Response from letter sent August 20 regarding LNG/Kitimat

Reference: 343399

September 24, 2019

Alan E. Burger, PhD
President
BC Nature (Federation of BC Naturalists)
Email: aburger@uvic.ca

Dear Dr. Burger:

Thank you for your letter of March 4, 2019, addressed to the Honourable John Horgan, Premier, regarding the LNG Canada proposal in Kitimat. As Minister of Environment and Climate Change Strategy, I am pleased to respond on behalf of Premier Horgan and I apologize for the lengthy delay in doing so.

I appreciate your thoughtful comments on the proposed LNG Canada development. I would like to address each of your four concerns as well as respond to your questions.

**Impacts on Climate Change**

I share your deep concern about climate change. As you may know, the Province has added emission reduction targets for 2030 and 2040 (40 percent and 60 percent below 2007 levels, respectively), which are in line to achieve our part of Canada’s Paris commitments. We are aware of the latest scientific reports on climate change and are committed to taking strong actions that address greenhouse gases and build a healthy low-carbon economy.

The Province’s [CleanBC plan](#) shows the pathway for achieving BC’s emission reduction targets in the context of the LNG Canada development. This plan will be updated regularly to ensure we remain on the path to our emission reduction targets.

Development of some LNG does not preclude achieving the Province’s emission reduction targets, although it does make it more challenging. To address this, BC has set the strongest carbon price on greenhouse gas emissions in North America. We also have four key conditions that must be met for proposals from this industry and which LNG Canada’s proposal was evaluated against:

1. Proposals must include jobs and training opportunities for British Columbians;
2. Proposals must provide a fair return for our resource;
3. Proposals must respect and make partners with First Nations; and
4. Proposals must protect our air, land and water including living up to our climate commitments.

We recognize that LNG development, from gas extraction to liquefaction, is an energy- and emissions-intensive process. The Province has taken important steps to reduce these emissions. BC has recently finalized regulations to reduce methane emissions from the oil and gas sector by 45 percent by 2025. Additionally, an electricity transmission line was recently completed to help natural gas facilities switch
to using electricity rather than natural gas for their power needs, and another is in development. Finally, the Province is also implementing the CleanBC Program for Industry, which will support an ever cleaner industrial sector in BC.

As part of CleanBC, a new accountability framework is being developed to ensure the latest most relevant information is accessible as soon as possible and we will continue to provide comprehensive reports on our progress under the *Climate Change Accountability Act*. We also welcome the feedback from the Climate Solutions and Clean Growth Advisory Council, which will continue to report publicly on government’s progress.

**Hydraulic Fracturing Process**

A recent independent scientific review of hydraulic fracturing in British Columbia was conducted, and the Ministry of Energy, Mines and Petroleum Resources has developed a phased approach to implementing the scientific panel’s 97 recommendations. Short- and long-term action plans are being released this year. I note that you provided Minister Mungall a copy of your letter.

**Effects of Marine Shipping**

Marine transport falls under the jurisdiction of the federal government. You have shared your letter with The Honourable Catherine McKenna, Minister of the Environment and Climate Change Canada, and you may wish to also engage with The Honourable Jonathan Wilkinson, Minister of Fisheries, Oceans and the Canadian Coast Guard.

British Columbia is committed to working with Indigenous Peoples; Canadian and US federal governments; and the States of Washington, Alaska and our other Pacific Northwest partners to protect the coast of BC. We will continue to work with these partners in the spirit of respect, recognition and reconciliation.

**Kitimat Wetlands**

Habitat offsets fall under the responsibility of Environment and Climate Change Canada. I note that the Haisla Nation has expressed its support for LNG Canada in an open letter, writing that the project “will make the right choices to maintain and enhance the environment.”

I am pleased to provide the following responses to your specific questions about the LNG Canada project:

1. **Was the extensive Minette Bay data research from the May 2016 Kitimat Estuary bioblitz considered in the company’s mitigation plans?**

   During the environmental assessment, Minette Bay was considered in the assessment of potential effects for relevant valued components (for example, marine birds and fish, and fish habitat), as identified in the approved Application Information Requirements issued by the BC Environmental Assessment Office in 2014.

2. **Will the government and company commit to meaningful follow-up monitoring of the overall effects of their plans? If there are unanticipated losses of wetland functions will the government and the company commit to follow-up compensation?**
All activities relating to compensation and mitigation have a monitoring component associated with them. All of the monitoring activities are the responsibility of the company, with an understanding that the provincial and federal governments will be the reviewing authority as it pertains to their respective management jurisdictions. Condition 10 (Wetland Compensation) of the Environmental Assessment Certificate requires the certificate Holder to develop a wetland compensation plan that is consistent with the Federal Policy on Wetland Conservation and compensate for any permanent loss of wetland function for red-listed or blue-listed wetlands and estuarine communities.

3. **Will affected Red- and Blue-listed plant species be transplanted and studied in documented follow-ups?**

Condition 8 of the Environmental Assessment Certificate requires that LNG Canada prepare and implement a Vegetation Management and Monitoring Plan. The Plan is based on the results of pre-construction habitat assessment surveys for red- and blue-listed plants and communities, and is required to include mitigation measures to avoid or minimize impacts to red- and blue-listed plants and communities, including a pre-construction salvage and translocation program, and a contingency plan to mitigate adverse effects if there are plants or communities discovered in addition to those identified in the habitat assessment surveys. The Environmental Assessment Office Compliance and Enforcement Branch inspects against Environmental Assessment Certificate conditions to monitor compliance with Certificate requirements.

4. **Does any research support the effectiveness of adding copious quantities of alienated gravel to mud-flat habitats?**

Marine habitat falls under federal jurisdiction and I recommend that you engage with Minister Wilkinson on this question. The *Fisheries Act* authorization for LNG Canada has details on the marine fish habitat offsetting plan, including creation of salt marsh habitat in Minette Bay and effectiveness monitoring requirements.

5. **Why can’t LNG Canada plans be adjusted to allow more of the productive mud flats to remain available to migratory and local birds?**

Potential environmental effects and ways to avoid, minimize or mitigate those effects were examined during the Environmental Assessment. Construction related management plans that set out how the company must identify and manage potential effects to the environment have been completed and are publicly posted on the Environmental Assessment Office’s website. These plans have been reviewed by the relevant technical experts from government agencies and First Nations.

6. **Will the government and the company commit to a more meaningful consultation process which will consider local knowledge that could avoid problematic environmental decisions?**

The public consultation process for the Environmental Assessment has concluded. This process was led by the BC Environmental Assessment Office and included consultation throughout the process, including four open houses and two public comment periods, in addition to the public consultation efforts undertaken by LNG Canada on their own. Additionally, there was significant engagement with Haisla Nation and other Indigenous Peoples from the area throughout the Environmental Assessment process on all aspects of the Environmental Assessment. There are conditions within the Environmental Assessment Certificate that require LNG Canada to undertake ongoing consultation.
with Indigenous Peoples and the public. For example, Condition 22 requires ongoing consultation by LNG Canada with Indigenous Peoples and the public during construction and up to one-year post operations. Condition 17 requires a marine activities plan that requires ongoing monitoring and mitigation of effects to marine users, including stakeholders and Indigenous Peoples.

I assure you that the government is mindful of the need to preserve and protect our environment. We are committed to reaching our legislated targets and fully implementing and building on CleanBC.

Sincerely

George Heyman

Minister

cc:
Honourable John Horgan, Premier
Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development
Honourable Michelle Mungall, Minister of Energy, Mines and Petroleum Resources
Betty Davison, Office Manager, BC Nature (manager@bcnature.ca)