



Summary of Engagement

PROCESS PLANNING PHASE

FRASER RIVER TUNNEL PROJECT

MARCH 22, 2024



EAO

Environmental
Assessment Office

INTRODUCTION

The Transportation Investment Corporation on behalf of the Ministry of Transportation and Infrastructure (referred to herein as “the Proponent”), is proposing to build the Fraser River Tunnel Project (FRTTP), an eight-lane immersed tube tunnel that will replace the George Massey Tunnel on Highway 99 in Metro Vancouver. Two of the eight lanes will be dedicated to bus rapid transit and there will be separated pathways for cyclists and pedestrians. For further details on FRTTP, please see FRTTP’s [Detailed Project Description](#) and other documents on [the EAO’s Project Information Centre \(EPIC\)](#) for FRTTP.

On September 14, 2023, the Environmental Assessment Office (EAO) issued a notice of the Readiness Decision for the FRTTP to proceed to an environmental assessment (EA) under the *Environmental Assessment Act* (2018) (the Act), and FRTTP entered the Process Planning phase. For more information, please see [the EAO’s Readiness Decision Report](#).

The Process Planning phase ended on March 22, 2024, with the issuance of the Process Order (including the Assessment Plan and Application Information Requirements) and Regulatory Coordination Plan. The EAO has prepared this Summary of Engagement Report to provide:

- An overview of the Process Planning phase;
- An overview of the feedback received from First Nations, the Technical Advisory Committee (TAC), and the public during the Process Planning phase;
- A description of how feedback was addressed by the EAO; and
- The next steps in the FRTTP EA process.

OVERVIEW OF PROCESS PLANNING

The Process Planning phase formalizes how the EA must be carried out for FRTTP, including:

- What information will be provided;
- How the information will be gathered;
- Who will be involved in the EA and how they will be engaged; and,
- The steps and timing of the subsequent EA phases.

For FRTTP, this information is specified in the Process Order, including the Assessment Plan and the Application Information Requirements (AIR), and the Regulatory Coordination Plan, which are developed by the EAO and referred to as the Process Planning documents.

The Process Planning phase has a 120-day legislated time limit. On December 22, 2023, the EAO received a letter from the Proponent requesting a 45-day extension to FRTTP’s Process Planning timeline. In response to input from some First Nations, technical advisors, and the public, the Proponent identified a need for more time to make updates to FRTTP’s scope and design in the AIR, including two key changes:

- 1) Shifting to closure of the existing tunnel in-place as the preferred option instead of removal of the existing tunnel; and

- The addition of tunnel usage as an activity during the operations phase, requiring the Proponent’s Application to assess for any potential effects due to changes in the number of vehicles using the tunnel and the tunnel realignment on relevant environmental, economic, social, cultural, and health Valued Components¹ (VCs).

On January 2, 2024, the EAO extended the Process Planning phase by 70 days, to March 22, 2024. On March 22, 2024, the EAO issued the final Process Order for FRTF and the Regulatory Coordination Plan, which can be found [here](#) on the EAO’s EPIC website. Figure 1 provides an overview of the assessment process for FRTF.



Figure 1. Assessment Process – FRTF is currently at the end of the of the Process Planning phase.

SUMMARY OF ENGAGEMENT

The EAO sought feedback from participating Indigenous nations², technical advisors (including representatives from local governments, health authorities, provincial and federal government agencies), First Nations and the public on the draft Process Planning documents.

¹ Valued Components (VCs) are components of the natural and human environment that are considered by the proponent, public, First Nations, scientists, and other technical specialists, and government agencies involved in the assessment process to have scientific, ecological, economic, social, cultural, archaeological, historical, or other importance.

² ᑭᓄᓐᓂᓐ (Kwantlen) First Nation, Leq’á:mel First Nation; x̣ẉṃəθḳẉəỵəm (Musqueam); People of the River Referrals Office (representing the S’ólh Téméxw Stewardship Alliance (Chawathil First Nation; Cheam First Nation; Kwaw-Kwaw-Apilt First Nation; Sq’éwlets (Scowlitz) First Nation; Sq’ewá:lwx (Skawahlook) First Nation; Skwah First Nation; Semá:th (Sumas) First Nation; Yale First Nation; Aitchelitz First Nation; Shxw’ówhámél First Nation; Shxwhá:y Village; Skowkale First Nation; Soowahlie First Nation; Squiala First Nation; Tzeachten First Nation; and Yakwekwioose First Nation); Quw’utsun Nation (Cowichan Tribes; Halalt First Nation; Lyackson First Nation; Penelakut Tribe and Stz’uminus First Nation); Snuneymuxw First Nation; Sq’éwqel (Seabird Island Band); WJOLÉLP (Tsartlip) First Nation; STÁUTW (Tsawout) First Nation; scə wəθən məsteyəx̣ẉ (Tsawwassen) First Nation; and səilwətaf (Tseil-Waututh) Nation; Ts’uubaa-asatx; and SEMYOME (Semiahmoo) are participating Indigenous nations.

