

RECOMMENDATIONS TO MAKE
PUBLIC ENGAGEMENT MEANINGFUL
AND RESTORE PUBLIC TRUST

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December 11th 2016

I would like to thank you for the opportunity to present to you today, and to help inform this review of CEAA 2012. As a little background, I have the equivalent of a masters in marine science, and I work as a visual science communication consultant for universities, governments, and organizations around the world. Over the last few years I have personally participated in the environmental assessments for several different projects, including Garibaldi at Squamish, Woodfibre LNG, Pacific Northwest LNG, and the Burnco gravel mine. From these experiences I have come to the conclusion that the existing Environmental Assessment process is completely broken. Today I will be speaking to a few of these key issues, and make some recommendations on how to make public engagement meaningful and restore public trust in this process.



First experience with an environmental assessment, for Garibaldi at Squamish. I had heard about the public comment period, but the BC EAO website is so difficult to navigate that I couldn't figure out how to participate. Only one of these links will take you to the right place: you have to click on "Environmental Assessment Office" on the left menu system...

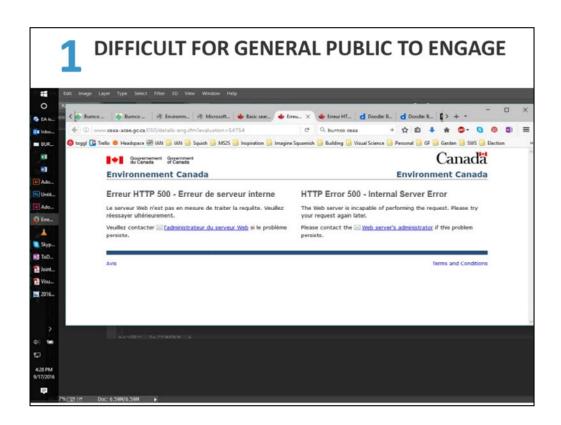
NOTE: This screenshot is from a project that is currently going through a public comment period, captured 2016-12-10



...and the entire menu system will change to access the public comment forms...



...provided that the website is working, which it often doesn't. The reason I bring up this issue is because the website is the first point of contact for many people that are trying to participate in this process.



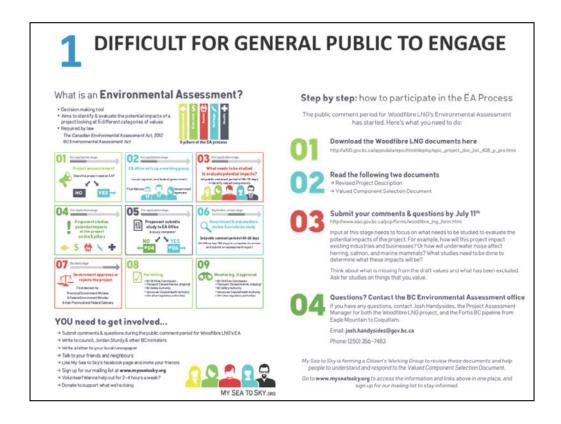
Ease of navigation and the search functionality on the CEAA website is similarly challenging, and the website was down for an entire weekend during the recent public comment period for BURNCO gravel mine.



Recognizing how difficult it is for the general public to understand and participate in the process, when the environmental assessment for Woodfibre LNG started, I created a presentation to explain how the process works... https://www.youtube.com/watch?v=R1OcbSrluqQ



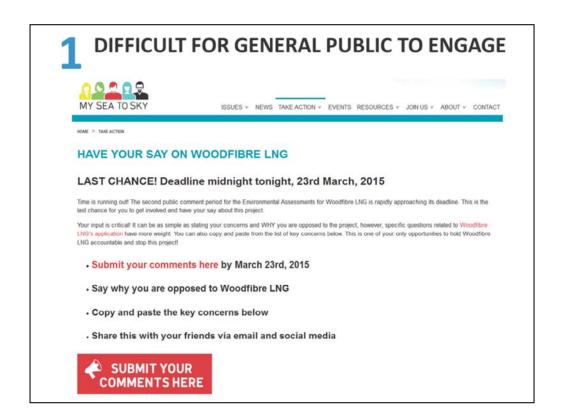
We mobilized our communities to attend the open houses...



... and created a handout with instructions to help people to participate in the process.



