



Diane Roy
Vice President, Regulatory Affairs

Gas Regulatory Affairs Correspondence
Email: gas.regulatory.affairs@fortisbc.com

Electric Regulatory Affairs Correspondence
Email: electricity.regulatory.affairs@fortisbc.com

FortisBC
16705 Fraser Highway
Surrey, B.C. V4N 0E8
Tel: (604)576-7349
Cell: (604) 908-2790
Fax: (604) 576-7074
www.fortisbc.com

September 13, 2021

Tsleil-Waututh Nation
c/o Miller Titerle Law Corporation
300-638 Smithe Street
Vancouver, BC V6B 1E3

Attention: Joelle Walker

Dear Ms. Walker:

Re: FortisBC Energy Inc. (FEI)

Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)

Response to the Citizens for Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1

FEI respectfully submits the attached response to TWN IR No. 1 in the Application referenced above.

If further information is required, please contact the undersigned.

Sincerely,

FORTISBC ENERGY INC.

Original signed:

Diane Roy

Attachments

cc (email only): Commission Secretary
Registered Parties

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tseil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 1

1 **A. PROJECT NEED**

2 **1. REFERENCE: PROJECT NEED**

3 **Exhibit B-1, pp. 3 (PDF pp. 230)**

4 **Preamble:** At Appendix A of the Redacted Application for a CPCN for the TLSE Project
5 (the “**Application**”), FEI appends a redacted version of the Guidehouse
6 Report on Natural Gas System Resiliency (“**Guidehouse Resiliency**
7 **Report**”). Further, at pp. 3, Guidehouse states:

8 For the purposes of this report, Guidehouse defines resiliency as
9 the ability of the energy delivery system to respond to system
10 failures or unforeseen events that impact the operations of the
11 system, such as storms. It is Guidehouse’s opinion that the North
12 American gas delivery system is highly resilient due to the large
13 network of interconnected natural gas transmission lines that span
14 the continent and provide capacity to enable natural gas production
15 to reach demand centres.

16 However, we note that some individual natural gas utilities that do
17 not have access to multiple transmission pipelines and rely on a
18 single pipeline for the majority of their natural gas supply have less
19 redundancy, which is a key component of a resilient system.

20 For these utilities, the approach to strengthening resiliency requires
21 consideration of available physical assets balanced against the
22 reasonableness of the cost, i.e., impact to the rate payer.

23 British Columbia’s report “CleanBC: our nature. our power. our future.”
24 (“**CleanBC Plan**”) was released in March 2019. The CleanBC Plan
25 identifies priorities for British Columbia to reduce greenhouse gas
26 emissions and work towards sustainability. The CleanBC Plan emphasizes
27 the need to transition away from fossil fuels.¹

28 1.1 Please explain whether the concept of resiliency used throughout the Application
29 and in the Guidehouse Resiliency Report incorporates resiliency of British
30 Columbia’s energy system as a whole, beyond the natural gas market. If so, please
31 explain how.

32 **Response:**

33
34 The primary focus of the Application is on the resiliency of FEI’s natural gas system, and more
35 specifically, the risk facing FEI’s system as a result of a potential no-flow event on the T-South

¹ Province of British Columbia, “CleanBC: our nature. our power. our future.” (March 2019) at 5, 8, 11, 34 online:
https://blog.gov.bc.ca/app/uploads/sites/436/2019/02/CleanBC_Full_Report_Updated_Mar2019.pdf.

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 2

1 system. However, the provincial gas delivery system is a major component of the province's
2 overall energy system. FEI's infrastructure delivers approximately 16 to 18 percent of all provincial
3 energy consumption, which is on the same order as all electricity consumption in the province.
4 Strengthening the resiliency of the gas system will, by virtue of its size, strengthen the resiliency
5 of BC's energy system as a whole.

6 Further, as discussed in the response to MS2S IR1 4.iii, during peak periods (such as extreme
7 cold conditions in the winter), the capacity of BC's electrical system would be constrained, similar
8 to how FEI's system capacity is constrained during those events. A sudden and unexpected shift
9 of space heating load from natural gas to electricity during cold winter conditions would place a
10 demand on BC Hydro's system far higher than the typical loading this system would be expected
11 to sustain, and could lead to an electrical system collapse as well.

