

Kinder Morgan Pipeline

Quotes:

- Government of B.C. final argument to NEB on KM:

“One particular challenge to the recovery of diluted bitumen from water arises when the product becomes submerged or sinks. The evidence shows that this may occur in freshwater, and has occurred.”

On Kinder Morgan spill response plan:

“The Province submits that the effectiveness of these techniques has not been proven, particularly in British Columbia’s rivers.”

(Final Argument, Jan 11, 2016)

- From Government of B.C.’s five conditions
 - World-leading marine oil spill response, prevention and recovery systems for B.C.’s coastline and ocean to manage and mitigate the risks and costs of heavy oil pipelines and shipments;
 - World-leading practices for land oil spill prevention, response and recovery systems to manage and mitigate the risks and costs of heavy oil pipelines;
(July 23, 2012)
- Then BC Environment Minister Mary Polak (Langley) on failure of Kinder Morgan to prove it would meet world leading oil spill safety requirements:

"I haven't heard anybody argue that we shouldn't be holding that bar up. We haven't seen the evidence presented in these hearings that would convince us of that."

"We believe that right now, all land base spills preparedness and response is not sufficient in British Columbia." (January 11, 2016)

- Then Premier Clark on Kinder Morgan:

"We bear in British Columbia the bulk of the risk for this, so we want to make sure we get a fair benefit from it. [...] What British Columbians expect is that their premier is going to stand up, fight to protect their province, and find the balance between economy and jobs." (Nov 2016)

- Then Premier Clark on announcing KM had met her 5 conditions:

"It is a federal decision, and they made it. But what is our job is, is to stand up for British Columbia. It's to fight to make sure our coasts, our land base, our communities are protected and benefiting from any change in the movement of heavy oil across our province." (January 2017)

- Premier Clark on Northern Gateway pipeline:

"There is a very large risk to British Columbia for our marine and terrestrial environment. And there is a very small — at the moment — benefit to our province."

"Based on what we know now, I don't think British Columbians think the balance of risks and benefits is an acceptable one." (Vancouver Sun, July 20, 2012)

Background:

- Kinder Morgan has delayed the target in service date due to challenges with permitting, and has suggested that investors are becoming impatient as two court cases hang over the project.

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Solution:

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- Our government is working to defend B.C.'s coast and the economic and environmental interests that are so important to the people in our province.
- We have intervened in the Federal Court of Appeal hearings to explain how the federal government failed to consider the risks to BC of increased tanker traffic and potential spills on our coast.
- British Columbians can have confidence that we will continue to defend BC's coast and the economic and environmental interests that are so important to us all.

LNG and Climate

Highlights:

- Andrew Weaver has said that LNG development would add 10 Mt of emissions and is incompatible with meeting the province's greenhouse gas emissions reductions targets.

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- The latest data show that between 2010 and 2015, emissions actually went up by 3 million tonnes.

Solution:

- We are working to turn things around.
- We are phasing in the federally mandated carbon price while providing climate action rebate cheques for low and middle income families.

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Background:

- The Greenhouse Gas Reduction Targets Act sets out legislated targets for reducing emissions. Under the Act, BC's GHG emissions are to be reduced by 33% below 2007 levels by 2020 and 80% below 2007 levels by 2050.
- BC reached its first greenhouse gas emissions reduction target of 6% below 2007 levels by 2012 as set out in the Province's Climate Action Plan.
- In December, the 2015 Provincial Inventory of Greenhouse Gas Emissions was released which showed total emissions increased 1.6% to 63.3 Mt in 2015, up from 62,308 Mt in 2014.
- The 2016 interim target was for BC to be 18% below 2007 levels, and the 2015 result was only 4% below.

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Fish Processing Plants

Highlights:

- Video began circulating of effluent discharge from two fish processing plants; one near Campbell River and one near Tofino.
- Provincial testing confirmed the presence of Piscine Orthoreovirus (PRV) in samples from the water at both the Brown's Bay Packing Company and Lions Gate Fisheries.

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Solution:

- Our government is working to protect our wild salmon and the 10,000 British Columbians who rely on wild salmon for their livelihood.
- As I announced last year, our government is reviewing and strengthening the requirements for fish processing plants.
- This review will include audits of 28 facilities.
- The government will work with industry, First Nations and local communities on required actions to make sure any discharge into our coastal waters does not endanger wild salmon.
- We will ensure provincial rules are guided by the best available science and best practices in other jurisdictions.
- We're going to protect BC's wild salmon and the nearly 10,000 jobs that depend on this fishery.

