

1 **11.10 Tsleil-Waututh Nation**

2 Tsleil-Waututh Nation (səlilwətaʔ), the People of the Inlet, have lived in their traditional territory for  
3 thousands of years before contact with Europeans when the Nation was approximately 10,000 strong.  
4 Tsleil-Waututh Nation are a distinct Coast Salish Nation whose traditional territory includes Burrard Inlet,  
5 traditionally known as səlilwət, and the waters draining therein (Tsleil-Waututh Nation n.d.b). Tsleil-  
6 Waututh people have occupied, governed, and acted as stewards of their territory since time out of mind  
7 and continue to do so today. TWN holds a sacred, legal obligation and responsibility to their ancestors,  
8 current, and future generations to maintain and restore conditions in their traditional territory that provide  
9 environmental, cultural, spiritual, and economic foundation for TWN and their community to thrive  
10 (Tsleil-Waututh Nation n.d.c).

11 *“Many generations have lived and thrived in this area, due in no small part to an*  
12 *abundance of resources. So, we have a sacred trust, a responsibility to care for and restore*  
13 *our traditional territory to its former state. Our stewardship of the land, air, and water is*  
14 *deeply ingrained in our culture because we understand the health of our people is*  
15 *interconnected with the environment we inhabit”* (Tsleil-Waututh Nation n.d.h).

16 **11.10.1 Methods**

17 This subsection describes the proposed Project updates resulting from engagement and an overview of  
18 methodology used for assessment of effects of the proposed Project on Indigenous interests.

19 **11.10.1.1 Proposed Project Updates Resulting from Engagement**

20 FortisBC Holdings Inc. with its regulated natural gas subsidiary FortisBC Energy Inc. (collectively defined as  
21 FortisBC) has chosen to adopt the avoidance technique and remove all waterborne activities associated  
22 with the proposed Project to mitigate potential effects on valued components, such as Fish and Fish  
23 Habitat, and Indigenous Interests that were raised by some participating Indigenous nations during  
24 engagement on the proposed Project.

25 FortisBC will no longer use or have proposed Project modular components delivered by 6 to 8 project  
26 cargo vessels.

27 No construction materials, liquefaction modules, equipment, or other deliveries required for the proposed  
28 Project will be transported by barge (or other vessels) or water. All deliveries will be by road freight on  
29 existing roads and highways.

30 With no waterborne activities, including deliveries, the Material Offloading Facility (MOF) is no longer  
31 required, and will not be constructed, upgraded, or used by the proposed Project.

32 Further details regarding the background and rationale for the mitigation are provided below.

33 In January 2022, FortisBC submitted a Detailed Project Description (DPD) for the Tilbury Phase 2 LNG  
34 Expansion project (the Project) to the British Columbia Environmental Assessment Office (B.C. EAO).  
35 The DPD described the need for 6 to 8 cargo vessels and the use of barges to deliver proposed project  
36 modular components and other construction materials to the Project site for construction. The DPD  
37 conservatively included the construction of a MOF for delivery of these construction materials and  
38 prefabricated modules. The DPD also outlined that existing roadways would be used to deliver  
39 construction materials to the proposed Project Site.

1 During engagement for the Readiness Decision and on the draft AIR, feedback was received about  
2 potential effects due to increased truck traffic to the proposed Project Site during construction. In  
3 response, measurable parameters related to traffic were included in the AIR.

4 During Application Development guided by the AIR, FortisBC conducted an analysis of the transportation  
5 methods available to bring materials to site. Findings were reported in the Construction Logistics Update  
6 and Alternative Means memo (the memo) issued in March 2023, due to Fortis' proposed change of scope  
7 for the Project. The number of barges that would be brought to site for the prefabricated modules was  
8 clarified and the option of using additional barges to transport bulk construction materials was  
9 investigated as an alternative to trucks.

10 Concurrent to FortisBC's engagement on the memo, the B.C. EAO conducted an additional round of  
11 consensus-seeking with participating Indigenous nations regarding the memo. During the consensus-  
12 seeking process, concerns were raised about a number of potential negative effects resulting from the  
13 proposed cargo vessel and barge traffic on Indigenous rights, such as fishing and engaging in cultural  
14 activities, as well as negative cumulative effects on the Fraser River, the Salish Sea, and the endangered  
15 Southern Resident Killer Whale population.

16 The Application has been prepared in accordance with the AIR in which potential effects were identified  
17 from waterborne delivery (that is, by cargo vessels and barge deliveries) and the use of the MOF  
18 associated with the proposed Project. In response to the concerns raised, FortisBC committed to no in  
19 water works, including no cargo vessels or barge deliveries, as an avoidance mitigation measure to address  
20 concerns about effects to the Fraser River, the Salish Sea, Burrard Inlet, and the Southern Resident Killer  
21 Whale population, described in the bullets above. FortisBC has rescinded the Construction Logistics  
22 Update and Alternative Means memo. A MOF will not be constructed, upgraded, or utilized by the  
23 proposed Project during any phase.

24 Potential residual effects to linked valued components with this avoidance mitigation measure are  
25 described in this subsection below. Implementation of this avoidance mitigation measure has  
26 subsequently been incorporated into the determination of potential residual effects of the proposed  
27 Project on Indigenous interests.

#### 28 **11.10.2 Methodology Overview**

29 Tsleil-Waututh Nation will be conducting a section 19(4) assessment under the B.C. *Environmental*  
30 *Assessment Act*, also known as Tsleil-Waututh Nation's Assessment (or TWN's Assessment), which is their  
31 own assessment of the effects of the proposed Tilbury Phase 2 LNG Expansion project (proposed Project)  
32 on Tsleil-Waututh Nation's rights and interests, which will be included in the B.C. EAO's Assessment  
33 Report, during the Effects Assessment phase. From Tsleil-Waututh Nation's perspective, Tsleil-Waututh  
34 Nation's Assessment can best determine how the proposed Project may affect Tsleil-Waututh Nation's  
35 rights and interests.

36 FortisBC sought input from First Nations with potential interests in the proposed Project on how these  
37 interests might potentially be affected by the proposed Project. The FortisBC assessment of potential  
38 effects of the proposed Project on the Indigenous interests of Tsleil-Waututh Nation in subsection 11.10  
39 follows the methodology outlined in subsection 11.1. FortisBC considered issues raised by Tsleil-Waututh  
40 Nation in relation to their Indigenous interests when determining potential effects of the proposed Project  
41 on their interests.

42 This subsection identifies sources of information used in preparing the assessment of potential effects on  
43 Tsleil-Waututh Nation, and notes where information represents the views of Tsleil-Waututh Nation,  
44 FortisBC, or other sources. Input and perspectives of Tsleil-Waututh Nation will be described, including

1 concerns raised by Tsleil-Waututh Nation, major points of disagreement between Tsleil-Waututh Nation  
2 and FortisBC, and efforts taken by FortisBC to address points of disagreement.

3 FortisBC incorporated information from Tsleil-Waututh Nation's Ethnohistoric Review and Summary of  
4 Tsleil-Waututh Nation's Rights and Interests in Relation to the Fortis Tilbury LNG Phase 2 Expansion  
5 Project (Ethnohistoric Report) (Tsleil-Waututh Nation 2023). The Ethnohistoric Report is a traditional use  
6 study (TUS) that describes Tsleil-Waututh Nation's historical and ongoing use of the study area using  
7 Tsleil-Waututh Nation traditional use studies and oral history projects (Tsleil-Waututh Nation 2023).  
8 Tsleil-Waututh Nation has stated to FortisBC that it is important to note that while the Ethnohistoric  
9 Report demonstrates Tsleil-Waututh Nation's use of the area, it does not illustrate the intensity, duration,  
10 and timing of the activities. TUSs have limitations as a TUS is a snapshot in time, meaning that the  
11 Ethnohistoric Report provided for the proposed Project does not fully capture TWN's historical and present  
12 use of the study area. FortisBC acknowledges Tsleil-Waututh Nation's perspective that a TUS is a snapshot  
13 in time and that the Ethnohistoric Report has limitations. Additional data limitations are captured in  
14 subsection 11.10.5.1, Technical Boundaries. Further information considered in this subsection with respect  
15 to Tsleil-Waututh Nation's Indigenous interests is described in subsection 11.10.4, Information Sources.

16 To gather more information regarding Tsleil-Waututh Nation's Indigenous interests, FortisBC has engaged  
17 and will continue to engage Tsleil-Waututh Nation during the Application Review phase in relation to their  
18 Indigenous interests when determining potential effects of the proposed Project on their interests.  
19 A summary of engagement is described in subsection 11.1.3 Summary of Engagement.

20 As indicated in subsection 11.1.7.4, certain information must be disaggregated to address  
21 section 25(2)(d) of the 2018 B.C. *Environmental Assessment Act*, where feasible, to identify and highlight  
22 existing conditions pertaining to the exercise of Indigenous interests which may differ for First Nations in  
23 comparison to the wider population. In addition, as described in subsection 11.1.3, the B.C. EAO AIR  
24 provide guidelines on the assessment of potential disproportionate effects on distinct human populations  
25 who may be more vulnerable to potential proposed Project effects. Where available, information has been  
26 disaggregated for each First Nation's contextual information and existing conditions to reflect a GBA+<sup>1</sup>  
27 approach. The context, existing condition, or Indigenous interest(s) for which data and information have  
28 been disaggregated, the type of GBA+ data and information disaggregated, and the location of that data  
29 and information are outlined in Table 11.10-1.

30 Tsleil-Waututh Nation is concerned with the B.C. EAO's methodology, as per the B.C. EAO's AIR Guidelines,  
31 for assessing residual and cumulative effects of proposed projects. From Tsleil-Waututh Nation's  
32 perspective, a cumulative effects assessment should include all effects, not only the residual effects, as a  
33 project has the potential to interact with other projects and activities. Tsleil-Waututh assesses cumulative  
34 effects from a holistic perspective, as per Tsleil-Waututh Nation's (2009) Stewardship Policy, inclusive of  
35 past (pre-contact), present, and future impacts on its members, culture, economy, and the environment  
36 from all projects across their territory. Furthermore, Tsleil-Waututh Nation disagrees with the B.C. EAO's  
37 methods for assessing residual and cumulative effects. From Tsleil-Waututh Nation's perspective, the B.C.  
38 EAO's Effects Assessment Policy does not address the 'shifting baseline syndrome' by focusing on the  
39 existing conditions (baseline conditions) and overlooking pre-contact conditions. Tsleil-Waututh Nation  
40 requires that a pre-contact baseline be used to adequately assess the cumulative effects and potential  
41 impacts on Tsleil-Waututh Nation's rights and interests.

42 FortisBC also acknowledges Tsleil-Waututh Nation's perspective with regards to spatial boundaries. From  
43 Tsleil-Waututh Nation's perspective, Tsleil-Waututh's rights and interests have been severely diminished

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<sup>1</sup> GBA+ provides a framework to describe the full scope of potential adverse and positive effects. GBA+ is an analytical framework that guides practitioners, proponents, and participants to ask important questions about how designated projects may affect diverse, distinct, or potentially vulnerable population groups (IAAC 2021).

1 and infringed upon throughout their territory. Currently, impacts already exceed what is allowable under  
 2 Tsleil-Waututh law. Thus, Tsleil-Waututh uses a spatial scope that looks at their territory as a whole.  
 3 Generally, the spatial scope corresponds to Tsleil-Waututh Nation’s territory, which includes cultural  
 4 practices/activities undertaken beyond Tsleil-Waututh Nation’s Consultation Area. TWN’s Consultation  
 5 Area is a living document comprised of traditional use studies, and it is meant to be amended and refined  
 6 over time (Tsleil-Waututh Nation 2009). Tsleil-Waututh Nation’s territory is not necessarily confined to  
 7 TWN’s Consultation Area and can extend beyond those boundaries, as TUSs are snapshots in time (Tsleil-  
 8 Waututh Nation 2023).

**Table 11.10-1. Tsleil-Waututh Nation Gender Based Analysis Plus Disaggregation**

Context, Existing Condition, or Indigenous Interest	Type of GBA+ Disaggregated Data and Information	Subsection Location
Population Demographics	Age Binary Gender (male/female)	Subsection 11.10.2.6
Community Health and Wellness	Age-health services Binary Gender-health services	Subsection 11.10.2.7
Housing Characteristics	Binary Gender	Subsection 11.10.2.9
Education	Binary Gender	N/A
Labour Force Indicators	Binary Gender	Subsection 11.10.2.12
Employment by Industry	Binary Gender	Subsection 11.10.2.12
Employment by Occupation	Binary Gender	Subsection 11.10.2.12
Harvesting and Subsistence Activities	N/A	N/A
Cultural Use Sites and Areas	N/A	N/A
Social and Economic Conditions	GBA+ disaggregated data identified in Population Demographics, Housing Characteristics, Employment, and Income	Subsections 11.10.2.6, 11.10.2.9, and 11.10.2.12
Indigenous Health and Well-Being	GBA+ disaggregated information identified in Community Health and Wellness	Subsection 11.10.2.7
Cultural Continuation	N/A	N/A
Indigenous Governance Systems	N/A	N/A

Note:

N/A indicates that no disaggregated data are available.

9 **11.10.3 Context**

10 This subsection describes background information on Tsleil-Waututh Nation, including existing cultural,  
 11 health, social, and economic contextual frameworks. The context also includes an overview of FortisBC’s  
 12 understanding of Tsleil-Waututh Nation’s Indigenous interests in the area that could be affected by the

1 proposed Project, including the environmental and socio-economic conditions that support Tsleil-Waututh  
2 Nation's meaningful exercise of their Aboriginal Rights.<sup>2</sup>

### 3 **11.10.3.1 Coast Salish Kinship**

4 The Coast Salish Peoples comprise 57 First Nations. Tsleil-Waututh Nation is a distinct Coast Salish Nation.  
5 Coast Salish territory includes the area along the south and southeastern coast of Vancouver Island from  
6 Sheringham Point to Qualicum, B.C., the Gulf and San Juan islands, the mainland from Deception Pass to  
7 Burrard Inlet, and the lower Fraser Valley as far east as Yale, B.C., including Washington State and northern  
8 Oregon (Morin et al. 2018). Coast Salish Peoples share a common base language (with various dialects),  
9 customs, and interests with other First Nations around the Salish Sea<sup>3</sup> (Morin et al. 2018). Halq'emeylem is  
10 a Salishan language spoken along the Fraser River and its tributaries from Yale to Vancouver, B.C., and  
11 across to Vancouver Island from Malahat to Nanoose Bay, B.C., along the Cowichan River, and down into  
12 Washington state. There are approximately 17 dialects of Halq'emeylem that fall within 3 major groups:  
13 Upriver dialects; Downriver dialects; and Island dialects (FirstVoices n.d.).

14 The Coast Salish have described an obligation to their ancestors and their future generations to protect  
15 and care for their water, land, air, and resources and to fulfill their stewardship responsibilities (Morin et al.  
16 2018). The Coast Salish describe a sacred duty to ensure the health of the Coast Salish territory (Morin et  
17 al. 2018). Coast Salish Peoples share that there are clear concepts of water, land, and resource ownership,  
18 governance, and stewardship (Morin et al. 2018; Suttles 1987). Tsleil-Waututh Nation has cultural  
19 protocols and kinship ties with Coast Salish Nations and Tsleil-Waututh has cultural and spiritual  
20 relationships/practices, as described in Tsleil-Waututh Nation's Ethnohistoric Report for the proposed  
21 Project (Tsleil-Waututh Nation 2023). According to Coast Salish land tenure and territoriality, the water,  
22 land, air, and resources are by birthright (Morin et al. 2018). Tsleil-Waututh Nation's Stewardship Policy  
23 documents the Tsleil-Waututh Nation Consultation Area, which captures Tsleil-Waututh Nation use and  
24 occupancy information (Tsleil-Waututh Nation 2008).

25 Historically, the Coast Salish maintained kinship connections (Tsleil-Waututh Nation 2023). The basic  
26 residential units of Coast Salish society were the family, household, local group, seasonal relocation  
27 villages, and tribe. One or more households comprised a local group, which often consisted of an elite  
28 household, together with some dependent ones. In some villages, low-status people would live separately  
29 or in places where they would be first exposed to potential attacks. At the core of the local group was a  
30 descent group referred to by a term that roughly translates as "one family" or "one blood." This core group  
31 was believed to have descended from a common ancestor and shared inherited rights to resources, names,  
32 and ceremonial activities. Family heads managed the groups property, including both tangible and  
33 intangible assets, such as rights to resources and names passed down through the generations. Most  
34 people lived in the village where they were born or married into, and travel was restricted to the  
35 geographical area where kinship ties existed (Kennedy 2007).

36 Intervillage marriages were common, even between families that spoke different languages. This created a  
37 larger network within the territory and helped ensure survival through access to resources and labour if  
38 needed. Because of intervillage marriage, a person could be a member of more than one group, or activate  
39 membership based on kinship connections. However, full membership in a village required kinship, at least  
40 part time residency, the contribution of labour, and a name given at a publicly witnessed ceremony

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<sup>2</sup> Aboriginal rights: Aboriginal rights is the term used in section 35 of the Canadian Constitution and section 25 of the Charter of Rights and Freedoms. As this is a legally defined term many First Nations prefer the use of the term over Indigenous rights, although the two terms are often used interchangeably.

<sup>3</sup> Salish Sea: The Salish Sea is an inland sea that encompasses Puget Sound, the San Juan Islands, and the waters offshore from Vancouver, BC. The sea stretches from the channels of the Discovery Islands north of the Strait of Georgia to Budd Inlet at the south end of Puget Sound.

1 (Kennedy 2007). Suttles (1992) therefore claimed that ideology linked people to place while the social  
2 system permitted the movement of people, information, and goods across a vast landscape (referenced in  
3 Kennedy 2007).

4 The concept of kinship, shared values, and cooperative stewardship in traditional Coast Salish culture  
5 guides the ongoing management and protection of the Coast Salish Nations' territories.

### 6 **11.10.3.2 Ethnographic Information**

7 The Tsleil-Waututh Nation are a Coast Salish People with strong kinship, cultural, and ethnic ties with other  
8 First Nations on the Pacific coast of B.C., Washington State, and Oregon State (Tsleil-Waututh Nation  
9 n.d.h). Tsleil-Waututh Nation's ancestors-maintained villages in eastern Burrard Inlet and sustainably used  
10 all the natural resources there, especially marine and intertidal resources (Tsleil-Waututh Nation n.d.c).  
11 There is a growing desire, especially among younger Tsleil-Waututh Nation members, to reconnect to  
12 traditional ways and better understand Tsleil-Waututh Nation ancestry and history (Simon Fraser  
13 University n.d.).

### 14 **11.10.3.3 Traditional Territory**

15 Tsleil-Waututh Nation's Consultation Area is shown on Figure 11.10-1. The main community of  
16 Tsleil-Waututh Nation is located in North Vancouver, B.C., on the south shore of Burrard Inlet north of  
17 Berry Point, with additional communities along the Indian River (CIRNAC n.d.). As Coast Salish Peoples,  
18 Tsleil-Waututh Nation have lived on their territory since time immemorial along the shores of Burrard  
19 Inlet, traditionally known as səlilwət (Tsleil-Waututh Nation n.d.h).

20 Tsleil-Waututh Nation's Consultation Area encompasses all the water and lands used by Tsleil-Waututh  
21 Nation members. (Tsleil-Waututh Nation n.d.c). It was created for the purpose of defining where  
22 consultation is required with the Tsleil-Waututh Nation and is consistent with Provincial consultation  
23 boundaries (Tsleil-Waututh Nation n.d.d). Tsleil-Waututh Nation Consultation Area includes areas across  
24 the Lower Mainland of B.C. including sections of the lower Fraser River, Howe Sound, Burrard Inlet, and  
25 Indian Arm (Tsleil-Waututh Nation n.d.a).

### 26 **11.10.3.4 Language**

27 The traditional language of Tsleil-Waututh Nation is Hunq'eme'nem; however, there are no living fluent  
28 speakers of that dialect, therefore, the Nation is using records, documents, and linguistic resources for the  
29 Downriver Hunq'eme'nem/Hənq'əminəm' in their Tsleil-Waututh Language Program to revitalize the  
30 language within the community. Hunq'eme'nem/Hənq'əminəm' is a dialect of the Halkomelem language.  
31 There are currently three community members who are mid to high-level speakers and an additional four  
32 beginner to mid-level speakers (Tsleil-Waututh Nation n.d.b).

33 The importance of family is reflected in all the Salish languages, and special words are used to identify  
34 family members going back six generations (Burnaby Village Museum and Burnaby 2019).

### 35 **11.10.3.5 Reserves and Registered Population**

36 Tsleil-Waututh Nation has three reserves, Burrard Inlet 3, Inlailawatash 4, and Inlailawatash 4A, located  
37 within their traditional territory totalling 110.7 ha (Table 11.10-2; Figure 11.10-1). Burrard Inlet 3, the  
38 residential community, is located on the North Shore of the Burrard Inlet and is surrounded on the West,  
39 North, and East by the District of North Vancouver, and on the south by the Burrard Inlet. Dollarton  
40 Highway runs across the southern end of the reserve and is managed by the District of North Vancouver  
41 (Tsleil-Waututh Nation n.d.e).

**Table 11.10-2. Tseil-Waututh Nation Reserves**

Number	Name	Location	Area (ha)
549/07903	Burrard Inlet 3 (residential reserve)	In the District of North Vancouver on the south shore of Burrard Inlet, north of Berry Point	108.2
549/07904	Inlailawatash 4	Adjacent to the District of North Vancouver, in Sect. 15 and 16, TWP.6, R7, W7M, at the mouth of Indian River Head of Indian Arm of Burrard Inlet	0.5
54907905	Inlailawatash 4A	Adjacent to the District of North Vancouver, part of Lot 819, C.G., right bank of Indian River, half a mile from the mouth of Indian Arm of Burrard Inlet	2.0

Source: CIRNAC n.d.; Tseil-Waututh Nation, n.d.e.

1 The registered population of Tseil-Waututh Nation as of December 2022 was recorded as 667 members.  
 2 Approximately 50.8 percent of the population lived on their own reserve or another reserve, whereas  
 3 49.2 percent lived off reserve<sup>4</sup> (CIRNAC n.d.).

4 **11.10.3.6 Population Demographics**

5 Population demographics as of 2021 are reported for Burrard Inlet 3, which is the main Tseil-Waututh  
 6 Nation community. The total population of Burrard Inlet 3 was reported as 2,373 in the 2021 Canada  
 7 Census, representing an increase of 10.8 percent from 2016 (Statistics Canada 2023a). The demographic  
 8 information in Table 11.10-3 represents the enumerated total for Burrard Inlet 3 and does not reflect the  
 9 registered population or the population of the total membership of Tseil-Waututh Nation, many of whom  
 10 live off reserve or in other reserves. In addition, surveyed individuals may live on reserve but not be  
 11 members of Tseil-Waututh Nation.

12 As of 2021, approximately 46 percent of the population of Burrard Inlet 3 was reported to be male and  
 13 54 percent was reported to be female (Statistics Canada 2023a). The median age of the population of  
 14 Burrard Inlet 3 was 43.2 years, with 15.8 percent of the population under the age of 15 (as compared to  
 15 14.1 percent for the GVRD overall), and 16.4 percent of the population 65 and over (as compared to  
 16 17.4 percent for the GVRD overall) (Statistics Canada 2023b).

17 Table 11.10-3 shows the age characteristics of the on-reserve population of Burrard Inlet 3 in 2021.

**Table 11.10-3. Burrard Inlet 3 First Nation Age Characteristics in 2021**

Age Characteristics <sup>a</sup>	Men <sup>+b</sup>	Women <sup>+b</sup>	Total
Total all persons	1,075	1,295	2,375 <sup>b</sup>
Age 0 to 14	190	190	375
Age 15 to 64	730	880	1,605
Age 65 and over	160	230	390
Median age	42.0	44.4	43.2

<sup>4</sup> This does not necessarily indicate that off-reserve members are residing in Metro Vancouver or the Fraser Valley, as information regarding where they reside is not accessible.

Source: Statistics Canada, 2023a.

<sup>a</sup> For the purpose of population demographics, Burrard Inlet 3 Census data were used as standalone data, as information pertaining to Tsleil-Waututh Nation reserves is inconsistent or lacking information, thereby limiting the ability to aggregate information or to provide statistics for Tsleil-Waututh Nation reserves other than Burrard Inlet 3.

<sup>b</sup> Total represents the total number of respondents to the 2021 Census survey and does not necessarily reflect the actual total of Tsleil-Waututh Nation population.

Note: Male+/female+ are defined by Statistics Canada as referring to men, boys and some nonbinary persons and women, girls, and some nonbinary persons (Statistics Canada 2023a). Numbers by gender may be rounded by Statistics Canada for confidentiality and data quality reasons and therefore may not match totals (refer to data limitations in subsections 11.1 and 11.10.4).

1 **11.10.3.7 Community Health and Wellness**

2 The following subsections present information about Tsleil-Waututh Nation’s health and wellness,  
3 including emergency services, education, housing, infrastructure, employment, and economic  
4 development. The statistics provided need to be viewed in context, in particular where there are  
5 comparisons made between Tsleil-Waututh Nation and the non-Indigenous population. Across Canada,  
6 Indigenous populations have experienced, and continue to experience, the severe and detrimental effects  
7 of colonialism which have affected their social and economic well-being, as well as their health and  
8 culture, including their cultural health. Indigenous Peoples face pervasive and persistent adverse social  
9 and economic conditions relative to non-Indigenous Canadians due to a system that has discriminated  
10 against and oppressed them (Reading and Wien. 2009). These socio-economic conditions, or social  
11 determinants of health, shape health outcomes.

12 Indigenous perspectives on determinants of health are holistic in nature and include, among others, the  
13 social determinants of health, such as education, employment and income, food security, access to health  
14 and social services, colonial practices and policies, racism and social exclusion, barriers to  
15 self-determination and sense of belonging (Shandro and Jokinen 2018). Accordingly, this subsection  
16 provides information on some of these social determinants of health as outlined in this approach. Health  
17 disparities between the Indigenous and non-Indigenous populations in Canada are readily apparent.  
18 Indigenous Peoples in Canada have shorter life expectancies, higher rates of chronic disease and  
19 communicative illness, higher rates of addiction, and higher infant mortality rates than non-Indigenous  
20 Canadians (Hajizadeh et al. 2018; Office of the Auditor General of Canada 2018). Education, employment,  
21 and income has been identified as a social determinant of health. In general, Indigenous Peoples,  
22 particularly on reserve, have consistently lower employment rates as compared to the non-Indigenous  
23 Canadian population, with some of the highest unemployment rates seen in B.C. relative to other  
24 provinces, with the exception of the Atlantic provinces (National Collaborating Centre for Aboriginal  
25 Health 2017).

26 The specific reasons for these disparities are multifold and systemic in nature, and can comprise (alone or  
27 in combination) the effects of intergenerational trauma, racism, lone parent households, childcare  
28 responsibilities, as well as limited education, and high rates of poverty which is a barrier to educational and  
29 employment opportunities (MLA Committee on the First Nations, Métis, and Inuit Workforce Planning  
30 Initiative 2010). Indigenous Peoples also experience health inequalities due to physical and geographic  
31 barriers, racial discrimination, negligence, and cultural insensitivities within the health care system (Barbo  
32 et al. 2021).

1 However, from 1981 to 2016, the well-being of First Nation communities has steadily increased as  
2 measured by four indicators of education, labour force activity, income, and housing using the CWB Index<sup>5</sup>  
3 (Indigenous Services Canada 2020). The overall CWB score for Tsleil-Waututh Nation (Burrard Inlet 3) in  
4 2016 was 87, which compared to a lower score of 63 for B.C. First Nations (Indigenous Services Canada  
5 2019b) and was slightly higher than a score of 75.5 for non-Indigenous B.C. communities (Indigenous  
6 Services Canada 2019a). These scores may reflect Tsleil-Waututh Nation's strong education program that  
7 includes achieving strong self-esteem for individuals starting at pre-kindergarten, dedication to adult  
8 education and wellness, ability to provide employment through multiple Tsleil-Waututh Nation-owned  
9 businesses, and Tsleil-Waututh Nation's overall commitment to rebuilding of their culture. The CWB Index  
10 scores for housing, education, labour force activity and income were unavailable.

11 Access to health services is only one aspect of health but is still an important component of community  
12 health and well-being. Tsleil-Waututh Nation is located within the service area of the FHA. The FHA  
13 delivers mental health services, reproductive health services, adult community support, childcare support,  
14 assisted living facilities, and other services, and has 13 hospitals that provide urgent and nonurgent  
15 medical care (FHA n.d.a). Other public health services in the Fraser Health Region include home and  
16 community care, primary care, and research facilities (Vancouver Coastal Health n.d.; FHA n.d.b). B.C.  
17 women's health services are provided via the BC Women's Hospital and Health Centre and the Vancouver  
18 Women's Collective (Vancouver Coastal Health n.d.; FHA n.d.b).

19 The FNHA, a province-wide HA, funds, plans and provides health service delivery and health governance to  
20 Indigenous communities and Nations, collaborates with health programs and services, and advocates for  
21 Indigenous health and well-being (FNHA n.d.b). The FNHA provides community-based services with a  
22 focus on health promotion and disease prevention (FNHA n.d.a). In addition, Indigenous Child and Mental  
23 Health Services provides free mental health and wellness services for Indigenous children, youth, and their  
24 families (Government of B.C. n.d.d). Tsleil-Waututh Nation works cooperatively with all levels of Provincial  
25 and Federal governments to provide a wide range of health services to the community. Primary and Home  
26 and Community Care Services are available to eligible community members through doctors, nurse  
27 practitioners, naturopathic physicians, and traditional healers 5 days a week. Additional home support  
28 services include home care nurses, menu planning and meal preparation, light housekeeping, laundry and  
29 changing linens, health monitoring, check-ins, and daily living services, such as personal care, transfers,  
30 and mobility assistance (Tsleil-Waututh Nation n.d.i).

31 Tsleil-Waututh Nation's *Ćećəwət Leləm* Helping House offers mental wellness programs and resources to  
32 empower community members to be resilient, self-determined, and connected. Counselling services are  
33 available to Nation members of all ages to provide support through difficulties, such as loss, grief, trauma,  
34 addiction, Residential and Day School, and other challenging times (Tsleil-Waututh Nation n.d.f).

35 An Expressive Arts Therapy program allows clients to reflect on their habits, discover personal strengths,  
36 address challenges, and build resilience through writing, storytelling, visual art, movement, sound,  
37 photography, connection with nature, or therapeutic conversation (Tsleil-Waututh Nation n.d.e).

### 38 **11.10.3.8 Emergency Services**

39 Metro Vancouver and the Squamish-Lillooet Regional District are responsible for addressing emergencies  
40 within their respective jurisdictions, with the municipalities delivering fire and police services within their  
41 boundaries. Metro Vancouver is responsible for emergency planning and response in Electoral Area A,  
42 such as incident command and coordination at the emergency site, central coordination through the

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<sup>5</sup> The CWB is a measure for community socio-economic well-being using census data available from 1981 to 2016. It is measured at the reserve scale, and does not present a complete picture of well-being, as those indicators are wide and varied (Indigenous Services Canada 2020), and are also dependent on community understandings of what well-being constitutes.

1 Emergency Operations Centre, and Wildland Fire Suppression in coordination with the BC Ministry of  
2 Forests (Metro Vancouver n.d.).

3 BCAS delivers ambulance transportation services and pre-hospital emergency care in B.C. (BCEHS n.d.).  
4 Police services in B.C. may be provided by the RCMP, by Provincial (also the RCMP) or Municipal forces, or  
5 by a First Nation administered police force. Municipalities with populations 5,000 and over are required by  
6 the *Police Act* to provide their own police force (Government of B.C. n.d.g). The Provincial Police Service  
7 Agreement between the Government of B.C. and the Government of Canada establishes the RCMP as B.C.'s  
8 Provincial police force called E Division (Government of B.C. n.d.g). The Municipal Police Service  
9 Agreement between the Government of B.C. and the Government of Canada allows the Government of  
10 B.C. to subcontract the RCMP Provincial force to municipalities. The RCMP operates detachments that  
11 serve 63 municipalities in B.C., including six detachments in the Fraser Valley (Government of B.C. n.d.g;  
12 RCMP 2019). The Government of B.C. provides policing services in Indigenous communities with  
13 populations of up to 5,000, whereas municipalities with populations of more than 5,000 provide policing  
14 to First Nations within their boundaries (Government of B.C. n.d.b). The RCMP's First Nations Policing  
15 Program provides a dedicated program to support culturally responsive policing in Indigenous  
16 communities (RCMP n.d.).

17 The Government of B.C. provides emergency tools and resources for Indigenous communities and local  
18 governments, including developing and maintaining emergency plans, emergency operations, financial  
19 support programs for community-level mitigation, and response and recovery (Government of B.C. n.d.f).  
20 The Government of B.C. also has an Emergency Support Services program to help build and train local  
21 teams. Additionally, the Government of B.C. works with Indigenous communities to build resiliency  
22 through disaster preparedness via the Indigenous Emergency Management Partnership Tables, which aim  
23 to acknowledge Indigenous ways of knowing (Government of B.C. n.d.f).

24 Additional emergency services are provided by both the Government of B.C. and the Government of  
25 Canada. Provincial emergency services include, for example, EmergencyInfoBC, which provides  
26 information during active emergencies, and Prepared BC guides, which are guides that are available online  
27 to help individuals prepare for emergencies, as well as DriveBC, BC Wildfire Service, and the River Forecast  
28 Centre, which all provide warning notifications for the province (Government of B.C. n.d.a). Federal  
29 emergency services include resources on the Get Prepared website, such as the Emergency Preparedness  
30 Guide for Canadians, and Earthquakes Canada.

31 FNESS works closely with First Nations communities, Emergency Management BC, Indigenous Services  
32 Canada, and other stakeholders to develop and support the successful implementation of Emergency  
33 Management for First Nations communities in the Government of B.C. The FNESS Fire Services department  
34 provides fire prevention programs, fire safety education and firefighter training to First Nation  
35 communities in B.C. (FNESS 2022).

36 On reserves, Indigenous governments are generally the first line of response in the case of emergency,  
37 implementing community emergency response plans (Indigenous Services Canada 2020). In the event  
38 that First Nations require more support, they typically contact either an Indigenous Services Canada  
39 Regional Office or Provincial emergency response offices, depending on the emergency management  
40 agreements that are in place.

