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Withheld pursuant to/removed as

s.12;s.13

Beltrano, Linda MNGD:EX

From: Zahynacz, Matt ENV:EX
Sent: Monday, January 29, 2018 10:49 AM
To: Beltrano, Linda MNGD:EX
Subject: FW: Spills materials
Attachments: NR_Spills_Regs_Phase2_Jan_2018_Draft_17.docx; QA_Spills_Regs_Feb_2018_draft 8
_clean.docx

Linda,

FYI, see the attached NR/QAs. They are still draft, so should be kept as confidential. Thanks,

Matt

NEWS RELEASE

[release number]
January 30, 2018

Ministry of Environment and Climate
Change Strategy

Additional measures being developed to protect B.C.'s environment from spills

VICTORIA –The provincial government is proposing a second phase of regulations to improve preparedness, response, and recovery from potential spills.

The first phase of the regulations, approved in October 2017, establish a standard of preparedness, response and recovery necessary to protect B.C.'s environment. With some exceptions for B.C. Oil and Gas Regulated entities, the phase one regulations apply to pipelines transporting any quantity of liquid petroleum products, and rail or trucking operations transporting over 10,000 litres of liquid petroleum products.

For the second phase, the province will be looking for feedback in five areas:

- Response times, to ensure timely responses following a spill;
- Geographic response plans, to ensure resources are available to support an immediate response that take into account unique characteristics of a given sensitive area;
- Compensation for loss of public and cultural use of land, resources or public amenities in the case of spills;
- Maximizing application of regulations to marine spills; and,
- Restrictions on the increase of diluted bitumen ("dilbit") transportation until the behaviour of spilled bitumen can be better understood and there is certainty regarding the ability to adequately mitigate spills.

"The people of B.C. need to know that there is effective spill management across the province, and in particular for our most sensitive and vulnerable areas, including coastlines," said George Heyman, Minister of Environment and Climate Change Strategy. "We believe spills should not happen. But if hazardous pollutants have potential to spill, our government will ensure that spillers must be prepared and able to fully mitigate the environmental damage before they proceed."

An independent scientific advisory panel will be established to make recommendations to the Minister of Environment and Climate Change Strategy on if and how heavy oils can be safely transported and cleaned up if spilled.

"The potential for a diluted bitumen spill already poses significant risk to our inland and coastal environment and the thousands of existing tourism and marine harvesting jobs," said Heyman. "British Columbians rightfully expect their government to defend B.C.'s coastline and our inland waterways, and the economic and environmental interests that are so important to the people in our province, and we are working hard to do just that."

The process to receive feedback on the proposed regulations will feature engagement with First Nations, to begin as soon as possible. To ensure the views of the broad range of stakeholders are heard, government will meet with industry, local governments and environmental groups over the coming weeks and months.

As well, the general public will be able to provide input online through written comments, once an intentions paper is released. The intentions paper will provide an overview of the proposed regulations, and is expected to be posted before the end of February 2018.

A backgrounder follows.

BACKGROUND

Proposed regulations under the Environmental Management Act (EMA) to improve liquid petroleum spill response and recovery:

1. Response times

Response times are the established timeframes within which response resources will be activated and arrive at a spill site. Currently, the Ministry of Environment and Climate Change Strategy does not regulate in this area. Establishing response time requirements would align with practices of other regulators and in neighbouring jurisdictions.

2. Geographic response plans

Geographic response plans (GRPs) identify sensitive, natural, cultural, or significant economic resources at risk from spills, and outline the response actions that are appropriate for that site to minimize impacts to these resources should a spill occur. GRPs are map-based and each one has a variety of information that is useful to responders, particularly in the first 48 to 72 hours of a response.

3. Loss of public use

Loss of public use refers to the requirement that spillers provide some form of restitution for the impacts of spills on the use and/or enjoyment of public spaces and resources, such as the use of beaches, parks, and forests, the enjoyment of wildlife, wilderness spaces, food resources, recreation, and drinking water, as well as the intrinsic value of archaeological and cultural sites.

4. Marine application

The Province seeks to broaden existing ministry authority to ensure provincial interests are fully addressed in marine spill prevention, preparedness, response and recovery. While the primary responsibility for marine spills lies with federal agencies, a spill of any significance will impact and involve all orders of government. The provincial government has a responsibility to ensure there is a regulatory framework in place that protects its coastal resources.

