

Thursday, 10th August, 2023

Rachel Butler ASCT

Environmental Management Technologist

BC Energy Regulator

Fort St John BC

Sent via email to: Rachel.Butler@bc-er.ca

RE: Request for additional time to review FortisBC's application for a Waste Discharge Authorization (Application Number 388398)

Dear Ms. Butler,

To capture our phone conversation on August 9, 2023, we would like to reiterate our request for additional time to review FortisBC's application to the BC Energy Regulator for a Waste Discharge Authorization (Application Number 388398) to discharge effluent into the Squamish River and Átl'ka7tsem / Howe Sound.

Our rationale is as follows:

- 1) While FortisBC may have published an Environmental Protection Notice in the Squamish Chief on October 29, 2020, we did not see it. We again note that the standard of public notification and engagement required of companies by the BC Energy Regulator is appalling. One print ad published in a local paper is not adequate to inform the public of these permit applications.
- 2) The only ads we saw in the Squamish Chief were published on November 5, 2020 and November 15, 2020, advertising the virtual information sessions and the invitation to comment on FortisBC's application to the BC Environmental Assessment Office (BC EAO) to amend the location of the compressor station and the pipeline route. See Appendix 1, below.
- 3) The printed ads inviting the public to attend the public information sessions hosted by FortisBC on November 17 and 18, 2020 only mention the proposed amendments to the location of the compressor station and pipeline route regulated by the BC EAO. There is no mention of FortisBC's application to the BC Energy Regulator to discharge effluent, and no mention of any public engagement opportunity on this process.
- 4) Our volunteers attended both public information sessions on November 17 and 18, 2020. During these webinars, FortisBC provided updates on the proposed project, timelines for construction, and the public engagement process for FortisBC's application to amend its provincial environmental assessment certificate, changing the location of the compressor station and pipeline route, as regulated by the BC EAO. See Slides 15 to 17 in Appendix 2, attached. The November 18, 2020 webinar can be watched on YouTube: <https://youtu.be/9U0aS0nqC5o>
- 5) While FortisBC did provide an update on permit applications to the BC Energy Regulator (formerly the BC Oil and Gas Commission), there was no mention of FortisBC's application for a Waste Discharge Authorization permit during this webinar. Instead, on slide 18 of Appendix 2 FortisBC refers to:
 - a. Tunnel Permit (received)
 - b. Eagle Mountain and Squamish Compressor Stations applications filed

c. OGC North Pipeline Permit – planned filing mid December

- 6) There is also no verbal mention of FortisBC’s application for a Waste Discharge Authorization permit or the public engagement period for this permit application to the BC Energy Regulator.

For your convenience, I have transcribed the information shared by FortisBC employee, Roxanne Tripp, at the public information session regarding permit applications, from 20:55 to 21:42 minutes on YouTube: <https://youtu.be/9U0aS0nqC5o>.

“We are going through a permitting process with the Oil and Gas Commission, as well as... at the same time as our amendment application. We are progressing applications with the OGC. We um submitted and received our permit for the tunnel. We have filed with the Oil and Gas Commission for the Eagle Mountain and Squamish Compressor Stations. And we are planning to file our application for the OGC North Permit later this year. With respect to our permitting processes, we also are continuing engagement with Indigenous Nations, Municipal Governments, Provincial and Federal Regulators as we um move forward with our design and our permitting...”

- 7) FortisBC employee, Darren Marshall, then speaks to slides 19 through 30, titled:

- a. EGP Tunnel Overview
- b. Waste Discharge Authorization (Water)
- c. Shaft Construction BC Rail Site
- d. Shaft Operation BC Rail Site
- e. Tunnel Process Water BC Rail Site
- f. Portal Construction and Operation Woodfibre Site
- g. Tunnel Process Water Woodfibre Site
- h. Pipeline Hydrostatic Testing BC Rail Site
- i. Anticipated Water Volumes
- j. Water Treatment and Quality
- k. Proposed Discharge Locations BC Rail
- l. Proposed Discharge Location at Woodfibre Site

While the Waste Discharge Authorization permit is mentioned on slide 20, **there is no indication that FortisBC has applied for this permit, who the regulator is, or that there is an opportunity for the public to engage on this permit application, or information for the public about how to access the permit application or engage in this process.** See Appendix 2 attached, or watch from 24:07 to 24:35 minutes on YouTube: <https://youtu.be/9U0aS0nqC5o>. Transcribed below for your convenience:

“So what is a Waste Discharge Authorization permit and why do we need it? In British Columbia, the waste discharge regulation defines what industries, activities, and operations require authorizations to discharge wastewater into the environment. For construction of the EGP tunnel, we need the ability to discharge treated tunnel water into the environment. The water that will be discharged will come from five sources, shown on the screen in front of you...”

- 8) In your email dated August 4, 2023 (see Appendix 3), you indicated that these public information sessions hosted by FortisBC on November 17 and 18, 2020 were part of the public engagement process for FortisBC's application to the BC Energy Regulator (formerly the BC Oil and Gas Commission) for a waste discharge authorization permit. However, despite attending both of these public information sessions, there is no way that the public could have learned that FortisBC had applied to the BC Energy Regulator for this permit, or that the public had an opportunity to review and engage in this process in fall 2020. **This information was never provided by FortisBC during these information sessions.**
- 9) My Sea to Sky only became aware of this permit application to the BC Energy Regulator (BC ER) for a Waste Discharge Authorization on June 16, 2023, after contacting FortisBC and BC ER directly.

On June 9, 2023, I emailed FortisBC's Senior Manager of Municipal and Community Relations, Gord Schoberg, after watching FortisBC's recent presentation on May 24, 2023 to the Squamish Lillooet Regional District. <https://www.youtube.com/watch?v=03fnmfGYvRI&t=2185s>

I specifically requested information about what permits were required and who the regulators were as FortisBC was planning to begin construction on the tunnel, and equipment was scheduled to arrive. Gord Schoberg responded that the only permit required was a building permit from the District of Squamish, which is blatantly false and misleading information. See Appendix 4.

It took several emails to extract the information that yes, there was a permitting process with the BC Energy Regulator for a Waste Discharge Authorization permit, and that FortisBC anticipated receiving this permit soon.

Upon learning this, I immediately contacted you at the BC Energy Regulator on June 13, 2023 to confirm the current status of the application, and requested the opportunity to review FortisBC's application for a Wastewater Discharge Authorization Permit. See Appendix 5.

You confirmed via phone on June 23, 2023 that the BC Energy Regulator would provide the application to My Sea to Sky for review after the Freedom of Information and Protection of Privacy Act (FOIPPA) process was complete, however no timeline was provided. See Appendix 5.

- 10) FortisBC's application for a Wastewater Discharge Authorization permit was only provided to My Sea to Sky for review on July 17, 2023.

I again requested information regarding timelines via email, and received no response until August 4, 2023, when you wrote that *"Timelines are uncertain but I anticipate that a decision could be made before your proposed timeline for submission of additional information, and potentially could occur within weeks."* See Appendix 3.

- 11) You wrote that:

"As per Section 7 (2) of the Public Notification Regulation under the Environmental Management Act, 'The director may take into consideration any information received after the 30 day period prescribed by subsection (1) if the director has not made a decision on the permit, approval or operational certificate.'" See Appendix 3.

We are merely requesting an appropriate amount of time to review and provide input on FortisBC's application for Wastewater Discharge Authorization permit, and an opportunity to meaningfully inform this decision.

12) We have hired Dr Vicki Marlatt, Associate Professor of Environmental Toxicology and Biology at Simon Fraser University to review FortisBC's application for a Wastewater Discharge Authorization permit.

This week, Dr Marlatt finalized her review of Woodfibre LNG's application to the BC Energy Regulator for a Wastewater Discharge Authorization permit, and she is now on vacation. She has confirmed her availability to review FortisBC's application in September 2023, and we anticipate being able to submit this review to the BC Energy Regulator in early October 2023.

We believe it is a reasonable request to ask for additional time to review FortisBC's application for a Wastewater Discharge Authorization Permit given that:

- FortisBC failed to notify the public of this permitting process during the public information sessions held on November 17 and 18, 2020.
- Questions directed to FortisBC have been answered with deliberate obfuscation and prevarication.
- There was a significant delay in accessing the application, and a lack of a response regarding timelines from the BC Energy Regulator.

Enabling public input and oversight of these kinds of permitting processes is critical to ensure transparency and accountability for these proposed fossil fuel infrastructure projects.

We are particularly concerned that there is no cumulative effects assessment for Woodfibre LNG and FortisBC's combined wastewater effluent discharge into the Squamish River and Átl'ka7tsem / Howe Sound.

District of Squamish, the Squamish Lillooet Regional District, and Howe Sound Biosphere Region have all expressed concern about these proposed wastewater discharge permits. There is clearly significant regional interest in ensuring adequate oversight of Woodfibre LNG and FortisBC to limit pollution of toxic contaminants and sediment into the fragile and recovering Átl'ka7tsem / Howe Sound ecosystem.

Átl'ka7tsem / Howe Sound has recently been designated as B.C.'s third UNESCO biosphere, and deserves especial attention and oversight.

Thank you for considering our request for additional time to review FortisBC's application to the BC Energy Regulator for a Waste Discharge Authorization.

Please feel free to contact us for further information or clarification.

Sincerely,



Tracey Saxby BA/BSc (Hons I)

Executive Director

My Sea to Sky

Email: tracey@myseatosky.org

Phone: +1 (604) 892-7501



Copied to:

Squamish Nation Band Council

Hon. Steven Guilbeault, Minister of Environment and Climate Change of Canada

Hon. Josie Osbourne, Minister of Energy, Mines, and Low Carbon Innovation of British Columbia

Hon. George Heyman, Minister of Environment and Climate Change Strategy of British Columbia

Patrick Weiler, MP, West Vancouver—Sunshine Coast—Sea to Sky Country

Jordan Sturdy, MLA, West Vancouver-Sea to Sky

Hon. Nicolas Simons, MLA, Powell River-Sunshine Coast

Hon. Bowinn Ma, MLA, North Vancouver-Lonsdale

District of Squamish Mayor and Council


Squamish Lillooet Regional District

Fern Stockman, Executive Project Director, Oil, Gas and Industrials, BC Environmental Assessment Office

Appendix 1: Ads published by FortisBC in the Squamish Chief

2020-11-05 Virtual information sessions

10 | THURSDAY, NOVEMBER 5, 2020 NEWS

Energy at work  FORTIS BC™

Join us for an Eagle Mountain - Woodfibre Gas Pipeline update

The proposed project will provide natural gas service to the proposed Woodfibre LNG site. We'll be updating the community about the project including the proposed new location for the Squamish compressor station and rerouting of a section of the pipeline extension in Stawamus Valley to minimize impacts.

We're continuing to advance projects that support the energy needs of our customers and communities while adapting to the challenges of the current public health emergency.

That's energy at work.

We'd like to hear from you at these upcoming virtual information sessions:

November 17, 2020 - 6 to 7:30 p.m.
November 18, 2020 - 4 to 5:30 p.m.

There will be a short presentation about the project followed by a Q & A.

Access our live video presentation at talkingenergy.ca/infosession

Questions?
Call us **1-855-380-5784**
Email egg@fortisbc.com
Visit talkingenergy.ca/egg to learn more.

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2020-11-05 Notification of proposed amendment to FortisBC's provincial Environmental Assessment Certificate

6 | THURSDAY, NOVEMBER 5, 2020 NEWS

Eagle Mountain - Woodfibre Gas Pipeline Project Invitation to Comment

FortisBC Energy Inc. is proposing to amend the existing Eagle Mountain - Woodfibre Gas Pipeline Project Certificate (EAC No. E16-01). The proposed changes include the option of a new location for the Squamish compressor station; rerouting an eight-kilometre section of the pipeline; changes to compressor units at the Eagle Mountain compressor station; and the addition of three-kilometres of pipeline near the Eagle Mountain compressor station in Coquitlam.

FortisBC Energy Inc. submitted an Amendment Application to the BC Environmental Assessment Office (EAO) for review on October 23, 2020. An Environmental Assessment Certificate amendment is required before any work can be undertaken on the Eagle Mountain - Woodfibre Gas Pipeline Project.