#### 41 **11.10.3.9 Housing**

42 On reserve, Tsleil-Waututh Nation's Public Works Department strives to provide safe and sustainable  
43 housing for members. It builds and rents subsidized housing and plans and develops and manages social  
44 housing projects. The Public Works Department seniors housing program assists Elders with rent subsidies

1 and maintenance or repair of their privately-owned homes. Additionally, the Public Works Department  
2 assists Tsleil-Waututh financial staff in processing mortgage applications for member buildings or  
3 updating homes on the reserve (Tsleil-Waututh Nation n.d.j).

4 Census data for 2021 for the Burrard Inlet 3 reserve indicate Tsleil-Waututh Nation members occupied  
5 1,135 dwellings. And lone parent households comprised 16.2 percent of all Tsleil-Waututh Nation private  
6 households (Statistics Canada 2023a). In 2016, there were seven times as many female lone parent  
7 households as male lone parent households for all Tsleil-Waututh Nation members (on and off reserve).  
8 In 2016, Tsleil-Waututh Nation members overall had 500 one family households, 415 couple family  
9 households, and 25 multifamily households (CIRNAC n.d.).

### 10 **11.10.3.10 Education**

11 Tsleil-Waututh Nation School (siʔámθət School) offers both members and nonmembers (Indigenous  
12 and non-Indigenous) an opportunity to expand their knowledge of First Nations language and heritage  
13 (Tsleil-Waututh Nation n.d.d). The school is certified by the First Nations Schools Association for  
14 pre-kindergarten to Grade 12 studies (Tsleil-Waututh Nation n.d.d), and students who successfully  
15 complete the program are eligible for direct entrance to post-secondary education with either a Dogwood  
16 (Provincial) or Adult Dogwood diploma (Tsleil-Waututh Nation School n.d.). Tsleil-Waututh Nation School  
17 also has partnerships which allow students to intern with Ocean Wise at the Vancouver Aquarium  
18 (Tsleil-Waututh Nation School n.d.).

19 The Tsleil-Waututh Child and Family Development Centre provides care for children from 6 months to  
20 5 years old and offers support to preschool students as they transition into kindergarten. The curriculum  
21 incorporates Tsleil-Waututh education, language, and culture. The Home Instruction for Parents of  
22 Preschool Youngsters program works with parents of young children to provide support in developing  
23 literacy and numeric skills in preparation for school. The Nation also offers an Aboriginal Infant  
24 Development Program that empowers parents in their roles to help set and reach goals for their children  
25 and themselves. The Aboriginal Head Start Program is a free program for community children that fosters  
26 literacy and numeric skills and ensures children are socially and emotionally ready for school. The Head  
27 Start Program includes traditional programming in art, drumming, singing, field trips and opportunities for  
28 Elders and children to interact (Tsleil-Waututh Nation n.d.d).

29 Tsleil-Waututh Nation's Community Development department also provides opportunities for members to  
30 grow physically, intellectually, emotionally, spiritually, and culturally through the delivery of services  
31 related, but not limited to (Tsleil-Waututh Nation 2021b):

- 32 ▪ Early childhood education
- 33 ▪ Outreach programs
- 34 ▪ Social Development
- 35 ▪ Youth, Family and Elder Programs

36 Tsleil-Waututh Nation is within School District 44 (North Vancouver) and School District 43 (Coquitlam)  
37 due to the different reserve locations (Government of B.C. n.d.h). Both school districts offer Indigenous  
38 education programming to improve academic success of students of Indigenous ancestry and the sense of  
39 belonging, and to increase knowledge of Indigenous culture and history (North Vancouver School  
40 District 2022; Coquitlam School District 2022a, 2022b).

41 Of Tsleil-Waututh Nation members who are 15 years and older, approximately 26.8 percent had a high  
42 school diploma or equivalent as their highest level of educational attainment in 2016 (slightly lower than  
43 29.4 percent in B.C. overall), 31.1 percent of members held a trades certificate or equivalent (compared to  
44 26.9 percent B.C. overall), and 28.4 percent had a university diploma at the bachelor level or above

1 (compared to 24.6 percent in the B.C. overall) (CIRNAC n.d.). Especially for the early education statistics  
 2 (for example, high school diploma and equivalent), these statistics are reflective of Tsleil-Waututh  
 3 Nation's commitment to early and ongoing education programs for Tsleil-Waututh Nation members.

4 **11.10.3.11 Community Infrastructure**

5 Tsleil-Waututh Nation's Public Works Department oversees capital projects, housing, road and facility  
 6 improvements, community services, land management, recreation, bylaws, policies, and zoning for the  
 7 Nation (Tsleil-Waututh Nation n.d.j).

8 A Community Centre offers rental space for meetings, banquets, gatherings, rehearsals, and storage and  
 9 includes both smaller and larger rooms and a kitchen to serve guests (Tsleil-Waututh Nation n.d.j).

10 Tsleil-Waututh Nation's Land Use Plan provides the vision, principles, and guidelines for how land use and  
 11 development will occur on Tsleil-Waututh Nation reserve lands over the next 100 years. The Land Use  
 12 Plan notes investing in maintaining and developing new infrastructure for roads, sewers, drainage, and  
 13 water supply while achieving a high standard of environmental sustainability as a goal for the Nation  
 14 (Tsleil-Waututh Nation n.d.e).

15 The Tsleil-Waututh Nation **si?ámθət** School serves the Tsleil-Waututh Nation community as a whole, as its  
 16 program focuses on Tsleil-Waututh Nation family, culture, and well-being. Community partnerships allow  
 17 for unique learning opportunities including land-based learning and hands-on learning within the Nation  
 18 itself (Tsleil-Waututh Nation School n.d.).

19 **11.10.3.12 Employment and Income**

20 2021 employment and income data are available from Statistics Canada for Burrard Inlet 3; however, the  
 21 population recorded for Burrard Inlet was 2,373, which is greater than the total registered membership of  
 22 Tsleil-Waututh Nation (667 individuals) indicating that the population recorded at Burrard Inlet 3 does not  
 23 represent only Tsleil-Waututh Nation members (CIRNAC n.d.; Statistics Canada 2023a). The following  
 24 statistics are presented using data from 2016 to better represent the employment and income  
 25 characteristics of Tsleil-Waututh Nation members.

26 The employment rate for Tsleil-Waututh Nation members aged 15 and over was 65.5 percent in 2016  
 27 (CIRNAC n.d.). At the time, there were more male than female Tsleil-Waututh Nation members employed  
 28 (68.0 percent versus 63.5 percent) (CIRNAC n.d.), which does not reflect the larger, national trend in terms  
 29 of the growing labour force participation of Indigenous women since 2011 (dePratto 2015). The  
 30 unemployment rate for Tsleil-Waututh Nation members was 7.4 percent (CIRNAC n.d.). Male  
 31 Tsleil-Waututh Nation members had a much lower unemployment rate as compared to female  
 32 Tsleil-Waututh Nation members (3.8 percent versus 9.4 percent, as reported). The overall employment  
 33 rate for Tsleil-Waututh Nation members was higher in 2016 compared to B.C. (65.5 percent compared to  
 34 59.6 percent, respectively) (CIRNAC n.d.). These are encouraging statistics demonstrating that First  
 35 Nations are starting to break down the systemic barriers that have long been in place due to colonialism  
 36 (refer to subsection 11.10.2.6 for context regarding these barriers).

37 The largest area of employment for Tsleil-Waututh Nation members (18.2 percent of people aged 15 and  
 38 over) was "other services," which includes public administration and administrative services. Other  
 39 industries that employed Tsleil-Waututh Nation members were health and education, business services,  
 40 and wholesale or retail. The 2016 Census data, as reported by CIRNAC, also show that top areas of  
 41 employment for males were 'other services', while for females it was health and education (CIRNAC n.d.)

1 Approximately 22.5 percent of Tsleil-Waututh Nation members over the age of 15 were employed in  
2 management occupations in 2016, followed by 14.9 percent employed in sales and service, and  
3 12.7 percent in social sciences and government. Both males and females were employed in more  
4 management occupations than in other occupations (21.8 percent and 23.1 percent, respectively)  
5 (CIRNAC n.d.).

6 In 2016, the average annual total income for Tsleil-Waututh Nation community members aged 15 and  
7 over was 37.7 percent higher than the average annual total income reported for B.C. (CIRNAC n.d.).  
8 These are encouraging statistics for Tsleil-Waututh Nation and may be attributed to the job training  
9 opportunities for members at an early age (refer to subsection 11.10.2.12 for details) and the numerous  
10 successful businesses owned and operated by Tsleil-Waututh Nation (refer to subsection 11.10.2.13 for  
11 details).

### 12 **11.10.3.13 Employment Services**

13 Through the siḡámθst School, Tsleil-Waututh Nation supports employment and job training for  
14 community members, focusing on educating students at an early age about opportunities within the  
15 Nation, such as nursing, community planning, and accounting (Tsleil-Waututh Nation School n.d.).

16 The Tsleil-Waututh Nation Skills Centre offers training programs, support with cover letter and resume  
17 preparation, career path guidance, and postings for current job opportunities both within the Nation and  
18 with employment partners (Tsleil-Waututh Nation Skills Centre n.d.).

### 19 **11.10.3.14 Economic Development**

20 Tsleil-Waututh Nation operates multiple successful businesses, which generate their own revenues and  
21 build capacity for economic growth, provide employment opportunities, and create wealth for current and  
22 future generations (Tsleil-Waututh Nation n.d.b).

23 Tsleil-Waututh Nation owns and operates the following businesses:

- 24 ▪ Inlailawatash Limited Partnership provides a range of cultural and renewable resource services to  
25 Indigenous and Crown governments, communities, private-sector, and nonprofit organizations.  
26 Comprised of archaeologists, GIS technicians, natural resource professionals, arborists, and other  
27 skilled personnel, the partnership offers vegetation management, ecosystem restoration, archaeology,  
28 mapping and information management, and renewable resource management. In 2015, Inlailawatash  
29 won a B.C. Aboriginal Business Award for outstanding achievement as a community-owned business.
- 30 ▪ MST Development Corporation is a partnership between the Musqueam, Squamish, and  
31 Tsleil-Waututh Nations with full or co-ownership of 6 prime properties in Metro Vancouver inclusive of  
32 more than 160 acres of developable land. The MST Development Corporation oversees these  
33 properties and creates growth and opportunity for their members and plans to develop these lands  
34 into sustainable neighbourhoods.
- 35 ▪ Salish Seas is a partnership of 3 Nations: Tsleil-Waututh Nation, Musqueam Indian Band and Tla'amin  
36 Nation, which leases commercial fisheries licenses and harvest fisheries products to community  
37 members from the three Nations. Members have the opportunity to fish for prawn, crab, halibut,  
38 herring, salmon, and sablefish. Approximately 50 percent of profits are used to support community  
39 programs.
- 40 ▪ SPAL Constructors is a project management company which establishes joint ventures with companies  
41 offering construction services, thereby allowing the Nation to compete in industry bid opportunities  
42 within their territory.

- 1     ▪ Takaya Developments is a successful real estate development company majority owned by the  
2       Tseil-Waututh Nation, now in partnership with Aquilini Development Group. Takaya Developments  
3       has been developing condominiums and townhomes for almost 25 years.
- 4     ▪ Takaya Tours offers ocean-going canoe journeys along the coastline of Burrard Inlet with experienced  
5       guides, songs, and stories, and stops at ancestral villages, such as Tum-Tumay-Whueton (Belcarra  
6       Park) and Whey-ah-Wichen (Cates Park) (Figure 11.10-2). Kayak rentals are also available at both  
7       locations. Takaya Tours is a member of Tourism Vancouver, Destination B.C., and the Indigenous  
8       Tourism Association of B.C.
- 9     ▪ The Takaya Golf Centre offers the largest range in North Vancouver along with a clubhouse, pro shop,  
10      two-level tee area, driving range, and mini-putt course. The Tseil-Waututh Nation Economic  
11      Development offices are based at the Golf Centre.
- 12    ▪ Takaya Holdings Ltd., in partnership with EMC Business Solutions, entered into a Distributor  
13      Agreement for Beachcomber-branded hot tubs, related products and accessories. The Nation has  
14      distributor rights to sell on Tseil-Waututh Nation lands and to joint venture developments the Nation  
15      is part of, and to market the products to all First Nations in B.C. and land developers working with the  
16      Nation.

17    In addition, the Government of B.C. has entered into agreements with Tseil-Waututh Nation as a way to  
18    advance reconciliation and increase capacity, such as the Tseil-Waututh Nation First Nations Clean Energy  
19    Business Fund (FNCEBF) Revenue Sharing Agreements for the Culliton Creek Hydro Project and Skookum  
20    Creek Hydro Project (both in 2014), as well as Tseil-Waututh Nation Forest Consultation and Revenue  
21    Sharing Agreements (Government of B.C. n.d.c).

22    The xʔəl'ílwətaʔt/Indian River Watershed has tremendous potential for a variety of tourism and  
23    recreational opportunities, especially when combined with Tseil-Waututh Nation cultural knowledge.  
24    Tseil-Waututh Nation has commissioned several ecotourism-related studies, in addition to launching their  
25    own ecotourism company, Takaya Tours, in 2001 that in part focuses on the watershed's environmental  
26    and cultural wonders. Tseil-Waututh Nation also manages Say-Nuth-Khaw-Yum (Indian Arm) Provincial  
27    Park, Belcarra Regional Park, and Whey-ah-Wichen (Cates Park, District of North Vancouver) along Indian  
28    Arm (Tseil-Waututh Nation n.d.a). Tseil-Waututh Nation and the Government of B.C. have also  
29    recognized that the watershed has good economic potential for ongoing forest stewardship activities,  
30    despite effects from previous timber harvesting practices.

31



1 **11.10.3.15 Tsleil-Waututh Nation Government and Administration**

2 Tsleil-Waututh Nation has a council quorum of four under the *Indian Act* election system (CIRNAC n.d.).  
3 The Tsleil-Waututh Nation Chief and Council consists of a chief and 6 councillors who are elected for  
4 2-year terms (B.C. Assembly of First Nations n.d.; Tsleil-Waututh Nation n.d.g).

5 Tsleil-Waututh Nation is a member of the Naut'sa mawt Tribal Council (B.C. Assembly of First Nations n.d.).  
6 The Naut'sa mawt Tribal Council supports 11 Coast Salish member Nations in areas of economic  
7 development, finance and administration, community planning, technical services, and governance, in  
8 addition to providing resources related to professional development, employment, funding and granting  
9 programs, and artistic opportunities (Naut'sa mawt Tribal Council n.d.).

10 **11.10.3.16 Plans and Agreements**

11 At the request of Tsleil-Waututh Nation, FortisBC has not included a summary of the plans and  
12 agreements to which Tsleil-Waututh Nation is a signatory.

13 **11.10.3.17 Land Use and Stewardship Plans**

14 **Tsleil-Waututh Nation Stewardship Policy**

15 Tsleil-Waututh Nation members have been taught for generations that they have a responsibility to  
16 steward the land and waters in their territory. In 2009, Tsleil-Waututh Nation's Stewardship Policy was  
17 established to mandate the evaluation of all the potential impacts of projects, development, and policy  
18 changes on the land, water, and resources in Tsleil-Waututh Nation's Consultation Area. Tsleil-Waututh  
19 Nation has informed FortisBC that it uses a holistic approach toward assessing the impacts of proposed  
20 projects in Tsleil-Waututh Nation's Consultation Area, and their Stewardship Policy reflects Tsleil-  
21 Waututh's jurisdiction and laws based on Coast Salish legal principles (Tsleil-Waututh Nation n.d.c).  
22 Tsleil-Waututh Nation uses two lenses, as guided by its Stewardship Policy, to assess the impacts of  
23 proposed projects. The first lens is: Is the decision proposed a good land use decision? The second lens is:  
24 will the proposed project have the ability to provide environmental, social, cultural, and economic  
25 benefits to the Tsleil-Waututh community that are commensurate with the impacts that it will have?  
26 (Tsleil-Waututh Nation 2009). Furthermore, its Consultation Area represents where Tsleil-Waututh Nation  
27 requires consultation and accommodation of its interests. Tsleil-Waututh Nation's (2009) Stewardship  
28 Policy provides direction to governments and proponents on how to engage with Tsleil-Waututh Nation to  
29 achieve meaningful consultation.

30 **Land Use Code**

31 In 2007, Tsleil-Waututh Nation adopted a formal Land Code to set out the principles and legislative and  
32 administrative structures that apply to their lands, and by which the Nation shall exercise authority over  
33 that land. The Land Code identifies land rules pertaining to management, interests and licenses, and  
34 natural resources, among others, and addresses the establishment of a Lands Advisory Committee to  
35 advise council on matters related to Nation lands along with other duties (Tsleil-Waututh Nation 2007).

36 **Land Use Plan**

37 As previously mentioned, the Tsleil-Waututh Nation Land Use Plan 2018 (the Land Use Plan) provides the  
38 vision, principles, and guidelines for how land use and development will occur on Nation reserve lands  
39 over the next 100 years. The Land Use Plan is intended to guide decision-making by council, staff,  
40 community members, and others to ensure decisions reflect the community's values in a responsible  
41 manner (Tsleil-Waututh Nation n.d.e).

1 **Burrard Inlet Action Plan**

2 Tsleil-Waututh Nation developed the Burrard Inlet Action Plan to summarize the scientific knowledge and  
3 identify ecosystem trends, prioritize issues that contribute to degradation or limit recovery, and identify  
4 knowledge gaps. The plan shares a vision for environmental stewardship and highlights actions to improve  
5 health of the inlet by 2025 (Tsleil-Waututh Nation 2017).

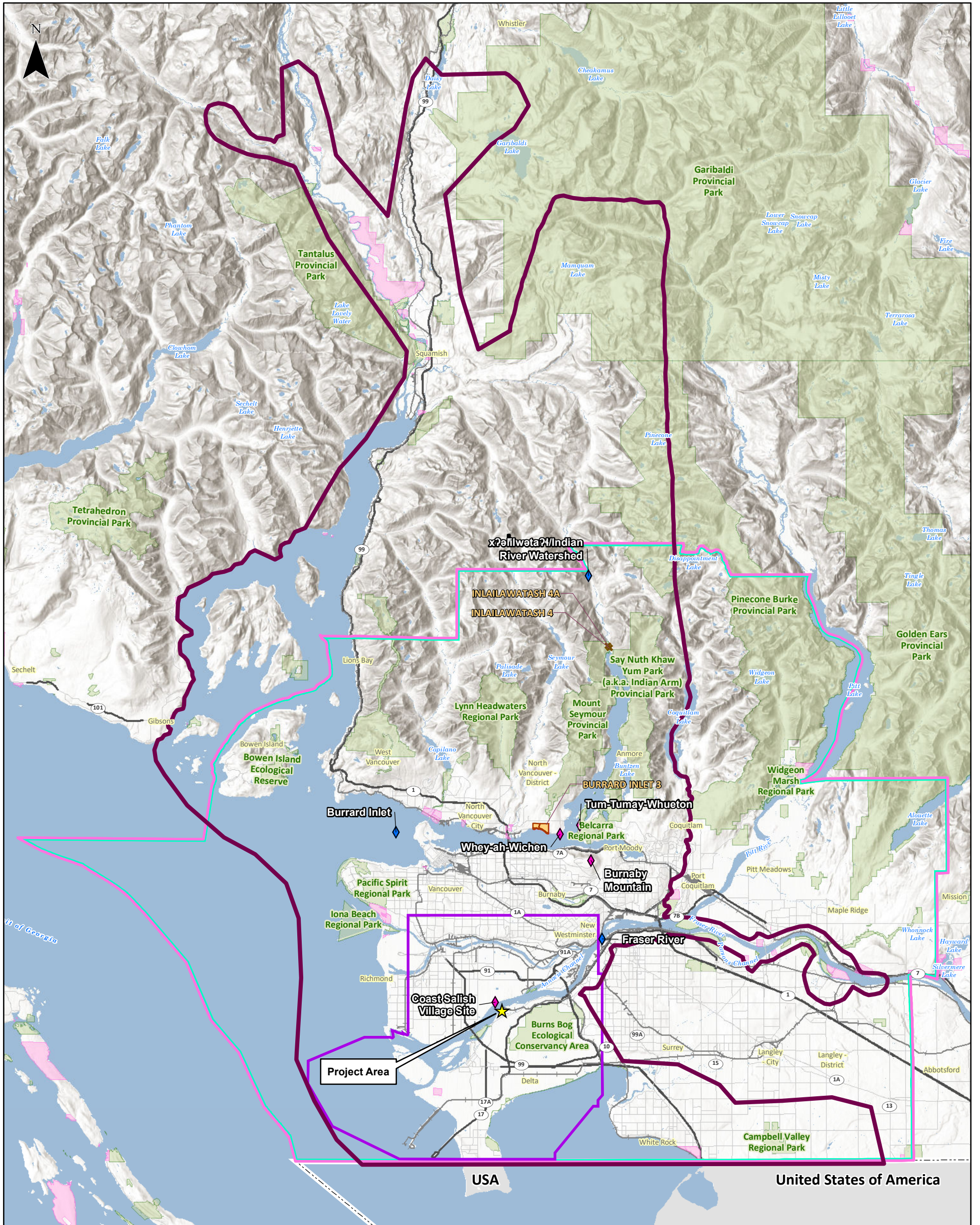
6 **Xʔəl'ílwətaʔ/Indian River Watershed Integrated Stewardship Plan 2022**

7 Tsleil-Waututh Nation recently released the updated xʔəl'ílwətaʔ/Indian River Watershed Integrated  
8 Stewardship Plan 2022 (the Stewardship Plan). The Stewardship Plan blends Tsleil-Waututh knowledge  
9 with Provincial watershed planning guides to establish future management directions. It includes six goals  
10 that will be expanded with specific management direction for key watershed values and activities,  
11 including: cultural expression, watershed integrity and restoration, biodiversity protection, economic  
12 opportunity creation, safety and access facilitation, and jurisdictional collaboration (Tsleil-Waututh  
13 Nation n.d.a).

14 **Climate Change Resilience Plan**

15 In 2018, Tsleil-Waututh Nation began a Climate Change Resilience Planning (CCRP) process which  
16 included an assessment of climate-related effects and development of a Climate Action Toolkit. In 2020,  
17 the Nation established a Climate Change Advisory Committee, a community-based committee to provide  
18 guidance and input on the development and implementation of the Nation's climate change plans and  
19 energy management programs (Tsleil-Waututh Nation 2021a). The complete Tsleil-Waututh Nation CCRP  
20 was released in 2021 to establish a path to building community resilience to climate change over the next  
21 10 years. The CCRP includes the Climate Action Toolkit which has 36 priority actions under five Focus  
22 Areas including supporting community and cultural health, protecting, and restoring forests and creeks,  
23 strengthening homes and infrastructure, managing shorelines, and reducing GHG emissions  
24 (Tsleil-Waututh Nation 2021a).

25



- ★ Project Area
- ◆ Current and Historic Site
- ◆ Historic Site
- ✳ Tsleil-Waututh Nation Reserve <100 ha
- ✳ Tsleil-Waututh Nation Reserve
- ✳ Other First Nation Reserve
- International Border

- Railway
- Highway
- Road
- Park/Protected Area
- Waterbody
- Tsleil-Waututh Nation Consultation Area

- Local Assessment Area:
  - Cultural Use Sites and Areas
  - Harvesting and Subsistence Activities
- Local Assessment Area:
  - Indigenous Health and Well-being
  - Social and Economic Conditions
  - Cultural Continuation
  - Indigenous Governance Systems
- Regional Assessment Area:
  - Cultural Use Sites and Areas
  - Harvesting and Subsistence Activities
  - Indigenous Health and Well-being
  - Social and Economic Conditions
  - Cultural Continuation
  - Indigenous Governance Systems

**Note:**

*Cultural Use Sites and Areas and Harvesting and Subsistence Activities includes the following local assessment areas: air quality, acoustic, archaeological and heritage resources, culture, surface water, ground water, soil, vegetation, wildlife and wildlife habitat, fish and fish habitat, and land and resource use.*

*Indigenous Health and Well-being and Social and Economic Conditions includes the following local assessment areas: culture, employment and economy, human health, infrastructure and services, and land and resource use.*

*Cultural Use Sites and Areas, Harvesting and Subsistence Activities, Indigenous Health and Well-being, and Social and Economic Conditions include the following regional assessment areas: air quality, acoustic, archaeological and heritage resources, culture, employment and economy, human health, infrastructure and services, surface water, ground water, vegetation, wild and wildlife habitat, fish and fish habitat, and land and resource use.*

**Not to be used to limit or deny any Indigenous Rights or Title.**



**FIGURE 11.10-2**

**TSLEIL-WAUTUTH NATION**

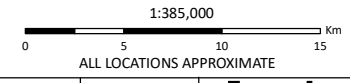
**INDIGENOUS INTERESTS**

**TILBURY PHASE 2 LNG**

**EXPANSION PROJECT**

DATE	PROJECT NUMBER	REVISION
September 2024	CE778100	0

Project Site at NTS Grid: 092G03  
49° 8' 27.4" N 123° 2' 4.8" W



MAPPED BY: SZ    CHECKED BY: DJN    **Jacobs**

BC Albers Projection, NAD83: UTM Zone 10 North.  
 Project Area: Jacobs (05-09-2022); Traditional Territory: Tsleil-Waututh Nation, 2017; First Nation Reserves: Government of Canada 2018; International Boundary: ESRI 2005; Roads: NRCAN 2015;  
 Hydrography: BC Forests, Lands and Natural Resource Operations 2011; Municipal Boundaries: BC MFLNRO 2016; Railway: BC MFLNRO 2015; Parks: NRCAN 2017, MetroVancouver 2020, BC MFLNRO 2008; LAA/RAA Boundaries: Jacobs (08-24-2022); Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community  
 Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community.

*Although there is no reason to believe that there are any errors associated with the data used to generate this product or in the product itself, users of these data are advised that errors in the data may be present.*

\\frcsbc.com\commons\shares\cna\GIS\_Proj\Tilbury\_Phase2\MapFiles\2024\TDR\TDR\FortisBC\_Tilbury\_TsleilWaututh\FN\_Fig2\_Portrait.mxd:initialcon 9/20/2024

1 **11.10.3.18 Tsleil-Waututh Nation Context Within the Proposed Project Area**

2 As previously described in subsection 11.10.2.16, Tsleil-Waututh Nation's (2009) Stewardship Policy  
 3 applies to the land, water, and resources within the Nation's Consultation Area. The Consultation Area  
 4 represents the area where Tsleil-Waututh Nation requires consultation and accommodation of  
 5 Tsleil-Waututh Nation's interests. (Tsleil-Waututh Nation 2008). Tsleil-Waututh Nation's (2009)  
 6 Stewardship Policy is a mechanism to enable meaningful relationships and partnerships between the  
 7 Nation and governments or other responsible agencies interested in projects within the Consultation Area.  
 8 The context for Tsleil-Waututh Nation's involvement in the project area is based on its assertion of rights,  
 9 under section 35 of the *Constitution Act, 1982*, in the area as part of its traditional territory. The proposed  
 10 Project is within Tsleil-Waututh Nation's Consultation Area and Tsleil-Waututh Nation is assessing the  
 11 impacts of proposed projects on their rights and interests.

12 **11.10.3.19 Tsleil-Waututh Nation Indigenous Interests**

13 As described in subsection 11.10.1, Tsleil-Waututh Nation have chosen to complete an independent  
 14 assessment of the potential effects of the proposed Project on Tsleil-Waututh Nation's rights and interests  
 15 under Section 19(4) of the *Environmental Assessment Act*. Tsleil-Waututh Nation's Assessment will be  
 16 submitted as part of the B.C. EAO's Assessment Report. For the purposes of the assessment of  
 17 Tsleil-Waututh Nation's Indigenous Interests (subsection 11.10) in subsection 11.10.3, Tsleil-Waututh  
 18 Nation has informed FortisBC that its interests regarding the proposed Project are based on  
 19 Tsleil-Waututh's rights and interests, as described in Tsleil-Waututh Nation's Ethnohistoric Report.  
 20 These interests are outlined in Table 11.10-5 and consist of harvesting and subsistence activities, cultural  
 21 use areas, cultural continuity, social and economic conditions, Indigenous health and wellbeing, cultural  
 22 continuation, and Indigenous governance systems.

23 **Table 11.10-5. Tsleil-Waututh Nation's Indigenous Interests and Rights Related to the Proposed Project**

Indigenous Interest	Topics to Be Included
Harvesting and Subsistence Activities	<ul style="list-style-type: none"> <li>▪ Effects on current and potential future Tsleil-Waututh Nation use of land and resources.</li> <li>▪ Existing cumulative effects leading to loss and degradation of biodiversity and traditional food species.</li> <li>▪ Effects on Tsleil-Waututh Nation community-based fishing at the mouth of, and on the Fraser River.</li> <li>▪ Effects on fish populations (especially salmon), in relation to Tsleil-Waututh Nation's ability to harvest these resources and the Nation's environmental remediation programs aimed at restoring these resources (especially herring, sturgeon and eulachon).</li> <li>▪ Effects on other traditional foods including crab, shellfish, and marine birds, particularly ducks.</li> </ul>
Cultural Use Areas	<ul style="list-style-type: none"> <li>▪ Effects on tangible and intangible cultural heritage.</li> <li>▪ Effects on cultural practices, traditions, areas, and language. Impacts on cultural use areas could cause irreparable harm to the historical, current, and desired future uses of the areas and/or intangible cultural heritage and cultural practices, including Tsleil-Waututh Nation's ability to sustain cultural and spiritual practices.</li> </ul>

Indigenous Interest	Topics to Be Included
Social and Economic Conditions	<ul style="list-style-type: none"> <li>▪ Effects on Tsleil-Waututh Nation's economic benefit from the lands and resources of their traditional territory.</li> <li>▪ Effects on employment opportunities for community members, procurement opportunities, and Tsleil-Waututh Nation's businesses and revenue for the Nation.</li> </ul>
Indigenous Health and Well-being	<ul style="list-style-type: none"> <li>▪ Effects on food sovereignty, particularly dietary changes from avoiding traditional foods (due to accessibility, quality, and quantity), and consumption of contaminants within traditional foods within the context of historical and current cumulative impacts, and the loss of cultural education to transfer knowledge (cultural transmission) of language, food preparation, spiritual, harvesting and hunting areas.</li> <li>▪ Effects on water quality, noise, air quality, and light that could interfere with Tsleil-Waututh Nation's ability to exercise their rights.</li> <li>▪ Effects on intangible cultural aspects, such as the ability to access and traverse traditional territories, utilization of culturally and ceremonially significant areas, peaceful enjoyment of land and water, spiritual connection to the place, cultural attachment, and the inter-generational transmission of cultural practices, including impacts on the revitalization of the hənq̓əmin̓əm̓ language.</li> <li>▪ Effects on global emissions, which contribute to climate change and affect Tsleil-Waututh Nation's rights and community health</li> </ul>
Cultural Continuation	<ul style="list-style-type: none"> <li>▪ Effects on food sovereignty including on Tsleil-Waututh Nation's cultural and ceremonial activities since salmon, crab, herring, and birds are central to such activities.</li> <li>▪ Effects on Tsleil-Waututh Nation's ability to revitalize, develop, and participate in intergenerational cultural transmission through access to and experience of land, travel ways, navigable waters, and water bodies.</li> <li>▪ Effects on cultural heritage due to changes to sense of place and identity due to real and perceived disturbance of the environment.</li> </ul>
Indigenous Governance Systems	<ul style="list-style-type: none"> <li>▪ Effects on Tsleil-Waututh Nation's ability to implement their laws, customs, and protocols, as well as participate in self-governance initiatives, and decision-making processes regarding matters that affect Tsleil-Waututh Nation's rights and interests in the proposed Project area.</li> <li>▪ Effects on intercommunity relations and trade.</li> <li>▪ Effects from Project's interactions with the conditions outlined in Tsleil-Waututh Nation's (2009) Stewardship Policy, including its impact on the ongoing conservation efforts to restore important fish species and habitat.</li> </ul>

<sup>a</sup> These Indigenous interest topics are the topics that Tsleil-Waututh Nation requested be considered by FortisBC as described by Tsleil-Waututh Nation.

- 1 As a result of the avoidance mitigation and associated removal of the waterborne activities, FortisBC views
- 2 the following Indigenous interests provided by Tsleil-Waututh Nation as no longer applicable to the
- 3 proposed Project:
- 4 ▪ Effects of increased vessel traffic on Tsleil-Waututh Nation members' ability to travel in small vessels
- 5 for subsistence travel.
- 6 ▪ Effects of increased vessel traffic could alter accessibility for Tsleil-Waututh Nation to the mouth of
- 7 the Fraser, including access to important fishing and crab harvesting sites.

- 1     ▪ Effects on community, culture and teachings that are linked to the well-being, health, and survival of
- 2         the Southern Resident Killer Whale (SRKW).
- 3     ▪ Effects on Tsleil-Waututh’s cultural health including project effects on SRKW and other marine
- 4         mammals.

5 Tsleil-Waututh Nation has informed FortisBC that from their perspective, these interests are still pertinent  
6 to the assessment, as the Nation views the various Tilbury facility’s components and projects as a single  
7 project, as guided by Tsleil-Waututh Nation’s (2009) Stewardship Policy (refer to subsection 11.10.3.17).  
8 Since the proposed Project plans to supply LNG for local and global markets, including supplying LNG to  
9 LNG carriers and bunkering vessels via the recently approved TMJ project, Tsleil-Waututh Nation has  
10 stated that their marine and cultural interests are still at risk of adverse effects caused by the shipping of  
11 the proposed Project’s LNG. Furthermore, the proposed Project may impact these interests through  
12 greenhouse gas emissions, construction on Tilbury Island, and waterborne delivery of liquefaction  
13 modules to the T1B site, which will likely affect water quality, experience, and habitat of the Fraser River.

14 FortisBC recognizes Tsleil-Waututh’s perspective and notes that it updated the DPD to clarify the  
15 relationship between the proposed Project and the TMJ Project. The TMJ project is separate and distinct  
16 from the base Plant, Phase 1 expansion facilities, and the proposed Project. The TMJ Project EA included  
17 assessments for shipping and loading activities that considers the Phase 1 and proposed Project LNG  
18 production capacities.

