

# Notley says PM still backs Trans Mountain

B.C.'s Greens and NDP, expected to make up next government, are committed to blocking the expansion

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Alberta Premier Rachel Notley says a private conversation with Prime Minister Justin Trudeau has given her fresh assurance that Ottawa backs the expansion of the Trans Mountain pipeline, even as opponents lay the groundwork for British Columbia's next government to block the project.

Ms. Notley recounted how she spoke to the Prime Minister by phone earlier this month in a conversation in which Mr. Trudeau indicated he's committed to "seeing the matter through."

"I feel very confident that we have the undivided and unequivocal support of the federal government," she told reporters in Calgary Wednesday.

The \$7.4-billion project, which would allow for the nearly three-fold expansion of Kinder Morgan Inc.'s existing Trans Mountain pipeline, secured Ottawa's approval late last year. With the world awash in oil supplies, the project could open new markets in Asia and California for Canadian producers hit by the global crude price drop.

However, the project would

also significantly increase bitumen oil tankers traffic off the West Coast. The leaders of British Columbia's New Democrat and Green parties - poised to work together to make up the province's next government - have promised to halt the project by any means possible.

Already last month, Mr. Trudeau said the fate of the pipeline project should not be affected by a change in the B.C. government.

The Alberta Premier made her remarks on Wednesday following a speech to an industry crowd at the Global Petroleum Show, where she argued her province's climate plan is the most aggressive of any energy-heavy jurisdiction in North America. She said Alberta is balancing a price on carbon and a cap on oil sands greenhouse gas emission growth with its focus on economic growth and job creation. She even linked dependable, well-paid employment in the energy sector to political stability.

"Ignoring the very real needs and concerns of these working families only feeds the growing inequality that fuels so much of the extreme politics we see around the world," she said in

her speech.

The province's reliance on the United States for almost all of its crude-export market needs to end, she said. "The twinning of the Trans Mountain pipeline gets our economy out of the economic shackles that have held us back."

But while Mr. Trudeau and Ms. Notley asserted the federal approval of the project, the West Coast Environmental Law Association laid out options for a new B.C. government to block the pipeline project - with a backgrounder sent to BC NDP Leader John Horgan and Green Leader Andrew Weaver.

While the province doesn't formally have the final word on the project, Jessica Clogg, executive director of the non-profit legal group, said B.C. has powerful legal tools that a new government could employ. She noted Kinder Morgan will need dozens of provincial permits to move ahead with construction.

"The courts have been very clear that as long as B.C. is acting within clearly defined areas of provincial jurisdiction - they're thinking about drinking water, about health and safety, or provincial lands or resources - they can impose additional

processes or conditions that have to be met before they issue provincial permits."

Other lawyers have argued a new government would be limited in its options because courts have ruled a province can impose conditions but cannot block a federally approved project.

There are also questions as to whether a new government could revisit a provincial environmental assessment certificate issued by a previous administration.

But Ms. Clogg said a new government could immediately suspend the provincial certificate issued by the Liberal government, which would force Kinder Morgan to launch a court action to enforce it.

Another key issue to be revisited is the province's obligation to consult with and accommodate Indigenous communities.

The Squamish First Nation is asking a court to quash the certificate on the grounds it was not adequately consulted, and Ms. Clogg said a new provincial government could decide not to defend that lawsuit - a move which would increase the likelihood of success for the Squamish litigants.