



April 24, 2017

Barry Robinson
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Calgary, AB T2P 3T4
Email: <email address removed>

Subject: Pacific Future Energy Refinery Project, Ref. No. 80127

Dear Mr. Robinson:

Thank you for your letter of February 21, 2017 on behalf of Ecojustice concerning the environmental assessment process for the Pacific Future Energy Refinery Project (the Project) proposed by the Pacific Future Energy Corporation (the proponent). Your letter outlines your concerns with respect to the posting of documents on the Canadian Environmental Assessment Registry Internet Site (Registry) as well as requests a reconsideration of the Agency's decision to not hold an additional public comment period in light of the proponent's submission of its Addendum to the Project Description, dated September 28, 2016.

The *Canadian Environmental Assessment Act, 2012* (CEAA 2012) requires the Responsible Authority of a designated project to post specific information and records on the Registry for the Project. These include, but are not limited to, any public notice that is issued by the Responsible Authority to request participation of the public, the Environmental Assessment Report, and the Environmental Assessment Decision. The Agency must also post any other information it considers appropriate and it is the Agency's current practice for environmental assessments by review panel to post to the Registry all records related to the environmental assessment, except where such information is protected under the *Access to Information Act*, the *Privacy Act*, or CEAA 2012.

With respect to the Project Description Addendum, a clerical error occurred during the transfer of the file upon referral of the environmental assessment to a review panel. As a result, this record was not posted to the Registry immediately. However, the Addendum was posted to the Registry in mid-November and has been available to review participants since that time. Please note that public comments on information in relation to the environmental assessment are accepted on a continuous basis until the review panel closes the public record following the public hearing.

Further investigations following the receipt of your letter revealed that some comments from the public that were received following the public comment period in October 2016 had also not been posted to the Registry in a consistent manner – these comments have since been posted.

Moving forward, the Agency has taken steps to ensure that all records relating to the environmental assessment of the Project are posted to the Registry in a timely manner following their receipt. This will ensure the public has convenient access to information in support of their



participation in the process. With respect to those records highlighted in your letter, the Agency has posted your letter of December 16, 2016, the Agency's January 30, 2017 response to your letter, your letter of February 21, 2017, and this response.

The proponent is expected to submit additional information on the Project in the coming months. Once this information has been received, it will be posted to the public registry and the Agency will consider next steps and whether an additional opportunity to provide comment on the Environmental Impact Statement (EIS) Guidelines is necessary. Please note that the Agency will continue to identify additional specific opportunities for public input throughout the environmental assessment process, including, for example, on the draft terms of reference for the review panel. The draft terms of reference will further outline the details of the Project being reviewed, including the details of the options for transporting products from the refinery site to market or for disposal.

Should any information received during the public review of the draft terms of reference lead the Agency to believe that additional changes to the final EIS Guidelines may be necessary, such changes will be considered at that time.

If you have any questions or concerns, please do not hesitate to contact me by email at brett.maracle@ceaa-acee.gc.ca or by telephone at ^{<contact information removed>}.

Yours sincerely,

<Original signed by>

Brett Maracle
Panel Manager

Cc: Tracy James – British Columbia Environmental Assessment Office
Cheryl Brown – Douglas Channel Watch
Fraser Thomson – Ecojustice