19     **11.10.4 Summary of Engagement**

20     **11.10.4.1 Engagement Overview**

21 Subsection 11.1.4 provides an overview of FortisBC’s Indigenous engagement principles and objectives for  
22 the proposed Project. Table 11.10-6 provides a summary of past engagement while Table 11.10-7  
23 summarizes anticipated future engagement. Additional detail on FortisBC’s proposed future engagement  
24 approaches and activities is described in the Indigenous Engagement and Collaboration Plan. As noted  
25 previously, FortisBC has been engaging with Tsleil-Waututh Nation regarding the proposed Project,  
26 proposed Project activities, and the proposed Project Area since 2019. FortisBC and Tsleil-Waututh Nation  
27 have negotiated and signed a Capacity Funding Agreement. More details on past and proposed  
28 engagement activities with Tsleil-Waututh Nation are included in Tables 11.10-6 and 11.10-7.  
29 Table 11.10-6 describes key engagement activities that have taken place from the start of early  
30 engagement until October 2024. Table 11.10-7 provides a summary of proposed future engagement  
31 activities.

**Table 11.10-6. Summary of Past Engagement with Tsleil-Waututh Nation**

Dates	Key Engagement Activity	Description	Status
July 2019 to Present	Proposed Project updates	FortisBC provided regular proposed Project updates to Tsleil-Waututh Nation and held biweekly meetings when Tsleil-Waututh team members were available.	Ongoing
October 2019	AOA	FortisBC provided notification that a draft AOA and Permit Application was being submitted for the proposed Project.	Complete

**Table 11.10-6. Summary of Past Engagement with Tsleil-Waututh Nation**

Dates	Key Engagement Activity	Description	Status
September 2019 to January 2021	DPD	<p>FortisBC shared copies of the draft DPD to Tsleil-Waututh Nation by email, requested feedback, and held meetings to review the draft DPD and ensure the Nation's interests, feedback, and issues raised were reflected in the draft DPD. Tsleil-Waututh Nation provided comments on the draft DPD, which FortisBC incorporated into the final DPD.</p> <p>Tsleil-Waututh Nation attended DPD workshops hosted by FortisBC and the B.C. EAO on October 27, 2020, and May 4, 2021.</p>	Complete
July 2019 to October 2020	IPD	<p>FortisBC provided the draft IPD to Tsleil-Waututh Nation and requested feedback. FortisBC incorporated Tsleil-Waututh Nation's comments and provided the draft IPD back to Tsleil-Waututh Nation for confirmation.</p> <p>FortisBC met with Tsleil-Waututh Nation on October 29, 2020, to discuss Tsleil-Waututh Nation's comments on the IPD and the approach for the draft AIR and VC Selection Documents.</p>	Complete
July 2020 to December 2021	Draft AIR and VCs	<p>FortisBC provided the draft AIR and draft VCs to Tsleil-Waututh Nation for review and requested meetings to discuss the documents. FortisBC incorporated the Nation's comments into the documents and continued to provide updated drafts of the AIR.</p> <p>FortisBC and Tsleil-Waututh Nation met on December 8, 2020, and January 9, 2021, to discuss the draft AIR, the draft VCs, secondary sources, Capacity Funding Agreement, Eulachon Study, and Traditional Use Study.</p>	Complete
December 2020 to June 2023	Capacity Funding Agreement	<p>FortisBC and Tsleil-Waututh Nation have executed a Capacity Funding Agreement.</p>	Complete

**Table 11.10-6. Summary of Past Engagement with Tsleil-Waututh Nation**

Dates	Key Engagement Activity	Description	Status
December 2020 to August 2023	Tsleil-Waututh Nation's Assessment	<p>FortisBC met with and exchanged emails with Tsleil-Waututh Nation regarding an Indigenous-led Assessment Agreement to be funded by FortisBC. In August 2023 Tsleil-Waututh Nation informed FortisBC that Tsleil-Waututh Nation's Assessment under Section 19(4) of the B.C. EAA, also known as TWN's Assessment, will be submitted during the Effects Assessment phase, and not in the Application Development and Review phase, as per the B.C. EAO's guidelines. Also, TWN directed FortisBC to use information from Tsleil-Waututh Nation's Ethnohistoric Report to inform Section 11.10</p>	Complete
September 2020 to May 2024	Traditional Use Studies, Indigenous Knowledge, and secondary sources	<p>FortisBC provided Tsleil-Waututh Nation with a list of secondary sources it had prepared to use in the Application. Tsleil-Waututh Nation provided a list of resources for FortisBC to incorporate into Section 11.</p> <p>FortisBC invited Tsleil-Waututh Nation to two Indigenous Knowledge workshops being held for participating Indigenous Nations on March 29, 2022, and April 22, 2022.</p> <p>FortisBC provided Tsleil-Waututh Nation with Revisions (Rev) A (~50 percent complete) and B drafts of subsection 11.10 to Tsleil-Waututh Nation to identify how Indigenous Knowledge has been captured in subsection 11.10 and requested feedback on that Indigenous Knowledge.</p> <p>Tsleil-Waututh Nation did not provide input on Rev A or B but did submit the Tsleil-Waututh Nation <u>ethnohistoric review</u> on July 5, 2023. FortisBC provided Rev C to Tsleil-Waututh Nation to identify where information from the report has been incorporated into Section 11.10, and to seek approval for its use. Tsleil-Waututh Nation provided comments on some of the Indigenous Knowledge and Sources used in Rev C, which FortisBC incorporated into Rev D for further review and input.</p>	Ongoing

**Table 11.10-6. Summary of Past Engagement with Tseil-Waututh Nation**

Dates	Key Engagement Activity	Description	Status
May 2021 to May 2022	Fieldwork studies	FortisBC invited Tseil-Waututh Nation to participate in ongoing fieldwork studies, virtually or in-person. Tseil-Waututh Nation attended some fieldwork studies virtually and others in-person. FortisBC provided summary reports for completed field studies to Tseil-Waututh Nation.	Ongoing
January 2022 to May 2022	B.C. EAO/IAAC Technical Advisory Committee workshops	<p>Tseil-Waututh Nation was invited to and participated in the following B.C. EAO/IAAC-hosted workshops which FortisBC presented at:</p> <ul style="list-style-type: none"> <li>▪ January 26, 2022: Terrestrial and Aquatics (attended)</li> <li>▪ February 23, 2022: CEA</li> <li>▪ March 8, 2022: Air Quality and Human Health</li> <li>▪ April 5, 2022: GHG Emissions</li> <li>▪ April 26, 2022: Public Safety, Accidents, and Malfunctions</li> <li>▪ March 23, 2023: Proposed Project Changes</li> </ul>	Complete
November 2021 to Present	Tours of the proposed Project Site	Tseil-Waututh Nation attended site tours at the Tilbury Facility on November 16, 2021, and May 2022. FortisBC has continued to offer site tours for new Tseil-Waututh Nation staff members.	Ongoing
March 2022 to June 2022	TDRs	FortisBC provided Tseil-Waututh Nation with the opportunity to review the TDRs that were available prior to their inclusion in the Application. FortisBC provided a list of TDRs and asked Tseil-Waututh Nation to specify which TDRs Tseil-Waututh Nation would like to review. FortisBC advised that in the event Tseil-Waututh is unable to review at the time they were sent, there will be additional opportunities to review during the Application development phase.	Complete

**Table 11.10-6. Summary of Past Engagement with Tsleil-Waututh Nation**

Dates	Key Engagement Activity	Description	Status
July 2022 to June 2024	Subsection 11.10	<p>FortisBC provided Tsleil-Waututh Nation with Revs A, B, C, C.5, D and O of subsection 11.10 to:</p> <ul style="list-style-type: none"> <li>▪ Describe the proposed review and development process for subsection 11.10.</li> <li>▪ Request Tsleil-Waututh Nation's input in the identification and understanding of Tsleil-Waututh Nation's Indigenous interests regarding the proposed Project.</li> <li>▪ Seek input on the information included in the draft and encourage collaboration on the completion of subsection 11.10.</li> </ul> <p>Tsleil-Waututh Nation provided comments on Rev C, which FortisBC incorporated into subsequent Revs D and O were provided to Tsleil-Waututh Nation for further review and input before the Application is submitted.</p>	Complete
February 2024 to Present	Remove all waterborne activities and components associated with the Project	<p>FortisBC met with Tsleil-Waututh Nation on February 13 and February 22, 2024, to discuss the avoidance technique of "Removal of Waterborne Deliveries" due to concerns raised by participating Indigenous nations regarding the potential impacts on Fish, Fish Habitat, SRKW, cultural activities, and other Indigenous Interests during engagement on the proposed Project. FortisBC continues to respond to questions posed by Tsleil-Waututh Nation regarding the avoidance mitigation.</p>	Ongoing

Note:

AOA = Archaeological Overview Assessment

- 1 Tables 11.10-6 and 11.10-7 describe engagement activities by FortisBC with Tsleil-Waututh Nation with
- 2 regards to the proposed Project and its potential effects on Tsleil-Waututh Nation and their interests.
- 3 These included the following:
- 4 ▪ Written summaries describing the proposed Project.
- 5 ▪ Offers of virtual and in-person tours of proposed Project Site.
- 6 ▪ Opportunities to participate in virtual meetings and workshops.
- 7 ▪ Invitations to participate in ongoing fieldwork studies, virtually or in-person.
- 8 ▪ Reviews of some of the draft Application TDRs and this Section 11 subsection.

1 Table 11.10-7 describes planned engagement activities that are proposed to take place after October  
 2 2024.

**Table 11.10-7. Summary of Planned Engagement with Tsleil-Waututh Nation**

Subject/Topics for Future Engagement	Goals and Objectives for Engagement
Proposed Project Updates/Project Review	<ul style="list-style-type: none"> <li>▪ Provide regular proposed Project updates to Tsleil-Waututh Nation</li> <li>▪ Continue to collaborate on the development of the Tsleil-Waututh Nation subsection 11.10.</li> <li>▪ Reflect Tsleil-Waututh Nation Indigenous Knowledge in the Tsleil-Waututh Nation subsection and other Application sections as directed by Tsleil-Waututh Nation and guided by the confidentiality section of the Capacity Funding Agreement</li> <li>▪ Invite Tsleil-Waututh Nation to suggest approaches to avoid, reduce, mitigate, or otherwise accommodate potential adverse effects to Tsleil-Waututh Nation interests.</li> <li>▪ Identify longer-term interest to participate in economic, employment, training, and other capacity building opportunities.</li> <li>▪ Meet to resolve issues and concerns raised</li> </ul>
B.C. EAO workshops	<ul style="list-style-type: none"> <li>▪ Tsleil-Waututh Nation will be invited to attend B.C. EAO/IAAC-hosted workshops which FortisBC will present at.</li> </ul>
Tsleil-Waututh Nation's Assessment	<ul style="list-style-type: none"> <li>▪ Collaborate with Tsleil-Waututh Nation on its assessment under section 19(4) of the <i>Environmental Assessment Act 2018</i> by providing required Project details and support.</li> </ul>

3 Tables 11.10-6 and 11.10-7 describe engagement activities by FortisBC that supported Tsleil-Waututh  
 4 Nation’s understanding of the proposed Project and its potential effects on Tsleil-Waututh Nation and its  
 5 Indigenous interests. These included the following:

- 6 ▪ Providing written summaries describing the proposed Project
- 7 ▪ Offering virtual and in-person tours of proposed Project Site
- 8 ▪ Opportunities to participate in virtual meetings and workshops.
- 9 ▪ Invitation to participate in ongoing fieldwork studies, virtually or in person.
- 10 ▪ Review of EA Draft Application TDRs and EA sections, including this subsection 11.10

11 **11.10.4.2 Input Received and Issues Raised**

12 At the request of Tsleil-Waututh Nation, FortisBC’s original tabular format of this subsection has been  
 13 replaced with less detailed bullets. It is FortisBC’s understanding that the following are Tsleil-Waututh  
 14 Nation’s key issues with the proposed Project:

- 15 ▪ **Cumulative effects:** Tsleil-Waututh Nation has informed FortisBC that the scope of cumulative effects  
 16 should include upstream effects from gas extraction. FortisBC has responded that it is difficult to  
 17 include upstream effects from projects in northeast B.C. because the projects are not linked through a  
 18 specific asset.
- 19 ▪ As described in subsection 11.10.2, Tsleil-Waututh Nation also disagrees with the B.C. EAO’s  
 20 methodology for assessing cumulative effects of proposed projects, which FortisBC has used for the  
 21 assessment of effects on Indigenous Interests. From Tsleil-Waututh Nation’s perspective, a cumulative  
 22 effects assessment should be conducted on its Indigenous Interests. FortisBC has responded that  
 23 under the B.C. EAO’s methodology, a cumulative effects assessment is not required for those potential

1 effects that are not expected to result in negative residual effects. Since FortisBC did not identify  
2 negative residual effects, a cumulative effects assessment was not conducted.

- 3 ▪ **Climate Change:** Since the Early Engagement phase, Tsleil-Waututh Nation has expressed concerns  
4 about the proposed Project's potential contribution to global emissions, which it states exacerbate  
5 climate change and impact Tsleil-Waututh Nation's rights. The Nation specifically raised issues with  
6 the Strategic Assessment on Climate Change (SACC) methodology that will be used for the Project's  
7 GHG assessment. Tsleil-Waututh Nation is particularly concerned about the SACC's exclusion of  
8 downstream emissions and has questions about the adequacy of the SACC's methodology for  
9 assessing upstream emissions.

10 Tsleil-Waututh Nation has informed FortisBC that disagrees with the AIR's statement that "the  
11 Application will describe how the Project is likely to result in global emission reductions" (section 8.3),  
12 as this presumes outcomes before an assessment has been conducted. From Tsleil-Waututh Nation's  
13 perspective, presuming Project outcomes before assessment has been conducted, and the omission of  
14 downstream emissions from said assessment, undermines the process of Free, Prior, and Informed  
15 Consent as the emissions resulting from the transportation and combustion of approximately 2.8  
16 million tonnes of LNG per year (7,700 tonnes per day) will be excluded from the proposed Project's  
17 Effects Assessment. FortisBC will continue to discuss this issue with Tsleil-Waututh Nation and will  
18 schedule a meeting between FortisBC's Strategic Advisor, Tilbury LNG, Air Quality, and GHGs and Tsleil-  
19 Waututh Nation.

- 20  
21 ▪ **Project Splitting and Marine Shipping:** As noted previously, Tsleil-Waututh Nation views the various  
22 Tilbury facility's components and projects as a single project as the proposed Project plans to supply  
23 LNG for local and global markets; therefore, Tsleil-Waututh Nation believes that the TMJ project and  
24 the proposed Project should have been assessed together (refer to subsection 11.10.3.19 above).  
25 FortisBC notes that the TMJ Project is separate and distinct from the base Plant, Phase 1 expansion  
26 facilities, and the proposed Project. The TMJ Project assessment is complete and included an  
27 assessment of shipping and loading activities that considered the Phase 1 and proposed Project LNG  
28 production capacities. The assessment accounted for any potential effect of vessel traffic capable of  
29 carrying up to 3.5 million tonnes per year of LNG processed by the Tilbury facility.
- 30 ▪ Tsleil-Waututh Nation disagrees with the B.C. EAO's AIR guidelines which encourages proponents to  
31 assess the effects of the proposed Project on Nation's rights and interests in their application before  
32 conducting an Effects Assessment. FortisBC recognizes Tsleil-Waututh Nation's concerns and is  
33 continuing to work with the Nation to understand its rights and interests in relation to the proposed  
34 Project. FortisBC has included Tsleil-Waututh Nation's perspective on this issue in subsection  
35 11.10.6.5.
- 36 ▪ **Residual Effects Assessment Methodology:** As described in subsection 11.10.2, Tsleil-Waututh Nation  
37 disagrees with the B.C. EAO's methodology for assessing residual effects of proposed projects.  
38 FortisBC notes that it follows the methodology described in subsection 6.4 of the AIR (July 2023) and  
39 B.C. EAO's Effects Assessment Policy (B.C. EAO 2022a). FortisBC recognizes Tsleil-Waututh Nation's  
40 disagreement and will continue to work with Tsleil-Waututh Nation to address their concerns  
41 regarding the proposed Project.
- 42 ▪ **Temporal Boundaries:** Tsleil-Waututh Nations has stated that historic" conditions should be defined  
43 as dating back to pre-contact times, as Tsleil-Waututh Nation's interests have been impacted since  
44 contact. FortisBC notes that, as described in subsection 6.2.2, "historic" refers to information on past  
45 projects and activities that have resulted in existing conditions. FortisBC follows the B.C. EAO's  
46 guidelines for temporal boundaries.

1 **11.10.4.3 Integration of Tsleil-Waututh Nation Feedback and Perspectives**

2 FortisBC has provided opportunity for Tsleil-Waututh Nation to provide feedback on Revisions of Section  
 3 11.10. Feedback has been provided from Tsleil-Waututh Nation and has been incorporated throughout  
 4 Section 11.10. In addition, FortisBC received Tsleil-Waututh Nation’s Ethnohistoric Report from  
 5 Tsleil-Waututh Nation, which was incorporated into Rev C (Table 11.10-8).

**Table 11.10-8. Integration of Tsleil-Waututh Nation Feedback into the Assessment**

Feedback	Integration of Feedback into the Assessment
Tsleil-Waututh Nation provided an Ethnohistoric Report to inform section 11.10	Information provided by Tsleil-Waututh Nation was reviewed and incorporated into subsections 11.10.2 and 11.10.5.2
Tsleil-Waututh Nation provided comments on Rev C	All comments provided by Tsleil-Waututh Nation were incorporated into Rev D
Tsleil-Waututh Nation provided comments and text edits on Revs A through O	Most comments and edits provided by Tsleil-Waututh Nation were incorporated into Rev O with the exception of: <ul style="list-style-type: none"> <li>▪ Including Tsleil-Waututh Nation’s interests in relation to the potential effects of other Tilbury projects (including TMJ/Phase 2 project splitting)</li> <li>▪ A cumulative effects assessment. FortisBC did add language regarding Tsleil-Waututh Nations perspectives on cumulative effects and changes requested</li> </ul>

6 **11.10.4.4 Tsleil-Waututh Nation Views on Engagement Approach**

7 FortisBC has been engaging with Tsleil-Waututh Nation regarding the proposed Project since July 2019.  
 8 Documents shared with Tsleil-Waututh Nation for review and feedback include the IPD, DPD, draft AIR, VC  
 9 selection, TDRs, list of secondary sources, and the Rev A, Rev B, Rev C, Rev D, and Rev O drafts of  
 10 subsection 11.10. From FortisBC’s perspective, throughout this time period FortisBC has requested  
 11 meetings, virtual and in person, with Tsleil-Waututh Nation to discuss the approach to each document and  
 12 collect feedback. From FortisBC’s perspective, input received from Tsleil-Waututh Nation has been  
 13 incorporated into each document. In addition, FortisBC has invited Tsleil-Waututh Nation to participate in  
 14 numerous workshops, site tours, and field studies between October 2020 and May 2022. FortisBC will  
 15 continue to engage with Tsleil-Waututh Nation and is open to adjusting engagement with Tsleil-Waututh  
 16 Nation to better reflect Tsleil-Waututh Nation’s preferred means of engagement, including by meeting as  
 17 often as preferred and in person when feasible.

18 **11.10.5 Information Sources**

19 Information sources were shared with Tsleil-Waututh Nation to review and provide feedback, as well as to  
 20 present the opportunity for Tsleil-Waututh Nation to recommend additional sources for consideration.  
 21 Tsleil-Waututh Nation provided additional information sources to inform existing conditions and potential  
 22 effects of the proposed Project on Tsleil-Waututh Nation’s Indigenous Interests. These additional sources  
 23 have been incorporated into subsection 11.10.

24 Additional sources used to inform the assessment of potential effects on Tsleil-Waututh Nation’s  
 25 Indigenous interests include publicly available and Indigenous-held information sources that were  
 26 gathered through desktop review.

- 1 Publicly available sources included the following:
- 2 ▪ DPD and other proposed Project related information
  - 3 ▪ Records of engagement between FortisBC and Tsleil-Waututh Nation regarding the proposed Project
  - 4 ▪ Information from similar projects along or near the Fraser River, including submissions made by First  
5 Nations, that have undergone regulatory review including EAC Applications and B.C. EAO assessment  
6 reports, such as for the TMJ project, Pattullo Bridge Replacement project; federal Review Panel EIS's  
7 and panel reports, such as the RBT2 project; and VFPA PER Permit Reports, such as the Canadian  
8 National Railway Company Bridge Seismic Retrofit
  - 9 ▪ Resource agreements between First Nations and government (for example, Comprehensive Fisheries  
10 Agreements)
  - 11 ▪ Indigenous communal license information for Pacific Fisheries Management areas
  - 12 ▪ FSC fisheries license information for the Fraser River
  - 13 ▪ Relevant court decisions (for example, R. v. Sparrow, [1990] 1 S.C.R. 1075; and R. v. Powley, [2003] 2  
14 S.C.R. 207, 2003 SCC 43)
  - 15 ▪ Federal websites and Census data (such as, CIRNAC and Statistics Canada)
  - 16 ▪ Indigenous-based planning documents, such as the Tsleil-Waututh Nation Stewardship Plan  
17 (Tsleil-Waututh Nation 2008)
  - 18 ▪ First Nation web sites
  - 19 ▪ First Nations Health Council and FNHA websites
  - 20 ▪ Academic literature, historical and ethnographic sources (such as, journal articles and published  
21 books)
  - 22 ▪ Material or information were also provided by the First Nation, including Indigenous Knowledge,  
23 Cultural Use studies, Land Use information and a traditional land use study
  - 24 ▪ A list of all sources used in the assessment of potential effects on the Indigenous interests of  
25 Tsleil-Waututh Nation is included in subsection 11.10.7, References. Tsleil-Waututh Nation has  
26 provided information to FortisBC directly regarding their Indigenous interests in relation to the  
27 proposed Project; and these communications have been used to develop this subsection

### 28 **11.10.6 Assessing Potential Effects on Indigenous Interests**

29 This subsection provides FortisBC's assessment of potential effects of the proposed Project on  
30 Tsleil-Waututh Nation's Indigenous interests. The following subsections include a description of:

- 31 ▪ Assessment boundaries
- 32 ▪ Existing conditions
- 33 ▪ Interactions between the proposed Project and Tsleil-Waututh Nation Indigenous interests
- 34 ▪ Potential effects to Tsleil-Waututh Nation Indigenous interests due to the proposed Project
- 35 ▪ Proposed mitigation measures
- 36 ▪ Characterization of any residual effects and cumulative effects, if applicable

37 Indigenous interests are not mutually exclusive, and this subsection may not reflect the overlap of  
38 interests outlined in Table 11.10-5. In addition to the information Tsleil-Waututh Nation has provided to  
39 FortisBC directly regarding their Indigenous interests in relation to the proposed Project, Tsleil-Waututh  
40 Nation has also chosen to complete an independent assessment of the potential effects of the proposed  
41 Project on Tsleil-Waututh Nation's rights and interests under Section 19(4) of the B.C. *Environmental*

1 *Assessment Act*, also known as Tsleil-Waututh Nation's Assessment, which will be included in the B.C.  
2 EAO's Assessment Report. If information from the independent assessment is provided to FortisBC within  
3 30 days of the final Application, the information will be incorporated into subsection 11.10.

4 In accordance with subsection 11.10.2.18, potential effects of the proposed Project on Tsleil-Waututh  
5 Nation Indigenous interests are assessed as follows:

- 6 ▪ Harvesting and Subsistence Activities
- 7 ▪ Cultural Use Areas
- 8 ▪ Social and Economic Conditions
- 9 ▪ Indigenous Health and Well-being
- 10 ▪ Cultural Continuation
- 11 ▪ Indigenous Governance Systems

12 The Tsleil-Waututh Nation Indigenous interests effects assessment draws forward the results (predicted  
13 residual effects) of the effects assessments for the following VCs:

- 14 ▪ Subsection 7.2, Air Quality
- 15 ▪ Subsection 7.3, Acoustic
- 16 ▪ Subsection 7.4, Surface Water
- 17 ▪ Subsection 7.5, Groundwater
- 18 ▪ Subsection 7.6, Soil
- 19 ▪ Subsection 7.7, Vegetation
- 20 ▪ Subsection 7.8, Wildlife and Wildlife Habitat
- 21 ▪ Subsection 7.9, Fish and Fish Habitat
- 22 ▪ Subsection 7.10, Employment and Economy
- 23 ▪ Subsection 7.11, Land and Resource Use
- 24 ▪ Subsection 7.12, Infrastructure and Services
- 25 ▪ Subsection 7.13, Archaeological and Heritage Resources
- 26 ▪ Subsection 7.14, Culture
- 27 ▪ Subsection 7.15, Human Health

28 A summary of existing conditions and residual effects assessment conclusions for linked VCs used in the  
29 assessment of potential effects on Indigenous interests is presented in subsection 11.1.3, Summary of  
30 Valued Components Linked to Indigenous Interests.

#### 31 **11.10.6.1 Assessment Boundaries**

32 The boundaries of the Indigenous interest's assessment are based on the potential for the proposed  
33 Project to interact with and result in potential effect on the Indigenous interests of Tsleil-Waututh Nation.

#### 34 **Spatial Boundaries**

35 All proposed Project components within the proposed Project Footprint are within Tsleil-Waututh Nation's  
36 Consultation Area (Figure 11.10-1). The LAA of each Indigenous interest consists of the combined LAAs of  
37 VCs that are linked to the Indigenous interest, whereas the RAA of each Indigenous interest consists of the  
38 combined RAAs of VCs that are linked to the Indigenous interest.

39 The assessment of potential effects of the proposed Project on Indigenous interests applies to all  
40 members of Tsleil-Waututh Nation living, working, or exercising Indigenous interests within the LAAs of  
41 the Indigenous interests. The effects assessment in this subsection draws forward the results (predicted  
42 residual effects) of the effects assessments of linked VCs, when applicable, including the anticipated

1 spatial extent of predicted residual effects (after the implementation of proposed mitigation measures)  
2 that may overlap with identified Indigenous interests.

3 From Tsleil-Waututh Nation's perspective, Tsleil-Waututh's rights and interests have been severely  
4 diminished and infringed upon throughout their territory. Thus, Tsleil-Waututh uses a spatial scope that  
5 looks at their territory as a whole. Generally, the spatial scope corresponds to Tsleil-Waututh Nation's  
6 territory, which includes cultural practices/activities undertaken beyond Tsleil-Waututh Nation's  
7 Consultation Area. Refer to subsection 11.10.2 Methodology for more information on TWN's perspective  
8 regarding spatial boundaries.

### 9 **Temporal Boundaries**

10 The potential effects specific to the proposed Project are based on the three main phases described as  
11 follows:

- 12 ▪ Construction phase – Estimated 3- to 6-year duration
- 13 ▪ Operation phase – Estimated 40-plus year duration
- 14 ▪ Decommissioning phase – Estimated 2-year duration

15 Construction is planned to commence as early as 2027, with an anticipated proposed Project in-service  
16 date of 2031-plus. A detailed proposed Project schedule is outlined in subsection 1.5.1 (Schedule).

17 Tsleil-Waututh Nation's perspective with regards to temporal boundaries differs from the B.C. EAO's  
18 methodology for assessing baseline conditions. The B.C. EAO's methodology does not address the 'shifting  
19 baseline syndrome' by focusing on the existing conditions and ignoring pre-contact conditions. From  
20 Tsleil-Waututh Nation's perspective, the temporal scope should capture a pre-contact baseline to  
21 adequately assess the Project's impacts on Tsleil-Waututh Nation's rights and interests, as describe in  
22 subsection 11.10.2.

### 23 **Administrative Boundaries**

24 No administrative boundaries are known to limit the assessment of potential effects to the Indigenous  
25 interests of Tsleil-Waututh Nation.

### 26 **Technical Boundaries**

27 The following technical boundaries, including data limitations, associated with Tsleil-Waututh Nation have  
28 been identified:

- 29 ▪ Discrepancies between Statistics Canada data and CIRNAC data
- 30 ▪ Secondary data and information that has limited disaggregation, including the 2016 and 2021 Census  
31 categories which conflate sex with gender and presents only binary categories of male and female
- 32 ▪ Disaggregated data are also not available for sexual orientation, such as those who are two-spirited
- 33 ▪ In addition, CIRNAC First Nation Profiles also have limited disaggregation by age group

34 The FortisBC Application has also been informed by recent EAs and regulatory reviews of projects along  
35 the Fraser River. Sources of information include proponent EAC Applications, B.C. EAO assessment reports,  
36 federal Review Panel EIS's and review panel reports, associated project provincial and federal conditions,  
37 and VFPA PER permits. These sources of information were used to reduce some uncertainty in assessment  
38 conclusions due to the technical boundaries described above (such as use of reports from the  
39 neighbouring TMJ project EAC application).

### 1 11.10.6.2 Existing Conditions

2 This subsection describes the existing conditions in the proposed Project Footprint and Indigenous  
3 interest-specific LAAs and RAAs within which potential effects of the proposed Project or cumulative  
4 effects on Tsleil-Waututh Nation and its interests may occur. This subsection also describes historic and  
5 current use of the proposed Project Area by Indigenous Peoples over time and practices in the proposed  
6 Project Footprint and Indigenous interest specific LAAs and RAAs regarding Indigenous interests, including  
7 a description of how existing conditions of Indigenous interests have been affected by past projects and  
8 activities.

9 Tsleil-Waututh Nation has informed FortisBC that from its perspective a pre-contact baseline is necessary  
10 to adequately assess the impacts of the Project on Tsleil-Waututh Nation's rights and interests. FortisBC  
11 notes that the effects assessment of Indigenous interests was conducted in accordance with the  
12 methodology described in subsection 6.4 of the AIR (July 2023) and B.C. EAO's Effects Assessment Policy  
13 (B.C. EAO 2022a).

### 14 Historical Context

15 Tsleil-Waututh Nation relied on the bounty of the Burrard Inlet for thousands of years. The abundance of  
16 resources in the inlet provided physical nourishment, cultural vitality, and economic benefit, allowing  
17 Tsleil-Waututh Nation to persist and thrive in the area (Tsleil-Waututh Nation n.d.c). Ancient DNA studies  
18 from archaeological sites in Burrard Inlet indicate that chum salmon was the primary focus of salmonid  
19 harvesting during pre-contact times at Coast Salish settlements in Burrard Inlet (Morin et al. 2021).  
20 Nation members practised a seasonal round whereby they relocated several times either as families or  
21 larger groups to locations where resources would be seasonally abundant. The seasonal round often  
22 involved travel to the Fraser River, including to a Coast Salish village across from the proposed Project  
23 footprint (refer to Figure 11.10-2), to harvest and process marine and freshwater species for storage  
24 (Morin 2015; Tsleil-Waututh Nation 2023). Tsleil-Waututh Nation's way of life was based on access to and  
25 use of natural resources as staple foods for both the living community and their ancestors. It included  
26 trade with other Coast or Interior Salish communities and although it was strongly oriented toward marine  
27 resources, especially salmon, herring, clams, and birds, animal harvesting was also central to Tsleil-  
28 Waututh Nation's way of life (Morin 2015).

29 Prior to contact, Tsleil-Waututh people intensively fished the marine and freshwater areas of their territory,  
30 including fishing on the Fraser River. Trawl netting and dip netting were the most commonly used fishing  
31 technologies on the Fraser River, along with sturgeon rods (Morin 2015). Coast Salish Peoples, including  
32 Tsleil-Waututh would seasonally relocate to villages on the Fraser River, including a Coast Salish village  
33 across from the proposed Project to fish for sockeye, as well as fostering their kinship connections with  
34 other First Nations (Tsleil-Waututh Nation 2023). The late summer sockeye runs, and the early spring  
35 eulachon runs were likely the most important fisheries on the Fraser River, followed by sturgeon, pink  
36 salmon, chum salmon, steelhead, and chinook/spring salmon (Tsleil-Waututh Nation 2023). Fish played a  
37 pivotal role in Tsleil-Waututh Nation religious and ceremonial activities (Morin 2015). Tsleil-Waututh  
38 Nation members either owned fishing locations along the Fraser River, or they fished at places where they  
39 had kinship connections. Fish formed part of Tsleil-Waututh Nation's cultural work as it is one of the many  
40 traditional foods offered to Tsleil-Waututh Nation ancestors and spiritual beings (Tsleil-Waututh Nation  
41 n.d.c). Fishing was therefore key to Tsleil-Waututh Nation's entire economy and way of life (Morin 2015).

42 Salmon is a keystone species for Tsleil-Waututh Nation culture. Traditionally, Tsleil-Waututh Nation would  
43 fish in the Fraser River for pink and chum salmon. Most of the catch was dried for winter use or trade  
44 (Tsleil-Waututh Nation 2019b). Some salmon were available year-round in the Fraser River, while smaller  
45 river systems had distinct runs of pink salmon in the summer, and chum salmon in the late fall. Salmon

1 were mass-harvested using a sophisticated suite of technologies and preserved for future use  
2 (Morin 2015). As demonstrated by recent DNA-based archaeological studies in Burrard Inlet,  
3 Tsleil-Waututh Nation engaged in sex-selective fishing where male chum were targeted by fishers in  
4 order to manage salmon stocks. Therefore Tsleil-Waututh Nation members were making conservation  
5 and stewardship-based decisions to ensure the sustainability of the fisheries prior to contact with  
6 European settlers (Morin et al. 2021). Fish, harvested and preserved in surplus, were likely used for trade  
7 and exchange for other goods, and to support potlatches and other feasts (Morin 2015).

8 Salmon and other marine resources have been managed in a sustainable way according to the laws and  
9 customs of the Tsleil-Waututh people for thousands of years (Tsleil-Waututh Nation n.d.a). Tsleil-Waututh  
10 Nation would fish eulachon, herring, and smelt with herring and eulachon being the first species available  
11 in large quantities during the spring. Eulachon, herring, and herring spawn were harvested in huge  
12 quantities and dried for future use. Coast Salish Peoples harvested across the entire food chain that  
13 followed herring schools, including spring salmon, seals, sea lions, and a plethora of bird species. Other  
14 marine resources, such as kelp, seaweed, sea onion (squalnuth), and sea urchin (squadzi), were gathered  
15 for sustenance and trade. In the intertidal area, Tsleil-Waututh Nation would harvest shellfish that  
16 provided food, as well as trade with other First Nations (Morin 2015).