12

13

14

15

1.2 Please explain whether the definition of resiliency used throughout the Application
16 and in the Guidehouse Resiliency Report incorporates a consideration of climate
17 change resiliency for British Columbia, specifically transitioning away from
18 consumption of fossil fuels as set out in the CleanBC Plan and the Clean Energy
19 Act, SBC 2010, c 22, s. 2(c). If so, please explain how.

20

21

Response:

22 FEI's definition of resiliency includes the ability to withstand and recover from system failures or
23 unforeseen events, regardless of their cause. This definition includes unforeseen events or
24 incidents related to climate change. For additional discussion related to FortisBC's climate action
25 plan and transition to a lower carbon future, please refer to the response to BCUC IR1 63.1.

26

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 3

1 **B. PROJECT ALTERNATIVES**

2 **2. REFERENCE: PROJECT ALTERNATIVES**

3 **Exhibit B-1, pp. 81-82 (PDF pp. 97-98)**

4 **Preamble:** At pp. 81-82 of the Application, FEI provides a table summarizing the
5 different alternatives considered in Step One of the Two-Step Alternatives
6 Assessment, including:

- 7
- 8 • Automated Metering Infrastructure;
 - 9 • T-South Expansion;
 - 10 • Expansion to Northwest Pipeline's Gorge Capacity
 - 11 • SCP expansion to Kingsvale;
 - 12 • SCP Expansion to Huntingdon;
 - 13 • Contract Additional off-System Storage;
 - 14 • On-System Underground Storage;
 - 15 • On-System Storage at a New Site;
 - 16 • Use the Existing Base Plan Storage (including regasification) and Add
17 Additional Storage;
 - 18 • On-System Storage at Tilbury (< 2 Bcf); and
 - On-System Storage at Tilbury (>3 Bcf).

19 2.1 Please explain whether FEI's consideration of alternatives in Step One of the Two-
20 Step Alternatives Analysis for adding system resiliency included any consideration
21 of renewable energy or renewable natural gas alternatives.

22
23 **Response:**

24 FEI's two-step analysis of alternatives in Section 4 evaluates potential solutions that will achieve
25 the Minimum Resiliency Planning Objective (MRPO), which is to withstand and recover from a
26 three-day no-flow event on the T-South system without having to shut down portions of FEI's
27 distribution system or otherwise losing significant firm load. While on-system sources of
28 renewable natural gas (i.e., RNG producers in the Lower Mainland) supply gas directly into FEI's
29 system, they were not considered a feasible alternative to the Project due to their limited volume
30 relative to Lower Mainland load.

31 For additional discussion on FortisBC's climate plan, including its expectation of increased
32 renewable gas content over time, please refer to the response to BCUC IR1 63.1.

33

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 4

1 **3. REFERENCE: PROJECT ALTERNATIVES**

2 **Exhibit B-1, pp. 115 (PDF pp. 131)**

3 **Preamble:** In describing the benefits of a 3 Bcf tank versus a 2 Bcf tank, FEI states the
4 following at pp. 115 [emphasis added]:

5 The construction of a new pipeline in BC will proceed when
6 supported by load growth in the region. Additional pipeline capacity
7 into the region could provide the opportunity for further expansion
8 of the Tilbury site with additional liquefaction to support LNG for
9 export. Discussions have been ongoing over the past number of
10 years with several overseas customers who have interest in
11 exporting LNG from Tilbury to destinations in Asia.

12 [...]

13 While an uncertain and contingent event, the expansion of the
14 Tilbury LNG site would likely include a large amount of liquefaction
15 capacity up to 3 million tonnes per annum (approximately 12 times
16 the size of Tilbury 1A and 60 times the size of the Tilbury Base
17 Plant liquefaction). This amount of liquefaction capacity at the
18 Tilbury LNG site could change FEI's operating paradigm, including
19 its storage needs. For example, FEI could enter into a commercial
20 arrangement to utilize a small amount of the bulk export liquefaction
21 capacity to backstop liquefaction outages associated with Tilbury
22 1A and 1B liquefaction, thereby freeing up 1 Bcf of storage capacity
23 from the Tilbury 1A tank. With the additional pipeline supply into the
24 Lower Mainland, as discussed in Section 4.2.4.5 above, FEI could
25 potentially further reduce its storage needs by entering into
26 commercial arrangements to provide access to other contingency
27 resources. This could potentially allow FEI to lease storage space
28 to the export entity, thereby recovering a portion of the cost of
29 service of the Project while maintaining an enhanced level of
30 resiliency.

