



Metlakatla Governing Council

EMAIL TRANSMISSION

October 4th, 2021

Fern Stockman
Project Assessment Director
Environmental Assessment Office
Fern.Stockman@gov.bc.ca

Stephanie Soebagio
Senior Policy Advisor, Pacific Region
Impact Assessment Agency of Canada
Stephanie.Soebagio@iaac-aeic.gc.ca

Re: Notice of Intent to Participate in the Environmental Assessment process for the Ksi Lisims LNG Project

Dear Fern Stockman and Stephanie Soebagio,

Metlakatla First Nation (MFN) has received communication from both the BC Environmental Assessment Office (BC EAO) and the Impact Assessment Agency of Canada (IAAC) regarding the commencement of Environmental Assessment (EA) processes for the Ksi Lisims LNG project ("the Project"). The intent of this letter is to respond to the questions received from both the BC EAO and the IAAC.

Participating Indigenous Nation

The BC EAO has requested confirmation as to whether the MFN intends to be a 'Participating Indigenous Nation' during the EA process. The MFN confirms that they will participate fully in the EA process as a 'Participating Indigenous Nation'.

Entity or Representatives

The BC EAO has requested a description of the entity or representatives chosen by the MFN to represent the Nation throughout the EA process and decision-making in relation to the proposed Ksi Lisims LNG project. MFN has designated the Metlakatla Stewardship Society (MSS) to participate and engage in the technical review for the EA on behalf of MFN. The Metlakatla Governing Council will retain responsibility for 1) working to resolve any important non-consensus items during the EA that have not been resolved at the technical table, and 2) decision-making relating to project consent, project consent with specific conditions, or lack of consent for the project.

Technical Advisor

The BC EAO has requested that the MFN provide notice if they wish to participate as a Technical Advisor. The MFN designates the following MSS staff to participate as Technical Advisors:

Erin Mutrie
Environmental Assessment Manager
Metlakatla Stewardship Society
412 McBride St, Prince Rupert, BC
emutrie@metlakatla.ca; 250-622-2816

Deanne Watts
Referrals Coordinator
Metlakatla Stewardship Society
412 McBride St, Prince Rupert, BC
dwatts@metlakatla.ca; 250-622-2816

Review and comments on the Initial Project Description (IPD) by MSS staff will be shared with the BC EAO and IAAC in a separate communication.

Capacity Funding

The IAAC has identified that a \$5000 grant is available from the federal government to assist the MFN's participation in the Planning Phase for the Ksi Lisims EA. The MFN accepts the grant and requests that the funding be sent to the MSS. Please mail a cheque to the following address with a note indicating that the funds are intended for the review of the IPD for the Ksi Lisims LNG EA:

C/O Patty Sankey
Metlakatla Stewardship Society
P.O. Box 224
Prince Rupert, BC V8J 3P6

The BC EAO has also identified that funding is available for the MFN's participation in the Early Engagement Phase of the EA for the proposed Ksi Lisims LNG project. Please connect with Erin Mutrie, MSS' Environmental Assessment Manager to provide additional information with respect to the available funding and associated engagement and review requirements or opportunities during this phase of the process.

Governance Role

The BC EAO has requested that the MFN provide a preliminary description of the MFN's governance role in relation to the area affected by the proposed project. The Project proposed on and adjacent to Pearse Island, and the associated shipping route, are within Metlakatla First Nation territory. Both the project and shipping route are subject to Metlakatla's aboriginal rights and title, which are protected by Section 35 of the *Constitution Act*. The Metlakatla First Nation has never ceded or surrendered their territory or any of their interests or rights within their territory. Metlakatla views lands and marine waters to be seamless; adverse impacts to the land will also impact the marine environment and vice versa. Should Metlakatla's rights or interests be infringed by the Project, consultation and accommodation will be necessary. The Project requires the consent of Metlakatla First Nation to proceed to construction and operation.

