerns	Responses Provided by Government or Pacific NorthWest LNG
<b>Site Selection</b>	
Concern over site selection	<p>PNW LNG chose Lelu Island after detailed analysis of 16 sites and a more detailed analysis of five short-listed sites in the Prince Rupert, Port Simpson and Kitimat areas. PNW LNG was invited by the PRPA to participate in a competitive process with other potential LNG proponents that would provide exclusive rights to assess the feasibility of Lelu Island and associated water lots for the Project, including its marine infrastructure. PNW LNG was successful and secured these rights.</p> <p>Lax Kw’alaams entered into a confidential agreement with PNW LNG on September 7, 2012 whereby both parties agreed to work on an optimal location for a jetty-trestle and marine terminal off Lelu Island. It was after this agreement that Lax Kw’alaams withdrew their support for the project marine infrastructure and the Lelu Island location.</p>

**27.1.5.4 Key Comments and Concerns of Gitxaala Nation**

Additional key comments and concerns specific to Gitxaala Nation identified during consultation (as understood by PNW LNG) are summarized in Table 27-17.

**Table 27-17 Overview of Key Comments and Concerns from Gitxaala Nation**

Key Comments and Concerns	Responses Provided by Government or Pacific Northwest LNG
<b>Cumulative Effects</b>	
Marine Navigation	<p>Potential project-related effects on marine safety, including the safety of existing vessel traffic, will be assessed as part of the TERMPOLE process.</p> <p>The potential effects of accidents and malfunctions from increased shipping are assessed in EIS Section 22. Project related shipping will be obliged to follow vessel traffic management procedures (including mandatory pilotage by BC Coast Pilots and the Pacific Pilotage Authority) established by the PRPA.</p>
<b>Marine Resources</b>	
Concerns about the potential release of invasive species, noise and pollution	<p>Potential project-related effects from invasive species (e.g., in released ballast water) is addressed in the EIS as are effects related to underwater noise (e.g., on fish and marine mammals) as well as other sources of pollution (e.g., accidental spills).</p> <p>In general, these adverse effects are managed or mitigated through compliance with shipping regulations (pollution prevention) and specific marine construction mitigation measures to reduce underwater noise.</p>

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<b>Key Comments and Concerns</b>	<b>Responses Provided by Government or Pacific Northwest LNG</b>
Concerns about the releasing old contaminants in the sea floor sediments due to dredging and blasting.	The amount of dredging and blasting necessary has been substantively reduced due to design mitigations for the jetty-trestle (both suspended on the suspension bridge and the pipe pile supported trestle) and the marine terminal out in Chatham Sound. No dredging is necessary at the berths in Chatham Sound.  As dredging has been eliminated at the marine terminal, the perception of sediment toxicity from the sediments that were to be dredged on Agnew Bank at the former terminal location should also be reduced.  Information about contaminant (dioxin and furan) levels in sediments of the area has been provided in EIS Section 13 (Marine Resources) (updated in Appendix A of the EIS Addendum) and EIS Section 19 (Human and Ecological Health). The levels present in sediment at the MOF are not of concern for remobilization and uptake by species used as country foods.
Concerns about effects to Flora Bank and the Skeena River.	Project marine terminal design mitigations will avoid or reduce the potential effects to marine fish habitat. Any residual effects to marine fish habitat will be compensated through habitat offsetting measures approved by DFO.
<b>Lelu Island Clearing and Navigation</b>	
Tree clearing on Ridley and Lelu Islands will reduce the protection from weather provided by these Islands.	It is not anticipated that the site clearing on Lelu Island would cause a noticeable change in weather protection for mariners travelling along the protected route close to the mainland. With the vegetative buffer along with the project buildings and infrastructure, Lelu Island will continue to offer protection to mariners.

**27.1.5.5 Key Comments and Concerns of Kitselas First Nation**

Additional key comments and concerns specific to Kitselas First Nation identified during consultation (as understood by PNW LNG) are summarized in Table 27-18.

**Table 27-18 Overview of Key Comments and Concerns Provided from Kitselas First Nation**

<b>Key Comments and Concerns</b>	<b>Responses Provided by Government or Pacific Northwest LNG</b>
<b>Cumulative Effects</b>	
The scope of the assessment, in regard to other development in the area	PNW LNG is aware of other past and potential future industrial developments in the project area. Effects of past development are addressed in the baseline sections for each of the VCs in the EIS including “Current Use of Lands for Traditional Purposes.” Likely future projects with effects overlapping those of the PNW LNG project effects are addressed in the cumulative effects sections for each VC.  PNW LNG has revised the project inclusion list for consideration of cumulative effects to include the Westcoast Connector Pipeline Project and the following projects located in Kitimat: the LNG Canada facility, the Rio Tinto KMP Project, and the Kitimat LNG Project.
<b>Aboriginal Cultural Identity</b>	
Cultural importance of Lelu Island.	The potential project-related effects on archaeological and heritage resources are assessed in Section 21 of the EIS Addendum.
<b>Marine Resources</b>	
Concerns regarding the location of the marine trestle and jetty.	The project marine terminal design mitigation reduces the potential for adverse effects to important fish habitat around Lelu Island.

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Key Comments and Concerns	Responses Provided by Government or Pacific Northwest LNG
<b>Project Safety</b>	
Request for a safety assessment of shipping ethylene and methane by ship, highway and rail	PNW LNG has assessed the risk of shipping LNG through the Port using Quantitative Risk Assessment techniques as required by regulatory authorities. This information is summarized in the EIS with respect to potential accidents and malfunctions. Both the PRPA and the BC Oil and Gas Commission will require those assessments as a requirement of permitting and will also require emergency response planning.

**27.1.5.6 Key Comments and Concerns of Kitsumkalum First Nation**

Additional key comments and concerns specific to Kitsumkalum First Nation identified during consultation (as understood by PNW LNG) are summarized in Table 27-19 Overview of Key Comments and Concerns from Kitsumkalum First Nation

**Table 27-19 Overview of Key Comments and Concerns from Kitsumkalum First Nation**

Key Comments and Concerns	Responses Provided by Government or Pacific NorthWest LNG
<b>Engagement, Consultation and Participation</b>	
Capacity Funding	PNW LNG provided initial capacity funding to Kitsumkalum First Nation in January and June of 2013 (e.g., totaling \$40,000). PNW LNG entered into an EA agreement on April 3, 2014 which provided substantive capacity funds.
<b>Marine Resources</b>	
Concerns about the effect of the Project on salmon life cycles and migration, with special attention to Flora Bank as a habitat of high value and particular sensitivity	The Marine Resources VC (EIS Section 13) (updated in Appendix A of the EIS Addendum) includes an assessment of potential project-related effects on fish and fish habitat, including means to mitigate adverse effects (e.g., by avoidance) and substantive, comprehensive and enduring habitat restorations and enhancements that will be monitored and adapted as necessary for effectiveness; this will offset effects where mitigation is not feasible. PNW LNG has added consideration of potential effects on juvenile species to the EIS.  The project marine terminal design mitigations have reduced the potential for adverse effects to important fish habitats near Lelu Island including to Flora Bank.
<b>Marine Navigation</b>	
Request for information about the size and volume of ships associated with the Project and the fuels they will use	Information on the size and type of LNG Carriers is provided in EIS Section 2. EIS Section 22 (Accidents and Malfunctions) includes information on the types of fuel used by the LNG Carriers.
Request that that all shipping and tug activities be included in assessment of marine navigation impacts	The Navigation and Marine Use VC (EIS Section 15) includes an assessment of effects on marine shipping and tug activities (between the marine terminal and along existing shipping routes from Triple Island pilotage station).
<b>Traditional Use of Land and Marine Waters</b>	
Concerns about impacts to harvesting abilities and their effect on food security for some community members	These effects are considered within EIS Section 21: Current Use of Land and Resources for Traditional Purposes VC and in EIS Section 19: Human and Ecological Health VC.

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Key Comments and Concerns	Responses Provided by Government or Pacific NorthWest LNG
<b>Archaeological Values</b>	
Concern that there is an ancient Kitsumkalum village site adjacent to the project site	EIS Section 20: Archaeology and Heritage Resources VC includes a review and assessment of potential project effects on these resources. Section 21 also assesses potential adverse effects to the aboriginal use of culture and heritage resources.  Archaeological assessments on Lelu Island were unable to confirm an ancient village site on the east side of Lelu island.  PNW LNG will continue to provide any further studies as a result of the Project and welcomes any specific information the Kitsumkalum First Nation can provide with respect to heritage resources.
<b>Project Safety</b>	
Request for information on the efficacy of double-hulled ships for containment	PNW LNG has assessed the risk of shipping dangerous materials through the Port. The potential effects of accidents and malfunctions are assessed in EIS Section 22.
<b>Socio-Economic Impacts</b>	
Concerns about exclusion from socio-economic studies	PNW LNG has an Environmental Assessment agreement with Kitsumkalum and resources were provided for a community- specific socio-economic study. The study has been completed and results incorporated into the EIS.

**27.1.5.7 Key Comments and Concerns of Gitga’at First Nation**

Additional key comments and concerns specific to Gitga’at First Nation identified during consultation (as understood by PNW LNG) are summarized in Table 27-20.



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**Table 27-20 Overview of Key Comments and Concerns from Gitga’at First Nation**

Key Comments and Concerns	Responses Provided by Government or Pacific NorthWest LNG
<b>Navigation and Marine Resource Use</b>	
Concern that increased shipping traffic may cause safety issues and also interfere with Gitga’at and other marine transportation activities	<p>Potential project-related effects on marine safety, including the safety of existing vessel traffic, have been addressed in Marine Resources VC (updated in Appendix A of the EIS Addendum) as well as a shipping risk assessment study conducted for PNW LNG as part of the TERMPOL process. Risks to shipping will also be addressed through the approval process under the Navigable Waters Protection Act administered by Transport Canada. In addition, project related shipping will be obliged to follow vessel traffic management procedures (including mandatory pilotage) established by the PRPA.</p> <p>The TERMPOL studies include a risk analysis of cargo containment loss through all possible scenarios of shipping accidents, including navigation (collision, grounding, etc.), cargo transfer and vessel collisions with the jetty-trestle. Accidents and malfunctions are discussed in detail in EIS Section 22.</p>
<b>Current Use of Lands and Resources for Traditional Purposes</b>	
Concern that changes in environmental quality of Prince Rupert area could cause more First Nations and other marine resource users to increase use of Gitga’at territory and resources	PNW LNG has assessed concerns about the quality of resources in the Current Use of Land and Resources for Traditional Purposes VC (Section 21) and in the Aboriginal Rights and Related Interests section (EIS Section 27).
<b>Socio-Economic and Community Health and Well-Being</b>	
Would like to see the assessment more strongly link the effects on marine resources to economic impacts on Gitga’at members. Also concerned about the methods used to assess community health and well-being.	<p>Where possible and appropriate, PNW LNG has analyzed potential project-related effects on marine resources of importance to Aboriginal groups. Specific measures to address the unique economic and social conditions of both on and off- reserve Aboriginal people are detailed in EIS (as submitted on February, 28, 2014) Appendix A.</p> <p>PNW LNG has prepared separate baselines for First Nations persons living on- and off-reserves, and the non-Aboriginal population for many communities from census data from 2001 and 2006 when assessing the potential impact of the Project on Aboriginal groups. In response to requests that the data be disaggregated for all relevant VCs relating to well-being, quality of life, socio-economic status and population health, PNW LNG has disaggregated this information where possible.</p>
Concerns about change in community safety, vulnerability and resilience. Concerns about disruptions and changes in community dynamics and social structure	<p>Community Health and Well-being is assessed as a VC in the EIS (Section 18).</p> <p>EIS (as submitted on February, 28, 2014) Appendix A provides additional information on PNW LNG’s response to socio-economic concerns.</p>

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Key Comments and Concerns	Responses Provided by Government or Pacific NorthWest LNG
Concern that adverse effects on resources in Prince Rupert area may affect traditional governance systems in place	PNW LNG has assessed concerns about the quality of resources in the Current Use of Land and Resources for Traditional Purposes VC (EIS Section 21) and in the Aboriginal Rights and Related Interests section (EIS Section 27).
Concern that work opportunities during the construction and operations phase of the Project will adversely impact Gitga'at economic ventures and Band operations. Change in pristine character of the environment may reduce market value of ecosystem services.	Effects to the Economic Environment have been assessed in the EIS (EIS Section 14).
Concern about in-migration, higher costs of housing repair in both Prince Rupert and Hartley Bay. Decrease in population in Hartley Bay	Effects of potential transient population influx of have been assessed in the EIS as it relates to Infrastructure and Services (Section 16) and Community Health and Well-Being (EIS Section 18).

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**27.1.6 Future Planned Engagement**

PNW LNG will continue to engage with Aboriginal groups in compliance with any direction provided by the province or the CEA Agency. PNW LNG remains committed to considering all input from Aboriginal groups, integrating those comments into mitigation plans whenever reasonable to do so, and responding to all queries from Aboriginal groups. PNW LNG will continue to provide information and technical reports wherever possible. PNW LNG will seek to involve Aboriginal groups in any appropriate ongoing studies and investigations related to the Project. PNW LNG will continue to pursue IBAs with Aboriginal groups.

PNW LNG continues to welcome any information from all Aboriginal groups on their interests related to the Project and any potential impacts on those interests. Examples of engagement and consultation activities that have taken place since the EIS was submitted include:

- Discussions concerning mitigation (part of the EIS review process), fish habitat enhancement and restoration, efficacy of project mitigations, and longer term potential environmental impacts to fish and fish habitat
- The development of environmental monitoring program for project construction
- The development of measures to optimize Aboriginal participation in procurement and contracting opportunities during construction and operations
- The development of measures to encourage the hiring of qualified Aboriginal people
- Development of Aboriginal training programs.

**27.1.7 Scope of Assessment**

**27.1.7.1 Regulatory and Policy Setting**

Treaties have not been established with any of the Aboriginal groups considered in this assessment.

The Tsimshian Tribal Council, formed in 1988 through the B.C. Society Act, initially represented a number of the Tsimshian communities. However, in April 2004 the Council disbanded due to internal conflicts. A new Council of the Tsimshian First Nations (TFN) was formed in December 2004 without the Lax Kw'alaams First Nation and the Gitxaala Nation to represent members in the BC Treaty Process. The Gitxaala Nation is not currently involved in the BC Treaty Process.

The Lax Kw'alaams Band is currently negotiating under the BC Treaty Process as the Allied Tribes of Lax Kw'alaams. They were previously affiliated with the other Tsimshian nations in treaty discussions, but left the (former) Tsimshian Tribal Council in 2004, and re-entered the treaty process independently in 2005. They are currently in the second stage of negotiations (Readiness to Negotiate).

The Metlakatla, Kitselas, Kitsumkalum, Kitasoo, and Gitga'at (Hartley Bay) are working through the BC Treaty Process under the TFN Treaty Society. Metlakatla and Gitga'at remain at Stage 4 of negotiations (Negotiation of an Agreement in Principle). On February 20, 2013 and April 10, 2013, respectively, the membership of the Kitselas First Nation and Kitsumkalum First Nation went to the polls to approve the continuation of treaty negotiations or not. Both votes were successful and have provided the formal mandate from membership to move into Stage 5 negotiations.

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A number of non-treaty agreements between Aboriginal groups and the Crown address issues of Aboriginal rights, including reconciliation agreements, land and resource management plans, marine use management plans, and interim measures agreements. The following agreements apply to two or more Aboriginal groups considered in this assessment. Table 27-21 describes agreements with individual First Nations.

**North Coast Land and Resource Management Plan (NC LRMP).** The NC LRMP provides the following management objectives with respect to Aboriginal rights and related interests:

- Respect and Accommodate Aboriginal Rights and Title
- Establish meaningful partnerships with government and resource developers
- No resource development without First Nations' approval/ accommodation
- Application of First Nation Land Use Plans in planning
- Rationalization of First Nations strategic land plans with NC LRMP
- First Nations' participation in resource management.

**Draft North Coast Marine Plan (MaPP 2014).** The Project is located within the planning area of the Marine Planning Partnership for the North Pacific Coast (MaPP), a partnership between the Province of British Columbia and 18 member First Nations, including Metlakatla First Nation, Gitxaala Nation, Kitselas First Nation, Kitsumkalum First Nation and Gitga'at First Nation. Lax Kw'alaams is not a member. MaPP's draft North Coast Marine Plan (MaPP 2014) identifies the following management objective with respect to Aboriginal rights and related interests: "Objective 1: In accordance with section 35(1) of the Constitution Act 1982, protect First Nations use of territories and resources for community benefit." Strategy 1.4 of Objective 1 reads "Identify existing provincial tenures that overlap First Nations use areas and cultural sites, and develop strategies to minimise or mitigate impacts on First Nations practices. *Examples and/or potential actions - Develop general mitigation strategies for tenure types... Create site specific management plans in collaboration with First Nations*" (emphasis in original).

**Coastal First Nations Amended Reconciliation Protocol (2010).** The agreement includes the building of a new ferry terminal at Klemtu, as well as sharing a portion of resource revenue and carbon offsets. Coastal First Nations will also be part of a new shared decision making process and the creation of an Alternative Energy Action Plan for their traditional territories.

**Port of Prince Rupert (PRPA) 2020 Land Use Management Plan.** The plan notes that PRPA will, as an agent of the Federal Crown, engage in further consultation with First Nations when a decision concerning a future Port project has the potential to infringe on aboriginal rights, including title rights. A specific process for carrying out negotiation on some aspects of such consultation has been established with the Coast Tsimshian First Nations through environmental Future Projects Protocol and the PRPA/Coast Tsimshian Standing Committee. The plan also notes that, Recognizing that several First Nations assert unextinguished aboriginal rights within the Port's lands, the Port will consider and seek advice from applicable First Nations in undertaking any environmental assessment that includes historical and archaeological sites.

**Future Projects Protocol:** This agreement between Metlakatla First Nation, Lax Kw'alaams First Nation, Transport Canada, and the PRPA confirms arrangements through which the parties will consult on the decisions required in relation to projects in the Port of Prince Rupert undergoing an environmental assessment under the *Canadian Environmental Assessment Act*.

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**Table 27-21 Crown-First Nations Agreements**

<b>First Nation</b>	<b>Title and Date</b>	<b>Details</b>
Metlakatla First Nation	Strategic Land Use Planning Agreement (2006)	Management intent for Kinahan Islands is to maintain traditional and recreational use, cultural heritage features and values.  Management intent for Kennedy Island and Stephens Island is to maintain their ecological integrity, traditional activities and opportunities for nature-based tourism by establishing a Protection Area.
	Metlakatla Forest Consultation and Revenue Sharing Agreements (2011)	Agreement with the province to facilitate economic benefits returning to the community based on harvest activities in its traditional territory.
Lax Kw'alaams First Nation	Forestry Accommodation Agreement (2003)	The forestry accommodation agreement with the province entitled Lax Kw'alaams to 650,000 m <sup>3</sup> of timber, and over \$6 million in shared revenues over 5 years. In addition, in 2005, Coast Tsimshian Resources Ltd. (a Lax Kw'alaams business venture) received \$3.1 million from the province for the return of over 120,000 m <sup>3</sup> of harvesting rights in Tree Farm License No. 1 in northwestern BC.  The agreement includes a map produced by the Lax Kw'alaams First Nation as part of the development of their own land use plan showing designated land use areas.  Lelu Island and waters to the south and southwest are designated as stewardship areas by the Lax Kw'alaams First Nation, and Kennedy Island, Melville Island, Stephens Island and the northern coastline of Porcher Island are designated as cultural and natural areas.
	Strategic Land Use Planning Agreement (2008)	
Gitxaala Nation	Sustainable Land Use Planning Agreement (2006)	Management intent for Kennedy Island, Stephens Island, and West Porcher Island is to maintain ecological integrity and traditional activities.  Contains a number of management objectives for Gitxaala cultural heritage and traditional resources, cedar and CMTs, freshwater ecosystems and habitats, landscape level and stand level biodiversity, and grizzly bear habitat.
Kitselas First Nation	North Coast Strategic Land Use Planning Agreement (2006)	Sets out land use zones, designations and allowable uses, and management objectives for the designated Land and Resource Management Plan boundary, which includes Lelu Island and Prince Rupert Harbour; however, specific Management plans for Lelu Island are not detailed.
	Consultation and Revenue Sharing Agreement (2011)	Agreement with the province to facilitate economic benefits returning to the community based on harvest activities in its traditional territory
Kitsumkalum First Nation	North Coast Strategic Land Use Planning Agreement (2006)	Sets out land use zones, designations and allowable uses, and management objectives for the designated Land and Resource Management Plan boundary, which includes Lelu Island and Prince Rupert Harbour; however, specific Management plans for Lelu Island are not detailed.

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First Nation	Title and Date	Details
Gitga'at First Nation	Strategic Land Use Planning Agreement (2006) Coastal First Nations Amended Reconciliation Protocol (2010)	<p>Contains land use zones, designations, and allowable uses within Gitga'at territory (no overlap with project components or activities). Contains high value fisheries watershed management objectives. The management intent is to maintain the integrity of salmon habitat in watersheds that are of cultural importance to the Gitga'at. The management objective is to maintain water quality and quantity within the natural range of variability in identified anadromous fish bearing and/or sensitive watersheds.</p> <p>The agreement includes the building of a new ferry terminal at Klemtu, as well as sharing a portion of resource revenue and carbon offsets. Coastal First Nations will also be part of a new shared decision making process and the creation of an Alternative Energy Action Plan for their traditional territories.</p>

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**27.1.7.2 Incorporation of Traditional Knowledge/Traditional Use Information**

As set out in Section 19(3) of the *Canadian Environmental Assessment Act, 2012* (2012) the environmental assessment of a designated project may take into account community knowledge and Aboriginal TK gathered during engagement activities with Aboriginal groups. Section 3.4.2 of the *EIS Guidelines* states:

*The Proponent has incorporated into the EIS the community and Aboriginal traditional knowledge to which it has access or that is acquired through Aboriginal engagement activities, in keeping with appropriate ethical standards and without breaking obligations of confidentiality, if any. Agreements have been obtained from Aboriginal groups regarding the use, management and protection of their existing traditional knowledge information during and after the EA.*

TK and TU information provided to PNW LNG by the potentially affected Aboriginal groups can inform the description of baseline conditions for this assessment and influenced the prediction of potential effects and the development and refinement of mitigation measures.

As part of its consultation efforts, PNW LNG funded TUS for the Aboriginal groups. To date, TUS reports have been completed and were submitted between May 2014 and August 2014 for Metlakatla First Nation, Gitxaala Nation, Kitselas First Nation, and Kitsumkalum First Nation. Gitga'at First Nation have also submitted an interim TUS report. The Proponent met individually with Metlakatla First Nation, Gitxaala First Nation, Kitselas First Nation, and Kitsumkalum First Nation to review findings and to jointly develop approaches to incorporate further site specific information to the categories of uses outlined in the TUS, clarify issues, concerns and potential interactions, and to discuss potential mitigation measures. Information contained in the TUS reports and collected during subsequent meetings and correspondence informed the description of baseline conditions, assessment of effects, and mitigation measures.

To date, a TUS has not been completed for Lax Kw'alaams First Nation. The Proponent recognizes Lax Kw'alaams First Nation's strong claim to Aboriginal rights to hunt, fish and gather plants and cedar bark. In the absence of primary data, PNW LNG has made reasonable efforts to collect information related to Lax Kw'alaams First Nation's Current Aboriginal Use from secondary sources. Table 21.3-1 in Section 21.3 lists secondary sources reviewed.

**27.1.7.3 Aboriginal Groups' Suggested Valued Components**

Aboriginal groups were provided with the opportunity to suggest VCs for inclusion in the EIS through the Working Group and as part of the consultation process. Suggestions from First Nations for additional VCs not included in the preliminary list of VCs include:

- Lax Kw'alaams First Nation commented that their four key VCs of interest were the practice of Aboriginal rights, salmon and salmon habitat, the Skeena River estuary, and "impact equity" (disproportionate social, economic and effects of development on Aboriginal populations when compared to non-Aboriginal populations). Project-related effects on Aboriginal rights are assessed in this section. Project-related effects on salmon and salmon habitat and the Skeena estuary system are assessed in Section 13: Marine Resources (updated in Appendix A of the EIS Addendum). Differential social and economic effects of the Project on

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Aboriginal populations are assessed in Section 14: Economic Environment and Section 18: Community Health and Wellbeing.

- Gitxaala Nation requested the inclusion of governance, sacred places, harvesting rights and cultural identity as VCs. PNW LNG has included governance, economic activities (e.g., trade) and sacred places and related spiritual traditions as Matters of Concern to Aboriginal People in Section 27. Project-related effects on harvesting rights are addressed in Section 27 as well under Aboriginal Rights (Subsection 27.1)
- Gitxaala Nation also stated that odour, wake, and operational discharge should be VCs. PNW LNG maintains that odour is not required as a VC for this assessment as there are no Project activities that could result in odour issues. For example, the gas received at the facility will be sweet gas and new marine sulphur regulations will lower sulphur emissions. As a result, combustion emissions will not include sulphur at levels noticeable by people. Effects from operational discharge are assessed within the Marine Resources VC (updated in Appendix A of the EIS Addendum) as a potential changes in water and sediment quality. Wake was not included as a VC because previous studies have shown that the expected LNG carrier traffic approaching port, including support vessels, will not generate waves in excess of the ocean swells and wind-generated waves that already affect the shorelines. More specifically, the LNG carriers will be piloted by BC Coast Pilots between Triple Island and the Port of Prince Rupert. For this transit they will be travelling at slower speeds. For the final approach to the berth, they will be connected to tugs to allow the approach to the berths at very slow speeds
- Kitsumkalum First Nation requested that Human and Ecological Health be added as a VC. This VC is included in the EIS (Section 19). Kitsumkalum First Nation also requested that the Alteration or Destruction of a Sense of Place be included in Archaeological and Heritage Resources. PNW LNG has included the experience of using lands and resources in the Current Use of Land and Resources for Traditional Purposes VC (Section 21) and had added Aboriginal Sacred Places and Related Spiritual Traditions as a Matter of Concern to Aboriginal People in Section 27

**27.1.7.4 Selection of Potential Effects**

PNW LNG recognizes that the Project will result in the loss of access to Lelu Island for traditional use activities and will result in a restriction of traditional use activities in the vicinity of the marine trestle and LNG carrier berth. In light of these impacts and the residual effects discussed in Section 21 and the other VC assessments, the potential effects on Aboriginal rights and related interests are:

- Increased hardship in the exercise of Aboriginal rights (e.g., potential additional effort will be spent per harvested fish)
- Restriction of the preferred means of exercising Aboriginal rights
- Modification of cultural values associated with the exercise of Aboriginal rights or Aboriginal interests

**27.1.7.5 Selection of Measurable Parameters**

Measurable parameters for the potential effects are based on the results of engagement activities and similar assessments for other projects (see Section 27.1.2.8). These parameters identify how potential project and cumulative effects on Aboriginal rights and related interests will be quantitatively and qualitatively measured (see Table 27-22).



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**Table 27-22 Measurable Parameters for Aboriginal Rights and Related Interests Assessment**

<b>Effect</b>	<b>Measurable Parameter</b>	<b>Indicators</b>
Increased hardship in the exercise of Aboriginal rights	Effort required to exercise rights Success with respect to exercise of rights	Change in quantity of time required to access use site and achieve use goals Change in monetary expense required to access use site and achieve use goals Change in quantity of harvested resources
Restriction of the preferred means of exercising Aboriginal rights	Preferred location for the exercise of rights Preferred timing of exercise of rights	Change in preferred geographic locations of use activities Change in preferred time of day, month, and/or year of use activities
Modification of cultural values	Satisfaction of material, social, spiritual, aesthetic, or other expectations with respect to exercise of rights	Change in adequacy of resource harvest Change in aesthetics Change in social cohesion Change in spiritual experience

**27.1.7.6 Boundaries**

27.1.7.6.1 Temporal Boundaries

Based on the current project schedule, the temporal boundaries for each project phase are:

- Construction: Q1 2015 – Q4 2018
- Operations: Q1 2019 – 2048+
- Decommissioning: 2048+

27.1.7.6.2 Spatial Boundaries

Detailed descriptions of the asserted traditional territories of the six interested Aboriginal groups are provided in Section 27.1.2.3 (Metlakatla First Nation), Section 27.1.2.4 (Lax Kw'alaams First Nation), Section 27.1.2.5 (Gitxaala Nation), Section 27.1.2.6 (Kitselas First Nation) Section 27.1.2.7 (Kitsumkalum First Nation) and Section 27.1.2.8 (Gitga'at First Nation). PNW LNG's description of the traditional territories of the interested Aboriginal groups is based on publicly available information and relies wherever possible, on any descriptions provided by the groups themselves, including any *Statement of Intent* maps forwarded to the BC Treaty Commission. Asserted traditional territories overlap and there is disagreement between Aboriginal groups regarding the location of traditional territory boundaries and the strength of Aboriginal interests within those boundaries.

