

Wong, Tamarra PREM:EX

From: Reder, Mark <mark.reder@fleishman.ca>
Sent: Wednesday, August 9, 2017 5:56 PM
To: Meggs, Geoff PREM:EX
Cc: Geoff Meggs
Subject: Trans Mountain Announcement Thursday

Geoff:

Can you provide Kinder Morgan something of a heads up or brief before the announcement Ministers Eby and Heyman will make tomorrow? Kinder Morgan is a publicly-traded company and they are already dealing with speculation and receiving numerous calls from media and others for comment.

We will obviously keep anything you provide in confidence, but would appreciate having some time to prepare for the calls that we will receive after the announcement.

I can be reached on my mobile: s.22

Regards,

Mark

This email is intended only for the named addressee. It may contain information that is confidential/private, legally privileged, or copyright-protected, and you should handle it accordingly. If you are not the intended recipient, you do not have legal rights to retain, copy, or distribute this email or its contents, and should promptly delete the email and all electronic copies in your system; do not retain copies in any media. If you have received this email in error, please notify the sender promptly. Thank you.

Wong, Tamarra PREM:EX

From: Oreck, Mira PREM:EX
Sent: Wednesday, August 9, 2017 8:28 PM
To: Meggs, Geoff PREM:EX
Subject: Fwd: Revised draft NR and SN for tomorrow
Attachments: 20170810 NR_KM_options_Aug 10_draft3_CM.docx; ATT00001.htm; SN_Kinder Morgan options_Aug 10_2017_Draft 2_cm.docx; ATT00002.htm

Sent from my iPhone

Begin forwarded message:

From: "Holmwood, Jen PREM:EX" <Jen.Holmwood@gov.bc.ca>
Date: August 9, 2017 at 6:34:54 PM PDT
To: "Oreck, Mira PREM:EX" <Mira.Oreck@gov.bc.ca>
Subject: FW: Revised draft NR and SN for tomorrow

From: Zdravec, Don GCPE:EX
Sent: Wednesday, August 9, 2017 6:06 PM
To: Crebo, David GCPE:EX
Cc: Gibbs, Robb GCPE:EX; McGregor, Cara GCPE:EX
Subject: FW: Revised draft NR and SN for tomorrow
Hi David, here are the edits from GCPE HQ.
Regards,
Don

From: McGregor, Cara GCPE:EX
Sent: Wednesday, August 9, 2017 6:01 PM
To: Zdravec, Don GCPE:EX
Cc: Gibbs, Robb GCPE:EX
Subject: Revised draft NR and SN for tomorrow
Revised drafts of NR and SN.
Cara

NEWS RELEASE

For Immediate Release
[release number]
Aug. 10, 2017

Ministry of Environment and Climate
Change Strategy
Ministry of Attorney General

Province moves to defend B.C. from pipeline expansion and increased tanker traffic

VICTORIA – The province is moving forward with three important steps to defend British Columbia's interests in the face of the expansion of the Kinder Morgan pipeline, Environment and Climate Change Strategy Minister George Heyman and Attorney General David Eby announced today.

"A sevenfold increase in bitumen tankers in the Vancouver harbour is not in the best interests of B.C.'s economy or our environment," said Heyman. "We will use all available tools to protect our coastal waters."

First, the Province has secured the services of Thomas Berger, QC, OC, OBC. Mr. Berger will serve as external counsel and advisor to the government on the Trans Mountain Expansion pipeline project, and will review current legal action taken by the Squamish Nation against the federal government and Trans Mountain.

Second, the Province will be seeking intervenor status to allow British Columbia to participate in legal challenges to the federal government's approval of the pipeline expansion. Hearings are scheduled to begin in federal court later this fall.

Third, the Province will fulfill its duty of meaningful consultation with Indigenous people, including consultations that meet the requirements regarding Aboriginal rights and title – as identified in a number of court cases – and those relating to provincial permits and environmental assessment certificate (EAC) requirements. Until these consultations are completed in a way that meets the Province's legal obligations, work on the project on public lands cannot proceed.

"With the appointment of Thomas Berger, B.C. has brought in the finest legal talent to advise the government on the Squamish Nation's claims, Indigenous relations and the specifics of this case," said Eby.

"In the coming weeks we will be reviewing policies to outline how our government expects to further meet our commitments to First Nations as well as to all British Columbians with regard to defending our air, land and water," said Heyman. "This policy review will help clarify government policy for decision-makers as they evaluate future permits and work plans."

The Province is continuing to explore other mechanisms to hold Kinder Morgan's project plans to the high standards of environmental protection and Indigenous consultation British Columbians expect.

Contact:
Media Relations
Ministry of Environment
250 953-3834

Contact:
Media Relations
Ministry of Attorney General

Event Information / Opening Remarks

Event: Announcing options to defend B.C.'s interests in the face of Kinder Morgan pipeline expansion

When: Thursday, August 10, 2017

Time: 10:30am

Where: Vancouver PVO

Length: Three minutes

Audience: Media

NOTES:

PEOPLE TO RECOGNIZE:

- | |
|--|
| <ul style="list-style-type: none">• Attorney General David Eby |
|--|

Speaking Notes

for

George Heyman
Minister of Environment and Climate Change Strategy

**Options to defend B.C.'s interests in the face of Kinder
Morgan pipeline expansion**

Vancouver PVO

Thursday, Aug.10, 2017

Time: 10:30am

Minister Heyman Speaking Points

Introduction:

- **Good morning, thank you for being here.**
- **I'm George Heyman – Minister of Environment and Climate Change Strategy.**
- **I'm joined by B.C.'s Attorney General David Eby.**
- **I'd like to acknowledge that we are gathered on the traditional territory of the Squamish Nation, Musqueam and Tsleil-Waututh.**

Background context:

- **Our government has been clear that the expanded Kinder Morgan pipeline is not in BC's interest.**
- **A sevenfold increase in tanker traffic in B.C.'s coastal waters is simply too great a risk to our environment, our economy and existing jobs.**
- **We committed to use every tool available to defend BC's coast.**
- **Attorney General Eby and I have been working with professional staff in the public service to identify the steps we can take to ensure BC's interests are protected.**

-
- **This morning we are announcing three specific measures to protect B.C.'s coast and the jobs that depend on it.**

Announcement:

- **First, the Province has secured Mr. Thomas Berger, QC as external counsel and advisor.**
- **Mr. Berger has had a distinguished career. He is a former Justice of the B.C. Supreme Court.**
- **And he has chaired three Royal Commissions including the Mackenzie Valley Pipeline Inquiry and Indian and Inuit healthcare.**
- **Mr. Berger will serve as external counsel and will review current legal**

**action against the government and
Trans Mountain Expansion Pipeline.**

- **Second, the Province will seek intervenor status to allow British Columbia to participate in legal challenges to federal approval of the pipeline expansion, and the increase in tanker traffic off our coast.**
- **Those hearings are scheduled to begin in Federal Court later this fall.**
- **And lastly, we are committed to ensuring that our duty of meaningful consultation with indigenous people concerning this project meets the requirements regarding Aboriginal rights and title.**

-
- **This requirement has been established in a number of court cases, in particular as that consultation relates to the consideration of provincial permits and environmental assessment certificate requirements.**
 - **Until these consultations are completed in a way that meets the Province's legal obligations, work on the project on public lands cannot proceed.**
 - **The Environmental Assessment Office has advised me that such consultations on management plans that the company is required to prepare as part of the EA certificate are still outstanding and not yet complete.**

-
- **These plans concern grizzly bears, vegetation and weed management, archaeology, the Coldwater aquifer, and workforce accommodation.**

Closing:

- **With the federal government's approval of the project, we know the path forward will be challenging but we're committed to stepping up and fighting for B.C.'s interests.**
- **We will use every tool available to defend B.C.'s coast in the face of this threat**
- **And we will continue to explore other mechanisms to hold Kinder Morgan's project plans to the highest standards of**

environmental protection and Indigenous consultation

- **With that, we would be happy to take questions.**

Wong, Tamarra PREM:EX

From: Lloyd, Evan GCPE:EX
Sent: Wednesday, August 9, 2017 10:48 PM
To: Sanford, Donna L GCPE:EX
Cc: Meggs, Geoff PREM:EX
Subject: s.14
Attachments:

FYI

Sent from my iPhone

Begin forwarded message:

s.14

Page 15 to/à Page 16

Withheld pursuant to/removed as

s.14

Wong, Tamarra PREM:EX

From: Howard, Stephen PREM:EX
Sent: Thursday, August 10, 2017 7:21 PM
To: Meggs, Geoff PREM:EX
Subject: Re: Statement from Trans Mountain

All in all not a bad event, S.13

S.13 Alberta was done early evening, labour I arranged late Wednesday eve, and then today MDE and I ran into Mark Reder post event and he mentioned KM had been given a heads. Good that it happened though we weren't in loop.

Sh

Sent from my iPhone

On Aug 10, 2017, at 3:00 PM, Meggs, Geoff PREM:EX <Geoff.Meggs@gov.bc.ca> wrote:

s.13

Thanks
Geoff

From: Reder, Mark [<mailto:mark.reder@fleishman.ca>]
Sent: Thursday, August 10, 2017 1:39 PM
To: Meggs, Geoff PREM:EX
Subject: FW: Statement from Trans Mountain

Geoff:

Thanks for your time yesterday. Attached is the statement from Kinder Morgan following the press conference today. It goes without saying that the company would like an opportunity to meet the Premier and Ministers as soon is reasonably possible.

Regards,

Mark

<https://www.transmountain.com/news/2017/statement-from-trans-mountain>

This email is intended only for the named addressee. It may contain information that is confidential/private, legally privileged, or copyright-protected, and you should handle it accordingly. If you are not the intended recipient, you do not have legal rights to retain, copy, or distribute this email or its contents, and should promptly delete the email and all electronic copies in your system; do not retain copies in any media. If you have received this email in error, please notify the sender promptly. Thank you.

Wong, Tamarra PREM:EX

From: Heyman, George PREM:EX
Sent: Friday, August 11, 2017 6:36 AM
To: Meggs, Geoff PREM:EX
Cc: Frampton, Caelie PREM:EX; Howard, Stephen PREM:EX
Subject: Re: Statement from Trans Mountain

Thru Reder or directly to the company? Caelie can make initial approach-response on my behalf and if requested I can meet/call prior to a meeting w JH/DE, me.

Sent from my iPhone

On Aug 10, 2017, at 3:00 PM, Meggs, Geoff PREM:EX <Geoff.Meggs@gov.bc.ca> wrote:

s.13

Thanks

Geoff

From: Reder, Mark [<mailto:mark.reder@fleishman.ca>]

Sent: Thursday, August 10, 2017 1:39 PM

To: Meggs, Geoff PREM:EX

Subject: FW: Statement from Trans Mountain

Geoff:

Thanks for your time yesterday. Attached is the statement from Kinder Morgan following the press conference today. It goes without saying that the company would like an opportunity to meet the Premier and Ministers as soon as is reasonably possible.

Regards,

Mark

<https://www.transmountain.com/news/2017/statement-from-trans-mountain>

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Wong, Tamarra PREM:EX

From: Reder, Mark <mark.reder@fleishman.ca>
Sent: Monday, August 14, 2017 1:54 PM
To: Meggs, Geoff PREM:EX
Cc: Wright, Don J. PREM:EX
Subject: RE: Meeting this Week

Geoff:

Thanks for this. Let's wait until you are back s.22
flag with Don Wright.

