

PART C – MAA-NULTH FIRST NATIONS INTERESTS

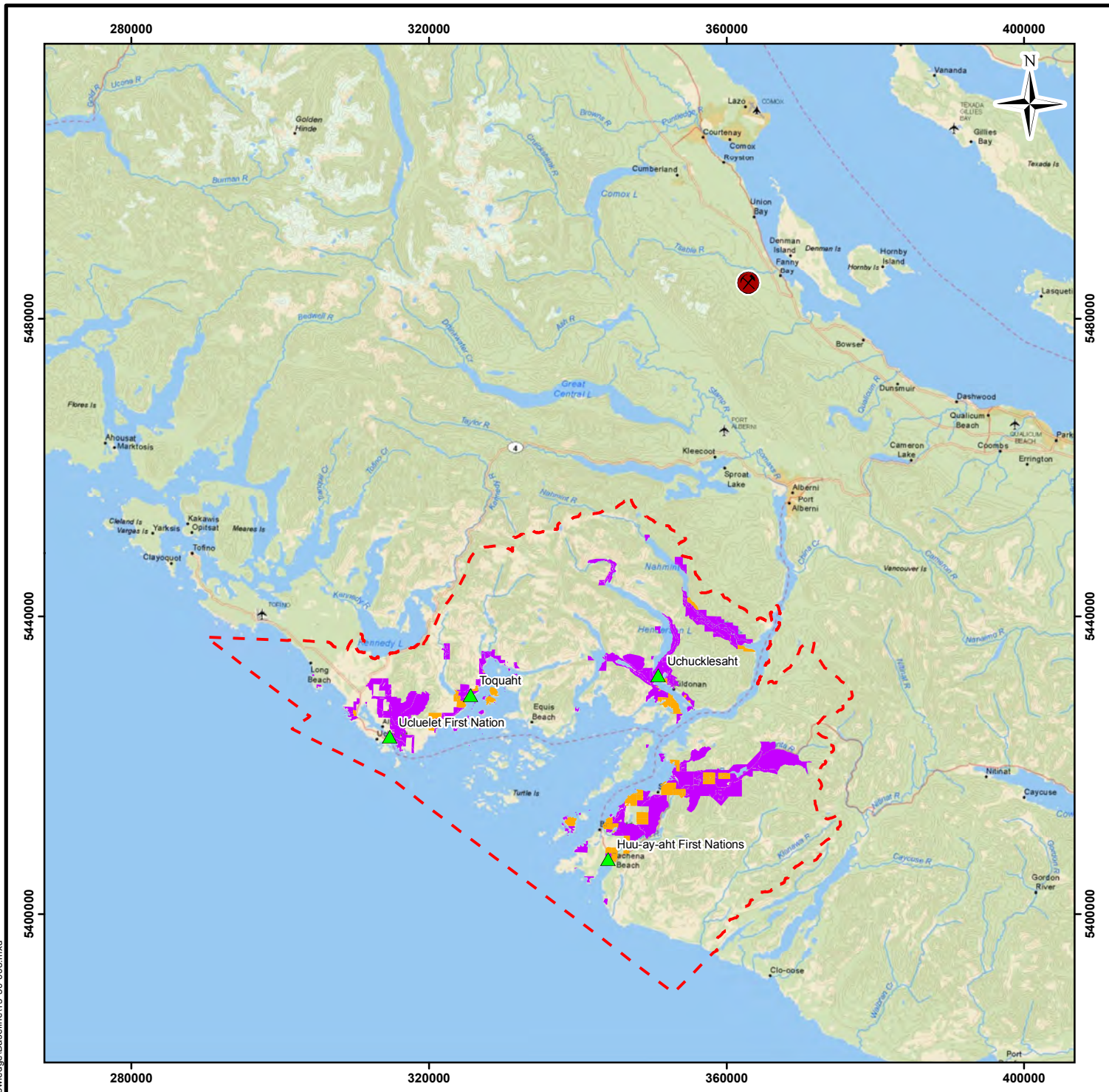
Part C of the Application / EIS will discuss all Maa-nulth First Nations considerations pertaining to the proposed Raven Project. In particular, this section of the Application / EIS will provide a summary of the Maa-nulth Final Agreement (Government of Canada 2010a), Maa-nulth First Nations Governments and the Maa-nulth First Nations history. Part C of the Application / EIS will also discuss Maa-nulth First Nations rights and interests that may potentially be impacted by the proposed Raven Project, as well as related issues raised by the Maa-nulth First Nations throughout the EA process. This information will be informed by discussions with the Maa-nulth First Nations as well as additional guidance provided by the Agency.

The introduction to this section will provide a summary of how regulatory requirements were followed, including outlining the Maa-nulth Final Agreement, and key chapters of the Maa-nulth Final Agreement that are applicable to the proposed Raven Project review.

12 MAA-NULTH FIRST NATIONS BACKGROUND INFORMATION AND MAA-NULTH FIRST NATIONS SETTING

This section of the Application / EIS will provide the following:

- Maps of the Maa-nulth First Nations areas (Figure 12-1) as well as those areas encompassed by Appendices N, O, P, Q and R of the Maa-nulth Final Agreement (Figures 12-2 to 12-11); and
- Provide background information for the potentially impacted Maa-nulth First Nations rights, including, but not limited to, ethnography, traditional use, culture and heritage sites, language, land use setting and planning, governance, economy, and treaty implementation, where the proposed Raven Project overlaps with the rights as defined by the Maa-nulth Final Agreement.



Legend

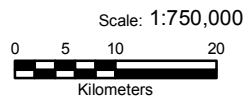
-  Raven Coal Project
-  Band Location
-  Treaty Lands
-  Treaty Related Lands
-  Maa-nulth Treaty Area



Reference

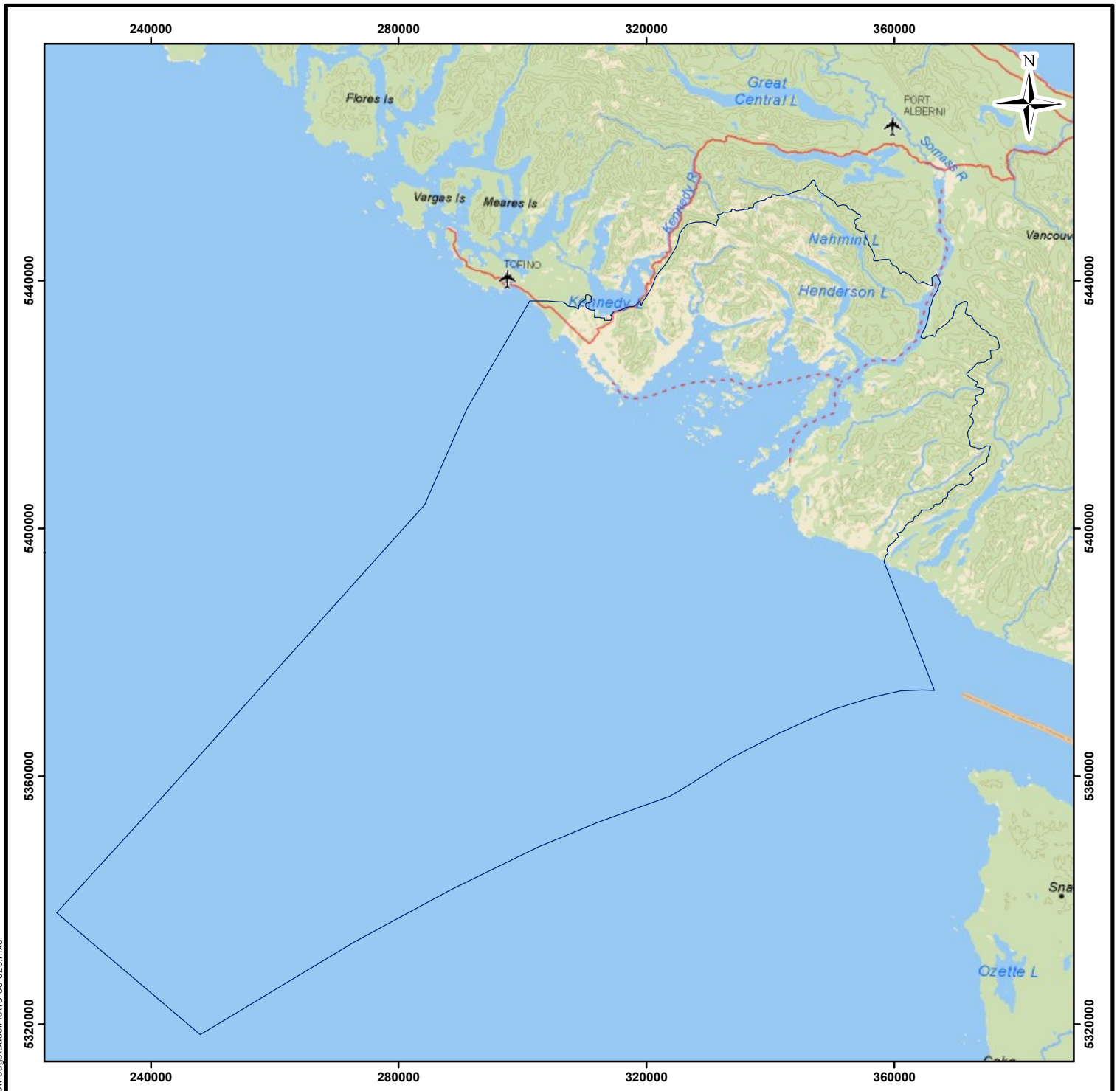
Base Data: DeLorme World Basemap

Note


Drawing is preliminary and mapped areas may be subject to change. AMEC assumes no liability to any other party for any representations contained in this drawing



CLIENT:		 Compliance Coal Corporation
PROJECT:		
Raven Underground Coal Project		
Maa-nulth First Nations Map		
DATE:	ANALYST:	Figure 12-1
April 06, 2011	EO	
JOB No:	QA/QC:	PDF FILE:
VE51897	LR	15-50-008_maa_nulth.pdf
GIS FILE:		
15-50-008		
PROJECTION:	DATUM:	
UTM Zone 10	NAD83	



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 Maa-nulth Domestic Fishing Area



Reference

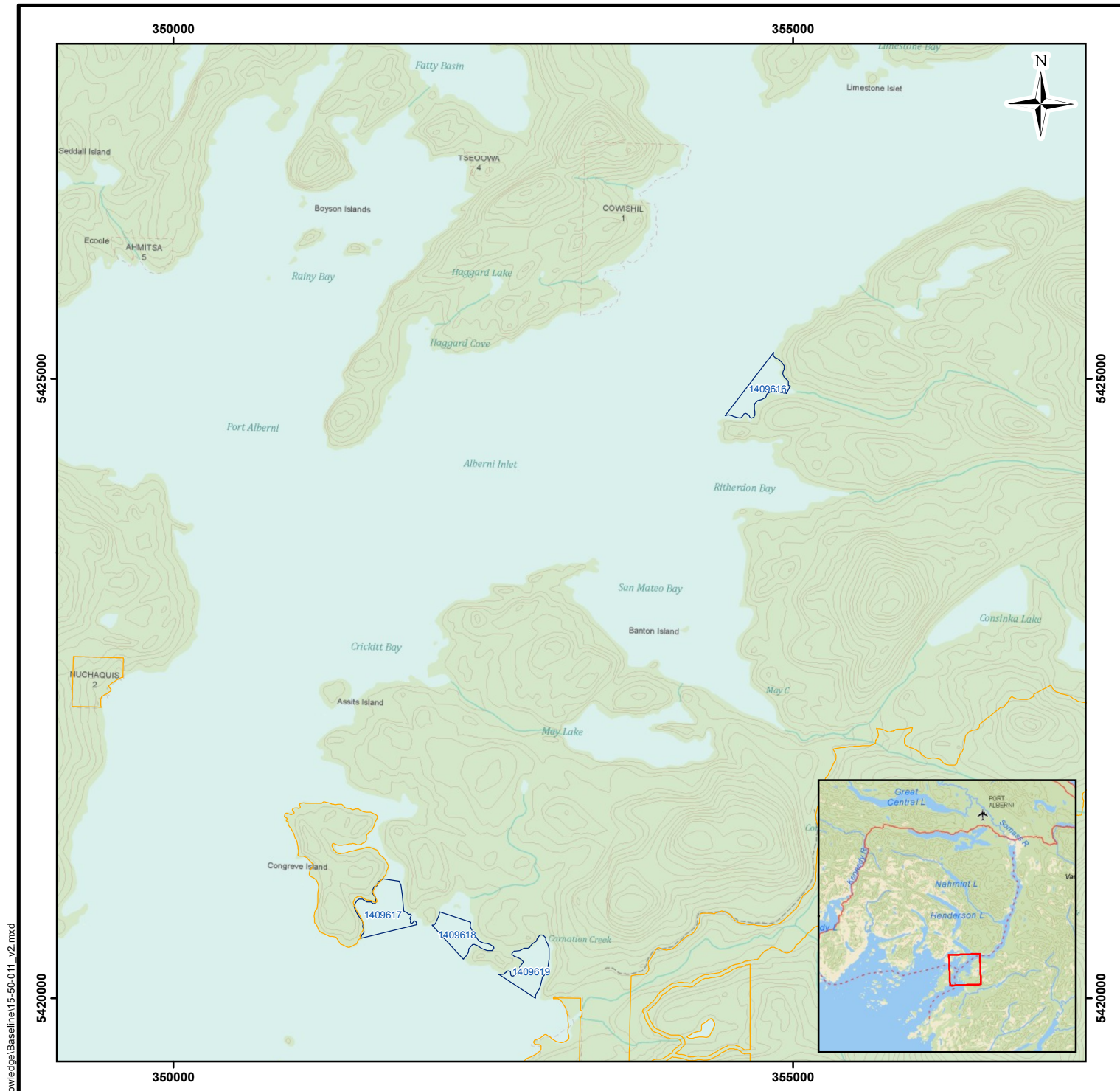
Base Data: DeLorme World Base Map
 Appendix N-2: Map of Maa-nulth Domestic Fishing Area Barkley Sound
 Maa-nulth Final Agreement

