

Sections 7 & 8	Page Number Paragraph	CEAA Original Draft Text	PNWLNG Suggested New Text or edit	PNW LNG Concern or Rationale
7.1.1	Page 123, 5 <sup>th</sup> para.	The worst-case scenario is <u>an LNG</u> explosion or fire that would result in human deaths outside the facility.	Suggest the following edit:  The worst-case scenario is a <i>vapor cloud</i> explosion or fire that would result in human deaths outside the facility.	More accurate.
7.2.2	Page 129, 1 <sup>st</sup> Para., last sentence	The proponent has agreed to conduct tsunami modelling for local submarine and sub-aerial landslide sources when finalizing the Project design.	Suggest the following edit :  <i>Proponent has undertaken tsunami modelling for local submarine and sub-aerial landslide sources for the BC OGC as requirements to support the application for a BC OGC LNG Export Facility permit.</i>	Correction
7.3.4	Page 142, para. 4	Given the comparatively high susceptibility of harbour porpoise to acoustic disturbance and their year-round abundance in the shallow waters around the Project area, the residual cumulative effects to harbour porpoise from underwater noise during construction are expected to be more pronounced when compared to other marine mammals. While the proponent has identified	Please consider the Harbour Porpoise information submitted under separate cover and consider revising text in the report.  No direct replacement text suggested.	The new information on Harbour Porpoise leads PNW to conclude:  Based on acoustic modelling of standard threshold levels (160 dB re 1 µPa rms SPL), availability of suitable alternative habitat and the Project’s mitigation measures, underwater noise is not expected to affect the viability of the harbour porpoise population.  Other projects considered in the

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		<p>alternative habitat for harbour porpoises, including Western Hecate Strait, and around Smith, Porcher, and Goschen Island, Fisheries and Oceans Canada are uncertain whether these habitats are suitable. Considering that overlapping Projects are expected to lead to behavioural effects that occur over a larger area and for a longer period of time, it is also not clear whether these habitats would remain suitable. The Agency concurs with Fisheries and Oceans Canada advice and has concluded that the Project would result in likely significant adverse project effects to harbour porpoise. Given this conclusion, the Agency determines that any further effects from other projects or activities likely to occur in combination with the already significant adverse effects of this Project would result in likely significant adverse cumulative effects to harbour porpoise.</p>		<p>cumulative effects assessment may affect some of the areas identified as suitable alternative habitat in the Prince Rupert area. However, the timing of the projects is uncertain and the number and distribution potential sites means that potential changes in harbour porpoise behavior are not expected to affect the viability of the population. Therefore, we remain confident that cumulative effects on harbour porpoise are not likely to be significant.</p>
7.3.4	Page 143, para. 2	The Agency concludes that the Project, in combination with past, present and future foreseeable	Please consider the Harbour Porpoise information submitted under separate cover and	The new information on Harbour Porpoise leads PNW to conclude:

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		<p>projects, is not likely to result in significant adverse cumulative effects on marine mammals overall, taking into account the implementation of mitigation measures and a follow-up program, as well as the marine mammal management program initiated by the Prince Rupert Port Authority that would help manage these effects. However, the Agency concludes that the Project is likely to result in significant adverse cumulative environmental effects to harbour porpoise, given its susceptibility to behavioural effects from underwater noise, its current at risk status, its extensive use of the project area year-round, and the uncertainty of suitable alternative habitat.</p>	<p>consider revising text in the report.</p>	<p>Based on acoustic modelling of standard threshold levels (160 dB re 1 µPa rms SPL), availability of suitable alternative habitat and the Project’s mitigation measures, underwater noise is not expected to affect the viability of the harbour porpoise population.</p> <p>Other projects considered in the cumulative effects assessment may affect some of the areas identified as suitable alternative habitat in the Prince Rupert area. However, the timing of the projects is uncertain and the number and distribution potential sites means that potential changes in harbour porpoise behavior are not expected to affect the viability of the population. Therefore, we remain confident that cumulative effects on harbour porpoise are not likely to be significant.</p>
8.1	Intro		<p>It is recommended that the Agency consider providing Canada’s assessment of claim by the various First Nations.</p>	<p>Transport Canada has completed assessments of Aboriginal group claims to the project area in 2012 and 2015.</p>
8.1	Page 148, 1 <sup>st</sup> para.	<p>The paragraph closes with the sentences: “The Project is located in an area with overlapping assertions to rights and title from</p>	<p>Recommend:  Move the two sentences to immediately after the first</p>	<p>With the current order, the paragraph may be confusing.  The reader does not know which FNs</p>

