



File: 30300-20/WTMJ-05-06

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SENT VIA EMAIL

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Dear Mr. Cox and Mr. Gallenberger:

The Environmental Assessment Office (EAO) received an application for an Environmental Assessment certificate (Application) for the proposed WesPac Tilbury Marine Jetty Project (WesPac) from WesPac Midstream – Vancouver LLC (WPMV) on October 16, 2018.

In accordance with the procedures specified in the Section 11 Order (Order) issued on July 24, 2015, the EAO evaluated the Application to determine whether it contains the information described in the Application Information Requirements (AIR). Following the EAO's review and in consideration of comments from the Working Group and Indigenous groups, I have identified a number of issues which require clarification or additional information. As a result, I have concluded that the Application does not reflect the requirements in the AIR, and I formally do not accept the Application for detailed review.

During the evaluation of the application, the EAO provided WPMV with the detailed evaluation comments which outline each of the AIR requirements that the EAO has deemed to have not been met. In addition to the comments and deficiencies that have already been provided to you, I have identified key information requirements that the

...2

EAO considered not to have been adequately addressed as per the AIR. Key information requirements include:

- **Assessment Methodology:** Several valued component assessments in the Application need to be characterized in a manner that is consistent with the EAO's methodology and also must require a demonstration of greater rationale or technical analysis to support the conclusions in the Application. The EAO highlighted that more supporting detail or explanation is required in the following sections: Fish and Fish Habitat, River Processes, Water Quality, Vegetation, Wildlife, Current Use of Lands and Resources for Traditional Purposes;
- **Consultation with Indigenous Groups and Traditional Use Information:** The Application requires a clearer demonstration of how and where information received from consultation with Indigenous groups, including from traditional use studies, was incorporated. Aboriginal Consultation Report #2 must also incorporate comments and input from Indigenous groups; and
- **CEAA 2012 Requirements:** There are a number of information gaps related to requirements under CEAA 2012. For example, the analysis of "alternatives means" (s.1.3) does not include the required review of potential environmental effects for each of the means. This is the case for alternative means of disposal of sediment from dredging, which does not contain adequate information of potential environmental effects of disposal at sea versus upland. The Application also did not follow the correct approach in assessing impacts under CEAA 2012 s.5(1)(b), which requires an analysis of potential effects from the project on federal lands, other provinces and outside of Canada.

The EAO requests that WPMV revise the Application to respond to and address all Application Evaluation comments. A number of detailed technical comments were also identified by the EAO and members of the Working Group in the evaluation of the Application, which the EAO has determined to be appropriate to address during Application Review. The EAO encourages WPMV to review and consider all comments provided, including Application Review-level comments, when making revisions to the Application. The EAO also encourages WPMV to consult with Indigenous groups on revisions to the Application or sections of the Application, where changes relate to comments raised by Indigenous groups, prior to re-submitting the Application to the EAO.

I should note that Application Evaluation is a scan of the Application for the purposes of determining whether the AIR have been met, and this evaluation does not constitute an in-depth review to determine whether or not issues have been resolved to the satisfaction of the EAO. Such determinations are made during the Application Review phase of the Environmental Assessment process.

Upon receipt of a revised Application, there will be another evaluation period. The EAO will evaluate the revised Application against the AIR and provide an opportunity for Working Group members to review updated sections as necessary. The EAO will notify you in writing whether or not the Application has been accepted for formal technical review. To facilitate this review, please provide the EAO with a red-line version and a final clean version of the Application when resubmitted.

If you have any questions or require other information, please contact me by telephone at 778 698-3398, or by email at Kimberly.Walters@gov.bc.ca.

Yours truly,



Kim Walters
Project Assessment Manager

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