17 Tsleil-Waututh Nation has a sacred relationship with killer whales that has been maintained through  
18 history, culture, laws, obligations, and spiritual practice. Tsleil-Waututh Nation believes that the abundance  
19 or scarcity of killer whales in the Salish Sea is tied to the health of the community, so if killer whales are in  
20 decline so too is the health of the community, whereas if killer whales are in abundance, then the health of  
21 the community would surely improve (Tsleil-Waututh Nation 2023). In regard to Fortis' numerous gas and  
22 LNG facilities on Tilbury Island Tsleil-Waututh Nation has stated its concerns with the multitude of  
23 stressors resulting from past, present, and future Tilbury projects and activities that may impact Southern  
24 Resident Killer Whale's ability to survive and recover (Tsleil-Waututh Nation 2019a). These stressors  
25 include underwater noise, greenhouse gas emissions and climate change, pollutants, decreased food  
26 availability, and ship strikes. Tsleil-Waututh Nation is concerned about the cumulative effects of all  
27 projects on the Fraser River and their impacts on Southern Resident Killer Whales, as indicated in Tsleil-  
28 Waututh Nation's Ethnohistoric Report and comments made throughout the Application process of the  
29 proposed Project. Tsleil-Waututh Nation notes that stressors such as acoustic disturbance and vessel  
30 strikes have the potential to disrupt cultural traditions and practices of Tsleil-Waututh Nation (Tsleil-  
31 Waututh Nation 2023).

32 Tsleil-Waututh Nation traditionally harvested plants, including trees and berries, and plant products have  
33 played highly significant roles in Tsleil-Waututh ritual and ceremonial activities (Morin 2015).  
34 Tsleil-Waututh Nation members harvested berries at several sites near the Project area, including sites  
35 near Richmond, Delta, and the Fraser River between the Alex Fraser and Port Mann Bridges  
36 (Tsleil-Waututh Nation 2023). Tsleil-Waututh Nation ancestors gathered crops including cranberries,  
37 crabapple, Labrador tea, cattail, and wapato. Many types of plant resources were available and gathered in  
38 the Burnaby Mountain area, including ferns, red elderberries, salmonberries, Indian plum, and medicinal  
39 plants like devil's club and cascara. The bark and roots of cedar trees were harvested for various  
40 technological purposes, while numerous trees and plants were important as medicines and foods.  
41 Bracken fern rhizomes (stems that grow underground) would be roasted as a vegetable, and in the spring  
42 the fiddleheads (new growth) can be eaten as a fresh vegetable. A type of flour was also once made by  
43 roasting fern roots and then pounding them into a powder. Cascara bark was harvested commercially by  
44 Tsleil-Waututh Nation members in the early 1900s and is still available on Burnaby Mountain (Burnaby  
45 Village Museum and Burnaby 2019).

1 The most important tree species for cultural and practical use by Tsleil-Waututh Nation members is cedar.  
 2 The use of western redcedar and yellow-cedar are inherently linked to Tsleil-Waututh culture particularly  
 3 in the xʔəł'ílwətaʔɬ/Indian River Watershed (Tsleil-Waututh Nation n.d.a). Nearly every part of the cedar  
 4 tree was traditionally used by the Tsleil-Waututh people— the bark was used for clothing and matting,  
 5 roots for rope, pitch for medicinal preparations, and boughs for insulation and spiritual purposes. Cedar  
 6 wood was used for building homes and carving artwork while very large logs were used to create the  
 7 canoe; the dominant symbol of Tsleil-Waututh culture (Tsleil-Waututh Nation n.d.a).

8 Tsleil-Waututh Nation members actively hunted and trapped terrestrial and marine wildlife. They hunted  
 9 deer, bear, goat, and elk, and have hunted and trapped fur-bearing species, including hare, porcupine,  
 10 mink, raccoon, beaver, squirrel, muskrat, marten, weasel, coyote, fox, marmot, otter, and wolverine. Grizzly  
 11 bears, cougars, and wolves were generally avoided (Tsleil-Waututh Nation n.d.a). While terrestrial animals  
 12 were a relatively minor component of overall pre-contact diets, they provided goods, such as antlers and  
 13 bones for tool production and hides and horns for trade with other First Nations.

14 Tsleil-Waututh Nation also hunted and trapped birds. Waterfowl were important foods at feasts and  
 15 potlatches, and their feathers were used in clothing and ritual regalia (Morin 2015). Many kinds of ducks  
 16 were hunted for food and their feathers were used for ceremonies and textiles. Ducks were hunted with  
 17 bows and arrows, spears, pole nets, and slings. Burnaby Mountain was an important hunting ground;  
 18 however, during the early 1900s, laws regulating access to fish and wildlife had a direct effect on the  
 19 harvesting activities of Tsleil-Waututh Nation in the Burnaby area. For example, in 1916, a law was put in  
 20 place to restrict the hunting of migratory birds (Burnaby Village Museum and Burnaby 2019).

21 Prior to contact, ceremonial activities took place year-round for Coast Salish Peoples and intensified in the  
 22 winter months. In the winter, people relied upon stored food resources (salmon, smoked meats, and dried  
 23 fruits), only hunting and fishing occasionally to add variety to their diets. Sharing oral histories and family  
 24 stories was a common activity on winter nights with many generations gathering together around the fire  
 25 (Burnaby Village Museum and Burnaby 2019).

26 Tsleil-Waututh Nation maintained close spiritual relationships with animal spirits, and these beliefs are a  
 27 core principle of Tsleil-Waututh culture (Morin 2015). The Tsleil-Waututh Nation declaration is  
 28 highlighted in the Land Use Plan:

29 *"We are the Tsleil-Waututh First Nation, the People of the Inlet. We have lived in and along*  
 30 *our Inlet since time out of mind. We have been here since the Creator transformed the Wolf*  
 31 *into that first Tsleil-Wautt and made the Wolf responsible for this land" (Tsleil-Waututh*  
 32 *Nation n.d.e).*

33 Tsleil-Waututh Nation cultural practices included spirit questing, spiritual relationship maintenance, trade  
 34 and exchange, and travel/canoeing. These cultural practices (including all food harvesting activities) were  
 35 passed through generations (Morin 2015). Tsleil-Waututh Nation members have traditionally engaged in  
 36 cultural work in quiet and remote places. They also used cultural gathering places where Indigenous  
 37 peoples from a variety of nations would gather to conduct cultural practices that included trade.  
 38 Tsleil-Waututh Nation's use of cultural gathering places have been reported along the Fraser River  
 39 (Tsleil-Waututh Nation 2023).

40 Europeans began exploring the B.C. coast in the mid- to late 18<sup>th</sup> century, including Russian fur traders  
 41 and British and Spanish explorers, followed by the Simon Fraser expedition which arrived at the mouth of  
 42 the Fraser River in 1808 (Vancouver Public Library n.d.). Early European exploitation of resources in the  
 43 region began with pre-industrial whaling and sealing. The pelagic sealing fleet was based in Fort Victoria,  
 44 on Vancouver Island (Pendergast n.d.), and whaling occurred on a large scale in the Strait of Georgia from

1 the late 19th century into the 1960s (Ocean Wise n.d.). The arrival of Europeans in the region resulted in  
2 multiple smallpox epidemics which devastated Indigenous communities, facilitating the large-scale land  
3 expropriation by settlers under the new authority of the Colony of B.C., founded in 1858 (Joseph 2017;  
4 Vancouver Public Library n.d.).

5 The first permanent European settlement in the region was Fort Langley which was established by the  
6 Hudson's Bay Company in 1827, and originally located near the mouth of the Fraser River. The Fort was a  
7 trading post for furs, lumber, salmon, and other resources, trading extensively with Indigenous Peoples in  
8 the region (Parks Canada n.d.). In the 1860s, early settlers began to arrive from Europe and Asia in the  
9 Fraser River delta. Settler communities, including Ladner and Steveston, grew with farming and fishing  
10 activities (Delta Farmland & Wildlife Trust n.d.; Richmond 2023). At the same time, First Nations were  
11 deprived of their lands and faced limited fresh water supplies, overcrowded housing, and inadequate  
12 sanitation systems when they were forced on to reserves (Royal Commission on Indian Affairs for the  
13 Province of B.C. 1912-1915 n.d.; Ruddy and Sullivan 2010). The Fraser River delta agricultural areas were  
14 continually expanded, encroaching on Indigenous lands by extensive diking, draining of lands, and  
15 construction of irrigation ditches.

16 Tsleil-Waututh Nation members have previously stated that industrial development within their  
17 Consultation Area has contributed to the scarcity and contamination of resources used for their way of life  
18 (for example, salmon, herring, clams, and birds) (Tsleil-Waututh Nation n.d.c). The proposed Project is in a  
19 disturbed industrial setting near sea level with mostly modified landscapes. Past projects include the  
20 construction and operation of Northwest Hardwood Mill by Weyerhaeuser, which occupied part of the  
21 proposed Project Footprint. The Northwest Hardwood Mill utilized the river for transportation of logs to  
22 site, an activity which caused a loss of estuarine and riparian habitat along the foreshore of the Fraser  
23 River. Part of the Northwest Hardwood Mill property has since been repurposed for use as a steel facility by  
24 Varsteel. This Varsteel property is almost entirely covered in anthropogenic surfaces. Past projects include  
25 the construction and operation of the Heidelberg Materials Canada Limited, a multitenant industrial  
26 complex, and the Delta Community Animal Shelter. Each VC highlights the past and existing projects and  
27 activities in the existing conditions subsection for each VC. Subsection 6 (Table 6-7.1) summarizes the  
28 projects and activities used in the cumulative effects assessment for applicable VCs. Table 6-7.1 lists  
29 proposed future expansions or upgrades of existing operations that have the potential to interact spatially  
30 and temporally with proposed Project residual effects. Such projects within 10 km of the proposed Project  
31 include:

- 32 ▪ Tilbury Phase 1 LNG Expansion project
- 33 ▪ Annacis Island (Delta) WWTP, Annacis Water Supply Tunnel and Annacis Water Main South
- 34 ▪ Delta Fresh Cold Storage Warehouse/Food Processing Facility
- 35 ▪ Ladner Harbour Redevelopment
- 36 ▪ Fraser River Tunnel Project

37 Refer to Table 6.7-1 for a more comprehensive list of projects and activities including the proponent,  
38 project timing, description, relevant VC spatial boundaries and distance to the proposed project.

39 As indicated previously, prior to European contact Tsleil-Waututh Nation members travelled to the  
40 Fraser River during the seasonal round to catch and dry fish, such as sockeye salmon and eulachon; gather  
41 resources, such as berries; and hold celebrations and form alliances (Morin 2015; Tsleil-Waututh Nation  
42 n.d.h). Tsleil-Waututh Nation states that with the degradation of the environment within Burrard Inlet and  
43 the Indian River, Tsleil-Waututh Nation has placed greater emphasis on the Fraser River for sockeye  
44 salmon and are committed to remediation efforts of salmon in the Fraser River (Tsleil-Waututh Nation  
45 n.d.c).

1 Despite the increased reliance on the Fraser River by Tsleil-Waututh Nation and other groups, the Fraser  
 2 River also has a history of anthropogenic activity since the arrival of settlers with more recent  
 3 modifications, including construction of dikes and jetties, dredging, and diversions of water occurring since  
 4 the 1900s. The completion of the George Massey Tunnel linking Ladner to Richmond, B.C., in 1959 and the  
 5 opening of the BC Ferries terminal in Tsawwassen in 1960 improved land access to Delta, B.C., resulting in a  
 6 large increase in Delta's population (Delta n.d.). The Roberts Bank Coal Facility opened at Roberts Bank in  
 7 1970, followed by the opening of the Deltaport container terminal in 1997. The presence of this port  
 8 infrastructure led to the development of additional transportation infrastructure, warehouse facilities and  
 9 other port industrial uses to connect to and service the port.

10 The effects of these historical resource and industrial developments, made feasible by the dispossession of  
 11 lands, has been profound and far reaching for Indigenous Peoples in the region where the proposed  
 12 Project is situated. Importantly, the loss of land is considered to be among the most important factors  
 13 affecting cultural stress within Indigenous communities (Bartlett 2003). Contact with Europeans, resulting  
 14 in environmental dispossession through resource and industrial developments and other activities has  
 15 resulted in loss of land and access to traditional resources for Indigenous Peoples, and is one of the  
 16 central reasons for the decline in Indigenous well-being (Richmond and Ross 2009)

17 Past and existing activities that have affected existing conditions of Tsleil-Waututh Nation's ability to  
 18 exercise Indigenous interests include the following:

- 19 ▪ Settlement and urban development that have reduced lands available for harvesting and gathering.
- 20 ▪ Railway developments and expansions that have had adverse effects to Fraser River fish and fish  
 21 habitat, and that have increased the loss of territory and access to cultural use areas because of  
 22 associated tenures and land ownership.
- 23 ▪ Industrial accidents that have resulted in adverse effects on fish and fish habitat, wildlife and wildlife  
 24 habitat, water quality and quantity, settlements and travel ways, plants, and plant species.
- 25 ▪ Growth of the Port of Vancouver and ongoing development along the Fraser River and in the Salish  
 26 Sea<sup>6</sup> that have adversely affected marine and aquatic life and habitat, and wildlife and wildlife habitat  
 27 through riparian areas.
- 28 ▪ Pollution and contamination of air, water, and land due to industrial, commercial, and residential  
 29 development and increased population.
- 30 ▪ Depletion of resources by industry, including forestry, commercial fisheries, mining, and other  
 31 resource extraction.

### 32 **Tsleil-Waututh Nation Use of the Proposed Project Area**

33 This subsection summarizes present use of the proposed Project Area<sup>7</sup> by Tsleil-Waututh Nation and  
 34 practices related to the proposed Project. This summary includes specific use values present in the  
 35 proposed Project Footprint as well as Indigenous interest-specific LAAs and RAAs. These values are  
 36 identified as having environmental, cultural, spiritual, transportation, subsistence, and habitation value to  
 37 Tsleil-Waututh Nation.

38 The proposed Project Footprint is located predominately on private property owned by FortisBC within an  
 39 existing Tilbury LNG facility on Tilbury Island in the Tilbury Industrial Park adjacent to the Fraser River in  
 40 Delta, B.C. (Figure 11.10-1). The proposed Project Footprint was previously cleared of natural forest

<sup>6</sup> Salish Sea: The Salish Sea is an inland sea that encompasses Puget Sound, the San Juan Islands, and the waters offshore from Vancouver, B.C. The sea stretches from the channels of the Discovery Islands, north of the Strait of Georgia, to Budd Inlet at the south end of Puget Sound.

<sup>7</sup> The proposed Project Area is the general area within and adjacent to the proposed Project Footprint.

1 resulting in little to no native soils remaining in place, but is vegetated and has been heavily disturbed,  
2 with the majority of the proposed Project Footprint being used for industrial purposes. Public access to the  
3 proposed Project Site is limited, although there is currently public use of the dike to the north of the  
4 proposed Project Site along the Fraser River.

5 A portion of the proposed Project Footprint is located on the Fraser River in Provincial Crown land at the  
6 location of an existing dock (legacy) where the MOF was to be upgraded as part of the construction for the  
7 proposed Project. The piles and dock will be removed by a predecessor project (either the Tilbury Phase 1B  
8 or the Tilbury Marine Jetty project); however, the earthworks will remain. As stated above, in response to the  
9 concerns raised during engagement with participating Indigenous nations, FortisBC committed to no in water  
10 works, including no cargo vessels or barge deliveries as an avoidance mitigation measure to address  
11 concerns about effects to the Fraser River, the Salish Sea, Burrard Inlet, and the Southern Resident Killer  
12 Whale population. A MOF will not be constructed, upgraded, or utilized by the proposed Project during any  
13 phase.

14 To the northeast of the existing Tilbury Plant, Seaspan operates a commercial ferry terminal, which has  
15 been in operation since 1995 at this location (Seaspan n.d.) with approximately 5,400 vessel movements  
16 at Tilbury Island per year (Seaspan n.d.). The terminal is covered in anthropogenic surfaces, including  
17 terminal infrastructure that extends into the Fraser River, the construction of which caused a loss of  
18 estuarine and riparian habitat along the foreshore of the Fraser River. The Fraser River is actively dredged  
19 by the VFPA approximately 8 months of the year (mid-June to end of February) between Sands Head and  
20 New Westminster to maintain minimum depths and channel design grades. The lower Fraser River is an  
21 international and domestic shipping route designated as a deep-sea navigation channel. The south arm of  
22 the lower Fraser River serves as the main navigation channel for the Fraser River with shipping traffic,  
23 including tug vessels and tows, commercial fishing vessels, ferries, and recreational boats.

24 As stated in its ethnohistoric review of the proposed Project, Tsleil-Waututh Nation asserts its  
25 unextinguished title within its traditional territory, including, but not limited to, their right to harvest  
26 traditional foods, practice its traditional culture, and its right to self-governance and decision-making  
27 ability over traditional resources (Tsleil-Waututh Nation 2023). Tsleil-Waututh Nation considers the  
28 Fraser River to be an important area to practice its cultural rights, including rights-based harvesting  
29 (Tsleil-Waututh Nation 2023). While access to the Tilbury LNG facility is restricted to the public,  
30 Tsleil-Waututh Nation has expressed Indigenous interests within close proximity to the proposed Project  
31 Footprint, including at the Coast Salish Village Site across the Fraser River from the proposed Project  
32 footprint where Tsleil-Waututh Nation would relocate to during its seasonal round, and the proposed  
33 Project footprint is within its Consultation Area (Table 11.10-5).

34 The following subsections describe the existing conditions for Tsleil-Waututh Nation's Indigenous  
35 interests. These existing conditions are informed by the existing conditions for linked VCs summarized in  
36 subsection 11.1.13, Indigenous Interests Assessment Methods. Detailed descriptions of existing conditions  
37 can be found in respective VC subsections.

### 38 **Harvesting and Subsistence Activities**

#### 39 ***Fishing***

40 As previously noted, Tsleil-Waututh Nation has harvested salmon and other marine resources from the  
41 Fraser River for millennia and continues to practice their fishing and harvesting rights in the Fraser River  
42 (Tsleil-Waututh Nation 2020). Tsleil-Waututh Nation has stated their concerns that urban, commercial,  
43 and industrial development has restricted their access to and use of resources and as a result their way of  
44 life has suffered (Tsleil-Waututh Nation n.d.c). From Tsleil-Waututh Nation's perspective, cumulative

1 effects are assessed by their effects on Tsleil-Waututh Nation's way of life due to damage to habitat  
2 resulting in a decrease or loss of native species. Tsleil-Waututh Nation has advised that, to date, their way  
3 of life relies upon salmon, forage fish, shellfish, and marine birds has been severely affected by  
4 development (Tsleil-Waututh Nation n.d.c).

5 In 1970, pollution and contamination levels in Burrard Inlet were a significant concern and led to the  
6 sustained Federal bivalve shellfish fishery closure. In 2016, after working on the issue with the Canadian  
7 Shellfish Sanitation Program for a decade, Tsleil-Waututh Nation conducted its first sanctioned FSC  
8 bivalve harvest since the closure and annual community shellfish harvests are now held annually at  
9 designated and monitored sites. Tsleil-Waututh Nation is concerned that further acidification of local  
10 waters due to climate change could threaten bivalve populations (OA Alliance and Tsleil-Waututh  
11 Nation n.d.). Available water quality monitoring data collected by FortisBC in Tilbury Slough and the Fraser  
12 River within the Surface Water (subsection 7.4) LAA show some existing exceedances of the B.C. or  
13 Canadian Council of Ministers of the Environment marine and freshwater guidelines for protection of  
14 aquatic life, irrigation, or wildlife for several metals.

15 Tsleil-Waututh Nation expressed that there are already severe adverse effects from existing vessel traffic  
16 in the lower Fraser River which affect Tsleil-Waututh Nation members' ability to fish. Tsleil-Waututh Nation  
17 stated that this situation makes access to Fraser River salmon all the more critical to Tsleil-Waututh Nation  
18 as fisheries are already under pressure from various stressors, including climate change, and may be  
19 further affected by the ongoing development of the area (Tsleil-Waututh Nation 2019b). Tsleil-Waututh  
20 Nation states that sockeye salmon and eulachon, also once an important food and trade item for Tsleil-  
21 Waututh Nation, are not currently available elsewhere in Tsleil-Waututh Nation's traditional territory other  
22 than in the Fraser River (Tsleil-Waututh Nation 2023).

23 As previously described, fisheries resources have always formed an important part of the Tsleil-Waututh  
24 Nation's way of life and, today, they form part of its economic base. Substantial changes to marine  
25 ecosystems in the Lower Mainland of B.C. resulting from poor fishery practices, pollution, general habitat  
26 destruction, and changes in marine ecology have had a disproportionate effect on local Indigenous  
27 Peoples and their traditional ways of life (Morin and Evans 2022). Tsleil-Waututh Nation stated that it is a  
28 priority that it continues to be an active participant in fisheries management, as well as in the commercial  
29 fishing and aquaculture industries (Tsleil-Waututh Nation n.d.a). Tsleil-Waututh Nation stated that it is  
30 committed to working in partnership with DFO and the B.C. Ministry of Environment to restore and  
31 enhance fishery and aquatic resources in the xʔəl'ílwətaʔɩ/Indian River Watershed (Tsleil-Waututh  
32 Nation n.d.a).

33 Today, the environmental effects of urban, commercial, and industrial development in Burrard inlet have  
34 reduced the inlet's capacity to provide sufficient resources for Tsleil-Waututh Nation and members rely  
35 more heavily on the Fraser River to provide traditional food and resources, especially sockeye salmon and  
36 salmon eggs, though eulachon were reportedly harvested up until the 1950's (Tsleil-Waututh Nation  
37 2023) Almost all of Tsleil-Waututh's fish now comes from the Fraser River (Morin 2015). Overnight sites  
38 have been reported in the Fraser River both upstream and downstream of the proposed Project site, where  
39 Tsleil-Waututh Nation members would anchor their boats while fishing (Tsleil-Waututh Nation 2023),  
40 Tsleil-Waututh Nation fishing practices have been heavily diminished, including the near absence of  
41 herring and other small fish species from Tsleil-Waututh Nation diets (Morin 2015). Salmon habitat in the  
42 xʔəl'ílwətaʔɩ/Indian River Watershed has been degraded by industrial activities and development  
43 (Tsleil-Waututh Nation n.d.a). Effects from these activities, including increased sediment load in the river,  
44 have substantially diminished populations of all salmon species. Recent monitoring and enhancement  
45 efforts spearheaded by Tsleil-Waututh Nation and DFO have demonstrated improvement in salmon  
46 recovery but have not achieved historic abundance (Tsleil-Waututh Nation n.d.a). With steep declines in  
47 the salmon population, DFO implemented extensive closures in recent years to commercial and some

1 salmon fisheries in areas with significant stocks of conservation concern, including on the Fraser River  
2 (DFO n.d.a).

3 Tsleil-Waututh Nation has reported fishing and harvesting sockeye salmon in the vicinity of the proposed  
4 Project site on the Fraser River (Tsleil-Waututh Nation 2023). Pink salmon eggs are also harvested by  
5 Tsleil-Waututh Nation members in the Fraser River near the Project site (Tsleil-Waututh Nation 2023).  
6 Tsleil-Waututh Nation holds DFO approved FSC fishing licenses using drift nets in the Fraser River from  
7 the Port Mann bridge into the Strait of Georgia (DFO n.d.a). Tsleil-Waututh Nation also accesses fisheries  
8 in the Fraser River for traditional purposes through means other than FSC licenses (for example, through  
9 cultural protocols). In most years, Tsleil-Waututh Nation is unable to use its entire allocation of sockeye  
10 salmon due to declining stocks. This has led to limited FSC fisheries, driven by conservation concerns,  
11 resulting in fewer salmon per Nation member over time (Tsleil-Waututh Nation 2023). Tsleil-Waututh  
12 Nation stated that the 2020 season had widespread challenges with sockeye salmon returns and was the  
13 lowest year on record (Tsleil-Waututh Nation 2023). Records from DFO's website indicate that the most  
14 recent record of Tsleil-Waututh Nation salmon fishing was in 2018, when Tsleil-Waututh Nation harvested  
15 sockeye salmon using drift nets for several days in July and August (DFO n.d.b). However, Tsleil-Waututh  
16 Nation's records show that Tsleil-Waututh Nation has fished for salmon under FSC since 2018, including in  
17 2022. Also, DFO records and licenses do not specify the species Tsleil-Waututh Nation intends to harvest  
18 or what they would have harvested, as there is no historical data and anthropological documentation from  
19 before Tsleil-Waututh Nation entered into an agreement with DFO. Furthermore, Tsleil-Waututh Nation  
20 states that their existing agreement with the DFO does not reflect the Nation's and community's past or  
21 future needs, as it does not capture cultural protocols and members fishing with a rod and reel. Tsleil-  
22 Waututh Nation further notes that the Nation has constitutional rights to hunt and fish in all their  
23 traditional territory and consultation area. While DFO has jurisdiction, its laws, programs, or policies do not  
24 abrogate or derogate the rights of Indigenous peoples, as established in Section 35 of the *Constitution*  
25 *Act, 1982* and United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

26 Existing conditions at and directly adjacent to the proposed Project Footprint will likely be altered by work  
27 occurring outside of the scope of the proposed Project. Prior to the commencement of construction of  
28 the proposed Project, existing conditions along the foreshore of Tilbury Island will likely be altered by  
29 construction activities associated with two separate projects. These projects, which are anticipated to be  
30 constructed and in operation prior to the proposed Project and that may cause foreshore alteration in the  
31 foreshore area adjacent to the existing facility site, which is the same location of the MOF are as follows:

- 32 ▪ Tilbury Phase 1B expansion project has been authorized by the Government of B.C. through B.C.  
33 Order-In-Council (749/2014) Direction No. 5 to the BCUC under the B.C. Utilities Commission Act and  
34 will involve increasing LNG production capacity and power supply. T1B facilities are currently in the  
35 early design and engineering stages, with the earliest in-service date planned for 2027 to 2028. Prior  
36 to the commencement of construction of the proposed Project vegetation within the existing facility  
37 site will be removed by construction activities associated with the existing Tilbury facility and the  
38 Tilbury Phase 1B expansion (T1B) project.
- 39 ▪ The Tilbury Jetty Limited Partnership's TMJ project may require development of the area to provide  
40 temporary bunkering capacity and a construction dock. The proposed TMJ-related developments  
41 along the foreshore area are described in the TMJ project EA Application materials and include a dock  
42 at the T1B project, which is the same location as the MOF.

43 The T1B project, the TMJ project, and the proposed Project are undergoing or will undergo independent  
44 authorizations or regulatory reviews of proposed infrastructure and activities.

**1 Harvesting (Plant Gathering)**

2 The proposed Project Footprint was previously cleared of natural forest and has been heavily disturbed,  
3 with the majority of the proposed Project Footprint being used for industrial purposes. The proposed  
4 Project Footprint is located predominately on a brownfield site on private property owned by FortisBC  
5 (the Property) for the existing Tilbury LNG facility on Tilbury Island, within the Tilbury Industrial Park  
6 adjacent to the Fraser River in Delta, B.C. The existing Tilbury LNG facility consists of gravel (60 percent)  
7 and paved (40 percent) areas, existing infrastructure, and equipment laydown areas supporting little plant  
8 life. The vegetation within the proposed Project Footprint is mostly limited to ditch lines and spoil piles  
9 and is dominated by non-native and invasive plant species. As stated above, this vegetation will be  
10 removed at the existing facility site by existing and planned projects and will not be present prior to  
11 construction of the proposed Project.

12 Indigenous Knowledge provides important context of the Vegetation VC on Tilbury Island and surrounding  
13 area and identifies existing culturally important vegetation species used in traditional practices. FortisBC  
14 conducted vegetation desktop reviews to characterize existing conditions within the LAA and RAA.  
15 The reviews and subsequent reports included the incorporation of Indigenous Knowledge that First  
16 Nations provided to FortisBC, as well as existing information from secondary sources that FortisBC was  
17 granted permission to use by First Nations. In addition, vegetation and wetland field studies were  
18 conducted by FortisBC in 2021 both inside and outside the proposed Project Footprint. A summary of  
19 results from the studies can be found in subsection 11.13 and the full TDR will be submitted with the  
20 Application.

21 As indicated in the TDR, and in Subsection 7.7 (Vegetation), the vegetation within the proposed Project  
22 Footprint is mostly limited to ditch lines and spoil piles and is dominated by non-native and invasive plant  
23 species. The proposed Project Footprint is not currently accessible for plant harvesting and will remain  
24 restricted for the life of the proposed Project. Prior to the commencement of construction of the proposed  
25 Project, vegetation within the existing facility site will be removed by construction activities associated with  
26 the existing Tilbury facility and the Tilbury Phase 1B expansion (T1B) project. Maintenance of existing  
27 landscaping and vegetation along existing fence lines are part of the existing facility and not part of the  
28 scope of the proposed Project.

**29 Hunting**

30 Currently Tsleil-Waututh Nation members hunt primarily in the Indian River Watershed (Morin 2015),  
31 which is within the Harvesting and Subsistence Activities RAA, though duck hunting has been reported in  
32 the Fraser River (Tsleil-Waututh Nation 2023). Potential effects to Tsleil-Waututh Nation hunting due to  
33 the proposed Project has not been expressed as an issue of key concern by Tsleil-Waututh Nation  
34 (Table 11.10-8). Tsleil-Waututh Nation has stated that cumulative effects on Tsleil-Waututh Nation's  
35 subsistence have severe adverse effects on Tsleil-Waututh Nation's way of life, as it relies upon salmon,  
36 forage fish, shellfish, and marine birds (Tsleil-Waututh Nation n.d.c). Tsleil-Waututh Nation states that  
37 although marine bird hunting sites near the proposed Project area may not be used on a regular basis due  
38 to industrialization, development, and firearm restrictions, the sites remain important to Tsleil-Waututh  
39 Nation's culture and identity (Tsleil-Waututh Nation 2023). Although Tsleil-Waututh Nation identified  
40 their desire to regain or increase hunting, trapping, and gathering activities in and along the Fraser River  
41 and nearby locations, specific hunting locations were not identified by Tsleil-Waututh Nation for the EAC  
42 Application of the nearby TMJ project (B.C. EAO 2022b). It is FortisBC's understanding that firearms  
43 cannot be discharged within or adjacent to the proposed Project Footprint on Tilbury Island.

1 Indigenous Knowledge provides important context of the Wildlife VC on Tilbury Island and surrounding  
2 area and identifies existing culturally important wildlife species used in traditional practices. FortisBC  
3 conducted wildlife and wildlife habitat studies in the Wildlife and Wildlife Habitat LAA, including a wildlife  
4 habitat assessment, breeding bird survey, amphibian survey, incidental wildlife observations, and barn owl  
5 surveys. The subsequent reports included the incorporation of Indigenous Knowledge that First Nations  
6 provided to FortisBC, as well as existing information from secondary sources that FortisBC was granted  
7 permission to use by First Nations. A summary of results can be found in subsection 11.1.13; the full TDR  
8 will be submitted with the Application.

9 The majority of wildlife habitat within the proposed Project Wildlife and Wildlife Habitat LAA has been  
10 altered by development, as it is situated within the Tilbury Industrial Park, an industrialized portion of the  
11 Fraser River, and upland habitat is predominately covered by hard, anthropogenic surfaces (that is, paved  
12 and gravel areas currently used for industrial purposes). Due to the existing industrial developments on  
13 Tilbury Island, the Wildlife and Wildlife Habitat LAA lacks high-quality foraging and nesting habitat for  
14 migratory and resident bird species, such as passerines, raptors, shorebirds, seabirds, and waterfowl or  
15 waterbirds. Wildlife use is primarily limited to the small, fragmented riparian areas on the banks of Tilbury  
16 Slough, which provide habitat for a variety of wildlife species adapted to urban environments (such as,  
17 coyotes, raccoons, skunks, rabbits, waterfowl, and songbirds). Current conditions within and adjacent to  
18 the proposed Project Footprint are more suitable to species that are very tolerant of industrial  
19 development (B.C. EAO 2022b). Culturally important species observed during the wildlife field surveys  
20 include green-winged teal, lesser scaup, Canada goose, mallard, bald eagle, and beaver (evidence of  
21 activity).

### 22 **Cultural Use Areas**

23 Tsleil-Waututh Nation stewards their cultural heritage through the Archaeology and Cultural Heritage  
24 program, where members advocate for the management and protection of archaeological and cultural  
25 heritage resources within Tsleil-Waututh Nation territory (Tsleil-Waututh Nation 2019b). The Nation is  
26 developing cultural heritage policies to assist in the management of cultural heritage resources and has  
27 completed several archaeology research projects within their territory (Tsleil-Waututh Nation n.d.k).  
28 One example is the Master of Arts Thesis completed by Karen Rose Thomas of Tsleil-Waututh Nation, who  
29 studied the classification of an archaeological tool stone found in the archaeological assemblages of the  
30 Burrard Inlet region and surrounding area of North Vancouver (Thomas 2019).

31 Protection of archaeological sites is mandated in Tsleil-Waututh Nation's stewardship policy  
32 (Tsleil-Waututh Nation 2023). There are a number of sites identified along the Burrard Inlet and Indian  
33 Arm identified as resource harvesting camps and locations, as well as occupied villages (Morin 2015).  
34 Tsleil-Waututh Nation states that several important Indigenous historic trails are close to the proposed  
35 Project area (Tsleil-Waututh Nation 2023). Tsleil-Waututh Nation asserts the many archaeological sites  
36 within the Cultural Use Sites and Areas LAA and RAA contain a physical body of evidence of Tsleil-Waututh  
37 Nation's thousands of years of occupation and continuous use of the study area (Tsleil-Waututh Nation  
38 2023). Tsleil-Waututh Nation is concerned that vessel transits associated with the proposed Project and  
39 other nearby projects have the potential to negatively affect Tsleil-Waututh Nation's fisheries and cultural  
40 practices (Tsleil-Waututh Nation 2023).

41 The Land Use Plan identifies foreshore erosion as a threat to cultural heritage sites at Burrard Inlet 3,  
42 including three designated archaeological sites. Oral histories record up to 6 m of shoreline erosion since  
43 the mid-20th century in some designated archaeological sites and community members who swam and  
44 harvested in the inlet in the past are noticing that areas that used to be on land are now under water  
45 (Tsleil-Waututh Nation n.d.e). Tsleil-Waututh Nation states that vessel wakes in the Fraser River may be  
46 contributing to the exposure and degradation of archaeological sites, including ancestral shell-midden

1 sites (Tsleil-Waututh Nation 2023). The exposure of ancient shell deposits to acidic waters from climate  
2 change could further degrade these sites (OA Alliance and Tsleil-Waututh Nation n.d.).

