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OOP FOI PREM:EX

From: Nash, Amber PREM:EX
Sent: February 22, 2019 11:48 AM
To: Fogg, Bruce PREM:EX
Subject: FW: Key messages on NEB report
Attachments: KM_NEB recommendations_Feb 22_2019 v5 clean.docx; ATT00001.htm

Hi Bruce,

I will have a few items to put into Premier's package for this weekend. This is one of them. Can you please print and add?

Amber

From: Aaron, Sage PREM:EX
Sent: February 22, 2019 11:46 AM
To: Holmwood, Jen PREM:EX ; McConnell, Sheena PREM:EX ; Nash, Amber PREM:EX
Subject: FW: Key messages on NEB report

FYI. Amber, can we ask the constit office to put a copy in PJH's package for his information?

From: Frampton, Caelie ENV:EX
Sent: February 22, 2019 11:36 AM
To: Aaron, Sage PREM:EX <Sage.Aaron@gov.bc.ca>; Meggs, Geoff PREM:EX <Geoff.Meggs@gov.bc.ca>
Subject: Key messages on NEB report

Just keeping you in the loop.

Sent from my iPhone

Begin forwarded message:

From: "Howlett, Tim GCPE:EX" <Tim.Howlett@gov.bc.ca>
Date: February 22, 2019 at 11:17:30 AM PST
To: "Frampton, Caelie ENV:EX" <Caelie.Frampton@gov.bc.ca>
Subject: to print

Tim Howlett
Director of Issues Management
250.208.4828

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KEY MESSAGES

NEB Recommendations re TMX
Ministry of Environment and Climate Change Strategy
February 22, 2019

KEY MESSAGES:

- Our government has been clear that we, like many British Columbians, are deeply concerned by the risk that an oil spill poses to our environment, our coast, and the tens of thousands of jobs that depend on it.
- In our submission to the NEB, we said the proponent had not demonstrated adequate spill response plans or capacity. That's why we said the NEB should recommend against approval.
- We are disappointed the National Energy Board has recommended the approval of the project.
- We are still reviewing the report but note the NEB confirmed this project will have serious negative impacts on southern resident killer whales, and that the damage from a major spill would be significant.
- The Federal Government still faces significant challenges in its consultations with First Nations many of whom are adamantly opposed to this project.
- Our government maintains the project is unnecessary and continues to recommend the federal government abandon the project.
- Our government is proceeding with our reference case to confirm BC's jurisdiction to address the serious risks of diluted bitumen.

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KEY MESSAGES

- We remain convinced this project is not in the best interests of British Columbians and it puts the environment and southern resident killer whales at risk.
- We remain focussed on defending the interests of British Columbians and protecting our environment, our economy and our coast.

If asked about the reference question:

- We launched a reference case to confirm BC's jurisdiction to address the serious risks of diluted bitumen.
- We intend to proceed with that case.
- It concerns an important question of jurisdiction and B.C.'s ability to defend our economy and our coast and our ability and right to place conditions on projects that pose environmental risks
- We have said all along that we will defend B.C.'s interests and the tens of thousands of jobs that rely on B.C.'s clean environment – and that's what we will continue to do.

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KEY MESSAGES

What do you think about the 16 recommendations for the federal government?

- Our government has been clear that we are deeply concerned about risks that an oil spill poses to our environment, our coast and the tens of thousands of jobs that depend on it.
- The NEB has validated those concerns and said there will be serious adverse environmental impacts.
- This project is not in the best interest of BC.

If asked about upcoming spill preparedness regulations:

- Our government is working to protect our economy and our environment by having effective spill preparedness, response and recovery in place, while making sure those responsible for spills are also made responsible for fixing the environmental damage they've caused.
- We have reviewed all the feedback received on our latest intentions paper, as well as input from First Nations and Technical Working Groups and will be providing a policy update this March.
- We expect the second phase of regulations to come into effect this year. They will build on the first phase of regulations, and will continue to strengthen our rules around preparedness, response and recovery from potential spills.

