

**IN THE MATTER OF THE ENVIRONMENTAL ASSESSMENT ACT S.B.C. 2002, c.43
(ACT)
AND
AN ENVIRONMENTAL ASSESSMENT OF THE
BURNCO AGGREGATE PROJECT (PROPOSED PROJECT)
ORDER UNDER SECTION 13 AMENDING SECTION 11 ORDER**

WHEREAS:

- A. The Executive Director has delegated to the undersigned, powers and functions under the Act, including the power to issue Orders under Sections 11 and 13 of the Act.
- B. On January 8, 2010, under Section 10(1)(c) of the Act, the Project Assessment Manager issued an Order designating the proposed Project as a reviewable project, and ordering that BURNCO Rock Products Ltd. (Proponent) may not proceed with the proposed Project without an environmental assessment certificate.
- C. On June 1, 2010, the Project Assessment Manager issued an Order under Section 11 of the Act, determining the scope of the required environmental assessment and the procedures and methods for conducting the assessment.
- D. On December 5, 2013, the Project Assessment Manager amended the Order under Section 11 of the Act, which included assessing potential impacts of proposed barging routes and requiring consultation with specific First Nations regarding the barge routes.
- E. On April 13, 2015, the Executive Project Director amended the Order under Section 11 of the Act, which required the Project Assessment Manager to have at least one formal public comment period of at least 45 days.
- F. On July 31, 2017, Musqueam Indian Band provided EAO with an updated current use map and a Consultation, Accommodation, and Resource Access map that encompassed the land based components of the Project area and requested consultation on all components of the proposed Project.

NOW THEREFORE:

Pursuant to Section 13 of the Act, I order that the Section 11 Order, dated June 1, 2010 be amended as follows:

(1) Add a new section 22.3:

22.3 The Environmental Assessment Office will:

- 22.3.1 consider information from Musqueam Indian Band regarding Aboriginal Interests in the proposed Project area;
- 22.3.2 meet with Musqueam Indian Band to discuss its Aboriginal Interests in relation to the proposed Project and measures to avoid, mitigate, or otherwise accommodate potential adverse effects on their Aboriginal Interests, as appropriate;
- 22.3.3 provide Musqueam Indian Band with an opportunity to comment on the draft Assessment Report within established timelines;
- 22.3.4 implement additional measures for consultation and accommodation for Musqueam Indian Band, where appropriate; and,
- 22.3.5 direct the Proponent to provide a response to comments received from Musqueam Indian Band to the satisfaction of the Project Assessment Manager and within a specified timeframe, or implement any additional consultation activities or mitigation measures to avoid or reduce potential adverse effects of the Aboriginal Interests of Musqueam Indian Band, as appropriate.



Gerry Hamblin
Project Assessment Manager

Dated September 29, 2017