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July 14, 2022

Tsleil-Waututh Nation
c/o Miller Titerle Law Corporation
300-638 Smithe Street
Vancouver, BC V6B 1E3

Attention: Joelle Walker

Dear Ms. Walker:

Re: FortisBC Energy Inc. (FEI)

Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage expansion (TLSE) Project (Application)

Response to the Citizens for Tsleil-Waututh Nation (TWN) Information Request (IR) No. 3 on Rebuttal Evidence

On December 29, 2021, FEI filed the Application referenced above. In accordance with the regulatory timetable established in Order G-132-22 for the review of the Application, FEI respectfully submits the attached response to TWN IR No. 3 on Rebuttal Evidence.

For convenience and efficiency, FEI has occasionally provided an internet address for referenced reports instead of attaching lengthy documents to its IR responses. FEI intends for the referenced documents to form part of its IR responses and the evidentiary record in this proceeding.

If further information is required, please contact the undersigned.

Sincerely,

FORTISBC ENERGY INC.

Original signed:

Diane Roy

Attachments

cc (email only): Commission Secretary
Registered Parties



FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: July 14, 2022
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1 **A. INTRODUCTION**

2 **1. REFERENCE: A1, (PDF pp. 5)**

3 **Preamble:** At pp. 1 of FEI’s Rebuttal Evidence¹ to the written and oral evidence
4 of Tsleil-Waututh Nation (“**TWN**”), FEI states that a significant
5 amount of TLSE Project-related engagement and consultation with
6 TWN has occurred and continues to occur in the environmental
7 assessment process.

8 1.1 How does the environmental assessment process account for specific rights and
9 title considerations?

10
11 **Response:**

12 The effects of a project on Indigenous nations and rights recognized and affirmed by section 35
13 of the *Constitution Act, 1982* must be assessed in every environmental assessment (see section
14 25(1) of the *BC Environmental Assessment Act* (BC EAA)). Consideration of the rights and title
15 of Indigenous nations is also reflected in the steps of the assessment process itself. For example,
16 the BC EAO and a participating Indigenous nation will work together, as early as possible in the
17 environmental assessment process, to develop an understanding of the nation’s unique
18 connection to the proposed project area, including: (1) past and future uses of the area; and (2)
19 interests that may be affected by the proposed project (Understanding of Interests).

20 The Understanding of Interests reflects the nation’s governance requirements and informs the
21 scope and nature of the assessment process. The interests identified also inform the consensus-
22 seeking activities required by the BC EAA in the assessment. As described in FEI’s Rebuttal
23 Evidence to TWN’s Written Evidence, participating Indigenous nations may also elect to carry out
24 their own assessment of potential effects of the project on the nation’s rights and title recognized
25 under section 35 of the *Constitution Act, 1982*.

26 TWN has identified Indigenous interests as part of the environmental assessment process for the
27 Tilbury Phase 2 LNG Expansion Project in Schedule C of the Process Order, pp. 155-156
28 (Attachment 119.1 in the response to CEC IR3 119.1). The BC EAO will also co-draft the
29 introduction and conclusions of the assessment of project effects on the Nation and its rights, and
30 seek consensus with TWN on the assessment.

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32

33
34 1.2 In FEI’s view, does consultation under the environmental assessment process
35 substitute or fulfill the consultation requirements of the BCUC?

¹ Exhibit B-44.



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Response:

As explained in the response to TWN IR2 13.1, the role of the BCUC in CPCN proceedings with respect to consultation is to assess the adequacy of consultation to date, given the nature of the approval sought.

FEI has undertaken engagement activities with Indigenous nations that may be affected by the TLSE Project as part of its engagement with respect to the environmental assessment process for the Tilbury Phase 2 Expansion Project (see Section 8.4 of the Application). Please refer to Attachment 1.2 for an updated Consultation Log specific to TWN for the period from March 29 to the date of filing. FEI also identified additional opportunities for Indigenous nations to directly participate as part of this CPCN proceeding. To date, only TWN has elected to participate in the BCUC’s review of the TLSE Project.