We created a social media campaign to remind people to participate, and provided direct links to the public comment form...



... and set up a website with a list of the key issues that were compiled by a citizens working group.

1

DIFFICULT FOR GENERAL PUBLIC TO ENGAGE

OUTCOME

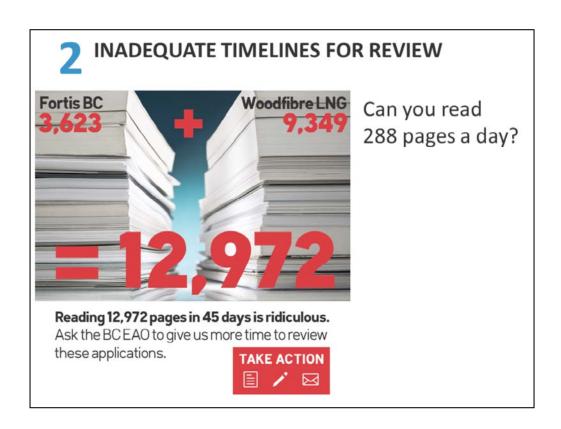
We submitted the most public comments for any Provincial Environmental Assessment, ever.



1 DIFFICULT FOR GENERAL PUBLIC TO ENGAGE RECOMMENDATIONS

- Overhaul the process to facilitate community awareness and engagement. Make it simple.
- Redesign BC EAO/CEAA websites to allow public to easily access information and comment directly from the project information page.
- Visual representation of where the project is in the EA process with simple explanations.
- One-click to download all materials for each separate public comment period.





The public comment periods for the proposed FortisBC pipeline & compressor station and the proposed Woodfibre LNG project were held at the same time. These projects should have gone through a combined EA as there wouldn't be a pipeline without Woodfibre LNG, and vice versa.

INADEQUATE TIMELINES FOR REVIEW

Legislated timeline of providing one week's notice to advertise dates of open houses and the start of public comment periods is not adequate for meaningful public consultation.



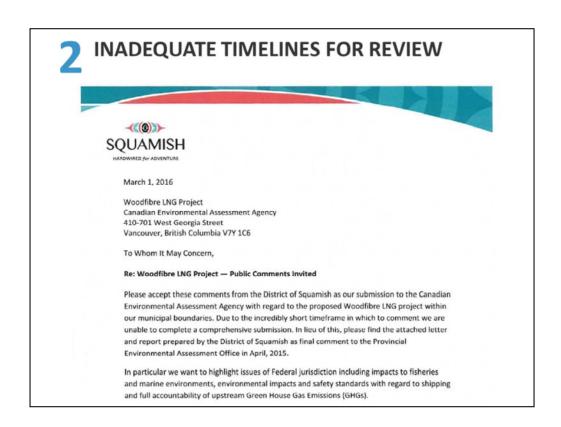
This is a "drop everything" moment for our communities.

INADEQUATE TIMELINES FOR REVIEW

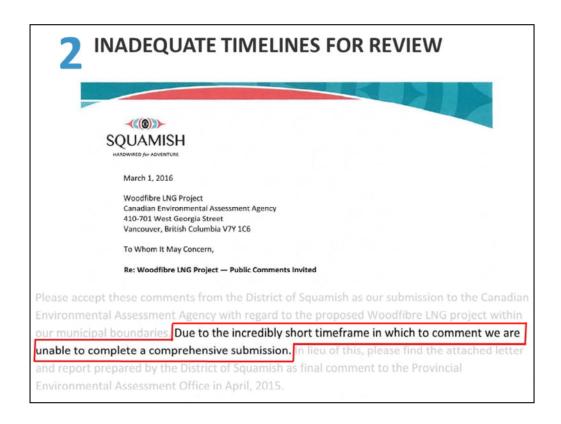
A recent review of the Environmental Assessment process stated that "a process that limits the time for government and stakeholders to scrutinize applications is unfair given that proponents are typically far less restricted in how long they have to assemble their applications."

