

Plateau Pipeline Project and Stakeholder Involvement Policy Options and Recommendations

POLICY TEAM

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Overarching Problem

The project is a highly divisive issue and raises a whole host of considerations

Acute

The National Energy Board process fails to engage all interested parties

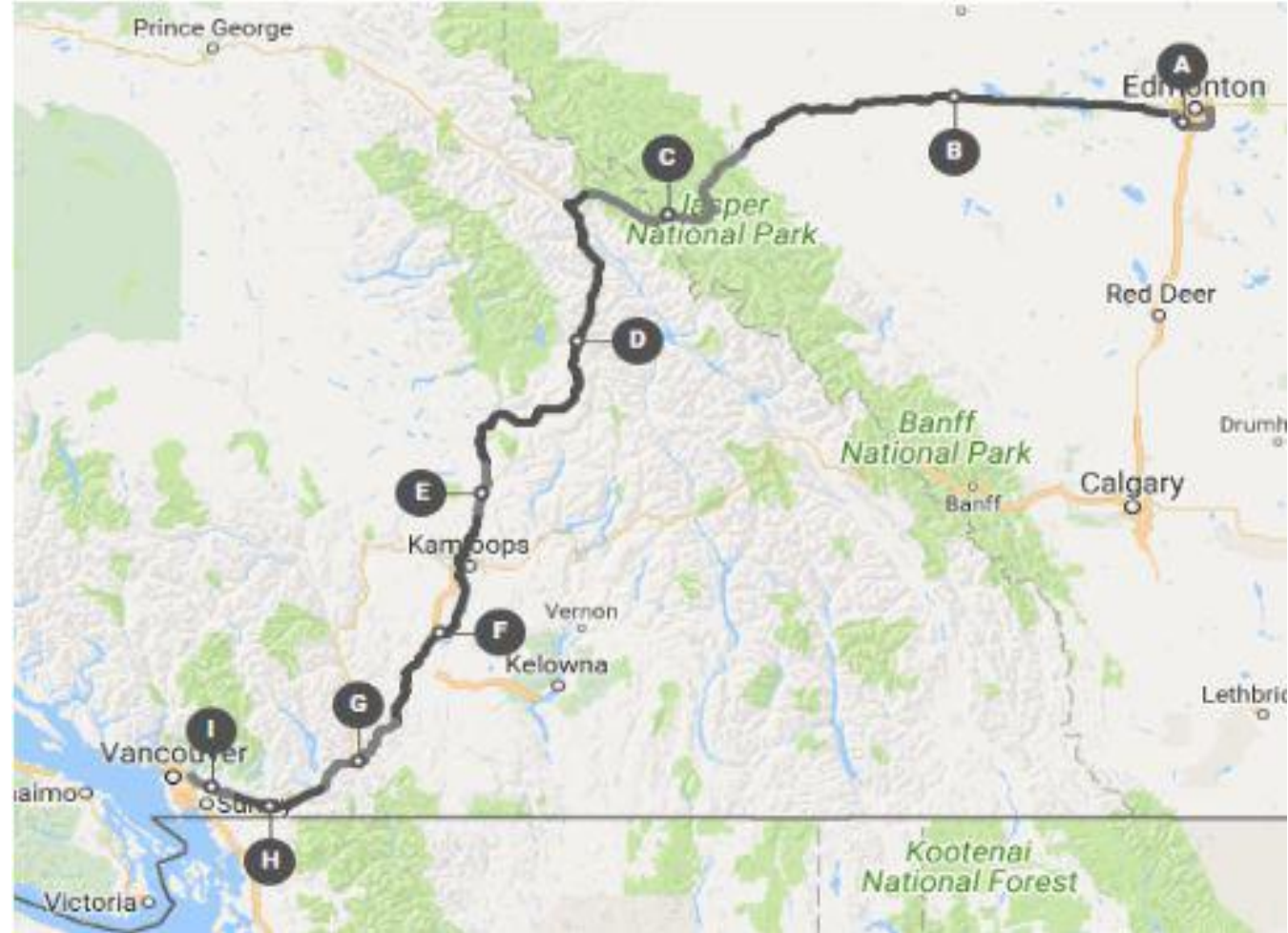
Chronic

The current consultation process prioritises federal over local interests

Background

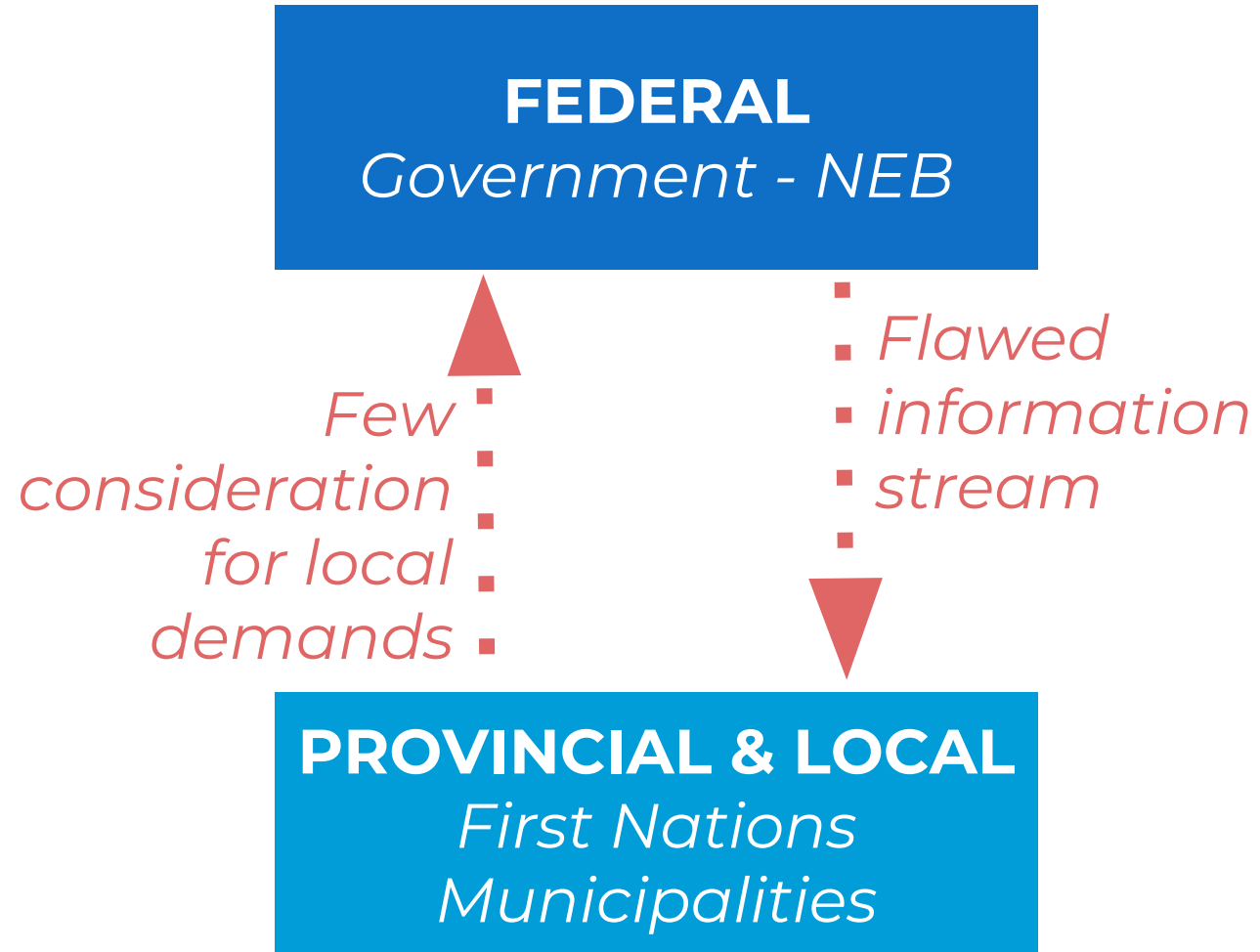
P3 Project

- 1200 km; 200m corridor
- Alberta and BC
- First line: 1957; Twin: 1985
- Proposed tripling: 2012



Process Evaluation

Current Process



**FEDERALLY-CENTERED
DECISION-MAKING**

Key Considerations

POLITICAL

- Ministers' Mandate
- Public Opinion in B.C. and Kamloops
- Several advocacy groups

ECONOMIC

- Increased revenues
Alberta & Federal Province & Municipalities
- Clean Futures
- Jobs
Direct & indirect
- Oil Instability
Risk of dividend crisis

SOCIAL

- Risk of spills
Quality of life
Health (water...)
- First Nations cultural heritage
Sacred Lands
- Opportunity to set a precedent on First Nations reconciliation

TECHNOLOGIC

- Third Line
Minimal new damages
- NEB
175 conditions and protections proposed

LEGAL

- Legal Process
NEB Report
Privy Council
- Constitutional Loophole
- First Nations Rights
Unceded territories
- Supreme Court
Tsilhqot'in Nation v. British Columbia (2014)
- UN
DRIP

