

Meeting Notes

Indigenous Nations Virtual Information Session – Global Container Terminals Deltaport Expansion - Berth Four Project

December 2, 2021 and December 15, 2021

Information Session Description:

The Impact Assessment Agency of Canada (IAAC) and the British Columbia Environmental Assessment Office (BCEAO) held a virtual information session on the Global Container Terminals (GCT) Deltaport Expansion – Berth Four, specifically for Indigenous nations.

The information session was given on two separate dates:

- **Thursday December 2nd: 10 AM – 12PM PST.**
- **Wednesday December 15th: 10 AM – 12PM PST.**

The information session focused on two draft documents currently open for public comment:

1. the [draft Joint Guidelines](#); and
2. the [draft Joint Indigenous Engagement and Partnership Plan](#).

Presenters:

Impact Assessment Agency of Canada	Analise Saely, Charles Gauthier, Audrey Rooney, Celine Monfils, Jane Stringham, Finn Macdonald
British Columbia Environmental Assessment Office	Carly Greene Hill, Jessie Hannigan, Mabel Martinez-Dussan, Brendan Mather
Global Container Terminals	Marko Dekovic

Indigenous participants:

Indigenous representation from	<ul style="list-style-type: none">• Cowichan Tribes• Esquimalt First Nation• Katzie First Nation• Kwikwetlem First Nation• Kwantlen First Nation• Leq'a'mel First Nation• Maa-nulth First Nation• Malahat First Nation• Matsqui First Nation• Métis Nation of British Columbia• Musqueam First Nation• Pacheedaht First Nation• Sc'ianew First Nation• Seabird Island First Nation• Semiahmoo First Nation• S'ólh Téméxw Stewardship Alliance• Tsartlip First Nation• Tsawwassen First Nation• Tsawout First Nation• Tsleil-Waututh First Nation• Ts'uubaa-asatx Nation
--------------------------------	---

Information sessions Q&As

1. Who is attending this information session?

This meeting is for Indigenous nations, the proponent and the provincial and federal government impact assessment leads. The media has not been invited to this meeting.

2. What is the deadline to apply for designation as a “participating Indigenous nation” under the BCEAO process?

The deadline is January 26, 2022, or 90 days following the EAO's Readiness Decision. Please contact Mabel Martinez-Dussan at BCEAO should you wish to participate in the assessment for DP4 as a participating Indigenous nation:

Mabel.MartinezDussan@gov.bc.ca

3. Can you clarify the term “current use” within the draft joint guidelines? This term could be misleading.

As per the *Impact Assessment Act* (IAA), this speaks to Indigenous nations' current use of the area. There is flexibility around this term. It does not imply that you have to regularly conduct an activity or use at a place all the time. Please refer to the Agency

guidance on current use: [Technical Guidance for Assessing the Current Use of Lands and Resources for Traditional Purposes under CEAA 2012 - Canada.ca](#)

4. What happens if a particular impact passes a threshold of significance?

Firstly, note that under the new IAA (2019) – ‘significance’ is different, with new factors for consideration including the ‘[public interest](#)’. Please refer to the Agency guidance on public interest- notably factor 2 which is about extent of significance [Policy Context: Public Interest Determination under the Impact Assessment Act - Canada.ca](#)

Consider providing your Indigenous nation’s input early on in the process about what needs to be monitored (especially related to Indigenous interests). This is a key piece that we encourage Indigenous nations to think about now, so that monitoring can be considered throughout the process. This allows for plans to be adapted based on improved understanding and changing conditions should the project proceed and unanticipated impacts occur.

5. Is there an intention to conduct a regional assessment of the Salish Sea?

Many government initiatives are not aligned and are not delivering on what they are intended to.

There are currently many initiatives being undertaken in the Salish Sea, at different stages of implementation. There is currently not a plan to undertake a regional assessment under the Impact Assessment Act at this time in the Salish Sea.

6. Road and rail was not scoped in a previous GCT project (Deltaport Berth 3), correct?

The scope and approach proposed for the DP4 assessment differs significantly from that of DP3. DP4 is being assessed under the 2019 IAA and reflects the current context. The details on scope are currently open for input as part of the public comment period.

Katzie First Nation requested a follow up meeting with Global Container Terminals to understand further, potentially including BCEAO and IAAC.

7. *Road and Rail comment:*

Matsqui First Nation highlighted concerns with the monitoring and cumulative effects of road and rail in the area now and in the future. Matsqui First Nation highlighted how, in light of the current flood situation, there have been a lot of observed trucks on alternative roads that were not designed to carry such traffic. Matsqui noted the additional truck traffic is having an adverse impact on cliffs and the immediate environment.

Matsqui First Nation also highlighted how there has been numerous train activity of the last few years. Over the summer months community members experience train traffic every 15 minutes. Matsqui First Nation want to make sure that rail is covered for this assessment going forward.

8. Marine shipping scope comment:

A representative for Maa-nulth First Nations, Esquimalt Nation and Sci'aneew First Nation highlighted that they will be seeking a broader geographic scope for marine shipping to the outer limits of the Exclusive Economic Zone.

It was also noted, by another representative, that transportation effects are not 'incidental' to the project, but are a required part of the project as more freight movement is the project purpose.

9. How does the comment period extension account for state of emergency and the Christmas break? If we require additional time beyond January 7, 2022, will this be considered?

IAAC and BCEAO are open to additional opportunities for input beyond the comment period. Connect with Jane.stringham@iaac-aeic.gc.ca and Mabel.MartinezDussan@gov.bc.ca about options or additional time.

10. Will the proposed changes to scope and impact assessment design be shared before the final joint guidelines are issued in April 2022?

The BCEAO and IAAC plan to discuss changes in the follow-up meetings after the public comment period closes and all comments received have been considered. We may also organize group sessions to share key changes to the documents for Indigenous nations. We invite Indigenous nations to share perspectives about scope and impact assessment design in the comments that are submitted to the BCEAO and/or IAAC.

11. Are there updated records of accidents and environmental reports about cumulative effects and impacts available?

IAAC committed to follow up with Matsqui First Nation's questions one-on-one to understand the types of records being sought specifically and provide available records.

12. Are there any examples of a First Nation cumulative effects policy that anyone is willing to share for the benefit of other First Nations?

IAAC committed to follow up on this request (from Leq'a'mel First Nation) to see if Indigenous Nations who have an example of a cumulative effects policy would be open to share.

Also please note these resources: [Metlakatla CEM](#) and [ICCE - CAEC](#)