Background:

- Fish processing facilities are subject to the Waste Discharge Regulation (WDR) under the Environmental Management Act (EMA).
- The regulatory environment has not been updated in many years.
- In December, Environment ministry staff conducted site visits to both the Browns Bay Packing (Campbell River) and Lions Gate Fisheries (Tofino) facilities.
- The facilities were inspected and samples collected for analysis.
- Test results confirmed the presence of Piscine Orthoreovirus (PRV) in the effluent discharged at both sites.
- On December 20, the Province announced an immediate review of fish processing plants to ensure provincial regulations and permits governing waste discharge are informed by the best available science and best practices in other jurisdictions.

Environment Main Message

Issue: Minister Heyman has been given a mandate to strengthen BC's environmental processes and protect and conserve our precious resources.

Connect:

- British Columbians are proud to live in a province with rich biodiversity, and clean air, land and water.
- People are looking to the government to protect the environment and take action on climate change, while investing in a sustainable economy for the future.
- By taking action now, we can create good jobs in every sector and region in the province, and make life better for people in our province.

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Environment Main Message

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Budget 2018

Highlights:

- This budget will help deliver on the promises we made to British Columbians of a cleaner, greener future.
 - We will support our parks, protect endangered species, and develop a comprehensive climate-action strategy to help us reach our carbon pollution reduction targets.
 - We are proud that Budget 2018 includes \$18.7 million of new funding in 2018/19, for Conservation Officers, Climate Leadership, Invasive Mussels Defence, and BC Parks.
-

Background

- \$5 million over three years to the **BC Parks budget** to ensure that 1,900 new campsites will meet the standards that British Columbians and nature lovers from around the world expect.
- \$9 million to hire more **Conservation Officers** and enhance programs that reduce human-wildlife conflict.
- And \$14 million over three years will help develop and implement a revitalized **B.C. wildlife management** initiative to better protect wildlife through conservation, bio diversity and habitat protection.

Budget 2018

- Increasing B.C.'s **carbon tax rate**, with climate action tax credits going to low and middle income families,
- Supporting B.C.'s transition to a low-carbon economy, by **creating a new clean growth incentive program** that will reward emissions-intensive industry for changing the way they do business to better align with the world's cleanest performers.
- Further reducing greenhouse gases through **energy retrofits** of government owned and non-profit housing.

Budget 2018

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Budget 2018

Additional Background

The Ministry's 2018/19 budget is \$179.286M. This represents a net increase of \$6.086M, or 3.5%, from the previous year.

Over the three years forecasted by this budget, the additional funds amount to an extra \$57.2 million.

The net budget increase is comprised of:

- a) (\$4.771M) net decrease in ministry operations including:
 - \$0.904 M increase to support BC Parks Futures strategy and campsite expansion
 - \$3.096 M increase for hiring an additional 20 Conservation Officers
 - \$1.000 M increased funding for defence against Invasive Mussels
 - \$1.000 M increased funding for Climate Leadership
 - \$1.428 M increase in salary and benefits from collective agreement provisions
 - (\$10.000M) decrease as prior year Budget included one-time endowment to the BC Parks Foundation
 - (\$1.800M) planned decrease in cement industry transitional incentive
 - (\$0.399M) decrease in policy implementation for Greenhouse Gas Industrial Reporting and Control Act and Liquefied Natural Gas
- b) \$0.032M net increase in EAO including:
 - \$0.111M increase in salary and benefits from collective agreement provisions
 - (\$0.079M) decrease in policy implementation for LNG. .
- c) \$6.125M increase in the Park Enhancement Fund to match forecasted revenue increases
- d) \$4.7M increase in the Sustainable Environment Fund to match forecasted revenue increases

MT Milligan (EMPR)

- On January 22, 2018, EAO amended the Mt. Milligan Environmental Assessment Certificate to allow for the construction of a pipeline and short-term withdrawals of water during 2018.
- The amendment was in response to a December 5, 2017 application from Thompson Creek Metals Company to address insufficient water available in its tailings storage facility and mill processing operations at the Mt Milligan Copper-Gold Mine.
- On December 27, 2017, Thompson Creek Metals Company announced that operations at the Mt Milligan Copper-Gold Mine had been suspended.
- The Environmental Assessment Office worked expeditiously with other provincial agencies and Indigenous Groups to conduct a review of the amendment application in a timeframe that the company indicated would avoid lay-offs of workers.

