

From: [Doucette, Paula](#)
To: [Leung, Quincy \[CEAA\]](#)
Cc: [Martin, Tanya LYNN: TC](#); [Parkinson, Colin R: TC](#); [Chatwell, Ian: TC](#); [Hall, Ronald: TC](#); [L'Heureux, Suzanne: TC](#)
Subject: RE: Kitimat Clean Refinery Project - Notice of Commencement of an Environmental Assessment
Date: August 5, 2016 5:26:43 PM

Hi Quincy,

As requested, TC has the following comments on the dEISg for the Kitimat Clean Refinery Project. If you wish to discuss any of the comments below, don't hesitate to let me know. Thx, paula

TC's Comments on the Kitimat Clean Refinery Project draft EIS Guidelines

1. p.4-5, section 3.1: TC suggests including "transportation of dangerous goods" to each of the applicable project components to ensure that any environmental effects associated with this transport and approval provided by TC gets captured within the EIS. TC will also require the proponent to list which dangerous goods will be handled/transported, how they will be transported (by water or land); if by land, what routes will be taken, will it be the proponent who transports or another company, where the dangerous goods will be transported from. The Agency should consider how the environmental effects associated with the transport of dangerous goods should be scoped and then included as guidance to the proponent in the EISg.
2. p. 4-5, section 3.1: TC will need to ensure that any environmental effects associated with the flare tower are included in the EIS, in order to address CEAA s5(2) as a result of the potential issuance of Aeronautical Obstruction Clearance Permit(s) by TC.
3. p.8, section 4.1, second paragraph: Regarding the statement "Submission of regulatory and technical information necessary for federal authorities to make their regulatory decisions during the conduct of the EA". TC suggests changing the wording of this sentence as an FA isn't able to make a regulatory decision during the conduct of an EA, only after an EA decision has been made.
4. p.17, section 3.1: Kitimat is not yet a designated Port. TC would prefer the change to "harbour infrastructure".
5. p.17, section 3.1: TC recommends adding in the following under the last bullet of navigation activities: small vessel usage in the area of the project terminal, anticipated control zones around project infrastructure, berthing/unberthing approaches and departures from terminal, impacts of infrastructure on the waterway.
6. p.17, section 3.2.1: under Site preparation and construction, TC recommends adding in 'delivery method of materials (rail, ship or road)'.
7. p.18, section 3.2.2: TC recommends indicating more explicitly where rail/marine shipping will be addressed.
8. p.25, section 6.1.6: It is unclear why the references are made to ice climate, ice formation, ice conditions and fast-ice characteristics. Also in this section, TC recommends adding in "current/wake velocities".
9. p.33, section 6.3.6 (or where the Agency deems appropriate): TC suggests the following bullets be added to assess the impacts on navigation to Indigenous peoples:
 1. Describe how and for how long information was collected and from what source in relation to current and traditional navigation uses.
 2. Describe any materials offloading facility in detail, including location, likely

construction methods, potential impacts on the channel, and anticipated design. Describe associated works such as dredging. Describe potential conflicts with other anticipated works in the area and how the proponent intends to manage user conflicts and traffic issues associated with the work during construction and operations. Describe type of vessels and anticipated traffic patterns/volumes using the marine offloading facility and at what points in the construction schedule will be peak usage times. Include the potential for the marine offloading facility to be used for the delivery of hydrocarbons during the operation of the facility.

3. Describe any auxiliary marine works associated with the terminal such as bunker facilities, tugboat berths.
10. p.36, section 6.6.1: for other marine terminals various accident and malfunction scenarios were outlined to the proponent. Will CEAA leave this to the Provincial EA process to outline, or include it in the EIS guidelines? TC's preference is to provide input on these scenarios to ensure completeness.
11. p.37, section 6.6.1: TC recommends adding in the spatial scope of the accidents and malfunctions related to marine and rail transportation. TC understands that the Agency has said "within the spatial boundaries described in this document", but this might be confusing to the reader and should be better outlined in this section for further clarity. For example, is the scope of the accidents and malfunctions related to rail transportation only those that occur along the spur line from the CN main rail line and the rail yard or does it go further? Considering this may be a major source of contention for the public and indigenous groups, it would be better to add clarity.

Paula Doucette

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From: Leung, Quincy [CEAA] [<mailto:Quincy.Leung@ceaa-acee.gc.ca>]

Sent: Thursday, July 14, 2016 2:49 PM

To: Lukey, Lucille (HC/SC); Setton, Eleanor (HC/SC); Engelsjord, Michael; Albornoz, Angeles (NRCan/RNCan); Doucette, Paula; nadine.parker@canada.ca

Cc: Cooper, Garrett [CEAA]

Subject: RE: Kitimat Clean Refinery Project - Notice of Commencement of an Environmental Assessment

Dear federal colleagues,

Further to my previous email, the Canadian Environmental Assessment Agency (the Agency) would like to invite the federal review team to provide comments on the [draft Environmental Impact Statement \(EIS\) Guidelines](#).

Following a 45-day screening period, on June 30, 2016, the Agency determined that an

Environmental Assessment (EA) is required for this Project. The federal EA process started on July 12, 2016. The next step of the process is to finalize the EIS Guidelines. The purpose of the EIS Guidelines is to identify the information the proponent will be required to provide in its EIS, and the nature, scope and extent of the information required. The Agency invites you to provide comments on the draft EIS Guidelines, particularly in relation to any environmental effects related to your departmental mandate and described in section 5 of CEAA 2012,

Your response by August 12, 2016 would be appreciated.

After the comment period on the draft EIS Guidelines, the Agency will finalize the document and provide it to the proponent. Within 60 days of the start of the environmental assessment, the Minister of Environment and Climate Change may decide to refer the Project to a review panel. A referral to review panel is considered if the Project is likely to cause significant adverse environmental effects, or if Indigenous communities or the public have raised concerns related to the potential for significant adverse environmental effects.

Regards,

Quincy Leung

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From: Leung,Quincy [CEAA]
Sent: July 13, 2016 11:40 AM
To: Lukey, Lucille (HC/SC); Setton, Eleanor (HC/SC); Engelsjord, Michael; Albornoz, Angeles (NRCan/RNCan); Paula.Doucette@tc.gc.ca; nadine.parker@canada.ca
Subject: Kitimat Clean Refinery Project - Notice of Commencement of an Environmental Assessment

Dear Federal Colleagues,

The Canadian Environmental Assessment Agency (the Agency) has posted a [Notice of Commencement of an Environmental Assessment](#) on the Agency's website. Public comments on the draft EIS Guidelines are invited until August 12, 2016. The [Public Notice](#) and the [News Release](#) can also be viewed on the Agency's website.

Regards,

Quincy Leung

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