Note

Drawing is preliminary and mapped areas may be subject to change. AMEC assumes no liability to any other party for any representations contained in this drawing



CLIENT:  Compliance Coal Corporation Compliance Coal Corporation		
PROJECT: Raven Underground Coal Project Maa-nulth First Nation Domestic Fishing Area Barkley Sound		
DATE: April 18, 2011	ANALYST: EO	Figure 12-2
JOB No: VE51897	QA/QC: LR	
GIS FILE: 15-50-020		
PROJECTION: UTM Zone 10	DATUM: NAD83	



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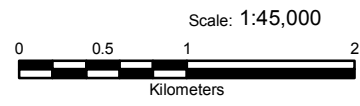
- Maa-nulth First Nation Lands of Huu-ay-aht First Nations
- Designated Shellfish Aquaculture Site - Reserve File Number

Reference

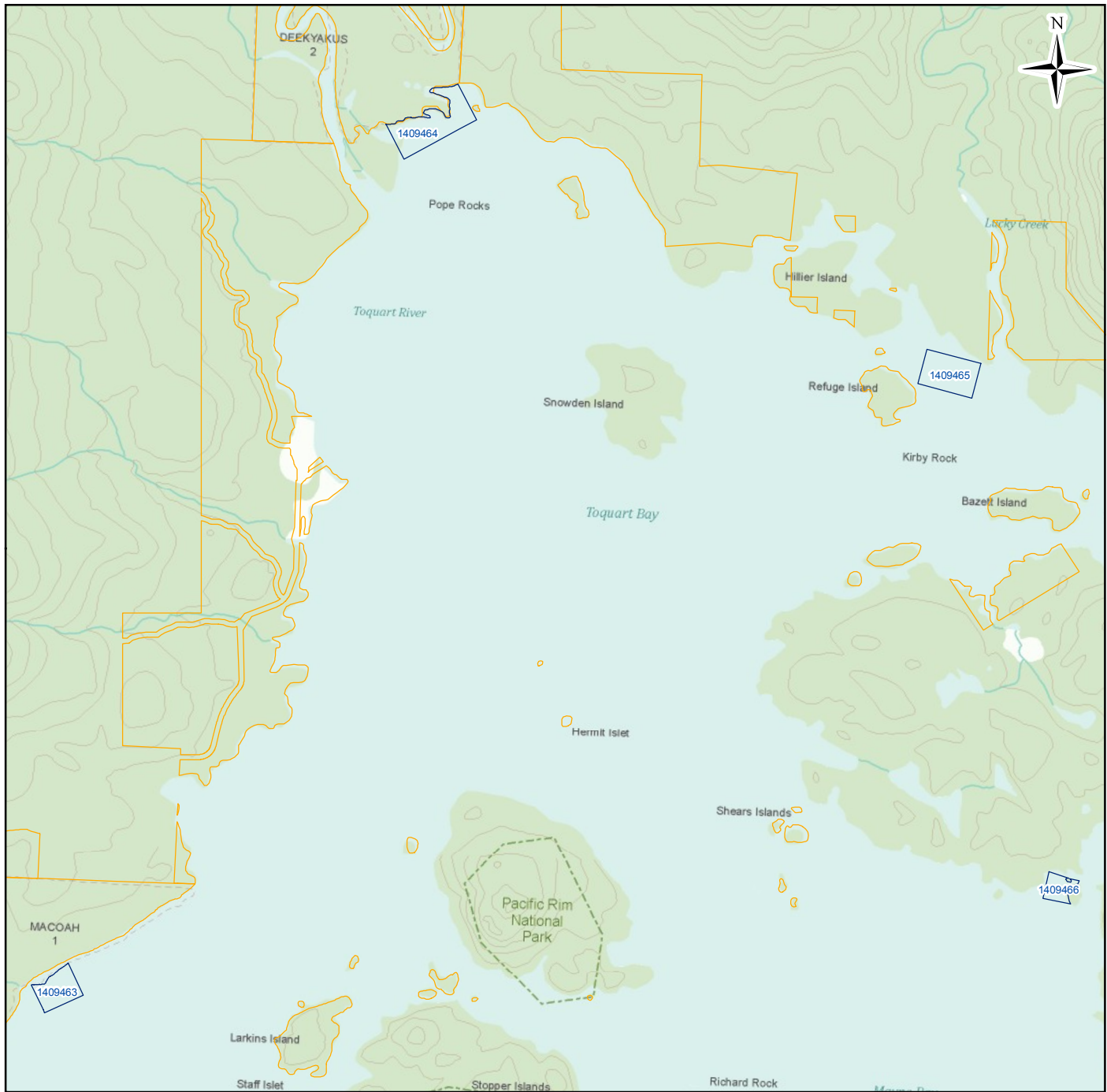
Base Data: ESRI World Topographic Map
 Appendix O-1: Maps of Designated Shellfish Aquaculture Sites of Huu-ay-aht First Nations Plans 1 and 2
 Final Agreement of Maa-nulth Final Agreement

Note

Drawing is preliminary and mapped areas may be subject to change. AMEC assumes no liability to any other party for any representations contained in this drawing



CLIENT: Compliance Coal Corporation <small>(a) Concor Joint Venture</small>	
PROJECT: Raven Underground Coal Project	
Maa-nulth First Nation Designated Shellfish Aquaculture Sites of Huu-ay-aht First Nations	
DATE: April 06, 2011	ANALYST: EO
JOB No: VE51887	QA/QC: LR
GIS FILE: 15-50-011	DATUM: NAD83
Figure 12-3 	
PDF FILE: 15-50-011_maa_nulth_O1.pdf	



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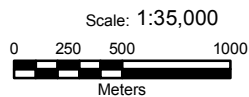
- Maa-nulth First Nation Lands of Toquaht Nation
- Designated Shellfish Aquaculture Site - Reserve File Number

Reference

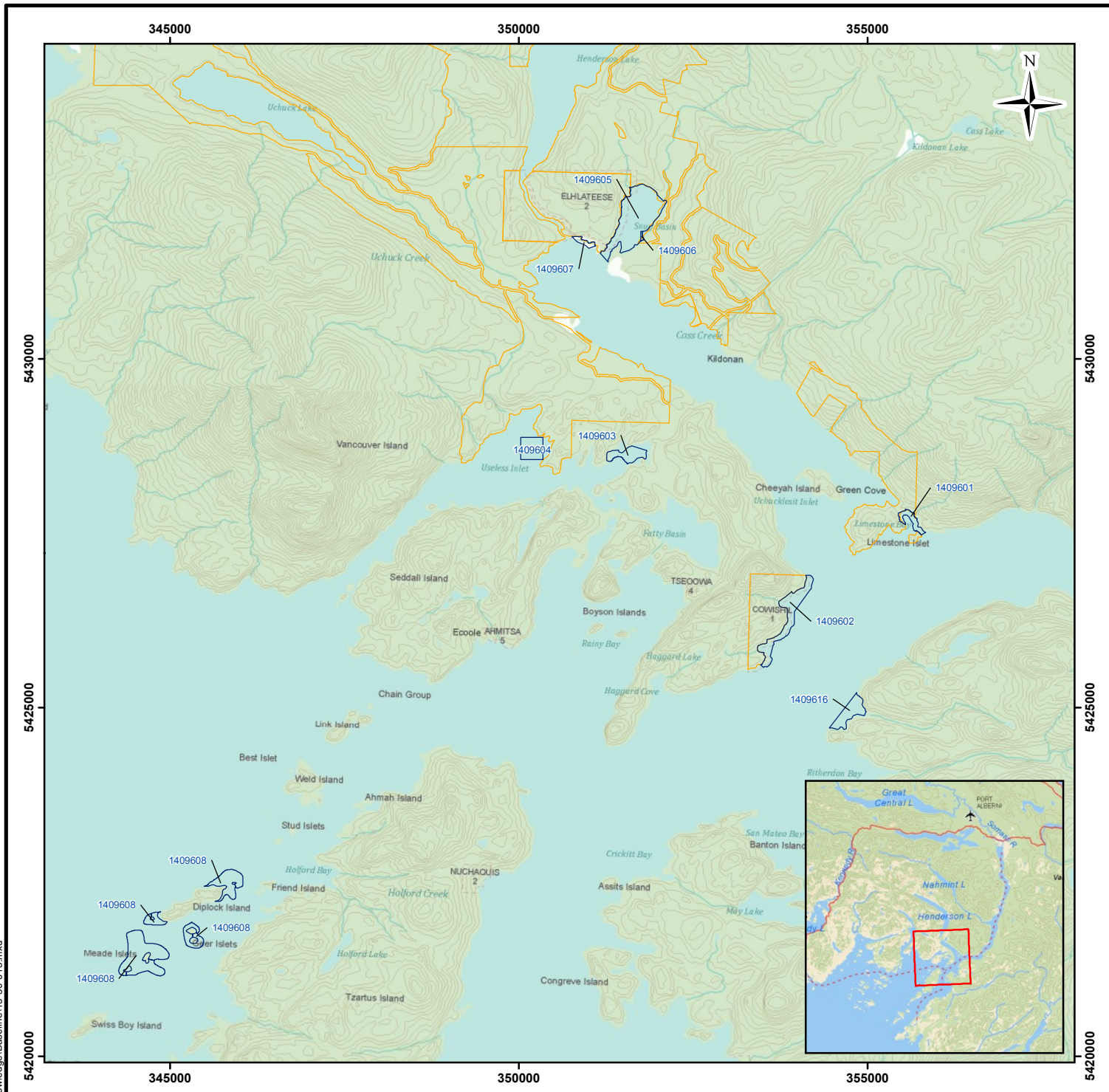
Base Data: ESRI World Topographic Map
 Appendix O-3: Maps of Designated Shellfish Aquaculture Sites of Toquaht Nation
 Maa-nulth Final Agreement

Note

Drawing is preliminary and mapped areas may be subject to change. AMEC assumes no liability to any other party for any representations contained in this drawing



CLIENT: Compliance Coal Corporation <small>via Comox Joint Venture</small>	
PROJECT: Raven Underground Coal Project	
Maa-nulth First Nation Designated Shellfish Aquaculture Sites of Toquaht Nations	
DATE: April 12, 2011	ANALYST: EO
Figure 12-4	
JOB No: VE51897	QA/QC: LR
PDF FILE: 15-50-012_maa_nulth_O3.pdf	
GIS FILE: 15-50-012	
PROJECTION: UTM Zone 10	DATUM: NAD83



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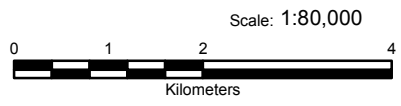
- Maa-nulth First Nation Lands of Uchucklesaht Tribe
- Designated Shellfish Aquaculture Site - Reserve File Number

