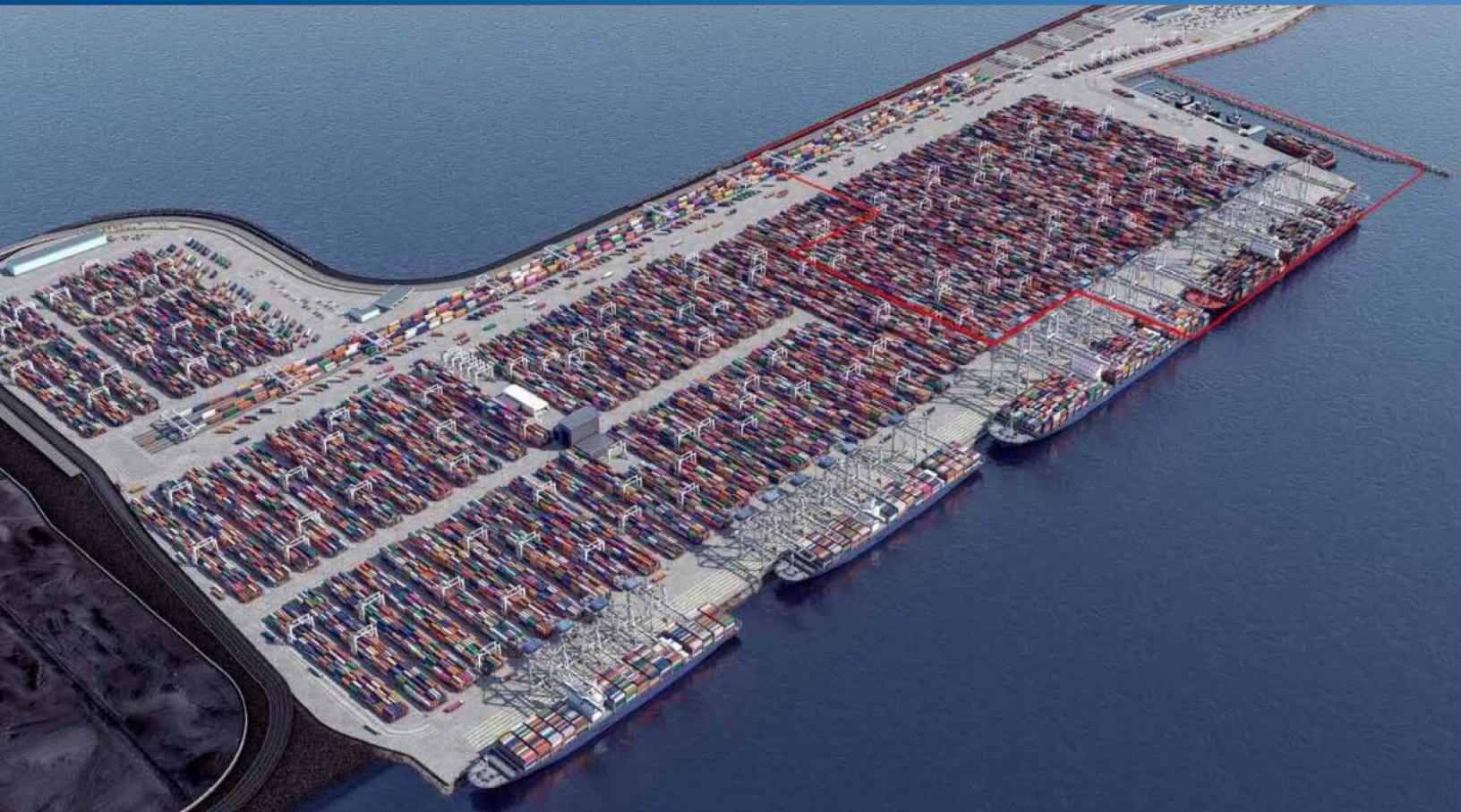


# GLOBAL CONTAINER TERMINALS DELTAPORT EXPANSION BERTH FOUR PROJECT (DP4)



## Early Engagement Plan



Submitted by GCT with expert input provided by its advisors.

## ACRONYMS AND GLOSSARY

| ACRONYM/ ABBREVIATION | DEFINITION   |
|-----------------------|--|
| BC                    | British Columbia   |
| BCEAA                 | <i>British Columbia Environmental Assessment Act</i>   |
| BC EAO                | BC Environmental Assessment Office   |
| DFO                   | Department of Fisheries and Oceans Canada  |
| DP3                   | Deltaport Third Berth Project  |
| DP4                   | Deltaport Expansion Berth Four Project (the Project)   |
| DP4 Project Area      | The area to be utilized for the Project  |
| DTRRIP                | Deltaport Terminal, Road and Rail Improvement Project  |
| EA                    | Environmental Assessment   |
| Early Engagement      | As set out in the Early Engagement Policy pursuant to the <i>Environmental Assessment Act (2018)</i> (the Act), specifically Part 4 – Early Engagement |
| ECCC                  | Environment and Climate Change Canada  |
| GCT                   | GCT Canada Limited Partnership   |
| GCT Deltaport         | Global Container Terminals Deltaport Container Terminal  |
| GBA+                  | Gender Based Analysis  |
| IAA                   | <i>Impact Assessment Act</i>   |
| IAAC                  | Impact Assessment Agency of Canada   |
| IPD                   | Initial Project Description  |
| PCLC                  | Port Community Liaison Committee   |
| PER                   | Project and Environmental Review   |
| project team          | GCT staff, experts and consultants assigned to DP4   |
| PPE                   | Preliminary Project Enquiry  |
| RBT2                  | Roberts Bank Terminal 2 Project  |
| SRKW                  | Southern Resident Killer Whale   |
| TAG                   | Technical Advisory Group   |
| TEU                   | Twenty-foot equivalent unit  |
| TLU                   | Traditional Land Use   |
| VFPA                  | Vancouver Fraser Port Authority  |
| WMA                   | Wildlife Management Area   |

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## EXECUTIVE SUMMARY

The GCT Deltaport Expansion, Berth Four Project (DP4 or the Project) is being proposed by GCT Canada Limited Partnership (GCT), the long-term operator of GCT Deltaport Terminal. Located at Roberts Bank, in the City of Delta, British Columbia (BC), between the Roberts Bank Way and Tsawwassen Ferry Terminal causeways, this proposed Project would add an additional 2.0 million Twenty-Foot-Equivalent Units (TEUs) of much needed capacity on Canada's west coast. As proposed, DP4 is an expansion to the existing marine terminal primarily located on federal lands managed by the federal Minister of Transport and the Vancouver Fraser Port Authority (VFPA)<sup>1</sup> in Delta, BC. Project construction and operations may also overlap Tsawwassen First Nation (TFN) and Government of BC water lots, and navigational jurisdiction asserted by the VFPA.

The Project involves the expansion of the existing terminal container storage and handling area and addition of a fourth berth on the southeast side of the Roberts Bank Causeway (within what is known as the inter-causeway area), expansion of the intermodal rail yard along the causeway (Roberts Bank Way), and dredging to provide safe access for ships. The Project will also require the relocation of the existing tug basin to the north-east corner of the expanded terminal. Consideration is also being given to a new short sea shipping berth to support the movement of goods along the west coast, and a new marina, in response to feedback from TFN.

This Project meets the criteria for review set out under the *Environmental Assessment Act* (2018) and Canada's *Impact Assessment Act* and takes into consideration the Impact Assessment Cooperation Agreement between Canada and BC. GCT submits this Engagement Plan for consideration by the BC Environmental Assessment Office (BCEAO) to support the Early Engagement phase of an environmental assessment (EA) in conjunction with our Initial Project Description.

GCT began early engagement with Indigenous groups, government agencies, and community stakeholders in 2016 in order to inform the preparation of our Preliminary Project Enquiry (PPE) submitted to the VFPA in February 2019. GCT is continuing to undertake Early Engagement activities on the Project and has prepared this Engagement Plan to ensure that key parties to the EA are identified early in the EA process, and provide a common understanding of how each party will be engaged. This plan:

- Confirms GCT's approach and support for transparent information sharing early in, and throughout, the EA process;
- Outlines GCT's approach to seeking information and feedback to inform development of the detailed project description (DPD), subsequent EA processes, and the Project;
- Provides the methods and activities proposed for engagement with Indigenous groups, the public, municipalities, provincial and federal government agencies, and stakeholders throughout Early Engagement; and
- Outlines how engagement processes will be developed that consider how each party wants to be engaged with.

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<sup>1</sup> The VFPA's administrative, permitting and other powers with respect to the DP4 Project, including those related to port operations, are currently the subject of judicial review.



## GENERAL INFORMATION AND CONTACTS

| PROJECT                                   |   |
|---|---|
| <b>Proposed Project Name</b>              | Deltaport Expansion Berth Four Project (DP4)  |
| <b>Project Location</b>                   | Roberts Bank, Delta, BC, Canada   |
| <b>Project industrial sector and type</b> | Marine Shipping   |
| <b>Proponent Name</b>                     | GCT Canada Limited Partnership<br>1285 Franklin Street, Vancouver, BC, Canada V6A 1J9 |
| PRIMARY CONTACT INFORMATION               |   |
| <b>Name</b>                               | Mike McLellan, Vice President, Project Development                                    |
| <b>Mailing Address</b>                    | Suite 610, The Landing, 375 Water Street, Vancouver, BC, Canada                       |
| <b>Phone</b>                              | 604 267 5195  |
| <b>Email</b>                              | mmclellan@globalterminals.com   |
| <b>Website</b>                            | <a href="https://globalterminalsCanada.com/">https://globalterminalsCanada.com/</a>   |
| SECONDARY CONTACT INFORMATION             |   |
| <b>Name</b>                               | Marko Dekovic, Vice President, Public Affairs   |
| <b>Mailing Address</b>                    | Suite 610, The Landing, 375 Water Street, Vancouver, BC, Canada                       |
| <b>Phone</b>                              | 604 267 5276  |
| <b>Email</b>                              | mdekovic@globalterminals.com  |
| <b>Website</b>                            | <a href="https://globalterminalsCanada.com/">https://globalterminalsCanada.com/</a>   |

# PROJECT OVERVIEW

## 1.1 Location of the Project

The DP4 Project is located to the northeast of the existing GCT Deltaport Container Terminal in Roberts Bank, on the shore of the municipality of Delta, BC and the Tsawwassen First Nation shown in Figure 1, below.

The coordinates for the center of the DP4 expansion are approximately 49°01'25"N 123°09'10"W.

**Figure 1: Location of the Project.**



Located in the City of Delta, the largest urban populations in proximity to the Project are the communities of Ladner, North Delta, Tsawwassen, and Tsawwassen First Nation. A further description of the physical distance of the Project to communities is outlined in Section 5.4 of the Initial Project Description (IPD).

The Project also falls within the traditional and/or consultative boundaries of a number of Indigenous groups including the Tsawwassen First Nation, Semiahmoo, and the Musqueam Indian Band. Members of other nations, such as the Tsleil-Waututh, continue to carry out traditional Indigenous harvesting of fish and marine life near the project area. Information on Indigenous groups with traditional territories that overlap with the Project is provided in the Indigenous Groups Engagement section of this Engagement Plan, as well as in Section 7 of the IPD. Research on Traditional Land Use (TLU) surrounding the Project will be conducted by engaging with the corresponding



Indigenous groups, as applicable, in order to establish a robust understanding of the potential impacts of the Project on Indigenous interests.

In terms of proximity to parks and protected areas, the main portion of the Roberts Bank Wildlife Management Area (WMA) lies to the north, and a smaller section of the WMA is situated immediately to the south. Section 3.3 of the IPD sets out the Project's proximity to parks and protected areas which have been considered in the development of GCT's list of stakeholders who would have an interest in the Project. These include but are not limited to:

- Alaksen National Wildlife Area
- Boundary Bay Regional Park
- Boundary Bay Wildlife Management Area
- Burns Bog Ecological Conservancy Area
- Deas Island Regional Park
- Fraser River Delta
- Fraser River Estuary Important Bird Area (IBA)
- George C. Reifel Migratory Bird Sanctuary
- Roberts Bank Wildlife Management Area
- South Arm Marshes
- Southern Resident Killer Whale (SRKW) critical habitat
- Sturgeon Bank Wildlife Management Area
- Western Hemispheric Shorebird Reserve Network

## 1.2 Development of Engagement Plan

Since 2016, GCT has engaged with municipalities, provincial and federal governments, Indigenous groups, the public and other parties on DP4. GCT has also engaged, and continues engagement with, many of these groups as part of the previous expansion of Pod 3 in 2003 and the development and operation of the GCT Deltaport Third Berth on Pod 5 in 2010. The learnings from the engagements as part of each of these processes have informed the development of this Engagement Plan.

In developing this Engagement Plan, GCT is guided by the principles of meaningful, transparent, timely, and responsive engagement. GCT recognizes the importance of meaningful engagement and strives to develop and maintain strong, mutually respectful relationships with all stakeholders and Indigenous groups. GCT will also continue to maintain and strengthen relationships developed during its previous engagements, primarily with those located near the facility including the City of Delta, Indigenous groups, and the VFPA.

The Indigenous groups, public and governments identified in Tables 2, 4 and 6 includes all those that GCT engaged with in the development of the Early Engagement Plan along with those that GCT intends to engage with. GCT

customized presentation materials for each meeting and a supplementary backgrounder on the Project. An example of early engagement documents is contained in **Appendix A**.

Feedback from these groups was compiled into GCT's tracking database (Engage.In) which set out the dates of the engagement, correspondence and document exchanges, who was present from each organization, and the feedback received in relation to the Project. A summary of each meeting is compiled and circulated internally at GCT for follow up and distribution to the project and operations team members engaged in the development of the PPE and, eventually, the IPD and Engagement Plan. Specific issues flagged by each group are outlined in Tables 3, 5 and 7.

## ENGAGEMENT METHODS

### 1.3 Overview

The focus of GCT's engagement for the Project will be to ensure that municipal, federal and provincial governments, Indigenous groups, the public and other interested parties are informed about the Project, have access to information, and are encouraged to provide feedback throughout the Project.

Overall, engagement will be through the contact identified for each of the Indigenous groups, public stakeholders, municipalities, provincial and federal government representatives, and agencies. Further coordination with each of these groups will be required to determine frequency of engagement depending on issues arising throughout the EA process and any constraints to the engagement uncovered throughout the process. At this time, GCT proposes the following outline of the method and frequency of engagement with each group:

**Table 1: General Method and Frequency of Engagement.**

| GROUPS                          | FREQUENCY   | METHOD OF ENGAGEMENT  |
|---------------------------------|---|---|
| Indigenous groups               | Various frequency of contact as specified by each Indigenous group in Table 2 and as updates become available on the Project.   | Formal written correspondence, email correspondence, phone calls, in-person meetings, presentations, online engagement tools, town hall, and tour of the Project. Further methods, as directed or requested by individual Indigenous groups, will be considered and incorporated as needed. |
| General Public and Stakeholders | Consistent contact through online engagement tools and as updates become available on the Project. Specific stakeholders may require increased frequency of engagement depending on the stage of the Project. | Formal written correspondence, email correspondence, in-person meetings, presentations, town hall, telephone town halls, online engagement tools, and tour of the Project.  |

|                     |  |   |
|---------------------|--|---|
| Municipalities      | Monthly Project updates to Mayor and Council and as updates become available on the Project. | Formal written correspondence, email correspondence, phone calls, in-person meetings, presentation to Council, and tour of the Project. |
| Provincial Agencies | Consistent contact and as updates become available on the Project.                           | Formal written correspondence, email correspondence, phone calls, in-person meetings, presentations, and tour of Project.               |
| Federal Agencies    | Consistent contact and as updates become available on the Project.                           | Formal written correspondence, email correspondence, phone calls, in-person meetings, presentations, and tour of the Project.           |

As further outlined in the coming sections, GCT will work with these groups to ensure engagement is inclusive and designed to reach potentially affected populations that may be underrepresented or have socio-economic barriers to participation. GCT is committed to tailoring engagement to consider many other identity factors, such as race, ethnicity, religion, age, and mental or physical disability.