Reviews of the Process Planning Documents

Prior to the Process Planning phase, the EAO, First Nations, and technical advisors provided feedback to the Proponent on a draft of the AIR. This review was led by the Proponent to identify issues and make revisions in advance of the legislated Process Planning phase. The Proponent also led a review on behalf of the EAO on a draft of the Regulatory Coordination Plan prior to the start of the Process Planning phase.

Once the Process Planning phase began, the EAO conducted a 30-day review period of the draft Process Planning documents. The EAO requested feedback from the Proponent, First Nations, and technical advisors and then worked with these EA participants to revise the Process Planning documents. The EAO held regular meetings with technical advisors and participating Indigenous nations throughout the Process Planning phase and engaged as required to resolve issues that arose during the review.

The EAO then provided an updated version of the Process Planning documents to these same EA participants for a second 30-day round of review, which demonstrated how their feedback had been incorporated into the documents and sought any further comments. The EAO also facilitated a third 30-day round of review, targeting the updates for project scope changes, which included adding operational use of the tunnel and a shift to closure of the existing tunnel as a preferred option over removal. The EAO, with the support of the Proponent, and as appropriate, responded to all comments received and made the corresponding updates prior to finalization.

Public Engagement & Comment Period

Public participation in the EA process helps ensure that community values and public goals are considered in project planning and decision-making. Public comments also help the EAO ensure that all potential adverse effects of a project are considered and appropriately assessed. The EAO held a public comment period from November 15 to December 15, 2023, to seek input on the Process Planning documents for FRTP. This was the second public comment period held for FRTP, with the first occurring during the Early Engagement phase.

During the public comment period, the EAO held two in-person open houses. The first open house, on November 21, 2023, from 4:00 pm to 8:00 pm in Richmond, British Columbia (B.C.) was attended by 43 participants. The second open house session on November 22, 2023, in Delta, B.C. from 4:00 pm to 8:00 pm was attended by 81 participants.

Participating Indigenous Nations

The following 31 First Nations have self-identified as participating Indigenous nations by providing a notice to the EAO under Section 14 (1) of the Act:

- ǫʷɑ:ǻǻǻ (Kwantlen) First Nation;
- Leq'á:mél First Nation;
- xʷməθkʷəyəm (Musqueam);
- Quw'utsun Nation represented by: Cowichan Tribes, Halalt First Nation, Lyackson First Nation, Penelakut Tribe, and Stz'uminus First Nation;
- S'ólh Téméxw Stewardship Alliance (via People of the River Referrals Office): Aitchelitz First Nation, Chawathil First Nation, Cheam First Nation, Kwaw-Kwaw-Apilt First Nation, Semá:th (Sumas) First Nation, Shxwhá:y Village, Skowkale First Nation, Skwah First Nation, Soowahlie First Nation, Shxw'ow'hamel First Nation, Sq'ewá:lw (Skawahlook) First Nation,
- Sq'éwqel (Seabird Island) Band;
- SEMYOME (Semiahmoo) First Nation;
- Snuneymuxw First Nation;
- WJOtELP (Tsartlip) First Nation;
- SṪÁUTW (Tsawout) First Nation;
- scəwaθən məsteyəxʷ (Tsawwassen) First Nation;
- səliwətał (Tsleil-Waututh) First Nation; and
- Ts'uubaa-asatx Nation.

- Sq'ewlets (Scowlitz) First Nation, Squiala First Nation, Tzeachten First Nation, Yakwekwioose First Nation as represented by Ts'elxwéyeqw Tribe, and Yale First Nation;

As per Section 19(1) of the Act, the EAO sought to achieve consensus on the Process Planning documents with the participating Indigenous nations, including seeking feedback on the draft Process Planning documents through participation in the TAC and/or meetings with the EAO. Involvement of participating Indigenous nations in the TAC is in addition to the EAO's engagement with each of these First Nations individually.