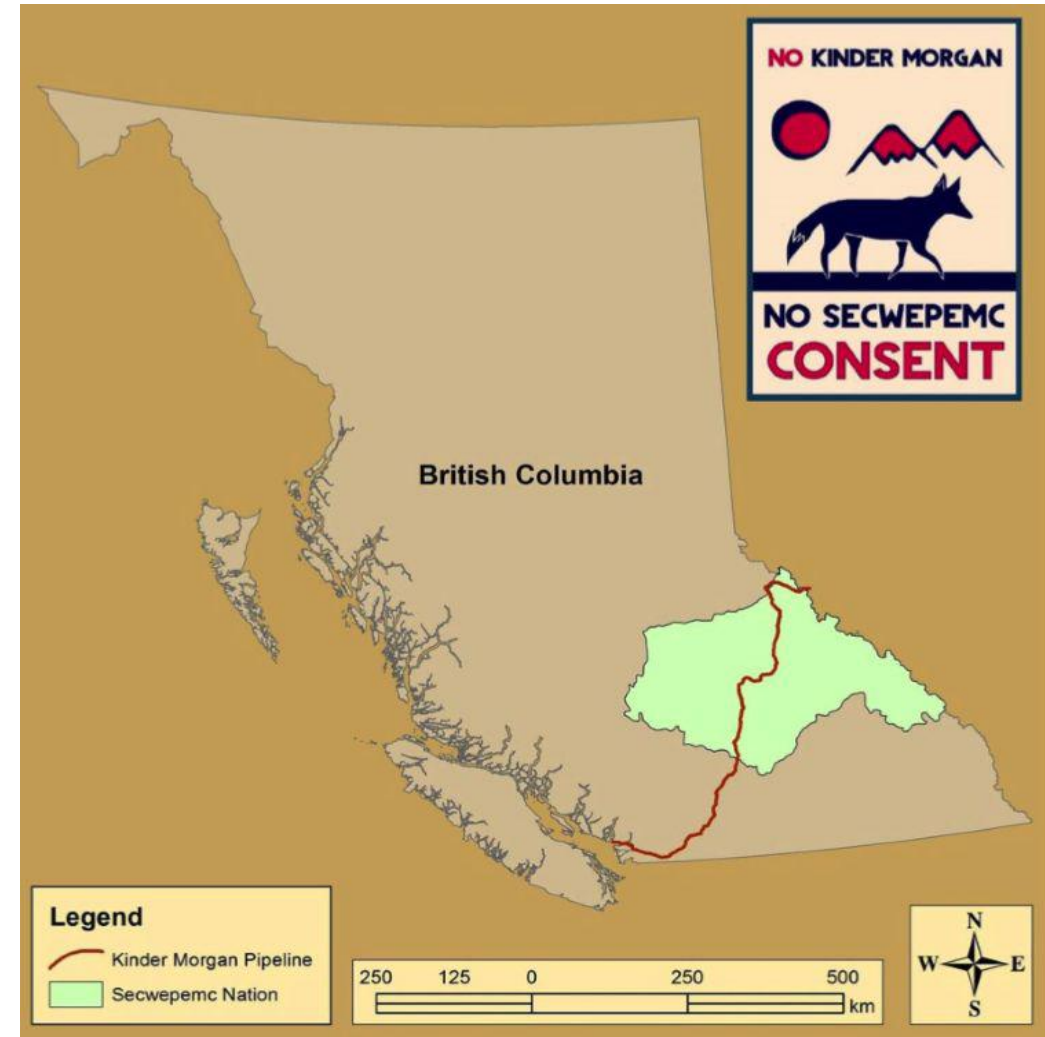
ENVIRONMENT

- Paris Agreement
CO2 +13 Mt / year
- Coastal Effects
Tankers +600%
- Protected species
- Deforestation
- Risks of Spills
Thompson River in Kamloops

Key Considerations

First Nation's stance

- Reconciliation Context
- Kamloops: **Secwepemc Nation**
- Report *Standing Rock on the North*, October 2017
- Agreements with Pronteau
→ Criticized
- Lack of Consultation



STRATEGIC OPTIONS

1. Defer to Federal Government
2. Legal Challenge
3. Towards a New Process



LOCAL

Engage stakeholders of Kamloops in P3 project in a way that is fair and that engages all sides / interests

PROVINCIAL

Increase trust and understanding of P3 project in all sites and throughout the province

