

EAO File No.: 300320-04/PIWWM-23
Our ref: 12572415

18 September 2023

Claire Rosalynde Gough
Ministry of Environment and Climate Change Strategy (ENV)
PO Box 9426 Stn Prov Govt
Victoria BC V8W 9V1

Re: Environmental Assessment Office Project Notification Process and Next Steps (File: 300320-04/PIWWM-23)

Dear Claire Rosalynde Gough

GHD has prepared this letter dated September 18, 2023 on behalf of Bonaparte First Nation (BFN) and 357999 BC Ltd. in response to the Ministry of Environment and Climate Change Strategy (Ministry), Environmental Assessment Office (EAO) letter addressed to Debra Arnott, Interim Executive Director, of BFN, dated August 2, 2023 (File: 300320-04/PIWWM-23). The Ministry requested information related to the Timicw Good Earth Recycling Waste Management Facility by September 18, 2023. An extension was granted by Ms. Gough via email on August 21, 2023. The Ministry information requests and our response are provided herein.

1. **Ministry Information Request:** A Project Description of the Timicw Project including details on the project's regulatory requirements.

Timicw Response: BFN and 357999 BC Ltd. have submitted a waste discharge application under the Environmental Management Act (EMA) to operate a new waste management facility in the Village of Cache Creek, British Columbia (BC). The facility is called Timicw Good Earth Recycling Waste Management Facility. The proposed facility is on traditional BFN land and original reserve land (currently off-reserve land). It is also located next to Campbell Hill Landfill and on the same site as the former Thompson Nicola Regional District (TNRD) Recycling Depot.

Timicw is committed to do their part to protect the environment by using diversion to recover the more merchantable waste from MSW. By implementing strong diversion practices, Timicw will reduce the amount of MSW going into the landfill while creating new economic opportunities, jobs, and training for BFN and local communities that is keeping with the First Nations principle of sustainability.

The proposed landfill and associated works will include a double lined landfill that exceeds current Ministry design requirements and leachate and stormwater management systems. Stormwater and leachate will be separated. Stormwater will be managed as clean water, and leachate will undergo treatment via active and passive evaporation. The leachate evaporation pond(s) will also be double lined.

The project is following the complex waste discharge application process under the EMA. The proposed facility is envisioned to include municipal solid waste (MSW) landfilling and waste recovery activities, including composting and potting soil, for commercial customers. The anticipated waste to be managed is forecasted to be an average discharge rate of 50,000 tonnes to a maximum 190,000 tonnes per year and waste will not be destroyed using high temperatures. Thus, the Timicw Project does not meet the applicable Reviewable Project Regulation (RPR) criteria. The proposed facility layout is shown in Figure 1.

