



File: 30200-20/TENCO-05-06

Reference: 355613

January 31, 2020

SENT VIA EMAIL

Mark Gray and Angela Waterman
Managing Director/Director
Telkwa Coal

mgray@allegiancecoal.com.au; awaterman@allegiancecoal.com.au;

Dear Mark Gray and Angela Waterman:

On November 27, 2018, the Province of British Columbia (B.C.), following extensive engagement, passed a new *Environmental Assessment Act* (2018) (Act) with the goals of:

- **Enhancing public confidence by** ensuring impacted First Nations, local communities and governments and the broader public can meaningfully participate in all stages of environmental assessment (EA) through a process that is robust, transparent, timely and predictable;
- **Advancing reconciliation with First Nations;** and
- **Protecting the environment while offering clear pathways to sustainable project approvals** by providing certainty of process and clarity of regulatory considerations including opportunities for early indications of the likelihood of success.

The Act was brought into force on December 16, 2019. The new Act is available at: <http://www.bclaws.ca/civix/document/id/complete/statreg/18051>.

Proponents with a Section 11 Order under the *Environmental Assessment Act* (2002) (former Act) are able to specify whether they wish to continue their EA under the former Act or transition the EA proceedings to the new Act. If you wish to proceed under the former Act you must provide notice to the Environmental Assessment Office (EAO) no later than June 16, 2020 (see Section 78(6) of the new Act). Letters can be addressed to me or your Project Lead.

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To support the new Act, a new Fee Regulation was also brought into force on the same date the new Act was brought into force. The new Fee Regulation includes fees for the new EA process including fees for submission of the initial project description, detailed project description and the application for an EA. For more information on how fees will apply to possible transition scenarios for your project please refer to Section 4 "Transition Scenarios" in the "Proponent Fee Guideline" available on the EAO's website here:

https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/environmental-assessments/guidance-documents/2018-act/application_fee_guidelines_final.pdf

The new Fee Regulation is available on B.C. Laws here:

http://www.bclaws.ca/civix/document/id/complete/statreg/246_2019

If you have any further questions regarding the application of the new Fee Regulation to your project, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to be 'MS' or similar initials, written in a cursive style.

Michael Shepard
Executive Project Director