Five participating Indigenous nations notified the EAO that they intend to carry out an assessment of the potential project effects on the Nation and its rights under Section 19(4) of the Act including Musqueam Indian Band, Quw'utsun Nation, Tsawout First Nation, Tsawwassen First Nation, and Tsleil-Waututh Nation. The EAO worked collaboratively with each of these participating Indigenous nations to reach consensus on the content of each respective Section 19 (4) appendix in the Assessment Plan before the EAO issued the Process Order.

Technical Advisory Committee

The EAO established the TAC at the end of the Process Planning phase, and has engaged with, and sought advice from the TAC³ members on the draft Process Planning documents. The EAO provided the draft Process Planning documents to the TAC for three official rounds of review and comment during the Process Planning phase. The EAO facilitated several virtual information sessions/meetings with the TAC throughout the Process Planning phase to support reviewers work on the draft Process Planning documents.

The EAO received comments on the draft Process Planning documents from representatives of:

- **Participating Indigenous Nations:**
 - Kwantlen First Nation;
 - Leq'ámél First Nation;
 - Musqueam Indian Band;
 - Seabird Island Band;
 - Snuneymuxw First Nation;
 - S'ólh Téméxw Stewardship Alliance;
 - Tsartlip First Nation;
 - Tsawwassen First Nation; and
 - Tsleil-Waututh First Nation;
- **Federal Authorities:**
 - Environment and Climate Change Canada;
 - Fisheries and Oceans Canada; and
 - Vancouver Fraser Port Authority;
- **Provincial Agencies:**
 - Fraser Health;
 - Ministry of Agricultural and Food;
 - Ministry of Water, Lands and Resource Sustainability;
 - Ministry of Municipal Affairs;
 - Vancouver Coastal Health; and
 - TransLink;
- **Local Governments:**
 - City of Delta;
 - City of Richmond; and
 - Metro Vancouver.

A summary of the feedback provided by TAC members, including participating Indigenous nations can be found in the Summary of Feedback section below. All of the comments received by TAC members during Process Planning, and Proponent and EAO responses, are captured in the comment tracking table posted on the EAO's EPIC website [here](#). The TAC Terms of Reference can be found [here](#) on the EAO's website.

³[TAC Terms of Reference](#)

SUMMARY OF COMMENTS

Technical Advisors and Participating Indigenous Nations Review

The EAO worked closely with members of the TAC and participating Indigenous nations to review the draft Process Planning documents, including follow-up reviews on responses and updates to the materials based on the feedback received, as required.

During reviews, several participating Indigenous nations and TAC members raised similar themes of concern about:

- Potential for FRTP to combine with the already high levels of existing cumulative effects for biophysical factors supporting Fraser River ecosystem function (e.g., surface water and sediment quality, fish and fish habitat, river hydraulics and morphology, marine mammals, vegetation and wetlands) and the EAO's methods for assessing cumulative effects;
- Increases in traffic volume during operations, and related effects to air quality, greenhouse gases (GHGs), acoustics, human health, community and wellbeing, and infrastructure, services and transportation;
- The Proponent's proposed methods would not compare predicted noise generated noise by FRTP against the 2014 underwater noise data and the 2014 baseline underwater noise would not be an input into the underwater noise modelling for assessing potential impacts to fish and fish habitat and marine mammals due to underwater and in-air noise. The EAO expects the Proponent to undertake further discussions with the TAC and First Nations during Application Development on this topic; and,
- The criteria to be used to select the preferred means for carrying out the project, in particular for the closure of the existing tunnel and location of the temporary moorage site. Several participating Indigenous nations emphasized that the assessment must consider the principle of 'net gain', made requests for early and collaborative involvement in the development of any offsetting or environmental management plans for the project, and emphasized the importance of using Indigenous Knowledge appropriately and as agreed to by a First Nation to inform the assessment, including collaborative and proactive approaches to the development of mitigations measures, project design, and offsetting.

Summary of Comments from the Public Comment Period

The EAO received 71 comments during the public comment period through a survey on the EAO's [EPIC.Engage](#) platform. The EAO also received letters from a member of the public, the City of Delta, the Great Blue Heron Way team, and the Steveston Harbour Authority. The comments received came primarily from individuals living in the lower mainland, including Vancouver, Richmond, Ladner, Delta, Tsawwassen, Surrey and Steveston. Among those that do not reside near the project location, respondents identified an interest in FRTP, either because their commute regularly takes them through the existing George Massey Tunnel and surrounding area, or because they use the area for recreation, tourism, or other purposes. The EAO directed the Proponent to respond to each comment and has posted all letters, public comments, and the Proponent's responses on the EAO's EPIC website for FRTP. Further information on survey results and demographics of respondents can be found on EPIC.Engage [here](#). The main themes of concern from the public comment period are shown in Figure 2.