. If there is something urgent with KM this week, I will

Regards,

Mark

-----Original Message-----

From: Meggs, Geoff PREM:EX [mailto:Geoff.Meggs@gov.bc.ca]
Sent: Monday, August 14, 2017 1:44 PM
To: Reder, Mark <mark.reder@fleishman.ca>
Cc: Wright, Don J. PREM:EX <Don.J.Wright@gov.bc.ca>
Subject: Re: Meeting this Week

Mark I won't be available this week. We'll have to try next week. Sorry. (s.22
may be available.

I've copied Don Wright, who

Geoff

Sent from my iPhone

On Aug 14, 2017, at 12:32 PM, Reder, Mark <mark.reder@fleishman.ca<mailto:mark.reder@fleishman.ca>> wrote:

Geoff:

Would you have some time to meet me this week? There are some items that are likely to follow from last week's announcement about Kinder Morgan that I would like to discuss. I am happy to come to Victoria.

Regards,

Mark Reder

This email is intended only for the named addressee. It may contain information that is confidential/private, legally privileged, or copyright-protected, and you should handle it accordingly. If you are not the intended recipient, you do not have legal rights to retain, copy, or distribute this email or its contents, and should promptly delete the email and all electronic copies in your system; do not retain copies in any media. If you have received this email in error, please notify the sender promptly. Thank you.

Kinder Morgan

Issue: Updated messaging on Kinder Morgan is required in order to minimize legal liabilities while continuing to demonstrate our opposition to the project.

Main Messages:

- This pipeline is not in BC's interest. It's not worth the risk to our environment and economy.
- We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're going to do.
- We're actively assessing the tools available to us to chart a path forward that protects BC's coast and the jobs that depend on it. We'll share more details in the coming days.

Q: Are you softening your stance?

- Absolutely not. We've always been clear that this pipeline is not in BC's interest. We stand behind that.
- We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're going to do.

Q: Are you implying there is no way to stop this pipeline?

- We know the path forward will be challenging but we're committed to stepping up and fighting for BC's interests.
- We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're going to do.
- We're actively assessing the tools available to us to chart a path forward that protects BC's coast and the jobs that depend on it.

Holmwood, Jen PREM:EX

From: Sherlock, Stephanie GCPE:EX
Sent: Wednesday, July 26, 2017 11:55 AM
To: Crebo, David GCPE:EX
Cc: Holmwood, Jen PREM:EX
Subject: FW: Km permitting

Hi Dave -

Here is another request for comment on KM.
As I understand - Minister Heyman is going to be the point of contact for this topic?

Can you confirm this for me please?

Thanks

Stephanie Sherlock
Director, Media Relations
Government Communications & Public Engagement
778-584-1254

-----Original Message-----

From: Zadravec, Don GCPE:EX
Sent: Wednesday, July 26, 2017 11:52 AM
To: Sherlock, Stephanie GCPE:EX; Harris, Megan A GCPE:EX
Subject: FW: Km permitting

Looping you in given the earlier emails.

-----Original Message-----

From: Tounsi, Marielle GCPE:EX
Sent: Wednesday, July 26, 2017 11:50 AM
To: Howard, Stephen PREM:EX; Zadravec, Don GCPE:EX
Subject: Km permitting

Hi there,

Is Minister Eby available to give Mike Haggart from globe and mail a call re: kinder Morgan permitting?

Here is his number: s.22

Sent from my iPhone

Holmwood, Jen PREM:EX

From: Crebo, David GCPE:EX
Sent: Wednesday, July 26, 2017 12:02 PM
To: Sherlock, Stephanie GCPE:EX
Cc: Holmwood, Jen PREM:EX; Bell, Danielle L GCPE:EX; Frampton, Caelie PREM:EX; Cotton, Brian GCPE:EX
Subject: Re: Km permitting

Yes, MGH will take these.

Dave Crebo
Communications Director
Ministry of Environment and Climate Change Strategy.
(250) 812-5747 (cell)

> On Jul 26, 2017, at 11:55 AM, Sherlock, Stephanie GCPE:EX <Stephanie.Sherlock@gov.bc.ca> wrote:

>

> Hi Dave -

>

> Here is another request for comment on KM.

> As I understand - Minister Heyman is going to be the point of contact for this topic?

>

Can you confirm this for me please?

>

> Thanks

>

>

> Stephanie Sherlock

> Director, Media Relations

> Government Communications & Public Engagement

> 778-584-1254

>

>

>

> -----Original Message-----

> From: Zdravec, Don GCPE:EX

> Sent: Wednesday, July 26, 2017 11:52 AM

> To: Sherlock, Stephanie GCPE:EX; Harris, Megan A GCPE:EX

> Subject: FW: Km permitting

>

> Looping you in given the earlier emails.

>

>

> -----Original Message-----

> From: Tounsi, Marielle GCPE:EX

> Sent: Wednesday, July 26, 2017 11:50 AM

> To: Howard, Stephen PREM:EX; Zdravec, Don GCPE:EX

> Subject: Km permitting

Holmwood, Jen PREM:EX

From: Frampton, Caelie PREM:EX
Sent: Wednesday, August 9, 2017 2:45 PM
To: Hannah, Matt GCPE:EX; Holmwood, Jen PREM:EX
Subject: Fwd: KM comms materials
Attachments: KM_Kinder Morgan options_Aug 10.docx; ATT00001.htm; NR_KM options_Aug 10_draft2.docx; ATT00002.htm; SN_Kinder Morgan options_Aug 10_2017_Draft 1.docx; ATT00003.htm

Sent from my iPhone

Begin forwarded message:

From: "Crebo, David GCPE:EX" <David.Crebo@gov.bc.ca>
To: "Frampton, Caelie PREM:EX" <Caelie.Frampton@gov.bc.ca>
Cc: "Zacharias, Mark ENV:EX" <Mark.Zacharias@gov.bc.ca>, "Harris, Megan A GCPE:EX" <Megan.Harris@gov.bc.ca>
Subject: KM comms materials

Hi Caelie – attached are the latest draft comms materials, approved through Kevin and Mark. AG still needs to approve, and they have a separate KM/QA that deals with the Berger appt.

