



Memorandum

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Date March 8, 2016 File Number GM 5450-30

To Gambier Island Local Trust Committee

From Aleksandra Brzozowski
Island Planner, Northern Office

Re Response Procedures for Howe Sound Industrial Applications - Updates

This memorandum is to provide information to the Gambier Local Trust Committee (LTC) on matters pertaining to response procedures appropriate for the LTC for project applications proposed in Howe Sound.

Woodfibre Liquefied Natural Gas (LNG) Facility

The provincial Environmental Assessment Certificate for the Woodfibre LNG project was issued on October 26, 2015. The Canadian Environmental Assessment Agency (CEAA) is now preparing materials to inform the Minister of Environment and Climate Change's federal environmental assessment (EA) decision for the Project.

On January 27, 2016, the Minister of Environment and Climate Change and the Minister of Natural Resources announced an interim approach to EA processes. The interim approach includes principles for major projects that are subject to a federal EA. The principles are intended to guide the Government of Canada's decision-making while the Government undertakes a review of EA processes. (For more information please see: <http://news.gc.ca/web/article-en.do?mthd=index&ctr.page=1&nid=1029999>)

Starting on February 9, 2016, the Agency announced a public comment period on the analysis of upstream GHG emissions. The closing date for comments was Tuesday, March 1, 2016. The Executive Committee did not submit a formal response, as Trust Area Services staff did not have the required expertise to draft a response. Trustees were encouraged to participate individually in the public comment period, following the procedures laid out in the Islands Trust Advocacy Policy. Trustee Rogers submitted an individual response on March 1, 2016. Individual Trustee letters can be viewed on the "Trustee Corner" section of the Gambier website.

Following the comment period, the Minister of Environment and Climate Change will consider BC's Assessment Report, the analysis of upstream GHG emissions and comments received on that analysis, and make a determination on whether the Project is likely to result in significant adverse environmental effects under the *Canadian Environmental Assessment Act, 2012*.

BURNCO Aggregates Project

The Environmental Assessment Office (EAO) approved the Application Information Requirements for the BURNCO project on December 17, 2014.

The BURNCO Aggregate Project Application for an Environmental Assessment Certificate has been received by the EAO. The application will be referred to the BURNCO Working Group for a 30-day screening process to assess presence or absence of application information requirements. Following the screening process, the applicant may be required to modify their application; upon submission of the final application, the 180-day review timeline will be triggered, including the public comment period.

The 30-day Application Screening phase is set to run mid-March to mid-April 2016.

Community Woodlots on Gambier Island

On November 5, 2014, the Minister of Forests, Lands and Natural Resource Operations (FLNRO) decided to decline to accept a winning applicant in the recent tendering of two woodlots on Gambier Island in order for the Province of British Columbia to address community concerns and undertake further consultations with the Squamish Nation consistent with the Supreme Court of Canada's recent decision in *Tsilhqot'in Nation v. BC* (*Tsilhqot'in* decision). In reviewing the consultation record for the two Woodlot License areas, the Minister concluded that more work needs to be done to ensure that the Province properly carries out its constitutional obligations consistent with this new direction, as well as to address the public interest.

FLNRO staff is currently in consultation with the Squamish Nation regarding potential woodlots on Gambier's Crown land. FLNRO staff has also met with Islands Trust staff to review previous gaps in effective consultation.

Response and Advocacy regarding the Howe Sound Industrial Projects

The below information table reflects the current status of applications in Howe Sound.

Project	Location/Jurisdiction of project	IT Personnel Assigned? Who?	Formal Processes Occurring? Run by whom?	Timeline of Project
BURNCO	Project occurs in the Gambier Local Trust Area, but outside the zoned plan areas	Aleksandra Brzozowski, Island Planner (Working Group) Kate-Louise Stamford, Local Trustee (Working Group)	Provincial Environmental Assessment, run by the BC Environmental Assessment Office. Rezoning Application, administered by the Sunshine Coast Regional District.	<i>Completed (2014):</i> Comments on two drafts of the Application Information Requirements (AIR). <i>Next Steps:</i> Working Group Screening; Evaluation of Application and Public Comments on Application
Woodfibre LNG	Project occurs outside the Gambier Local Trust Area, but tanker traffic will go through waters in the Gambier Local Trust Area.	Clare Frater, Policy Analyst (Trust Area Services)	Federal and Provincial Assessment, both run by the BC Environmental Assessment Office. Rezoning Application with the Sunshine Coast Regional District (SCRD).	<i>Completed (2015):</i> Provincial EAO Environmental Assessment Certificate issued. <i>Next Steps:</i> Federal Assessment; SCRDR rezoning application.
Gambier Woodlots W2068 & W2069	Project occurs within the Gambier Island Plan Area, but on land not under the authority of the Islands Trust. Under the authority of the Ministry of Forests Lands and Natural Resource Operations (FLNRO)	Aleksandra Brzozowski, Island Planner Lisa Gordon, Trust Area Services (Review of protocol agreements)	No formal process occurring currently.	<i>Incomplete (2003 - 2008):</i> Agency referral with Islands Trust regarding the draft woodlot boundaries. <i>Next Steps:</i> Monitor situation for update from FLNRO regarding consultation with the Squamish Nation; Engage FLNRO staff in upcoming Gambier OCP review; Work between Trust Area Services and FLNRO to revise protocols and Letters of Understanding.