

Condition#	Page	TWN follow-up comments (March 15, 2022)
1. Definitions	2	1.20 TWN acknowledges this new addition, however, heritage values are also defined through political, emotional, and moral meanings attached to specific events, places, objects, or social practices. Please update to reflect other values in this definition.
	4	1.35 Pre-construction shouldn't be limited to preliminary studies. Other activities such as geotechnical investigations, site preparation and pre-construction test programs should also consider a monitoring plan. Please update this definition to include other pre-construction activities.
3. AQ and GHG Emissions	10	3.2.4 Please provide rationale as to why this condition 3.2.3 was removed? <i>Implement continual improvement in GHG emissions to not restrict achievement of regional/provincial targets.</i> Indicating whether existing programs "could be improved" does not ensure that these will include mandatory measures that align with Prov or Federal targets.
7. Fish and Fish Habitat	20	7.6 TWN would like clarification on what the 'alternative salvage protocols' are before the project is approved.
	21	7.10 Please provide rationale as to why original conditions/measures were removed (7.8 t 7.10.4) re: studies and measures for pacific salmon, additional studies and mitigation measures for eulachon and sturgeon.
	23	7.17 TWN acknowledges the addition to the FUP to include changes in rockfish and lingcod (<i>Ophiodon elongates</i>) productivity. What parameters will be used to assess changes on these species productivity?
8. Marine Mammals	24	Condition 8.2 includes a Marine mammals detection and response plan. However, TWN would like to understand the rational for removing the original conditions from 8.2 to 8.4: <ul style="list-style-type: none"> - Measures to mitigate effects on SRKW; No net increase in underwater noise and vessel strikes. - Marine shipping FUP (Was this replaced with a SRKW management plan?) - Monitor number, capacity, route, and underwater noise of containerships calling on Port of Vancouver -Include issue resolution section with Indigenous Groups. - Additional measures to mitigate/offset effects of marine shipping on marine mammals and current use. -Implement ECHO program. -Report annually on compliance of vessels with voluntary measures.
	27	8.6 Please provide rationale as to why procedures to delay are only including daytime departure of container vessels calling on RBT2. What is the procedure for night-time departures?

	28	The previous condition included measures to mitigate effects to current use of lands and resources (12.2 moved to 8.6). As written now, it only addresses underwater noise and associated effects to SRKW. TWN requests that this condition also addresses the development and implementation of a follow-up program (in consultation with Indigenous groups) as it relates to their current use of lands and resources for traditional purposes.
		Following our discussion on July 28, 2021, the port authority suggested the following revisions: 8.3.4.1 “conduct analysis of incremental potential effects resulting from the exceedance of predicted container ships traffic calling on the Port of Vancouver and monitored pursuant to condition 8.3.1 on marine mammals and current use of lands and resources for traditional purposes; and” 8.3.4.2.3 additional measures to mitigate, including offset, the effects of marine shipping on marine mammals and current use of lands and resources for traditional purposes. Are these captured in other sections?
9. Wildlife	29	9.2.5 TWN would expect the Port to include net gain in its objectives. TWN requests that a Net increase in habitat, function, and productivity is reflected in the conditions (and definitions section). Following the Federal Policy on Wetland Conservation from 1991 is not acceptable. TWN strives for net gain and expects the Proponent to do the same, given that there has already been region-wide systemic losses of wetland functions. Please update this condition.
12. CULRTP	35	12.1 The offshore area near Tsawwassen is also an important fishing and bird hunting spot for TWN members. TWN requests that the use of this area for cultural practices is also captured in the condition .
	35	12.1.1 TWN acknowledges this new addition and would like further clarification on how TWN (as other indigenous group) will be consulted on FSCs in navigational closure area(s). The offshore area near Tsawwassen is also an important fishing and crab harvesting area for Tsleil-Waututh. This includes both a commercial fishery and FSC fishery.
	35	12.3 Please provide further information on the 'additional conditions'. TWN reiterates that Consultation should occur with Indigenous groups should marine vessel traffic exceed predictions. This condition should apply to effects on CULRTP but also to the environment, including SRKW.
	36	12.4 What is the rationale for this time frame? 8 years may not be enough for a project that will be fully operating in the next 20 years. TWN requests this FUP is extended to adequately address changes and impacts on the current use of lands and resources for traditional purposes. Monitoring should be adaptive and FUPs should only end if they have been observed to be in a steady state.

13. Health and Soc-econ Cond.	36	13.1 TWN requests that a health follow-up program also addresses resource availability, in terms of the 'quantity' of marine traditional food that is (or will be) available for harvesting. Please update.
		The health section is limited to harvesting resources in relation to food consumption. TWN is not confident that the draft conditions, as presented, describe any measure to address and mitigate the adverse effects of marine shipping in Tsleil-Waututh's ability to practice their culture, and therefore to protect the health of its members. As expressed in several meeting, Cultural health is not only limited to harvesting traditional foods, but also the connection to cultural heritage (sometimes intangible) and other sacred places.
14. Physical & Cultural heritage	39	14.1 TWN is interested in the rationale for replacing the previous 'Cultural and Archaeological Management Plan' with a 'Physical Heritage Resource Management Plan'. As written, the plan focuses on conducting an inventory of fish trap stakes and physical heritage resources, it may not capture other archeological resources that are linked to the broader spectrum of Cultural Heritage.