

Pages 1 through 17 redacted for the following reasons:

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From: Johnston, Karen GCPE:EX
Sent: Thursday, October 4, 2012 12:19 PM
To: Leake, Greg EAO:EX
Subject: FW: OP ED for your consideration - as discussed

Karen Johnston
Communications Director
Ministry of Environment
250 812 0495 (cell)

From: Johnston, Karen GCPE:EX
Sent: Wednesday, October 3, 2012 12:54 PM
To: 'fmihlar@vancouver.sun.com'; 'sunletters@vancouver.sun.com'; 'henchin@vancouver.sun.com'
Subject: FW: OP ED for your consideration - as discussed

Vancouver Sun
Getting Answers at the Enbridge Hearings in Prince George
Minister Terry Lake

British Columbia is different than the rest of the country. We look to Asia for our trade and growth; we are the most entrepreneurial and healthiest people in Canada. We not only love our great outdoors but we live for the great outdoors: our coasts, parks, rivers, streams, valleys and mountains. We have rainforests, Canada's only desert and the best wine north of Napa. It is not surprising then, that British Columbians place a premium on our environment and the need to balance risk and benefits remains paramount in any major developments. That is why our government has set out five bottom line requirements for any heavy oil pipeline in British Columbia. Our fair and reasonable approach was laid out in the summer and we continue to stand by these principles for any heavy oil pipeline project:

1. Successful completion of the environmental review process. In the case of NGP, that would mean a recommendation by the National Energy Board Joint Review Panel that the project can proceed.
2. World-leading marine oil spill response, prevention and recovery systems for B.C.'s coastline and ocean to manage and mitigate the risks and cost of heavy oil pipelines and shipments.
3. World-leading practices for land oil-spill prevention, response and recovery systems to manage and mitigate the risks and costs of heavy oil pipelines.
4. Legal requirements regarding Aboriginal and treaty rights are addressed, and First Nations are provided with the opportunities, information and resources necessary to participate in and benefit from a heavy oil project.
5. British Columbia receives a fair share of the fiscal and economic benefits of a proposed heavy oil project that reflects the level, degree and nature of the risk borne by the province, the environment and taxpayers.

Our government has been actively involved in the Northern Gateway Pipeline Joint Review Panel process as an intervenor, which allows us to question Enbridge directly. Premier Christy Clark appointed Geoff Plant as Chief Legal Strategist for the Enbridge hearings to ensure we are making the most of our interventions in the process, asking tough questions and getting answers for British Columbians. In Edmonton our cross-examination focused on Enbridge's liability coverage, ownership structure and related financial matters. Financial solvency is a key factor when considering the risks and costs associated with any potential spill response and recovery. Our government firmly believes in the polluter pay principle and that the answers provided by Enbridge in Edmonton were, in our opinion, unsatisfactory.

The next round of cross-examination hearings are set to begin next week in Prince George. Again, our government will be focussed on our five bottom line requirements for heavy oil pipelines and we will ask Enbridge tough questions on their proposed land based spill prevention and response and recovery systems. We have learned a lot from our analysis of the spill in the Kalamazoo River, and we will be seeking information about access to the pipeline, the potential location of spills, and availability of equipment and personnel. We also need to know more about the effectiveness of the monitoring systems that they are proposing. There is still much to learn about heavy oil and how it impacts freshwater and the type of clean up recovery equipment required. The third of three phases of cross-examination in Prince Rupert will focus on marine spill response. At the end of the process, we assess the differences between what Enbridge has proposed, and what we will require to be satisfied that marine and land-based spill response is world-leading. Our government has also been working with the federal government to improve our current level of resources for marine protection.

Our five requirements provide certainty, predictability and transparency about our government's position on any heavy oil pipeline project proposal, not just Enbridge. We have taken a fair and reasonable approach that reflects and defends the interests of British Columbians and our environment.

Karen Johnston
Communications Director
Ministry of Environment
250 812 0495 (cell)

Simpson, Vickie L EAO:EX

From: Dalal, Suntanu GCPE:EX
Sent: Thursday, September 6, 2012 1:35 PM
To: Leake, Greg EAO:EX
Cc: Murphy, Bernadette GCPE:EX; Bertrand, Stuart GCPE:EX; Sturko, Derek AGRI:EX
Subject: RE: Media Request: Vancouver Sun on B.C.'s JRP legal team...

Thanks Greg.

From: Leake, Greg EAO:EX
Sent: Thursday, September 6, 2012 10:49 AM
To: Dalal, Suntanu GCPE:EX
Cc: Murphy, Bernadette GCPE:EX; Bertrand, Stuart GCPE:EX; Sturko, Derek EAO:EX
Subject: RE: Media Request: Vancouver Sun on B.C.'s JRP legal team...

All:

Gord called me directly. I told him:

- The legal team is comprised of Mr. Plant (who is the only member of the team from outside of government) and Christopher Jones and Elisabeth Graff, who are both legal counsel with the Ministry of Justice.
- Elisabeth Graff will actually handle the cross-examination in Edmonton; Chris Jones will handle cross-examination in Prince George and Prince Rupert.
- In addition to the lawyers, there is a group of subject matter/technical experts who are assisting with the analysis of the evidence and with the preparation of the cross-examination and support staff who assist with managing the flow of documents, compiling the evidence that has been introduced, ensuring we understand all of the document deadlines, etc.

G.

From: Dalal, Suntanu GCPE:EX
Sent: Thursday, September 6, 2012 9:41 AM
To: Leake, Greg EAO:EX
Cc: Murphy, Bernadette GCPE:EX; Bertrand, Stuart GCPE:EX; Sturko, Derek EAO:EX
Subject: Media Request: Vancouver Sun on B.C.'s JRP legal team...

Hi Greg,

Reporter Gord Hoekstra (604-605-2132) of the Vancouver Sun wants to know the following:

- Geoff Plant mentioned a "team" of lawyers working on the Enbridge cross-examination – how many lawyers are on the Province's legal team?
- How many members of the legal team are government lawyers? How many are from outside government, such as Geoff Plant?
- Can we provide the names of the people leading the team (in addition to Mr. Plant)?

I've let Gord know that you will be getting back to him about this directly, hopefully before 2 p.m. today.

Thanks,

Suntanu Dalal
Communications Officer
Ministry of Environment
250 387-9745

From: Sturko, Derek AGRI:EX
Sent: Thursday, September 6, 2012 8:37 AM
To: EAO Staff - All
Subject: BC begins cross-examination of Northern Gateway

This morning, the Minister announced that Mr. Geoff Plant, former Attorney General of British Columbia, has been appointed as chief legal strategist for government as cross-examination of Northern Gateway pipelines (NGP) on their Enbridge Northern Gateway Project begins in Edmonton.

BC is scheduled to begin its cross-examination of the NGP today. This represents the first of three scheduled opportunities for cross-examination by BC on three different aspects of the proposal. BC's cross examination in Edmonton will focus on Enbridge's financial and corporate capacity to deal with oil spills.

The Minister and Mr. Plant will be attending today's hearings and are on route to Edmonton.

The link to the related news release follows.

<http://www.newsroom.gov.bc.ca/2012/09/bc-begins-northern-gateway-pipelines-cross-examination.html>

Let me know if you have any questions.

Thanks,

Derek Sturko
Associate Deputy Minister
Environmental Assessment Office
(250) 356-7475

Pages 22 through 42 redacted for the following reasons:

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