

# ABORIGINAL CONSULTATION PLAN



## LNG CANADA PROJECT

**DATE:**  
AUGUST 2013



## TABLE OF CONTENTS

<b>1.0</b>	<b>INTRODUCTION</b> .....	<b>3</b>
1.1	PROJECT OVERVIEW.....	3
1.2	PROPONENT INFORMATION.....	3
1.3	PURPOSE OF THIS DOCUMENT.....	4
<b>2.0</b>	<b>ABOUT THE PROJECT</b> .....	<b>7</b>
<b>3.0</b>	<b>FRAMEWORK FOR ABORIGINAL CONSULTATION</b> .....	<b>11</b>
3.1	LNG CANADA’S PRINCIPLES FOR ABORIGINAL ENGAGEMENT.....	11
3.2	REGULATORY FRAMEWORK.....	11
3.3	IDENTIFICATION OF ABORIGINAL GROUPS.....	12
3.4	SCOPE OF CONSULTATION.....	13
<b>4.0</b>	<b>PROPOSED ABORIGINAL CONSULTATION PLAN</b> .....	<b>15</b>
4.1	CONSULTATION OBJECTIVES.....	15
4.2	PROPOSED STAGES OF CONSULTATION.....	16
4.2.1	Initial Engagement.....	16
4.2.2	Pre-Application Phase Consultation.....	18
4.2.2.1	Traditional Use and Baseline Environmental Studies.....	19
4.2.3	Application Review Phase Consultation.....	22
4.2.4	Ongoing Engagement.....	26
<b>5.0</b>	<b>DOCUMENTATION AND REPORTING</b> .....	<b>27</b>
5.1	CONSULTATION DOCUMENTATION.....	27
5.2	REPORTING AND TRACKING ISSUES AND CONCERNS.....	27
5.3	ABORIGINAL CONSULTATION REPORTS.....	26
<b>6.0</b>	<b>SUMMARY</b> .....	<b>29</b>

**List of Figures**

Figure 1: Project Site Map.....7  
Figure 2: Project Shipping Route.....8

**List of Tables**

Table 1: Summary of Preliminary Interests and Issues .....18  
Table 2: Initial Engagement and Proposed Pre-Application Consultation Activities .....19  
Table 3: Proposed Application Review Phase Consultation Activities.....21  
Table 4: Additional Provincial Permitting Requirements .....23  
Table 5: Additional Federal Permitting Requirements .....23  
Table 6: Proposed Issues Tracking Table.....26

## 1.0 INTRODUCTION

### 1.1 Project Overview

LNG Canada Development Inc. (“**LNG Canada**”) on behalf of Shell Canada Energy (“**Shell**”), Diamond LNG Canada Ltd. (an affiliate of Mitsubishi Corporation [“**Mitsubishi**”]), Kogas Canada LNG Ltd. (an affiliate of Korea Gas Corporation [“**KOGAS**”]), and Phoenix Energy Holdings Limited (an affiliate of Petro-China Investment (Hong Kong) Limited [“**PetroChina**”]) (collectively “**the Project Owners**”) is proposing to construct and operate a natural gas liquefaction plant and related marine terminal facilities, for the export of liquefied natural gas (“**LNG**”). This project is called the LNG Canada Export Terminal Project (“**the Project**”).

The proposed Project will be located in the District of Kitimat, British Columbia (“**BC**”) and will consist of the following major components:

- a natural gas receiving and LNG production facility (“**LNG facility**”);
- a marine terminal (“**marine terminal**”) able to accommodate two LNG carriers;
- supporting infrastructure and facilities including power supply and handling, water supply and handling, and waste collection and treatment;
- temporary infrastructure and facilities (located outside of the facility site); and
- operation of LNG carriers and other supporting marine traffic along the marine access route.

The Project requires an environmental assessment (“**EA**”) under both the British Columbia *Environmental Assessment Act* (“**BCEAA**”) and the *Canadian Environmental Assessment Act, 2012* (“**CEAA 2012**”). LNG Canada filed a Project Description with the provincial and federal governments on March 21, 2013.

The Federal Minister of the Environment approved the British Columbia Environmental Assessment Office (“**EAO**”)’s request for substitution of the environmental assessment of the proposed Project on May 21, 2013.

### 1.2 Proponent Information

LNG Canada is a joint venture comprised of Shell, Mitsubishi, KOGAS and PetroChina. The Project Owners are leaders in the global LNG industry. Shell has been a global leader in natural gas

liquefaction since 1964, with nine LNG projects in operation and three under construction.

Mitsubishi is Japan's largest trading company and operates in 90 countries. It has been investing in LNG since 1969 and handles approximately one half of Japan's LNG imports. KOGAS has been South Korea's principal LNG provider since 1983. It currently operates three LNG import terminals in Korea and other terminals in Asia and Mexico. KOGAS is also a leader in storage and re-gasification technology. PetroChina is China's largest oil and gas producer and supplier. It initiated development of three LNG import projects in June 2004, with two starting operations in 2011. Shell is also working bilaterally with each of these parties on various other LNG projects globally. If approved, the EA certificate and operational permits for the Project will be held by LNG Canada, a corporation incorporated under the laws of British Columbia, on behalf of the Project Owners.

Social Performance is the term LNG Canada uses to describe how it manages impacts, both positive and negative, of its business on the communities and societies in which it operates. As part of its Social Performance objectives, LNG Canada is committed to building and maintaining relationships with aboriginal groups and stakeholders associated with its proposed project. The primary purpose of engagement is to inform and enhance decision-making with the objective of minimizing negative impacts and maximizing benefits of the project or operation, in a sustainable way.

### **1.3 Purpose of this Document**

LNG Canada's consultation and engagement with aboriginal groups for the Project will be guided by the principles outlined in this Aboriginal Consultation Plan, ongoing discussions with, and input from potentially impacted aboriginal groups, and additional input/guidance as may be provided by applicable federal and provincial agencies. Where appropriate, comments and feedback received from Aboriginal groups with respect to LNG Canada's proposed consultation process, including references to how Aboriginal group input was considered, will be incorporated into the final version of this Consultation Plan prior to submission to the EAO.