Chris Joseph, Thomas Gunton, & Murray Rutherford (2015) Good practices for environmental assessment, Impact Assessment and Project Appraisal





The lack of adequate notice also impacts local government and the working group. NEXT SLIDE

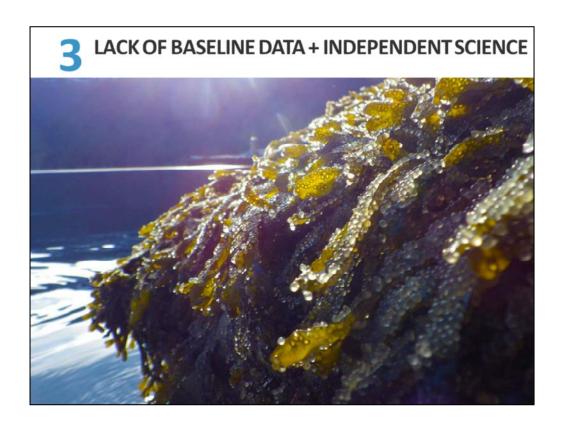


This is a letter from the District of Squamish in response to the recent CEAA public comment period on greenhouse gases. The letter, signed by Mayor Patricia Heintzman, notes that "Due to the incredibly short timeframe in which to comment we are unable to complete a comprehensive submission." This was an issue for other communities around Howe Sound, and for members of the working group.

2 INADEQUATE TIMELINES FOR REVIEW RECOMMENDATIONS

- Recognize that participating in the EA process is onerous for general public + local government.
- Increase the legislated notice for open houses to 1 month.
- Increase the legislated time for public comment to a minimum of 3 months to allow for meaningful public engagement (more for larger documents).
- · Avoid concurrent public comment periods.
- Avoid public comment periods over Christmas.
- Provide materials in advance and include synthesized materials from open house displays.
- Host open houses at beginning of public comment period to allow for follow-up Q's with consultants.

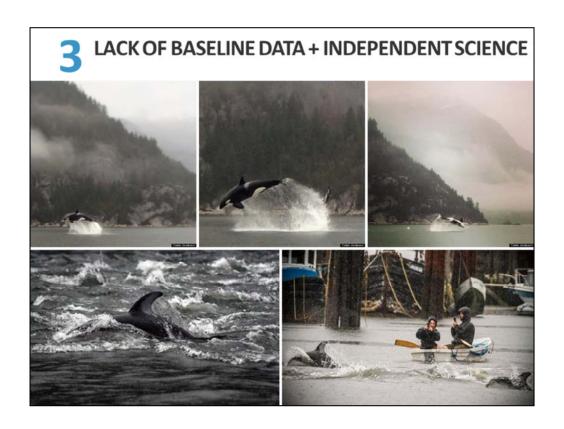




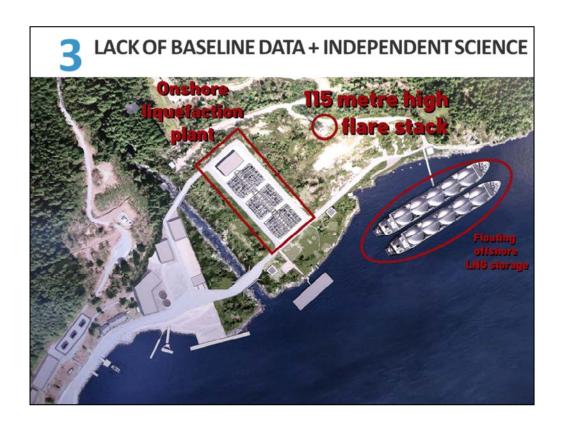
The herring are returning to Howe Sound and they are thriving. This photograph of herring eggs on kelp was taken in February 2013 by a local citizen scientist, John Buchanan, and you can see the proposed Woodfibre LNG site in the background.



When the herring return, the dolphins and whales follow. On a miserable day in March 2014, a pod of hundreds of Pacific white-sided dolphins swam into the Blind Channel in Squamish to escape the orcas that were hunting them. It was pouring rain, miserably cold, and all of Squamish came out to watch the show.



And what a show! This is National Geographic on our doorstep. All of this is at risk.

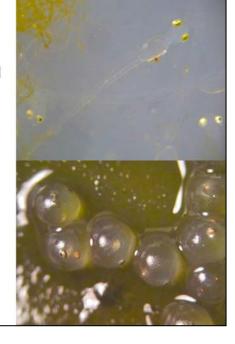


Because Woodfibre LNG proposed to use an outdated seawater cooling system to cool the onshore liquefaction plant.