31 3.1 How much LNG is currently exported versus stored for domestic use and resiliency
32 at the Tilbury site?

33
34 **Response:**

35 Between January 1, 2017 and June 30, 2021, approximately 8 percent of LNG sales from Tilbury
36 were for the export market, while the remaining 92 percent of sales were for domestic use
37 including the marine market.

38 Currently, the regasification capacity and storage at Tilbury are limited in the extent to which they
39 provide resiliency from a planning perspective. As discussed in Section 3.5.4.1.2 of the

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tseil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 5

1 Application, the Tilbury Base Plant was built to support peak demand, and Tilbury 1A facilities
2 were built pursuant to an Order in Council to support LNG sales. However, in the event of an
3 emergency, FEI would use all available resources at Tilbury to attempt to prevent a widespread
4 outage.

5
6

7

8 3.2 How much of the increased capacity of the proposed expansion measures will be
9 dedicated to export versus storage for domestic use and resiliency?

10

11 **Response:**

12 FEI assumes that “the proposed expansion” in the question refers to the TLSE Project, which is
13 a 3 Bcf storage tank and regasification. FEI confirms that the TLSE Project is proposed for the
14 purpose of resiliency. However, as discussed in Section 4.4.1.5.5 of the Application, FEI has
15 identified a future scenario where it may be beneficial to customers to contract a portion of the
16 tank volume to a third party or FEI affiliate. This scenario would allow recovery of a portion of the
17 cost of service of the TLSE Project, thus providing benefits to FEI’s ratepayers.

18

19

20

21 3.3 Will there be any limitations on the liquefaction capacity dedicated to export versus
22 domestic use and resiliency?

23

24 **Response:**

25 The TLSE Project involves the construction of a 3 Bcf storage tank, and does not include
26 liquefaction. FEI has reserved 5 MMcf/day of liquefaction capacity from the existing Tilbury 1A
27 liquefaction train in order to refill the tank following resiliency events or when storage volumes are
28 used for domestic gas supply purposes.

29

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tseil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 6

1 **C. PROJECT DESCRIPTION**

2 **4. REFERENCE: PROJECT DESCRIPTION**

3 **Exhibit B-1, Appendix Q-1, pp. 1-1 (PDF pp. 607)**

4 **Preamble:** In the Initial Project description at pp. 1-1, FEI states:

5 [The TSLE Project] will connect to FortisBC's existing LNG facilities
6 (such as, vapourization and gas send-out facilities) to support
7 security of natural gas supply to gas utility customers and the
8 proposed WesPac Midstream Ltd. (WesPac) Tilbury Marine Jetty
9 project for marine LNG bunkering and LNG export.

10 4.1 Please describe how the TSLE project will support the WesPac Tilbury Marine
11 Jetty project.

12
13 **Response:**

14 The TLSE Project will not increase the capacity of the Tilbury Marine Jetty (TMJ) project.

15 The TMJ will be connected to the existing Tilbury 1A storage tank, which was constructed to
16 provide LNG service.

17 The TLSE Project is being constructed for resiliency purposes, as described in Section 3 of the
18 Application. FEI will maintain 2 Bcf of LNG in the new tank as a resiliency reserve, and the
19 remaining 1 Bcf will provide both resiliency and other ancillary benefits as described in Section
20 4.4.1.5 of the Application.

21 As the new TLSE tank will be physically interconnected to the existing Tilbury 1A facilities (see
22 Section 5.3.3.2 of the Application) it will be possible for the tank (or, more specifically, the 1 Bcf
23 above the minimum reserve held for resiliency) to, for example, accommodate maintenance on
24 Tilbury 1A facilities or to provide redundancy in the event of an outage on Tilbury 1A facilities.

