

5.0 Consultation

5.1 First Nations

Summary of VAFFC First Nations Consultation During the Environmental Assessment by the EAO and PMV

Overview

VAFFC consulted extensively with interested First Nations starting in 2008 and continuing to today, spanning the pre-application phase and the subsequent 4-year BC Environmental Assessment Office ("EAO") and PMV environmental review of the VAFD Project. VAFFC reasonably addressed all concerns that were raised.

The EAO and PMV supplemented VAFFC's consultations with direct Crown-to-First Nations consultations.

In their final reports at the end of the EA Review, the EAO and PMV concluded that the consultation and accommodation had been sufficient to satisfy the Crown's duty to consult on the project.¹

Summary of First Nation Consultations during the EA Review

The EAO and PMV decided who would be consulted during the EA Review. VAFFC followed that direction, as set out in the section 11 Order from the EAO.

The following 12 First Nations participated as part of the Technical Working Group ("TWG"), based on the EAO's assessment of their traditional territory claims.²

- Hul'qumi'num Treaty Group
 - Stz'uminus First Nation
 - Cowichan Tribes
 - Halalt First Nation
 - Lake Cowichan First Nation
 - Lyackson First Nation
 - Penelakut First Nation
- Hwlitsum First Nation
- Kwantlen First Nation

¹ EAO *Vancouver Airport Fuel Delivery Project Assessment Report* and Vancouver Fraser Port Authority *Screening Report*, 14 December 2012, ("**Assessment Report**"), page 257 to 259.

² *Assessment Report*, pages 164 to 169.

- Musqueam Indian Band
- Semiahmoo First Nation
- Tsawwassen First Nation (based on the Tsawwassen Final Agreement)
- Tswaout First Nation

The EAO also kept the following First Nations informed about the EA Review, although they were not included in the TWG based on the EAO's assessment of the strength of their aboriginal rights claims in the project vicinity.³

- Katzie First Nation
- Kwikwetlem First Nation
- Qayqayt First Nation
- Squamish First Nation
- Stolo First Nation
- Tseil-Waututh Nation

VAFFC responded to all aboriginal interests raised through the TWG. VAFFC also met individually with TWG First Nations who wished to meet with VAFFC to review the Project.

VAFFC reached accommodation agreements with 7 of the 12 groups:

- the Cowichan Nation Alliance (Stz'uminus First Nation, Cowichan Tribes, Halalt First Nation, Hwlitsum First Nation, and Penelakut First Nation)
- Lyackson First Nation, and
- Semiahmoo First Nation.

These seven First Nations filed letters of support or non-opposition. (See the attached letters) Four of the remaining five First Nations initially identified concerns with the proposed Project. VAFFC engaged with these First Nations to address their concerns.

Musqueam was the sole First Nation who asserted that their interests had not been satisfied. Musqueam filed a letter of complaint, but did not pursue the issue further.

VAFFC filed a detailed record of its efforts to consult with the Musqueam. A Musqueam representative participated in the TWG meetings and VAFFC responded to all interests raised in that forum.

The EAO concluded that VAFFC had done all that it reasonably could to consult and accommodate Musqueam's interests and had resolved any concerns.⁴

³ *Assessment Report*, pages 168 and 173.

⁴ *Assessment Report*, pages 225 to 226.

In addition to VAFFC's consultations, the EAO and PMV consulted directly with the TWG First Nations throughout the EA Review. The EAO Assessment Report and PMV Screening Report detail the extensive Crown-to-First Nations consultations.⁵

Relevant Documents

- Port Metro Vancouver, Vancouver Airport Fuel Delivery Project – Environmental Assessment Decision Statement, 16 December 2013
- Environmental Assessment Certificate #E13-02 for the Vancouver Airport Fuel Delivery Project, 11 December 2013
- BC Ministers' Reasons For Decision, 11 December 2012
- Recommendations of the EAO Executive Director for the Vancouver Airport Fuel Delivery Project, 18 November 2013
- Environmental Assessment Office and Port Metro Vancouver, Vancouver Airport Fuel Delivery Project – Environmental Assessment Report (BC EAA) and Screening Report (Canadian EAA), 14 December 2012
- VAFFC, Vancouver Airport Fuel Delivery Project – Final First Nations Consultation Report, May 2012
- Cowichan Nation Alliance – VAFFC, Accommodation Agreement, November 2012
- Cowichan Nation Alliance, Letter of Non-opposition, 23 November 2012
- Cowichan Nation Alliance – VAFFC, Accommodation Agreement, November 2012
- Lyackson First Nation, Letter of Non-opposition, 23 November 2012
- Cowichan Nation Alliance – VAFFC, Accommodation Agreement, November 2012
- Semiahmoo First Nation, Letter of Support, 14 July 2012
- Semiahmoo Nation Alliance – VAFFC, Accommodation Agreement, 12 May 2012

⁵ *Assessment Report*, pages 164 to 252.

5.2 Consultation Activities to Date

Leading up to and during the BC Environmental Assessment Office-led review of the Project, VAFFC undertook several initiatives to share information about the Project, including meetings, presentations, distribution of a project brochure, website, open houses, and responding to enquiries or comments sent into the project office via email, fax or phone. The following summarizes these activities:

Open Houses

Seven open houses were held in the City of Richmond, three of which were part of the EAO process.

Notification of all the open houses was conducted primarily through print advertising in community and ethnic newspapers as well as through the project website. Awareness of the information sessions was also expanded through media coverage before the sessions.

