

COALWATCH COMOX VALLEY
PO BOX 157, UNION BAY, BC V0R 3B0

MEDIA BACKGROUNDER

RE: AUG 16, 2010 REQUEST FOR A REVIEW PANEL ENVIRONMENTAL ASSESSMENT OF
THE PROPOSED RAVEN UNDERGROUND COAL MINE PROJECT

PROPOSED PROJECT – DESCRIPTION AND LOCATION¹

- The Compliance Coal Corporation (doing business as the Comox Joint Venture) has proposed the development of the Raven Underground Coal Mine (the “RUC Project”).²
- The proposed mine site, 20 kilometres south of Courtenay and 6 kilometres west of Buckley Bay, is one of several sites on the island for which the Corporation holds mining rights.
- If approved, the RUC Project would have a footprint of about 200 hectares and would occur within the Cowie Creek drainage that flows into Fanny Bay of Baynes Sound.
- The RUC Project would consist of a coal preparation plant; piles for earth and coarse and fine rejects; a power supply and distribution system; sewage treatment facilities; a fuel and waste oil tank farm; and ponds for water management.
- The proposed RUC Project involves:
 - mining 44 million tonnes of raw coal and rock over about 20 years;
 - producing between 1.0 and 1.5 million tonnes of saleable coal per year;
 - generating approximately 1.0 million cubic metres of fine and 9.0 million cubic metres of coarse rejects from the mining processing during the life of mine;
 - transporting coal from the mine by 42-tonne B-train trucks 80 km south to the port at Port Alberni via Provincial Highways 4 and 19;
 - upgrading the Port at Port Alberni for Panamax (75,000 tonne cargo weight) or Capesize (135,000 tonne cargo weight) vessel loading; and
 - transporting the coal by way of the Alberni Canal, passing Bamfield and the Broken Group Islands, to ship the coal overseas via the Pacific ocean.

ENVIRONMENTAL ASSESSMENT REQUIRED BY LAW

- The RUC Project triggers a federal environmental assessment pursuant to sections 5 and 9 of the *Canadian Environmental Assessment Act (CEAA)* and the *Law List Regulations* because Fisheries and Oceans Canada may issue a permit or license under subsection 35(2) of the *Fisheries Act* and the Port Alberni Port Authority may provide federal lands.³
- Currently, the British Columbia Environmental Assessment Office (BC EAO) is conducting an internal review of the proposed project. The federal government is contemplating conducting a Comprehensive Study that would be coordinated with the Provincial process.
- A Comprehensive Study is an internal government process that is conducted by civil servants. There is limited public involvement and the review does not require public hearings.
- An environmental assessment involving a Review Panel is a more thorough process that involves numerous opportunities for public and expert input during the panel hearings and online.

¹ Information from Project Description, Canadian Environmental Assessment Agency Registry, Raven Underground Coal Mine Project, 10-03-55529, online: <<http://www.ceaa-acee.gc.ca/050/details-eng.cfm?evaluation=55529>> and *Project Description for the proposed Raven Underground Coal Project*, August 2009, BC EAO Project Information Centre (E-pic), online: <http://a100.gov.bc.ca/appsdata/epic/html/depoly/epic_document_351_31426.html>

² Compliance Energy Corporation, online: <http://www.complianceenergy.com/projects/raven_coal/index.shtml>, see also Raven Coal Project, online: <<http://www.theravenproject.ca/index.php>>.

³ *Canadian Environmental Assessment Act*, online: <<http://laws.justice.gc.ca/eng/C-15.2/index.html>>; *Law List Regulations*, online: <<http://laws.justice.gc.ca/en/c-15.2/sor-94-636/index.html>>

COALWATCH COMOX VALLEY'S CONCERN ABOUT THE ENVIRONMENTAL ASSESSMENT PROCESS

- Synchronizing the two internal-to-government processes is inadequate for addressing the broad range of concerns about the potential impacts of the proposed RUC Project on public health, the environment and the socio-economic sustainability of the region.

COALWATCH COMOX VALLEY'S REQUEST

- The CoalWatch Comox Valley Society, formed in response to public concerns about the RUC Project, has called on federal and provincial ministers to ensure the environmental assessment of the RUC Project is by a Joint Review Panel of independent experts.

IMPORTANCE OF A REVIEW PANEL OF INDEPENDENT EXPERTS

- A Review Panel consists of three independent experts who are responsible for reviewing all submissions related to the project. These submissions are also posted on an online a public registry where all of the public can access and review the documents, and submit comments.
- A Review Panel is the only form of environmental assessment that requires public hearings. These hearings provide an opportunity for the public to attend presentations by the proponent and scientific experts on areas of specific interest including such topics as: alternative means of carrying out the project; water quality / quantity; fish and fish habitat; terrestrial ecosystems; and socio-economics.
- A Joint Review Panel would address some of the procedural and substantive inefficiencies and inconsistencies associated with the two separate environmental assessments of the Fish Lake Prosperity Mine by the BC EAO and the federal Review Panel.

POWERS TO REFER THE ENVIRONMENTAL ASSESSMENT TO A REVIEW PANEL

- The Provincial Minister has broad discretion to refer a project to a Joint Review Panel.⁴
- The Federal Minister may refer the environmental assessment of a proposed project to a Review Panel for public hearings by a group of independent experts if a project may cause significant adverse environmental effects, or when public concerns warrant such a referral.⁵

CONCERNS ABOUT PUBLIC HEALTH, THE ENVIRONMENT & SOCIOECONOMIC SUSTAINABILITY

- Acid Mine Drainage from the RUC Project risks contaminating surface water, local aquifers and one of Canada's most productive and BC's most profitable shellfishery (generating over \$7 million annually), thereby compromising approximately 600 local jobs.
- Scientific studies show a range of public health issues associated with living in proximity to coal mines including lower health status, higher risks of cardiopulmonary disease, chronic lung disease, hypertension, and kidney disease.
- Some aquifers are unmapped in the area. A comprehensive mapping and modeling of the aquifers must be conducted and considered to fully understand potential impacts from the RUC project.
- The footprint of the proposed project abuts identified biodiversity corridors and sensitive habitat of federally listed species at risk.
- Hourly B-train traffic along Provincial Highways 4 and 19 would increase road hazards, inflate costs of road maintenance and may compromise businesses along the route.
- The coal products from the proposed RUC Project would contribute to greenhouse gases and climate change; this would undermine citizen and local government efforts to reduce emissions and is inconsistent with both provincial and federal commitments and policies.
- Widespread public concern is evidenced by local government council resolutions, attendance at public meetings, rallies and protests, as well as countless letters from concerned citizens to government and the media.

⁴ Sections 14, 15, 27 and 31 of the BC *Environmental Assessment Act*, SBC 2002, Chapter 43, online: <http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_02043_01>

⁵ Sections 25, 28 and ss. 40(2) of *CEAA*, 1992, c. 37, online: <<http://laws.justice.gc.ca/eng/C-15.2/index.html>>.