In particular, the GCT project team will complete the new Gender Based Analysis (GBA+) introductory course<sup>1</sup> to learn to identify how GBA+ can enhance the responsiveness, effectiveness and outcomes of engagement initiatives while applying some foundational GBA+ concepts and processes. GBA+ analysis will be extended to engagement with Indigenous groups.

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<sup>1</sup> <https://cfc-swc.gc.ca/gba-acsc/course-cours-en.html>

**Figure 2: GBA+ Elements.**



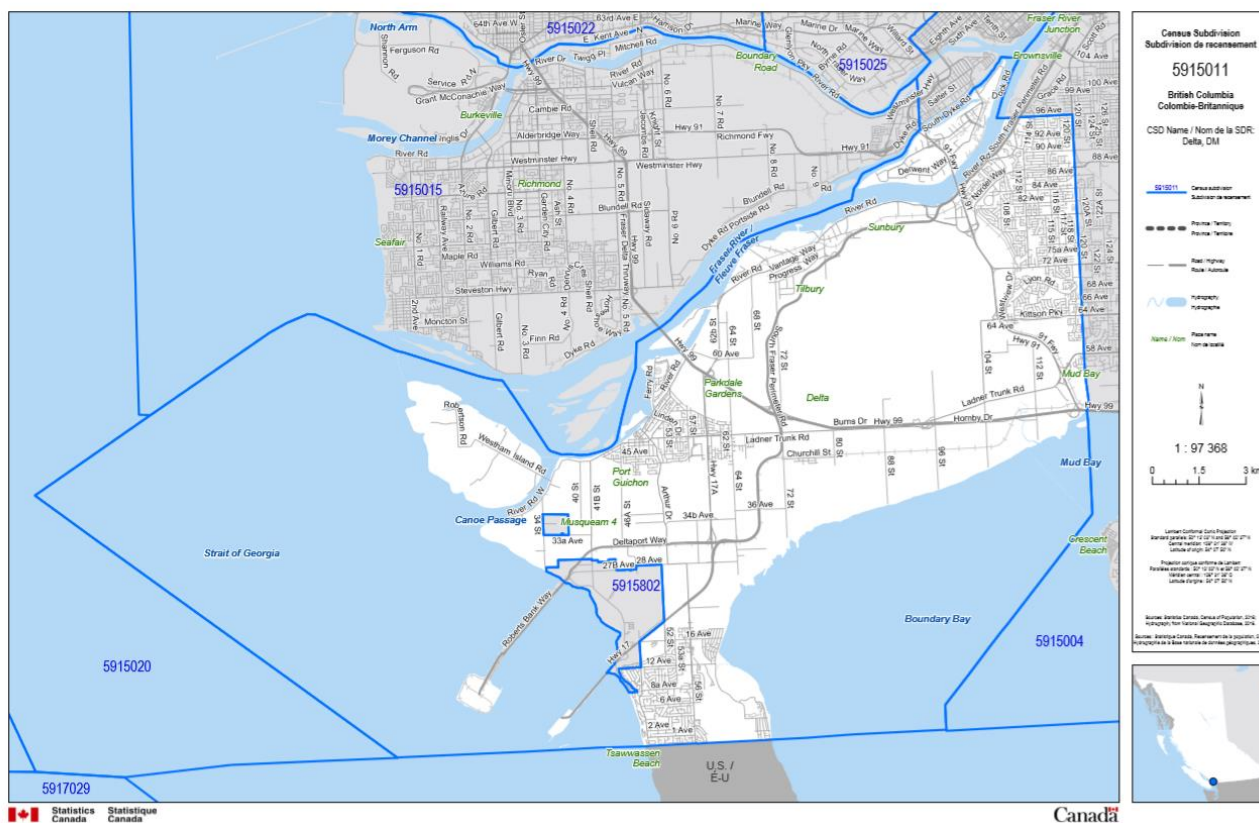
1

Demographics of the immediate region have been considered when developing the Early Engagement Plan, and GCT will ensure that engagement opportunities reflect the needs of the population outlined in the most recent information available in Census Profile, 2016 Census, Delta, District municipality.<sup>2</sup>

<sup>1</sup> <https://cfc-swc.gc.ca/gba-acs/apply-appliquez-en.html>

<sup>2</sup> Census Profile, 2016 Census, Delta, District municipality  
<https://www12.statcan.gc.ca/census-recensement/2016/dp-pd/prof/details/page.cfm?Lang=E&Geo1=CSD&Code1=5915011&Geo2=PR&Code2=01&Data=Count&SearchText=Delta&SearchType=Begins&SearchPR=01&B1=All&TABID=1>

Figure 3: Map of Demographic Region.



### 1.4 Tracking Feedback

GCT will continue to use the tracking database (Engage.In) to compile feedback received as part of Early Engagement which set out the dates of the engagement, correspondence and documents exchanges, who was present from each organization, and the feedback received in relation to the Project. The tracking database also includes GCT responses and how issues raised will be addressed. Engagement logs serve as a record of communications between GCT and groups identified for engagement, as well as any follow-up requirements, decisions, and commitments.

GCT expects that its commitments tracking mechanism, updated periodically, will be posted on its Project website at <https://globalterminalsCanada.com/projectupdates/>. These updates will also be available at the Project construction offices and any community offices established throughout the course of the Project.

The Engagement Plan, posted on the public Project website and the BC EAO, will be reviewed for necessary updates by the project team on a monthly basis (or more frequently as needed), and incorporate best practices based on learnings throughout the engagement process. Any updates to the Engagement Plan will be circulated via email by the project team to the key representative for each identified group in a timely and consistent manner.

## 1.5 Addressing Feedback

Input and feedback gathered during Early Engagement will be considered by the project team and used to inform the Project, including its design and development.

GCT intends, to the extent possible, to proactively address the questions and concerns of the public, stakeholders, government agencies, landowners and Indigenous groups through open, direct and respectful discussions. As a part of this initiative, GCT also intends to leverage the Engage.In platform to develop an accessible mechanism for managing concerns, comments, complaints and issues pertaining to the construction and operation phases of the Project. A project team from GCT will be assigned to monitor this platform and meaningfully address the concerns submitted by various groups.

The goals of this project team and platform are to:

- Provide another source of Project updates that act as a resource for those with concerns;
- Encourage the sharing of information pertaining to community concerns previously unidentified by GCT through early engagement;
- Provide timely responses to community concerns;
- Provide a platform to share and recommend solutions; and
- Provide clear lines of communication with GCT through the development and construction of the Project.

## 1.6 Adjusting Tools of Engagement

Given the evolving response and associated impacts of COVID-19, and the capacity of organizations and individuals to provide feedback at this time, GCT is proposing the following methods of digital engagement be used to ensure robust engagement still takes place. These methods will continue to be deployed for engagement purposes should in-person meetings be permitted in the future. Towards that end, GCT will:

1. Establish Zoom meetings for smaller groups and Facebook Live for larger groups as the medium for video conferencing. Facebook Live can be recorded and reviewed by the project team to catalog feedback;
2. Conduct telephone town halls for those without the capability to connect via the internet;
3. Ensure the online engagement tools are well distributed and easily found on the Project website; and
4. Consider and incorporate further methods as directed or requested by individual Indigenous groups as needed.



# INDIGENOUS GROUPS ENGAGEMENT

## 1.7 Overview

GCT is committed to working meaningfully with Indigenous groups who have an interest in the Project. As currently defined, the Project falls within or near the traditional territories, treaty lands, or other recognized areas of various groups. The Project falls within the traditional and/or consultative boundaries of a number of Indigenous groups. Members of other nations, such as the Tsleil-Waututh, continue to carry out traditional Indigenous harvesting of fish and marine life near the project area. More broadly, many Indigenous groups share concerns related to the impacts of marine shipping, including those related to the SRKW population. Other Indigenous groups may either directly or peripherally be impacted by the project. GCT will work with these groups and government agencies on a case-by-case basis to ensure effective and respectful engagement.

In keeping with GCT's commitment to meaningful Indigenous relations, consistent with the principles of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, we have undertaken early stage consultation and engagement with impacted Indigenous groups in and near the Project area. The input of Indigenous groups will continue to shape GCT's interactions with Indigenous groups.

Preliminary engagement has focused primarily on sharing information about the Project, and obtaining initial feedback, including on areas of potential concern. GCT will continue to share information about the Project, including additional details as they are confirmed and defined, respond to questions, and record, consider and respond to issues and opportunities raised. GCT is committed to meaningfully considering the input received from stakeholders and Indigenous groups to shape the engagement process throughout the life of the project.

GCT believes that participation by Indigenous group enhances understanding of the Project and contributes to its planning, improvement, development and success. Early identification of potential adverse effects of the Project on Indigenous rights will assist GCT, to the extent possible, to avoid, mitigate, or otherwise address such impacts. GCT is committed to continuing the dialogue with Indigenous groups throughout the duration of the Project and, in particular, our goals are to:

- Identify specific procedural requirements of each Indigenous group;
- Build on the work to date, identify further informational needs of each Indigenous group;
- Advance economic opportunities that can be developed between Indigenous groups and GCT;
- Develop a deep understanding of the unique connection to, and past and future uses of the area potentially affected by the proposed Project;
- Apply the outcomes of these collaborative discussions towards consensus on the Project that is reflective of their requirements and any broader interests that could be affected by the proposed Project; and
- Ensure each Indigenous group has all of the information required on the Project to help inform decision making.

Where appropriate and mutually agreed, GCT will enter into memorandums of understanding with Indigenous groups to define the relationship and long-term goals beyond the review of the Project. GCT will make every effort

to ensure that all Indigenous groups involved in reviewing the Project have all necessary and requested information in order to complete a full analysis of the Project. Indigenous groups may provide GCT and/or the regulatory agencies confirmation that they have made an informed decision and this formal notification, if received by GCT, will be tracked and submitted to the regulatory agencies.

GCT has also established a \$200,000 fund in 2020 to support Indigenous-led initiatives aimed at increasing both participation and collaboration in the cumulative-effects assessment of the south Salish Sea off British Columbia’s coast. The funding initiative is not specific to the DP4 Project but may inform the assessments of projects in the area. It was created in response to calls for action voiced by many Indigenous leaders, including the need for Indigenous-led efforts to assess cumulative effects at the historic Declaration Conference in January 2020 which focused on building a collective understanding of the principles established by the United Nations Declaration on the Rights of Indigenous Peoples.

GCT acknowledges that due to the challenges created by the COVID-19 pandemic and the number of projects in the region for consideration by each Indigenous group, capacity may continue to be a concern, even after many of their offices formally re-open. GCT is committed to providing capacity funding when requested that meets the needs of each Indigenous group.

## 1.8 List of Indigenous Groups and Contacts

The table below provides a list of the Indigenous groups identified for engagement, whose territory overlaps with the Project area or whose traditional territory overlaps with or is close to the proposed Project area. The list is in alphabetical order and includes those with a reasonable possibility for their Nation or their rights recognized and affirmed under Section 35 of the *Constitution Act, 1982*, to be adversely affected by the Project.

This table also sets out the representative of each Indigenous group that GCT engaged with as a result of early engagement on the IPD and Early Engagement Plan.

**Table 2: List of Indigenous Groups and Contacts.**

| INDIGENOUS GROUPS                   | REPRESENTATIVES   |
|-------------------------------------|---|
| Beecher Bay (Sc'ianew) First Nation | Russ Chipps, Chief Councillor<br>Trina Sxwithul'txw, Project Manager  |
| Cowichan Tribes                     | William Seymour, Chief - Cowichan Tribes<br>Hilda August, Executive Assistant to Chief Seymour<br>Natalie Anderson, Referrals Coordinator |
| Ditidaht First Nation               | Brian Tate, Chief<br>Jeneen Hunt Executive Director for the Band  |
| Esquimalt Nation                    | Robert Thomas, Lead Counsellor<br>Katie Hooper, Executive Director  |
| First Nations of Maa-Nulth          | Charlie Cootes, Chief and President of The First Nations of the Maa-nulth Treaty Society  |

|                               |   |
|-------------------------------|---|
|                               | <p>Mark Stephens, Chief Administrative Officer</p> <p>Ron Frank, Maa-Nulth Natural Resources Advisor and Chair of the Maa-Nulth Wildlife Council</p>                  |
| Halalt First Nation           | <p>James Thomas, Chief - Halalt First Nation</p> <p>Caroline Gladstone, General Manager</p> <p>Jade Steel, Fisheries Biologist</p>                                    |
| Katzie First Nation           | <p>Grace Cunningham, Chief</p>  |
| Kwantlen First Nation         | <p>Marilyn Gabriel, Chief</p> <p>Tumia Knott, Councillor</p> <p>Ashley Doyle, Lands Manager</p> <p>Steven Harris, Lands Officer</p>                                   |
| Kwikwetlem First Nation       | <p>Chief Ed Hall</p> <p>George Chaffee, Councillor</p>  |
| Lake Cowichan First Nation    | <p>Georgina Livingston, Chief</p>   |
| Leq'a:mel First Nation        | <p>Alice Thompson, Chief Counsellor</p> <p>Ron Smith, CEO</p>   |
| Lyackson First Nation         | <p>Richard Thomas, Chief</p> <p>Shannon Gammie, Director of Operations</p>  |
| Malahat Nation                | <p>George Harry Jr., Chief</p> <p>Heather Adam, Land and Referral Officer</p> <p>Tristan Gale, Executive Director of Environment and Sustainable Development</p>      |
| Matsqui First Nation          | <p>Alice Mckay, Chief</p> <p>Cynthia Collins, Referrals Coordinator</p>   |
| Métis Nation British Columbia | <p>Clara Morin Dal Col, President</p> <p>Lynn Macleon, EA to the President</p> <p>Leona Shaw, Assistant Director of Natural Resources</p> <p>Daniel Fontaine, CEO</p> |
| Musqueam First Nation         | <p>Wendy Grant</p> <p>Wade Grant</p> <p>Larissa Grant</p> <p>Stephen Lee</p>  |
| Pacheedaht First Nation       | <p>Jeff Jones, Chief</p>  |

|   |  |
|---|--|
| Pauquachin First Nation                     | Rebecca David, Chief<br>Susan Miller, Administrator  |
| People of the River Referral Office         | David Schaepe, Ph.D., Director / Senior Archaeologist<br>Matt McGinity, Manager<br>Deanna Rach, GIS Technician   |
| Penelakut Tribe                             | Joan Brown, Chief<br>Josh James, Economic Development Officer  |
| Popkum First Nation                         | James Murphy, Chief  |
| Seabird Island Band                         | Jim Harris, Chief<br>Daryl (Chuck) McNeil, Strategic Advisor   |
| Semiahmoo First Nation                      | Harley Chappelle, Chief  |
| Shxw'ow'hamel First Nation                  | James Alfred, Community Development Officer  |
| Songhees Nation                             | Ronald Sam, Chief  |
| Sq'ewlets                                   | Colin Pennier, Chief   |
| S̓k̓w̓x̓w̓ú7mesh Úxwumixw (Squamish Nation) | Peter Baker, Director of Rights and Title  |
| Stz'uminus First Nation                     | John Elliott, Chief<br>Ronda Jordan, Land and Resource Manager   |
| Tsartlip First Nation                       | Don Tom, Chief   |
| Tsawout First Nation                        | Eva Wilson, Band Administrator   |
| Tsawwassen First Nation                     | Ken Baird, Chief<br>Braden Smith, CAO<br>Tejas Madhur, Manager of Strategic Policy and Intergovernmental Affairs |
| Tseycum First Nation                        | Tanya Jimmy, Chief   |
| Tsleil-Waututh Nation                       | Michelle George, Referrals analyst<br>Jessica Steele, Referrals analyst  |
| T'Sou-ke Nation                             | Gordon Planes, Chief<br>Michelle Thut, Administrator   |

## 1.9 Summary of Early Engagement with Indigenous Groups

The following section outlines GCT's recent engagement specific to the Project and, more specifically, the PPE, IPD and Engagement Plan.