5. Diluted bitumen transportation restrictions

The Province will create an independent scientific advisory panel to help address the scientific uncertainties outlined in the report of the Royal Society of Canada Expert Panel on the Behaviour and Environmental Impacts of Crude Oil Released into Aqueous Environments. The recommendations of the advisory panel will inform future regulatory development and approaches to spill response.

In order to protect B.C.'s environmental and economic interests while the advisory panel is proceeding, the Province will assess potential regulatory restrictions to be placed on the increase of diluted bitumen ("dilbit") transportation.

Contact:
Media Relations
Ministry of Environment and Climate Change Strategy
250-953-3834

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QUESTIONS AND ANSWERS

Phase 2 Spills Regulations under the Environmental Management Act
Ministry of Environment and Climate Change Strategy
February 2018

KEY MESSAGES:

- The people of B.C. need to know there is effective spill management across the province, and in particular for our most sensitive and vulnerable areas, including coastlines.
- A second phase of regulations is proposed to build on the 2017 improvements and ensure we continue to strengthen spill management in B.C.
- The contemplated regulations would require spill response to occur in a timely fashion, ensure appropriate responses tailored to specific geography, require compensation for community impacts ensure provincial interests are protected in the event of marine spills and restrict increased transportation of diluted bitumen until the behaviour of spilled bitumen can be better understood and there is certainty regarding the ability to adequately mitigate spills.
- This is the latest step in a more robust spill response framework.
- The potential for a diluted bitumen spill already poses significant risk to our environment, particularly sensitive rivers, lakes, wetlands and coastlines, as well as the thousands of existing tourism and marine harvesting jobs.
- We're seeking feedback around placing a prohibition on any increase in the bulk transportation of heavy oil by rail and pipeline until we are satisfied these products can be safely cleaned up.
- We are convening an independent scientific advisory panel to make recommendations on how heavy oils can be safely transported and cleaned up if spilled.
- British Columbians rightfully expect their government to defend B.C.'s vulnerable areas and the economic and environmental interests that are so important to the people in our province.

Questions and Answers:

1. **Are these regulations aimed at stopping the Kinder Morgan pipeline?**
 - The government is committed to protecting our vulnerable areas, including coastlines as well as our land environment.
 - These regulations, as well as our concern for the impacts of the Kinder Morgan project, derive from our commitment to strengthen provisions to protect the environment and human health.
 - Any project such as the proposed Kinder Morgan pipeline would be required to comply with these regulations.

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QUESTIONS AND ANSWERS

2. **Are you not concerned Kinder Morgan will challenge this in court?**
- We don't want to speculate what the company may or may not do.
 - Our job is to protect our vulnerable areas, including coastlines, and defend the interests of British Columbians, and that is what we're doing.
 - Part of the process is to hear directly from First Nations, stakeholders, and the general public about this proposed regulation.
3. **What gives you the legal authority to propose not allowing an increase in bulk shipments of bitumen?**
- The Environmental Management Act provides this authority.
 - Specifically, EMA s138(2)(r) states "... prohibiting, regulating or restricting the use, supply, storage, transportation, handling, treatment or disposal of any substance specified in the regulations, whether natural or artificial and whether in a solid or liquid or other form, if the Lieutenant Governor in Council considers it appropriate to do so for the purpose of preventing the substance from causing damage to persons, animals or plants or polluting air, water or land."
 - As well, EMA s138(2)(r) provides legislative authority for, or transportation of, a given product and would provide the latitude to establish a grandfathering of existing volumes of the product in question.
4. **How long would a potential prohibition last?**
- The proposed prohibition against an increase in transportation of heavy oil by pipeline and rail would be in place while the Independent panel completes its work.
 - A potential prohibition could be lifted once government is satisfied that heavy oils can be safely transported and cleaned up.
- Reports suggest there have been advances in converting dilbit to solid form, including pellets. Would the proposed regulation apply to that type of product?**
- The proposed regulation would only apply to heavy oil in spillable (liquid) forms. Solid forms of dilbit will not be included at this time.
5. **Are you confident the Advisory Committee will find solutions around recovering bitumen? What if they don't?**
- Credible reports such as the report of the Royal Society of Canada Expert Panel on the Behaviour and Environmental Impacts of Crude Oil Released into Aqueous Environment (RSC Panel Report) in fall 2015 have concluded that the science is lacking or highly uncertain regarding the behavior, fate, and effects of diluted bitumen in certain conditions.
 - This made-in-B.C. advisory committee will study the behavior of bitumen under the conditions that would exist on B.C.'s coast and in rivers, watercourses, and wetlands.
 - We are confident that within two years the committee could provide findings based on scientific research applicable to B.C.
 - These recommendations would be the basis for further spills regulations to ensure adequate environmental protections are in place with respect to diluted bitumen.
 - A potential prohibition would be repealed once those measures were in place.