The Eagle Mountain - Woodfibre Gas Pipeline Project is subject to review under British Columbia's Environmental Assessment Act (2018).

Comments Invited

The EAO is inviting the public to review the proposed project amendments and provide feedback. The public engagement and comment period begins on November 9, 2020 and ends on December 23, 2020 at midnight [Pacific time zone].

The intention of seeking public comment is to ensure that all potential effects - environmental, economic, social, cultural and health that might result from the amendment are identified and considered as part of the assessment process.

The EAO accepts public comments:

- By Online Form: <https://projects.eao.gov.bc.ca/>
- An electronic copy of the Application and information regarding the environmental assessment process are available at <https://projects.eao.gov.bc.ca/>.


Hard copies of the Application are also available for viewing at:

- Squamish Public Library, 37907 Second Avenue, Squamish, B.C., V8B 0A7
- Coquitlam Public Library, City Centre Branch, 1169 Pinetree Way, Coquitlam, B.C., V3B 0Y1
- Coquitlam Public Library, Poirier Branch, 575 Poirier St., Coquitlam, B.C., V3J 6A9

NOTE: All submissions received by EAO during the public engagement and comment period in relation to the amendment are considered public and will be posted to the EAO website. All comments must adhere to the public comment policy to be considered.

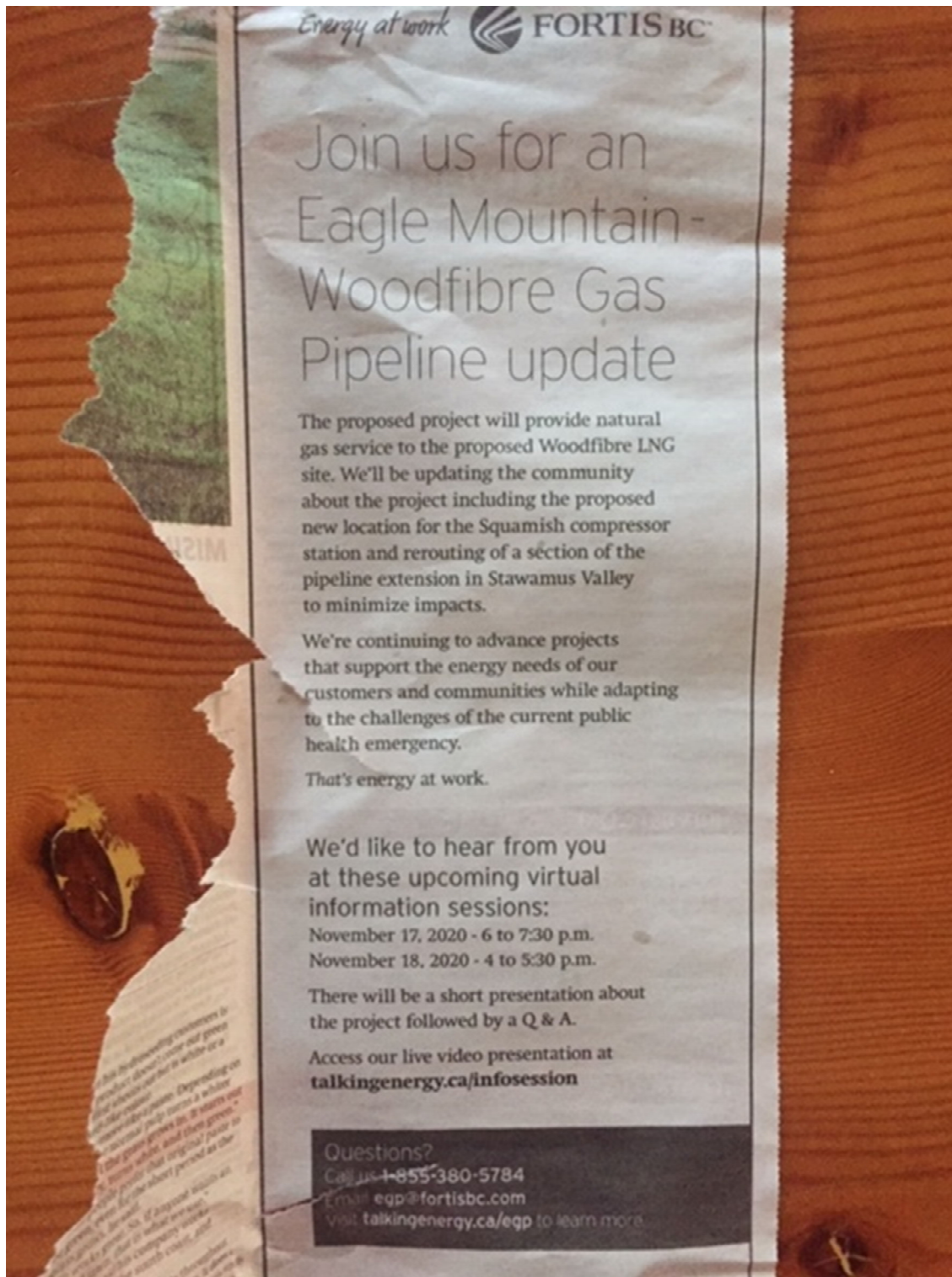
Additional Details

For more information on the environmental assessment process, visit gov.bc.ca/eao.



20-007.25 10/2020

2020-11-15 Virtual information sessions



Energy at work **FORTIS BC**

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There will be a short presentation about the project followed by a Q & A.

Access our live video presentation at talkingenergy.ca/infosession

Questions?
 Call us 1-855-380-5784
 Email egp@fortisbc.com
 Visit talkingenergy.ca/egp to learn more.

Appendix 2: FortisBC Information Session Presentation 2020-11-18

See attached.

Appendix 3: Emails from MS2S and BC ER 2023-07-17 to 2023-08-04

See attached.

Appendix 4: Emails from MS2S and FortisBC 2023-06-09 to 2023-06-13

See attached.

Appendix 5: Emails from MS2S and BC ER 2023-06-13 to 2023-06-23

See attached.

APPENDIX 2

Eagle Mountain – Woodfibre Gas Pipeline Project

Squamish Public Information Session
November 18th, 2020

Agenda

- Intro to FortisBC
- Pipeline Safety
- FortisBC Clean Growth Pathways
- Eagle Mountain – Woodfibre Gas Pipeline (EGP) Project:
 - What is EGP?
 - Regulatory Update
 - Water and Waste Discharge Authorization
 - Next Steps
- Questions and Answers

How to ask Questions

The screenshot shows a Zoom chat window titled "Chat" in the top right corner. The main content area displays a presentation slide with a background image of a forest and mountains. The slide text reads: "Eagle Mountain – Woodfibre Gas Pipeline Project", "Squamish Public Information Session", and "November 18th, 2020". At the bottom of the slide are the logos for "Energy at work" and "FORTIS BC". A red speech bubble points to the "To:" field in the chat input area, which is currently set to "All Panelists". Another red speech bubble points to the text input field below the "To:" field, which contains the placeholder text "Enter chat message here".

Eagle Mountain – Woodfibre Gas Pipeline Project
Squamish Public Information Session
November 18th, 2020

Enter your question here, then click send

Select "All Panelists" from the drop down menu

Host
All Panelists

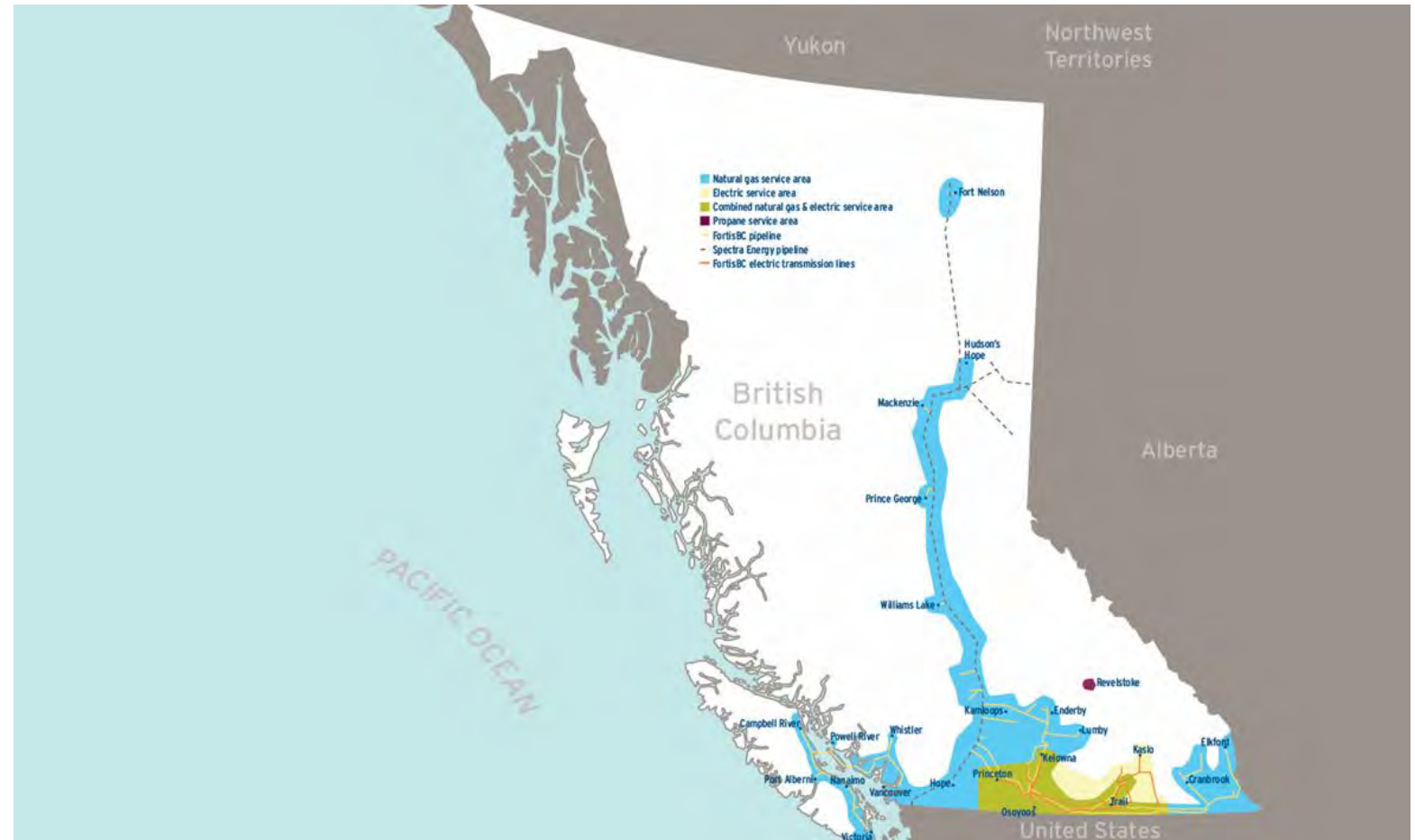
To: All Panelists

Enter chat message here

About FortisBC

FortisBC is an investor owned natural gas and electric utility serving 1.1 million customers.

Fortis operates about 49,000 km's of natural gas lines and over 7,200 km's of power lines.



FortisBC Pipeline Safety – the top company priority

Regulation

Standards

Management
Systems

Industry
Participation

Corporate
Commitment

What is 30BY30?