Biophysical Factors that Support the Fraser River Ecosystem

Potential effects on fish and fish habitat, marine mammals, and wildlife and wildlife habitat were identified as a primary concern of the public. In particular, concerns were raised about protecting species and habitats with mitigations and offsetting, a need for recent data, and concerns related to impacts from dredging, sedimentation and contamination, and cumulative effects on already vulnerable species.

In terms of river dynamics, comments highlighted a need to understand any potential for changes in river flows, disruption of sediment, erosion, and linkages between river dynamics to health, fish, wildlife, and riparian habitats.

To address these concerns:

- The AIR requires the Proponent to assess the potential effects of FRTP on fish and fish habitat, marine mammals, and wildlife and wildlife habitat, using available historical data, recent and on-going studies in the area and available Indigenous or local knowledge to inform the existing conditions descriptions as part of the effects assessment to be included in the Application.
- The Proponent will include mitigation measures in the Application, developed to address potential effects following the appropriate mitigation hierarchy, including a draft fisheries habitat offsetting plan.
- Existing conditions studies and Indigenous Knowledge will inform any FRTP-specific least-risk timing windows for fish in consultation with First Nations, and potential restoration areas and measures to potentially improve habitat connectivity for wildlife habitat within the Highway 99 corridor on Deas Island will be included as part of the Application.
- In response to feedback, the Proponent changed the scope of FRTP and now proposes closure of the existing tunnel in place using clean fill and capping rather than removing the existing tunnel as originally proposed, which may reduce effects on fish and fish habitat, marine mammals, wildlife and wildlife habitat, and other biophysical factors that support the Fraser River ecosystem.
- In response to feedback, the Proponent proposed a scope change for FRTP to include tunnel usage during operations in the scope of the assessment, and the AIR was updated to include assessing potential effects of vehicle traffic during operations for VCs, including potential impacts to the biophysical factors supporting Fraser River ecosystem function (e.g., surface water and sediment quality, vegetation, fish and fish habitat, marine mammals, wildlife, and wildlife habitat) as well as air quality, acoustics, human health, land and resource use, infrastructure, services, and transportation.
- The Application will assess potential effects on river flow patterns and velocities, sediment scour and deposition and will describe effects management approaches to avoid, reduce, or otherwise address potential negative effects, including modelling that is underway to predict the sediment dispersion, as a result of dredging activities in the Fraser River extending into the Strait of Georgia and includes assessment nodes within the South Arm Marshes and Sand Heads.