Ultimately, engagement with Indigenous nations, including TWN, has been significant to date, reflecting the multiple synchronized avenues of consultation for the parallel regulatory processes. Using this approach, FEI has strived to reduce overlap, engagement fatigue and the consumption of resources within Indigenous nations, while ensuring engagement is robust, efficient and transparent. FEI intends to continue this approach as development on the TLSE Project progresses.

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1 **2. REFERENCE: A1, (PDF pp. 5)**

2 **Preamble:** At pp. 1 of the Rebuttal Evidence, FEI indicates that it has initiated
3 specific discussions with TWN in relation to FEI's request for a
4 CPCN for the TLSE Project.

5 2.1 How has FEI incorporated TWN's engagement protocols in these CPCN specific
6 discussions?

7
8 **Response:**

9 FEI has incorporated TWN's engagement protocols, as set out in its Stewardship Policy,² in its
10 CPCN-specific discussions. In particular, FEI has undertaken the following activities that it
11 believes are consistent with TWN's engagement protocols. The list below is not intended to be
12 exhaustive.

- 13 • In 2019, FEI engaged TWN while the initial scope of the project was being developed to
14 solicit and discuss comments from TWN.
- 15 • FEI responded to requests from TWN for additional information regarding the BCUC and
16 the CPCN application process, and has kept TWN informed regarding the CPCN process
17 – including in advance of filing the Application.
- 18 • FEI has provided detailed information regarding the TLSE Project in the Application, as
19 well as how the Project relates to, and forms part of, the Tilbury Phase 2 LNG Expansion
20 Project.
- 21 • TWN has been afforded an opportunity to present their views throughout this proceeding,
22 including through three rounds of information requests and the confidential presentation
23 of written and oral evidence. FEI has also provided sufficient interim capacity funding to
24 allow TWN to actively participate in the environmental assessment process (at this time
25 no Capacity Funding Agreement between FEI and the TWN has been finalized for this
26 Project).
- 27 • FEI has addressed and responded to comments and questions raised by TWN in bi-
28 weekly calls with FortisBC and other project-specific meetings.
- 29 • It is FEI's intention to engage in discussions with TWN to seek their free, prior and
30 informed consent, although consent from TWN is not a requirement of the BCUC's CPCN
31 Guidelines.
- 32 • FEI has proactively requested meetings with TWN to understand concerns specific to the
33 TLSE Project.
- 34 • FEI has given, and continues to give, full and fair consideration to all information provided
35 by TWN, including the identification of potential impacts the TLSE Project may have on

² Exhibit C7-9, TWN Written Evidence, Appendix B.



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- 1 TWN and its rights, the use of Indigenous knowledge, and comments related to the Project
- 2 within the parallel environmental assessment process.
- 3



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1 **B. FORTISBC SYNCHRONIZED THE CONSULTATION AND ENGAGEMENT WITH THE**
2 **ENVIRONMENTAL ASSESSMENT PROCESSES**

3 **3. REFERENCE: A3, (PDF pp. 9)**

4 **Preamble:** At pp. 5 of the Rebuttal Evidence, FEI indicates that engagement is
5 occurring with TWN in the environmental assessment process.

6 3.1 How does consultation and engagement with TWN occurring through the
7 environmental assessment process fulfill consultation and engagement
8 requirements for the purposes of obtaining a CPCN?
9

10 **Response:**

11 Please refer to the response to TWN IR3 1.2.
12

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1 **4. REFERENCE: A4, (PDF pp. 9)**

2 **Preamble:** At pp. 5 of the Rebuttal Evidence, FEI describes the three
3 objectives of the 2018 EAA update. One of the objectives was
4 “advancing reconciliation by implementing the standards set out in
5 UNDRIP, the TRC’s Calls to Action, and the *Tsilhqot’in Nation v.*
6 *British Columbia* (2014 SCC 44) decision in the context of
7 environmental assessment.”