At the outset of the Project, GCT retained the services of Indigenous community relations advisors. With their assistance, including that of an experienced strategic advisor who is also a member of a local Indigenous group, GCT developed its engagement and consultation approach with Indigenous groups, which has been adapted over time and continues to be adapted to the needs and interests of each group involved.

The preliminary engagement undertaken by GCT, in sequential order, is as follows:

- Early engagement with Tsawwassen First Nation administration about the proposed Project in the fall of 2016;
- In-person presentation to Tsawwassen First Nation Executive Council on October 12, 2016;
- Update presentation to Tsawwassen First Nation Executive Council on February 8, 2017;
- Tour of GCT Deltaport with Tsawwassen First Nation and discussions on proposed DP4 Project in December 2018;
- GCT shared an advance copy of the Preliminary Project Enquiry (PPE) with TFN in February 2019;
- The initial preliminary presentation of the Project and PPE to Musqueam Indian Band in February 2019;
- The initial presentation of GCT and PPE to Semiahmoo First Nation in February 2019;
- Initial presentation of DP4 to Tsleil-Waututh Nation in June 2019;
- Meeting and formal introduction of the Project with Tsleil-Waututh Nation in August 2019; further meeting with Tsleil-Waututh took place on June 4, 2020. The meeting included an update and a discussion of a project schedule and possible capacity support for the next phase of the project;
- Project discussion with Semiahmoo First Nation in August 2019;
- Update to Tsawwassen First Nation on the Project in October 2019;
- Presentation to Kwantlen First Nation on April 15, 2020;
- Meeting with council for Tsawwassen First Nation on April 22, 2020;
- Meeting with Seabird Island Band on May 11, 2020 to provide an overview of the Project;
- Presentation to Ashley Doyle, Land Manager of Kwantlen First Nation on May 22, 2020;
- Meeting with First Nations of Maa-Nulth on June 25, 2020 to provide an overview of the Project;
- Meeting with Esquimalt Nation on July 13, 2020 to provide an overview of the Project and related reports;
- Meeting with staff at Katzie First Nation on July 17, 2020 to provide an overview of the Project;
- Meeting with Cowichan Tribes, Halalt First Nation, Lyackson First Nation, Penelakut Tribe and Stz'uminus First Nation on July 29, 2020 to provide a first presentation on the Project and to address questions and issues;

- Meeting with Esquimalt Nation on July 30, 2020 to discuss how they would like to approach funding arrangements for due diligence review or capacity funding;
- Meeting with Pauquachin First Nation on July 31, 2020 to provide an overview of the Project;
- Conference call with the First Nations of Maa-Nulth on July 31, 2020 to discuss negotiation funding;
- Ongoing discussions with Penelakut Tribe, Halalt First Nation, Stz'uminus First Nation, Cowichan Tribes, and Lyackson First Nation regarding the categories of near-term activities that can be considered for capacity funding;
- Engagement via email and/or phone occurred between February 24, 2020 and September 2020 to all Indigenous groups listed in Table 2;
- Follow up phone calls, emails and in-person visits to First Nation offices were conducted to ensure receipt of the information and to answer any preliminary questions; and
- In person, telephone or virtual meetings were scheduled with interested Indigenous groups.

GCT produced customized presentation materials for each meeting and a supplementary backgrounder on the Project. An example of early engagement documents can be found in **Appendix A**.

### 1.10 Interests and Issues Identified by Indigenous Groups

The following table summarizes the Indigenous groups that engaged with GCT, as a result of the early engagement steps, and outlines how feedback was incorporated into the IPD and Engagement Plan.

While, some preliminary comments are technical in nature and require further discussion and analysis, overall topic areas of engagement and feedback included the following categories:

#### Environmental

- Need for a robust cumulative effects study;
- Understanding of the impact of invasive species to Roberts Bank as a result of port activity;
- Analysis of which specific habitats would be affected by DP4;
- Impacts to crabbing “no float zones” at Roberts Bank;
- Habitat offsetting required and available options;
- Amount of dredging required;
- Impacts to crabs and eelgrass;
- Human health impact assessment;
- Project siting;
- Treatment of cultural values;
- Aboriginal rights and title over simplified; and
- Spatial and temporal scales.



### Economic and Procedural

- Employment opportunities;
- Lack of shared decision-making;
- Information collection;
- Reporting style; and
- Capacity funding.

Environmental and other regulatory assessments of other projects have revealed a broad cross section of issues of importance to Indigenous groups in the South Salish Sea area. Many of these will need to be addressed by GCT as we progress the proposed Project. This summary should not be considered comprehensive, and ongoing engagement and consultation on DP4 may identify other areas of concern for discussion.

Initial feedback by Indigenous groups is summarized below and, as additional feedback is received, will be incorporated into the Engagement Plan, particularly as it relates to frequency and method of engagement. Where in-person presentations have been requested, GCT will endeavour to hold these via video conference or telephone until in-person meetings are permitted.

**Table 3: Key Issues Raised by Indigenous Groups.**

| INDIGENOUS GROUP                    | ISSUE RAISED   | GCT RESPONSE   |
|-------------------------------------|--|--|
| Beecher Bay (Sc'ianew) First Nation | Concerned about adverse environmental impacts. They indicated that they would also like to know about the opportunities available to engage and what benefits and opportunities there could be for the community. Sc'ianew is undertaking further assessment of the Project and will determine how they would like to proceed. | GCT sent a letter with ways to engage. Greater discussion is needed to determine how Beecher Bay would like to proceed.  |
| Cowichan Tribes                     | Natalie Anderson, Referral Officer is now the primary contact for the Cowichan Tribes.<br>Cowichan Tribes has advised that they are setting up an informal table of related First Nations that would include Halalt First Nation, Stz'uminus First Nation, Penelakut Tribe, and Lyackson First Nation.                         | On August 4, 2020 GCT met with the informal table and provided an overview of the Project. Ongoing discussions relate to categories of near-term activities that can be considered for capacity funding. GCT will provide a memo which gives guidance on the categories of activities that are expected to occur over the next 6 months. |

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| Ditidaht First Nation      | Chief Tate indicated that he would present the information to Council when he was next back in the village of Nitinaht and would advise GCT how they would like to proceed. Shelley Chester, Treaty Coordinator, indicated that it was best to speak with Jeneen Hunt Executive Director for the Band.  | GCT to follow up to schedule a presentation.   |
| Esquimalt Nation           | Important components for Esquimalt include, certainty, environmental and cultural impacts, role in governance and managements in the Salish Sea, protecting their waters and how they might benefit economically from the Project. Esquimalt Nation indicated that they would be requesting negotiation funding to conduct a review of the Project.   | <p>GCT met with Esquimalt Nation on July 13, 2020 to provide an overview of the Project. The following reports were provided to Esquimalt Nation:</p> <ul style="list-style-type: none"> <li>• Analysis of Capacity Options on the West Coast of Canada – Black Quay</li> <li>• GCT Deltaport Expansion: Offsetting Outline and Approach – Ausenco</li> <li>• Preliminary Environmental Impacts Comparison: RBT2 &amp; DP4 – PGL</li> <li>• Assessment of Policy Options to Satisfy Canadian West Coast Container Port Capacity Needs – CPCS</li> <li>• Global Container Terminals Conceptual DPX Fisheries Offset Plan – Amec Foster Wheeler</li> </ul> <p>On July 30, 2020 GCT met with Esquimalt Nation to discuss how they would like to approach negotiation funding to conduct a project review.</p> |
| First Nations of Maa-Nulth | Initial concerns of increased commercial marine traffic were identified. First Nations of Maa-Nulth requested a discussion on the Project and negotiation funding. Any funding provided would cover the five communities that are a part of the First Nations of the Maa-nulth Treaty Society Nation and would be required to agree before any agreement could move forward with GCT. First Nations | <p>GCT dropped off a presentation package in the Nuu-chah-nulth Tribal Council Office in Port Alberni. GCT held a virtual meeting on June 25, 2020 and July 31, 2020 to discuss the Project and funding. GCT provided the following reports related to the Project:</p> <ul style="list-style-type: none"> <li>• Analysis of Capacity Options on the West Coast of Canada – Black Quay</li> </ul>  |

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|                       | <p>of Maa-Nulth requested several reports and studies referenced in the Project presentation.</p>   | <ul style="list-style-type: none"> <li>• GCT Deltaport Expansion: Offsetting Outline and Approach – Ausenco</li> <li>• Preliminary Environmental Impacts Comparison: RBT2 &amp; DP4 – PGL</li> <li>• Assessment of Policy Options to Satisfy Canadian West Coast Container Port Capacity Needs – CPCS</li> <li>• Global Container Terminals Conceptual DPX Fisheries Offset Plan – Amec Foster Wheeler</li> <li>• Roberts Bank Container Terminal Capacity Enhancement Alternatives – Parson Brinckerhoff</li> </ul> |
| Halalt First Nation   | <p>Halalt First Nation is determining how they would like to be involved. GCT to engage with Caroline Gladstone, General Manager. Significant concerns about the cumulative effects of increased shipping in the Salish Sea and the impact on fisheries and gathering. They are a part of the informal table of related First Nations that would include Cowichan Tribes, Halalt First Nation, Stz'uminus First Nation, Penelakut Tribe, and Lyackson First Nation.</p> | <p>GCT sent an updated letter and provided an electronic copy of the presentation materials to Halalt First Nation. On August 4, 2020 discussions were ongoing regarding the categories of near-term activities that can be considered for capacity funding. GCT will provide a memo which gives guidance on the categories of activities that are expected to occur over the next 6 months.</p>   |
| Katzie First Nation   | <p>Recent band council elections have taken place. Katzie First Nation requested additional information on the Project and staff entered into preliminary discussions with GCT regarding the Project... Katzie First Nation does not consider early engagement by GCT formal engagement and will wait to hear from the IAAC through the formal process once the IPD is filed.</p>   | <p>GCT provided an additional copy of engagement letter and presentation materials for the new council. GCT provided a KMZ file in relation to the Project and virtually met with staff at Katzie First Nation on July 17, 2020 to provide an update on the Project.</p>   |
| Kwantlen First Nation | <p>Kwantlen First Nation identified the following issues/interests:</p>   | <p>GCT held a Zoom meeting on April 15 and May 22, 2020 with Kwantlen land and resource staff and provided</p>   |

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|  | <ul style="list-style-type: none"> <li>• Additional volume of container traffic;</li> <li>• Road and rail traffic;</li> <li>• Emissions;</li> <li>• Support for cumulative effects;</li> <li>• Capacity funding; and</li> <li>• Environmental impacts and mitigation particularly in relation to the Fraser River and dredging.</li> </ul> <p>The following information and documents were requested by Kwantlen First Nation:</p> <ul style="list-style-type: none"> <li>• Road and rail traffic studies that have been completed for RBT2;</li> <li>• Further information on fill and dredge requirements;</li> <li>• Copies of studies GCT has done to date;</li> <li>• Further detail on the construction stages of DP4; and</li> <li>• Information on capacity funding.</li> </ul> | <p>additional information and addressed specific questions about the Project.</p> <p>GCT provided additional information in relation to dredging as requested by Kwantlen First Nation on May 13. GCT held a conference call on May 22 and additional documents will be provided.</p> <p>Information to address Kwantlen First Nation’s concerns will be included in GCT’s application. GCT provided a memo outlining near-team capacity funding.</p>   |
| Kwikwetlem First Nation                            | No feedback at this time.   | GCT provided an introductory letter and presentation on the Project. GCT will follow up to schedule a presentation.   |
| Lake Cowichan First Nation (Ts'uubaa-asatx Nation) | No feedback at this time.   | Project presentation provided to Lake Cowichan First Nation and asked whether a conference call should be arranged to discuss the Project further.  |
| Lyackson First Nation                              | Shannon Gammie, Director of Operations, will be the key contact at this time. Lyackson First Nation is currently working on internal resourcing and considering how best to proceed with engagement. They are particularly interested in the off-setting measure that are proposed to mitigate impacts on Lyackson First Nation’s interests and the capacity funding needed to properly assess their concerns. Other concerns included increased anchorage of ships near their reserve and in their traditional territory. Going forward, this Project  | <p>GCT held a Zoom conference call with Shannon Gammie, Director of Operations, Lyackson First Nation on April 6, 2020. GCT provided information on ships at anchor and addressed concerns regarding additional ship traffic. GCT will await any forthcoming funding proposal for capacity funding.</p> <p>GCT will provide contact information of consultants who may be helpful in navigating the process. GCT followed up following the latest Chief and Council meeting to discuss next steps. On August 4, 2020 discussions were</p> |

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|                        | <p>will be taken to Chief and Council for direction.</p> <p>They are a part of the informal table of related First Nations that would include Cowichan Tribes, Halalt First Nation, Stz'uminus First Nation, Penelakut Tribe, and Lyackson First Nation.</p>   | <p>ongoing regarding the categories of near-term activities that can be considered for capacity funding.</p>  |
| Leq'a:mel First Nation | <p>Ron Smith, CEO of Leq'a:mel First Nation, requested that they keep in touch at this time.</p>   | <p>GCT provided an introductory letter and presentation on the Project. GCT will follow up to schedule a presentation.</p>  |
| Malahat Nation         | <p>Tristan Gale, Executive Director of Environment and Sustainable Development, was initially identified as the contact person for this file and is interested in organizing a conference call. Subsequently, Heather Adams, Lands and Referral Officer is now the primary contact. Project information was provided, and Malahat Nation had identified the following issues:</p> <ul style="list-style-type: none"> <li>• continuation of a sustainable fisheries;</li> <li>• being able to fully utilize their commercial crab licenses;</li> <li>• maintaining and growth of marine mammals in the Salish Sea;</li> <li>• eco-systems for migratory birds; and</li> <li>• impacts on cultural practices.</li> </ul> | <p>GCT provided information to Tristan Gale on the Project and followed up with times for a conference call to discuss the Project further.</p>   |
| Matsqui First Nation   | <p>Indicated interest in participating in the environmental assessment for the Project. They are particularly concerned about the impact on waterways and fishing, the “referral” process from the federal/provincial governments with respect to First Nations involvement, and capacity funding. The decision-making body consists of 9 members of which 3 are elected. The elected members are the Chief and 2 Counsellors. The other 6 members are selected by each family in</p>  | <p>GCT will support capacity funding requests. GCT to engage with Cynthia Collins as the point of contact going forward. Mitigation of issues related to waterways and fishing will be included in GCT’s application.</p> |

