



Third Indigenous Consultation Report.

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Vopak Pacific Canada

January 2021



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1 Introduction

1.1 Project Overview

Vopak Development Canada Inc. (Vopak), a wholly-owned subsidiary of Royal Vopak, is investigating the opportunity to construct, own and operate a new bulk liquids tank storage facility in Prince Rupert, British Columbia (BC). This project is called Vopak Pacific Canada (the Project).

The Project is proposed to be located on Ridley Island within the lands and waters under the jurisdiction of the Prince Rupert Port Authority (PRPA). At full build-out the facility will have a capacity of 90,000 cubic metres (m³) of liquefied petroleum gas (LPG), 260,000 m³ of diesel and/or gasoline and 220,000 m³ of methanol. It will consist of the following major components:

- › a bulk liquids tank storage facility
- › a jetty
- › supporting infrastructure and facilities, including power supply and a wastewater treatment system.

The Project requires environmental effects determinations by federal authorities under Section 67 of the *Canadian Environmental Assessment Act, 2012* (CEAA 2012), as well as an Environmental Assessment Certificate (EAC) under the BC *Environmental Assessment Act* (BCEAA). The Project will undergo a coordinated environmental assessment (EA) process between the British Columbia Environmental Assessment Office (BC EAO) and federal authorities. Vopak filed a Project Description with the provincial and federal government agencies on June 27, 2018 and the EAO issued the Terms of Reference (TOR)/Application Information Requirements (AIR) on July 26, 2019.

1.2 Purpose of the Indigenous Consultation Report

This Indigenous Consultation Report #3 (the Report) provides a summary of efforts undertaken by Vopak to consult with Indigenous nations listed in Schedule B of the BC EAO's Section 11 Order in accordance with the approved Indigenous Consultation Plan (March 2019). Indigenous Consultation Report #1 was submitted in November 2019 and Indigenous Consultation Report #2 was submitted in September 2020.

Indigenous Consultation Report #1 (ICR #1) was developed to satisfy requirements of Section 13.1.1 of the Section 11 Order to develop an Indigenous Consultation Report within 60 days after the issuance of the AIR. It provided a record of engagement activities in Stage 1 Initial Engagement and Stage 2 Pre-Environmental Effects Evaluation (EEE)/Application for an Environmental Assessment Certificate (Application) engagement up until the BC EAO's issuance of the TOR/AIR. The first report documented consultation and engagement activities that occurred between January 2, 2018 and July 31, 2019.

Indigenous Consultation Report #2 (ICR #2), required pursuant to Section 13.3.1 of the Section 11 Order, was submitted at the time of filing of the EEE/Application. It provided an update to the record of Stage 2 – Project Description and Terms of Reference/Pre-Application Phase engagement up until just before the submission of the EEE/Application. ICR #2 documented consultation and engagement activities that occurred between August 1, 2019 until July 15, 2020.

Pursuant to Section 13.3.1 of the Section 11 Order, this Report is due 100 days after was submitted at the time of filing of the EEE/Application. It provides a summary of the engagement activities in Stage 3 – Draft EEE/Application Review Phase Consultation. It is comprised of the following sections:

1. An overview of the Indigenous Consultation Plan (Section 2).
2. A summary of consultation activities for each Indigenous nation from July 16, 2020 to January 18, 2021, including input received from the Indigenous nation, and how Vopak has addressed the input (Section 3).
3. Next steps for Indigenous consultation activities (Section 5).

2 Indigenous Consultation Plan

The Indigenous Consultation Plan was developed as part of Vopak's commitment to provide meaningful opportunities for Indigenous nations to participate in Project planning and design, and to raise concerns and issues. The Indigenous Consultation Plan was designed to meet the Indigenous consultation requirements set out in the Section 11 Order and requirements of Indigenous nations.

The Indigenous Consultation Plan was submitted to the BC EAO on March 18, 2019 and is based on input received from Indigenous nations on two draft versions. The BC EAO approved the plan in March 2019.

2.1 Overview

In its Section 11 Order for the Project, the BC EAO has directed Vopak to consult with the following six Indigenous nations¹:

- › The Gitga'at First Nation
- › The Gitxaala Nation
- › The Kitselas First Nation
- › The Kitsumkalum First Nation
- › The Lax Kw'alaams Band
- › The Metlakatla First Nation

Vopak's Indigenous Consultation Plan describes Vopak's approach and methods for undertaking the following:

- › Share Project-related information.
- › Seek input from Indigenous nations on the proposed Project, potential impacts of the Project on Aboriginal Interests, and ways of avoiding mitigating, addressing or otherwise accommodating them, as appropriate.
- › Work together to address issues and concerns raised by Indigenous nations, in the hope that Vopak and Indigenous nations will reach consensus.

Vopak's approach to Indigenous consultation mirrors the four stages of the BC EAO's regulatory process (Table 2-1).

¹ For the purposes of this Consultation Report, Indigenous nations refers to Indigenous nations Vopak is consulting with in respect of the Project, as directed by the EAO in the Section 11 Order.

Table 2–1: Vopak’s Staged Approach to Consultation with Indigenous Nations

Stage	Time Period	Status
Stage 1 - Initial Engagement	Covered the time period from the Project inception to the filing of the Project Description in June 2018.	Q1 2018 – June 2018 <i>Complete</i>
Stage 2 - Project Description and Terms of Reference/Pre-Application Phase Consultation	Covering the time period from the filing of the Project Description and Indigenous Consultation Plan, the issuance of the Section 11 Order, the development of the Terms of Reference (TOR)/Application Information Requirements (AIR), the collection of baseline information and the filing of a draft EEE/Application for an Environmental Assessment Certificate (EAC) and any supporting permitting applications that may be submitted concurrently.	July 2018 – July 2020 <i>Complete</i>
Stage 3 - Draft EEE/Application Review Phase Consultation	Covering the time period from the acceptance of the draft EEE by Federal Authorities/Application for an EAC by the EAO and including any supporting permitting applications that may be submitted concurrently, to the receipt of the BC EAO decision on the Application for the EAC and federal determination on the EEE.	Fall 2020 – Summer 2021 ² <i>Current</i>
Stage 4 - Ongoing Engagement	Covering the time period from the receipt of the BC EAO decision on the Application for the EAC and federal determination on the EEE, as well as any continuing synchronous permitting applications or any subsequent permitting applications, through construction, operations and decommissioning of the proposed Project	Ongoing/Post-decision <i>Future Stage</i>

2.2 Consultation Objectives

The objectives of Vopak’s proposed consultation process are to:

- › Include Indigenous nations in the EA, such as scoping through input in the development of the TOR/AIR and execution through input on the EEE/Application and other means outlined below.
- › Through ongoing engagement understand how Indigenous nations wish to be consulted, including timelines for review of documents and provision of input.
- › Provide timely and reasonable levels of capacity resources to Indigenous nations to ensure they have the opportunity to adequately participate in Project consultation and understand potential impacts of the Project.
- › Share timely and relevant Project information and seek input from Indigenous nations on interests and concerns related to the Project and work together to address them.
- › Understand Indigenous nations’ community values, interests and priorities.
- › Understand what practices, traditions or customs Indigenous nations have been, or are currently engaged in, or are likely, in a reasonably foreseeable future be engaged in, provided that they have continuity with traditional practices, traditions or customs, in the vicinity of the proposed Project or in relation to the proposed Project.

² Anticipated timing.

- › Determine how these practices, traditions or customs may potentially be impacted by the proposed Project components and activities described in Section 2 of the Indigenous Consultation Plan.
- › Explore in a collaborative manner appropriate measures to avoid, mitigate or otherwise address or accommodate potential Project impacts on Aboriginal Interests.
- › Ensure that issues raised are considered in the development and implementation of the Project and that such issues are addressed, resolved or otherwise accommodated, as appropriate.
- › Establish transparent communication, including on how input was incorporated and rationale for non-inclusion of input.
- › Develop positive long-term relationships with Indigenous nations.

3 Summary of Indigenous Consultation

For this third reporting period, Vopak has completed the following Stage 2 and Stage 3 engagement activities: Marine Memo, Part C Summary Memo, Archaeological Impact Assessment, Marine Overview Assessment, the Draft EEE/Application for screening, the Draft EEE/Application for review, Wetland Function Compensation Plan, and the Second Indigenous Consultation Report (ICR#2).

During Stage 2 and Stage 3, Vopak sought to enable ongoing two-way communication with all Indigenous nations and demonstrate that input received was considered throughout the development of EA-related documents, either by tracking how input was incorporated in documents or by providing rationale for non-inclusion of input. The input received:

- › Led to the development of field and desktop workplans to describe the methodology involved in assessing potential effects of the Project (as described in Table 3–1), which were shared with the Indigenous nations for input.
- › Informed the execution of the field program during the summer of 2020 through the consultation on the field workplans.
- › Led to the development for Part C of the EEE/Application, which Vopak used to conduct its assessment of potential Project effects on Aboriginal Interests and meet requirements under CEAA 2012 Section 5(1)(c), which was also shared with the Indigenous nations for input.
- › Informed the effects assessments completed in Part B and Part C of the EEE/Application.

Error! Reference source not found. provides a summary of engagement activities during Stage 2 Pre-EEE/Application and Stage 3 EEE/Application Review from July 16, 2020 to January 18, 2021.

