



TSLEIL-WAUTUTH NATION

People of the Inlet



July 28, 2016

Our ref: 13-090

Your ref: 123220396.201.104

Kathleen Young
Stantec Consulting Ltd.
500-4730 Kingsway
Burnaby BC, V5H 0C6

Dear Ms. Young,

Re: Application for Tsleil-Waututh Nation Cultural Heritage Investigation Permit for the Proposed Trans Mountain Expansion Project

This letter is in response to your request for a Tsleil-Waututh Nation Cultural Heritage Investigation Permit (CHIP) to conduct an Archaeological Impact Assessment (AIA) of the Trans Mountain Expansion Project ("the Project") on behalf of TERA Environmental Consultants.

Tsleil-Waututh cannot endorse any of the actions proposed under this permit application in any way because these actions will enable the proposed "twinning" of the Trans Mountain Pipeline. Tsleil-Waututh territory encompasses the pipeline terminus, the marine terminal and the shipping channels of Burrard Inlet and the Salish Sea. The construction of a second pipeline, and more specifically, the increased volume of bitumen transferred to Burnaby, then through Burrard Inlet via tankers, carries the risk of devastating the already severely impacted environment of Burrard Inlet.

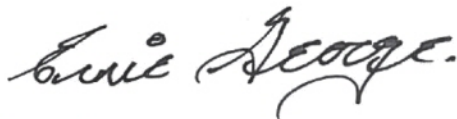
Tsleil-Waututh received a letter from the BC Archaeology Branch on May 10, 2016 stating that they have issued the requested amendment to permit 2015-0258. Tsleil-Waututh objects to the issuance of this amendment as Tsleil-Waututh has not given their consent for this Project to move forward, nor been consulted regarding this pipeline in any manner. Tsleil-Waututh insists that no aspect of this Project be permitted to proceed until a formal process that recognizes Tsleil-Waututh's decision-making authority in the territories potentially affected by the Trans Mountain Pipeline has been established between Tsleil-Waututh and the Crown. Until formal consultation

regarding the proposed expansion of the Trans Mountain Pipeline is conducted, Tsleil-Waututh will not support any project that contributes to the expansion of the Trans Mountain Pipeline, which includes the proposed AIA.

Stantec has worked on numerous archaeological assessments and projects within Tsleil-Waututh territory. Tsleil-Waututh values the relationship that has been built between Stantec and the Nation over the last number of years and as such, trust that you will act accordingly with regards to the concerns addressed in this letter. Please note, your permit fee cheque is enclosed.

If you have any questions relating to this letter or wish to discuss this Project further please contact our Archaeologist, Amy Hodgins, at 604-924-4188 or ahodgins@twnation.ca.

Regards,

A handwritten signature in black ink that reads "Ernie George". The signature is fluid and cursive, with the first name "Ernie" and last name "George" clearly distinguishable.

Ernie George
Director
Treaty, Lands and Resources Department

Cc: Kathleen Young, Stantec Consulting Ltd., via email and hardcopy
Eric Forgeng, BC Archaeology Branch, via email (Permit File 2015-0258)

Enclosed:
Stantec Cheque s.21 for \$200.00

From: [Amy Hodgins](#)
To: [Young, Kathleen \(Kathleen.Young@stantec.com\)](#); [Forgeng, Eric E FLNR:EX](#)
Cc: [Amanda King](#); [John Konovsky](#)
Subject: 13-090 TransMountain Pipeline AIA - TWN CHIP Refesual
Date: Thursday, July 28, 2016 2:50:58 PM
Attachments: [13-090 CHIP Refusal 28July2016.pdf](#)

Hi Kathleen,

Please find the attached in relation to Stantec's application for a TWN CHIP for the TransMountain Expansion Project. I have sent the cheque back at your attention.

Regards,

Amy

Amy Hodgins, B.A.

Archaeology & Cultural Heritage Program Coordinator

Treaty, Lands and Resources Department

Tsleil-Waututh Nation

3075 Takaya Drive

North Vancouver, BC V7H 3A8

Cell: 778-227-4709

Ph: 604.924.4188

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February 1, 2017

Permit No. 2015-0258

Application No. 11200-30/15A0213
First Nation File No. 13-090

Chief and Council
Tsleil-Waututh Nation
3075 Takaya Drive
North Vancouver BC V7H 2V6

Attention: Ernie George, Director: Treaty, Lands and Resources Department

Re: Amendment to Inspection Permit 2015-0258

I acknowledge receipt of your letter of November 24, 2016, regarding a permit application made by Shane Bond to amend HCA inspection permit 2015-0258, to conduct archaeological impact assessments of proposed developments associated with the Trans Mountain Expansion Project (TMEP) pipeline route from Alberta to the Lower Mainland, British Columbia.

In response to your comments I note:

The proposed amendment to HCA permit 2015-0258 allows for impact assessments of selected portions of the TMEP study area previously surveyed under snow-free conditions during conditions of frozen ground and/or snow cover with defined methods or factors. The new provisions mainly apply to the project's "deep testing" program.

