



30200-20/EHCO-10

Ref: 102891

March 19, 2013

SENT VIA EMAIL

Elaine Feldman
President
Canadian Environmental Assessment Agency
elaine.feldman@ceaa-acee.gc.ca

Dear Ms. Feldman:

I am writing to you to request substitution pursuant to 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 requests substitution for the environmental assessment of the proposed Echo Hill Coal Project under the CEAA 2012. If substitution is approved by Minister Kent, British Columbia commits to fulfil the conditions for substitution under the CEAA 2012 in accordance with section 4 of the MOU.

In addition, should Minister Kent request that British Columbia undertake procedural delegation of Aboriginal consultation for the proposed Echo Hill Coal Project, British Columbia would be prepared to undertake that responsibility in accordance with section 5 and the Annex of the MOU.

The Project proposed by Hillsborough Resources Ltd. (Proponent) is reviewable under the British Columbia *Reviewable Projects Regulation* (BC Reg. 720/02) and a section 10 Order has been issued requiring the Proponent to undergo a provincial environmental assessment. A Project description for the proposed Echo Hill Coal Project was accepted by the Canadian Environmental Assessment Agency (Agency) on February 7, 2013, and a public comment period on the Project description ended on February 28, 2013.

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I understand that the Agency must still determine whether a federal environmental assessment is required before it can respond to this request for substitution.

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

Sincerely,

Dave Nikolejsin
Associate Deputy Minister

cc: Lisa Walls, Regional Director, Pacific and Yukon Region
Canadian Environmental Assessment Agency

Teresa Morris, Project Assessment Manager
BC Environmental Assessment Office