Engagement Activity	Description	Status
Develop communications tools and materials	Vopak continued to maintain a project website that members of Indigenous nations can access publicly.	Ongoing
Communications and information sharing	<p>Vopak continued to share information about the Project and key regulatory documents for review and input. Information shared in this third reporting period included:</p> <ul style="list-style-type: none"> › Project updates › Archaeological Impact Assessment › Marine Overview Assessment › Additional Marine Field Survey for the Marine Resource VC letter and memo › Indigenous Consultation Report (#2) › Part C Summary Memo › Draft EEE/Application for Screening › Screening Information Request Responses › Traditional territory maps › Draft EEE/Application for Review › <i>Fisheries Act</i> Authorization Decision Letter › Round 1 Review Information Request Responses › Wetland Function Compensation Plan 	Ongoing: Vopak will continue to consult with Indigenous nations throughout the life of the Project.
Ongoing consultation meetings	<p>Vopak has held meetings with Indigenous nations, including Chiefs, advisors, and staff members to:</p> <ul style="list-style-type: none"> › Discuss desired level of participation in the Project, the regulatory process, timelines and other Project details. › Discuss the integration of Nation-specific Traditional Use Studies (TUS) into the Draft EEE/Application. › Provide opportunities for feedback and input on the EA and permitting process, including the EA methods, use of secondary sources and Nation-specific TUSs. This has included meetings to discuss comments, as needed. 	Ongoing: Vopak will continue to meet with the Nations to seek feedback on potential effects of the Project on Aboriginal Interests, and to develop measures to avoid, mitigate or otherwise address or accommodate these effects.
Working Group Meetings	Hosted by the BC EAO and the Prince Rupert Port Authority (PRPA), Vopak met with the Working Group members, which included the Indigenous nations, on November 19, 2020. The purpose of the meeting was to provide an overview of the Draft EEE/Application. Vopak	Ongoing: Vopak will continue to participate in Working Group meetings, as directed by

Engagement Activity	Description	Status
	had technical experts speak to each section of the Draft EEE/Application and respond to initial comments/ questions.	the BC EAO and PRPA.
Traditional Use Studies (TUSs)	<p>Vopak provided funding for the Indigenous nations to complete nation-specific TUSs for the Project. Vopak has received the following:</p> <p>Draft TUSs:</p> <ul style="list-style-type: none"> › Gitxaala Nation – Gitxaala Use Study: Vopak Development Canada Inc. Vopak Pacific Canada Project <p>Final TUSs:</p> <ul style="list-style-type: none"> › Gitga'at First Nation – Preliminary Report: Gitga'at First Nation Traditional Use and Occupancy Study for the Vopak Project, Ridley Island, Prince Rupert Harbour Region › Kitselas First Nation - Kitselas First Nation Traditional Use and Occupancy Study for the Vopak Project. Ridley Island, Prince Rupert Harbour Region › Kitsumkalum First Nation - Memorandum – Re: Preliminary Indigenous Land Use Research Results – Proposed Vopak Pacific Canada Project › Lax Kw'alaams Band – Traditional Land Use and Occupancy Study for Vopak Development Canada Inc.'s Proposed Vopak Pacific Canada Bulk Liquids Storage Facility Project on Ridley Island › Metlakatla First Nation – Metlakatla First Nation Traditional Use and Ecological Knowledge of the Vopak Pacific Canada Project Area 	<p>Ongoing: Vopak will continue to engage with the Indigenous nations to discuss the information from the TUSs and the potential impacts from the Project.</p> <p>Gitxaala Nation anticipates finalizing their TUS after the community has resolved the restrictions on community research as part of their Covid-19 protocols. Gitxaala Nation confirmed that their Draft TUS could be used to inform the Draft EEE/Application. Vopak has continued to work with the Nation on the integration of their traditional use information.</p>
Archaeology Assessment Reports	Vopak shared the Archaeological Impact Assessment and Marine Overview Assessment with the Indigenous nations for their review and feedback. Through consultation with the Indigenous nations, Vopak completed the reports for the submission of the Draft EEE/Application and has committed to continue working with the Indigenous nations on the reports prior to submitting them to the BC Archaeology Branch.	Ongoing: Vopak will continue to engage with the Indigenous nations on these assessment reports prior to their submission to the BC Archaeology Branch.
Preparation for submission of the Draft EEE/Application	<p>Vopak provided draft workplans and reports to the Indigenous nations for review and feedback as follows:</p> <ul style="list-style-type: none"> › Archaeological Impact Assessment › Marine Overview Assessment › Additional Marine Field Survey for the Marine Resource VC letter and memo › Part C Summary Memo › Draft EEE/Application for Screening 	Complete.

Engagement Activity	Description	Status
	<ul style="list-style-type: none"> › Screening Information Request Responses › Traditional territory maps › Meetings to review and discuss the integration of Nation specific traditional use information use information in the Draft EEE/Application 	
Environmental Monitoring Activities	Vopak has provided each Indigenous nation opportunities to participate in environmental monitoring activities. During this reporting period, the Indigenous nations were invited to participate in the non-vessel marine field survey work conducted August 20, 2020.	Ongoing: Vopak will continue discussing environmental monitoring activities with the Indigenous nations
Discussion of COVID-19 safety procedures	Vopak has discussed COVID-19 safety procedures with each Indigenous nation to confirm the Indigenous nations were comfortable with Vopak's approach and applied safety measures.	Ongoing: Vopak will continue to discuss safety measures throughout the pandemic to ensure that the Project is applying the best safety practices.
Indigenous Consultation Report #2	Vopak provided Indigenous Consultation Report #2 to the Indigenous nations for their review and comment prior to submission of the report to the BC EAO in September 2020.	Complete
Screening Review Information Requests	Vopak has received and responded to Information Requests from Indigenous nations regarding the draft EEE/Application. (October 2020)	Complete
Screening Review – Part C Review and Updates	Vopak offered to meet with Indigenous nations to review their respective Part Cs (Section 8 of the EEE/Application) and how their TUS information had been reflected in that Section, as well as other sections (October 2020).	Complete
Draft EEE/Application Review Information Requests – Round 1	Vopak received and responded to the first phase of Information Requests received from Indigenous nations (January 4, 2020)	Complete
Indigenous Consultation Report #3	Vopak is providing this draft Indigenous Consultation Report #3 to the Indigenous nations for their review and comment and will address comments received in the final Indigenous Consultation Report #3 that will be submitted to BC EAO in February 2021.	In progress

A summary of consultation activities undertaken by Vopak with each Indigenous nation from July 16, 2020 to January 18, 2021 is described in the following sections.

3.1 Gitga’at First Nation

Table 3–1 provides a summary of Vopak’s key consultation activities with the Gitga’at First Nation in this third reporting period during Stage 2 – Pre-Draft EEE/Application engagement and Stage 3 – Draft EEE/Application Review engagement. Comments, interests and concerns raised, as well as Vopak’s response are captured in Table 3–2. Concerns raised to date have been addressed or are part of an ongoing discussion with the Indigenous Nation.

Table 3–1: Chronology of Key Engagement Activities with the Gitga’at First Nation

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
July 21, 2020	Email	Vopak emailed a draft copy of the second Indigenous Consultation Report (ICR#2) for review and comment.
July 22, 2020	Phone Call	Vopak connected with Gitga’at First Nation to discuss the Marine Memo. Gitga’at confirmed that they did not have any issues with the proposed process noting that they would like the field work to include an opportunity for a Gitga’at First Nation Environmental Monitor to participate and that they would like to receive a copy of the data. Vopak confirmed that the Working Group will receive a summary of the findings.
July 22, 2020	Email	Vopak sent an update on the development of the Draft EEE/Application and shared a Part C Summary Memo for the nation’s review and comment. Vopak also outlined specific feedback topics for the nation to provide comments on.
August 4, 2020	Email	Vopak responded to Gitga’at First Nation’s Marine Memo comments. Vopak shared that due to COVID-19 safety precautions environmental monitors would not be able to participate in the vessel work, however, Vopak is looking to be able to accommodate environmental monitors for the non-vessel work. Vopak will also provide a summary of the data once the report is complete.
August 13, 2020	Email	Vopak shared the draft copies of the Archaeological Impact Assessment (AIA) and Marine Overview Assessment (MOA) reports for Gitga’at First Nation’s review and feedback.
August 14, 2020	Email/ Phone Call	Gitga’at informed Vopak that they were working to provide comments on the Project’s Part C Summary Memo and ICR#2 and are aiming to provide comments the week of August 24, 2020.
August 10 – 14, 2020	Email Exchange	Vopak inquired about the availability of a Gitga’at First Nation environmental monitor to participate in the marine field survey work on August 20, 2020.
August 28, 2020	Email	Gitga’at First Nation shared their comments on Vopak’s AIA and MOA reports.