From: [Howlett, Tim GCPE:EX](#)
To: [Frampton, Caelie ENV:EX](#); [Xia, Eveline ENV:EX](#)
Subject: general notes
Date: Tuesday, February 13, 2018 15:29:38
Attachments: 2018.02.09 OP - Accomplishments - FINAL.docx
2018.02.12 OP Note Services - FINAL.docx
2018.02.12 OP - Affordability - FINAL.docx

Tim Howlett
Issues Manager
Strategic Issues Division, GCPE
250.208.4828

Accomplishments

Background:

- BC's NDP government was sworn in on July 18, 2017.
- This is a list of accomplishments achieved since that time.

- We're investing \$681 million more over three years to help our kids get the education they deserve.
- We're hiring 3,500 teachers, reducing class sizes and getting our kids the support they need to succeed.
- We're adding capital funding of \$50 million to make more space for kids in our schools.
- We training students for the future by creating new civil and environmental engineering degree programs at the University of Northern BC.
- We're investing \$603 million more over three years to improve health services for British Columbians.
- We're planning for a new hospital that would offer improved care for families living in Surrey.
- We're eliminating PharmaCare deductibles for working families with the lowest incomes in the province
- We're taking action to save lives, with \$322 million over the next three years to address the overdose crisis.
- We created a Ministry for Mental Health and Addictions to ensure we have a coordinated approach to fighting this crisis.

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Accomplishments – Services

Background:

- This is a list of services the Government has improved since being sworn in.

Solution:

- Our government is making sure that people can access the services that they need.

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Accomplishments - Affordability

Highlights:

- Actions the Government is taking to make life more affordable for British Columbians.

Solution:

- Our government is committed to making life more affordable for British Columbians.

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From: [Howlett, Tim GCPE:EX](#)
To: [Frampton, Caelie ENV:EX](#); [Xia, Eveline ENV:EX](#); [Crebo, David GCPE:EX](#)
Subject: updated notes
Date: Thursday, February 15, 2018 08:20:45
Attachments: [2018.02.15 QP AGRI BC Wine - FINAL.DOCX](#)
[2018.02.15 QP Environment-Mt Polley charges-FINAL.docx](#)
[2018.02.15 QP Environment-Protecting BC interests-draft.docx](#)

MLP will not be present for QP today so I am sharing the BC Wine note for MGH

Tim Howlett

Issues Manager

Strategic Issues Division, GCPE

250.208.4828

BC Wine

Highlights:

- On Feb 6, Alberta Premier, Rachel Notley announced that the Alberta Gaming and Liquor Commission would stop buying BC Wine.

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Background:

- The B.C. government will be placing black and white ads in the following newspapers on Saturday, February 10, 2018 to promote B.C. wines:

Paper	Cost
Globe and Mail	\$9,800
Vancouver Sun	\$12,000
Province	\$6,000
Prince George Citizen	\$2,680
Total cost of newspaper ads:	\$30,480
Estimated creative and production costs:	\$6,500
Estimated total cost of campaign:	\$36,980*

*Exact costs will be made public as part of Public Accounts.

- BC is home to 929 vineyards, including 254 licensed wineries.
- There are just less than 3,900 hectares of wine grapes and 56 hectares of fresh market grapes.
- Over 60 different grape varieties are produced in the province, the top ten of which include Merlot, Pinot Gris, Pinot Noir, Chardonnay, Cabernet Sauvignon, Gewurztraminer, Cabernet Franc, Syrah, Riesling, and Sauvignon Blanc.
- In 2016, BC wine exports increased 4% to \$9.7 million shipped to 17 international markets.
- The top markets for BC wine were China (54%), Taiwan (23%) and the US (11%)
- Ice wine exports were \$1.8 million of the total.

Mount Polley Mine Charges

Highlights:

- The province is assisting in ongoing investigations to support possible federal charges under the Fisheries Act, but there will be no provincial charges for the tailings dam collapse at Mount Polley Mine.