Reference

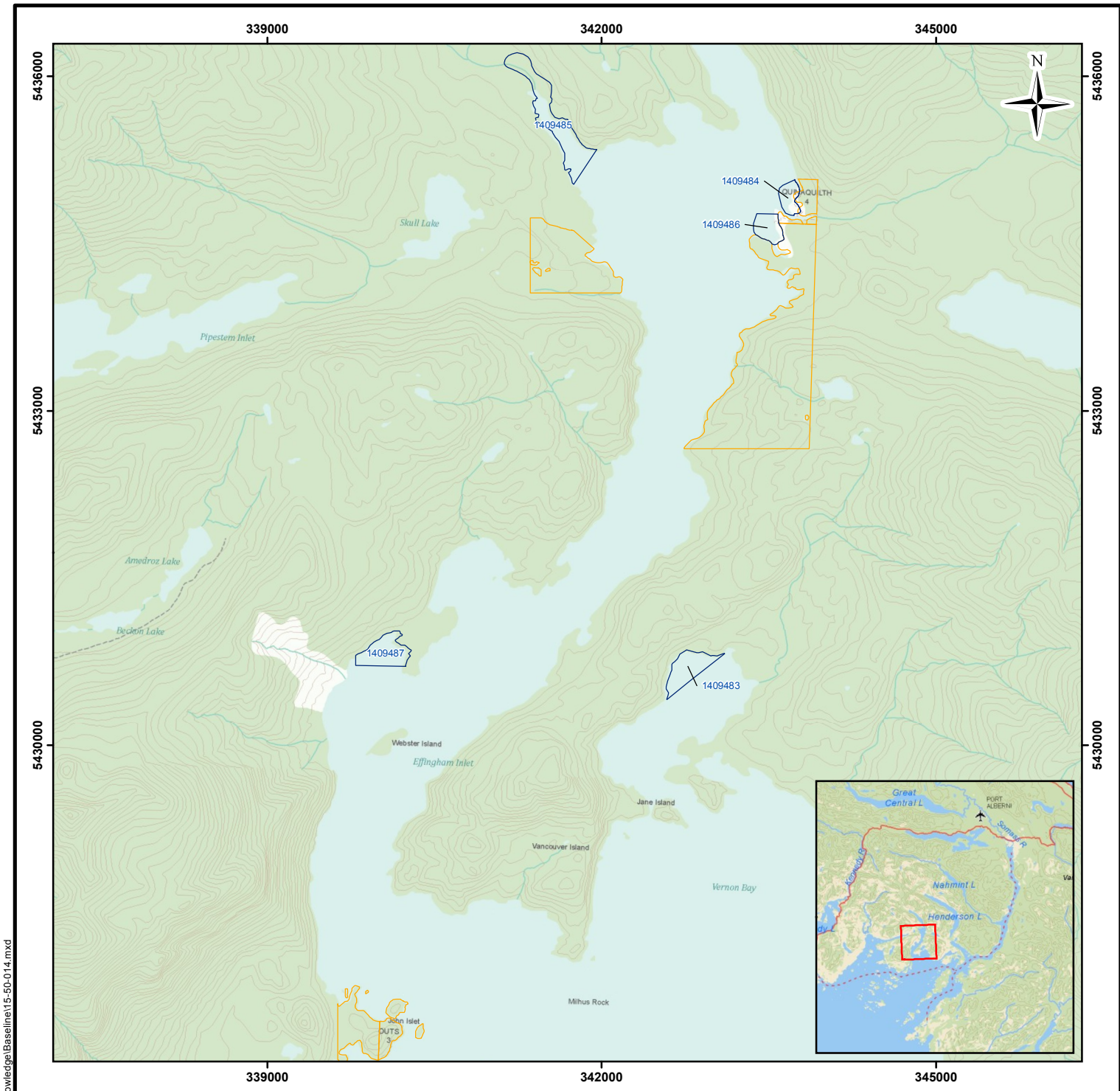
Base Data: ESRI World Topographic Map
 Appendix O-4: Maps of Designated Shellfish Aquaculture Sites of Uchucklesaht Tribe
 Maa-nulth Final Agreement

Note

Drawing is preliminary and mapped areas may be subject to change. AMEC assumes no liability to any other party for any representations contained in this drawing



CLIENT: Compliance Coal Corporation <small>via Concor Joint Venture</small>	
PROJECT: Raven Underground Coal Project	
Maa-nulth First Nation Designated Shellfish Aquaculture Sites of Uchucklesaht Tribe	
DATE: April 12, 2011	ANALYST: EO
Figure 12-5	
JOB No: VE51897	QA/QC: LR
PDF FILE: 15-50-013_maa_nulth_O4.pdf	
GIS FILE: 15-50-013	
PROJECTION: UTM Zone 10	DATUM: NAD83



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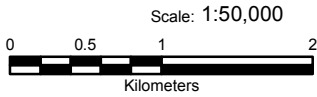
- Maa-nulth First Nation Lands of Ucluelet First Nation
- Designated Shellfish Aquaculture Site - Reserve File Number



Reference

Base Data: ESRI World Topographic Map
 Appendix O-5: Maps of Designated Shellfish Aquaculture Sites of Ucluelet First Nation
 Maa-nulth Final Agreement

Note

Drawing is preliminary and mapped areas may be subject to change. AMEC assumes no liability to any other party for any representations contained in this drawing



CLIENT:		 Compliance Coal Corporation <small>(A Conoco Joint Venture)</small>	
PROJECT:			
Raven Underground Coal Project Maa-nulth First Nation Designated Shellfish Aquaculture Sites of Ucluelet First Nation			
DATE:	ANALYST:	Figure 12-6	
April 12, 2011	EO		
JOB No:	QA/QC:	PDF FILE:	
VE51897	LR	15-50-014_maa_nulth_O5.pdf	
GIS FILE:			
15-50-014			
PROJECTION:	DATUM:		
UTM Zone 10	NAD83		

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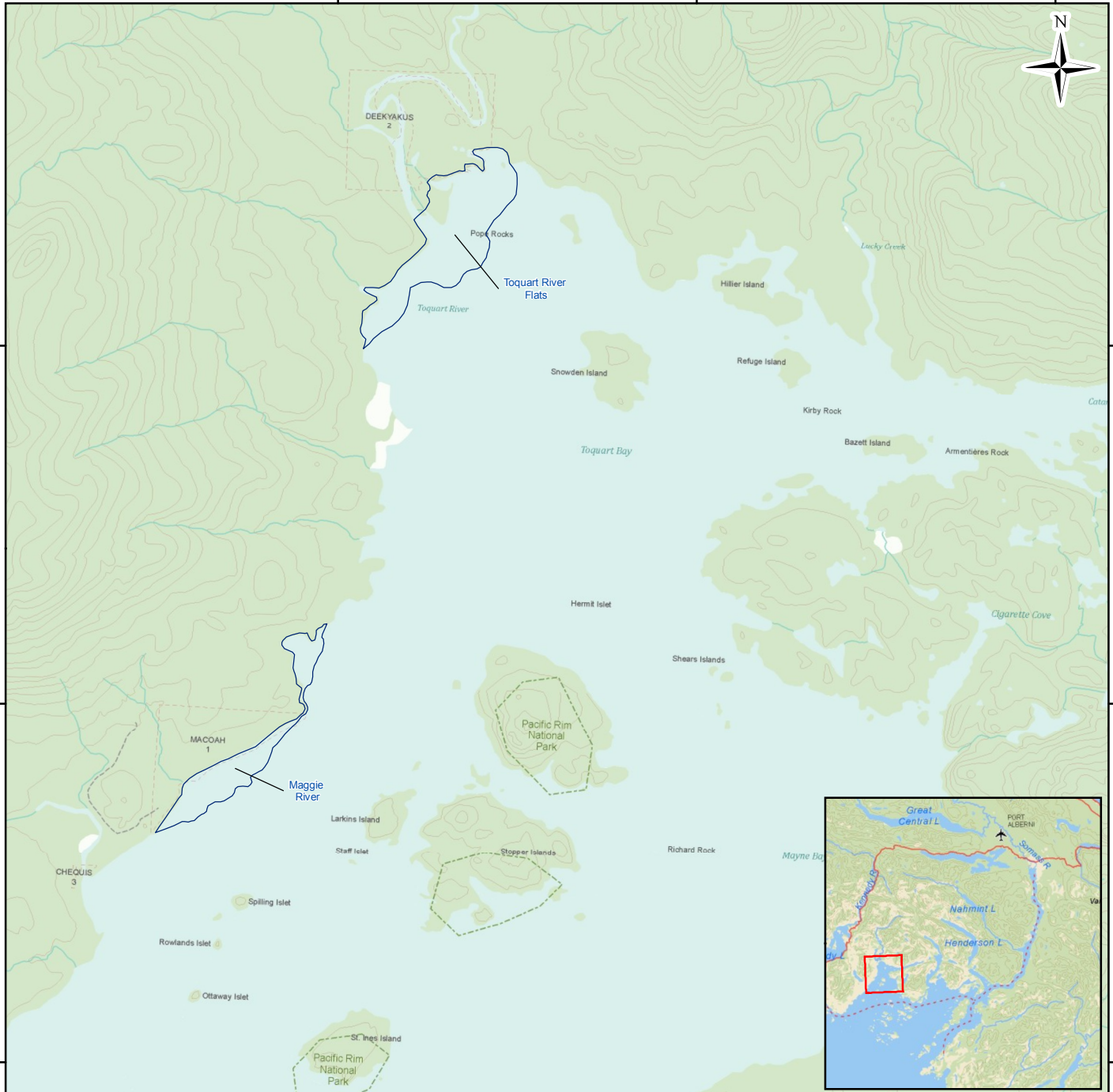
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Legend

-  Maa-nulth First Nation Lands
-  Inter-tidal Bivalve Harvest Area



Reference

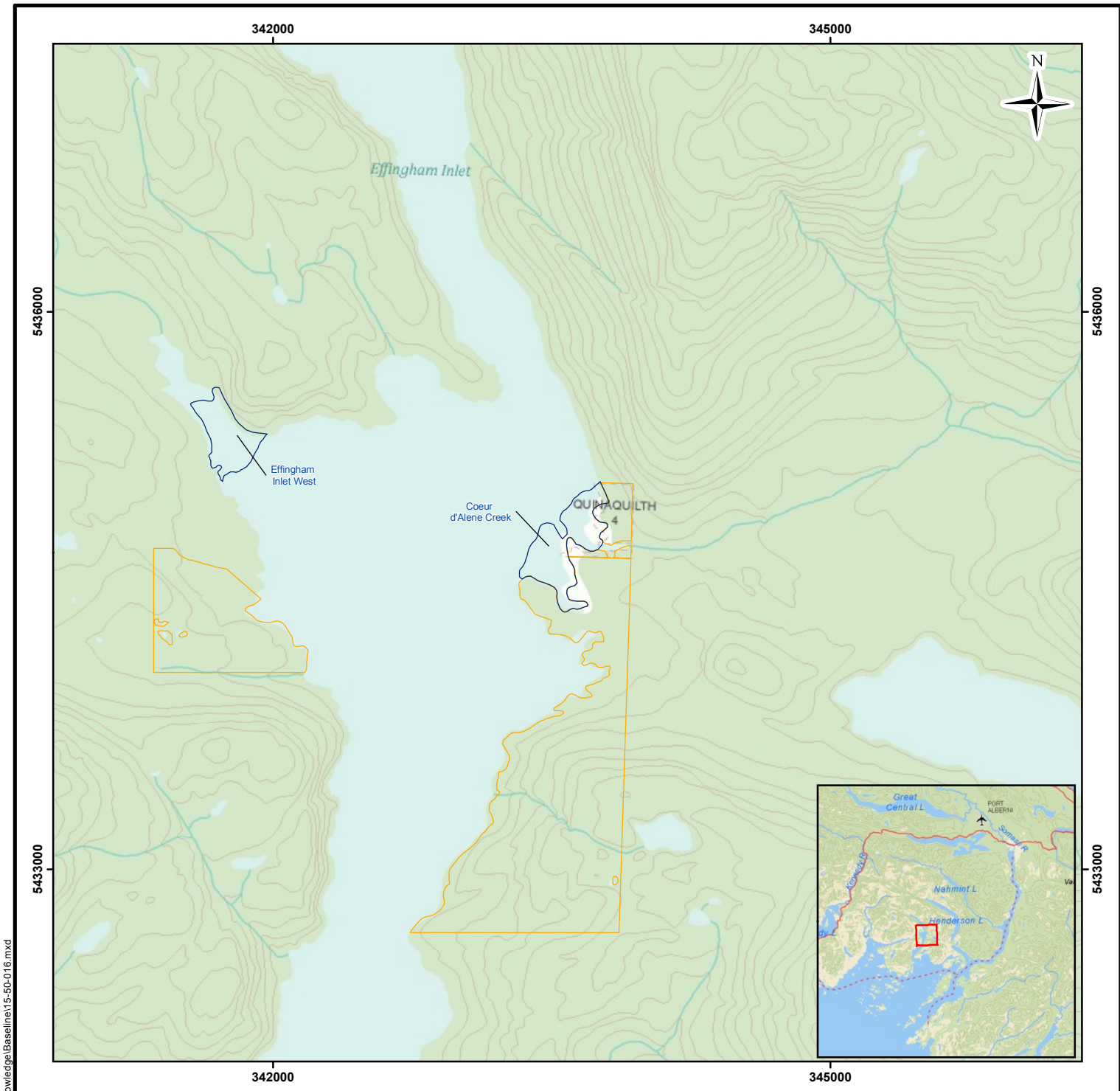
Base Data: ESRI World Topographic Map
Appendix P: Maps of Inter-tidal Bivalve Harvest Areas
Maa-nulth Final Agreement