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
August 28, 2020	Email	Gitga’at First Nation provided their comments and feedback on both Vopak’s Part C Summary Memo and ICR#2.
August 28, 2020	Email	Vopak provided an update on the plans for the Project’s Draft EEE/Application submission for screening. Vopak also provided notes on the upcoming regulatory process.
September 1, 2020	Email	Vopak notified Gitga’at First Nation that Vopak would be submitting Part A and Part B (with the exception of the executive summary) of the Draft EEE/Application to the regulators today and noted that the full Draft EEE/Application is anticipated to be submitted in full on September 8.
September 3, 2020	Email	Vopak emailed Gitga’at First Nation to follow up on a comment that they had raised with regards to information that was used in the Part C Summary Memo.
September 9, 2020	Email	Vopak notified Gitga’at First Nation that the Draft EEE/Application has been submitted in full to the regulators for screening. Vopak also invited the opportunity to provide an overview of the Draft EEE/Application.
September 17, 2020	Email	Vopak shared the finalized second Indigenous Consultation Report (ICR#2) with Gitga’at First Nation.
September 24, 2020	Email	Gitga’at First Nation provided a letter to supplement their IR comments for Vopak to review and address.
September 28, 2020	Virtual Meeting	Vopak had an introductory call with the new Director of Oceans and Lands to provide an overview of the Project.
September 29, 2020	Email	Following up on the screening comments that Gitga’at First Nation submitted on Vopak’s Draft EEE/Application, Vopak acknowledged the concerns regarding the integration of TUS information and proposed setting up a meeting for the week of October 19 th to discuss the comments and revise the Gitga’at First Nation specific information in the Draft EEE/Application.
October 26, 2020	Virtual Meeting	Vopak met with Gitga’at First Nation to jointly review the nation’s specific information in the Draft EEE/Application and made live edits together.
October 27, 2020	Email	Vopak shared the updates that had been made to Part C of the Draft EEE/Application as a result of the discussions from their meeting on October 26, 2020.
October 28, 2020	Email	Vopak provided written responses to the supplemental screening comments Gitga’at First Nation submitted to Vopak on September 24, 2020.
October 28, 2020	Email	Vopak emailed Gitga’at First Nation to inquire about updating the map of the Gitga’at First Nation traditional territory in the Draft EEE/Application.
October 29, 2020	Email	Vopak provided an email detailing the updated language that had been incorporated into Part B and Part C of the Draft EEE/Application as a result of feedback that had been received.
October 29, 2020	Phone Call/ Email	Vopak reached out to Gitga’at First Nation to provide additional information on the updates that are being made to Part B of the Draft EEE/Application.

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
October 30, 2020	Email Exchange	Gitga'at First Nation and Vopak exchanged letters by email whereby Vopak responded to the outstanding comments and concerns on the Draft EEE/Application that Gitga'at First Nation outlined. A meeting was set up for November 4, 2020 to have a discussion.
November 3, 2020	Email	Vopak shared a copy of the Project's Part B Air Quality section of the Draft EEE/Application to demonstrate the approach that was taken in updating the Draft EEE/Application.
November 3 - 4, 2020	Email Exchange	Vopak and Gitga'at First Nation proposed different approaches to address the outstanding concerns raised by Gitga'at First Nation on the Draft EEE/Application.
November 4, 2020	Email	Vopak met with Gitga'at First Nation to confirm the outstanding issues of the Draft EEE/ Application, confirm an engagement process and propose a process forward. Gitga'at First Nation and Vopak agreed to meet on a bi-weekly basis.
November 5, 2020	Email	Vopak provided Gitga'at First Nation with a summary of all the Gitga'at First Nation references from Part B from the Draft EEE/Application. Vopak also provided the updated Sections 5.8 and 5.9 of Part B of the Draft EEE/Application and proposed redacting the Gitga'at First Nation Part C section of the Draft EEE/Application, as well as references to Gitga'at First Nation in Part B.
November 16, 2020	Email	Vopak provided Gitga'at First Nation with an overview of the activities and timelines scheduled for the regulatory review period. Vopak also provided links to digital copies of the Draft EEE/Application.
November 16, 2020	Email	Vopak shared a digital copy of Vopak's virtual Open House poster that could be shared with the Gitga'at First Nation community.
November 19, 2020	Virtual Meeting	Working Group Meeting
November 19, 2020	Email	Vopak provided Gitga'at First Nation with a copy of the letter from Fisheries and Oceans (DFO) confirming that Vopak will not require a Fisheries Act Authorization (FAA).
November 19 – December 24, 2020	Email Exchange	Vopak and Gitga'at First Nation exchanged emails discussing the status of the redacted Gitga'at First Nation information in the Draft EEE/Application.
January 14, 2021	Virtual Meeting	Vopak held an initial Wetland Function Compensation Plan meeting with the First Nation groups, the Prince Rupert Port Authority, the Environmental Assessment Office to propose a process and engagement schedule.
December 29, 2020	Email	Vopak emailed Gitga'at First Nation to inquire about setting up a meeting to discuss the first round of the nation's IRs.

Table 3–2: Summary of Issues, Concerns, and Response to the Gitga’at First Nation

Vopak and Gitga’at First Nation continue to engage bilaterally through the regulatory process. The comments, including concerns and issues can be found in the Working Group’s Issues Tracking Table. Vopak will continue to work with Gitga’at First Nation to work through the comments, address concerns and have continued dialogue on all aspects of the Project.

3.2 Gitxaala Nation

Table 3–3 provides a summary of Vopak’s key consultation activities with the Gitxaala Nation in this second reporting period during Stage 2 – Pre-EEE/Application engagement and Stage 3 – Draft EEE/Application Review engagement. Comments, interests and concerns raised, as well as Vopak’s response are captured in Table 3–4. Concerns raised to date have been addressed or are part of an ongoing discussion with the Indigenous Nation.

Table 3–3: Chronology of Key Engagement Activities with the Gitxaala Nation

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
July 21, 2020	Email	Vopak emailed a draft copy of the second Indigenous Consultation Report (ICR#2) for review and comment.
July 22, 2020	Phone Call	Vopak and Gitxaala Nation connected by phone to discuss the Marine Memo. Gitxaala Nation requested for some additional time to review the information to which Vopak agreed.
July 22, 2020	Email	Vopak sent an update on the development of the draft EEE/Application and shared a Part C Summary Memo for the nation’s review and comment. Vopak also outlined specific feedback topics for the nation to provide comments on.
August 11, 2020	Email	Vopak responded to Gitxaala Nation’s comments on the Marine Memo. Vopak shared that due to COVID-19 safety precautions environmental monitors would not be able to participate in the vessel work, however, Vopak is looking to be able to accommodate environmental monitors for the non-vessel work. Based on feedback received, Vopak adjusted the scope of the survey. Vopak also committed to sharing a summary of the findings with the Working Group.
August 13, 2020	Email	Vopak shared the draft copies of Archaeological Impact Assessment (AIA) and Marine Overview Assessment (MOA) reports for Gitxaala Nation’s review and feedback.
August 14 - 18, 2020	Email Exchange	Gitxaala Nation emailed Vopak to notify them of recent staff changes and introduced their CEO. Vopak welcomed the opportunity to meet and provide a Project overview to the leadership team.
August 10 – 18, 2020	Email Exchange	Vopak and Gitxaala Nation exchanged emails regarding Vopak’s upcoming marine survey that includes an opportunity for participation from a Gitxaala Nation environmental monitor. Gitxaala Nation confirmed the availability of a monitor and Vopak shared details on the field work as well as the COVID-19 safety measures that would be in place.
August 25, 2020	Email	Gitxaala Nation provided Vopak with their feedback on the draft Indigenous Consultation Report (ICR#2) and the Gitxaala Nation Part C Summary Memo
August 28, 2020	Email	Vopak provided an update on the plans for the Project’s draft EEE/Application submission for screening. Vopak also provided notes on the upcoming regulatory process.

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
August 31, 2020	Email	Gitxaala Nation shared their comments on Vopak's AIA and MOA reports.
September 1, 2020	Email	Vopak notified Gitxaala Nation that Vopak would be submitting Part A and Part B (with the exception of the executive summary) of the draft EEE/Application to the regulators today and noted that the full draft EEE/Application is anticipated to be submitted in full on September 8.
September 9, 2020	Email	Vopak notified Gitxaala Nation that the draft EEE/Application has been submitted in full to the regulators for screening. Vopak also invited the opportunity to provide an overview of the draft EEE/Application.
September 17, 2020	Email	Vopak shared the finalized second Indigenous Consultation Report (ICR#2) with Gitxaala Nation.
September 24, 2020	In-person	Vopak connected with Gitxaala Nation's CEO to provide an update on the Project and discuss additional engagement opportunities.
September 25, 2020	Email	Gitxaala Nation submitted a letter to supplement their screening Information Request (IR) comments outlining additional the areas of interests and topics to address.
September 28, 2020	In-person	Vopak met with the CEO of Gitxaala Nation to provide an overview on the Project and discuss additional engagement opportunities.
September 29, 2020	Email	Following up on the screening comments that Gitxaala Nation submitted on Vopak's draft EEE/Application, Vopak acknowledged the concerns regarding the integration of TUS information and proposed setting up a meeting for the week of October 19 to discuss the comments and revise the Gitxaala Nation specific information in the draft EEE/Application.
October 19, 2020	Virtual Meeting	Vopak met with Gitxaala Nation to jointly review the nation's specific information in the draft EEE/Application and made live edits together.
October 22, 2020	Email	Gitxaala Nation shared a letter providing Vopak with information to supplement the discussions on Gitxaala Nation Use information and how it should be incorporated into the draft EEE/Application.
October 28, 2020	Email	Vopak provided written responses to the supplemental screening comments Gitxaala Nation submitted to Vopak on September 25, 2020.
October 28, 2020	Email Exchange	Vopak and Gitxaala Nation discussed updating the traditional territory boundary map that was displayed in the draft EEE/Application
October 29, 2020	Email	Vopak provided an email detailing the updated language that had been incorporated into Part B and Part C of the EEE/Application as a result to feedback that had been received.
October 29, 2020	Virtual Meeting	Vopak met with the Gitxaala Nation Chief Councillor, Council and CEO to provide an update/ overview on the Project and discuss current and future engagements with the nation.
October 28, 2020	Email Exchange	Vopak provided Gitxaala Nation a map of their traditional territory to review with the purpose of updating the map in the drat EEE/Application. Gitxaala Nation confirmed that Vopak could use the map as proposed.

