



File: 30350-25/SILVER-19

Reference: 288624

August 6, 2015

**SENT VIA EMAIL**

Shad Watts  
Director, Environment & Regulatory  
Tervita Corporation  
500, 140 -10 Ave SE  
Calgary AB T2G 0R1  
[swatts@tervita.com](mailto:swatts@tervita.com)

Dear Mr. Watts:

Thank you for Tervita Corporation's (Tervita) letter of July 20, 2015, which provided a summary of work and confirmed engagement with the Blueberry River and Doig River First Nations, with respect to Tervita's amendment request to Project Approval Certificate (PAC) WD02-01 for the Silverberry Secure Landfill Project (Silverberry). PAC WD02-01 is deemed to be an Environmental Assessment Certificate pursuant to the *Environmental Assessment Act* (the Act). Given the work undertaken by Tervita since the Environmental Assessment Office's (EAO) initial transmittal letter of November 2014, as outlined in that letter, EAO is writing to notify Tervita of its formal commencement of the Amendment process.

After reviewing materials that Tervita provided February 24, 2014, and based on subsequent meetings and discussions, EAO is of the opinion that an amendment to PAC WD02-01, pursuant to Section 19 of the Act, is required because Tervita (as holder of the EA Certificate) proposes a change or changes to the design, location, construction, operation or decommissioning of Silverberry.

EAO requires sufficient information to determine whether the proposed change or changes to Silverberry would have the potential for significant adverse effects. Towards this end and as discussed, I have established a process for the amendment of PAC WD02-01. The amendment process identifies the information requirements and

...2

government agency, public, and First Nations consultation requirements as further described below and in the attached updated draft work-plan.

The Assistant Deputy Minister of EAO will make a decision at the end of the amendment process to issue or refuse an amendment to PAC WD02-01.

EAO has posted this letter and Tervita's Project Description to its website, available under "Amendments", at [http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic\\_project\\_doc\\_list\\_184\\_k\\_pro.html](http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_project_doc_list_184_k_pro.html).

### Information Requirements

#### *Consultation Plans for the Public and First Nations*

Tervita is required to develop and submit Consultation Plans for the public and First Nations for the amendment process. The Consultation Plans must describe the consultation program to engage the public and First Nations about the proposed amendment to PAC WD02-01. The following details must be described in the plan:

- consultation principles;
- consultation activities conducted to date and the proposed consultation activities for the amendment;
- information delivery methods to provide notices and Silverberry information to the public, stakeholders and First Nations;
- timelines for consultation;
- procedures for tracking and reporting of consultation; and,
- list of stakeholders.

EAO will review and approve the Consultation Plans.

#### *Valued Component Rationale Document*

Tervita must develop and submit a Valued Component (VC) Rationale Document which includes the following:

- identifies proposed VCs for the EA including sub-components (as relevant), proposed indicators and rationale;
- identifies general methods and spatial assessment boundaries for collecting baseline information;
- describes the methodology used to select the proposed VCs and spatial assessment boundaries; and,
- provides the rationale for exclusion of candidate VCs.

The VCs will be reviewed and refined throughout the amendment process as data collection, analysis, consultation and impact assessments are completed. EAO will seek Working Group, First Nations and public comments on the VC Rationale Document. Tervita must respond, in issues tracking tables to all comments received, to EAO's satisfaction and revise the VC Rationale Document as necessary.

#### *Amendment Application Information Requirements*

Tervita must develop and submit draft Amendment Application Information Requirements (dAAIR) outlining the studies and information to be contained in the Amendment Application. EAO will seek Working Group and First Nations comments on the dAAIR.

Tervita must respond in issues tracking tables to all comments received, to EAO's satisfaction and revise the dAAIR as necessary. EAO will issue the final AAIR to Tervita.

#### *Amendment Application*

Tervita must submit an Amendment Application that meets the information requirements specified in the AAIR, as determined by EAO. EAO will seek Working Group, First Nations and public comments on the Amendment Application. Tervita must respond in issues tracking tables to all comments received, to EAO's satisfaction.

#### Public Consultation

EAO will hold a 15 day public comment period on the VC Rationale Document and a 21 day public comment period on the Amendment Application. Tervita is required to advertise the public comment periods and track and respond to all comments received during the public comment period to EAO's satisfaction. I will provide further direction about these public comment periods closer to the time.

#### Agency Consultation

EAO will establish a Project Working Group with representation from local and provincial government agencies and First Nations. EAO will request written comments from the Working Group on Project documents and require Tervita to respond to written comments to EAO's satisfaction. Working Group comments and the Tervita responses will be tracked in issue tracking tables.

### First Nations Consultation

EAO directs proponents to conduct procedural aspects of First Nations consultation for EAs. For this amendment process, EAO directs Tervita to consult with the following First Nations: Blueberry River First Nations and Doig River First Nation. EAO will assess Tervita's consultation activities with the First Nations including Tervita responses to comments received from First Nations and determine whether the activities and responses are adequate. EAO may order additional consultation activities within prescribed time limits at any time during the amendment process.

