

Ms. Luanne Roth
T. Buck Suzuki Environmental Foundation
869 Fraser Street
Prince Rupert BC V8J 1R1

Ms. Angela McCue
Barrister and Solicitor
1001-1111 Beach Avenue
Vancouver BC V6E 1T9

Dear Mses. Roth and McCue:

I have carefully considered your notice of objection and request that I establish a board of review as set out in your correspondence of February 2 and 4, 2016.

The letters object to the variation of Disposal at Sea Permit No. 4543-2-03597, published on the Canadian Environmental Protection Act Environmental Registry on February 2, 2016. This variation was made under subsection 129(3) of the *Canadian Environmental Protection Act, 1999*. The original permit was valid from September 7, 2015, to February 15, 2016. However, to accommodate a delay in the project, the permit was varied to be effective from February 15, 2016, to February 14, 2017. As you are aware, work has yet to commence on the disposal activities.

Your correspondence expresses concerns over human health impacts of dredging of the top 40 cm of sediment contaminated with dioxins and furans. You also expressed concerns related to the interpretation of the permit, as varied, and transparency during the review of the permit variation request.

As you are aware, both requests by the permit holder to allow disposal of the top 40 cm of sediment at sea and to remove the requirement to use a diffuser during disposal were denied. The original permit and the varied permit do not authorize the disposal at sea of the top 40 cm of sediment. Any consideration of the disposal at sea of this material will require a new permit application, an assessment process, public consultation, and a human health risk assessment as recommended by Health Canada.

I am satisfied that Environment and Climate Change Canada has considered the concerns of the T. Buck Suzuki Environmental Foundation expressed during both the review of the permit and the request to vary the permit.

Given the above, I decline the T. Buck Suzuki Environmental Foundation's request that I establish a board of review under section 333(5) of the *Canadian Environmental Protection Act, 1999*.

Please accept my best wishes.

Sincerely,

The Honourable Catherine McKenna, P.C., M.P.
Minister of Environment and Climate Change