

Proposed Raven Underground Coal Mine

Synopsis of Comments Received During the Public Comment Period on the Draft Application Information Requirements/Environmental Impact Statement Guidelines

Coordinated Canada-BC environmental assessment of the proposed Raven Underground Coal Mine Project

The proposed Raven Underground Coal Mine Project (the proposed Project) is subject to the environmental assessment requirements of both the *Canadian Environmental Assessment Act* and British Columbia's *Environmental Assessment Act*. When a project requires both a provincial and federal environmental assessment, the Canadian Environmental Assessment Agency (the Agency) and the BC Environmental Assessment Office (the EAO) work together to collect and assess the information required by each government to reach environmental assessment decisions in a timely and effective manner.

The Agency and the EAO provided the public with an opportunity to review and provide input on the proposed Project's draft Application Information Requirements / Environmental Impact Statement Guidelines (the information requirements) between May 18 and June 27, 2011.

The information requirements describe what information will need to be submitted by Compliance Coal Corporation (the proponent) as part of the cooperative environmental assessment. This information will include baseline studies and analyses needed to identify the proposed Project's potential environmental, economic, social, health and heritage effects, and measures proposed by the proponent to avoid, reduce or manage potentially adverse impacts including those relating to aboriginal interests.

The EAO and the Agency would like to thank the individuals and organizations that reviewed the information requirements in detail and submitted thoughtful and comprehensive comments.

Public comments regarding the environmental assessment information requirements

Approximately 3,000 public submissions were received, with many individuals providing multiple submissions. Over 5,000 comments were received, as one submission may contain numerous comments. The concerns most frequently raised included:

- highway congestion and accidents;
- noise from truck traffic and mine operations;
- coal dust from mine, trucks, and port facilities;



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- greenhouse gas emissions from coal mining;
- global climate change impacts from coal use;
- effects of coal washing, water use, and disposal of water;
- acid rock drainage and heavy metal leaching;
- contamination of watersheds;
- effects on Baynes Sound;
- contamination of shellfish and effects on aquaculture;
- incomplete aquifer mapping and groundwater/drinking water contamination;
- tailings pond leaching or excess runoff;
- effects on wildlife and conservation areas;
- effects on birds and important bird areas;
- changes in jobs or employment;
- reduction in tourism due to the mine;
- light pollution from mine site;
- inclusion of Bear and Anderson Lake properties in the environmental assessment;
- inadequate consultation process;
- effects of natural disasters (including earthquakes and tsunamis) on the mine and port facilities;
- insufficient bond or liability fund for reclamation; and,
- environmental management at reclamation and closure.

Comments that were submitted as part of this public comment period are considered public and have been posted to the EAO's electronic project information centre (ePIC) (http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_project_home_351.html). The comments have also become part of the Agency's Registry project file for the proposed Project, which is available upon request.

The EAO and the Agency note that the majority of public comments submitted were in opposition to the proposed Project. However, it is important to recognize that the objective of the public comment period was to receive input on the information requirements. The EAO and the Agency will carefully consider all of the relevant issues raised, regardless of the number of times they were submitted.

Public comments on the information requirements

Compliance Coal Corporation has been requested to provide responses to the public comments that relate to the information requirements of the cooperative environmental assessment. The responses will be provided in the form of a public comment tracking table, which will be posted to the EAO's ePIC website. It is anticipated that the tracking table will be posted in the fall of 2011.

Public comments related to local government interests

Some comments from the public stated that the proposed Project was inconsistent with the vision statements of potentially affected local communities. As a component of the provincial environmental assessment, the EAO considers potential social and economic impacts of the

proposed Project, including how it would interact with the communities' visions, strategies or plans.

Public comments related to issues beyond the scope of the information requirements

Comments suggesting the rejection of the proposed Project and cancellation of the environmental assessment

Under federal and provincial legislation, proponents have the right to submit a proposal for review. Due process and fairness requires that governments consider and assess the proposal before making a determination.

When a proponent seeks to develop a project that triggers an environmental assessment under the *Canadian Environmental Assessment Act* or British Columbia's *Environmental Assessment Act*, that project is subject to the processes and procedures established by those statutes. Accordingly, the proposed Raven Underground Coal Project will be subject to a careful examination of the potential effects prior to the provincial and federal governments making a decision regarding the proposed Project.

