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## Tsartlip First Nation

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October 3, 2022

Impact Assessment Agency of Canada  
160 Elgin Street, 22<sup>nd</sup> floor  
Ottawa, ON. K1A 0H3

Dear Sirs/Madams,

**Re: Roberts Bank Terminal 2 Project Environmental Assessment**

I am writing on behalf of Tsartlip First Nation (“Tsartlip”) to advise that Tsartlip consents to the Vancouver Fraser Port Authority’s proposed Roberts Bank Terminal 2 Project, a marine container terminal which is currently being assessed by the Impact Assessment Agency of Canada under reference number 80054 (the “Project”). Tsartlip’s consent is limited to authorizations and approvals for the Project and associated marine shipping as currently being assessed, and related permitting processes (including but not limited to the issuance of a Fisheries Act authorization, a permit under the Species at Risk Act, and any provincial certificate, permit or authorization that may be necessary for the Project).

Tsartlip does not object to the Project proceeding on the basis of compensation and opportunities offered by the Vancouver Fraser Port Authority and agreed to by Tsartlip, including payments on signing of a mutual benefits agreement and payments on approval of the Vancouver Fraser Port Authority Board of Directors making a final decision authorizing construction of the Project. On this basis, we acknowledge that Tsartlip has been adequately consulted and accommodated respecting potential impacts of the Project and associated marine shipping on Tsartlip’s Aboriginal rights, title and interests, and/or treaty rights. By this letter Tsartlip withdraws its opposition to the approval of the Project and related permits, both generally and as stated in the Tsartlip letter to the Impact Assessment Agency of Canada (dated March 14, 2022).

Tsartlip understands that the location of the proposed marine terminal and the container ships that would travel to and from the terminal are within Tsartlip’s traditional territory, including our traditional marine territories where Tsartlip members exercise their constitutionally protected Douglas Treaty rights to fish as formerly. I would like to recognize the concerns that Tsartlip has raised regarding the impacts of the Project and associated marine shipping, which we trust the ongoing assessment process to address. Tsartlip will continue to participate in the impact assessment and other regulatory processes in a manner that is consistent with our consent for the Project and associated marine shipping.

For greater certainty, Tsartlip's consent and non-objection do not relieve, and must not be construed as relieving, the Crown of any claims or any awards of damages or other relief against it that are unrelated to, or do not interfere with, the Project and associated marine shipping, on the basis of past, present or future impacts or infringements of Tsartlip's Aboriginal rights, title and interests, and/or treaty rights.

If you have any questions regarding this letter of non-objection please do not hesitate to contact me at

<email address removed>

Sincerely,

<Original signed by>

Don Tom, Chief of Tsartlip First Nation

On behalf of the Chief and Council of Tsartlip First Nation

cc Council Members, Tsartlip First Nation  
Minister of Fisheries, Oceans and the Canadian Coast Guard  
Minister of Environment and Climate Change Canada  
Minister of Transport  
Jessie Hannigan, British Columbia Environmental Assessment Office  
Kimberley Noble, Impact Assessment Agency of Canada  
Robin Silvester, President & CEO, Vancouver Fraser Port Authority