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
November 4, 2020	Email	Vopak notified that the submission of the EEE/Application for review has been delayed and provided Gitxaala Nation's Part C section in advance to allow additional time to review the section.
November 16, 2020	Email	Vopak provided Gitxaala Nation with an overview of the activities and timelines scheduled for the regulatory review period. Vopak also provided links to virtual copies of the EEE/Application.
November 16, 2020	Email	Vopak shared a digital copy of Vopak's virtual Open House poster that could be shared with the Gitxaala Nation community.
November 19, 2020	Virtual Meeting	Working Group Meeting
November 19, 2020	Email	Vopak provided Gitxaala Nation with a copy of the letter from the Department of Fisheries and Oceans (DFO) confirming that Vopak will not require a Fisheries Act Authorization (FAA).
December 1, 2020	Phone Call	Gitxaala Nation connected with Vopak to discuss engagement topics for ongoing and future engagements.
December 14, 2020	Email	Gitxaala Nation provided Vopak with a workplan that supports the comments shared on the December 1, 2020 call.
December 14, 2020	Email	Gitxaala Nation shared a memo regarding baseline and management measures specific to socio-economic sections of the EEE/Application to supplement their regulatory review IRs.
December 29, 2020 – January 18 2021	Email Exchange/ Phone Call	Vopak and Gitxaala Nation discussed setting up a meeting to discuss the first round of IRs. Determined that they would meet after Gitxaala Nation has time to review the additional technical memos provided by Vopak.
January 14, 2021	Virtual Meeting	Vopak held an initial Wetland Function Compensation Plan meeting with the First Nation groups, the Prince Rupert Port Authority, the Environmental Assessment Office to propose a process and engagement schedule.
December 29, 2020 - 16, 2021	Email Exchange	Vopak connected Gitxaala Nation to discuss setting up a meeting to discuss comments from IRs as well as the additional engagement opportunities.

Table 3–4: Summary of Issues, Concerns, and Response to the Gitxaala Nation

Vopak and Gitxaala Nation continue to engage bilaterally through the regulatory process. The comments, including concerns and issues can be found in the Working Group's Issues Tracking Table. Both Gitxaala Nation and Vopak understand that these documents form a part of the consultation record. Vopak will continue to work with Gitxaala Nation to work through the comments, address concerns and have continued dialogue on all aspects of the Project.

3.3 Kitselas First Nation

Table 3–6 provides a summary of Vopak’s key consultation activities with Kitselas First Nation during Stage 2 – Pre-EEE/Application engagement and Stage 3 – Draft EEE/Application Review engagement. Comments, interests and concerns raised, as well as Vopak’s response are captured in

Vopak and Kitselas First Nation continue to engage bilaterally through the regulatory process. The comments, including concerns and issues can be found summarized below in Table 4-2 and detailed in the Working Group’s Issues Tracking Table. Vopak will continue to work with Kitselas First Nation to work through the comments, address concerns and have continued dialogue on all aspects of the Project.

Table 3–. Concerns raised to date have been addressed or are part of an ongoing discussion with the Indigenous Nation.

Table 3–6: Chronology of Key Engagement Activities with the Kitselas First Nation

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
July 21, 2020	Email	Vopak emailed a draft copy of the second Indigenous Consultation Report (ICR#2) for review and comment.
July 21, 2020	Phone Call	Vopak connected with Kitselas First Nation by phone to discuss the Marine Memo. Kitselas noted the questions that they had as well as the interest to be able to review the data and have a Kitselas First Nation Environmental Monitor participate in the field work.
July 22, 2020	Email	Vopak sent an update on the development of the draft EEE/Application and shared a Part C Summary Memo for the nation’s review and comment. Vopak also outlined specific feedback topics for the nation to provide comments on.
August 4, 2020	Email	Vopak emailed Kitselas First Nation responses to their Marine Memo comments. Vopak shared that due to COVID-19 safety precautions environmental monitors would not be able to participate in the vessel work, however, Vopak is looking to be able to accommodate environmental monitors for the non-vessel work. Vopak also committed to sharing a summary of the findings with the Working Group.
August 13, 2020	Email	Vopak shared the draft copies of the AIA and MOA reports for Kitselas First Nation’s review and feedback.
August 10 – 18, 2020	Email Exchange	Vopak and Kitselas First Nation exchanged emails regarding Vopak’s upcoming marine survey that includes an opportunity for participation from a Kitselas First Nation environmental monitor. Kitselas First Nation confirmed the availability of a monitor and Vopak shared details on the field work as well as the COVID-19 safety measures that would be in place.
August 20, 2020	Email	Kitselas First nation provided Vopak with their feedback on the Part C Summary Memo as well as the ICR#2.

Date	Method of Engagement	Purpose/Outcome
August 21, 2020	Virtual Meeting	Introductory call was held with Kitselas First Nation's Project Assessment Officer and the Vopak team. Vopak provided an update on the Project and together discussed future engagements and communication processes.
August 26, 2020	Email	Kitselas First Nation shared their comments on Vopak's AIA and MOA reports.
August 28, 2020	Email	Vopak provided an update on the plans for the Project's draft EEE/Application submission for screening. Vopak also provided notes on the upcoming regulatory process.
September 1, 2020	Email	Vopak notified Kitselas First Nation that Vopak would be submitting Part A and Part B (with the exception of the executive summary) of the draft EEE/Application to the regulators today and noted that the full draft EEE/Application is anticipated to be submitted in full on September 8.
September 9, 2020	Email	Vopak notified Kitselas First Nation that the draft EEE/Application has been submitted in full to the regulators for screening. Vopak also invited the opportunity to provide an overview of the draft EEE/Application.
September 17, 2020	Email	Vopak shared the finalized second Indigenous Consultation Report (ICR#2) along with a copy of the comment and response tracking table.
September 25, 2020	Email	Kitselas First Nation submitted a letter to Vopak and the EAO to supplement their screening IR comments. The letter included additional comments and feedback on the draft EEE/ Application.
September 29, 2020	Email	Following up on the screening comments that Kitselas First Nation submitted on Vopak's draft EEE/Application, Vopak acknowledged the concerns regarding the integration of TUS information and proposed setting up a meeting for the week of October 19 th to discuss the comments and revise the nation specific information in the draft EEE/Application.
October 22, 2020	Virtual Meeting	Vopak met with Kitselas First Nation to jointly review the nation's specific information in the draft EEE/Application and made live edits together.
October 22, 2020	Email	Kitselas First Nation provided Vopak with notes to supplement their draft EEE/ Application overview discussions on the integration of the Kitselas First Nation TEK information.
October 28, 2020	Email	Vopak provided written responses to the supplemental screening comments that Kitselas First Nation submitted to Vopak on September 22, 2020.
October 29, 2020	Email Exchange	Vopak provided an email detailing the updated language that had been incorporated into Part B and Part C of the EEE/Application as a result to feedback that had been received. Kitselas First Nation responded with suggested edits.
October 28 – 30, 2020	Email Exchange	Vopak and Kitselas First Nation discussed updating the traditional territory boundary map that was displayed in the draft EEE/Application. Kitselas First Nation provided Vopak with a copy of a map detailing their traditional territory but determined that they would prefer the map

Date	Method of Engagement	Purpose/Outcome
		that was shared with them from Vopak to appear in the EEE/Application.
November 4, 2020	Email	Vopak notified that the submission of the EEE/Application for review has been delayed and provided a Kitselas First Nation's Part C section in advance to allow additional time to review the section.
November 16, 2020	Email	Vopak provided Kitselas First Nation with an overview of the activities and timelines scheduled for the regulatory review period. Vopak also provided links to virtual copies of the EEE/Application.
November 16, 2020	Email	Vopak shared a digital copy of Vopak's virtual Open House poster that could be shared with Kitselas First Nation community.
November 19, 2020	Virtual Meeting	Working Group Meeting
November 19, 2020	Email	Vopak provided Kitselas First Nation with a copy of the letter from the Department of Fisheries and Oceans (DFO) confirming that Vopak will not require a Fisheries Act Authorization (FAA).
January 14, 2021	Virtual Meeting	Vopak held an initial Wetland Function Compensation Plan meeting with the First Nation groups, the Prince Rupert Port Authority, the Environmental Assessment Office to propose a process and engagement schedule.
December 29, 2020 - 16, 2021	Email Exchange	Vopak connected Kitselas First Nation to discuss setting up a meeting to discuss comments from IRs as well as the additional engagement opportunities.

Vopak and Kitselas First Nation continue to engage bilaterally through the regulatory process. The comments, including concerns and issues can be found summarized below in Table 4-2 and detailed in the Working Group's Issues Tracking Table. Vopak will continue to work with Kitselas First Nation to work through the comments, address concerns and have continued dialogue on all aspects of the Project.