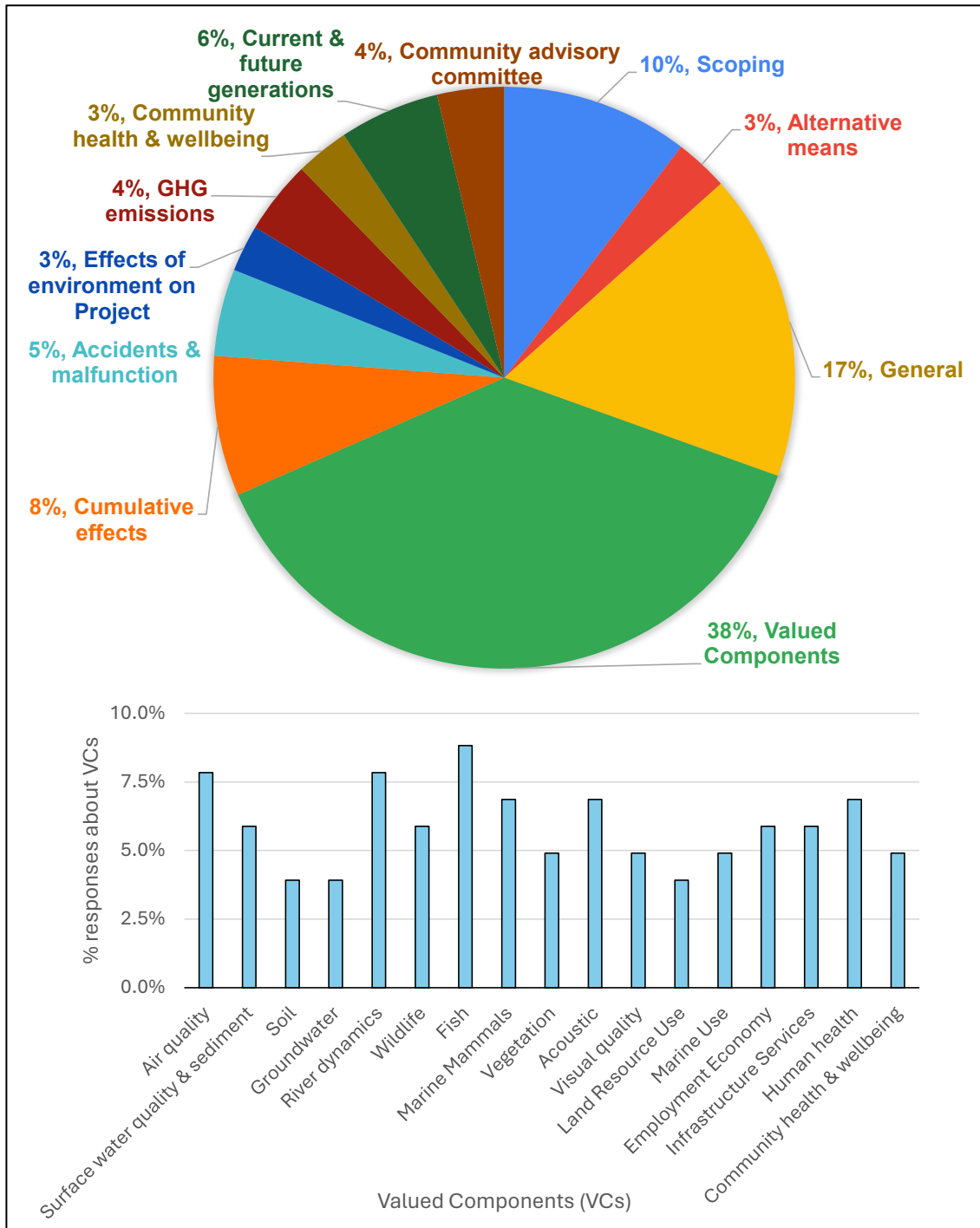


Figure 2. Top: Public survey interest categories based on proportion of written responses received from the public on the draft process planning documents for FRTP. Bottom: Public interest in specific VCs based on proportion of written responses received under the VC public survey interest category (see top panel).

Community Values – Health & Safety, Community Health & Wellbeing, and Sustainability

Air quality, human health, and community health and wellbeing were identified as VCs of top concern, including linkages to potential changes in GHG emissions, and air pollutants, noise, and traffic hazards for those residing near to the project area, including a nearby school. Public feedback raised concerns about users of the multi-use path from exposure to air pollutants and requirements for tunnel design and mitigations to avoid such effects. Some respondents identified concerns about health and safety risks for users of the multi-use path and requested for FRTP to consider the “Vision Zero” approach to improve intersection and road user safety. Concerns were also identified associated with potential for exposure to legacy contaminant (e.g., lead from historical leaded-fuel emissions) due to removal of the existing infrastructure. Feedback also suggested that promoting active transportation (walking and cycling) through improvements to connectivity/accessibility, could result in positive health benefits and foster a sense of community.

To address this feedback:

- The AIR requires the Proponent to assess potential effects on schools, childcare centres, residential care centres, and residential areas through the assessment of air quality, noise, human health, and community health and wellbeing. The Proponent confirmed the multiple-use path would be fully separated from the vehicle lanes and would have its own ventilation and safety features.
- The Proponent has incorporated mitigation measures consistent with engineering design standards and building codes into the reference concept design of FRTP to minimize potential health and safety risks, and ensure access and intersections are designed according to applicable guidelines for B.C. roads and transportation infrastructure.
- The AIR requires the Proponent to consider changes in traffic over the life span of FRTP, determine the resulting potential for increases in GHG emissions and develop measures identified to mitigate direct emissions.

Accidents and Malfunctions and Effects of the Environment on the Project

Concerns were primarily related to the tunnel design requiring greater consideration of potential fires, accidents involving dangerous goods or confinement in the tunnel, flooding, flood protection, effects from extreme weather due to climate change, and risks due to seismic events. In-river works resulting in accidents or damage to environment, infrastructure, or navigation was also raised as a concern.

