

# VANCOUVER ISLAND GENERATION PROJECT (THE 'PROJECT')

## RECOMMENDATIONS OF THE EXECUTIVE DIRECTOR AND REASONS FOR RECOMMENDATIONS

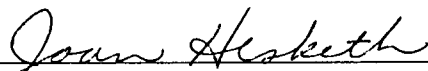
Pursuant to section 17 of the *Environmental Assessment Act* S.B.C. 2002, c. 43, the Executive Director of the Environmental Assessment Office (EAO) provides the following recommendations and reasons for recommendations relating to the Project. In preparing this document, the following documentation has been considered:

- Vancouver Island Generation Project Application (Volume I and II) for an Environmental Assessment Certificate (the 'Application') submitted by the Vancouver Island Energy Corporation (the 'VIEC'); and;
- Vancouver Island Generation Project Assessment Report (the 'Assessment Report').

The Executive Director recommends that an environmental assessment (EA) certificate for the Project be issued for the following reasons:

1. The assessment addressed the effects identified in the section 11 order issued for the Project on February 5, 2003, including the potential effects to air quality, health, water, wildlife and fisheries, vegetation, social, economic and heritage values and First Nations interests, including the potential for infringement of asserted aboriginal and Douglas treaty rights.
2. All potential significant adverse effects of the Project are considered to be manageable to an acceptable level through:
  - the implementation of commitments and mitigation measures identified in the Application and conditions of the EA certificate; and
  - compliance with subsequent statutory permits, licences and approvals, or any authority required under any other enactment.
3. The Executive Director extended the time limit for referring the VIEC's Application to take into account the decision of September 8, 2003 by the British Columbia Utilities Commission (BCUC) on VIEC's application for a Certificate of Public Convenience and Necessity. After studying that decision, and being mindful that the EA process is a separate statutory process from the BCUC process, the Executive Director could find no reason that the EA process could not proceed.
4. Measures relating to the distribution of information about the Project have been carried out by VIEC. As described in the Assessment Report there has been:
  - adequate consultation by the VIEC and the EAO with the public; and
  - adequate consultation by the VIEC and the EAO with potentially affected First Nations and sufficient steps have been taken to address First Nations interests.
5. The EAO invited the Snuneymuxw First Nation (SFN) to participate in the assessment in the following ways:
  - providing the SFN with Project documentation including VIEC's Application;

- including a representative of the SFN on all committees established to review the Project and the Application;
  - meeting with SFN Chief and Council to hear the SFN's concerns regarding the Project and the Application; and
  - providing the SFN with an opportunity to comment on VIEC's application, the Assessment Report and the draft EA certificate for the Project.
6. On November 7, 2003, the VIEC and the SFN concluded consultations and signed a benefits agreement to address the SFN's concerns about the Project, provide legal certainty for VIEC and establish parameters for the basis of a relationship between the two parties.
7. Issues identified by the public, the SFN, local governments, provincial and federal government agencies, that fall within the purview of the EA, have been considered during the review, and the Assessment Report identifies these issues and documents how they may be addressed.

  
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Joan Hesketh  
Executive Director and Deputy Minister  
Environmental Assessment Office

Dated: November 28, 2003