The primary purpose of this Consultation Plan is to describe the approach, methods and activities that LNG Canada is proposing to use to share Project-related information and seek input from Aboriginal groups on the proposed Project. This Consultation Plan has been developed to meet the consultation requirements as set out in Part G of the section 11 order, a procedural order issued by the EAO under section 11 of BCEAA. The section 11 order establishes the scope, procedures and methods of the EA and sets out the requirements for consultation activities and timing.

Pursuant to a section 11 order, proponents are delegated procedural aspects for consulting Aboriginal groups. As such, the following Aboriginal groups will be invited to participate in the regulatory consultation process for the proposed Project:

Consultation related to the facility and associated activities:

- Haisla Nation

Consultation related to shipping activities:

- Haisla Nation
- Gitga'at First Nation
- Gitxaala Nation
- Kitselas First Nation
- Kitsumkalum First Nation
- Lax Kw'alaams First Nation
- Metlakatla First Nation

Notification:

- Métis Nation British Columbia

The proposed LNG facility and associated activities are located in the traditional territory of the Haisla Nation. LNG carriers and supporting marine vessels travelling along the proposed shipping route will pass through areas in which the Gitga'at exercise Aboriginal rights, and adjacent to the Gitga'at community at Hartley Bay and will pass through areas in which the Gitxaala exercise Aboriginal rights and assert Aboriginal title, and near the Gitxaala community at Kitkatla. Furthermore, LNG Canada understands that the proposed shipping route may interact with areas where the Kitselas, Kitsumkalum, Lax Kw'alaams and Metlakatla First Nations have exercised Aboriginal rights.

The Consultation Plan sets a framework for undertaking consultation in a timely manner consistent with the established Project schedule. While this proposed Consultation Plan is a requirement under BCEAA, it has been developed based on LNG Canada's commitment to providing meaningful opportunities for Aboriginal groups to participate in the consultation process and provide input into the proposed Project. The scope and extent of consultation with each First Nation will vary with the scope of Aboriginal interests identified by them and the degree to which their respective interests may potentially be impacted by the proposed Project.

LNG Canada's vision is to work collaboratively with Aboriginal groups, the local community, non-governmental organizations, and local, provincial and national levels of government to achieve the Project, and deliver a project that offers a new source of competitively priced LNG to global markets, while providing benefits to Canada, British Columbia and its coastal region.

## 2.0 ABOUT THE PROJECT

The proposed Project will consist of the following major components, all located in the Province of British Columbia:

- a natural gas receiving and LNG production facility;
- a marine terminal able to accommodate two LNG carriers;
- supporting infrastructure and facilities including power supply and handling, water supply and handling, and waste collection and treatment;
- temporary infrastructure and facilities (located outside of the facility site); and
- operation of LNG carriers and other supporting marine traffic along the marine access route.

The natural gas will be delivered to the Project by a new third-party-owned and operated pipeline. It is anticipated that the Project will be constructed in two or three phases with the first phase having a design capacity of 12 million tonnes per annum (mtpa) of LNG and a further 12 mtpa of design capacity to be added in one or two subsequent phases. Construction of the first phase is expected to be completed in 2019/2020 and subsequent phase(s) will be developed as market demand requires.

The LNG facility will be located on approximately 300 – 350 hectares (ha) of fee simple property within the District of Kitimat. A schematic view of the proposed Project is shown in Figure 1.

Approximately 10% of the LNG facility site was previously developed for methanol production, storage, and transshipment (former Methanex Corporation facility), and for condensate transshipment (Cenovus Energy Inc.). The former Methanex site is now owned by Shell on behalf of the Project Owners.

The marine terminal will be located within the Port of Kitimat. The marine access route to the Port of Kitimat will start near the Triple Island Pilotage Station and continue south through Principe Sound, into Douglas Channel to the Kitimat Arm. At full build-out, the Project would expect between 170 and 350 carrier visits per year depending on the size of the LNG Carriers. The marine access route is illustrated in Figure 2. The proposed Project is expected to operate for a minimum of 25 years. At the end of the Project's operational life, the Project will be decommissioned pursuant to an approved decommissioning plan and conducted in accordance with the applicable regulations at the time.



The Project is anticipated to require additional permits, approvals, and authorizations from the Province of British Columbia, including the BC Oil and Gas Commission, the BC Ministry of Environment, the BC Ministry of Forests, Lands and Natural Resource Operations and others, following the issuance of an EA Certificate for construction and operation of the proposed Project. No federal financial support for the Project is proposed or anticipated, and no federal lands will be used for carrying out the Project. The Project may require additional permits, approvals and authorizations anticipated to be required from the Government of Canada for construction and operation of the Project, including the Department of Fisheries and Oceans, Transport Canada and Environment Canada, in addition to a federal EA decision from the Canadian Environmental Assessment Agency (“**CEA Agency**”).