It is our target to reduce our customers' GHG emissions by **30%** overall by the year **2030**



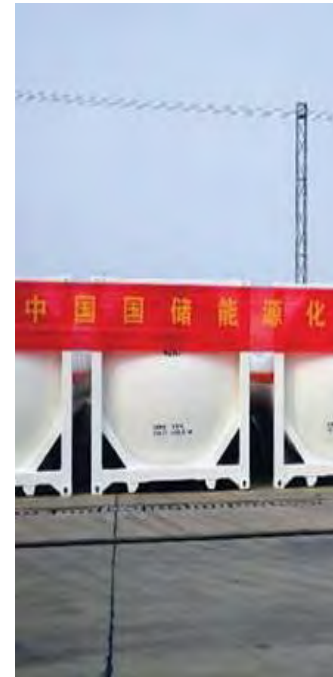
Four pillars of our Clean Growth Pathway



Energy efficiency



Renewable
Natural Gas



Global LNG



Zero and
low carbon
transportation

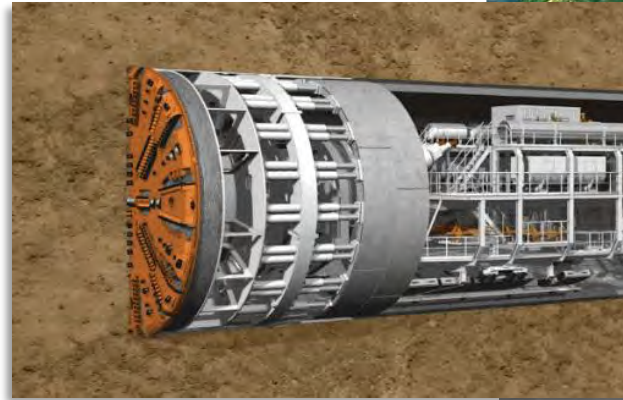
What is the Eagle Mountain – Woodfibre Gas Pipeline (EGP) Project?



EGP Project Overview

Project Components:

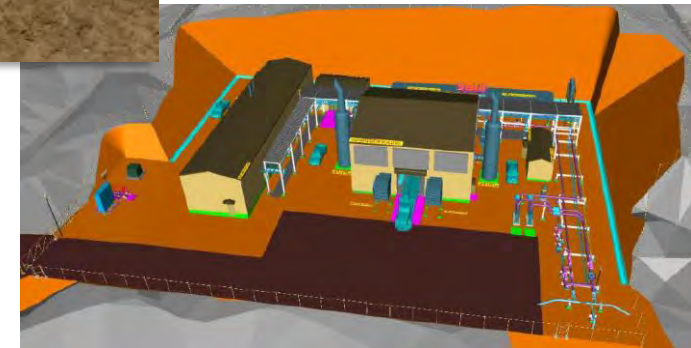
- Pipeline
- Tunnel
- Facilities



Tunnel Boring Machine

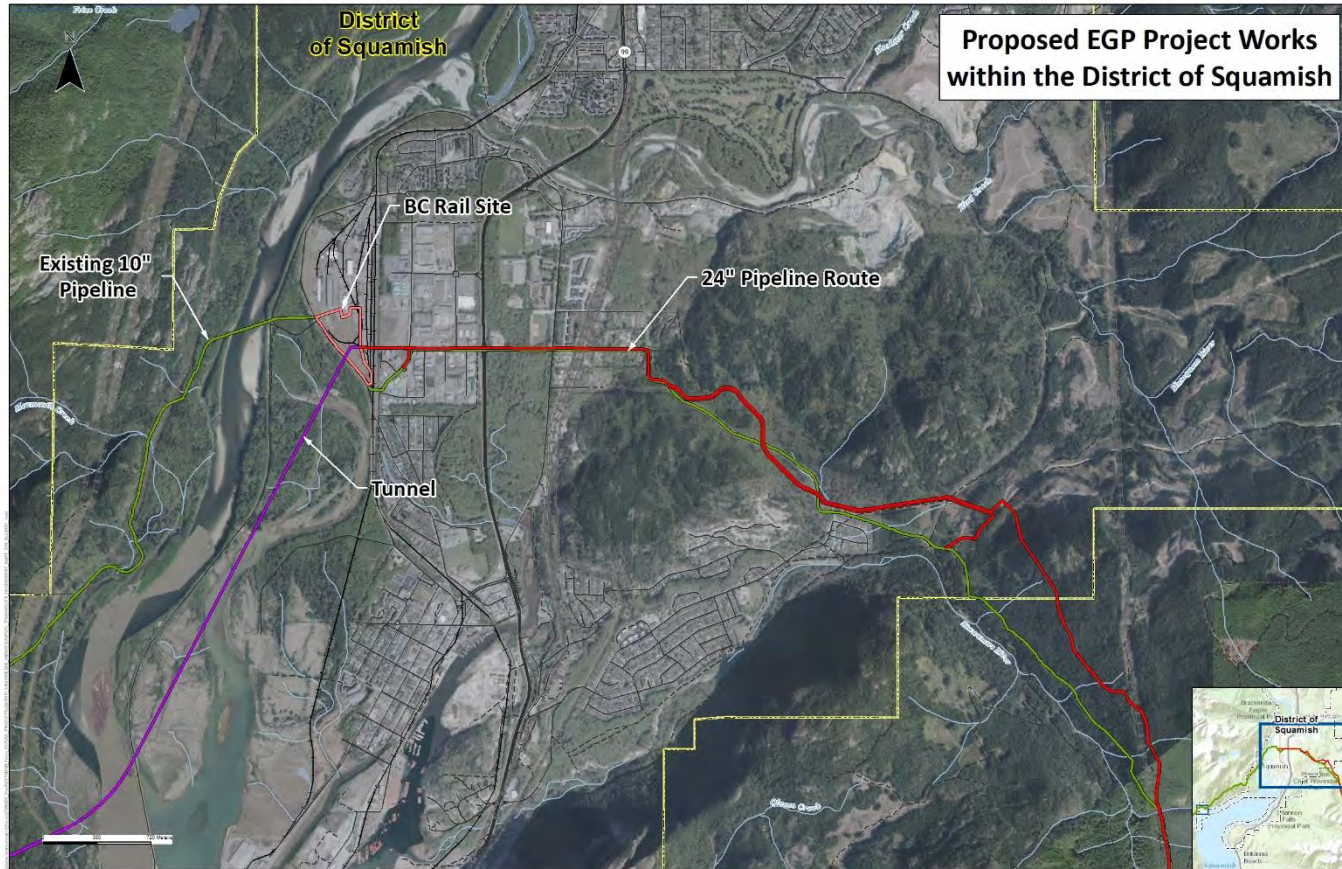


EGP Pipeline Overview

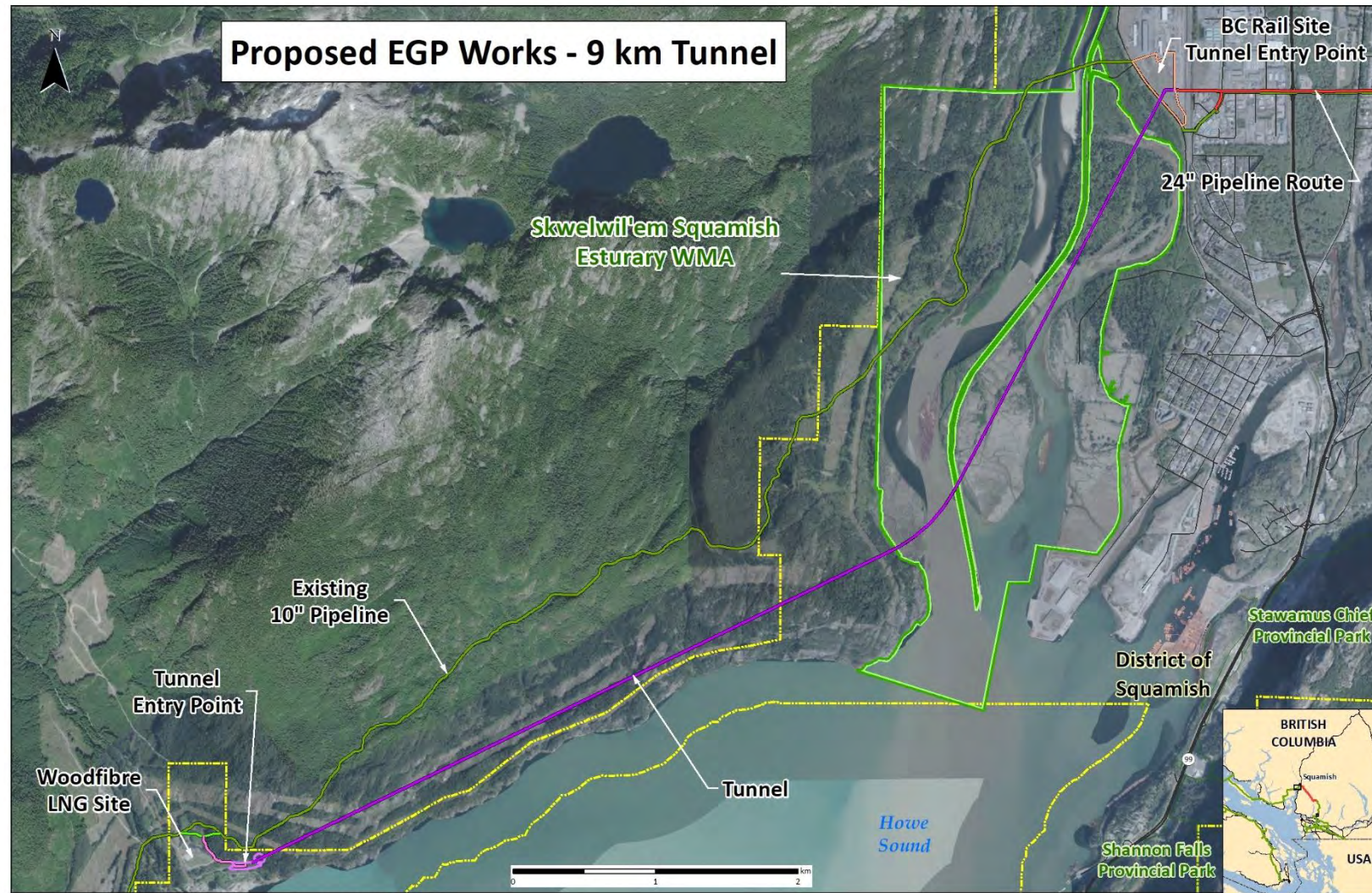


Squamish Compressor Station Rendering

What is EGP: Pipeline



What is EGP: Tunnel

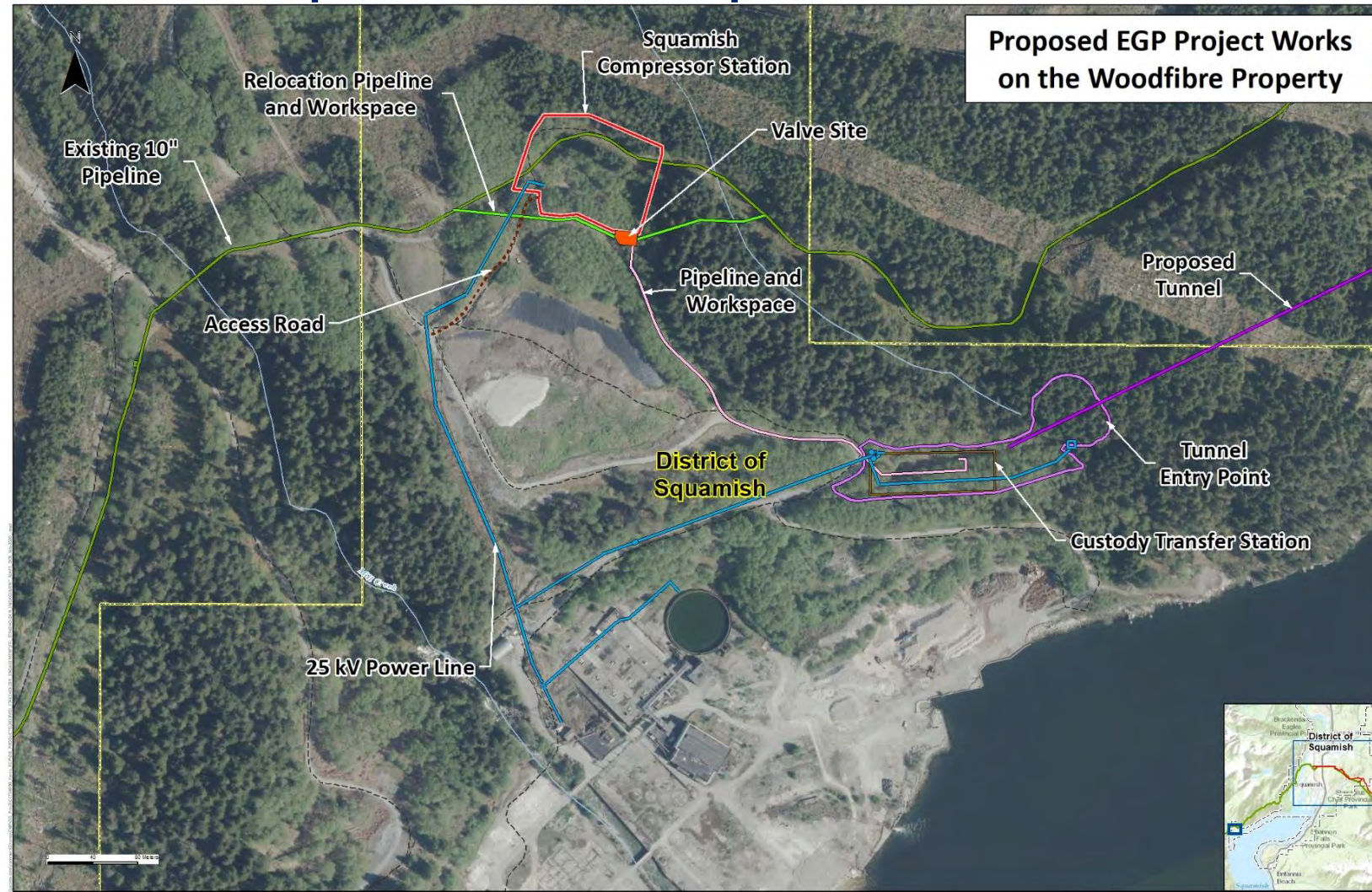


Energy at work

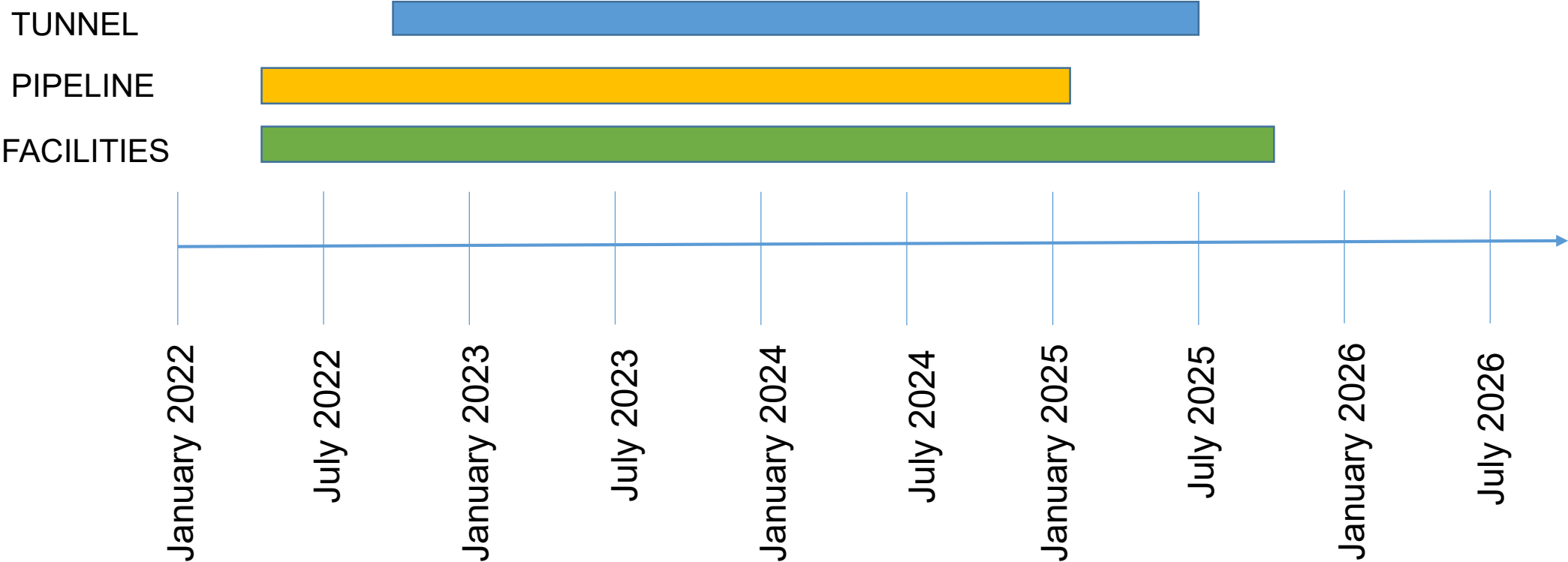


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What is EGP: Squamish Compressor Station

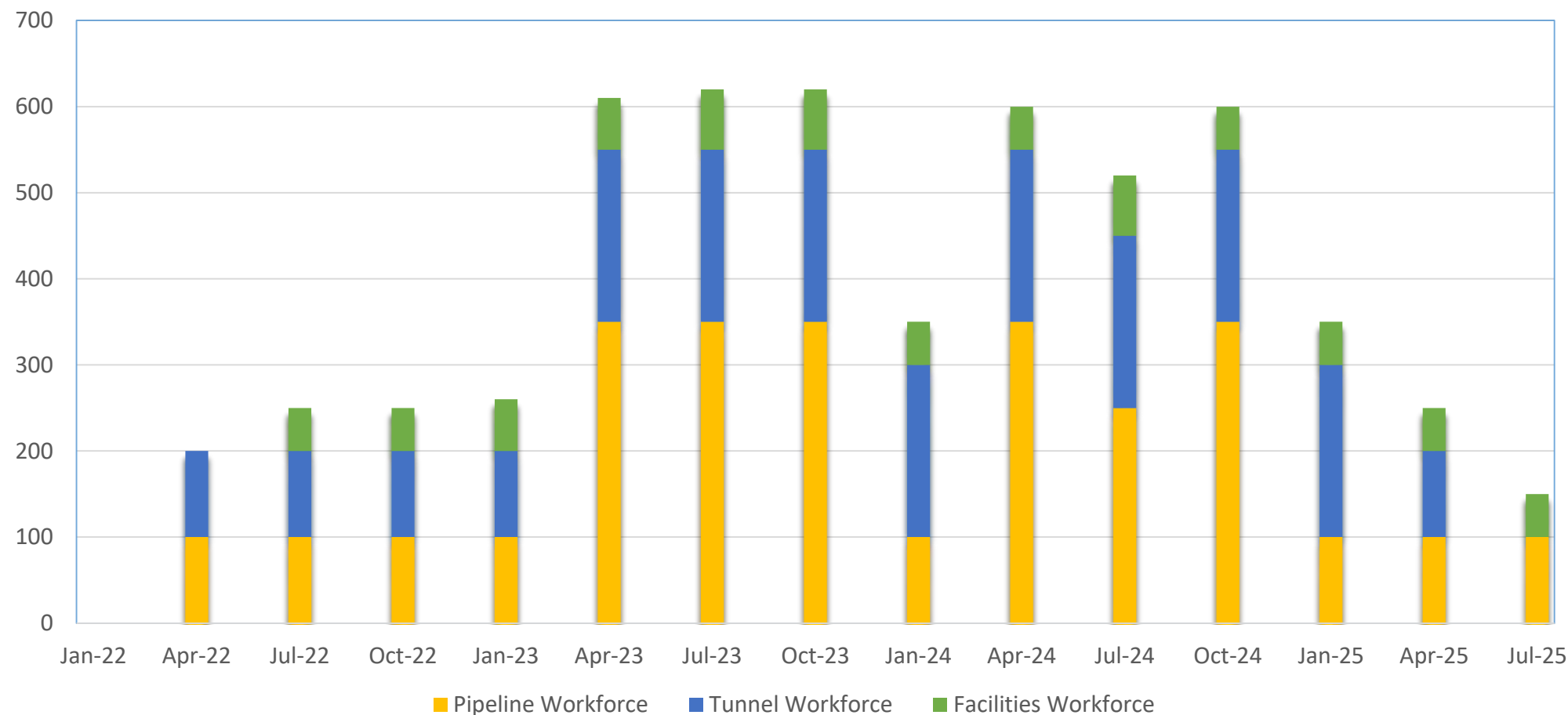


EGP Construction Schedule in Squamish



Note: Schedule subject to change

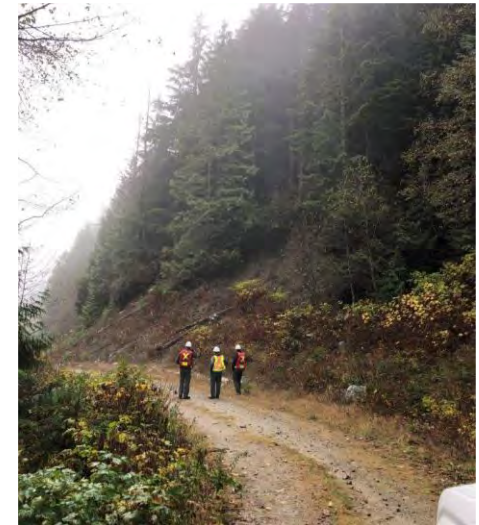
Forecasted Construction Workforce



Note: Workforce numbers subject to change

Regulatory Update

- BC EAC Amendment Application filed October 23rd
 - EAO public comment period (Nov 9 through Dec 23)
 - 4 amendments, 2 near Squamish
 - Stawamus Corridor Expansion to accommodate alternative route
 - Squamish Compressor Station alternative location
- BC EAC Extension Request filed October 30th
- Ongoing engagement with Indigenous Nations, municipalities, regulators and the public
- Ongoing engagement with Squamish Nation through the SN Environmental Assessment Agreement Process.
- Developing EAC Conditions Management Plans.



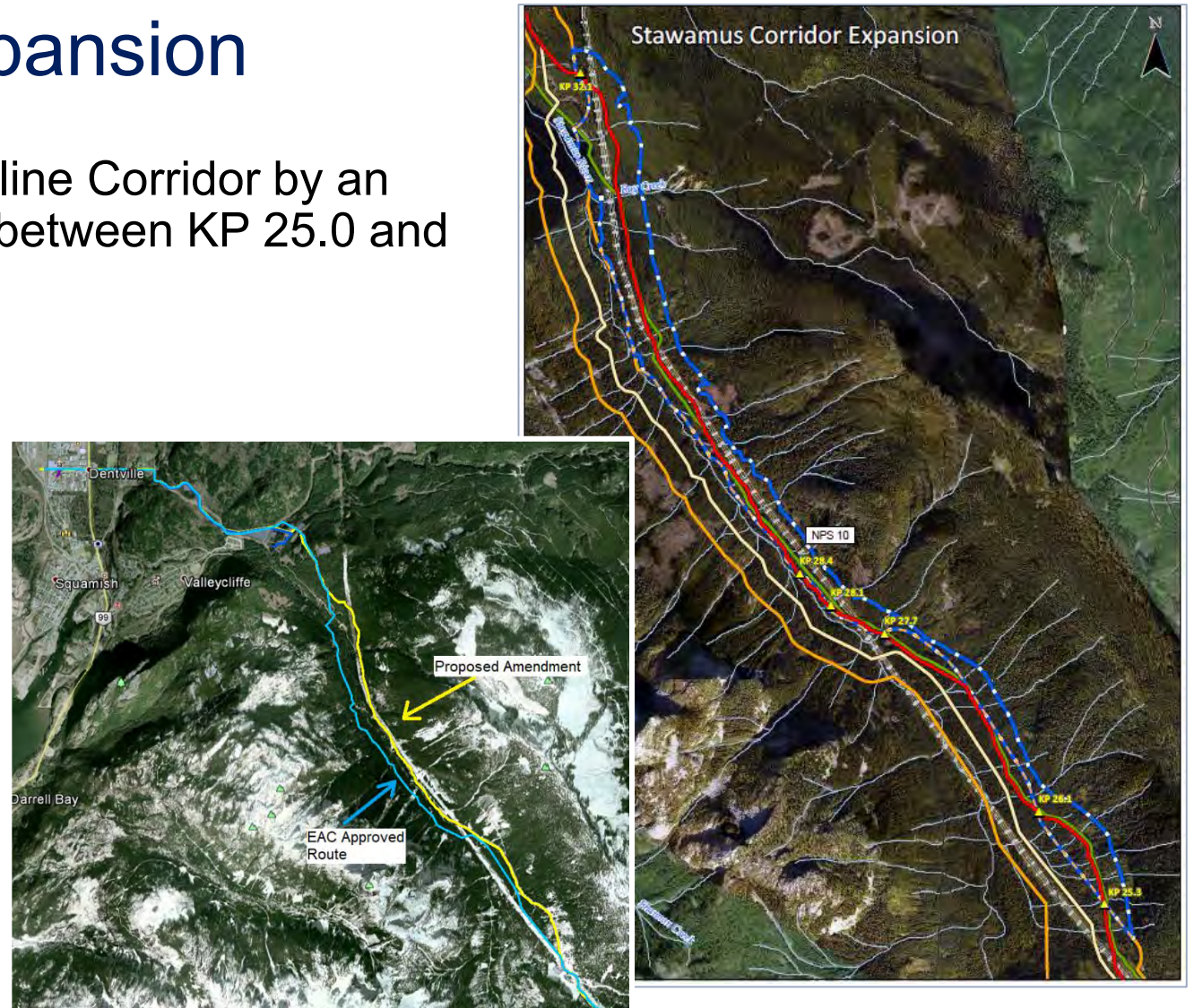
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Stawamus Corridor Expansion