Note

Drawing is preliminary and mapped areas may be subject to change. AMEC assumes no liability to any other party for any representations contained in this drawing



CLIENT:		 Compliance Coal CORPORATION <small>(A Suncor Joint Venture)</small>	Compliance Coal Corporation
PROJECT: Raven Underground Coal Project			
Maa-nulth First Nation Inter-tidal Bivalve Harvest Area Toquart Bay			
DATE: April 12, 2011	ANALYST: EO	Figure 12-7	
JOB No: VE51897	QA/QC: LR	PDF FILE: 15-50-015_maa_nulth_P-1.pdf	
GIS FILE: 15-50-015			
PROJECTION: UTM Zone 10	DATUM: NAD83		



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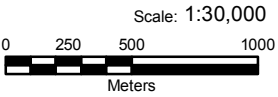
- Maa-nulth First Nation Lands
- Inter-tidal Bivalve Harvest Area



Reference

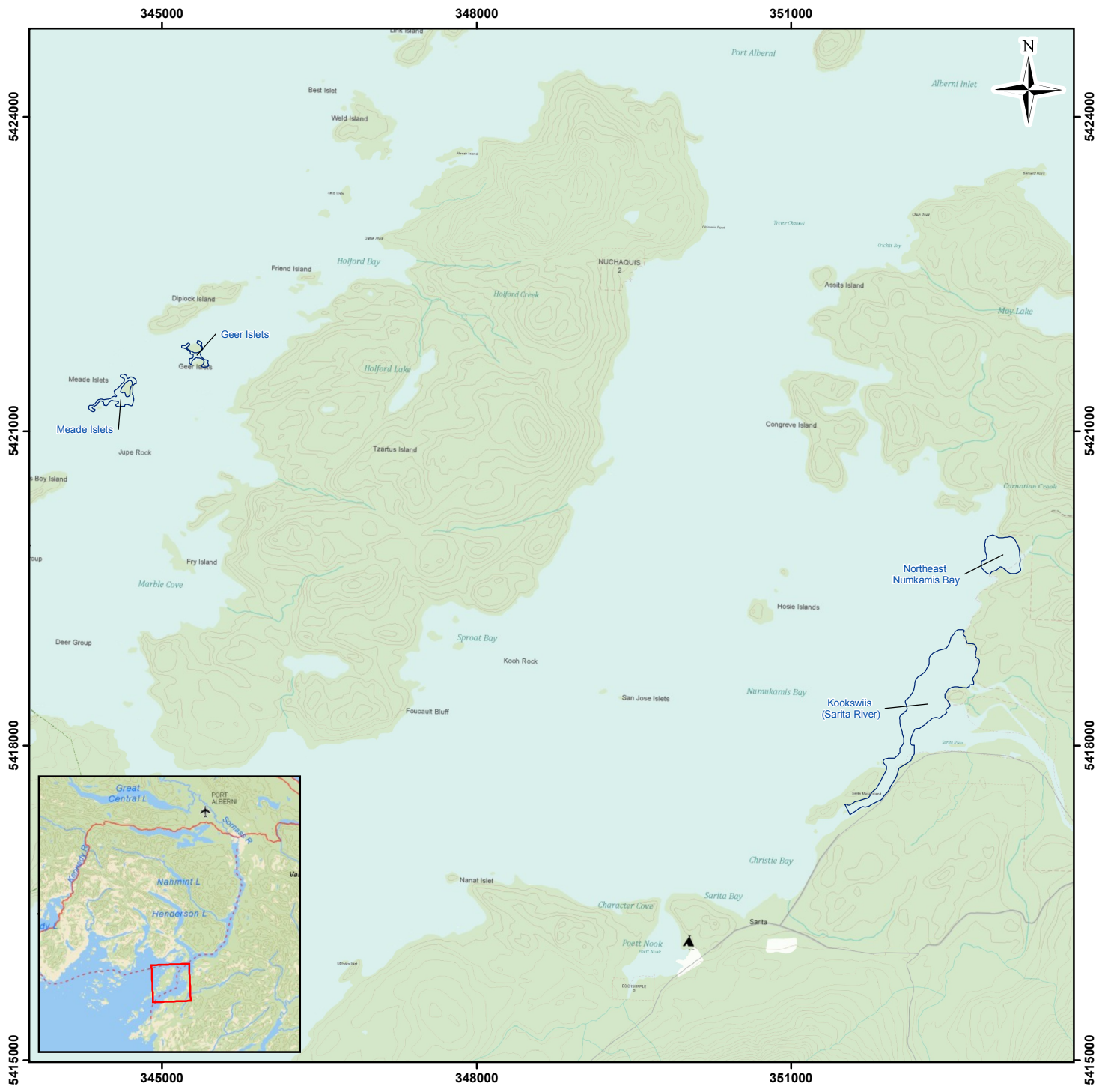
Base Data: ESRI World Topographic Map
 Appendix P: Maps of Inter-tidal Bivalve Harvest Areas
 Maa-nulth Final Agreement

Note

Drawing is preliminary and mapped areas may be subject to change. AMEC assumes no liability to any other party for any representations contained in this drawing



CLIENT:	 Compliance Coal CORPORATION <small>(A Consorcio Joint Venture)</small>	Compliance Coal Corporation
PROJECT:	Raven Underground Coal Project Maa-nulth First Nation Inter-tidal Bivalve Harvest Area Effingham Inlet	
DATE:	ANALYST:	Figure 12-8
April 12, 2011	EO	
JOB No:	QA/QC:	PDF FILE:
VE51897	LR	15-50-016_maa_nulth_P-2.pdf
GIS FILE:		
15-50-016	PROJECTION:	DATUM:
	UTM Zone 10	NAD83



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- Maa-nulth First Nation Lands
- Inter-tidal Bivalve Harvest Area



Reference

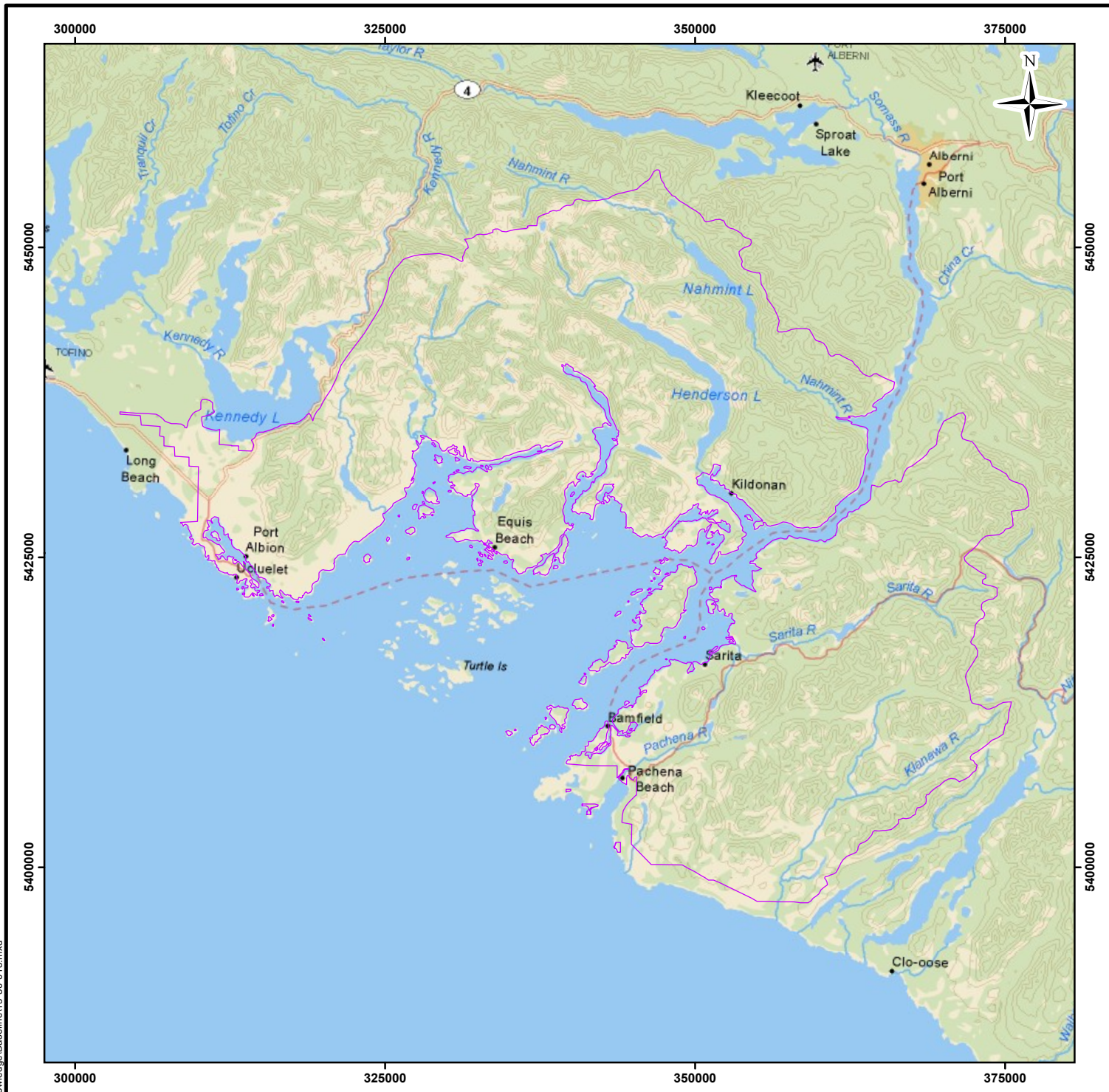
Base Data: ESRI World Topographic Map
 Appendix P: Maps of Inter-tidal Bivalve Harvest Areas
 Maa-nulth Final Agreement

Note

Drawing is preliminary and mapped areas may be subject to change. AMEC assumes no liability to any other party for any representations contained in this drawing



CLIENT:  Compliance Coal Corporation (a Corus Joint Venture)	
PROJECT: Raven Underground Coal Project	
Maa-nulth First Nation Inter-tidal Bivalve Harvest Area Tzatus Island and Sarita River	
DATE: April 12, 2011	ANALYST: EO
Figure 12-9	
JOB No: VE51897	QA/QC: LR
PDF FILE: 15-50-017_maa_nulth_P-3.pdf	
GIS FILE: 15-50-017	
PROJECTION: UTM Zone 10	DATUM: NAD83
	



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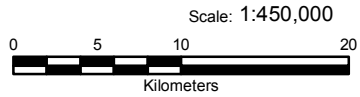
 Maa-nulth Wildlife Harvest Area