Interests, Rights and Potential Project Impacts

The BC EAO has requested that the MFN provide a preliminary description of the MFN's interests and rights and information relating to how the proposed project could interact with or impact those interests. Please see the Attachment #1 identifying preliminary expected impacts to MFN's rights and interests from the proposed project.

Collaboration Terms of Reference

On June 5th, 2018, a Collaboration Terms of Reference (CTOR) was signed between the BC EAO, the MFN, and the Lax Kw'alaams Indian Band. The MFN is aware that since the signing of the CTOR, new provincial environmental legislation has come into force. The MFN requests a meeting to review the 2018 CTOR to confirm and ensure that the elements of the CTOR continue to be honoured during this EA and future EA processes.

In closing

The MFN expects the federal and provincial governments to continue to consult to ensure that all potential impacts to Metlakatla Aboriginal title, rights and interests are fully assessed and that meaningful measures to avoid, mitigate and address those impacts are identified throughout the regulatory review. Please contact Erin Mutrie (emutrie@metlakatla.ca) to further discuss the contents of this letter and the preliminary information provided in the Attachment. The MFN looks forward to working with your departments throughout the EA review process.

<Original signed by>

Harold Leighton
Chief Councillor, Metlakatla First Nation

Cc:

Ross Wilson, Executive Director, Metlakatla Stewardship Society
Erin Mutrie, Environmental Assessment Manager, Metlakatla Stewardship Society
Deanne Watts, Referrals Coordinator, Metlakatla Stewardship Society
Joelle Houde, Senior Funding Officer, Impact Assessment Agency of Canada
Leith Anderson, Project Assessment Officer, BC Environmental Assessment Office
Tanner May-Poole, Project Assessment Officer, BC Environmental Assessment Office
Quincy Leung, Project Manager, Impact Assessment Agency of Canada
KsiLisimsLNG@iaac-aeic.gc.ca

Attachment 1: Preliminary description of Metlakatla's rights and interests that may be impacted by the proposed project

Attachment #1: Preliminary description of Metlakatla's rights and interests that may be impacted by the proposed project

Metlakatla Interest	Definition of Right	Project Interactions	Potential Effect
Terrestrial Harvesting	Right to hunt, fish, trap and gather terrestrial resources.	<ul style="list-style-type: none"> • Site clearing resulting in permanent removal of vegetation, wetlands, timber and wildlife habitat. • Changes in air (dust) and water quality resulting in potential decreased quality and quantity of valued vegetation and wildlife. • Noise, visual changes and increased human activity resulting in increased sensory disturbance, decreased wildlife abundance. • Accidents or malfunctions could lead to the contamination of vegetation or wildlife. 	<ul style="list-style-type: none"> • Reduced opportunity to harvest • Reduced harvesting success • Avoidance of harvestable areas due to industrial disturbance
Marine Harvesting	Right to fish, hunt, and gather marine resources	<ul style="list-style-type: none"> • Site clearing resulting in sedimentation and riparian clearing resulting in changes to fish quality and abundance and marine bird abundance and distribution. • Marine infrastructure resulting in change in fish, marine mammal and marine bird abundance and distribution, and loss of marine and intertidal harvesting sites. • Vessel transit, berthing, terminal operations and shipping activities resulting in change in fish, marine mammal and marine bird abundance 	<ul style="list-style-type: none"> • Alienation of marine and intertidal harvesting sites. • Reduced harvesting success. • Avoidance of harvesting sites in the vicinity of the Project and shipping route due to industrial disturbance and increased marine traffic.

