

January 28, 2022

Jane Stringham
 Impact Assessment Agency of Canada
 160 Elgin Street
 22nd Floor
 Ottawa, Ontario K1A 0H3

Dear Jane Stringham,

I write in technical support of the S’ólh Téméxw Stewardship Alliance to provide feedback on the document “Draft Joint Guidelines”. This letter is a technical response, as communicated via the People of the River Referrals Office (PRRO).

In the draft Joint Guidelines, the IAAC and BC EAO have asked for responses to three main questions:

1. What locations and/or valued components are of importance to you and could be affected by the project?

The IAAC proposed the components identified in the table below. Please note the modifications as a minimum. However, further consultation with Stó:lō communities and leadership is required in order to provide a more comprehensive account of Stó:lō interests. Please also note the response to question 2 below.

Preliminary Indigenous Interests	Preliminary Potential Effects	Potential Linkages to other Valued Components or Indigenous Interests
Harvesting and Subsistence Activities	Effects of the Project on Indigenous rights to harvesting enshrined in historical and modern treaties and the Constitution. Effects on harvesting for Food, Social, and Ceremonial purposes. Effects on historical and contemporary preferred harvesting sites and accessibility of culturally important harvesting sites. Changes to the abundance, distribution or quality of resources relied upon to engage in harvesting and subsistence activities. Effects of the Project on current and future availability, quality and quantity of country foods. The Impact Statement will also consider effects on Indigenous Interests relating to Harvesting and Subsistence Activities identified by the S’ólh Téméxw Stewardship Alliance listed in the rows below.	Air Quality Above Water Noise Underwater Noise Marine Water and Sediment Quality Marine Fish and Habitat Marine Mammals Birds Land and Resource Use Marine Use



Preliminary Indigenous Interests	Preliminary Potential Effects	Potential Linkages to other Valued Components or Indigenous Interests
	Project effects on fish and fish habitat, other marine and aquatic species, and habitat	
	Effects of the project on migratory bird harvesting	
	Impacts on hunting and trapping activities (e.g. from increased rail traffic and infrastructure expansion)	
Fish, fish Habitat, and aquatic environments	Impacts on Fraser River ecosystem Impacts on migrating and spawning salmon Impacts on freshwater ecosystems from expanded road and rail activities	
Freshwater	Impacts on groundwater and surface water due to expanded road and rail activities	
Cultural Use Sites and Areas	Effects of Project activities on the cultural and ceremonial use of areas in and around the Project area. Cumulative effects on the Southern Resident Killer Whale, to which the S'ólh Téméxw Stewardship Alliance member First Nations have a significant cultural connection. Assess linkages between various Project activities and cultural values and spiritual activities. Effects on the Fraser River and the sockeye salmon run, which are culturally significant not just subsistence resources (Stó:lō means "people of the river"; Stó:lō are salmon people).	Air Quality Above Water Noise Coastal Geomorphology Light Visual Resources Land and Resource Use Marine Use Archaeology and Heritage Resources
Economic Activities	Effects on Indigenous and economic rights to marine fisheries and commercially licensed fishing, hunting, trapping and gathering. Economic losses from Project effects on harvesting. Economic benefits from the Project through business opportunities and employment.	Employment and Economy Land and Resource Use Marine Use Infrastructure and Services
Indigenous Health and Wellbeing	Changes to the experience when exercising an Indigenous Interest, including presence of visual disturbances, changes in air quality, effects of vibrations, and Acoustic disruption. Effects on Indigenous health due to: <ul style="list-style-type: none"> • Changes in harvesting and subsistence activities • Changes in air quality and water quality • Effects of vibrations and Acoustic disturbance 	Air Quality Above Water Noise Light Visual Resources Marine Water & Sediment Quality Marine Fish and Habitat Marine Mammals Birds

Preliminary Indigenous Interests	Preliminary Potential Effects	Potential Linkages to other Valued Components or Indigenous Interests
		Land and Resource Use Marine Use Social Determinants of Health Human Health
Sxoxōmes (see below)		

2. What information is necessary for a thorough and complete assessment to be conducted?

The above table is derived from western knowledge, which produces discrete categories containing components that Western human societies seek to manage. For example, “natural resources” is a category that emphasized human exploitation of discrete components (“resources”) of natural living systems (which include humans).

Stó:lō relations within S’ólh Téméxw do not fit neatly into such a heuristic. S’ólh Téméxw consists of interconnected watersheds which are living beings (see figure 1). Stó:lō sxwōxwiyám (the oral history of the distant past) indicates that humans are the most dependent of all Sxoxōmes (‘gifts of the Creator’, Chíchelh Siyá:m). All of these gifts are alive and interconnected in a relational system of being (which includes humans). The centre of Figure 1 (the sun) was first established by Chíchelh Siyá:m, and is the point from which dependency evolves. Across this array of relationally-connected beings (Sxoxōmes) extends a foundation of interdependency and interconnectedness: no one thing is independent of the other; everything is dependent in some way on everything else, although some have a greater degree of dependency. At times, sxoxōmes has been translated to mean “resources”. But this simplifies relational connections among all beings within S’ólh Téméxw as a living being full of interdependencies.

