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Comprehensive Study Scoping Document

For the

Sechelt Carbonate Project

CEAR Reference Number: 07-03-26740

Prepared pursuant to Subsection 21(1) of the
Canadian Environmental Assessment Act (CEAA)

By

Transport Canada and Fisheries and Oceans Canada

Date – to be added

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1.0 INTRODUCTION

1.1 Purpose of Document

This Comprehensive Study Scoping Document was prepared by Transport Canada (TC) and Fisheries and Oceans Canada (DFO) pursuant to subsection 21(1) of the *Canadian Environmental Assessment Act* (CEAA).

TC and DFO have determined that they have a responsibility to conduct an environmental assessment related to the proposed Sechelt Carbonate Project pursuant to paragraph 5(1)(d) of the *Canadian Environmental Assessment Act* (CEAA). As the development proposal is subject to review under the British Columbia *Environmental Assessment Act*, the federal and provincial environmental assessment processes will be coordinated in accordance with the Canada – British Columbia Environmental Assessment Cooperation Agreement (2004).

This document provides information on the proposed scope of project for the federal environmental assessment and the proposed approach to the environmental assessment by TC and DFO. The purpose of this document is to seek the views of the public on the proposed scope of the project, the factors proposed to be considered in the environmental assessment, the proposed scope of those factors and the ability of the comprehensive study to address issues relating to the project (see Section 3.0).

1.2 Summary of the Proposed Development

Pan Pacific Aggregates Limited (the proponent) is proposing to develop a carbonate rock mine on the Sechelt Peninsula approximately 15 km north of the community of Sechelt, in south-western British Columbia. The proposed carbonate rock quarry site, material processing plant, and material storage areas would be located in the Caren Range and would be connected via conveyor to a proposed marine terminal on Malaspina Strait near Wood Bay (Figure 1-1).

A production capacity of approximately 4,000,000 – 6,000,000 tonnes per annum (approx. 16,000 – 24,000 tonnes per day) is proposed with products leaving the site in 6,000 tonnes capacity barges and Panamax class bulk carriers (75 000 dead weight tonnes) that will be loaded at the dedicated marine terminal facility. It is expected that at maximum production rates the operation would load 2 Panamax class ships per week and occasional barges.

It is anticipated that the project would take approximately 1 year to begin operations following the start of construction. A minimum 25-year mine life is currently envisaged. For further details on the project description please visit the British Columbia Environmental Assessment Office website: <http://www.eao.gov.bc.ca>.