Reference

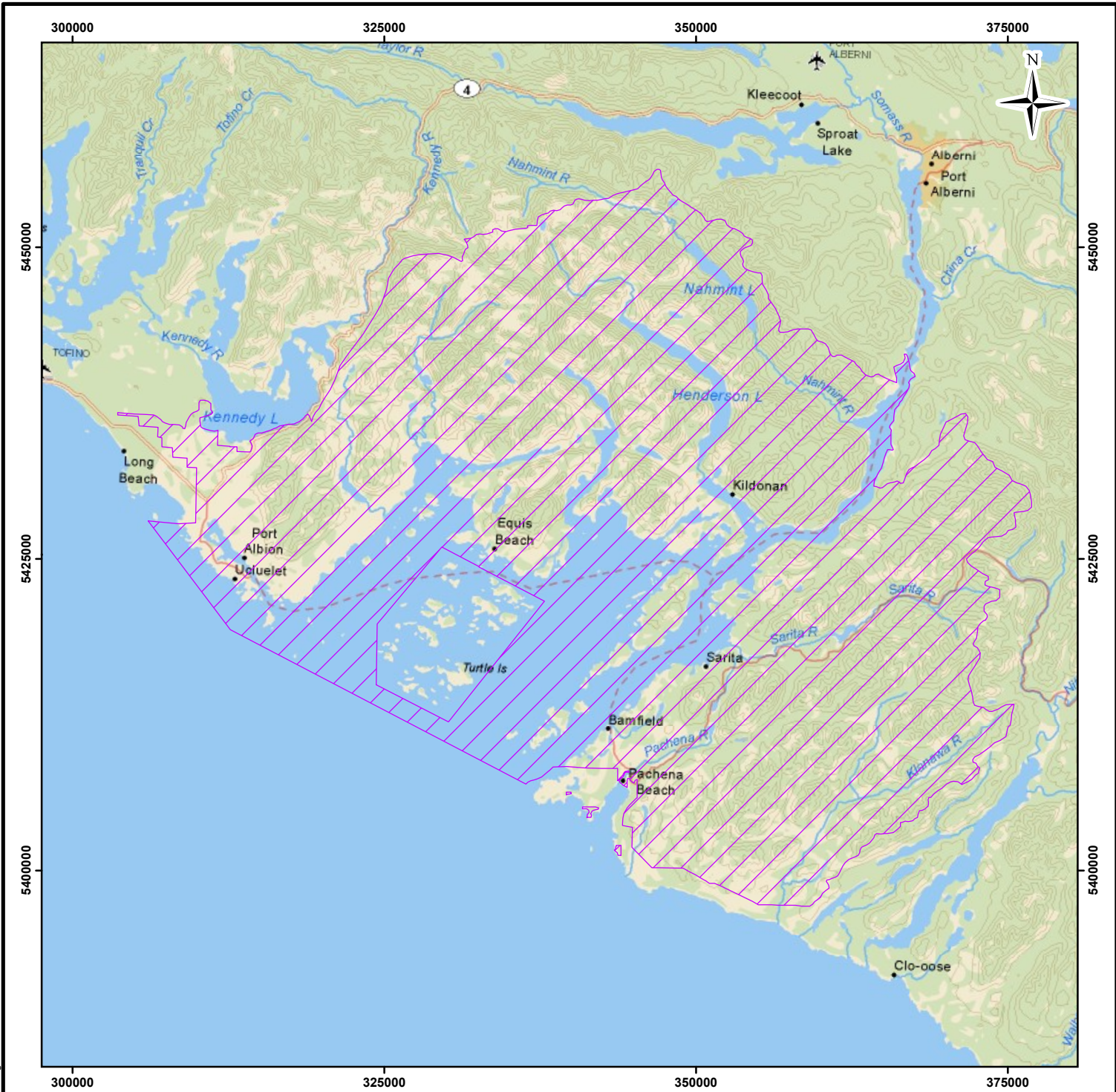
Base Data: DeLorme World Base Map
 Appendix Q: Map of Maa-nulth Wildlife Harvest Area Barkley Sound
 Maa-nulth Final Agreement

Note

Drawing is preliminary and mapped areas may be subject to change. AMEC assumes no liability to any other party for any representations contained in this drawing



CLIENT:  Compliance Coal Corporation Compliance Coal Corporation		
PROJECT: Raven Underground Coal Project Maa-nulth First Nation Wildlife Harvest Area Barkley Sound		
DATE: April 18, 2011	ANALYST: EO	Figure 12-10
JOB No: VE51897	QA/QC: LR	
GIS FILE: 15-50-018		
PROJECTION: UTM Zone 10	DATUM: NAD83	



Legend

 Maa-nulth Migratory Birds Harvest Area



Reference

Base Data: DeLorme World Base Map
 Appendix R-2: Map of Migratory Bird Harvest Area Barkley Sound
 Maa-nulth Final Agreement

Note

Drawing is preliminary and mapped areas may be subject to change. AMEC assumes no liability to any other party for any representations contained in this drawing



CLIENT:  Compliance Coal Corporation Compliance Coal Corporation plus Concor Joint Venture		
PROJECT: Raven Underground Coal Project Maa-nulth First Nation Migratory Birds Harvest Area Barkley Sound		
DATE: April 18, 2011	ANALYST: EO	Figure 12-11
JOB No: VE51897	QA/QC: LR	
GIS FILE: 15-50-019		
PROJECTION: UTM Zone 10	DATUM: NAD83	

13 MAA-NULTH FIRST NATIONS RIGHTS

This section of the Application / EIS will provide the following:

- Identification of any specific Maa-nulth First Nations rights, and activities related to carrying out those rights such as marine travel in the Alberni Inlet, Trevor Channel, and offshore to the Cape Beale Pilotage Station, about which the proponent receives information from Maa-nulth First Nations or other sources (including the Maa-nulth Final Agreement);
- Identification of potential impacts of the proposed Raven Project on Maa-nulth's treaty-protected rights and related activities identified by way of the preceding bullet point; and
- Description of mitigation measures to avoid or reduce such impacts.

Consideration will be given to the potential for effects of the proposed Raven Project on Maa-nulth First Nations' rights to:

1. Harvest fish (including shellfish (intertidal bivalves)) and aquatic plants, in accordance with Chapter 10 of the Maa-nulth Final Agreement;
1. Harvest wildlife, in accordance with Chapter 11;
2. Harvest migratory birds, in accordance with Chapter 12;
3. Shellfish aquaculture; and
4. Land and economic interests under the Maa-nulth Final Agreement that may potentially be impacted by an environmental effect, as defined by the *CEA Act*, resulting from the proposed Raven Project.

14 MAA-NULTH FIRST NATIONS INTERESTS

This section of the Application / EIS will provide the following:

- Identification of past, present and anticipated future uses of the proposed Raven Project area (including the shipping route from Port Alberni, Alberni Inlet / Trevor Channel to the Cape Beale Pilotage Station) by Maa-nulth First Nations;
- Assessment of Maa-nulth First Nations interests with respect to the potential for the proposed Raven Project to cause a change in the environment that will adversely impact health, social and economic conditions, physical and cultural heritage, the current use of lands and resources for traditional purposes, and structures of historical, archaeological, paleontological or architectural significance; and
- Description of how these interests will be addressed.

This section of the Application / EIS will discuss other interests of the Maa-nulth First Nations, to the extent not addressed above in Section 13 of the Application / EIS. This will include discussion of potential effects that may result from an environmental effect of the proposed Raven Project to the following components: economic interests; social and health interests; traditional uses; and heritage resource interests for areas potentially affected by the proposed Raven Project's Hwy 4 transportation (between the proposed Raven Project site and PAPA), Port Alberni Port Facility, and the marine shipping route. This is different to provincial EA which considers economic, social, health, and heritage in addition to environmental effects.

The proposed Port Alberni Port Facility is located on federal lands from PAPA. Where available, the Application / EIS will present TU and TK information for Maa-nulth First Nations. This information will be collected from existing studies made available to the proponent, and from published literature. The objectives and approach taken to collect, verify and record the information will be considered and discussed with the Maa-nulth First Nations. Results of the TU impact assessment will also be presented to the Maa-nulth First Nations prior to its inclusion in the Application / EIS. The TU impact assessment will consider all potential environmental effects as they are defined under section 2(1) of the *CEA Act*.

A description of baseline economic conditions of the Maa-nulth First Nations will be provided, including appropriate connections to social considerations. Opportunities for Maa-nulth First Nations' employment, contracting, and business development will be detailed, as well as efforts by the proponent to work with Maa-nulth First Nations communities to enhance proposed Raven Project benefits. Section 6 of the Application / EIS will present a detailed description of economic components.

Social and health baseline conditions of the Maa-nulth First Nations will be described. These will include descriptions of appropriate connections to economic considerations. A

detailed description of the social component will be presented in Section 7 of the Application / EIS.

Archaeological resource baseline conditions and related Maa-nulth First Nations heritage considerations will be described. Other aspects of heritage and archaeological resources will be presented in Section 8 of the Application / EIS.

The Application / EIS will also identify key issues, concerns, and proposed Raven Project design interests from the Maa-nulth First Nations at any phase of proposed Raven Project development (i.e., during construction, operations, or where relevant, decommissioning), and will contain a description and summary table of the proponent's agreements with, and commitments to, the Maa-nulth First Nations. A summary of proposed management commitments including specialised and standard management practices will be included in Section 24 of the Application / EIS.

Preliminary EMPs related to Maa-nulth First Nations issues for the proposed Raven Project will be described. The EMPs (Section 10 of the Application / EIS) will be designed to provide an integrated approach to environmental management and deliver assurance to interested parties regarding the components and activities of the proposed Raven Project. The EMPs will describe the environmental practices and procedures to be applied during planning, construction, and operation of the proposed Raven Project.

15 MAA-NULTH FIRST NATIONS CONSULTATION

This section of the Application / EIS will summarize past consultations undertaken during the pre-Application / EIS stage with Maa-nulth First Nations. It will describe the proponent's objectives for engagement with Maa-nulth First Nations and the methods used to ensure that there were as many opportunities as possible for Maa-nulth First Nations to identify rights, interests and concerns related to the proposed Raven Project. Planned Maa-nulth First Nations consultation activities will also be discussed. The Application / EIS will describe the key Maa-nulth First Nation issues of relevance to the EA and provide responses to these issues.

Engagement methods may include the following:

- Project website;
- Formal and informal meetings;
- Printed material;
- Video simulation;
- Meetings;
- Open houses;
- Working Group (orientation meeting, issues scoping workshops, terms of reference review meeting, site visit, process update and status review meeting);
- AIR / EIS Guidelines review;
- Draft Application / EIS review;
- Workshops;
- Site visits; and
- Community Advisory Group.

A summary of discussions, engagements and consultation with the various Maa-nulth First Nations will be presented in the Application / EIS.

16 SUMMARY

16.1 Summary of Potential Effects on Maa-nulth First Nations

This section of the Application / EIS will include an assessment and description of identified potential environmental effects of the proposed Raven Project that could affect Maa-nulth First Nations treaty rights at each phase of the proposed Raven Project development (during construction, operations, or where relevant, decommissioning). The Application / EIS will include a description of identified Maa-nulth First Nations’ rights and interests that would be, or could be, affected by proposed development. It will include a summary of impact assessment findings, indicating the potential impacts identified, and document any relevant non-confidential agreements with Maa-nulth First Nations (e.g., communications and process agreements). The Application / EIS will also include a summary of mitigation and management measures, including design considerations and potential adjustments the proponent proposes to manage potential effects on Maa-nulth First Nations rights.

This section will also articulate any outstanding concerns, and propose approaches to address or resolve concerns through the Application / EIS Review stage. Any potential residual effects and their significance will be described. Table 16.1-1 below is an example of how the potential effects, mitigation and accommodations will be presented.

Table 16.1-1 Summary of Potential Effects on Maa-nulth First Nations Activities and Accommodation Measures

Potential Effects On Maa-nulth First Nations Activities	Accommodation Measures
e.g., Disruption of food fishing activities by the marine transportation of coal down Alberni Inlet and Trevor Channel	e.g., Proponent commitment to an adaptive management strategy, the Aquatic Resources Management Plan and Transportation and Access Management Plan to inform fishers of the transportation schedule and minimise disruption and effects on harvesting. Proponent commitment to maintain trip log and meet with Maa-nulth First Nations prior to, during, and after each food fishing season to identify potential effects and appropriate methods to address potential impacts.

PART D – ABORIGINAL INFORMATION REQUIREMENTS

Part D of the Application / EIS will discuss all non-treaty Aboriginal interests pertaining to the proposed Raven Project. This information will be provided by following the guidance found in BC EAO's "Proponent Guide for providing First Nation Consultation Information (Non-Treaty First Nations)" (BC EAO 2010b).

The introduction to this section will provide a summary of how regulatory requirements (as outlined in the section 11 Order as well as under *BCEAA* and *CEA Act*) were followed. It is the Crown's duty to consult. The Crown has delegated procedural aspects of consultation to the proponent. This Section of the Application / EIS will provide a summary of the proponent's principles for sustainable relationships with Aboriginal groups. The Application / EIS will contain a plan designed to provide the following:

- Ensuring early participation by Aboriginal groups;
- Opportunity for employment;
- Open houses and information sessions for interested Aboriginal groups;
- Training and opportunity to gain experience and knowledge;
- Minimizing intrusive sampling and impacts;
- Placing the highest priority on safety and respect for the land; and
- Incorporating available TK in its mine plan, baseline environmental studies and assessments.

