



RESPONSE TO PETITION

Prepare in English and French marking 'Original Text' or 'Translation'

PETITION No.: **421-01156**

BY: **MR. JULIAN (NEW WESTMINSTER-BURNABY)**

DATE: **FEBRUARY 17, 2017**

PRINT NAME OF SIGNATORY: **THE HONOURABLE MARC GARNEAU**

Response by the Minister of Transport

SIGNATURE

Minister or Parliamentary Secretary

SUBJECT

Environmental Assessment and review

ORIGINAL TEXT

REPLY

As you may be aware, a review of the federal environmental assessment process is currently underway in an effort to regain public trust and introduce new fair processes that will, among many things, provide ways for Canadians to express their views, ensure decisions are based on science, facts and evidence, and require project advocates to choose the best technologies available to reduce environmental impacts. Additional information can be found on the website dedicated to the review: <http://eareview-examenee.ca/>.

The Vancouver Fraser Port Authority (VFPA) and the port services it provides are critical to the national economy as a key hub in supply chains linking Canadians and world markets. Canadian businesses rely on VFPA to move cargo, such as wheat, potash, coal and containers filled with consumer goods, efficiently and reliably. Balancing this commercial vocation, Canada Port Authorities are mandated to work collaboratively with local communities when considering port infrastructure developments.

The VFPA was incorporated to manage Port of Vancouver assets and real property holdings, including Government of Canada lands, in a commercial manner for the purpose of providing port services. Canada Port Authorities must comply with the *Canada Marine Act*, other laws and regulations and their individual letters patent. The *Canada Marine Act* makes the Board of Directors responsible for the management of the activities of VFPA, including commercial decisions.

Fraser Surrey Docks (FSD) is located mainly on federal land under the jurisdiction of the VFPA. The proposed Direct Transfer Coal Facility project is within federal Port of Vancouver jurisdiction.

The proposed Direct Transfer Coal Facility project at FSD is not identified in the *Regulations Designating Physical Activities* pursuant to the *Canadian Environmental Assessment Act, 2012* (CEAA 2012). However, as the proposed Project is on federal lands, it was subject to an environmental review under section 67 of CEAA 2012. VFPA's environmental review included consultation with the public and Indigenous Peoples. Technical studies were undertaken to assess such things as noise, water and air quality/dust (relating to the potential to affect human health), and other impacts in response to concerns raised by community members during consultation activities led by FSD and the Port of Vancouver. On August 21, 2014, FSD was granted a project permit by the Port of Vancouver that approves the construction and operation of the Direct Transfer Coal Facility. On November 30, 2015, the permit was amended to eliminate the use of barges.

The Minister of Transport appreciates being made aware of your concerns regarding the Direct Transfer Coal Facility project. Given that the matter falls under the authority of the Port of Vancouver, the Minister would encourage you to raise any further concerns with them.