



TO: Squamish Nation Membership

FROM: Chiefs and Council

DATE: June 24, 2016

RE: Squamish Nation FortisBC Environmental Assessment Agreement Bulletin

Since the last community meetings, the Squamish Nation (“SN”) team has been working hard to negotiate Environmental Assessment Agreements for the *Woodfibre LNG-FortisBC* project.

In October 2015, SN approved the *Woodfibre LNG* Environmental Assessment (“EA Agreement”). As directed by SN Council, the negotiating team made it clear that under any agreement to approve the project, the proponents and province must meet all of SN’s “25 Conditions” — nine of which apply directly to *FortisBC*.

SN then turned its attention to the next phase: the *FortisBC* component of the proposal (*step 2 of the attached infographic*), specifically the location of the compressor station, as well as re-routing the pipeline itself outside of the Skwelwil’em Wildlife Management Area.

In the community meetings, many SN members expressed concern for these two issues in particular. As a result, SN conveyed these concerns to *FortisBC*, saying that, in essence, unless they were resolved to SN’s satisfaction, the project would simply not get built.

Reacting to SN pressure, *FortisBC* went back to the drawing board and selected another site — near Mount Mulligan — to better protect valuable SN land and aquatic habitats. *FortisBC* also agreed to re-route sections of its pipeline to avoid impacts in the Skwelwil’em Wildlife Management Area.

Now that *FortisBC* has agreed to address these issues, SN Council voted today to approve the *FortisBC* EA Agreement.



It is important for members to understand that the EA Agreement will legally bind *Fortis BC* to meet all nine of the following conditions:

1. Avoid any industrial impacts in the Skwelwil'em Wildlife Management Area (WMA) boundaries by constructing the new pipeline completely underneath, or around, the WMA so that the pipeline surfaces outside of the WMA boundaries.
2. No barges in WMA.
3. Relocating the compressor station from the location proposed in its EA Application to a location that poses no risk to Squamish members residing on any Indian Reserve in Squamish territory.
4. Routing the pipeline to avoid impacts within, and adjacent to, the following cultural sites that have been legally designated under land use agreement with BC: Monmouth Creek, Stawamus Creek and Indian River. For certainty, in order to minimize disturbance to the cultural sites, *FortisBC* will come to agreement with the Squamish Nation on a reasonable buffer area around each of these cultural sites.
5. Partnering with the Squamish Nation to co-manage the environmental management programs and the monitoring of the programs (including the funding of SN participation).
6. Providing insurance coverage or form of bond to address personal loss and injury costs of members that may be impacted by an explosion caused by an accident or malfunction of project.
7. No future expansion of the pipeline without Squamish Nation approval.
8. Making certain mitigation measures proposed in its EA application that are considered voluntary measures legally binding under a Squamish Nation Certificate of Project Approval.
9. Entering into an economic benefits agreement with the Squamish Nation that will be reflective of the Squamish Nation's aboriginal rights and title interests.

It is important to note that the above Nine Conditions will be in addition to those already set out by the provincial government. And that SN will monitor and enforce all Nine Conditions.



Entering into an Environmental Assessment Agreement (“EA Agreement”) means that if FortisBC does not satisfy one of the Nine Conditions, the SN can either revoke the FortisBC EA Agreement or pursue legal remedies in court to force FortisBC to comply with the condition.

What we approved is to legally bind Fortis to the Nine Conditions it is responsible for. This is just one step in a multi-staged process. *(See attached infographic)*

Next steps include the negotiation of an economic benefits agreement with each of FortisBC, Woodfibre LNG and the province of BC. This is the 25th condition the Squamish Nation imposed on all three parties.

The agreement will also do the following:

- Develop a process for *FortisBC* to meet the conditions and obtain a Squamish Nation Environmental Assessment Certificate.
- Set out the legal remedies if *FortisBC* does not meet a condition.

“Under the Environmental Assessment Agreement, we become watchdog over our territory — our land and aquatic habitats,” Chief Campbell says. “Squamish Nation has approval authority over aspects of the project that are much stronger than allowing the provincial government to monitor and enforce its conditions and plans.”

It can be useful to look back at a complex process.

On July 24, 2015 *Woodfibre LNG* publicly announced it has agreed to accept all of its respective Squamish Nation Conditions and that it is prepared to enter into a legally binding agreement regarding its Conditions.

“It was a good start,” Chief Campbell said at the time, “but there was much more to be done. During our community meetings, members made clear their priorities—environmental protection and public safety, for example— and we intend to set these into law. Many members expressed concern about the proposed site of the *FortisBC* compressor site.”