2 LACK OF BASELINE DATA + INDEPENDENT SCIENCE

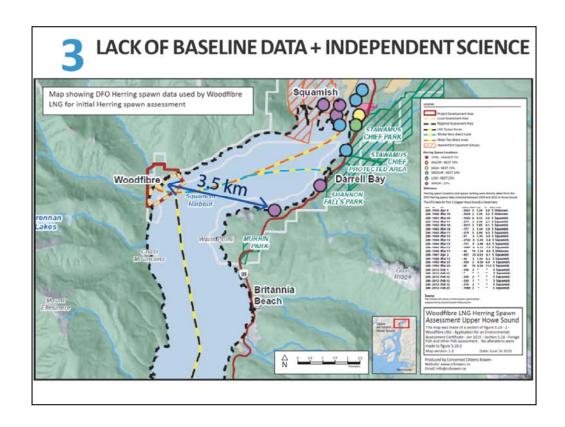
Fisheries and Oceans Canada (DFO) guidelines recommend industrial marine water intake pipes be located at least 2 km from documented herring spawn areas.

According to federal guidelines, marine intakes can have, "severe impacts on marine resources." The guidelines state herring eggs and larvae are particularly vulnerable.

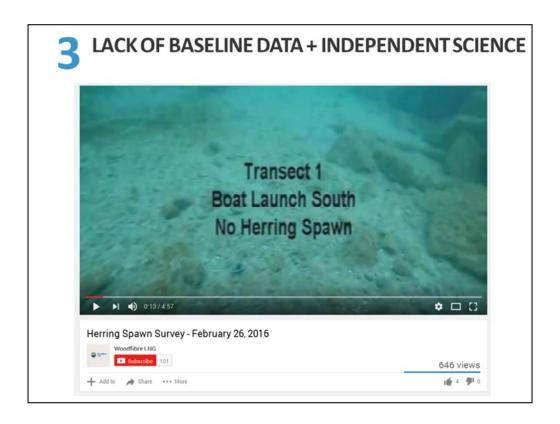




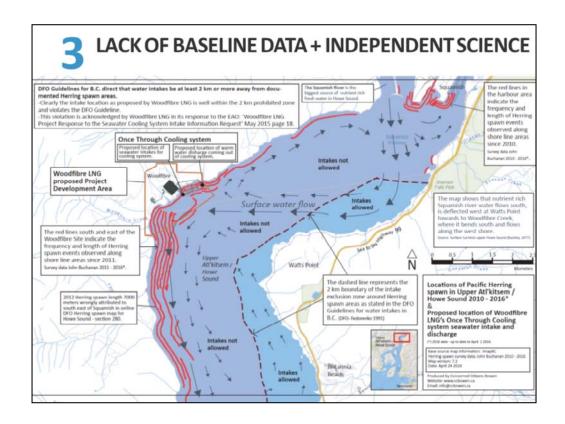
Fisheries and Oceans Canada (DFO) guidelines recommend industrial marine water intake pipes be located at least 2 km from documented herring spawn areas, as herring eggs and larvae are particularly vulnerable.



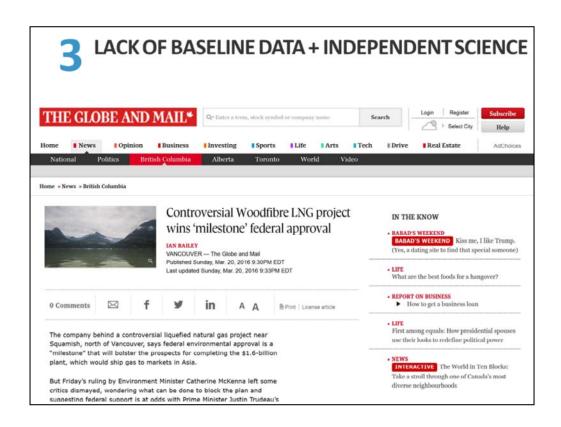
DFO herring spawn data used by Woodfibre LNG for initial herring spawn assessment.



Consultants paid for by the proponent couldn't find any herring either. This is not peer-reviewed science.