Through the cooperative environmental assessment process, the proponent will be required to develop mitigation measures to avoid or minimize any potentially adverse impacts. Until all relevant potential effects are identified and understood, governments will not have a basis on which to reach a conclusion regarding the likelihood of significant adverse effects.

The Agency and the EAO are responsible for ensuring a fair and transparent environmental assessment process that assesses the potential impacts of the proposed Project and for submitting a report to their respective Ministers for an environmental assessment decision.

Comments requesting a referral of the proposed Project to a joint federal/provincial review panel

The Agency and EAO received comments from members of the public requesting that the proposed Project be referred to an independent joint federal/provincial review panel.

To refer a provincial environmental assessment to a joint review panel, an order of the provincial Minister of Environment under Section 14 of the BC *Environmental Assessment Act* is required. This can only take place after a referral from the EAO's Executive Director. For the proposed Project, the Executive Director has decided that he will not make such a referral, as he is satisfied the current review can appropriately assess the potential environmental, social, economic, health and heritage effects of the proposed Project.

Under the *Canadian Environmental Assessment Act*, the Agency may recommend to the federal Minister of the Environment that a proposed Project be referred to a review panel if the Agency

is of the opinion that a project may cause significant adverse environmental effects after taking into account the implementation of any appropriate mitigation measures or that public concerns with respect to those environmental effects warrant a referral.

After considering the project information received to date from the proponent, the comments from the public and the application of standard mitigation measures to the proposed Project as proposed, the Agency and other federal departments are not able to identify any residual significant adverse environmental effects that may result from the proposed Project. As a result, the Agency is confident that the cooperative comprehensive study will be able to identify, analyze, and address the potential environmental effects of the proposed Project.

Public comments regarding greenhouse gas contribution of coal consumption overseas

Numerous public comments called for an assessment of the greenhouse gas (GHG) contributions that would be associated with the overseas end use of coal from the proposed Project. By current international GHG accounting standards, countries are responsible for emissions that occur within their boundaries. For example, if coal were mined in Canada and combusted in Korea, Canada would be responsible for the fugitive emissions related to the mining while Korea would be responsible for the combustion emissions associated with the end use of the coal.

As a result, the cooperative environmental assessment of the proposed Project will examine the GHG emissions associated with the mining and transportation of the coal by truck to Port Alberni, and by ship to the Cape Beale Pilotage Station. The cooperative environmental assessment will not consider overseas GHG emissions as a result of combustion of the coal.

For more information regarding the provincial approach to greenhouse gas accounting, please see the *Greenhouse Gas Reduction Targets Act* (http://www.leg.bc.ca/38th3rd/1st_read/gov44-1.htm) and the Provincial Greenhouse Gas Inventory Report (http://www.env.gov.bc.ca/cas/mitigation/ghg_inventory/index.html).

For more information on the federal approach to monitoring and regulating GHG emissions, please refer to Environment Canada's GHG Emissions webpage: <http://www.ec.gc.ca/ges-ghg/default.asp?lang=En&n=1357A041-1>.

Next steps

Once the proponent responds to the public comments submitted on the information requirements, the EAO will provide the public with an opportunity to comment on the proponent's responses.

After this public comment opportunity, the EAO and the Agency will then review the proponent's responses and any public comments received on those responses, make any changes to the information requirements that the EAO and the Agency deem necessary and issue the information requirements to the proponent. The proponent must collect the information and

undertake the analyses outlined in the information requirements and provide it to the Agency and the EAO in an official submission referred to provincially as an Application for an Environmental Assessment Certificate and federally as an Environmental Impact Statement.

The Agency and EAO Web sites provide information on the status of the proposed Project and the environmental assessment process and can be visited at www.eao.gov.bc.ca and www.ceaa.gc.ca respectively. The public can also stay up-to-date on major milestones by signing up for the EAO's Really Simple Syndication (RSS) feed or the Agency email list. Setup information for RSS is available on the EAO's Web site; subscribing to the email list can be done by writing to raven@ceaa-acee.gc.ca.