The PDA comprises approximately 160 ha on Lelu Island, less than 1 ha on the mainland (bridge abutment and access road), and 100 ha in the marine environment. The total area of the PDA is approximately 261 ha.

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The LAA for the assessment of project effects on Aboriginal rights and related interests is the same as that used for the Current Use of Land and Resources for Traditional Purposes VC assessment (see Figure 27-7). These boundaries encompass the maximum extent of the LAAs for Marine Resources, Air Quality, and Human and Ecological Health VCs.

The RAA for the assessment of project effects on Aboriginal rights and related interests is the same as that used for the Current Use of Lands and Resources for Traditional Purposes VC assessment (see Figure 27-7). The RAA encompasses the maximum extent of the RAAs for Marine Resources, Air Quality, and Human and Ecological Health VCs. The RAA is the area for which the contribution of the Project to cumulative effects, in combination with other projects, is assessed.

**27.1.7.6.3 Administrative and Technical Boundaries**

The Project is located within the Port of Prince Rupert which is managed by the PRPA. On August 28, 2012, Transport Canada wrote to the Aboriginal groups to provide them with strength of claim information. Transport Canada concluded that the Coast Tsimshian (Metlakatla First Nation and Lax Kw'alaams First Nation) have a strong claim to potentially existing Aboriginal rights to hunt, fish and gather plants and cedar bark on both Kaien Island and Ridley Island. This conclusion is based on evidence that Kaien Island (and Prince Rupert Harbour generally) was the site of shellfish harvesting, fishing and the gathering of plants and bark by one or more of the Allied Tribes.

There is also some evidence of shellfish and cedar bark harvesting on the island and, given its close geographic proximity to Coast Tsimshian villages in Prince Rupert Harbour, it is possible that Ridley Island could have been used for harvesting purposes. Transport Canada concluded that Gitxaala Nation has a weak claim to potentially existing Aboriginal rights in the Prince Rupert Harbour area, and a very weak claim to potentially existing Aboriginal title in the Prince Rupert Harbour area. This conclusion is based on the lack of direct evidence that Gitxaala Nation occupied sites on Kaien Island or Ridley Island, or engaged in intensive resource use of these Islands sufficient to be the basis of a claim to Aboriginal title.

Transport Canada concluded that Kitselas First Nation has a very weak claim to Aboriginal rights and title to the Prince Rupert Harbour area. This conclusion is based on the lack of direct evidence that Kitselas First Nation travelled to or used and occupied the Prince Rupert Harbour area at the date of contact. Transport Canada concluded that Kitsumkalum has a very weak claim to Aboriginal rights and title to the Prince Rupert Harbour area, including Kaien Island and Ridley Island. This conclusion is based on lack of direct evidence that these groups travelled to or used and occupied the Prince Rupert Harbour area at the date of contact (1793).

PNW LNG is not aware of a legal determination by a court concerning the specific nature and extent of Aboriginal title lands to land within the LAA or RAA. PNW LNG is aware that current treaty negotiations are underway with Metlakatla First Nation, Kitselas First Nation, Kitsumkalum First Nation, and Gitga'at First Nations (via the Tsimshian First Nations), and Lax Kw'alaams First Nation (BC Treaty Commission 2009). Four out of the five potentially-affected Aboriginal groups have specifically asserted that they have Aboriginal title to areas of land within the LAA. These groups further assert that federal and provincial government decisions authorizing project-related construction, operations, shipping and decommissioning activities have the potential to interfere with the Aboriginal title of one or more of the potentially affected Aboriginal groups.

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PNW LNG will continue seek direction from both provincial and federal regulators with regard to asserted Aboriginal title claims within areas potentially affected by the Project.

**27.1.8 Assessment Methods**

**27.1.8.1 Analytical Assessment Techniques**

The assessment draws on conclusions derived in Section 21 regarding potential project effects on current use of land and resources by Aboriginal people. Information provided in Section 21 represents specific, current examples of Aboriginal groups' exercise of their Aboriginal rights. Consequently, conclusions regarding potential project effects on current Aboriginal use are directly relevant to the assessment of potential project effects on the exercise of Aboriginal rights. Some Aboriginal rights may not be currently practiced in the LAA and may be practiced in the future. However, given the extent of Aboriginal group's documented past and current use in the LAA, the assessment of potential project effects on current Aboriginal use is assumed to provide sufficient information with which to assess potential project effects on the exercise of Aboriginal rights. Therefore the conclusions from Section 21 of this EIS are used to assess effects that are specific to the exercise of Aboriginal rights and interests. Table 27-23 summarizes the results from Section 21.

A determination of the significance of residual adverse effects on the exercise of Aboriginal rights and interests is not provided. This is a Crown duty and it is inappropriate for proponents to determine whether any effects on Aboriginal rights are "significant" or "not significant." This assessment of potential effects on the exercise of Aboriginal rights is intended to provide information to the Crown to facilitate its determination and whether effects are justified.

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**Table 27-23 Summary of Residual Effects on Current Aboriginal Use (Section 21)**

	Residual Effects on Current Fishing Practices					Residual Effects on Current Hunting and Trapping Practices					Residual Effects on Current Gathering Practices					Residual Effects on Current Use of Spiritual Sites and Cultural Landscapes				
	location	timing	Effort	Success	satisfaction	location	timing	Effort	Success	satisfaction	location	timing	Effort	Success	satisfaction	location	timing	Effort	Success	satisfaction
Metlakatla First Nation	N	N	N	-	N	N	N	N	N	N	-	-	-	-	-	N	N	-	-	N
Lax Kw'alaams First Nation	N	N	N	-	N	N	N	N	N	N	-	-	-	-	-	N	N	-	-	N
Gitxaala Nation	N	N	N	-	N	N	N	N	N	N	-	-	-	-	-	N	-	-	-	N
Kitselas First Nation	N	N	N	-	N	N	N	-	N	N	N	-	N	N	N	-	-	-	-	-
Kitsumkalum First Nation	N	N	N	-	N	N	N	N	N	N	N	-	N	N	N	N	N	N	-	N
Gitga'at First Nation	-	-	-	-	N	N	-	-	-	N	-	-	-	-	-	-	-	-	-	-

**Key:** N = not significant; S = significant; "-" = no predicted residual effects

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**27.1.8.2 Assumptions and the Conservative Approach**

Information provided to PNW LNG through its engagement programs, input obtained through the regulatory processes under CEAA 2012 and BCEAA, and TLU studies prepared by Metlakatla First Nation, Gitxaala Nation, Kitselas First Nation, Kitsumkalum First Nation and Gitga'at First Nation indicates that all Aboriginal groups currently exercise consumptive Aboriginal rights within the PDA, LAA and RAA (Calliou Group 2014; Crossroads CRM 2014; DMCS 2014; Inglis 2014; Pulla 2014). PNW LNG has not been provided a TLU study by Lax Kw'alaams First Nation; however, given the information provided during PNW LNG's engagement program and EA processes, and the interconnections between Metlakatla First Nation and Lax Kw'alaams First Nation, PNW LNG assumes that Metlakatla First Nation exercises similar rights to Lax Kw'alaams First Nation in a similar manner and in similar locations. PNW LNG has also assumed that information provided in any TU/TK reports are generally accurate and reliable.

The following sections describe PNW LNG's understanding of the potential adverse effects of the Project on the ability of Aboriginal people to exercise their potential or established Aboriginal rights and related interests.

**27.1.9 Potential Effects on Metlakatla First Nation's Exercise of Aboriginal Rights**

**27.1.9.1 Increased Hardship in the Exercise of Aboriginal Rights**

In their traditional land use and ecological knowledge report dated May 13, 2014, the Metlakatla First Nation has documented a broad range of marine and terrestrial plants and animals that are harvested for food, material, ceremonial, trade and medicinal purposes. This information, in conjunction with the results of the assessment of current use, the VC effects assessments (e.g., marine resources, navigation etc.), has informed this analysis.

The Project is not expected to affect levels of success related to Metlakatla First Nation's exercise of its Aboriginal right to fish. The assessment of effects on marine resources has concluded that the Project will not result in a measurable change in fish or marine mammal populations nor will it result in a meaningful change in habitat quality or quantity. However, increased effort to access alternative intertidal fishing locations is expected for fishers who shift fishing location to islands further south due to project-related changes in availability of and access to fishing sites on the shores of Lelu Island. As the marine jetty will be located along the transition between Flora Bank and Agnew Bank, it is not expected to interfere with fishing from larger vessels. Further, the design of the bridge between Lelu Island and the mainland and the redesigned marine jetty will allow fishers in smaller vessels to transit between fishing areas to the north and south without additional travel time. Areas that are used in the vicinity of Inverness Passage, Horsey Bank, west of Kitson Island, and Agnew Bank will all remain accessible for fishing. As described in Section 21.6.8, the residual effect fishing effort is rated as low. The extent of locational change is expected to be small and will result in only a small change from existing baseline conditions for fishing effort.

Metlakatla First Nation members who currently hunt and/or trap deer, mink, otter and seal on Lelu Island will need to obtain these resources from alternative locations as the entire island will be leased to the Project and therefore unavailable for hunting. The Metlakatla traditional land use and ecological knowledge report states that members hunt humpback and killer whales in the vicinity of Brown Passage (the location of the Environment Canada's previously used disposal at sea site). Community members may expend increased effort to hunt whales, if

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construction noise and disposal activities result in temporary changes in whale distribution; however, PNW LNG understands that whale harvesting does not currently occur within the area and will likely not overlap with any construction or disposal activities. As described in Section 21.6.8, the residual effect hunting and trapping effort is rated as low. The extent of locational change for deer and seal hunting is expected to be small and will result in only a small change from existing baseline conditions for hunting effort. Increased effort to hunt whale is not expected to be realized during the construction period given the absence of recent harvesting activities and the conservation status of these species.

Metlakatla First Nation's internal governance and resource management frameworks may limit the availability of alternative hunting locations to these individuals and/or families. As described in Section 21.6.5, the residual effect on hunting and trapping success is rated as low. The Project is not predicted to affect the population viability of any species harvested and is expected to have nominal effect on distribution of these species. As a result, they can be harvested at similar rates in alternative locations.

The Project is not expected to affect the effort or success related to Metlakatla First Nation's terrestrial gathering practices. The Metlakatla First Nation traditional land use and ecological knowledge report identified berry picking and seaweed harvesting on and around Lelu Island and Table 1 in the study identifies a number of traditional use plant species to be present on Lelu Island (based on the species listed in the EIS). However, follow-up engagement with Metlakatla First Nation has not identified specific plant, tree, or berry gathering practices on Lelu Island (Section 21.3).

The Project is not expected to affect the effort related to Metlakatla First Nation's use of spiritual sites or cultural landscapes except for the use of Lelu Island as a cultural landscape. This use will be eliminated. Interference of access to non-Lelu Island sites is expected to be negligible (Section 21.6.5.4). Technical boundaries prevent assessment of degree of success in the use of spiritual sites and cultural landscapes. Aboriginal peoples' goals with respect to the use of such sites and features are difficult to articulate and understand for those outside of the Aboriginal practice communities. "Success" may be an inappropriate measure with respect to use of such sites and features.

Overall, the Project is expected to result in a low level of hardship on Metlakatla First Nation with respect to the exercise of its rights to fish, hunt, trap gather and use spiritual and cultural landscape sites.

**27.1.9.2 Potential Restriction of Preferred Means of Exercising Aboriginal Rights**

Metlakatla First Nation fishers use the waters around Lelu Island, including Inverness Passage, Horsey Bank, west of Kitson Island, and Agnew Bank, for sockeye salmon, eulachon, and crab fisheries. They are expected to shift the location of some fishing activities during construction, due to the presence of construction activities and/or reduced availability of these sites. During disposal at sea activities, Metlakatla community members may shift location when fishing for halibut near Brown Passage. Fishers may also reduce their fishing time within the existing shipping routes in Chatham Sound during operations to avoid interaction with LNG carriers transiting from Triple Island into the Port of Prince Rupert. Increased marine traffic during any decommissioning as required by the Port may also result in a degree of site avoidance for fishers in waters surrounding Lelu Island. As described in Section 21, the residual effect on preferred locations for fishing practices is rated as low. These Project activities will affect

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small portions of wider fishing areas and for short periods of time. Project activities will not exclude fishing within the affected areas and other portions of the broader fishing area will remain available. Fishers are expected to shift to different locations within existing fishing areas, rather than move to new fishing areas, resulting in a small change from baseline conditions.

Fishers may alter the time of day for fishing practices to avoid interaction with LNG carries in the shipping route. As described in Section 21.6, the residual effect on timing of fishing practices is rated as low. Alteration of the timing of fishing activities in relation to project shipping schedules is expected to take place for only some fishers and would only occur at one period during the day.

Metlakatla First Nation members who currently hunt and/or trap deer, mink, and otter on Lelu Island), and hunters who harvest seal on the shore of Lelu Island, will need to shift the location of these hunting activities away from Lelu Island for the life of the Project. If, following decommissioning the Port leases the site for other port-related activities, this shift would be a permanent change. As described in Section 21.6, the residual effect on preferred locations for hunting and trapping practices is rated as medium. The Project is expected to result in the relocation of hunting efforts for only small number of individuals.

Members are expected to alter the timing of marine hunting to avoid noise during construction and decommissioning (time of week and/or month) and interactions with shipping during operations (time of day). As described in Section 21.6, the residual effect on timing of hunting and trapping practices is rated as low. Alteration of the timing of hunting and trapping activities in relation to construction activities and project shipping schedules is expected to take place for only some hunters; timing effects related to LNG carriers coming to or leaving Port along the existing shipping routes would only occur at one period during the day.

Removal of cultural landscapes (CMTs) from Lelu Island will require members to use other CMT sites for traditional purposes. PNW LNG will retain approximately 50% of the CMTs on Lelu Island in the visual buffer surrounding the Island, and these may become available to members following project decommissioning if in the unlikely event Lelu Island is returned by the Port to a natural state after decades of industrial development. To prevent the loss of the record of use of Lelu Island associated with the CMTs, PNW LNG will collect data on each CMT that is removed following Metlakatla's protocols. As described in Section 21.6, the residual effect on preferred locations for use of spiritual sites and cultural landscapes is rated as moderate as Lelu Island will no longer provide a location for the use of cultural landscapes following issuance of the lease to PNW LNG by PRPA.

Interference with access associated with increased marine traffic in Porpoise Channel during construction and potentially during decommissioning may also prompt some Metlakatla First Nation members to change their timing for use of cultural landscapes. As described in Section 21.6.8.3, the residual effect on timing of use of spiritual sites and cultural landscapes is rated as medium.

Overall, the Project is expected to result in a limitation of some Metlakatla First Nation members to exercise their Aboriginal rights in their preferred locations at preferred times. This is expected to affect a small number of individuals.

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**27.1.9.3 Modification of Cultural Values Associated with the Exercise of Aboriginal Rights**

Visual quality changes may affect the degree of members' aesthetic satisfaction while fishing in the vicinity of the Project. As described in Section 21.10.5.1, the residual effect on satisfaction with fishing practices related to aesthetic experiences while fishing in the vicinity of the Project is rated as low. Lelu Island is located within an industrial port and the area currently experiences marine and shipping traffic.

Members' aesthetic satisfaction while hunting and trapping in the vicinity of the Project is expected to be affected due to visual quality changes. Collection of Traditional Ecological Knowledge (TEK) in the vicinity of the Project, and cultural transmission of TEK specific to those sites, is expected to be reduced for members who are no longer able to hunt and trap on Lelu Island. The Project is may reduce opportunities for social bonding for members' who hunt on Lelu Island, if members do not have access to alternative hunting sites. To the extent that members experience reduced success hunting in alternative locations to Lelu Island, members are expected to have reduced opportunities to share and trade country foods, thereby affecting social networks and norms of reciprocity. As described in Section 21.10.5.2, the residual effect on satisfaction with hunting and trapping practices is rated as low. Lelu Island is located within an industrial port and the area currently experiences marine and shipping traffic; consequently effects on aesthetic experience are expected to be relatively low.

Lelu Island has not been identified as particularly important site for the collection and transmission of TEK. Reduced opportunities for social bonding in relation to hunting and trapping practices on Lelu Island are expected to be limited to a small number of individuals/families who currently hunt and/or trap deer, mink, and otter on Lelu Island. Opportunities for social bonding in relation to other hunting and trapping sites will continue to exist. Opportunities to trade and share country foods are expected to be diminished only to a small degree, as reductions in the successful harvest of resources is expected to be minimal.

Members' aesthetic satisfaction while using spiritual sites and cultural landscapes in the vicinity of the Project is expected to be affected due to changes in visual quality. Collection of TEK in the vicinity of the Project, and cultural transmission of TEK specific to those sites, is expected to be reduced due to the prevention or alteration of use of cultural landscapes (CMTs) on Lelu Island. As described in Section 21.10.5.4, the residual effect on satisfaction with use of spiritual sites and cultural landscapes practices is rated as medium. Alteration of aesthetic experiences and reduction in the ability to collect and teach TEK in the vicinity of the Project are predicted to be limited. However, use of such sites is assumed to be highly important to Metlakatla First Nation members.

Overall, the Project's potential limitation of Metlakatla First Nation's Aboriginal rights is expected to be low to medium in severity. While the limitation is not expected to affect Metlakatla First Nation's membership widely, the potential limitation will not be trivial, particularly with respect to potential effects on the use of spiritual sites and cultural landscapes.

**27.1.9.4 Predicted Future Conditions for the Exercise of Metlakatla First Nation's Rights**

Existing and future conditions for the exercise of Metlakatla First Nation's Aboriginal rights have been and will be affected by past, current, and planned industrial and commercial activities. There is mixed industrial, commercial and recreational use of the land and waters within the RAA. This is due to the presence of the Port of Prince Rupert, one of four federal ports in British Columbia, the City of Prince Rupert (population of 12,508) and the



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District of Port Edward (population 544) (Statistics Canada 2012). Development and activities within the RAA include the marine terminal and shoreline infrastructure within the PRPA boundary, and shipping activity along shipping lanes that cut across the RAA. Lelu Island is designated in the PRPA 2020 Land Use Management Plan as a potential site for future industrial development (Prince Rupert Port Authority 2011). Neighboring Ridley Island is the location of coal and grain terminals and is also designated for further industrial use in that same land use management plan (Prince Rupert Port Authority 2011).

Ten current projects and 15 other projects in the planning or construction stages are expected affect future conditions for the exercise of Metlakatla First Nation's Aboriginal rights (see Table 21.12-1 in Section 21.12.2). The Project is expected to interact with these other projects to create cumulative effects on Metlakatla First Nation's current Aboriginal use (Section 21.12). The Project will incrementally add to increasing interference with Aboriginal people's access to preferred fishing locations, timing of use, and to factors that will affect Aboriginal peoples' degree of satisfaction with fishing practices. The Project is expected to contribute incrementally to cumulative effects on the ability of Aboriginal people to access hunting, trapping and gathering areas, the timing of use, and to reductions in Aboriginal people's satisfaction with hunting, trapping and gathering activities.

The Project is not expected to result in cumulative effects on gathering success as indicated by a change in quantity of harvested resources (Section 21.5.2), as removal of Lelu Island represents a negligible reduction in overall quantity of gathering resources available and will be partially mitigated through wetland habitat offset measures. The Project is expected to contribute incrementally to cumulative effects on the ability of Aboriginal people to access spiritual sites and cultural landscapes, the timing of use, and to reductions in Aboriginal people's satisfaction with uses of those sites and features.

Given predicted cumulative effects on Metlakatla First Nation's current Aboriginal use, future conditions for the exercise of Metlakatla First Nation's Aboriginal rights are expected to result in a greater degree of limitation on those rights with the Project than without the Project. Future government-led regional cumulative effects assessment, optimal marine construction coordination by the Port of Prince Rupert and related land and water use planning processes will help to mitigate these cumulative effects with appropriate planning and zoning.

#### **27.1.9.5 Summary of Potential Effects on Metlakatla First Nation's Aboriginal Rights**

The Project is expected to limit Metlakatla First Nation's exercise of its rights to fish, hunt and trap, gather, and use spiritual sites and cultural landscapes. This limitation is not expected to be unreasonable and will result in: a low amount of hardship; a medium level of change to Metlakatla First Nation's preferred means for exercising its rights; and a low to medium degree of severity.

#### **27.1.9.6 Accommodation Measures**

Through consultation with Metlakatla First Nation, PNW LNG was made aware of the Nation's concerns with both the location of the marine trestle and jetty, as well as the associated dredging and the related disposal of dredged material at sea. PNW LNG has since changed the Project design to address these concerns, including a suspension bridge and relocated trestle and berth, and this design change results in no infrastructure located on Flora Bank and eliminates the need for dredging on Agnew Bank.

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The redesign has also reduced project effects to fish and fish habitat. Dredging is now limited to the MOF area and study results indicate that it will result in no increased risk to human health. The Project design mitigation reduces potential effects from dredging and ocean disposal. Dredge volume is reduced from ~7.7million m<sup>3</sup> to ~790,000 m<sup>3</sup>; disposal at sea volume is reduced from ~7.7million m<sup>3</sup> to ~200,000 m<sup>3</sup> and the dredge area is reduced from ~90 ha to ~6 ha; duration of dredging and disposal is reduced from ~27 to ~6 months.

As well, in response to concerns of spill risk and effects to fisheries, birds, mammals, and marine habitat especially at Flora Banks, PNW LNG made a design decision to remove the bunker refueling facility at the marine terminal from the project design. Using LNG carrier's boil off gas as fuel allows for this design change, which eliminates risks associated with bunker fuel spill during storage, transfer, and refueling; fuelling LNG carriers with gas also reduces air emissions compared with more traditional use of bunker fuel.

Further mitigation measures for potential effects listed in Section 27.1.5, are discussed in detail in the relevant VC sections, and include measures to reduce:

- Changes to Aboriginal marine navigation (EIS Addendum Section 15.4.2)
- Changes in water quality from the disturbance of existing marine sediments(EIS Addendum Section 13.4.2)
- Changes to fish habitat (EIS Addendum Section 13.4.2)
- Potential for injury or mortality to fish and marine mammals (EIS Addendum Section 13. 4.2)
- Changes in behaviour of fish and marine mammals (EIS Addendum Section 13. 4.2)
- Effects to terrestrial habitat for wildlife and marine birds, including wetland compensation and fish habitat offsetting (EIS Addendum Section 11.4.2)
- Mortality risk to terrestrial wildlife and marine birds (EIS Addendum Section 11.4.2)
- Alteration of movement of terrestrial wildlife and marine (EIS Addendum Section 11.4.2)
- Or identify, record, and recover data for heritage features, including culturally modified trees (EIS Addendum Section 20.4.2).
- Measures to reduce changes to marine resources due to changes in water quality from the disturbance of existing marine sediments (EIS Addendum Section 13. 4.2)
- Changes to air quality (EIS Addendum Section 6.4.2)
- Changes to the acoustic environment (EIS Addendum Section 8.4.2)
- Effects on ambient light (EIS Addendum Section 9.4.2)
- Effects on visual quality (EIS Addendum Section 17.4.2)
- Effects on current Aboriginal hunting, trapping, fishing and gathering practices (EIS Addendum Section 21.4.2).

Several follow-up and monitoring programs have also been included as a result of concerns raised by Aboriginal groups, including:

- A marine country food monitoring and follow-up program to address ongoing perception of effects of dredging on the quality of marine country foods
- Turbidity monitoring during dredging and disposal of marine sediment and during in-water construction activities will be conducted and compared to predicted TSS levels.

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PNW LNG is currently negotiating an Impact Benefits Agreement (IBA) with Metlakatla First Nation. The IBA will address issues that Metlakatla First Nation may view as not adequately addressed within the environmental assessment regulatory process and provide appropriate economic benefits and opportunities. The IBA Term Sheet for Metlakatla is expected to be signed by both parties in December 2015 after it is approved by the PNW LNG Board of Directors.

**27.1.10 Potential Effects on Lax Kw'alaams First Nation's Exercise of Aboriginal Rights**

**27.1.10.1 Increased Hardship in the Exercise of Aboriginal Rights**

Using Metlakatla First Nation as a proxy, increased effort to access alternative fishing locations is expected for Lax Kw'alaams First Nation fishers who may shift fishing locations due to project-related changes in availability of, and access to, preferred fishing sites. The assessment of effects on marine resources has concluded that the Project will not result in a measurable change in fish or marine mammal populations nor will it result in a meaningful change in habitat quality or quantity. As described in Section 21.7.5, the residual effect fishing effort is rated as low. The extent of locational change is expected to be small and will result in only a small change from existing baseline conditions for fishing effort. No residual effects are predicted for the success of Lax Kw'alaams fishing practices.

Using Metlakatla First Nation as a proxy, Lax Kw'alaams First Nation members who may hunt deer and seal on Lelu Island are expected to increase effort to obtain these resources from alternative locations. Members are expected to increase effort to hunt whales, if construction noise results in temporary changes in whale distribution. The success rate of Lax Kw'alaams First Nation whale hunting may decline if project-related noise alters the distribution of whales and hunters experience difficulty locating the resources. The success of deer and seal hunting on Lelu Island, is expected to be reduced for individuals and/or families currently using these sites, if Lax Kw'alaams First Nation First Nation's internal governance and resource management frameworks limit the availability of alternative hunting locations these individuals and/or families.

As described in Section 21.7.5, the residual effect hunting and trapping effort and success is rated as **low**. The extent of locational change for deer, mink, otter, and seal hunting and trapping is expected to be small and will result in only a small change from existing baseline conditions for hunting effort. Increased effort to hunt whale is not expected to be substantial, given the ability of hunters to plan on the basis of predictable periods of project-related underwater noise. The Project is not predicted to affect the population viability of any species harvested and is expected to have nominal effect on distribution of these species. As a result, they can be harvested at similar rates in alternative locations.

No residual effects are predicted on the effort or success of Lax Kw'alaams terrestrial gathering practices as a result of the Project. As described in Section 21.7.1, PNW LNG has not been provided with information from Lax Kw'alaams about Lax Kw'alaams First Nation's current gathering practices. The Project is not expected to affect the effort related to Lax Kw'alaams First Nation's use of spiritual sites or cultural landscapes except for CMTs on Lelu Island. Interference of access to non-Lelu Island sites is expected to be negligible (Section 21.7.8). Technical boundaries prevent assessment of degree of success in the use of spiritual sites and cultural landscapes. Aboriginal peoples' goals with respect to the use of such sites and features may be difficult to articulate and to understand

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for those outside of the Aboriginal practice communities. “Success” may be an inappropriate measure with respect to use of such sites and features.

Overall, the Project is expected to result in a low level of hardship on Lax Kw’alaams First Nation with respect to the exercise of its rights to fish, hunt, trap, gather and use spiritual and cultural landscapes.

**27.1.10.2 Potential Restriction of Preferred Means of Exercising Aboriginal Rights**

Using Metlakatla First Nation as a proxy, Lax Kw’alaams First Nation fishers are expected to shift the location of sockeye salmon, eulachon, and crab fisheries in the waters around Lelu Island during construction, due to reduced availability of these sites. Fishers may alter fishing locations in Chatham Sound during operations to avoid interaction with LNG Carriers coming into the Port of Prince Rupert on existing shipping routes from Triple Island. Increased marine traffic during any Port-required decommissioning may also result in a degree of site avoidance for fishers in waters surrounding Lelu Island.

Lax Kw’alaams First Nation fishers may alter the time of day for fishing practices to avoid interaction with LNG carries in the shipping route. As described in Section 21.7.8, the residual effect on preferred locations for, or timing of, fishing practices is rated as **low**. The Project will only affect small portions of wider fishing areas and other portions of the fishing areas will remain available. Fishers are expected to move to different locations within existing fishing areas, rather than move to new fishing areas, resulting in a small change from baseline conditions. Alteration of the timing of fishing activities in relation to project shipping schedules is expected to take place for only some fishers and would only occur at one period during the day.

Using Metlakatla First Nation as a proxy, Lax Kw’alaams First Nation hunters who may hunt deer on Lelu Island, and hunters who may harvest seal on the shore of Lelu Island, are expected to shift the location of these hunting activities during construction, operations, and after any Port-required decommissioning. The location of whale hunting may shift, if whales alter their behavior in response to construction-related noise and noise related to shipping traffic. Lax Kw’alaams First Nation members are expected to alter the timing of marine hunting to avoid noise during construction and decommissioning (time of week and/or month) and interactions with shipping during operations (time of day).