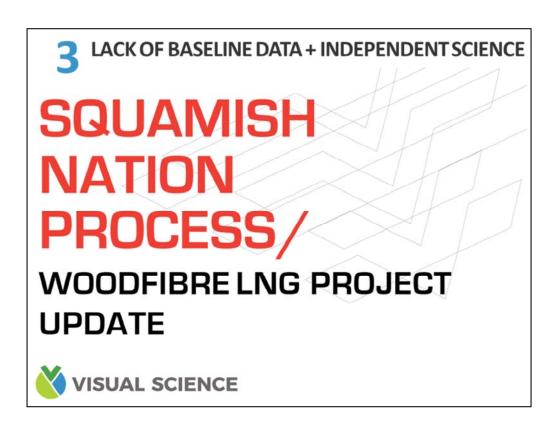


Fortunately, local citizen scientist, John Buchanan, has been monitoring herring spawn around Howe Sound since 2010. This map was created by one of our partner organizations, Concerned Citizens Bowen. Each of the red lines on the map indicate herring spawn for each year, and you can see that herring are spawning directly at the proposed Woodfibre LNG site and at other locations well within the 2 km guideline.



Despite this lack of baseline data, and despite being made aware of the available citizen science data, Woodfibre LNG was approved by both the Provincial and Federal EA process.

http://www.theglobeandmail.com/news/british-columbia/controversial-woodfibre-Ing-project-wins-milestone-federal-approval/article29307746/



It was left to Squamish Nation, through their separate environmental assessment process, to hold Woodfibre LNG accountable.

2 LACK OF BASELINE DATA + INDEPENDENT SCIENCE

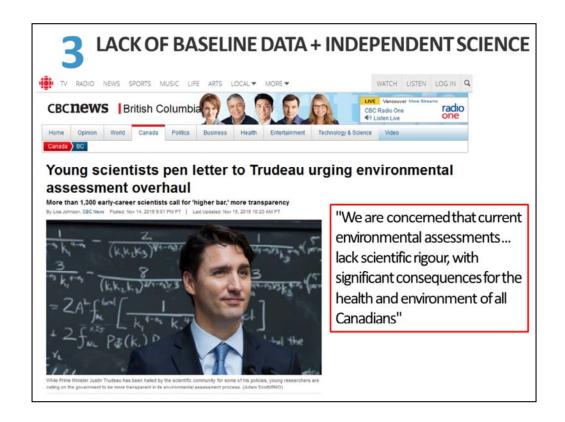
- The Agreement is a conditional approval of the LNG plant based on WLNG (Woodfibre LNG) meeting all 13 conditions by the Squamish Nation. If WLNG fails to meet even one condition the SN can revoke our agreement It provides legal strength for the Nation to hold WLNG to the Agreement. It legally binds WLNG to meet all conditions
- 7. WLNG must dev Management Pr Nation authority Environmental N
- 8. WLNG will provid protect ALL SN r or injury due to p
- Forces WLNG to conduct further independent studies on current and alternate cooling techniques a. The Squamish Nation (SN) will have the final say on which technology gets picked. (Squamish Nation consent). b. If WLNG doesn't comply with SN decision the Nation can take Legal Action
- WLNG cannot ex Squamish Natio
- WLNG cannot al LNG tankers any
- 11. WLNG will condumarine mamma

In their list of 25 conditions, Squamish Nation forced Woodfibre LNG to provide further information on alternative cooling techniques, and to allow Squamish Nation to make the final decision on what cooling system WLNG must use. http://www.squamish.net/woodfibre-nov2016/



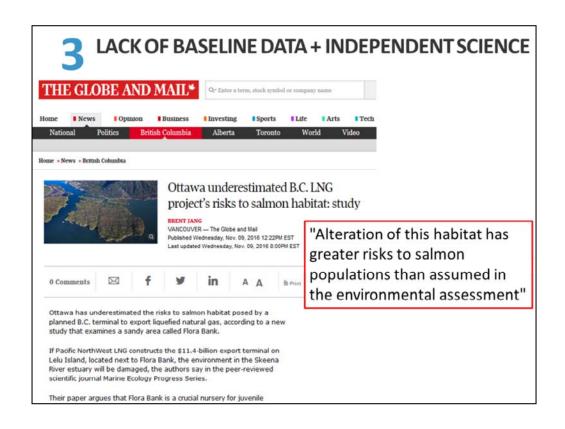
Squamish Nation recently announced that they have chosen air-cooling system. This is shameful that Squamish Nation's process is more comprehensive that the Provincial and Federal environmental assessment. This example really highlights the inadequacy of the EA process to review proponent-supplied science.