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QUESTIONS AND ANSWERS

6. **Isn't the federal government/NEB already studying bitumen and ways to effectively address a spill? Isn't this new committee redundant?**
- The new committee will study behaviour of bitumen in conditions that are specific to B.C.'s coast and in rivers, watercourses, and wetlands.
 - The federal and provincial work should complement one another and provide for a better understanding of the behaviour of bitumen a variety of environments.
 - The advisory committee will consider all relevant information, including the work of the federal government.
7. **What other regulations are being proposed?**
- For Phase 2, the province will also be looking for feedback in four other areas:
 1. Response times, to ensure timely responses following a spill;
 2. Geographic response plans, to ensure resources are available to support an immediate response that take into account unique characteristics of a given sensitive area;
 3. Compensation for community impacts in the case of spills;
 4. Maximizing application of regulations to marine spills.
8. **Who will be consulted?**
- We will consult with First Nations as well as industry, local governments and other stakeholders.
 - Additionally, an intentions paper will be posted for public comment.
9. **How will government be consulting on these proposals?**
- We will have several dedicated regional sessions around B.C. to facilitate First Nations input and engagement.
 - We will provide a web function where the public can provide input for consideration.
 - Where specific input is required on a particular topic, the ministry may establish short-term working groups comprised of invited representatives.
10. **When do you expect these regulations would come into effect?**
- Its expected Phase 2 regulations would come into effect in 2019.
11. **Who would pay the costs to comply with these regulations?**
- Regulated persons - the people and companies who transport potentially hazardous products - bear the responsibilities prior to a spill under these proposed regulations.
 - Once a spill occurs, all Responsible Persons – the spillers and owners- are responsible for complying with regulations for all post spill response and recovery actions.
 - The spill response regulations follow the "polluter pays" principle adopted by the B.C. government, the federal government, and other jurisdictions.
12. **Will these regulations apply to the marine environment?**
- The B.C. government will continue to develop a robust spill prevention, response and recovery program that improves spill response and recovery, and complements the federal marine spill regime to protect our coastal waters.
 - The contingency planning elements do not apply to marine shippers, and marine shippers will not be Regulated Persons under the provincial regulations.

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QUESTIONS AND ANSWERS

- However, aspects of the regulations such as recovery plans and lessons learned reports can be applied in marine spills.
 - While the federal government is the lead for ship source spills, the Province typically supports spill response actions in order to protect provincial interests, such as shoreline impacts and wildlife.
 - The new regulations help support marine spill response through enhanced response and recovery provisions.
 - In November 2016, the federal government released their \$1.5 billion Oceans Protection Plan.
 - As part of the federal plan, B.C. will also see enhanced resources for the Coast Guard along the entire coast including new rescue stations, increased tug capacity (two tugs for B.C.) and new communications equipment.
- 13. Won't these regulations lead to increased costs, more red tape, and therefore decreased investment and job creation?**
- These regulations are about ensuring good decision making and proper oversight. There is no intent to hold up sustainable economic development.
 - The regulations are intended to protect and uphold public trust while ensuring the environment and human health are protected.
- 14. Why are only petroleum products covered: why not other potentially hazardous substances?**
- Liquid hydrocarbons represent the bulk of spill volume in British Columbia, and given the characteristics of liquid hydrocarbons (mobility, impact on environment) they are the top priority for the updated spills regulations.
- 15. The initial legislation was passed by the former government, who were previously characterized as "inadequate caretakers of the environment." Isn't this a rubber stamp on their work?**
- These regulations do activate the broad legislation, passed in 2016, that was supported by both sides of the House.
 - It is in the regulations where the government's commitment to a robust spill response mechanism is made clear.
 - With the initial regulations announced in October I directed the Ministry to alter some of the provisions that were previously communicated in the Ministry's 2017 Policy Paper:
 - For instance, under those regulations, the Minister reports to the legislature every year, rather than every 2 years.
 - Many of those regulations will come into effect sooner than originally planned under the previous administration (e.g. an initial 6 month deadline for rail and pipe contingency plans – though a 6 month extension is available)
 - The Phase 2 regulations continue to advance a robust spills regime that British Columbians want and deserve.