17 ABORIGINAL BACKGROUND INFORMATION

This section of the Application / EIS will identify the non-treaty Aboriginal groups that could potentially be affected by the proposed Raven Project. These include the following:

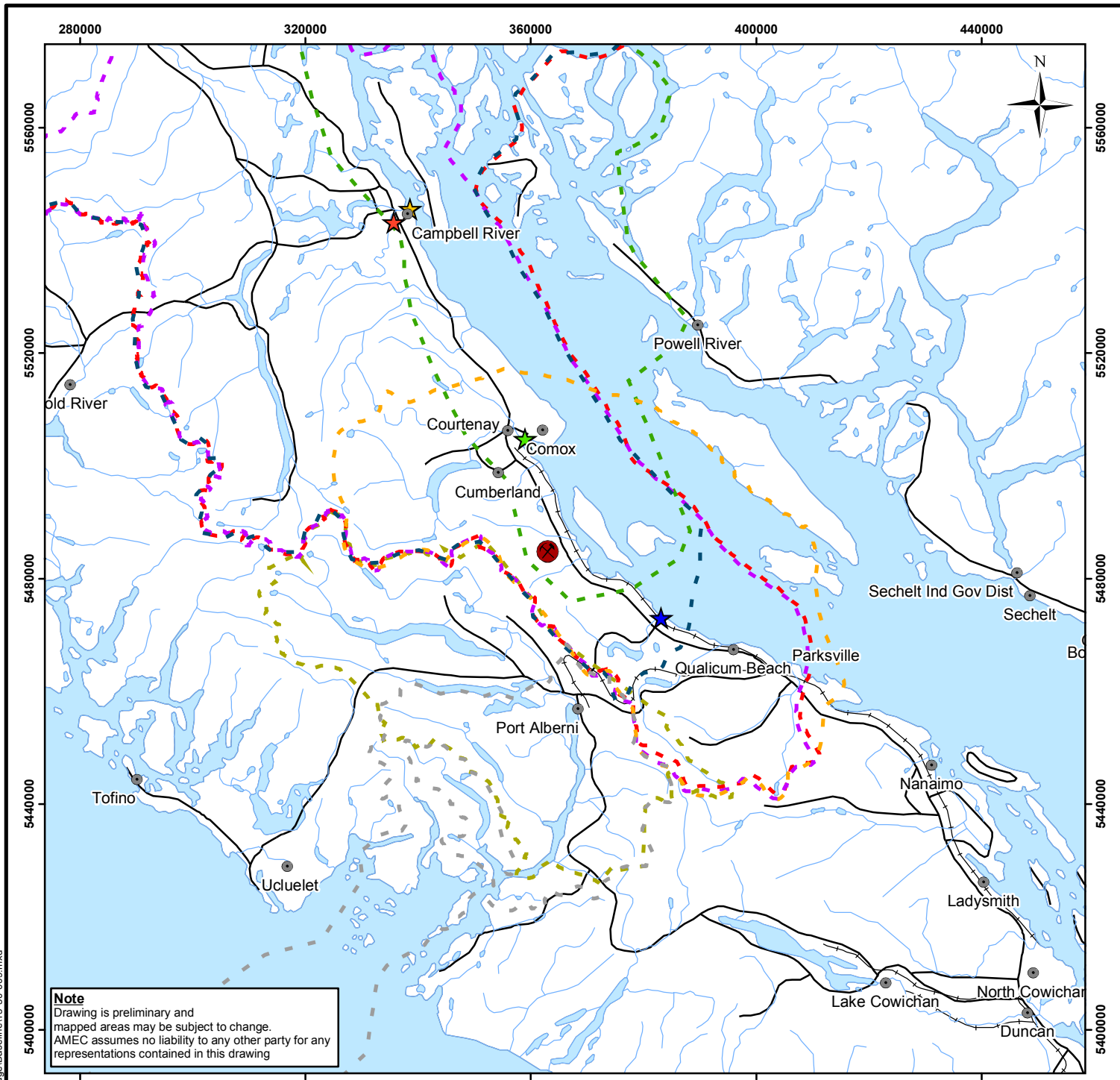
- Qualicum First Nation;
- We Wai Kai Nation;
- Wei Wai Kum First Nation;
- Xwémalhkwa (Homalco) First Nation;
- K'ómoks First Nation;
- Sliammon First Nation;
- Métis Nation BC;
- Members of the Hul'qumi'num Treaty Group (Cowichan Tribes, Chemainus First Nation, Penelakut Tribe, Lyackson First Nation, Lake Cowichan First Nation and the Halalt First Nation);
- Hupacasath First Nation; and
- Tseshaht First Nation.

Maps will be provided that describe the asserted or traditional territory of the potentially impacted Aboriginal groups and treaty nations (Figure 17-1).

Background information for each of the potentially impacted Aboriginal groups, including but not limited to ethnography, language, land use setting and planning, governance, economy and reserves will be provided. If provided by the applicable Aboriginal group, the proponent will also consider any relevant existing or proposed resource or land use plans, programs or studies.

The BC EAO may at any time notify the proponent, in writing, that one or more Aboriginal groups are to be added to the definition of First Nations as set out in section 1 of the section 11 Order; and in so doing may identify any modifications to any of the procedures and obligations contained in the section 11 Order, having regard to status of the existing procedures and obligations at the time the additions to the definition are made.

Contact information will be provided for each Aboriginal group.

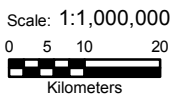




Note
 Drawing is preliminary and mapped areas may be subject to change. AMEC assumes no liability to any other party for any representations contained in this drawing

Legend

- Raven Coal Project
- Populated Place
- Road
- Railway Line
- Watercourse
- Waterbody
- Campbell River First Nation
- Cape Mudge First Nation
- K'omoks First Nation
- Qualicum First Nation
- Tsehaht First Nation Asserted Territory
- Qualicum Asserted Territory
- Statement of Intent**
 - Comox (K'omoks) First Nation
 - Hamatla Treaty Society
 - Hupacasath First Nation
 - Xwemalhwu Nation (formerly Homalco Indian Band)
 - Laich-Kwil-Tach Treaty Society

Reference
 Base Data: 1:1,000,000 scale from the Land and Resource Data Warehouse
 Aboriginal data from various sources including: BC Treaty Commission, Federal National Framework Canada and other digitized sources



CLIENT:  Compliance Coal Corporation Compliance Coal Corporation		
PROJECT: Raven Underground Coal Project		
<h2>First Nations Asserted Territories</h2>		
DATE: April 11, 2011	ANALYST: EO	<h3>Figure 17-1</h3>
JOB No: VE51897	QA/QC: LR	
GIS FILE: 15-50-009		
PROJECTION: UTM Zone 10	DATUM: NAD83	

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18 ABORIGINAL RIGHTS

This section of the Application / EIS will describe the following:

- Identification of past, present and anticipated future uses of the proposed Raven Project area by Aboriginal groups;
- Identification of any specific asserted aboriginal rights (including title) provided by First Nations or other sources;
- Identification of potential effects of the proposed Raven Project on identified uses and asserted rights; and,
- A description of mitigation measures to avoid or reduce such impacts.

19 OTHER ABORIGINAL INTERESTS

This section of the Application / EIA will provide the following:

- Identification of Aboriginal interests with respect to potential social, economic, environmental, heritage and health effects of the proposed project (to the extent not already identified in Section 18 above); and
- Description of how these interests have been addressed.

20 ABORIGINAL CONSULTATION

The Application / EIS will provide the following:

- Summary of past and planned aboriginal consultation activities; and,
- Description of key aboriginal issues of relevance to the EA and responses to these issues.

The proponent will set out a consultation plan with Aboriginal groups. The proponent will engage Aboriginal groups on the consultation plan, seek feedback, and make necessary adjustments. In principle, the consultation plan will include the following steps.

Step 1: Define the consultation area for the proposed Raven Project and adjacent area.

Step 2: Develop an information gathering plan to identify Aboriginal rights and other Aboriginal interests.

The plan has two components for obtaining information about Aboriginal rights and other Aboriginal interests:

- a. Identify sources of information – (e.g., Aboriginal and non-Aboriginal); and
- b. Gather information in accordance with the document entitled “Proponent Guide for providing First Nation Consultation Information (Non-Treaty First Nations)” (BC EAO 2010c):
 - Conduct an initial information search on the Aboriginal group potentially impacted by the proposed Raven Project:
 - Review Aboriginal group’s website (where applicable);
 - Review other government decisions involving the Aboriginal group;
 - Review pertinent court decisions;
 - Review the BC EAO electronic Project Information Centre (e-Pic) for information that may be relevant;
 - Meet with BC EAO and the Agency to discuss any existing reports or information available through BC EAO and the Agency;
 - Research available ethno-historical, ethnographic or historical information relevant to the proposed Raven Project area, and Aboriginal group’s use;
 - Meet with Aboriginal groups to explain the proposed Raven Project and the identity of the proponent, which Aboriginal groups are or are likely to be involved, what information the proponent has regarding the Aboriginal group, and requirements under the EA process;

- If possible, establish an agreed upon consultation approach with Aboriginal groups for obtaining the necessary information directly from appropriate knowledge-holders within each community. This may include:
 - Gaining information directly from the Aboriginal groups through Chief(s), Council(s), Elders or Community Members;
 - Funding the production of the Aboriginal group's information reports or studies (although not required by BC EAO and the Agency); and / or
 - Obtaining existing information already in the possession of the Aboriginal group.

Types of Information

Through written mechanisms, the proponent will seek to engage with Aboriginal groups as early as possible regarding how information should be gathered and what information would be included in the Application / EIS on Aboriginal group's interests, rights and title. Any publicly available information that the proponent may have on the Aboriginal group they are consulting with should be shared with the Aboriginal group early in the process. Specifically, the following questions may be discussed with Aboriginal groups in relation to the proposed Raven Project area:

1. What practices, traditions or customs have been engaged in by Aboriginal groups in the past in the vicinity of or in relation to the area in which the proposed Raven Project would be situated?
2. What practices, traditions or customs are currently engaged in by Aboriginal groups in the vicinity of or in relation to the area in which the proposed Raven Project would be situated?
3. How might the proposed Raven Project potentially impact the practices, traditions or customs identified above?
4. What measures could be used in the proposed Raven Project's design or operation to avoid, reduce or eliminate those potential impacts?
5. Can all or some of the identified practices, traditions and customs be engaged in elsewhere within the Aboriginal groups' asserted traditional territory?

Step 3: Identify impacts of the proposed Raven Project on identified rights and other interests of the Aboriginal groups.

Step 4: Develop options to generate solutions to mitigate effects.

This section of the Application / EIS will include information regarding changes to the proposed Raven Project or measures used to mitigate impacts to Aboriginal rights or interests.

Step 5: Consult the affected Aboriginal groups on options / solutions developed.

Steps 4 and 5 are related and will be either integrated or timed closely together. Aboriginal groups' views will be solicited early in the process to benefit working relationships and the EA process.

Step 6: Adjust the proposed Raven Project accordingly.

21 SUMMARY

21.1 Summary of Potential Effects on Aboriginal Groups

This section of the Application / EIS will include an assessment and description of identified potential effects of the proposed Raven Project that could directly and / or indirectly affect Aboriginal groups at each phase of the proposed Raven Project development (during construction, operations, or where relevant, decommissioning). The Application / EIS will include a description of proposed Raven Project setting components identified by Aboriginal groups that would be, or could be, affected by proposed development.

The Application/ EIS will identify accommodation measures including design considerations, mitigation measures and specific commitments which address potential effects on the matters identified in Section 18 above and provided in the form of Table 21.1-1 below.

Table 21.1-1 Summary of Potential Effects on Aboriginal Activities and Accommodation Measures

Potential Effects on Aboriginal Activities	Accommodation Measures
e.g., Disruption of food fishing activities by the marine transportation of coal down Alberni Inlet and Trevor Channel	e.g., Proponent commitment to an adaptive management strategy, the Aquatic Resources Management Plan and Transportation and Access Management Plan to inform fishers of the transportation schedule and minimize disruption and effects on harvesting. Proponent commitment to maintain trip log and meet with Aboriginal groups prior to, during, and after each food fishing season to identify potential effects and appropriate methods to address potential impacts.

PART E – FEDERAL INFORMATION REQUIREMENTS OF THE APPLICATION / EIS

Part E will provide the following information requirements corresponding to the federal scope of the EA. The information provided in this AIR / EIS Guidelines document concerning federal information requirements was extracted from the Agency's February 2011 "Comprehensive Study Scope of Assessment for the Proposed Raven Underground Coal Mine document for the proposed Raven Project" (Agency 2011), and from the BC EAO AIR Template (BC EAO 2010a). The Agency February 2011 Scope of Assessment defines the requirements for a Comprehensive Study of the proposed Raven Project subject to the *CEA Act*.

22 REQUIREMENTS FOR FEDERAL ENVIRONMENTAL ASSESSMENT

22.1 Environmental Effects

The Application / EIS will provide an examination of the potential environmental effects as defined in the *CEA Act*, of the proposed Raven Project corresponding to the federal scope, including both the mine site and the Port Facility, as appropriate. Where potential environmental effects are adequately addressed in Part B of the Application / EIS to meet federal standards and guidelines, reference to corresponding sections in Part B will be included in this section of the Application / EIS.

22.2 Environmental Changes

The Application / EIS will provide a description of any change that the proposed Raven Project may cause in the environment corresponding to the federal scope. The factors to be considered and their federal scope (Table 2.4-1) are defined by the Agency's February 2011 Scope of Assessment document for the proposed Raven Project (Agency 2011).

The environmental context, VCs, and potential effects have been described previously in Part B, except for the assessment of navigable waters and natural hazards, which will be discussed in this section. Light emissions will be considered as a component of the visual and aesthetic resources assessment (Section 7.2.5).

Where information relevant to the federal requirements is presented to meet provincial requirements, references to Part B of the Application / EIS will be made as appropriate. If additional information is required it will be included in this section.