3 Morin (2015) describes spiritual training sites (isolated locations for solitude) for spirit questing.  
4 These sites may be identified by rock shelters located in the Indian and Stawamus River watersheds  
5 (Morin 2015). Within the Cultural Use Sites and Areas RAA, culturally important sites for Tsleil-Waututh  
6 Nation are reported to include transportation routes (that is, canoe routes), spiritually significant sites, and  
7 sacred sites including areas where traditional ceremonies are still undertaken and that hold significant  
8 spiritual value. FortisBC is not aware of the locations of Tsleil-Waututh Nation's sacred sites.  
9 Tsleil-Waututh Nation stated that archaeological sites are especially important as they hold invaluable  
10 information about Coast Salish History (Tsleil-Waututh Nation 2023). Knowledge about some cultural and  
11 heritage places is intangible, found in names and oral history rather than permanent or obvious changes  
12 to the landscape reflected in the archaeological record (Burnaby Village Museum and Burnaby 2019).

13 The xʔəl'ílwətaʔt/Indian River Watershed represents a core area of the Tsleil-Waututh traditional territory  
14 and holds tremendous cultural and archaeological value (Tsleil-Waututh Nation n.d.a). Although only a  
15 few archaeological sites have been formally documented in the xʔəl'ílwətaʔt/Indian River Watershed,  
16 Tsleil-Waututh Nation considers the entire watershed to be an area of high archaeological potential.  
17 The xʔəl'ílwətaʔt/Indian River Watershed is rich with cultural resources, including prime fishing and  
18 hunting sites, productive berry and medicinal plant patches, and areas of great spiritual significance  
19 (Tsleil-Waututh Nation n.d.a). Tsleil-Waututh Nation members continue to use the xʔəl'ílwətaʔt/Indian  
20 River Watershed for many types of cultural activities. Tsleil-Waututh Nation expressed that there are  
21 already severe adverse effects from existing vessel traffic in the lower Fraser River, and that these  
22 cumulative effects affect Tsleil-Waututh Nation member's ability to fish and engage in cultural activities.

23 As previously mentioned, Tsleil-Waututh Nation members have traditionally engaged in cultural work in  
24 quiet and remote places. Finding the privacy and quiet that Tsleil-Waututh Nation community members  
25 need to carry out their cultural obligations can be difficult with industrial activity in their territory,  
26 potentially affecting cultural work and the associated negative repercussions for the health of the  
27 community (Tsleil-Waututh Nation n.d.c). For these reasons, Tsleil-Waututh Nation's Land Use Plan  
28 prioritizes the health and wellness of the community in land use planning decisions (Tsleil-Waututh  
29 Nation n.d.e).

30 Tsleil-Waututh Nation's Land Use Plan describes Tsleil-Waututh Nation's connection with the land and  
31 waters. Members engage in a range of distinct cultural and spiritual practices within the reserve and  
32 broader traditional territory. Tsleil-Waututh Nation has stated that future land use decisions on  
33 Tsleil-Waututh Nation reserve land will respect cultural values, including spiritual practices (Tsleil-Waututh  
34 Nation n.d.e).

35 Traditional narratives, including creation stories, demonstrate the special connection Coast Salish Peoples  
36 have had to their territories since the time of the first ancestors. Coast Salish traditional narratives would  
37 lay out a cycle of knowledge acquisition whereby animals, other beings, spirits, and knowledgeable  
38 relatives would assist individuals who invest personal effort and follow appropriate protocols to acquire  
39 the skills, knowledge, and spiritual powers they need to reach their full potential. The cycle depends on a  
40 functioning ecosystem that ensures continued access to these sources of knowledge and sites of training.  
41 In addition, Tsleil-Waututh Nation cultural work includes offering and feeding traditional foods to their  
42 ancestors and to other spirit beings. Tsleil-Waututh Nation has stated that it is important that future land  
43 uses within Tsleil-Waututh traditional territory respects Tsleil-Waututh Nation culture and traditions and  
44 allows for the continuation of traditional practices by future generations of Tsleil-Waututh people  
45 (Tsleil-Waututh Nation n.d.e).

1 Tsleil-Waututh Nation is concerned that the proposed Project may affect cultural sites, heritage resources,  
2 and the preservation of archaeological materials important to Tsleil-Waututh Nation (Table 11.10-5).  
3 Tsleil-Waututh Nation also expressed concerns regarding access to and use of cultural sites during the EA  
4 of the nearby TMJ project (B.C. EAO 2022b). No archaeological or heritage resources were identified  
5 during Archaeological Impact Assessments that took place in 2013 and 2020 in the proposed Project  
6 Footprint (subsection 7.13). As perhaps the largest Coast Salish settlement the historic Indigenous Village  
7 site across from Tilbury Island was identified by Tsleil-Waututh Nation as an important traditional resource  
8 gathering area, including for harvesting sockeye salmon in the late summers (Tsleil-Waututh Nation  
9 2023).

### 10 **Social and Economic Conditions**

11 Tsleil-Waututh Nation's has stated that its stewardship obligation includes the responsibility to maintain  
12 and restore conditions that provide the environmental, cultural, spiritual, and economic foundation for the  
13 Nation. By the early 1970s, Tsleil-Waututh Nation's way of life, based largely on salmon, forage fish,  
14 shellfish, and marine birds was devastated from the cumulative effects of urban, commercial, and  
15 industrial development around Burrard Inlet. As a result, Tsleil-Waututh Nation has created a  
16 contemporary economy based on real estate development, green energy, natural resource management,  
17 cultural tourism, and related business enterprises. Tsleil-Waututh Nation has stated that the contemporary  
18 economy helps, but for cultural, spiritual, and health reasons, it is not a substitute for Tsleil-Waututh  
19 Nation's way of life. While Tsleil-Waututh Nation has stated it is actively involved in responsible  
20 development in their territory, the Nation is committed to reducing its contribution to cumulative effects  
21 that will delay or deny re-establishment of their way of life (Tsleil-Waututh Nation n.d.c).

22 Potential effects from the proposed Project on Tsleil-Waututh Nation's asserted right to gain economic  
23 benefit from the lands and resources of their territory, including from the proposed Project's location, has  
24 been expressed as an issue of concern by Tsleil-Waututh Nation (Table 11.10-5). Tsleil-Waututh Nation  
25 stated that it relies on the Fraser River for fishing as both an economic activity and as a way to offset the  
26 cost of rising food prices. Tsleil-Waututh Nation stated that potential effects from the proposed Project on  
27 Tsleil-Waututh Nation's fish harvesting may result in indirect effects on Tsleil-Waututh Nation's social and  
28 economic conditions.

### 29 **Indigenous Health and Well-being**

30 The effects of the conversion of Indigenous common property to non-Indigenous private property, has  
31 been profound and far-reaching for Indigenous Peoples in the region where the proposed Project is  
32 situated. Importantly, the loss of land is considered to be among the most important factors affecting  
33 cultural stress within Indigenous communities (Bartlett 2003). Contact with Europeans, resulting in  
34 environmental dispossession through resource and industrial developments has resulted in loss of land  
35 and access to life sustaining resources for Indigenous Peoples, and is one of the central reasons for the  
36 decline in Indigenous well-being. As stated by Tsleil-Waututh Nation, "The Tsleil-Waututh people  
37 occupied, governed, and acted as stewards of our territory for thousands of years prior to contact, at  
38 contact (AD 1792), and at the time of the British Crown's assertion of sovereignty (AD 1846), and we  
39 continue to do so today" (Tsleil-Waututh Nation n.d.c).

40 Natural resources are vitally important to Tsleil-Waututh Nation, not only for staple foods (for example,  
41 salmon, clams, and crab), but also for cultural and spiritual practices, artistic representation, recreation,  
42 and technological and economic development. The ability to access and sustainably manage these  
43 resources is directly linked to Tsleil-Waututh Nation community health (Tsleil-Waututh Nation 2019b).  
44 For example, a wage-based economy has replaced Tsleil-Waututh Nation's subsistence economy, which is  
45 integral to their way of life. Store-bought foods replaced much of the traditional diet and became the

1 primary source of nutrition for Tsleil-Waututh Nation community members along with associated health  
2 problems. Associated with the change in diet and economy, Tsleil-Waututh Nation is concerned about  
3 diseases, such as diabetes and cancer, afflicting its members (Tsleil-Waututh Nation n.d.c). Tsleil-Waututh  
4 has noted in relation to other projects that eating lower amounts of fish and shellfish today compared to  
5 the subsistence amounts is a health risk and an emotional and spiritual loss related to traditional activities,  
6 ceremonies, a sense of place, and collective identity (B.C. EAO 2022b). Due to effects of urban and  
7 industrial development to the ecosystems within Tsleil-Waututh Nation territory, there are almost no  
8 remaining sources of healthy traditional foods available to Tsleil-Waututh Nation members within their  
9 territory besides salmon from the Fraser River. Fisheries closures, industrial development, displacement,  
10 exclusion and climate change have all contributed to a decline in salmon in Tsleil-Waututh Nation's diets  
11 and as a result, Tsleil-Waututh Nation members rely more heavily on trade amongst families in order to  
12 sustain their traditional diet and way of life (Tsleil-Waututh Nation 2023).

13 Contamination of traditional foods is also a concern of Tsleil-Waututh Nation. Salmon and salmon habitat  
14 are central to Tsleil-Waututh Nation's health and well-being, and way of life; however, Tsleil-Waututh  
15 Nation has emphasized that there are almost no remaining sources of healthy traditional foods available  
16 to the Nation within their territory besides salmon from the Fraser River (Tsleil-Waututh Nation 2020).  
17 While fish and shellfish harvesting remain essential values to Tsleil-Waututh Nation, contamination in  
18 Tsleil-Waututh Nation territory has reduced safe harvesting opportunities (Rao 2022). In its submission to  
19 the RBT2 Project, Tsleil-Waututh Nation stated that the Fraser River was heavily threatened by  
20 industrialization, pollution, habitat destruction and climate change effects which in turn had ecological  
21 and cultural consequences (Tsleil-Waututh Nation 2019a). Tsleil-Waututh Nation holds DFO approved  
22 FSC fishing licenses using drift nets in the Fraser River from the Port Mann bridge into the Strait of Georgia  
23 (DFO n.d.a). However, pollution within their traditional territory may hinder cultural work by Tsleil-  
24 Waututh Nation members, eroding their connection to their territory and reducing harvest activities. With a  
25 reduction in available resources and traditional staple foods, Tsleil-Waututh Nation members have  
26 experienced dietary changes and subsequent health problems (Tsleil-Waututh Nation n.d.c).

27 Adapting to changing conditions as a result of climate change is also integral to the health and well-being  
28 of Tsleil-Waututh Nation community members. Climate change will influence the ability to harvest wild  
29 foods and medicinal plants, how community members access the shoreline and marine waters, as well as  
30 Tsleil-Waututh Nation members ability to practice spiritual and cultural ceremonies and share cultural  
31 teachings (Tsleil-Waututh Nation 2021a). The close relationship and dependence of Tsleil-Waututh Nation  
32 on the lands, waters, and natural resources make the Nation uniquely vulnerable to effects of climate  
33 change. Tsleil-Waututh Nation reports that traditional foods have become scarce, summers are drier, and  
34 cedar trees are showing signs of stress all as a result of climate change. Strong storms are also causing  
35 severe flooding and forests fires are causing air quality issues in the summer (Tsleil-Waututh Nation  
36 2021a). Integrating climate change mitigation measures into future work of all Tsleil-Waututh Nation  
37 departments is therefore a policy of the Nation (Tsleil-Waututh Nation n.d.e).

38 Tsleil-Waututh Nation asserts its right to access important cultural and spiritual places with the assurance  
39 that they will be physically and culturally intact, without disturbances of the view, violation of privacy,  
40 noise intrusions, polluted water, or contaminated sediment. The ability for Tsleil-Waututh Nation to  
41 exercise its rights and practice its traditional culture, including harvesting and fishing in its traditional  
42 territory and maintaining kinship ties with neighbouring Coast Salish communities, is critical for  
43 maintaining the cultural health of the Nation (Tsleil-Waututh Nation 2023). As previously mentioned,  
44 finding the privacy and quiet that Tsleil-Waututh Nation community members need to carry out their  
45 cultural obligations can be difficult with industrial activity in their territory, potentially affecting cultural  
46 work and the associated negative repercussions for the health of the community (Tsleil-Waututh Nation  
47 n.d.c). The inability to participate in all aspects of their traditional culture and spiritual practice negatively  
48 affects Tsleil-Waututh Nation member's cultural health (B.C. EAO 2022b).

1 Potential effects to Tsleil-Waututh Nation health and well-being due to the proposed Project was  
2 expressed as an issue of key concern by Tsleil-Waututh Nation (Table 11.10-8). Specifically,  
3 Tsleil-Waututh Nation has expressed concerns about potential effects of the proposed Project to river and  
4 air quality, traditional food, noise, and potential effects of climate change on human and cultural health.

5 Tsleil-Waututh Nation has stated that it is concerned about potential effects of the proposed Project on  
6 climate change and how it will affect human and cultural health. Tsleil-Waututh Nation stated it is  
7 committed to addressing climate change because their health and survival are closely tied to water, land,  
8 and air quality. Examples of how climate change may potentially affect Tsleil-Waututh Nation's health and  
9 well-being include extreme heat or wildfire events limiting recreation and cultural practices (for example,  
10 canoe racing) and declining shellfish and salmon populations affecting traditional harvest opportunities.  
11 In recent years, the Nation has conducted a GHG Inventory and Reduction Plan for reserve lands and has  
12 collaborated with the B.C. Ministry of Environment and Climate Change Strategy to update the 1990  
13 Provincial Water Quality Objectives for Burrard Inlet. Tsleil-Waututh Nation continues to assess the effects  
14 of hundreds of development proposals within their territory every year (Tsleil-Waututh Nation 2020).  
15 The Nation's Community Climate Change Resilience Plan aims to understand how climate change will  
16 affect the Tsleil-Waututh community and where the community is most vulnerable. This work is guided by  
17 community input, ancestral knowledge, and western science (Tsleil-Waututh Nation 2019b). As one  
18 community member states in relation to climate change concerns:

19 *"We are losing land... and archaeological sites... to big waves and erosion along the*  
20 *shoreline... In some areas up to 36 ft of land has been lost"* (Tsleil-Waututh Nation 2019b).

21 Tsleil-Waututh Nation members have expressed concerns regarding existing cumulative effects on  
22 traditional resources from pollution, contamination, and industrialization and how this affects their health  
23 and well-being and ability to conduct cultural and spiritual practices. Tsleil-Waututh Nation's stewardship  
24 obligations include the Nation's sacred duty to ensure the health of their territory. Cumulative effects from  
25 urban, commercial, and industrial development have made the resources required for Tsleil-Waututh  
26 Nation's way of life (for example, salmon, forage fish, shellfish, and marine birds) scarce, contaminated,  
27 or inaccessible. Tsleil-Waututh Nation has therefore created a contemporary economy based on real  
28 estate development, green energy, natural resource management, cultural tourism, and related business  
29 enterprises, however, for cultural, spiritual, and health reasons, the contemporary economy is not a  
30 substitute for their way of life (Tsleil-Waututh Nation n.d.c).

### 31 **Cultural Continuation**

32 Coast Salish cultural continuity and traditional knowledge survive through oral histories (Morin et  
33 al. 2018). Coast Salish traditional narratives lay out a cycle of knowledge acquisition and training going  
34 back to the time of the first ancestors. Animals, other beings, spirits, and knowledgeable relatives assist  
35 individuals who invest personal effort and follow appropriate protocols to acquire the skills, knowledge,  
36 and spiritual powers they need to reach their full potential (Tsleil-Waututh Nation n.d.c). According to  
37 their oral history, the Creator transformed the Wolf into the first Tsleil-Waututh and made him responsible  
38 for their land. As a result, Tsleil-Waututh Nation has always had a long, close association with wolves  
39 (Tsleil-Waututh Nation n.d.a). Similarly, Tsleil-Waututh Nation culture is inextricably linked to the killer  
40 whales of the Salish Sea, in particular Southern Resident Killer Whales, through history, culture, laws,  
41 obligations, and spiritual practice. Tsleil-Waututh Nation members hold a sacred relationship with killer  
42 whales; a relationship that must be tended to and maintained (Thomas, pers. comm. 2018).

43 A substantial strength of Indigenous oral histories is that they are often derived from pre-contact times or  
44 describe pre-contact situations and reflect thousands of years' worth of collective traditional ecological  
45 knowledge. Tsleil-Waututh Nation oral history teaches that their people have always belonged to, and

1 have accepted responsibility for the care of, the lands and waters within their traditional territory. It also  
2 describes their ancestors' seasonal use of various resource harvest sites and of canoeing or walking to visit  
3 or trade with Coast and Interior Salish relatives. Tsleil-Waututh Nation Elders told stories and shared skills  
4 and traditional ways with youth as a means of transmitting the culture to the next generation  
5 (Tsleil-Waututh Nation n.d.c).

6 Traditional use activities and cultural practices in and around the Fraser River, including fishing and  
7 harvesting, provide important opportunities for intergenerational knowledge transfer for Tsleil-Waututh  
8 Nation members. Potential effects to Tsleil-Waututh Nation cultural continuity due to the proposed  
9 Project was expressed as an issue of key concern by Tsleil-Waututh Nation (Table 11.10-8). Specifically,  
10 Tsleil-Waututh Nation has expressed concerns about the effects on their cultural relationship with  
11 Southern Resident Killer Whales and their right to practice and preserve their traditional culture.  
12 Furthermore, Tsleil-Waututh Nation is concerned that the proposed Project may lead to further  
13 environmental degradation in their traditional territory which could threaten access to cultural sites and  
14 Tsleil-Waututh Nation's cultural identity (Tsleil-Waututh Nation 2023).

15 Although not specific to the proposed Project but relevant to activities in their traditional territory,  
16 Tsleil-Waututh Nation has expressed concerns about their asserted right to access sites for activities,  
17 such as resource harvest, that foster Elder-youth interaction and provide Elders with opportunities to share  
18 history, knowledge, traditional ways, and skills with youth (Tsleil-Waututh Nation n.d.c). Tsleil-Waututh  
19 Nation has also expressed concern that loss of the intertidal plant ecology in their traditional territory has  
20 impaired the cultural transmission of a whole array of skills and knowledge regarding the use of plants  
21 (Morin 2015).

22 In the EAC application for the nearby TMJ project, Tsleil-Waututh Nation stated that the proposed Project  
23 Area is important for cultural continuity and development in their territory and throughout the Salish Sea  
24 was impeding their cultural continuity and their efforts at revitalizing cultural practices (B.C. EAO 2022b).

## 25 **Indigenous Governance Systems**

26 From a Coast Salish perspective, the world as known today began when the First People appeared and  
27 became leaders of their people. In some cases, the First People fell from the sky, in other cases they  
28 appeared out of the earth, or were transformed from animals. These First People became the ancestors of  
29 the social groups now termed as First Nations (Morin 2015). The Tsleil-Waututh Nation declaration is  
30 highlighted in the Land Use Plan:

31 *"Our people descended from powerful Hereditary leaders, Waut-salk and Sla-holt. We*  
32 *know where we come from, and we know who we are. We respect our heritage, and Nothing*  
33 *can change our history and our truth" (Tsleil-Waututh Nation n.d.e).*

34 Cicəł siʔem' is the source of Tsleil-Waututh law. The Tsleil-Waututh Creation Story recounts how Cicəł  
35 siʔem' transformed the first Tsleil-Watt man, created the first Tsleil-Watt woman, and ensured that they  
36 were instructed in their responsibilities of reciprocal respect and caring for each other and for all elements  
37 of təməx<sup>w</sup> (the earth, the entire world, the territory, the environment) (Tsleil-Waututh Nation n.d.c).  
38 Tsleil-Waututh law requires that the territory be maintained and restored to ensure the presence of  
39 elements, such as cold, clear water for ritual bathing; isolated, undeveloped locations away from noise or  
40 contamination; and traditional medicines used in spiritual preparation (Tsleil-Waututh Nation n.d.c).

41 The principles guiding Tsleil-Waututh Nation's approach to stewardship are based on teachings passed on  
42 by Tsleil-Waututh Elders, their relationship to the land, and Tsleil-Waututh Nation's Aboriginal Rights and  
43 Title (Tsleil-Waututh Nation n.d.k). As mentioned previously, Tsleil-Waututh Nation was making  
44 stewardship-based decisions, including selective harvesting of male chum salmon to ensure sustainability

1 of their fisheries, dating back over a thousand years before European contact (Morin et al. 2021; Efford et  
2 al. 2023). The Nation describes their Stewardship Policy as an expression of their inherent jurisdiction and  
3 law. It mandates a review of all proposed water, land, and resource policies, plans, and developments  
4 inside their Consultation Area. Tsleil-Waututh members may carry special responsibilities in upholding  
5 Tsleil-Waututh's stewardship obligations, serving as caretakers of particular resources, or resource harvest  
6 locations. Selected based on their aptitude, ancestry, and merit, these individuals have spirit power,  
7 technical expertise, and receive training and apprenticeship from Elders or from other relations  
8 (Tsleil-Waututh Nation n.d.c).

9 *"Our stewardship obligation is to act with respect for all beings, human and non-human,*  
10 *and for all elements of the natural and spirit worlds. This responsibility is reflected in the*  
11 *principle of ɔax'əstəl'(reciprocal giving/reciprocity)" (Tsleil-Waututh Nation n.d.c).*

12 During the 19<sup>th</sup> century, Tsleil-Waututh Nation's hereditary chief Sla-Holt signed several petitions to  
13 protect Indigenous lands from encroachment, to protect fishing rights on the Lower Fraser River and to  
14 protect cranberry harvesting sites on the Lower Fraser River. These interests in the Lower Fraser River were  
15 recognized by other Coast Salish groups which further suggests that Tsleil-Waututh Nation's interests in  
16 the Lower Fraser River date back at least several hundred years (Tsleil-Waututh Nation 2023).

17 In their Notice of Intent to Participate as a First Nation for the proposed Project, Tsleil-Waututh Nation  
18 advised that they expect their Stewardship Policy to drive meaningful consultation with government.  
19 Tsleil-Waututh Nation's Stewardship Policy asserts the Nation's jurisdiction, authority, and rights within its  
20 Consultation Area (Tsleil-Waututh Nation n.d.a). Similarly, in their Ethnohistoric Review of the Project,  
21 Tsleil-Waututh Nation asserts their decision-making systems and self-governance over traditional  
22 resources within their traditional territory (Tsleil-Waututh Nation 2023).

### 23 **11.10.6.3 Potential Effects on Indigenous Interests**

24 The intent of this subsection is to describe potential effects of the proposed Project on the Indigenous  
25 interests of Tsleil-Waututh Nation.

26 The Application has been prepared in accordance with the AIR in which potential effects were identified  
27 from waterborne delivery (that is, barge deliveries) associated with the proposed Project and construction  
28 of the MOF. As described in Section 1.5.5, in response to concerns received during the Application  
29 Development phase engagement activities that occurred after the development of the AIR, the proposed  
30 Project will no longer utilize any waterborne delivery of modular components and bulk construction  
31 materials to the proposed Project Site during construction as an avoidance mitigation measure. As a result,  
32 no MOF is required for any phase of the proposed Project. Implementation of this avoidance mitigation  
33 measure has been incorporated into the determination of potential residual effects on linked VCs.

34 To inform the holistic discussion of the effects assessment, this subsection provides the following:

- 35 ▪ Identification of potential interactions between proposed Project activities with Indigenous interests
- 36 ▪ The VCs and indicators used to assess the effects.
- 37 ▪ Potential pathways by which the proposed Project activities could affect Indigenous interests.
- 38 ▪ Effects determined to be consequential or requiring mitigation.

39 Anticipated interactions between proposed Project activities and Tsleil-Waututh Nation's Indigenous  
40 interests during construction, operation, and decommissioning are shown in Table 11.10-9. Based on  
41 information shared by Tsleil-Waututh Nation related to current use of the proposed Project Area (refer to  
42 discussions in subsection 11.10.5.2), and the residual effects of the proposed Project on related VCs (refer  
43 to subsection 11.1.13 for a summary and Appendix A of the Application for a list of proposed measures to

1 mitigate effects to VCs), FortisBC anticipates that there will be some Indigenous interests, or aspects of  
2 Indigenous interests, that do not interact with the proposed Project activities, and some Indigenous  
3 interests that will be affected during specific proposed Project phases.

4 Potential effect pathways by which the proposed Project activities could affect Indigenous interests are  
5 shown in Table 11.10-10. Effect pathways identify potential interactions between proposed Project  
6 activities, the relevant indicators, and potentially linked VCs, allowing for the nature of the potential effect  
7 to be assessed (that is positive versus. negative, direct, or indirect). Direct effects are a result of a cause  
8 and effect relationship between the proposed Project and an Indigenous interest, whereas indirect effects  
9 result from a change that the proposed Project may cause that is one step removed from the proposed  
10 Project's activities due to complex relationships among VCs and Indigenous interests (B.C. EAO 2021).  
11 Indicators are one of the methodological tools used to identify and assess effects on Indigenous interests  
12 and are applied holistically when evaluating potential proposed Project effects. Indigenous interests are  
13 multifaceted, interrelated, and potential changes to the exercise of these interests may not be  
14 comprehensively represented through a list of indicators. As the Indigenous interests are interrelated,  
15 some indicators listed in Table 11.10-10 are repeated for multiple effect pathways.

16 Tsleil-Waututh Nation has informed FortisBC that it disagrees with the scope of VCs and with the B.C.  
17 EAO's methodology of assessing the impacts of the Project on Tsleil-Waututh Nation's rights and interests.  
18 Therefore, Tsleil-Waututh Nation disagrees with the interactions described in Table 11.10-9, and with  
19 the potential effect pathways and identified interactions on Tsleil-Waututh Nation's interests  
20 (Table 11.10-10), as TWN uses a different methodology and formula for assessing the proposed Project's  
21 interactions with TWN's interests, which will be assessed through Tsleil-Waututh Nation's Assessment  
22 under section 19(4) of the *Environmental Assessment Act*, 2018, during the Effects Assessment phase.  
23 FortisBC notes that the effects assessment of Indigenous interests was conducted in accordance with the  
24 methodology described in subsection 6.4 of the AIR (July 2023) and B.C. EAO's Effects Assessment Policy  
25 (B.C. EAO 2022a).

**Table 11.10-9. Potential Proposed Project Interactions with Tsleil-Waututh Nation Indigenous Interests**

Project Phase and Activities	Interaction	Nature of Interaction and Rationale for Interaction Rating
<b>CONSTRUCTION – Water-based</b>		
<ul style="list-style-type: none"> <li>▪ Construction of the MOF</li> <li>▪ Waterborne deliveries</li> </ul>	<i>No interaction</i>	<p>In response to engagement, the proposed Project will no longer utilize any waterborne delivery of modular components and bulk construction materials to the proposed Project Site as an avoidance mitigation measure. Therefore, a MOF will not be constructed, upgraded, or utilized during construction, operation, or decommissioning by the proposed Project. Implementation of this avoidance mitigation measure has been incorporated into the determination of potential residual effects of linked VCs.</p>
<b>CONSTRUCTION – Land-based</b>		
<p>Land-based ground stabilization and piling works.</p> <p>Construction of Onshore Facilities</p> <p>Road transportation of construction materials and equipment</p>	<i>Negligible interaction</i>	<p>Negligible effect on dust (as identified in subsection 7.6), low magnitude effect on air quality along truck routes (as identified in subsection 7.2), negligible magnitude effect on atmospheric noise (as identified in subsection 7.3) during site preparations and truck transportation and low magnitude effect during construction of onshore facilities, and low residual effect to visual quality (as identified in subsection 7.11) from construction-related features, equipment, and activities are anticipated to result in a negligible effect to Indigenous interests compared to existing conditions.</p> <p>Negligible to low effect on Wildlife and Wildlife Habitat (as identified in subsection 7.8) and Vegetation (as identified in subsection 7.7) are anticipated to result in no effects on availability and presence of resources for harvesting compared to existing conditions.</p>
<b>OPERATION – Land-based</b>		
Natural gas processing and liquefaction	<i>Negligible interaction</i>	<p>Negligible effects on air quality from increases in NO<sub>2</sub>, CO, PM<sub>2.5</sub>, PM<sub>10</sub>, and VOCs and low magnitude effects on air quality from SO<sub>2</sub> are anticipated to result in a negligible effect to Indigenous interests compared to existing conditions.</p> <p>Low magnitude effect on atmospheric noise (as identified in subsection 7.3) is not anticipated to be detectable to Indigenous users compared to existing conditions.</p> <p>Low effect to visual quality (as identified in subsection 7.11) from construction-related features, equipment, and activities is anticipated to result in a negligible effect to Indigenous interests compared to existing conditions.</p>
Malfunctions and Accidents during operation	<i>Potential interaction</i>	Refer to Section 9 (Malfunctions and Accidents)

**Table 11.10-9. Potential Proposed Project Interactions with Tsleil-Waututh Nation Indigenous Interests**

Project Phase and Activities	Interaction	Nature of Interaction and Rationale for Interaction Rating
<b><i>DECOMMISSIONING – Land-based</i></b>		
Removal of Onshore Facilities	<i>Negligible interaction</i>	<p>Negligible effects on dust (as identified in subsection 7.6) air quality (as identified in subsection 7.2), and atmospheric noise (as identified in subsection 7.3) during site decommissioning and truck transportation, and low magnitude residual effect to visual quality (as identified in subsection 7.11) from decommissioning-related features, equipment, and activities are anticipated to result in a negligible effect to Indigenous interests compared to existing conditions.</p> <p>Negligible to low magnitude effects on Wildlife and Wildlife Habitat (as identified in subsection 7.8) and Vegetation (as identified in subsection 7.7) are anticipated to result in no effects on availability and presence of resources for harvesting compared to existing conditions.</p>

Note: Tsleil-Waututh Nation has informed FortisBC that it disagrees with assessing the effects of the proposed Project on Tsleil-Waututh Nation’s rights and interests during the development and review of the Application, as the Effects Assessment has not been conducted yet.