I look forward to working with you through the EA of the proposed amendment to EA Certificate WD02-01. If you have any comments or questions on this letter, or the attached draft work-plan, please do not hesitate to contact me by email at [David.Grace@gov.bc.ca](mailto:David.Grace@gov.bc.ca) or by telephone at 250-387-1417 or Lindsay Walton, Project Assessment Officer, by email at [Lindsay.Walton@gov.bc.ca](mailto:Lindsay.Walton@gov.bc.ca) or by telephone at 250-387-6738.

Yours truly,

A handwritten signature in black ink, appearing to read 'D. Grace', with a stylized flourish at the end.

David Grace  
Project Assessment Manager

Attachment (1)

cc: Trevor Befus, Sr. Environmental and Regulatory Advisor, Tervita Corporation  
[tbefus@tervita.com](mailto:tbefus@tervita.com)

Nelson Liu, Coordinator, Planning & Development, Tervita Corporation  
[nliu@tervita.com](mailto:nliu@tervita.com)

Scott McLeod, Community & Aboriginal Relations Advisor, Tervita Corporation  
[smcleod@tervita.com](mailto:smcleod@tervita.com)

Peter Nelson, Environmental and Regulatory Advisor, Tervita Corporation  
[pnelson@tervita.com](mailto:pnelson@tervita.com)

## Updated Silverberry Secure Landfill Amendment Draft Work-Plan

<b>Lead</b>	<b>Action</b>	<b>Timing</b>
EAO	<ul style="list-style-type: none"> <li>EAO to establish Working Group; set up share-point and circulate Project Description</li> <li>Transmittal letter to Tervita detailing amendment process and requirements</li> </ul>	Complete
Tervita	<ul style="list-style-type: none"> <li>Develop and submit Consultation Plan for the Public and FNs (see example from Giscome Quarry and Lime Plant Project on EAO website)</li> </ul>	
EAO	<ul style="list-style-type: none"> <li>Review and approval of Consultation Plans</li> </ul>	1 week
Tervita	<ul style="list-style-type: none"> <li>Develop draft VC Rationale document (see Giscome Quarry; also consider VC Guidance and Secure Landfill Common Issues and Commitments Guidance on EAO website; Heritage and Cache Creek Landfill EAs)</li> </ul>	
EAO	<ul style="list-style-type: none"> <li>WG and FNs review draft VC guideline document</li> </ul>	3 week review
Tervita	<ul style="list-style-type: none"> <li>Respond to comments and revise draft VC document</li> </ul>	
EAO	<ul style="list-style-type: none"> <li>WG meeting to discuss updated document</li> </ul>	1 week
EAO/Tervita	<ul style="list-style-type: none"> <li>Public comment period on draft VC document</li> <li>Include adverts in local papers and on EAO website (note this requires at least 2 weeks lead up for sufficient notice and approval of ads)</li> </ul>	15 days
Tervita	<ul style="list-style-type: none"> <li>Respond to comments and revise document</li> <li>Develop and submit tracking tables (agency, public and FNs)</li> </ul>	
EAO	<ul style="list-style-type: none"> <li>Finalize VC rationale document</li> </ul>	1 week
Tervita	<ul style="list-style-type: none"> <li>Submit draft Amendment Application Information Requirements (dAAIR) – developed concurrently during the above steps</li> </ul>	
EAO	<ul style="list-style-type: none"> <li>WG and FN review of dAAIR</li> </ul>	3 weeks
Tervita	<ul style="list-style-type: none"> <li>Respond and revise dAIR as appropriate and update tracking tables as required</li> </ul>	
EAO	<ul style="list-style-type: none"> <li>Issuance of final AAIR</li> </ul>	1 week
Tervita	<ul style="list-style-type: none"> <li>Submit Amendment Application (including 1<sup>st</sup> Public and FN Consultation Summary Reports)</li> </ul>	
EAO	<ul style="list-style-type: none"> <li>Screening of Application/readiness test</li> </ul>	2 weeks
EAO	<ul style="list-style-type: none"> <li>WG and FN review of Amendment Application</li> <li>Concurrent Public comment period</li> </ul>	3 weeks 21 days
Tervita	<ul style="list-style-type: none"> <li>Respond to comments on Amendment Application (tracking tables)</li> </ul>	
EAO	<ul style="list-style-type: none"> <li>WG meeting and issue resolution; WG review of Tervita responses</li> </ul>	3 weeks
Tervita	<ul style="list-style-type: none"> <li>Update tracking tables as required</li> </ul>	
EAO	<ul style="list-style-type: none"> <li>Send out draft referral package to WG for review</li> </ul>	2 weeks
EAO	<ul style="list-style-type: none"> <li>Finalization of referral package and decision</li> </ul>	2 weeks

\*NOTE: All timelines are approximations and subject to change