http://www.squamishchief.com/news/local-news/sea-cooling-system-out-air-cooling-system-in-1.2371049



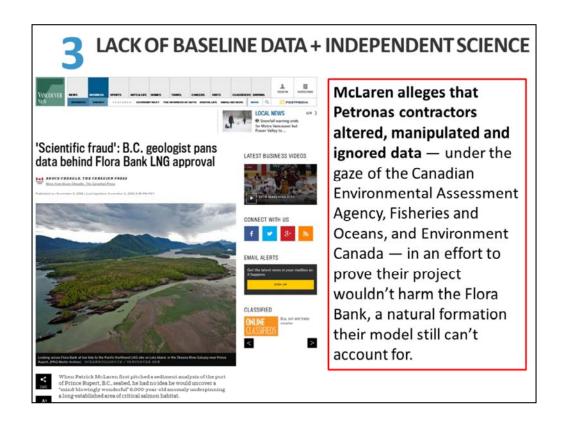
This issue applies to all recent EAs, with 1,300 young scientists urging PM Trudeau to overall the EA process as "We are concerned that current environmental assessments lack scientific rigour, with significant consequences for the health and environment of all Canadians."

http://www.cbc.ca/news/canada/british-columbia/young-scientists-letter-trudeau-1.3850583



A study printed in the peer-reviewed scientific journal Marine Ecology Progress Series noted that "Alteration of this habitat has greater risks to salmon populations than assumed in the environmental assessment."

http://www.theglobeandmail.com/news/british-columbia/ottawa-underestimated-bc-lng-projects-risks-to-salmon-study/article32760942/?ord=1



Another scientist goes even further, alleging that "Petronas contractors altered, manipulated and ignored data" which constitutes scientific fraud. This is the problem with science that is bought and paid for by the proponents.

http://vancouversun.com/business/energy/scientific-fraud-b-c-geologist-pans-data-behind-flora-bank-lng-approval

3 LACK OF BASELINE DATA + INDEPENDENT SCIENCE RECOMMENDATIONS

- Recognize that science paid for by the proponent has an inherent bias (conflict of interest).
- Restore funding to government agencies to collect baseline data for all five EA pillars.
- Incorporate a mechanism to include data from citizen scientists, and assess these competing scientific perspectives in a sound, fair, and balanced way.
- Require independent, peer-reviewed science paid for by proponent but hired & managed by separate entity to remove conflict of interest.





Squamish townhall on 27th February 2016, organized by our local MP, Pamela Goldsmith-Jones to gather input during the CEAA public comment period. The room overflowed with so many people they had to set up chairs on the stage. NOTE: Only one person spoke in support of the project. These comments were all video-taped by Pamela's office. We also have footage available here: https://www.youtube.com/watch?v=fkxpp3xQyas



The next day at the West Vancouver townhall on 28th February, it was standing room only and people overflowed in the corridors. The same thing happened in Gibsons a few days later, with people turned away from the townhall as the venue was over capacity.

4 LOSS OF TRUST: PUBLIC ENGAGEMENT IS MEANINGLESS

- Less than three weeks later, Minister McKenna approved the EA for Woodfibre LNG
- CEAA hadn't finished uploading all of the public comments yet, let alone allowed enough time to review the scientific validity of concerns raised by the general public
- · Participating in the EA process is futile



Participating in the EA process is futile.



We have held protest after protest after protest after protest....
This was the first demonstration we held on the day the Gondola opened in 2014-05-16. Approximately 120 took time off from work to join us. Christy Clark was meant to attend the opening, but she decided not to come because we're so scary!



