



File: 30050-25/EMWG-19

Reference: 392699

September 23, 2022

SENT VIA EMAIL

Sue Brown
Director of Advocacy
Justice for Girls
250-997 Seymour St.
Vancouver, BC V6B 3M1
sue@justiceforgirls.org

Dear Sue Brown:

I am writing in response to your August 5, 2022, submission on the temporary workforce housing amendment application for the Eagle Mountain - Woodfibre Gas Pipeline Project (EGP Project) environmental assessment certificate (EAC) on behalf of Justice for Girls.

We appreciate your presentation of research and evidence of violence against women and girls in association with resource extraction industries and industrial camps. The Environmental Assessment Office (EAO) is considering your submission during the assessment of the amendment application for the EGP Project with advice received from Indigenous nations and the EAO's Technical Advisory Committee. We will post these submissions and advice as well as responses by FortisBC, the certificate holder on the EAO Project Information Center website: [EPIC](#). This input will be summarized and analysed in the Assessment Report considered by the decision-maker. The report will need to address all Section 25 matters discussed below.

As you are aware, the *Environmental Assessment Act* (2018) (Act) compels assessments on Section 25 matters, which include disproportionate effects on distinct human populations including populations identified by gender, as well as the effects of a

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project on Indigenous nations and rights recognized and affirmed by Section 35 of the *Constitution Act*, 1982. By law, these matters will be considered in the EGP Project amendment assessment. Furthermore, before deciding on whether to issue an amendment, the decision maker must seek to achieve consensus with participating Indigenous nations. I note that participating Indigenous nations for this assessment have also expressed similar concerns to Justice for Girls.

Your letter raised the following topics of concern and requested specific actions on behalf of the EAO:

- *Mitigation measures to prevent violence associated with the camps:*
 - You highlighted concerns regarding the effectiveness of three measures proposed by FortisBC to prevent violence on women and girls: private security; code of conduct and training; and an anonymous tip-line. The EAO has shared your concerns with these mitigation measures with FortisBC; we will post FortisBC's responses on the EAO website once received. As noted above, the EAO will consider these concerns and FortisBC's responses in its assessment. Please note that the EAO welcomes recommendations by Justice for Girls of alternative mitigation measures.
 - Mitigation measures and the amendment application put forward by FortisBC are evaluated by the Technical Advisory Committee consisting of Indigenous nations, federal, provincial and local government representatives during the assessment of the amendment application. Technical Advisory Committee members may recommend alternative or additional measures to mitigate potential effects, which are considered by the EAO in developing recommendations for the decision maker. The decision maker can alter or add binding conditions should they choose to issue an amendment approval.
- *Deny the Amendment Application:*
 - The research you presented and your recommendation to deny the amendment application will be presented to the Chief Executive Assessment Officer when considering the amendment application. The decision may result in a refusal to amend the certificate or an amendment to the certificate under new conditions considered necessary to mitigate amendment effects.

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- *Cancel the existing EAC*

Under the Act, the Minister may cancel a certificate only in the following circumstances:

- a) The holder of the environmental assessment certificate does not substantially start the project by the deadline specified in the certificate (August 9, 2026);
- b) On the twentieth anniversary of the issuance of the certificate the project is not operational;
- c) The Minister has reasonable and probable grounds to believe that the holder of the certificate or exemption order is in default of:
 - i. an order of the Supreme Court made under Section 54, 69 or 71;
 - ii. an order of the Chief Executive Assessment Officer or Minister made under Section 53 or 55 (2); or
 - iii. one or more requirements of the certificate;
- d) The holder of the certificate or exemption order has been convicted of an offence under this Act;
- e) The holder of the certificate or exemption order is in default of an order made under Section 47 to pay costs;
- f) The holder of the certificate or exemption order fails to pay a penalty imposed under Section 60 within the prescribed time.

The EAO notes that currently none of these circumstances are relevant to the EGP Project and therefore the EAO is not able to consider cancelling the EAC.

Again, thank you for your sharing your views and concerns with the proposed amendment of the EGP Project EAC. The EAO will take your concerns into consideration during the assessment of the amendment application, including in our report to the decision-maker. Should you have any further questions, please reach out to me at Fern.Stockman@gov.bc.ca.

Yours truly,



Fern Stockman
Executive Project Director

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cc:

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