As described in Section 21.7.8, the residual effect on preferred locations for hunting and trapping practices is rated as **medium**. The Project is expected to result in the relocation of hunting efforts for only small number of individuals. The residual effect on timing of hunting and trapping practices is rated as **low**. Alteration of the timing of hunting and trapping activities in relation to construction activities and project shipping schedules is expected to take place for only some hunters; timing effects related to shipping would only occur at one period during the day.

No residual effects are predicted on the location or timing of Lax Kw’alaams terrestrial gathering practices as a result of the Project. As described in Section 21.7.1, PNW LNG has not been provided with information from Lax Kw’alaams about Lax Kw’alaams First Nation’s current gathering practices.

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Using Metlakatla First Nation as a proxy, removal of cultural landscapes (CMTs) from Lelu Island is expected to require Lax Kw'alaams First Nation members to use other CMT sites for traditional purposes. CMTs will remain in the visual buffer surrounding the Island, and may become available to members after project decommissioning in the unlikely event the Port returns Lelu Island to a natural state after decades of industrial development.

The residual effect on preferred locations for use of spiritual sites and cultural landscapes is rated as **high**. Lelu Island will no longer provide a location for the use of cultural landscapes (CMTs), the lease of Lelu Island to PNW LNG and the subsequent industrial development of the island. The residual effect on timing of use of spiritual sites and cultural landscapes is rated as **medium**.

Overall, the Project is expected to result in a medium level of limitation on Lax Kw'alaams First Nation's preferred means of exercising its Aboriginal rights. The Project will limit the ability of a small number of Lax Kw'alaams First Nation members to exercise their Aboriginal rights in their preferred locations at preferred times.

**27.1.10.3 Modification of Cultural Values Associated with the Exercise of Aboriginal Rights**

Using Metlakatla First Nation as a proxy, visual quality changes may affect the degree of Lax Kw'alaams First Nation members' aesthetic satisfaction while fishing in the vicinity of the Project. Lax Kw'alaams First Nation members' aesthetic satisfaction while hunting and trapping in the vicinity of the Project is expected to be affected due to visual quality changes. Collection of TEK in the vicinity of the Project, and cultural transmission of TEK specific to those sites, is expected to be reduced for members who are no longer able to hunt and trap on Lelu Island. The Project may reduce opportunities for social bonding for members' who hunt on Lelu Island, if members do not have access to alternative hunting sites. To the extent that members experience reduced hunting success in alternative locations to Lelu Island, members are expected to have reduced opportunities to share and trade country foods, thereby affecting social networks and norms of reciprocity and trust.

As described in Section 21.7.5.1, the residual effect on satisfaction with fishing, hunting and trapping practices related to aesthetic experiences while harvesting in the vicinity of the Project is rated as **low**. Lelu Island is located within an industrial port and the area currently experiences marine and shipping traffic; consequently effects on aesthetic experience are expected to be relatively low. Lelu Island has not been identified as particularly important site for the collection and transmission of TEK. Reduced opportunities for social bonding in relation to hunting and trapping practices on Lelu Island are expected to be limited to a small number of individuals/families.

Opportunities for social bonding in relation to other hunting and trapping sites will continue to exist. Opportunities to trade and share country foods are expected to be diminished only to a small degree, as reductions in the successful harvest of resources is expected to be minimal.

No residual effects are predicted on the satisfaction of Lax Kw'alaams terrestrial gathering practices as a result of the Project. As described in Section 21.7.1, PNW LNG has not been provided with information from Lax Kw'alaams with respect to Lax Kw'alaams First Nation's current gathering practices.

Using Metlakatla First Nation as a proxy, Lax Kw'alaams First Nation members' aesthetic satisfaction while using spiritual sites and cultural landscapes in the vicinity of the Project is expected to be affected due to changes in visual quality. Collection of TEK in the vicinity of the Project, and cultural transmission of TEK specific to those sites,

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is expected to be reduced due to the prevention or alteration of use of cultural landscapes (CMTs) on Lelu Island. The residual effect on satisfaction with use of spiritual sites and cultural landscapes practices is rated as **medium**. As described in Section 21.7.8, alteration of aesthetic experiences and the ability to collect and teach TEK in the vicinity of the Project are predicted to be limited. However, use of such sites is assumed to be highly important to Lax Kw'alaams First Nation members.

Overall, the Project's potential limitation of Lax Kw'alaams First Nation's Aboriginal rights is expected to be low to medium in severity. While the limitation is not expected to affect Lax Kw'alaams First Nation's membership widely, the potential limitation will not be trivial, particularly with respect to potential effects on the use of spiritual sites and cultural landscapes. The loss of cultural use of Lelu Island CMTs is rated as significant.

**27.1.10.4 Predicted Future Conditions for the Exercise of Lax Kw'alaams First Nation's Rights**

Existing and future conditions for the exercise of Lax Kw'alaams First Nation's Aboriginal rights have been and will be affected by past, current, and planned industrial and commercial activities. There is mixed industrial, commercial and recreational use of the land and waters within the RAA. This is due to the presence of the Port of Prince Rupert, one of four federal ports in British Columbia, the City of Prince Rupert (population of 12,508) and the District of Port Edward (population 544) (Statistics Canada 2012). Development and activities within the RAA include the marine terminal and shoreline infrastructure within the PRPA boundary, and shipping activity along shipping lanes that cut across the RAA. Lelu Island is designated in the PRPA 2020 Land Use Management Plan as a potential site for future industrial development (Prince Rupert Port Authority 2011). Neighboring Ridley Island is the location of coal and grain terminals and is also designated for further industrial use in that same land use management plan (Prince Rupert Port Authority 2011).

Ten current projects and 15 other projects in the planning or construction stages are expected affect future conditions for the exercise of Lax Kw'alaams First Nation's Aboriginal rights (see Table 21.12-1 in Section 21.12). The Project is expected to interact with these other projects to create cumulative effects on Lax Kw'alaams First Nation's current Aboriginal use (Section 21.12). The Project will incrementally add to increasing interference with Aboriginal people's access to preferred fishing locations, timing of use, and to factors that will affect Aboriginal peoples' degree of satisfaction with fishing practices. The Project is expected to result to contribute incrementally to cumulative effects on the ability of Aboriginal people to access hunting, trapping and gathering locations, the timing of use, and to reductions in Aboriginal people's satisfaction with hunting, trapping and gathering activities. The Project is not expected to result in cumulative effects on gathering success, as indicated by a change in quantity of harvested resources (Section 21.5.2), as removal of Lelu Island represents a negligible reduction in overall quantity of gathering resources available and will be partially mitigated through wetland habitat offset measures. The Project is expected to contribute incrementally to cumulative effects on the ability of Aboriginal people to access spiritual sites and cultural landscapes, the timing of use, and to reductions in Aboriginal people's satisfaction with uses of those sites and features.

Given predicted cumulative effects on Lax Kw'alaams First Nation's current Aboriginal use (using Metlakatla First Nation as a proxy), future conditions for the exercise of Lax Kw'alaams First Nation's Aboriginal rights are expected to result in a greater degree of limitation on those rights with the Project than without the Project. Future

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government-led regional cumulative effects assessment and related land and water use planning processes will help to mitigate these cumulative effects with appropriate planning and zoning.

**27.1.10.5 Summary of Potential Effects on Lax Kw'alaams First Nation's Aboriginal Rights**

The Project is expected to limit Lax Kw'alaams First Nation's exercise of its rights to fish, hunt and trap, and use spiritual sites and cultural landscapes. This limitation is not expected to be unreasonable and will result in: a low amount of hardship; a medium level of change to Lax Kw'alaams First Nation's preferred means for exercising its rights; and a low to medium degree of severity.

**27.1.10.6 Accommodation Measures**

Through consultation with Lax Kw'alaams First Nation, PNW LNG was made aware of the Nation's concerns with both the location of the marine trestle and jetty and associated construction activities and project location, and the perceived potential impact on fish habitat and marine resources. PNW LNG has since changed the Project design to address these concerns, including a suspension bridge and relocated trestle and berth, and this design change results in no infrastructure located on Flora Bank and eliminates the need for dredging on Agnew Bank.

The redesign has also reduced project effects to fish and fish habitat. Dredging is now limited to the MOF area and study results indicate that it will result in no increased risk to human health. The Project design mitigation reduces potential effects from dredging and ocean disposal. Dredge volume is reduced from ~7.7million m<sup>3</sup> to ~790,000 m<sup>3</sup>; disposal at sea volume is reduced from ~7.7million m<sup>3</sup> to ~200,000 m<sup>3</sup> and the dredge area is reduced from ~90 ha to ~6 ha; duration of dredging and disposal is reduced from ~27 to ~6 months.

Further mitigation measures for potential effects listed in Section 27.1.7.5, are discussed in detail in the relevant VC sections, and include measures to reduce:

- Changes to Aboriginal marine navigation (Section 15.5.2.2)
- Changes in water quality from the disturbance of existing marine sediments(Section 13.5.2.2)
- Changes to fish habitat (Section 13.5.3.2)
- Potential for injury or mortality to fish and marine mammals (Section 13.5.4.2)
- Changes in behaviour of fish and marine mammals (Section 13.5.5.2)
- Effects to terrestrial habitat for wildlife and marine birds, including wetland compensation and fish habitat offsetting (Section 11.5.2.2)
- Mortality risk to terrestrial wildlife and marine birds (Section 11.5.3.3)
- Alteration of movement of terrestrial wildlife and marine (Section 11.5.4.2)
- Or identify, record, and recover data for heritage features, including culturally modified trees (Sections 20.5.2.2 and 20.5.3.2).
- Measures to reduce changes to marine resources due to changes in water quality from the disturbance of existing marine sediments (Section 13.5.2.2)
- Changes to air quality (Section 6.5.2.2)
- Changes to the acoustic environment (Section 8.5.2.2)
- Effects on ambient light (Section 9.5.2.2)
- Effects on visual quality (Section 17.5.2.4)



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- Effects on current Aboriginal hunting, trapping, fishing and gathering practices (Section 21.6.6).

Several follow-up and monitoring programs have also been included as a result of concerns raised by Aboriginal groups, including:

- A marine country food monitoring and follow-up program to address ongoing perception of effects of dredging on the quality of marine country foods
- Turbidity monitoring during dredging and disposal of marine sediment and during in-water construction activities will be conducted and compared to predicted TSS levels.

PNW LNG is continuing to attempt to negotiate an Impacts Benefit Agreement (IBA) with Lax Kw'alaams First Nation. The IBA will address issues that Lax Kw'alaams First Nation may view as not adequately addressed within the environmental assessment regulatory process and provide appropriate economic benefits and opportunities. Negotiations are now just re-starting in December 2014 after Lax Kw'alaams First Nation governance issues have been resolved.

### **27.1.11 Potential Effects on Gitxaala Nation's Exercise of Aboriginal Rights**

#### **27.1.11.1 Increased Hardship in the Exercise of Aboriginal Rights**

As described in Section 21.8.5, no residual effects are predicted to the effort and success of Gitxaala fishing practices as a result of the Project. The assessment of effects on marine resources has concluded that the Project will not result in a measurable change in fish or marine mammal populations nor will it result in a meaningful change in habitat quality or quantity.

Gitxaala member's currently hunting deer around Porpoise Channel may need to increase effort to obtain these resources from alternative locations. Members may also need to increase effort to hunt seals and sea lion due to temporary changes in distribution as a result of construction noise. Project-related interference with Gitxaala members' access to terrestrial and marine hunting locations is not expected to reduce overall hunting time and therefore success rates. As described in Section 21.8.8, the residual effect for hunting effort and success is rated as **low**. The extent of locational change for deer, sea lion and seal hunting is expected to be small and will result in only a small change from existing baseline conditions for hunting effort. Increased effort to hunt seals and sea lion is not expected to be substantial, given the ability of hunters to plan on the basis of predictable periods of project-related underwater noise. The Project is not predicted to affect the population viability of these species can be harvested at similar rates in alternative locations. The success rate for hunting seals and sea lion is not expected to deviate to a large degree from baseline conditions.

As described in Section 21.8.8, no residual effects are predicted on the effort or success of Gitxaala terrestrial gathering practices as a result of the Project. No residual effects are predicted on the effort to reach spiritual or cultural sites. Technical boundaries prevent assessment of degree of success in the use of spiritual sites and cultural landscapes. Aboriginal peoples' goals with respect to the use of such sites and features may be difficult to articulate and to understand for those outside of the Aboriginal practice communities.



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Overall, the Project is expected to result in a low level of hardship on the Gitxaala Nation with respect to the exercise of its aboriginal rights to hunt and trap.

**27.1.11.2 Potential Restriction of Preferred Means of Exercising Aboriginal Rights**

As described in Section 21.8.5, Gitxaala harvesters may temporarily shift the location of salmon, clams, and crab harvesting in the waters around Lelu Island, Flora Bank and Porpoise Channel during construction. Increased marine traffic during construction and any Port-required decommissioning may result in temporary site avoidance for fishers in waters surrounding Lelu Island. Harvesters may alter fishing locations in Chatham Sound during operations to avoid interaction with LNG Carriers coming into the Port of Prince Rupert along the existing shipping route from Triple Island. Project activities during operations are not expected to affect the seasonality of fishing practices, though Gitxaala members may alter the time of day for fishing practices to avoid interaction with LNG Carriers in the shipping route.

As described in Section 21.8.8, the residual effect on preferred locations for fishing practices is rated as **low**. The Project will only affect small portions of wider fishing areas (e.g., a few hectares compared to square kilometers of fishing area) and other substantive portions of the fishing areas will remain available. Fishers are expected to move to different locations within existing fishing areas, rather than move to new fishing areas, resulting in a small change from baseline conditions. The residual effect on timing of fishing practices is rated as **low**. Alteration of the timing of fishing activities in relation to project shipping schedules is expected to take place for only some fishers and would only occur at one period during the day.

Gitxaala hunters who currently hunt deer around Porpoise Channel are expected to shift the location of hunting activities during construction, operations, and decommissioning. The location of seal and sea lion harvests may shift, if these species alter their behaviour in response to construction-related noise and noise related to shipping traffic. Members may alter the timing of marine hunting to avoid noise during construction and decommissioning (time of week and/or month) and interactions with shipping during operations (time of day). Seasonal changes are not expected.

As described in Section 21.8.8, the residual effect on preferred locations for, and timing of, hunting and trapping practices is rated as **low**. The Project is expected to result in the relocation of hunting efforts for only a small number of individuals, notably deer hunters. Alteration of the timing of hunting and trapping activities in relation to construction activities and project shipping schedules is expected to take place for only some hunters; timing effects related to shipping would only occur at one period during the day.

As described in Section 21.8.8, no residual effects are predicted on the location or timing of Gitxaala terrestrial gathering practices as a result of the Project. The Gitxaala have identified Lelu Island as culturally sensitive and spiritually significant. Removal of cultural landscapes (CMTs) from Lelu Island will require members to use other CMT sites for traditional purposes. CMTs will remain in the visual buffer surrounding the Island, and may become available to members following project decommissioning if, in the unlikely event, the Port decides to return Lelu Island to a natural state after decades of industrial development.

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As described in Section 21.8.8, the residual effect on preferred locations for use of spiritual sites and cultural landscapes is rated as **moderate**. Lelu Island will no longer be an available location for the use of cultural landscapes (CMTs), due to the lease of the entire island to PNW LNG and the industrial development that will follow. Gitxaala members will no longer be able to access a spiritual site on the eastern shore of Lelu Island. No predicted residual effects to the timing of Gitxaala use of spiritual sites or cultural landscapes are predicted.

Overall, the Project is expected to result in a low to medium level of limitation on Gitxaala Nation's preferred means of exercising its Aboriginal rights. The Project will limit the ability of a small number of Gitxaala Nation members to exercise their Aboriginal rights in their preferred locations at preferred times.

### 27.1.11.3 Modification of Cultural Values Associated with the Exercise of Aboriginal Rights

A residual effect is predicted as visual quality changes may affect the degree of members' aesthetic satisfaction and feeling of cultural distinctiveness while fishing in the vicinity of the Project. Also, visual quality changes may affect the degree of members' aesthetic satisfaction and feeling of cultural distinctiveness while hunting in the vicinity of the Project.

As described in Section 21.8.8, the residual effect on satisfaction with fishing, hunting and trapping practices is rated as **low**. Lelu Island is located within a federally designated industrial port and the area currently experiences marine and shipping traffic; consequently effects on aesthetic experience is expected to be relatively low. Lelu Island has not been identified as particularly important site for the collection and transmission of TEK. Opportunities for social bonding in relation to other hunting and trapping sites will continue to exist. Opportunities to trade and share country foods are expected to be diminished only to a small degree, as reductions in the successful harvest of resources is expected to be minimal.

As described in Section 21.8.8, no residual effects are predicted to the satisfaction of Gitxaala terrestrial gathering practices as a result of the Project. However, members' aesthetic satisfaction while using spiritual sites and cultural landscapes in the vicinity of the Project is expected to be affected due to changes in visual quality. The residual effect on satisfaction with use of spiritual sites and cultural landscapes practices is rated as **low**. Alteration of aesthetic experiences and the ability to collect and teach TEK in the vicinity of the Project are predicted to be limited.

Overall, the Project's potential limitation of Gitxaala Nation's Aboriginal rights is expected to be low in severity. The limitation is not expected to affect Gitxaala Nation's membership widely.

### 27.1.11.4 Predicted Future Conditions for the Exercise of Gitxaala Nation's Rights

Existing and future conditions for the exercise of Gitxaala Nation's Aboriginal rights have been and will be affected by past, current, and planned industrial and commercial activities. There is mixed industrial, commercial and recreational use of the land and waters within the RAA. This is due to the presence of the Port of Prince Rupert, one of four federal ports in British Columbia, the City of Prince Rupert (population of 12,508) and the District of Port Edward (population 544) (Statistics Canada 2012). Development and activities within the RAA include the marine terminal and shoreline infrastructure within the PRPA boundary, and shipping activity along shipping lanes that cut across the RAA. Lelu Island is designated in the PRPA 2020 Land Use Management Plan as a potential site

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for future industrial development (Prince Rupert Port Authority 2011). Neighboring Ridley Island is the location of coal and grain terminals and is also designated for further industrial use in that same land use management plan (Prince Rupert Port Authority 2011).

Ten current projects and 15 other projects in the planning or construction stages are expected affect future conditions for the exercise of Gitxaala Nation’s Aboriginal rights (see Table 21.12-1 in Section 21). The Project is expected to interact with these other projects to create cumulative effects on Gitxaala Nation’s current Aboriginal use (Section 21.12). The Project will incrementally add to increasing interference with Aboriginal people’s access to preferred fishing locations, timing of use, and to factors that will affect Aboriginal peoples’ degree of satisfaction with fishing practices.

The Project is expected to result to contribute incrementally to cumulative effects on the ability of Aboriginal people to access hunting, trapping and gathering locations, the timing of use, and to reductions in Aboriginal people’s satisfaction with hunting, trapping and gathering activities. The Project is not expected to result in cumulative effects on gathering success, as indicated by a change in quantity of harvested resources (Section 21.5.2), as removal of Lelu Island represents a negligible reduction in overall quantity of gathering resources available and will be partially mitigated through wetland habitat offset measures. The Project is expected to contribute incrementally to cumulative effects on the ability of Aboriginal people to access spiritual sites and cultural landscapes, the timing of use, and to reductions in Aboriginal people’s satisfaction with uses of those sites and features.

Given predicted cumulative effects on Gitxaala Nation’s current Aboriginal use, future conditions for the exercise of Gitxaala Nation’s Aboriginal rights are expected to result in a greater degree of limitation on those rights with the Project than without the Project. Future government-led regional cumulative effects assessment and related land and water use planning processes will help to mitigate these cumulative effects with appropriate planning and zoning.

**27.1.11.5 Summary of Potential Effects on Gitxaala Nation’s Aboriginal Rights**

The Project is expected to limit Gitxaala Nation’s exercise of its rights to fish, hunt and trap, and use spiritual sites and cultural landscapes. This limitation is not expected to be unreasonable and will result in: a low amount of hardship; a low to medium level of change to Gitxaala Nation’s preferred means for exercising its rights; and a low degree of severity.

**27.1.11.6 Accommodation Measures**

Through consultation with Gitxaala Nation, PNW LNG was made aware of the Nation’s concerns with both the marine infrastructure and effects to Flora Bank and the Skeena River, as well as the associated dredging and the related disposal of dredged material at sea. PNW LNG has since changed the Project design to address these concerns, including a suspension bridge and relocated trestle and berth, and this design change results in no infrastructure located on Flora Bank and eliminates the need for dredging on Agnew Bank.

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The redesign has also reduced project effects to fish and fish habitat. Dredging is now limited to the MOF area and study results indicate that it will result in no increased risk to human health. The Project design mitigation reduces potential effects from dredging and ocean disposal. Dredge volume is reduced from ~7.7million m<sup>3</sup> to ~790,000 m<sup>3</sup>; disposal at sea volume is reduced from ~7.7million m<sup>3</sup> to ~200,000 m<sup>3</sup> and the dredge area is reduced from ~90 ha to ~6 ha; duration of dredging and disposal is reduced from ~27 to ~6 months.

As well, in response to concerns of concern about potential spills on fish and fish habitat, PNW LNG made a design decision to remove the bunker refueling facility at the marine terminal from the project design. Using LNG carrier's boil off gas as fuel allows for this design change, which eliminates risks associated with bunker fuel spill during storage, transfer, and refueling; fuelling LNG carriers with gas also reduces air emissions compared with more traditional use of bunker fuel.

Further mitigation measures for potential effects listed in Section 27.1.7.5, are discussed in detail in the relevant VC sections, and include measures to reduce:

- Changes to Aboriginal marine navigation (Section 15.5.2.2)
- Changes in water quality from the disturbance of existing marine sediments(Section 13.5.2.2)
- Changes to fish habitat (Section 13.5.3.2)
- Potential for injury or mortality to fish and marine mammals (Section 13.5.4.2)
- Changes in behaviour of fish and marine mammals (Section 13.5.5.2)
- Effects to terrestrial habitat for wildlife and marine birds, including wetland compensation and fish habitat offsetting (Section 11.5.2.2)
- Mortality risk to terrestrial wildlife and marine birds (Section 11.5.3.3)
- Alteration of movement of terrestrial wildlife and marine (Section 11.5.4.2)
- Or identify, record, and recover data for heritage features, including culturally modified trees (Sections 20.5.2.2 and 20.5.3.2).
- Measures to reduce changes to marine resources due to changes in water quality from the disturbance of existing marine sediments (Section 13.5.2.2)
- Changes to air quality (Section 6.5.2.2)
- Changes to the acoustic environment (Section 8.5.2.2)
- Effects on ambient light (Section 9.5.2.2)
- Effects on visual quality (Section 17.5.2.4)
- Effects on current Aboriginal hunting, trapping, fishing and gathering practices (Section 21.6.6).

Several follow-up and monitoring programs have also been included as a result of concerns raised by Aboriginal groups, including:

- A marine country food monitoring and follow-up program to address ongoing perception of effects of dredging on the quality of marine country foods
- Turbidity monitoring during dredging and disposal of marine sediment and during in-water construction activities will be conducted and compared to predicted TSS levels.

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PNW LNG is currently negotiating a confidential Impact Benefits Agreement (IBA) with Gitxaala Nation. The IBA will address issues that Gitxaala Nation may view as not adequately addressed within the environmental assessment regulatory process and provide appropriate economic benefits and opportunities.

**27.1.12 Potential Effects on Kitselas First Nation’s Exercise of Aboriginal Rights**

**27.1.12.1 Increased Hardship In the Exercise of Aboriginal Rights**

As described in Section 21.10.5, increased effort to access alternative fishing locations is expected for Kitselas fish harvesters who shift fishing location due to project-related changes in the availability of, and access to, preferred fishing sites. However, no residual effects to fish harvesting success are predicted. As described in Section 21.10.8, the residual effect fishing effort is rated as **low**. The extent of locational change is expected to be small and will result in only a small change from existing baseline conditions for fishing effort.

No residual effects to Kitselas harvesting efforts were predicted. The success of Kitselas First Nation harvesting of sea lion in the vicinity of the Project may be reduced, if sea lion alter their behaviour in response to construction-related noise. The residual effect on hunting and trapping success is rated as **low**. The Project is not predicted to affect the population viability and species can be harvested at similar rates in alternative locations.

As described in Section 21.10.5, the Project may affect the effort involved in Kitselas First Nation members’ terrestrial gathering practices, if project activities interfere with members’ access to gathering locations. The residual effect on gathering effort is rated as **low**. The extent of locational change gathering is expected to be small and will result in only a small change from existing baseline conditions for gathering effort. The Project may also affect the success of Kitselas First Nation members’ terrestrial gathering practices, if members currently gather on Lelu Island, and if project activities interfere with members’ access to other gathering locations. The residual effect on gathering success is rated as **low**. The complete removal of Lelu Island as a gathering site is expected to result in a small reduction in the overall quantity of gathered resources within the LAA.

No residual effects to the effort and success involved in Kitselas use of spiritual sites or cultural landscapes were predicted. As described in Section 21.10.1, PNW LNG has not been provided with information about Kitselas First Nation’s current use of spiritual sites and cultural landscapes. Kitselas First Nation has not raised any concerns about archaeological sites or cultural landscapes on Lelu Island.

Overall, the Project is expected to result in a low level of hardship on Kitselas First Nation with respect to the exercise of its rights to fish, hunt, trap, and gather terrestrial resources.

**27.1.12.2 Potential Restriction of Preferred Means of Exercising Aboriginal Rights**

As described in Section 21.10.5, Kitselas First Nation fishers expected to shift the location of salmon fisheries in the waters around Lelu Island during construction, due to reduced availability of these sites. Members may alter fishing locations in Chatham Sound during operations to avoid interaction with LNG Carriers in the shipping route. Increased marine traffic during decommissioning may also result in a degree of site avoidance for fishers in waters surrounding Lelu Island. Kitselas First Nation members may also alter the time of day for fishing practices to avoid

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interaction with LNG Carriers coming into the Port of Prince Rupert along existing shipping routes from Triple Island.

As described in Section 21.10.8, the residual effect on preferred locations for fishing practices is rated as **low**. The Project will only affect small portions of wider fishing areas and other portions of the fishing areas will remain available. Fishers are expected to move to different locations within existing fishing areas, rather than move to new fishing areas, resulting in a small change from baseline conditions. The residual effect on timing of fishing practices is also rated as **low**. Alteration of the timing of fishing activities in relation to project shipping schedules is expected to take place for only some fishers and would only occur at one period during the day.

Kitselas First Nation members hunting seal on the north side of Smith Island may shift the location of these activities during construction due to construction-related noise. Kitselas members may alter the timing of their marine and other harvesting to avoid noise during construction and decommissioning (time of week and/or month) and interactions with shipping during operations (time of day). As described in Section 21.10.8, the residual effect on preferred locations for hunting and trapping practices is rated as **medium**. The Project has the potential to result in the relocation of hunting efforts for only small number of individuals. The residual effect on timing of hunting and trapping practices is rated as **low**. Alteration of the timing of hunting and trapping activities in relation to construction activities and project shipping schedules is expected to take place for only some hunters if at all; timing effects related to shipping would only occur at one period during the day.

As described in Section 21.10.8, should Kitselas First Nation members gather resources on Lelu Island, they will experience a reduction in total amount of gathering sites available to them and the consequent need to alter the location of these activities. No residual effects to the timing of Kitselas terrestrial gathering practices were predicted. The residual effect on preferred locations for gathering practices is rated as **medium**. The Project is expected to result in the relocation of gathering efforts for only small number of individuals, if any.

No residual effects to the location and timing involved in Kitselas use of spiritual sites or cultural landscapes were predicted. As described in Section 21.10.1, PNW LNG has not been provided with information about Kitselas First Nation's current use of spiritual sites and cultural landscapes. Kitselas First Nation has not raised any concerns about archaeological sites or cultural landscapes on Lelu Island.

Overall, the Project is expected to result in a low to medium level of limitation on Kitselas First Nation's preferred means of exercising its Aboriginal rights. The Project will limit the ability of a small number of Kitselas First Nation members to exercise their Aboriginal rights in their preferred locations at preferred times.

**27.1.12.3 Modification of Cultural Values Associated with the Exercise of Aboriginal Rights**

As described in Section 21.10.5, visual quality changes may affect the degree of Kitselas members' aesthetic satisfaction while fishing in the vicinity of the Project. Kitselas First Nation members' aesthetic satisfaction while hunting and trapping in the vicinity of the Project is expected to be affected due to changes in visual quality as well as by changes to noise conditions on Smith and Digby Islands during construction. To the extent that members experience reduced success hunting of sea lion, members are expected to have reduced opportunities to share and trade country foods, thereby affecting social networks and norms of reciprocity.