Why didn't the government take up the prosecution started by a private citizen?

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Background:

- The province is assisting in ongoing investigations to support possible federal charges under the Fisheries Act, but there will be no provincial charges for the tailings dam collapse at Mount Polley Mine.
- There is an ongoing investigation between the B.C. Conservation Officer Service, the Department of Fisheries and Oceans, and Environment and Climate Change Canada.
- All of the information gathered during the course of this investigation will be considered by the Public Prosecution Service of Canada should charges be recommended.
- While the statute of limitations on provincial charges expired in 2017, potential charges under the federal fisheries act remain in play - and are, in fact, much more significant.
- B.C.'s Conservation Officer Service will continue to actively work alongside federal agencies on this complex and thorough investigation.

Private prosecution:

- On August 4, 2017, Bev Sellars swore a private information alleging that the Mount Polley Mining Corporation (MPMC) had committed various offences contrary to the provincial Environmental Management Act and Mines Act.
- BC Prosecution Service (BCPS) policy generally does not permit a private prosecution to proceed.
- In January 2018, the (BCPS) announced that it has directed a stay of proceedings in the private prosecution relating to the dam failure at Mt. Polley Mines.
- The BCPS determined that the material provided by the individual does not meet the charge assessment standard for approval of charges.

Protecting BC Interests

Highlights:

- The opposition has said that the BC government is making the wine sector pay the price of an unnecessary dispute over a project that has federal approval.
- In a Feb 12th interview, the Prime Minister said that the BC Premier's actions threaten the federal plan to address climate change.

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Quotes:

- Government of B.C. final argument to NEB on KM:

“One particular challenge to the recovery of diluted bitumen from water arises when the product becomes submerged or sinks. The evidence shows that this may occur in freshwater, and has occurred.”

On Kinder Morgan’s proposed cleanup of diluted bitumen:

“The Province submits that the effectiveness of these techniques has not been proven, particularly in British Columbia’s rivers.” (Final Argument, Jan 11, 2016)

- B.C. Supreme Court ‘Coastal First Nations’ decision:

“to disallow any provincial regulation over the project because it engages a federal undertaking would significantly limit the Province’s ability to protect social, cultural, and economic interests in its lands and waters.”

“It would go against the current trend in the jurisprudence favouring, where possible, co-operative federalism”

- Government of Canada on purpose of new spill research funding announced in December 2017:

“To bring scientists together to improve our collective understanding of how oil spills behave, how best to clean and contain them, and how to best minimize their environmental impacts.” (Press release, Dec 19, 2017)

Validators:

- Martyn Brown, Chief of Staff to Premier Gordon Campbell:

“It is credit to [The Minister of the Environment] & Co. that they are standing up for B.C.’s autonomy and environment with a regulatory improvement strategy that can only help to better protect our precious land and marine ecosystems, as it also serves our communities.” (The Georgia Straight, Jan 30, 2018)

- Jessica Clogg, ED, West Coast Environmental Law:

“A thorough investigation of heavy oil spill impacts is long overdue, and communities deserve a full picture of the risks before any more of this toxic product is shipped through the lands and waters we rely on. We’re glad to see that the Province is stepping up and taking their responsibility to protect the health and safety of British Columbians seriously.” (Press release, Jan 30, 2018)

- Sierra Club of BC:

“We applaud the BC government for defending British Columbians from the environmental, economic, health and safety risks of oil spills. (Press release, Jan 30, 2018)

Background:

- On January 30, the BC Environment Minister announced the government is proposing a second phase of spill regulations.
- 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 BC Government announced it will produce an intentions paper with an overview of proposed regulations for public comment by the end of February.
- Alberta objected to the proposal and claimed that it was unconstitutional.
- On February 1st, Alberta announced it was ceasing talks on upgrading the existing electricity intertie between BC and Alberta.
- On February 7th, Alberta announced that it will cease all purchase of BC wine. In 2017 \$70 million was paid to BC producers for wine shipped to Alberta.
- The move is a violation of AB obligations under both the New West Partnership and the Canadian Free Trade Agreement.
- On December 19, 2017 the Federal Government announced funding for oil spill research “to bring scientists together to improve our collective understanding of how oil spills behave, how best to clean and contain them, and how to best minimize their environmental impacts.”
- On Feb 12, the Prime Minister said “John Horgan is actually trying to scuttle our national plan on fighting climate change. By blocking the Kinder Morgan pipeline, he’s putting at risk the entire national climate change plan because Alberta will not be able to stay on if the Kinder Morgan pipeline doesn’t go through.