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|                                     | the community. A decision is made when at least 5 members approve or reject a project.  |   |
| Métis Nation British Columbia       | Interested in learning more about the proposed Project and would like to be involved in the engagement and consultation process. They would like additional information about the Project to share with internal team.  | GCT forwarded all documentation related to the Project and will schedule a telephone call to discuss specific questions. GCT followed up for a virtual meeting time. GCT sent an introductory email to Daniel Fontaine, new CEO, regarding the Project and offering a briefing.   |
| Musqueam First Nation               | No feedback at this time.   | GCT followed up to schedule follow up meetings.   |
| Pacheedaht First Nation             | Once Chief and Council have met, they will let GCT know whether they would like to receive an in-person presentation on the Project.  | Project presentation provided to Pacheedaht First Nation and GCT will follow up to schedule a virtual presentation to discuss further the Project.  |
| Pauquachin First Nation             | Pauquachin First Nation expressed concerns about the long-term sustainability of the Salish Sea. They are also interested in opportunities related to capacity building and training. Chief David will provide a copy of GCT's Project presentation to Council to determine their interest in participating. If the decision is to move forward, they would be interested in entering into an Mutual Benefits Agreement with GCT and would look to the Federal agencies involved in the project to provide support for participation in the EA process. | GCT provided additional copies of the presentation to the Band Administrator for circulation to the Chief and Council. GCT held an initial Zoom meeting on July 31, 2020 and provided a copy of the Project presentation for Council's consideration.   |
| People of the River Referral Office | The People of the River Referral Office requires the completion of an on-line submission in order to commence engagement.<br><br>People of the River Referral Office confirmed that GCT's submission has been received and requested that shapefiles to be submitted before the referral is fully accepted.   | Under the Strategic Engagement Agreement with the Province, GCT will engage with the People of the River Referral Office regarding the Stó:lō Nations covered under this Agreement. GCT provided the Shapefiles for the Project and is determining an interest in federal capacity funding and a further discussion on the Project. |



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|                        | The Office has received the Shapefiles and has changed the referral status to Analysis Stage.  |   |
| Penelakut Tribe        | They are a part of the informal table of related First Nations that would include Cowichan Tribes, Halalt First Nation, Stz'uminus First Nation, Penelakut Tribe, and Lyackson First Nation.   | On August 4, 2020 discussions were ongoing with the Penelakut Tribe regarding the categories of near-term activities that can be considered for capacity funding. GCT will provide a memo which gives guidance on the categories of activities that are expected to occur over the next 6 months. |
| Popkum First Nation    | No feedback received at this time.   | GCT provided an introductory letter and presentation on the Project.  |
| Seabird Island Band    | <p>Chief Seymour indicated that he would discuss the Project with Daryl (Chuck) McNeil, Strategic Advisor, Seabird Island Band about how they should engage on this Project.</p> <p>The Band office remains open for essential services only, but they would like to engage on the Project via a Teams call and will provide an available time. Chief Seymour retired prior to the elections and former Counsellor Jim Harris was elected Chief. Seabird Island Band raised a number of issues on the video call, including increased rail and truck traffic, impacts on fisheries and capacity funding.</p> | Project presentation provided to Seabird Island Band and GCT provided information on capacity funding.  |
| Semiahmoo First Nation | <p>GCT met with Chief Harley Chappell on a number of occasions and he raised the following:</p> <ul style="list-style-type: none"> <li>• General concerns with environmental assessment process for smaller nations;</li> <li>• Lack of baseline and cumulative effects understanding in South Salish Sea;</li> <li>• Capacity support issues by proponent and government;</li> <li>• Previous studies on Roberts Bank have not considered effects on Boundary Bay;</li> </ul>   | GCT to follow up for feedback and will undertake to determine environmental impacts.  |

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|  | <ul style="list-style-type: none"> <li>• Loss of clamming;</li> <li>• Potential loss of crabbing;</li> <li>• How to develop effective methods internally to properly review the Project as a smaller nation; and</li> <li>• Indicated Traditional Use study (not specific to DP4) is in preliminary stages.</li> </ul> |  |
| Shxw'ow'hamel First Nation             | No feedback received at this time.   | GCT provided an introductory letter and presentation on the Project.   |
| Songhees Nation                        | No feedback received at this time.   | GCT provided an introductory letter and presentation on the Project.   |
| Sḵw̱wú7mesh Úxwumixw (Squamish Nation) | No feedback received at this time.   | GCT provided an introductory letter and presentation on the Project.   |
| Sq'ewlets                              | No feedback received at this time.   | GCT provided an introductory letter and presentation on the Project.   |
| Stz'uminus First Nation                | They are a part of the informal table of related First Nations that would include Cowichan Tribes, Halalt First Nation, Stz'uminus First Nation, Penelakut Tribe, and Lyackson First Nation.   | Project presentation provided to Stz'uminus First Nation and asked whether a conference call should be arranged to discuss the Project further. On August 4, 2020 discussions were ongoing regarding the categories of near-term activities that can be considered for capacity funding. GCT will provide a memo which gives guidance on the categories of activities that are expected to occur over the next 6 months. |
| Tsartlip First Nation                  | No feedback at this time.  | Project presentation provided to Tsartlip First Nation and asked whether a conference call should be arranged to discuss the Project further. GCT continues to follow up for additional feedback.  |
| Tsawout First Nation                   | Band Administrator to discuss the Project internally and advise if they would like to proceed regarding further discussions.   | A copy of the Project presentation was provided and GCT will set up a conference call. GCT followed up to schedule a conference call.  |
| Tsawwassen First Nation                | TFN will advise if they would like to see a draft of the IPD before it is formally submitted but do not need to see a draft at this time. TFN also requested   | GCT has incorporated feedback in to the IPD and will continue to meet regularly with TFN and provide requested documentation in addition   |

|                       |   |   |
|-----------------------|---|---|
|                       | <p>additional documentation and studies related to the Project. They are specifically interested in:</p> <ul style="list-style-type: none"> <li>• Public or private funds used for the Project;</li> <li>• Impact of invasive species to Roberts Bank as a result of port activity;</li> <li>• What specific habitat would be affected by DP4 in and how much of it?;</li> <li>• Impacts to “no float zones” of DP4;</li> <li>• Confirm habitat bank compensation needed for DP4;</li> <li>• Amount of dredging required for DP4;</li> <li>• Impacts to crabs and eelgrass;</li> <li>• Human health assessment, in particular as it relates to closer proximity of DP4 to residential development; and</li> <li>• Boat access.</li> </ul> | <p>to the documentation and reports already provided on the Project. Consideration is also being given to development of a new fisher vessel marina and boat launch based on feedback from TFN.</p>   |
| Tseycum First Nation  | No feedback at this time.   | Project presentation provided to Tseycum First Nation and asked whether a conference call should be arranged to discuss further the Project. GCT continues to follow up for additional feedback.  |
| Tsleil-Waututh Nation | <p>Requested GCT open a file with the Nation per their protocol. Would like a greater focus on cumulative effects studies. During a meeting on June 4, 2020, Tsleil-Waututh Nation requested the following:</p> <ul style="list-style-type: none"> <li>• A Project schedule to better plan for resourcing and necessary capacity support;</li> <li>• Any information received thus far from DFO;</li> <li>• Any maps of related to potential navigational or fishery closures; and</li> </ul>   | GCT opened the file with the Nation as per their protocol. GCT provided an update on the project and a discussion of a project schedule and possible capacity support for the next phase of the project. GCT provided requested documentation to Tsleil-Waututh Nation. |

|                 | <ul style="list-style-type: none"> <li>Copies of studies GCT has done to date.</li> </ul>                               |   |
|-----------------|---|---|
| T'Sou-ke Nation | The T'sou-ke Nation has made a request for capacity funding before initial conversations and meetings can be scheduled. | <p>GCT will further engage with the Nation to discuss capacity funding. GCT followed up to schedule a conference call.</p> <p>GCT provided information on near-term capacity funding.</p> |

### 1.11 Relevant Agreements

Prior to engagement, GCT undertook a comprehensive review of any relevant agreements, memorandums of understanding, assessment protocols, treaties or other publicly available information of potentially affected Indigenous groups. A detailed list of all documents reviewed is available in Appendix B.

These documents were also considered during the development of the Engagement Plan and informs how and if additional Memorandums of Understanding should be entered into. Where information is available, GCT used assessment protocols or assessment bodies identified by Indigenous groups to conduct early engagement through the appropriate avenue and gather feedback on the Project.

GCT will continue to work with each of these groups through the early engagement phase to identify specific interests and further understand and characterize each groups' rights or other interests. This information will be updated in the Detailed Project Description.

### 1.12 Summary of Planned Engagement Activities with Indigenous Groups

Based on our preliminary and early engagement with Indigenous groups outlined in Table 2, GCT expects to carry out the following activities during the Early Engagement phase. These efforts will be coordinated with the BC EAO to ensure Indigenous groups are receiving the most current information about the EA process and the opportunities to engage:

- Continuous engagement with Indigenous groups during and beyond the BC EAO's review of the Engagement Plan and IPD;
- Solicit further and ongoing feedback on the Project through follow up phone calls, emails, correspondence, topic specific workshops, in-person presentations (if possible), or video presentations with interested Indigenous groups;
- Develop additional engagement tools as requested or directed by indigenous groups;
- Schedule site tours of GCT Deltaport with interested Indigenous groups, if possible; and
- Understand and support the capacity required for all Indigenous groups to allow for robust participation in the EA process.

GCT will continue to seek feedback on topics of interest, point-of-contact, and identify group-specific consultation policies, protocols or preferences to better inform our engagement efforts. To support this work, GCT will ensure an appropriate level of internal resourcing and capacity funding is provided to Indigenous groups, when requested that meets the needs of each Indigenous group.

Through early engagement efforts with Indigenous groups, GCT became aware of confidential protocol agreements that may exist between VFPA and some First Nations requiring them to first report to VFPA all interactions with terminal operators and their potential project proposals related to Port lands. As such, it is unclear how existence of such an agreement may impact GCT's ability to obtain early engagement and feedback from all potentially impacted Indigenous groups.

### 1.13 Incorporating Traditional Knowledge

Local and traditional knowledge is critical to the development of the IPD and, through engagement activities, some Indigenous groups have provided comments related to their respective community not reflected in western science-based environmental studies, particularly related to cumulative impacts. The IPD was updated to reflect these comments, but GCT acknowledges that further discussion and analysis of this knowledge is required. Smaller nations may not yet have completed traditional use studies for the area or with specific relevance to the Project. GCT will work with Indigenous groups to ensure their level of analysis is sufficient for each Indigenous group to make informed decisions. GCT has specifically chosen to work with expert advisors who have an understanding of the importance of incorporating traditional knowledge.

GCT is committed to working with and engaging identified Indigenous groups throughout the environmental assessment process to identify appropriate information needs and requirements, and to incorporate Indigenous knowledge both in the identification and assessment of potential Project effects. This section will be updated in the Detailed Project Description with further input and consideration from Indigenous groups throughout the Early Engagement Phase.

## PUBLIC AND STAKEHOLDER ENGAGEMENT

GCT understands that the residents and stakeholders in the GCT community expect all Project communications to be transparent, timely, and responsive to our community's aspirations and concerns. This approach means that GCT makes best efforts to address questions and concerns in a manner that is contemporary and community focused. GCT has been operating in Delta for over 20 years and the company is focused on continuing to be a responsible neighbour by being open and engaged when responding to community requests and concerns. As recommended by the BC EAO, GCT will:

- Ensure that opportunities to engage on the Project are made apparent to the public via local media, publicly accessible websites, and/or other available and appropriate means;
- Conduct public engagement in a way that removes as many barriers to participation as possible and captures a diverse range of feedback;
- Tailor engagement to the needs of the community by asking the right questions of the right people to gain meaningful feedback;
- Help the public better understand how to provide useful feedback on the Project; and

- Consider feedback provided during its Project design, plans and/or studies, and communicate results of these considerations.

### 1.14 List of Public and Stakeholders

To ensure that engagement is focused and relevant, GCT has created a list of the groups, populations, or individuals that we will engage with as part of the public engagement process. This includes all those who could be directly or indirectly affected by the Project such as residents from nearby communities, businesses and business groups, nongovernment organizations, academic institutions, community groups, recreation groups, tenure holders and other public stakeholders.

Given the number of other proposed development projects in the region with environmental considerations, GCT has also included the public and stakeholder groups that have been the most active in those discussions. As engagement continues, this plan will be updated as additional organizations express interest in the Project. GCT will, on an ongoing basis, work with these groups to ensure we capture their preferred method and frequency of engagement.

Table 4 also includes the status of the engagement by GCT with each of these groups.

**Table 4: List of Groups Identified for Engagement.**

| ORGANIZATION   | REPRESENTATIVE                 | RATIONALE   | STATUS     |
|--|--------------------------------|---|------------|
| <b>Environmental, Community and Non-Governmental Organizations</b> |                                |   |            |
| Against Port Expansion (APE)                                       | Roger Emsley<br>Don Paulsen    | Community group who previously expressed interest in developments at Roberts Bank. Members sit on various environmental committees in the region. | Engaged    |
| Area I Crab Fisherman Association                                  | Justin Taylor                  | Stakeholder group who previously expressed interest in developments at Roberts Bank.  | Identified |
| BC Great Blue Heron Society  | Gillian Anderson               | Stakeholder group who previously expressed interest in developments at Roberts Bank.  | Identified |
| BC Nature: Delta Naturalists Society                               | Anne Murray                    | Stakeholder group who previously expressed interest in developments at Roberts Bank.  | Identified |
| Bird Studies Canada  | James Casey<br>Graham Sorenson | Stakeholder group who previously expressed interest in developments at Roberts Bank.  | Engaged    |

|                                     |  |   |            |
|-------------------------------------|--|---|------------|
| Boundary Bay Conservation Committee | Susan Jones                                    | Community group who previously expressed interest in developments at Roberts Bank.  | Engaged    |
| Burns Bog Conservation Society      | Nikolai Karpun                                 | Community group who is interested in the preservation of Burns Bog.   | Identified |
| David Suzuki Foundation             | Faisal Moola<br>Jeffrey Young                  | Stakeholder group who previously expressed interest in developments at Roberts Bank.  | Identified |
| Delta Farmers' Institute            | Jack Bates                                     | Stakeholder group who previously expressed interest in developments at Roberts Bank.  | Identified |
| Ecojustice                          | Margot Venton<br>Dyna Tuytel                   | Local community group who previously expressed interest in developments at Roberts Bank.  | Identified |
| Fraser Voices                       | Nicholas Wong<br>Otto Langer<br>David L. Jones | Local community group who previously expressed interest in developments at Roberts Bank.  | Engaged    |
| First Nations Fisheries Council     | Jordan Point,<br>Executive Director            | The First Nations Fisheries Council works with and on behalf of BC First Nations to protect and reconcile First Nations rights and titles as they relate to fisheries and the health and protection of aquatic resources.   | Engaged    |
| Georgia Strait Alliance             | Christianne<br>Wilhelmson                      | Environmental group with an interest in protection of the Georgia Strait.   | Identified |
| Hwlitsum First Nation               | TBD  | To date, GCT has not been able to have any discussions with Hwlitsum. GCT understands that the Government of Canada and the Government of B.C. does not currently recognize Hwlitsum as a band under the <i>Indian Act</i> . GCT will continue engagement efforts until such time as GCT is able to | Engaged    |