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As described in Section 21.10.8, the residual effect on satisfaction with fishing, hunting and trapping practices related to aesthetic experiences while fishing, hunting or trapping in the vicinity of the Project is rated as **low**. Lelu Island is located within an industrial port and the area currently experiences marine and shipping traffic; consequently effects on aesthetic experience is expected to be relatively low. Information that would enable review of whether or not Lelu Island is particularly important site for the collection and transmission of TEK is unavailable. Reduced opportunities for social bonding in relation to hunting and trapping practices on Lelu Island are expected to be limited to a small number of individuals/families. Opportunities for social bonding in relation to other hunting and trapping sites will continue to exist. Opportunities to trade and share country foods are expected to be diminished only to a small degree, as reductions in the successful harvest of resources is expected to be minimal.

As described in Section 21.10.5, Kitselas First Nations members may experience reduced opportunity to collect and transmit TEK, and trade and share country foods, should members currently gather resources on Lelu Island. Members may also experience reduced aesthetic satisfaction, if the Project is within view of other gathering locations. The residual effect on satisfaction with gathering practices is rated as **low**, for the same reasons outlined above.

No residual effects to the aesthetic satisfaction involved in Kitselas use of spiritual sites or cultural landscapes were predicted. As described in Section 21.10.1, PNW LNG has not obtained information about Kitselas First Nation's current use of spiritual sites and cultural landscapes. Kitselas First Nation has not raised any concerns about archaeological sites or cultural landscapes on Lelu Island.

Overall, the Project's potential limitation of Kitselas First Nation's Aboriginal rights is expected to be low in severity. The limitation is not expected to affect Kitselas First Nation's membership widely.

**27.1.12.4 Predicted Future Conditions for the Exercise of Kitselas First Nation's Rights**

Existing and future conditions for the exercise of Kitselas First Nation's Aboriginal rights have been and will be affected by past, current, and planned industrial and commercial activities. There is mixed industrial, commercial and recreational use of the land and waters within the RAA. This is due to the presence of the Port of Prince Rupert, one of four federal ports in British Columbia, the City of Prince Rupert (population of 12,508) and the District of Port Edward (population 544) (Statistics Canada 2012). Development and activities within the RAA include the marine terminal and shoreline infrastructure within the PRPA boundary, and shipping activity along shipping lanes that cut across the RAA. Lelu Island is designated in the PRPA 2020 Land Use Management Plan as a potential site for future industrial development (Prince Rupert Port Authority 2011). Neighboring Ridley Island is the location of coal and grain terminals and is also designated for further industrial use in that same land use management plan (Prince Rupert Port Authority 2011).

Ten current projects and 15 other projects in the planning or construction stages are expected affect future conditions for the exercise of Kitselas First Nation's Aboriginal rights (see Table 21.12-1 in Section 21). The Project is expected to interact with these other projects to create cumulative effects on Kitselas First Nation's current Aboriginal use (Section 21.12). The Project will incrementally add to increasing interference with Aboriginal people's access to preferred fishing locations, timing of use, and to factors that will affect Aboriginal peoples'



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degree of satisfaction with fishing practices. The Project is expected to result to contribute incrementally to cumulative effects on the ability of Aboriginal people to access preferred hunting and trapping locations, the timing of use, and to reductions in Aboriginal people's satisfaction with hunting and trapping activities. The Project is expected to result to contribute incrementally to cumulative effects on the ability of Aboriginal people to access preferred gathering locations, the timing of use, and to reductions in Aboriginal people's satisfaction with gathering activities. The Project is not expected to result in cumulative effects on gathering success, as indicated by a change in quantity of harvested resources (Section 21.5.2), as removal of Lelu Island represents a negligible reduction in overall quantity of gathering resources available and will be partially mitigated through wetland habitat offset measures. The Project is expected to contribute incrementally to cumulative effects on the ability of Aboriginal people to access spiritual sites and cultural landscapes, the timing of use, and to reductions in Aboriginal people's satisfaction with uses of those sites and features.

Given predicted cumulative effects on Kitselas First Nation's current Aboriginal use, future conditions for the exercise of Kitselas First Nation's Aboriginal rights are expected to result in a greater degree of limitation on those rights with the Project than without the Project. Future government-led regional cumulative effects assessment and related land and water use planning processes will help to mitigate these cumulative effects with appropriate planning and zoning.

**27.1.12.5 Summary of Potential Effects on Kitselas First Nation's Aboriginal Rights**

The Project is expected to limit Kitselas First Nation's exercise of its rights to fish, hunt and trap, gather terrestrial resources, and use spiritual sites and cultural landscapes. This limitation is not expected to be unreasonable and will result in: a low amount of hardship; a low to medium level of change to Kitselas First Nation's preferred means for exercising its rights; and a low degree of severity.

**27.1.12.6 Accommodation Measures**

Through consultation with Kitselas First Nation, PNW LNG was made aware of the Nation's concerns marine infrastructure impacts to fish and fish habitat at Flora Bank, as well as the associated dredging and the related disposal of dredged material at sea. PNW LNG has since changed the Project design to address these concerns, including a suspension bridge and relocated trestle and berth, and this design change results in no infrastructure located on Flora Bank and eliminates the need for dredging on Agnew Bank.

The redesign has also reduced project effects to fish and fish habitat. Dredging is now limited to the MOF area and study results indicate that it will result in no increased risk to human health. The Project design mitigation reduces potential effects from dredging and ocean disposal. Dredge volume is reduced from ~7.7million m<sup>3</sup> to ~790,000 m<sup>3</sup>; disposal at sea volume is reduced from ~7.7million m<sup>3</sup> to ~200,000 m<sup>3</sup> and the dredge area is reduced from ~90 ha to ~6 ha; duration of dredging and disposal is reduced from ~27 to ~6 months.

Further mitigation measures for potential effects listed in Section 27.1.7.5, are discussed in detail in the relevant VC sections, and include measures to reduce:

- Changes to Aboriginal marine navigation (Section 15.5.2.2)
- Changes in water quality from the disturbance of existing marine sediments(Section 13.5.2.2)



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- Changes to fish habitat (Section 13.5.3.2)
- Potential for injury or mortality to fish and marine mammals (Section 13.5.4.2)
- Changes in behaviour of fish and marine mammals (Section 13.5.5.2)
- Effects to terrestrial habitat for wildlife and marine birds, including wetland compensation and fish habitat offsetting (Section 11.5.2.2)
- Mortality risk to terrestrial wildlife and marine birds (Section 11.5.3.3)
- Alteration of movement of terrestrial wildlife and marine (Section 11.5.4.2)
- Or identify, record, and recover data for heritage features, including culturally modified trees (Sections 20.5.2.2 and 20.5.3.2).
- Measures to reduce changes to marine resources due to changes in water quality from the disturbance of existing marine sediments (Section 13.5.2.2)
- Changes to air quality (Section 6.5.2.2)
- Changes to the acoustic environment (Section 8.5.2.2)
- Effects on ambient light (Section 9.5.2.2)
- Effects on visual quality (Section 17.5.2.4)
- Effects on current Aboriginal hunting, trapping, fishing and gathering practices (Section 21.6.6).

Several follow-up and monitoring programs have also been included as a result of concerns raised by Aboriginal groups, including:

- A marine country food monitoring and follow-up program to address ongoing perception of effects of dredging on the quality of marine country foods
- Turbidity monitoring during dredging and disposal of marine sediment and during in-water construction activities will be conducted and compared to predicted TSS levels.

PNW LNG has negotiated an IBA Term Sheet with the Kitselas First Nation. The IBA will address issues that the Kitselas First Nation may view as not adequately addressed within the environmental assessment regulatory process and provide appropriate economic benefits and opportunities. Kitselas will be writing the CEA Agency to inform them that they support the Project.

### **27.1.13 Potential Effects on Kitsumkalum First Nation’s Exercise of Aboriginal Rights**

#### **27.1.13.1 Increased Hardship In the Exercise of Aboriginal Rights**

As described in Section 21.9.5, increased effort to access alternative fishing locations is expected for Kitsumkalum fishers who shift fishing location due to project-related changes in availability of, and access to, preferred fishing sites. The residual effect fishing effort is rated as **low**. The extent of locational change is expected to be small and will result in only a small change from existing baseline conditions for fishing effort. No residual effects to Kitsumkalum fishing success are predicted.

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Kitsumkalum First Nation members may need to increase effort to hunt sea lion due to temporary changes in sea lion distribution as a result of construction noise. Alteration of sea lion movement due to project-related noise may reduce the success rate of hunters if they experience difficulty locating the resources. The success of Kitsumkalum First Nation harvesters who are no longer be able to hunt and trap on Lelu Island is not expected to be limited by reductions in the overall abundance of these species in other locations. However, Kitsumkalum First Nation's internal governance and resource management frameworks may limit the availability of alternative hunting locations for particular individuals and/or families, thereby potentially reducing hunting success for these individuals and/or families.

As described in Section 21.9.8, the residual effect hunting and trapping effort is rated as **low**. The extent of locational change sea lion hunting is expected to be small and will result in only a small change from existing baseline conditions for hunting effort. Increased effort to hunt whale is not expected to be substantial, given the ability of hunters to plan on the basis of predictable periods of project-related underwater noise. The residual effect on hunting and trapping success is rated as **low**. The Project is not predicted to affect the population viability of sea lion and this species can be harvested at similar rates in alternative locations.

As described in Section 21.9.5, the Project is expected to increase the effort involved in Kitsumkalum First Nation's terrestrial gathering practices for members currently using Lelu Island as a preferred site. The Project is expected to affect the success of Kitsumkalum First Nation members' terrestrial gathering practices by a small amount, given the removal of Lelu Island as a gathering location. The residual effect on gathering effort is rated as **low**. The extent of locational change gathering is expected to be small and will result in only a small change from existing baseline conditions for gathering effort. The residual effect on gathering success is rated as **low**. Removal of Lelu Island as a gathering site is expected to result in a small reduction in the overall quantity of gathered resources within the LAA.

Kitsumkalum First Nation members' effort to access spiritual sites and cultural landscapes in the vicinity of Lelu Island, if any, may increase by a small amount due to construction activities and associated marine traffic. This effect can be mitigated through appropriate communication. As described in Section 21.9.8, the residual effect on effort involved in the use of spiritual sites and cultural landscapes is rated as **low**. The extent of locational change is expected to be small and will result in only a small change from existing baseline conditions for use of spiritual sites or cultural landscapes. Technical boundaries prevent assessment of degree of success in the use of spiritual sites and cultural landscapes. Aboriginal peoples' goals with respect to the use of such sites and features may be difficult to articulate and to understand for those outside of the Aboriginal practice communities.

Overall, the Project is expected to result in a low level of hardship on Kitsumkalum First Nation with respect to the exercise of its rights to fish, hunt, trap, and gather terrestrial resources, or to use spiritual sites or cultural landscapes.

**27.1.13.2 Potential Restriction of Preferred Means of Exercising Aboriginal Rights**

As described in Section 21.9.5, Kitsumkalum First Nation fishers are expected to shift the location of salmon and eulachon fisheries in the waters around Lelu Island during construction, due to reduced availability of these sites. If Kitsumkalum First Nation engages in crab fisheries on Flora Bank, they are expected to alter harvesting locations

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during construction and operations. Some Kitsumkalum fishers are expected alter fishing locations in Chatham Sound during operations to avoid interaction with LNG Carriers coming into the Port of Prince Rupert from Triple Island along the existing shipping route. Increased marine traffic during any Port-required decommissioning may also result in a degree of site avoidance for fishers in waters surrounding Lelu Island. Fishers may alter the time of day for fishing practices to avoid interaction with LNG Carriers in the shipping route.

The residual effect on preferred locations for fishing practices is rated as **low**. The Project will only affect small portions of wider fishing areas and other portions of the fishing areas will remain available. Fishers are expected to move to different locations within existing fishing areas, rather than move to new fishing areas, resulting in a small change from baseline conditions. The residual effect on timing of fishing practices is rated as **low**. Alteration of the timing of fishing activities in relation to project shipping schedules is expected to take place for only some fishers and would only occur at one period during the day.

Kitsumkalum First Nation hunters who currently hunt on Lelu Island are expected to shift the location of these hunting activities during construction, operations, and decommissioning. Hunting of aquatic birds in the vicinity of the potential shipping routes is not expected to be affected. The location of seal harvests may shift, if seals alter their behaviour in response to construction-related noise and noise related to shipping traffic. Kitsumkalum First Nation members may alter the timing of marine hunting to avoid noise during construction and decommissioning (time of week and/or month) and interactions with shipping during operations (time of day).

As described in Section 21.9.8, the residual effect on preferred locations for hunting and trapping practices is rated as **medium**. The Project is expected to result in the relocation of hunting efforts for only small number of individuals. The residual effect on timing of hunting and trapping practices is rated as **low**. Alteration of the timing of hunting and trapping activities in relation to construction activities and project shipping schedules is expected to take place for only some hunters; timing effects related to shipping would only occur at one period during the day.

As described in Section 21.9.5, The Project is expected to affect the location of Kitsumkalum First Nation members' terrestrial gathering practices on Lelu Island. The residual effect on preferred locations for gathering practices is rated as **medium**. The Project is expected to result in the relocation of gathering efforts for only small number of individuals. No residual effects to the timing of members' terrestrial gathering practices are predicted.

Kitsumkalum First Nation members using Lelu Island as a location for spiritual sites and cultural landscapes will be required to shift the location of these uses during construction, operations, and decommissioning. Interference with access associated with increased marine traffic during construction and decommissioning is expected to prompt some Kitsumkalum First Nation members to change their timing for use of spiritual sites and cultural landscapes in the vicinity of the Project, if any, during construction.

As described in Section 21.9.8, the residual effect on preferred locations for use of spiritual sites and cultural landscapes is rated as **high**. Lelu Island will no longer provide a location for the use of spiritual sites and cultural landscapes, due to project activities. The residual effect on timing of use of spiritual sites and cultural landscapes is rated as **medium**. Alteration of the timing of activities in the vicinity of the Project in relation to construction activities is expected to vary from baseline conditions.

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Overall, the Project is expected to result in a medium level of limitation on Kitsumkalum First Nation's preferred means of exercising its Aboriginal rights. The Project will limit the ability of a small number of Kitsumkalum First Nation members to exercise their Aboriginal rights in their preferred locations at preferred times.

**27.1.13.3 Modification of Cultural Values Associated with the Exercise of Aboriginal Rights**

Visual quality changes may affect the degree of members' aesthetic satisfaction while fishing in the vicinity of the Project. Kitsumkalum First Nation members' aesthetic satisfaction while hunting, trapping or gathering in the vicinity of the Project is expected to be affected due to changes in visual quality. Collection of TEK in the vicinity of the Project, and cultural transmission of TEK specific to those sites, is expected to be reduced for members who are no longer able to hunt, trap or gather on Lelu Island. The Project is expected to reduce opportunities for social bonding for members' who hunt or gather on Lelu Island, if those members do not have access to alternative hunting or gathering sites. To the extent that members experience reduced success hunting for seal and deer in alternative locations to Lelu Island, or experience reduced gathering success, members are expected to have reduced opportunities to share and trade country foods, thereby affecting social networks and norms of reciprocity and trust.

As described in Section 21.9.8, the residual effect on satisfaction with fishing, hunting, trapping or gathering practices related to aesthetic experiences while fishing in the vicinity of the Project is rated as **low**. Lelu Island is located within an industrial port and the area currently experiences marine and shipping traffic; consequently effects on aesthetic experience are expected to be relatively low. TEK in LAA is not expected to be highly specific to Lelu Island. Reduced opportunities for social bonding in relation to hunting, trapping or gathering practices on Lelu Island are expected to be limited to a small number of individuals/families. Opportunities for social bonding in relation to other harvesting sites will continue to exist. Opportunities to trade and share country foods are expected to be diminished only to a small degree, as reductions in the successful harvest of resources is expected to be minimal.

As described in Section 21.9.8, Kitsumkalum First Nation members' aesthetic satisfaction while using spiritual sites and cultural landscapes in the vicinity of the Project is expected to be affected due to changes in visual quality. Collection of TEK in the vicinity of the Project, and cultural transmission of TEK specific to those sites, is expected to be reduced due to the prevention or alteration of use spiritual sites and cultural landscapes on Lelu Island. The residual effect on satisfaction with use of spiritual sites and cultural landscapes practices is rated as **medium**. Alteration of aesthetic experiences and the ability to collect and teach TEK in the vicinity of the Project are predicted to be limited. However, use of such sites is assumed to be highly important to Kitsumkalum First Nation members.

Overall, the Project's potential limitation of Kitsumkalum First Nation's Aboriginal rights is expected to be **low to medium** in severity. While the limitation is not expected to affect Kitsumkalum First Nation's membership widely, the potential limitation will not be trivial, particularly with respect to potential effects on the use of spiritual sites and cultural landscapes.

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**27.1.13.4 Predicted Future Conditions for the Exercise of Kitsumkalum First Nation’s Rights**

Existing and future conditions for the exercise of Kitsumkalum First Nation’s Aboriginal rights have been and will be affected by past, current, and planned industrial and commercial activities. There is mixed industrial, commercial and recreational use of the land and waters within the RAA. This is due to the presence of the Port of Prince Rupert, one of four federal ports in British Columbia, the City of Prince Rupert (population of 12,508) and the District of Port Edward (population 544) (Statistics Canada 2012). Development and activities within the RAA include the marine terminal and shoreline infrastructure within the PRPA boundary, and shipping activity along shipping lanes that cut across the RAA. Lelu Island is designated in the PRPA 2020 Land Use Management Plan as a potential site for future industrial development (Prince Rupert Port Authority 2011). Neighboring Ridley Island is the location of coal and grain terminals and is also designated for further industrial use in that same land use management plan (Prince Rupert Port Authority 2011).

Ten current projects and 15 other projects in the planning or construction stages are expected affect future conditions for the exercise of Kitsumkalum First Nation’s Aboriginal rights (see Table 21.12-1 in Section 21). The Project is expected to interact with these other projects to create cumulative effects on Kitsumkalum First Nation’s current Aboriginal use (Section 21.12). The Project will incrementally add to increasing interference with Aboriginal people’s access to preferred fishing locations, timing of use, and to factors that will affect Aboriginal peoples’ degree of satisfaction with fishing practices.

The Project is expected to result to contribute incrementally to cumulative effects on the ability of Aboriginal people to access preferred hunting and trapping locations, the timing of use, and to reductions in Aboriginal people’s satisfaction with hunting and trapping activities. The Project is expected to result to contribute incrementally to cumulative effects on the ability of Aboriginal people to access preferred gathering locations, the timing of use, and to reductions in Aboriginal people’s satisfaction with gathering activities. The Project is not expected to result in cumulative effects on gathering success, as indicated by a change in quantity of harvested resources (Section 21.5.2), as removal of Lelu Island represents a negligible reduction in overall quantity of gathering resources available and will be partially mitigated through wetland habitat offset measures. The Project is expected to contribute incrementally to cumulative effects on the ability of Aboriginal people to access spiritual sites and cultural landscapes, the timing of use, and to reductions in Aboriginal people’s satisfaction with uses of those sites and features.

Given predicted cumulative effects on Kitsumkalum First Nation’s current Aboriginal use, future conditions for the exercise of Kitsumkalum First Nation’s Aboriginal rights are expected to result in a greater degree of limitation on those rights with the Project than without the Project. Future government-led regional cumulative effects assessment and related land and water use planning processes will help to mitigate these cumulative effects with appropriate planning and zoning.

**27.1.13.5 Summary of Potential Effects on Kitsumkalum First Nation’s Aboriginal Rights**

The Project is expected to limit Kitsumkalum First Nation’s exercise of its rights to fish, hunt and trap, gather, and use spiritual sites and cultural landscapes. This limitation is not expected to be unreasonable and will result in: a low amount of effects; a medium level of change to Kitsumkalum First Nation’s preferred means for exercising its rights; and a low to medium degree of severity.

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### 27.1.13.6 Accommodation Measures

Through consultation with Kitsumkalum First Nation, PNW LNG was made aware of the Nation's concerns with both the location of the marine trestle and jetty impacting Aboriginal fisheries, as well as the associated dredging and the related disposal of dredged material at sea. PNW LNG has since changed the Project design to address these concerns, including a suspension bridge and relocated trestle and berth, and this design change results in no infrastructure located on Flora Bank and eliminates the need for dredging on Agnew Bank.

The redesign has also reduced project effects to fish and fish habitat. Dredging is now limited to the MOF area and study results indicate that it will result in no increased risk to human health. The Project design mitigation reduces potential effects from dredging and ocean disposal. Dredge volume is reduced from ~7.7million m<sup>3</sup> to ~790,000 m<sup>3</sup>; disposal at sea volume is reduced from ~7.7million m<sup>3</sup> to ~200,000 m<sup>3</sup> and the dredge area is reduced from ~90 ha to ~6 ha; duration of dredging and disposal is reduced from ~27 to ~6 months.

Further mitigation measures for potential effects listed in Section 27.1.7.5, are discussed in detail in the relevant VC sections, and include measures to reduce:

- Changes to Aboriginal marine navigation (Section 15.5.2.2)
- Changes in water quality from the disturbance of existing marine sediments(Section 13.5.2.2)
- Changes to fish habitat (Section 13.5.3.2)
- Potential for injury or mortality to fish and marine mammals (Section 13.5.4.2)
- Changes in behaviour of fish and marine mammals (Section 13.5.5.2)
- Effects to terrestrial habitat for wildlife and marine birds, including wetland compensation and fish habitat offsetting (Section 11.5.2.2)
- Mortality risk to terrestrial wildlife and marine birds (Section 11.5.3.3)
- Alteration of movement of terrestrial wildlife and marine (Section 11.5.4.2)
- Or identify, record, and recover data for heritage features, including culturally modified trees (Sections 20.5.2.2 and 20.5.3.2).
- Measures to reduce changes to marine resources due to changes in water quality from the disturbance of existing marine sediments (Section 13.5.2.2)
- Changes to air quality (Section 6.5.2.2)
- Changes to the acoustic environment (Section 8.5.2.2)
- Effects on ambient light (Section 9.5.2.2)
- Effects on visual quality (Section 17.5.2.4)
- Effects on current Aboriginal hunting, trapping, fishing and gathering practices (Section 21.6.6).

Several follow-up and monitoring programs have also been included as a result of concerns raised by Aboriginal groups, including:

- A marine country food monitoring and follow-up program to address ongoing perception of effects of dredging on the quality of marine country foods
- Turbidity monitoring during dredging and disposal of marine sediment and during in-water construction activities will be conducted and compared to predicted TSS levels.

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PNW LNG is currently negotiating an IBA with Kitsumkalum First Nation. The IBA will outline economic benefits and opportunities for Kitsumkalum First Nation.

**27.1.14 Potential Effects on Gitga’at First Nation’s Exercise of Aboriginal Rights**

**27.1.14.1 Increased Hardship In the Exercise of Aboriginal Rights**

As described in Section 21.11.5, no residual effect to either the effort or success of Gitga’at fishing, hunting or trapping, or terrestrial gathering practices are predicted. No residual effects to Gitga’at effort relating to use of spiritual sites or cultural landscapes were predicted. Technical boundaries prevent assessment of degree of success in the use of spiritual sites and cultural landscapes. Aboriginal peoples’ goals with respect to the use of such sites and features may be difficult to articulate and to understand for those outside of the Aboriginal practice communities.

Overall, the Project is expected to result in a negligible level of hardship on Gitga’at First Nation with respect to the exercise of its rights to fish, hunt, trap, and gather terrestrial resources, or to use spiritual sites or cultural landscapes.

**27.1.14.2 Potential Restriction of Preferred Means of Exercising Aboriginal Rights**

As described in Section 21.11.8, no residual effects to the location or timing of Gitga’at fishing practices are predicted. Gitga’at First Nation members who may currently hunt deer and bear on Lelu Island, if any, are expected to shift the location of these hunting activities during construction, operations, and decommissioning. The residual effect on preferred locations for hunting and trapping practices is rated as **medium**. The Project is expected to result in the relocation of hunting efforts for only small number of individuals. No residual effects to the timing of Gitga’at hunting or trapping activities were predicted.

No residual effects to the location or timing of Gitga’at gathering practices, or the use of spiritual sites or cultural landscapes, were predicted.

Overall, the Project is expected to result in a low level of limitation on Gitga’at First Nation’s preferred means of exercising its Aboriginal rights. The Project will limit the ability of a small number of Gitga’at First Nation members to exercise their hunting rights in their preferred locations at preferred times.

**27.1.14.3 Modification of Cultural Values Associated with the Exercise of Aboriginal Rights**

As described in Section 21.11.5, Visual quality changes may affect the degree of members’ aesthetic satisfaction while fishing, hunting or trapping in the vicinity of the Project. The residual effect on satisfaction with fishing practices related to aesthetic experiences while fishing in the vicinity of the Project is rated as **low**. Lelu Island is located within an industrial port and the area currently experiences marine and shipping traffic; consequently effects on aesthetic experience are expected to be relatively low. Lelu Island has not been identified as particularly important site for the collection and transmission of TEK. Reduced opportunities for social bonding in relation to hunting and trapping practices on Lelu Island (if any) are expected to be limited to a small number of individuals/families. Opportunities for social bonding in relation to other hunting and trapping sites will continue



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to exist. Opportunities to trade and share country foods are expected to be diminished only to a small degree, as reductions in the successful harvest of resources is expected to be minimal.

No residual effects to the aesthetic satisfaction related to Gitga'at members' terrestrial resource gathering, or use of spiritual sites or cultural landscapes, were predicted.

Overall, the Project's potential limitation of Gitga'at First Nation's Aboriginal rights is expected to be low in severity. The limitation is not expected to affect Gitga'at First Nation's membership widely.

**27.1.14.4 Predicted Future Conditions for the Exercise of Gitga'at First Nation's Rights**

Existing and future conditions for the exercise of Gitga'at First Nation's Aboriginal rights have been and will be affected by past, current, and planned industrial and commercial activities. There is mixed industrial, commercial and recreational use of the land and waters within the RAA. This is due to the presence of the Port of Prince Rupert, one of four federal ports in British Columbia, the City of Prince Rupert (population of 12,508) and the District of Port Edward (population 544) (Statistics Canada 2012). Development and activities within the RAA include the marine terminal and shoreline infrastructure within the PRPA boundary, and shipping activity along shipping lanes that cut across the RAA. Lelu Island is designated in the PRPA 2020 Land Use Management Plan as a potential site for future industrial development (Prince Rupert Port Authority 2011). Neighboring Ridley Island is the location of coal and grain terminals and is also designated for further industrial use in that same land use management plan (Prince Rupert Port Authority 2011).

Ten current projects and 15 other projects in the planning or construction stages are expected affect future conditions for the exercise of Gitga'at First Nation's Aboriginal rights (see Table 21.12-1 in Section 21). The Project is expected to interact with these other projects to create cumulative effects on Gitga'at First Nation's current Aboriginal use (Section 21.12). The Project will incrementally add to increasing interference with Aboriginal people's access to preferred fishing locations, timing of use, and to factors that will affect Aboriginal peoples' degree of satisfaction with fishing practices.

The Project is expected to result to contribute incrementally to cumulative effects on the ability of Aboriginal people to access preferred hunting and trapping locations, the timing of use, and to reductions in Aboriginal people's satisfaction with hunting and trapping activities. The Project is expected to result to contribute incrementally to cumulative effects on the ability of Aboriginal people to access preferred gathering locations, the timing of use, and to reductions in Aboriginal people's satisfaction with gathering activities. The Project is not expected to result in cumulative effects on gathering success, as indicated by a change in quantity of harvested resources (Section 21.5.2), as removal of Lelu Island represents a negligible reduction in overall quantity of gathering resources available and will be partially mitigated through wetland habitat offset measures. The Project is expected to contribute incrementally to cumulative effects on the ability of Aboriginal people to access spiritual sites and cultural landscapes, the timing of use, and to reductions in Aboriginal people's satisfaction with uses of those sites and features.

Given predicted cumulative effects on Gitga'at First Nation's current Aboriginal use, future conditions for the exercise of Gitga'at First Nation's Aboriginal rights are expected to result in a greater degree of limitation on those rights with the Project than without the Project. Future government-led regional cumulative effects assessment



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and related land and water use planning processes will help to mitigate these cumulative effects with appropriate planning and zoning.