Table 3–7: Summary of Issues, Concerns, and Response to the Kitselas First Nation

Topic	Kitselas First Nation Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Use of secondary sources/ TLU Studies	The Part C assessment on Kitselas First Nation Aboriginal Interests should be informed by Kitselas First Nation TUS; secondary sources, including previous TUSs from Kitselas should be used sparingly.	Discussions regarding TUS	Vopak provided funding for Kitselas First Nation to complete a TUS. Vopak incorporated the TUS into Part C. Aboriginal Interests and traditional knowledge were carried forward into the Part B assessments. Vopak also provided a list of secondary sources to the Kitselas First Nation for review.	Resolved.	
Assessment Spatial Boundaries	Revise spatial boundaries to create local and regional assessment areas. Kitselas is of the view that its traditional territory represents the RSA for assessing effects to its interests.	Comments on Part C workplan	Vopak used the overlap in study area provided in Kitselas First Nation's TUS with RSAs of the linked VCs to assess potential effects on Kitselas First Nation's Aboriginal Interests.	Resolved.	
Sense of Place/Sense of Attachment	Concern that effects on air quality and climate change have implications for non-consumptive cultural values. Unwanted light has implications for non-consumptive cultural values including peaceful enjoyment of the environment.	Comments on Part C workplan	Vopak considered changes in visual quality, air quality, noise, and light in the assessment of Sense of Place and Sense of Attachment and the assessment of Indigenous Health; Vopak revised the indicators to address concerns raised.	Partially resolved.	Kitselas remains concerned that impacts to Part B VCs, including air quality, noise, and visual quality/light, have not been accurately assessed in the context of traditional use (e.g. no noise receptors west of

Topic	Kitselas First Nation Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
			<p>These concerns were identified in section 8.4.3.2 Sense of Place and Sense of Attachment and Table 8.4-3 Summary of the Kitselas First Nation Key Issues and the Issue is Addressed identifies the indicators used and how they are carried through in Part B and other elements of Part C.</p>		<p>the Project site). Therefore, Kitselas remains concerned that impacts to non-consumptive cultural values have not been adequately captured. See the Working Group's Issues Tracking Table for further detail.</p>
Indigenous Health	Project operations will dramatically increase rail traffic through our community.	Comments on Part C workplan	<p>EAO will not be including increases in rail traffic as an off-site project component for this Project. Rail traffic would be more appropriately and effectively considered and mitigated, if necessary, by the principal regulator, Transport Canada (TC). The EAO will ensure that TC is provided with all comments, questions or concerns received from the Working Group and Indigenous nations regarding potential effects associated with rail traffic.</p> <p>Although it will not form a part of the EEO/Application, Vopak submitted a supplemental rail traffic memo to the Project Working Group which assessed the effect on increased rail traffic on wildlife strikes, traffic at rail crossings, potential accidents and malfunctions, and human health (i.e., noise and air quality).</p>	Partially resolved.	<p>Kitselas understands the EAO's position and the implications for Vopak's Environmental Assessment. However, Kitselas maintains that increased rail traffic throughout Kitselas Territory is an impact related to the Project that must be considered. Kitselas will be including this component in the co-drafted Part C of the EAO Assessment Report.</p>

Topic	Kitselas First Nation Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Indigenous Socio- Economic Conditions	<p>Concern about effects on: non-consumptive use and sense of place that affects Indigenous socio- economic conditions.</p> <p>Risks disproportionately impact vulnerable subgroups (e.g., women, children, families) across a project- affected community.</p> <p>Marine traffic, labour force, and regional community services.</p> <p>Availability of government assisted living and low-income housing.</p>	Comments on Part C workplan	<p>Vopak recognizes the linkages between changes in visual quality, air quality, noise, and light in Indigenous Socio- economic conditions.</p> <p>Vopak considered these effects in the assessment of Indigenous Socio- Economic Conditions and revised the indicators to address concerns raised.</p> <p>The key issues and how they were addressed are identified in Table 8.4-3 of the EEE/Application.</p>	Outstanding.	Kitselas remains concerned that impacts to socio-economic conditions have not be adequately assessed due to lack of data (resulting in a significance determination characterized by a "low" confidence level) and tangible mitigation measures. As a result, Kitselas does not agree with some of Vopak's significance determinations for the socio-economic VCs. See the Working Group's Issues Tracking Table for further detail.
Cumulative Effects	Increased blocking of access and travel to coastal areas between Prince Rupert/Port Edward poses a threat to resource harvesting practices and maintenance of traditional knowledge.	TUOS	Vopak incorporated the results of the TUOS in Section 8.4, addressed this concern in the Cumulative Effects Assessment on Access and Travel, summarized in Table 8.4-23 in Part C and Marine Use and Navigation in Part B.	Resolved.	

Topic	Kitselas First Nation Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
Jetty Design	<p>Concerns of vessel size and weather.</p> <p>Concern about the potential impacts to the sea floor from anchoring system.</p> <p>Design change and its impact to expected rail traffic.</p> <p>Kitselas expects any risk assessments of spills to include this design.</p> <p>Concerned with data collection efforts during the COVID-19 health climate.</p> <p>Concerned about pilots' navigation.</p>	<p>Comments on revised jetty design</p> <p>EEE/Application</p>	<p>Effects from the revised design were assessed in VCs where a potential Project interaction with a VC has been identified previously.</p> <p>Effects of the Environment on the Project were assessed in Section 7 of the EEE/Application.</p> <p>A memo with additional details on the mooring system was provided as a response to IR MFN-042. This will also be discussed at the Working Group Technical Workshop #2 to be held in January 2021.</p> <p>The design change is not anticipated to impact rail traffic, as scoped in the Project.</p> <p>Potential accidents and malfunctions from weather, for example, was considered as a collision. Marine ship collision and collision with the jetty within the marine study area was assessed in Section 6.2.3.1 Marine Loading Operations and 6.2.3.2 Marine Transit. Section 6.3.1 describes the interaction of potential Accidents and Malfunctions with the VCs. A memo</p>	Outstanding.	<p>Kitselas has remaining concerns regarding the physical infrastructure of the Jetty in a high energy marine environment and the impact of a Tsunami on the Project in the instance that ships are docked at the jetty, and impacts from accidents and malfunctions (particularly those that occur on land, relevant to the QRA). See the Working Group's Issues Tracking Table for further.</p>

Topic	Kitselas First Nation Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
			<p>with additional information on potential accidents and malfunctions, including spills, was submitted in January 2021 and will be discussed at the Working Group Technical Workshop #2.</p> <p>Vopak will continue to engage with the Indigenous nations and local communities to adapt the best safety measures, including safety precautions that are being taken during the COVID-19 pandemic to be able to continue to progress any data collection and Project activities forward.</p> <p>The Pacific Pilotage Authority (PPA) has the primary mandate of providing safe, reliable and efficient marine pilotage and related services in the coastal waters of British Columbia. The PPA oversee the pilots, who are members of the British Columbia Coast Pilots (BCCPs).</p>		
Potential Affects on Physical Culture (Archaeology)	Kitselas expects the recommendations identified in the Reports to be followed	MOA/AIA	Vopak acknowledges receipt of the reports. The recommendations have been reviewed and considered in development of the Project mitigations and management planning.	Resolved.	

Topic	Kitselas First Nation Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
EEE/Application Screening Process	Concerns regarding information availability at screening phase which may impact the ability to conduct a meaningful project assessment. Insufficient cross referencing between Section 4 and Section 5, methodology of the Project description and level of detail of certain structures, inappropriate scoping including exclusion of the rail traffic, absence of management plans and use of management plans as referenced mitigation, inability to verify Part C and use of TK/TLU information and how it is carried forward into Part B,	EEE/ Application Screening: Letter to BC EAO J. Hauser Sept 25, 2020	BC EAO Provided a response. Vopak and Kitselas met on October 22, 2020 and discussed how the TK/TLU information was incorporated in the Part C and revisions were made prior to submission. Vopak is open to discussing these concerns at future engagement meetings, which are in the process of being arranged with Kitselas First Nation.	Resolved.	
TK/TUS and Part C Edit	TK/TUS reflection in Part C and how information was interpreted and integrated appropriately into Part B.	EEE/Applica tion Screening Review Meeting October 22, 2020	Vopak and Kitselas met on October 22, 2020 and discussed how the TK/TLU information was incorporated in Part C and carried into Part B. Revisions were made to Part C at the meeting, prior to EEE/Application submission. Vopak is open to further discussion on this concern at future engagement meetings.	Resolved.	
TK/TUS and Part C Edit Socio-Economic	Application should utilize information from TUS to address disenfranchisement from traditional livelihoods (patterns of seasonal rounds and participation in the wage	Draft EEE/Applica tion Screening Review	The Part C Baseline Conditions 8.4.3.7.1 reflects the matter under Commercial Harvesting and has been carried through the Cumulative Effects Assessment (Table 8.4-23)	Resolved.	