|  |                                       |   |            |
|--|---------------------------------------|---|------------|
|  |                                       | hear their perspective on the Project.  |            |
| Port Community Liaison Committee (PCLC)            | Committee Members<br>Michelle LeBaron | Local community group established by the VFPA to discuss port expansion projects.     | Engaged    |
| Raincoast Conservation Foundation                  | Chris Genovali                        | Conservation group who previously expressed interest in developments at Roberts Bank. | Identified |
| Wilderness Committee                               | Beth Clarke                           | Stakeholder group who previously expressed interest in developments at Roberts Bank.  | Identified |
| <b>Business, Labour and Trade Organizations</b>    |                                       |   |            |
| Business Council of British Columbia               | Greg D'Avignon                        | Stakeholder group with an interest in economic development.                           | Engaged    |
| Canadian Chamber of Commerce                       | Ryan Greer                            | Stakeholder group with an interest in west coast container capacity.                  | Engaged    |
| Delta Chamber of Commerce                          | Garry Shearer                         | Stakeholder group with an interest in economic development.                           | Engaged    |
| Greater Langley Chamber of Commerce                | Colleen Clark                         | Stakeholder group with an interest in economic development.                           | Identified |
| Greater Vancouver Board of Trade                   | Bridgette Anderson                    | Stakeholder group with an interest in economic development.                           | Engaged    |
| Greater Vancouver Gateway Council                  | Mike Henderson                        | Stakeholder group with an interest in west coast container capacity.                  | Identified |
| Independent Contractors and Businesses Association | Tim McEwan                            | Stakeholder group with an interest in economic development.                           | Engaged    |
| International Longshore & Warehouse Union          | Rob Ashton                            | Labour group currently working at GCT Deltaport.                                      | Engaged    |

|   |   |   |            |
|---|---|---|------------|
| Retail Council of Canada                  | Diane J. Brisebois  | Stakeholder group with an interest in economic development.                           | Identified |
| Richmond Chamber of Commerce              | Matt Pitcairn   | Stakeholder group with an interest in economic development.                           | Identified |
| Surrey Board of Trade                     | Anita Hubberman   | Stakeholder group with an interest in economic development                            | Engaged    |
| <b>Railroad and Shipping Stakeholders</b> |   |   |            |
| BC Rail                                   | Gord Westlake   | Stakeholder group with an interest in west coast container capacity.                  | Engaged    |
| BC Trucking Association                   | Dave Earle  | Stakeholder group with an interest in the movement of goods to and from Roberts Bank. | Identified |
| Canadian Pacific Railway Ltd.             | Keith Creel<br>Jonathan Wahba<br>Nathan Cato<br>Robert Taylor | Stakeholder group with an interest in west coast container capacity.                  | Engaged    |
| Chamber of Shipping                       | Robert Lewis-Manning  | Stakeholder group with an interest in west coast container capacity.                  | Engaged    |
| CN Rail                                   | JJ Ruest<br>Keith Reardon<br>Brad Bodner                      | Stakeholder group with an interest in west coast container capacity.                  | Engaged    |
| Shipping Federation of Canada             | Scott Galloway  | Stakeholder group with an interest in west coast container capacity.                  | Engaged    |
| United Truckers Association               | Gangan Singh  | Stakeholder group with an interest in the movement of goods to and from Roberts Bank. | Identified |

### 1.15 Summary of Early Public and Stakeholder Engagement

Since 2016, GCT has identified, met with, and maintained relationships with a range of public stakeholders interested in or affected by DP4.

To date, engagement activities have been well received by the community and GCT holds regular informal and formal meetings with municipalities, community groups and stakeholders through the development of the PPE, IPD and Engagement Plan. Specific early engagement activities include:

- Project website: <https://globalterminalsCanada.com/projectupdates/>;
- Annual newsletter to all Delta, Ladner and TFN residents regarding GCT’s yearly activities and updates on the Project;
- Presentation to First Nations Fisheries Council;
- Presentations to the Port Community Liaison Committee;
- Presentations to the Delta Chamber of Commerce;
- Presentations to the Greater Vancouver Board of Trade Transportation and Infrastructure Committee;
- Presentations to Business Council of B.C.;
- Presentations to supply chain partners;
- Social media and traditional print advertising;
- Individual and group meetings with local and provincial environmental groups;
- Voice message to all Delta residents regarding the Project;
- Review and incorporation of feedback from groups in relation to previous port expansion projects; and
- Emails to key stakeholder groups to solicit feedback on frequency and method of engagement.

### 1.16 Interest or Issues Identified by the Public and Stakeholders

Table 5 further outlines the public’s expressed interest in the proposed Project to date, such as concerns, potential benefits, project design improvements, and how the public wishes to be engaged during the Early Engagement phase and the Environmental Assessment as a whole.

As already mentioned, GCT has been engaging with these organizations in relation to previous port expansion projects and has carefully considered their previous comments. Overall topic areas of engagement and feedback included the following:

- Human health: light, noise, air quality, truck traffic, access to fisheries, and transportation infrastructure;
- Environment: biofilm, eelgrass, marine conservation and conservation areas, migratory birds, shorebirds, barn owls, appropriate habitat offsetting, marine invertebrates, Pacific Salmon, SRKW, marine traffic, and underwater noise; and
- Economy: container capacity requirements, project funding, and mode of operations.

**Table 5: Key Issues Raised by the Public and Stakeholders.**

| ORGANIZATION | ISSUE RAISED | GCT RESPONSE |
|--------------|--------------|--------------|
|--------------|--------------|--------------|

|                              |   |   |
|------------------------------|---|---|
| Various environmental groups | Biofilm and migratory shorebirds.   | GCT worked with its consultants to have the least potential impact of biofilm and committed to undertake comprehensive studies to assess how to address any potential impact.   |
| Against Port Expansion (APE) | Light pollution and its effect on the western sandpiper.  | GCT worked with its consultants to design the Project to reduce light pollution and incorporate successful design elements from previous developments at Roberts Bank.  |
| Business Council of B.C.     | Supportive of increased capacity on Canada’s west coast.  | GCT will continue to provide updates on the Project as required.  |
| Bird Studies Canada          | <p>Concerns about bird habitats that are being negatively affected by the expansion of port infrastructure.</p> <p>Interested in identifying and improving those options that maintain the health and function of the estuary.</p> <p>Asked GCT to consider including impact on diving birds, barn owls, raptors, shorebirds, bird strikes and impact of expansion to shipping routes.</p> <p>On June 9, 2020 Bird Studies Canada provided written feedback on the Project outlining areas where they have concerns. These include cumulative impacts, seabirds and seaducks along the shipping route, waterfowl and herons, shorebirds, raptors, land birds and the impact of the project on birdwatching in the area. Bird Studies Canada also suggested determining baseline populations and distributions of birds using the estuary.</p> | <p>GCT will work closely with Bird Studies Canada to identify Project components that may or may not impact birds and bird habitat.</p> <p>GCT will work with Bird Studies Canada to put together a working group to explore adding the impact on birds to the Green Marine Certification.</p> <p>GCT confirmed that expansion of shipping routes would be considered and that it would review any studies provided by Bird Studies Canada to better inform their analysis.</p> |

|   |   |  |
|---|---|--|
| Boundary Bay Conservation Committee       | Location of existing power lines on the causeway and effect on migratory bird populations.  | GCT discussed the alternative location of power lines in the design of the Project. GCT to consider further studies related to the inter-tidal habitat.  |
| Chamber of Shipping                       | Questions regarding timeline and how long the EA and permitting will take.  | GCT will provide regular updates to keep the Chamber of Shipping apprised of the progress of the EA and permitting.  |
| Delta Chamber of Commerce                 | General concerns regarding container capacity and procedure for approval. The Chamber also requested specific information about development on the east side of the causeway.   | GCT presented to the Chamber Board in April 2019 and June 2020. GCT provided detailed answers to the questions raised by the Delta Chamber of Commerce and will provide regular updates.   |
| Delta community groups                    | General concerns regarding the Fraser River and Estuary, migratory bird populations, salmon, herring, crabs, eulachon and other wildlife of the Fraser River and estuary and the waters beyond, including the three resident killer whale pods, already listed as endangered. | GCT worked with its consultants to have the least potential impact on biofilm and committed to undertake comprehensive studies to ensure the least potential environmental impact on these species.  |
| Greater Vancouver Board of Trade          | Supportive of increased capacity on Canada's west coast.  | Provided a briefing presentation and a tour of the terminal to the Regional Transportation and Infrastructure Committee.   |
| International Longshore & Warehouse Union | Level of automation and potential job loss.   | GCT is committed to working closely and consulting with ILWU on a mode of operation as has been done with previous terminal expansion projects.  |
| Port Community Liaison Committee          | Specific questions regarding the amount of capacity and cost of the Project.<br><br>Concerns regarding the Projects effect on biofilm and migratory bird populations.   | GCT presented to PCLC in April 2019, and again in May 2020. GCT will update the PCLC throughout the process and schedule regular presentations to incorporate community feedback.<br><br>GCT worked with its consultants to redesign the Project to have the least effect on biofilm and committed to undertake comprehensive studies to assess how to address any potential impact. |
| Railways                                  | Supportive of the project and would be interested in further engaging in the process in   | GCT and railways are currently engaged and working through rail interface options.   |

|  |   |  |
|--|---|--|
|  | relation to railway infrastructure and configuration. |  |
|--|---|--|

### 1.17 Planned Public and Stakeholder Engagement Activities

The next phase of Early Engagement on the Project, with the groups identified in Table 4, will help identify interest in the Project, concerns, potential benefits, Project design improvements, and how they wish to be engaged throughout the process in a meaningful way.

To support the BC EAO’s 30-day public comment period of the IPD, GCT sees the following planned public and stakeholder engagement activities as our immediate responsibility following the approval of the IPD and Engagement Plan:

- Update the Project website with engagement opportunities;
- Advertise public engagement opportunities with the local media and social media channels;
- Deliver a virtual community newsletter with information about the Project, a link to the Project website and any government resources for engagement;
- Schedule several in-person or virtual town hall meetings to discuss the Project and allow for public feedback; and
- Schedule smaller in-person or virtual engagement sessions by issue, such as human health, the environment, and the economy.

As the public is familiar with GCT and its previous projects in the region, continuing to build on the positive reputation we have built with the community is important to GCT. As much of our workforce lives south of the Fraser River, we feel it is critical to consult the labour union International Longshore & Warehouse (ILWU Local 502) in the discussions about Project design and mode of operation.

GCT will support any EAO-led engagement activities, as appropriate, by making representatives available, producing presentation materials for any EAO-led in-person engagement activities, and advertising any events to help ensure the interested public is informed of these events. The level of interest and feedback received during early engagement activities will determine the level of future engagement. For example, additional engagement events may be scheduled depending on public interest at any EAO-led in-person engagement activities. These additional events would be promoted through advertising.

Throughout the public comments period, proposed activities may include seeking input and responding effectively to the public, stakeholders and community groups through methods such as:

- Face-to-face meetings;
- Project website;
- Telephone town halls;
- Zoom and other virtual technology meeting platforms;

- Open houses and telephone town halls;
- Traditional means of notification such as print media, direct mail, website and emails;
- Innovative online community engagement tools;
- Newsletters;
- Informational videos;
- Social media;
- E-newsletters;
- Surveys (online, phone, mail, in-person);
- Fact sheets, FAQ's; and
- Public Information Centre.

Based on the location of the Project, and the anticipated level of interest, the community of Delta is expected to be the focus of public engagement activities.

#### ***Underrepresented Communities***

GCT has considered potentially affected populations that may be under-represented by traditional engagement methods, such as town halls. GCT is proposing the following measures to reach under-represented communities:

- Provide a variety of in-person and virtual engagement methods and locations;
- Offer multiple times of day for in-person and virtual engagement;
- All public locations will be as close as possible to public transit for increased accessibility;
- Any news releases will be distributed to relevant in-language media;
- Project materials will be in digital and print form; and
- All public venues chosen will be wheelchair accessible locations.

#### ***Community Advisory Committee***

GCT will assist in the establishment of a Community Advisory Committee (CAC) to advise the BC EAO on the potential effects of the proposed Project on a community. The Port Community Liaison Committee, which is already established and with which GCT has already been engaging, could be considered by BC EAO as the primary CAC. GCT met with the PCLC on May 14, 2020 to provide a further update and overview of the project. Many of the groups identified in Table 4 are members of the Port Liaison Committee and have specific environmental or community concerns, as identified in Table 5. By scheduling sub-committees, GCT will continue to incorporate their feedback into the Project. One-on-one or small group meetings have proven to be most effective in creating a valuable dialogue that allows all parties to contribute to the conversation.

#### ***Media Relations***



GCT has a strong relationship with local media, like the Delta Optimist, and intends to leverage media to further our public and stakeholder engagement activities. The Project has received robust media attention and specific interests, or concerns related to the advancement of the Project, compared with that of RBT2. In February 2019, GCT held a meeting with the Vancouver Sun Editorial Board to provide background on the Project. A comprehensive list of media stories from local and national media are catalogued at [BetterDeltaport.ca](https://www.betterdeltaport.ca)<sup>1</sup>.

### ***Incorporating Local Knowledge***

Local knowledge and feedback received from the public through the comment period at any EAO-led in-person engagement activities, at community events and through the Project email address will be compiled in a Project tracking table, as well as through the EAO website during the comment period. This information will be considered and may be incorporated into the DPD as appropriate.

## **ENGAGEMENT WITH MUNICIPALITIES AND GOVERNMENT AGENCIES**

As a member of the Delta community, GCT will continue ongoing engagement and communications with the City of Delta, its neighbouring municipalities, the provincial government of BC, and the Government of Canada, among others. GCT has a long history of successful operations in the community and will continue to build on our previous engagement to ensure the Project meets the objectives of our neighbouring communities and government agencies. By incorporating feedback from these agencies during our 23 years in operations at Roberts Bank, we have established strong lines of communication and understand the needs of these municipalities and provincial and federal government agencies.

We are committed to strengthening the local communities in which we operate and enriching the lives of those who live there—many of whom are employees of GCT. Our many initiatives include buying and hiring locally, participating in charitable events, and protecting the surrounding environment and wild life.

### **1.18 List of Municipal, Provincial and Federal Agencies**

The following table provides a list of appropriate municipalities, and provincial and federal government agencies to be engaged with, as well as relevant representatives from each agency. GCT has also taken into consideration municipal and provincial health authorities and emergency service providers that may need to be consulted during the life of the Project.

Table 6 also provides the status of engagement by GCT with each of these groups.