**27.1.14.5 Summary of Potential Effects on Gitga’at First Nation’s Aboriginal Rights**

The Project is expected to limit Gitga’at First Nation’s exercise of its rights to fish, hunt and trap. This limitation is not expected to be unreasonable and will result in: a negligible amount of hardship; a low level of change to Gitga’at First Nation’s preferred means for exercising its rights; and a low degree of severity.

**27.1.14.6 Accommodation Measures**

Through consultation with Gitga’at First Nation, PNW LNG was made aware of the Nation’s concerns with both the location of the marine trestle and jetty, as well as the associated dredging and the related disposal of dredged material at sea. PNW LNG has since changed the Project design to address these concerns, including a suspension bridge and relocated trestle and berth, and this design change results in no infrastructure located on Flora Bank and eliminates the need for dredging on Agnew Bank.

The redesign has also reduced project effects to fish and fish habitat. Dredging is now limited to the MOF area and study results indicate that it will result in no increased risk to human health. The Project design mitigation reduces potential effects from dredging and ocean disposal. Dredge volume is reduced from ~7.7million m<sup>3</sup> to ~790,000 m<sup>3</sup>; disposal at sea volume is reduced from ~7.7million m<sup>3</sup> to ~200,000 m<sup>3</sup> and the dredge area is reduced from ~90 ha to ~6 ha; duration of dredging and disposal is reduced from ~27 to ~6 months.

As well, in response to concerns of spill risk and effects to marine birds, PNW LNG made a design decision to remove the bunker refueling facility at the marine terminal from the project design. Using LNG carrier’s boil off gas as fuel allows for this design change, which eliminates risks associated with bunker fuel spill during storage, transfer, and refueling; fuelling LNG carriers with gas also reduces air emissions compared with more traditional use of bunker fuel.

Further mitigation measures for potential effects listed in Section 27.1.7.5, are discussed in detail in the relevant VC sections, and include measures to reduce:

- Changes to Aboriginal marine navigation (Section 15.5.2.2)
- Changes in water quality from the disturbance of existing marine sediments(Section 13.5.2.2)
- Changes to fish habitat (Section 13.5.3.2)
- Potential for injury or mortality to fish and marine mammals (Section 13.5.4.2)
- Changes in behaviour of fish and marine mammals (Section 13.5.5.2)
- Effects to terrestrial habitat for wildlife and marine birds, including wetland compensation and fish habitat offsetting (Section 11.5.2.2)
- Mortality risk to terrestrial wildlife and marine birds (Section 11.5.3.3)
- Alteration of movement of terrestrial wildlife and marine (Section 11.5.4.2)
- Or identify, record, and recover data for heritage features, including culturally modified trees (Sections 20.5.2.2 and 20.5.3.2).

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- Measures to reduce changes to marine resources due to changes in water quality from the disturbance of existing marine sediments (Section 13.5.2.2)
- Changes to air quality (Section 6.5.2.2)
- Changes to the acoustic environment (Section 8.5.2.2)
- Effects on ambient light (Section 9.5.2.2)
- Effects on visual quality (Section 17.5.2.4)
- Effects on current Aboriginal hunting, trapping, fishing and gathering practices (Section 21.6.6).

Several follow-up and monitoring programs have also been included as a result of concerns raised by Aboriginal groups, including:

- A marine country food monitoring and follow-up program to address ongoing perception of effects of dredging on the quality of marine country foods
- Turbidity monitoring during dredging and disposal of marine sediment and during in-water construction activities will be conducted and compared to predicted TSS levels.

PNW LNG will work with the Gitga'at to try to identify training, employment and procurement opportunities for the Gitga'at First Nation.

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**PACIFIC NORTHWEST LNG – ADDENDUM TO THE ENVIRONMENTAL IMPACT STATEMENT  
SECTION 27 - ABORIGINAL RIGHTS AND RELATED INTERESTS**

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SECTION 27 - ABORIGINAL RIGHTS AND RELATED INTERESTS**

Aboriginal Rights and Related Interests  
November 27, 2014

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SECTION 27 - ABORIGINAL RIGHTS AND RELATED INTERESTS**

Aboriginal Rights and Related Interests  
November 27, 2014

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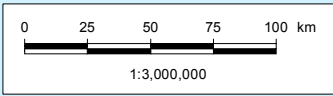
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**PACIFIC NORTHWEST LNG – ADDENDUM TO THE ENVIRONMENTAL IMPACT STATEMENT  
SECTION 27 - ABORIGINAL RIGHTS AND RELATED INTERESTS**

Aboriginal Rights and Related Interests  
November 27, 2014

**27.3 FIGURES**

Please see the following pages.



- Project Location
- City or Town
- Highway
- International Boundary
- Watercourse
- Waterbody

*Disclaimer: This map is a representation of First Nations Cultural Areas derived from publicly available ethnographic and ethnohistoric sources, it is not a representation of Asserted Traditional Territories or Statement of Intent boundaries.*

**Pacific NorthWest LNG**

**Tsimshian Cultural Areas**

EIS ADDENDUM

*Sources: Government of British Columbia; Government of Canada, Natural Resources Canada, Centre for Topographic Information.*

*Although there is no reason to believe that there are any errors associated with the data used to generate this product or in the product itself, users of these data are advised that errors in the data may be present.*

DATE: 21-NOV-14  
 FIGURE ID: 123110537-446  
 DRAWN BY: K. POLL

PROJECTION: UTM - ZONE 9  
 DATUM: NAD 83  
 CHECKED BY: J. HERBERT

PREPARED BY:

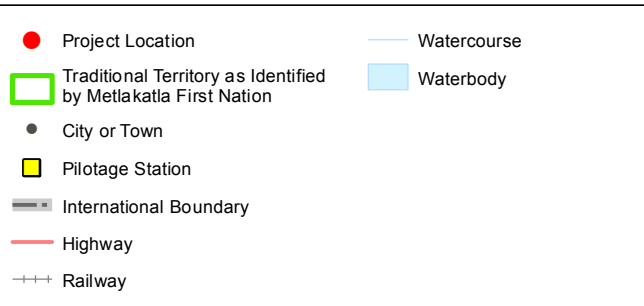
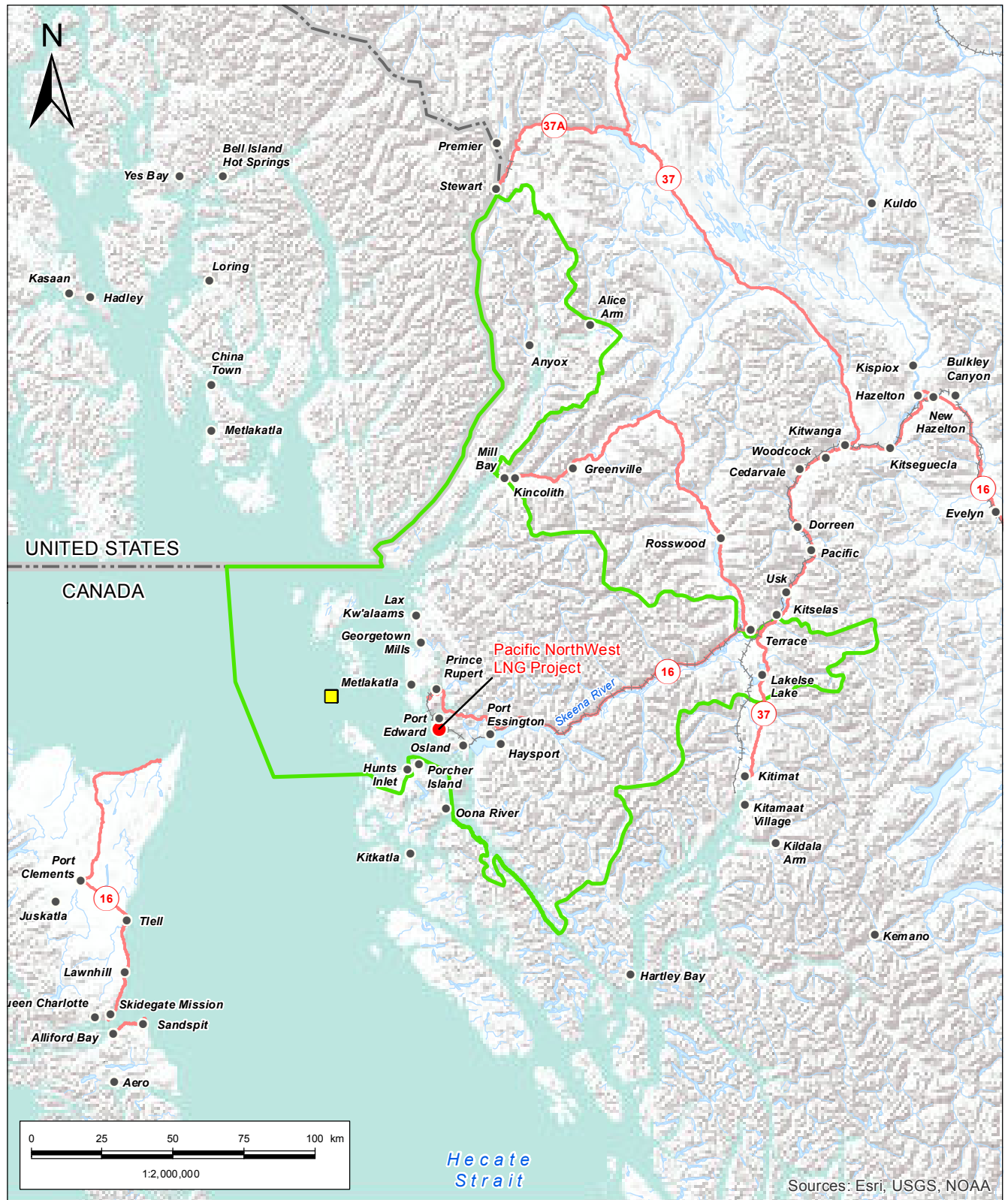


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FIGURE NO:

**27-1**



**Pacific NorthWest LNG**  
**Traditional Territory as Identified by Metlakatla First Nation**  
 EIS ADDENDUM

Sources: Government of British Columbia; Government of Canada, Natural Resources Canada, Centre for Topographic Information.

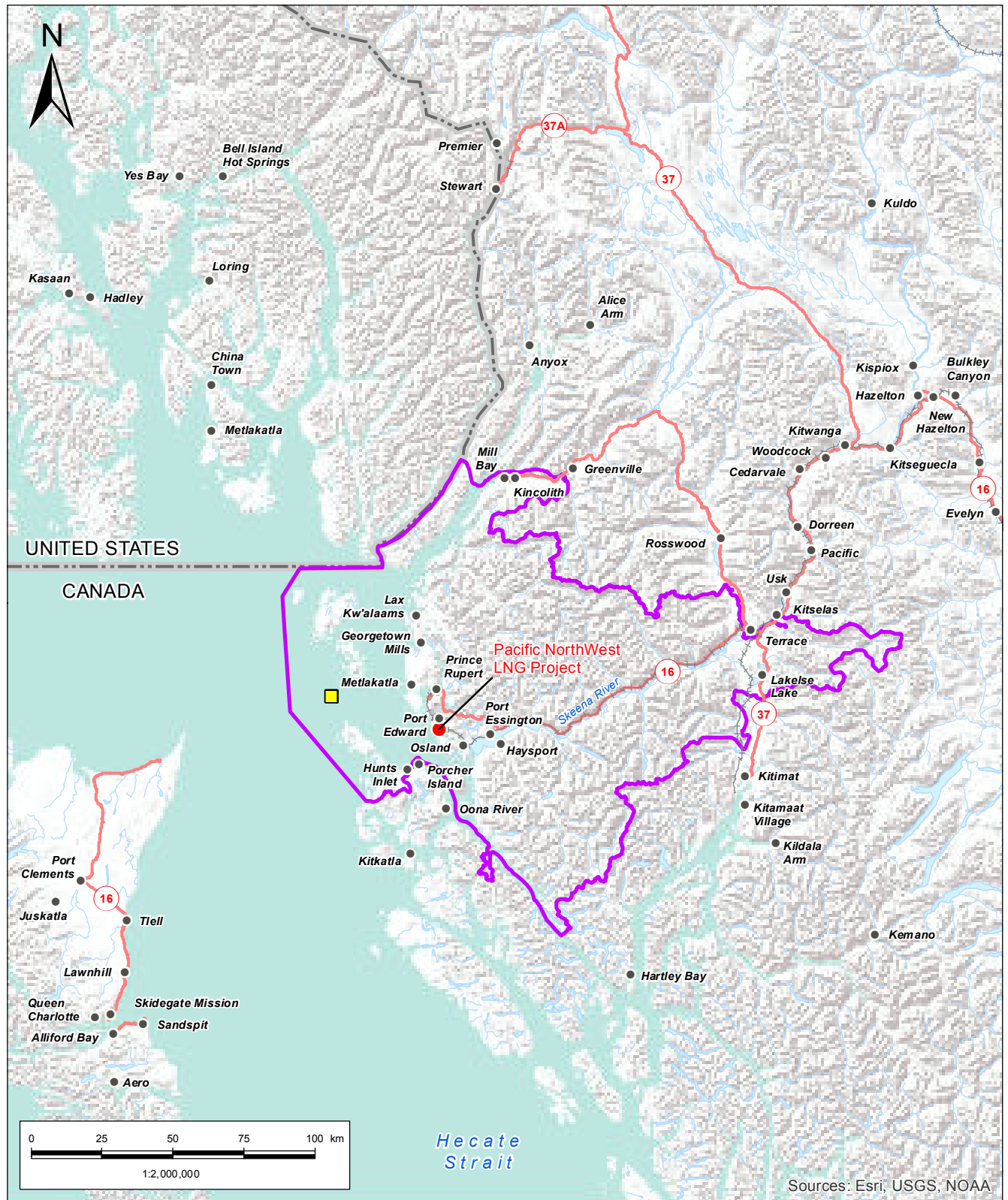
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DATE: 12-NOV-14	PROJECTION: UTM - ZONE 9
FIGURE ID: 123110537-172	DATUM: NAD 83
DRAWN BY: K. POLL	CHECKED BY: S. BLACK

PREPARED BY:  
**Stantec**

PREPARED FOR:  
**Pacific Northwest**

FIGURE NO:  
27-2

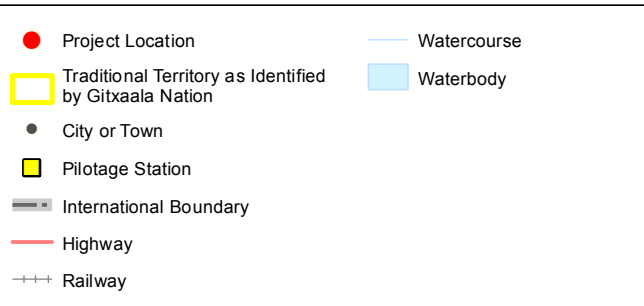
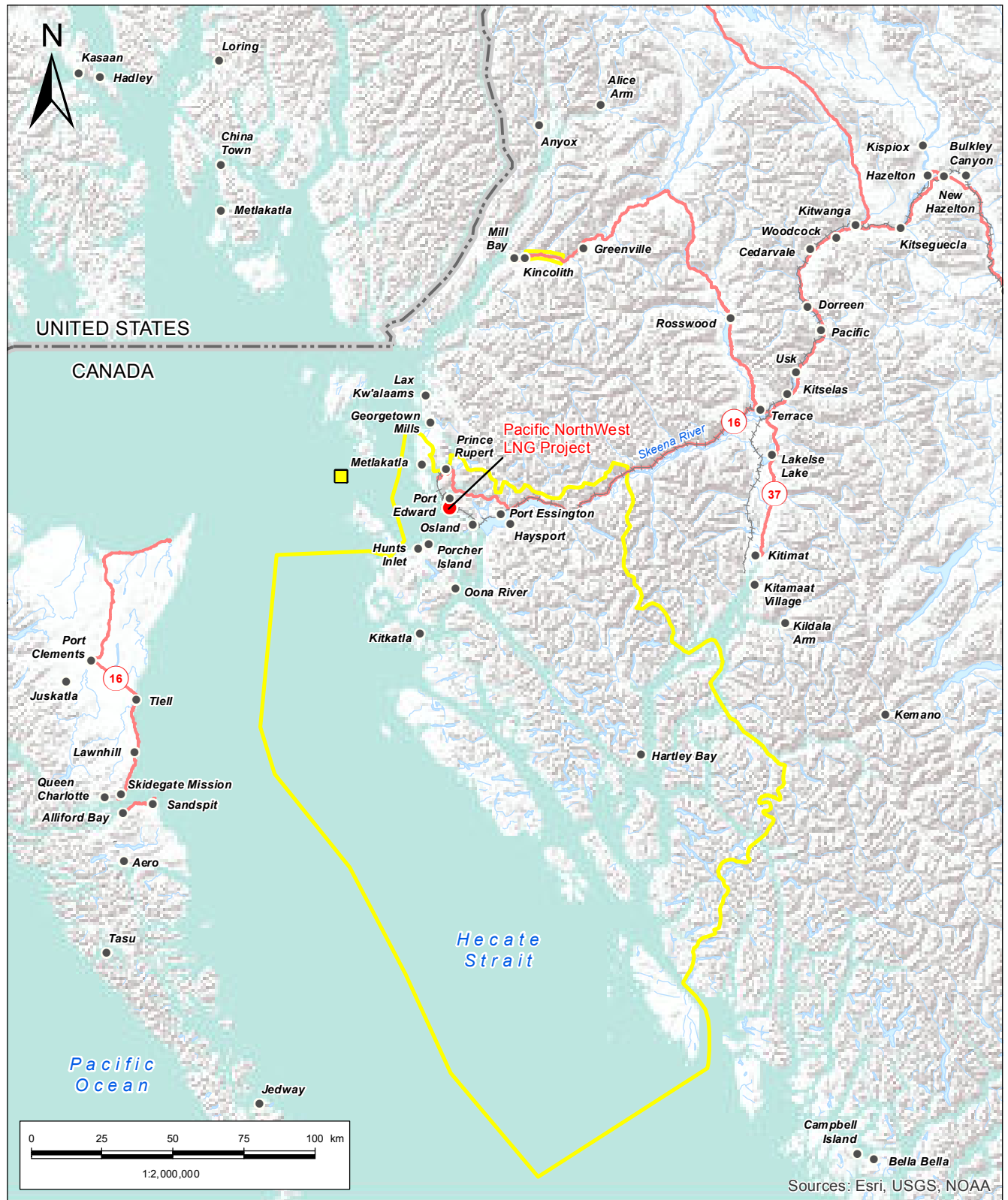


Sources: Esri, USGS, NOAA

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<ul style="list-style-type: none"> <li><span style="color: red;">●</span> Project Location</li> <li><span style="border: 2px solid purple; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Traditional Territory as Identified by Lax Kw'alaams First Nation</li> <li>● City or Town</li> <li><span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Pilotage Station</li> <li><span style="border-bottom: 1px dashed gray; width: 20px; display: inline-block; margin-right: 5px;"></span> International Boundary</li> <li><span style="border-bottom: 2px solid red; width: 20px; display: inline-block; margin-right: 5px;"></span> Highway</li> <li><span style="border-bottom: 1px dashed gray; width: 20px; display: inline-block; margin-right: 5px;"></span> Railway</li> </ul>	<ul style="list-style-type: none"> <li><span style="border-bottom: 1px solid lightblue; width: 20px; display: inline-block; margin-right: 5px;"></span> Watercourse</li> <li><span style="background-color: lightblue; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></span> Waterbody</li> </ul>	<p><b>Pacific NorthWest LNG</b>  <b>Traditional Territory as Identified by Lax Kw'alaams First Nation</b>          EIS ADDENDUM</p> <p><small>Sources: Government of British Columbia; Government of Canada, Natural Resources Canada, Centre for Topographic Information.</small></p> <p><small>Although there is no reason to believe that there are any errors associated with the data used to generate this product or in the product itself, users of these data are advised that errors in the data may be present.</small></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">DATE: 12-NOV-14</td> <td style="width: 50%;">PROJECTION: UTM - ZONE 9</td> </tr> <tr> <td>FIGURE ID: 123110537-173</td> <td>DATUM: NAD 83</td> </tr> <tr> <td>DRAWN BY: K. POLL</td> <td>CHECKED BY: S. BLACK</td> </tr> </table>	DATE: 12-NOV-14	PROJECTION: UTM - ZONE 9	FIGURE ID: 123110537-173	DATUM: NAD 83	DRAWN BY: K. POLL	CHECKED BY: S. BLACK	<p>PREPARED BY:  </p> <p>PREPARED FOR:  </p> <p>FIGURE NO:  <span style="font-size: 24px; font-weight: bold;">27-3</span></p>
DATE: 12-NOV-14	PROJECTION: UTM - ZONE 9								
FIGURE ID: 123110537-173	DATUM: NAD 83								
DRAWN BY: K. POLL	CHECKED BY: S. BLACK								





**Pacific NorthWest LNG**  
**Traditional Territory as Identified by Gitxaala Nation**  
 EIS ADDENDUM

Sources: Government of British Columbia; Government of Canada, Natural Resources Canada, Centre for Topographic Information.

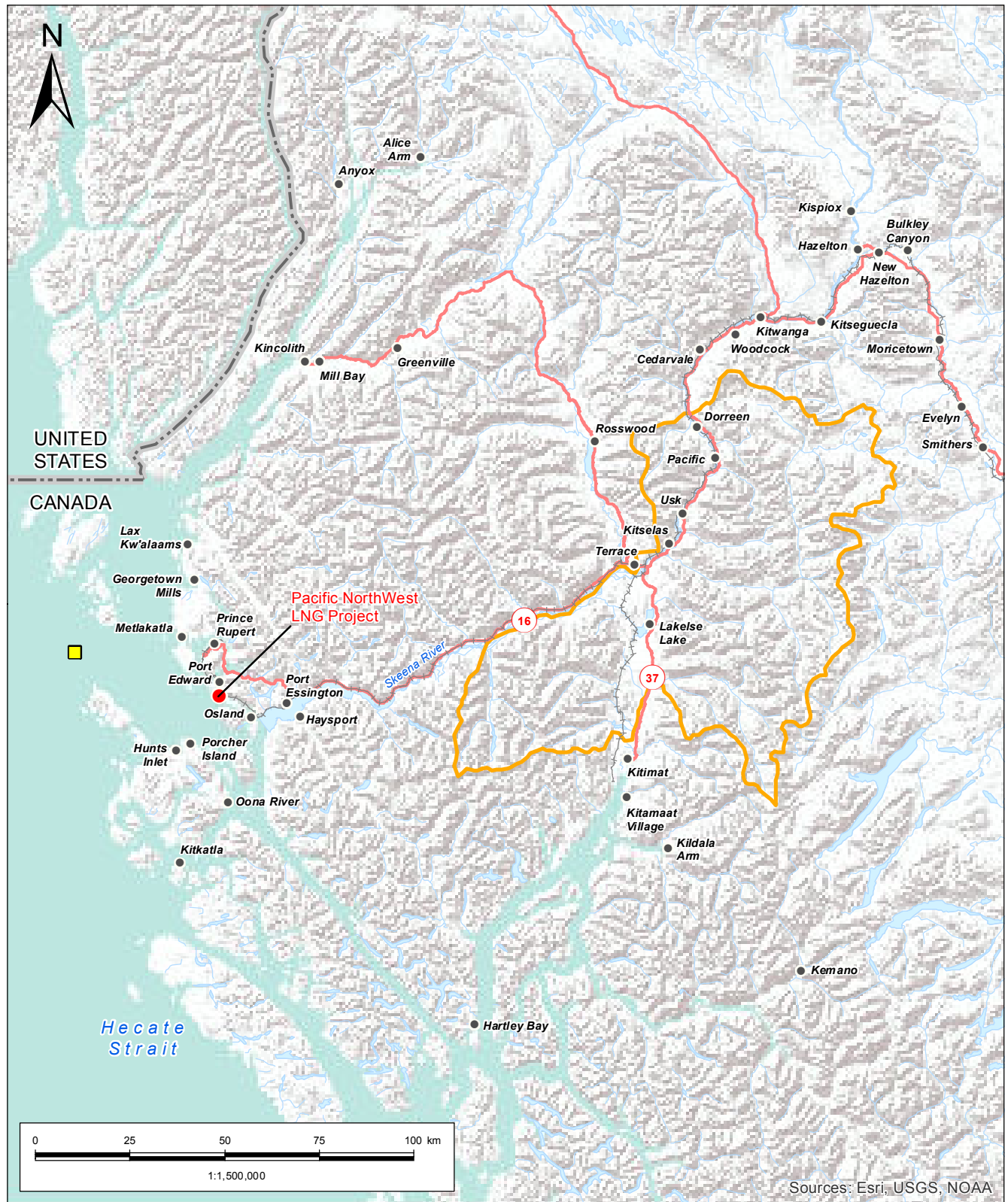
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DATE: 12-NOV-14	PROJECTION: UTM - ZONE 9
FIGURE ID: 123110537-174	DATUM: NAD 83
DRAWN BY: K. POLL	CHECKED BY: S. BLACK

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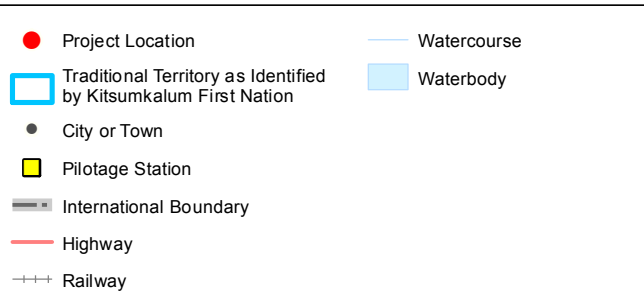
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FIGURE NO:  
**27-4**



- Project Location
- Traditional Territory as Identified by Kitselas First Nation
- City or Town
- Pilotage Station
- International Boundary
- Highway
- Railway
- Watercourse
- Waterbody

<p><b>Pacific NorthWest LNG</b>  <b>Traditional Territory as Identified by Kitselas First Nation</b>          EIS ADDENDUM</p>		PREPARED BY: 
<p><small>Sources: Government of British Columbia; Government of Canada, Natural Resources Canada, Centre for Topographic Information.</small></p> <p><small>Although there is no reason to believe that there are any errors associated with the data used to generate this product or in the product itself, users of these data are advised that errors in the data may be present.</small></p>		PREPARED FOR: 
DATE: 12-NOV-14 FIGURE ID: 123110537-175 DRAWN BY: K. POLL	PROJECTION: UTM - ZONE 9 DATUM: NAD 83 CHECKED BY: S. BLACK	FIGURE NO: <h2 style="margin: 0;">27-5</h2>



**Pacific NorthWest LNG**  
**Traditional Territory as Identified by Kitsumkalum First Nation**  
 EIS ADDENDUM

Sources: Government of British Columbia; Government of Canada, Natural Resources Canada, Centre for Topographic Information.

Although there is no reason to believe that there are any errors associated with the data used to generate this product or in the product itself, users of these data are advised that errors in the data may be present.