To address these concerns:

- The AIR requires that the Proponent assess potential effects from a potential accident or malfunction (e.g., hazardous materials spills and/or fires) and potential effects of the environment on the project (e.g., seismic events, fire, extreme weather) and sediment/riverbed stability. The assessment will include potential effects on receptors including schools, childcare centres, residential care centres, and residential areas through several VCs (i.e., air quality, noise, human health, and community health and wellbeing).
- The Proponent has incorporated mitigation measures consistent with engineering design standards and building codes into the reference concept design of FRTP to minimize potential health and safety risks, and to accomplish the goals of providing safe and sustainable modes of transport, while minimizing potential adverse environmental effects.
- Several temporary and permanent flood protection systems (e.g., berms, dikes, walls, and/or other) to protect the tunnel from flooding will be developed as part of FRTP.

Infrastructure and Services

Feedback about infrastructure and services was primarily linked to concerns around access and availability of transportation, including connectivity with current cycling and public transportation networks, as well as how the project would allow for future expansion in terms of housing, densification, and rapid transport.

In response to this feedback:

- The Proponent changed the scope of F RTP to add tunnel usage as a project activity during operations, requiring the Proponent's Application to assess for any potential effects due to changes in number of vehicles using the tunnel and tunnel realignment. The assessment will involve the use of traffic modelling forecasts to inform the assessment of potential effects, including among others, on human health, community health and wellbeing VC.
- The Proponent stated that the eight-lane crossing with transit priority and provision for active transportation represents a significant investment in multi-modal transportation improvements supporting provincial and regional growth strategies and sustainability objectives, including Metro Vancouver's Regional Growth Strategy⁴ and TransLink's Transport 2040 – the current Regional Transportation Strategy⁵ and Southwest Area Transportation Plan.⁶
- The Proponent is working with its municipal and regional partners to develop options for how best to connect the multi-use path to the local and regional walking and cycling networks, including how the multi-use path would be built and how the space would be allocated.
- An assessment of potential F RTP-related effects to infrastructure, services, housing and temporary accommodation, and transportation will be included in the Application, which is required to include studies on potential changes to housing availability and affordability, and housing and temporary accommodation supply and demand during the construction phase, and changes to access to vehicle, public, and active transportation use during construction and operations phases.

Scoping the Assessment

Some feedback received during the public comment period included suggested that the assessment should consider a variety of different engineering and design options for the crossing (including an expansion to 10 lanes), management of commercial traffic during construction and operations, a range of future transportation scenarios, and activities related to infrastructure improvements along the Highway 99 corridor. Other scoping concerns were related to better consideration for active transportation, potential impacts to river users and shipping on the Fraser River, and improvements to safety, accessibility, and connectivity for existing cycling networks. In response to this feedback:

- The Proponent will undertake a qualitative assessment to assess effects from a landscape fragmentation and connectivity perspective to assess impacts, review potential restoration areas, and develop measures to potentially improve habitat connectivity for wildlife habitat within the Highway 99 corridor on Deas Island.
- The Application will provide detailed mitigation measures, including the development of specific plans to avoid invasive species (e.g., invasive plant management plan) and prevent any waste, hazardous materials, and garbage from being deposited into the Fraser River and its tributaries as a result of the project.
- The Application's marine use assessment will focus on navigation, commercial transportation, industrial foreshore use, commercial and recreational fisheries, First Nation food, social and ceremonial fisheries, marine tourism and recreation, and First Nation other use, as well as describe detailed mitigation measures to avoid, reduce, or otherwise address potential negative effects and enhance positive effects on marine use.

⁴Metro Vancouver. February 2022. Metro 2050 – The Regional Growth Strategy. <https://metrovancover.org/services/regional-planning/Documents/metro-2050.pdf>

⁵TransLink. 2008. Transport 2040 – A Transportation Strategy for Metro Vancouver, Now and in the Future. <https://www.translink.ca/-/media/translink/documents/plans-and-projects/regional-transportation-strategy/transport-2040.pdf>

⁶TransLink. April 2018. Southwest Area Transportation Plan. https://www.translink.ca/-/media/translink/documents/plans-and-projects/area-planning/southwest-area/final_plan/southwest_area_transport_plan-april_2018.pdf

- The Application will assess for potential project-related effects on infrastructure systems related to water, agricultural land use, and provide information relevant to potential effects to agricultural lands and agricultural land users in and around the project's footprint.
- The Proponent stated that reference concept design for F RTP includes improving connections to and from Highway 99, which will help reduce congestion, including maintaining and improving the existing River Road off-ramp from Highway 99 southbound. The EAO is aware that the Ministry of Transportation and Infrastructure continues to have ongoing conversations with its regional partners about future projects and priorities.