**Table 6: List of Municipal, Provincial and Federal Agencies.**

| AGENCY               | REPRESENTATIVE | STATUS |
|----------------------|----------------|--------|
| Municipal Government |                |        |

<sup>1</sup> <https://www.betterdeltaport.ca/News?page=1>

|  |  |            |
|--|--|------------|
| City of Delta  | George Harvie, Mayor<br>City Council<br>Sean McGill, City Manager<br>Bernita Iversen, Manager of Corporate Policy<br>Param Grewal, Director of Public Engagement and Intergovernmental Affairs | Engaged    |
| City of Langley                                      | Val van den Broek, Mayor<br>City Council   | Identified |
| City of Richmond                                     | Malcolm Brodie, Mayor<br>City Council<br>George Duncan, City Manager   | Identified |
| City of Surrey                                       | Doug McCallum, Mayor<br>City Council<br>Vincent Lalonde, City Manager  | Identified |
| City of Vancouver                                    | Kennedy Stewart, Mayor<br>City Council<br>Sadhu Johnston, City Manager   | Engaged    |
| Delta Fire & Emergency Services                      | Paul Schofield, Fire Chief   | Identified |
| Delta Police Department                              | Neil Dubord, Chief Constable   | Engaged    |
| Metro Vancouver                                      | Jerry Dobrovolny, CAO  | Identified |
| <b>Provincial Government</b>                         |  |            |
| Member of Legislative Assembly (MLA)<br>Delta North  | Ravi Kahlon  | Engaged    |
| Member of Legislative Assembly (MLA)<br>Delta South  | Ian Paton  | Engaged    |
| Ministry of Environment & Climate<br>Change Strategy | MLA George Heyman<br>Senior Ministerial Assistant<br>Kevin Butterworth, Executive Director,<br>Environmental Emergencies and Land<br>Remediation Branch  | Engaged    |
| Ministry of Transportation and<br>Infrastructure     | MLA Claire Trevena   | Engaged    |

|  |  |            |
|--|--|------------|
|  | Will Beale, Senior Ministerial Assistant<br>Kevin Volk, Assistant Deputy Minister<br>Sohee Ahn, Executive Director Integrated Transportation Planning  |            |
| Office of the Premier                                      | John Horgan, Premier of British Columbia<br>Geoff Meggs, Chief of Staff<br>Don Wright, Deputy Minister to the Premier  | Engaged    |
| <b>Provincial Government Agencies / Health Authorities</b> |  |            |
| BC Environmental Assessment Agency                         | Kevin Jardine<br>Heidi Gibson<br>Kim Walters<br>Jessie Hannigan  | Engaged    |
| Fraser Health Authority                                    | TBD  | Identified |
| <b>Federal Government</b>                                  |  |            |
| BC Caucus of the Conservative Party of Canada              | Members of Parliament  | Engaged    |
| BC Pacific Caucus of Liberal Party of Canada               | Members of Parliament  | Engaged    |
| Delta Member of Parliament                                 | The Honourable Carla Qualtrough<br>Chief of Staff  | Engaged    |
| Minister of Environment and Climate Change                 | The Honourable Jonathan Wilkinson<br>BC Regional Desk  | Engaged    |
| Minister of Fisheries and Oceans                           | The Honourable Bernadette Jordan Chief of Staff<br>Director of Policy<br>BC Regional Desk<br>Nicholas Winfield, Director General, Ecosystems Management<br>Philippe Morel, Assistant Deputy Minister, Aquatic Ecosystems Sector<br>Kevin Stringer, Associate Deputy Minister of Fisheries and Oceans<br>David Carter, Regional Manager | Engaged    |

|   |   |            |
|---|---|------------|
|   | Brad Fanos, Regulatory Reviews Manager  |            |
| Minister of Transport                     | The Honourable Marc Garneau<br>Chief of Staff<br>Shane McCloskey, Policy Advisor, Minister of Transport<br>Philip Kuligowski Chan, BC Regional Desk   | Engaged    |
| Office of the Prime Minister              | BC Regional Desk<br>Ministers Regional Office (MRO)   | Engaged    |
| Privy Council Office                      | Paul Halucha, Assistant Secretary to the Cabinet, Economic and Regional Development Policy  | Engaged    |
| <b>Federal Government Agencies</b>        |   |            |
| Canadian Transportation Agency            | Scott Streiner, Chair and CEO   | Engaged    |
| Environment and Climate Change Canada     | Jason Cagampan, Senior Environmental Assessment Officer<br>Iannick Lamirande, Senior Advisor<br>Taylor Groenewoud, Environmental Assessment Officer   | Engaged    |
| Health Canada                             | Regional Director   | Identified |
| Impact Assessment Agency of Canada (IAAC) | Regina Wright, Director Pacific & Yukon Region<br>Garett Cooper, Team Lead<br>Stefan Crampton, Project Manager  | Engaged    |
| Parks Canada                              | Regional Director   | Identified |
| Transport Canada                          | Michael Keenan, Deputy Minister<br>Lawrence Hanson, Assistant Deputy Minister, Policy<br>Robert Dick, Assistant Deputy Minister, Pacific Region<br>Marc-Yves Bertin, Director General, Marine Policy<br>Ian Chatwell, Regional Director, Programs<br>Chris Hoff, Regional Manager | Engaged    |

|                                 |  |            |
|---------------------------------|--|------------|
|                                 | Christian Dea, Director General, Transportation and Economic Analysis and Chief Economist  |            |
| Vancouver Fraser Port Authority | Robin Silvester, President and CEO<br>Peter Xotta, Vice President, Planning and Operations | Identified |

### 1.19 Summary of Previous Engagement

Since 2015, GCT has been proactively meeting with municipalities and provincial and federal government agencies specifically in relation to the Project. As outlined in Table 6 and further described below, a number of municipalities and provincial and federal government agencies have already been engaged by GCT.

#### *Municipal*

Given our proximity to the City of Delta and surrounding municipalities, GCT has conducted multiple in-person meetings and presented to the Mayor and Council as a whole to provide updates on the Project. GCT met with the previous Mayor of Delta, Lois Jackson, in April 2016 along with the then City Manager, George Harvie. Following the election of George Harvie as Mayor in 2018, GCT continued to provide regular updates and in-person briefings to gather feedback during the development of the Project design. GCT recently hosted the Mayor and senior staff at an in-person briefing at Deltaport on March 6, 2019 followed by a tour of the terminal, which allowed for an open dialog on the Project location, environmental and community impacts, and engagement opportunities. Feedback and concerns from these sessions is further outlined in Table 7. On April 8, GCT emailed a formal letter to the City of Delta in relation to the development of the IPD and Engagement Plan to gather additional feedback and met with the City of Delta via videoconferencing on May 13, 2020. An example of these early engagement documents can be found in **Appendix A**.

The City of Delta also tracks important engagement points and makes available to the public, reports and updates provided to council.<sup>1</sup> In July 2020, the City of Delta wrote to the Minister of Environment and Climate Change requesting that the Project be assessed as a potential alternative to proposed Roberts Bank Terminal 2.<sup>2</sup>

Each year, GCT participates in an interagency emergency response exercise at GCT Deltaport at Roberts Bank. The exercise simulates a major hazardous material spill or other emergency event. Through these exercises, GCT has engaged with a number of agencies to determine their critical needs, which have been used to inform the design of the Project. The agencies often participating in these exercises include the City of Delta, Delta Fire & Emergency Services, Delta Police Department, Vancouver Fraser Port Authority, BC Rail, Fraser Health Authority, and Westshore Terminals.

#### *Provincial*

Beginning in February 2016, GCT has been engaging with elected Members of the Legislative Assembly, Ministries, department staff and relevant agencies with a particular focus on the provincial government representatives listed

<sup>1</sup> <http://www.delta.ca/your-government/external-projects-issues/global-container-terminals-deltaport>

<sup>2</sup> <https://delta.civicweb.net/document/197779?id=8e66b3ab-b5f7-4b17-8540-57444fec6cc4>

in Table 6. These meetings offered a chance for GCT to describe the Project, solicit early feedback, and incorporate that feedback into its PPE, IPD and Engagement Plan. Engagement included in person meetings in Vancouver, Victoria and Delta; tours of GCT Deltaport; emails; and phone calls to provide an overview of the Project and answer any specific questions or concerns. GCT has maintained regular contact with the representatives outlined in Table 6.

GCT met with the BCEAO on March 20, 2020 to more formally initiate discussions in relation to the Project and obtain feedback on the Early Engagement Plan and IPD under the *Environmental Assessment Act* (2018). A summary of the above feedback received in these meetings is set out in Table 7.

**Federal**

GCT has been actively engaged with the VFPA<sup>1</sup>, federal officials, relevant Ministries, department staff and agencies since January 28, 2015. This early engagement with the federal government has taken a number of forms but most commonly included in person meetings in Vancouver and Ottawa, tours of GCT Deltaport, emails and formal correspondence with updates on the Project. At all of these meetings, the federal government was asked to provide feedback on various components of the Project, including the best method of staying in touch, which has been incorporated into this Engagement Plan.

GCT met with the Impact Assessment Agency of Canada (IAAC) on March 11, 2020 to formally initiate discussions in relation to the Project and obtain feedback on the IPD under the new *Impact Assessment Act*. The IAAC encouraged cooperation and communication between GCT, IAAC and the BC EAO and would determine respective levels of involvement under the current IAAC-BCEAO collaboration agreement prior to submission of one final IPD to the IAAC and BCEAO. GCT has spoken previously with DFO representatives and provided a Project update to DFO’s Regional Office on April 9, 2020.

As our regulator and landlord, GCT provided formal notice of its intention to proceed with the Project and submitted its PPE on February 5, 2019 to the VFPA. A summary of feedback from the federal government, including preferred method of engagement, is outlined in Table 7.

**1.20 Interests or Issues identified by Municipal, Provincial and Federal Agencies**

Below is a table identifying the key interests or issues raised by each organization, if any, and GCT’s response.

**Table 7: Key Issues Raised by Municipal, Provincial and Federal Agencies.**

| ORGANIZATION     | ISSUE RAISED   | GCT RESPONSE  |
|------------------|--|---|
| <b>Municipal</b> |  |   |
| City of Delta    | Noise, light pollution, traffic congestion, and overall human health. Staff expressed support for GCT and asked for any and all updated information on | GCT has been providing regular updates and will follow up with a copy of any studies and further information about the project for incorporation into a |

<sup>1</sup> The VFPA’s administrative, permitting and other powers with respect to the DP4 Project, including those related to port operations, are currently the subject of judicial review.

|  |  |   |
|--|--|---|
|  | the Project for inclusion in a report to Council.  | report to Council. GCT will also provide a copy of the final Engagement Plan and IPD.   |
| <b>Provincial</b>                        |  |   |
| BC Environmental Assessment Office       | Provided feedback on IPD and Engagement Plan in relation to DP4.   | GCT to schedule additional meetings to ensure close collaboration throughout the Project.   |
| <b>Federal</b>                           |  |   |
| Department of Fisheries and Oceans (DFO) | Recommended early engagement directly with pacific region representative.<br>Regional Manager, David Carter, indicated that DFO prefers that a Request to Review be submitted subsequent to the Project description being completed, and will review the project in detail at that time. DFO suggested GCT review Section 73 of the <i>Species at Risk Act</i> . | GCT virtually met with David Carter, Regional Manager on April 9, 2020 and provided an update on the Project. GCT will submit a formal Request to Review. |
| Environment and Climate Change Canada    | Concerns around potential Project effects on biofilm.  | GCT to include information on issue raised in IPD and provide available studies.  |
| Impact Assessment (IAAC)                 | The IAAC encouraged cooperation and communication between GCT, IAAC and the BC EAO and would determine respective levels of involvement under the current IAAC-BCEAO collaboration agreement prior to submission of one final IPD to the IAAC and the BC EAO.  | GCT to schedule additional meetings to ensure close collaboration throughout the Project.   |
| Transport Canada                         | Questions regarding studies completed to date, container capacity and intra-port competition.  | GCT provided all available studies related to DP4.  |
| VFPA                                     | Subject of Judicial Review.  | GCT to follow up for further feedback.  |

### 1.21 Description of Proposed Engagement

Beyond the list of overall engagement activities on the following page, GCT will seek feedback at the outset of engagement activities and throughout the process, should modifications be necessary (eg. change in frequency,



type of information provided, and structure). GCT will continue to offer site tours and has made the boardroom at GCT Deltaport available for in-person meetings with municipalities, provincial and federal agencies. As most of the municipalities and government agencies have a permitting function in relation to the Project, GCT will provide and update a workback plan, see Section 2.4 of the IPD, to coordinate the multiple levels of government support required.

In order to ensure each of the municipal, provincial, and federal representatives listed in Table 6 continue to be engaged with past the filing of the IPD, GCT will provide email notifications of engagement opportunities as they arise for internal and external distribution. These will be specific to each community/level of government but also provide information on broader engagement activities in order to observe public interest and provide feedback on the Project. These engagement opportunities, particularly for municipalities, will also be posted on a central Project website to which staff can refer to at any time. Close communication with municipalities and government agencies is critical in order to support our greater public and stakeholder engagement activities.

GCT has the following goals for engaging with municipalities and government agencies so that they can better understand the proposed Project, ask questions, and provide feedback:

1. Provide email updates to municipalities and government agencies on the Project;
2. Share the GCT Project website, containing project updates, and community engagement opportunities;
3. Track concerns raised by municipalities and government agencies;
4. Provide formal and timely responses to municipalities and government agencies related to Project concerns;
5. Offer multiple in-person presentations to staff and council;
6. Offer GCT Deltaport site tours;
7. Request feedback on public and stakeholder engagement activities; and
8. Consider feedback regarding Project design and communicate results of these considerations.

In addition to the above, GCT will seek recommendations from municipalities and elected officials on how best to engage their community on the Project, such as locations for the open house, or suggested community events to participate in. In addition to the demographic information publicly available, we will seek feedback from local government on reaching under-represented populations to ensure engagement activities are inclusive and representative.

## **1.22 Preliminary List of Municipal Plans Relevant to the Environmental Assessment**

The following is a preliminary list of relevant local government plans for consideration during the Environmental Assessment. While the City of Delta, TFN, VFPA, and Metro Vancouver were considered given the proximity of the Project, the City of Surrey and the City of Richmond’s municipal plans were reviewed in relation to transportation and infrastructure requirements.

### **Table 8: Relevant Municipal Plans.**

| AGENCY                  | MUNICIPAL PLAN DESCRIPTION                                |
|-------------------------|---|
| City of Delta           | City of Delta Official Community Plan                     |
| City of Richmond        | City of Richmond Official Community Plan                  |
| City of Surrey          | City of Surrey Official Community Plan                    |
| Metro Vancouver         | Regional Growth Strategy<br>Ecological Health Action Plan |
| Tsawwassen First Nation | TFN Land Use Plan   |
| VFPA                    | Port of Metro Vancouver Land Use Plan (2014)              |

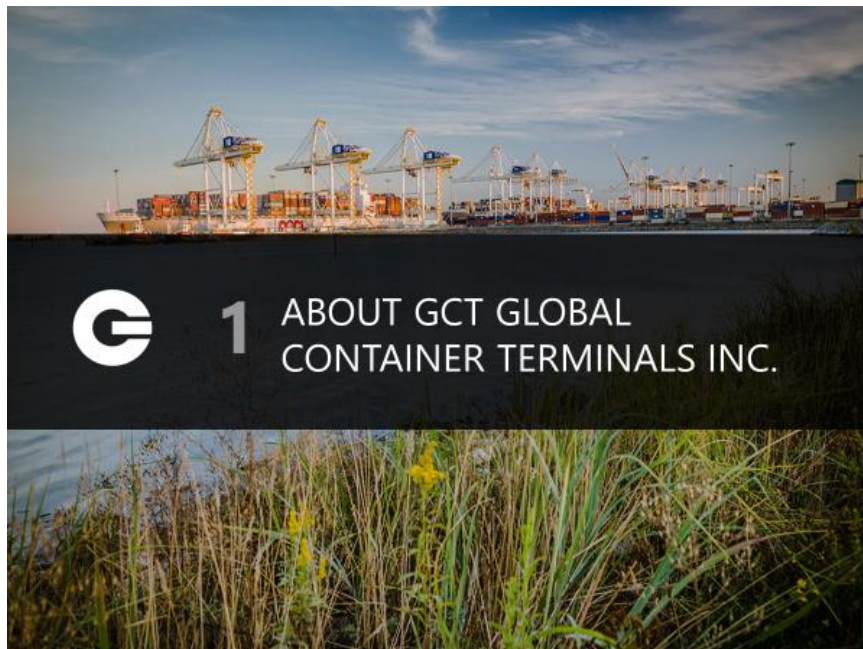
## APPENDIX A – EXAMPLE OF EARLY ENGAGEMENT DOCUMENTS



### Outline

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1. About GCT Global Container Terminals Inc.
2. GCT DP4 Project
3. Assessment Process
  - Initial Project Description
  - Engagement and Consultation
4. Discussion and next steps



**G 1 ABOUT GCT GLOBAL  
CONTAINER TERMINALS INC.**



**GCT Global Container Terminals Inc.**



HQ in Vancouver, 4 million TEU\* capacity at leading global gateways

**GCT CANADA**  
 ↳ BIGGER GATEWAY with further reach  
 ↳ Leading industry transaction times: NIGHT GATE  
 ↳ Strategic Class 1 RAILWAY PARTNERSHIPS

**GCT VANERM**  
 GCT Deltaport  
 GCT Inc. HQ

**GCT BAYONNE**  
 GCT New York

**GCT USA**  
 ↳ BIG ship ready  
 ↳ HIGHEST PRODUCTIVITY  
 ↳ SEMI-AUTOMATED state-of-the-art terminal

\*TEU: twenty-foot equivalent unit is unit of cargo capacity often used to describe the capacity of container ships and container terminals. It is based on the volume of a 20-foot-long (6.1 m) intermodal container, a standard-sized metal box which can be easily transferred between different modes of transportation, such as ships, trains and trucks.