Can you pls have MGH review? It may be a while before AG weighs in and so I'd rather get any further MGH feedback sooner. I've also made a few other smaller edits that MGH asked for (ie: headline).

I've shared the NR with my GCPE colleagues at EMPR, MoTI, FLNRO and MIRR, as well as GCPE HQ. Will you get this to Matt and Stephanie, and anyone else in the PO who needs to see it?

In a perfect world we'd have all this to you well in advance of an announcement but, as we know, this came about on us quickly ☺

Thx,
Dave

Dave Crebo
Communications Director
Ministry of Environment and Climate Change Strategy
(250) 812-5747

Holmwood, Jen PREM:EX

From: Jones, JJ GCPE:EX
Sent: Wednesday, July 26, 2017 12:17 PM
To: Sherlock, Stephanie GCPE:EX
Cc: Gibbs, Robb GCPE:EX; Zadavec, Don GCPE:EX; Holmwood, Jen PREM:EX
Subject: Re: Media request from Globe and Mail re: enbridge permits

Hi can you put a hold on this until we talk with the premier's office?

On Jul 26, 2017, at 12:15 PM, Sherlock, Stephanie GCPE:EX <Stephanie.Sherlock@gov.bc.ca> wrote:

Have forwarded this request already to MGH's CD for consideration as directed.

Sent from my iPhone

On Jul 26, 2017, at 12:05 PM, Jones, JJ GCPE:EX <JJ.Jones@gov.bc.ca> wrote:

Hi Stephanie,

Would you be the person to handle this?

Thanks,

JJ

From: Hager, Mike [<mailto:MHager@globeandmail.com>]
Sent: Wednesday, July 26, 2017 12:04 PM
To: Jones, JJ GCPE:EX
Subject: RE:

Hi Jennifer, sent this to the wrong email address earlier.

Thanks,

Mike

<image001.jpg>
Mike Hager | Reporter
p: 604-631-6631 (o) | 604-679-3318 (m)
e: mhager@globeandmail.com | t: @MikePHager
PGP Key: [587F4B4C](#)

From: Hager, Mike
Sent: Wednesday, July 26, 2017 12:00 PM
To: 'Jones, Jennifer'; 'May, Ed'; 'Tounsi, Marielle'
Subject: RE: Kinder Morgan

Hi there,

Holmwood, Jen PREM:EX

From: Sherlock, Stephanie GCPE:EX
Sent: Wednesday, July 26, 2017 12:16 PM
To: Jones, JJ GCPE:EX
Cc: Gibbs, Robb GCPE:EX; Zadravec, Don GCPE:EX; Holmwood, Jen PREM:EX
Subject: Re: Media request from Globe and Mail re: enbridge permits

Have forwarded this request already to MGH's CD for consideration as directed.

Sent from my iPhone

On Jul 26, 2017, at 12:05 PM, Jones, JJ GCPE:EX <JJ.Jones@gov.bc.ca> wrote:

Hi Stephanie,

Would you be the person to handle this?

Thanks,

JJ

From: Hager, Mike [<mailto:MHager@globeandmail.com>]
Sent: Wednesday, July 26, 2017 12:04 PM
To: Jones, JJ GCPE:EX
Subject: RE:

Hi Jennifer, sent this to the wrong email address earlier.

Thanks,

Mike

<image001.jpg>

Mike Hager | Reporter

p: 604-631-6631 (o) | 604-679-3318 (m)

e: mhager@globeandmail.com | t: @MikePHager

PGP Key: [587F4B4C](#)

From: Hager, Mike
Sent: Wednesday, July 26, 2017 12:00 PM
To: 'Jones, Jennifer'; 'May, Ed'; 'Tounsi, Marielle'
Subject: RE: Kinder Morgan

Hi there,

I'm writing a piece today parsing comments from Attorney General David Eby made yesterday to Radio CHNL:

Event Information / Opening Remarks

Event: Announcing options to defend B.C.'s interests in the face of Kinder Morgan pipeline expansion

When: Thursday, August 10, 2017

Time: 10:30am

Where: Vancouver PVO

Length: Three minutes

Audience: Media

NOTES:

PEOPLE TO RECOGNIZE:

- | |
|--|
| <ul style="list-style-type: none">• Attorney General David Eby |
|--|

Minister Heyman Speaking Points

Introduction:

- **Good morning, thank you for being here.**
- **I'm George Heyman – Minister of Environment and Climate Change Strategy.**
- **I'm joined by B.C.'s Attorney General David Eby.**
- **I'd like to acknowledge that we are gathered on the traditional territory of the Squamish Nation, Musqueam and Tsleil-Waututh.**

- **This morning we are announcing three specific measures to protect B.C.'s coast and the jobs that depend on it.**

Announcement:

- **First, the Province has secured Mr. Thomas Berger, QC as external counsel and advisor.**
- **Mr. Berger has had a distinguished career. He is a former Justice of the B.C. Supreme Court.**
- **And he has chaired three Royal Commissions including the Mackenzie Valley Pipeline Inquiry and Indian and Inuit healthcare.**
- **Mr. Berger will serve as external counsel and will review current legal**

- **This requirement has been established in a number of court cases, in particular as that consultation relates to the consideration of provincial permits and environmental assessment certificate requirements.**
- **Until these consultations are completed in a way that meets the Province's legal obligations, work on the project on public lands cannot proceed.**
- **The Environmental Assessment Office has advised me that such consultations on management plans that the company is required to prepare as part of the EA certificate are still outstanding and not yet complete.**

environmental protection and Indigenous consultation

- **With that, we would be happy to take questions.**

Kinder Morgan

Issue: Updated messaging on Kinder Morgan is required in order to minimize legal liabilities while continuing to demonstrate our opposition to the project.

