



Impact Assessment  
Agency of Canada

Agence d'évaluation  
d'impact du Canada

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Agency File No: 005795

July 30, 2020

**ELECTRONIC MAIL**

Chris Shelton  
<Address>

<Email Address>

Dear Mr. Shelton:

**Subject: Designation Request for the Surrey Langley SkyTrain and Broadway Subway Projects**

Thank you for your letter received June 29, 2020, to the Honourable Jonathan Wilkinson, Minister of Environment and Climate Change (the Minister), concerning the Surrey Langley SkyTrain and Broadway Subway Projects (the Projects), proposed by the South Coast British Columbia Transportation Authority (or TransLink) and the Government of British Columbia, respectively (the proponents).

On behalf of the Impact Assessment Agency of Canada (the Agency), I am pleased to acknowledge the receipt of your letter where you requested that the Minister designate these Projects under the *Impact Assessment Act* (the Act) and inform you of the next steps in the designation request process. To support a transparent consideration of your requests, your letter will be posted to the publicly available Canadian Impact Assessment Registry Internet site.

On February 27, 2017 and April 18, 2019, the Agency issued letters to the proponents indicating that the Projects are not described in the *Regulations Designating Physical Activities* under the former *Canadian Environmental Assessment Act, 2012*. On August 28, 2019, the Act came into force, repealing the former *Canadian Environmental Assessment Act, 2012*. The Agency is of the view that the Projects are not physical activities under the Act.

.../2



Under subsection 9(1) of the Act the Minister may, by order, designate a physical activity that is not described in the *Physical Activities Regulations* under the Act. The Minister can do this, if, in the Minister's opinion, the physical activity may cause adverse effects within federal jurisdiction or adverse direct or incidental effects (resulting from federal decisions), or public concerns related to those effects warrant the designation.

The Agency will review information about the Projects; any concerns expressed in this designation request, by other Indigenous groups or the public; expert advice from federal authorities; and input from provincial ministries. We anticipate that the Minister's determination on whether the Projects are to be designated, with reasons, will be provided to you as a formal response to your letter and will be posted to the Canadian Impact Assessment Registry by September 28, 2020.

If a project is designated, the proponent would be required to formally submit an Initial Project Description for the designated project to the Agency, thereby commencing the planning phase of the Act. In that case, the planning phase for the project would include the Agency determining whether a federal impact assessment is required.

Additional information regarding the process for designation requests is available on the Agency's website at [www.canada.ca/en/impact-assessment-agency/services/policy-guidance/designating-project-impact-assessment-act.html](http://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/designating-project-impact-assessment-act.html).

**Important Note:** All records produced, collected or received in relation to the designation request process – unless prohibited under the *Access to Information Act* or *Privacy Act* – are considered public and may be released. If you have provided any comments or documents that contain confidential or sensitive information that you believe should be protected from release to the public, please contact the Agency as soon as possible. The Agency does not accept information marked as confidential without prior contact.

- 3 -

If you have any questions regarding the Projects and the contents of this letter, or if you would like to provide additional comments, please contact Mr. Quincy Leung, Project Manager with the Agency at 604-360-5360 or at [Quincy.Leung@canada.ca](mailto:Quincy.Leung@canada.ca).

Sincerely,

<Original signed by>

Lisa Poier on behalf of

Regina Wright  
Regional Director  
Pacific and Yukon