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QUESTIONS AND ANSWERS

16. National Energy Board recently took action to prevent Burnaby from slowing down construction with permits? Do you expect the NEB to take similar actions against the province?

- We don't want to speculate what the NEB may or may not do.
- Our job is to protect our vulnerable areas, including coastlines, and defend the interests of British Columbians, and that is what we're doing.

17. How much heavy oil is currently being moved across B.C. by various means?

- Part of the process of consulting on this regulation will be to refine and assess the data available on existing volumes being transported by rail and pipe in BC, so that we can limit any increases until we have determined whether this product can be transported safely and cleaned up effectively if spilled. For some context on volumes though:
 - We know that there were about 4,300 train car loads of heavier oils exported to the US, through BC in 2016. That's over 3 million barrels. Not all of that is dilbit, but much of it is.
 - By pipe, the Transmountain Pipeline transports approximately 17 million barrels of heavy oil per year. Once the Transmountain Pipeline is expanded, it will transport approximately 197 million barrels per year of heavy oil.
 - There are also other proposed projects that are proposing substantial increases in dilbit transportation. For example, the proposed Pacific Future Energy Refinery (north of Kitimat) and the Kitimat Clean project would both substantially increase heavy oil by rail shipments though both are in the early stages of the EAO process.
 - With respect to trucking, there were no recorded shipments of heavy crude oil imported or exported through BC by road in 2015/2016. Further data on heavy oil shipments by truck are not available.

18. Is B.C. still on track for developing and implementing a world-leading spill response regime?

- Yes, the proposed regulations as well as those approved in October are another step in that direction.

Beltrano, Linda MNGD:EX

From: Reder, Mark <mark.reder@fhhighroad.com>
Sent: Tuesday, February 6, 2018 2:27 PM
To: Beltrano, Linda MNGD:EX
Subject: Letter
Attachments: Ltr Hon John Horgan 6Feb2018.pdf

FYI. This went out about 2 hours ago. Premier's Office has been alerted.

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February 6, 2018

The Honourable John Horgan
Premier of British Columbia
West Annex, Parliament Buildings
Victoria, British Columbia V8V 1X4

By electronic mail: premier@gov.bc.ca

Dear Premier:

I am writing regarding the announcement of January 30, 2018 from Honourable George Heyman, Minister of Environment and Climate Change Strategy regarding the Government of British Columbia's "..... *second phase of regulations to improve preparedness, response and recovery from potential spills*". Although the Trans Mountain Expansion Project was not specifically mentioned, we question the intent and purpose of several measures introduced by the Minister, as well as the broader objectives of the Government of British Columbia.

We are of the view that further review, as contemplated by the Minister, beyond what has already been completed or planned, is unnecessary and is in fact in conflict with regulatory processes and protective measures that have been undertaken by the National Energy Board (NEB), the Government of Canada and the Government of British Columbia. If your review proceeds, as suggested, it should build on the extensive work undertaken by experts in the field of spill response and oil spill behavior, and it should be used to broaden understanding and learning, not as a tool to frustrate or delay our Project and investment generally in the energy sector in Canada. We understand that additional information from your government about the review will be forthcoming in the coming weeks.

The Trans Mountain Pipeline has been safely shipping crude oil and refined products in BC for 65 years. Diluted bitumen has been transported in our pipeline for 30 years. We take great pride and effort to ensure we operate safely and work with governments at all levels to ensure the legislation, regulation and policy overseeing the shipment of oil and oil products are world class. Trans Mountain, for example, was one of the first operators in North America to introduce real-time leak detection for pipelines. We were also instrumental in supporting the deployment of advanced digital navigation aids now used by BC Coast Pilots on the West Coast to enhance safety for all forms of large vessel commercial shipping.

