

**IN THE MATTER OF THE ENVIRONMENTAL ASSESSMENT ACT S.B.C. 2002, c.43
(ACT)**

AND

**AN ENVIRONMENTAL ASSESSMENT OF THE
TENAS COAL PROJECT (PROPOSED PROJECT)**

ORDER UNDER SECTION 13 AMENDING SECTION 11 ORDER

WHEREAS:

- A. On November 6, 2018, the Environmental Assessment Office issued an Order under section 10(1)(c) of the Act, stating that the Tenas Coal project (proposed Project) requires an environmental assessment certificate, and that Telkwa Coal Limited (the Proponent) may not proceed with the proposed Project without an assessment;
- B. The Executive Director has delegated to the undersigned certain powers and functions under the Act, including the power to issue Orders under Sections 11 and 13 of the Act;
- C. On June 25, 2019, the Environmental Assessment Office issued an Order under Section 11 of the Act (Order), determining the scope of the required environmental assessment and the procedures and methods for conducting the assessment;
- D. Section 12 of the Order describes consultation with Indigenous nations. Section 12.2.1 of the Order states the Environmental Assessment Office will consult with Wet'suwet'en First Nation as listed on in Schedule C of the Order by providing notification of project milestones during the environmental assessment;
- E. Section 12.3 of the Order allows for the Project Assessment Lead to add Indigenous nations to the Order, and in doing so may identify any modifications to any of the procedures and obligations contained in the Order, having regard to the status of existing procedures and obligations at the time the additions are made; and
- F. In 2019, the Proponent advised the EAO that it changed the name of the proposed Project to the Tenas Project.

NOW THEREFORE:

Pursuant to Section 13 of the Act, I order that:

1. Section 12.2 of the Order is rescinded and replaced with the following:
 - 12.2 Following the issuance of this Order, Indigenous nations identified on Schedule C will be consulted as follows:
 - 12.2.1 The Environmental Assessment Office will provide notification at the following milestones, so that Indigenous nations on Schedule C can be informed of the progress of the Environmental Assessment and have the opportunity to raise any issues to the Environmental Assessment Office for discussion:
 - 12.2.1.1 Issuance of the Section 11 Order and any Section 13 Orders;
 - 12.2.1.2 Public comment period for the draft Application Information Requirements;
 - 12.2.1.3 Approval of the final Application Information Requirements document;
 - 12.2.1.4 When the Application has been accepted and the start of the review of the Application has commenced;
 - 12.2.1.5 Public comment period for the Application;
 - 12.2.1.6 Public comment period for the Draft Assessment Report; and
 - 12.2.1.7 Decision on the Application.
2. Witset First Nation be added to Schedule C of the Order.



Heather Noble
Project Assessment Director
Environmental Assessment Office

Dated April 27, 2022