Comment forms were available for the non-EAO led open houses and the last open house in 2012. The first four resulted in 29 comment forms being submitted, with 15 supporting the project, 11 opposed and three declining to state a preference. The last open house – focusing on pipeline route options and public amenities – generated 22 comment forms.

Meetings

More than 80 meetings were held with the City of Richmond, Delta, Members of Parliament (MPs), Members of the Legislative Assembly (MLAs), councillors, government agencies, business and community groups, corporations and other stakeholders.

Presentations were made to the Public Works and Transportation Committee and Council in Richmond, Delta Council, and Metro Vancouver Environment and Energy Committee.

Public Enquiries

Through the project website, email and phone, 39 comments or requests for information were received and responded to. During the review of the project application, VAFFC responded to a wide range of comments, including more than 1,000 comments from the Technical Working Group and First Nations, and more than 1,200 comments from the public.

First Nations

Twelve First Nations were consulted and participated in the EA review. Accommodation agreements were reached with seven, and four of the remaining five indicated to the EAO that their interests had been satisfied. The EAO concluded that all First Nations interests have been satisfied.

Project Brochure

A project brochure and accompanying letter notifying stakeholders of the project and where more information could be found were sent to 56 resident associations, industry and community groups, federal and provincial representatives, and other key community leaders.

Project Website

VAFFC has a website – vancouverairportfuel.ca – that includes comprehensive project information and the ability for people to provide input or request information.

5.3 Additional Notification

5.3.1 Communications Objectives

Communicate information about the Fuel Receiving Facility and the measures being undertaken to construct and operate the project in a safe and environmentally responsible manner.

Provide key audiences with project construction information and offer them an opportunity to comment.

Provide an electronic portal on the project website for on-going project updates and for stakeholders to ask questions throughout construction.

5.3.2 Key Audiences

The key audiences – those directly affected by the Fuel Receiving Facility and key project stakeholders – are listed below.

- Richmond residents and businesses located adjacent to or near the aviation fuel receiving facility
- Waterstone condos and Waterstone strata council
- Single family dwellings
- SilverCity area businesses
- Land owners in the area roughly bounded by Francis Road and No. 6 Road (see Figure 1).
- Government
 - City of Richmond
 - Corporation of Delta
 - Richmond and Delta MLAs and MPS
- Various Authorities
 - Vancouver Airport Authority

- Port Metro Vancouver

5.3.3 Information Session

To share information about construction and operations of the Fuel Receiving Facility, VAFFC will host an information session in Richmond in (date to be confirmed).

- Public notification for the Information Sessions will be through print advertisements in the following newspapers, beginning at least two weeks prior to the event:
 - Richmond News
 - Richmond Review
 - World Journal (Chinese ad)
 - Sing Tao (Chinese ad)
- Direct notification of the sessions will be made to:
 - Land owners in the area roughly bounded by south of Francis Road to just west of No. 6 Road (see Figure 1)
 - Waterstone condos and Waterstone strata council
 - Single family dwellings in the vicinity
 - SilverCity area businesses
 - City of Richmond and Corporation of Delta
 - Local MLAs and MPs



*Figure 1: Marine Terminal and Fuel Receiving Facility.
Proposed notification and consultation area shaded in blue.*

- The information session will include display boards sharing project information covering:
 - Project overview – description of project components and map
 - Project timelines – permitting and construction
 - Permitting process – permitting and how people can provide comments
 - Recap of the regulatory process and consultation undertaken to date
 - Project need and benefits
 - Construction activity and potential impacts
 - Emergency response measures
 - Fire prevention
 - Spill prevention
 - Air quality
 - Operational issues (e.g., noise, light)

- Earthquake preparedness
- Traffic management plan
- Public Amenities and views of facilities
- The information sessions will also include:
 - Project team members on hand to answer questions
 - Project fact sheets for distribution
 - Comment form for guests to submit (within two weeks of the event)
 - Sign-up sheet for those who want updates electronically

5.3.4 Consultation Reports

Following the two-week comment period, VAFFC will prepare:

- Engagement Summary Report
 - Engagement activities undertaken
- Consideration Memo to Port Metro Vancouver

How VAFFC has addressed public comments and feedback.

5.3.5 Activities

Activity	Audience	Required Materials	Timing
Information Sessions	<ul style="list-style-type: none"> • Local residents and businesses near the marine terminal/aviation receiving facility 	<ul style="list-style-type: none"> • Display boards • Fact sheets • Comment forms 	TBD
Information Sessions Ads	<ul style="list-style-type: none"> • Local residents and businesses near the marine terminal/aviation receiving facility • Placed in Richmond News, Richmond Review, World Journal and Sing Tao 	<ul style="list-style-type: none"> • English and Chinese language ads 	Two weeks prior

Activity	Audience	Required Materials	Timing
Open House Notification Letters	<ul style="list-style-type: none"> • Waterstone condos and other nearby residences and business • City of Richmond, MLAs, MPs • Vancouver Airport Authority 	<ul style="list-style-type: none"> • Letter 	Two weeks prior
Website	All stakeholders	<ul style="list-style-type: none"> • Project information • Construction updates 	Ongoing
Engagement and Summary Report	Port Metro Vancouver and all stakeholders	TBD	TBD
Consideration Memo	Port Metro Vancouver and all stakeholders	TBD	TBD
Media Relations	Public and stakeholders	<ul style="list-style-type: none"> • News releases • Letters to the editor 	Ongoing

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