8 4.1 How has FEI seen UNDRIP applied in the environmental assessment process for
9 this project? Please comment with reference to specific articles of UNDRIP.

10

11 **Response:**

12 The Phase 2 Expansion Project is reviewable under the revitalized BC EAA, which is administered
13 by the BC EAO. The revitalization process resulted in changes to environmental assessment
14 legislation, regulation, policies, and practices to meet three objectives, one of which is to advance
15 reconciliation including by implementing the standards set out in the United Nations Declaration
16 on the Rights of Indigenous Peoples (UNDRIP). Under Section 2 of the BC EAA, the BC EAO will
17 support reconciliation with Indigenous peoples in British Columbia by supporting the
18 implementation of the UNDRIP, as per the BC EAO User Guide (see Appendix A of FEI’s Rebuttal
19 Evidence to TWN’s Written Evidence).

20 Among other things, the BC EAA includes requirements for the BC EAO to seek consensus with
21 participating Indigenous nations at stages throughout the process, the ability for participating
22 Indigenous nations to assess impacts to the Indigenous nation and its members’ Aboriginal rights,
23 and the ability for Indigenous nations to provide notice of their consent or lack of consent to the
24 Project.

25



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1 **5. REFERENCE: A4, (PDF pp. 9-13)**

2 **Preamble:** At pps. 5-9 of the Rebuttal Evidence, FEI explains how the Tilbury
3 Phase 2 Expansion Project is reviewable under both the provincial
4 environmental assessment process and the federal impact
5 assessment process.

6 5.1 Does FEI believe that the Crown’s duty to consult will be fully discharged by the
7 regulatory processes relied on or does it expect that the Crown will need to take
8 extra measures to consult and accommodate TWN?
9

10 **Response:**

11 This question is with respect to a matter within the jurisdiction of another regulatory authority. As
12 part of approving the CPCN in relation to the TLSE Project, the BCUC will assess the adequacy
13 of consultation to date, given the nature of the approval sought. Whether the Crown’s duty to
14 consult will be fully discharged is not a matter relevant to the BCUC in reaching a determination
15 in this proceeding.

16

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1 **6. REFERENCE: A5, (PDF pp. 13)**

2 **Preamble:** At pp. 9 of the Rebuttal Evidence, FEI outlines that the BC EA
3 process considers a wide range of potential interactions between a
4 project and the environment, including any potential direct and
5 indirect environmental, economic, social, cultural, and health
6 effects.

7 6.1 Does the environmental assessment process address the impact on Indigenous
8 rights per se?

9
10 **Response:**

11 Please refer to the response to TWN IR3 1.1. The effects of a project on Indigenous nations and
12 rights recognized and affirmed by section 35 of the *Constitution Act, 1982* must be assessed in
13 every environmental assessment (see section 25(1) of the BC *Environmental Assessment Act*).

14

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1 **7. REFERENCE: A6, (PDF pp. 17)**

2 **Preamble:** At pp. 13 of the Rebuttal Evidence, FEI's response describes how
3 the substituted EA process must include information that addresses
4 the statutory requirements under the federal IAA, and that the
5 federal and provincial levels of government will ultimately make
6 independent decisions regarding whether to grant approval based
7 on the considerations defined in each respective statute.

8 7.1 What occurs if the federal and provincial governments reach conflicting decisions?
9

10 **Response:**

11 Where a project is subject to both provincial and federal assessment processes, each agency
12 prepares a referral report for their respective decision-maker and the project cannot proceed
13 unless both processes result in the issuance of a certificate/positive decision statement.

14

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1 **C. POTENTIAL IMPACTS TO TWN**

2 **8. REFERENCE: A14, (PDF pp. 26)**

3 **Preamble:** At pp. 22 of the Rebuttal Evidence, FEI addresses the history of the
4 Tilbury site, focusing on the period post-1938. Part of this history
5 includes the establishment of the original LNG facility and its
6 expansion in 2018.