Metlakatla Interest	Definition of Right	Project Interactions	Potential Effect
		<p>and distribution, and interference with harvesting activities.</p> <ul style="list-style-type: none"> • Jetty construction resulting in permanent removal of marine vegetation. • Accidents or malfunctions could lead to the contamination of marine resources. • Project hiring resulting in increased recreational marine users and increased competition for marine resources 	
Sense of Place	<p>Right to maintain emotional and spiritual attachment to special places.</p> <p>Right to peaceful enjoyment of the lands and waters.</p>	<ul style="list-style-type: none"> • Vegetation clearing and infrastructure development resulting in loss or alteration of cultural and spiritual sites. • Industrial disturbance resulting from construction (site clearing, lighting, noise, infrastructure development), operations (shipping, lighting, noise, loading activities etc.). 	<ul style="list-style-type: none"> • Reduced quiet enjoyment of place-based activities. • Disturbance of cultural and spiritual sites.
Access and Travel	Right to access lands and waters.	<ul style="list-style-type: none"> • Site clearing, jetty construction, marine shipping and anchorages resulting in interference with terrestrial and marine access and travel. • Restricted access to land and shoreline and marine areas surrounding Project infrastructure. 	<ul style="list-style-type: none"> • Restricted physical access to Project Area • Interference with marine transportation routes.

Metlakatla Interest	Definition of Right	Project Interactions	Potential Effect
Governance and Decision-making	Right to make decisions about land and marine use in accordance with governance and decision-making rights.	<ul style="list-style-type: none"> Industrialization of land and increased marine traffic. 	<ul style="list-style-type: none"> Reduced ability to exercise land and marine management functions.
Health and Safety	Right to the highest attainable standard of physical, mental and social health.	<ul style="list-style-type: none"> Construction and operation activities resulting in water, land and air pollution and noise. Project-related restrictions in resource harvesting and land use. Project-related alteration to cultural landscapes. Potential for shipping transport accidents and malfunctions resulting in stress and anxiety. Increased marine traffic resulting in increased potential for marine collisions. Project hiring resulting in increased potential violence to women and girls. Project hiring resulting in population influx and increased burden on local health care system and social services. 	<ul style="list-style-type: none"> Decreased physical health Decreased mental health Decreased personal safety
Economic Development	Right to derive economic benefit from land and waters.	<ul style="list-style-type: none"> Project development resulting in restricted access to and reduced availability of commercially harvested resources and trade items. 	<ul style="list-style-type: none"> Loss of income/livelihood (including trade). Loss of economic development opportunities.

Metlakatla Interest	Definition of Right	Project Interactions	Potential Effect
		<ul style="list-style-type: none"> • Alienation of lands that could be used for economic development purposes by Metlakatla • Project hiring resulting in increased recreational marine users and increased competition for marine resources 	<ul style="list-style-type: none"> • Gain of income/livelihood (job acquisition)
Cultural Identity	Right to maintain cultural distinctiveness and integrity	<ul style="list-style-type: none"> • Site clearing and access restrictions resulting in loss of a cultural landscape and reduced opportunity to maintain and transmit knowledge • Construction and operation of marine facilities and marine shipping resulting in reduced opportunity to maintain and transmit knowledge 	<ul style="list-style-type: none"> • Reduced ability to transmit knowledge between older and younger generations • Loss of place-based knowledge
Physical Heritage	Right to maintain cultural heritage.	<ul style="list-style-type: none"> • Project clearing resulting in loss and alteration of archaeological, historical, spiritual and cultural sites. 	<ul style="list-style-type: none"> • Permanent removal of archaeology features—both pre- and post-1846- which prove continued use and occupancy by Coast Tsimshian for millennia to present day. • Disturbances to unmarked gravesites, petroglyphs, CMTs and other cultural and spiritual sites within and around the proposed Project footprint.



