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Dear Panel Members,

Nearly four years ago, we formed a grassroots organization, called **Communities and Coal**, over our concern with a proposal to ship US thermal coal from Wyoming, through BC communities, to Fraser Surrey Docks (located in Surrey, BC), later to be exported to Asia.

This journey has provided us with some very useful insight into how the Port Authorities' review process works and the challenges faced by communities impacted by potential projects. The Trudeau Government has professed its openness to input from Canadians; hence we feel it important to discuss with you areas where improvement could be made to CEAA as it relates to the Port.

It should be noted however, that we say this knowing the important role Port Authorities play in moving goods in and out of Canada and we respect this important part of our economy. However, currently the system is out of balance, and improvements could be made to satisfy both the economic role that the Port plays and the needs and interests of the communities affected by the Port's operation, which include a meaningful consideration of the environmental impact of its decisions, both locally and globally. Balance is key, and achieving it would bring about the badly needed social license the Port is currently lacking in order to successfully operate.

After dealing with the Port Authority for almost four years, we suggest the following points be given serious consideration and changes implemented accordingly:

- The Port's conflicting mandates are problematic. Whereas the *Canada Marine Act* directs the Port to consider a range of factors in its decision-making – competitiveness, safety, environmental protection, and responsiveness to local needs – the Port sees the promotion of trade as its primary objective, such that this takes precedence over all other concerns. The *Canadian Environmental Assessment Act, 2012* delegates responsibility to the Port to make the determination of which projects will cause significant adverse environmental effects. Not surprisingly, this puts the Port in a position where the interests of industrial users take priority. The Port should not be allowed to review and approve projects – all projects should go through Environment Canada, which should decide when and what level of screening is required.
- A 2014 omnibus bill authorizes the federal government to sell federal lands to a Port Authority. These lands would no longer be designated as "federal lands" and therefore certain provisions of the *Canadian Environmental Assessment Act, 2012* and *Species at Risk Act* would no longer apply. These lands should remain classified as "federal".
- Projects applying for permits within the Port's jurisdiction should include impacts to the entire footprint of the project, even if outside of their jurisdiction.
- Project reviews must consider cumulative impacts of various projects in a region when rendering a decision.
- Municipalities should be accorded special status in order to have a more meaningful role in the CEAA review process

In summary, improvements need to be made to CEAA as it relates to Port activity, without undermining the need for growth and trade within Canada. We would like to see balance restored to the system, which will help to create the required social license needed to operate.

Regards,

Paula Williams, Co-founder, Director  
**Communities and Coal**