7 8.1 What is FEI's understanding of the history of the Tilbury site as it relates to
8 Indigenous peoples and their occupation and use?
9

10 **Response:**

11 Please refer to the Detailed Project Description (Appendix D of FEI's Rebuttal Evidence) for a
12 summary of information provided by Indigenous nations regarding the history of the Tilbury site
13 as it relates to Indigenous peoples and their historical use and occupation of the area. Indigenous
14 nations have also confidentially shared information regarding the Tilbury site, including TWN as
15 part of this proceeding.

16 FEI will continue to engage with Indigenous nations, including TWN, regarding the Tilbury site as
17 it relates to their respective Indigenous interests identified as part of the environmental
18 assessment.

19
20

21
22 8.2 Can FEI outline the history of consultation as it has occurred alongside the
23 development of the site, and comment on the cumulative effects of this history?
24

25 **Response:**

26 Development of the Tilbury site predates FEI's ownership, and therefore, FEI is not in a position
27 to outline the history of consultation or cumulative effects of the site prior to FEI's ownership.

28
29
30

31 8.3 Is FEI aware of any deleterious effects arising from the existing LNG facilities,
32 since LNG's original production and storage facility began its operations in 1971?
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1 **Response:**

- 2 Please refer to the Environmental Overview Assessment report, provided as Appendix O to the
- 3 Application, which describes the environmental information relevant to the CPCN application.
- 4 Respectfully, the information requested is not relevant to the CPCN application.