Acronyms include:

IR = Information Request

KI = Key Issue

SC = Suggested Change

Page; Section	Current Text	Comment/Question/Suggested Revision	Issue type
vii; Executive Summary	Category A Lands, as defined in the Nisga'a Treaty	Can IAAC and EAO provide information regarding EA review process and the implications of the Nisga'a Treaty? How does the Nisga'a Treaty change or add to the EA process?	IR
vii; Executive Summary	The Proponents are designing the Project to be one of the lowest carbon emitting LNG export projects in the world, targeting to be Net Zero within 3 years of operations start-up.	What is the scope of carbon emissions being counted to ensure net zero? E.g., are pipeline emissions included, or will Ksi Lisims require their pipeline provider to also be net zero? Does Ksi Lisims include the shipping emissions in the calculation? Please provide these details in the subsequent project description.	IR
viii; Executive Summary	The Project will also conduct an assessment in accordance with Chapter 10 (Environmental Assessment and Protection) of the Nisga'a Treaty, which will be incorporated into the BC environmental assessment and the federal impact assessment process.	Please provide additional information on requirements from Chapter 10 of the Nisga'a Treaty. What elements of the assessment will be different or in addition to the review being carried out through BC EAO and IAAC legislation?	IR
1; 1 Introduction	The Nisga'a Nation and its partners Rockies LNG Limited Partnership and Western LNG LLC are proposing to jointly develop an energy project, the Ksi Lisims LNG - Natural Gas Liquefaction and Marine Terminal Project.	What is the breakdown of project ownership by partner?	IR



2; 1 Introduction	It is anticipated that renewable power will be supplied to the Project via a new inter-connection between a BC Hydro and Power Authority substation and their existing transmission system.	MFN would like to understand the full requirements for achieving the needed power from BC Hydro. <ul style="list-style-type: none"> - What work is needed to be done to accomplish this? - What permits will be sought? - Which BC Hydro substation will the interconnection be constructed to? - Does existing transmission infrastructure leading to New Aiyansh need upgrading? 	IR
2; 1 Introduction	The Project has secured investigative licenses, permits and authorizations from the Nisga'a Nation, BC and Canada to undertake baseline field surveys, including an Investigative Use permit issued by the NLG. It is anticipated that the Project will be subject to a review under both the federal <i>Impact Assessment Act</i> and the BC <i>Environmental Assessment Act</i>	Which investigative licenses, permits and authorizations have been secured from BC and Canada? Please elaborate.	IR
5; 2 Project overview	The Site is the area where Project components and activities are to be located and is located within the Nass Area, as defined in the Nisga'a Treaty, on undeveloped but previously logged land on District Lots 5431 and 7235 on Pearse Island and in the proposed Water Lot (Figure 2). The Project is on Category A Lands, as defined in the Nisga'a Treaty, owned in fee simple by the Nisga'a Nation.	Ksi Lisims notes that the project is on fee simple lands, however, the concept includes a floating LNG as well as berthing for ships. Please provide the full jurisdiction of the project area in question. Do the category A lands extend into the marine waters? Can the province provide details of consultation process for water lot portion of the project?	KI
9; 2.2 Activities and components	Other infrastructure at the Project site includes a marine terminal that will provide berths for LNG carriers and a	If dredging is required, full details should be included in DPD. When does the proponent	KI



	<p>berth/dock to support barges and vessels. Bathymetric information for the proposed Water Lot has been acquired and is being analyzed. That information and its analysis will inform Pre-FEED and whether any dredging will be necessary to support the proposed location of the FLNGs or other marine infrastructure. If dredging is required, this will be included in the EA-IA.</p>	<p>anticipate knowing about potential dredge requirements?</p>	
9; 2.2.2 Permanent components	<p>The Project will include natural gas pre-treatment (e.g., removal of impurities), management of refrigerants (e.g., process by-products propane, ethane, pentane, etc.), condensate management, on-site natural gas and LNG pipelines, electric power lines and supporting infrastructure (e.g., permanent loading berth) for barged materials and equipment.</p>	<p>Detailed information should be supplied with respect to handling and management of waste streams (condensates etc.) in the DPD.</p>	KI
11; 2.2.4 FLNG and LNG production	<p>Condensate loading and export will be conducted periodically using conventional liquids carriers</p>	<p>Request to understand the details of condensate loading and export (size, frequency), the risk to marine life, the shipping route and end fate.</p>	KI
11; 2.2.6 Power line interconnection to BC Hydro	<p>The Project will connect to the BC Hydro transmission system for renewable power supply. Engagement with BC Hydro is underway, including undertaking a System Impact Study to explore technically and economically feasible options for the BC Hydro connection. A new, third-party owned transmission line would connect to either one of two BC Hydro sub-stations, Aiyansh (near New Aiyansh) or Skeena (Terrace) – see “Third Party Transmission</p>	<p>When would Ksi Lisims know which substation is preferred? MFN would like to understand the benefits and risks associated with each option.</p> <p>Request to see the System Impact Study referenced in Section 2.2.6.</p>	KI & IR