From: [Howlett, Tim GCPE:EX](#)
To: [Frampton, Caelie ENV:EX](#); [Xia, Eveline ENV:EX](#); [Crebo, David GCPE:EX](#)
Subject: Notes
Date: Monday, February 19, 2018 10:24:48
Attachments: 2018.02.19 QP JobsTradeTech - BC AB Trade Dispute - FINAL.docx
2018.02.19 QP Environment-NEB Appeal.docx

New note on NEB appeal

And copy of JTT note on challenge of wine boycott under CFTA

BC – AB Trade Dispute

Highlights:

- On Feb 6, Alberta Premier, Rachel Notley announced that the Alberta Gaming and Liquor Commission would stop buying BC Wine.
- Opposition and media may ask if this move violates either the New West Partnership Agreement or the Canada Free Trade Agreement, both of which govern interprovincial trade.

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s.16;s.13;s.17

Background:

- On Feb. 19, BC officially filed a request for consultation under the CFTA, which starts the clock under the dispute resolution mechanisms.
- The first consultation process can take between 120 and 357 days. After the consultation phase, there are several appeals and compliance phases.
- This will be the first time the dispute process under the CFTA has been used. The federal government is responsible for enforcement under this Agreement.

Timeline of dispute:

- On January 30, the BC Environment Minister announced the government is proposing a second phase of regulations to improve preparedness, response and recovery from potential spills.
- On February 1st, Alberta announced it would cease talks on upgrading the existing electricity intertie between BC and Alberta.
- On February 7th, Alberta announced that the Alberta Gaming and Liquor Corporation will cease all purchase of BC wine. In 2017 \$70 million was paid to BC producers for wine shipped to Alberta.

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- On December 19, 2017 the Federal Government announced funding for oil spill research “to bring scientists together to improve our collective understanding of how oil spills behave, how best to clean and contain them, and how to best minimize their environmental impacts.”
- In 2016, BC wine exports increased 4% to \$9.7 million shipped to 17 international markets.
- The top markets for BC wine were China (54%), Taiwan (23%) and the US (11%)
- Ice wine exports were \$1.8 million of the total.

NEB Appeal

Highlights:

- On Feb 16th, BC filed with the Federal Court of Appeal for leave to appeal the NEB decision to allow Kinder Morgan to bypass City of Burnaby bylaws.
- The Leader of the Opposition has suggested it will inflame tensions with Alberta.

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Background:

- The provincial government has applied for leave to appeal a Dec. 7, 2017, ruling by the National Energy Board (NEB), allowing Kinder Morgan to bypass specific City of Burnaby bylaws related to construction work at the Burnaby Terminal and the Westridge Marine Terminal.
- The NEB ruled that Kinder Morgan does not need to comply with City of Burnaby bylaws because the pipeline had been approved by the federal government.
- Kinder Morgan had complained that the municipal permitting process was taking too long and alleged that Burnaby was intentionally delaying.
- BC intervened in the NEB proceedings to argue in favour of municipal and provincial rights to regulate within their jurisdiction.
- The province's position is that the NEB decision erred by too broadly defining federal jurisdiction over interprovincial pipelines.
- Andrew Wilkinson is quoted in media as responding:
 - "John Horgan started this battle and it is totally unnecessary. He really has to rise to the occasion, swallow his pride, and make that phone call to Edmonton to make this all go away. This is hurting BC and it's going to get worse because Ottawa and Edmonton have decided they're going to win, and that means we lose."

From: [Howlett, Tim GCPE:EX](#)
To: [Frampton, Caelie ENV:EX](#); [Xia, Eveline ENV:EX](#); [Crebo, David GCPE:EX](#)
Subject: FW: steelhead note
Date: Monday, February 19, 2018 10:38:41
Attachments: 2018.02.19 QP FLNR Steelhead Trout - FINAL.docx

QP note – MDD lead

From: MacDonald, Alex GCPE:EX
Sent: Monday, February 19, 2018 10:38 AM
To: Howlett, Tim GCPE:EX
Subject: steelhead note

Steelhead Trout

Highlights:

- The Committee on the Status of Endangered Wildlife in Canada (COSEWIC) concluded that two populations of sea-going Steelhead Trout breeding in the Thompson and Chilcotin river systems are at imminent risk of extinction.