15th July 2014 – outside council chambers to protest drilling test boreholes in our estuary. Council postponed the decision.

https://www.youtube.com/watch?v=x2Jam0swsjU



Then there was an election and Squamish elected a council that was willing to say no to Woodfibre LNG. When the permit was before council again we held another protest to support the newly elected council, and they denied FortisBC the permit to drill in our estuary. 2014-11-08

https://www.youtube.com/watch?v=bwCvkbnbWa0



2015-03-29 Defend the Salish Sea (organized in partnership with Skwomesh Action).

https://www.youtube.com/watch?v=8HOHjsm3dQU



Flotilla to protest Woodfibre LNG 11th July 2016 (organized in partnership with Concerned Citizens Bowen)

https://www.youtube.com/watch?v=I8bOKK9zZKc



2015-09-12 Rally from Sea to Sky (we had people lining the highway in communities along the route of the Gran Fondo)



Delivering the Howe Sound Declaration to Pamela Goldsmith Jones with 8,000 signatures at the townhall on 27th February 2016. https://www.youtube.com/watch?v=fkxpp3xQyas



Lots of passion. Lots of dedicated people willing to do whatever it takes to protect Howe Sound. Break Free from Fossil Fuels rally 2016-05-14 https://www.youtube.com/watch?v=tXDOkNmRMBo



2016-11-20 Stand with Water Protectors (organized in partnership with Skwomesh Action)

https://www.youtube.com/watch?v=aKqXgweoQwE



We have collected more than 10,000 signatures on the Howe Sound Declaration in opposition to this project.

http://www.myseatosky.org/declaration

4 LOSS OF TRUST: PUBLIC ENGAGEMENT IS MEANINGLESS

Resolutions on tanker bans

- Lions Bay
- Gibsons
- West Vancouver
 - Bowen Island

Squamish council votes no to drilling test boreholes

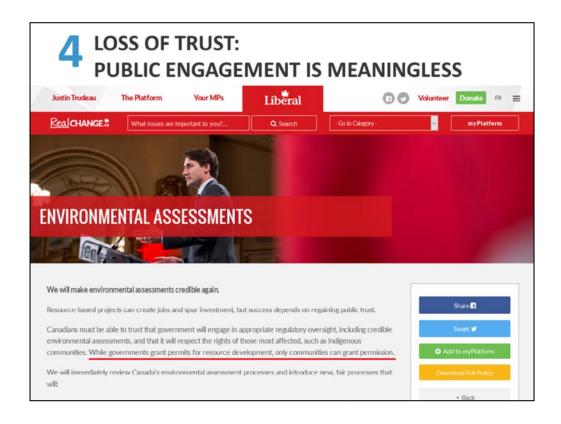
Squamish council states Woodfibre LNG proposal is unsupportable as it stands





Every community around Howe Sound has expressed their opposition to this project.

List of municipal resolutions and votes: http://www.myseatosky.org/no_social_license



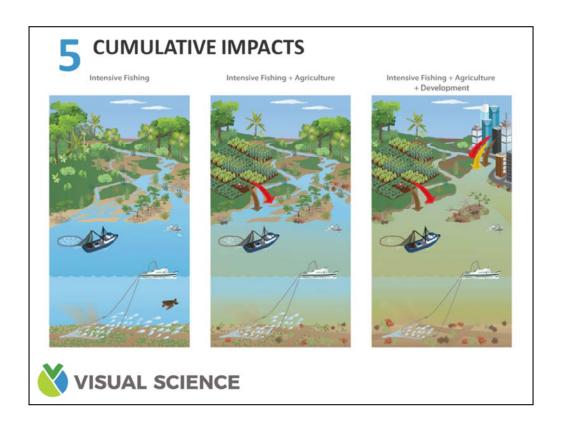
The Federal Liberals ran on a platform to make environmental assessments credible again. Prime Minister Justin Trudeau famously said that "While governments grant permits, only communities grant permission. I call on all of you to honour this promise.

https://www.liberal.ca/realchange/environmental-assessments/

4 LOSS OF TRUST: PUBLIC ENGAGEMENT IS MEANINGLESS RECOMMENDATIONS

- Give communities decision-making power
- Set up a transparent process that incorporates public support as a metric to determine the final EA decision
- Compare % support/opposition
- Does the project have social license to proceed?