- An expansion to the Certified Pipeline Corridor by an average of 200m for approx. 7km between KP 25.0 and KP 32.1
- Proposed to provide flexibility to:
 - Reduce impacts;
 - address potential construction challenges associated with the Certified Pipeline Corridor;
 - respond to feedback from Squamish Nation with respect to reducing visual impacts and potential impacts on the Stawamus River
 - realize operational efficiencies as it is located adjacent to the existing FortisBC NPS 10 gas pipeline; and

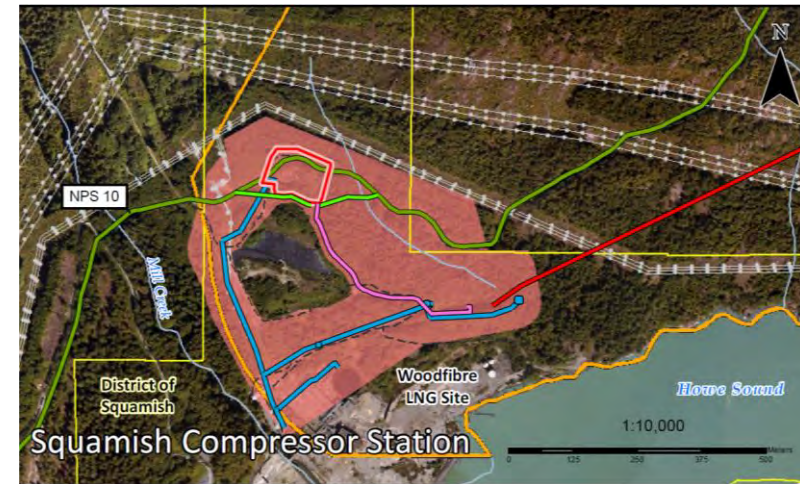


Energy at work



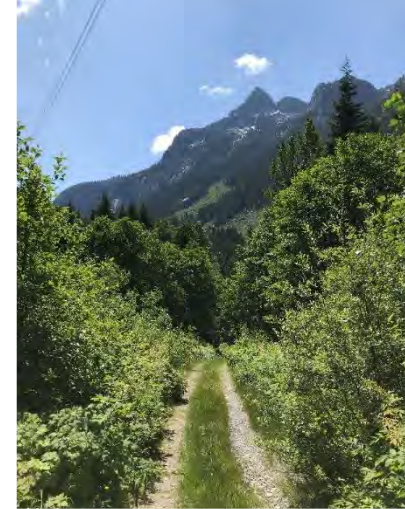
Squamish Compressor Station

- Proposed location at Woodfibre due to feedback received from Indigenous groups and stakeholders on the Certified Mt Mulligan location.
- Two approx. 6,300-hp gas turbine compressor units
- Supporting infrastructure:
 - Existing NPS 10 rerouted for 270m
 - New approx. 430m long NPS 10 pipeline lateral
 - New approx. 700m electrical powerline



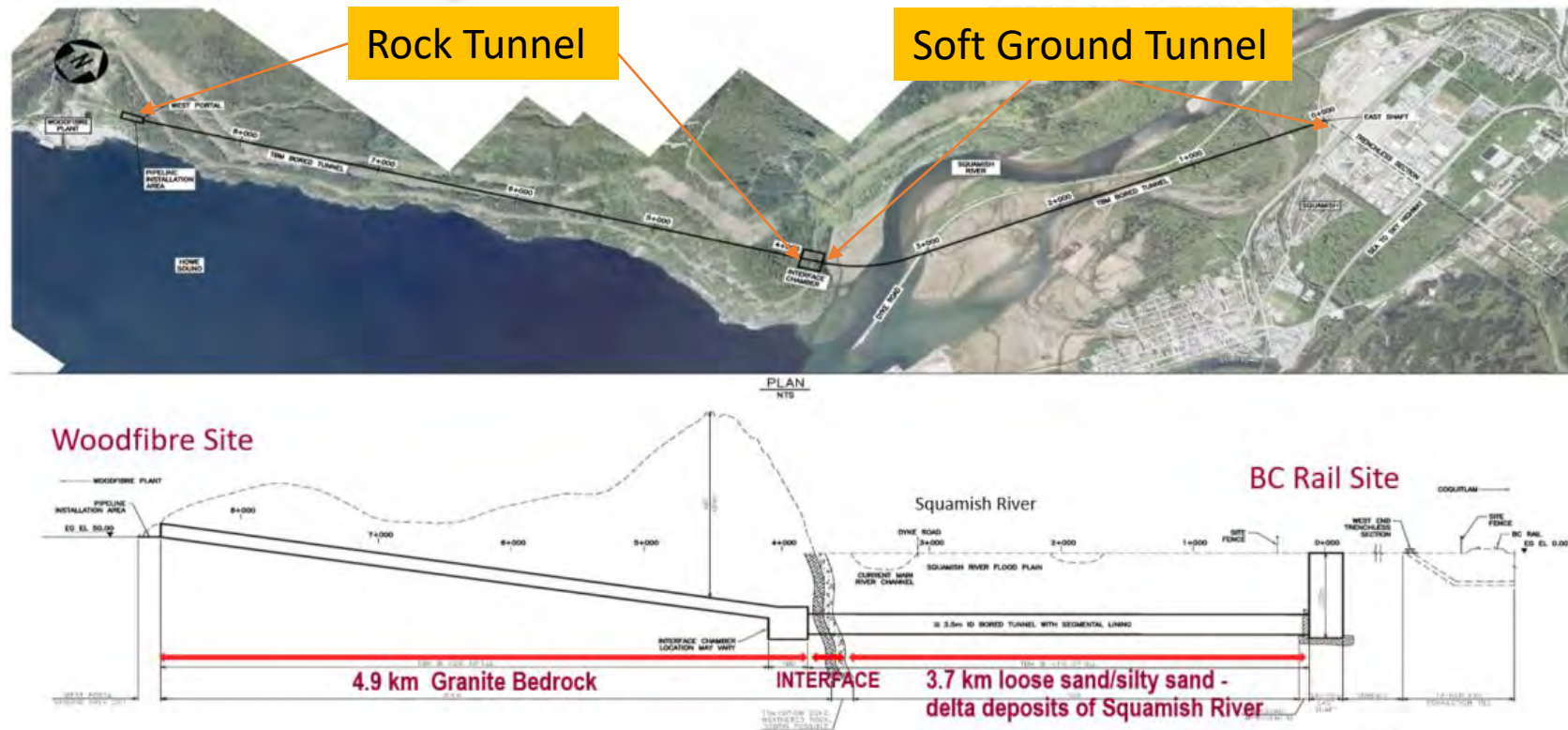
Permitting - update

- Progressing Applications for BC OGC Permits:
 - Tunnel Permit Received
 - Eagle Mountain and Squamish Compressor Stations applications filed
 - OGC North Pipeline permit – planned filing mid December
- Ongoing engagement with Indigenous Nations, municipal governments, Provincial, and Federal Regulators
- Initiated discussion with BC FLNRO on FSR Road Use Permit
- Initiated discussion with District of Squamish on municipal permitting requirements



EGP Tunnel Overview

8.7 km (approx.) tunnel from the East Shaft (at BC Rail Site) to the Woodfibre Portal (at Woodfibre Site) to facilitate installation of new pipeline.



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Waste Discharge Authorization (Water)

Permit under the provincial Environmental Management Act to discharge water from tunnel construction activities

Sources of water discharge include:

- Shaft and Portal Construction
- Groundwater Inflow
- Industrial Water
- Precipitation
- Hydrostatic Testing



Shaft Construction BC Rail Site

Construction site to launch Soft Ground Tunnel Boring Machine (TBM)

Sources of water include:

- Groundwater inflow
- Water produced during excavation and placement of concrete panels and base slab



Shaft Excavation



BC Rail Site, Squamish Industrial Park

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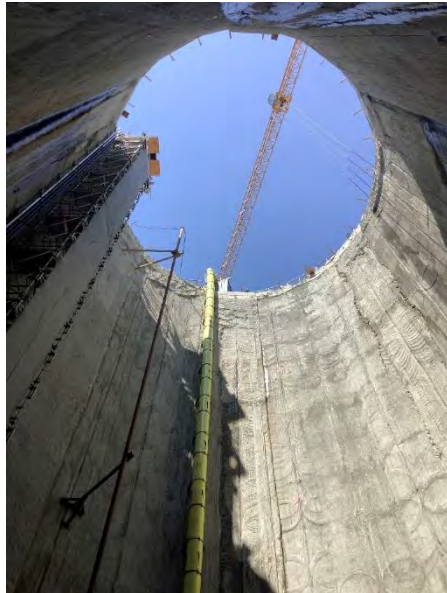


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Shaft Operation BC Rail Site

Groundwater may seep into shaft during tunnel construction

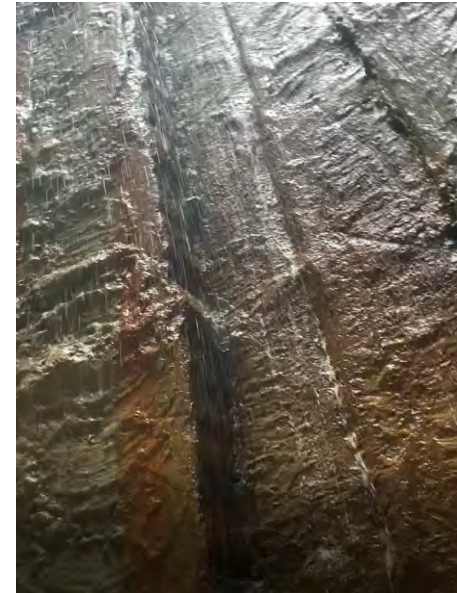
Sump pumps will be installed to manage water inflow and direct water for treatment and discharge