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From: [Hannah, Matt GCPE:EX](#)
To: [Frampton, Caelie ENV:EX](#)
Cc: [Sanderson, Melissa EMPR:EX](#); [Howlett, Tim GCPE:EX](#)
Subject: QP Note
Date: Tuesday, February 20, 2018 07:58:33
Attachments: [2018.02.19 QP Environment-Meeting with Stakeholders-draft.docx](#)

Attached
Matt Hannah
Director of Issues Management
778.584.1249

Meeting with Stakeholders

Highlights:

- The opposition has said that the BC government is making the wine sector pay the price of an unnecessary dispute over a project that has federal approval.
- The opposition has questioned why the Minister met with stakeholders following the announcement.

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Notes:

- People the Environment Minister has met with:

- Encorp Pacific
- Innergex
- Fortis BC
- Borealis GeoPower
- Encana
- Rio Tinto
- Forest Practices Board
- Invasive Species Council of BC
- New Car Dealers of BC
- BC Agriculture Council
- Assn of Consulting Engineer Companies of BC
- Assoc. of BC Forest Professionals
- Adventure Tourism Coalition
- BC Bottle and Recycling Depot Association
- Canadian Federation of Independent Business
- Vancouver Economic Commission
- Canadian Energy Research Institute
- Association of Consulting Engineers
- Salmon Farmers Association
- Clean Energy BC
- Mining Association of BC
- Canadian Association of Petroleum Producers
- BC Lung Association
- District of Metchosin
- City of Richmond
- City of Victoria
- City of Vancouver

Background:

- On January 30, the BC Environment Minister announced the government is proposing a second phase of spill regulations.
- Energy Markets throughout North America have gone through a correction since mid-January, and investor research companies noted a drop in energy stocks on January 30th.
- Nasdaq.com (Jan 30 afternoon)

“Energy stocks were sharply lower again, with the NYSE Energy Sector Index Tuesday sinking almost 1.6% while shares of energy companies in the S&P 500 were down more than 1.6% as a group. Crude oil for March delivery was falling \$1.23 to \$64.33 per barrel in New York while the benchmark Brent crude March contract was dropping 81 cents to \$68.65 per barrel.”
- Nasdaq.com (Jan 31)

“Benchmarks finished in negative territory on Tuesday following slump in both healthcare and energy stocks. [...] Additionally, recent increase in U.S. shale production led energy stocks downward.
- Major pipeline companies in North America all followed a similar trajectory, declining in each of the five days leading up to January 30th.
- The BC Government announced it will produce an intentions paper with an overview of proposed regulations for public comment by the end of February.
- Alberta objected to the proposal and claimed that it was unconstitutional.
- On February 1st, Alberta announced it was ceasing talks on upgrading the existing electricity intertie between BC and Alberta.
- On February 7th, Alberta announced that it will cease all purchase of BC wine. In 2017 \$70 million was paid to BC producers for wine shipped to Alberta.

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From: [Howlett, Tim GCPE:EX](#)
To: [Frampton, Caelie ENV:EX](#); [Xia, Eveline ENV:EX](#)
Subject: new note
Date: Wednesday, February 21, 2018 12:25:06
Attachments: 2018.02.21 OP Environment-Meeting with Stakeholders.docx

Tim Howlett
Issues Manager
Strategic Issues Division, GCPE
250.208.4828

Meeting with Stakeholders

Highlights:

- The opposition has said that the BC government is making the wine sector pay the price of an unnecessary dispute over a project that has federal approval.
- The opposition has questioned why the Minister met with stakeholders following the announcement.

