



Canadian Environmental
Assessment Agency

Agence canadienne
d'évaluation environnementale

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May 17, 2016

Mayor John Helin
Lax Kw'alaams Band
206 Shashaak Street
Port Simpson BC V0V 1H0

Dear Mayor Helin:

**SUBJECT: Request for Comments on the Potential Impacts of the
Proposed Kitimat Clean Refinery Project**

On May 6, 2016, the Canadian Environmental Assessment Agency (the Agency), received a project description from Kitimat Clean Ltd. (the proponent) for the Kitimat Clean Refinery Project (the Project) that meets the requirements of the *Canadian Environmental Assessment Act, 2012* (CEAA 2012). The objective of this letter is to invite Lax Kw'alaams Band to provide your views on the potential environmental effects and impacts of the Project on your community.

The Project

The proponent proposes to develop an oil refinery located in the Regional District of Kitimat-Stikine in northwest British Columbia, approximately 13 kilometres north of Kitimat. The refinery has a proposed input capacity of 63 600 m³ per day of bitumen, over a project life of at least 50 years. Please see the attached summary of the project description for additional information.

Determining Whether a Federal Environmental Assessment is Required

Upon receiving a project description that meets the requirements of CEAA 2012, the Agency must determine whether a federal environmental assessment for the Project is required. As part of this determination, the Agency is conducting a 20-day public comment period during which it invites comments from potentially affected Indigenous communities. In making its determination, the Agency will take into account the views it received during the comment period, as well as the characteristics of the Project and its potential to cause adverse environmental effects.

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The Agency is seeking your initial views on the following matters:

- Identifying any environmental effects of the Project that are of concern to your community. Do you anticipate any environmental effects that are not listed in the project description?
- Describing how these environmental effects could result in changes to your community's:
 - health and socio-economic conditions (e.g. country foods, drinking water, commercial activities relying on natural resources such as logging or guiding);
 - physical and cultural heritage (e.g. ceremonial sites, burial sites, cultural landscapes);
 - current use of lands and resources for traditional purposes (e.g. hunting, fishing, trapping); or
 - structures, sites or things of historical, archaeological, paleontological or architectural significance (e.g. artifacts, important historical buildings or symbols)
- Identifying any potential impacts of the Project on your potential or established Aboriginal rights.

Please provide your comments by **June 5, 2016**, to ensure the Agency can consider them in its determination of whether a federal environmental assessment of the Project is required. A form is attached that you can fill out to respond to the questions above, or you may reply in a format of your choice.

IMPORTANT NOTE: Information that you provide to the Agency is considered to be part of the public record and can only be kept confidential in specific circumstances. Should you have any documents that contain sensitive information that you believe should be protected from release to the public, please contact the Project Manager, Quincy Leung, before you provide the documents to the Agency to discuss whether, and if so how, the information can be protected.

Coordination of Federal Crown Consultation

Should the Agency determine that a federal environmental assessment is required for the Project, the Agency, as the federal Crown Consultation Coordinator, will coordinate the federal government's consultation activities with potentially affected groups. Please provide the Agency with contact information for staff or other representatives who are authorized to coordinate Crown consultation activities and information-sharing on behalf of the Lax Kw'alaams Band. The contact information for the Agency representative managing this project file is below.

Should there be a federal environmental assessment, federal funding will be made available to support participation in key phases of the environmental assessment process. More information on the federal environmental assessment process, including the Agency's Participant Funding Program, is available at www.ceaa-acee.gc.ca.

Provincial review

The Project may also be subject to provincial review. Please contact Kristin Worsley at the British Columbia Environmental Assessment Office for additional information. Kristin Worsley may be reached at 250-387-3801 or Kristin.Worsley@gov.bc.ca.

Contacting the Agency

Quincy Leung will be managing, on behalf of the Agency, the initial environmental assessment determination process for the Project, and will be in contact with you to follow up on this letter. Do not hesitate to contact Quincy at 604-666-8940 or Quincy.Leung@ceaa-acee.gc.ca if you have any questions or wish to provide the Agency with information relating to the proposed project and any potential impacts it could have on your potential or established Aboriginal rights.

Sincerely,

<Original signed by>

Lisa Walls
Director
Pacific and Yukon Region

Attachments:

- #1 – Summary of Project Description
- #2 – Comment Form: Information to Inform whether a Federal EA is Required

c.c.: Quincy Leung, Canadian Environmental Assessment Agency
Kristin Worsley, British Columbia Environmental Assessment Office
Anna Bailie, Major Projects Management Office
David Black, Kitimat Clean Ltd.
Mellissa Winfield-Lesk, Hatch Ltd.

Attachment 1: Summary of Project Description

Attachment 2: Information to Inform Whether a Federal EA is Required

Please respond by: June 5, 2016

Kitimat Clean Refinery Project – Kitimat Clean Ltd.

Agency File No.: 005376

Lax Kw'alaams Band			
EA Contact Name:		Telephone:	
Address:		Fax:	
Email:			

The Agency must determine whether a federal environmental assessment is required for this project. You can contribute to the decision-making process by providing the information available to your group at this time on the Project's anticipated environmental effects and impacts on your potential or established Aboriginal rights. You may use this form or use another format of your choice.

4. Please identify any environmental effects of the Project that are of concern to your group or community. Also please identify environmental effects that are not listed in the project description.

2. Please describe how the potential environmental effects of the Project could result in changes to your group or community's:
(a) health and socio-economic conditions (e.g. country foods, drinking water, logging or other commercial activities that rely on natural resources)

(b) physical and cultural heritage (e.g. ceremonial sites, burial sites, cultural landscapes)

(c) current use of lands and resources for traditional purposes (e.g. hunting, fishing, trapping)

(d) structures, sites or things of historical, archaeological, paleontological or architectural significance (e.g. artifacts, important historic buildings or symbols)

3. If you expect the Project may impact your potential or established Aboriginal rights, please describe how.

Print Name of responder

Signature

Title of responder

Date

Please respond to the above questions by **June 5, 2016** via email at Quincy.Leung@ceaa-acee.gc.ca or fax at 604-666-6990. Thank you.