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KEY MESSAGES

KEY MESSAGES—OIL BY RAIL:

- Our government takes the movement of oil by rail very seriously. We are committed to protecting people and the environment from the risks of diluted bitumen regardless of how it is shipped.
- We are confident in our right to protect B.C.'s environment, economy and coast from the consequences of a diluted bitumen spill.
- We know more needs to be done to mitigate potential spill risks and we will continue to work collaboratively with federal agencies.

IF ASKED ABOUT RAILWAY ORDERS:

- We are working to track volumes of crude oil shipped within B.C. so we can better protect our economy and environment, and increase public transparency.
- By collecting information on crude oil transport within B.C., we can enhance our spill preparedness, response and recovery in the province.
- We have issued an order to rail companies under new regulations requiring them to report volumes.
- The spill regulations we are proposing before the BC Court of Appeal would also apply to shipments of a diluted bitumen by rail.
- We want to ensure we fill the gaps in the science around the effects of a diluted bitumen spill and that we can be sure it can be cleaned up.
- We are taking action to make people safer in the face of an oil spill, regardless of how its transported.

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KEY MESSAGES

IF ASKED ABOUT ALBERTA PURCHASING MORE RAIL CARS:

- Our government is committed to protecting, people, our lands and waters from the risk of diluted bitumen regardless of how it is shipped.
- We've already introduced new regulations that apply to rail shipments to improve spill prevention, planning and response.
- We also have launched a reference case to confirm our authority to regulate the impacts of the movement of heavy oils within our borders.
- We will continue to use all our existing regulatory powers to protect the environment and communities.
- We are taking action to make British Columbians safer in the face of risks of bitumen transport, whether by rail or by pipeline.

An Alberta judge struck down BC's court challenge against legislation permitting Alberta to restrict oil flow to BC – is that a blow to your cause?

- The judge's ruling wasn't on the heart of the matter but just due to the fact that Alberta had not yet proclaimed the bill into law.
- We remain confident that Alberta could not use the supposed new powers because they are unlawful.
- The Alberta Government knows this as well, and has not attempted to proclaim the new legislation into force.

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KEY MESSAGES

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What about First Nations opposition to Coastal GasLink?

- LNG Canada has worked to make partners of First Nations and have signed agreements with all elected councils along the length of the project.
- At the same time it highlights that there is no quick fix to resolving issues that go back hundreds of years.
- Our government has engaged with the Wet'suwet'en hereditary chiefs in a new reconciliation process to advance this important work.

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KEY MESSAGES

Didn't your government announce hundreds of additional ferry sailings just this morning? Aren't you concerned about the impact of marine traffic on SRKW?

- Our government has been clear that we have a responsibility to defend BC's coast.
- We're all concerned about the impact that added tanker traffic would have on our marine wildlife, including southern resident killer whales.
- I know BC Ferries is looking at ways to electrify their vessels. Part of that work involves reducing underwater noise that impacts marine mammals.
- That said, the choices made by the old government to cut ferry services hurt people and coastal communities.
- My colleague, Minister Trevena, is working hard with BC Ferries to restore necessary services to coastal communities.

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KEY MESSAGES

BACKGROUND

Oil by rail—Alberta's plan to lease rail cars

The government of Alberta is leasing 4,400 cars for 5-years. Some cars will be branded with Alberta's logo.

What legal, policy or other provisions does BC have to regulate rail traffic?

We require anyone transported 10,000 litres or more of liquid petroleum products to develop and test spill contingency plans that demonstrate they can respond effectively to a spill. In the event they spill, we require specific response actions to be taken and could order a recovery plan requiring them to fully restore the environment of the impacts from the spill. We are currently before the EAB because rail companies are opposing our order to require them to provide us data about the shipment of crude/dilbit through BC.

Under what provisions would increased shipment by rail be acceptable?

At present, we have no ability to limit increased shipments to B.C., that's what the reference case is about, in part. We could audit rail companies spill contingency plans to ensure they have response capacity to match what they're transporting, BUT that doesn't limit them from increasing shipments.