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Notes:

- People the Environment Minister has met with since November:
 - Encorp Pacific
 - Innergex
 - Fortis BC
 - Borealis GeoPower
 - Encana
 - Rio Tinto
 - Forest Practices Board
 - Invasive Species Council of BC
 - New Car Dealers of BC
 - BC Agriculture Council
 - Assn of Consulting Engineer Companies of BC
 - Assoc. of BC Forest Professionals
 - Adventure Tourism Coalition
 - BC Bottle and Recycling Depot Association
 - Canadian Federation of Independent Business
 - Vancouver Economic Commission
 - Canadian Energy Research Institute
 - Association of Consulting Engineers
 - Salmon Farmers Association
 - Clean Energy BC
 - Mining Association of BC
 - Canadian Association of Petroleum Producers
 - BC Lung Association
 - District of Metchosin
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- s.13,s.16

From: [Howlett, Tim GCPE:EX](#)
To: [Frampton, Caelie ENV:EX](#); [Xia, Eveline ENV:EX](#); [Crebo, David GCPE:EX](#)
Subject: new note
Date: Monday, February 26, 2018 12:26:19
Attachments: 2018.02.26 OP Environment-Protecting BC interests-FINAL.docx

Tim Howlett
Issues Manager
Strategic Issues Division, GCPE
250.208.4828

Protecting BC Interests

Highlights:

- The opposition has said that the BC government is making the wine sector pay the price of an unnecessary dispute over a project that has federal approval.
- In a Feb 12th interview, the Prime Minister said that the BC Premier's actions threaten the federal plan to address climate change.
- The Premier announced that BC will send the bitumen proposal to the Courts in a reference case to affirm the province's right to regulate.
- In response, Alberta announced they were suspending their boycott of BC wine and willing to resume talks about the electricity intertie.

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Quotes:

- Government of B.C. final argument to NEB on KM:

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- B.C. Supreme Court ‘Coastal First Nations’ decision:

“to disallow any provincial regulation over the project because it engages a federal undertaking would significantly limit the Province’s ability to protect social, cultural, and economic interests in its lands and waters.”

“It would go against the current trend in the jurisprudence favouring, where possible, co-operative federalism”

- Government of Canada on purpose of new spill research funding announced in December 2017:

“To bring scientists together to improve our collective understanding of how oil spills behave, how best to clean and contain them, and how to best minimize their environmental impacts.” (Press release, Dec 19, 2017)

Validators:

- Martyn Brown, Chief of Staff to Premier Gordon Campbell:

“It is credit to [The Minister of the Environment] & Co. that they are standing up for B.C.’s autonomy and environment with a regulatory improvement strategy that can only help to better protect our precious land and marine ecosystems, as it also serves our communities.” ([The Georgia Straight, Jan 30, 2018](#))

- Jessica Clogg, ED, West Coast Environmental Law:

“A thorough investigation of heavy oil spill impacts is long overdue, and communities deserve a full picture of the risks before any more of this toxic product is shipped through the lands and waters we rely on. We’re glad to see that the Province is stepping up and taking their responsibility to protect the health and safety of British Columbians seriously.” ([Press release, Jan 30, 2018](#))

- Sierra Club of BC:

“We applaud the BC government for defending British Columbians from the environmental, economic, health and safety risks of oil spills. ([Press release, Jan 30, 2018](#))

Background:

- On January 30, the BC Environment Minister announced the government is proposing a second phase of spill regulations.
- 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 BC Government announced it will produce an intentions paper with an overview of proposed regulations for public comment by the end of February.
- Alberta objected to the proposal and claimed that it was unconstitutional.
- On February 1st, Alberta announced it was ceasing talks on upgrading the existing electricity intertie between BC and Alberta.
- On February 7th, Alberta announced that it will cease all purchase of BC wine. In 2017 \$70 million was paid to BC producers for wine shipped to Alberta.
- s.13,s.16
-
- On December 19, 2017 the Federal Government announced funding for oil spill research “to bring scientists together to improve our collective understanding of how oil spills behave, how best to clean and contain them, and how to best minimize their environmental impacts.”
- On Feb 12, the Prime Minister said “John Horgan is actually trying to scuttle our national plan on fighting climate change. By blocking the Kinder Morgan pipeline, he’s putting at risk the entire national climate change plan because Alberta will not be able to stay on if the Kinder Morgan pipeline doesn’t go through.