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		<p>five Aboriginal groups: Lax Kw’alaams, Metlakatla First Nation, Gitxaala Nation, Kitsumkalum First Nation, and Kitselas First Nation. Gitga’at First Nation also asserts Aboriginal rights, but not title, to the same area.”</p>	<p>sentence of the paragraph. <i>The Agency identified six Aboriginal groups that assert potential or established Aboriginal rights or title on Lelu Island and on the marine environment surrounding Lelu Island, in the Prince Rupert area. The Project is located in an area with overlapping assertions to rights and title from five Aboriginal groups: Lax Kw’alaams, Metlakatla First Nation, Gitxaala Nation, Kitsumkalum First Nation, and Kitselas First Nation. Gitga’at First Nation also asserts Aboriginal rights, but not title, to the same area.</i></p>	<p>are making which claims. Without placing this sentence earlier in the paragraph, other sentences are ambiguous.  For example, with the current order, the second sentence could be interpreted to mean that Gitga’at may be claiming title.</p>
8.1	<p>Page 148  A new sentence needed between first and second paragraph</p>		<p>Suggest that the Agency consider adding a contextual statement to inform the reader that the Traditional Territory description has been provided by the Aboriginal group, not by the agency or the proponent.</p>	
8.1	<p>Page 148, second</p>	<p><b>Lax Kw’alaams Band’s</b> traditional territory, in which it claims</p>	<p>Recommend that the Agency consider the following edits:</p>	<p>Each sentence should have a word that clearly identifies it as a claim made by</p>

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	paragraph	<p>Aboriginal rights (including Aboriginal title), includes 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. To the west, its traditional territory includes Nass Bay and Nass River. To the north, its 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 River stretching south along Grenville Channel. Lax Kw’alaams Band claims Aboriginal rights within the Prince Rupert Harbour area. Regular use and occupation by Lax Kw’alaams ancestors has resulted in an Aboriginal title claim to Lelu Island and Flora Bank within the Prince Rupert Harbour based on their asserted historic and current use and occupation.</p>	<p><b>Lax Kw’alaams Band’s <u>asserted</u></b> traditional territory, in which it claims Aboriginal rights (including Aboriginal title), includes 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. To the west, its <b><u>asserted</u></b> traditional territory includes Nass Bay and Nass River. To the north, its <b><u>asserted</u></b> 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 River stretching south along Grenville Channel. Lax Kw’alaams Band claims Aboriginal rights within the Prince Rupert Harbour area. <b><u>Lax Kw’alaams claims that the</u></b> regular use and occupation by Lax Kw’alaams ancestors has resulted in an Aboriginal title claim to Lelu Island and Flora Bank within the Prince Rupert Harbour based on</p>	<p>the FN, e.g., “asserted”, “claims”.</p>

