



RESPONSE TO PETITION

Prepare in English and French marking 'Original Text' or 'Translation'

PETITION NO.: **421-03190**

BY: **Ms. MAY (SAANICH-GULF ISLANDS)**

DATE: **FEBRUARY 5, 2019**

PRINT NAME OF SIGNATORY: **THE HONOURABLE AMARJEET SOHI**

Response by the Minister of Natural Resources

SIGNATURE

Minister or Parliamentary Secretary

SUBJECT

Oil and gas

ORIGINAL TEXT

REPLY

Natural Resources Canada thanks the petitioners for expressing their views about the proposed Trans Mountain Expansion Project. The Government of Canada always welcomes views from Canadians on the issues that matter most to them.

It is the responsibility of the federal government to help get Canada's natural resources to market, but that is only possible if we achieve the required public trust by addressing environmental, Indigenous peoples, and local concerns.

On May 29, 2018, the government purchased the existing Trans Mountain pipeline, including the proposed option to expand, when political risk made it too difficult for the private sector to continue. It is not the government's intention to be a long-term owner of the project. Instead, and at the appropriate time, the government will work with investors to transfer the project and related assets to a new owner in a way that protects the public interest.

The proposed Trans Mountain Expansion Project is currently undergoing a review process which will culminate in the Governor in Council making a new decision on whether or not to approve the project. The government's focus is addressing the issues raised in the August 2018 decision by the Federal Court of Appeal (FCA).

First, the government instructed the NEB to reconsider its recommendation, by taking into account the effects of project-related marine shipping. Following an intensive 22-week reconsideration process, the NEB submitted its report on the project with an overall recommendation that the Trans Mountain Expansion Project is in the Canadian public interest and should be approved, subject to 156 conditions and 16 new recommendations to the Government of Canada. This report marks an important milestone as the government follows the FCA's guidance.

Second, the government relaunched its Phase III consultations with Indigenous groups potentially affected by the project and has made significant progress to date. This includes establishing government consultation teams that are not only more than double the size of the original team used in 2016, but are made up of officials with the skills and training required to conduct a meaningful process. To date, Crown Consultation teams have met with over 100 communities and are actively engaging in meaningful, two-way dialogue that includes listening to concerns, responding to them, and finding solutions and accommodations where possible. As well, the Minister of Natural Resources continues to meet with potentially impacted Indigenous communities.

Ultimately, the Governor in Council will only make a decision on the future of the project once the Crown is satisfied that it has adequately fulfilled its duty to consult. At that time, the Governor in Council will also rely on the NEB Recommendation Report, bolstered by the Government of Canada's Interim Principles for major project reviews.

In terms of the review process, the Government of Canada updated the NEB process in early 2016 with the Interim Principles for Pipeline Reviews, which require that:

- no project proponent will have to return to the start line, project reviews will continue within the current legislative framework and in accordance with treaty provisions;
- decisions will be based on science, traditional knowledge of Indigenous peoples and other relevant evidence;
- the views of the public and affected communities will be sought and considered;
- Indigenous peoples will be meaningfully consulted, and where appropriate, impacts on their rights and interests will be accommodated; and
- direct and upstream greenhouse gas emissions linked to the projects under review will be assessed and made public.

The Government of Canada has also introduced new environmental assessment legislation which will put in place better rules to protect the environment, fish and waterways, respect Indigenous rights, and restore public confidence in how decisions about resource development are made. This new legislation reflects values that are important to Canadians — including early, inclusive and meaningful public engagement; nation-to-nation, Inuit-Crown, and government-to-government partnerships with Indigenous peoples; timely decisions based on the best available science and Indigenous knowledge; and sustainability for present and future generations.

In addition to these efforts, the government is committed to meeting its climate change goals. In October 2016, Canada ratified the Paris Agreement: a historic, ambitious, and balanced agreement between Canada and 194 countries to fight climate change. Together with international partners, the government agreed to strengthen the global response to limit the global average temperature rise to well below 2 degrees Celsius as pursue efforts to limit the increase to 1.5 degrees. Canada's submission to the Paris Agreement included a 2030 target of at least 30% below 2005 levels.

Building on commitments and actions already taken by provinces and territories and the momentum from the Paris Agreement, in December 2016 the Prime Minister, Premiers, and Indigenous leaders adopted Canada's clean growth and climate plan to take ambitious action to fight climate change, adapt and build resilience to the changing climate, and drive clean economic growth. A landmark achievement, the Pan-Canadian Framework on Clean Growth and Climate Change is the first climate change plan in Canada's history to include joint and individual commitments by federal, provincial and territorial governments and to have been developed with input from Indigenous peoples. The Pan-Canadian Framework outlines over 50 concrete measures to reduce carbon pollution, help Canada adapt and become more resilient to the impacts of a changing climate, foster clean technology solutions, and create good jobs that contribute to a stronger economy.

The government has already implemented national pollution pricing, and passed regulations to reduce greenhouse gas (GHG) emissions in the oil and gas sector which will reduce methane emissions by 45% by 2025. Additionally, GHG emissions from the Alberta oil sands will be capped at 100-megatonnes a year.

The Government of Canada also continues to implement its Oceans Protection Plan (OPP), a world-leading marine safety and environmental protection system, to enhance marine oil spill prevention, emergency preparedness, and response measures.

At \$1.5 billion, the OPP is the single largest investment of its kind in Canadian history and includes the following measures:

- Partnering with coastal and Indigenous communities;
- Strengthening the "eyes and ears" of the Canadian Coast Guard to ensure better communication with vessels;
- Making navigation safer;
- Putting more enforcement officers on the coast;
- Adding new radar sites in strategic locations, and;
- Allocating \$80 million to conduct research on the fate and behaviour of diluted bitumen in marine settings.

As well, the *Pipeline Safety Act* was implemented in 2016 to ensure that pipelines remain the safest, most efficient and reliable way to move resources to market. This Act includes new measures to strengthen incident prevention, preparedness and response, as well as liability and compensation provisions for federally regulated pipelines.

Canadians want the country's resources to be developed in a way that will grow the economy, create good middle-class jobs, respect the rights of Indigenous peoples, and protect the environment. That remains the government's focus.