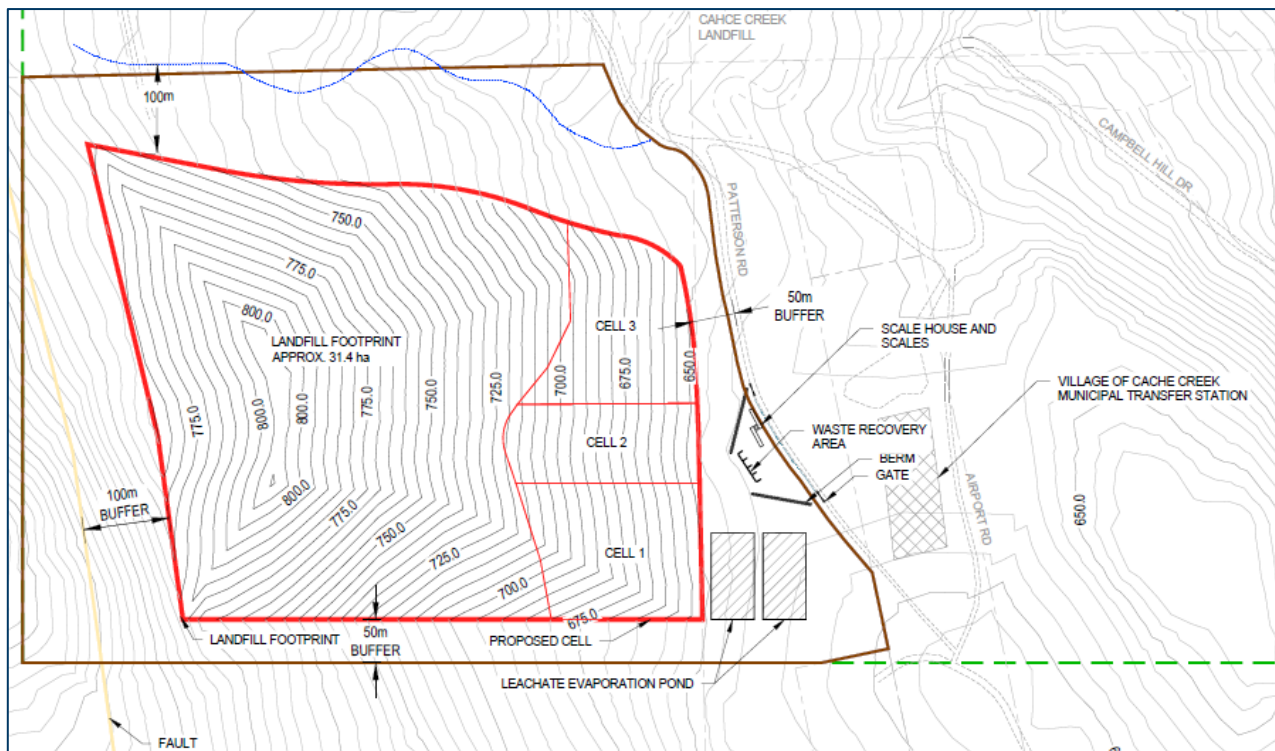


Figure 1 Proposed Facility Layout

2. **Ministry Information Request:** An assessment of all phases of the Timicw Project against the applicable criteria under Section 5(1)(b) Project Notifications and Part 6 – Waste Disposal Projects of the RPR

Timicw Response: The assessment is provided in Table 1, Column 3.

Table 1 Timicw Facility Compliance with Section 5(1)(b) of the RPR

Regulation Section	Supporting Regulation Sections	Timicw Project Compliance
Project notifications 5 (1)The following categories of new projects are prescribed for the purposes of section 10 (1) of the Act:	Environmental Assessment Act 10 (1) A person who proposes a project that is not a reviewable project under the regulations under section 9 but is within a prescribed category of projects must, within the prescribed period, submit to the chief executive assessment officer a project notification.	The Timicw Project is not a reviewable project under the regulations under section 9 and is not within the prescribed category of projects.
(b) projects that would meet the following criteria thresholds if those thresholds were reduced by 15%:		
(i) thresholds set out in section 4 (1) (a) and (c);	4 (1)Despite section 3, a new project and a modification of an existing project are prescribed as a reviewable project if the project is in a category listed in Column 1 of an applicable table and meets any of the following thresholds:	The Timicw Project is not in a category listed in Column 1. The Facility is not a(n): <ul style="list-style-type: none"> Organic and Inorganic Chemical Industry Primary Metals Industry

Regulation Section	Supporting Regulation Sections	Timicw Project Compliance
		<ul style="list-style-type: none"> – Non-metallic Mineral Products Industries – Forest Product Industries – Other Industries
	(a) emits 380 000 tonnes or more per year of one or more greenhouse gases directly from project facilities, measured in carbon dioxide equivalents, determined in accordance with Part 3 of the Greenhouse Gas Emission Reporting Regulation, B.C. Reg. 249/2015;	The proposed landfill is not anticipated to emit 380,000 tonnes of GHGs annually. Forecasted emissions will be determined as part of the Design, Operations, and Closure Plan (DOCP), which is currently being prepared.
	(c) includes the clearance of (i) 60 km or more of land that is to be developed for a transmission line, transmission pipeline, railway, public highway or resource road, if the land is not alongside and contiguous to an area of land previously developed for one of those purposes, or	The Timicw Project is not on land that will be developed for the uses listed.
	(ii) 600 ha or more of land, unless the clearance has been authorized by the minister, or delegate, under the Resort Timber Administration Act.	The Timicw Project footprint is less than 600 hectares.
(ii) production capacity thresholds set out in Parts 2 and 3;	Threshold A, B, C and D are for a proposed modification of an existing facility.	The Timicw Project is a new facility and therefore these thresholds are not applicable.
(iii) rated nameplate capacity, length, design capacity, input capacity and sulphur thresholds set out in Part 4;	Part 4 – Energy Projects	The Timicw Project is not an Energy Project and therefore Part 4 does not apply.
(iv) height, volume, area, length and rate thresholds set out in Part 5;	Part 5 – Water Management Projects	The Timicw Project is not a Water Management Project and therefore Part 5 does not apply.
(v) design capacity and population thresholds set out in Part 6;	Part 6 – Waste Disposal Projects Table 11, Column 2 Criteria: <ul style="list-style-type: none"> a. a landfill with a design capacity of $\geq 250,000$ tonnes/year, b. a device, other than a device referred to in paragraph (c), that, with or without energy recovery, destroys the waste using high temperatures and that has a design capacity of ≥ 225 tonnes/day, or c. a device that, with or without energy recovery, destroys the waste using high temperatures and that is located in the Metro Vancouver Regional District or 	The Timicw Project is a new Solid Waste Management Project. Therefore Part 6, Table 11, Column 2 applies. <ul style="list-style-type: none"> a. The proposed maximum design capacity is 190,000 tonnes/year which is less than 250,000 tonnes/year b. No such device is proposed c. No such device is proposed