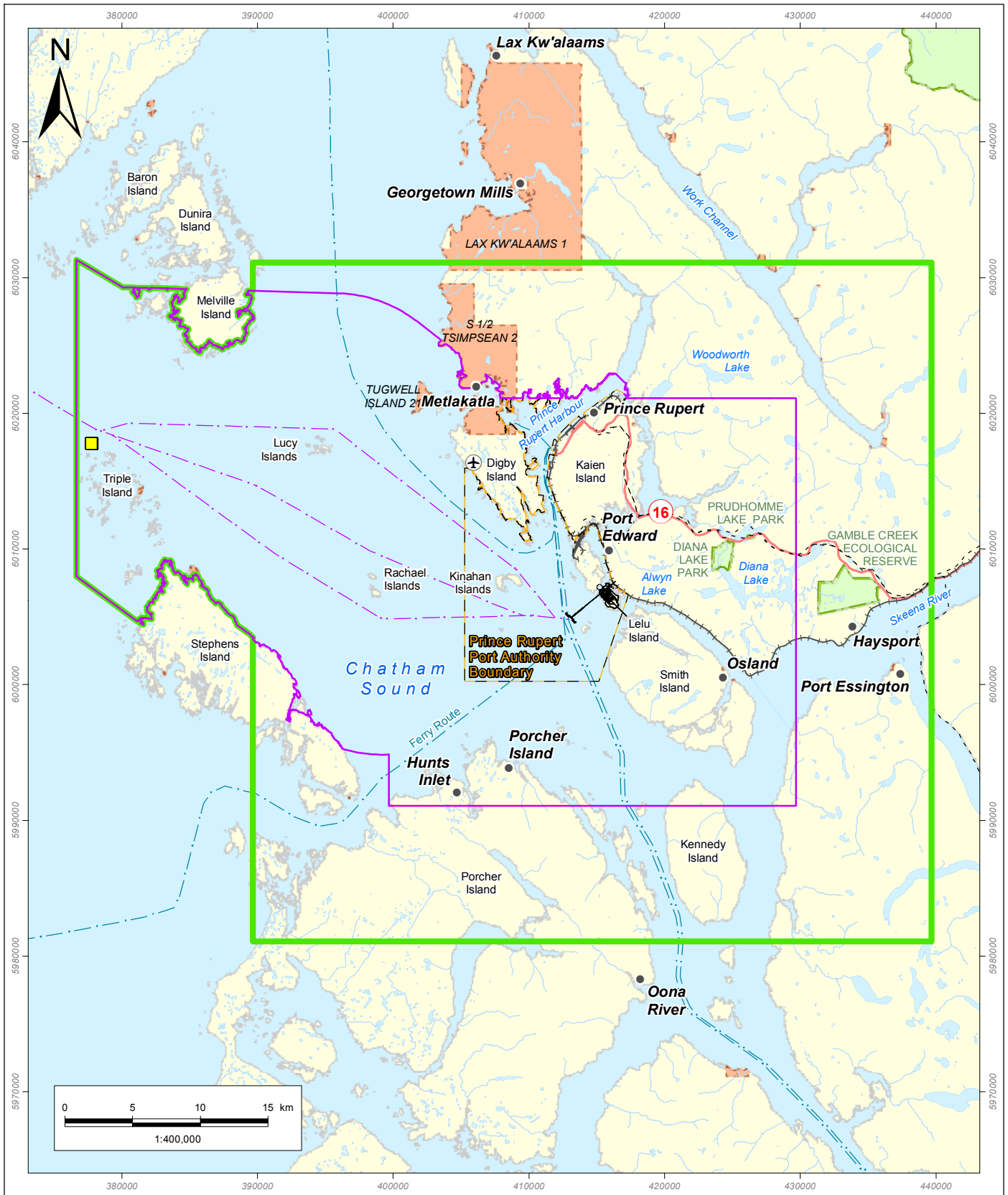
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FIGURE ID: 123110537-176	DATUM: NAD 83
DRAWN BY: K. POLL	CHECKED BY: S. BLACK

PREPARED BY:

PREPARED FOR:

FIGURE NO:  
**27-6**





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FIGURE ID: 123110537-430	DATUM: NAD 83									
DRAWN BY: K. POLL	CHECKED BY: S. BLACK									

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**Appendix A**  
**Technical Reports Distribution Prior to February 28, 2014**

## **PACIFIC NORTHWEST LNG – ADDENDUM TO THE ENVIRONMENTAL IMPACT STATEMENT ABORIGINAL RIGHTS AND RELATED INTERESTS**

Appendix A Technical Reports Distribution Prior to February 28, 2014  
December 12, 2014

### **PRE-FEED**

Preliminary Design Report – Lelu Island Access Road

Study Basis of Marine Traffic and Berth Availability Study

Assessment of Bog and Peat Deposits Phase 1B – GIS Analysis and Field Verification Survey

Pre-FEED Environment Basis of Design

Pre-FEED Phase II Marine Facilities

Berth Cross-Section Drawings

Containment Boom Drawing

Jetty Plan & Berth Drawings

Trestle Plan and Elevation Drawings

Breasting Dolphins Drawings

Materials Off-Load Facility & Turning Basin Drawing

Materials Off-Load Facility Dock Drawings

Pre-FEED Air Emissions, Wastewater Effluents and Waste Summaries

Historical Tsunami Records

Marine Geophysical Survey Report

Pre-FEED Flare Study Report

### **ENVIRONMENTAL ASSESSMENT**

Terrestrial Ecosystem Study – Final Report

Wind Study

Dredging Report

Culturally Modified Trees on Lelu Island

Memo – Comments on Siting of the Proposed Pacific Northwest LNG Project

Stantec Email – Marine Reconnaissance Survey

Flora Bank Eelgrass Survey

**PACIFIC NORTHWEST LNG – ADDENDUM TO THE ENVIRONMENTAL IMPACT STATEMENT  
ABORIGINAL RIGHTS AND RELATED INTERESTS**

Appendix A Technical Reports Distribution Prior to February 28, 2014  
November 27, 2014

Stantec Email – Environmental Field Studies 2013

Phase I Environmental Site Assessment – Final Report

Stantec Email – Results of Onshore Borehole Inspections – Heritage Resources

Stantec Email – Results of Marine Borehole Inspections

Borehole Locations Map

Marine Environment Quality in North Coast and Queen Charlotte Islands, British Columbia, Canada: A Review of Containment Sources, Types and Risks

Assessing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, 2012

Marine Sediment Survey Workplan

ODK Water Supply Wastewater Disposal Feasibility Study – Preliminary Draft

Detailed Air Quality Dispersion Modelling Plan

Development Region 6 – North Coast – Statistical Profile

Proposed LNG Facility Project Site on Lelu Island: An Archaeological Inventory Report

Vegetation and Wetlands

Geotechnical Investigation – Environmental Monitoring Report

Terrestrial Wildlife and Marine Birds

DRAFT Plan for Procedural Aspects of Aboriginal Consultation

Technical Data Report – Marine

**DFS**

Phase 1A Geologic Reconnaissance Survey and Geophysical Site Visit

Preliminary Bathymetry Coverage Areas

LIDAR Data Capture and Processing Report – KBR/McElhanney

**Appendix B**  
**Studies Participation to September 15, 2014**

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Appendix B Studies Participation to September 15, 2014  
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<b>Date</b>	<b>Nation</b>	<b>Field Study/Survey</b>
Aug 12 – 16, 2012	METLAKATLA	Arch inventory surveys
Oct 18 – 19, 2012	METLAKATLA	Marine foreshore surveys
Nov 7 – 8, 2012	METLAKATLA	Marine bird surveys
Jan 23 -26, 2013	METLAKATLA KITSUMKALUM	Marine bird surveys
March 15, 2013	LAX KW'ALAAMS METLAKATLA	Arch inventory surveys
March 18 – 22, 2013	METLAKATLA LAX KW'ALAAMS	Arch inventory surveys
April 16 – 19, 2013	METLAKATLA	Bird nesting surveys
May 14 – 15, 2013	METLAKATLA	Air quality – Meteorological station installation
May 23 – 29, 2013	METLAKATLA	Marine foreshore surveys
May 30 – 31, 2013	METLAKATLA	Marine eel grass surveys
Jun 4 – 10, 2013 Jun 12 – 15, 2013 Jun 24 – Jul 4, 2013 Jul 10 – Jul 18, 2013 Jul 16 – Jul 31, 2013	METLAKATLA	Lelu Island geotechnical investigation – Arch inventory and Arch impact assessment of boreholes
Aug 6 - 10	METLAKATLA KITSUMKALUM	Arch impact assessment - Block A, Lot 641, Plan 850 Borehole CMT Inspection - monitoring
Aug 1 – 8, 2013	METLAKATLA KITSUMKALUM	Soil sampling
Aug 8 – 13, 2013	METLAKATLA	Lelu Island freshwater streams fish sampling
Sep 16, 2013	METLAKATLA	Marine Country Foods sampling
Oct 8 – 10, 2013	METLAKATLA	Marine sediment sampling
Oct, 2013	KITSUMKALUM	Soil Sampling
Dec, 2013	METLAKATLA	Field Technician - Drilling Program
Jan, 2013	METLAKATLA	Environmental monitoring - Drilling Program
June 14-19, 2014	METLAKATLA; GITXAALA, KITSUMKALUM	Lelu Island Arch GAP Inventory for CMT's and Intertidal area
July 29, 2014	GITXAALA	Lelu island CMT Sampling
July –Aug 2014	KITSUMKALUM; KITSELAS; LAX KW'ALAAMS	ROV Browns Passage survey

**Appendix C**  
**Addendum to Chronological Summary of Consultation with**  
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Date	Means of Engagement	Topics	Key Concerns and Issues	PNW LNG Actions	Status
<b>Metlakatla</b>					
15-Sep-2014	Information Distribution via Email From: M. Lambert (PNW) To: Chief H. Leighton and Council (Metlakatla)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> <li>▪ Consultation</li> </ul>		PNW LNG delivered: <ul style="list-style-type: none"> <li>▪ Draft ARC – 04 Sep 2014</li> <li>▪ Design sketch proposed to mitigate effects on environment – 15 Sep 2014</li> </ul>	Complete
16-Sep-2014	Information Distribution via Email From: A. Hall (PNW) To: A. Osborne (Metlakatla)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> <li>▪ Consultation</li> <li>▪ TUS</li> </ul>		PNW LNG delivered: <ul style="list-style-type: none"> <li>▪ 15 Sep 2014 – Design changes proposed by PNW LNG to mitigate effects on the environment</li> <li>▪ Design sketch proposed to mitigate effects on environment – 15 Sep 2014</li> <li>▪ Colour rendering of the bridge</li> </ul> Meeting scheduled with PNW LNG and Metlakatla for 18-Sep-2014 at PNW LNG office	In Progress



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Date	Means of Engagement	Topics	Key Concerns and Issues	PNW LNG Actions	Status
<b>Metlakatla</b>					
18-Sep-2014	Email From: B. Clark (PNW) To: A. Usborne (Metlakatla)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> <li>▪ Consultation</li> </ul>		PNW LNG would like to discuss with Metlakatla development of mitigation measures. Attaches (as 1 pdf): <ul style="list-style-type: none"> <li>▪ Table 1: Potential Effects of the Change to the Accommodation Camp Location, and Table 2: Potential Effects of the Change to the Marine Terminal Design</li> </ul>	In Progress
18-Sep-2014	Information Distribution via Email From: P. Ramsay (Millenia Research) To: Chief H. Leighton (Metlakatla) and A. Usborne (Metlakatla) Cc: A. Hall and G. Fraser (PNW) and G. Neiva (OpusDaytonKnight)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> </ul>		Millennia Research delivers to Metlakatla: <ul style="list-style-type: none"> <li>▪ 08-Sep-2014 – Archaeological Overview Assessment of proposed reservoir, access road and chlorination station in Port Edward</li> </ul>	Complete
18-Sep-2014	Meeting: Attendees: PNW LNG Metlakatla: A. Usborne	<ul style="list-style-type: none"> <li>▪ ARC</li> <li>▪ TUS</li> </ul>	Agenda Items: <ul style="list-style-type: none"> <li>▪ General Regulatory/process update</li> <li>▪ Project update on marine infrastructure changes</li> <li>▪ ARC overview</li> <li>▪ TUS Review</li> <li>▪ Next steps</li> </ul>		

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<b>Metlakatla</b>					
25-Sep-2014	Meeting Between: A. Usborne (Metlakatla), J. Hauser (Metlakatla) and team And: A. Hall (PNW), B. Clark (PNW LNG)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> <li>▪ Consultation</li> <li>▪ Environmental Impacts</li> <li>▪ Lights of ships impact on viewscape and seabirds</li> </ul>	<ul style="list-style-type: none"> <li>▪ Metlakatla will provide further comments on PNW LNG’s position regarding impacts of design changes if possible, prior to 30-Sep-2014</li> </ul> <p>Issues:</p> <ul style="list-style-type: none"> <li>▪ Bridge lighting impacts on birds</li> <li>▪ Skeena Fisheries Commission and interests of coastal Tsimshian peoples</li> <li>▪ Acidification issue, impacts and mitigation</li> </ul>	<p>PNW LNG and Metlakatla discussed Project design changes</p> <ul style="list-style-type: none"> <li>▪ Metlakatla and PNW LNG agreed generally that changes were positive</li> <li>▪ Assessment of Marine infrastructure impacts on Skeena outflow in the works</li> <li>▪ Understanding re measure potential acidification of local watercourses</li> <li>▪ Greater discussion around impacts to socio-economic report, pre and post impacts</li> <li>▪ Technical team to review Aboriginal Consultation Report</li> </ul>	In Progress PNW LNG to forward design changes and formal description of changes and associated effects

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<b>Metlakatla</b>					
26-Sep-2014	Information Distribution via Email From: M. Lambert (PNW) To: A. Usborne (Metlakatla)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> <li>▪ Consultation</li> </ul>		PNW LNG delivered: <ul style="list-style-type: none"> <li>▪ Letter re: ARC</li> <li>▪ Draft ARC – 05 Sep 2014</li> <li>▪ Draft ARC Appendix I – Aboriginal Group Field Study Participation</li> <li>▪ Draft ARC Appendix II – Technical Reports Distributed to Aboriginal Groups</li> <li>▪ Draft ARC Appendix III: Chronological Summary of Consultation with First Nations</li> <li>▪ Draft ARC Appendix IX – Record of Meeting Invitations and Responses</li> <li>▪ Bridge Supported Jetty General Arrangement</li> <li>▪ Design Changes proposed by PNW LNG to mitigate effects in the environment</li> </ul>	Complete
29-Sep-2014	Letter From: Lindsay Jones (PNW) To: Chief H. Leighton (Metlakatla)	<ul style="list-style-type: none"> <li>▪ Consultation</li> </ul>		PNW LNG advises information sessions scheduled for 07-Oct-2014 in Port Edward and 08-Oct-2014 in Prince Rupert	Complete
30-Sep-2014	Email From: A. Usborne (Metlakatla) To: B. Clark (PNW)	<ul style="list-style-type: none"> <li>▪ Consultation</li> </ul>	Response to 26-Sep-2014 Email Confirms design changes address some concerns <ul style="list-style-type: none"> <li>▪ Indicates additional questions about design changes to be answered</li> <li>▪ Acknowledges receipt of ACR</li> </ul>		In progress Metlakatla to PNW LNG provide comments on the ACR by 03-Oct-2014

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<b>Lax Kw'alaams</b>					
15-Sep-2014	Information Distribution via Email From: M. Lambert (PNW) To: Mayor and Council <lynn_admin@laxband.com> (Lax Kw'alaams) Cc: <helen_council@laxband.com> (Lax Kw'alaams) and K. Howes (BCEAO)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> <li>▪ Consultation</li> </ul>		PNW LNG delivered: <ul style="list-style-type: none"> <li>▪ Draft Aboriginal Consultation Report – 04 Sep 2014</li> <li>▪ Design sketch proposed to mitigate effects on environment – 15 Sep 2014</li> </ul> PNW LNG requested that Lax Kw'alaams confirm receipt.	Complete
25-Sep-2014	Meeting: Attendees: PNW LNG: L. Jones, D. Fairbarin, S. Jones Lax Kw'alaams: J. Helin, C. Sankey, H. Johnston, R. Mather, G. Alexcee, T. White N. Philcox Skeena Fisheries Commission: M Duvian	<ul style="list-style-type: none"> <li>▪ Design Mitigations</li> </ul>	Lax Kw'alaams received information and requested that PNW LNG keep them informed on developments. Lax Kw'alaams invited PNW LNG to present information at a meeting of Council with the view to a subsequent meeting in the community.	PNW LNG informed Lax Kw'alaams attendees of the design mitigation measures: <ul style="list-style-type: none"> <li>▪ Re-design of the jetty-trestle to include a 1.6 km clear span bridge</li> <li>▪ Movement of camp off Lelu Island</li> </ul>	In Progress

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<b>Lax Kw'alaams</b>					
26-Sep-2014	Meeting Attendees: PNW: R. Williams, B. Clark, C. Leong, Cpt. D. Kyle, M. Johannes, R. Arbuckle, H. Huynh SFC Technical Committee: C. Barnes, A. Gottesfeld (Lax Kw'alaams/Skeena Fisheries), D. Latremouille, Kyla, Dr. P. McLaren	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> <li>▪ Consultation</li> <li>▪ Fish and fish habitat</li> </ul>		PNW and Lax Kw'alaams meet to discuss: <ul style="list-style-type: none"> <li>▪ Project jetty-trestle and marine terminal design</li> <li>▪ Basis of design – revised Marine Terminal (MT)</li> <li>▪ Information assembled by the Project to support MT design</li> <li>▪ Information the SFC has that could assist in evaluation</li> <li>▪ Risks to fish and fisheries interests</li> <li>▪ Information necessary to support authorization</li> <li>▪ Information assembly, gathering and analysis</li> <li>▪ Joint analysis framework</li> <li>▪ Next steps</li> </ul>	In Progress
29-Sep-2014	Letter From: Lindsay Jones (PNW) To: J. Helin (Lax Kw'aalams)	<ul style="list-style-type: none"> <li>▪ Consultation</li> </ul>		PNW LNG advises information sessions scheduled for 07-Oct-2014 in Port Edward and 08-Oct-2014 in Prince Rupert	Complete
29-Sep-2014	Letter From: Lindsay Jones (PNW) To: G. Reece	<ul style="list-style-type: none"> <li>▪ Consultation</li> </ul>		PNW LNG advises information sessions scheduled for 07-Oct-2014 in Port Edward and 08-Oct-2014 in Prince Rupert	Complete

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<b>Gitxaala</b>					
15-Sep-2014	Information Distribution via Email From: M. Lambert (PNW) To: Chief C. Innis (Gitxaala) Cc: K. Howes (BCEAO)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> <li>▪ Consultation</li> </ul>		PNW LNG delivered: <ul style="list-style-type: none"> <li>▪ Draft Aboriginal Consultation Report – 04 Sep 2014</li> <li>▪ Design sketch proposed to mitigate effects on environment – 15 Sep 2014</li> </ul>	Complete
18-Sep-2014	Information Distribution via Email From: P. Ramsay (Millenia Research) To: J. Witzke (Gitxaala)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> </ul>		Millennia Research delivers to Metlakatla: <ul style="list-style-type: none"> <li>▪ 08-Sep-2014 – Archaeological Overview Assessment of proposed reservoir, access road and chlorination station in Port Edward</li> </ul>	Complete

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<b>Gitxaala</b>					
23-Sep-2014	Meeting Attendees: PNW LNG: L. Jones, A. Robinson, A. Hall Gitxaala: B. Watkinson and J. Witzke	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> <li>▪ Timelines</li> <li>▪ Project overview</li> <li>▪ Marine Navigation</li> <li>▪ Ambient light</li> <li>▪ Fish and fish habitat</li> <li>▪ EIS</li> <li>▪ Visual impacts</li> <li>▪ TUS</li> </ul>	<p>Gitxaala provided socio-economic report as final public document – all deliverables under agreement complete</p> <ul style="list-style-type: none"> <li>▪ Remaining deliverables under EA Agreement</li> <li>▪ Progress of EA agreement</li> <li>▪ Short term timelines</li> <li>▪ Overview of Project amendment</li> <li>▪ Project design and further studies regarding same                             <ul style="list-style-type: none"> <li>- Trestle piling scour studies</li> <li>- Wind assessment on bridge design (winter, summer winds)</li> <li>- Carrier berthing simulation</li> <li>- Tug scour assessment</li> </ul> </li> <li>▪ Visual impacts i.e. cruise ships visiting Prince Rupert harbour</li> <li>▪ Navigation and bridge light impact to fishery use of the area</li> <li>▪ Assessment of Flora bank dynamics</li> </ul>	<p>PNW LNG met with GEM representatives at Gitxaala office.</p> <ul style="list-style-type: none"> <li>▪ EA agreement progress update</li> <li>▪ Short term timelines re: BCEAO and CEEA processes</li> <li>▪ Major Project amendment (bridge-trestle and Camp) as mitigation – initial comments by Gitxaala                             <ul style="list-style-type: none"> <li>- Gitxaala appreciated Project overview</li> </ul> </li> <li>▪ PNW and Gitxaala to meet 09-Oct-2014 to review TUS and SEA documents</li> </ul>	<p>In Progress</p> <p>PNW to review socio-economic report and provide Gitxaala with conclusions and updates required to EIS, including mitigations</p> <p>Gitxaala to confirm if they would like to work with PNW as major amendment is finalized for submission to BCEAO/CEAA</p>
29-Sep-2014	Letter From: Lindsay Jones (PNW) To: Deputy Chief C. Innis (Gitxaala)	<ul style="list-style-type: none"> <li>▪ Consultation</li> </ul>		<p>PNW LNG advises information sessions scheduled for 07-Oct-2014 in Port Edward and 08-Oct-2014 in Prince Rupert</p>	<p>Complete</p>
30-Sep-2014	Information Distribution via Email From: A. Hall (PNW) To: J. Witzke (Gitxaala)	<ul style="list-style-type: none"> <li>▪ TUS</li> </ul>		<p>PNW LNG provided draft copy of Stantec report on Review of the Gitxaala Use Study, Prepared for Port Edward Area LNG Projects in advance of meeting on 09-Oct-2014/10-Oct-2014</p>	<p>Complete</p>

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<b>Kitsumkalum</b>					
11-Sep-2014	Meeting Attendees: A. Hall (PNW), A. Pomeroy (Stantec) R. Gemeinhardt (Kitsumkalum)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> <li>▪ TUS</li> </ul>	<ul style="list-style-type: none"> <li>▪ Kitsumkalum requested information on country foods sampling project re: long term monitoring               <ul style="list-style-type: none"> <li>- Are there any foods harvested in Lelu Island area that could be sampled</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Stantec to provide shape files for critical project impact areas</li> <li>▪ Cross Roads to develop table of interactions of current/traditional uses with project activities based on shape files</li> <li>▪ PNW LNG to provide Kitsumkalum with list of EA activities and species</li> <li>▪ PNW LNG to provide list of issues and potential mitigation strategies</li> <li>▪ Next meeting scheduled for 25-Sep-2014 to discuss TUS and SEA</li> </ul>	In Progress PNW LNG to provide questions for clarification by Kitsumkalum
15-Sep-2014	Information Distribution via Email From: M. Lambert (PNW) To: Chief D. Roberts (Kitsumkalum) Cc: K. Howes (BCEAO)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> <li>▪ Consultation</li> </ul>		PNW LNG delivered: <ul style="list-style-type: none"> <li>▪ Draft Aboriginal Consultation Report – 04 Sep 2014</li> <li>▪ Design sketch proposed to mitigate effects on environment – 15 Sep 2014</li> </ul>	Complete
17-Sep-2014	Information Distribution via Email From: G. Fraser (PNW) To: R. Gemeinhardt (Kitsumkalum)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> </ul>		PNW LNG delivers LNG Facility Permit Application and Operations Manual, Jul.2014 Kitsumkalum acknowledges receipt 19-Sep-2014.	Complete



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<b>Kitsumkalum</b>					
17-Sep-2014	Meeting Attendees: B. Clark (PNW), A. Pomeroy (Stantec), R. Gemeinhardt (Kitsumkalum), N.	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> <li>▪ Consultation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Kitsumkalum has no issue with visuals of bridge as long as vessel passage maintained</li> </ul>	PNW LNG provided update of Project changes. Kitsumkalum accepted PNW LNG invitation to further discuss on 25-Sep-2014. PNW LNG provided two maps for use at Kitsumkalum’s internal Band open house.	In Progress
18-Sep-2014	Email From: B. Clark (PNW) To: R. Gemeinhardt (Kitsumkalum)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> <li>▪ Consultation</li> </ul>		PNW LNG would like to discuss with Metlakatla development of mitigation measures. Attaches (as 1 pdf): <ul style="list-style-type: none"> <li>▪ Table 1: Potential Effects of the Change to the Accommodation Camp Location, and Table 2: Potential Effects of the Change to the Marine Terminal Design</li> </ul>	In Progress
18-Sep-2014	Information Distribution via Email From: P. Ramsay (Millenia Research) To: R. Gemeinhardt, S. Roberts (Kitsumkalum)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> </ul>		Millennia Research delivers to Metlakatla: <ul style="list-style-type: none"> <li>▪ 08-Sep-2014 – Archaeological Overview Assessment of proposed reservoir, access road and chlorination station in Port Edward</li> </ul>	Complete

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<b>Kitsumkalum</b>					
24-Sep-2014	Information Distribution via Email From: A. Hall (PNW) To: R. Gemeinhardt (Kitsumkalum), J. Franks (Crossroads), R. Budhwa (Crossroads)	TUS		PNW LNG and Kitsumkalum to meet to discuss TUS review on 25-Sep-2014. Attaches (as .pdf): <ul style="list-style-type: none"> <li>Table 1: Kitsumkalum First Nation Uses and Interactions with Project Components and list of Mitigation Measures for Project Components (Draft)</li> </ul>	Complete
25-Sep-2014	Meeting Attendees: R. Gemeinhardt (Kitsumkalum) and team, A. Hall (PNW) and B. Clark (PNW)	<ul style="list-style-type: none"> <li>Environmental Assessment</li> <li>Consultation</li> <li>Environmental Impacts</li> <li>TUS</li> <li>Air quality</li> <li>Employment and training</li> </ul>	<ul style="list-style-type: none"> <li>Effects of the bridge to economic environment</li> <li>Effect on community and health</li> <li>Cultural training of staff</li> <li>Number of vehicles using bridge/trestle that could impact air quality</li> <li>Fisheries workshop for North Skeena First Nations Fisheries</li> <li>One vision and one common funding base</li> <li>Procedural Aspects of Consultation definition</li> </ul>	General agreement that changes were positive Clarified there are no exclusion zones for LNG carriers (except zone around berth to eliminate ignition sources)	In Progress PNW LNG will forward designs and formal description of changes and associated effects
29-Sep-2014	Letter From: Lindsay Jones (PNW) To: Chief R. Roberts (Kitsumkalum)	<ul style="list-style-type: none"> <li>Consultation</li> </ul>		PNW LNG advises information sessions scheduled for 07-Oct-2014 in Port Edward and 08-Oct-2014 in Prince Rupert	Complete

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<b>Kitselas</b>					
15-Sep-2014	Information Distribution via Email From: M. Lambert (PNW) To: Chief J. Bevan (Kitselas) Cc: K. Howes (BCEAO)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> <li>▪ Consultation</li> </ul>		PNW LNG delivered: <ul style="list-style-type: none"> <li>▪ Draft Aboriginal Consultation Report – 04 Sep 2014</li> <li>▪ Design sketch proposed to mitigate effects on environment – 15 Sep 2014</li> </ul>	Complete
18-Sep-2014	Information Distribution via Email From: P. Ramsay (Millenia Research) To: Chief J. Bevan (Kitselas)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> </ul>		Millennia Research delivers to Metlakatla: <ul style="list-style-type: none"> <li>▪ 08-Sep-2014 – Archaeological Overview Assessment of proposed reservoir, access road and chlorination station in Port Edward</li> </ul>	Complete
26-Sep-2014	Email From: S. Coggins (Kitselas) To: G. Mathews cc: C. Barlow (Stantec), A. Hall (PNW), A. Pomeroy (Stantec) and S. Pulla	<ul style="list-style-type: none"> <li>▪ TUS</li> </ul>		Kitselas provided TUS to Stantec and PNW LNG	Complete
29-Sep-2014	Letter From: Lindsay Jones (PNW) To: Chief J. Bevan (Kitselas)	<ul style="list-style-type: none"> <li>▪ Consultation</li> </ul>		PNW LNG advises information sessions scheduled for 07-Oct-2014 in Port Edward and 08-Oct-2014 in Prince Rupert	Complete

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<b>Kitselas</b>					
29-Sep-2014	Information Distribution via Email From B. Clark (PNW) To: S. Coggins (Kitselas)	<ul style="list-style-type: none"> <li>▪ Consultation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Redesigning the marine terminal and relocating the berths to remove project infrastructure (i.e., piles) on Flora Bank and eliminate the need for dredging on Agnew Bank</li> <li>▪ Incorporating an option for a third party owned-and-operated construction worker accommodation camp on private property in Port Edward.</li> </ul>	PNW LNG to meet with the Kitselas and to Design changes to PNW LNG Project on 30-Sep-2014 and provided: Attaches: <ul style="list-style-type: none"> <li>▪ (as 1 .pdf) Table 1: Potential Effects of the Change to Accommodation Camp Location and Table 2: Potential Effects of the Change to the Marine Terminal Design</li> <li>▪ Draft Bridge design for Discussion</li> </ul>	
30-Sep-2014	Meeting: Attendees: PNW LNG: A. Hall, D. Baker Kitselas: S. Coggins	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> </ul>	Key items discussed: <ul style="list-style-type: none"> <li>▪ explained why we moved away from Option F</li> <li>▪ studies underway</li> <li>▪ the significant reduction in dredge material and studies still underway at Brown Passage</li> <li>▪ benefits of the bridge and some potential impacts ( shading, visuals, birds)</li> <li>▪ change in camp location and ownership and temporary modular nature with hook-ups to Port Edwards sewer and water</li> <li>▪ advised pipes through slough no longer required</li> <li>▪ need for further meetings and open houses to cover permitting/ offsetting and fisheries strategies</li> </ul>		Kitselas unable to complete review of Tables describing impacts of changes by Oct 1 but will advise us on their thoughts.