**Table 11.10-10 Tsleil-Waututh Nation’s Indigenous Interests – Potential Proposed Project Effect Pathways and Identified Interactions**

Indigenous Interests	Potential Proposed Project Effect Pathways	Indicators	Linkages to Other Valued Components or Indigenous Interests	Proposed Mitigation Measures to Reduce or Eliminate Potential Effects to VCs (refer to Appendix A of the Application for Full List)	Identified Interaction and Potential Effect	
					No Interaction, Negligible Interaction, Potential Interaction (Negative or Positive)	Direct or Indirect
Harvesting and Subsistence Activities	<ul style="list-style-type: none"> <li>Existing cumulative effects leading to loss and degradation of biodiversity and traditional food species.</li> <li>Effects on fish populations (especially salmon), in relation to Tsleil-Waututh Nation’s ability to harvest these resources and the Nation’s environmental remediation programs aimed at restoring these resources (especially herring, sturgeon and eulachon).</li> <li>Effects on other traditional foods including crab, shellfish, and marine birds, particularly ducks.</li> </ul>	<ul style="list-style-type: none"> <li>Quality and quantity of habitat for harvested species</li> <li>Availability, distribution, and abundance of harvested species, including species of cultural and medicinal importance.</li> <li>Quality of harvested species</li> <li>Surface water quality and quantity (turbidity, hydraulic changes)</li> </ul>	<ul style="list-style-type: none"> <li>Air Quality</li> <li>Acoustic</li> <li>Surface Water</li> <li>Groundwater</li> <li>Soil</li> <li>Vegetation</li> <li>Wildlife and Wildlife Habitat</li> <li>Fish and Fish Habitat</li> <li>Land and Resource Use</li> </ul>	Proposed mitigation measures to reduce or eliminate potential effects to VCs identified in subsections 7.2 Air Quality, 7.3 Acoustic, 7.4 Surface Water, 7.6 Soil, 7.7 Vegetation, 7.8 Wildlife and Wildlife Habitat, 7.9 Fish and Fish Habitat, and 7.11 Land and Resource Use	Negligible interaction	N/A
	<ul style="list-style-type: none"> <li>Effects on Tsleil-Waututh Nation community-based fishing at the mouth of, and on the Fraser River.</li> </ul>	<ul style="list-style-type: none"> <li>Changes in harvesting effort (reported time, expense, level of difficulty required to travel for harvesting purposes)</li> <li>Changes in harvesting success (frequency of successful harvest and quantity of harvested species or materials available for FSC purpose)</li> <li>Areas with access restrictions</li> <li>Quality and quantity of habitat for harvested species</li> <li>Availability, distribution, and abundance of harvested species</li> <li>Quality of harvested species</li> <li>Timing or seasonal round</li> </ul>	<ul style="list-style-type: none"> <li>Air Quality</li> <li>Acoustic</li> <li>Surface Water</li> <li>Groundwater</li> <li>Soil</li> <li>Vegetation</li> <li>Wildlife and Wildlife Habitat</li> <li>Fish and Fish Habitat</li> <li>Land and Resource Use</li> </ul>	Proposed mitigation measures to reduce or eliminate potential effects to VCs identified in subsections 7.2 Air Quality, 7.3 Acoustic, 7.4 Surface Water, 7.6 Soil, 7.7 Vegetation, 7.8 Wildlife and Wildlife Habitat, 7.9 Fish and Fish Habitat, and 7.11 Land and Resource Use	Negligible interaction	N/A
	<ul style="list-style-type: none"> <li>Effects on current and potential future Tsleil-Waututh Nation use of land and resources.</li> </ul>	<ul style="list-style-type: none"> <li>Areas with access restrictions</li> <li>Accessible travel ways</li> <li>Use of Fraser River for navigation</li> <li>Changes in the ability to travel to or through current use areas.</li> </ul>				

**Table 11.10-10 Tsleil-Waututh Nation’s Indigenous Interests – Potential Proposed Project Effect Pathways and Identified Interactions**

Indigenous Interests	Potential Proposed Project Effect Pathways	Indicators	Linkages to Other Valued Components or Indigenous Interests	Proposed Mitigation Measures to Reduce or Eliminate Potential Effects to VCs (refer to Appendix A of the Application for Full List)	Identified Interaction and Potential Effect	
					No Interaction, Negligible Interaction, Potential Interaction (Negative or Positive)	Direct or Indirect
Cultural Use Areas.	<ul style="list-style-type: none"> <li>▪ Effects on tangible and intangible cultural heritage.</li> <li>▪ Effects on cultural practices, traditions, areas, and language. Impacts on cultural use areas could cause irreparable harm to the historical, current, and desired future uses of the areas and/or intangible cultural heritage and cultural practices, including Tsleil-Waututh Nation’s ability to sustain cultural and spiritual practices.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Disturbance or alteration of sites and areas of cultural use, including sites of historical importance and archaeological importance.</li> <li>▪ Use of sites and areas of cultural use</li> <li>▪ Participation in communal activities</li> <li>▪ Cultural practices, customs, beliefs, and values associated with cultural sites.</li> <li>▪ Qualitative changes in the experience of exercising Indigenous interest, associated with changes to the following:                             <ul style="list-style-type: none"> <li>– Noise and vibration</li> <li>– Odour and air quality</li> <li>– Visual resources</li> <li>– Dust</li> </ul> </li> <li>▪ Accessible travel ways</li> <li>▪ Use of Fraser River for navigation</li> <li>▪ Areas with access restrictions</li> </ul>	<ul style="list-style-type: none"> <li>▪ Soil</li> <li>▪ Land and Resource Use</li> <li>▪ Archaeological and Heritage Resources</li> <li>▪ Culture</li> <li>▪ Air Quality</li> <li>▪ Acoustic</li> </ul>	Proposed mitigation measures to reduce or eliminate potential effects to VCs identified in subsections 7.11 Land and Resource Use, 7.13 Archaeological and Heritage Resources, 7.14 Culture, 7.2 Air Quality, 7.3 Acoustic, and 7.6 Soil	Negligible interaction	N/A
Social and Economic Conditions	<ul style="list-style-type: none"> <li>▪ Effects on employment opportunities for community members, procurement opportunities, and Tsleil-Waututh Nation’s businesses and revenue for the Nation.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Access to proposed Project-related economic opportunities/economic equity.</li> <li>▪ Employment income</li> <li>▪ Unemployment rate and labour force participation rate</li> <li>▪ Job market and skills</li> <li>▪ Type or level of education</li> </ul>	<ul style="list-style-type: none"> <li>▪ Culture</li> <li>▪ Employment and Economy</li> <li>▪ Infrastructure and Services</li> <li>▪ Land and Resource Use</li> <li>▪ Fish and Fish Habitat</li> <li>▪ Wildlife and Wildlife Habitat</li> <li>▪ Vegetation</li> </ul>	Proposed mitigation measures identified in subsections 7.7, Vegetation; 7.8, Wildlife and Wildlife Habitat; 7.9, Fish and Fish Habitat, 7.10, Employment and Economy; 7.11, Land and Resource Use; 7.12, Infrastructure and Services, 7.14 Culture	Positive	Direct
	<ul style="list-style-type: none"> <li>▪ Effects on Tsleil-Waututh Nation’s economic benefit from the lands and resources of their traditional territory.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Changes in harvesting effort (reported time, expense, level of difficulty required to travel for harvesting purposes)</li> <li>▪ Changes in harvesting success (frequency of successful harvest, quantity of harvested species or materials available for FSC purpose)</li> <li>▪ Individual, household, or communal income or financial value of noncommercial harvest</li> </ul>	<ul style="list-style-type: none"> <li>▪ Culture</li> <li>▪ Employment and Economy</li> <li>▪ Infrastructure and Services</li> <li>▪ Land and Resource Use</li> <li>▪ Fish and Fish Habitat</li> <li>▪ Wildlife and Wildlife Habitat</li> <li>▪ Vegetation</li> </ul>	Proposed mitigation measures identified in subsections 7.7, Vegetation; 7.8, Wildlife and Wildlife Habitat; 7.9, Fish and Fish Habitat, 7.10, Employment and Economy; 7.11, Land and Resource Use; 7.12, Infrastructure and Services, 7.14 Culture	Negligible interaction	N/A

**Table 11.10-10 Tsleil-Waututh Nation’s Indigenous Interests – Potential Proposed Project Effect Pathways and Identified Interactions**

Indigenous Interests	Potential Proposed Project Effect Pathways	Indicators	Linkages to Other Valued Components or Indigenous Interests	Proposed Mitigation Measures to Reduce or Eliminate Potential Effects to VCs (refer to Appendix A of the Application for Full List)	Identified Interaction and Potential Effect	
					No Interaction, Negligible Interaction, Potential Interaction (Negative or Positive)	Direct or Indirect
Indigenous Health and Well-being	<ul style="list-style-type: none"> <li>Effects on food sovereignty, particularly dietary changes from avoiding traditional foods (due to accessibility, quality, and quantity), and consumption of contaminants within traditional foods within the context of historical and current cumulative impacts, and the loss of cultural education to transfer knowledge (cultural transmission) of language, food preparation, spiritual, harvesting and hunting areas.</li> </ul>	<ul style="list-style-type: none"> <li>Participation in harvesting and subsistence activities practices, and cultural and spiritual practices</li> <li>Participation in communal activities</li> <li>Cultural practices, customs, beliefs, and values associated with cultural sites.</li> <li>Well-being indices</li> <li>Qualitative changes in the experience of exercising Indigenous interest.                             <ul style="list-style-type: none"> <li>Noise and vibration</li> <li>Odour</li> <li>Air Quality</li> <li>Visual resources</li> <li>Dust</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Harvesting and Subsistence Activities</li> <li>Cultural Use Sites and Areas</li> <li>Human Health</li> <li>Air Quality</li> <li>Acoustic</li> <li>Surface Water</li> <li>Groundwater</li> <li>Soil</li> <li>Vegetation</li> <li>Wildlife and Wildlife Habitat</li> <li>Fish and Fish Habitat</li> <li>Land and Resource Use</li> </ul>	Proposed mitigation measures to reduce or eliminate potential effects to VCs identified in subsections 7.2, Air Quality; 7.3, Acoustic; 7.4, Surface Water; 7.5, Groundwater, 7.6 Soil, 7.7, Vegetation; 7.8, Wildlife and Wildlife Habitat; 7.9, Fish and Fish Habitat; 7.11, Land and Resource Use; 7.14, Culture; and 7.15, Human Health	Negligible interaction	N/A
	<ul style="list-style-type: none"> <li>Effects on water quality, noise, air quality, and light that could interfere with Tsleil-Waututh Nation’s ability to exercise their rights.</li> </ul>	<ul style="list-style-type: none"> <li>Air quality</li> <li>Drinking water quality</li> <li>Recreational Water Quality</li> <li>Noise</li> <li>Visual resources</li> </ul>	<ul style="list-style-type: none"> <li>Harvesting and Subsistence Activities</li> <li>Cultural Use Sites and Areas</li> <li>Human Health</li> <li>Air Quality</li> <li>Acoustic</li> <li>Surface Water</li> <li>Groundwater</li> <li>Soil</li> <li>Vegetation</li> <li>Wildlife and Wildlife Habitat</li> <li>Fish and Fish Habitat</li> <li>Land and Resource Use</li> </ul>	Proposed mitigation measures to reduce or eliminate potential effects to VCs identified in subsections 7.2, Air Quality; 7.3, Acoustic; 7.4, Surface Water; 7.5, Groundwater, 7.6 Soil, 7.7, Vegetation; 7.8, Wildlife and Wildlife Habitat; 7.9, Fish and Fish Habitat; 7.11, Land and Resource Use; 7.14, Culture; and 7.15, Human Health	Negligible interaction	N/A

Table 11.10-10 Tsleil-Waututh Nation's Indigenous Interests – Potential Proposed Project Effect Pathways and Identified Interactions						
Indigenous Interests	Potential Proposed Project Effect Pathways	Indicators	Linkages to Other Valued Components or Indigenous Interests	Proposed Mitigation Measures to Reduce or Eliminate Potential Effects to VCs (refer to Appendix A of the Application for Full List)	Identified Interaction and Potential Effect	
					No Interaction, Negligible Interaction, Potential Interaction (Negative or Positive)	Direct or Indirect
Indigenous Health and Well-being (continued)	<ul style="list-style-type: none"> <li>Effects on intangible cultural aspects, such as the ability to access and traverse traditional territories, utilization of culturally and ceremonially significant areas, peaceful enjoyment of land and water, spiritual connection to the place, cultural attachment, and the inter-generational transmission of cultural practices, including impacts on the revitalization of the hən̓q̓əmin̓əm̓ language.</li> </ul>	<ul style="list-style-type: none"> <li>Qualitative changes in the experience of exercising Indigenous interests associated with changes to the following:                             <ul style="list-style-type: none"> <li>Noise and vibration</li> <li>Odour and air quality</li> <li>Visual resources</li> <li>Dust</li> <li>Accessible travel ways</li> <li>Use of Fraser River for navigation</li> <li>Areas with access restrictions</li> <li>Change in Tsleil-Waututh Nation's plans and policy such as language and culture due to proposed Project</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Harvesting and Subsistence Activities</li> <li>Cultural Use Sites and Areas</li> <li>Human Health</li> <li>Air Quality</li> <li>Acoustic</li> <li>Surface Water</li> <li>Groundwater</li> <li>Soil</li> <li>Vegetation</li> <li>Wildlife and Wildlife Habitat</li> <li>Fish and Fish Habitat</li> <li>Land and Resource Use</li> </ul>	Proposed mitigation measures to reduce or eliminate potential effects to VCs identified in subsections 7.2, Air Quality; 7.3, Acoustic; 7.4, Surface Water; 7.5, Groundwater, 7.6 Soil, 7.7, Vegetation; 7.8, Wildlife and Wildlife Habitat; 7.9, Fish and Fish Habitat; 7.11, Land and Resource Use; 7.14, Culture; and 7.15, Human Health	Negligible interaction - Effects on health and well-being from the effects to traditional ways of life and to cultural site  Positive interaction -Improvement of social conditions	Direct Indirect
	<ul style="list-style-type: none"> <li>Effects on global emissions, which contribute to climate change and affect Tsleil-Waututh Nation's rights and community health</li> </ul>	<ul style="list-style-type: none"> <li>Participation in harvesting and subsistence activities practices, cultural and spiritual practices</li> <li>Participation in communal activities</li> <li>Well-being indices</li> </ul>	<ul style="list-style-type: none"> <li>Harvesting and Subsistence Activities</li> <li>Cultural Use Sites and Areas</li> <li>Human Health</li> <li>Air Quality</li> <li>Surface Water</li> <li>Groundwater</li> <li>Soil</li> <li>Vegetation</li> <li>Wildlife and Wildlife Habitat</li> <li>Fish and Fish Habitat</li> <li>Land and Resource Use</li> </ul>	Proposed mitigation measures to reduce or eliminate potential effects to VCs identified in subsections 7.2, Air Quality; 7.4, Surface Water; 7.5, Groundwater, 7.6 Soil, 7.7, Vegetation; 7.8, Wildlife and Wildlife Habitat; 7.9, Fish and Fish Habitat; 7.11, Land and Resource Use; 7.14, Culture; and 7.15, Human Health, and Section 8.0 Climate Change and Greenhouse Gas Emissions	Negligible interaction – Effects on Tsleil-Waututh Nation's rights and community health	N/A
Cultural Continuation	<ul style="list-style-type: none"> <li>Effects on Tsleil-Waututh Nation's ability to revitalize, develop, and participate in intergenerational cultural transmission through access to and experience of land, travel ways, navigable waters, and water bodies.</li> <li>Effects on food sovereignty including on Tsleil-Waututh Nation's cultural and ceremonial activities since salmon, crab, herring, and birds are central to such activities.</li> </ul>	<ul style="list-style-type: none"> <li>Participation in communal activities</li> <li>Cultural practices, customs, beliefs, and values associated with cultural sites.</li> <li>Well-being indices</li> <li>Participation in Harvesting and Subsistence activities practices and cultural and spiritual practices</li> <li>Accessible travelways</li> <li>Use of Fraser River for navigation</li> <li>Areas with access restrictions</li> </ul>	<ul style="list-style-type: none"> <li>Harvesting and Subsistence Activities</li> <li>Cultural Use Sites and Areas</li> <li>Indigenous Health and Well-being</li> <li>Social and Economic Conditions</li> <li>Land and Resource Use</li> </ul>	Proposed mitigation measures identified in subsections 7.11 Land and Resource Use, 7.13 Archaeological and Heritage Resources, 7.14 Culture, and 7.15 Human Health	Negligible interaction	N/A

Table 11.10-10 Tsleil-Waututh Nation's Indigenous Interests – Potential Proposed Project Effect Pathways and Identified Interactions						
Indigenous Interests	Potential Proposed Project Effect Pathways	Indicators	Linkages to Other Valued Components or Indigenous Interests	Proposed Mitigation Measures to Reduce or Eliminate Potential Effects to VCs (refer to Appendix A of the Application for Full List)	Identified Interaction and Potential Effect	
					No Interaction, Negligible Interaction, Potential Interaction (Negative or Positive)	Direct or Indirect
Cultural Continuation (continued)	<ul style="list-style-type: none"> <li>Effects on cultural heritage due to changes to sense of place and identity due to real and perceived disturbance of the environment.</li> </ul>	<ul style="list-style-type: none"> <li>Participation in communal activities</li> <li>Cultural practices, customs, beliefs, and values associated with cultural sites.</li> <li>Well-being indices</li> <li>Participation in Harvesting and Subsistence activities practices and cultural and spiritual practices</li> <li>Qualitative changes in the experience of exercising Indigenous interests associated with changes to the following:                             <ul style="list-style-type: none"> <li>Noise and vibration</li> <li>Odour and air quality</li> <li>Visual resources</li> <li>Dust</li> </ul> </li> <li>Accessible travelways</li> <li>Use of Fraser River for navigation</li> <li>Areas with access restrictions</li> </ul>	<ul style="list-style-type: none"> <li>Harvesting and Subsistence Activities</li> <li>Cultural Use Sites and Areas</li> <li>Indigenous Health and Well-being</li> <li>Social and Economic Conditions</li> <li>Land and Resource Use</li> </ul>	Proposed mitigation measures identified in subsections 7.11 Land and Resource Use, 7.13 Archaeological and Heritage Resources, 7.14 Culture, and 7.15 Human Health	Refer to previous page	Refer to previous page
Indigenous Governance Systems	<ul style="list-style-type: none"> <li>- Effects on Tsleil-Waututh Nation's ability to implement their laws, customs, and protocols, as well as participate in self-governance initiatives, and decision-making processes regarding matters that affect Tsleil-Waututh Nation's rights and interests in the proposed Project area.</li> <li>- Effects on intercommunity relations and trade.</li> <li>Effects from Project's interactions with the conditions outlined in Tsleil-Waututh Nation's (2009) Stewardship Policy, including its impact on the ongoing conservation efforts to restore important fish species and habitat.</li> </ul>	<ul style="list-style-type: none"> <li>Changes to Tsleil-Waututh Nation's laws, customs, protocols, conservation, and stewardship activities due to the proposed Project</li> <li>Changes to Tsleil-Waututh Nation's plans and policy such as economic development, land use, language and culture, and reclamation due to the proposed Project</li> <li>Participation in intercommunity activities</li> <li>Amount, type, or frequency of harvested materials traded between communities</li> </ul>	<ul style="list-style-type: none"> <li>Harvesting and Subsistence Activities</li> <li>Cultural Use Sites and Areas</li> <li>Indigenous Health and Well-being</li> <li>Social and Economic Conditions</li> <li>Cultural Continuation</li> </ul>	Proposed mitigation measures identified in subsections 7.2 Air Quality, 7.3 Acoustic, 7.4 Surface Water, 7.5 Groundwater, 7.6 Soil, 7.7 Vegetation, 7.8 Wildlife and Wildlife Habitat, 7.9 Fish and Fish Habitat, 7.11 Land and Resource Use, 7.14 Culture, and 7.15 Human Health	Negligible interaction	N/A

1 Note: Tsleil-Waututh Nation has informed FortisBC that it disagrees with assessing the effects of the proposed Project on Tsleil-Waututh Nation's rights and interests during the development and review of the Application, as the Effects Assessment has not been conducted  
 2 yet.

1 The following subsections provide a rationale for negligible interactions between the proposed Project and  
2 Tsleil-Waututh Nation Indigenous interests. When an interaction identified as negligible, a rationale is  
3 provided, including information regarding known use of the proposed Project Footprint and Indigenous  
4 interest-specific LAA by Tsleil-Waututh Nation and anticipated residual effects to linked VCs (including  
5 relevant proposed mitigation measures for linked VCs). For a summary of existing conditions and the  
6 residual effect conclusions of linked VCs, refer to subsection 11.1.13. References to linked VC subsections  
7 (including TDRs) are provided when applicable, and further detail is available in these subsections.  
8 Proposed mitigation measures from linked VCs are listed in Table 11.10-10 and provided in Appendix A of  
9 the Application.

### 10 **Effects to Harvesting and Subsistence Activities**

11 The following subsections provide rationale for a negligible interaction between the proposed Project  
12 activities and Tsleil-Waututh Nation harvesting and subsistence activities, including reference to available  
13 information specific to Tsleil-Waututh Nation and to predicted residual effects on linked VCs, including  
14 Air Quality (subsection 7.2), Acoustic (subsection 7.3), Surface Water (subsection 7.4), Groundwater  
15 (subsection 7.5), Soil (subsection 7.6), Vegetation (subsection 7.7), Wildlife and Wildlife Habitat  
16 (subsection 7.8), Fish and Fish Habitat (subsection 7.9), and Land and Resource Use (subsection 7.11)<sup>8</sup>

17 For a summary of the existing conditions and residual effects assessment conclusions of linked VCs, please  
18 refer to subsection 11.1.13. References to linked VC subsections are provided where applicable. Further  
19 detail is available in these subsections, including references to applicable TDRs. Based on the rationale  
20 provided, the potential effects of the proposed Project on Tsleil-Waututh Nation harvesting and  
21 subsistence activities is not carried forward into a residual effects assessment.

22 Subsequent sections will provide rationale for the interaction between the proposed Project and  
23 Harvesting and Subsistence activities related to the following:

- 24 ▪ Effects on current and potential future Tsleil-Waututh Nation use of land and resources.
- 25 ▪ Existing cumulative effects leading to loss and degradation of biodiversity and traditional food  
26 species.
- 27 ▪ Effects on increased vessel traffic on Tsleil-Waututh members' ability to travel in small vessels for  
28 subsistence travel.
- 29 ▪ Effects on Tsleil-Waututh Nation community-based fishing at the mouth of, and on the Fraser River.  
30 Effects of increased vessel traffic could alter accessibility for Tsleil-Waututh Nation to the mouth of  
31 the Fraser, including access to important fishing and crab harvesting sites.
- 32 ▪ Effects on fish populations (especially salmon), in relation to Tsleil-Waututh Nation's ability to harvest  
33 these resources and the Nation's environmental remediation programs aimed at restoring these  
34 resources (especially herring, sturgeon and eulachon).
- 35 ▪ Effects on other traditional foods including crab, shellfish, and marine birds, particularly ducks.

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<sup>8</sup> As previously described, in response to engagement activities during the Application Development phase, the proposed Project will no longer utilize the waterborne delivery of modular components and construction materials and does not require the MOF. Implementation of this avoidance mitigation measure has been incorporated into the determination of potential residual effects of linked VCs.

1 Tsleil-Waututh Nation harvesters could experience changes to the quality of the harvesting experience.  
2 The experience of harvesting could be adversely affected by potential changes from the proposed Project  
3 to habitat areas that support plant, and wildlife species (subsection 7.11).

4 Potential effects to resources, such as wildlife and plants, due to the proposed Project could potentially  
5 affect Tsleil-Waututh Nation members harvesting activities near the Fraser River. Furthermore, potential  
6 effects to Tsleil-Waututh Nation members may be experienced due to potential changes in harvesting  
7 experience. Onshore proposed Project activities could potentially affect experiences due to changes in  
8 dust, noise, visual landscape, and air quality from proposed Project construction, operation, and  
9 decommissioning. As previously identified predicted residual effects for fish and fish habitat are avoided  
10 due to the implementation of the proposed mitigation measure to avoid use of waterborne deliveries and  
11 the requirement for construction and use of the MOF (that is, no in-river works).

12 In order to consider the potential interaction and effects of the proposed Project on this interest, FortisBC  
13 has divided this overall effect into the potential effects of the proposed Project on quality, quantity, and  
14 availability of resources and the potential effects on the experience and preferences around the practice of  
15 harvesting rights.

#### 16 Fishing

17 Much of the Tsleil-Waututh Nation subsistence economy has been made unavailable for harvest due to  
18 pollution and the cumulative environmental effects of urban, industrial, and port development. Despite  
19 this, harvesting marine resources remains central to Tsleil-Waututh Nation's contemporary economy and  
20 Tsleil-Waututh Nation members hold salmon, crab, and bivalve rights-based communal fishing licenses.  
21 Almost all of Tsleil-Waututh's fish now comes from the Fraser River (Morin 2015). As a result, changes to  
22 fish and fish habitat in the Fraser River could affect their ability to harvest salmon and other aquatic  
23 species, which may also affect, or slow-down, the re-establishment of Tsleil-Waututh Nation's way of life.  
24 In their notice to engage as a participating First Nation, Tsleil-Waututh Nation stated that potential  
25 upstream and downstream effects on fish and fish habitat in the Fraser River due to the proposed Project  
26 could negatively affect their access to fish harvesting areas, and the proposed Project could potentially  
27 affect migratory salmon within the Fraser River system (Tsleil-Waututh Nation 2020). Tsleil-Waututh  
28 Nation states that the transfer of bulk construction materials and modular components for the proposed  
29 Project in the Fraser River to TP1 has the potential to impact the rights and interests of Tsleil-Waututh  
30 Nation members by limiting their access to and use of traditional cultural and harvesting sites and areas in  
31 the Fraser River (Tsleil-Waututh Nation 2023).

32 As previously described, in response to engagement activities during the Application Development phase,  
33 the proposed Project will no longer utilize the waterborne delivery of modular components and  
34 construction materials and does not require the MOF. Implementation of this avoidance mitigation  
35 measure has been incorporated into the determination of potential residual effects on linked VCs.

36 The proposed Project is not anticipated to interact with Tilbury Slough, avoiding direct disturbance of that  
37 habitat. Proposed Project interaction with Tilbury Slough is limited to contributing stormwater drainage  
38 from the proposed Project Footprint during operation and adjacent properties via City of Delta stormwater  
39 outlets. The potential for sediment conveyed with the proposed Project Site runoff entering the Delta  
40 storm sewer during construction and operation was also assessed (subsection 7.4). Containment  
41 structures (lined concrete sumps) are included in the proposed Project infrastructure concept to collect  
42 precipitation and surface runoff on the proposed Project Site. As part of proposed Project Site water  
43 management BMPs, water draining from paved parking areas will also be captured and treated in oil water  
44 separators (where required) to remove sediments and oil/grease prior to discharge. Stormwater captured

1 in the lined concrete sumps will be measured for field parameters prior to being released to the onsite  
2 drainage ditches that flow into the Delta storm sewer network on Hopcott Road and Tilbury Road.  
3 Containment structures have been successfully implemented at the existing facility and are considered to  
4 have high effectiveness. With the implementation of the proposed mitigation measures, no residual effects  
5 on the Surface Water VC from site runoff are anticipated.

6 The potential for runoff was also assessed in Fish and Fish Habitat (subsection 7.9). As discussed above,  
7 with the implementation of the mitigation measures, no residual effects on the Fish and Fish Habitat VC  
8 from site runoff are anticipated.

9 Potential indirect effects from changes in Surface Water (subsection 7.4) to Fish and Fish Habitat during  
10 proposed Project operation were assessed. The potential for acidification and eutrophication of fish  
11 habitat during proposed Project operation due to changes in air quality from SO<sub>x</sub> and NO<sub>x</sub> emissions  
12 operation have been assessed (subsection 7.2).

13 Subsection 7.9 Fish and Fish Habitat considered First Nation concerns with the effects of proposed  
14 Project-related changes in Air Quality on fish and fish habitat. Based on the results of subsection 7.2 Air  
15 Quality, the Fish and Fish Habitat assessment concluded there are no proposed Project related Air Quality  
16 interactions with Fish and Fish Habitat. The results of the Air Quality assessment show that the lower  
17 Fraser River within the RAA at Tilbury Island is not sensitive to acid deposition and deposition from the  
18 proposed Project sources during operation are not predicted to result in acid exceedances in the RAA. In  
19 addition, eutrophication in the lower Fraser River is not nutrient limited and other physical constraints  
20 limit the growth of algae; therefore, the trophic status of the river is not expected to change as a result of  
21 the nitrogen deposition from proposed Project emissions during operation.

22 In addition, FortisBC does not anticipate that exceedances of NO<sub>2</sub> or SO<sub>2</sub> air quality criteria established by  
23 municipal, provincial, and federal environmental and health authorities will occur during proposed Project  
24 operation (steady state). With the installation of air emissions control technologies as part of the proposed  
25 Project design, residual air quality effects during operation are anticipated to be negligible for NO<sub>2</sub>  
26 (maximum concentrations due to the proposed Project are expected to be less than 5 percent of the air  
27 quality standards/objectives) and low magnitude for SO<sub>2</sub> (maximum concentrations to be less than  
28 10 percent of their respective ambient air quality standards/objectives). The specific technology will be  
29 determined during detailed design following certification of the proposed Project by the B.C. EAO.  
30 Detailed modelling will be conducted post-approval for air permitting requirements and to inform final  
31 proposed Project design when emission control mitigation options are selected. Changes to air quality  
32 associated with proposed Project operation are therefore expected to present a negligible incremental  
33 change to the experience of Indigenous Peoples engaged in land- and water-based cultural practices. This  
34 effect is not carried forward for further analysis. Section 7.2 provides further detail on air quality effects of  
35 the proposed Project.

36 As assessed in subsection 7.9, Fish and Fish Habitat, and previously stated, residual adverse effects to  
37 Fish and Fish Habitat are not anticipated after the implementation of proposed mitigation measures.  
38 A combination of avoidance and reduction measures will be incorporated into the CEMP (also summarized  
39 in Appendix A of the Application). As previously mentioned, the proposed Project will no longer utilize the  
40 waterborne delivery of modular components and construction materials or require the MOF. Previously  
41 identified predicted residual effects for fish and fish habitat are avoided due to the implementation of the  
42 proposed mitigation measure to avoid use of waterborne deliveries and the requirement for a MOF (that is,  
43 no in-river works). This avoidance measure has been included in the determination of residual effects to  
44 the Fish and Fish Habitat VC. With the implementation of proposed mitigation measures, potential  
45 changes to fish and fish habitat are avoided. Proposed mitigation measures relate to sediment control  
46 BMPs, spill contingency measures, and stormwater and surface water management, and avoid effects to

1 Fish and Fish Habitat VC. Proposed mitigation measures are generally considered by FortisBC as having  
2 high effectiveness with BMPs and technologies that are widely and successfully used in various industries  
3 in B.C. and worldwide.

4 Tsleil-Waututh Nation holds a communal DFO approved fisheries license pursuant to the *Aboriginal*  
5 *Communal Fishing Licenses Regulations* that allows for the harvesting of salmon for FSC purposes in the  
6 lower Fraser River, from Port Mann Bridge to the Strait of Georgia within the Tsleil-Waututh Nation  
7 Harvesting and Subsistence Activities LAA (DFO n.d.a). Tsleil-Waututh Nation has also identified the  
8 mouth of the Fraser River as an important fishing ground for Nation members, particularly for salmon  
9 (Tsleil-Waututh Nation 2020). As previously stated, the most recent record published on the DFO website  
10 of Tsleil-Waututh Nation FSC salmon fishing was in 2018, when Tsleil-Waututh Nation harvested sockeye  
11 salmon using drift nets for several days in July and August (DFO n.d.b). However, as previously indicated  
12 by Tsleil-Waututh Nation, the Nation has constitutional rights to hunt and fish in all their territory and  
13 consultation area. While DFO jurisdiction, its laws, programs, and policies do not abrogate or derogate the  
14 rights of Indigenous peoples, as established in Section 35 of the *Constitution Act, 1982* and UNDRIP.  
15 Please see section 11.10.6.2. Existing Conditions (Harvesting and Subsistence Activities – Fishing) for  
16 more information.

#### 17 Plant Gathering

18 The availability and quality of vegetation could potentially affect plant harvesting and traditional use  
19 activities. Potential effects on vegetation could in turn affect health, well-being, and traditional ways of life  
20 for First Nations.

21 As previously described, in response to engagement activities during the Application Development phase,  
22 the proposed Project will no longer utilize the waterborne delivery of modular components and  
23 construction materials and does not require the MOF. Implementation of this avoidance mitigation  
24 measure has been incorporated into the determination of potential residual effects of linked VCs.

25 Previously identified predicted residual effects for vegetation related to the loss of plant species of  
26 conservation concern, loss of ecological communities of conservation concern, loss of culturally important  
27 traditional use species and alteration or loss of riparian ecosystem are avoided due to the implementation  
28 of the proposed mitigation measure to avoid the use of the MOF.

29 The proposed Project Footprint is not currently accessible for plant harvesting and will remain restricted  
30 for the life of the proposed Project. Prior to the commencement of construction of the proposed Project,  
31 vegetation within the existing facility site will be removed by construction activities associated with the  
32 existing Tilbury facility and the Tilbury Phase 1B expansion (T1B) project. Maintenance of existing  
33 landscaping and vegetation along existing fence lines are part of the existing facility and not part of the  
34 scope of the proposed Project.

35 The proposed Project Footprint is predominantly covered by anthropogenic surfaces, including paved  
36 areas and built-up fill and gravel existing infrastructure, and equipment laydown areas supporting little  
37 plant life. Over 98 percent of the proposed Project Footprint is industrial land use and is not vegetated and  
38 vegetation within the proposed Project Footprint is limited to the Tilbury Slough and has been  
39 substantially degraded by past and existing disturbances. The Vegetation LAA is also predominantly  
40 covered in anthropogenic surfaces, similar to the proposed Project Footprint.

41 Potential direct adverse effects from proposed Project construction and operation on Vegetation include  
42 the introduction or spread of invasive plant species. Potential indirect effects from changes in Surface

1 Water (subsection 7.4) on Vegetation during proposed Project construction were assessed. Potential  
2 indirect effects from changes in Air Quality (subsection 7.2) on Vegetation during proposed Project  
3 operation were also assessed, including the potential for acidification and eutrophication of vegetation  
4 during proposed Project operation due to changes in Air Quality from SO<sub>x</sub> and NO<sub>x</sub> emissions.

5 With the implementation of proposed mitigation measures for the Vegetation VC, FortisBC predicts  
6 residual effects to Vegetation invasive species to not be negligible to low magnitude considering the small  
7 predicted incremental residual effect of the proposed Project compared to an already disturbed  
8 environment.

9 FortisBC considered the following key factors in assessing the potential effect of the proposed Project on  
10 Vegetation:<sup>9</sup>

- 11 ▪ Subsection 7.4, Surface Water, and subsection 7.7, Vegetation, assessed the potential for changes in  
12 hydrological or drainage patterns to affect Vegetation as a result of the proposed Project.
- 13 ▪ As assessed in subsection 7.6, Soil, the proposed Project Footprint has been previously disturbed and  
14 has little topsoil remaining. The proposed Project is not expected to result in negative changes to soil  
15 quality or quantity that could negatively affect Vegetation.
- 16 ▪ Subsection 7.7, Vegetation, considered potential effects of proposed Project-related changes in  
17 Air Quality and Surface Water on Vegetation. Based on the results of subsection 7.2, Air Quality, the  
18 Vegetation assessment concluded there are no proposed Project-related Air Quality interactions with  
19 Vegetation. Furthermore, the results of the Air Quality assessment show that nearby receiving  
20 terrestrial environments for both Surface Water and Soil within the Air Quality VC RAA are not  
21 susceptible to acidification or nitrogen loading, or eutrophication from the proposed Project  
22 emissions. As such, there are no anticipated interactions with Vegetation, including wetlands, from  
23 emissions generated by the proposed Project and this effect pathway is not carried through to a  
24 residual effect assessment.
- 25 ▪ Subsection 7.7, Vegetation, identifies a combination of avoidance and reduction measures that will be  
26 incorporated into the CEMP (also summarized in Appendix A of the Application). Proposed mitigation  
27 measures are generally considered by FortisBC as having high effectiveness with BMPs and  
28 technologies that are widely and successfully used in various industries in B.C. and worldwide.
- 29 ▪ As assessed in subsection 7.7, Vegetation, the residual adverse effect (introduction or spread of  
30 invasive plant species) remains. With the implementation of proposed mitigation measures, residual  
31 effects to Vegetation are negligible to low magnitude and restricted to the proposed Project Footprint.

### 32 Hunting

33 As previously described, in response to engagement activities during the Application Development phase,  
34 the proposed Project will no longer utilize the waterborne delivery of modular components and  
35 construction materials and does not require the MOF. Implementation of this avoidance mitigation  
36 measure has been incorporated into the determination of potential residual effects of linked VCs.

37 Previously identified predicted residual effects for wildlife and wildlife habitat directly related to the MOF  
38 are avoided due to the implementation of the proposed mitigation measure to avoid the use of the MOF.  
39 These previously identified predicted residual effects include:

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<sup>9</sup> Refer to subsection 11.1.13 for a summary of the Vegetation existing conditions and the results of the Vegetation residual effects assessment, including a discussion of any VCs linked to the Vegetation assessment and applicable proposed mitigation measures.

- 1   ▪ Loss or alteration of wildlife habitat attributed to the construction, operation, and decommissioning of  
2   the MOF
- 3   ▪ Increased mortality risk attributed to the construction, operation and decommissioning of the MOF  
4   (including use of barges to bring construction modules to site)

5   There is little to no wildlife habitat within the proposed Project Footprint. Wildlife habitat within the  
6   Wildlife and Wildlife Habitat LAA has been substantially degraded by past and existing disturbances.  
7   The available potentially suitable wildlife habitat within the Wildlife and Wildlife Habitat LAA is limited and  
8   has been substantially degraded by past and existing disturbances.

9   Potential direct adverse effects from proposed Project construction and operation include loss or  
10  alteration of wildlife habitat, and wildlife health and mortality risk. Potential indirect effects from changes  
11  in Surface Water (subsection 7.4) to Wildlife and Wildlife Habitat during proposed Project operation were  
12  assessed. The potential for acidification and eutrophication of wildlife habitat during proposed Project  
13  operation due to changes in air quality from SO<sub>x</sub> and NO<sub>x</sub> emissions was also assessed (subsection 7.2).