On Sept. 14, 2015 came another major development. *FortisBC* announced an alternative site for its compressor station and agreed to re-route sections of its pipeline to avoid impacts on cultural areas and the Skwelwil'em Wildlife Management Area.

Squamish Nation approved the Mount Mulligan option for the *FortisBC* compressor station — farther away from Squamish Nation residents and a pipeline route option that completely avoids the Skwelwil'em Wildlife Management Area (WMA).



There are other issues as well:

- A conditional approval means that *FortisBC* must meet the conditions under the agreement to Squamish Nation’s satisfaction or the Nation may revoke the Squamish Nation Environmental Assessment Certificate.
- The SN Environmental Assessment Agreement and SN Environmental Assessment Certificate will be public documents, made available to members.

“It is important to remind members that the Squamish Process was set in motion to ensure our Aboriginal rights and title interests are protected,” Chief Campbell says.

“For us, the *FortisBC* component represents an exercise in Squamish Nation government. Our decision reflects the interests, the will, and the beliefs of our members. We won’t allow outsiders, whether they support the proposal or oppose it, to decide for us. It is our future—our decision to make,” Chief Campbell says.

Now that Council has voted “yes” on the *FortisBC* EA Agreement, an Squamish Nation economic benefits package is the next step. Once negotiated, it will be presented to the community and Council for review.

Timeline

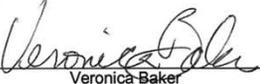
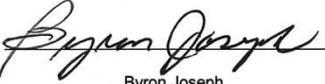
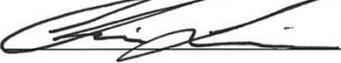
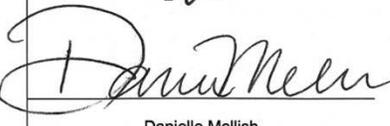
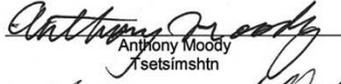
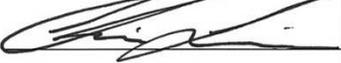
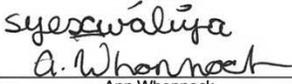
- July 2014: Squamish Process launched.
- Nov. 6, 2014: “LNG 101” sessions start.
- Nov. 24, 25, 29, 2014: Focus group meetings held at Squamish and North Vancouver.
- Feb. 11, 2015: Community meeting, Squamish.
- Feb. 24, 2015: Community meeting, North Vancouver.
- June 9, 2015: Community meeting, Squamish.
- June 11, 2015: Community meeting, North Vancouver.
- June 27, 2015: Squamish Nation Council sets out its “25 Conditions.”
- July 24, 2015: *Woodfibre LNG* accepts all Squamish Nation’s “25 Conditions.”



- Sept. 14, 2015: *FortisBC* responds to some of Squamish Nation’s “25 Conditions” and offers alternatives for its proposed pipeline route and compressor station location.
- Oct. 14, 2015: Squamish Nation Council approves the *Woodfibre LNG* EA Agreement, saying it could be managed if proper technology and controls are in place. But the *FortisBC* EA Agreement remained unresolved.
- May 3, 2016: Responding to pressure from Squamish Nation, *FortisBC* withdrew the option of locating the compressor station in the industrial park.
- May 11, 2016: As an alternative *FortisBC* proposes the Mount Mulligan site for its compressor.
- June 22, 2016: After a detailed briefing, Council voted “yes” to approve the *FortisBC* EA Agreement.