	Line" below. A substation would be located at the Site and would constitute the power delivery point for the Project.		
12; 2.2.8 Third Party Transmission	<p>It is anticipated that the transmission interconnection from the BC Hydro transmission system to the Site will be provided by a third-party not under the care and control of the Proponent and therefore will not be a Project component. The third party will be responsible for the design, construction and operation of the onshore transmission line and sub-sea electricity transmission cable from a BC Hydro substation to the Site.</p> <p>The third-party transmission line is currently the subject of a feasibility engineering study. The actual route and length is under study and not known at this time, however it is potentially longer than 80 km (e.g., based on distances from the Project site to the nearest two BC Hydro sub-stations) and its proposed carrying capacity is anticipated to be less than 345 kV. Therefore, it does not appear (based on available information) to exceed the EA-IA threshold for an EA-IA under BC EAA 20182 and IAA 20193; however, it may trigger a "notification" under BC EAA 2018.</p>	Full details are requested in the DPD.	KI and IR
14; 2.3.2 Construction Workforce	The number of onsite construction workers is unknown at this time, but it is anticipated that peak numbers may be up to 200 workers.	News articles written about the project with information provided from Nisga'a indicate that the " <i>construction workforce would number in the thousands and extensive accommodation facilities would be required, much like the one</i>	KI and IR



		<p><i>for the LNG Canada workforce. Preliminary plans call for workers on site, at a camp on the mainland near Gingolx or located in Terrace or Prince Rupert. Approximately 200 people would be needed once the facility begins operating.”</i></p> <p>https://www.terracestandard.com/news/coastal-lng-project-offers-much-potential-says-nisgaa-lisims-president/</p> <p>Clarification at early stages is required to understand peak construction workforce, number of years of construction and the operation workforce. Understanding accommodations and travel to the site will be key information for MFN to understand potential impacts to rights.</p>	
16 & 17; 2.5 LNG Shipping	LNG carriers will be piloted between Triple Island and the Project’s marine terminal by BC Coast Pilots to support the safe inbound and outbound transit of LNG carriers, consistent with applicable marine navigation laws and regulations. With the pilot on board, vessels may travel north through Chatham Sound and Main Passage or alternatively through Caamano Passage, and then northeast through Portland Inlet, and Portland Canal (Figure 4).	There are sensitive environmental areas along this route as well as substantial marine mammal activity. Key mitigations and commitments would be required during specific times of year.	KI
18; 2.6 decommissioning	Upon decommissioning of the Project, the area will be restored as per the applicable agreements with the Nisga’a Nation and as prescribed in operating permits.	There has been mention of LNG infrastructure being repurposed to Hydrogen export infrastructure at several forums. Is the proponent undertaking any investigation of this?	KI and IR