Dry Slurry Wall Shaft



Wet Slurry Wall Shaft

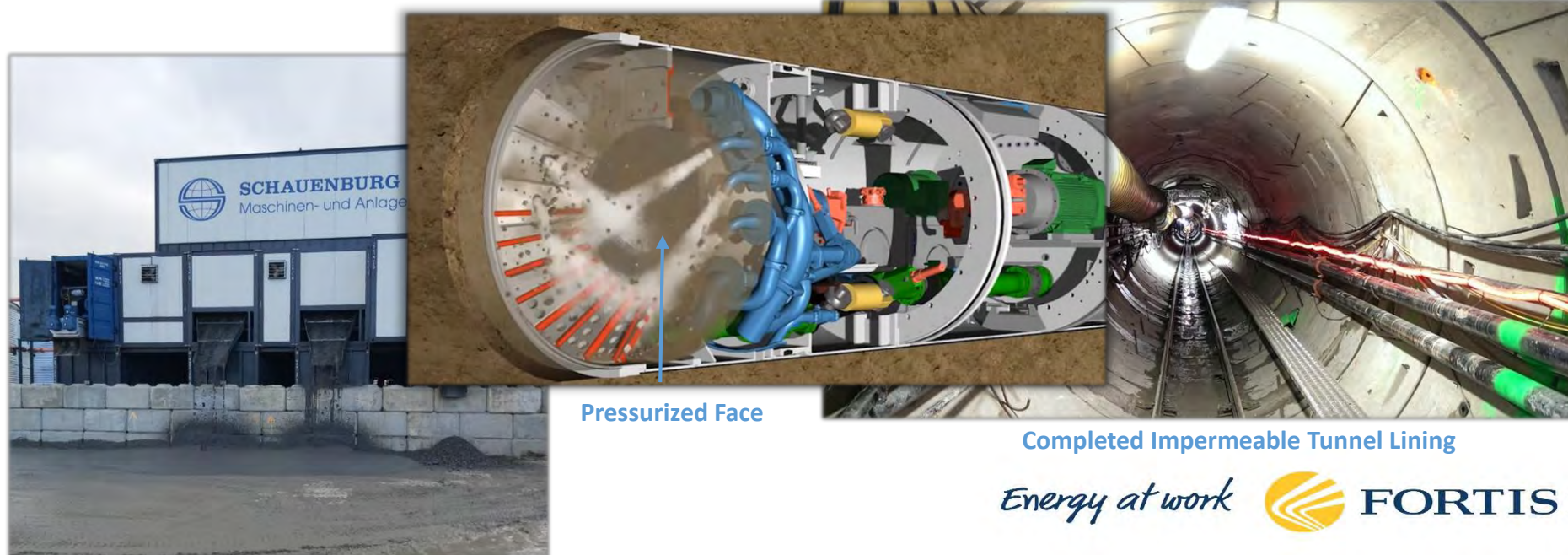


Tunnel Process Water BC Rail Site

The Soft Ground TBM uses bentonite slurry to pressurize the TBM face during excavation, ensuring the integrity of the surrounding ground

The slurry is also used as a means for transporting the excavated soil to surface

A watertight precast concrete and gasketed tunnel lining will be installed, as such, groundwater inflow during tunnel construction will be minimal



Slurry Separation Plant

Pressurized Face

Completed Impermeable Tunnel Lining

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Portal Construction and Operation Woodfibre Site

Construction site to launch Rock Tunnel TBM

Groundwater inflow anticipated to be negligible during portal construction due to presence of competent granite bedrock



Portal Construction
(Indicative)

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Tunnel Process Water Woodfibre Site

The Rock Tunnel will be mostly unlined

Groundwater inflow will occur during excavation from water draining through natural fractures in the rock. Volumes will increase as tunnel construction progresses

Natural fractures in the rock will be grouted to reduce groundwater inflows



Groundwater Inflow in Fractured Rock
(Example)

Pipeline Hydrostatic Testing BC Rail Site

After the pipeline is installed, a hydrostatic test will be conducted to ensure the integrity of the pipeline before putting into service



Hydrostatic Test

Anticipated Water Volumes

Water Source	Estimated Rate (m ³ /day)	
	BC Rail Site	Woodfibre Site
Shaft/Portal Construction	70	0
Groundwater Inflow	50	0 to 1,400 as construction progresses
Industrial Water	30	70
Precipitation	Negligible	Negligible
Hydrostatic Testing	One time discharge of ~ 2,630 m ³	0

Water Treatment and Quality

Water discharge will occur for the duration of construction activities (3 years) scheduled to start in late 2022

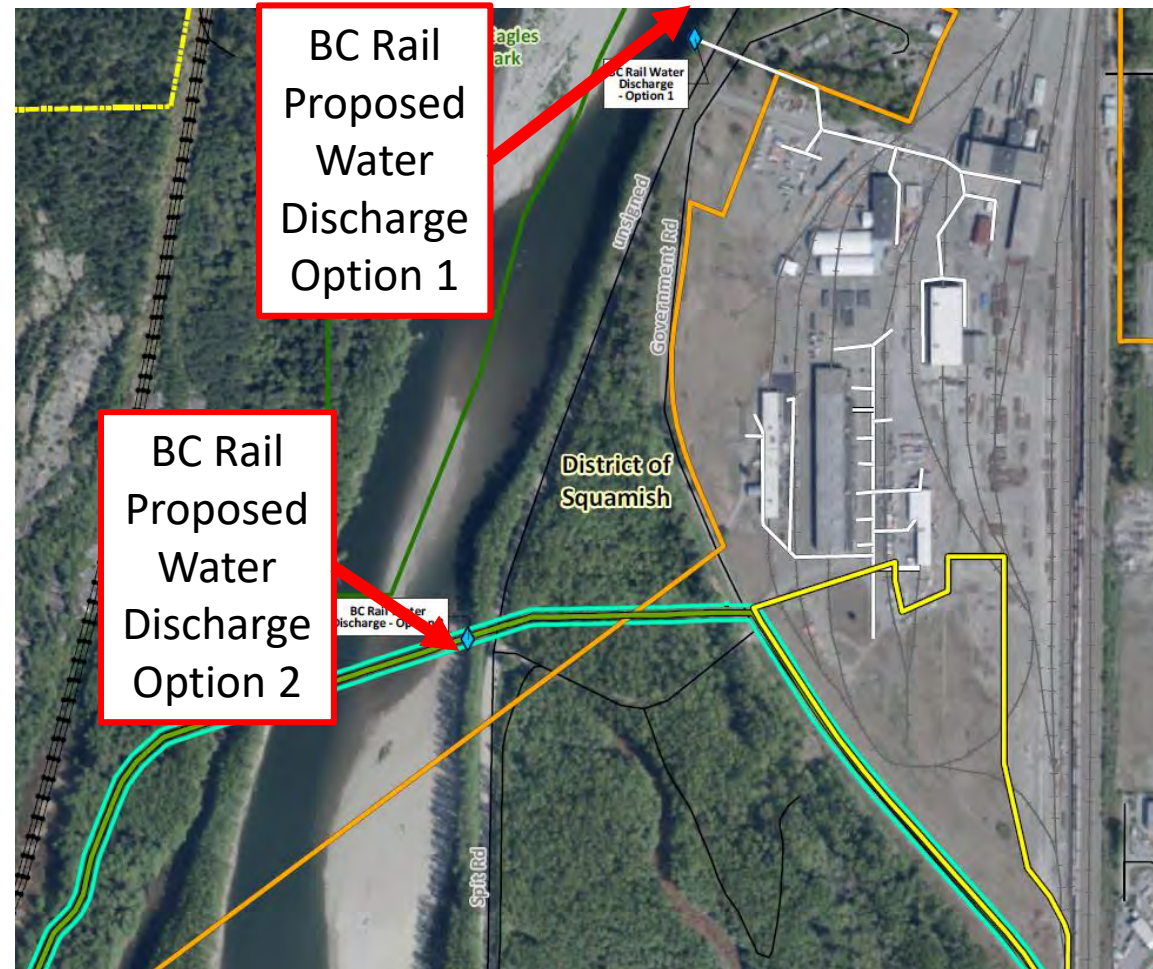
The types of treatment include: sedimentation ponds, pH balance, flocculent addition, and/or oil water separation at a minimum

Water treatment, sampling, analysis, and reporting will occur to ensure BC Approved Water Quality Guidelines are met prior to discharge



Water treatment facilities with sedimentation and pH monitoring

Proposed Discharge Locations BC Rail

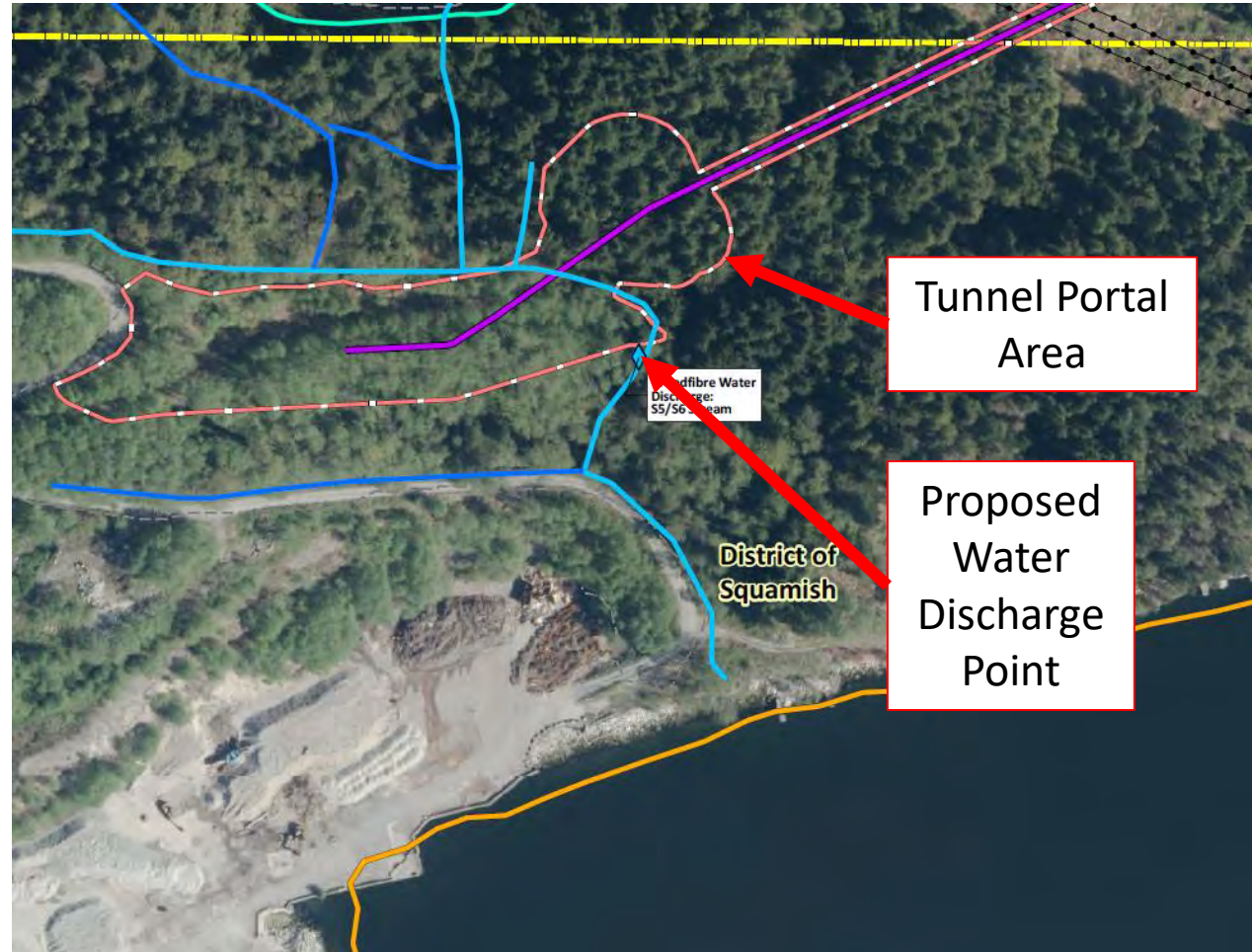


Energy at work



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Proposed Discharge Location at Woodfibre Site



Next Steps

- 2020:
 - Tunnel RFP goes to market
 - Squamish Lillooet Regional District Board update – Nov 25
 - Community Table – Nov 26
- 2021:
 - Select Tunnel general contractor
 - Confirm workforce accommodations with tunnel and pipeline general contractors
 - Develop socio-economic plan with Community Table