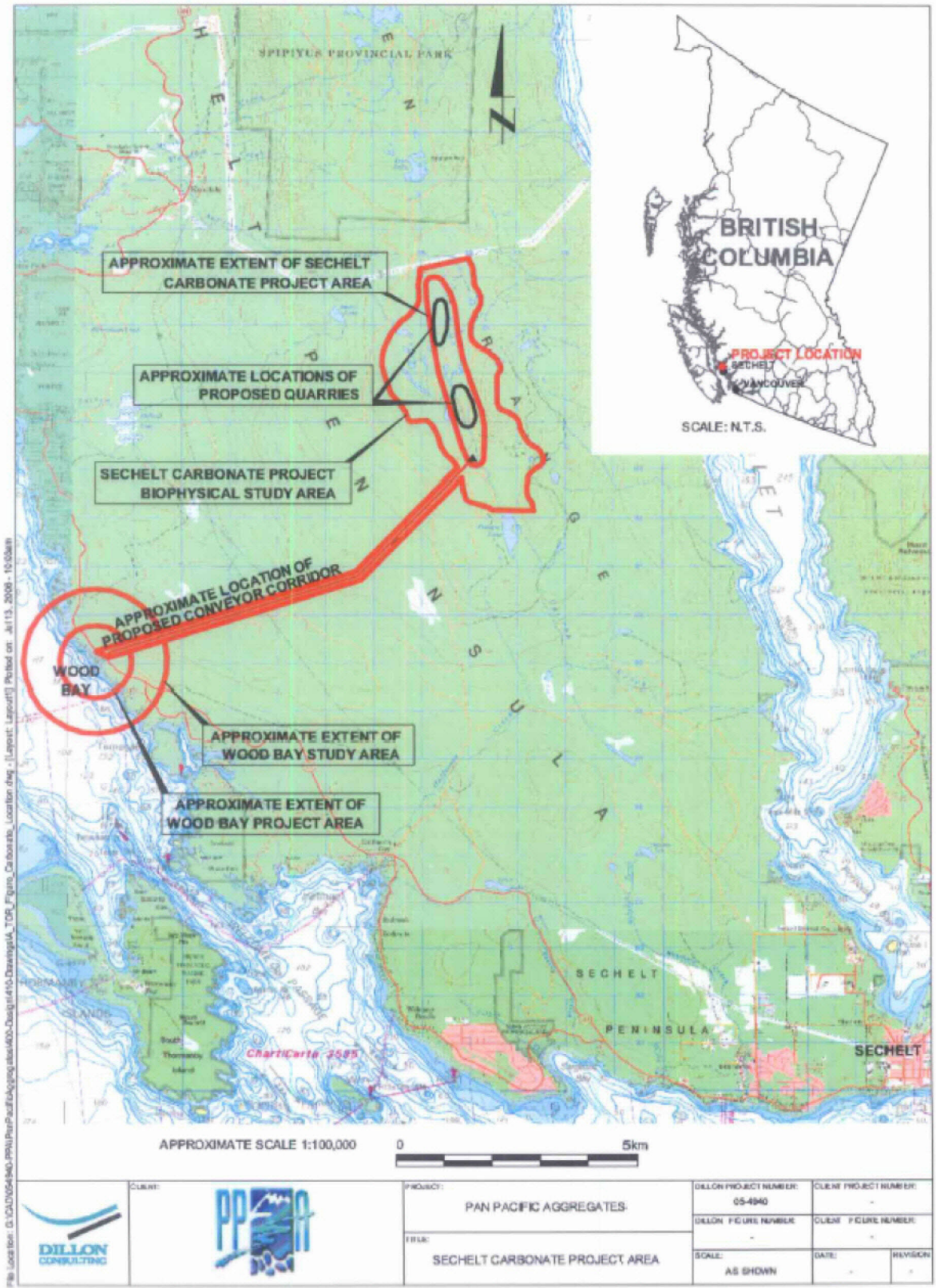


Figure 1-1. Sechelt Carbonate Development Site
 CEA Registry Reference Number: 07-03-26740

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2.0 ENVIRONMENTAL ASSESSMENT

2.1 Federal Environmental Assessment

TC and DFO, as responsible authorities, must ensure an environmental assessment is conducted prior to the issuance of the following federal approvals and authorizations for the project. These include:

- issuance of approvals by TC pursuant to subsection 5(1) of the *Navigable Waters Protection Act* (NWPA) for the construction of a marine terminal over a navigable waterway (Malaspina Strait); and
- issuance of authorizations by DFO pursuant to section 35(2) of the *Fisheries Act* for the harmful alteration, disruption or destruction of fish habitat related to construction of portions of the marine terminal and draining or altering water levels in the headwaters of Carlson Creek and its tributaries.

Environment Canada and Health Canada will provide expert advice during the assessment as Federal Expert Authorities (FAs).

Based on the proposed scope of project as described in Section 3.1, TC and DFO have determined that the Project is subject to a comprehensive study under CEEA pursuant to paragraphs 28(c) of the *Comprehensive Study List Regulations*, which reads:

28 (c) The proposed construction, decommissioning or abandonment of a marine terminal designed to handle vessels larger than 25 000 DWT unless the terminal is located on lands that are routinely and have been historically used as a marine terminal or that are designated for such use in a land-use plan that has been the subject of public consultation.

The proposed marine terminal will be located in an area that has not been historically used as a marine terminal or that is not currently designated for such use in a land-use plan that has been the subject of public consultation. The proposed marine terminal will be designed to handle vessels larger than 25 000 Dead Weight Tonnage (DWT) listed under paragraphs 28 (c) of CEEA's *Comprehensive Study List Regulations*.

Following this initial public consultation period, the responsible authorities will submit a report to the federal Minister of the Environment (the Minister), which includes the following:

- the scope of the project, the factors to be considered in the environmental assessment and the scope of those factors;
- public concerns in relation to the project;
- the project's potential to cause adverse environmental effects; and
- the ability of the comprehensive study to address issues relating to the project.

The responsible authorities must also recommend to the Minister whether the environmental assessment should be continued by means of a comprehensive study, or whether the project should be referred to a mediator or review panel.

The Minister will then decide whether to refer the project back to the responsible authorities to continue with the comprehensive study process, or refer the project to a mediator or review panel. If the Minister decides that the project should continue as a comprehensive study, the project cannot be referred to a mediator or review panel at a later date. If the Minister refers the project to a mediator or review panel, the project will no longer be subject to a comprehensive study under CEAA.

If the environmental assessment continues as a comprehensive study, a Comprehensive Study Report (CSR) will be prepared. Responsible authorities must ensure there are opportunities for public participation during the comprehensive study. Following its completion, responsible authorities will submit the CSR to the Minister and to the Canadian Environmental Assessment Agency (CEA Agency).

