



September 20th, 2024

Mike McLellan
Vice-President, Project Development
GCT Canada Limited Partnership
400 – 2945 Virtual Way
Vancouver BC V5M 4X5
<Contact information removed>

**SUBJECT: Approach to Implementation of Transitional Provisions for the
*Impact Assessment Act***

Dear Mike McLellan:

Further to our letter of July 12, 2024 and our conversation on August 13, 2024, the purpose of this letter is to inform you of the Impact Assessment Agency of Canada's (IAAC) approach to the implementation of the transitional provisions of the *Budget Implementation Act, 2024, No. 1*, relative to the *Impact Assessment Act* (the IAA) amendments as they apply to the GCT Deltaport Expansion – Berth Four Project (the project). The relevant transitional provisions are included in Attachment 1.

In accordance with transitional provision 305(2), IAAC has posted a [notice](#) on the Canadian Impact Assessment Registry Internet Site (the Registry) for the project that it has taken the following step:

- Subsection 37(1) [Establishment of time limit for Impact Assessment Phase](#)

With respect to transitional provision 305(4), the time limit for the Impact Statement phase for the project has been changed to account for the time elapsed during the interim period from October 13, 2023, to June 20, 2024, between the Supreme Court of Canada decision on the constitutionality of the IAA and the coming into force of the amended IAA. The new deadline for you to provide the required information or studies described in the [Notice of Commencement of an Impact Assessment](#) is now **February 6, 2028**.

In posting the notice on the Registry, any step taken before the amended IAA came into force regarding the Project is deemed to have been done under the amended IAA. No further action under the transitional provisions of the *Budget Implementation Act, 2024, No. 1*, is required.

If you have any questions, please do not hesitate to contact me by phone <Contact information removed>
or by email at <Contact information removed> .

Sincerely,

<sent electronically>

Kate Witherly
Panel Manager

Enclosure(s):

Attachment 1: Transitional Provisions from the *Budget Implementation Act, 2024*

c.c.: Marko Dekovic, Vice President, Public Affairs, GCT Canada Limited Partnership
Jessie Hannigan, Project Assessment Director, BC Environmental Assessment
Office
Kim Noble, Manager, Crown Consultation, IAAC

Attachment 1: Transitional Provision 305 from the *Budget Implementation Act, 2024*

Designated projects

305 (1) This section applies in respect of a designated project if the Minister or the Agency, during the six-month period that starts on the commencement day, takes a step with regard to that project under any of sections 10 to 59 of the amended Act.

Posting

(2) The Agency must post a notice on the Internet site that indicates the first step taken, the provision under which it was taken, the date on which it was taken and the designated project in respect of which it was taken.

Deeming

(3) Everything that was done before the commencement day with regard to a designated project in respect of which a notice is posted under subsection (2) is, if it may or must be done under the amended Act in respect of the designated project, deemed, as of the day on which the first step is taken, to have been done under the amended Act.

Agency's power

(4) The Agency may, when the first step is taken with regard to a designated project, replace, in respect of that project, any time limit or period established by or under the amended Act by another time limit or period.

Posting

(5) The Agency must post a notice on the Internet site that indicates, for each time limit or period that it replaces, the new time limit or period and the designated project with regard to which that new time limit or period applies.

Clarification

(6) For greater certainty, nothing in subsection (4) affects any power conferred on the Agency under the amended Act to extend or shorten any time limit or period.

Definition of *first step*

(7) In this section, *first step* means the first step taken by the Minister or the Agency under any of sections 10 to 59 of the amended Act in respect of a designated project during the six-month period that starts on the commencement day.