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Date	Means of Engagement	Topics	Key Concerns and Issues	PNW LNG Actions	Status
<b>Gitga’at</b>					
15-Sep-2014	Information Distribution via Email From: M. Lambert (PNW) To: Chief A. Clifton (Gitga’at) Cc: K. Howes (BCEAO)	<ul style="list-style-type: none"> <li>▪ Environmental Assessment</li> <li>▪ Consultation</li> </ul>		PNW LNG delivered: <ul style="list-style-type: none"> <li>▪ Draft Aboriginal Consultation Report – 04 Sep 2014</li> <li>▪ Design sketch proposed to mitigate effects on environment – 15 Sep 2014</li> </ul>	Complete
18-Sep-2014	Email From: S. Greening (Gitxaala) To: A. Hall (PNW)	<ul style="list-style-type: none"> <li>▪ Consultation</li> </ul>	Attaches letter and table regarding the Potential adverse effects of PNW LNG on the Gitga’at First Nation		Complete
29-Sep-2014	Letter From: Lindsay Jones (PNW) To: Chief A. Clifton (Gitga’at)	<ul style="list-style-type: none"> <li>▪ Consultation</li> </ul>		PNW LNG advises information sessions scheduled for 07-Oct-2014 in Port Edward and 08-Oct-2014 in Prince Rupert	Complete

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**List of Acronyms/Abbreviations**

ACR .....	Aboriginal Consultation Report	FEED.....	Front-End Engineering and Design
AIA .....	Archaeological Impact Assessment	GHG .....	Greenhouse Gas
AISRT .....	Aboriginal Independent Science Review Team	GIS .....	Geographic Information System
AIR .....	Application Information Requirements	HAZID.....	Hazard Identification
AOA .....	Archaeological Overview Assessment	IBA .....	Impact Benefit Agreement
ASL.....	ASL Environmental Sciences Inc.	IR(s) .....	Information Request(s)
BCEAO .....	British Columbia Environmental Assessment Office	KBR.....	Kellog Brown & Root Limited
BDP 1.....	Borehole Drilling Program – Phase 1	LAA .....	Local Assessment Area
BDP 2.....	Borehole Drilling Program – Phase 2	LIDAR.....	Light Detection and Ranging
BLG.....	Borden Ladner Gervais LLP	MOU.....	Memorandum of Understanding
CEAA .....	Canadian Environmental Assessment Agency	ODK .....	OpusDaytonKnight Consultants
CFN.....	Coastal First Nations	PETRONAS.....	PETROLIAM NASIONAL BERHAD
CMT(s).....	Culturally Modified Tree(s)	PNW LNG.....	Pacific NorthWest LNG Limited Partnership
dAIR .....	Draft Application Information Requirements	Project .....	Pacific NorthWest LNG Project
DAS.....	Disposal at Sea	PRPA.....	Price Rupert Port Authority
DFO .....	Department of Fisheries and Oceans	RAA.....	Regional Assessment Area
EA .....	Environmental Assessment	ROV .....	Remotely Operated Underwater Vehicle
EIS .....	Environmental Impact Statement	s. 11 .....	Section 11 Order
EISG .....	Environmental Impact Statement Guidelines	SES .....	Socioeconomic Study

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SFC..... Skeena Fisheries Commission

Stantec.....Stantec Consulting Ltd.

TERMPOL..... Technical Review Process of Marine Terminal  
Systems and Transshipment Sites

TDR(s) ..... Technical Data Report(s)

TUS..... Traditional Use Study

VC(s)..... Valued Component(s)

**Appendix D**  
**Partial Record of Meeting Invitations and Responses**



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Agreements are in hand and intensive technical interaction has begun)**

Metlakatla..... D-1  
Lax Kw'alaams..... D-6  
Gitxaala..... D-15  
Kitsumkalum..... D-20  
Kitselas..... D-24  
Gitga'at ..... D-30

**Pacific NorthWest LNG's Invitations to Consult with Metlakatla**

Date	Invitation	Response
<b>Metlakatla</b>		
<b>Pacific NorthWest LNG's Invitations to Metlakatla</b>		
25-Jul-2013	Email From: G. Fraser (PNW LNG) To: A. Osborne (Metlakatla) PNW LNG advises Metlakatla of upcoming environmental assessment field studies on Lelu Island includes Studies on Fish & Fish Habitat and soil baseline surveys.	No response.
12-Sep-2013	Email attaching Letter dated 11-Sep-2013 From: G. Chow (PNW LNG) To: Chief H. Leighton (Metlakatla) Cc: L. Jones (PNW LNG) Invitation to attend Termpol Workshop 25-Sep-2013 in Prince Rupert.	No response.
24-Sep-2013	Letter via Email From: G. Chow (PNW LNG) To: Chief H. Leighton (Metlakatla) Cc: L. Jones (PNW LNG), Cpt. D. Kyle Reminder about invitation to attend Termpol HAZID Workshop on 25-Sep-2013 in Prince Rupert. Requests RSVP to G. Chow (PNW LNG).	No response.  Meeting occurred on 10-Oct-2013. Helicopter booked for 23-Oct-2013 to fly to Lelu Island to view BDP1 and inventoried CMTs.
18-Oct-2013	Email From: G. Fraser (PNW LNG) To: A. Osborne (Metlakatla) As per mmeeting that occurred on 10-Oct-2013. Helicopter booked for 23-Oct-2013 to fly to Lelu Island to view BDP1 and inventoried CMTs.	Accepted.  20-Oct-2013 email thread. Meeting for field trip at the Crest 9:00 a.m. on 23-Oct-2013.
11-Nov-2013	Email From: G. Fraser (PNW LNG) To: A. Osborne (Metlakatla) PNW LNG invites Metlakatla to connect by phone with Kleanza re: Chance Find Protocol.	Accepted.  12-Nov-2013 email thread. Call set up for 14-Nov-2013.

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<b>Metlakatla</b>		
<b>Pacific NorthWest LNG’s Invitations to Metlakatla</b>		
27-Nov-2013	<p>Email</p> <p>From: Gerry Fraser (PNW LNG) To: R. Wilson (Metlakatla)</p> <p>Request to arrange a meeting to review strategic elements of the project.</p>	<p>Accepted.</p> <p>28-Nov-2013 email from R. Wilson. Meeting scheduled for 03-Dec-2013.</p> <p>02-Dec-2013 R. Wilson confirmed to also attend meeting by telephone.</p> <p>Further tentative meeting set 23-Jan-2014.</p>
03-Dec-2013	<p>Email</p> <p>From: G. Fraser (PNW LNG) To: A. Osborne (Metlakatla)</p> <p>PNW LNG requests Metlakatla to review PNW LNG Draft Plan for Procedural Aspects of Aboriginal Consultation and invites a telephone call to walk through it.</p>	<p>Declined telephone call.</p> <p>04-Dec-2013 email from R. Wilson re: not available for call.</p> <p>09-Dec-2013 A. Osborne provides comments in letter.</p>
28-Nov-2013	<p>Email</p> <p>From: Gerry Fraser (PNW LNG) To: Ross Wilson(Metlakatla)</p> <p>Requests meeting 3-Dec-2013 to discuss marine terminal design and evaluation of fish and fish habitat.</p>	<p>Accepted.</p> <p>Meeting occurred 04-Dec-2013.</p>
4-Dec-2013	<p>Email</p> <p>From: Gerry Fraser (PNW LNG) To: Anna Osborne (Metlakatla)</p> <p>Proposed meeting on 23-Jan-2014.</p>	<p>Accepted.</p> <p>Meeting occurred on 14-Jan-2014.</p> <p>Telephone call occurred on 21-Jan-2014.</p>
31-Jan-2014	<p>Email</p> <p>From: Gerry Fraser (PNW LNG) To: Anna Osborne (Metlakatla)</p> <p>PNW LNG requests Metlakatla to review and comment regarding PNW LNG’s responses to Metlakatla’s dAIR comments</p>	<p>Accepted.</p> <p>04-Feb-2014 Metlakatla proposes morning of 18-Feb-2014 for call to discuss with PNW LNG and Stantec.</p>
27-Feb-2014	<p>Email</p> <p>From: Andy Hall (PNW LNG) To: Anna Osborne(Metlakatla); Gerry Fraser; Jane Hauser; L Beckmann; David Fissel Cc: Andy Hall (PNW LNG); Brian Clark; Andrea Pomeroy</p> <p>Meeting notes and notice of next meetings 1-May-2014, 5-Jun-2014, 3-July-2014</p>	<p>Accepted.</p> <p>Meeting occurred on 26-Feb-2014. Next meeting is 01-May-2014.</p>
06-Mar-2014	<p>Letter</p> <p>From: M. Lambert (PNW LNG) To: Chief H. Leighton (Metlakatla)</p> <p>PNW LNG proposes to attend community to discuss Project and would like to arrange meeting with team members to discuss. Invites Metlakatla to contact them.</p>	<p>No response.</p>

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<b>Metlakatla</b>		
<b>Pacific NorthWest LNG’s Invitations to Metlakatla</b>		
28-Apr-2014	Email From: M. MacEwen for B. Clark (PNW LNG) To: A. Osborne (Metlakatla) Invitation to dinner meeting to explore opportunities for fish habitat offset program	No response.
13-May-2014	Letter From: M. MacEwen for B. Clark (PNW LNG) To: A. Osborne (Metlakatla) Invitation to have further discussions on marine habitat offset strategy of EA Application, followed by a field/boat trip to Lelu Island and surrounding area.	No response.  PNW LNG requested to re-schedule field/boat trip to 17-18 Jun 2014 due to CEAA Sub-Working Group meetings.
27-May-2014	Email From: A. Hall (PNW LNG) To: A. Osborne (Metlakatla) Invitation to meet with Metlakatla in Prince Rupert on 04-Jun-2014, Morley Eldridge (Millennia) to review AIA document comments and discuss CMT Management Plan/protocol.	Accepted.  Meeting originally scheduled 04-Jun-2014. PNW LNG proposed rescheduling meeting.  Meeting occurred 18-Jun-2014
03-Jun-2014	Email From: C. Vadivelu (PNW LNG) To: Chief H. Leighton and A. Osborne (Metlakatla) Invitation to post advertisement for a Community Engagement Intern position in band office and host an information session about the Project in their community.	No response.
22-Jul-2014	Email From: M. MacEwen for A. Hall (PNW LNG) To: A. Osborne (Metlakatla) Invitation to participate in Remotely Operated Underwater Vehicle field work.	No response.

Total Invitations:	17
Total Accepted:	8
Total Declined/Cancelled:	1
No Response:	8

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**Metlakatla’ s Invitations to Consult with Pacific NorthWest LNG**

Date	Invitation For	Response
<b>Metlakatla’ s Invitations to Pacific NorthWest LNG</b>		
26-Jul-2013	Email From: Anna Usborne (Metlakatla) To: Gerry Fraser (PNW LNG) Cc: Ross Wilson (Metlakatla) Suggests discussing disposal at sea proposal in more detail.	Accepted. 31-Jul-2013 by email. Meeting occurred on 06-Aug-2013.
10-Oct-2013	Meeting Notes Anna Usborne requests a field visit to Lelu. Field trip to review results of geotechnical investigation provided	Accepted. Meeting occurs 10-Oct-2013. Field trip occurs 23-Oct-2013.
10-Oct-2013	Email From: Anna Usborne (Metlakatla) To: Gerry Fraser (PNW LNG) Invitation to Metlakatla Stewardship Office Industry Day, 14-Nov-2013.	Accepted. 11-Oct-2013 via email.
22-Oct-2013	Email From: J. Hauser (Metlakatla) To: (undisclosed recipients) Invitation to Metlakatla Stewardship Office Industry Day, 14-Nov-2013.	Accepted. 11-Oct-2013 via email.
18-Nov-2013	Email From: A. Usborne (Metlakatla) To: A. Hall (PNW LNG) Invitation for Disposal at Sea project – Workplan Meeting in Vancouver 04-Dec-2013.	Accepted. Meeting occurred on 04-Dec-2014.

Total Invitations:	5
Total Accepted:	5
Total Declined/Cancelled:	0
No Response:	0

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**Pacific NorthWest LNG’s Invitations to Discuss Capacity Funding / Environmental Assessment with  
Metlakatla**

Date	Invitation	Response
<b>Pacific NorthWest LNG’s Invitations to Metlakatla</b>		
16-Dec-2013	Email From: G. Fraser (PNW LNG) To: A. Usborne Invitation to discuss EA Agreement matters 20-Dec-2013	Accepted. 18-Dec-2013 confirmed by email.
12-Mar-2014	Email From: Andy Hall (PNW LNG) To: Anna Usborne(Metlakatla); Gerry Fraser; Jane Hauser; L Beckmann; David Fissel Cc: Brian Clark; Andrea Pomeroy; Kenneth Howes; Kevin Goodearle; Make Lambert Offering contact person (Brian Clark) if further questions on the EA.	No response.
18-Jun-2014	Meeting between A. Hall (PNW LNG) and A. Usborne (Metlakatla)	Accepted.

Total Invitations:	3
Total Accepted:	2
Total Declined/Cancelled:	0
No Response:	1

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**Pacific NorthWest LNG’s Invitations to Consult with Lax Kw’alaams**

Date	Invitation	Response
<b>Lax Kw’alaams</b>		
<b>Pacific NorthWest LNG’s Invitations to Lax Kw’alaams</b>		
8-Dec-2012	Email From: C. Rutherford (PNW LNG) To: Chief G. Reece (Lax Kw’alaams) Cc: L. Giroday (Lax Kw’alaams) Invitation to meet and discuss questions or concerns re: Project	Declined. Letter dated 21-Dec-2012.
15-Jan-2013	Email From: C. Rutherford (PNW LNG) To: Chief G. Reece (Lax Kw’alaams) Invitation to participate in Winter Bird Survey on January 24 and 25, 2013.	No response.
30-Jan-2013	Email From: C. Rutherford (PNW LNG) To: Wayne Drury (Lax Kw’alaams) Request for information regarding Lax Kw’alaams’ capacity for economic participation in the Project.	No response.
26-Feb-2013	Letter From: C. Rutherford (PNW LNG) To: Wayne Drury (Lax Kw’alaams) Welcomes opportunity to exchange correspondence about issues and invites Lax Kw’alaams to propose several dates for a meeting.	No response.
14-Mar-2013	Invitation to Meeting re: Open house	No response.
25-Mar-2013	Letter From: D. Camp (BLG) To: L. Giroday (Lax Kw’alaams) sent via Email March 25, 2013 From: S. Jones (BLG) To: (Lax Kw’alaams) PNW LNG offers to meet to discuss the geotechnical investigations and invites questions on the geotechnical program.	Accepted.
19-Apr-2013	Meeting D. Camp (BLG), C. Rutherford (PNW), L. Prentice (Fugro), G. Fraser (PNW LNG), A. Pomeroy (Stantec), G. McDade (Ratcliffe and Co), W. Drury (Lax Kw’alaams), M. Duivan (Skeena Fisheries), D. Brown (Lax Kw’alaams), S. Jones (BLG) PNW LNG explained the methods of its archaeological studies and agreed to a subsequent meeting to discuss archaeological issues.	Accepted. Conference call occurred on 24-Apr-2013.

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Date	Invitation	Response
<b>Lax Kw'alaams</b>		
<b>Pacific NorthWest LNG's Invitations to Lax Kw'alaams</b>		
06-May-2013	Email From: D. Camp (BLG) To: L. Giroday (Lax Kw'alaams) Proposed discussion regarding Progress Working Group Presentations	Accepted. 06-May-2013 Call scheduled for 09-May-2013 at 4:15 p.m.
21-May-2013	Email From: D. Camp (BLG) To: W. Drury (Lax Kw'alaams) Request for meeting with Wayne Drury and Chief Reece on 11-Jun-2013.	Declined.
13-Jul-2013	Email From: Cindy Rutherford (PNW LNG) To: Wayne Drury Requests First Nations input regarding training and education initiatives	No response.
25-Jul-2013	Email From: G. Fraser (PNW LNG) To: W. Drury (Lax Kw'alaams) Offer for Lax Kw'alaams to participate in upcoming studies by Stantec: Freshwater fish survey August 8 to 15, 2013 Soil baseline survey August 1 to 8, 2013	Accepted. 30-Jul-2013 via email, but then Lax Kw'alaams did not participate.
26-Jul-2013	Letter and Email From: C. Rutherford (PNW LNG) To: Chief G. Reece (Lax Kw'alaams) PNW LNG offers to meet with Lax Kw'alaams to discuss investigative work or project as a whole.	No response.
9-Sep-2013	Email From: G. Fraser (PNW LNG) To: Chief G. Reece (Lax Kw'alaams) Cc: W. Drury (Lax Kw'alaams) Invitation to participate in upcoming marine field studies by Stantec from 17 to 22 September 2013: Marine foreshore surveys of habitat Marine plants and algae Marine invertebrates	No response.
11-Sep-2013	Letter From: Captain D. Kyle and L. Jones (PNW LNG) To: Chief G. Reece (Lax Kw'alaams) Invitation to participate in TERMPOL workshop on 25-Sep-2013	No response.

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Date	Invitation	Response
<b>Lax Kw'alaams</b>		
<b>Pacific NorthWest LNG's Invitations to Lax Kw'alaams</b>		
24-Sep-2013	<p>Information Distribution Workshop Structure sent via Email</p> <p>From: G. Chow (PNW LNG) Captain D. Kyle, M. McNeil (Prince Rupert LNG)</p> <p>To: Chief G. Reece of Lax Kw'alaams</p> <p>Reminder and invitation for participation in TERMPOL workshop on September 25, 2013</p>	No response.
18-Oct-2013	<p>Email</p> <p>From: G. Fraser (PNW LNG)</p> <p>To: Chief G. Reece (Lax Kw'alaams)</p> <p>Invitation to view results of geotechnical investigation Phase I and review plans for Phase II of the geotechnical investigation. Provides notice of Phase II.</p>	<p>Declined.</p> <p>Letter 28-Oct-2013 (sent via email 05-Nov-2013)</p>
Oct-2013	<p>Discussion</p> <p>Between: D. Camp (lawyer for PNW LNG)</p> <p>And: G. Burke (lawyer for Lax Kw'alaams)</p> <p>Meeting invitation for 05-Nov-2013.</p>	<p>Accepted.</p> <p>Meeting occurred 05-Nov-2013 and TDR provided to Lax Kw'alaams and advisors.</p>
01-Nov-2013	<p>Letter</p> <p>From: G. Fraser (PNW LNG)</p> <p>To: Chief G. Reece (Lax Kw'alaams)</p> <p>PNW LNG provides further notice of Phase II of the geotechnical investigation and provides opportunity to provide comments on reports on Phase I and comment on plans for Phase II.</p> <p>Invites Lax Kw'alaams to contact G. Fraser or A. Hall to arrange meeting to review work plan or provide monitor for the project.</p>	No response.
06-Nov-2013	<p>Email</p> <p>From L. Jones (PNW LNG)</p> <p>To: W. Drury (Lax Kw'alaams)</p> <p>L. Jones proposes that Lax Kw'alaams consider availability for following week to continue engagement on technical issues.</p>	No response.
7-Nov-2013	<p>Letter</p> <p>From: M. Lambert (PNW LNG)</p> <p>To: Chief G. Reece (Lax Kw'alaams)</p> <p>sent via Email</p> <p>November 7, 2013</p> <p>From: C. Beloin (PNW LNG)</p> <p>To: Chief G. Reece (Lax Kw'alaams), W. Drury (Lax Kw'alaams)</p> <p>PNW LNG offers to meet with Lax Kw'alaams regarding Phase II of its geotechnical investigation.</p> <p>Reminder re: Open House invitation November 19 and 20, 2013 in Port Edward and Prince Rupert.</p>	Declined.



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Date	Invitation	Response
<b>Lax Kw'alaams</b>		
<b>Pacific NorthWest LNG's Invitations to Lax Kw'alaams</b>		
13-Nov-2013	<p>Letter</p> <p>From: L. Jones ( PNW LNG)</p> <p>To: G. Burke (Lax Kw'alaams), W. Drury (Lax Kw'alaams)</p> <p>Cc: Chief G. Reece (Lax Kw'alaams)</p> <p>sent via Email</p> <p>November 13, 2013</p> <p>From: M. MacEwen (PNW)</p> <p>To: G. Burke (Lax Kw'alaams)</p> <p>W. Drury (Lax Kw'alaams)</p> <p>Cc: Chief G. Reece (Lax Kw'alaams)</p> <p>PNW LNG writes to thank Lax Kw'alaams for meeting of meeting November 5, 2013 and invites further meetings, discussions and input on Marine Resources Report provided at meeting.</p>	No response.
3-Dec-2013	<p>Letter</p> <p>From: L. Jones (PNW)</p> <p>To: Chief G. Reece (Lax Kw'alaams)</p> <p>PNW LNG offers to meet during week of 9-Dec-2013 or other suitable date for Lax Kw'alaams for further discussions.</p>	No response.
4 Dec 2013	<p>Letter</p> <p>From: M. Lambert (PNW LNG)</p> <p>To: Chief G. Reece (Lax Kw'alaams)</p> <p>PNW LNG invites Lax Kw'alaams to comment on the Plan for Procedural Aspects of Aboriginal Consultation and call to organize a meeting to discuss.</p>	No response.
22 Jan 2014	<p>Letter</p> <p>From: L. Jones (PNW LNG)</p> <p>To: W. Drury (Lax Kw'alaams), L. Giroday (Lax Kw'alaams)</p> <p>PNW LNG welcomes further meetings to find solutions for issues raised and working towards improving engagement and consultation with PNW LNG.</p>	No response.
28 Jan 2014	<p>Letter</p> <p>From: L. Jones (PNW LNG)</p> <p>To: Chief G. Reece (Lax Kw'alaams)</p> <p>PNW LNG remains available to meet and discuss results of BDP and engage more extensively on project plans.</p>	No response.
21 Feb 2014	<p>Letter</p> <p>From: L. Jones (PNW LNG)</p> <p>To: Chief G. Reece (Lax Kw'alaams)</p> <p>PNW LNG would like a meeting with Lax Kw'alaams to discuss strategic issues. L. Jones asks for Lax Kw'alaams to contact him directly.</p>	No response.

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<b>Lax Kw'alaams</b>		
<b>Pacific NorthWest LNG's Invitations to Lax Kw'alaams</b>		
24 Feb 2014	<p>Letter</p> <p>From: B. Clark (PNW LNG)</p> <p>To: Chief G. Reece (Lax Kw'alaams)</p> <p>PNW LNG welcomes opportunity to meet with Lax Kw'alaams and authors of AISRT Report to clarify outstanding concerns re: Marine Resources Technical Data Report.</p>	No response.
06 Mar 2014	<p>Letter</p> <p>From: M. Lambert (PNW LNG)</p> <p>To: Chief G. Reece (Lax Kw'alaams)</p> <p>PNW LNG invites Lax Kw'alaams to contact M. MacEwen (PNW LNG) regarding interest in two meetings proposed by PNW LNG, including dates and locations that work best for the community and leadership.</p>	No response.
28 Mar 2014	<p>Letter</p> <p>From: B. Clark (PNW LNG)</p> <p>To: Chief G. Reece (Lax Kw'alaams)</p> <p>Reiterated that PNW LNG would be pleased to come to community to discuss Project with membership. Also request to arrange meeting between PNW LNG and Lax Kw'alaams' team, including Stantec and Band Council and its Referral Specialist to discuss project. Invited Lax Kw'alaams to contact M. MacEwen (PNW LNG).</p>	No response.
16 Apr 2014	<p>Letter</p> <p>From: G. Kist (PNW LNG)</p> <p>To: Chief G. Reece (Lax Kw'alaams)</p> <p>PNW LNG invites Lax Kw'alaams to tour the PETRONAS LNG Facility in Bintulu, Malaysia from May 11 – 17, 2014. PNW LNG offers to cover airfare, accommodation and meals.</p>	No response.
28-Apr-2014	<p>Email</p> <p>From M. MacEwen for B. Clark (PNW LNG)</p> <p>To: Chief G. Reece (Lax Kw'alaams)</p> <p>Invitation for dinner meeting to explore opportunities for fish habitat offset program and other long term possibilities.</p>	No response.
02 May 2014	<p>Letter</p> <p>From: L. Gosse, HR Generalist (PNW LNG)</p> <p>To: Chief G. Reece (Lax Kw'alaams)</p> <p>PNW LNG notifies Lax Kw'alaams of job posting and invites to host an information session about the Project in their community.</p>	No response.

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Date	Invitation	Response
<b>Lax Kw'alaams</b>		
<b>Pacific NorthWest LNG's Invitations to Lax Kw'alaams</b>		
07 May 2014	<p>Letter</p> <p>From: M. Lambert (PNW LNG) To: Chief G. Reece (Lax Kw'alaams)</p> <p>PNW LNG sends a letter, dated February 10, 2014, responding point-by-point to Lax Kw'alaams' letter of January 15, 2014 and again invites Lax Kw'alaams to meet with PNW LNG to discuss concerns about the Project and capacity funding.</p>	No response.
13-May-2014	<p>Letter</p> <p>From: B. Clark (PNW LNG) To: A. MacDonald (Lax Kw'alaams)</p> <p>PNW LNG invites Lax Kw'alaams to meet and discuss options for marine habitat offset strategy, followed by a one to two day field/boat trip to Lelu Island and surrounding area to explore habitat offset ideas.</p>	<p>No response.</p> <p>PNW LNG requested to re-schedule field/boat trip to 17-18 Jun 2014 due to CEEA Sub-Working Group meetings.</p>
29-May-2014	<p>Email</p> <p>From M. MacEwen for B. Clark (PNW LNG) To: Chief G. Reece (Lax Kw'alaams)</p> <p>Follow-up to email of April 28, 2014 for dinner meeting to explore opportunities for fish habitat offset program and other long term possibilities.</p>	<p>Accepted.</p> <p>05-Jun-2014 W. Drury (Lax Kw'alaams) emailed M. MacEwen (PNW LNG). Lax Kw'alaams will have 2-3 people attend to discuss concerns re: conservation and preservation of marine resources.</p> <p>06-Jun-2014 confirmed SFC staff Davide Latremouille attended.</p>
Jun-2014	<p>Discussions</p> <p>Between: D. Camp (BLG) and G. Burke (Lax Kw'alaams)</p> <p>Invitation to review and discuss marine impacts.</p>	<p>Accepted.</p> <p>Meeting occurred on 27-Jun-2014.</p>
03-Jun-2014	<p>Email</p> <p>From: C. Vadivelu (PNW LNG) To: Chief G. Reece, L. Giroday and W. Drury (Lax Kw'alaams)</p> <p>Invitation to post advertisement for a Community Engagement Intern position in band office and host an information session about the Project in their community.</p>	No response.
05-Jun-2014	<p>Letter</p> <p>From: M. Lambert (PNW LNG) To: Chief G. Reece (Lax Kw'alaams)</p> <p>Invitation to Lax Kw'alaams to meet and discuss their concerns regarding the Project</p>	No response.
03-Jul-2014	<p>Letter</p> <p>From: M. Lambert (PNW LNG) To: Chief G. Reece (Lax Kw'alaams)</p> <p>PNW LNG reiterates invitation to meet and reschedule the May 6, 2014 meeting cancelled by Lax Kw'alaams – suggests week of July 9, 2014.</p>	No response.