The CEA Agency will invite the public to comment on the CSR prior to referring the report to the Minister. The Minister may request additional information or require that public concerns be further addressed before issuing the environmental assessment decision statement. Once the Minister issues the environmental assessment decision statement the project will be referred back to the responsible authorities for appropriate action.

Whether the environmental assessment proceeds by means of a comprehensive study or is referred to a mediator or review panel, participant funding will be made available by the CEA Agency to facilitate public participation. See Section 4.3 for more detail.

2.2 Joint Canada-BC Environmental Assessment Process

As the development proposal is also subject to review under the British Columbia *Environmental Assessment Act*, the terms of the Canada-BC Agreement on Environmental Assessment Cooperation apply. Under this Agreement, projects that require an environmental assessment by both the Government of Canada and the Government of British Columbia undergo a single, cooperative assessment, where possible, to meet the environmental assessment requirements of both levels of government.

The Canada-BC Agreement on Environmental Assessment Cooperation does not provide for delegation of authority. Each government will make project related decisions on matters within its own legislative authority and the federal environmental assessment process will be conducted accordingly.

The CEA Agency, in its role as Federal Environmental Assessment Coordinator, facilitates the coordination of the federal review process and the provincial review process. Both governments use the information generated through the cooperative environmental assessment process as the basis for their respective decisions with respect to the project.

3.0 PROPOSED SCOPE

Scoping establishes the boundaries of the federal environmental assessment. The scope identifies elements of the project which are likely to affect environmental components and focuses the assessment on relevant issues and concerns. The public is being asked to comment on this section of the report.

3.1 Proposed Scope of the Project

TC and DFO, as responsible authorities, propose the following scope of the Project for the federal comprehensive study under CEAA:

- the construction, operation and decommissioning (including closure and reclamation) of the marine terminal and the conveyor components that connect the marine terminal to land (i.e. portion of conveyor located directly over marine waters); and
- the draining or altering water levels in the headwaters of Carlson Creek and its tributaries, including any required ancillary works or activities.

3.2 Proposed Factors to be Considered

As defined under CEAA, "environmental effect" means, in respect of a project:

- a) *any change that the project may cause in the environment, including any change it may cause to a listed wildlife species, its critical habitat or the residences of individuals of that species, as those terms are defined in subsection 2(1) of the Species at Risk Act*
- b) *any effect of any change referred to in paragraph (a) on*
 - i) *health and socio-economic conditions*
 - ii) *physical and cultural heritage*
 - iii) *the current use of lands and resources for traditional purposes by aboriginal persons, or*
 - iv) *any structure, site or thing that is of historical, archaeological, paleontological or architectural significance, or*
- c) *any change to the project that may be caused by the environment whether any such change or effect occurs within or outside Canada;*

The following factors are proposed to be considered in the environmental assessment, pursuant to Section 16 of CEAA:

- the environmental effects of the Project, including the environmental effects of malfunctions or accidents that may occur in connection with the Project and any cumulative environmental effects that are likely to result from the project in combination with other projects or activities that have been or will be carried out;
- the significance of the environmental effects referred to above;
- comments from the public that are received in accordance with this Act and the regulations;
- measures that are technically and economically feasible and that would mitigate any significant adverse environmental effects of the Project;
- the purpose of the Project;
- alternative means of carrying out the Project that are technically and economically feasible and the environmental effects of any such alternative means;
- the need for, and the requirements of, any follow-up program in respect of the Project;
- the capacity of renewable resources that are likely to be significantly affected by the Project to meet the needs of the present and those of the future; and,
- community knowledge and aboriginal traditional knowledge.

3.3 Proposed Scope of the Factors to be Considered

The following provides details on the proposed scope of the factors to be considered by the responsible authorities in the environmental assessment including what environmental components are likely to be affected:

- Climate and meteorology;
- Air quality;
- Terrain, soils and geology;
- Vegetation and plant communities;
- Wildlife and wildlife habitat;
- Surface water and groundwater quality and quantity;
- Aquatic environment (e.g. aquatic life, fish, fish habitat);
- Heritage and archaeological resources;
- First Nations traditional use (current and historic);
- Land and resource use;
- Navigation;
- Noise; and,
- Human health and safety.

Spatial and Temporal Boundaries

Spatially, the marine terminal site is located near Wood Bay on Malaspina Strait. This assessment will also focus on the management of Carlson Creek, located within the quarry site. The spatial boundary will be determined specific to each factor in order to effectively assess the potential environmental effects of the Project.