22.3 Need for and Purpose of the Proposed Project

The Application / EIS will include a description of the need for, and purpose of, the proposed Raven Project. This information will be provided as described in Part A, Section 2, and will be referenced as appropriate.

22.4 Spatial and Temporal Boundaries

Spatial and temporal boundaries will be described in Part B of the Application / EIS and will be referenced as appropriate.

Spatial boundaries will be determined specific to each factor in order to effectively assess the potential environmental effects of the proposed Raven Project. Spatial boundaries are based on the zone of the proposed Raven Project's influence beyond which the effects of the proposed Raven Project are expected to be non-detectable. Multiple study area boundaries are to be employed to reflect the range of geographic areas and seasonal / annual fluctuations within which specific effects may be experienced.

Spatial boundaries assessing the marine vessel traffic component of the proposed Raven Project will be established in such a way as to ensure proper evaluation of the effects of the proposed Raven Project on Maa-nulth treaty rights within the Trevor Channel area, as set

out in Appendix N (Domestic Fishing Area), Appendix O (Designated Shellfish Aquaculture Sites), Appendix P (Inter-tidal Bi-valve Harvest Areas), Appendix Q (Wildlife Harvest Area), and Appendix R (Migratory Bird Harvest Area), of the Maa-nulth Final Agreement.

The temporal boundaries will encompass the entire lifespan of the proposed Raven Project, which is the duration of use until it is decommissioned. The Application / EIS will discuss the effects of the proposed Raven Project on each factor beginning with the construction phase and throughout the operations phase, including maintenance and / or modifications, and through to the completion of the decommissioning phase. However, the temporal boundary for certain components of the proposed Raven Project, such as mine reject piles and treatment / tailings management ponds / facilities, would extend into the closure and reclamation phase, as appropriate. Potential malfunctions and accidents that could occur during any phase will also be considered, along with the likelihood and circumstances under which these events could occur.

22.5 Effects on Navigable Waters

The Application / EIS will identify potential effects on navigability of waterbodies that may be affected by the proposed Raven Project, the nature of the effect, and mitigation measures to be implemented. For each affected waterbody, the Application / EIS will provide data on location (latitude and longitude), width, depth, and any navigation use or issues, and data on legal description / nearest community, the upland owner, and the nature of the work (i.e., proposed, existing, modification).

22.6 Natural Hazards

This section will describe the approach and methods used to assess seismology, and earthquake potential (including detailed mapping of geologic faults), tsunami potential; avalanche potential, landslide and debris flow potential, flood potential, and fire potential components of natural hazards within the proposed Raven Project's potential area of influence. Baseline data and maps for each component would be provided and conditions described for the mine site, port facility, and regions around these two proposed Raven Project components. A description will be provided of natural hazards including:

- Seismology and earthquake potential;
- A seismic hazard analysis would be conducted to assess risk to proposed Raven Project facilities such as stock and reject piles;
- Tsunami potential;
- Avalanche and flood potential;
- Slope stability - landslide and debris flow potential;
- Flood potential; and
- Forest fires.

The implications of these to the proposed Raven Project and to the integrity of the property and facilities as the Port Facility will be analyzed and presented. Results from a probabilistic seismic hazard calculation carried out for the proposed Raven Project by the Pacific Geoscience Centre in Sidney, BC will be described in the Application / EIS. Maximum ground accelerations will be estimated using the Cornell-McGuire probabilistic method. The results will be summarized in terms of earthquake return period and the probability of exceedances for each return period, for a design life of 16 years. Appropriate spectral acceleration values used by the National Building Code of Canada (NBCC) (2005) will also be provided by the Pacific Geoscience Centre as part of the seismic hazard analysis.

Avalanche and flood potential information will be obtained from results of climate and meteorology studies, including the potential effects of climate change.

A terrain description will be completed at every soil study location using systems and terminology in the "Canadian Soil Classification" (Soil Classification Working Group 1998). Any topographical features that may require special consideration in facility development and reclamation will be identified. Terrain polygons will be mapped with Geographic Information System (GIS) software and terrain map units would be created and applied to the polygons using the "Terrain Classification System for BC" (Howes and Kenk 1997). Terrain stability ratings will be assigned to each polygon through aerial photograph interpretation based on the criteria outlined in the "Mapping and Assessing Terrain Stability" (BC MOF 1999). This classification system is based on the parent material type, drainage conditions, slope gradient, and presence of geomorphic processes. A terrain hazard assessment of the proposed Raven Project area will be completed to identify potential terrain hazards. The results of this desktop study will be confirmed by ground proofing in the field with surface mapping, test pitting, and soil sample collection for laboratory testing. Reconnaissance Terrain Stability Mapping of the mine site and coarse and fine rejects stockpiles will be conducted to a Terrain Survey Intensity Level D standard. A terrain classification and terrain stability map will be prepared using Light Detection and Ranging (LiDAR) survey data and aerial photographs.

Results from a forest fire hazards desktop study for the proposed Raven Project will be summarized in the Application / EIS.

22.7 Species at Risk

The Application / EIS will provide a description of any change that the proposed Raven Project may cause to a listed wildlife species, its critical habitat or the residences of individuals of that species, as those terms are defined in subsection 2(1) of the federal SARA. Species at risk will be described previously in Section 5 and references will be provided as appropriate.

22.8 Effects of the Environment on the Project

The Application / EIS will assess the potential environmental factors that may affect the proposed Raven Project and the predicted effects of those environmental factors. The range of climate conditions, including extreme weather events, wet, dry, and normal precipitation and extreme temperature spells, freeze-thaw cycles and climate change (e.g., global warming scenarios) will be considered. The effect of global climate change on the proposed Raven Project including the settling pond, reject piles, and the access road will be examined.

The Application / EIS will describe the potential effects of extreme events such as regional seismic activity and natural hazards, such as avalanches, landslides and mudflows, floods, forest fires, sinkholes, climate extremes such as extreme precipitation events, tornados, hurricanes, and tsunamis on the integrity of the proposed development infrastructure, water retention dykes, underground works stability, road operation, reject piles, and facilities at the Port Alberni Port Facility. The assessment will include events that do not affect the physical integrity of structures (e.g., unanticipated discharges from the settling pond following extreme precipitation events). Effects of the environment on the proposed Port Facility will also be considered. Where feasible, measures to mitigate these effects will be identified.

22.9 Potential Accidents and Malfunctions

Consistent with section 16(1)(a) of the *CEA Act*, the Application / EIS will describe potential accidents and malfunctions associated with the proposed Raven Project, and the conditions under which they could occur. The probability and potential magnitude of an accident or malfunction associated with the proposed Raven Project would be identified. The Application / EIS will include a description of the management of environmental risk for the proposed Project assessed from two perspectives:

- Evaluation of failure modes (risk assessment) of major components of the proposed Raven Project; and
- Consideration of potential accidents and malfunctions primarily related to spills or failure of mitigation measures.

This will include the likelihood of a failure of containment or storage facilities, underground works, rejects slope, diversion channels, and clean coal spills. It will also assess the probability and potential magnitude of potential coal seam fires, spontaneous combustion, above ground fires, hazardous substance releases / spills and fuel spills outside of secondary containment areas. It will also consider potential accidents or malfunctions associated with coal transport (traffic hazards, Port Facility, including the effect on the proposed Raven Project of an emergency shut down at the Port Facility, shipping), electrical supply, and development activities such as clearing and blasting.

The assessment will link and describe the outcome of accidents or malfunctions with a probability analysis of consequential impacts on the environment. Reference to historical incidents and mitigation measures will be included as appropriate. The Application / EIS will identify risk management plans, contingency plans, mitigation measures, and response options for probable accidents or malfunctions. All assumptions, assessment data sources, and outputs will be included in the Application / EIS.

The potential residual effects of an accident or malfunction on the environment will be identified. Significance of identified residual effects will be determined.

22.10 Mitigation Measures

The Application / EIS will provide a description of any measures that are technically and economically feasible that would avoid or mitigate adverse environmental effects. Potential impacts on VCs and proposed mitigation measures will be described in appropriate previous sections of the document, with references to subsections provided in Part E.

22.11 Residual Environmental Effects

The Application / EIS will provide a description of any residual environmental effects expected to remain following implementation of the mitigation measures proposed. Residual effects would be described in appropriate previous sections of the document, with references to subsections provided in Part E.

22.12 Significance Assessment / Analysis

For each residual environmental effect, the Application / EIS will provide a discussion of the significance of the effects following the methodology in Section 4. The significance of any residual effects will be provided in Part B and references to these subsections will be described in the appropriate sections of the document, with references to subsections provided in Part E.

22.13 Cumulative Environmental Effects

This section of the Application / EIS will report on the findings of the CEE assessment conducted for identified residual effects under the *CEA Act*. It will describe the approach, methods, and information used to identify and assess cumulative effects for the proposed Raven Project. The Application / EIS will include a map showing all of the projects included in the CEE assessment. The Application / EIS will identify levels of uncertainty and information limitations with regards to the CEE. Available quantitative data that are verifiable in nature will be included in the analysis. In the absence of verifiable knowledge, best professional judgement or expert opinion will be used, whether it is from traditional or scientific sources.

The CEE assessment will consider the effects of the proposed Raven Project in combination with the effects of other past, present, or reasonably foreseeable projects, and / or activities within the proposed Raven Project's zone of influence (or zone of potential effects). The

Application / EIS will also discuss the effectiveness of proposed mitigation, as well as the implications for monitoring and follow-up programs described in earlier sections.

Methods used for the CEE will follow guidelines set out by the Agency in Operational Policy Statement “Addressing Cumulative Environmental Effects under the *Canadian Environmental Assessment Act*” (Agency 2007a).

Where it is predicted that the proposed Raven Project would have a residual effect on a VC, the residual effect will be brought forward into the CEE. Where it is predicted that there is not likely to be a residual effect on a VC with mitigation, that VC would not require further consideration in the CEE assessment; assessment of cumulative effects will extend to the health, economic and social conditions, TUs, and heritage resources, if a biophysical effect of the proposed Raven Project impacts these values.

22.14 Maa-nulth First Nations Engagement and Consultation

The federal government has identified the First Nations of the Maa-nulth Treaty Society as requiring consultation for the proposed Project. The Application / EIS will provide a summary of any consultation activities with the Maa-nulth First Nations. Due to the fact that engagement and consultation with Maa-nulth First Nations will be documented and addressed in Part C of the Application / EIS to meet federal standards and guidelines, reference to corresponding sections in Parts C will be included in this section of the Application / EIS.

22.15 Aboriginal Engagement and Consultation

The Application / EIS will provide a list of Aboriginal groups, which the Agency has identified as requiring consultation, and a summary, if applicable, of any groups or consultation activities different from provincial requirements provided in previous sections of the Application / EIS. For example, issues raised by the Métis Nation BC will be addressed as part of the federal environmental assessment. Due to the fact that engagement and consultation with non-treaty Aboriginal groups will be documented and addressed in Part D of the Application / EIS to meet federal standards and guidelines, reference to corresponding sections in Part D will be included in this section of the Application / EIS.

22.16 Comments from the Public

Comments from the public that have been received in accordance with the *CEA Act* will be considered by the RA and the Minister of the Environment. A record of how comments have been considered and incorporated into the EA will be prepared. Where comments from the public are adequately documented and addressed in Section 3.4 of the Application / EIS to meet federal standards and guidelines, reference to corresponding sections in Section 3.4 will be included in this section of the Application / EIS.

22.17 Need for other Information as Required by a Responsible Authority Pursuant to the CEA Act

The Application / EIS will provide other information as required by a federal RA.

22.18 Alternative Means of Carrying Out the Proposed Project

This section of the Application / EIS will refer to Section 2.5 to avoid duplication. The assessment of alternative means presented in Section 2.5 will be sufficient to meet both federal and provincial requirements.

22.19 Alternatives to the Project

The Application / EIS will include an analysis of alternatives to the proposed Raven Project; describing functionally different ways to meet the proposed Raven Project's need and achieve its purpose from the perspective of the proponent.

The proponent will:

- Identify the alternatives to the proposed Raven Project;
- Develop criteria to identify the major environmental, economic and technical costs and benefits of the alternatives; and
- Identify the preferred alternatives to the proposed Raven Project based on the relative consideration of the environmental, economic and technical costs and benefits.

This analysis will be done to a level of detail which is sufficient to allow for government reviewers, Aboriginal groups, and the public to compare the proposed Raven Project with its alternatives.

When assessing project alternatives, the proponent is encouraged to take into account the relations and interactions among various components of the ecosystem, including affected Aboriginal and other communities, and any adverse impacts on potential or established Aboriginal and Treaty rights. Further, the proponent is encouraged to demonstrate how the preferred alternative contributes to sustainable development.