The potential for this archaeological work to impact aboriginal rights is generally considered to be low, as impacts to archaeological deposits from the testing activity will be minimal. Potential impacts to wildlife, plants, soil, water and other resources from the archaeological study are also generally considered to be minimal.

However, the detailed information generated from the studies will contribute to our common objective to preserve, protect, and appropriately manage archaeological resources that may be present in the study area. The widened corridor proposed in this amendment is sought to allow greater flexibility in avoiding any of those resources.

I acknowledge Tsleil-Waututh Nation's concern that the proposed TMEP has the potential to significantly impact Tsleil-Waututh Nation's aboriginal rights. However, these concerns may be better addressed to Kevin Haberl of the South Coast Natural Resource Region (604-898-2145; Kevin.Haberl@gov.bc.ca; cc'ed), as he manages the consultation related to TMEP on behalf of the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) and the Oil and Gas Commission.

For the above reasons, I have decided to issue the enclosed permit.

**Ministry of Forests,
Lands and Natural
Resource Operations**

Archaeology Branch

Phone: (250) 953-3334
Fax: (250) 953-3340

Mailing Address:

PO Box 9816 Stn Prov Govt
Victoria BC V8W 9W3

Location:

1st floor – 1250 Quadra St.
Victoria, BC V8W 2K7

Website: <http://www.for.gov.bc.ca/archaeology/> **Email:** ArchPermitApp@gov.bc.ca

Sincerely,

A handwritten signature in dark ink, appearing to read 'PTM', written in a cursive style.

Paula Thorogood
Manager

PT/ef/Encl.

pc: Shane Bond, Stantec (Archaeology), Sidney
Kevin Haberl, FLNRO

From: [Young, Kathleen](#)
To: [Amy Hodgins](#); [Forgeng, Eric E](#) FLNR:EX
Cc: [Amanda King](#); [John Konovsky](#); [Bond, Hayley](#); [Bond, Shane](#)
Subject: RE: 13-090 TransMountain Pipeline AIA - TWN CHIP Refesual
Date: Thursday, July 28, 2016 3:52:21 PM

Hi Amy,

Thank for your letter. We confirm receipt of your response to Stantec's application for a TWN CHIP for the TransMountain Expansion Project.

Kind Regards,

Kathleen

Kathleen Young, BA

Archaeologist

Stantec

Phone: (604) 412-3207

Cell: (778) 237-6436

kathleen.young@stantec.com

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From: Amy Hodgins [mailto:ahodgins@twnation.ca]

Sent: Thursday, July 28, 2016 2:51 PM

To: Young, Kathleen; eric.forgeng@gov.bc.ca

Cc: Amanda King; John Konovsky

Subject: 13-090 TransMountain Pipeline AIA - TWN CHIP Refesual

Hi Kathleen,

Please find the attached in relation to Stantec's application for a TWN CHIP for the TransMountain Expansion Project. I have sent the cheque back at your attention.

Regards,

Amy

Amy Hodgins, B.A.

Archaeology & Cultural Heritage Program Coordinator

Treaty, Lands and Resources Department

Tsleil-Waututh Nation

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TSLEIL-WAUTUTH NATION

People of the Inlet



November 24, 2016

Our ref: 13-090

Your ref: 2015-0258

Eric Forgeng
Permitting and Assessment Section
Ministry of Forestry, Lands and Natural Resource Operations
PO Box 9816, Stn Prov Govt
Victoria, B.C., V8W 9W3
Via email to archpermitapp@gov.bc.ca

Dear Mr. Forgeng;

Re: Amendment Request

This letter is in response to the request for an amendment to permit 2015-0258 to include winter methodologies for the proposed Trans Mountain Pipeline.

Tsleil-Waututh opposes the requested amendment, as we opposed the initial permit application in 2016 (as stated in our April 29, 2016 letter to the BC Archaeology Branch). Tsleil-Waututh objected to, and continues to object to, the issuance of this permit on the grounds that the proposed project has the potential to significantly impact Tsleil-Waututh's Aboriginal rights, title and interests. Moreover, Tsleil-Waututh has not given their consent for this project to move forward. We insist that no aspect of this project be permitted to proceed until a formal process that recognizes Tsleil-Waututh's decision-making authority in the territories potentially affected by the Trans Mountain Pipeline has been established between Tsleil-Waututh and the Crown. Until formal consultation acceptable to Tsleil-Waututh regarding the proposed expansion of the Trans Mountain Pipeline is conducted, Tsleil-Waututh will not support any project that contributes to the expansion of the Trans Mountain Pipeline which includes the proposed archaeological work. Tsleil-Waututh has written to the federal government consistently since November 2012 requesting that the Ministry of Forests, Lands and Natural Resource Operations establish this process.

Tsleil-Waututh does not consent to this amendment request.

Should you have any questions, please contact Amy Hodgins, Archaeology & Cultural Heritage Program Coordinator, at ahodgins@twnation.ca or 604-924-4188.

Respectfully,

A handwritten signature in cursive script that reads "Ernie George".

Ernie George
Director
Treaty, Lands and Resources Department