Main Messages:

- This pipeline is not in BC's interest. It's not worth the risk to our environment and economy.
- We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're going to do.
- We're actively assessing the tools available to us to chart a path forward that protects BC's coast and the jobs that depend on it. We'll share more details in the coming days.

Q: Are you softening your stance?

- Absolutely not. We've always been clear that this pipeline is not in BC's interest. We stand behind that.
- We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're going to do.

Q: Are you implying there is no way to stop this pipeline?

- We know the path forward will be challenging but we're committed to stepping up and fighting for BC's interests.
- We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're going to do.
- We're actively assessing the tools available to us to chart a path forward that protects BC's coast and the jobs that depend on it.

Matt Hannah
July 25, 2017
780.584.1249

FOR INTERNAL USE ONLY

KEY MESSAGES

Kinder Morgan options
Ministry of Environment and Climate Change Strategy
August 2017

Main Messages:

- This pipeline is not in BC's interest. It's not worth the risk to our environment and economy.
- We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're doing.
- The measures we're announcing today will help us to protect B.C.'s coast and the jobs that depend on it.

Q: Is stopping this pipeline your end goal, and will this be enough to achieve it?

- With the federal government's approval of the project, we know the path forward will be challenging but we're committed to stepping up and fighting for BC's interests.
- We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're doing.

Q: Why have you changed your language from stopping the pipeline to defending B.C.'s interests?

- It's important to approach this thoughtfully and deliberately. Breaking the law won't help defend our coast. In fact, it may even make it more difficult. People don't want that. They want us to be effective.
- When it comes to granting permits, we will hold the company's plans to the high standards of environmental protection and consultation with Indigenous groups that British Columbians expect. If the company does not meet those standards, the permits will not be issued and plans will not be approved.
- The measures we're announcing today will help us to protect B.C.'s coast and the jobs that depend on it.

Q: Are you softening your stance?

- Absolutely not. We've always been clear that this pipeline is not in BC's interest. We stand behind that.
- We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're doing.

NEWS RELEASE

For Immediate Release
[release number]
Aug. 10, 2017

Ministry of Environment and Climate
Change Strategy
Ministry of Attorney General

Province moves to defend B.C. around pipeline expansion and increased tanker traffic

VICTORIA – The provincial government will take three initial, tangible steps to ensure British Columbia's interests are defended in the face of the expansion of the Kinder Morgan pipeline, Environment and Climate Change Strategy Minister George Heyman and Attorney General David Eby announced today.

"We have consistently maintained this pipeline is not in B.C.'s interests and it's not worth the risk to our environment and economy," said Heyman. "We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're going to do."

First, the Government of British Columbia has secured Thomas Berger, QC, OC, OBC as external counsel and advisor to review current legal action taken by the Squamish Nation against the government and Trans Mountain Expansion Pipeline. Mr. Berger has a distinguished career as a former leader of the BC CCF/NDP and also served as a Justice of the B.C. Supreme Court. He has chaired three Royal Commissions including the Mackenzie Valley Pipeline Inquiry, and Indian and Inuit healthcare.

Second, the Province will seek intervenor status to allow British Columbia to participate in legal challenges to federal approval of the pipeline expansion and increased oil tanker traffic off BC's coast. Those hearings are scheduled to begin in Federal Court later this fall.

Third, the B.C. government is committed to ensuring that its duty of meaningful consultation with indigenous people concerning this project meets the requirements regarding Aboriginal rights and title which have been identified in a number of court cases, in particular as that consultation relates to the consideration of provincial permits and environmental assessment certificate (EAC) requirements. The Environmental Assessment Office has advised that such consultations on management plans the company is required to prepare as part of the EAC are still outstanding and not yet complete. These plans concern grizzly bears, vegetation and weed management, archaeology, the Coldwater aquifer, and workforce accommodation. Until these consultations are completed in a way that meets the Province's legal obligations, work on the project on public lands cannot proceed.

"With the federal government's approval of the project, we knew the path forward would be challenging but we're committed to stepping up and fighting for B.C.'s interests", said Eby.

"With the appointment of Thomas Berger, we have brought in the finest legal talent to advise the government on the Squamish Nation's claims, Indigenous relations and specifics on the case in general."

Page 34 to/à Page 41

Withheld pursuant to/removed as

s.14

Subject: Fwd: Kinder-Morgan

Date: Wednesday, July 26, 2017 at 10:24:08 AM Pacific Daylight Time

From: Zacharias, Mark ENV:EX

To: Sheldon, Tim FLNR:EX, Fyfe, Richard J JAG:EX, Nikolejsin, Dave MNGD:EX, Caul, Doug D ABR:EX, Main, Grant TRAN:EX

CC: Plecas, Bobbi ENV:EX, Wright, Don J. PREM:EX

Good morning:

Just FYI on a communication this morning from MGH to your respective Ministers and to inform tomorrow's DM K-M discussion.