Regulation Section	Supporting Regulation Sections	Timicw Project Compliance
	the Fraser Valley Regional District	
(vi) length, area and throughput capacity set out in Part 7;	Part 7 – Transportation Projects	The Timicw Project is not a Transportation Project and therefore Part 7 does not apply.
(vii) bed unit thresholds set out in Part 8;	Part 8 – Tourist Destination Resort Projects	The Timicw Project is not a Tourist Destination Resort Project and therefore Part 8 does not apply.

3. **Ministry Information Request:** Confirmation that Bonaparte First Nation and 357999 BC Ltd has engaged with AIB and the Village to understand their interests (which include AIB rights that are asserted and affirmed under Section 35 of the Constitution Act) that may be impacted by the Timicw Project and the proposed measures to mitigate these impacts.

Timicw Response: We are in the beginning stages of consultation.

A Consultation Plan was developed and submitted to the Ministry in 2023. The consultation plan includes notification/meaningful engagement with seven (7) government agencies including the Village of Cache Creek, fifteen (15) First Nations and First Nation Representatives including Ashcroft Indian Band, six (6) adjacent property owners, and one (1) specific interest group.

On April 20, 2023, consultation began with BFN and 357999 BC Ltd. meeting with the TNRD waste committee and the Village. The proposed Timicw Project was presented in person to the TNRD by BFN Chief Frank Antoine, BFN CEO, Iain Brown and GHD Qualified Professionals Deacon Liddy (P.Eng.) and Rose Marie Rocca (P.Geo.).

The TNRD presented a Solid Waste Management Plan (SWMP) Amendment process, which was approved by the Solid Waste Management Committee during the meeting on April 20, 2023. This is a new process that follows guidance from the SWMP development process. As part of the process, a Plan Amendment Advisory Committee of technical and non-technical members will be established.

Consultation continues with Roy Seriosa Economic Development Lead of BFN, Iain Brown, and Deacon Liddy and Rose Marie Rocca of GHD when suitable for our local communities.

4. **Ministry Information Request:** An analysis of whether the potential effects of the Timicw Project will be equivalent to or greater than the potential effects of projects in the prescribed category of reviewable projects set forth by the RPR for the following valued components:

- Timicw Project's footprint;
- Archeology evidence; and,
- Any other valued components of interest to the AIB, the Village, or other parties you have engaged with to date.

Timicw Response: The potential effects of the Timicw Project have been assessed under the waste authorization process which, similar to the EA process, assess potential environmental, social, and cultural effects that a project may have. To date, an archaeology assessment of the proposed project footprint was undertaken by BFN. No sites of interest were identified, and no further archaeological studies were recommended. Other technical investigations and documents are also currently being undertaken in support of the project application, and assessment of potential effects. These include but are not limited to a Baseline Habitat Assessment, Hydrogeology and Hydrology Characterization Report, and a Design, Operations and Closure Report.

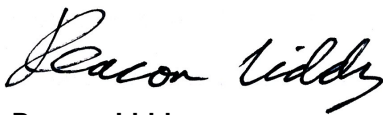
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This is a First Nation economic development project that the community needs now. The lands the project is located on were formerly part of the BFN reserve lands. The project is being developed by the Bonaparte First Nation and partners to provide an economic opportunity to the community and is a BFN community priority. During construction and operation, the Timicw project will provide long-term employment and training to community members. The operation will be for the next 50+ years which will provide long-term sustainable training, employment, and funding to BFN.

The Project is following the complex waste discharge application process under the EMA. The anticipated waste to be managed is forecasted to be an average discharge rate of 50,000 tonnes to a maximum 190,000 tonnes per year and waste will not be destroyed using high temperatures. The Timicw Project does not meet the applicable Reviewable Project Regulation criteria.

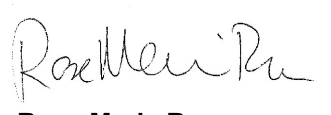
If you have any questions, please do not hesitate to contact GHD.

Regards



Deacon Liddy
Business Group Leader

+1 604 214-0510
deacon.liddy@ghd.com



Rose Marie Rocca
Hydrogeologist

+1 604 248-3662
rosemarie.rocca@ghd.com

Chief Frank Antoine, Kukpi7@bonaparte.band

Debra Arnott, ed@bonaparte.band

Roy Seriosa, Ecdev@bonaparte.band

Iain Brown, iaincrimsontide@gmail.com