Alternatives Means of Carrying out the Project

Some public comment period participants provided feedback that the assessment should include a comparison of F RTP against the previously proposed George Massey Tunnel Replacement Project (GM TRP), a 10-lane bridge with rapid transit integration, or some other type of project or future transportation scenario. Other respondents suggested various criteria for the assessment of alternative means of carrying out the project (e.g., potential effects on the environment, duration and extent of in-river works, user impacts, restriction on hazardous traffic, cost effectiveness, safety).

In response to these suggestions:

- The EAO confirmed that an assessment of alternatives⁷ to F RTP (including the previous GM TRP, or a new 10-lane bridge, etc. as an alternative to the project) will not be included in the Application because alternatives to F RTP were already evaluated through a separate process led by the Ministry of Transportation and Infrastructure.⁸
- The AIR was updated to include additional methods to assess alternative means of carrying out the project that are reasonably and technically feasible.

Cumulative Effects

Feedback received during the public comment period included concerns about the cumulative effects of F RTP in combination with Roberts Bank Terminal 2, Vancouver Airport Fuel Delivery, proposed Tilbury Marine Jetty, increased vehicle traffic, and ongoing industrialization of the south arm of the Fraser River. Potential for F RTP to result in increased volume of vehicles was also noted as a concern to some members of the public.

In response to these concerns:

- The AIR requires the Proponent to assess the cumulative effects of F RTP in the Application, and a preliminary list of existing and reasonably foreseeable⁹ projects that may overlap with the potential effects of F RTP is included in the AIR (which includes specific projects named through public feedback).
- The AIR requires that the Application must identify potential cumulative effects to each VC selected by comparing the current and future conditions, with the effects of past and current activities to be used to contextualize the current state of the VC and describe mitigation measures that are technically and economically feasible to eliminate or reduce adverse cumulative effects.
- The AIR requires the Application to describe the current and projected climate impacts for river hydraulics and morphology, vegetation, wildlife and wildlife habitat, fish and fish habitat, marine mammals, and land and

⁷ Not to be confused with alternative means of carrying out the project that are technically and economically feasible, including through the use of the best available technologies, and the potential effects, risks and uncertainties of those alternatives, which is a required assessment matter under Section 25(2)(i) of the Act.

⁸ B.C. Ministry of Transportation and Infrastructure. April 2021 – Business Case: George Massey Crossing Project. <https://www.highway99tunnel.ca/app/uploads/sites/748/2022/03/gmc-business-case-redacted.pdf>

⁹ Reasonably foreseeable means projects that are either proposed (public disclosure) or have been approved to be built, but are not yet built.

resource use VCs as part of the cumulative effects assessment, as well as consider climate change as part of future conditions or provide a rationale to justify the exclusion of climate change impacts in the cumulative effects assessment for any other VCs.

United States Tribes

In October 2023, the Lummi Nation (Lummi) of Washington State sent a letter to the EAO that requests Lummi be added to the list of participating Indigenous nations for the FRTP EA and provided information related to Lummi's assertion of Section 35 Rights in the project area. The EAO responded to Lummi with a request for additional information to support the Chief Executive Assessment Officer (CEAO)'s consideration of Lummi's request to be a participating Indigenous nation. While the CEAO continues to consider Lummi's request, the EAO has committed to engage Lummi throughout the environmental assessment process. To date this has included providing Lummi with an opportunity to provide feedback on the draft Process Planning documents. Lummi submitted comments to the EAO on December 22, 2023, on the draft Process Planning documents, which the EAO and Proponent have responded to. These comments and responses are captured in the Public Comment tracking table posted on the EAO's EPIC website [here](#).

UPDATES TO THE PROCESS PLANNING DOCUMENTS

The EAO carefully reviewed the feedback received from all EA participants and the public and considered the need for revisions and additions to the draft Process Planning documents for FRTP. In response to technical advisor and participating Indigenous nation's comments, the EAO revised the Process Planning documents, or where comments were not incorporated, provided a rationale why revisions were not made. Any updates made to address feedback from technical advisors or participating Indigenous nations were shared with the TAC on the second and third rounds of review as tracked changes for their final review and comment. The EAO also directed the Proponent to respond to each comment and has posted all of the comments and the Proponent's responses on the EAO's EPIC website for FRTP.

The EAO appreciates and values the feedback received by EA participants, and would like to highlight the following summary of key changes made to the Process Planning documents based on feedback received:

Process Order:

- An update to the transportation of construction materials was added regarding the transportation of materials to the construction and staging sites, including via the Fraser River and along terrestrial transportation routes; and,
- An update to clarify and reflect the management of dredge material at the disposal at sea site.