Topic	Kitselas First Nation Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
	economy has changed) and part of the socio-economic considerations.	Meeting October 22, 2020			
TK/TUS and Part C Edit Indigenous Governance	Demonstration in the assessment that Indigenous governance is tightly linked to harvesting, access and travel and sense of place and the importance of passing knowledge among generations. Linkages of sites to family laws.	Draft EEE/Applica tion Screening Review Meeting October 22, 2020 Draft EEE/Applica tion Round 1 IR	Vopak has incorporated into the Part C, summary of the Kitselas First Nation traditional governance system in Section 8.4.1.5 and carried through the assessment in Section 8.4.3.4 Indigenous Governance Systems which also discusses the linked Part B VCs.	Resolved.	
Noise Assessment Methodology	Collection and assessment of noise data. Cumulative effects must be conducted if there are residual effects, regardless of their significance.	Draft EEE/Applica tion Round 1 IR	Vopak acknowledged the concerns expressed and provided additional information on residual effects in a memo submitted in January 2021 that carried forward potential effects for VCs that were identified as negligible or low but not fully eliminated, characterize them as residual effects (i.e., according to magnitude, extent, duration, frequency, reversibility, context, likelihood and confidence), determine their significance, and consider their potential to contribute to cumulative effects, as described in Section 4.6 and 4.7 of the TOR/AIR. This will also be	Outstanding.	Kitselas remains concerned that noise receptors west of the Project site were not included in the assessment of impacts from noise, and therefore impacts to traditional users have not been adequately captured. Kitselas is also concerned that impacts to marine mammals, birds and wildlife have

Topic	Kitselas First Nation Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
			discussed at the Working Group Technical Workshop #2 to be held in January 2021.		not been adequately captured.
Social and Economic Baseline Data	Baseline description is insufficient to complete an assessment. Community specific information and appropriate profiling is required to determine significance of effects.	Draft EEE/Applica tion Round 1 IR	Vopak followed the methods outlined in the TOR/AIR and utilized available information to conduct the assessment.	Resolved.	
Human Health	<p>Concern that the risk assessment is limited in scope as it does not follow the Health Impact Assessment (HIA) guidelines.</p> <p>Concern that the Project will add to impacts from historical trauma, governmental policies and dislocation from culture.</p> <p>Concern regarding the negative implication that will result from land displacement.</p> <p>Concern that the Project will contribute to housing issues.</p> <p>Concern that the Project will contribute to unhealthy spending and access to disposable income.</p>			Outstanding.	Kitselas has outstanding concerns regarding impacts to human health as it relates to community well-being, infrastructure and services (i.e. health services), accidents and malfunctions, noise, sediment quality (in regards to marine biota), and air quality. See the Working Group's Issues Tracking Table for further detail.

Topic	Kitselas First Nation Comment, Interest or Concern Raised	Source	Vopak's Response/ Action to Address	Status of Issue Resolution	Follow-up Comment, Interest or Concern Raised (Only Complete if Status is Outstanding)
	<p>Interested to know what training and long-term employment opportunities the Project will offer.</p> <p>Concern that the Project will hinder access to basic health and emergency health services.</p> <p>Concern of the safety and wellbeing of the community in the event of an emergency related to the transportation of hazardous materials.</p> <p>Interested to know how the Project will promote the safety of women in the Project area.</p> <p>Interested to learn about Vopak's health and safety measures to support the health and safety of the workers, and the local communities.</p>				

3.4 Kitsumkalum First Nation

Table 3– provides a summary of Vopak’s key consultation activities with the Kitsumkalum First Nation during Stage 2 – Pre-EEE/Application engagement and Stage 3 – Draft EEE/Application Review engagement. Comments, interests and concerns raised, as well as Vopak’s response are captured in Table 3-. Concerns raised to date have been addressed or are part of an ongoing discussion with the Nation.

Table 3–8: Chronology of Key Engagement Activities with the Kitsumkalum First Nation

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
July 17, 2020	Email	Kitsumkalum First Nation provided Vopak with comments on Vopak’s Marine Memo that included recommendations on the proposed approach.
July 21, 2020	Email	Vopak emailed a draft copy of the second Indigenous Consultation Report (ICR#2) for review and comment.
July 22, 2020	Email	Vopak sent an update on the development of the draft EEE/Application and shared a Part C Summary Memo for the nation’s review and comment. Vopak also outlined specific feedback topics for the nation to provide comments on.
August 4, 2020	Email	Vopak responded to Kitsumkalum First Nation’s Marine Memo comments. Vopak confirmed that based on feedback received, the scope of the survey has been adjusted.
August 6, 2020	Email	Kitsumkalum provided Vopak with the final Kitsumkalum Indigenous Land Use Study for the Vopak Project. Kitsumkalum First Nation noted that they would like to see the information incorporated into the draft EEE/Application.
August 6 - 7, 2020	Emails	Kitsumkalum First Nation provided feedback on the secondary sources listed in the Part C Summary memo.
August 7, 2020	Email	Kitsumkalum First Nation shared their comments and feedback on Vopak’s Part C Summary Memo.
August 13, 2020	Email	Vopak shared the draft copies of the Archaeological Impact Assessment and Marine Overview Assessment reports for Kistumkalum First Nation’s review and feedback.
August 10 – 12, 2020	Email Exchange	Vopak and Kitsumkalum First Nation exchanged emails regarding Vopak’s upcoming marine survey that includes an opportunity for participation from a Kitsumkalum First Nation environmental monitor. Kistumkalum First Nation confirmed that they did not have an Environmental Monitor available for this time.
August 17, 2020	Email	Kitsumkalum First Nation shared their comments on Vopak’s AIA and MOA reports.
August 28, 2020	Email	Vopak provided an update on the plans for the Project’s draft EEE/Application submission for screening. Vopak also provided notes on the upcoming regulatory process.

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
August 31, 2020	Email	Kitsumkalum First Nation provided Vopak with their feedback on the draft Indigenous Consultation Report (ICR#2)
September 1, 2020	Email	Vopak notified Kitsumkalum First Nation that Vopak would be submitting Part A and Part B (with the exception of the executive summary) of the draft EEE/Application to the regulators today and noted that the full draft EEE/Application is anticipated to be submitted in full on September 8.
September 9, 2020	Email	Vopak notified Kitsumkalum First Nation that the draft EEE/Application has been submitted in full to the regulators for screening. Vopak also invited the opportunity to provide an overview of the draft EEE/Application.
September 9, 2020	Phone Call	Vopak connected with Kistumkalum First Nation to discuss the comments received on the ICR#2 regarding Table 3-9: Summary of Issues, Concerns, and Responses.
September 17, 2020	Email	Vopak shared the finalized second Indigenous Consultation Report (ICR#2) with Kitsumkalum First Nation.
September 30, 2020	Email	Kitsumkalum First Nation provided feedback on the final ICR#2 for Vopak to consider on future ICR reports.
October 6, 2020	Email	In advance to the meeting on October 23, Vopak provided Kitsumkalum First Nation with a summary on sections of the draft EEE/Application that could be updated with additional information from Kitsumkalum First Nation's final ILUS. Vopak noted that that the information presented in the ILUS will not alter the proposed mitigation measures, characterization of residual effects, or cumulative effects assessments in either Part B or Part C.
October 16, 2020	Email	Vopak provided a summary of the Environmental Monitoring opportunities with the Project that Kitsumkalum First Nation participated in.
October 23, 2020	Virtual Meeting	Vopak met with Kitsumkalum First Nation to jointly review the nation's specific information in the draft EEE/Application and made live edits together. As part of the process, Vopak worked with Kitsumkalum First Nation to update the nation specific information from the nation's final ILUS.
October 23, 2020	Email	Kitsumkalum First Nation provided suggested language changes for Section 8.5 of the draft EEE/Application.
October 29, 2020	Email	Vopak provided an email detailing the updated language that had been incorporated into Part B and Part C of the EEE/Application as a result to feedback that had been received.
October 28 - 30, 2020	Email	Vopak inquired with Kitsumkalum First Nation about updating the traditional territory boundary map that was displayed in the draft EEE/Application. Kitsumkalum First Nation provided Vopak with their feedback and preferences.
November 4, 2020	Email	Vopak notified that the submission of the EEE/Application for review has been delayed and provided a copy Kitsumkalum First Nation's

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
		Part C section in advance to allow additional time to review the section.
November 6, 2020	Email	Vopak provided Kitsumkalum First Nation a summary of all of the field survey work that had been completed for the Project.
November 16, 2020	Email	Vopak provided Kitsumkalum First Nation with an overview of the activities and timelines scheduled for the regulatory review period. Vopak also provided links to virtual copies of the EEE/Application.
November 16, 2020	Email	Vopak shared a digital copy of Vopak’s virtual Open House poster that could be shared with Kitsumkalum First Nation community.
November 19, 2020	Virtual Meeting	Working Group Meeting
November 19, 2020	Email	Vopak Kitsumkalum First Nation with a copy of the letter from the Department of Fisheries and Oceans (DFO) confirming that Vopak will not require a Fisheries Act Authorization (FAA).
December 10, 2020	Phone Call	Vopak and Kistumkalum First Nation connected to discuss key engagement topics for ongoing and future engagements.
January 14, 2020	Virtual Meeting	Vopak held an initial Wetland Function Compensation Plan meeting with the First Nation groups, the Prince Rupert Port Authority, the Environmental Assessment Office to propose a process and engagement schedule.
January 18, 2020	Phone Call	Vopak connected with Kitsumkalum First Nation to set up engagement meetings to discuss the IR round 1 and additional engagement opportunities.