After completing the required regulatory review process for the Trans Mountain Expansion Project, the Government of British Columbia granted its Environmental Certificate in January 2017. At the same time the Government of British Columbia also confirmed Trans Mountain has met the "*Requirements for British Columbia to Consider Support for Heavy Oil Pipelines*"; including world-leading practices for land oil spill prevention, response and recovery systems to manage and mitigate the risks of heavy oil pipelines. The satisfaction of British Columbia's Requirement 5 included that "*British Columbia receives a fair share of the fiscal and economic benefits.....that reflects the level, degree and nature of the risk borne by the province, the environment and taxpayer*" and the culmination of the commercial agreement between the Government of British Columbia and Trans Mountain. The Agreement ensures that over the 20-year term of the Agreement the Province of British Columbia will receive a minimum of \$500 million and up to one billion dollars, depending on volumes moved and the parties' performance and respect of their obligations under the Agreement. This is a financial contribution that is incremental to the jobs, royalties, taxes and other economic benefits the Project's construction and operations will create. It is money targeted and designed to enhance British Columbia's environmental stewardship and protection. This unprecedented investment by Trans Mountain in British Columbia goes directly to the very principles of environmental responsibility that we share with your government.

Over the past five years, Trans Mountain and stakeholders participated in consultation initiatives that resulted in the new provincial spill response regulations that took effect last year. Trans Mountain has worked with the Government of British Columbia under its principle to avoid duplication among regulators. We expect this to continue. For the second phase of these consultations we have supplied Ministry staff and representatives with significant information regarding response times and geographic response plans. Regarding compensation, we note that Trans Mountain has a financial assurances plan that provides for coverage of one billion dollars (growing to \$1.1 billion with the Project) for loss or damages from a spill including cleanup and remediation, and loss of non-use value of a public resource.

In July 2017 I wrote to you after you became Premier-Designate of British Columbia and had completed the Confidence and Supply Agreement between the BC Green Caucus and the BC New Democrat Caucus. That letter contained a comprehensive account of the NEB and the BC Environmental Assessment Office (BC EAO) regulatory processes that resulted in approval and associated conditions of our Expansion Project by Canada and British Columbia. I offered to meet with you at the time, to share with you further information and the invitation has, and continues to remain open.

As I have said here and elsewhere publicly, we respect your government's commitment to environmental protection and I can assure you we share that same commitment. Our commitment is evidenced by our past and current operations, and all of the activities underway resulting from the federal and provincial regulatory processes for the Project. In its report, the NEB devoted a specific chapter to the behavior of oil, including diluted bitumen and a thorough review of the extensive scientific studies, modelling and research on the subject. Diluted bitumen, its properties, transportation and cleanup of spills, has been and continues to be studied for many years by third parties in Canada and the US including the National Research Council and the Government of Canada (Environment and

Climate Change Canada, Department of Fisheries and Oceans and Natural Resources Canada). Trans Mountain collaborated with the Province of British Columbia and other stakeholders including Indigenous communities, for more than three years in the development of BC's new, world-leading land-based spill response regime that resulted in legislated changes in 2016.

Many of the areas outlined in the recent announcement by the Minister are already captured in the NEB and BC EAO certificates. For example, Condition 35 to the BC EAO addresses research on the fate and behaviour of bitumen specifically regarding the behaviour and recovery of heavy oils spilled in freshwater and marine aquatic environments, including research programs having the objective of providing spill responders with improved information on how to effectively respond to spills. All of which is being developed in consultation with the appropriate provincial and federal authorities and Indigenous communities. The research topics include physical and chemical properties of the oil and other products intended to be shipped from the Westridge Marine Terminal, product weathering, dispersion and oil/sediment interactions, product submergence, product behavior, cleanup and remediation options for sediments and shoreline.

In addition to the above, Trans Mountain is participating in efforts to further understand oil properties for the betterment of response. Current research initiatives include:

- i. An independent, science-based multi-million dollar study, was commissioned by the Canadian Energy Pipeline Association (CEPA) and the Canadian Association of Petroleum Producers (CAPP). A Science Advisory Committee comprising of federal agencies and independent spill response experts was set up to provide feedback and guidance. The study is designed to evaluate and compare the physical and chemical properties of various types of crude oil that move in North America. Over 10 types of crude oil, including several diluted bitumen products are undergoing a battery of tests to determine how fresh and weathered the oils behave in various marine, estuarine, and freshwater settings, under different environmental conditions. The study is in progress and results will be publically available at the end of 2018. We will assess the findings to identify opportunities to improve spill response strategies.
- ii. A joint industry project including the governments of British Columbia and Alberta to independently evaluate and review current inland spill response technologies focusing on diluted bitumen. The purpose of the Inland Spill Response Joint Industry Program was to conduct a comprehensive review of the current technology that exists for in-land spill response oil recovery; apply the existing technology to four scenarios; identify suitable technologies and to identify gaps in the existing current technology. The review focused on diluted bitumen (dilbit). The study was completed in 2017. The findings have led to improvements in our Emergency Management Program and response strategies, including, however not limited to, the development of a Sunken and Submerged Oil Plan. The plan includes methods to recover sunken oil.