Regards, MZ

Sent from my iPad

Begin forwarded message:

From: "Heyman, George" <G.Heyman@leg.bc.ca>

Date: July 26, 2017 at 8:58:02 AM PDT

To: "Zacharias, Mark ENV:EX" <Mark.Zacharias@gov.bc.ca>, "Jardine, Kevin EAO:EX" <Kevin.Jardine@gov.bc.ca>

Cc: "Frampton, Caelie PREM:EX" <Caelie.Frampton@gov.bc.ca>, "Crebo, David GCPE:EX" <David.Crebo@gov.bc.ca>

Subject: FW: Kinder-Morgan

FYI

George Heyman | 賀佐治 | MLA Vancouver-Fairview
Community office (604) 775-2453

From: George Heyman <G.Heyman@leg.bc.ca>

Date: Wednesday, July 26, 2017 at 8:56 AM

To: "Eby, David" <D.Eby@leg.bc.ca>, "Trevena, Claire" <C.Trevena@leg.bc.ca>, "Mungall, Michelle" <M.Mungall@leg.bc.ca>, "Donaldson, Doug" <D.Donaldson@leg.bc.ca>, "Fraser, Scott" <S.Fraser@leg.bc.ca>

Subject: Kinder-Morgan

Good morning, this is just a quick note regarding Kinder-Morgan and my mandate as minister. It appears that my mandate letter is the only one that specifically mentions Kinder Morgan although there are legal issues that fall to the attorney-general's ministry. I have discussed this with ministry staff and I propose we coordinate activity and communication through my ministry, with the exception of legal issues that must be addressed by the A-G. Having said that all of us have ministerial interest this issue and in some cases (TRAN and FLNRO) have ministry permitting responsibility for the project along with ENV, so I expect we will need and want periodic communication.

Thanks, George

George Heyman | 賀佐治 | MLA Vancouver-Fairview
Community office (604) 775-2453

Subject: FW: Statement from Trans Mountain

Date: Thursday, August 10, 2017 at 2:59:59 PM Pacific Daylight Time

From: Meggs, Geoff PREM:EX

To: Heyman, George PREM:EX, Frampton, Caelie PREM:EX

CC: Wright, Don J. PREM:EX, Howard, Stephen PREM:EX

s.13

Thanks

Geoff

From: Reder, Mark [mailto:mark.reder@fleishman.ca]

Sent: Thursday, August 10, 2017 1:39 PM

To: Meggs, Geoff PREM:EX

Subject: FW: Statement from Trans Mountain

Geoff:

Thanks for your time yesterday. Attached is the statement from Kinder Morgan following the press conference today. It goes without saying that the company would like an opportunity to meet the Premier and Ministers as soon as is reasonably possible.

Regards,

Mark

<https://www.transmountain.com/news/2017/statement-from-trans-mountain>

This email is intended only for the named addressee. It may contain information that is confidential/private, legally privileged, or copyright-protected, and you should handle it accordingly. If you are not the intended recipient, you do not have legal rights to retain, copy, or distribute this email or its contents, and should promptly delete the email and all electronic copies in your system; do not retain copies in any media. If you have received this email in error, please notify the sender promptly. Thank you.

From: Yuma Morisho, Okenge PREM:EX
Sent: Wednesday, August 9, 2017 5:37 PM
To: Maranda, Pierrette IGRS:EX
Cc: Smith, Grant H IGRS:EX
Subject: FW: KM comms materials
Attachments: KM_Kinder Morgan options_Aug 10.docx; NR_KM options_Aug 10_draft2.docx; SN_Kinder Morgan options_Aug 10_2017_Draft 1.docx

Heads-up. Consider this embargoed until release. Thanks, oym

From: Zacharias, Mark ENV:EX
Sent: Wednesday, August 9, 2017 5:34 PM
To: Yuma Morisho, Okenge PREM:EX; Mihlar, Fazil MIT:EX
Cc: Frampton, Caelie PREM:EX
Subject: Fwd: KM comms materials

Good evening Fazil / Okenge

Just in case you hadn't seen this. Still being finalized for announcement tomorrow.

Regards, Mark
250-415-6466

Begin forwarded message:

From: "Crebo, David GCPE:EX" <David.Crebo@gov.bc.ca>
Date: August 9, 2017 at 1:59:08 PM PDT
To: "Frampton, Caelie PREM:EX" <Caelie.Frampton@gov.bc.ca>
Cc: "Zacharias, Mark ENV:EX" <Mark.Zacharias@gov.bc.ca>, "Harris, Megan A GCPE:EX" <Megan.Harris@gov.bc.ca>
Subject: KM comms materials

Hi Caelie – attached are the latest draft comms materials, approved through Kevin and Mark. AG still needs to approve, and they have a separate KM/QA that deals with the Berger appt.

Can you pls have MGH review? It may be a while before AG weighs in and so I'd rather get any further MGH feedback sooner. I've also made a few other smaller edits that MGH asked for (ie: headline).

I've shared the NR with my GCPE colleagues at EMPR, MoTI, FLNRO and MIRR, as well as GCPE HQ. Will you get this to Matt and Stephanie, and anyone else in the PO who needs to see it?

In a perfect world we'd have all this to you well in advance of an announcement but, as we know, this came about on us quickly ☺

Thx,
Dave

Dave Crebo
Communications Director
Ministry of Environment and Climate Change Strategy

From: Zacharias, Mark ENV:EX
Sent: Wednesday, August 9, 2017 5:34 PM
To: Yuma Morisho, Okenge PREM:EX; Mihlar, Fazil MIT:EX
Cc: Frampton, Caelie PREM:EX
Subject: Fwd: KM comms materials
Attachments: KM_Kinder Morgan options_Aug 10.docx; ATT00001.htm; NR_KM options_Aug 10_draft2.docx; ATT00002.htm; SN_Kinder Morgan options_Aug 10_2017_Draft 1.docx; ATT00003.htm

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Cc: "Zacharias, Mark ENV:EX" <Mark.Zacharias@gov.bc.ca>, "Harris, Megan A GCPE:EX" <Megan.Harris@gov.bc.ca>
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Thx,
Dave

Dave Crebo
Communications Director
Ministry of Environment and Climate Change Strategy
(250) 812-5747

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KEY MESSAGES

Kinder Morgan options
Ministry of Environment and Climate Change Strategy
August 2017

Main Messages:

- **This pipeline is not in BC's interest. It's not worth the risk to our environment and economy.**
- **We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're doing.**
- **The measures we're announcing today will help us to protect B.C.'s coast and the jobs that depend on it.**

Q: Is stopping this pipeline your end goal, and will this be enough to achieve it?