Table 3-9: Summary of Issues, Concerns, and Response to the Kitsumkalum First Nation

Vopak and Kitsumkalum First Nation continue to engage bilaterally through the regulatory process. The comments, including concerns and issues can be found in the Working Group's Issues Tracking Table. Vopak will continue to work with Kitsumkalum First Nation to work through the comments, address concerns and have continued dialogue on all aspects of the Project.

3.5 Lax Kw'alaams Band

Table 3–10 provides a summary of Vopak's key consultation activities with the Lax Kw'alaams Band during Stage 2 – Pre-Draft EEE/Application engagement and Stage 3 – Draft EEE/Application Review engagement. Comments, interests and concerns raised, as well as Vopak's response are captured in Table 3–11. Concerns raised to date have been addressed or are part of an ongoing discussion with the Indigenous Nation.

Table 3–10: Chronology of Key Engagement Activities with the Lax Kw'alaams Band

Date	Method of Engagement	Purpose/ Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
July 16, 2020	Phone Call	Vopak connected with the Lax Kw'alaams Band to provide an update and inquire about additional engagement opportunities.
July 21, 2020	Email	Vopak emailed a draft copy of the second Indigenous Consultation Report (ICR#2) for review and comment.
July 21, 2020	Email	Lax Kw'alaams Band provided Vopak with comments on Vopak's Marine Memo.
July 22, 2020	Phone Call	Vopak and Lax Kw'alaams Band connected by phone to discuss the Marine Memo.
July 22, 2020	Email	Vopak sent an update on the development of the draft EEE/Application and shared a Part C Summary Memo for the nation's review and comment. Vopak also outlined specific feedback topics for the nation to provide comments on.
August 4, 2020	Email	Vopak responded to Lax Kw'alaams Band's Marine Memo comments. Vopak shared that due to COVID-19 safety precautions environmental monitors would not be able to participate in the vessel work, however, Vopak is looking to be able to accommodate environmental monitors for the non-vessel work. Vopak also noted that due to feedback received, the scope of the survey had been adjusted. Vopak also confirmed that a summary of the data will be shared with the Working Group.
August 13, 2020	Email	Vopak shared the draft copies of the Archaeological Impact Assessment and Marine Overview Assessment reports for Lax Kw'alaams Band's review and feedback.
August 13, 2020	Virtual Meeting	Vopak and Lax Kw'alaams Band Mayor and Council connected with Vopak to discuss the Vopak Project.
August 17, 2020	Email	Lax Kw'alaams Band provided Vopak with their feedback on the draft Indigenous Consultation Report (ICR#2)
August 10 – 18, 2020	Email Exchange	Vopak and Lax Kw'alaams Band exchanged emails regarding Vopak's upcoming marine survey that includes an opportunity for participation from a Lax Kw'alaams Band environmental monitor. Lax Kw'alaams Band confirmed that they did not have an environmental monitor available.

Date	Method of Engagement	Purpose/ Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
August 18, 2020	Email	Lax Kw'alaams Band shared their comments and feedback on Vopak's Part C Summary Memo.
August 17 – 19, 2020	Email Exchange/ Phone Call	Vopak connected with Lax Kw'alaams Band on the AIA and MOA reports.
August 26, 2020	Email	Lax Kw'alaams Band shared their comments on Vopak's AIA and MOA reports.
August 28, 2020	Email	Vopak provided an update on the plans for the Project's draft EEE/Application submission for screening. Vopak also provided notes on the upcoming regulatory process.
September 1, 2020	Email	Vopak notified Lax Kw'alaams Band that Vopak would be submitting Part A and Part B (with the exception of the executive summary) of the draft EEE/Application to the regulators today and noted that the full draft EEE/Application is anticipated to be submitted in full on September 8.
September 9, 2020	Email	Vopak notified Lax Kw'alaams Band that the draft EEE/Application has been submitted in full to the regulators for screening. Vopak also invited the opportunity to provide an overview of the draft EEE/Application.
September 17, 2020	Email	Vopak shared the finalized second Indigenous Consultation Report (ICR#2) along with a copy of the comment and response tracking table.
September 24, 2020	Email	Lax Kw'alaams Band provided Vopak with additional comments on the draft EEE/Application that is supplemental to the comments that the nation submitted as part of the Information Request (IR) process.
September 29, 2020	Email	Following up on the screening comments that Lax Kw'alaams Band submitted on Vopak's draft EEE/Application, Vopak acknowledged the concerns regarding the integration of TUS information and proposed setting up a meeting for the week of October 19 th to discuss the comments and revise the nation specific information in the draft EEE/Application.
October 2, 2020	In-person	Lax Kw'alaams Band and Vopak touched based to discuss the timelines for the draft EEE/Application and engagements for the regulatory review period.
October 19, 2020	Virtual Meeting	Vopak met with Lax Kw'alaams Band to jointly review the nation's specific information in the draft EEE/Application and made live edits together.
October 20, 2020	Email/ In-person	Vopak shared a copy of the EAO's regulatory detailed work plan and made arrangements to drop off a USB copy of the draft EEE/Application that includes the edits that were discussed at the previous day's meeting.
October 28, 2020	Email	Vopak provided written responses to the supplemental screening comments that Lax Kw'alaams submitted to Vopak on September 24, 2020.
October 28 – 29, 2020	Email/ Phone Call	Vopak and Lax Kw'alaams Band discussed updating the traditional territory boundary map that was displayed in the draft EEE/Application. Lax Kw'alaams Band provided their feedback on the traditional territory map that Vopak shared with them.

Date	Method of Engagement	Purpose/ Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
October 29, 2020	Email	Vopak provided an email detailing the updated language that had been incorporated into Part B and Part C of the EEE/Application as a result to feedback that had been received.
October 27 – November 1, 2020	Email Exchange/ Phone Call	Vopak provided a summary of the discussion from their meeting with Lax Kw'alaams Band on October 19, 2020 and outlined the action items. Lax Kw'alaams provided some additional feedback noting that the remainder will be provided through the review period.
November 4, 2020	Email	Vopak notified that the submission of the EEE/Application for review has been delayed and provided a copy Lax Kw'alaams Band's Part C section in advance to allow additional time to review the section.
November 16, 2020	Email	Vopak provided Lax Kw'alaams Band with an overview of the activities and timelines scheduled for the regulatory review period. Vopak also provided links to virtual copies of the EEE/Application.
November 16, 2020	Email	Vopak shared a digital copy of Vopak's virtual Open House poster that could be shared with Lax Kw'alaams Band community.
November 16, 2020	Virtual Meeting	Vopak and Lax Kw'alaams held an introductory call with Lax Kw'alaams Band's new Manager of Lands and Resources.
November 19, 2020	Virtual Meeting	Working Group Meeting
November 19, 2020	Email	Vopak provided Lax Kw'alaams Band with a copy of the letter from the Department of Fisheries and Oceans (DFO) confirming that Vopak will not require a Fisheries Act Authorization (FAA).
December 1, 2020	Email	As requested, Vopak shared a copy of the Project's Fisheries Act Authorization Request for Review with the nation.
December 8, 2020	Email	Vopak provided Lax Kw'alaams Band's Lead Negotiator an engagement framework for continued engagements.
December 11, 2020	In-person	Vopak met with Lax Kw'alaams Band's Lead Negotiator to provide an update on the Project and discuss continued engagements.
January 14, 2021	Virtual Meeting	Vopak held an initial Wetland Function Compensation Plan meeting with the First Nation groups, the Prince Rupert Port Authority, the Environmental Assessment Office to propose a process and engagement schedule.
January 15, 2021	Email	Lax Kw'alaams Band provided additional comments on the EEE/Application for Vopak to review and respond to.
January 18, 2021	Email	Vopak provided the Lead Negotiator an updated engagement framework outline.
January 18, 2021	Phone Call	Vopak connected with Lax Kw'alaams Band to discuss setting up a meeting to discuss comments from Lax Kw'alaams Band's Round 1 IRs as well as the additional comments that they are preparing.

Table 3–11: Summary of Issues, Concerns, and Response to the Lax Kw’alaams Band

Vopak and Lax Kw'alaams Band continue to engage bilaterally through the regulatory process. The comments, including concerns and issues can be found in the Working Group's Issues Tracking Table. Vopak will continue to work with Lax Kw'alaams Band to work through the comments, address concerns and have continued dialogue on all aspects of the Project.

3.6 Metlakatla First Nation

Table 3– provides a summary of Vopak’s key consultation activities with the Metlakatla First Nation during Stage 2 – Pre-Draft EEE/Application engagement and Stage 3 – Draft EEE/Application Review engagement. Comments, interests and concerns raised, as well as Vopak’s response are captured in Table 3–1. Concerns raised to date have been addressed or are part of an ongoing discussion with the Indigenous Nation.