Assessment Plan:

- Consultation requirements with Seabird Island Band, Kwantlen First Nation, Ts'uubaa-asatx Nation, Musqueam Indian Band, Tsawwassen First Nation, Tseil-Waututh Nation, Quw'utsun Nation, and Snuneymuxw First Nation were clarified;
- Roles and responsibilities of EA participants throughout each phase of the EA were clarified; and,
- Appendices to the Assessment Plan describing Section 19 (4) assessments by some participating Indigenous nations were included.

Application Information Requirements:

- Linkages between various VCs (in Section 5.0) were added, and the VC sections were refined based on feedback from EA participants, including updates to guidance documents and standards and clarifications for methods to assess potential effects for the river hydraulics and morphology, vegetation, wildlife and wildlife habitat, fish and fish habitat and marine mammals VCs;

- The spatial boundaries for the air quality, visual quality, human health, and community health and wellbeing VCs were updated to include the proposed vessel transit route for disposal at sea (assumed at this time to be the Point Grey Disposal Site) for dredged materials;
- The addition of tunnel usage as an operational activity requiring assessment for any potential effects due to changes in number of vehicles using the tunnel and tunnel realignment, and updates were made to the air quality, acoustic, surface water and sediment quality, soil, vegetation, wildlife and wildlife habitat, fish and fish habitat, marine mammal, employment and economy, land and resource use, visual quality, infrastructure, services and transportation, human health, and community health and wellbeing VC sections, and Section 8.0: GHG Emissions, to incorporate the use of vehicles during the operation of FRTP;
- Section 1.7: Alternative Means of Undertaking the Project was updated to provide more clarity about the process of developing methods to undertake the assessment of alternatives and identification of preferred means;
- Emphasized that each VC assessment must identify opportunities to enhance positive benefits through net gain / benefits initiatives;
- Clarifications around the draft fisheries habitat offsetting plan requirements for the Application and around existing offsets by pre-existing *Fisheries Act* authorizations in the vicinity of FRTP;
- Section 11: Assessment of Effects on First Nations and their Rights (Section 11) was updated to reflect specific feedback from First Nations, including considerations around Indigenous knowledge, preliminary Indigenous Interests, and preliminary potential effects for each First Nation; and,

Regulatory Coordination Plan:

- The *Migratory Birds Convention Act* was clarified;
- Disposal as Sea permit was clarified; and,
- Information on the Ministry of Water, Land and Resource Stewardship consultation on permitting processes was updated and clarified.

COMMUNITY ADVISORY COMMITTEE

During the past two public comment periods for FRTP, members of the public have had the opportunity to indicate their interest in joining a Community Advisory Committee to advise the EAO of local community interests and knowledge that is relevant to the assessment of the Project. At the end of the public comment period for the Process Planning phase, 16 individuals indicated an interest in joining the Community Advisory Committee, including two individuals that had previously indicated an interest during Early Engagement phase.

The EAO determined that due to the location of FRTP within the B.C. Lower Mainland and the level of community interest in the public comment periods of the Early Engagement and Process Planning phases, there is sufficient community interest to establish a subscription-based Community Advisory Committee. Community Advisory Committee based on the number of subscribers and level of community interest. Further details on the roles and responsibilities of the Community Advisory Committee is specified in the Terms of Reference and the Assessment Plan, which forms part of the Process Order. The subscription to the Community Advisory Committee will remain open for the duration of the assessment. The CAC Terms of Reference can be found [here](#) on the EAO's website.

NEXT STEPS

The next phase of the FRTP EA is the Application Development and Review phase ([see Figure 1](#)), during which the Proponent will develop its Application and engage First Nations and members of the TAC and Community Advisory Committee, in accordance with the requirements of the Process Order.

Once the Application is submitted to the EAO, the Application Review phase begins, which has a legislated timeline of 180 days and will include opportunities for EA participants to review and comment on the Proponent's Application. Within 180 days of receiving the Application the EAO must publish the Application and begin a public comment period for 30 days and provide notice to the Proponent that includes the results of the public comment period, advice from the TAC and Community Advisory Committee and any other matters the EAO feels is relevant to support the Effects Assessment phase including direction to revise the Application. If a revised Application is required, the proponent will have the opportunity to do so to support the effects assessment and recommendation phase of the EA.

For information on the deliverables, timelines, as well as the roles and responsibilities of EA participants during subsequent EA phases, please see the FRTP Assessment Plan found [here](#) on the EAO's EPIC website.