



File: 30300-20/WTMJ-05-02

Reference: 283460

May 14, 2015

SENT VIA EMAIL

Ron Hallman
President
Canadian Environmental Assessment Agency
ron.hallman@ceaa-acee.gc.ca

Dear Mr. Hallman:

I am writing to you to request substitution pursuant to the *Canadian Environmental Assessment Act 2012* (CEAA 2012) and our Memorandum of Understanding (MOU) on Substitution of Environmental Assessments (2013).

In accordance with section 3 of the MOU, British Columbia (BC) requests substitution for the environmental assessment (EA) of the proposed WesPac Tilbury Marine Jetty Project (Tilbury Marine Jetty) under CEAA 2012. If substitution is approved by Minister Aglukkaq, BC commits to fulfil the conditions for substitution under CEAA 2012 in accordance with section 4 of the MOU.

In addition, should Minister Aglukkaq request that BC undertake procedural aspects of Aboriginal consultation on behalf of the Canadian Environmental Assessment Agency (the Agency) for Tilbury Marine Jetty, BC would be prepared to undertake that responsibility in accordance with section 5 and the Annex of the MOU.

Tilbury Marine Jetty is reviewable under the BC Reviewable Projects Regulation (BC Reg. 720/02) and a Section 10 Order was issued on May 6, 2015 requiring the Proponent to undergo a provincial EA.

I understand that a Project Description for Tilbury Marine Jetty was submitted to the

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Agency on May 11, 2015 and I am aware that the Agency must first accept the Project Description and determine whether a federal EA is required before it can respond to this request for substitution.

Finally, BC recognizes that Tilbury Marine Jetty is located less than 100 kilometres from the border with Washington State. EAO has notified the Washington State Department of Ecology regarding the EA as described in the [MOU between the Washington State Department of Ecology and the BC EAO](#).

I look forward to hearing from you as soon as possible regarding Minister Aglukkaq's decision on this request for substitution.

Sincerely,



Kevin Jardine
Associate Deputy Minister

cc: Lisa Walls, Regional Director, Pacific and Yukon Region,
Canadian Environmental Assessment Agency, lisa.walls@ceaa-acee.gc.ca

Robyn McLean, Project Manager, Canadian Environmental Assessment
Agency, robyn.mclean@ceaa-acee.gc.ca

Teresa Morris, Project Assessment Manager, Environmental Assessment
Office, teresa.morris@gov.bc.ca