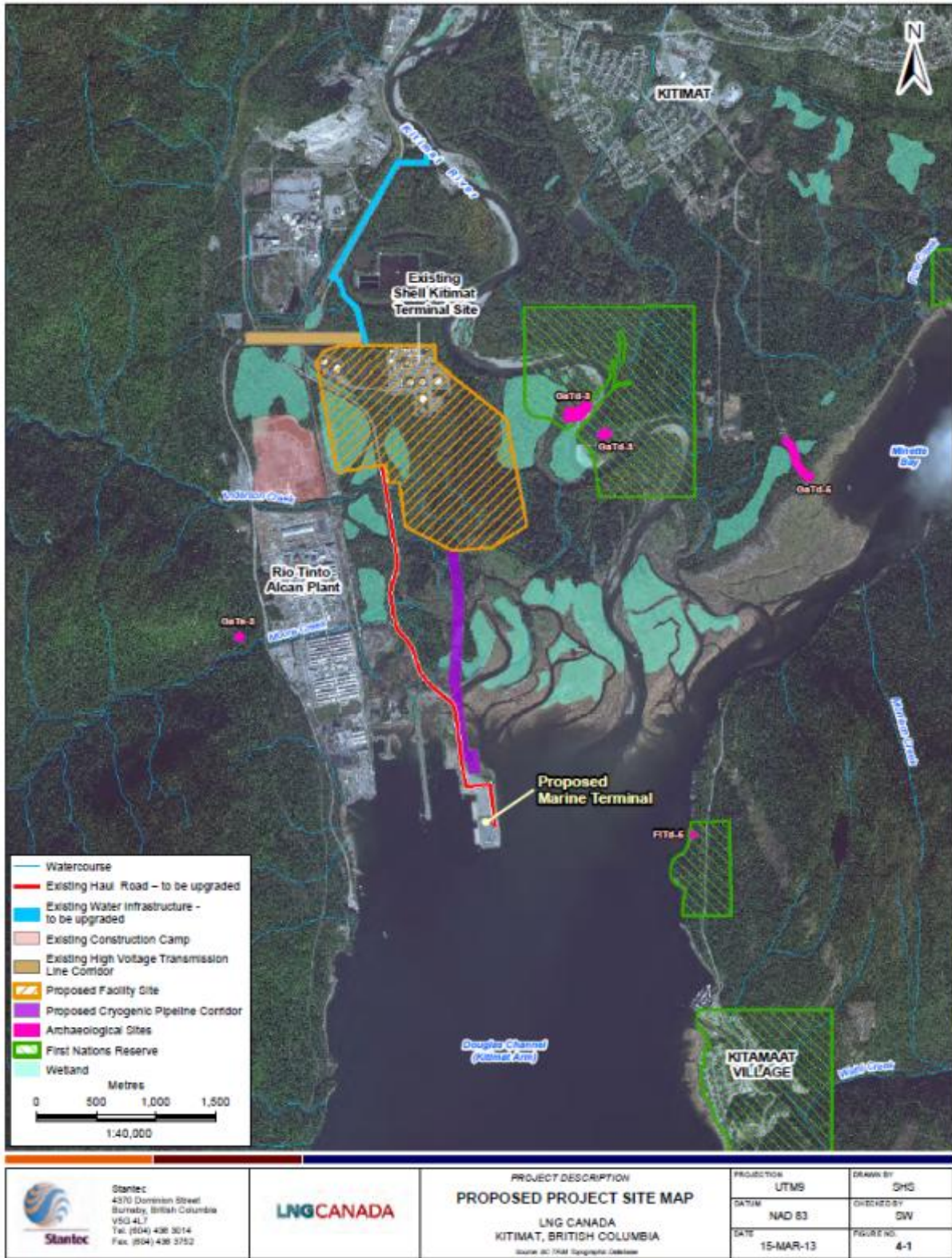


Figure 1: Project Site Map

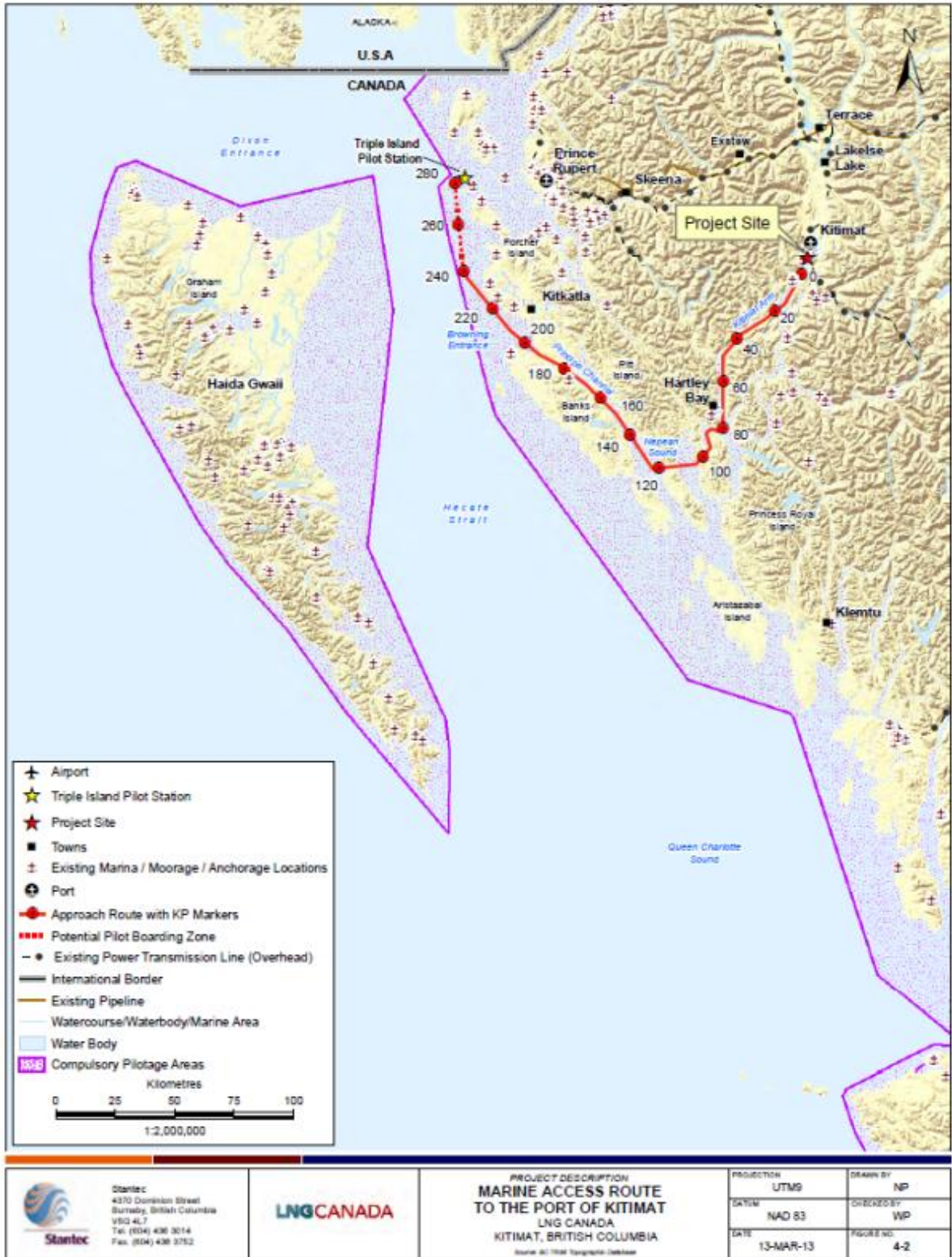


Figure 2: Project Shipping Route

### **3.0 FRAMEWORK FOR ABORIGINAL CONSULTATION**

#### **3.1 LNG Canada's Principles for Aboriginal Engagement**

LNG Canada recognizes the unique cultural, legal and historical identity of Aboriginal groups, and strives to engage with their communities in a respectful and appropriate manner. LNG Canada has developed a comprehensive consultation and engagement strategy based around the following principles:

**Shared Process** – LNG Canada's consultation program will be developed based on a shared process that seeks and considers input from Aboriginal groups.