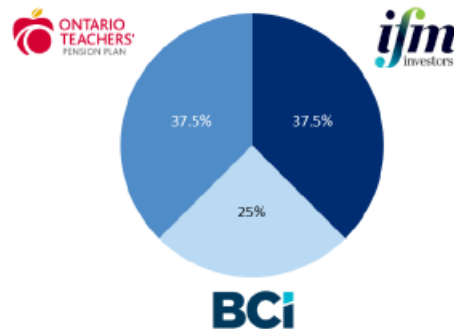
GCT Canada Limited Partnership

4

## GCT Global Container Terminals Inc.

- Majority owned (62.5%) by Canadian Institutional Investors, investing on behalf of the Ontario Teachers Pension Plan and British Columbia public sector clients..

### GCT Ownership



GCT Canada Limited Partnership

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## GCT Executive Team



**Doron Grosman**  
President & CEO

**Cheryl Yaremko**  
Chief Financial Officer

**Scott Carroll**  
Chief Human Resources  
Officer

**Todd Croll**  
General Counsel &  
Corporate Secretary



**John Atkins**  
President, GCT USA

**Eric Waltz**  
President, GCT Canada

**Marko Dekovic**  
Vice President, Public Affairs

GCT Canada Limited Partnership

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## GCT Deltaport

### Key Highlights

|                     |  |
|---------------------|--|
| <b>Detail</b>       | Canada's flagship marine terminal                                      |
| <b>Size</b>         | 210 acres  |
| <b>Capacity</b>     | 2.4 million TEUs annually  |
| <b>Berth</b>        | 3, megaship equipped   |
| <b>Rail</b>         | On-dock, 8,334 metres (27,350')  |
| <b>Rail Service</b> | Daily to US Midwest; over 400,000 TEUs delivered to US markets in 2019 |
| <b>STS Cranes</b>   | 2 new Megamax, 10 Super Post Panamax; 12 total                         |



## GCT Mission and Values

### Mission

Forward thinking in every way.

GCT's overall mission is to provide value to our customers by operating in a cost-effective, secure, and environmentally responsible manner that also fosters a safe and congenial workplace. As leaders in the marine transportation industry, it is also our mission to continue setting a high standard in terms of sustainable practices and innovative procedures.

### Values: Safety. Pride. Professionalism

The three words that define us.

*Safety. Pride. Professionalism.* Far beyond just a tagline, these are the words behind every action, innovation, and success at GCT. These principles are upheld daily by our leadership, staff, and workforce to provide best-in-class service to our customers and stakeholders.



## Indigenous and Community Investments

- 2010 *Memorandum of Understanding (MOU)* with Tsawwassen First Nation that sets out the framework for respectful collaboration in a number of areas of mutual benefit including economic development, training and employment.
- Platinum sponsor of the inaugural [Declaration Conference](#), which brought together Indigenous, business and other government leaders to build a collective understanding of the principles of the *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*.
- [\\$200,000 investment to support Indigenous-led](#) initiatives assessing [cumulative effects in south Salish Sea](#).
- Investing in communities:
  - **Delta** (11 organizations including Farmland & Wildlife Trust, Hospital Foundation and Reach Child & Youth Development)
  - **Vancouver** (11 organizations including BC Children's Hospital, Hastings Elementary School and Mission Possible)

## Responsible Stewards

### Proven environmental performance

- GCT honoured with prestigious Clean50 Top 15 clean projects award
- As part of our initiative to set the standards for sustainability in the marine industry, GCT terminals are Green Marine certified earning "Excellence & Leadership" in nearly every category
- GCT Canada was recognized by CN EcoConnexions Sustainable Partner program for 2018 and 2019



DELTA CHAMBER OF COMMERCE  
2017 GREEN BUSINESS  
OF THE YEAR  
AWARD WINNER



A TOP-15 SUSTAINABILITY PROJECT  
IN THE 2017 CANADA CLEAN50  
AWARDS







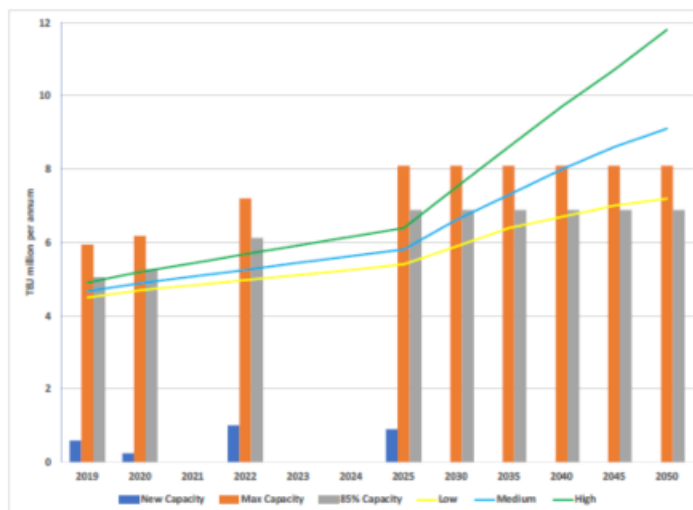
## Long-Term Canadian Port Infrastructure Investor

### History of GCT investments in Port of Vancouver



## Overview – Context

Figure 2: Predicted Demand vs Capacity of West Coast Canada Container Ports.



## Overview – Proposed Project Location

Figure 1: GCT Deltaport Expansion, Berth Four Project Area.



## GCT Deltaport Berth 4 Project

### Project rendering



## Informed by Studies

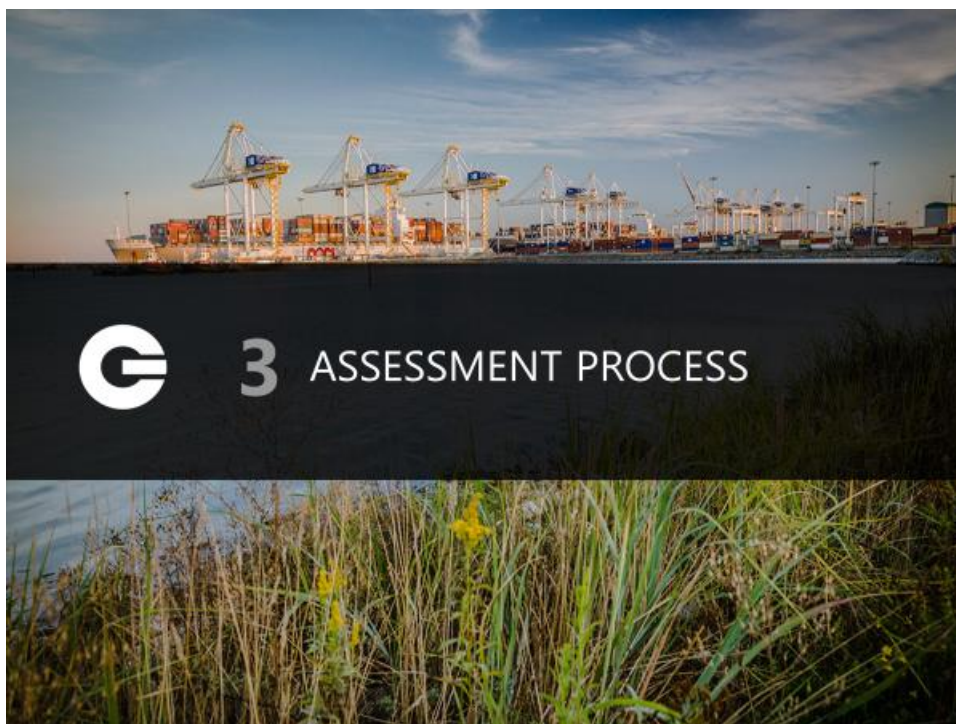
- GCT independently engaged expert advisors, environmental and engineering consultants to examine capacity options for Canada's West Coast. Based on their findings, incremental expansion of GCT Deltaport that would deliver up to 2 million TEUs of additional capacity in two construction stages is deemed feasible.

Sample of Studies

| DATE | VENDOR               | DESCRIPTION   |
|------|----------------------|---|
| 2014 | Parsons Brinckerhoff | Roberts Bank Container Terminal Capacity Enhancement alternatives                         |
| 2015 | Amec Foster Wheeler  | Conceptual Fisheries Offsetting Plans for the Proposed Deltaport Expansion Project        |
| 2016 | CPCS                 | Assessment of Policy Options to Satisfy Canadian West Coast Container Port Capacity Needs |
| 2017 | PGL                  | Preliminary Environmental Impacts Comparison: RBT2 & DP4                                  |
| 2018 | Ausenco              | GCT Deltaport Expansion: Offsetting Outline and Approach                                  |
| 2019 | Black Quay           | Analysis of Capacity Options on the West Coast of Canada                                  |

## Proposed Roberts Bank Projects

|                             | DP4  |
|-----------------------------|--|
| <b>Project Footprint</b>    | Smaller  |
| <b>Environmental Impact</b> | Lower  |
| <b>Development Approach</b> | Built in stages to meet demand   |
| <b>Funding</b>              | Private sector   |
| <b>Employment</b>           | Through negotiated agreements with ILWU Local 502                                |
| <b>Efficiency</b>           | One terminal complex with 4 contiguous berths and one large intermodal rail yard |





## Entering Assessment Process

Proponent meets Agency - discuss application requirements



Proponent prepares Initial Project Description (IPD)



Proponent submits IPD (10 day service review)

- DP4 will proceed through the new legislative process created by the *Impact Assessment Act* (Canada) and the *Environmental Assessment Act* (British Columbia)
- In order to enter the process, GCT is submitting an Initial Project Description (IPD) for DP4 as a project.
  - ✓ Drafts of the IPD and Engagement Plan being reviewed by IAAC and BCEOA.
  - Once accepted by the agency, starts the 180 day planning phase of the Impact Assessment Process and the initial 90 day initial review process under the BC Environmental Assessment Process.
- **Engagement Process**
  - ✓ GCT has been actively discussing DP4 with Federal, Provincial, and Municipal Authorities, relevant jurisdictions, Indigenous groups, community and environmental advocacy groups, and other interested parties.
  - ✓ Over ~100 meetings with multiple parties have occurred over the last 5 years.
  - ✓ Early engagement meetings are continuing to occur as advancing IPD submission.

## Engagement and Consultation

1. Requirements for the Initial Project Description (IPD)
  - list of Indigenous groups that may be affected by the carrying out of the project;
  - summary of any engagement undertaken with the Indigenous peoples of Canada, including:
    - a summary of key issues raised and the results of the engagement; and
    - a brief description of any plan for future engagement
2. Subsequent First Nations Engagement and Consultation
  - requirements will be determined by the Impact Assessment Agency
  - will do so in consultation with Indigenous groups
  - once decided, will inform proponent of what is required



## Next steps

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- Your feedback is welcome as the Initial Project Description is prepared.
- We look forward to ongoing engagement over the coming months to ensure we understand your views and learn how we can best work together on this project.
- Any comments, questions or requests for additional information can be directed to:
  - Marko Dekovic – **\*\*\*\*\***
- More information on the DP4 project is available at:  
<https://globalterminalsCanada.com/projectupdates/>  
and  
[www.betterdeltaport.ca](http://www.betterdeltaport.ca)

## APPENDIX B – RELEVANT AGREEMENTS, MEMORANDUMS OF UNDERSTANDING, ASSESSMENT PROTOCOLS, TREATIES OR OTHER PUBLICLY AVAILABLE INFORMATION

### **Sc'ianew (Beecher Bay) First Nation**

According to the Government of Canada's Aboriginal and Treaty Rights Information System (ATRIS) (Government of Canada 2020d), the Sc'ianew First Nation is involved in negotiations through the Te'mexw Treaty Association, which is negotiating with Canada and BC in the BC Treaty Process on behalf of its 5 member bands: Malahat, Sc'ianew (Beecher Bay), Songhees, Snaw-aw-as (Nanoose) and T'sou-ke First Nations. They are in Stage 5 (Final Agreement Negotiations). Completed agreements include the Te'mexw Treaty Association Agreement-in-Principle (AiP) – 2015 and Sc'ianew First Nation Incremental Treaty Agreement – 2013 (Government of BC 2020b). Sc'ianew First Nation has signed a framework agreement under the *First Nation Land Management Act*. Sc'ianew First Nation has been operating under the *First Nations Land Management Act* since the ratification and have been operational under their Land Code since August 1st, 2003 (Sc'ianew First Nation 2020).

### **Cowichan Tribes**

Cowichan Tribes is part of the Hul'qumi'num Treaty Group, which has transitioned into Stage 5 of the BC Treaty Process (Final Agreement) (Government of BC 2020b). Cowichan Tribes is also a part of the Cowichan Nation Alliance, a group of Indigenous Groups who represent their members in rights and title negotiations. In 2019, Cowichan Tribes signed a framework agreement under the *First Nation Land Management Act* and voted to adopt a new land code (Quw'utsun Tumuhw)(Cowichan Tribes 2020c).

### **Ditidaht First Nation**

The Ditidaht First Nation has been negotiating at a common table with Pacheedaht First Nation since 1996 (Nitinaht 2020). The treaty table is in Stage 5 negotiations to finalize a treaty. Completed agreements include the Ditidaht and Pacheedaht Agreement-in-Principle – 2019, and the Ditidaht Incremental Treaty Agreement – 2013 (Government of BC 2020b). The Ditidaht First Nation signed a framework agreement in 2019 under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020).

### **Esquimalt Nation**

A treaty signed with Governor Douglas in 1850, guaranteed continued access to fishing and hunting, and maintenance of our spiritual relationship with the land, the resources, and our ancestors (Esquimalt 2020). According to the Government of BC website, the Province is working with Esquimalt First Nation on land and resource issues outside the BC Treaty Process (Government of BC 2020b). The Esquimalt First Nation has not signed a framework agreement under the *First Nation Land Management Act* (Indigenous and Northern Affairs Canada 2014).