Attachment 1.2

Indigenous Nation	Date	Communication Method	Subject/Purpose of Communication	Summary of Discussion	Information Distributed	Action Item (if applicable)
Tsleil-Waututh Nation	29-Mar-2022	Email	Technical Data Reports	Hailey R. emailed Maria M., A C., and Melanie W. and cc'd Julie S. informing Tsleil-Waututh Nation that the Project was advancing the technical data reports and studies that would support the application for an EA certificate. Hailey R. provided a table with the shortlist of reports relevant to Tsleil-Waututh Nation and explained that this table is an update to Table 19-1 of the draft Applications Information Requirements issued by EAO on Mar 18, 2022. Hailey R. confirmed that in addition to the technical workshops facilitated by EAO, FEI would host a workshop for PINs to cover the reports in the table that are of interest to reduce review time. Hailey R. asked Tsleil-Waututh Nation to confirm which draft reports they would like to review by end of day Apr 5, 2022.	Table - Tilbury Phase 2 Expansion Supporting Studies	Tsleil-Waututh Nation to confirm draft reports for review
Tsleil-Waututh Nation	31-Mar-2022	Email	Fortis-TWN Biweekly Call Email Update	Olivia S. emailed Melanie W., A Chadwick, and Kelsey S. and cc'd Hailey R., Heidi T., Julie S., Maria M. and Anthony S. sending an email update in place of their bi-weekly meeting. Olivia S. commented that Heidi T. would send an email update related to EGP separately. The bi-weekly meeting update included General Comments, Phase 2 Updates, and TMJ updates.	Bi-Weekly Meeting Updates	N/A
Tsleil-Waututh Nation	8-Apr-2022	Email	Phase 2 Update	Hailey R. emailed Maria D.M., A Chadwick, and Melanie W. and cc'd Julie S. with the email update for the Project. This included updates on the attached Technical Data Reports, the In-person Site Tours, the Indigenous Knowledge workshops, and Upcoming Studies.	Tilbury Phase 2 - Technical Data Reports	N/A
Tsleil-Waututh Nation	11-Apr-2022	Email	Upcoming Field Studies	Hailey R. emailed Maria D.M., A Chadwick, and Melanie W. and cc'd Julie S. informing Tsleil-Waututh Nation that the Project's Vegetation and Wildlife teams are preparing to conduct supplementary barn owl, swallow, and invasive vegetation field program at the Project site from Apr 27-28, 2022. Hailey R. attached the Phase 2 Field Program Notification, and commented that FEI would like to extend an opportunity for Tsleil-Waututh Nation to join via Teams online or join on-site. Hailey R. asked Tsleil-Waututh Nation to notify FEI by Apr 20, 2022 if they are interested in participating in the fieldwork.	Phase 2 Field Program Notification	Tsleil-Waututh Nation to comment on how they would like to participate in the Field Study
Tsleil-Waututh Nation	11-Apr-2022	Email	Upcoming Field Studies	Maria D.M. emailed Hailey R. informing FEI that the EA team would be away from their work email until Apr 19, 2022 as the EA team would be participating in meetings regulators in Victoria from Apr 10-14, 2022 and on Apr 15 and 18, 2022 the TWN offices would be closed for the Easter holidays.	N/A	N/A
Tsleil-Waututh Nation	11-Apr-2022	Email	Fortis-TWN Biweekly Call Meeting Notes	Heidi T. emailed Hailey R., Anthony S., Maria D.M., Olivia S., and Julie S. and cc'd Melanie W. and Kelsey S. providing the draft Meeting Minutes from their meeting on Apr 7, 2022 and asking Tsleil-Waututh Nation to review the minutes.	Bi-Weekly Meeting Notes 8 Apr 2022	Tsleil-Waututh Nation to review minutes
Tsleil-Waututh Nation	14-Apr-2022	Email	Indigenous Knowledge Workshop	Hailey R. emailed Maria D.M. and Melanie W. and cc'd Julie S. and Alison C. informing Tsleil-Waututh Nation that FEI was planning on hosting a second IK workshop. Hailey R. included a link to a Doodle Poll.	Link to Doodle Poll	Tsleil-Waututh Nation to select times on Doodle Poll
