

## MOTION

### 1. Judicial Review of Provincial Government Decision to Approve Kinder Morgan's Pipeline Expansion Project

At the Regular Council meeting on February 7, 2017, Vancouver City Council referred a motion on the above-noted matter to the Standing Committee on City Finance and Services meeting on February 8, 2017, to hear from speakers. Subsequently, the motion was referred to the Standing Committee on Policy and Strategic Priorities meeting on February 22, 2017, to hear from speakers.

MOVED by Councillor Carr

SECONDED by Councillor Reimer

#### WHEREAS

1. On January 11, 2017, the Province of British Columbia (BC) announced its decision to issue an environmental assessment certificate to Kinder Morgan's Trans Mountain Pipeline Expansion Project in BC, noting that its five conditions, including world-leading oil response capacity, had been met;
2. On January 13, 2016, the BC Supreme Court ruled that the Province must conduct its own environmental assessment review process for the Northern Gateway pipeline project, instead of signing an "equivalency agreement" that gives the federal government sole responsibility for environmental assessment as the Province did with both the Northern Gateway and Kinder Morgan pipeline projects;
3. The Provincial environmental assessment process requires consultation with First Nations, opportunities for the involvement of the public and all interested parties and technical studies to identify and examine potential significant adverse effects, none of which were undertaken by the Province, which appears to have relied on environmental assessments produced by the NEB process in regards to its January 11, 2017, environmental approval of the Kinder Morgan project;
4. The City of Vancouver, in its submissions as an intervenor in the National Energy Board's Kinder Morgan pipeline expansion project process, noted the faulty environmental assessment process, including the absence of any modelling of the effects of a bitumen spill in Vancouver's marine environment—making it impossible to develop a "world-leading" oil spill response strategy.

THEREFORE BE IT RESOLVED THAT Vancouver City Council direct staff to proceed with requesting a judicial review of the Province of British Columbia's decision to give environmental approval to Kinder Morgan's Trans Mountain Pipeline Expansion Project in BC.