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<b>Lax Kw'alaams</b>		
<b>Pacific NorthWest LNG's Invitations to Lax Kw'alaams</b>		
Jun-2014	Meeting Between: D. Camp (BLG) and G. Burke (Lax Kw'alaams) Invitation to continue discussion on marine issue.	Accepted. Meeting occurred on 08-Jul-2014.
21-Jul-2014	Email From: M. Lambert (PNW LNG) To: W. Drury (Lax Kw'alaams) Invitation to participate in Remotely Operated Underwater Vehicle field work.	Accepted 22-Jul-2014 Lax Kw'alaams confirmed participation

Total Invitations:	41
Total Accepted:	9
Total Declined/Cancelled:	4
No Response:	28

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**Lax Kw’alaams’ Invitations to Consult with Pacific NorthWest LNG**

Date	Invitation For	Response
<b>Lax Kw’alaams’ Invitations to Pacific NorthWest LNG</b>		
24-Jul-2013	<p>Letter</p> <p>From: Chief G. Reece (Lax Kw’alaams) To: G. Kist (PNW LNG)</p> <p>Sent Via Email July 24, 2013</p> <p>From: T. Johnson ( Lax Kw’alaams) To: M. Lambert (PNW LNG)</p> <p>Invitation for PNW LNG to participate and fund fisheries research study</p> <p>Freshwater fish survey August 8 to 15 2013 Soil baseline survey August 1 to 8 2013</p>	<p>Declined.</p> <p>Letter 21-Aug-2013.</p> <p>PNW LNG did not accept this invitation but proposed an alternative conservation initiative.</p>
5-Nov-2013	<p>Letter</p> <p>From: Chief G. Reece ) Lax Kw’alaams) To: L. Jones (PNW LNG)</p> <p>sent via Email November 15, 2013</p> <p>From: T. Johnson (Lax Kw’alaams) To: L. Jones (PNW LNG)</p> <p>Lax Kw’alaams expresses willing to meet to discuss opportunities to move forward.</p>	<p>Accepted.</p> <p>In letter 02-Dec-2013 PNW LNG advises already in touch with W. Drury to set up meeting.</p> <p>PNW LNG reiterates offers to negotiate an Environmental Assessment Agreement and provide capacity funding.</p> <p>PNW LNG promises to follow up with meeting to discuss.</p> <p>Meeting between LAX (Drury/Giroday) occurred 12-Dec-2013.</p>
17 Jan 2014	<p>Letter</p> <p>From: Chief G. Reece (Lax Kw’alaams) To: L. Jones (PNW LNG)</p> <p>Lax Kw’alaams will be contacting PNW LNG to request a meeting date to present their submission re: aboriginal right and title in the Prince Rupert Harbour</p> <p>21-Mar-2014 Chief Reece requests available dates in weeks of April 7 and 14, 2014.</p>	<p>Accepted.</p> <p>Email thread from 07-Apr-2014 to 14-Apr-2014 between L. Giroday (Lax Kw’alaams) and L. Jones (PNW LNG).</p> <p>Email from L. Giroday (Lax Kw’alaams) to BLG and PNW LNG dated 24-Apr-2014 confirming meeting.</p> <p>Scheduled for May 6, 2014, but cancelled by Lax Kw’alaams on May 6, 2014.</p> <p>Meeting cancelled by Lax Kw’alaams (email from Lesley Giroday May 6, 2014)</p>

Total Invitations:	3
Total Accepted:	2
Total Declined/Cancelled:	1
No Response:	0

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**Pacific NorthWest LNG’s Invitations to Discuss Capacity Funding with Lax Kw’alaams**

Date	Invitation	Response
<b>Pacific NorthWest LNG’s Invitations to Lax Kw’alaams</b>		
24-Jan-2013	Letter From: C. Rutherford (PNW LNG) To: W. Drury (Lax Kw’alaams) Negotiations re: EA Agreement with capacity funding.	No response.
20-Aug-2013	Letter From: G. Kist (PNW LNG) To: Chief G. Reece ( Lax Kw’alaams) PNW LNG invites Lax Kw’alaams to comment on studies conducted on fish and fish habitat after Lax Kw’alaams’ review. Offers to provide capacity funding.	No response.
21 Feb 2014	Letter From: L Jones To: G. Reece and W. Drury Requesting a meeting to discuss capacity funding and how PNW can support participation in EIS and EA application.	No response.
07 May 2014	Letter From: M. Lambert (PNW LNG) To: Chief G. Reece (Lax Kw’alaams) PNW LNG sends a letter, dated February 10, 2014, responding point-by-point to Lax Kw’alaams’ letter of January 15, 2014 and again invites Lax Kw’alaams to meet with PNW LNG to discuss concerns about the Project and capacity funding.	No response.
05 Jun 2014	Letter From: M. Lambert (PNW LNG) To: Chief G. Reece (Lax Kw’alaams) PNW LNG prepared to discuss financial support for documented expenses associated with Lax Kw’alaams’ participation in the EA Process to date. PNW LNG invites Lax Kw’alaams to EA Work Plan negotiations.	No response.

Total Invitations:	5
Total Accepted:	0
Total Declined/Cancelled:	0
No Response:	5

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**Pacific NorthWest LNG’s Invitations to Consult with Gitxaala**

Date	Invitation	Response
<b>Gitxaala</b>		
<b>Pacific NorthWest LNG’s Invitations to Gitxaala</b>		
25-Sept-2012	Letter From: Cindy Rutherford (PNW LNG) To: Chief Elmer Moody (Gitxaala) PNW LNG offers to provide Gitxaala with information re: nature of PNW LNG facilities through open house mid-November and additional separate meeting for Gitxaala	No response
27-Sept-2012	Information Distribution via Email From: Cindy Rutherford (PNW LNG) To: Chief Elmer Moody (Gitxaala) Re-sent letter of 25-Sept-2012; PNW LNG offers to speak to Chief Moody about an information session	No response
3-Dec-2012	Email From: Cindy Rutherford (PNW LNG) To: Chief Elmer Moody (Gitxaala) Invitation to meet with PETRONAS marine and shipping experts 12-Dec-2012 to discuss the Project; offers for PETRONAS and Progress to pay for travel costs to Vancouver for participation; offers to discuss opportunities to have further discussions in New Year	No response
19-Dec-2012	Letter via Email From: Cindy Rutherford (PNW LNG) To: Chief Elmer Moody (Gitxaala) Offers to have meeting with Gitxaala to discuss potential impact of Project on Aboriginal rights and how Gitxaala could benefit from contracting other opportunities	No response.
13-May-2013	Email From: David Camp (PNW LNG) To: Albert Hudec (Gitxaala) Invitation to meet to discuss the draft Process Agreement.	Accepted. 23-May-2013 via email, confirmed date via email 1-Jun-2013.
7-Jul-2013	Email From: Cindy Rutherford (PNW LNG) To: C. Lewis (Gitxaala) Invitation for Gitxaala to participate in Stantec field studies 1-15 Aug-2013	No response.
17-Jul-2013	Email From: David Camp (BLG) To: Albert Hudec (Gitxaala) Proposes a meeting with Gitxaala to discuss procurement.	Accepted. 17-Jul-2013 via email.

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Date	Invitation	Response
<b>Gitxaala</b>		
<b>Pacific NorthWest LNG's Invitations to Gitxaala</b>		
20-Aug-2013	Email From: Mike Lambert (PNW LNG) To: Dillon Buerk; Chief Innis; Mark Ignas (Gitxaala) Proposes a conference call 5-Sept-2013 to discuss issued raise re: TUS budget and TUS proposals.	Conditional acceptance 22-Aug-2013 via e-mail and 23-Aug-2013 proposing 9-Sept-2013 date instead.
09-Sept-2013	Email From: Gerry Fraser (PNW LNG) To: Chief Innes (Gitxaala) Invitation to upcoming marine field studies on Lelu Island from Sept 17-22, 2013	No response.
11-Sept-2013	Letter From: Lindsay Jones (PNW LNG) To: Chief Innes (Gitxaala) Invitation to attend TERMPOL workshop 25-Sept-2013	No response.
16-Oct-2013	Letter From: Lindsay Jones (PNW LNG) To: Acting Chief Clarence Innis and Council (Gitxaala) Request to meet with Gitxaala to discuss the project and Gitxaala's effective participation in the process	No response.
28-Apr-2014	Email From M. MacEwen for B. Clark (PNW LNG) To: J. Witzke (Gitxaala) Invitation to Gitxaala for dinner meeting to explore opportunities for fish habitat offset program and other long term possibilities.	No response.
13-May-2014	Letter From: M. MacEwen for B. Clark (PNW LNG) To: J. Witzke (Gitxaala) Invitation to have further discussions on marine habitat offset strategy of EA Application, followed by a field/boat trip to Lelu Island and surrounding area.	No response. Note: PNW LNG requested to re-schedule field/boat trip to 17-18 Jun 2014 due to CEEA Sub-Working Group meetings.
26-May-2014	Letter From: Lindsay Jones (PNW LNG) To: Chief C. Innis and Council (Gitxaala) Request for PNW LNG to attend Gitxaala community to explain the Project and increase understanding of the issues and benefits of the Project.	No response.



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Date	Invitation	Response
<b>Gitxaala</b>		
<b>Pacific NorthWest LNG’s Invitations to Gitxaala</b>		
03-Jun-2014	Email From: C. Vadivelu (PNW LNG) To: Chief C. Innis and J. Witzke (Gitxaala) Invitation to post advertisement for a Community Engagement Intern position in band office and host an information session about the Project in their community.	No response.
05-Jun-2014	Email From: A. Hall (PNW LNG) To: J. Witzke (Gitxaala) Invitation to participate in filling in archaeology data gaps, specifically in the intertidal area and CMTs.	Accepted. J. Witzke replied in email 06-Jun-2014 indicating open to participating.
22-Jul-2014	Email From: M. MacEwen for A. Hall (PNW LNG) To: J. Witzke (Gitxaala) Invitation to participate in Remotely Operated Underwater Vehicle field work.	Invitation forwarded to Bruce Watkinson, fisheries manager, for availability.

Total Invitations:	17
Total Accepted:	4
Total Declined/Cancelled:	0
No Response:	13

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**Gitxaala’s Invitations to Consult with Pacific NorthWest LNG**

Date	Invitation For	Response
<b>Gitxaala’s Invitations to Pacific NorthWest LNG</b>		
12-Nov-2012	Letter via Email From: Elmer Moody (Gitxaala) To: Anuar Ahman and Tessa Gill (PETRONAS) Proposed meeting the mid-June 2013 to discuss Gitxaala/PNW LNG Framework Agreement and the Project	No response. Wrong recipient at PNW LNG.
7-Jun-2013	Email From: Robert Veitch (Gitxaala) To: Sean Jones (PNW LNG) Proposed meeting the mid-June 2013 to discuss Gitxaala/PNW LNG Framework Agreement	Accepted. 7-June-2013 via email. Meeting arranged for 13-June-2013.
15-Aug-2013	Letter via Email From: Dillon Buerk (Gitxaala) To: Michael Lambert (PNW LNG) Request a meeting to discuss the Project.	Accepted. 21-Aug-2013 via letter/email proposing a meeting to provide information on TUS. Also suggest a meeting to settle funding.
6-Sept-2013	Email From: Dillon Buerk (Gitxaala) To: Michael Lambert (Progress Energy) Proposes a conference call in the first week of September 2013 to discuss Traditional Use Study proposals and capacity funding.	Accepted. 6-Sept-2013 via email proposing first week of Sept 2013. Accepted. 21-Aug-2013 via letter. Meeting arranged for 09-Sep-2013. Proposes meeting to settle appropriate budget for funding. Cancelled by Gitxaala 09-Sept-2013 via email requests reschedule. Accepted via email 9-Sept-2013.
4-Oct-2013	Email From: Aryn Lajii (Gitxaala) To: David Camp (PNW LNG) Invitation to meet 15-Oct-2013 to discuss the MOU.	Accepted. 7-Oct-2013 proposed 24-Oct-2013 instead.
20-Feb-2014	Email From: Robert Janes (Gitxaala) To: David Camp (PNW LNG) Invitation to meet to discuss the negotiation of an impact benefit agreement in relation to the Project.	Accepted. 3-Mar-2014 via email. Proposes meeting for the week of 24-Mar-2014.

Total Invitations:	6
Total Accepted:	5
Total Declined/Cancelled:	0
No Response	1

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**Pacific NorthWest LNG’s Invitations to Discuss Capacity Funding/ Environmental Assessment with  
Gitxaala**

Date	Invitation	Response
<b>Pacific NorthWest LNG’s Invitations to Gitxaala</b>		
19-Dec-2012	Letter via Email From: Cindy Rutherford (PNW LNG) To: Chief Elmer Moody (Gitxaala) Offers to have meeting with Gitxaala to discuss funding and to cover reasonable costs of holding meeting and discuss arrangements for same	No response.
13-Mar-2014	Email From: Andy Hall (PNW LNG) To: James Witzke (Gitxaala) Invitation to come to Gitxaala to provide an overview of the EA application.	No response.

Total Invitations:	2
Total Accepted:	0
Total Declined/Cancelled:	0
No Response:	2

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**Pacific NorthWest LNG’s Invitations to Consult with Kitsumkalum**

Date	Invitation	Response
<b>Kitsumkalum</b>		
<b>Pacific NorthWest LNG’s Invitations to Kitsumkalum</b>		
03-Dec-2012	Email From: Cindy Rutherford (PNW LNG) To: Chief Don Roberts (Kitsumkalum) Invitation to meet with PETRONAS marine and shipping experts 12-Dec-2012 to discuss the Project	No response.
8-Dec-2012	Email From: Cindy Rutherford (PNW LNG) To: Chief Don Roberts (Kitsumkalum) Invitation to review and comment on project description	No response.
18-Jul-2013	Email From: Cindy Rutherford (PNW LNG) To: Chief Don Roberts (Kitsumkalum) Re: training and education initiatives	No response.
29-Jul-2013	Letter From: Michael Lambert (PNW LNG) To: Chief Don Roberts (Kitsumkalum) Requests Kitsumkalum bring any concerns about project to PNW LNG’s attention	No response.
09-Sept-2013	Email From: G. Fraser (PNW LNG) To: Chief Don Roberts (Kitsumkalum) Invitation to upcoming marine field studies on Lelu Island from Sept 17-22, 2013	No response.
11-Sept-2013	Letter From: Lindsay Jones (PNW) To: Chief Don Roberts (Kitsumkalum) Invitation to attend TERMPOL workshop	Accepted. TERMPOL workshop attended by Seigi Kriegl.
15 Apr 2014	Letter From: G. Kist (PNW LNG) To: Chief D. Roberts/R. Gemeinhardt (Kitsumkalum) PNW LNG invites Kitsumkalum to tour the PETRONAS LNG Facility in Bintulu, Malaysia from May 11 – 17, 2014. PNW LNG offers to cover airfare, accommodation and meals.	No response.
28-Apr-2014	Email From M. MacEwen for B. Clark (PNW LNG) To: R. Gemeinhardt (Kitsumkalum) Invitation for dinner meeting to explore opportunities for fish habitat offset program and other long term possibilities	Accepted. A. Hall (PNW) had a meeting with R. Gemeinhardt (Kitsumkalum) on 28- Apr-2014. She indicated they would like to participate in marine offset strategy meetings and field trip. (See Andy’s file note/email dated 29-Apr- 2014)

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Date	Invitation	Response
<b>Kitsumkalum</b>		
<b>Pacific NorthWest LNG’s Invitations to Kitsumkalum</b>		
13-May-2014	Letter From: M. MacEwen for B. Clark (PNW LNG) To: R. Gemeinhardt (Kitsumkalum) Invitation to have further discussions on marine habitat offset strategy of EA Application, followed by a field/boat trip to Lelu Island and surrounding area.	No response. PNW LNG requested to re-schedule field/boat trip to 17-18 Jun 2014 due to CEAA Sub-Working Group meetings.
29-May-2014	Email From M. MacEwen for B. Clark (PNW LNG) To: R. Gemeinhardt (Kitsumkalum) Follow-up to email of April 28, 2014 for dinner meeting to explore opportunities for fish habitat offset program and other long term possibilities.	Accepted. 29-May-2014 R. Gemeinhardt advised that Kitsumkalum will have two representatives at the meetings: Nicole Wallace and Siegi Kriegl.
03-Jun-2014	Email From: C. Vadivelu (PNW LNG) To: Chief D. Roberts and R. Gemeinhardt (Kitsumkalum) Invitation to post advertisement for a Community Engagement Intern position in band office and host an information session about the Project in their community.	No response.
05-Jun-2014	Email From: A. Hall (PNW LNG) To: R. Gemeinhardt (Kitsumkalum) Invitation to participate in filling in archaeology data gaps, specifically in the intertidal area and CMTs.	Accepted. In email 12-Jun-2014, R. Gemeinhardt requests a phone call re: getting Kitsumkalum rep on that crew.
22-Jul-2014	Email From: M. MacEwen for A. Hall (PNW LNG) To: R. Gemeinhardt (Kitsumkalum) Invitation to participate in Remotely Operated Underwater Vehicle field work.	No response.

Total Invitations:	13
Total Accepted:	4
Total Declined/Cancelled:	0
No Response:	9

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**Kitsumkalum’ s Invitations to Consult with Pacific NorthWest LNG**

Date	Invitation For	Response
<b>Kitsumkalum’ s Invitations to Pacific NorthWest LNG</b>		
30-July-2013	Letter (dated 26-Jul-2013) From: Chief Don Roberts Kitsumkalum) To: Cindy Rutherford (PNW) Invites Cindy Rutherford to attend information meeting	Accepted. 01-Aug-2013 by email. PNW000071
14-Aug-2013	Email From: Rina Gemeinhardt (Kitsumkalum) To: Andrea Pomeroy Requests contain info for Captain David Kyle in order to invite him to talk to marine specialist Siegi Kriegl and to Chief Roberts about the TERMPOL and other traffic related issues/assessments	Accepted. 14-Aug-2013 via e-mail. Meeting occurred 13-Sept-2014.

Total Invitations:	2
<hr/>	
Total Accepted:	2
Total Declined/Cancelled:	0

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**Pacific NorthWest LNG’s Invitations to Discuss Capacity Funding with Kitsumkalum**

Date	Invitation	Response
<b>Pacific NorthWest LNG’s Invitations to Kitsumkalum</b>		
24-Jan-2013	Email From: Cindy Rutherford (PNW LNG) To: Chief Don Roberts (Kitsumkalum) Offers to negotiate EA agreement with capacity funding	Accepted capacity funding.
1-Aug-2013	Email From: Gerry Fraser (PNW LNG) To: Rina Gemeinhardt (Kitsumkalum) Invitation for meeting on 7-Aug-2013 to give binder of studies re: Environmental Assessment for review	Accepted.
4-Sept-2013	Letter From: Michael Lambert (PNW LNG) To: Chief Don Roberts (Kitsumkalum) Request further discussion regarding Environmental Assessment Agreement	Accepted. Meeting 13-Sept-2014?
17-Oct-2013	Meeting Set for 17-Oct-2013 To discuss a capacity agreement	Cancelled meeting of 17-Oct-2013 16-Oct-2013 via e-mail. Requests options for meeting with Lindsay Jones and Gerry Fraser. 17-Oct-2013 via e-mail reply agreeing to meet the following week.
13-Mar-2014	Email From: A. Hall (PNW LNG) To: R. Gemeinhardt (Kitsumkalum) PNW LNG offers to attend Kitsumkalum to provide overview of EA Application	No response.

Total Invitations:	5
Total Accepted:	3
Total Declined/Cancelled:	1
No Response:	1

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**Pacific NorthWest LNG’s Invitations to Consult with Kitselas**

Date	Invitation	Response
<b>Kitselas</b>		
<b>Pacific NorthWest LNG’s Invitations to Kitselas</b>		
28-Nov-2012	Information Distribution via Email From: Cindy Rutherford (PNW LNG) To: Chief Judy Gerow (Kitselas) Invitation to attend workshop on 29-Nov-2012 covering preliminary studies, new environmental assessment process and future studies	No response.
3-Dec-2012	Email From: Cindy Rutherford (PNW LNG) To: Chief Judy Gerow (Kitselas) Invitation to meet with PETRONAS marine and shipping experts 12-Dec-2012 to discuss the Project	No response.
29-Jul-2013	Letter From: Michael Lambert (PNW LNG) To: Chief Joe Bevan (Kitselas) Requests Kitselas bring any concerns about project to PNW LNG’s attention	No response.
09-Sept-2013	Email From: G. Fraser (PNW LNG) To: Chief Joe Bevan (Kitselas) Invitation to upcoming marine field studies on Lelu Island from Sept 17-22, 2013	No response.
11-Sept-2013	Letter From: Lindsay Jones (PNW) To: Chief Joe Bevan (Kitselas) Invitation to attend TERMPOL workshop 25-Sept-2013	No response.
24-Sept-2013	Email From: Grace Chow (PNW LNG) To: Chief Joe Bevan (Kitselas) Reminder about TERMPOL workshop 25-Sept-2013	No response.
21-Oct-2013	Letter via Email From: Lindsay Jones (PNW LNG) To: Chief Joe Bevan (Kitselas) Request to meet with Kitselas to discuss the project and Kitselas’ effective participation in the process	No response.
07-Nov-2013	Information Distribution From: Andy Hall (PNW LNG) To: Phyllis Adams (Kitselas) PNW Newsletter re: PNW/BCEAO Open Houses on 19-20 Nov-2013	No response.



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Date	Invitation	Response
<b>Kitselas</b>		
<b>Pacific NorthWest LNG’s Invitations to Kitselas</b>		
21-Jan-2014	Email From: Andy Hall (PNW LNG) To: Terese Hagen (Kitselas) Requesting a meeting with Kitselas to provide an update on the project, including the environmental assessment process	No response.
31-Jan-2014	Telephone Call From: Andy Hall (PNW LNG) To: Phyllis Adams (Kitselas) PNW proposes 26-27 Feb-2014 meeting with Kitselas	Accepted. Kitselas will get back to PNW LNG re: proposed dates.
7-Feb-2014	Information Distribution/Email From: L. Jones (PNW LNG) To: Phyllis Adams (Kitselas) PNW proposes 26-27 Feb-2014 meeting with Kitselas to outline the project, the environmental assessment process and answer question	Accepted. Kitselas will get back to PNW LNG re: proposed dates. 07-Feb-2014 via e-mail.
04-Mar-2014	Email From: A. Hall (PNW) To: T. Hagen (Kitselas) and D. Taft (Kitselas) PNW LNG offers to attend the community to provide an overview of the Project and the results of the EA.	No response.
30-Apr-2014	Email From M. MacEwen for B. Clark (PNW LNG) To: D. Taft (Kitselas) Invitation to Kitselas for dinner meeting to explore opportunities for fish habitat offset program and other long term possibilities.	No response.
13-May-2014	Letter From: M. MacEwen for B. Clark (PNW LNG) To: D. Taft (Gitxaala) Invitation to have further discussions on marine habitat offset strategy of EA Application, followed by a field/boat trip to Lelu Island and surrounding area.	No response. PNW LNG requested to re-schedule field/boat trip to 17-18 Jun 2014 due to CEAA Sub-Working Group meetings.
29-May-2014	Email From M. MacEwen for B. Clark (PNW LNG) To: D. Taft (Kitselas) Follow-up to email of April 28, 2014 ( <i>sic</i> ) for dinner meeting to explore opportunities for fish habitat offset program and other long term possibilities.	No response.

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Appendix D Partial Record of Meeting Invitations and Responses  
December 12, 2014

Date	Invitation	Response
<b>Kitselas</b>		
<b>Pacific NorthWest LNG’s Invitations to Kitselas</b>		
03-Jun-2014	Email From: C. Vadivelu (PNW LNG) To: Chief J. Bevan and T. Hagen (Kitselas) Invitation to post advertisement for a Community Engagement Intern position in band office and host an information session about the Project in their community.	No response.
08-Jul-2014	Email From: A. Hall (PNW LNG) To: K. Bevan (Kitselas) PNW LNG invites to meet with Community Liaison Officer during week of 21-Jul-2014.	No response.
22-Jul-2014	Email From: M. MacEwen for A. Hall (PNW LNG) To: S. Coggins (Kitselas) Cc: T. Hagen (Kitselas) Invitation to participate in Remotely Operated Underwater Vehicle field work.	No response.

Total Invitations:	18
Total Accepted:	2
Total Declined/Cancelled:	0
No Response:	16

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**Kitselas’ Invitations to Consult with Pacific NorthWest LNG**

Date	Invitation For	Response
<b>Kitselas’ Invitations to Pacific NorthWest LNG</b>		
6-Sept-2013	Email From: Phyllis Adams (Kitselas) To: Andy Hall (PNW) Invites PNW to meet with Chief & Council, Lands and Resources and Kitselas CEO and Petronas	Accepted. 24-Sept-2013 by email.

Total Invitations:	1
Total Accepted:	1
Total Declined/Cancelled:	0

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**Pacific NorthWest LNG’s Invitations to Discuss Capacity Funding/ Environmental Assessment with  
Kitselas**

Date	Invitation	Response
<b>Pacific NorthWest LNG’s Invitations to Kitselas</b>		
28-Nov-2012	Information Distribution via Email From: Cindy Rutherford (PNW LNG) To: Chief Judy Gerow (Kitselas) Invitation to attend workshop on 29-Nov-2012 covering preliminary studies, new environmental assessment process and future studies	No response
25-Jul-2013	Email From: G. Fraser (PNW LNG) To: Chief J. Bevan (Kitselas) Advises of upcoming EA field studies on Lelu Island and invites participation	No response.
1-Aug-2013	Email From: Gerry Fraser (PNW LNG) To: Sonja Ramsay (Kitselas) Invitation for meeting on 7-Aug-2013 to give binder of studies re: Environmental Assessment for review	Accepted.
19-Sept-2013	Email From: A. Hall (PNW LNG) To: Sonja Foss (Kitselas) PNW LNG offers to meet Kitselas from 8-10-Oct-2013 to discuss options for addressing EA referral concerns.	No response.
21-Jan-2014	Email From: Andy Hall (PNW LNG) To: Terese Hagen (Kitselas) Requesting a meeting with Kitselas to provide an update on the project, including the environmental assessment process.	No response.
7-Feb-2014	Information Distribution/Email From: L. Jones (PNW LNG) To: Phyllis Adams (Kitselas) PNW proposes 26-27 Feb-2014 meeting with Kitselas to outline the project, the environmental assessment process and answer question.	Accepted. Kitselas will get back to PNW LNG re: proposed dates. 07-Feb-2014 via e-mail.

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Date	Invitation	Response
<b>Pacific NorthWest LNG’s Invitations to Kitselas</b>		
04-Mar-2014	Email From: A. Hall (PNW) To: T. Hagen (Kitselas) and D. Taft (Kitselas) PNW LNG offers to attend the community to provide an overview of the Project and the results of the EA.	No response.

Total Invitations: 7  
 Total Accepted: 2  
 Total Declined/Cancelled: 0  
 No Response: 5

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**Pacific NorthWest LNG’s Invitations to Consult with Gitga’at**

Date	Invitation	Response
<b>Gitga’at</b>		
<b>Pacific NorthWest LNG’s Invitations to Gitga’at</b>		
06-Mar-2014	Letter via Email From: M. Lambert (PNW LNG) To: Chief A. Clifton (Gitga’at) and Council Offered to attend community to discuss the Project at the meetings proposed by PNW LNG to discuss potential environmental impacts of the Project.	No response.
28-Mar-2014	Letter via Email From: B. Clark (PNW LNG) To: Chief A. Clifton (Gitga’at) and Council Offered to attend community to discuss the Project.	Accepted. Confirmed in email from A. Hall (PNW LNG) 03-Apr-2014.
16-Apr-2014	Meeting Attendees: A. Hall (PNW LNG), D. Cardinal (Gitga’at), Picard, Chris, E. Mutrie (Gitga’at) Re-iterated offer to attend community to provide a Project overview.	Accepted  Meeting scheduled for 16-Apr-2014 at PNW LNG Community Office
02-May-2014	Letter via Email From: L. Gosse (PNW LNG) To: Chief A. Clifton (Gitga’at) and Council PNW LNG pleased to host information session about project in community.	No response.
05-May-2014	Email From: A. Hall (PNW LNG) To: D. Cardinal (Gitga’at) PNW LNG suggests meeting of 13-May-2014 to discuss Gitga’at’s needs/interests on employment and training.	Accepted.  Meeting occurred 13-May-2014.
03-Jun-2014	Letter via Email From: L. Gosse (PNW LNG) To: Chief A. Clifton (Gitga’at) and Council PNW LNG pleased to host information session about project in community.	No response
26-Jun-2014	Email From: A. Hall (PNW LNG) To: D. Cardinal (Gitga’at) PNW LNG requests meeting to discuss these matters.	Accepted Gitga’at will check availability.

Total Invitations: 7  


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Total Accepted: 4  
Total Declined/Cancelled: 0  
No Response: 3

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**Gitga’at’s Invitations to Consult with Pacific NorthWest LNG**

Date	Invitation For	Response
<b>Gitga’at Invitations to Pacific NorthWest LNG</b>		
15-Feb-2013	Letter From: Chief B. Reece (Gitga’at) To: C. Rutherford (PNW LNG) Chief B. Reece requests that PNW LNG’s task senior representative to meet with Key Gitga’at leadership to share information and have initial discussion regarding risks, impacts and opportunities regarding the Project and to explore engagement process. 03-Apr-2013 Gitga’at would like to arrange meeting to discuss letter and related matters.	Accepted. 03-Apr-2013 to 05-Apr-2013 Email thread between C. Rutherford (PNW LNG) and D. Cardinal (Gitga’at). Meeting set for 08-Apr-2013 prior to 2pm meeting with Coastal First Nations on Marine Report.

Total Invitations:	1
Total Accepted:	1
Total Declined/Cancelled:	0