Tsleil-Waututh Nation	20-Apr-2022	Email	Fortis-TWN Biweekly Call	Hailey R. emailed Anthony S., Maria D.M., Olivia S., Julie S., Khadija G., and Heidi T. and cc'd William N. with the proposed agenda for the Apr 21, 2022 bi-weekly call. Hailey R. asked Tsleil-Waututh Nation to add items to the Agenda if necessary.	FEI-TWN Bi-Weekly Agenda	Tsleil-Waututh Nation to add items to agenda if necessary
Tsleil-Waututh Nation	21-Apr-2022	Email	Email Update	Alison C. emailed Hailey R. and cc'd Julie S., Maria D.M., and Melanie W. stating that Tsleil-Waututh Nation is reviewing the Technical Data Report internally and requested FEI send information or agenda items in advance of the May 10, 2022 workshop as Tsleil-Waututh Nation was busy with the IAIA conference on May 2-7, 2022.	N/A	Tsleil-Waututh Nation to send Agenda to FEI in advance of the IK Workshop
Tsleil-Waututh Nation	26-Apr-2022	Email	Email Update	Hailey R. emailed Alison C. and cc'd Julie S., Maria D.M., and Melanie W. thanking Tsleil-Waututh Nation for their notes and noted that Tsleil-Waututh Nation should be receiving the link to the technical data reports soon. Hailey R. also informed Tsleil-Waututh Nation that FEI's field crew conducting the owl, swallow, and invasive vegetation surveys were sick and that fieldwork needed to be postponed. The new dates are May 11-13, 2022, and Hailey R. said that FEI would send Tsleil-Waututh Nation a meeting invite to the summary call as soon as a new schedule was created.	N/A	FEI to send Kwikwetlem First Nation meeting invite to summary call as soon as available
Tsleil-Waututh Nation	26-Apr-2022	Email	Site Tours	Hailey R. emailed Maria D.M., Alison C., and Melanie W. and cc'd Julie S. informing Tsleil-Waututh Nation that FEI had additional in-person Site Tours planned at the Tilbury facility on May 17 and 19, 2022. Hailey R. informed Tsleil-Waututh Nation that these tours were limited to 12 people and were on a first come, first serve basis. Hailey R. provided a link to a calendar for Tsleil-Waututh Nation to choose a date and time that worked for them. Hailey R. clarified that if multiple representatives were attending from Tsleil-Waututh Nation, each person would have to register in the provided link.	Link to Site Tour Booking Calendar	Tsleil-Waututh Nation to book Site Tour
Tsleil-Waututh Nation	27-Apr-2022	Email	Capacity and ILA Funding	Hailey R. emailed Maria D.M., Alison C., and Melanie W. and cc'd Olivia S., Andrew H., and Julie S. providing the TWN ILA Capacity Funding Agreement, which now included the Indigenous-Led Assessment (ILA) that Tsleil-Waututh Nation was undertaking. The ILA piece was included in the Agreement under Schedule B which was meant to be for discussion. Hailey R. added that the date provided for provision of Indigenous Knowledge and information was listed as Jun 1, 2022 but noted that this was meant as a placeholder. Hailey R. added that FEI wanted to discuss Tsleil-Waututh Nation's preferred timelines for the provision of Indigenous Knowledge, and added that FEI was open to having a live edit session of the Agreement. FEI asked if it would be beneficial for their legal counsel to contact Tsleil-Waututh Nation's to discuss the Agreement. Hailey R. pointed out that they had yet to have a meeting to discuss the Indigenous-Led Assessment that Tsleil-Waututh Nation planned to conduct and asked if they could schedule a meeting.	TWN ILA Agreement	Tsleil-Waututh Nation to schedule meetings to discuss preferred timelines and Indigenous-Led Assessment

