

CoalWatch Comox Valley Society
PO Box 157
Union Bay, BC V0R 3B0

Attn: Shelley Murphy
Executive Project Director
Environmental Assessment Office
PO Box 9426 STN PROV GOVT
Victoria, BC V8W 9V1

June 4, 2015

RE: Request to terminate the Environmental Assessment for the Raven
Underground Coal Mine Project

Dear Shelley:

As you're the BC Environmental Assessment Office (EAO) Executive Project Director on the Raven Coal Mine Project file, I'm sending this letter to you for your consideration.

I'd like to begin with a chronological summary of key events thus far in the environmental assessment review of the proposed Raven Coal Mine Project.

August 12, 2009 - The BC EAO issued an Order under section 10(1)(c) of the BC Environmental Assessment Act (BCEAA) stating that the proposed Raven Project requires an EA Certificate.

March 5, 2010 - The BC EAO issued an Order under section 11 of the BCEAA describing the scope, procedures, and methods for the provincial review of the proposed Raven Project.

December 23, 2010 - The BC EAO amended the section 11 Order to add the Tseshaht First Nation and the Hupacasath First Nation to the list of First Nations to be consulted.

September 30, 2011 - The BC EAO issued an Order under section 13 amending the section 11 Order to include the proposed facility upgrades at the existing port of Port Alberni and operation of vessels associated with the proposed Raven Project while moored at the port of Port Alberni.

June 7, 2012 - The Application Information Requirements/ Environmental Impact Study (AIR/EIS) Guidelines for the proposed Raven Project were finalized and posted on the EAO website.

May 16, 2013 - The EAO determined that Compliance Coal Corporation's Application for Environmental Certificate (Application) for the proposed Raven Project did not contain the required information and decided not to accept the Application for detailed review.

March 2, 2015 - Compliance Coal Corporation provided a letter to Mr. Doug Caul, Associate Deputy Minister, Ministry of Environment, as their notice to withdraw the three volume Addendum from the EAO forth with.

CoalWatch has recently reviewed the Environmental Assessment Act and the Prescribed Time Limits Regulation, and would like to highlight the following:

Environmental Assessment Act

Section 24 (3) At any time after the executive director or minister has determined under section 11 or 14 the information required for an application, the executive director or the minister may suspend or terminate an assessment under this Act if, after being requested to provide information in an application or at any other time in the assessment, the proponent does not provide the information within the prescribed period.

Prescribed Time Limits Regulations

Section 5 For the purposes of section 24 (3) [time limits - period to provide required information] of the Act, the period is 3 years from the date on which, as applicable,

- (a) the executive director specifies the information required from the proponent for an application or at another time during the assessment.

It is CoalWatch's position that the 3 year timeline (specified in the above mentioned regulations) for Compliance Coal Corporation to provide the required information in an Application for the proposed Raven Project would have commenced on June 7, 2012, the date the AIR/EIS Guidelines were finalized.

It appears that the expiration of the 3 year timeline is rapidly approaching. CoalWatch is not aware of any public communication from Compliance Coal Corporation stating if or when they might submit another Application for the proposed Raven Project to the EAO for evaluation/screening.

As a resident of Fanny Bay, a community in close proximity to the proposed Raven Coal Mine site, it is my personal opinion that a decision by the Executive Director or Minister to either extend the 3 year timeline or suspend the environmental assessment , would NOT be in the best interest of our community.

It is CoalWatch's view that Compliance Coal Corporation has been afforded due process during the environmental assessment process and Compliance has also been granted a reasonable amount of time to submit the required information in an Application for the proposed Raven Project.

Therefore, on behalf of CoalWatch and its board of directors, I would respectfully request that the Executive Director or Minister terminate the environmental assessment of the proposed Raven Project after the 3 year timeline has expired.

Thanking you in advance for your consideration of our request.

Respectfully,

John Snyder
President, CoalWatch Comox Valley Society
250-335-2246
email: scalaska@shaw.ca

Sent via email, hard copy to follow via Canada Post