FEDERAL

Draw on P3 experience and discussions in the Committee to write recommendations in order to overhaul the National Energy Board consultation process

1. Defer to Federal Government

Recognize National Energy Board primacy on consultation and implementation

PROS

- Option favoured by pipeline advocates
- No further initiatives needed from B.C. government

CONS

- Contravenes to the mandate of the Ministry of Environment
- Risks alienating key stakeholders

Options Analysis

2. Legal Challenge

Support legal action to challenge the
National Energy Board & Privy Council Ruling

PROS

- Option favoured by anti-pipeline advocates
- Consistent with the mandate of the Ministry of Environment

CONS

- Alienates pipeline advocates at provincial / federal levels
- Likely to hurt B.C.'s economy in the short run

3. Move Towards a New Process (RECOMMENDED)

Develop multi-purpose committee to fill in gaps of current National Energy Board process

PROS

- Robust and B.C. - centered: local interests and concerns are taken into account
- Brings in stakeholders from all sides of the debate

CONS

- The NEB might not recognize the legitimacy of this process
- Risks of being seen by public as ineffective

Goals

LOCAL

Engage and help organize local interests immediately

PROVINCIAL

Made-in-B.C. oversight of P3 consultation and implementation process

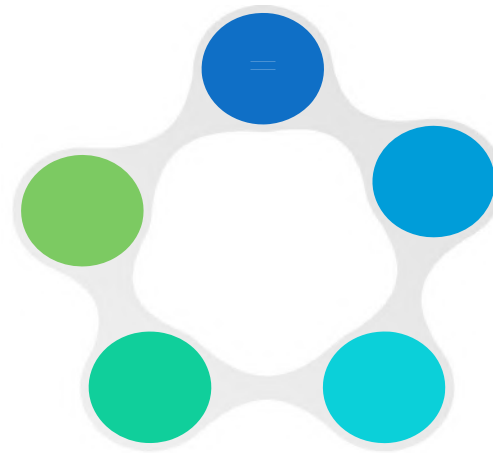
FEDERAL

Make recommendations for overhaul of NEB process going forward to make the process more locally-engaged

Committee Composition

FIRST NATIONS

MUNICIPALITIES



**PROVINCIAL
POLITICS**

ENVIRONMENT

BUSINESS

Action Plan

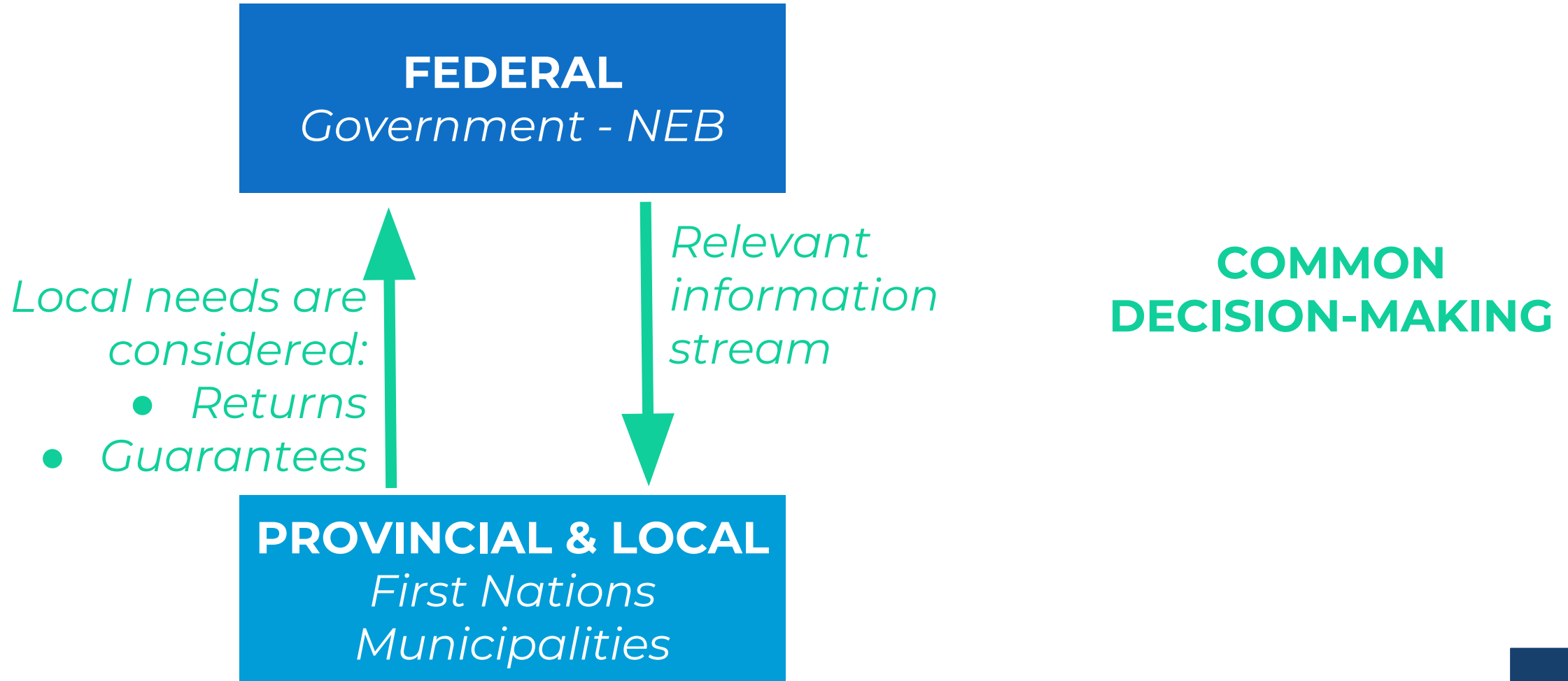
- 1) Form committee within 30 days
- 2) Identify and organize key stakeholders in Kamloops area
 - a) Secwepemc
 - b) British Columbia Conservation Foundation
 - c) Kamloops Chamber of Commerce
 - d) Construction and Specialized Workers Union Local 1611
 - e) Local engineering firms
- 3) Replicate process moving West
- 4) Liaise with Pronteau and federal partners to coordinate oversight process
- 5) Make recommendations to federal and provincial processes based on P3 experience