19; construction	<p>Potential solid wastes generated during construction include:</p> <ul style="list-style-type: none"> • Biomass waste (e.g., from land clearing and grubbing) • Excavated overburden, organic material (e.g., peat) and large boulders 	Where are the listed waste products being proposed to be stored?	KI and IR
20; 2.7.2 Operations	<p>The GHG emissions produced by the Project will be dependent upon the availability of power from the BC Hydro transmission system. If the full amount of power required by the Project is available, the Project is expected to produce less than approximately 600,000 CO₂e tonnes per annum (TPA) (or 0.05 CO₂e t/t LNG). If the Project is required to self-generate 100% of its power, the Project is expected to produce approximately 1,870,000 CO₂e TPA</p>	<p>Will the project still be advanced if BC Hydro power is not available for the project? It is unclear if two assessments will take place: an assessment assuming BC Hydro power is provided and an assessment to understand impacts associated without hydro power provisions. Please clarify.</p>	KI and IR
20; 2.8 Land and Water Use	<p>Potable water will be shipped for use at the Site during construction. After Project operations commence, potable water may continue to be shipped to the Site or come from on-site potable water treatment facilities. Sources of water could come from groundwater wells, freshwater streams with suitable annual available volumes or from desalination units.</p>	<p>Given MFN's experience on the Nexen/Aurora LNG project, it will be key to understand the options early on for fresh water on Pearse Island. For the Nexen project, there was not sufficient fresh water supply on the island – this issue was ignored until a later date in the EA and then it was determined a desalination plant was required late in the process leading to several issues. MFN is requesting early and upfront information to understand freshwater needs and the options to supply this.</p>	KI



21; 2.8 Land and Water Use	Water required for process and make-up water for power generation (if required) may be diverted and stored from available freshwater streams, from groundwater wells or from desalination units. If water is diverted from freshwater streams it will need to be suitable and available and its use would not negatively effect fish or fish habitat. Water use by the Project will be investigated during Pre-FEED and FEED.	Given experience on the Nexen/Aurora LNG project, it will be key to understand the options early on for fresh water on Pearse Island. For the Nexen project, there was not sufficient fresh water supply on the island – this was ignored until a later date in the EA and then it was determined a desalination plant was required late in the process leading to several issues. MFN is requesting early and upfront information to understand freshwater needs and the options to supply this.	KI
22; 2.10.3 Preferred Site within the Nass Area	The Project considered multiple potential site locations in the Nass area based on the publicly distributed document entitled: <i>Nisga'a Lisims Government – New Available LNG Sites on Canada's West Coast</i> – February 2014 (NLG Presentation). This document shortlisted several potential sites approved by the Nisga'a Nation as suitable for the development of an LNG project.	Can the proponent please share the other short-listed sites referenced for review?	KI and IR
23; 2.11.3 Electric Power Supply	The Project is currently undertaking engineering feasibility studies to determine economically and technically feasible options to connect to the BC Hydro transmission system. The Project anticipates that the interconnecting transmission line and marine sub-sea cable will be longer than 80 km but less than 345 kV and connect to a BC Hydro sub-station. The length of the new transmission line and whether or not it could follow, at least in	If the proponent can provide a fulsome picture of the current infrastructure available, plus any required upgrades and the associated options, that would be greatly appreciated. <ul style="list-style-type: none"> - What is the current hydro infrastructure that exists? - What are the projects needs in terms of additions or upgrades? What route options exist? - What are timelines for construction of each route? 	KI