**Respect** – LNG Canada respects Aboriginal groups' culture and values and is committed to developing relationships based on mutual respect and understanding.

**Timeliness** – LNG Canada is committed to undertaking early engagement with Aboriginal groups and to providing timely and accurate exchange of information about the proposed Project and opportunities to participate in consultation activities.

**Relationships** – LNG Canada will seek to establish and maintain long-term relationships with Aboriginal groups with an interest in the proposed Project. These relationships will evolve through ongoing engagement and participation in the Project.

**Responsiveness** – LNG Canada will work to understand, consider and respond to input from Aboriginal groups and provide feedback on how input has been considered in Project planning, including mitigation plans. Results from the consultation process will be compiled in Consultation Summary Reports.

**Open Communication** – LNG Canada will consult closely with Aboriginal groups with respect to the project and regulatory process. LNG Canada will openly gather and listen to feedback and work with Aboriginal groups to resolve concerns that might be identified, as required.

#### **3.2 Regulatory Framework**

The Project is a "reviewable project" under the Reviewable Projects Regulation pursuant to BCEAA, and is a "designated project" under the Regulations Designating Physical Activities pursuant to CEEA 2012.

The Government of British Columbia and the federal government have issued policy guidance setting out general principles for consultation with Aboriginal groups and details with respect to the

Crown's obligation to consider aboriginal interests in decision-making processes that could lead to impacts on the exercise of Aboriginal rights. In making its request for substitution, the EAO committed to fulfilling a number of conditions established by CEAA 2012, and the Federal Minister, for the purposes of substitution including among other conditions:

- conducting procedural aspects of Aboriginal consultation in accordance with the process set out in the Memorandum of Understanding; and
- making funding available to Aboriginal groups provided by the Canadian Environmental Assessment Agency to support Aboriginal consultation during the substituted EA

This Consultation Plan has been developed to meet LNG Canada's current understanding of the Aboriginal group consultation requirements of the EAO and CEA Agency as part of the EA of the Project.

The EAO's expectations with respect to a proponent's role in consultation are laid out in the Proponent Guide for Providing First Nations Consultation Information. There are two versions of this guide – one for Treaty First Nations and the other for Non-Treaty First Nations. The LNG Canada project is located in a non-treaty area. In the guide, the delegation process is described as:

*“Pursuant to the section 11 order, a proponent is assigned certain responsibilities related to procedural aspects of the Crown's duty to consult with potentially impacted First Nations. This includes responsibility to gather information about how the First Nations' asserted rights including title may be impacted by the proposed project and consideration of ways in which First Nations concerns and interests can be accommodated.”*

The EAO User Guide (updated in 2011) was also referenced by LNG Canada in preparation of this Consultation Plan.

### **3.3 Identification of Aboriginal Groups**

LNG Canada has undertaken a preliminary analysis of Aboriginal groups who may have interests potentially impacted by the proposed Project. Based on its review of available information and consistent with the section 11 order, LNG Canada has determined that the proposed Project and/or related activities lies within or in proximity to the asserted traditional territories, or areas where Aboriginal rights have been exercised by the following Aboriginal groups:

Consultation related to the facility and associated activities:

- Haisla Nation

Consultation related to shipping activities.

- Haisla Nation
- Gitga’at First Nation
- Gitxaala Nation
- Kitselas First Nation
- Kitsumkalum First Nation
- Lax Kw’alaams First Nation
- Metlakatla First Nation

Notification:

- Métis Nation British Columbia

The proposed LNG facility and associated activities are located in the traditional territory of the Haisla Nation. LNG carriers and supporting marine vessels travelling along the proposed shipping route will pass through areas where the Gitga’at have and continue to exercise Aboriginal rights and assert Aboriginal title and adjacent to the Gitga’at community at Hartley Bay and will pass through areas where Gitxaala have exercised Aboriginal rights and assert Aboriginal title and near the Gitxaala community at Kitkatla. Furthermore, LNG Canada understands that the proposed shipping route may interact with areas where the Kitselas, Kitsumkalum, Lax Kw’alaams and Metlakatla First Nations have exercised Aboriginal rights.

Pursuant to the federal conditions under the substituted EA process, the EAO will, as applicable, notify the Métis Nation British Columbia (MNBC) to provide information about the Project, on behalf of the Federal government to fulfill the obligations of CEAA. LNG Canada expects to engage with MNBC as directed in the section 11 order and through the broader consultation program for the proposed Project.

### **3.4 Scope of Consultation**

The scope and extent of consultation with each of the Aboriginal groups (identified above) will vary with the scope of Aboriginal interests identified by them and the degree to which their respective interests may potentially be impacted by the Project. LNG Canada will consult with potentially impacted Aboriginal groups as set out in the section 11 order throughout the course of the regulatory process to better understand how the proposed Project may potentially impact past or current Aboriginal practices, traditions and customs, and how measures may be incorporated into

the Project to avoid, mitigate or otherwise address those potential impacts. Additional guidance and input with respect to the scope of consultation may be provided by the EAO and/or CEA Agency.

## **4.0 PROPOSED ABORIGINAL CONSULTATION PLAN**

The Consultation Plan has been developed in accordance with LNG Canada's initial understanding of potentially impacted Aboriginal groups communities and their current and past uses of the proposed Project area. LNG Canada acknowledges that this understanding is based on publicly available information submitted by Aboriginal groups as part of recent similar large-scale EAs in the region, desktop research, preliminary discussions with Aboriginal groups and LNG Canada expertise and will need to be further developed and refined based on consultation with those Aboriginal groups. To that end, LNG Canada will seek feedback from Aboriginal groups on the proposed consultation approach, timing and methods of consultation and provide opportunities for Aboriginal groups to support the definition of key consultation milestones, and review the accuracy with which their interests and issues have been characterized to date.