From: [Howlett, Tim GCPE:EX](#)
To: [Frampton, Caelie ENV:EX](#); [Xia, Eveline ENV:EX](#)
Subject: updated note
Date: Tuesday, February 27, 2018 07:50:49
Attachments: 2018.02.27 OP Environment-Meeting with Stakeholders.docx

Tim Howlett
Issues Manager
Strategic Issues Division, GCPE
250.208.4828

Meeting with Stakeholders

Highlights:

- The opposition has questioned why the Minister met with stakeholders following the announcement of spill response regulations and alleged that they are environmental radicals.

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- Encorp Pacific
- Innergex
- Fortis BC
- Borealis GeoPower
- Encana
- Rio Tinto
- Forest Practices Board
- Invasive Species Council of BC
- New Car Dealers of BC
- BC Agriculture Council
- Assn of Consulting Engineer Companies of BC
- Assoc. of BC Forest Professionals
- Adventure Tourism Coalition
- BC Bottle and Recycling Depot Association

- Canadian Federation of Independent Business
- Vancouver Economic Commission
- Canadian Energy Research Institute
- Association of Consulting Engineers
- Salmon Farmers Association
- Clean Energy BC
- Mining Association of BC
- Canadian Association of Petroleum Producers
- BC Lung Association
- District of Metchosisin
- City of Richmond
- City of Victoria
- City of Vancouver

Background:

- On January 30, the BC Environment Minister announced the government is proposing a second phase of spill regulations.
- The BC Government announced it will produce an intentions paper with an overview of proposed regulations for public comment by the end of February.
- Alberta objected to the proposal and claimed that it was unconstitutional.
- On February 1st, Alberta announced it was ceasing talks on upgrading the existing electricity intertie between BC and Alberta.
- On February 7th, Alberta announced that it will cease all purchase of BC wine. In 2017 \$70 million was paid to BC producers for wine shipped to Alberta.
- The move is a violation of AB obligations under both the New West Partnership and the Canadian Free Trade Agreement.
- On February 22nd the Premier of BC announced that the government will launch consultations on the first four measures proposed and will send the fifth measure to the courts for a reference to confirm the rights of the province to regulate.
- The government will prepare a reference case in the coming weeks on the basis of expert legal advice.
- In response, Alberta announced it was dropping its retaliatory trade measures.

Environment FOI

Highlights:

- The Opposition has put out a release saying that an FOI request to the Environment Minister's office for documents on the Trans Mountain Pipeline has been delayed almost three months and no date for release is forthcoming.
- The news release quotes an FOI staffperson as saying "I sent this to the Ministry of Environment for sign-off on November 17 and have yet to receive approval for release. I will send the records to you when I receive that – but seeing as it is currently 56 days overdue, I'm not confident on providing you with a timeline."

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From: [Howlett, Tim GCPE:EX](#)
To: [Frampton, Caelie ENV:EX](#)
Subject: note
Date: Wednesday, February 28, 2018 12:29:14
Attachments: 2018.02.28 OP Environment-FOI request.docx

Can you take a look and then call to chat in 5?

Tim Howlett

Issues Manager

Strategic Issues Division, GCPE

250.208.4828

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Background:

- BC Liberal Caucus release:

VICTORIA (February 28, 2018) – A request for two weeks' worth of documents on the Trans Mountain Pipeline from Environment Minister George Heyman's office has been delayed almost three months and no date for release is forthcoming.

"We've heard George Heyman proclaim he has nothing to hide, that all his dealings and transactions on this are transparent," says BC Liberal environment critic Peter Milobar. "He stood in the Legislature this week and said he's happy to share his correspondence. However, as is becoming a sad pattern, this government's words don't match its actions."

A response from Freedom of Information staff, dated February 14, was clear: "I sent this to the Ministry of Environment for sign-off on November 17 and have yet to receive approval for release. I will send the records to you when I receive that – but seeing as it is currently 56 days overdue, I'm not confident on providing you with a timeline."

The original request asked for copies of any documents, including e-mails, text or instant messages, in the Minister's or Deputy Minister's office that reference the Kinder Morgan Trans Mountain Pipeline. (Date range for record search: from 07/18/2017 to 08/03/2017).

"This appears to be George Heyman's plan for sharing documents: stonewalling all attempts to access them," says Milobar. "It appears the Minister is more interested in hiding which activist groups he is breaking bread with, and how they are planning to delay a permitted project. The Minister of Environment needs to do the right thing and release this information right away to the public."