Can we provide data on a potential increase in rail traffic as a replacement for the twinned pipe volume?

There is no way rail could match the capacity associated with the twinned pipe volume. The TMX expansion would result in approx. 500,000 more barrels of oil a day coming through B.C. to Port Metro Van (If AB requires 4,400 cars to move 120,000 barrels per day, then matching the twinning capacity would require nearly 15,000 rail cars.)

Timing on the reference question

We don't know exactly when we can expect an answer on our reference question, but an educated guess suggests 6 months to a year after the hearings in March.

Federal cabinet timing for a decision on TMX:

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KEY MESSAGES

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This seems to be confirmed by more recent news reports (Alaska Highway News, Feb 17, 2019):

The NEB's report today "starts the clock on a 90-day deadline for cabinet to decide whether the controversial project will proceed, a deadline officials are already signalling could be pushed back. A team of 60 people has been assigned to consultation teams that have met with 70 communities since October, but that leaves 47 affected communities still waiting for a meeting. There is no deadline for those consultations to wrap up, but officials in Sohi's office have told The Canadian Press a final decision on whether the pipeline proceeds won't be made until those they are complete. Meantime, cabinet is under immense pressure to decide the fate of the pipeline before the federal election in the fall."

OOP FOI PREM:EX

From: Smith, Jessica C AG:EX
Sent: June 17, 2019 9:01 PM
To: Hagglund, Jarrett PREM:EX
Cc: Sather, Kelly ENV:EX
Subject: BNs
Attachments: s.14

Hi Jarrett,

Two recent BNs from MAG attached. There is a longer IBN coming s.14
s.14 (requested by Tim/Amber) I'm tracking where it is in approvals with legal right now.

I'll be in Victoria tomorrow, but MDE can attend the briefing for PJH at 9am.

Thanks,

Jessica

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OOP FOI PREM:EX

From: Rochon, Jake PREM:EX
Sent: May 28, 2019 1:55 PM
To: Aaron, Sage PREM:EX; Bain, Don PREM:EX; Farmer, Susan PREM:EX; Girn, Naveen PREM:EX; Hagglund, Jarrett PREM:EX; Hockin, Amber PREM:EX; Holmwood, Jen PREM:EX; Howlett, Tim GCPE:EX; Kingston, Charlotte PREM:EX; Hold - 190624 - McConnell, Sheena PREM:EX; Meggs, Geoff PREM:EX; Nash, Amber PREM:EX; Smith, George PREM:EX
Subject: Correspondence Report - May 13th - May 27th

May 13th to May 27th

Topic:	Support of PGOV position	Want PGOV to	Total received
Bargaining for teachers	0	32	32
Carbon Tax/Gas Prices	0	38	38
Forest Fires	0	12	12
Kinder Morgan	0	106	106
Money Laundering	0	48	48
Old Growth Logging	0	32	32
Pain Management Guidelines	0	19	19
Surrey Police/RCMP	0	17	17
Total Weekly Mail			Approx. 456 (excl. topics logged in batches)

Hello everybody! Mostly a collection of our regular issues here. Money laundering saw a bump after Dr. German's second report. The TMX incomings increased significantly following the court of appeal decision:

Forest Fires – As we enter fire season, we begin to see standard forest fire related emails. They usually request harsher penalties for people caught tossing cigarettes or request the government use Martin Air Bombers to fight the fires.

Pain Management Guidelines – We are receiving complaints from recipients of routine procedural pain management treatments from private facilities. These treatments will now be administered at hospitals, as outlined by the College of Physicians and Surgeons. The Ministry of Health is taking the lead on response. Background info: <https://vancouver.sun.com/opinion/columnists/daphne-bramham-tougher-new-regulations-promise-more-agony-for-chronic-pain-sufferers>

As always, please let me know if you'd like any further clarification or examples of correspondence. Thank you for your time and have a great week!

Jake Rochon

Correspondence Coordinator
Office of the Premier
(250) 356-1906