	part, existing power transmission line rights-of-way is not yet known.		
27; 3.2 Marine Communities and Species	No notable concentrations of cetaceans are known to occur in the marine waters near the Site.	Large amounts of humpback whales are typical in the area around the mouth of Work Channel (along shipping lane) during certain seasons. Killer whales are also known to frequent the area. Understanding impacts from this project on such species must be key part of the assessment.	KI
28; 3.4 Terrestrial Communities and Species	Old forests provide important habitat for birds such as marbled murrelet and northern goshawk.	MFN looks forward to understanding how the proponent plans to assess impacts to these species.	IR
32; 4.1 Project Proximity to Communities	The Project site is within the boundaries of the Regional District of Kitimat-Stikine. There are no schools, provincial or regional parks, hospitals, houses, water supplies, roads, or railways nearby.	Can the proponent please outline what If any approvals or permits are required from the RDKS and the process for this?	IR
34; 4.1.1.2 Metlakatla First Nation	Metlakatla First Nation has approximately 1,016 members; 9% of which live on reserve land in Metlakatla. Metlakatla First Nation has 21 reserves, covering approximately 7,742 ha. Their traditional territory extends from the coastal islands in eastern Hecate Strait to Lakelse Lake near Terrace (Figure 5). Portland Canal and Observatory Inlet mark the northern extent of the boundary, and the headwaters of the Ecstall River mark the southern borders. Metlakatla First Nation territory includes the lower portions and the mouth of the Skeena River and its tributaries.	Recommend the following word changes in bold: Their traditional territory extends from west of the coastal islands in eastern Hecate Strait to east of Lakelse Lake near Terrace (Figure 5). Portland Canal and Observatory Inlet mark the northern extent of the boundary, and the headwaters of the Ecstall River mark the southern borders. Metlakatla First Nation territory includes the lower portions and the mouth of the Skeena River and its tributaries.	SC
Page 42 and 43; Table 6 and 7		MFN recommends being more specific with the list of activities provided.	SC



		I.e., soil storage, dredge, disposal at sea, product storage, vessel berthing, routing maintenance and inspections, ancillary marine activities (tugboats) etc.	
Page 44; 5.2 Assessment Area Definitions	Other assessment areas being considered include a Marine Shipping Assessment Area that would include an area from Triple Island to the Project's marine terminal, and a Construction Shipping Corridor that would capture activities not captured within the MSAA (e.g., to better captures potential activities between Gingolx and the Project site). If not captured as stand-alone assessment areas these areas would be captured within VC specific LAAs and RAAs.	Would the construction shipping corridor also capture any shipping activity related to project construction that would travel from Prince Rupert to the project site?	IR
Page 44; 5.2 Assessment Area Definitions	Other assessment areas being considered include a Marine Shipping Assessment Area that would include an area from Triple Island to the Project's marine terminal, and a Construction Shipping Corridor that would capture activities not captured within the MSAA (e.g., to better captures potential activities between Gingolx and the Project site). If not captured as stand-alone assessment areas these areas would be captured within VC specific LAAs and RAAs.	In previous comments to the EAO and IAAC, MFN has highlighted that the full extent of shipping through Metlakatla Territory should be assessed. The assessment should not stop or be limited to the Triple Island Pilot boarding station.	KI
47; 5.4.1 Potential Adverse Effects	Examples of mitigation measures include: <ul style="list-style-type: none"> • TERMPOL exercises to best define marine safety measures. 	Please provide additional information. Will a fulsome TERMPOL study be carried out for the project? This seems like a key step to ensuring safe shipping operations.	KI



48; 5.4.2 Potential Social and Economic Effects		In addition to the activities and associated effects listed, there is potential for the project to put a strain on the limited health care services available in northwestern BC. These effects need to be considered and fully assessed in the application.	KI
48; 5.4.3 Potential Heritage Effects	These potential effects would be managed by completing an archaeological impact assessment in advance of Project construction and the development of mitigation measures and management plans, such as the implementation of measures to avoid or reduce potential impacts on documented sites if present and develop of change find procedures.	MSS has cultural heritage policies that provide guidance around reducing impacts to archaeology. MSS will share copies of the policies with the proponent.	KI
48 + 49; 5.4.4 Potential Health Effects		In addition to the effects listed, accidents and malfunctions may also have serious adverse effects on people's mental health and well-being and the real and perceived safety of traditional resources (because of contamination) should an accident occur. These effects need to be considered and fully assessed in the application.	KI
49; 5.4.5 Potential effect of Project-related changes on indigenous peoples	The potential biophysical, health, social or economic effects to other Indigenous Nations using the marine waters of Portland Canal will be identified and discussed with other Indigenous Nations as part of the DPD Process.	It is not just the impact to marine use of Portland Canal waters that must be assessed for Metlakatla. The impact of the project activities on the following rights and interests for Metlakatla should be assessed: <ul style="list-style-type: none"> - cultural identity, - terrestrial harvesting, - travel and access, - physical heritage, - governance and decision-making 	KI