### **4.1 Consultation Objectives**

The objectives of LNG Canada's proposed consultation process are to:

- Identify Aboriginal groups who may potentially be impacted by the proposed Project and through ongoing engagement, determine how they wish to be consulted;
- provide timely and reasonable levels of capacity resources to ensure that potentially-impacted Aboriginal groups have the opportunity to appropriately participate in Project consultation;
- provide timely and relevant information about the proposed Project and seek feedback from Aboriginal groups on their Project-related interests and concerns;
- understand Aboriginal groups' governance and community interests and priorities;
- determine what practices, traditions or customs have been, or are currently being engaged in by Aboriginal groups in the vicinity of, or in relation to the proposed Project;
- determine how these practices, traditions or customs may potentially be impacted by the proposed Project;
- collaboratively explore appropriate measures to avoid, mitigate or otherwise address potential Project impacts on identified and established aboriginal interests and rights and/or asserted aboriginal title;
- ensure that issues raised by Aboriginal groups related to the proposed Project are fully



considered in the development and implementation of the Project and that such issues are addressed, resolved or otherwise accommodated, as appropriate; and

- develop positive long-term relationships with Aboriginal groups.

LNG Canada will explore opportunities to provide direct benefits and support to the Aboriginal groups and communities potentially impacted by the Project, including consideration of local contracting, employment, training, capacity building and support for Project related initiatives of interest to the particular community.

## **4.2 Proposed Stages of Consultation**

LNG Canada is proposing a staged approach to consultation with Aboriginal groups designed to share Project information and seek input, and involve Aboriginal groups in the Project on an ongoing basis. Key consultation activities can be categorized based on the stage of Project development and the regulatory process, including:

- **Initial Engagement**, covering the time period from Project inception to the filing of the Project Description and the collection of baseline information;
- **Pre-Application Phase Consultation**, covering the time period from the filing of the Project Description, the issuance of the section 11 order, the development of the Application Information Requirements, the collection of baseline information and the filing of an Application for an Environmental Assessment Certificate (EAC) and any supporting permitting applications that may be submitted synchronously;
- **Application Review Phase Consultation**, covering the time period from the acceptance of the Application for an EAC by the EAO and including any supporting permitting applications that may be submitted synchronously, to the receipt of the EAO and/or federal decision on the Application for the EAC; and
- **Ongoing Engagement**, covering the time period from the receipt of the EAO and/or federal decision on the Application for the EAC, and including any continuing synchronous permitting applications or any subsequent permitting applications, through construction operations, and decommissioning of the proposed Project.

### **4.2.1 Initial Engagement**

Initial engagement with Aboriginal groups with respect to the proposed Project was focused around relationship building, sharing general information related to LNG and LNG shipping, and sharing

preliminary Project information. All Aboriginal groups listed in this Consultation Plan were first notified about the proposed Project in December 2011 through introductory letters to indicate site acquisition and an offer to meet to introduce the proposed Project.

As an early engagement initiative, LNG Canada also participated in and provided funding for an LNG workshop hosted by the CFN organization for its members and contributed funding for the CFN organization to undertake a marine study to look broadly at the risks and opportunities associated with LNG shipping.

Through 2012, LNG Canada advanced early discussions with the Haisla Nation, Gitga'at First Nation and Gitxaala Nation aimed at developing process and work plans for engagement and to support their involvement in the proposed Project. LNG Canada also sought preliminary feedback on opportunities to work collaboratively through training, employment and contracting as well as participation in baseline studies and environmental field work.

LNG Canada provided notification to all Aboriginal groups identified in this Consultation Plan of their intent to file the Project Description and offered an opportunity to meet to discuss the key elements of the proposed Project. An advanced copy of the Project Description was also provided for their review with an invitation to initiate more specific discussions with respect to the proposed Project and the potential impacts to their aboriginal interests. As the Project evolves, LNG Canada continues to work to engage all Aboriginal groups identified in this Consultation Plan to seek their input on how they wish to participate in the consultation process, engage in Project-related discussions, and identify preliminary interests and/or concerns with respect to the proposed Project.

As of June 2013, LNG Canada has defined a framework for consultation and engagement with the Haisla Nation, Gitga'at First Nation and the Gitxaala Nation by entering into protocol agreements and providing capacity funding to participate in the EA and regulatory processes. LNG Canada continues to advance discussions with Aboriginal groups identified in this Consultation Plan around developing a process for consultation and engagement through the regulatory review, as well as supporting their involvement in the proposed Project.

Based on early discussions, the following preliminary interests and/or concerns have been identified by Aboriginal groups:

**Table 1: Summary of Preliminary Interests and Issues**

<b>Category</b>	<b>Identification of Interests and Potential Issues</b>
<b>Facility</b> – includes potential impacts related to the proposed facility and marine terminal	Cumulative effects of industry growth
	Potential air quality and related effects
	Potential for increased strain on local services and infrastructure
	Potential for project benefits including economic, training, employment, and contracting opportunities
	Potential impact on the marine environment
	Potential impacts from construction activities
	Traditional and cultural heritage
	Upstream gas activity and Project design
<b>Shipping</b> – includes potential impacts related to shipping activities	Potential visual quality impacts
	Opportunities for project benefits including employment, contracting and economic benefits
	Potential impacts as a result of shipping activities, including potential for accidents and malfunctions
	Potential impacts from noise
	Potential impacts on air quality and related effects
	Potential impacts on the marine environment
	Potential impacts to local economy including fishing, aquaculture and tourism
	Potential impacts to subsistence and country foods
Traditional and cultural heritage	
Potential visual quality impacts	

LNG Canada acknowledges that the above noted interests have been identified by Aboriginal groups based on preliminary Project information. We are committed to working with Aboriginal groups through the regulatory review process and as more detailed Project information becomes available, to identify Aboriginal interests and potential adverse effects to those interests, and develop strategies to avoid, mitigate or otherwise accommodate those interests, where appropriate throughout subsequent stages of consultation.

#### **4.2.2 Pre-Application Phase Consultation**

LNG Canada proposes to meet regularly with potentially impacted Aboriginal groups to engage in meaningful consultation in support of the pre-Application phase of the regulatory review. In particular, during this phase of the consultation process, LNG Canada will develop and seek

feedback from Aboriginal groups on the proposed Consultation Plan and activities contemplated herein, work with Aboriginal groups through the development of the draft Application Information Requirements (AIR) as set out in the section 11 order, including seeking their feedback on the selection of Valued Components as appropriate, and work with Aboriginal groups through the regulatory framework to encourage their participation in regulatory activities such as the EAO Working Group.