- iii. Support of the International Institute for Sustainable Development-Experimental Lakes Area Program. This unique industry and government collaborative Program is examining the fate and behavior of diluted bitumen and conventional heavy crude oil in a freshwater shoreline environment. Baseline chemical and biological information was collected in 2017 for a natural lake study site, using an actual Canadian lake. In 2018, a controlled spill of oil will be used to quantify the efficiency of immediate product recovery and further analysis of residual oil constituents. Potential impacts will be evaluated for 16 weeks. The information from this portion of the project will be used to determine if degradation is significantly different for diluted bitumen and conventional heavy crude oil, and if wave energy has a significant effect on oil degradation rates in the freshwater shoreline environment. The program will also compare clean-up methods for the oil spilled. Another larger project will be undertaken in 2019.

Significant progress regarding Geographic Response Plans has been made as part of BC EAO Condition 33. In addition we have consulted and engaged with BC Ministry of Environment and Climate Change Strategy multiple times regarding geographic response planning, including sharing our plans. Feedback received from the Ministry was incorporated into the plan, and at the last meeting in October 2017, we received confirmation from Ministry staff on our approach to geographic response planning for the pipeline system. Consultation and input into the development of the plans, including the identification of sensitive, natural, cultural resources was conducted with local and regional governments, first responders and Indigenous communities. We are on schedule, as planned, to have them implemented by mid-2018 after final Indigenous consultation has been completed. In addition, in compliance with NEB Condition 117 there will be an update in 2018 on the enhancements already implemented in the Kinder Morgan's Emergency Management Program, and the related consultation with Indigenous communities and stakeholders.

After reviewing my letter to you of July 2017 and the substantial progress made with respect to both the federal and provincial conditions, I am struck by how many of the same issues raised in the Minister's announcement, especially those focusing on the Project and impact of bitumen based crudes (dilbit, heavy crude) along the pipeline and marine vessel routes, are already well underway. I am at a loss to understand what approach to investigation, further study, and environmental protection has not been undertaken or is not underway.

Trans Mountain has, and continues to respect all necessary and fair regulatory requirements for the Project. This Project has been deemed to be in the national interest and we are confident it can be built and operated in respect of communities and the environment.

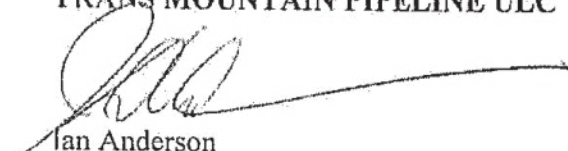
The portion of your Minister's announcement suggesting the Province of British Columbia would consider attempting to place restrictions on diluted bitumen transportation is particularly troubling. Setting aside whether such a restriction is legal or within British Columbia's jurisdiction, we are extremely disappointed that we learned of the proposed restrictions only after the press release was issued. The implications of such a threat strike directly at the heart of our country's oil and natural gas producers, and producing provinces, energy customers in the Lower Mainland, Canada, USA and overseas, and the

men and women who earn a living supporting the energy industry in this country. As I am sure you are aware, provincial powers cannot be used to compromise the orderly development and efficient operation of interprovincial works or undertakings. The NEB recently applied this same principle to find certain City of Burnaby bylaws were constitutionally inapplicable or inoperative on the basis of unreasonable delay. To that end we have initiated a technical and legal review of whether the suggested provincial initiatives could apply lawfully to a federally regulated Project. This will of course be informed by the proposed regulations contained in the forthcoming intentions paper.

In conclusion Premier, I hope that you will consider the severity and consequence of the actions your Minister has proposed and that you will accept my offer to meet with you to discuss these and any other matters relating to the operations of our company in British Columbia. In the coming weeks, I will be meeting with shippers, investors, Indigenous communities, suppliers and contractors. Following my anticipated discussion with you, I hope to tell them that while your government's position with respect to our Project is clear, there is a predictable, reasonable and timely regulatory and permitting process in BC that will allow major, energy projects to proceed.

Yours truly,

TRANS MOUNTAIN PIPELINE ULC



Ian Anderson
President, Kinder Morgan Canada Limited

cc: Hon. Rachel Notley, Premier of Alberta
Hon. Jim Carr, Minister of Natural Resources