



Reference: 308982

April 5, 2017

SENT VIA EMAIL

Samer Salameh
Executive Chairman and Chief Executive Officer
Pacific Future Energy Corporation
701 West Georgia Street, Suite 1818
Vancouver BC V7Y 1L2
<email address removed>

Dear Mr. Salameh:

I am writing regarding the provincial environmental assessment (EA) process for the Pacific Future Energy Refinery Project (PFER Project) proposed by the Pacific Future Energy Corporation (PFEC). In an order under Section 10(1)(c) of the *Environmental Assessment Act* (Act) issued on July 4, 2016, the Environmental Assessment Office (EAO) determined that the PFER Project constituted a reviewable project and was required to undergo an EA. On October 7, 2016, the Minister of Environment and Climate Change Canada referred the federal EA to a review panel. The Canadian Environmental Assessment Agency (the Agency) subsequently invited the EAO to discuss the potential coordination of our respective EA processes, including exploring the merits of a joint review panel for the PFER Project.

I have considered the Agency's invitation and the November 4, 2016 letter from PFEC that requests a joint federal-provincial review panel assessment for the PFER Project, as well as feedback gathered in the November 2016 meetings between EAO staff, the Agency's Panel Manager and potentially-affected Aboriginal groups in the vicinity of the PFER Project. I determined to refer the PFER Project to the Minister of the Environment pursuant to an Order under Section 10(1)(a) of the Act, which replaces the previous Order issued under Section 10(1)(c).

The Minister of Environment has subsequently issued an Order under Section 14 of the Act ordering that the EA of the PFER Project be conducted by a hearing panel. The EAO will work with the Agency to establish a joint federal-provincial review panel, including the development of a joint review panel agreement. I have enclosed the Section 10(1)(a) and Section 14 orders.

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I have requested that the EAO's Project Lead contact you in the near future with respect to the next steps for the PFER Project EA, including requirements for information related specifically to the provincial EA and fees under Section 3 of the Fee Regulation. If you have any questions, please contact Tracy James, Project Assessment Manager, by email at Tracy.James@gov.bc.ca or Michael Shepard, Project Assessment Manager, by email at Michael.Shepard@gov.bc.ca.

With very best regards,

<Original signed by>

Kevin Jardine
Associate Deputy Minister

Enclosure: 2

cc: Tracy James, Project Assessment Manager,
Environmental Assessment Office
Tracy.James@gov.bc.ca

Michael Shepard, Project Assessment Manager,
Environmental Assessment Office
Michael.Shepard@gov.bc.ca

Jacques Benoit, Chief Operating Officer, Pacific Future Energy Corporation
<email address removed>

Brett Maracle, Panel Manager, Canadian Environmental Assessment Agency
Brett.Maracle@ceaa-acee.gc.ca

**IN THE MATTER OF THE
ENVIRONMENTAL ASSESSMENT ACT, S.B.C. 2002, c.43 (Act)**

AND

**AN ENVIRONMENTAL ASSESSMENT OF THE
PACIFIC FUTURE ENERGY REFINERY PROJECT**

ORDER UNDER SECTION 14

WHEREAS:

- A. Pacific Future Energy Corporation (Proponent) proposes to construct and operate an oil refinery and associated infrastructure in the Regional District of Kitimat-Stikine in northwest British Columbia (Proposed Project);
- B. The Proposed Project constitutes a reviewable project pursuant to Part 4 of the Reviewable Projects Regulation, B.C. Reg. 370/02, because it includes a new energy storage facility with the capability to store an energy resource in a quantity that can yield by combustion ≥ 3 PJ of energy;
- C. On October 7, 2016 the federal Minister of Environment and Climate Change referred the environmental assessment of the Proposed Project to a review panel;
- D. On October 12, 2016, the Canadian Environmental Assessment Agency invited the Environmental Assessment Office (EAO) to discuss coordination of the respective federal and provincial environmental assessment review processes, including a potential joint review panel process;
- E. I anticipate that the environmental assessment of the Proposed Project will be conducted pursuant to an agreement between the Canadian Environmental Assessment Agency and the Minister of Environment or the Associate Deputy Minister of the EAO, under section 27 of the Act, that will establish the scope, procedures and methods of the assessment;
- F. Under section 10(1)(a) of the Act, the EAO's Executive Director is authorized to refer a Proposed Project to the Minister of Environment for a determination of the assessment's scope, procedure and methods under section 14 of the Act;
- G. The Executive Director has referred the Proposed Project to me in accordance with section 10(1)(a) of the Act.

NOW THEREFORE:

Pursuant to section 14 of the Act, I order that the environmental assessment of the Proposed Project be conducted by a hearing panel.

<Original signed by>

Honourable Mary Polak
Minister of Environment

Dated: April 5, 2017.

**IN THE MATTER OF THE ENVIRONMENTAL ASSESSMENT ACT
S.B.C. 2002, c.43 (ACT)**

AND

**AN ENVIRONMENTAL ASSESSMENT OF THE
PACIFIC FUTURE ENERGY REFINERY PROJECT
(PROPOSED PROJECT)**

ORDER UNDER SECTION 10(1)(a)

WHEREAS:

- A. Pacific Future Energy Corporation (Proponent) proposes to construct and operate an oil refinery and associated infrastructure in the Regional District of Kitimat-Stikine in northwest British Columbia.
- B. The proposed Project constitutes a reviewable project pursuant to Part 4 of the Reviewable Projects Regulation (B.C. Reg. 370/02), since the proposed Project includes a new energy storage facility with the capability to store an energy resource in a quantity that can yield by combustion ≥ 3 PJ of energy.
- C. The Executive Project Director issued an order under section 10(1)(c) of the *Environmental Assessment Act* on July 4, 2016 stating that an environmental assessment is required for the proposed Project and that the Proponent may not proceed with the proposed Project without an assessment.
- D. On October 7, 2016 the federal Minister of Environment and Climate Change referred the environmental assessment of the proposed Project to a review panel.
- E. On October 12, 2016, the Canadian Environmental Assessment Agency invited the EAO to discuss coordination of the respective federal and provincial environmental assessment review processes, including a potential joint review panel process.
- F. Under section 10(1)(a) of the Act, the EAO's Executive Director is authorized to refer a proposed Project to the Minister of Environment for a determination of the assessment's scope, procedure and methods under section 14 of the Act.

NOW THEREFORE:

I order that the order issued under section 10(1)(c) of the Act, dated July 4, 2016, is rescinded and replaced by this order.

Pursuant to section 10(1)(a) of the Act, I order that the proposed Project be referred to the Minister of Environment for a determination under section 14 of the Act.

<Original signed by>

Kevin Jardine
Associate Deputy Minister and Executive Director
Environmental Assessment Office

Dated: April 3, 2017