The specific objectives for the Pre-Application stage of consultation are to:

- Develop and seek feedback from Aboriginal groups on the proposed Consultation Plan;
- Provide ongoing two-way communication and information sharing about the proposed Project and environmental assessment review to seek feedback on the selection of Valued Components and input to assist in developing the draft AIR;
- Incorporate relevant feedback into the draft AIR and provide details on how Aboriginal groups’ feedback was considered in finalizing the AIR;
- Provide opportunities for Aboriginal groups to participate in baseline studies and EA-related field work;
- Document and report additional concerns and comments through the consultation process regarding the proposed Project and where, if applicable, these have been incorporated into the proposed Project’s design; and
- Host open houses and meetings prior to the Application Review stage to provide updated Project information to facilitate participation in the Application Review stage.

Table 2 below provides an overview of the proposed consultation activities to be undertaken in advance of filing the Application for an EAC.

**Table 2: Initial Engagement and Proposed Pre-Application Consultation Activities**

Proposed Activity	Description	Anticipated Timing
<b>Develop Communications Tools and Materials</b>	LNG Canada will develop and maintain communications tools and materials to share project related information that Aboriginal groups can access publicly including: <ul style="list-style-type: none"> <li>• Project website</li> <li>• Project fact sheets</li> <li>• Project information line (1-855-248-3631)</li> </ul>	Ongoing

<b>Proposed Activity</b>	<b>Description</b>	<b>Anticipated Timing</b>
<b>Provide summary of proposed EA baseline study program</b>	LNG Canada will provide summaries and Terms of References where possible of proposed environmental baseline study programs to Aboriginal groups in the area to seek input with respect to the proposed methodology, timing, locations and nature of information collected to form the basis of the environmental assessment.	2013
<b>Provide advance copy of Project Description</b>	LNG Canada will provide an advance copy of the Project Description to Aboriginal groups.	Completed
<b>Develop and Review Proposed Consultation Plan</b>	LNG Canada will provide a draft of the proposed Consultation Plan to Aboriginal groups for review and comment to seek their input on the adequacy of the proposed consultation activities and the accuracy with which consultation has been characterized to date. Feedback received from Aboriginal groups will be incorporated into the final version of this Consultation Plan, as appropriate prior to submission to the EAO.	Current
<b>Ongoing Consultation Meetings</b>	Ongoing meetings with Aboriginal group representatives, including consultants, or Chiefs and Councils as required throughout the Pre-Application phase of the EA process to: <ul style="list-style-type: none"> <li>• share project related information and seek feedback from Aboriginal Groups related to their Aboriginal rights and interests;</li> <li>• seek to identify Aboriginal groups interests and potential issues related to the proposed Project;</li> <li>• develop mutually acceptable mitigation measures;</li> <li>• identify need for appropriate follow up strategies; and</li> <li>• identify the scope and nature of additional consultation.</li> </ul>	Ongoing
<b>Participation in baseline studies and EA-related field work</b>	LNG Canada will work with potentially impacted Aboriginal groups to identify opportunities to participate in baseline data collection, EA-related fieldwork and other contracting and employment opportunities that may become available, as appropriate. This may include but is not limited to consultation on permit applications required for baseline field work, participation in field work, or undertaking monitoring activities as appropriate, or as required by government agencies such as the Archaeology Branch.	2012, 2013
<b>Review of draft Application Information Requirements (AIR)</b>	LNG Canada will participate in the EAO's Aboriginal group engagement and consult with Aboriginal groups in the review of the draft Application Information Requirements. LNG Canada will participate and provide materials to the EAO led Open House or Community Meetings as required for the review of the draft AIR.	2013
<b>EA Working Group Meetings</b>	As set out in the section 11 order, LNG Canada will attend working group meetings as directed by the EAO.	At the direction of the EAO

Proposed Activity	Description	Anticipated Timing
<b>Aboriginal Consultation Report Review</b>	<p>LNG Canada will prepare Consultation Reports as required by the EAO and outlined in the section 11 order to:</p> <ul style="list-style-type: none"> <li>• summarize the consultation process;</li> <li>• identify feedback and information received during the consultation process;</li> <li>• identify potential adverse Project impacts on Aboriginal interests;</li> <li>• identify where and how potential adverse Project impacts have been avoided, mitigated, addressed or otherwise accommodated including changes to Project design or other mitigation measures; and</li> <li>• provide next steps as required.</li> </ul> <p>As identified in the section 11 order, the Consultation Reports summarizing this stage of consultation will be provided to the EAO at the following timelines:</p> <ul style="list-style-type: none"> <li>• within 30 days of the deadline for aboriginal and working group comments on the draft AIR; and</li> <li>• at the time of submission of the Application for an EAC.</li> </ul> <p>LNG Canada will provide draft copies of the Consultation Reports for review and comment by the respective Aboriginal groups prior to submission of the reports to the EAO.</p>	2013, 2014
<b>Preparation for Submission of the Application for an EAC</b>	<p>LNG Canada will provide relevant sections of the draft Application to Aboriginal groups for review and comment in advance of submitting the Application to the EAO. Feedback received from Aboriginal groups will be incorporated in to the final Application as appropriate.</p>	2014

#### **4.2.2.1 Traditional Use and Baseline Environmental Studies**

LNG Canada will consult with Aboriginal groups to discuss what measures may be undertaken to collect traditional use information with respect to their practices, customs and traditions in the vicinity of, or in relation to the proposed Project, in order to assess those potential Project impacts to the exercise of their Aboriginal rights and related interests. A key focus of discussions will be around identifying gaps in existing traditional use information that may have been gathered by Aboriginal groups, determining the best approach to address potential gaps in information gathered to-date, and ensuring that Aboriginal groups are adequately resourced to undertake additional research that may be required. This may include undertaking a Traditional Use Study (TUS) or other relevant cultural studies if none have been completed, or supplementing existing information through additional research. Irrespective of the method for gathering the information, the focus will

be around identifying areas of specific importance to Aboriginal groups relative to the Project's potential impacts on their Aboriginal rights and interests.