- With the federal government's approval of the project, we know the path forward will be challenging but we're committed to stepping up and fighting for BC's interests.
- We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're doing.

Q: Why have you changed your language from stopping the pipeline to defending B.C.'s interests?

- It's important to approach this thoughtfully and deliberately. Breaking the law won't help defend our coast. In fact, it may even make it more difficult. People don't want that. They want us to be effective.
- When it comes to granting permits, we will hold the company's plans to the high standards of environmental protection and consultation with Indigenous groups that British Columbians expect. If the company does not meet those standards, the permits will not be issued and plans will not be approved.
- The measures we're announcing today will help us to protect B.C.'s coast and the jobs that depend on it.

Q: Are you softening your stance?

- Absolutely not. We've always been clear that this pipeline is not in BC's interest. We stand behind that.
- We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're doing.

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KEY MESSAGES

Q: By focussing on Indigenous consultation and linking it to a threat to not allow work to proceed on public lands, are you not interfering with independent statutory decision making authority within the EAO?

- No, what we're doing is ensuring that Indigenous consultation meets the legal test of Aboriginal rights and title. Our legal obligations must be met and that can only happen through meaningful consultation with all of the potentially affected Indigenous groups.
- As to any threat not to allow work to proceed on public lands, quite simply the Environmental Assessment Certificate contains conditions that require the acceptance of management plans prior to construction. Until they are accepted, construction cannot begin.

NEWS RELEASE

For Immediate Release
[release number]
Aug. 10, 2017

Ministry of Environment and Climate
Change Strategy
Ministry of Attorney General

Province moves to defend B.C. around pipeline expansion and increased tanker traffic

VICTORIA – The provincial government will take three initial, tangible steps to ensure British Columbia's interests are defended in the face of the expansion of the Kinder Morgan pipeline, Environment and Climate Change Strategy Minister George Heyman and Attorney General David Eby announced today.

"We have consistently maintained this pipeline is not in B.C.'s interests and it's not worth the risk to our environment and economy," said Heyman. "We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're going to do."

First, the Government of British Columbia has secured Thomas Berger, QC, OC, OBC as external counsel and advisor to review current legal action taken by the Squamish Nation against the government and Trans Mountain Expansion Pipeline. Mr. Berger has a distinguished career as a former leader of the BC CCF/NDP and also served as a Justice of the B.C. Supreme Court. He has chaired three Royal Commissions including the Mackenzie Valley Pipeline Inquiry, and Indian and Inuit healthcare.

Second, the Province will seek intervenor status to allow British Columbia to participate in legal challenges to federal approval of the pipeline expansion and increased oil tanker traffic off BC's coast. Those hearings are scheduled to begin in Federal Court later this fall.

Third, the B.C. government is committed to ensuring that its duty of meaningful consultation with indigenous people concerning this project meets the requirements regarding Aboriginal rights and title which have been identified in a number of court cases, in particular as that consultation relates to the consideration of provincial permits and environmental assessment certificate (EAC) requirements. The Environmental Assessment Office has advised that such consultations on management plans the company is required to prepare as part of the EAC are still outstanding and not yet complete. These plans concern grizzly bears, vegetation and weed management, archaeology, the Coldwater aquifer, and workforce accommodation. Until these consultations are completed in a way that meets the Province's legal obligations, work on the project on public lands cannot proceed.

"With the federal government's approval of the project, we knew the path forward would be challenging but we're committed to stepping up and fighting for B.C.'s interests", said Eby. "With the appointment of Thomas Berger, we have brought in the finest legal talent to advise the government on the Squamish Nation's claims, Indigenous relations and specifics on the case in general."

"In the coming weeks we will be reviewing policies to outline how our government expects to further meet our commitments to First Nations as well as to all British Columbians with regard to defending our air, land and water," said Heyman. "Such policies will help decision makers considering both permits and work plans to include our government's overall policy in their considerations".

The Province will also continue to explore other mechanisms to hold Kinder Morgan's project plans to the high standards of environmental protection and Indigenous consultation that British Columbians expect.

Contact:
Media Relations
Ministry of Environment
250 953-3834

Contact:
Media Relations
Ministry of Attorney General

Event Information / Opening Remarks

Event: Announcing options to defend B.C.'s interests in the face of Kinder Morgan pipeline expansion

When: Thursday, August 10, 2017

Time: 10:30am

Where: Vancouver PVO

Length: Three minutes

Audience: Media

NOTES:

PEOPLE TO RECOGNIZE:

- | |
|--|
| <ul style="list-style-type: none">• Attorney General David Eby |
|--|

Speaking Notes

for

George Heyman

Minister of Environment and Climate Change Strategy

**Options to defend B.C.'s interests in the face of Kinder
Morgan pipeline expansion**

Vancouver PVO

Thursday, Aug.10, 2017

Time: 10:30am

Minister Heyman Speaking Points

Introduction:

- **Good morning, and thank you for being here.**
- **I'm George Heyman – the Minister of Environment and Climate Change Strategy.**
- **I'm joined by B.C.'s Attorney General David Eby.**
- **I'd like to acknowledge that we are gathered on the traditional territory of the Squamish Nation, Musqueam and Tsleil-Waututh.**

Background context:

- **Our government has been clear and consistent that the expanded Kinder Morgan pipeline is not in BC's interest.**
- **It is simply not worth the risk to our environment and economy.**
- **We made a commitment - and in fact it is clearly laid out in my mandate letter - to use every tool available to defend BC's coast in the face of this threat.**
- **Attorney General Eby and I have worked with professional staff within the civil staff to determine the appropriate steps we can take to ensure the interests of British Columbians are protected.**

- **This morning we are announcing details as to how we can protect B.C.'s coast and the jobs that depend on it.**

Announcement:

- **We have identified three initial, specific measures we will be moving forward on.**
- **First, the Province will appoint an independent counsel to...**
- **Second, the Province will seek intervenor status to allow British Columbia to participate in legal challenges to federal approval of the pipeline expansion, and the increase in tanker traffic off our coast.**
- **Those hearings are scheduled to begin in Federal Court later this fall.**

- **And lastly, we are committed to ensuring that our duty of meaningful consultation with indigenous people concerning this project meets the requirements regarding First Nations rights and title.**
- **This has been identified in a number of court cases, in particular as that consultation relates to the consideration of provincial permits and environmental assessment certificate requirements.**

- **The Environmental Assessment Office has advised me that such consultations on management plans that the company is required to prepare as part of the EA certificate are still outstanding and not yet complete.**
- **These plans concern grizzly bears, vegetation and weed management, archaeology, the Coldwater aquifer, and workforce accommodation.**
- **Until these consultations are completed in a way that meets our legal obligations, work on the project on public lands cannot proceed.**

Closing:

- **With the federal government's approval of the project, we know the path forward will be challenging but we're committed to stepping up and fighting for B.C.'s interests.**
- **We made a commitment to use every tool available to defend B.C.'s coast in the face of this threat, and that's what we're doing.**
- **Thank you.**
- **With that, we would be happy to take questions.**

Wensink, Alison PREM:EX

From: Yuma Morisho, Okenge PREM:EX
Sent: Thursday, August 10, 2017 9:38 AM
To: Maranda, Pierrette IGRS:EX
Cc: Smith, Grant H IGRS:EX
Subject: S.14
Attachments:

s.14

Page 61 to/à Page 63

Withheld pursuant to/removed as

s.14

From: Periwai, Sukumar IGRS:EX
Sent: Monday, August 14, 2017 11:31 AM
To: Yuma Morisho, Okenge PREM:EX; Maranda, Pierrette IGRS:EX; Smith, Grant H IGRS:EX
Subject: infrastructure projects

Sorry, the article I mentioned this morning wasn't by Vaughn Palmer but Mike Smyth. I've highlighted the relevant section below.

thanks

Pipeline showdown could be just the start of a major battle

The Province

Sunday, August 13, 2017

Page A06

By Mike Smyth-1

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Page 65 to/à Page 66

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Kinder Morgan

Issue: Updated messaging on Kinder Morgan is required in order to minimize legal liabilities while continuing to demonstrate our opposition to the project.

Main Messages:

- This pipeline is not in BC's interest. It's not worth the risk to our environment and economy.
- We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're going to do.
- We're actively assessing the tools available to us to chart a path forward that protects BC's coast and the jobs that depend on it. We'll share more details in the coming days.

Q: Are you softening your stance?

- Absolutely not. We've always been clear that this pipeline is not in BC's interest. We stand behind that.
- We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're going to do.

Q: Are you implying there is no way to stop this pipeline?

- We know the path forward will be challenging but we're committed to stepping up and fighting for BC's interests.
- We made a commitment to use every tool available to defend BC's coast in the face of this threat, and that's what we're going to do.
- We're actively assessing the tools available to us to chart a path forward that protects BC's coast and the jobs that depend on it.

Page 2 to/à Page 5

Withheld pursuant to/removed as

Copyright

Wensink, Alison PREM:EX

From: Nash, Amber PREM:EX
Sent: Saturday, August 5, 2017 9:35 AM
To: Winstanley, Lori PSSG:EX
Cc: Van Meer-Mass, Kate PREM:EX; Clark, Layne PREM:EX
Subject: Re: Meeting on Kinder Morgan

Hi Lori,
Are you able to join the meeting Tuesday and brief your Minister after?

Amber

> On Aug 4, 2017, at 7:19 PM, Winstanley, Lori PREM:EX <Lori.Winstanley@gov.bc.ca> wrote:

>

> She will be on her flights back here at that time. I have asked her what she would like to do. Could one of you kindly enquire in case she cannot make the meeting, if the Premier wants political staff to attend to listen in for her.

>

> Lori Winstanley

> Ministerial Assistant

> Hon. Michelle Mungall

> Minister of Energy Mines and Petroleum Resources

>

>> On Aug 4, 2017, at 5:54 PM, Nash, Amber PREM:EX <Amber.Nash@gov.bc.ca> wrote:

>>

>> My apologies Lori.

>> Meeting is Tuesday at 9:45 AM. Is the Minister able to attend?

>>

>>

>>

>> -----Original Message-----

>> From: Van Meer-Mass, Kate PREM:EX

>> Sent: Friday, August 4, 2017 3:42 PM

>> To: Winstanley, Lori PREM:EX

>> Cc: Clark, Layne PREM:EX; Nash, Amber PREM:EX

>> Subject: Re: Meeting on Kinder Morgan

>>

>> Amber, Can you add minister mungall to the invite list?

>>

>> Sent from my iPhone

>>

>>> On Aug 4, 2017, at 3:40 PM, Winstanley, Lori PREM:EX <Lori.Winstanley@gov.bc.ca> wrote:

>>>

>>> Hello Layne and Kate, I understand the Premier is meeting with the key Ministers on KM his Monday, I don't see an invite to MMM, it could have slipped by very very easily but could you check it out for us?

>>>

>>> Lori Winstanley

>>> Ministerial Assistant

>>> Hon. Michelle Mungall

>>> Minister of Energy Mines and Petroleum Resources