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SENT VIA EMAIL

Trefor Smith and Chris Walko
Strathcona Residents Association
c/o Strathcona Community Centre
601 Keefer Street
Vancouver, BC V6A 3V8
council@strathcona-residents.org

Dear Mr. Smith and Mr. Walko:

On April 20, 2018, I wrote to advise Strathcona Residents Association that the Environmental Assessment Office (EAO) would be undertaking a review of decision materials relating to the Vancouver Fraser Port Authority's (VFPA) recent decision to grant a project permit for the proposed Centerm Expansion Project (Centerm). The purpose of the EAO's review is to determine if an Environmental Assessment is required under the BC *Environmental Assessment Act* (Act). The EAO has completed its review and this letter provides the EAO's conclusions and proposed next steps.

Applicability of the *Environmental Assessment Act*

Centerm is considered a reviewable project by the EAO as a Transportation Project under the Reviewable Projects Regulation of the Act. Specifically, Part 8 of the Reviewable Projects Regulation designates certain modifications of a Marine Port Facility as reviewable if it results in dredging, filling or other direct physical disturbance of (i) 1,000 or more metres of linear shoreline, or (ii) two or more hectares of foreshore or submerged land, or a combination of the two, below the natural boundary of a marine coastline or marine estuary. The EAO understands that Centerm will result in 8.2 hectares of infilling of the submerged land in Burrard Inlet.

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The EAO's Review and Path Forward

The EAO has undertaken a review of the VFPA's [Project and Environmental Review \(PER\) Report](#), the permit conditions, as well as sections of [the Centerm Application](#) and has given consideration to:

- How the PER process selected and assessed environmental components;
- How potential project effects were determined;
- How the effects would be mitigated;
- The robustness of the residual effects assessment; and
- Whether the conditions were likely to be enforceable and thus effective.

From this review, the EAO believes the assessment through the PER process conforms to the EAO's Environmental Assessment requirements. As such, the EAO believes that Centerm is a good candidate for an exemption review.

Section 10(1)(b) of the Act allows for a reviewable project to be exempted from the requirement for an Environmental Assessment certificate if the EAO's Executive Director determines that a reviewable project would not have significant adverse environmental, economic, social, heritage or health effects, taking into account practical means of preventing or reducing to an acceptable level any potential adverse effects. The Executive Director may attach conditions to the Section 10(1)(b) Order (Exemption Order). It should be noted that an Exemption Order does not relieve a proponent of the need to obtain permits and authorizations that may be necessary under applicable law, nor does it affect any duty to consult and appropriately accommodate which may arise in connection with those permits and authorizations.

Next Steps

The steps of the EAO's exemption review process are as follows:

- 1) The EAO will consult with relevant government agencies, key stakeholder groups and potentially affected Indigenous groups regarding the potential for adverse effects;
- 2) The EAO will consult with relevant government agencies, key stakeholders and Indigenous groups to determine if specific conditions or mitigation measures are needed, in addition to the permit conditions issued by the VFPA, to address issues or concerns if the Executive Director decides to grant a certificate exemption;

- 3) The EAO will prepare a draft Summary of Evaluation report that summarizes its findings and conclusions. The EAO will consult with Indigenous groups, the VFPA and other agencies (as necessary), and hold a 30-day public comment period on the draft report;
- 4) Once finalized, the Executive Director will review the Summary of Evaluation. Based on this report, and other relevant information, the Executive Director will determine whether to issue a Section 10(1)(b) Order and, if so, whether conditions are required; and
- 5) If the Executive Director determines that an Environmental Assessment certificate is not required, the EAO will issue an Exemption Order. The EAO will advise the VFPA and other potentially affected parties of the decision. The order and any relevant supplementary information will be posted on the EAO's website. If the Executive Director determines an Environmental Assessment is required, then the EAO will proceed to set the process and procedures for the assessment.

The EAO will be providing Strathcona Residents Association notification as milestones are reached in the EAO's exemption review process involving Centerm. This information will be also posted on the EAO's website at www.eao.gov.bc.ca.

If you need further clarification or wish to meet to discuss the EAO's proposed next steps and how Strathcona Residents Association can provide input into the EAO's exemption review process for Centerm, please contact me at 778 698-3398 or by email at Kimberly.Walters@gov.bc.ca, or contact David Angus, Project Assessment Officer, at 778 698-9324 or by email at David.Angus@gov.bc.ca.

Yours truly,



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