In addition to information collected on traditional uses, LNG Canada understands and acknowledges that Aboriginal groups are the holders of important traditional knowledge with respect to the species, lands and marine resources that make up the natural environment within their asserted traditional territory. This knowledge may be integrated into EA study components where available and feasible, to complement the scientific data being collected. To that end, LNG Canada will work collaboratively with Aboriginal groups to gather information that document their traditional uses, knowledge and interests within their territory relative to the proposed Project's potential impacts.

LNG Canada acknowledges that traditional use and knowledge information that may be provided by Aboriginal groups may contain confidential information. LNG Canada will discuss with Aboriginal groups how best to manage the use of sensitive information provided to LNG Canada in order to ensure that information identified as confidential can be used in regulatory materials in a manner that is reasonable and appropriately minimizes the full or actual disclosure of the confidential information. Confidential information may be used in developing avoidance and mitigation plans and environmental protection plans as outlined by agreements between LNG Canada and Aboriginal groups. Materials prepared by LNG Canada that will be submitted as part of the regulatory process may reference confidential information however; LNG Canada acknowledges the intellectual property rights and ownership of Aboriginal groups of any original source traditional use and knowledge data and information that may be provided by Aboriginal groups.

As part of the early collection of baseline data for the proposed Project, LNG Canada has made efforts to seek feedback from Aboriginal groups whose communities are located near the proposed LNG facility or directly adjacent to the shipping route. LNG Canada has provided information on proposed study programs, including the timing, methodology and locations of proposed baseline study work, where appropriate. Summaries of proposed studies for the collection of baseline data on underwater noise, marine mammals, air quality and noise have also been provided.

#### **4.2.3 Application Review Phase Consultation**

The primary purpose of this stage of the consultation process is to ensure that Aboriginal groups are provided with adequate opportunities to review and comment on the Application for an EAC. The objectives for the Application Review stage of consultation are as follows:

- Provide ongoing two-way communication and information sharing about the proposed Project and environmental assessment review;
- Seek Aboriginal groups feedback on LNG Canada’s Application for an EAC;
- Support Aboriginal groups involvement in EAO-led consultation activities including the Working Group and Open Houses;
- Track and respond to Aboriginal groups’ issues and concerns and demonstrate how input has been considered in refining Project designs and developing avoidance and mitigation measures;
- Refine appropriate mitigation measures and work to resolve outstanding issues with respect to Aboriginal interests, including asserted Aboriginal rights and/or title where appropriate; and
- Document consultation results and report additional concerns and comments regarding the proposed Project in a Consultation Summary Report;

A preliminary list of consultation activities contemplated to support the submission and review of the Application for an EAC are included in Table 3 below. As noted previously, these activities are to be further developed through ongoing consultation with Aboriginal groups.

**Table 3: Proposed Application Review Phase Consultation Activities**

Proposed Activity	Description	Anticipated Timing
<b>Ongoing Consultation Meetings during Application Review Phase</b>	Notification of submission of the Application for an EAC and ongoing meetings with Aboriginal groups’ representatives, Chiefs and Councils or communities as required through consultation with Aboriginal groups to: <ul style="list-style-type: none"> <li>• share and discuss the Application for an EAC;</li> <li>• refine appropriate mitigation measures;</li> <li>• work to resolve any outstanding issues;</li> <li>• identify need for appropriate follow up strategies; and</li> <li>• identify the scope and nature of additional consultation measures or related commitments that may be required.</li> </ul>	Ongoing through Application Review Phase
<b>EAO-led Application Review Phase Open House(s)</b>	LNG Canada will participate in public open house(s), led by the EAO as part of the EA review process, to provide information and seek feedback on the Project. Consistent with the requirements for notification, LNG Canada will ensure that Aboriginal groups are notified about opportunities to participate in public open house(s).	At the direction of the EAO



<b>Proposed Activity</b>	<b>Description</b>	<b>Anticipated Timing</b>
<b>Notification and Information Distribution</b>	<p>Additional means of notification and information sharing will be employed by LNG Canada in consultation with Aboriginal groups as appropriate. These may include:</p> <ul style="list-style-type: none"> <li>• newspaper and radio advertisements;</li> <li>• community posters;</li> <li>• letters of invitation to Aboriginal groups and other interested parties;</li> <li>• e-mail notification; and</li> <li>• website.</li> </ul>	
<b>EA Working Group Meetings</b>	As set out in the section 11 order, LNG Canada will attend working group meetings as directed by the EAO.	At the direction of the EAO
<b>Aboriginal Consultation Report Review</b>	<p>LNG Canada will prepare Consultation Reports as required by the EAO to:</p> <ul style="list-style-type: none"> <li>• summarize the consultation process;</li> <li>• identify feedback and information received during the application review phase;</li> <li>• identify potential adverse Project impacts on Aboriginal interests;</li> <li>• identify where and how potential adverse Project impacts have been avoided, mitigated, addressed or otherwise accommodated including changes to project design or other mitigation measures; and</li> <li>• provide next steps as required.</li> </ul> <p>As identified in the section 11 order, the Consultation Reports summarizing this stage of consultation will be provided to the EAO at the following timelines:</p> <ul style="list-style-type: none"> <li>• 120 days after the commencement of the Application Review stage; and</li> <li>• at any other time specified by the EAO.</li> </ul> <p>LNG Canada will provide draft copies of the Consultation Reports for review and comment by the respective Aboriginal groups prior to submission of the reports to the EAO.</p>	2014
<b>Ongoing Follow-up/liaison as required</b>	LNG Canada will ensure that Aboriginal groups are consulted and provided with timely Project information through ongoing follow up/liaison as required via telephone calls, letters and e-mails.	Ongoing as required

Additional permits, approvals, and authorizations are anticipated to be required from the Province following the issuance of an EA Certificate for construction and operation of the proposed Project. These are summarized in Table 4 below.