14  With the installation of air emissions control technologies as part of the proposed Project design, residual  
15  air quality effects during operation are anticipated to be negligible for NO<sub>2</sub> (maximum concentrations due  
16  to the proposed Project are expected to be less than 5 percent of the air quality standards/objectives) and  
17  low magnitude for SO<sub>2</sub> (maximum concentrations to be less than 10 percent of their respective ambient air  
18  quality standards/objectives). The specific technology will be determined during detailed design following  
19  certification of the proposed Project by the B.C. EAO. Detailed modelling will be conducted post-approval  
20  for air permitting requirements and to inform final proposed Project design when emission control  
21  mitigation options are selected. Changes to air quality associated with proposed Project operation are  
22  therefore expected to present a negligible incremental change to the experience of Indigenous Peoples  
23  engaged in land- and water-based cultural practices.

24  After the implementation of proposed mitigation measures, FortisBC predicts a negligible magnitude  
25  localized residual effect to wildlife habitat and wildlife health and mortality risk. A low magnitude residual  
26  effect was conservatively predicted for species at risk in a zone of influence within and adjacent to the  
27  proposed Project Footprint that is not anticipated to result in measurable effects to species at risk  
28  populations. Wildlife that remains in the proposed Project Footprint are assumed to be habituated to an  
29  urbanized, industrial environment with existing light, noise, and vibration. Riparian habitat may provide  
30  cover and forage for small mammals associated with urban environments, such as rats, raccoons, rabbits,  
31  mink, and bats.

32  FortisBC considered the following key factors in assessing the potential effect of the proposed Project on  
33  Wildlife and Wildlife Habitat:

- 34  ▪ Subsection 7.4, Surface Water, and subsection 7.8, Wildlife and Wildlife Habitat, considered concerns  
35  expressed by First Nations regarding the potential for changes in water quality to affect wildlife habitat  
36  or wildlife health and mortality risk.
- 37  ▪ Subsection 7.8, Wildlife and Wildlife Habitat considered First Nation concerns with the effects of  
38  proposed Project-related changes in Air Quality on Wildlife and Wildlife habitat. Based on the results  
39  of subsection 7.2, Air Quality, the Wildlife and Wildlife Habitat assessment concluded there are  
40  no anticipated proposed Project-related Air Quality interactions with Wildlife and Wildlife Habitat.  
41  The results of the Air Quality assessment show that nearby receiving aquatic and terrestrial  
42  environments for both surface water and soil within the Air Quality VC RAA are not susceptible to  
43  acidification, nitrogen loading, or eutrophication from the proposed Project emissions. As such, there  
44  are no anticipated interactions with wildlife health risk from emissions generated by the proposed

1 Project, and this effect pathway was not carried through to the residual effects assessment in  
2 subsection 7.8.4.

- 3 ▪ Section 7.8, Wildlife and Wildlife Habitat, identifies a combination of avoidance and reduction  
4 measures that, along with monitoring, will be incorporated into the CEMP (also summarized in  
5 Appendix A of the Application). With the implementation of proposed mitigation measures, potential  
6 changes to wildlife movement are reduced to negligible levels. Proposed mitigation measures are  
7 generally considered by FortisBC as having high effectiveness with BMPs and technologies that are  
8 widely and successfully used in various industries in B.C. and worldwide.
- 9 ▪ As assessed in subsection 7.8, Wildlife and Wildlife Habitat, some residual adverse effects are  
10 anticipated after the implementation of proposed mitigation measures, including loss or alteration of  
11 wildlife habitat and increased wildlife health and mortality risk (for species at risk only). Wildlife  
12 habitat within a zone of influence from the proposed Project Footprint may be altered by noise,  
13 vibration, light, and activity associated with the proposed Project construction, operation, and  
14 decommissioning activities. Sensory disturbance has potential to temporarily displace resident and  
15 migratory birds and other wildlife species from the proposed Project Footprint. The magnitude of  
16 these residual effects to Wildlife and Wildlife Habitat are predicted as negligible (low for at risk  
17 species) given the minor incremental contribution of the proposed Project. The magnitude is  
18 negligible for most wildlife species; however, the resilience of species at risk is lower. Therefore, a  
19 precautionary rating of low is used to capture potential residual effects to species at risk. No  
20 measurable effects to wildlife populations, including species at risk, are anticipated.

21 Opportunities to hunt or trap wildlife within the proposed Project Footprint and Harvesting and  
22 Subsistence Activities LAA are extremely limited. Although Tsleil-Waututh Nation identified their desire to  
23 regain or increase hunting, trapping, and gathering activities in and along the Fraser River and nearby  
24 locations, specific hunting locations were not identified by Tsleil-Waututh Nation for the EAC Application  
25 of the nearby TMJ project (B.C. EAO 2022b). Based on firearm restrictions adjacent to the proposed  
26 Project on Tilbury Island, lack of access to private industrial land on the proposed Project Footprint and  
27 the small spatial area over which the effects to wildlife are anticipated to be experienced, proposed Project  
28 activities adjacent to the proposed Project Footprint are anticipated to have a negligible interaction with  
29 Tsleil-Waututh Nation hunting activities (B.C. EAO 2022b; DFO n.d.b.). A potential effect is not carried  
30 forward to the residual effects assessment.

31 As stated above, changes in the quality, quantity, and availability wildlife, or plants because of the  
32 proposed Project are not anticipated to change the experience and preferences around the practice of  
33 harvesting rights in the Harvesting and Subsistence Activities LAA, compared to existing conditions.<sup>10</sup>  
34 Furthermore, changes in biophysical conditions (that is dust, air quality, visual landscape, and atmospheric  
35 noise) are also not anticipated to change the experience and preferences around the practice of harvesting  
36 rights in the Harvesting and Subsistence Activities LAA, compared to existing conditions. Changes to  
37 harvesting methods and practices due to changes to the experience of harvesting and reduced enjoyment  
38 of the harvesting experience are not anticipated by FortisBC. FortisBC anticipates no changes in  
39 Tsleil-Waututh Nation's FSC fishing rights and traditional use of the Fraser River.

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<sup>10</sup> As previously described, in response to engagement activities during the Application Development phase, the proposed Project will no longer utilize the waterborne delivery of modular components and construction materials and does not require the MOF. Implementation of this avoidance mitigation measure has been incorporated into the determination of potential residual effects of linked VCs including fish and fish habitat.

1 **Existing cumulative effects leading to loss and degradation of biodiversity and traditional food species.**

2 As previously stated under section 11.20.6.2 (Harvesting and Subsistence Activities– Fishing), the location  
3 of Tseil-Waututh Nation’s FSC fishery is downstream of the Port Mann Bridge and into the Strait of  
4 Georgia (DFO n.d.a). Tseil-Waututh Nation notes that additional vessel traffic through their DFO-approved  
5 FSC fishery and other areas where their traditional harvesting practices are protected under section 35 of  
6 the *Constitution Act, 1982*, could lead to increased interactions between fishing boats and large vessels  
7 and that such interactions could reduce the ability of Tseil-Waututh Nation members to conduct fishing  
8 activities and therefore affect economic and social programs of the Nation (Tseil-Waututh Nation 2023).  
9 No in-water works or barge deliveries are proposed and construction activities are not anticipated by  
10 FortisBC to affect the accessibility and availability of preferred fishing areas within and adjacent to the  
11 proposed Project Footprint.

12 **Effects on Cultural Use Areas**

13 The following sections provide rationale for a negligible interaction between the proposed Project activities  
14 and Tseil-Waututh Nation cultural use areas, including reference to available information specific to Tseil-  
15 Waututh Nation and to predicted residual effects on linked VCs, including Land and Resource Use (subsection  
16 7.11), Archaeological and Heritage Resources (subsection 7.13), and Culture (subsection 7.14)<sup>11</sup>.

17 For a summary of the existing conditions and residual effects assessment conclusions of linked VCs, please  
18 refer to subsection 11.1.13. References to linked VC subsections are provided where applicable. Further detail  
19 is available in these subsections, including references to applicable TDRs. Based on the rationale provided, the  
20 potential effects of the proposed Project on Tseil-Waututh Nation cultural use areas are not carried forward  
21 into a residual effects assessment.

22 Subsequent sections will provide rationale for the interaction between the proposed Project and Tseil-  
23 Waututh Nation cultural use areas related to the following:

- 24 ▪ Effects on tangible and intangible cultural heritage
- 25 ▪ Effects on cultural practices, traditions, areas, and language. Impacts on cultural use areas could cause  
26 irreparable harm to the historical, current, and desired future uses of the areas and/or intangible  
27 cultural heritage and cultural practices, including Tseil-Waututh Nation’s ability to sustain cultural  
28 and spiritual practices

29 ***Effects on tangible and intangible cultural heritage.***

30 Tseil-Waututh Nation could experience direct adverse effects to cultural and spiritual practices caused by  
31 changes to or loss of access to areas of cultural and spiritual importance. Physical changes (temporary or  
32 permanent) could change Tseil-Waututh Nation’s sense of place and belonging when using cultural areas  
33 and affect cultural and spiritual practices accordingly.

34 Tseil-Waututh Nation has stated that potential effects of the proposed Project on cultural areas and  
35 heritage resources, as well as the preservation of archaeological materials are a concern. The proposed  
36 Project Footprint is located predominately on private property owned by FortisBC within an existing  
37 Tilbury LNG facility on Tilbury Island, in the Tilbury Industrial Park adjacent to the Fraser River in Delta.

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<sup>11</sup> As previously described, in response to engagement activities during the Application Development phase, the proposed Project will no longer utilize the waterborne delivery of modular components and construction materials and does not require the MOF. Implementation of this avoidance mitigation measure has been incorporated into the determination of potential residual effects of linked VCs.

1 The proposed Project Footprint is not accessible by foot and is not known by FortisBC to be used by  
2 Tsleil-Waututh Nation for cultural activities, such as ceremonies.

3 Potential effects of the proposed Project on Tsleil-Waututh Nation's Cultural Use Areas may include  
4 potential direct effects of the proposed Project to Storied Places, habitation sites, Place Names, and  
5 archaeological sites along the south arm of the Fraser River, Tilbury Island, and Lulu Island, as well as  
6 potential effects of proposed Project activities on cultural and archaeological resources. Tsleil-Waututh  
7 Nation has stated that members actively fish in the south arm of the Fraser River (Tsleil-Waututh Nation  
8 2020). The lower Fraser River is therefore considered to be a cultural site by Tsleil-Waututh Nation as it is  
9 a place where cultural activities take place, allowing for the sharing of history, knowledge, and skills  
10 between Elders and youth.

11 The proposed Project is not anticipated to directly disturb heritage resources, including archaeological,  
12 architectural, and cultural sites such as the fishing grounds. No archaeological or heritage resources were  
13 identified during Archaeological Impact Assessments that took place in the proposed Project Footprint in  
14 2013 and 2020 (subsection 7.13). The proposed Project's location on the lower Fraser River contains  
15 many previously recorded archaeological and cultural resources (subsection 7.13), including  
16 archaeological site DgRs-017. DgRs-17 is located within 1 km of the proposed Project Footprint, near  
17 the historic Indigenous village site on the opposite side of the Fraser River. DgRs-17 contains precontact  
18 heritage resources consisting of surface fire broken rock, subsurface lithics, and a fishing weir (B.C.  
19 MFLNRORD n.d.). Direct changes to archaeological sites such as DgRs-017 and the culturally important  
20 Indigenous village site are not anticipated for ground altering activities (such as excavating, backfilling,  
21 grading, and recontouring), vehicle use, and subsidence during construction and decommissioning.  
22 Physical disruption to heritage resources and archaeological materials is not anticipated for the proposed  
23 Project.

24 If archaeological, heritage, and paleontological resources are encountered in the proposed Project  
25 Footprint, contingency measures described in Appendix A of the Application would be implemented.

### 26 *Effects on cultural practices, traditions, areas, and language*

27 **Impacts on cultural use areas could cause irreparable harm to the historical, current, and desired future  
28 uses of the areas and/or intangible cultural heritage and cultural practices, including Tsleil-Waututh  
29 Nation's ability to sustain cultural and spiritual practices.**

30 Tsleil-Waututh Nation members engage in a variety of distinct cultural and spiritual practices within their  
31 traditional territory, including the lower Fraser River.

32 Tsleil-Waututh Nation has identified potential loss of access to the salmon fisheries in the Fraser River as  
33 a concern. The harvesting experience in the Fraser River is important for cultural practices and  
34 intergenerational cultural transmission. Tsleil-Waututh Nation has noted for the adjacent TMJ project EAC  
35 Application that the historic Indigenous village site across the river from Tilbury Island (Figure 11.10-2) is  
36 an important place of spiritual and cultural value (B.C. EAO 2022b).

37 Tsleil-Waututh Nation members' ability to be on the land, participate in cultural activities and share  
38 knowledge is connected to the availability of resources, especially FSC species (such as salmon).  
39 Fisheries in particular serve as a way of life for Tsleil-Waututh Nation as they provide a means for cultural  
40 continuation for the Nation, thereby serving both current and future generations (Tsleil-Waututh Nation  
41 2023). Tsleil-Waututh Nation has stated that continued industrialization of the Fraser River reduces access  
42 to cultural practices and restricts intergenerational cultural transmission (Tsleil-Waututh Nation 2020).

1 Although Tsleil-Waututh Nation has expressed concerns about their asserted right to access areas for  
2 activities, such as resource harvest, that foster Elder-youth interaction and provide Elders with  
3 opportunities to share history, knowledge, traditional ways, and skills with youth (Tsleil-Waututh  
4 Nation n.d.c).

5 Proposed Project activities avoid interaction with Tsleil-Waututh Nation's use of cultural fishing areas in  
6 the vicinity of the proposed Project. Tsleil-Waututh Nation's use of this cultural use area is considered in  
7 the effects on harvesting and subsistence activities, and the focus in this subsection is on effects on the  
8 Fraser River and travel way used by Tsleil-Waututh Nation to access harvesting and subsistence use  
9 locations and cultural use areas adjacent to the Fraser River. As stated previously, as a result of feedback  
10 during engagement, FortisBC has committed to no longer utilize cargo vessels or barges for the delivery of  
11 modular components and construction materials to the proposed Project Site. As a result, the MOF will not  
12 be constructed, upgraded, or utilized for the proposed Project.

13 As stated above, a negligible interaction with the accessibility and disenfranchisement of Tsleil-Waututh  
14 Nation's cultural areas is anticipated with the proposed Project<sup>12</sup>. Furthermore, changes in sensory effects  
15 (noise, odour, dust, air quality, and visual landscape) are anticipated to be negligible compared to existing  
16 conditions and not change the experience of Tsleil-Waututh Nation members using cultural sites,  
17 including their fishing ground in the Fraser River.

18 As described above, changes to access, air quality, and construction noise as a result of the proposed  
19 Project are not anticipated by FortisBC to change cultural and spiritual practices of Tsleil-Waututh Nation  
20 members. FortisBC anticipates a negligible interaction between Tsleil-Waututh Nation members cultural  
21 and spiritual practices and access to cultural use sites and areas compared to existing conditions.

## 22 **Effects on Social and Economic Conditions**

23 The following sections provide rationale for a negligible interaction or an identified interaction/potential  
24 effect between the proposed Project activities and Tsleil-Waututh Nation social and economic conditions,  
25 including reference to available information specific to Tsleil-Waututh Nation and to predicted residual  
26 effects on linked VCs. Refer to subsection 11.1.13 for a summary of the results of the Culture  
27 (subsection 7.14), Employment and Economy (subsection 7.10), Infrastructure and Services  
28 (subsection 7.12), and Land and Resources Use (subsection 7.11) assessments, including any applicable  
29 proposed mitigation measures. Based on the rationale provided, the potential effects of the proposed  
30 Project on Tsleil-Waututh Nation social and economic conditions are not carried forward into a residual  
31 effects assessment.

32 As previously described, in response to engagement activities during the Application Development  
33 phase, the proposed Project will no longer utilize the waterborne delivery of modular components  
34 and construction materials and does not require the MOF. Implementation of this avoidance  
35 mitigation measure has been incorporated into the determination of potential residual effects of  
36 linked VCs.

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<sup>12</sup> As previously described, in response to engagement activities during the Application Development phase, the proposed Project will no longer utilize the waterborne delivery of modular components and construction materials and does not require the MOF. Implementation of this avoidance mitigation measure has been incorporated into the determination of potential residual effects of linked VCs.

1 Subsequent sections will provide rationale for the interaction between the proposed Project and  
2 Tsleil-Waututh Nation social and economic conditions related to the following:

- 3 ▪ Effects on Tsleil-Waututh Nation's economic benefit from the lands and resources of their traditional  
4 territory
- 5 ▪ Effects on employment opportunities for community members, procurement opportunities, and  
6 Tsleil-Waututh Nation's businesses and revenue for the Nation

### 7 ***Effects on Tsleil-Waututh Nation's economic benefit from the lands and resources of their traditional*** 8 ***territory.***

9 Tsleil-Waututh Nation holds DFO approved communal FSC fishing licenses using drift nets in the  
10 Fraser River from the Port Mann bridge into the Strait of Georgia (DFO n.d.a). Tsleil-Waututh Nation  
11 members also fish in the Fraser River for traditional purposes through means other than FSC licenses  
12 (for example, through cultural protocols and subsistence harvesting). FortisBC anticipates no interaction  
13 between the proposed Project and Tsleil-Waututh Nation's noncommercial and commercial fishing and a  
14 negligible interaction with gathering.<sup>13</sup> Identified potential effects of the proposed Project on Tsleil-  
15 Waututh Nation's Harvesting and Subsistence Activities and on Cultural Use Sites and Areas have been  
16 summarized in preceding sections. As discussed previously, proposed Project activities are not anticipated  
17 to result in changes to the quantity, quality, and availability of harvested resources (including fish).  
18 FortisBC also anticipates a negligible interaction between the proposed Project and Tsleil-Waututh  
19 Nation's cultural or ceremonial activities and practices related to potential effects in experience associated  
20 with changes to dust, air quality, visual aesthetics, or noise (discussed in detail in the *Effects to Harvesting*  
21 *and Subsistence Activities*). Lastly, as discussed above, FortisBC anticipates the proposed Project to have a  
22 direct positive effect on employment opportunities. The short-term, negligible effect to FSC harvesting is  
23 not anticipated by FortisBC to adversely affect social and economic conditions for Tsleil-Waututh Nation.

### 24 **Effects on employment opportunities for community members, procurement opportunities, and** 25 **Tsleil-Waututh Nation's businesses and revenue for the Nation.**

26 According to the Tsleil-Waututh Nation Stewardship Policy, Tsleil-Waututh expects new projects within the  
27 Nation's Consultation Area to demonstrate how they will provide training and employment opportunities  
28 to Tsleil-Waututh Nation members and business partners (Tsleil-Waututh Nation n.d.a). The proposed  
29 Project may have a positive effect on Tsleil-Waututh Nation's ability to gain economic benefit from their  
30 lands and resources depending largely on whether Tsleil-Waututh Nation members are directly or  
31 indirectly employed by the proposed Project and if Tsleil-Waututh Nation businesses can access  
32 contracting and procurement opportunities for the proposed Project (subsection 7.10).

33 The proposed Project is anticipated by FortisBC to have a direct positive effect on employment through  
34 job opportunities, particularly during the 3- to 6-year construction phase which would have the greatest  
35 demand for skilled and semi-skilled workers. Tsleil-Waututh Nation members with a trades certificate and  
36 experience in the construction sector would be most likely to benefit from direct employment with the  
37 proposed Project. Approximately 31.1 percent of Tsleil-Waututh Nation members 15 years and over held  
38 a trades, apprenticeship, or other non-university certificate in 2016, and 7.3 percent of the workforce were  
39 employed in trades and related occupations (CIRNAC n.d.). The proposed Project may therefore offer  
40 trades certificate holders an opportunity to enter the workforce in construction-related occupations.  
41 The opportunity may offer a positive effect on Tsleil-Waututh Nation's employment and procurement

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<sup>13</sup> As previously described, in response to engagement activities during the Application Development phase, the proposed Project will no longer utilize the waterborne delivery of modular components and construction materials and does not require the MOF. Implementation of this avoidance mitigation measure has been incorporated into the determination of potential residual effects of linked VCs.

1 opportunities, depending largely on whether Tsleil-Waututh Nation members are directly or indirectly  
2 employed by the proposed Project and Tsleil-Waututh Nation businesses can access contracting and  
3 procurement opportunities for the proposed Project (subsection 7.10).

4 Local and regional Indigenous businesses in the Social and Economic Conditions LAA, including  
5 businesses owned by or associated with Tsleil-Waututh Nation, could benefit from opportunities for  
6 contracting and procurement associated with the construction phase of the proposed Project. However,  
7 Indigenous businesses with similar workforce requirements (such as construction trades) could experience  
8 direct adverse effects by the proposed Project's demand for a large construction workforce. The proposed  
9 Project's anticipated regional labour market effects may disproportionately affect smaller businesses in  
10 the Social and Economic Conditions LAA and RAA that may already be struggling to find and retain  
11 workers and cannot compete financially with wages and benefits of large projects (Neustaeter 2021).  
12 Smaller companies, including companies associated with Tsleil-Waututh Nation, could also experience  
13 barriers to participation in the proposed Project associated with inadequate capacity to deliver services for  
14 large projects (subsection 7.10).

15 The increased demand for skilled workers may increase long-term demand and participation in education  
16 and training opportunities, such as for skilled trades (subsection 7.10). Tsleil-Waututh Nation members  
17 could therefore experience direct positive effects of the proposed Project with respect to skills training  
18 specific to First Nations. Tsleil-Waututh Nation is involved in many initiatives to improve social and  
19 economic conditions, including the Tsleil-Waututh Nation Skills Centre that works with leading  
20 organizations to provide training and employment opportunities for Tsleil-Waututh Nation members  
21 (subsection 11.10.2.13). Specific information on whether the proposed Project would affect  
22 Tsleil-Waututh Nation's ability to implement or progress improvement initiatives, such as training  
23 programs, have not been identified.

24 An interaction between employment opportunities, Indigenous businesses, procurement opportunities,  
25 and Tsleil-Waututh Nation government revenue is anticipated with the proposed Project.

#### 26 **Effects on Indigenous Health and Well-being**

27 The following sections provide rationale for a negligible interaction or an identified interaction/potential  
28 effect between the proposed Project activities and Tsleil-Waututh Nation Indigenous health and  
29 well-being including reference to available information specific to Tsleil-Waututh Nation and to predicted  
30 residual effects on linked VCs. Refer to subsection 11.1.13 for a summary of the results of the Human  
31 Health (subsection 7.15), Air Quality (subsection 7.3), Land and Resource Use (subsection 7.1.1),  
32 Vegetation (subsection 7.7), Wildlife and Wildlife Habitat (subsection 7.8), Fish and Fish Habitat  
33 (subsection 7.9), Soil (subsection 7.6), Surface Water (subsection 7.4), Groundwater (subsection 7.5),  
34 Acoustic (subsection 7.3), and other Indigenous interests (Harvesting and Subsistence Activities and  
35 Cultural Use).

36 To support the Human Health VC, an HHRA<sup>14</sup> was conducted to predict potential effects to human health  
37 due to the proposed Project. Based on the rationale provided, the potential effects of the proposed Project  
38 on Tsleil-Waututh Nation Indigenous health and well-being is not carried forward into a residual effects  
39 assessment.

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<sup>14</sup> The HHRA was completed prior to FortisBC's commitment to no use barges to deliver modules or materials to the proposed Project Site and contains analysis of construction of the MOF and barge deliveries. Therefore, conclusions of the HHRA should be considered a conservative prediction of potential effects to human health due to the proposed Project.

- 1   ▪ Effects on food sovereignty, particularly dietary changes from avoiding traditional foods (due to  
2   accessibility, quality, and quantity), and consumption of contaminants within traditional foods within  
3   the context of historical and current cumulative impacts, and the loss of cultural education to transfer  
4   knowledge (cultural transmission) of language, food preparation, spiritual, harvesting and hunting  
5   areas.
- 6   ▪ Effects on water quality, noise, air quality, and light that could interfere with Tsleil-Waututh Nation's  
7   ability to exercise their rights.

8   ***Effects on food sovereignty, particularly dietary changes from avoiding traditional foods (due to***  
9   ***accessibility, quality, and quantity), and consumption of contaminants within traditional foods within***  
10   ***the context of historical and current cumulative impacts, and the loss of cultural education to transfer***  
11   ***knowledge (cultural transmission) of language, food preparation, spiritual, harvesting and hunting***  
12   ***areas.***

13   Fisheries in particular serve as a way of life for Tsleil-Waututh Nation as they provide a means for cultural  
14   continuation for the Nation, thereby serving both current and future generations (Tsleil-Waututh Nation  
15   2023). Tsleil-Waututh Nation has stated that continued industrialization of the Fraser River reduces access  
16   to cultural practices and restricts intergenerational cultural transmission.

17   Salmon and salmon habitat are central to Tsleil-Waututh Nation's health and well-being, and way of life;  
18   however, Tsleil-Waututh Nation has emphasized that there are almost no remaining sources of healthy  
19   traditional foods available to the Nation within their territory besides salmon from the Fraser River  
20   (Tsleil-Waututh Nation 2020). Tsleil-Waututh Nation members' ability to be on the land, participate in  
21   cultural activities (such as country food fish and plant harvesting) and share knowledge is connected to  
22   the availability of resources, especially FSC species (such as salmon). As stated under Harvesting and  
23   Subsistence Activities, previously identified predicted residual effects for fish and fish habitat are avoided  
24   due to the implementation of the proposed mitigation measure to avoid use of waterborne deliveries and  
25   the requirement for use of the MOF (that is, no in-river works). The proposed Project is not anticipated by  
26   FortisBC to result in effects to fish productivity or populations, including species at risk, in the LAA  
27   (subsection 7.9). Therefore, the proposed Project is not anticipated to adversely affect harvesting of fish  
28   by Tsleil-Waututh Nation members.

29   Similarly, predicted residual effects to Vegetation due to the proposed Project are anticipated to be site  
30   specific (proposed Project Footprint), negligible to low magnitude after the implementation of mitigation  
31   measures, and not anticipated to adversely affect harvesting of country foods by Tsleil-Waututh Nation.  
32   The proposed Project Footprint is not currently accessible for plant harvesting, (except for a portion of the  
33   shoreline potentially accessible by boat) and will remain restricted for the life of the proposed Project.  
34   As stated previously, vegetation within the existing facility site will be removed by construction activities  
35   associated with the existing Tilbury facility and the Tilbury Phase 1B expansion (T1B) project. Maintenance  
36   of existing landscaping and vegetation along existing fence lines are part of the existing facility and not  
37   part of the scope of the proposed Project. Opportunities to hunt or trap wildlife within the proposed  
38   Project Footprint and Harvesting and Subsistence Activities LAA are extremely limited. Although  
39   Tsleil-Waututh Nation identified their desire to regain or increase hunting, trapping, and gathering  
40   activities in and along the Fraser River and nearby locations, specific hunting locations were not identified  
41   by Tsleil-Waututh Nation for the EAC Application of the nearby TMJ project (B.C. EAO 2022b). Based on  
42   firearm restrictions adjacent to the proposed Project on Tilbury Island, lack of access to private industrial  
43   land on the proposed Project Footprint and the small spatial area over which residual effects to wildlife are  
44   anticipated to be experienced, proposed Project activities adjacent to the proposed Project Footprint are  
45   not anticipated to interact with Tsleil-Waututh Nation hunting activities (B.C. EAO 2022b; DFO n.d.b).

1 FortisBC completed an HHRA<sup>15</sup> that examined the potential for the proposed Project to contaminate  
2 country foods (such as berries, fish, and game) via potential changes in soil quality, air quality,  
3 groundwater, and surface water. The HHRA concluded that contamination of country foods, including  
4 berries, fish and wildlife located off the proposed Project Footprint as a result of proposed Project  
5 activities is highly unlikely. No contamination to fish due to the proposed Project is anticipated.  
6 A contaminated soil site (arsenic) on the proposed Project Footprint will be excavated and disposed of at  
7 an appropriate facility prior to construction. No other contaminated sites have been identified and  
8 therefore, any discharge of groundwater or dust from onsite is not anticipated to affect offsite country  
9 foods. In addition, acid deposition or nitrogen deposition from air emissions on country foods was  
10 considered and no effects are predicted in the receiving environments from predicted acid deposition or  
11 nitrogen deposition from air emissions. Therefore, adverse effects from acid deposition and nitrogen  
12 deposition on country foods are unlikely. FortisBC predicts that there are no potential effects of the  
13 proposed Project on the quality of country foods due to contamination.

14 Community perceptions with respect to the quality of country foods have the potential to interact with  
15 Tsleil-Waututh Nation members' participation in harvesting and subsistence activities and cultural and  
16 spiritual practices, and the subsequent intergenerational transfer of knowledges of the activities and  
17 practices, even in the absence of identified adverse effects to the Land and Resource Use and Culture VCs  
18 (subsection 7.14). However, due to the negligible effect to the quantity, quality, and abundance of wildlife  
19 for harvesting and subsistence purposes, the industrialized nature of the area, likely existing perceived  
20 effects regarding the quality of country foods, and the elimination of waterborne deliveries<sup>16</sup>, FortisBC  
21 predicts a negligible interaction between the proposed Project and perceived effects on the quality of  
22 country foods from existing conditions and any subsequent effects on the intergenerational transfer of  
23 knowledge.

24 ***Effects on water quality, noise, air quality, and light that could interfere with Tsleil-Waututh Nation's***  
25 ***ability to exercise their rights.***

26 Tsleil-Waututh Nation has asserted their right to clean water, free from pollution, for drinking and for  
27 ceremonial, cultural, spiritual, subsistence, and economic purposes. Tsleil-Waututh Nation has also  
28 asserted their right to access and use natural resources for ceremonial, cultural, spiritual, subsistence, and  
29 economic purpose, as well as the right to conditions conducive to healthy bodies, minds, and spirits  
30 (Tsleil-Waututh Nation n.d.c). Tsleil-Waututh Nation has identified potential effects to cultural practices,  
31 including fishing in the Fraser River, as a concern.

32 Tsleil-Waututh Nation fish in the Fraser River for FSC purposes from the Port Mann Bridge to the mouth of  
33 the Fraser River (DFO n.d.a), therefore, changes to air and water quality or increased noise levels have the  
34 potential to affect community members. The presence of the proposed Project itself may interact with the  
35 well-being and quality of life for Tsleil-Waututh Nation members who may have fears that noise from the  
36 proposed Project can lead to disease burden.

37 Proposed Project activities have the potential to contribute contaminants of concern to air and water, and  
38 increased noise levels in proximity to the facility property line. As stated previously, FortisBC does not

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<sup>15</sup> The HHRA was completed prior to FortisBC's commitment to no use barges to deliver modules or materials to the proposed Project Site and contains analysis of construction of the MOF and barge deliveries. Therefore, conclusions of the HHRA should be considered a conservative prediction of potential effects to human health due to the proposed Project.

<sup>16</sup> As previously described, in response to engagement activities during the Application Development phase, the proposed Project will no longer utilize the waterborne delivery of modular components and construction materials and does not require the MOF. Implementation of this avoidance mitigation measure has been incorporated into the determination of potential residual effects of linked VCs including fish and fish habitat.

1 anticipate that community members will be adversely affected by changes to water quality or increased  
2 noise levels during all proposed Project phases. Surface and groundwater quality are not anticipated to be  
3 affected by contaminants of concern from proposed Project activities. Noise levels are anticipated to  
4 increase due to proposed Project activities during all Project phases but increases in land-based noise are  
5 anticipated to be similar to existing levels (approximately 1 dB increase at times) and not anticipated to be  
6 above noise levels exceeding the %HA threshold or harmful to human health at noise receptors R1 to R4.  
7 Receptor R5 (informal pathway north of the proposed Project) are predicted to be greater than 3 dB  
8 higher than the existing ambient conditions during construction and operation. The CEMP will include  
9 mitigation and contingency measures to manage acoustic disturbance at Receptor R5. After the  
10 implementation of the proposed mitigation measures developed in the CEMP and EMS, the increase in  
11 noise during construction and operation is not anticipated to be harmful to human health.

12 The HHRA conducted for the proposed Project considered pathways for exposure to air contaminants,  
13 water contaminants, and noise due to the proposed Project and concluded that there is minimal risk of  
14 exposure to contaminants of concern in the air or water beyond the Tilbury Island site since contaminants  
15 of concern are not present onsite.

16 The incremental contribution of the proposed Project is predicted to have a negligible (NO<sub>2</sub>, PM<sub>2.5</sub>, PM<sub>10</sub>,  
17 and VOCs) to low-magnitude (SO<sub>2</sub>) residual effect on air quality compared to existing conditions. FortisBC  
18 anticipates a decrease in CAC levels, particularly existing ambient NO<sub>2</sub> levels that already exceed both the  
19 1-hour and annual CAAQS 2025, by the time the proposed Project is operational. This decrease is due to  
20 government programs such as AirCare, CleanBC, and the implementation of low-sulphur fuel  
21 requirements for marine transportation. Furthermore, FortisBC is committed to installing air emissions  
22 control technologies (the specific technology will be determined during detailed design following  
23 certification); as such, the modelled air quality effects presented in Appendix B of the Application (Air  
24 Quality TDR) materially overstate the actual anticipated effects. Detailed modelling will be conducted  
25 after approval for air permitting requirements and to inform final proposed Project design when emission  
26 control mitigation options are selected. While NO<sub>2</sub> and PM<sub>2.5</sub> are non-threshold contaminants, residual  
27 effects to Tsleil-Waututh Nation members health are not anticipated due to the short-term potential  
28 exposures adjacent to the proposed Project Footprint for Indigenous use, including the historic village site.

29 FortisBC does not anticipate a change in health and well-being of Tsleil-Waututh Nation members  
30 compared to existing conditions.

31 FortisBC also does not anticipate effects on health and well-being related to effects to traditional ways of  
32 life and to cultural sites. As stated in previous sections, FortisBC anticipates a negligible interaction  
33 between the proposed Project and Harvesting and Subsistence Activities and Cultural Use Areas and Sites,  
34 including traditional ways of life. As previously described, in response to engagement activities during the  
35 Application Development phase, the proposed Project will no longer utilize the waterborne delivery of  
36 modular components and construction materials and does not require the MOF. Implementation of this  
37 avoidance mitigation measure has been incorporated into the determination of potential residual effects  
38 of linked VCs.