The temporal boundaries will encompass the entire lifespan of the Project. The environmental assessment will discuss the effects of the Project on each factor beginning with the construction phase and throughout the operations phase (including any maintenance and/or modifications) and through to the completion of decommissioning, closure and reclamation.

Cumulative Environmental Effects

The evaluation of potential cumulative environmental effects will include the residual environmental effects associated with the Project in combination with the environmental effects of other past, present or future projects or activities. Cumulative effects will be considered that are likely to result from the Project in combination with other projects or activities that have been or will be carried out. The cumulative effects assessment will include, but not necessarily be limited to: past and existing land and resource use activities (forestry, hunting, trapping, fishing); and, tourism and recreation activities.

Alternative Means of Carrying out the Project

The assessment will include an analysis of the alternative means of carrying out the Project that are technically and economically feasible and the environmental effects of any such alternative means. A rationale for the preferred alternative will be included.

Effects of the Environment on the Project

In addition to evaluating the effects of the Project on the environment, including cumulative environmental effects, changes to the Project that may arise as a result of the environment will

also be considered. This analysis will include consideration of natural hazards such as: extreme weather events (lightning, extreme precipitation, flooding, wind); natural seismic events; fire; slope stability; and, climate change. Proposed mitigation, including design strategies, will be considered in the evaluation of the effects of the environment on the Project and the determination of their significance.

Sustainability of Renewable Resources

This will include a consideration of the capacity of renewable resources that are likely to be significantly affected by the Project to meet the needs of the present and those of the future.

Potential Accidents and Malfunctions

The assessment will include consideration of the potential accidents, malfunctions and unplanned events that could occur in any phase of the Project, the likelihood and circumstances under which these events could occur, and the environmental effects that may result from such events.

Follow-up Program

The purpose of a follow-up program is to verify the accuracy of the environmental assessment and determine the effectiveness of mitigation measures. The environmental assessment will describe the follow-up program and its associated requirements.

4.0 PUBLIC CONSULTATION

4.1 Invitation for Comments & Further Opportunities for Public Participation

The public is invited to provide comments at this scoping stage of the environmental assessment of the Project on the following areas:

- the proposed scope of the Project;
- the factors proposed to be considered in the assessment;
- the proposed scope of those factors; and
- the ability of the comprehensive study to address issues relating to the Project.

Comments on the ability of the comprehensive study to address issues relating to the Project should identify any reasons why issues, associated with the Project that are considered within the federal environmental assessment, can or cannot be addressed within the comprehensive study.

The responsible authorities will submit a report and recommendation to the Minister of the Environment following this public comment period as to whether the environmental assessment should continue by means of a comprehensive study or be referred to a mediator or a review panel. The public will have additional opportunities to provide input to the environmental assessment whether it continues as a comprehensive study or is referred to a mediator or review panel.

4.2 Submission of Comments

Persons wishing to submit comments may do so in writing to Fisheries and Oceans Canada. Comments must be received by close of business **Insert date**.

Comments may be sent to:

Mike Engelsjord
Fisheries and Oceans Canada
200 – 401 Burrard Street
Vancouver, BC V6C 3S4

Telephone: (604) 666-2365
Fax: (604) 666-7907
E-mail: EngelsjordM@dfo-mpo.gc.ca

Please be as detailed as possible and clearly reference the **Sechelt Carbonate Project** and the Registry File number **07-03-26740** on your submission. NOTE: All documents and/or responses received regarding this project are considered public and will become part of the public registry.

4.3 Participant Funding

The Government of Canada, through the CEA Agency, will provide participant funding to assist groups and individuals to take part in the environmental assessment, whether it proceeds by means of a comprehensive study or is referred to a mediator or review panel. Information on the program, including the Participant Funding Program Guide, the application form and the contribution agreement are available on the CEA Agency's Web site <http://www.ceaa-acee.gc.ca/>.

4.4 Canadian Environmental Assessment Registry

Pursuant to the CEAA, section 55, the Canadian Environmental Assessment Registry (CEAR) has been established to provide notice of the environmental assessment, and facilitate public access to records related to the environmental assessment. The CEAR consists of a project file and an internet site. The internet component of the CEAR can be accessed at the following address http://www.ceaa.gc.ca/050/index_e.cfm. Anyone wishing to obtain copies, or view records, on the CEAR project file should contact:

Karen Hall
Transport Canada
620 – 800 Burrard Street
Vancouver, BC V6Z 2J8

Telephone: (604) 666-6764
Fax: (604) 666-2961
E-mail: HallK@tc.gc.ca

General information in relation to CEAA can be found through the CEA Agency website at: <http://www.ceaa-acee.gc.ca/>.