Table 3–12: Chronology of Key Engagement Activities with the Metlakatla First Nation

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
July 16, 2020	Phone Call	Vopak provided an engagement and Project update to Metlakatla First Nation’s Director of Operations. Future engagements with the Director of Operations were also discussed.
July 17, 2020	Email	Vopak provided responses to Metlakatla First Nation’s inquiries on the Project Design Change Memo from July 8, 2020.
July 21, 2020	Email	Vopak emailed a draft copy of the second Indigenous Consultation Report (ICR#2) for review and comment.
July 21, 2020	Email	Metlakatla First Nation provided Vopak with comments on Vopak’s Marine Memo noting that they were comfortable with the proposed process and would like an opportunity for a Metlakatla First Nation Environmental Monitor to participate in the process.
July 22, 2020	Email	Vopak sent an update on the development of the draft EEE/Application and shared a Part C Summary Memo for the nation’s review and comment. Vopak also outlined specific feedback topics for the nation to provide comments on.
August 4, 2020	Email	Vopak responded to Metlakatla First Nation’s Marine Memo comments. Vopak shared that due to COVID-19 safety precautions environmental monitors would not be able to participate in the vessel work, however, Vopak is looking to be able to accommodate environmental monitors for the non-vessel work.
August 5, 2020	Email	Metlakatla First Nation provided Vopak with their feedback on the draft Indigenous Consultation Report (ICR#2)
August 6, 2020	Phone Call	Metlakatla First Nation and Vopak connected to discuss the Part C Summary Memo, the Archaeological Impact Assessment (AIA) and Marine Overview Assessment (MOA) reports as well as the anticipated timeline for the draft EEE/Application submission for screening.
August 9, 2020	Email	Metlakatla First Nation shared their comments and feedback on Vopak’s Part C Summary Memo.
August 13, 2020	Email	Vopak shared the draft copies of the AIA and MOA reports for Metlakatla First Nation’s review and feedback.
August 14, 2020	Email	Vopak confirmed with Metlakatla First Nation that there are no requirements for offsets on the Project at this time.

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
August 10 – 18, 2020	Email Exchange	Vopak and Metlakatla First Nation exchanged emails regarding Vopak’s upcoming marine survey that includes an opportunity for participation from a Metlakatla First Nation environmental monitor. Metlakatla First Nation confirmed the availability of a monitor and Vopak shared details on the field work as well as the COVID-19 safety measures that would be in place.
August 27, 2020	Email	Metlakatla First Nation shared their comments on Vopak’s AIA and MOA reports.
August 28, 2020	Email	Vopak provided an update on the plans for the Project’s draft EEE/Application submission for screening. Vopak also provided notes on the upcoming regulatory process.
September 1, 2020	Email	Vopak notified Metlakatla First Nation that Vopak would be submitting Part A and Part B (with the exception of the executive summary) of the draft EEE/Application to the regulators today and noted that the full draft EEE/Application is anticipated to be submitted in full on September 8.
September 9, 2020	Email	Vopak notified Metlakatla First Nation that the draft EEE/Application has been submitted in full to the regulators for screening. Vopak also invited the opportunity to provide an overview of the draft EEE/Application.
September 17, 2020	Email Exchange	Vopak shared the finalized second Indigenous Consultation Report (ICR#2) along with a copy of the comment and response tracking table. Metlakatla First Nation responded to confirm that they notified the EAO that they had no further comments on the report.
September 25, 2020	Email	Metlakatla First Nation informed Vopak that they had additional feedback on Part C of the draft EEE/Application that they would like addressed prior to the submission of the EEE/Application for review.
September 28, 2020	Email	Metlakatla First Nation shared higher level concerns that Metlakatla First Nation has on the draft EEE/Application.
September 29, 2020	Email	Following up on the screening comments that Metlakatla First Nation submitted on Vopak’s draft EEE/Application, Vopak acknowledged the concerns regarding the integration of TUS information and proposed setting up a meeting for the week of October 19 th to discuss the comments and revise the Metlakatla First Nation specific information in the draft EEE/Application.
October 8, 2020	In-person	Metlakatla First Nation and Vopak touched based to discuss the timelines for the draft EEE/Application and engagements for the regulatory review period. Determined that specific engagement topics would be discussed following the next Working Group Meeting.
October 21, 2020	Virtual Meeting	Vopak met with Metlakatla First Nation to jointly review the nation’s specific information in the draft EEE/Application and made live edits together.
October 21, 2020	Email	Metlakatla First Nation shared the notes that they had compiled from their review of the draft EEE/ Application for Vopak to review and provide an update on what would be updated in the EEE/Application and what would be tabled for the regulatory review period.

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
October 21, 2020	Email	Metlakatla First Nation shared details on a recommended approach for the Project to communicate shipping schedules during construction.
October 29, 2020	Email	Vopak responded to Metlakatla First Nation's draft EEE/Application notes, outlining which comments Vopak was able to address in the updates made to the draft EEE/Application and the topics that will be discussed with Metlakatla First Nation throughout the regulatory review period.
October 28 – 30, 2020	Email Exchange	Vopak and Metlakatla First Nation exchanged discussed updating the traditional territory boundary map that was displayed in the draft EEE/Application. Metlakatla First Nation provided their feedback and resent a copy of their territory shapefile.
November 4, 2020	Email	Vopak notified that the submission of the EEE/Application for review has been delayed and provided a copy of Metlakatla First Nation's Part C section in advance to allow additional time to review the section.
November 16, 2020	Email	Vopak provided Metlakatla First Nation with an overview of the activities and timelines scheduled for the regulatory review period. Vopak also provided links to virtual copies of the EEE/Application and confirmed that a hard copy of the subsequent reports would be dropped off to the Metlakatla First Nation office later in the week.
November 16, 2020	Email	Vopak shared a digital copy of Vopak's virtual Open House poster that could be shared with the Metlakatla First Nation community,
November 19, 2020	Virtual Meeting	Working Group Meeting
November 19, 2020	Email	Vopak provided Metlakatla First Nation with a copy of the letter from the Department of Fisheries and Oceans (DFO) confirming that Vopak will not require a Fisheries Act Authorization (FAA).
November 23 – 25, 2020	Text Messages	Vopak and Metlakatla First Nation exchanged texts discussing the Information Requests (IRs) process and that they would look to arrange additional engagement meetings following the submission of the first round of IRs. Vopak noted that they would be available to meet if requested.
December 8, 2020	Email	Vopak provided Metlakatla First Nation's Director of Operations an engagement framework for continued engagements.
December 11, 2020	In-person	Vopak met with Metlakatla First Nation's Director or Operations to provide an update on the Project and discuss continued engagements.
January 3, 2021	Email	As requested in Metlakatla First Nation's IR request, Vopak shared a copy of the Project's Fisheries Act Authorization Request for Review with the nation.
January 14, 2021	Virtual Meeting	Vopak held an initial Wetland Compensation Plan meeting with the First Nation groups, the Prince Rupert Port Authority, the Environmental Assessment Office to propose a process and engagement schedule.
January 18, 2021	Email	Vopak provided the Director of Operations an updated engagement framework outline.

Date	Method of Engagement	Purpose/Outcome
Stage 2 – Pre-EEE/Application Engagement/Stage 3 - Draft EEE/Application Review Phase Consultation		
January 18, 2021	Phone Call	Vopak connected Metlakatla First Nation to discuss setting up a meeting to discuss comments from Metlakatla First Nation's IRs.

Table 3–13: Summary of Issues, Concerns, and Response to the Metlakatla First Nation

Vopak and Metlakatla First Nation continue to engage bilaterally through the regulatory process. The comments, including concerns and issues can be found in the Working Group's Issues Tracking Table. Vopak will continue to work with Metlakatla First Nation to work through the comments, address concerns and have continued dialogue on all aspects of the Project.

4 Summary of Potential Adverse Impacts on Aboriginal Interests and Preliminary Mitigation Measures

Pursuant to Section 13.3.3 of the Section 11 Order, the Report is required to identify the potential adverse impacts of the proposed Project on Aboriginal Interests, including Paragraph 5(1)(c) factors, and identify how these potential adverse impacts will be mitigated or otherwise addressed or accommodated, as appropriate.

Vopak has assessed the potential adverse impacts on Aboriginal Interests and included proposed mitigation measures that the Project will engage with the Indigenous nations on throughout the review process (Section 8 of the EEE/Application). Mitigation measures have been proposed for each Aboriginal Interest where there is a predicted effect.

The preliminary potential adverse effects on Aboriginal Interests that were identified by the Indigenous nations throughout our engagements have been incorporated into the EEE/Application. The TEK/TLUS information provided by each of the six Indigenous nations was used to inform the Part B Value Component (VC) baselines, effects, and mitigation measures to avoid, mitigate, or otherwise address or accommodate the potential impacts.

During the Draft EEE/Application review phase, Vopak will actively engage with the Working Group, as well as consult with the individual Indigenous nations, on the assessment of impacts and proposed mitigation measures. Vopak will record all comments provided by the Indigenous nations and track how feedback and concerns are addressed throughout the process.

5 Next Steps

Vopak will continue to engage with the Indigenous nations in accordance with the approved Indigenous Consultation Plan. Vopak appreciates the input received from Indigenous nations to date and looks forward to continuing to work with the Indigenous nations throughout the remainder of the EA process and for the life of the Project. As an immediate next step, Vopak is submitting Indigenous Consultation Report #3 and are continuing further engagements on the review of the Draft EEE/Application through Information Requests, Working Group meetings and individual consultations with each of the Indigenous nation groups.

As per the Section 11 Order, the Indigenous Consultation Report #3 is the last scheduled report, however, additional reports may be requested by the the Environmental Assessment Office. Vopak will also continue to provide consultation updates to all regulators engaged on the Project.

Vopak is committed to engaging with the Indigenous nations for the life of the Project and as such, ongoing dialogue will continue with each of the Indigenous nations to adapt engagement processes, share information, address concerns and strengthen long-term positive relationships.