Indigenous Nation	Date	Communication Method	Subject/Purpose of Communication	Summary of Discussion	Information Distributed	Action Item (if applicable)
Tsleil-Waututh Nation	2-May-2022	Email	Project Updates	Alison C. emailed Hailey R. and cc'd Maria D.M., Melanie W., and Julie S. providing an update on TDRs, upcoming studies, and the IK Workshop. Alison C. confirmed that TWN had received Batch 1 TDRs and asked when the remaining TDRs would be provided. Alison C. noted that the May 17, 2022 review deadline was inadequate and reminded FEI that TWN requires a minimum of 45 days to review and comment on all Project related documents. Alison C. confirmed that TWN was still interested in attending the May 11-13, 2022 field studies virtually. Alison C. requested that FEI provide an agenda for the upcoming IK Workshop and noted that TWN needed to review the materials in advance to determine if they would be attending.	N/A	FEI to confirm TDR review dates FEI to provide virtual field studies invitation FEI to provide IK Workshop agenda
Tsleil-Waututh Nation	3-May-2022	Email	Phase 2 Update	Alison C. emailed Hailey R. and cc'd Julie S., Maria D.M., and Melanie W. stating Tsleil-Waututh Nation received a link to the Batch 1 technical data reports containing five PDFs and requested an update on the remaining TDRs. Alison C. noted the May 17, 2022 deadline for providing feedback was not an adequate amount of time for review, and Tsleil-Waututh Nation requires a minimum of 45 days for review. Alison C. stated Tsleil-Waututh Nation was interested in attending the summary call and requested an agenda for the Indigenous Knowledge workshop.	N/A	FEI to provide the remaining TDRs FEI to provide a meeting invite for the summary call FEI to provide tentative Indigenous Knowledge Workshop agenda
Tsleil-Waututh Nation	9-May-2022	Email	Project Updates	Hailey R. emailed Alison C. and cc'd Julie S., Maria D.M., and Melanie W. confirming that Batch 2 TDRs would be available for download the week of May 9, 2022. Hailey R. noted that TWN had indicated in Mar 29, 2022 and Apr 8, 2022 emails that the Nation would like to review the TDR ahead of reviewing them in the Application, but would not be providing comments. Hailey R. informed TWN that the summary call for the upcoming field studies would be held at 4:00pm on May 12, 2022 and that Julie S. would send an invite. Hailey R. informed TWN that the purpose of the IK Workshop was to discuss the approach for use of IK in the Project; the goals of the Workshop were to discuss the federal and provincial guidelines FEI was using to inform the process and what that would look like in practice, and to receive input from Nations on use of their IK; and that the information shared at the Workshop would be used to inform the Application. Hailey R. provided the Workshop agenda, topics included: proposed approach for use of IK in the Project, guidelines and principles, diagram of decision making and receiving input for Nations at each EA Phase, and group discussion.	N/A	N/A
Tsleil-Waututh Nation	11-May-2022	Email	Meeting Request	Hailey R. emailed Alison C. and Maria M. and cc'd Olivia S. requesting a meeting on May 17, 2022 at 12:30pm prior to the Tilbury site tour.	N/A	N/A
Tsleil-Waututh Nation	11-May-2022	Email	Bio-physical Field program Survey Summary Call	Alison C. emailed Hailey R. and cc'd Julie S., Maria M., and Melanie W. stating Tsleil-Waututh Nation could not attend the May 12, 2022 summary call and requested an email update.	N/A	N/A
Tsleil-Waututh Nation	12-May-2022	Email	Bio-physical Field program Survey Summary Call	Julie S. emailed Alison C. and Hailey R. and cc'd Maria M. and Melanie W. confirming FortisBC would send field crew summary documents.	N/A	FEI to send field crew summary documents
Tsleil-Waututh Nation	18-May-2022	Email	Bi Weekly Call	Hailey R. emailed Maria D. M. and Alison C. and cc'd Olivia S. and Julie S. thanking Maria D.M. and Alison C. for meeting with Hailey R. and Olivia S. for a site tour. Hailey R. noted that FEI was hoping to discuss the Capacity Funding Agreement and the ILA at the May 19, 2022 bi-weekly call and asked if there would be time for those discussions or if FEI should schedule a separate meeting for them.	N/A	TWN to confirm when CFA and ILA discussions would occur
Tsleil-Waututh Nation	26-May-2022	Email	TDR Review Schedule	Hailey R. emailed Maria M. and Alison C. and cc'd Julie S. providing the updated TDR Review Schedule. Julie S. noted that FEI extended Tsleil-Waututh Nation's Batch 1 and 2 review period. Julie S. also noted that Batch 4 had been created to accommodate delayed supporting studies. Batch 4 review period will start July 11, 2022 and end Aug 5, 2022. The Best Available Technology and Best Environmental Practice Study was delayed and would be issued in Batch 4.	Updated TDR review Schedule	N/A
Tsleil-Waututh Nation	27-May-2022	Email	Meeting Availability	Hailey R. emailed Maria M. requesting availability for a meeting.	N/A	N/A
Tsleil-Waututh Nation	31-May-2022	Email	Barn Owl, Cliff Swallow and Invasive Vegetation Survey	Julie S. emailed Maria M. and Alison C. and cc'd Melanie W. providing the barn owl, cliff swallow, and invasive vegetation supplementary survey conducted on May 11-12, 2022.	Biophysical Field Program Supplemental Survey Summary Report	N/A
Tsleil-Waututh Nation	7-Jun-22	Email	Batch 3 Supporting Studies	Hailey R. emailed Maria M. and Alison C. and cc'd Trish W. (Jacobs) and Julie S. stating that batch 3 of the the supporting studies for the Project are ready for review. Hailey R. noted that the reports can be downloaded from the Jacobs file sharing site by following the emailed instructions from Trish W. Hailey R. noted that the download link will be live for 15 days and comments are to be returned by July 5.	N/A	N/A
Tsleil-Waututh Nation	10-Jun-22	Email	TDR Timeline Update	Alison C. emailed Hailey R. and cc'd Julie S. and Maria M. stating that Tsleil-Waututh Nation acknowledged receipt of Batches 1, 2, and 3 and had started review. Tsleil-Waututh Nation had begun review, and Alison C. acknowledged Tsleil-Waututh Nation could review the reports again during the Application Development and Review Phase.	N/A	N/A
Tsleil-Waututh Nation	9-Jun-22	Email	Draft CFA Format	Alison C. emailed Olivia S. and cc'd Maria M., Melanie W., and Hailey R. requesting the draft Capacity Funding Agreement in a word document format to simplify review.	N/A	N/A
Tsleil-Waututh Nation	10-Jun-22	Email	Draft CFA Format	Hailey R. emailed Alison C. and Olivia S. and cc'd Maria M. and Melanie W. providing the draft CFA in word document format with track changes.	N/A	N/A