		<ul style="list-style-type: none"> - sense of place, - health and safety, and - economic development 	
57; Table 10 NLG Biophysical Reports and Data – Past 5 Years		<p>Where can the public reports be accessed? Will these reports be made available to the Technical Advisory committee and PINs?</p> <p>Please update the table to identify which location within the Nass Wildlife Area is targeted in the assessment.</p>	IR and SC
60; Table 11 Anticipated Permits by Project Phase		MSS notes that a Fisheries Act Authorization may be required for dredging works. This potential permit should be included in the table.	SC
67; 7.1 Engagement with indigenous Nations	Some Indigenous Nations assert Aboriginal rights near the Site and in the marine areas of Nasoga Gulf, Portland Inlet and Portland Canal.	The proposed location of the project and the shipping route are wholly within Metlakatla First Nation Territory. The Metlakatla First Nation has never ceded or surrendered their territory or any of their interests or rights within their territory.	KI
73; Summary of Preliminary Engagement Activities		MSS notes that the request for a shapefile of the project footprint and shipping lane (meeting held on April 30 th , 2021) has yet to be responded to or provided. This impacts MFN's ability to identify and articulate potential impacts to rights, as requested by BC EAO and IAAC.	
74; 7.3 General and Specific issues identified by Indigenous Nations		MSS notes that additional issues exist related to project impacts that are not listed, including impacts to the land base.	KI



80; 7.4 Preliminary Assessment of Potential Impacts to Indigenous Nations Resulting from Project Activities and Alignment with Indigenous Nation Interests	<p>It is anticipated that the Project has the potential to impact Indigenous Nations as a result of changes to the environment that affect:</p> <ul style="list-style-type: none">• Physical and cultural heritage through changes to the Site as a result of clearing and ground disturbance that could alter archaeological or heritage sites or sites of cultural importance.• Current use of lands and resources for traditional purposes, through a change in access to resources as a result of the removal of resources through Project activities or a change in the ability or desire to access lands and resources due to the presence of Project infrastructure and activities.• Structure, site or thing that is of historical, archaeological, paleontological or architectural significance through changes to the Site as a result of clearing and ground disturbance. <p>The Project also has the potential to impact the health, social and economic conditions of Indigenous Nations through changes to access to resources that affect the ability to hunt and forage of traditional foods, changes in the quality of harvested foods, or interference with economic activities such as guiding, tourism, and marine recreation.</p>	<p>Please refer to MFN's preliminary submission of interests and rights potentially impacted by the project. The list identified in Section 7.4 covers some but not all interests.</p>	KI
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General comment		MSS notes that Portland Canal can experience extreme winds. Proper assessments will be required to ensure project safety and the safety of transporting LNG via this route.	KI
Question		MSS notes that there is no mention of anchoring in the document. Will the proponent be exploring places of refuge? As noted, Portland Canal can experience extreme/foul weather and berthing may be prevented at times.	KI
Question		Does the opportunity exist for Nations to draft their own impacts to rights chapters for the proponent's assessment?	KI
Question		Request that a rendering of various viewpoints be added to the DPD (including a nighttime view).	KI
Request		MSS has requested shapefiles of project location, off site components and the shipping route. Please provide these shapefiles for our review.	IR
Species of concern		Nass river eulachon are a species of concern to MFN. Proper baseline studies must be done to ensure there is an understanding of how this project may interact with or adversely impact the species.	KI
Species of concern		King crab are a species of concern to MFN in the northern reaches of the territory. Proper baseline studies must be done to ensure there is an understanding of how this project may interact with or adversely impact the species.	KI