Cumulative impacts are not assessed properly through the current EA process. This is a diagram I drew for a manual on ecosystem-based management for UNEP. (Explain diagram)

http://www.unep.org/pdf/EBM_Manual_r15_Final.pdf

5 CUMULATIVE IMPACTS RECOMMENDATIONS

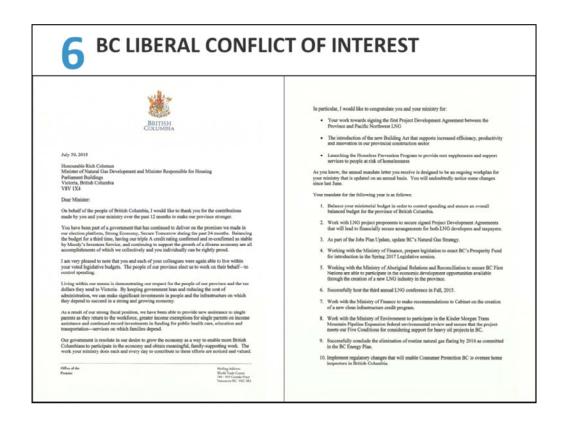
- Need a rigorous and systematic framework to address cumulative effects
- Federal government needs to take leadership on this issue



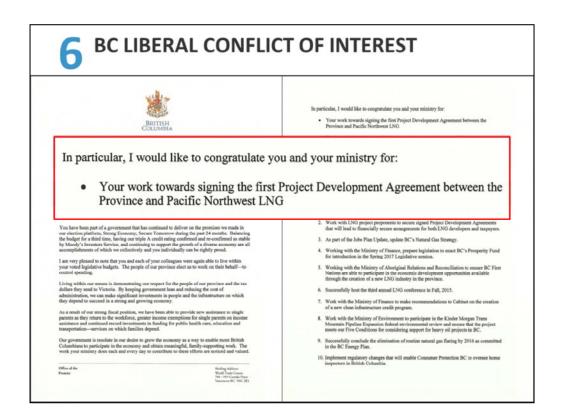
Ministers responsible for issuing the BC Environmental Assessment Certificate have a conflict of interest as the BC Liberals have a mandate to develop LNG export facilities. This seriously undermines public trust in the integrity of this process.



Conflict of interest



Conflict of interest



Conflict of interest

V. 10

Your mandate for the following year is as follows:

- Balance your ministerial budget in order to control spending and ensure an overall balanced budget for the province of British Columbia.
- Work with LNG project proponents to secure signed Project Development Agreements that will lead to financially secure arrangements for both LNG developers and taxpayers.
- 3. As part of the Jobs Plan Update, update BC's Natural Gas Strategy.
- Working with the Ministry of Finance, prepare legislation to enact BC's Prosperity Fund for introduction in the Spring 2017 Legislative session.
- Working with the Ministry of Aboriginal Relations and Reconciliation to ensure BC First Nations are able to participate in the economic development opportunities available through the creation of a new LNG industry in the province.
- 6. Successfully host the third annual LNG conference in Fall, 2015.
- Work with the Ministry of Finance to make recommendations to Cabinet on the creation of a new clean infrastructure credit program.

Conflict of interest

- Woodfibre LNG Provincial EA approval
 October 2015
- FortisBC pipeline Provincial EA approval August 2016



Conflict of interest

- Bill 4 The Park Amendment Act
 Allows industrial activities within Provincial parklands including energy extraction, construction of pipelines, and industry-led research related to pipelines, transmission lines, roads, and other industrial activities that might require park land.
- Bill 24 The Agricultural Land Commission
 Amendment Act
 Undermines BC's food security by opening up farmland to industrial development
- Environmental Assessment requirements
 Not necessary for ski resorts and LNG export facilities → unsuccessful



The BC Liberals have changed legislation to enable these LNG projects to go ahead, and they are doing this with no public consultation. For example, Bill 4 allows pipelines in Provincial parks, undermining 100 years of public participation to establish parks. Bill 24 opens up farmland to industrial development, undermining our food security.

BC Liberals tried to change Environmental Assessment requirement for ski resorts and LNG facilities... (NEXT SLIDE)



which they rapidly flip-flopped on when First Nations literally drummed the government and then industry out of a conference on LNG.



This past September, 2016, thanks to a Freedom of Information request by a local reporter, Jennifer Thuncher, we learned that the Province has already considered intervening when council denied FortisBC to drill in our estuary. This project is very important for their re-election plans.

Donations to BC Liberals

Woodfibre LNG = \$92,000

FortisBC = \$152,000

Burnco = \$286,000

Aquilinis (Garibaldi at Squamish) = \$175,000



Are donations buying a rubber-stamp on environmental assessments?

6 BC LIBERAL CONFLICT OF INTEREST RECOMMENDATIONS

- Abolish the substituted EA process
- The Provincial government should not be responsible for approving industrial projects that they have a mandate to promote