Indigenous Nation	Date	Communication Method	Subject/Purpose of Communication	Summary of Discussion	Information Distributed	Action Item (if applicable)
Tsleil-Waututh Nation	14-Jun-2022	Email	Bi-weekly Call Meeting Minutes	Heidi T. emailed Maria M., Anthony S., Hailey R., Olivia S., and Julie S. and cc'd William N. providing the meeting minutes for the June 2, 2022 meeting and asked to extend the next meeting to one hour for EGP. Heidi T. proposed an EGP agenda for the next meeting.	N/A	N/A
Tsleil-Waututh Nation	2-Jun-2022	Meeting	Project Update Meeting	Tsleil-Waututh Nation (TWN) met with FEI to discuss Project updates. TWN stated they were reviewing the Capacity Funding Agreement internally, reviewing TDRs and information summaries for May 2022 field surveys, and stated they would determine meeting availability. TWN asked how ILA information will inform the Application if FEI would submit before the ILA was complete, and FEI stated that FEI planned to include information from the TWN ILA before effects assessment phase in the final Application if received in time to incorporate information.	N/A	TWN to confirm meeting availability.
Tsleil-Waututh Nation	28-Jun-2022	Email	TWN Meeting Cancellation	Anthony S. emailed Hailey R., Heidi T., Julie S., and Olivia S. stating Tsleil-Waututh Nation had to cancel their bi-weekly meeting on June 30, 2022 and requested that FEI provide any updates before the next meeting via email.	N/A	N/A
Tsleil-Waututh Nation	30-Jun-2022	Email	Supporting Studies Update	Hailey R. emailed Maria M. and Alison C. and cc'd Julie S. providing a table of the updated review schedule, and stated several supporting studies were delayed and would not be ready before the draft Environmental Assessment Certificate (EAC) application submission. Hailey R. stated the EAC would include all supporting studies, and the technical advisory committee could review any Batch 5 studies that become available ahead of schedule. The review period for Batch 4 (45 days review for TWN) was also included in the table.	N/A	N/A
Tsleil-Waututh Nation	28-Jun-2022	Email	TWN/Fortis Bi-Weekly Meeting Cancellation	Anthony S. emailed Heidi T., Hailey R., Olivia S., and Julie S. and cc'd Maria M. and Alison C. that TWN is unable to attend the upcoming bi-weekly meeting. Anthony S. noted that in lieu of a meeting, noteworthy updates can be provided via email by both Fortis and TWN.	N/A	N/A
Tsleil-Waututh Nation	30-Jun-2022	Email	TWN/Fortis Bi-Weekly Meeting Cancellation	Hailey R. emailed Maria M. and Alison C. and cc'd Jessica S. and Olivia Stanley providing updates for Tilbury Phase 2 in lieu of the bi-weekly call. Hailey R. noted that Fortis would like to suggest bundling the capacity funding agreement together with the Indigenous-led assessment agreement to help with efficiency and make the review simpler. Hailey R. noted the ILA agreement can be added to the current capacity funding agreement and sent as a draft to TWN. Hailey R. noted that Fortis would like to have a separate project-specific meeting to discuss the upcoming Section 11 (TWN's specific chapter) of the EA application and asked if Maria M. and Alison C. had time to meet over the next month or so.	N/A	N/A