Thank you



**For further information,
please contact:**

talkingenergy@fortisbc.com
www.talkingenergy.com/egp
(855) 380-5784

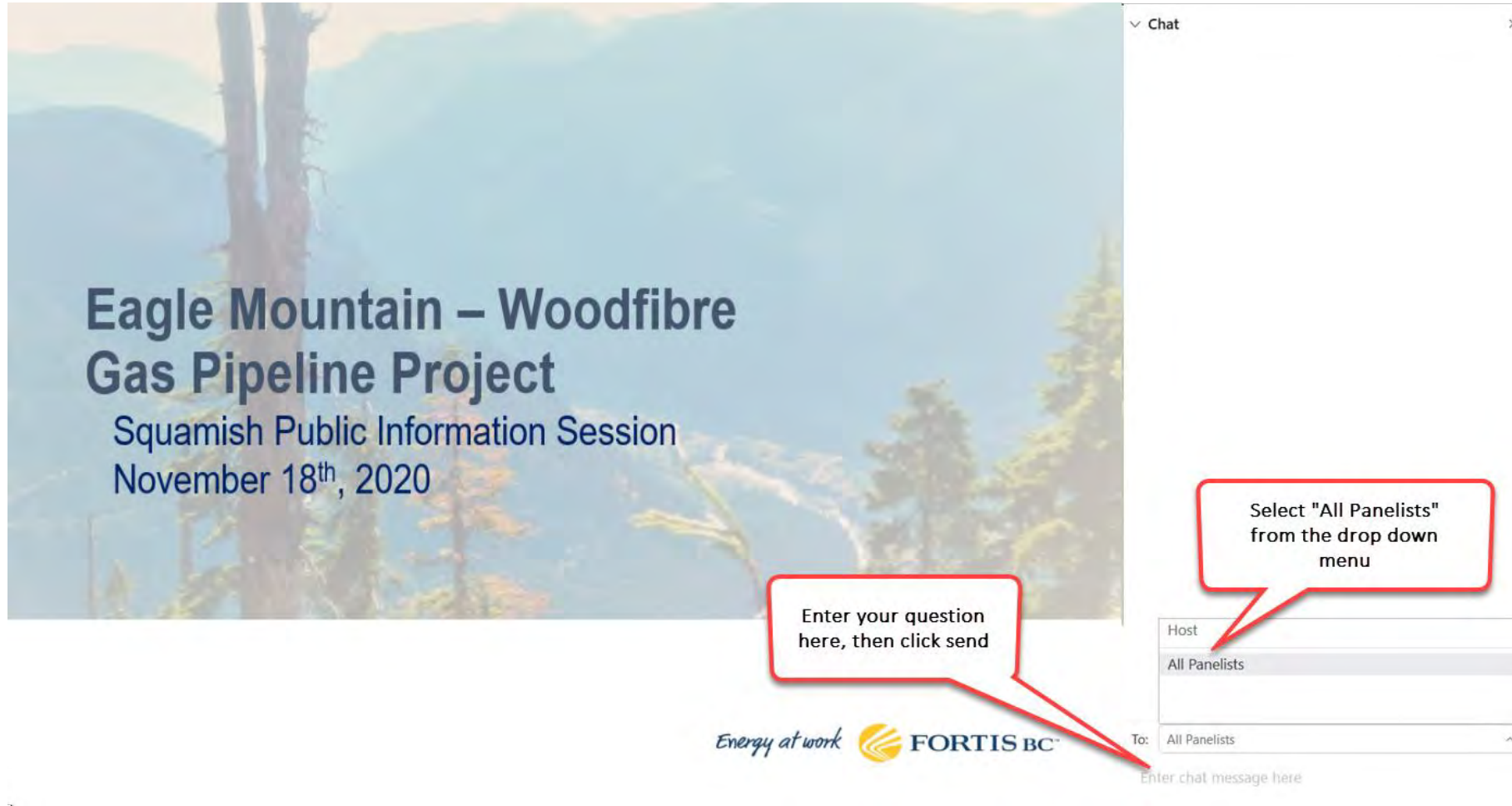
Find FortisBC at:

Fortisbc.com



604-576-7000

How to ask Questions



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Eagle Mountain – Woodfibre Gas Pipeline Project
Squamish Public Information Session
November 18th, 2020

Enter your question here, then click send

Select "All Panelists" from the drop down menu

Host
All Panelists

To: All Panelists

Enter chat message here

Energy at work FORTIS BC™

APPENDIX 3

Tracey Saxby

From: Butler, Rachel S <Rachel.Butler@bc-er.ca>
Sent: August 4, 2023 4:16 PM
To: Tracey Saxby; 'Rhiannon Fox'
Subject: RE: FTP Access Credentials/FortisBC Eagle Mountain Pipeline Discharge Permit Application

Hello Tracey,

The Environmental Protection Notice for the subject application was published in the BC Gazette and Squamish Chief Oct 29, 2020, which included dates for the public information sessions which were held Nov 17 & 18th, 2020. A recording of the public information session along with additional engagement resources are available [here](#) on FortisBC's Talking Energy webpage.

As per Section 7 (2) of the Public Notification Regulation under the *Environmental Management Act*, "*The director may take into consideration any information received after the 30 day period prescribed by subsection (1) if the director has not made a decision on the permit, approval or operational certificate.*"

While the 30 day period concluded in 2020, the decision maker is open to considering any additional information received prior to the date of decision. At this time, the BC Energy Regulator is finalizing its review of the subject application, after which it will move to decision. Timelines are uncertain but I anticipate that a decision could be made before your proposed timeline for submission of additional information, and potentially could occur within weeks.

Kind regards,



Rachel Butler ASCT
Environmental Management Technologist
Rachel.Butler@bc-er.ca

Fort St John
[Office Address Directory](#)
[BCER Web Site](#)
T. 250 794-5220
F. 250-794-5390



We acknowledge and respect the many Indigenous Territories and Treaty areas, each with unique cultures, languages, legal traditions and relations. We also acknowledge the Métis and Inuit people living across B.C.

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From: Tracey Saxby <tracey@myseatosky.org>
Sent: Friday, August 4, 2023 1:05 PM
To: Butler, Rachel S <Rachel.Butler@bc-er.ca>; 'Rhiannon Fox' <rhiannon@myseatosky.org>
Cc: Keough, Dana <Dana.Keough@bc-er.ca>
Subject: RE: FTP Access Credentials

Hi Rachel,

Dr Marlatt has confirmed that she can review FortisBC's discharge permit application in September, for us to submit the final review in early to mid October.

Please confirm that this timeframe works.

Best Regards,
Tracey

From: Tracey Saxby <tracey@myseatosky.org>
Sent: July 24, 2023 11:39 AM
To: 'Butler, Rachel S' <Rachel.Butler@bc-er.ca>; 'Rhiannon Fox' <rhiannon@myseatosky.org>
Cc: 'Keough, Dana' <Dana.Keough@bc-er.ca>
Subject: RE: FTP Access Credentials

Thank you Rachel,

Can you please let me know how much time we have available to review FortisBC's discharge permit application?

We will likely hire the same expert, Dr Vicki Marlatt, Associate Professor of Environmental Toxicology and Biology at Simon Fraser University, but I don't know what their availability is over the summer.

Please copy Rhiannon Fox on your reply.

Thanks,
Tracey

Tracey Saxby
Executive Director
My Sea to Sky
Cell: +1 (604) 892-7501
Email: tracey@myseatosky.org
Web: <http://myseatosky.org>

We respectfully acknowledge that we work in the traditional, unceded territories and ancestral lands of the xʷməθkʷəʔəm (Musqueam), Skwxwú7mesh (Squamish), and Selilwitulh (Tsleil-Waututh) Nations.

From: Butler, Rachel S <Rachel.Butler@bc-er.ca>
Sent: July 17, 2023 2:10 PM
To: 'Rhiannon Fox' <rhiannon@myseatosky.org>; Tracey Saxby <tracey@myseatosky.org>
Cc: Keough, Dana <Dana.Keough@bc-er.ca>
Subject: RE: FTP Access Credentials

Hello,

Please note that the application materials for the FortisBC Eagle Mountain discharge permit application have been added to the FTP folder for which credentials have been provided.

Please reach out with any questions or concerns.

Kindly,



Rachel Butler ASCT
Environmental Management Technologist
Rachel.Butler@bc-er.ca

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From: Butler, Rachel S
Sent: Monday, July 17, 2023 11:26 AM
To: 'Rhiannon Fox' <rhiannon@myseatosky.org>; Tracey Saxby <tracey@myseatosky.org>
Subject: FTP Access Credentials

Hello Rhiannon,

Tariq would have recently sent you login credentials for the file transfer site. I have not yet added the materials – I will send an email again once the materials have been updated to the file, anticipated prior to end of day today.

Please reach out with any questions or concerns.

Kindly,



Rachel Butler ASCT
Environmental Management Technologist
Rachel.Butler@bc-er.ca

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APPENDIX 4

Tracey Saxby

From: Schoberg, Gord <Gord.Schoberg@fortisbc.com>
Sent: June 13, 2023 2:32 PM
To: Tracey Saxby
Cc: 'Vrish Prahalad'; 'Fern Stockman'
Subject: Re: [External Email] - Update on EGP tunnel construction

With apologies, we are not authorized to share our contact information with government agencies.

Gord Schoberg SENIOR MANAGER, MUNICIPAL AND COMMUNITY RELATIONS
FortisBC Energy Inc. Eagle Mountain – Woodfibre Gas Pipeline Project
Cell: 604.220.9785

From: Tracey Saxby <tracey@myseatosky.org>
Date: Tuesday, June 13, 2023 at 2:21 PM
To: Schoberg, Gord <Gord.Schoberg@fortisbc.com>
Cc: 'Vrish Prahalad' <vpahalad@squamish.ca>, 'Fern Stockman' <Fern.Stockman@gov.bc.ca>
Subject: RE: [External Email] - Update on EGP tunnel construction

Hi Gord,

Can you please let me know who your contact is at the BC Energy Regulator?

If, like Woodfibre LNG, you only advertised once in the local paper, with a single printed copy of the application made available in the local library, this makes a laughing stock of FortisBC's commitments to meaningful public engagement.

Regards,
Tracey

From: Schoberg, Gord <Gord.Schoberg@fortisbc.com>
Sent: June 13, 2023 2:10 PM
To: Tracey Saxby <tracey@myseatosky.org>
Cc: 'Vrish Prahalad' <vpahalad@squamish.ca>; 'Fern Stockman' <Fern.Stockman@gov.bc.ca>
Subject: RE: [External Email] - Update on EGP tunnel construction

Fortis submitted this application quite some time ago and has involved considerable two way communication with the regulator to ensure their requirements are satisfied.

From: Tracey Saxby <tracey@myseatosky.org>
Sent: Tuesday, June 13, 2023 1:44 PM
To: Schoberg, Gord <Gord.Schoberg@fortisbc.com>
Cc: 'Vrish Prahalad' <vpahalad@squamish.ca>; 'Fern Stockman' <Fern.Stockman@gov.bc.ca>
Subject: RE: [External Email] - Update on EGP tunnel construction

Hi Gord,

For clarity, do you mean that FortisBC is about to submit its application for a waste discharge permit to the BCER?

I encourage you not to speak of these permits as an inevitable approval. That in itself indicates the failing of the BC Government to regulate the oil and gas industry, in that you expect that FortisBC's application will be approved with little issue.

Tracey

From: Schoberg, Gord <Gord.Schoberg@fortisbc.com>
Sent: June 13, 2023 1:18 PM
To: Tracey Saxby <tracey@myseatosky.org>
Cc: 'Vrish Prahalad' <vprahalad@squamish.ca>; 'Fern Stockman' <Fern.Stockman@gov.bc.ca>
Subject: Re: [External Email] - Update on EGP tunnel construction

Thanks for clarifying and, yes, FortisBC requires a Waste Discharge Authorization from the BCER for tunnel waste discharge at both the BC Rail and Woodfibre ends of the tunnel portion of the project. We believe that these approvals are close to being received by the BCER.

Gord Schoberg SENIOR MANAGER, MUNICIPAL AND COMMUNITY RELATIONS
FortisBC Energy Inc. Eagle Mountain – Woodfibre Gas Pipeline Project
Cell: 604.220.9785

From: Tracey Saxby <tracey@myseatosky.org>
Date: Monday, June 12, 2023 at 9:43 PM
To: Schoberg, Gord <Gord.Schoberg@fortisbc.com>
Cc: 'Vrish Prahalad' <vprahalad@squamish.ca>, 'Fern Stockman' <Fern.Stockman@gov.bc.ca>
Subject: RE: [External Email] - Update on EGP tunnel construction

Thanks Gord.

Surely there must be another permit for starting the tunnel construction from the BC Energy Regulator or some other regulating body other than the District of Squamish? This is a huge undertaking.

This [presentation from 2020-11-18](#) mentions that the permit from BC OGC has already been received for the tunnel. But I'm curious if FortisBC also needs to apply for a permit for effluent discharge, similar to what Woodfibre LNG is currently doing?

The effluent discharge I'm referring to is shown on slides 29 and 30 of the above presentation. The slide deck shows two possible discharge sites into the Squamish River, and another at the Woodfibre site.

