

MINISTRY OF NATURAL GAS DEVELOPMENT

BRIEFING NOTE FOR INFORMATION

- I PREPARED FOR:** Fazil Mihlar, Deputy Minister, Ministry of Environment
- II ISSUE:** Trans Mountain Pipeline Expansion Project Update
- III BACKGROUND:**

Trans Mountain (TMP) filed its regulatory Application with the National Energy Board (NEB) December 2013 for approval to proceed with the \$6.8 billion twinning of the existing 1,150 kilometer pipeline within the existing right-of-way, where possible, from Edmonton to Vancouver. The proposed expansion would increase the current pipeline capacity of 300,000 barrels per day (bbl/d) to two continuous pipelines with a sustainable capacity of 890,000 bbl/d.

The NEB conducted a review and a public hearing process of the proposed Trans Mountain Pipeline Expansion Project (Project) in which the Province participated as an intervenor. The Province submitted its final written argument on January 11, 2016 stating it could not support the Project at this time based on the current information filed with the NEB by TMP. In particular, the Province stated that TMP had not spelled out plans on how it would deal with oil spills on land and on water.

The NEB issued its recommendations report to the Governor in Council (GIC) on May 19, 2016 recommending approval subject to 157 conditions. The Governor in Council final decision is expected November 29, 2016.

The January 2016 B.C. Supreme Court (Court) decision on the validity of the Equivalency Agreement entered into by the B.C. Environmental Assessments Office (EAO) and the NEB for the Northern Gateway Pipelines Project (NGP). The Court found that while Provincial Ministers can rely on the environmental assessment (EA) conducted by the NEB, they must render a decision on whether to issue a Certificate for the NGP and by extension to the TMP Project. TMP applied to the EAO in May 2016.

On January 27, 2016, the Federal Minister of Environment and Climate Change and Minister of Natural Resources Canada announced an interim approach that included a Ministerial Panel, Phase IV First Nations Consultation, an assessment of upstream greenhouse gas emissions, and an extension to the legislative time limit for the GIC decision.

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IV DISCUSSION:

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V CONCLUSION:

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