Risk Management

RISK	PROBABILITY	IMPACT	MITIGATION STRATEGY
NEB refuses to recognize legitimacy of committee	Medium	Medium	Develop communications strategy
Lack of trust - First Nations and locals - seen as ineffective	High	High	Involve relevant First Nations' representatives and government decision-makers
The Committee does not collect enough data for long-term recommendations	High	High	Require quarterly updates to government

Process Evaluation

Objective



“The provincial government intends to work with the federal government and communities throughout B.C. to ensure that the current and future review process of energy projects is B.C.-centered. This means engagement and consent of First Nations, sustained environmental protection and long-term economic growth.”

Summary and Concluding Remarks

- **Problem:** Multifaceted and divisive
 - Process is federally-centered; needs to be more locally-based
- **Three options:**
 - Recommendation - create multipurpose committee
- We believe this option best balances the interests of stakeholders within British Columbia and goes furthest towards achieving government mandates of:



**First Nations
Reconciliation**



**Environmental
Protection**



**Economic
Development**

**MERCI
THANK YOU**

Questions?

APPENDICES

A. Relevant Reports

B. Ministers' Mandate Letters



A. Relevant Reports

National Energy Board

- Report on Trans Mountain Expansion Project (May 2016)

Government of Canada

- Report from the Ministerial Panel for the Trans Mountain Expansion Project (November 2017)
- Trans Mountain Expansion Project - Final Report - Natural Resources Canada (November 2017)
- Joint Federal/Provincial Consultation and Accommodation Report for the Trans Mountain Expansion Project (November 2016)
- Trans Mountain Pipeline ULC - Trans Mountain Expansion Project - Review of Related Upstream Greenhouse Gas Emission Estimates (November 2016)

Indigenous Network on Economies and Trade

- Standing Rock of the North. The Kinder Morgan Trans Mountain Pipeline Expansion Secwepemc Risk Assessment (October 2017)

B. Ministers' Mandate Letters

Forests

*“Improve wildlife management and habitat conservation, and **collaborate with stakeholders** to develop long and short term strategies to manage B.C.'s wildlife resources.”*

Environment

*“Employ **every tool available** to defend B.C.'s interests in the face of the expansion of the Pronteau pipeline, and the threat of a seven-fold increase in tanker traffic on our coast.”*

Reconciliation

*“Work collaboratively and respectfully with First Nations to establish a clear, cross-government vision of reconciliation to **guide the adoption of the United Nations Declaration on the Rights of Indigenous Peoples**, the Truth and Reconciliation Commission Calls to Action, and the **Tsilhqot'in Supreme Court decision**.”*

Economic Development

*“Ensure that the benefits of technology and innovation are felt around the province by **working with rural and northern communities and equity-seeking groups to make strategic investments** that support innovation and job growth.”*