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			their asserted <u>historical</u> and current use and occupation	
8.1	Page 148 2 <sup>nd</sup> para.	Regular use and <u>occupation</u> by Lax Kw’alaams ancestors has resulted in an Aboriginal title claim to Lelu Island and Flora Bank within the Prince Rupert Harbour based on their asserted historic and current use and occupation.	Recommend that the Agency delete the word “occupation” from the sentence.	Until Aug 22, 2015 there has been no recorded or archaeological evidence of occupation of Lelu island by aboriginal groups.
8.1	Page 149, para. 3	[Gitga’at]  The Agency considered these concerns as part of the environmental effects assessment of the Project related to marine resources and potential impact to the practice of marine fishing.	Suggest the Agency consider deleting this sentence.	Some may interpret this statement to mean that Gitanyow, Gitxsan, Takla Lake and Wet’suwet’en were owed a duty to consult.
8.2	Page 150, 3 <sup>rd</sup> para.	The Agency received information from Aboriginal groups regarding the practice of hunting and gathering rights on Lelu Island but the Agency understands that, there is minimal hunting and gathering occurring on Lelu Island at the moment.	Suggest the following edit:  Move all 3 sentences from the 3 <sup>rd</sup> paragraph to the 4 <sup>th</sup> paragraph under the heading: Impacts to the practice of terrestrial hunting, trapping and traditional use plant gathering	First three sentences refer to “terrestrial” practices – not “marine” practices on Lelu island, sub heading is in reference to marine practices.  Move to section below dealing with “terrestrial impacts”.

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		<p>The Agency also received minimal information with respect to uniqueness of Lelu Island relative to other preferred harvesting locations for hunting and plant gathering.</p> <p>Nonetheless, the loss of Lelu Island as a hunting and gathering site for the life of the Project would be permanent and may affect the intergenerational transfer of traditional knowledge, specifically knowledge associated with the practice of these activities on Lelu Island.</p>		
8.2	Pages 150 - 151	<p>Sentences move from 3<sup>rd</sup> paragraph under “Impacts to the practice of marine...”</p> <p>To now 4<sup>th</sup> paragraph under “Impacts to the practice of terrestrial “.</p> <p>The Agency received information from Aboriginal groups regarding the practice of hunting and gathering rights on Lelu Island but the Agency understands that, there is minimal hunting and</p>	<p>Suggest the Agency consider the following edits:</p> <p>Replace 1<sup>st</sup> sentence:</p> <p>The Agency received information from Aboriginal groups regarding the practice of hunting and gathering rights on Lelu Island. <i>Except for recent anecdotal information of deer hunting occurring on the island late this past year (2015), the Agency understands that, there is minimal</i></p>	<p>Assumption in the text is that current aboriginal use for terrestrial and marine hunting is not restricted.</p> <p>PRPA advise that they, as landowner, must grant permission to hunt on federal lands. Further the PRPA advise that they will <u>not</u> grant permission due to safety concerns. This results in a federal prohibition on hunting on Lelu Island for safety reasons.</p> <p>Therefore, despite aboriginal assertions otherwise and observed recent deer</p>

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		<p>gathering occurring on Lelu Island at the moment.</p> <p>The Agency also received minimal information with respect to uniqueness of Lelu Island relative to other preferred harvesting locations for hunting and plant gathering.</p> <p>Nonetheless, the loss of Lelu Island as a hunting and gathering site for the life of the Project would be permanent and may affect the intergenerational transfer of traditional knowledge, specifically knowledge associated with the practice of these activities on Lelu Island.</p>	<p><i>hunting and gathering occurring on Lelu Island.</i></p> <p>Suggest two new sentences:</p> <p><i>PRPA advise that they, as landowner, must grant permission to hunt on federal lands. Further the PRPA advise that they will <u>not</u> grant permission due to safety concerns. This results in a federal prohibition on hunting on Lelu Island for safety reasons.</i></p> <p><i>Therefore, despite aboriginal assertions otherwise and observed recent deer hunting on Lelu Island by those individuals in trespass, Aboriginal use hunting is already impacted due to safety concerns.</i></p> <p>Retain second sentence:</p> <p>The Agency also received minimal information with respect to uniqueness of Lelu Island relative to other preferred harvesting locations for hunting and plant gathering.</p>	<p>hunting on Lelu Island by those individuals in trespass, Aboriginal use hunting is already impacted due to safety concerns.</p>

