



File: 30150-20/LHDGF-05-02

Reference: 342964

March 15, 2019

SENT VIA EMAIL

Ron Hallman
President
Canadian Environmental Assessment Agency
160 Elgin Street
Ottawa ON K1A 0H3
ron.hallman@ceaa-acee.gc.ca

Dear Mr. Hallman:

I am writing to you to request substitution pursuant to Section 32 of the *Canadian Environmental Assessment Act 2012* (CEAA 2012) and our Memorandum of Understanding (MOU) on Substitution of Environmental Assessments (2013).

In accordance with Section 3 of the MOU, British Columbia (BC) requests substitution for the Environmental Assessment (EA) of the proposed Delta Grinding Facility (Delta Facility) under CEAA 2012. If substitution is approved by the Minister of Environment and Climate Change Canada (Minister), BC commits to fulfil the conditions for substitution under CEAA 2012 in accordance with Section 4 of the MOU.

The Environmental Assessment office (EAO) has successfully led substituted assessments that have included similar values and marine shipping on previous and current projects, including: LNG Canada Export Terminal, Woodfibre LNG and WesPac Tilbury Marine Jetty.

Further, should the Minister request that BC undertake procedural aspects of Aboriginal consultation on behalf of the Canadian Environmental Assessment Agency (the Agency) for the Delta Facility, BC is prepared to undertake that responsibility in accordance with Section 5 and the Annex of the MOU. Consistent with our past substituted EAs, we intend to conduct a public comment period on the draft Assessment Report and draft conditions.

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The Delta Facility is reviewable under the British Columbia Reviewable Projects Regulation (BC Reg. 720/02) and a Section 10 Order was issued on March 14, 2019 requiring the Proponent to undergo a provincial EA.

I understand that a Project Description for the Delta Facility was submitted to the Agency on March 7, 2019 and I am aware that the Agency must first accept the Project Description and determine whether a federal EA is required before it can respond to this request for substitution.

Finally, BC recognizes that the Delta Facility is located less than 100 kilometres from the border with Washington State. The EAO will notify the Washington State Department of Ecology regarding the EA of the Delta Facility as described in the MOU between the Washington State Department of Ecology and the BC EAO.

I look forward to hearing from you as soon as possible regarding the Minister's decision on this request for substitution.

With very best regards,
<Original signed by>

Kevin Jardine,
Associate Deputy Minister

cc: Scott Bailey, Assistant Deputy Minister, Environmental Assessment Office
Scott.Bailey@gov.bc.ca

Regina Wright, A/Regional Director, Pacific and Yukon,
Canadian Environmental Assessment Agency
regina.wright@canada.ca

Brendan Mather, Project Assessment Manager,
Environmental Assessment Office
Brendan.Mather@gov.bc.ca