



October 1, 2024

Sent by Email Only

Binyou Dai
Chief Operation Officer
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Binyou Dai:

**Subject: Requirements related to the Detailed Project Description
for Summit Lake PG LNG Project**

On June 20, 2024, the *Budget Implementation Act, 2024, No. 1*, received royal assent and brought into force amendments to the *Impact Assessment Act* (the IAA). Further to the Impact Assessment Agency of Canada's (IAAC) correspondence to you of July 12, 2024, this letter provides further detail on the amendments to the IAA pertaining to the Detailed Project Description (DPD), and the requirement for a DPD for the Summit Lake PG LNG Project (the Project).

One of the amendments to the IAA includes changes to section 15 and the requirements related to the provision of a DPD. Subsection 15(1.1) of the amended IAA indicates that IAAC may require a DPD if it is of the opinion that a decision cannot be made under subsection 16(1) regarding whether an impact assessment is required without that description and information.

Based on the information available to date regarding the Project, including the Initial Project Description (IPD), comments received, and anticipated complete responses to the Joint Summary of Issues and Engagement, IAAC has determined there is insufficient information regarding the

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following factors to inform its section 16 decision:

- 16(2)(b) the adverse effects within federal jurisdiction — or the direct or incidental adverse effects — that may be caused by the carrying out of the designated project;
- 16(2)(f.1) whether a means other than an impact assessment exists that would permit a jurisdiction to address the adverse effects within federal jurisdiction — and the direct or incidental adverse effects — that may be caused by the carrying out of the designated project; and
- 16(2)(c) any adverse impact that the designated project may have on the rights of the Indigenous peoples of Canada recognized and affirmed by section 35 of the *Constitution Act, 1982*.

IAAC understands that there have been changes to the Project design since the submission of the IPD, and as such, will require this information to inform its section 16 decision. Therefore, IAAC is of the view that a DPD for the Project is required. Information from the DPD will support the decision to determine if an impact assessment is required and subsequent Planning Phase outcomes including consideration of the [impact assessment substitution request](#) submitted by British Columbia's Environmental Assessment Office (EAO).

Along with the DPD, JX LNG Canada Ltd. is still required to provide the Response to the Joint Summary of Issues and Engagement pursuant to section 15(1) of the amended IAA. Please refer to the June 12, 2024 [letter](#) sent from IAAC and EAO to JX LNG Canada Ltd. for guidance. The 180-day time limit for the Planning Phase will remain suspended until IAAC accepts your response to the Joint Summary of Issues and Engagement and the DPD.

JX LNG Canada Ltd. is reminded that all records produced, collected or received in relation to the impact assessment of the Project – unless prohibited under the *Access to Information Act* – will be considered public and posted on the Registry Internet site for the Project.

If you have any questions, please do not hesitate to contact me at
Byron.Vallis@iaac-aeic.gc.ca.

Sincerely,

<Original signed by>

Byron Vallis
Project Manager, Pacific and Yukon Region

c.c.: Christine Olson, Keywest Projects Ltd.
John Antill, British Columbia's Environmental Assessment Office