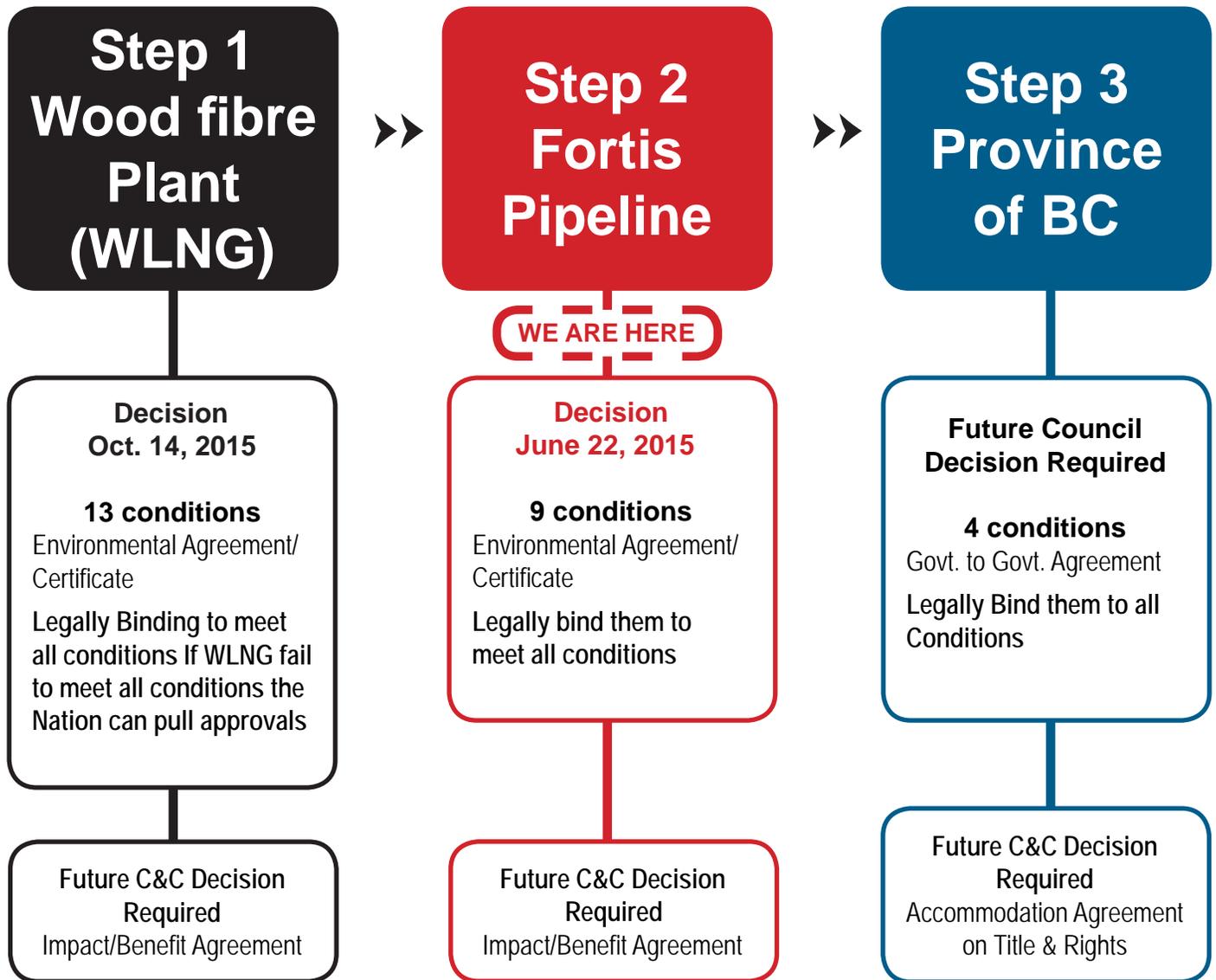
Chet kw'enmántumiyap
We thank you all,

SQUAMISH NATION
Chiefs & Council

| | |
|---|--|
|  Alroy Baker K'tebimtn |  Deborah Baker K'ána |
| Richard E. Baker Kasalus |  Veronica Baker Tiyaltenaat |
|  Carla George Kwitelut Kwelaw'ikw |  Byron Joseph Ts'élkwilem Siyám |
|  Dennis Joseph xwepntáal |  Joshua Joseph Skwetsi7meltxw |
|  Danielle Mellish |  Anthony Moody Tsetsimshtn |
|  Chief Richard Williams Xwélxwelacha Siyám |  Wilson Williams |
| |  Chief Ian Campbell Xálek/Sekyú Siyám |
| |  Christopher Lewis Syetáxtn |
| |  Ann Whonnock Syexwáliya |



STEPS TO MOVE FORWARD WITH THE WOOD FIBRE PLANT LIQUEFIED NATURAL GAS PROJECT



Steps

- 1) Negotiate on Environmental Agreement WLNG Environmental Conditions
 - 1-A Negotiate on Impact Benefits Agreement (IBA) with WLNG
- 2) **Negotiate on Environmental Agreement with Fortis re: Pipeline Environmental Conditions**
 - 2-A Negotiate an IBA with Fortis as a result of the Environmental Conditions negotiations
- 3) Negotiate On Government to Government Agreement on Environmental Conditions with Province of BC
 - 3-A Negotiate on Accommodation Agreement with Province of BC

Please Note that ALL steps need to be completed for Squamish Nation Approval of Project and if one fails the Nation can Revoke it all