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April 30, 2021

Elenore Arend
Associate Deputy Minister and Chief Executive Assessment Officer
Environmental Assessment Office
836 Yates Street
Victoria, BC V8W 1L8

Dear Ms. Arend:

I am writing to request intervenor funding for the review of the proposed Telkwa Coal mine, known as the Tenas Coal Project.

BC's 2018 Intentions Paper on EA revitalization committed on page 11: "A program for public participant funding is planned, with details subject to further engagement." Then in November of that year when asked about public participant funding during legislative debate on the *Environmental Assessment Act*, Minister Heyman repeated this commitment, stating to the Legislature: "Our intentions paper sets out that a program for public participant funding is planned, with details subject to further engagement."

Northwest Institute was signatory to a joint letter to Minister Heyman, copied to the EAO, in February 2019 demanding that BC prioritize a regulation establishing public participant funding. In 2020 the EAO continued to state its commitment to advancing public participant funding as set out in the Intentions Paper. However, after 3 years that promise has still not been implemented.

In the meantime, EAs are proceeding with communities continuing to be left behind because they do not have the resources to be able to meaningfully participate. The commitment to public participant funding was and remains crucial to delivering on one of BC's three stated objectives of EA revitalization, namely: "Enhance public confidence, transparency and meaningful participation" (see Intentions Paper page 3). BC's failure to follow through on this commitment so far is perpetuating the same problems of exclusion and under-resourcing that have caused communities to be distrustful of provincial EA processes. Further delay and broken promises will only deepen this problem.

The rationale for public participant funding applies to all EAs. Regardless of the fact that the proponent of Telkwa Coal, as a "transitional" project that could have been assessed under either the "old" 2002 EA Act or the new 2018 Act, chose to be assessed under the old EA Act, the need

for public participant funding in the Telkwa Coal assessment is as great as any EA currently proceeding.

Since 1996 the Northwest Institute has been working in partnership with Indigenous nations, communities and scientists towards the goals of environmental conservation and sustainable natural resource use in northwest BC. The potential impacts of the Telkwa Coal project are a matter of importance to us, and we have been working alongside local community groups to participate in the EA. In the case of Northwest Institute, we reviewed the draft AIR and made comments related to how the project could potentially impact water quality in the nearby environment, for example through acid mine drainage (AMD).

The Northwest Institute has engaged on many project proposals in our region over the past 25 years, and in our experience the ability to obtain independent scientific advice has been crucial, both for providing meaningful input into project reviews and for ensuring community confidence in the review itself. Once the Telkwa Coal application is filed we believe it is important for our organization to hire consultants to do analysis of the application but without intervenor funding this will not be possible. Other local community groups are also interested in hiring their own experts to review the application but have limited resources and will require intervenor funding.

We ask that you consider our request for intervenor funding for the Telkwa Coal EA. The Northwest Institute and local community groups are able to provide further details on the nature of the expert review and analysis we wish to obtain, however before expending the time and energy necessary to assemble such information, we seek a clear commitment from the EAO that public participant funding is available in the first place. There is some urgency in that we are expecting the Telkwa Coal application to be filed in the near future. As such we would greatly appreciate a timely response.

Sincerely,

A handwritten signature in dark ink, appearing to read "P. Moss". The signature is written in a cursive, slightly slanted style.

Pat Moss
Executive Director

cc.

Honourable George Heyman, Minister of Environment and Climate Change
Lindsay Luke, Director of Policy and Legislation
Julie Chace, Executive Director of Strategic Services and Compliance
Heather Noble, Project Assessment Director and Project Lead for Tenas Coal