



Huu-ay-aht First Nations | Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations | Toquaht Nation | Uchucklesaht Tribe | Yuułu?ił?ath Government

WITHOUT PREJUDICE

January 10, 2025

Hon. Anita Anand
Minister, Transport Canada
330 Sparks St
Ottawa ON K1A 0N5

Hon. Steven Guilbeault
Minister, Environment and Climate Change
House of Commons
Ottawa, ON K1A 0A6

[tc.ministeroftransport-
ministredestransports.tc@tc.gc.ca](mailto:tc.ministeroftransport-ministredestransports.tc@tc.gc.ca)

ministre-minister@ec.gc.ca

Dear Ministers:

Re: NOTICE OF WITHDRAWAL from Treaty Dispute Resolution and Designation Request Processes regarding the Duke Point Expansion Project (the “Project”)

I write as President of the Maa-nulth Treaty Society, on behalf of Huu-ay-aht First Nations, Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations, Toquaht Nation, Uchucklesaht Tribe and the Yuułu?ił?ath Government, collectively known as the Maa-nulth First Nations (“Maa-nulth”). Maa-nulth, Canada and British Columbia are parties to the *Maa-nulth First Nations Final Agreement* (the “Maa-nulth Treaty”).

Further to our letter of November 15, 2024 invoking the Dispute Resolution process under the Maa-nulth Treaty and our letter of November 21, 2024 initiating a Designation Request regarding the Project, we write to provide notice as follows **on a without prejudice basis**:

- (1) Maa-nulth hereby withdraw our notice requiring the commencement of collaborative negotiations under Chapter 25 Dispute Resolution of the Maa-nulth Treaty regarding the Project; and**
- (2) Maa-nulth hereby withdraw our designation request under section 9(1) of the *Impact Assessment Act* regarding the Project.**

Maa-nulth remain deeply concerned about marine shipping from the Project and other marine shipping projects utilizing or proposing to utilize our territorial waters. Maa-nulth also remain deeply concerned about Canada’s approach in relation to the Project, which we believe has been inconsistent with the approach taken for multiple other marine shipping projects and inadequately assesses and addresses impacts to our treaty rights and interests.



THE FIRST NATIONS OF MAA-NULTH TREATY SOCIETY
PO Box 189 Main Station, Port Alberni, BC V9Y 7M7
Email: cao@maanulth.ca , cc: adminassist@maanulth.ca

We are guided by our sacred principle of *?iisaak* (utmost respect) in submitting this notice of withdrawal, to not stand in the way of our Treaty Partners and other First Nations with an interest in the Project. We understand Canada and British Columbia have both invested in the Project and that the First Nation in closest proximity to the Terminal has provided their consent in relation to it.

We will continue to seek robust impact assessments, project conditions and accommodation for future marine shipping projects. We also request that you keep Maa-nulth informed of any future steps Canada intends to take in relation to this Project.

If you have any questions about this notice of withdrawal, please contact Mark Stephens, the Chief Administrative Officer of the Maa-nulth Treaty Society, at cao@maanulth.ca or (250) 228-2820.

Yours truly,

<Original signed by>

Wilfred Cootes, President
Maa-nulth Treaty Society and on behalf of the Maa-nulth First Nations

cc: Brad Johnson, Huu-ay-aht First Nations
Ben Gillette, Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations
Kevin Mack, Toquaht Nation
Wilfred Cootes, Uchucklesaht Tribe
Charles McCarthy, Yuułu?il?ath Government
Ian Ketcheson, Impact Assessment Agency of Canada
Andrew MacInnis, Fisheries and Oceans Canada
Justine Gilbert, Crown-Indigenous Relations and Northern Affairs Canada
Nedinska Donaldson, Ministry of Indigenous Relations and Reconciliation
Angela Wesley, Maa-nulth Implementation Committee
Donna Hais, Nanaimo Port Authority