



Fisheries and Oceans
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May 6, 2024

Our file *Notre référence*
14-HPAC-01085

Impact Assessment Agency of Canada
Attn: Stefan Crampton
Project Manager
210A-757 West Hastings St.,
Vancouver, BC, V6C 3M2

Via email: Stefan.Crampton@iaac-aeic.gc.ca

Subject: Crown Mountain Coking Coal Project

Dear Stefan Crampton:

On January 29, 2024, the Impact Assessment Agency of Canada (the Agency) initiated the technical review of the Environmental Impact Statement (EIS) for the Crown Mountain Coking Coal Project (the Project). During the previous conformity review, DFO submitted a letter to the Agency, dated January 10, 2023, that highlighted our concerns regarding potential effects of the Project on Westslope Cutthroat Trout, British Columbia population (WCT), an aquatic species listed under the *Species at Risk Act* as Special Concern. The concerns raised in the letter were not addressed in the revised EIS, which NWP Coal Canada Ltd. (the Proponent) submitted on December 15, 2023.

DFO submitted comments relating to our technical review of the revised EIS on February 28, 2024. The technical review focused on the Fish and Fish Habitat Assessment (Chapter 12) and associated appendices. Subsequently, DFO also participated in an in-person Technical Advisory Committee meeting in Cranbrook, BC, on April 10 and 11, 2024, which included a forum on fish and fish habitat. **Notably, there have been no substantial changes proposed to the Project since the submission of our January 10, 2023, letter and DFO's concerns remain outstanding.**

Based on the Project information contained in the EIS, including the scale of destruction of WCT habitat, the risk of loss of a resident subpopulation of WCT, and the apparent lack of offsetting measures to adequately counterbalance the effects of the Project on WCT, DFO's view is that the impacts of the Project would not be adequately avoided, mitigated, and offset. To avoid, mitigate, and offset effects to WCT, both the scale of the Project impacts should be reduced and the scale and scope of offsetting should be substantially increased. DFO recommends that the Proponent consider a Project alternative that aligns with the goals and objectives of the *Management Plan*

*for the Westslope Cutthroat Trout (Oncorhynchus clarkii lewisi), British Columbia Population, in Canada.*¹

If you have any questions with the content of this letter, please contact James Dwyer at our Vancouver office by email at James.Dwyer@dfo-mpo.gc.ca. Please refer to the file number referenced above when corresponding with the Program.

Yours sincerely,

David Carter, MSc, RPBio
Manager, Impact Assessment Major Projects
Fish and Fish Habitat Protection Program

¹ Fisheries and Oceans Canada. 2017. Management Plan for the Westslope Cutthroat Trout (*Oncorhynchus clarkii lewisi*), British Columbia Population, in Canada. *Species at Risk Act* Management Plan Series. Fisheries and Oceans Canada, Ottawa. iv + 116 pp