## First Nations of Maa-nulth

The Maa-nulth First Nations Final Agreement is Vancouver Island's first modern-day treaty and the first multi-nation treaty under the BC Treaty Commission process. The Treaty came into effect on April 1, 2011. The governance of the Maa-nulth First Nations is based on the *Maa-nulth First Nations Final Agreement Act*. The *Maa-nulth First Nations Final Agreement Act* operates within the framework of the Constitution of Canada and the *Canadian Charter of Rights and Freedoms* applies to the Maa-nulth First Nation governments. With the exception of determining Indian status, after a transition period the *Indian Act* will no longer apply to the Maa-nulth First Nations, their lands or members. Instead, constitutionally-protected self-government provisions will enable each Maa-nulth First Nation to make its own decisions about matters related to the preservation of its culture, the exercise of its treaty rights and the operation of its government (Maa-nulth First Nations 2020).

## Halalt First Nation

Halalt First Nation is part of the Hul'qumi'num Treaty Group, which has transitioned into Stage 5 of the BC Treaty Process (Final Agreement) (Government of BC 2020b). Halalt First Nation is also a part of the Cowichan Nation Alliance, a group of Indigenous groups who represent their members in rights and title negotiations. Halalt First Nation has not signed a framework agreement under the *First Nation Land Management Act* (Indigenous and Northern Affairs Canada 2014).

## Katzie First Nation

The Katzie First Nation are negotiating their land treaty independently, and are not part of either Sto:lo tribal councils (the Stó:lo Nation and the Stó:lō Tribal Council). They are in Stage 4 of the BC Treaty Process (negotiating an Agreement in Principle with Canada and the province; Government of BC 2020b). Katzie First Nation recently signed a framework agreement under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020).

## Kwantlen First Nation

Until 2018, Kwantlen First Nation was part of the Stó:lō Tribal Council. Kwantlen First Nation is not currently involved in treaty negotiations with the Province of BC and the Government of Canada (Government of BC 2020b). Stó:lō Tribal Council is working on land and resource agreements with BC outside of the treaty process. Kwantlen First Nation has signed a framework agreement under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020).

## Kwikwetlem First Nation

Kwikwetlem First Nation is not participating in the BC Treaty Process (Government of BC 2020b). Kwikwetlem First Nation recently signed a framework agreement under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020). They are currently working to ratify the Kwikwetlem First Nation Land Code (Kwikwetlem First Nation 2019).



## Lake Cowichan First Nation (Ts'uubaa-asatx Nation)

The Lake Cowichan First Nation is affiliated with the Hul'qumi'num Treaty Group. The Hul'qumi'num Treaty Group is involved in treaty negotiations on behalf of its member First Nations and has transitioned into Stage 5 of the BC Treaty Process (Final Agreement) Treaty Process (Government of BC 2020b). Lake Cowichan First Nation has signed a framework agreement under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020).

## Leq'á:mel First Nation

Leq'á:mel is a member of the Stó:lō Xwexwilmexw Treaty Association negotiating in the B.C. treaty process on behalf of 6 of 11 bands in the Stó:lō Nation. Stó:lō Xwexwilmexw Treaty Association is in Stage 5 of the Treaty process (Government of BC 2020b). Leq'á:mel First Nation has signed a framework agreement under the *First Nation Land Management Act* (Leq'á:mel First Nation 2020c).

## Lyackson First Nation

Lyackson First Nation is part of the Hul'qumi'num Treaty Group, which has transitioned into Stage 5 of the BC Treaty Process (Final Agreement) (Government of BC 2020b). Lyackson First Nation is also a part of the Cowichan Nation Alliance, a group of Indigenous groups who represent their members in rights and title negotiations. Lyackson First Nation has not signed a framework agreement under the *First Nation Land Management Act* (Indigenous and Northern Affairs Canada 2014).

## Malahat Nation

Malahat Nation is a member of the Te'mexw Treaty Association, which is negotiating with Canada and BC in the BC Treaty Process on behalf of its five member bands: Malahat, Sc'ianew (Beecher Bay), Songhees, Snaw-aw-as (Nanoose) and T'sou-ke First Nations. They are in Stage 5 (Final Agreement Negotiations). Completed agreements include the Te'mexw Treaty Association Agreement-in-Principle (AiP) – 2015 and Malahat Nation Incremental Treaty Agreement – 2013 (Government of BC 2020b). The Malahat Nation recently signed a framework agreement in 2019 under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020).

## Matsqui First Nation

The Matsqui First Nation is one of 11 Sto:lo Nation bands negotiating land and resource issues outside the BC Treaty Process (Government of BC 2020b). Matsqui recently signed a framework agreement in 2019 under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020).

## Métis Nation of British Columbia

According to the Métis Nation of British Columbia website, it is not involved in treaty negotiations. However, in 2006 the Métis Nation of British Columbia and the Province of BC signed the Métis Nation Relationship Accord to signify a positive working relationship for the self-identified Métis in BC (Métis Nation British Columbia 2020).

## **Musqueam Indian Band**

The Musqueam have established aboriginal rights as affirmed by the Supreme Court of Canada in *R. v. Sparrow*, [1990] 1 S.C.R. 1075. The Musqueam Indian Band have signed a Collaborative Management Agreement for the management of Crown tenures in the Fraser River Transition Area. Currently in Stage 4 of the Treaty Process, the Musqueam are negotiating independently with Canada and British Columbia; however, negotiations are currently on hiatus. Musqueam Indian Band has signed a framework agreement under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020).

## **Pacheedaht First Nation**

According to the BC Assembly of First Nations website, the Pacheedaht First Nation is currently negotiating with Canada and BC in the BC Treaty Process at a common treaty table with the Ditidaht First Nation. It is at Stage 5 of the Treaty Process. Completed agreements are the Ditidaht and Pacheedaht Agreement-in-Principle (2019) and Pacheedaht Incremental Treaty Agreement (2013) (Government of BC 2020b). Pacheedaht First Nation has not signed a framework agreement under the *First Nation Land Management Act* (Indigenous and Northern Affairs Canada 2014).

## **Pauquachin First Nation**

The Pauquachin First Nation is not participating in the BC Treaty Process (Government of BC 2020b). The Pauquachin First Nation has not signed a framework agreement under the *First Nation Land Management Act* (Indigenous and Northern Affairs Canada 2014).

## **Penelakut Tribe**

The Penelakut Tribe is part of the Hul'qumi'num Treaty Group, which has transitioned into Stage 5 of the BC Treaty Process (Final Agreement). The Statement of Intent of the Hul'qumi'num Treaty Group includes both its core territory and a marine territory (Government of BC 2020b). The Penelakut Tribe are also part of the Cowichan Nations Alliance, an association of Indigenous groups that represents their members in rights and title negotiations. The Cowichan Nations Alliance began legal action in 2019 to reclaim the historic village site of Tl'uqti'num and other lands in what is present day Richmond and Delta including the right to fish in the South Arm of the Fraser River, which includes the Project area. The Penelakut Tribe recently signed a framework agreement in 2020 under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020).

## **People of the River Referral Office**

The People of the River Referral Office was formed on June 12, 2012, PRRO is an office of technical staff from Stó:lō Nation (Stó:lō Research and Resource Management Centre), Stó:lō Tribal Council, and the Ts'elxweyeqw Tribe. The PRRO provides administrative, research, and technical support throughout the referrals review process to several Stó:lō Communities within S'ólh Téméxw. (Stó:lō Research and Resource Management Centre 2016). The Strategic Engagement Agreement sets out the process for review and advising the Province on adverse effects that a project

may have on Stó:lō Nations and sets out timeframes for each party to respond. (Stó:lō First Nations and Government of BC 2019).

### **Popkum First Nation**

Popkum First Nation does not have a Framework Agreement under the *First Nations Land Management Act* and is not in the BC Treaty process.

### **Seabird Island Band**

The Seabird Island First Nation is not participating in the BC Treaty Process (Government of BC 2020b). Seabird Island Band has recently signed a framework agreement in 2020 under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020).

### **Semiahmoo First Nation**

Semiahmoo First Nation is not currently involved in treaty negotiations with the Province of BC and the Government of Canada. Semiahmoo First Nation has not signed a framework agreement under the *First Nation Land Management Act* (Indigenous and Northern Affairs Canada 2014).

### **Shxw'ow'hamel First Nation**

The Shxw'ow'hamel First Nation was a signatory member of the Strategic Engagement Agreement between Stó:lō First Nations and British Columbia (Stó:lō SEA) from April 1, 2014 to March 31, 2019. As of April 1, 2019, they are no longer members. Stó:lō SEA is managed by the People of the River Referral Office. The Shxw'ow'hamel First Nation recently signed a framework agreement in 2020 under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020).

### **Songhees Nation**

The Songhees Nation is involved in negotiations through the Te'mexw Treaty Association, which is negotiating with Canada and BC in the BC Treaty Process on behalf of its 5 member bands: Malahat, Sc'ianew (Beecher Bay), Songhees, Snaw-aw-as (Nanoose) and T'sou-ke First Nations. They are in Stage 5 (Final Agreement Negotiations). Completed agreements include the Te'mexw Treaty Association Agreement-in-Principle (AiP) – 2015 (Songhees Nation 2020b). Songhees Nation has signed a framework agreement under the *First Nation Land Management Act* and the Songhees Land Code was passed in 2010 (Songhees Nation 2020c).

### **Sq'ewlets**

Sq'ewlets as a member of the Stó:lō Tribal Council is working with Province of British Columbia on land and resource issues outside of the B.C. treaty process. Sq'ewlets has signed a framework agreement under the *First Nation Land Management Act* (Indigenous and Northern Affairs Canada 2014).

## **Squamish Nation**

The Squamish Nation is seeking a resolution for the long outstanding claim to our traditional territories. Squamish Nation's Statement of Intent to negotiate was accepted by the British Columbia Treaty Commission December 1993. This is the first of six stages of the BC treaty process. Presently, Squamish Nation is in the third stage of the process (Squamish Nation 2020). Squamish Nation status is inactive regarding a framework agreement under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020).

## **Stz'uminus First Nation**

The Stz'uminus First Nation has engaged in the Treaty Process both as a member of the Cowichan Nation Alliance and with the Hul'qumi'num Treaty Group. The Hul'qumi'num Treaty Group has transitioned into Stage 5 of the BC Treaty Process (Final Agreement) (Government of BC 2020b). The Stz'uminus have signed a framework agreement under the *First Nations Land Management Act* (First Nations Land Management Resource Centre 2020).

## **Tsartlip First Nation**

Tsartlip First Nation is in negotiation with the Province outside the BC Treaty Process. British Columbia and Tsartlip First Nation signed an Interim Reconciliation Agreement on March 23, 2017. The Tsartlip First Nation is noted as short term inactive regarding a framework agreement under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020).

## **Tsawout First Nation**

That Tsawout First Nation is not involved in the BC Treaty Process (Government of BC 2020b). Tsawout First Nation has signed a framework agreement under the *First Nation Land Management Act* (Tsawout First Nation 2020a).

## **Tsawwassen First Nation**

In 2007 the TFN signed a modern treaty with Canada. The treaty came into effect April 3, 2009. The TFN is the only treated nation with direct interests in the Project and is the Indigenous group closest to the Project. The Project is located adjacent to the lands and water lots owned by the TFN as part of the TFN Final Agreement between the Nation, Canada and the Province of BC (Tsawwassen First Nation ND). The Project also falls within or adjacent to waterbodies considered for traditional and economic use by the TFN in the TFN Harvest Agreement which forms part of the final agreement. The TFN has not signed a framework agreement under the *First Nation Land Management Act*.

GCT signed a Memorandum of Understanding with TFN in 2010. The Memorandum of Understanding outlines Principles of Collaboration to work together with transparency, honesty, and integrity, including participation in joint economic development opportunities, collaborate to develop new strategies to enhance local and regional economies, and adopt a respectful communication protocol among other principles.

## Tseycum First Nation

Tseycum First Nation is negotiating land and resource issues with BC outside of the BC Treaty Process (Government of BC 2020b). The Tseycum First Nation recently signed a framework agreement in 2019 under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020).

## Tsleil-Waututh Nation

Tsleil-Waututh Nation has been in Stage 4 of the BC Treaty Process for many years, but nothing has been finalized to date (Government of BC 2020b). Tsleil-Waututh Nation recently signed a framework agreement in 2019 under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020).

## T'Sou-ke Nation

T'sou-ke First Nation is a member of the Te'mexw Treaty Association, which is negotiating with Canada and BC in the BC Treaty Process on behalf of its 5 member bands: Malahat, Sc'ianew (Beecher Bay), Songhees, Snaw-aw-as (Nanoose) and T'sou-ke First Nations. They are in Stage 5 (Final Agreement Negotiations). Completed agreements include the Te'mexw Treaty Association Agreement-in-Principle (AiP) – 2015 and T'sou-ke Nation Incremental Treaty Agreement – 2013 (Government of BC 2020b). T'sou-ke First Nation recently signed a framework agreement in 2020 under the *First Nation Land Management Act* (First Nations Land Management Resource Centre 2020).

## Douglas Treaty First Nations

The Douglas Treaties, also known as the Vancouver Island Treaties, were signed between 1850 and 1854 by James Douglas, Chief Factor of Fort Victoria and governor of the colony of Vancouver Island. There were 14 treaties signed with aboriginal people around Victoria, Saanich, Sooke, Nanaimo and Port Hardy, and covers approximately 927 square kilometers. Eight of the Douglas Treaty First Nations are included in the engagement and consultation for Deltaport Expansion - Berth Four Project. Of the 8 First Nations, the modern day Esquimalt Nation has three of the Douglas Treaties, Songhees Nation has two of the Douglas Treaties, Tsawout First Nation and Tsartlip First Nation are combined under one Treaty, and Pauquachin First Nation and Tseycum First Nations are also combined under one Treaty. Beecher Bay (Sc'ianew) First Nation and T'Sou-ke Nation each have a separate Treaty.

Under the Douglas Treaties, First Nations have retained the right to fish and hunt as formerly done and retain existing village lands and fields for their use. The Douglas Treaties have held up as treaties in court and have successfully been used to uphold the rights of First Nations.

There have been a number of court cases that have confirmed the rights under the Douglas Treaties (Isaac 2016), these include:

- *R. v. White and Bob*, was decided in 1964. The B.C. Court of Appeal (affirmed by the Supreme Court of Canada) held that the agreements were treaties under the federal *Indian Act*, and therefore the hunting provisions took priority over provincial game laws.

- *R. v. Bartleman* in 1984. Another hunting case, it affirmed that the Saanich treaty right to hunt on unoccupied public or private land included lands anywhere in the traditional hunting territory of the tribe, whether they were within the lands ceded by this particular First Nation's treaty or not.
- *Saanichton Marina Ltd. v Claxton* in 1989. Tsawout Band successfully obtained a permanent injunction restraining the construction of a marina in Saanichton Bay on the grounds that the proposed facility would interfere with fishing rights promised to them by their 1852 treaty.
- *R. v. Morris* in 2005. The Supreme Court of Canada was asked to decide a very narrow issue: Was a provincial ban on hunting at night a justifiable infringement on the Saanich treaty right to hunt? The court found that night hunting was not inherently dangerous, so the Saanich people could exercise their treaty right to hunt at night as long as they did so in a safe manner.