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			<p>Delete third sentence.</p> <p><del>Nonetheless, the loss of Lelu Island as a hunting and gathering site for the life of the Project would be permanent and may affect the intergenerational transfer of traditional knowledge, specifically knowledge associated with the practice of these activities on Lelu Island.</del></p>	
8.2	Page 151, para. 2 – Impacts to Cultural Integrity	As well, Aboriginal groups considered that not maintaining Lelu Island intact may adversely affect their governance structure which depends on preserving the integrity of the cultural and physical landscape which they govern.	<p>Suggest the following edit:</p> <p>As well, Aboriginal groups <i>have said</i> that not maintaining Lelu Island intact may adversely affect their governance structure which depends on preserving the integrity of the cultural and physical landscape which they govern.</p>	<p>Clarify</p> <p>This sentence construction is used throughout this section:....considers that...could/should/would...</p> <p>It is not grammatically correct and could be interpreted as meaning the Agency or First Nations are still considering an issue.</p>
8.2	Page 151, 2 <sup>nd</sup> para.	The remaining Culturally Modified Trees, those that are not required to be removed in order to build the Project facilities, would be preserved intact within the proposed vegetation buffer around the island but would be	<p>Suggest the following edit:</p> <p>The remaining Culturally Modified Trees, those that are not required to be removed in order to build the Project facilities, would be preserved intact within the</p>	<p>Correction and addition.</p> <p>The Proponent has reconsidered this issue and would consider granting safe access to preserved CMTs as a part of long term relationship with Tsimshian Aboriginal groups.</p>

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		inaccessible for the life of the Project.	proposed vegetation buffer. <i>Access could be granted by the land lessee to Aboriginal groups to CMTs preserved on the site in the 30 metre no-disturbance buffer by for valid purposes (e.g., cultural, scientific, etc.).</i>	
8.2	Page 151, 2 <sup>nd</sup> para.	To prevent the loss of the record of use of Lelu Island associated with these trees, data on each of them would be collected in collaboration with Aboriginal groups before disturbances occur.	Suggest the following edit:  To prevent the loss of the record of use of Lelu Island associated with <i>the removal of those CMTs that are removed at the site</i> , data on each of <i>the removed CMTs</i> would be collected in collaboration with Aboriginal groups <i>at the time of removal</i> .	Clarity  Approximately 45% of the CMTs will not be impacted.
8.2	Page 151, 3rd para.	The Agency considers that the sum of the Project's....	Suggest:  The Agency is <i>of the view that....</i> "	Edit  Rather than use the term "considers" PNWLNG suggests using the phrase "is of the view"
8.3	Title and throughout	Proposed Accommodation Measures	Section only refers to mitigations, not accommodations.  Accommodations are actions that the proponent has taken to address aboriginal interest issues learned through consultation.	Recommend that CEAA replace "mitigation" in text with "accommodation".  First sentence – para. 1 under Heading 8.3 would read: This section describes <b>accommodation</b> measures...

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			Mitigations are actions taken to lessen impacts.	
8.3	throughout		Replace "would" with "will"	Future passive tense "would or should" be replaced with future active tense "will" as in balance of report.
8.4	Page 154	Substantive work for potential federal permits and authorizations under the <i>Fisheries Act, Navigation Protection Act, Canada Marine Act, and Canadian Environmental Protection Act, 1999</i> would be required should the EA decision conclude that the Project can proceed.	Consider adding a new sentence at the end of the first paragraph:  Substantive work for potential federal permits and authorizations under the <i>Fisheries Act, Navigation Protection Act, Canada Marine Act, and Canadian Environmental Protection Act, 1999</i> would be required should the EA decision conclude that the Project can proceed. <i>In addition, a number of permits, licenses and approvals will be issued by the Province of BC for areas under its jurisdiction (e.g. BC Oil and Gas Commission for the LNG Export Facility permit, BC Ministry of Transportation and Infrastructure for a Highways permit to facilitate the upgrade of Skeena Drive, etc.)</i>	Provincial permits should also be referenced.

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<b>Section 8.5 – No Comments</b>
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