A “thorough and complete assessment” would therefore be conducted through a Stó:lō lens to understand the impacts of DP4 on Sxoxōmes. This requires a full account of S’ólh Téméxw integrity: an assessment of all the pressures and impacts on Sxoxōmes now and seven generations into the future (as expressed by the Halq’eméylem term of tómiyeqw).

The proponent’s assessment may address the aspects identified in the table above. However, a comprehensive assessment would require the time and resources to understand and analyze such an assessment in line with Stó:lō worldviews, concepts, and relations within S’ólh Téméxw.

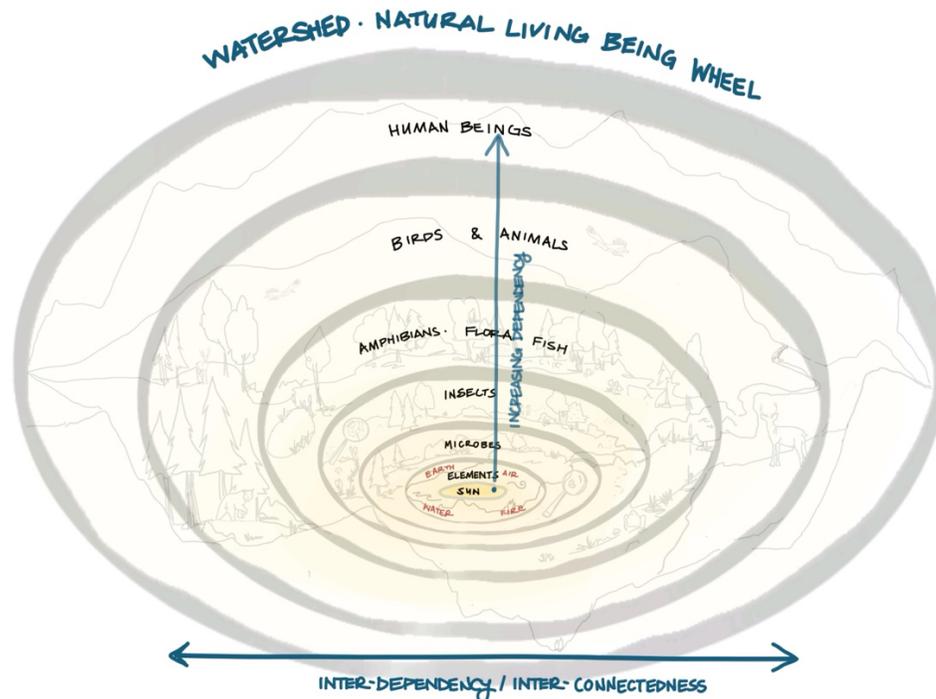


Figure 1 Sxoxōme:s framework: anatomy of a natural living being

3. Are there any potential effects or impacts of the project you are concerned about that are not included in the draft joint guidelines?

Stó:lō communities are increasingly concerned about the connections between corporate interests and the current climate and ecological crisis. The DP4 proponent is Global Container Terminals, a private corporation. Shipping has been demonstrated to contribute significantly to climate change-enhancing emissions and to pollute oceans (which not only harms marine life, but also reduces the ability of oceans to act as carbon sinks).

The assessment should therefore address the broader climate impacts of the DP4 proposal, and the proponent must be required to include measures for mitigating broader climate and ecological damage. These elements are included in section 9.14 of the Draft Joint Guidelines. However, we note the abstract nature of requirements in this section – they are not connected to an assessment of the impacts on

surrounding communities and Nations. The proponent must be required to acknowledge their contribution to exacerbating the impacts of climate change for surrounding communities and Nations, and the proponent must be expected to contribute directly to mitigation, adaptation, and remediation efforts.

There are also ethical aspects that could be strengthened. For example, on p121, please also point the proponent to the [First Nations Data Governance Strategy](#), which was commissioned by the Federal government and produced by the First Nations Information Governance Centre. Section 12.1.1 must also include a description of how knowledge handling agreements will be reached with each Nation so as to govern the submission and maintenance of Indigenous knowledge in line with OCAP principles (Ownership, Control, Access, Possession).

Finally, key pieces of legislation are conspicuously absent. While Indigenous rights are placed into the context of section 35 of the Constitution, there is no mention of Federal and Provincial Acts for upholding the UN Declaration on the Rights of Indigenous Peoples; bill C-15 and Bill 41, respectively. It is incumbent upon the IAAC and BC EAO to ensure that impact assessments are conducted in a way that meets the specific requirements of these Acts.

Should you have any questions or concerns about this response, please do not hesitate to get in touch.

Yours sincerely,

<Original signed by>

Julian Yates, PhD

Research and Special Projects Manager

Stó:lō Research and Resource Management Centre

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removed>

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CC:

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