22.20 Capacity of Renewable Resources

The Application / EIS will include an analysis of the capacity of renewable resources to meet the needs of the present and those of the future where these resources are likely to be significantly affected by the proposed Raven Project. Renewable resources will include, but not necessarily be limited, to forestry, shellfish aquaculture, fishing, trapping, and tourism. The Application / EIS must also identify and describe any criteria used in considering sustainable use.

22.21 Economic and Social Benefits of the Project

Information on the predicted economic and social benefits of the project should be presented. This information will be used by the Agency and federal technical and regulatory agencies in assessing the justifiability of any significant adverse environmental effects, if necessary. This section of the Application / EIS will refer to Section 2.7 to avoid duplication.

22.22 Benefits to Canadians

The proponent should describe how the EA process for the proposed Raven Project provided a benefit to Canadians. Factors to be considered include:

- Maximized environmental benefits:
 - Describe any environmental benefits created as a result of the proposed Raven Project going through the EA process;
- Contribution of the EA to support sustainable development:
 - Describe how the EA process for the proposed Raven Project contributed to the concept of sustainable development for a healthy environment and economy;
- Public participation:
 - Describe how public participation in the EA influenced the project design and the environmental effects analysis;
- Technological innovations:
 - Describe any new technologies developed to address environmental impacts that could be used for other projects;
- Increases in scientific knowledge:
 - Describe any new scientific information collected through the EA that could benefit the assessment of other projects; and
- Community and social benefits:
 - Describe any changes in project design that resulted in indirect benefits to communities and/or social benefits.

22.23 Follow-Up Program

A follow-up program is designed to verify the accuracy of the EA and to determine the effectiveness of the measures implemented to mitigate the adverse environmental effects of the proposed Raven Project. The Application / EIS will describe the proposed follow-up program in sufficient detail to allow independent judgment as to the likelihood that it will deliver the type, quantity, and quality of information required to reliably verify predicted

effects (or absence of them), and to confirm both the EA assumptions and the effectiveness of mitigation.

The follow-up program must be designed to incorporate baseline data, compliance data (such as established benchmarks, regulatory documents, standards or guidelines and real time data (such as observed data gathered in the field). It must also include proposed compliance reporting methods, including reporting frequency, methods and format.

The description of the follow-up program must include any contingency procedures / plans or other adaptive management provisions as a means of addressing unforeseen effects or for correcting exceedances as required to comply or conform to benchmarks, regulatory standards or guidelines.

The Application / EIS will describe the proposed follow-up program and its objectives. This will include a description of the main components of the program and each monitoring activity under that component type, frequency, duration, and location of any follow-up monitoring, including Baynes Sound and the shipping terminal at Port Alberni, along with the planned approach to data management, analysis and reporting. The Application / EIS will include:

- Discussion / justification for the length of monitoring required;
- Details on frequency, timing, locations and parameters for sampling and analysis in the operations and post-closure periods; and
- Contingency plans in the event that exceedances are detected by monitoring (e.g., interception, pumping, and treatment options if a contaminated groundwater plume is detected, etc.).

The Application / EIS will provide an overview of the proposed monitoring programs to be incorporated into each phase of the proposed Raven Project, including the approach, objectives and proposed methodologies. It will include a description of the roles and responsibilities for implementing the components of the follow-up program and its review process. The Application / EIS will provide a description of the sources of funding for the follow-up program and how its results will be used to inform an adaptive management approach, if applicable. The Application / EIS will also describe the proposed reporting procedures for both routine monitoring and for spills and emergencies.

PART F – CONCLUSIONS

23 SUMMARY OF RESIDUAL EFFECTS

The Application / EIS will summarize findings of the EA, including the potential effects on the biophysical and human environment. Avoidance, mitigation, and compensation measures will be described. The potential for residual effects and their significance will be presented in summary along with mitigation measures. This will include the results summary of the CEE assessment and tabular or graphical representation of the significance levels following implementation of impact management measures.

23.1 Summary of Potential Residual Effects of the Proposed Raven Project

The Application / EIS will summarize the environmental, economic, social, heritage, or health effects that cannot be completely avoided or mitigated through the redesign or relocation of the proposed Raven Project or through the implementation of control measures associated with ancillary activities. Summary information for residual effects will be presented as shown in Table 23.1-1. Summary information for residual cumulative effects will be presented as shown in Table 23.1-2.

Table 23.1-1: Summary of Residual Effects

Potential Effect	Proposed Project Phase	Contributing Proposed Project Activity or Physical Works	Proposed Mitigation	Significance
Effect Category (e.g., Archaeology)				
e.g., Impacts to archaeological sites	e.g., Construction; operations, decommissioning / closure	e.g., Ground disturbance associated with the construction of towers and / or power poles along the transmission line ROW, detailed design of transmission ROW and location of structures	e.g., Final design to avoid as many sites and CMTs as possible	e.g., No significant residual adverse effect; negligible, low, moderate or severe significant residual adverse effect
Effect Category (e.g., Wildlife)				
e.g., Disturbance to bald eagle nests	e.g., Construction; operations, decommissioning / closure	e.g., Physical disturbance from access road bridge footprint	e.g., Conduct updated nest survey at detailed design stage, and during construction maintain a 100 to 200 m vegetated buffer around active eagle nests (based on site-specific assessment)	e.g., No significant residual adverse effect; negligible, low, moderate or severe significant residual adverse effect

Note: 1) Example provided is from BC EAO AIR Template (BC EAO 2010a), and does not reflect issues specific to the proposed Raven Project; 2) Final significance determination rests with BC EAO and federal RA

CMT - culturally modified tree; m - metre; ROW - Right-of-Way

Table 23.1-2: Summary of Residual Cumulative Effects

Potential Cumulative Effect	Proposed Project Phase	Contributing Proposed Project Activity or Physical Works	Proposed Mitigation	Significance
Cumulative Effect Category (e.g., Archaeology)				
e.g., Impacts to archaeological sites from proposed Raven Project activities in combination with other past, current and reasonably foreseeable human activities	e.g., Construction; operations, decommissioning / closure	e.g., Ground disturbance associated with the construction of towers and / or power poles along the transmission line ROW, detailed design of transmission ROW and location of structures	e.g., Final design to avoid as many sites and CMTs as possible	e.g., No significant residual adverse effect; negligible, low, moderate or severe significant residual adverse effect
Cumulative Effect Category (e.g., Wildlife)				
e.g., Disturbance to Bald Eagle nests	e.g., Construction; operations, decommissioning / closure	e.g., Physical disturbance from access road bridge footprint	e.g., Conduct updated nest survey at detailed design stage, and during construction maintain a 100 to 200 m vegetated buffer around active eagle nests (based on site-specific assessment)	e.g., No significant residual adverse effect; negligible, low, moderate or severe significant residual adverse effect

Note: 1) Example provided is from BC EAO AIR Template (BC EAO 2010a), and does not reflect issues specific to the proposed Raven Project; 2) Final significance determination rests with BC EAO and federal RA

CMT-culturally modified tree; m - metre; ROW - Right-of-Way

24 SUMMARY OF COMMITMENTS

The Application / EIS will include a summary of the proponent's commitments to minimize the potential for the proposed Raven Project to generate environmental, economic, social, heritage, or health effects.

24.1 Summary of Commitments to Minimise Potential Effects

The summary will include a table that identifies the specific commitments that the proponent would implement. The format of the summary information for commitments is shown in Table 24.1-1.

Table 24.1-1: Summary of the Proponent’s Commitments

Commitment Number	Specific Proposed Project Effect	Commitment	Proposed Project Phase Timing	Source of Commitment	Responsible Agency	Status
Commitment Category (e.g., Air Quality, Environmental Management Plans, Fish and Fish Habitat)						
<p>Numbers would continue for each section. Commitments drafted in the Application / EIS review stage may be numbered such as AR1 for ease in numbering and to identify the commitments that are a result of consultation in Application / EIS review.</p>	<p>e.g., GHG from vehicle emissions; EMP - Construction, Follow up and Monitoring Plan - Fish and Fish Habitat Compensation</p>	<p>Each commitment would be worded taking into account the guidance language that has been provided. Commitments would be grouped into the categories followed in the Application / EIS, for example, air quality commitments are grouped together.</p> <p>Commitment wording would be:</p> <ul style="list-style-type: none"> a. Clear in terms of what is required in terms of the standard or action and its timeframe; b. Measurable or readily ascertainable as to whether the commitment has been met; c. Clear about who would decide, in the case of uncertainty, whether the required standard or action has been met; and d. Flexible, where appropriate. For example, “Standard X must be met unless agency Y later specifies in writing that an alternative standard or action would be adequate.” 	<p>e.g., Construction; operations; decommissioning / closure, post-closure.</p>	<p>Entries would follow guidance from the AIR Template, Table 5.</p>	<p>Entries would follow guidance from the AIR Template, Table 5.</p>	<p>Entries would follow guidance from the AIR Template, Table 5.</p>

RAVEN UNDERGROUND COAL PROJECT

Commitment Number	Specific Proposed Project Effect	Commitment	Proposed Project Phase Timing	Source of Commitment	Responsible Agency	Status
Commitment Category (e.g., Air Quality, Environmental Management Plans, Fish and Fish Habitat)						
		<p>Proponent would use 'must' rather than 'would' in commitments.</p> <p>The proponent would suggest timing for commitments.</p>				
<p>Note: Example provided is from BC EAO AIR Template (BC EAO 2010a) and does not reflect issues specific to the proposed Raven Project AIR - Application Information Requirements; EMP - Environmental Management Plan; GHG - greenhouse gas</p>						

25 CONCLUSION

The Application / EIS will include the following:

- A summary of effects of the proposed Raven Project, proposed mitigation measures, and commitments;
- A summary of the proponent's understanding of the BC EA process in promoting sustainable development while minimizing effects to environmental, economic, social, heritage, and health values;
- A description of how the proposed Raven Project aligns with the goals of the BC EA process and the *CEA Act* process; and
- A statement of request for an EA Certificate for the proposed Raven Project, and the need to successfully complete a federal EA and subsequent permitting / authorization processes prior to proceeding with proposed Raven Project pre-construction / construction, operations, closure / decommissioning, and post-closure activities.

26 REFERENCES

Each volume of the Application / EIS (or each section within a volume of the Application / EIS where necessary due to the size of the volume) will list the references cited, and documentation with respect to consultations with public, Aboriginal groups and government agencies.

Records of key meetings (e.g., Working Group meetings), including discussion topics completed before filing the Application / EIS will be included.

The following is a list of references cited in this AIR / EIS Guidelines.

- Agency (Canadian Environmental Assessment Agency). 1994. A Reference Guide for the *Canadian Environmental Assessment Act*. Addressing Cumulative Environmental Effects. Prepared by the Federal Environmental Assessment Review Office. November 1994.
- Agency. 1999a. Cumulative Effects Assessment Practitioners Guide. Prepared by The Cumulative Effects Assessment Working Group and AXYS Environmental Consultancy, February 1999.
- Agency. 1999b. Determining Whether a Project is Likely to Cause Significant Adverse Environmental Effects. (Reference Guide for Responsible Authorities). November 1999.
- Agency. 2003a. *Canadian Environmental Assessment Act* Federal Coordination: An Overview. www.ceaa-acee.gc.ca. October 2003.
- Agency. 2003b. Incorporating Climate Change Considerations in Environmental Assessment: General Guidance for Practitioners. Prepared by The Federal-Provincial-Territorial Committee on Climate Change and Environmental Assessment. November 2003.
- Agency. 2007a. Operational Policy Statement. Addressing Cumulative Environmental Effects under *the Canadian Environmental Assessment Act*. Original: March 1999. Update: November 2007.
- Agency. 2007b. Operational Policy Statement Addressing "Need for", "Purpose of", "Alternatives to" and "Alternative Means" under the *Canadian Environmental Assessment Act*. Original: October 1998. Update: 2007.
- Agency. 2008. Comprehensive Study Process Guide. September 2008.
- Agency. 2011. February 2011 Comprehensive Study Scope of Assessment for the Proposed Raven Underground Coal Mine. Proposed by: Compliance Coal Corporation. Canadian Environmental Assessment Registry Reference Number: 10-03-55529.
- AGL (Associated Geosciences Limited). 2007. Preliminary Assessment of an Underground Mining Operation on Compliance Energy Corporation's Raven Coal Deposit, Tsable River, Vancouver Island BC. National Instrument 43-101 Compliant Resource Report. Prepared for Compliance Energy Corporation. Prepared by Peter Cain (Ph.D., P.Eng.)

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27 APPENDICES

As appropriate, detailed information relevant to the Application / EIS would be provided in Appendices to the Application / EIS. For example, where information is prepared by professionals and provided under their professional seal, this would be identified in the Application / EIS and copies of the studies would be appended to the Application / EIS.