Thanks,
Tracey

From: Schoberg, Gord <Gord.Schoberg@fortisbc.com>
Sent: June 12, 2023 3:15 PM
To: Tracey Saxby <tracey@myseatosky.org>
Cc: Vrish Prahalad <vprahalad@squamish.ca>; Fern Stockman (<Fern.Stockman@gov.bc.ca> <Fern.Stockman@gov.bc.ca>
Subject: FW: [External Email] - Update on EGP tunnel construction

Tracey: Please refer to my responses in **RED** below.

Gord Schoberg SENIOR MANAGER, MUNICIPAL AND COMMUNITY RELATIONS
FortisBC Energy Inc. Eagle Mountain – Woodfibre Gas Pipeline Project
Cell: 604.220.9785

From: Tracey Saxby <tracey@myseatosky.org>
Date: Friday, June 9, 2023 at 1:03 PM
To: Schoberg, Gord <Gord.Schoberg@fortisbc.com>
Cc: 'Vrish Prahalad' <vprahalad@squamish.ca>, Fern.Stockman@gov.bc.ca <Fern.Stockman@gov.bc.ca>
Subject: [External Email] - Update on EGP tunnel construction

CAUTION: This is an external email.
Do not respond, click on links or open attachments unless you recognize the sender.

Hi Gord,

I hope you are well.

I watched your recent [presentation](#) to the SLRD board on May 24, 2023.

In it, you state that the drill for drilling the 9 km tunnel under the estuary will be arriving to the BC Rail Yards in Squamish in June 2023.

When is the drilling planned to begin? **Mobilization of tunnel equipment at the BC Rail site is scheduled to begin summer 2023 with drilling commencing early in 2024.**

I'm assuming that FortisBC needs to apply for permits for that? Can you please clarify what permits are required and who the regulators are that are overseeing these approvals? **Building permits are required from the District of Squamish.**

Can you also please confirm if FortisBC has a plan for where and how it will deal with the dredge spoil from this tunnel? At the most recent update to District of Squamish council you indicated that details were still being worked out. **Soils removed from the BC Rail property will be trucked to a disposal site presently being arranged by the tunnel contractor. Rock from the Woodfibre site will remain on that property.**

And finally, has FortisBC determined how it will treat the effluent and potential acid rock drainage from the tunnel? **If potential acid rock is encountered, it will be covered then placed back inside the tunnel once pipes are installed and the tunnel sealed.**

In FortisBC's application for an amendment, there are two potential effluent sites shown on the Squamish River. Have plans for the treatment facility been finalized? **It is unclear what is being referred to. If the term "effluent" is referring to the soils being removed from the tunnel at the BC Rail site there is no plan to treat them or dispose of them in the Squamish River.**

I look forward to your reply.

Regards,

Tracey Saxby
Executive Director
My Sea to Sky

Cell: +1 (604) 892-7501
Email: tracey@myseatosky.org
Web: <http://myseatosky.org>

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This email was sent to you by FortisBC*. The contact information to reach an authorized representative of FortisBC is 16705 Fraser Highway, Surrey, British Columbia, V4N 0E8, Attention: Communications Department. You can unsubscribe from receiving further emails from FortisBC by emailing unsubscribe@fortisbc.com.

*"FortisBC" refers to the FortisBC group of companies which includes FortisBC Holdings. Inc., FortisBC Energy Inc., FortisBC Inc., FortisBC Alternative Energy Services Inc. and Fortis Generation Inc.

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APPENDIX 5

Tracey Saxby

From: Tracey Saxby <tracey@myseatosky.org>
Sent: June 23, 2023 3:10 PM
To: 'Butler, Rachel S'
Cc: eoin@myseatosky.org; 'rhiannon@myseatosky.org'
Subject: RE: FortisBC's effluent discharge permit application to BC Energy Regulator

Hi again Rachel,

To further follow up: you mentioned that FortisBC claims that it published a notice of a public engagement opportunity for the BC OGC permitting process for the tunnel/effluent discharge.

Can you please share when this ad was published in the Squamish Chief, along with a copy of the ad? I have shared the only printed advertisement that we are aware of in my email dated 2023-06-16, which mentioned the public info sessions only.

FortisBC's claims that My Sea to Sky was notified and consulted regarding the BC OGC permits are false. We have never seen the application, and are unaware if it was ever made available in the Squamish public library.

Best,
Tracey

From: Tracey Saxby <tracey@myseatosky.org>
Sent: June 23, 2023 2:32 PM
To: 'Butler, Rachel S' <Rachel.Butler@bc-er.ca>
Subject: RE: FortisBC's effluent discharge permit application to BC Energy Regulator

Hi Rachel,

Following up on this.

As per our phone call, we would like to access and review FortisBC's application to the BC Energy Regulator for the tunnel and proposed effluent discharge.

If you can please provide a reasonable timeframe for review that would be greatly appreciated. We have hired an expert to assist with this review but will need to confirm their availability.

Best Regards,
Tracey

Tracey Saxby
Executive Director
My Sea to Sky
Cell: +1 (604) 892-7501
Email: tracey@myseatosky.org
Web: <http://myseatosky.org>

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From: Tracey Saxby <tracey@myseatosky.org>

Sent: June 16, 2023 2:02 PM

To: 'Butler, Rachel S' <Rachel.Butler@bc-er.ca>

Cc: 'rhiannon@myseatosky.org' <rhiannon@myseatosky.org>; 'eoin@myseatosky.org' <eoin@myseatosky.org>; 'Vrish Prahalad' <vprahalad@squamish.ca>; 'Ruth Simons' <howesoundbri@gmail.com>; 'Suzanne Senger' <executive@thescca.ca>; 'Anton van Walraven' <anton@ccbowen.ca>; 'Fern Stockman' <Fern.Stockman@gov.bc.ca>; 'Schoberg, Gord' <Gord.Schoberg@fortisbc.com>; 'Patrick - M.P.' <Patrick.Weiler@parl.gc.ca>; 'jordan.sturdy.mla@leg.bc.ca' <jordan.sturdy.mla@leg.bc.ca>; 'Liam.Olsen@ec.gc.ca' <Liam.Olsen@ec.gc.ca>; 'council@squamish.ca' <council@squamish.ca>; 'Curnow, Nicole' <Nicole.Curnow@bc-er.ca>; 'Babulic, Sean' <Sean.Babulic@bc-er.ca>; 'info@slrd.bc.ca' <info@slrd.bc.ca>; 'consultation_rightsandtitle@squamish.net' <consultation_rightsandtitle@squamish.net>

Subject: RE: FortisBC's effluent discharge permit application to BC Energy Regulator

Hi Rachel,

Thank you for clarifying.

I remember attending these public information sessions in November 2020, and have attached the ad that was placed in the local paper, along with the presentation that was given to the public by FortisBC.

While FortisBC mentioned the various permitting processes that were happening, at no point during the presentation was it made clear to the public that there was an opportunity for public engagement or written review of the application materials to the BC Oil and Gas Commission (now BC Energy Regulator) regarding the permit for the tunnel or effluent discharge. The focus of the information session was on the concurrent BC EAO amendment, and highlighted the public comment period for that separate process, which had a very different focus.

District of Squamish, the Squamish Lillooet Regional District, and Howe Sound Biosphere Region have all expressed concern about Woodfibre LNG's proposed effluent permits. There is clearly significant regional interest in ensuring adequate oversight of Woodfibre LNG and FortisBC to limit pollution of toxic contaminants and sediment into the fragile and recovering Átl'ka7tsem / Howe Sound ecosystem.

Questions directed to FortisBC have been answered with deliberate obfuscation and prevarication on this and other matters.

My Sea to Sky would greatly appreciate the opportunity to review the application to the BC Energy Regulator regarding FortisBC's proposed effluent discharge, and to provide input to inform this decision by the BC ER.

Thank you for your consideration of this request.

Best Regards,

Tracey Saxby

Executive Director

My Sea to Sky

Cell: +1 (604) 892-7501

Email: tracey@myseatosky.org

Web: <http://myseatosky.org>

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From: Butler, Rachel S <Rachel.Butler@bc-er.ca>

Sent: June 16, 2023 11:48 AM

To: Tracey Saxby <tracey@myseatosky.org>

Cc: rhiannon@myseatosky.org; eoin@myseatosky.org; 'Vrish Prahalad' <vprahalad@squamish.ca>; 'Ruth Simons' <howesoundbri@gmail.com>; 'Suzanne Senger' <executive@thescca.ca>; 'Anton van Walraven' <anton@ccbowen.ca>; 'Fern Stockman' <Fern.Stockman@gov.bc.ca>; 'Schoberg, Gord' <Gord.Schoberg@fortisbc.com>; 'Patrick - M.P.' <Patrick.Weiler@parl.gc.ca>; jordan.sturdy.mla@leg.bc.ca; Liam.Olsen@ec.gc.ca; council@squamish.ca; Curnow, Nicole <Nicole.Curnow@bc-er.ca>; Babulic, Sean <Sean.Babulic@bc-er.ca>

Subject: RE: FortisBC's effluent discharge permit application to BC Energy Regulator

Hello Tracey,

I can confirm that the BCER is actively working with FortisBC and Squamish First Nation regarding the Eagle Mountain Pipeline discharge permit application, and that we are nearing decision on the application. The submission of preliminary information for the FortisBC Eagle Mountain pipeline project dates back to November 2019. The Environmental Protection Notification for this application was published in both the BC Gazette & the Squamish Chief Oct 29, 2020, with virtual public engagement sessions held Nov 17 & 18, 2020. The consultation log from those public information sessions indicates that My Sea to Sky was present.

As per Section 7 (2) of the Public Notification Regulation under the Environmental Management Act, *the director may take into consideration any information received after the 30 day period prescribed by subsection (1) if the director has not made a decision on the permit, approval, or operational certificate.*

As per Schedule A of the Public Notification Regulation the BCER will give notice of decision to those who submitted written notification of concerns. We do have My Sea to Sky listed for providing notice of decision.

Please reach out with any other questions or concerns.

Kindly,



Rachel Butler ASCT
Environmental Management Technologist
Rachel.Butler@bc-er.ca

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From: Tracey Saxby <tracey@myseatosky.org>
Sent: Tuesday, June 13, 2023 5:48 PM
To: Butler, Rachel S <Rachel.Butler@bc-er.ca>
Cc: rhannon@myseatosky.org; eoin@myseatosky.org; 'Vrish Prahalad' <vpahalad@squamish.ca>; 'Ruth Simons' <howesoundbri@gmail.com>; 'Suzanne Senger' <executive@thescca.ca>; 'Anton van Walraven' <anton@ccb Bowen.ca>; 'Fern Stockman' <Fern.Stockman@gov.bc.ca>; 'Schoberg, Gord' <Gord.Schoberg@fortisbc.com>; 'Patrick - M.P.' <Patrick.Weiler@parl.gc.ca>; jordan.sturdy.mla@leg.bc.ca; Liam.Olsen@ec.gc.ca; council@squamish.ca
Subject: FortisBC's effluent discharge permit application to BC Energy Regulator

Hi Rachel,

I hope you are well.

I was informed today by Gord Schoberg that FortisBC has applied for an effluent discharge permit for the proposed Eagle Mountain to Woodfibre high-pressure gas pipeline and tunnel.

Can you please confirm if this is accurate, and the current status of this application?

Mr. Schoberg indicated that FortisBC anticipates the approval for this permit to be received soon from BC-ER, and spoke as if this permit approval was inevitable. However, we are completely unaware of any public engagement that has occurred on this permit application.

The BC-ER project website notes the 2019 application for the tunnel, but nothing since.
<https://www.bc-er.ca/what-we-regulate/major-projects/eagle-mountain-woodfibre-gas-pipeline/>

Similarly to the proposed Woodfibre LNG project, we have significant concerns about the impact of the proposed water effluent discharge in the Squamish River and at the Woodfibre LNG site, and the permanent and cumulative increase in toxic contaminants in Átl'ka7tsem / Howe Sound.

I look forward to hearing from you.

Best Regards,
Tracey

Tracey Saxby
Executive Director
My Sea to Sky
Cell: +1 (604) 892-7501
Email: tracey@myseatosky.org
Web: <http://myseatosky.org>

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