### 39 ***Effects on global emissions, which contribute to climate change and affect Tsleil-Waututh Nation's*** 40 ***rights and community health.***

41 The potential for the proposed Project to adversely contribute to climate change may result in potential  
42 indirect adverse effects on Tsleil-Waututh Nation's way of life which includes potential effects on cultural  
43 sites. Erosion and flooding due to climate change may damage traditional use or archaeological sites  
44 along the foreshore or creeks, including access to these sites. In addition, erosion in these areas may affect

1 waterfront properties and natural habitats, and threaten buildings, archaeological, and other cultural sites  
2 (Tsleil-Waututh Nation 2019b). Ocean acidification from climate change poses an acute threat to species  
3 (particularly shellfish) along the mudflats and beaches of Burrard Inlet IR#3 (Tsleil-Waututh Nation  
4 2019b).

5 As described in subsection 8.0 of the Application (Climate Change and Greenhouse Gas Emissions) by  
6 FortisBC, the proposed Project has the potential to reduce local and global emissions by displacing more  
7 energy intensive fuels. From Tsleil-Waututh's perspective, the proposed Project will add incremental GHG  
8 emissions to the existing Canadian GHG emissions, as well as significant downstream emissions that fall  
9 outside of Canada's GHG inventory and have not been estimated for this assessment. On several occasions  
10 during the Environmental Assessment process, Tsleil-Waututh Nation has informed FortisBC of its  
11 concerns with the Strategic Assessment of Climate Change (SACC) methodology that the assessment  
12 must follow and its request for a downstream emissions assessment for the proposed Project. Tsleil-  
13 Waututh Nation disagrees with the SACC, as it instructs proponents to omit downstream emissions from  
14 their GHG assessment. This omission is a concern for Tsleil-Waututh Nation because, in the case of the  
15 proposed Project, all emissions released through combusting the proposed Project's annual product  
16 of over 2.8 million tonnes of LNG, as well as the emissions from shipping that LNG beyond Canadian  
17 waters and the fugitive emissions/methane slip that will likely occur during that transportation, will be  
18 omitted from the scope of the assessment. For Tsleil-Waututh Nation, this lack of adequate information  
19 hinders its ability to make an informed decision about the proposed Project.

20 FortisBC has committed to the proposed Project being net-zero carbon emissions by 2030 and does not  
21 anticipate a net increase in GHG emissions from the proposed Project that could affect Tsleil-Waututh  
22 Nation's rights and community health. FortisBC's Net Zero Plan (presented in detail in the GHG Net Zero  
23 TDR [Appendix O of the Application]) applies a continuous improvement process by applying advanced  
24 and emerging mitigation measures as they become technically and economically feasible. Subsequent to  
25 the development of the proposed Project's Net Zero Plan, the Government of B.C. announced their New  
26 Energy Action Framework (Government of B.C. 2023), requiring proposed LNG facilities, including those  
27 currently undergoing an EA, to develop a credible plan to be net zero by 2030, which is 20 years in  
28 advance of the federally mandated net-zero requirement. At a high level, the proposed Project's net-zero  
29 approach relies on electrification of the refrigerant and gas compression, a design mitigation choice that  
30 reduces the "base" emissions by approximately 60 percent relative to the global practice of utilizing gas-  
31 fired compression in LNG facilities. To bring the remaining emissions to net zero, the plan proposes the  
32 use of drop-in renewable fuels (initially relying on RNG but designing the facility to be "hydrogen  
33 capable," allowing future conversion to a blended hydrogen or pure hydrogen fuel source). The most  
34 challenging emissions stream to manage to net zero is the CO<sub>2</sub> entrained in the feed gas and reducing this  
35 stream to net zero will require the use of technology offsets or market acquired offsets.

36 When compared to relevant Canadian GHG emissions targets, operational emissions from the proposed  
37 Project are 0.035 percent of the 2030 Federal GHG emissions target and 0.49 percent of the 2030  
38 Provincial GHG target. Although the proposed Project would result in incremental GHG emissions to  
39 existing conditions, this incremental contribution would not result in a net increase and LNG could replace  
40 higher carbon intensive fuels globally. The proposed Project emission intensity could decrease each year  
41 of operation due to decreased acquired emissions (decreased electricity intensity) and increased  
42 renewable and low-carbon content of fuels combusted (discussed further in the Net-Zero Plan TDR).  
43 As stated previously, FortisBC has committed to no net increase in carbon emissions from the proposed  
44 Project by 2030.

1 As described in Section 8.0 of the Application, the proposed Project will not cause quantifiable changes to  
2 carbon sinks from land use changes. The proposed Project Site is expected to have similar use (cleared  
3 industrial land) without any significant vegetation both pre- and post-proposed Project. The proposed  
4 Project Site is currently a brownfield site. The proposed Project Footprint occupies an area designated for  
5 industrial land use in accordance with the City of Delta Official Community Plan (Delta 2022), and it is  
6 expected to transition to a future industrial use upon proposed Project completion. Also, the proposed  
7 Project has an unmitigated CI of 0.07 tCO<sub>2</sub>e/t LNG, which is considered among the best-in-class emissions  
8 within Canada and globally. If the proposed Project does not proceed, there is a risk of carbon leakage.

9 FortisBC has committed to no net increase in GHG emissions by 2030 and does not anticipate a change in  
10 health and well-being of Tsleil-Waututh Nation members compared to existing conditions.

### 11 **Effects on Cultural Continuation**

12 The following sections provide rationale for a negligible interaction between the proposed Project  
13 activities and Tsleil-Waututh Nation cultural continuation, including reference to available information  
14 specific to Tsleil-Waututh Nation and to potential effects on linked Indigenous interests, including  
15 Harvesting and Subsistence Activities, Cultural Use Sites and Areas, Indigenous Health, and Well-being,  
16 and Social and Economic Conditions.<sup>17</sup> Based on the rationale provided, the potential effects of the  
17 proposed Project on Tsleil-Waututh Nation cultural use sites and areas are not carried forward into a  
18 residual effects assessment.

19 Subsequent sections will provide rationale the interaction between the proposed Project and Tsleil-  
20 Waututh Nation Cultural Continuation:

- 21 ▪ Effects on food sovereignty including on Tsleil-Waututh Nation's cultural and ceremonial activities  
22 since salmon, crab, herring, and birds are central to such activities
- 23 ▪ Effects on Tsleil-Waututh Nation's ability to revitalize, develop, and participate in intergenerational  
24 cultural transmission through access to and experience of land, travel ways, navigable waters, and  
25 water bodies
- 26 ▪ Effects on cultural heritage due to changes to sense of place and identity due to real and perceived  
27 disturbance of the environment
- 28 ▪ Effects on community, culture, and teachings that are linked to the well-being, health, and survival of  
29 Southern Resident Killer Whale (SRKW)

### 30 ***Effects on food sovereignty including on Tsleil-Waututh Nation's cultural and ceremonial activities*** 31 ***since salmon, crab, herring, and birds are central to such activities.***

32 Salmon and salmon habitat are central to Tsleil-Waututh Nation's health and well-being, and way of life;  
33 however, Tsleil-Waututh Nation has emphasized that there are almost no remaining sources of healthy  
34 traditional foods available to the Nation within their territory besides salmon from the Fraser River  
35 (Tsleil-Waututh Nation 2020). As stated under Harvesting and Subsistence Activities, previously identified  
36 predicted residual effects for fish and fish habitat are avoided due to the implementation of the proposed  
37 mitigation measure to avoid use of waterborne deliveries and the requirement for use of the MOF (that is,  
38 no in-river works). The proposed Project is not anticipated by FortisBC to result in effects to fish

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<sup>17</sup> As previously described, in response to engagement activities during the Application Development phase, the proposed Project will no longer utilize the waterborne delivery of modular components and construction materials and does not require the MOF. Implementation of this avoidance mitigation measure has been incorporated into the determination of potential residual effects of linked VCs.

1 productivity or populations, including species at risk, in the LAA (subsection 7.9). Therefore, the proposed  
2 Project is not anticipated to adversely affect harvesting of fish by Tsleil-Waututh Nation members.

3 FortisBC completed an HHRA<sup>18</sup> that examined the potential for the proposed Project to contaminate  
4 traditional foods (such as berries, fish, and game) via potential changes in soil quality, air quality,  
5 groundwater, and surface water. The HHRA concluded that contamination of country foods, including  
6 berries, fish and wildlife located off the proposed Project Footprint as a result of proposed Project  
7 activities is highly unlikely. No contamination to fish due to the proposed Project is anticipated.

8 A contaminated soil site (arsenic) on the proposed Project Footprint will be excavated and disposed of at  
9 an appropriate facility prior to construction. No other contaminated sites have been identified and  
10 therefore, any discharge of groundwater or dust from onsite is not anticipated to affect offsite traditional  
11 foods. In addition, acid deposition or nitrogen deposition from air emissions on country foods was  
12 considered and no effects are predicted in the receiving environments from predicted acid deposition or  
13 nitrogen deposition from air emissions. Therefore, adverse effects from acid deposition and nitrogen  
14 deposition on country foods are unlikely. FortisBC predicts that there are no potential effects of the  
15 proposed Project on the quality of traditional foods due to contamination.

16 As previously discussed in the Effects to Harvesting and Subsistence Activities subsection, the potential for  
17 sediment conveyed with the proposed Project Site runoff entering the Delta storm sewer during  
18 construction and operation was also assessed (subsection 7.4). In addition, the potential for runoff was  
19 also assessed in Fish and Fish Habitat (subsection 7.9). With the implementation of the mitigation  
20 measures, no residual effects on the Surface Water VC or the Fish and Fish Habitat VC from site runoff are  
21 anticipated.

22 Potential effects of the proposed Project on Tsleil-Waututh Nation harvesting and subsistence Activities  
23 are identified in the preceding discussions (refer to the *Effects to Tsleil-Waututh Nation's Fishing Rights  
24 and Traditional Use of the Fraser River* subsection). The proposed Project is not anticipated to change the  
25 quality, quantity, or availability of harvested fish, plants, or wildlife<sup>19</sup> in the Cultural Continuation LAA and  
26 is not predicted to affect Tsleil-Waututh Nation members' ability to engage in activities associated with  
27 revitalizing, developing, and participating in intergenerational cultural transmission while being on the  
28 land.

29 As previously identified predicted residual effects for fish and fish habitat are avoided due to the  
30 implementation of the proposed mitigation measure to avoid use of waterborne deliveries and the  
31 requirement for use of the MOF (that is, no in-river works). Therefore, the proposed Project will not  
32 adversely affect Tsleil-Waututh Nation fish harvesting.

33 Similarly, predicted residual effects to Vegetation due to the proposed Project are anticipated to be site  
34 specific (proposed Project Footprint), negligible to low magnitude, and not anticipated to interact with  
35 Tsleil-Waututh Nation's Aboriginal Right to gather plants in the Harvesting and Subsistence Activities LAA.  
36 As stated previously, vegetation within the existing facility site will be removed by construction activities  
37 associated with the existing Tilbury facility and the Tilbury Phase 1B expansion (T1B) project. Maintenance  
38 of existing landscaping and vegetation along existing fence lines are part of the existing facility and not  
39 part of the scope of the proposed Project.

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<sup>18</sup> The HHRA was completed prior to FortisBC's commitment to no use barges to deliver modules or materials to the proposed Project Site and contains analysis of construction of the MOF and barge deliveries. Therefore, conclusions of the HHRA should be considered a conservative prediction of potential effects to human health due to the proposed Project.

<sup>19</sup> As previously described, in response to engagement activities during the Application Development phase, the proposed Project will no longer utilize the waterborne delivery of modular components and construction materials and does not require the MOF. Implementation of this avoidance mitigation measure has been incorporated into the determination of potential residual effects of linked VCs.

1 Opportunities to hunt or trap wildlife within the proposed Project Footprint and Harvesting and  
2 Subsistence Activities LAA are extremely limited. Tsleil-Waututh Nation has stated that members hunt for  
3 waterfowl at hunting sites on the Fraser River. However, based on firearm restrictions adjacent to the  
4 proposed Project on Tilbury Island, lack of access to private industrial land on the proposed Project  
5 Footprint and the small spatial area over which the effects to wildlife are anticipated to be experienced,  
6 proposed Project activities adjacent to the proposed Project Footprint are not anticipated to interact with  
7 Tsleil-Waututh Nation hunting activities (B.C. EAO 2022b; DFO n.d.a). Therefore, the proposed Project is  
8 not predicted to reduce Tsleil-Waututh Nation members' opportunities for engaging in activities  
9 associated with revitalizing, developing, and participating in intergenerational cultural transmission due to  
10 the current and future availability and quality of traditional foods.

11 ***Effects on Tsleil-Waututh Nation's Ability to Revitalize, Develop, and Participate in Intergenerational***  
12 ***Cultural Transmission Through Access to and Experience of Land, Travel Ways, Navigable Waters, and***  
13 ***Water Bodies***

14 Tsleil-Waututh Nation members' ability to be on the land, participate in cultural activities (such as, country  
15 food fish and plant harvesting) and share knowledge is connected to the availability of resources,  
16 especially FSC species (such as salmon). Fisheries in particular serve as a way of life for Tsleil-Waututh  
17 Nation as they provide a means for cultural continuation for the Nation, thereby serving both current and  
18 future generations (Tsleil-Waututh Nation 2023). Tsleil-Waututh Nation has stated that continued  
19 industrialization of the Fraser River reduces access to cultural practices and restricts intergenerational  
20 cultural transmission (Tsleil-Waututh Nation 2020). Tsleil-Waututh Nation has expressed concerns about  
21 their asserted right to access sites for activities, such as resource harvest, that foster Elder-youth  
22 interaction and provide Elders with opportunities to share history, knowledge, traditional ways, and skills  
23 with youth (Tsleil-Waututh Nation n.d.c). Tsleil-Waututh Nation has also expressed concern that loss of the  
24 intertidal plant ecology in their traditional territory has impaired the cultural transmission of a whole array  
25 of skills and knowledge regarding the use of plants (Morin 2015).

26 Tsleil-Waututh Nation members' ability to harvest traditional foods and participate in associated cultural  
27 activities, such as knowledge sharing, are connected to the availability and quality of resources, especially  
28 FSC species (such as salmon). Community health and cultural transmission are deeply connected to the  
29 ability to harvest abundant and quality traditional foods, both in the act of harvesting, as well as for  
30 cultural activities, such as ceremony. Tsleil-Waututh Nation has stated that limiting harvesting activities  
31 impairs Tsleil-Waututh Nation's ability for cultural transmission as these activities are the primary context  
32 for cultural teaching (Morin 2015). Limiting the ability to harvest traditional foods could therefore disrupt  
33 the health of the community if the relationships between past, present, and future generations are  
34 severed.

35 As discussed above for the potential effects to Cultural Use Areas and Indigenous Health and Well-being,  
36 activities associated with revitalizing, developing, and participating in intergenerational cultural  
37 transmission while being on the land are also connected to biophysical conditions, such as air quality,  
38 noise, vibrations, and visual changes in the landscape. Proposed Project activities are not anticipated to  
39 change biophysical conditions during construction, operation and decommissioning through increased  
40 noise levels, emissions, and alterations to the visual landscape that would result in a change in the  
41 experience by Tsleil-Waututh Nation members or affect Tsleil-Waututh Nation members' ability to engage  
42 in activities associated with revitalizing, developing, and participating in intergenerational cultural  
43 transmission while being on the land.

1 ***Effects on Cultural Heritage Due to Changes to Sense of Place and Identity Due to Real and Perceived***  
2 ***Disturbance of the Environment***

3 Potential effects of the proposed Project on Tsleil-Waututh Nation's Cultural Areas may include potential  
4 direct effects of the proposed Project to Storied Places, habitation sites, Place Names, and archaeological  
5 sites along the south arm of the Fraser River, Tilbury Island, and Lulu Island, as well as potential effects of  
6 proposed Project activities on cultural and archaeological resources. Tsleil-Waututh Nation has stated that  
7 members actively fish in the south arm of the Fraser River (Tsleil-Waututh Nation 2020). The lower Fraser  
8 River is therefore considered to be a cultural area by Tsleil-Waututh Nation as it is a place where cultural  
9 activities take place, allowing for the sharing of history, knowledge, and skills between Elders and youth.

10 The proposed Project is not anticipated to directly disturb heritage resources, including archaeological,  
11 architectural, and cultural sites such as the fishing grounds. No archaeological or heritage resources were  
12 identified during Archaeological Impact Assessments that took place in the proposed Project Footprint in  
13 2013 and 2020 (subsection 7.13). The proposed Project's location on the lower Fraser River contains  
14 many previously recorded archaeological and cultural resources (subsection 7.13), including  
15 archaeological site DgRs-017. DgRs-17 is located within 1 km of the proposed Project Footprint, near the  
16 historic Indigenous village site on the opposite side of the Fraser River. DgRs-17 contains precontact  
17 heritage resources consisting of surface fire broken rock, subsurface lithics, and a fishing weir (B.C.  
18 MFLNRORD 2021). Direct changes to archaeological sites such as DgRs-017 and the culturally important  
19 Indigenous village site are not anticipated for ground altering activities (such as excavating, backfilling,  
20 grading, and recontouring), vehicle use, and subsidence during construction and decommissioning.  
21 Physical disruption to heritage resources and archaeological materials is not anticipated for the proposed  
22 Project.

23 Proposed Project activities have the potential to contribute contaminants of concern to air and water, and  
24 increased noise levels in proximity to the facility property line. As stated previously, FortisBC does not  
25 anticipate that community members will be adversely affected by changes to water quality or increased  
26 noise levels during all proposed Project phases. Surface and groundwater quality are not anticipated to be  
27 affected by contaminants of concern from proposed Project activities. Noise levels are anticipated to  
28 increase due to proposed Project activities during all Project phases but increases in land-based noise are  
29 anticipated to be similar to existing levels (approximately 1 dB increase at times) and not anticipated to be  
30 above noise levels exceeding the %HA threshold or harmful to human health.

31 The HHRA conducted for the proposed Project considered pathways for exposure to air contaminants,  
32 water contaminants, and noise due to the proposed Project and concluded that there is minimal risk of  
33 exposure to contaminants of concern in the air or water beyond the Tilbury Island site since contaminants  
34 of concern are not present onsite.

35 FortisBC does not anticipate that the proposed Project will cause exceedances of CAC air quality standards.  
36 The incremental contribution of the proposed Project is predicted to have a negligible (NO<sub>2</sub>, PM<sub>2.5</sub>, PM<sub>10</sub>,  
37 and VOCs) to low-magnitude (SO<sub>2</sub>) residual effect on air quality compared to existing conditions. FortisBC  
38 anticipates a decrease in CAC levels, particularly existing ambient NO<sub>2</sub> levels that already exceed both the  
39 1-hour and annual CAAQS 2025, by the time the proposed Project is operational. This decrease is due to  
40 government programs such as AirCare, CleanBC, and the implementation of low-sulphur fuel  
41 requirements for marine transportation. Furthermore, FortisBC is committed to installing air emissions  
42 control technologies (the specific technology will be determined during detailed design following  
43 certification); as such, the modelled air quality effects presented in Appendix B of the Application (Air  
44 Quality TDR) materially overstate the actual anticipated effects. Detailed modelling will be conducted

1 after approval for air permitting requirements and to inform final proposed Project design when emission  
2 control mitigation options are selected. While NO<sub>2</sub> and PM<sub>2.5</sub> are non-threshold contaminants, residual  
3 effects to Tsleil-Waututh Nation members health are not anticipated due to the short-term potential  
4 exposures adjacent to the proposed Project Footprint for Indigenous use, including the historic village site.

5 FortisBC does not anticipate a change in the sense of place and identity of Tsleil-Waututh community  
6 members compared to existing conditions.

### 7 **Effects on Indigenous Governance Systems**

8 The following sections provide rationale for a negligible interaction between the proposed Project  
9 activities and Tsleil-Waututh Nation governance systems, including reference to available information  
10 specific to Tsleil-Waututh Nation and to potential effects on linked Indigenous interests including  
11 Harvesting and Subsistence Activities, Cultural Use Areas, Indigenous Health, and Wellbeing, Social and  
12 Economic Conditions, and Cultural Continuation. Based on the rationale provided, the potential effects of  
13 the proposed Project on Tsleil-Waututh Nation governance are not carried forward into a residual effects  
14 assessment.

15 Subsequent sections will provide rationale the interaction between the proposed Project and Tsleil-  
16 Waututh Nation Indigenous Governance Systems:

- 17 ▪ Effects on Tsleil-Waututh Nation's ability to implement their laws, customs, and protocols, as well as  
18 participate in self-governance initiatives, and decision-making processes regarding matters that affect  
19 Tsleil-Waututh Nation's rights and interests in the proposed Project area
- 20 ▪ Effects on intercommunity relations and trade
- 21 ▪ Effects from Project's interactions with the conditions outlined in Tsleil-Waututh Nation's (2009)  
22 Stewardship Policy, including its impact on the ongoing conservation efforts to restore important fish  
23 species and habitat

### 24 ***Effects on Tsleil-Waututh Nation's Ability to Implement Their Laws, Customs, and Protocols, as Well as*** 25 ***Participate in Self-Governance Initiatives, and Decision-Making Processes Regarding Matters That*** 26 ***Affect Tsleil-Waututh Nation's Rights and Interests in the Proposed Project Area***

27 Tsleil-Waututh Nation has stated it is particularly concerned about the proposed Project affecting their  
28 right to practice and preserve their right to self-governance and asserts their inherent right to be on the  
29 land and water and engage in their hunting, fishing, harvesting, and cultural practices (Tsleil-Waututh  
30 Nation 2023).

31 Coast Salish Peoples have clear concepts of water, land, and resource ownership, governance, and  
32 stewardship. According to Coast Salish concepts, Tsleil-Waututh Nation members have a sacred and legal  
33 obligation to both their ancestors and future generations to protect and care for their water, land, air, and  
34 resources and to fulfill their stewardship responsibilities. The Nation's stewardship obligation includes the  
35 responsibility to maintain and restore conditions that provide the environmental, cultural, spiritual, and  
36 economic foundation for Tsleil-Waututh Nation to thrive (Tsleil-Waututh Nation n.d.b).

37 In its Notice of Intent to Participate as a First Nation for the proposed Project, Tsleil-Waututh Nation  
38 specified that the Nation asserts Aboriginal Rights and Title to all areas of the Tsleil-Waututh Nation  
39 Consultation Area. Tsleil-Waututh asserts the Aboriginal Right to practice and preserve their traditional  
40 culture, the right to gain economic benefit from the lands and resources of their territory, and the right to

1 self-governance and self-determination. Tsleil-Waututh Nation law and governance includes their  
2 stewardship obligation to maintain and restore conditions in their territory that provide the environmental,  
3 cultural, spiritual, and economic foundation the Nation requires to thrive, for past, present, and future  
4 generations. The duly elected Chief and Council of Tsleil-Waututh Nation is the relevant decision-making  
5 body for the Tsleil-Waututh people in relation to the proposed Project. For the purposes of the assessment  
6 process, Tsleil-Waututh Nation will be represented by the Treaty, Lands and Resources Department to  
7 assess the proposed Project under the Tsleil-Waututh Nation Stewardship Policy (Tsleil-Waututh Nation  
8 2020).

9 As an Indigenous Government, Tsleil-Waututh Nation holds governance rights and decision-making  
10 authority based in Tsleil-Waututh laws and legal principles. Tsleil-Waututh Nation's Government pursues  
11 business opportunities on their lands and within the region to generate wealth and prosperity for  
12 community members while balancing growth with the preservation of Tsleil-Waututh Nation values,  
13 culture, and territory. The Nation has stated it is committed to integrated stewardship, and that the  
14 Integrated Stewardship Plan for the xʔəl'ílwətaʔt/Indian River Watershed is one of the first collaborative  
15 plans between First Nation and Crown governments of its kind.

16 FortisBC does not anticipate the proposed Project interfering with Tsleil-Waututh Nation's right to practice  
17 and preserve rights to self-governance, rights to be on the land, rights to engage in hunting, fishing,  
18 harvesting, and cultural practices, nor to the Nation's stewardships plans for the xʔəl'ílwətaʔt/Indian River  
19 Watershed.

#### 20 ***Effects on Intercommunity Relations and Trade***

21 Tsleil-Waututh Nation holds DFO approved communal FSC fishing licenses using drift nets in the Fraser  
22 River from the Port Mann bridge into the Strait of Georgia (DFO n.d.a). Tsleil-Waututh Nation members  
23 also fish in the Fraser River for traditional purposes through means other than FSC licenses (for example,  
24 through cultural protocols). FortisBC anticipates no interaction between the proposed Project and  
25 Tsleil-Waututh Nation's noncommercial and commercial fishing and a negligible interaction with  
26 gathering, and any associated intercommunity relations or trade. Identified potential effects of the  
27 proposed Project on Tsleil-Waututh Nation's Harvesting and Subsistence Activities and on Cultural Use  
28 Areas have been summarized in preceding sections.

29 As discussed previously, proposed Project activities are not anticipated to result in changes to the quantity,  
30 quality, and availability of harvested resources (including fish), and any associated intercommunity  
31 relations or trade of these resources. FortisBC also anticipates a negligible interaction between the  
32 proposed Project and Tsleil-Waututh Nation's cultural or ceremonial activities and practices related to  
33 potential effects in experience associated with changes to dust, air quality, visual aesthetics, or noise  
34 (discussed in detail in the Changes to the Experience and Preferences around the Practice of Harvesting  
35 Rights and Effects on the Quality, Quantity, and Availability of Resources subsection).

#### 36 ***Effects from Proposed Project's Interactions with the Conditions Outlined in Tsleil-Waututh Nation's*** 37 ***Stewardship Policy, Including Its Impact on the Ongoing Conservation Efforts to Restore Important Fish*** 38 ***Species and Habitat***

39 Tsleil-Waututh Nation law and governance includes their stewardship obligation to maintain and restore  
40 conditions in their territory that provide the environmental, cultural, spiritual, and economic foundation  
41 the Nation requires to thrive, for past, present, and future generations. The duly elected Chief and Council  
42 of Tsleil-Waututh Nation is the relevant decision-making body for the Tsleil-Waututh people in relation to  
43 the proposed Project. For the purposes of the assessment process, Tsleil-Waututh Nation will be

1 represented by the Treaty, Lands and Resources Department to assess the proposed Project under the  
2 Tsleil-Waututh Nation Stewardship Policy (Tsleil-Waututh Nation 2020).

3 Salmon and salmon habitat are central to Tsleil-Waututh Nation's health and well-being, and way of life;  
4 however, Tsleil-Waututh Nation has emphasized that there are almost no remaining sources of healthy  
5 traditional foods available to the Nation within their territory besides salmon from the Fraser River  
6 (Tsleil-Waututh Nation 2020). As stated under Harvesting and Subsistence Activities, previously identified  
7 predicted residual effects for fish and fish habitat are avoided due to the implementation of the proposed  
8 mitigation measure to avoid use of waterborne deliveries and the requirement for use of the MOF (that is,  
9 no in-river works). The proposed Project is not anticipated by FortisBC to result in effects to fish  
10 productivity or populations, including species at risk, in the LAA (subsection 7.9). Therefore, the proposed  
11 Project is not anticipated to adversely affect conservation efforts to restore fish species and habitat by  
12 Tsleil-Waututh Nation members.

### 13 **11.10.6.4 Effects Management**

14 Mitigation measures are identified in an attempt to avoid, reduce, offset, or otherwise address potential  
15 adverse effects, as well as measures to enhance potential benefits of the proposed Project on the interests  
16 of Tsleil-Waututh Nation. Proposed measures from linked VCs are detailed in Appendix A of the  
17 Application. Tsleil-Waututh Nation has informed FortisBC that it will review the proposed mitigation  
18 measures in collaboration with FortisBC.

### 19 **11.10.6.5 Proposed Project Residual Effects**

20 The potential effects related to proposed Project construction, operation, and decommissioning activities,  
21 along with technically and economically feasible mitigation measures (measures identified in an attempt  
22 to avoid, reduce, offset, or otherwise address potential adverse effects of the Project), and potential  
23 residual effects (those effects that are anticipated to remain once mitigation measures have been  
24 implemented) are:

- 25 ▪ Social and Economic Conditions – Increased employment and economic opportunity

26 Positive residual effects are predicted for Tsleil-Waututh Nation through increase employment, enhanced  
27 opportunity, and a potential improvement of social conditions. Income, employment, education, and skills  
28 for Indigenous Peoples; access to economic opportunities/economic equity; tax revenues; GDP  
29 contributions; business revenue; and cost of living are anticipated as positive effects (subsection 7.10,  
30 Employment and Economy) as a result of proposed enhancement measures outlined in Appendix A.

31 Refer to Table 11.10-11 for a summary of residual effects.

32 Negligible interactions between the proposed Project and Indigenous interests (those effects determined  
33 to be effectively managed with the implementation of proposed mitigation measures for linked VCs),  
34 including potential positive residual effects are not carried through for further assessment. As no negative  
35 interactions were identified between the proposed Project and Tsleil-Waututh Nation Indigenous interests,  
36 a residual effects assessment was not conducted.

37 Tsleil-Waututh Nation has informed FortisBC that it disagrees with the B.C. EAO's AIR guidelines which  
38 encourages proponents to assess the effects of the proposed Project on Nation's rights and interests in  
39 their application before conducting an Effects Assessment.

**Table 11.10-11. Indigenous Interests – Potential Effects, Mitigation Measures, and Potential Residual Effects**

Indigenous Interest	Proposed Project Phase	Potential Effect	Spatial Boundary	Proposed Mitigation or Enhancement Measures to Reduce or Eliminate Potential Effects to Indigenous Interests	Mitigation Tier, Timeline and Effectiveness	Potential Residual Effect
Social and Economic Conditions	Construction and Operation	Potential positive effect on Social and Economic Conditions for Tsleil-Waututh Nation, including the following: <ul style="list-style-type: none"> <li>▪ Increased ability of Tsleil-Waututh Nation to improve social and economic conditions.</li> <li>▪ Increased employment opportunities, Tsleil-Waututh Nation business opportunities, procurement opportunities, and Tsleil-Waututh Nation Government Revenue</li> </ul>	Social and Economic Conditions LAA	Enhancement measures identified in subsections 7.14, Culture; 7.10, Employment and Economy; 7.11, Land and Resource Use; and 7.12, Infrastructure and Services.  FortisBC did not receive information on Tsleil-Waututh Nation -specific mitigation measures	Information on tier, timeline, and effectiveness available of enhancement measures identified in VCs linked to Indigenous interests are presented in Appendix A of the Application.	Positive Residual Effect - Increased employment and economic opportunity.

1  
2

1 **11.10.6.6 Monitoring Proposed Project Residual Effects on Indigenous Interests**

2 Monitoring will be developed by FortisBC in the CEMP prior to construction, through engagement with  
3 First Nations. Monitoring will occur during construction to determine that the mitigation measures are  
4 effective at reducing potential effects. If a mitigation measure is found to be ineffective at reducing  
5 potential effects, corrective measures will be taken through adaptive management, as specified in  
6 management plans, as applicable, through engagement with applicable regulators and First Nations.

7 **11.10.6.7 Cumulative Effects**

8 As no negative residual effects to Tsleil-Waututh Nation were predicted by FortisBC due to the proposed  
9 Project, a cumulative effects assessment was not completed.

10 FortisBC recognizes that from Tsleil-Waututh Nation's perspective, cumulative effects are assessed from a  
11 holistic perspective, inclusive of past (pre-contact), present, and future impacts on its member, culture,  
12 economy, and the environment from all projects across their territory. From Tsleil-Waututh Nation's  
13 perspective, it is unlikely the proposed Project will produce no negative residual effects on the Nation's  
14 rights and interests, given the proposed Project includes construction, use, and decommissioning of  
15 storage, regasification, and liquefaction facilities that could add over 2.8 million tonnes of mostly fracked  
16 Liquefied Fossil Gas to the world per year, which will be burned and produce emissions. Furthermore,  
17 Tsleil-Waututh Nation's own assessment of the impacts of the proposed Project on its rights and interests  
18 will include the interconnected cumulative effects of projects on the Fraser River, including the associated  
19 vessel transits associated with the Tilbury Marine Jetty project.

20 **11.10.6.8 Views of Tsleil-Waututh Nation**

21 Tsleil-Waututh Nation has concerns regarding the B.C. EAO's policies and guidelines (AIR Guidelines and  
22 Effects Assessment Policy), including the methodology for assessing residual and cumulative effects of  
23 the proposed Project. As outlined in section 11.10.6.3 Potential Effects on Indigenous Interests,  
24 Tsleil-Waututh Nation disagrees with the potential effects on and the proposed Project's interactions with  
25 Tsleil-Waututh Nation's interests in Table 11.10-10 and 11.10-11, and Tsleil-Waututh will be providing  
26 their own assessment of the impacts of the proposed Project on its rights and interests under section  
27 19(4) of the *Environmental Assessment Act*, 2018, which can best determine the proposed Project's  
28 impacts on its rights and interests.

29 **11.10.7 Summary**

30 The Application has been prepared in accordance with the AIR in which potential effects were identified  
31 from waterborne delivery (that is, barge deliveries) associated with the proposed Project and construction  
32 and of the MOF. As described in Section 1.5.5, in response to concerns received during the Application  
33 Development phase engagement activities that occurred after the development of the AIR, the proposed  
34 Project will no longer utilize any waterborne delivery of modular components and bulk construction  
35 materials to the proposed Project Site during construction as an avoidance mitigation measure. As a result,  
36 no MOF is required for any phase of the proposed Project. Implementation of this avoidance mitigation  
37 measure has been incorporated into the determination of potential residual effects on linked VCs.

38 Given the scope of the proposed Project, FortisBC does not anticipate any adverse interaction between the  
39 proposed Project and Tsleil-Waututh Nation Indigenous interests. Positive residual effects are predicted  
40 for Tsleil-Waututh Nation through increased employment, enhanced opportunity, and a potential  
41 improvement of social conditions. Income, employment, education, and skills for Indigenous Peoples;  
42 access to economic opportunities/economic equity; tax revenues; GDP contributions; business revenue;

1 and cost of living are anticipated as positive effects (subsection 7.10, Employment and Economy) as a  
2 result of proposed enhancement measures outlined in Appendix A of the Application.

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