**Table 4: Additional Provincial Permitting Requirements**

<b>Permit Required</b>	<b>Governing Agency</b>	<b>Project Component</b>
<b>Construction Permits</b>		
Master License to Cut under the <i>Oil and Gas Activities Act</i>	BC Oil and Gas Commission	Pre-construction site clearings
LNG facility Permit under the <i>Oil and Gas Activities Act</i>	BC Oil and Gas Commission	Construction of the LNG facility
Water system construction permit under Section 7 of the <i>Drinking Water Protection Act</i>	BC Ministry of Health Services	Drinking water supply if municipal water not used
Water License under Section 8 of the <i>Water Act</i>	BC Oil and Gas Commission	Short-term water withdrawal from Kitimat River for hydrostatic testing of LNG tanks
<b>Operations Permits</b>		
LNG facility Permit under the <i>Oil and Gas Activities Act</i>	BC Oil and Gas Commission	Operation of the LNG facility
Waste Discharge Permit under the <i>Environmental Management Act</i>	BC Oil and Gas Commission/ BC Ministry of Environment	Air and water emissions
Water Licence under <i>Water Act</i>	BC Ministry of Forests, Lands and Natural Resource Operations (Resource Stewardship Division/Water Management Branch)	Water supply from Kitimat River for facility
Water system operation permit under Section 8 of the <i>Drinking Water Protection Act</i>	BC Ministry of Health Services	Drinking water supply if municipal water not used

Additional permits, approvals and authorizations are also anticipated to be required from Canada for construction and operation of the proposed Project. Additional federal permitting requirements are summarized in Table 5 below.

**Table 5: Additional Federal Permitting Requirements**

<b>Permit Required</b>	<b>Governing Agency</b>	<b>Project Component</b>
<i>Fisheries Act</i> Authorization	Fisheries and Oceans Canada	Potential impacts to freshwater and marine habitat that supports species that are harvested by commercial, recreational and aboriginal (CRA) fisheries. The potential impacts would result from the LNG facility site development, construction of the cryogenic rundown and vapour return pipelines, modifications or construction of the marine terminal, dredging of the harbour areas, construction of the wastewater outfall.
<i>Navigable Waters Protection Act</i> or <i>Navigation Protection Act</i> Approval	Transport Canada	Expansion of/modifications to the existing wharf, or construction of a new wharf, to allow LNG carriers to berth.

Permit Required	Governing Agency	Project Component
Disposal at Sea Permit under section 127 of the <i>Canadian Environmental Protection Act</i>	Environment Canada	Potentially required for disposal of marine sediments dredged from the berth face

Discussions on federal permitting requirements will be incorporated into this consultation program where possible, or will be undertaken directly with the appropriate Aboriginal groups.

#### 4.2.4 Ongoing Engagement

Should the proposed Project be approved through the regulatory process, LNG Canada will continue to engage with Aboriginal groups and implement all Project commitments and agreements between LNG Canada and Aboriginal groups, as well as monitor compliance with all regulatory permits and approvals during construction and operations.

Following receipt of the EAC, engagement activities with Aboriginal groups are expected to include:

- Maintaining good long term relationships through open dialogue about issues and concerns that arise during the construction and operations phase of the Project;
- Developing a commitments monitoring program for the Project; and
- Understanding and working to respond to concerns regarding avoidance and mitigation measures for specific circumstances identified during construction and operations as they arise.

## **5.0 DOCUMENTATION AND REPORTING**

### **5.1 Consultation Documentation**

LNG Canada is committed to documenting all Project-related consultation activities to ensure that:

- the consultation process is accurately reflected in documents submitted to regulators and as part of the EA process;
- Interests and issues raised by Aboriginal groups through consultation are captured for the purposes of responding, resolving and/or otherwise addressing any potential impacts to Aboriginal interests raised through the consultation process as appropriate; and
- LNG Canada's follow up actions including responses to issues raised, development of mitigation strategies, or commitments that may be made can be tracked for the purposes of the EA process.

LNG Canada will ensure that relevant communications through the following mediums are recorded:

- phone calls, teleconference call;
- e-mail;
- letters;
- meetings (including regular committee meetings);
- open houses; and
- presentations.

Documentation content will include details about who was present, when and where the engagement took place, what the purpose was and what was discussed. It will also include documentation of any issues or interests raised by Aboriginal groups, what outcomes or actions were taken or what was agreed to in terms of follow up.

### **5.2 Reporting and Tracking Issues and Concerns**

LNG Canada is committed to managing issues of interest and concerns raised by Aboriginal groups at every phase of the consultation process. Key to effectively managing issues will be the use of consultation management database systems and software designed to ensure issues that are raised receive the appropriate dedication of resources from LNG Canada and are identified for follow-up.

LNG Canada is proposing to track comments from Aboriginal groups and LNG Canada’s response to those comments in the following comment tracking table:

**Table 6: Proposed Comment Tracking Table**

ID#	Date	Aboriginal Group	Contact	Method	Topic	Comment, Interest or Concern Raised	LNG Canada Response	Status	EAO Response

**5.3 Aboriginal Consultation Reports**

LNG Canada will prepare Aboriginal Consultation Reports at various stages of the consultation process as set out in the section 11 order, or as otherwise requested by the EAO to:

- summarize the consultation process;
- identify feedback and information received at particular stages of the consultation process;
- identify potential adverse Project impacts on Aboriginal interests;
- identify where and how potential adverse Project impacts have been avoided, mitigated, addressed or otherwise accommodated including changes to project design or other mitigation measures; and
- provide next steps as required.

As identified in the section 11 order, the Aboriginal Consultation Reports summarizing this stage of consultation will be provided to the EAO at the following timelines:

- within 30 days of the deadline for Aboriginal and working group comments on the draft AIR;
- at the time of submission of the Application for an EAC;
- 120 days after the commencement of the Application Review stage; and
- at any other time specified by the EAO.

LNG Canada will provide draft copies of the Aboriginal Consultation Reports for review and comment by the respective Aboriginal groups prior to submission of the reports to the EAO.

## **6.0 SUMMARY**

This Consultation Plan sets a framework for consulting with Aboriginal groups with respect to the proposed Project and establishes broad engagement criteria to guide LNG Canada's regulatory interactions with potentially impacted Aboriginal groups. This Consultation Plan is designed to be flexible so as to meet the specific consultation objectives of LNG Canada, the respective Aboriginal groups, as well as any applicable regulatory requirements identified by provincial and federal agencies.

Given the unique historic, cultural and legal identity of Aboriginal groups in B.C. and the complex and evolving legal/regulatory requirements for consultation, LNG Canada is committed to implementing the activities contemplated in this Consultation Plan for the proposed Project, and to making revisions and updates based on feedback from Aboriginal groups and regulators as appropriate, to ensure that the consultation process is adequate and meets the needs of the participants where practicable.