25

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 7

1 **D. ENVIRONMENT AND ARCHAEOLOGY**

2 **5. REFERENCE: ENVIRONMENT AND ARCHAEOLOGY**

3 **Exhibit B-1, pp. 178 (PDF pp. 194)**

4 **Preamble:** At pp. 178 of the Application, FEI states:

5 Potential impacts to archaeological resources as a result of the
6 Project can be mitigated through the standard provincial and
7 Indigenous permitting processes and the implementation of
8 standard best management practices.

9 Article 11(1) of UN Declaration on the Rights of Indigenous Peoples
10 (“**UNDRIP**”) states:

11 Indigenous peoples have the right to practice and revitalize their
12 cultural traditions and customs. This includes the right to maintain,
13 protect and develop the past, present and future manifestations of
14 their cultures, such as archeological and historical sites, artefacts,
15 designs, ceremonies, technologies and visual and performing arts
16 and literature.

17 Article 12(1) of UNDRIP states:

18 Indigenous peoples have the right to manifest, practice, develop
19 and teach their spiritual and religious traditions, customs and
20 ceremonies; the right to maintain, protect and have access in
21 privacy to their religious and cultural sites; the right to use and
22 control of their ceremonial objects; and the right to repatriation of
23 their human remains.

24 Article 31(1) UNDRIP states:

25 Indigenous peoples have the right to maintain, control, protect and
26 develop their cultural heritage, traditional knowledge and traditional
27 cultural expressions [...] They also have the right to maintain,
28 control, protect and develop their intellectual property over such
29 cultural heritage, traditional knowledge, and traditional cultural
30 expressions.

31 5.1 How will FEI’s mitigation of impacts to archeological resources meet the minimum
32 standards set out in these Articles of UNDRIP?

33

34 **Response:**

35 FEI's understanding is that as a result of the *Declaration of Rights of Indigenous People Act*, the
36 BC government will undertake all measures necessary to ensure the laws of BC are consistent
37 with the Declaration. As cited in the preamble, management of archaeological and heritage
38 resources will be governed by relevant provincial permitting processes in effect at that time. FEI



FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 8

- 1 will engage with the Indigenous groups listed in Table 8-4 of the Application regarding FEI's
- 2 archaeology work for the Project, including respective heritage permitting processes.
- 3

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 9

1 **6. REFERENCE: ENVIRONMENT AND ARCHAEOLOGY**

2 **Exhibit B-1, pp. 178 (PDF pp. 194)**

3 **Preamble:** At pp. 178 of the Application, FEI states:

4 Based on the results of the [Archaeology Overview Assessment
5 (“AOA”)], Golder recommended that, if possible, FEI should avoid
6 ground- disturbing impacts to areas assessed as having
7 archaeological potential. If avoidance is not possible, Golder
8 recommended that an [Archaeological Impact Assessment (“AIA”)]
9 be conducted prior to development activities.

10 Article 12(1) of UNDRIP states:

11 Indigenous peoples have the right to manifest, practice, develop
12 and teach their spiritual and religious traditions, customs and
13 ceremonies; the right to maintain, protect and have access in
14 privacy to their religious and cultural sites; the right to use and
15 control of their ceremonial objects; and the right to repatriation of
16 their human remains.

17 6.1 How will TWN be involved in evaluating whether avoidance is not possible?

18

19 **Response:**

20 The AOA identified several areas of the Project site as having archaeological potential. FEI
21 undertook a site-wide AIA to identify the presence of any archeological material. Representatives
22 from TWN participated in the investigation and will have the opportunity to comment on the draft
23 report. FEI will follow the recommendations of the AIA, developed in conjunction with TWN, for
24 any ground disturbance in areas previously identified as having archaeological potential.

25

26

27

28 6.2 How will any decision-making processes set out in the response to Request 6.1
29 reflect the free, prior, and informed consent (“FPIC”) of TWN and TWN’s right to
30 maintain, control, protect and develop their cultural heritage, including their
31 archeological resources and human remains pursuant to Article 12(1) of UNDRIP?

32

33 **Response:**

34 FEI will follow provincial regulations regarding the identification and investigation of
35 archaeological material at the Project site. Both the AOA and AIA have been, and will continue to
36 be, developed in consultation with TWN representatives.

37

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 10

1 **7. REFERENCE: ENVIRONMENT AND ARCHAEOLOGY**

2 **Exhibit B-1, pp. 178-179 (PDF pp. 194-195)**

3 **Preamble:** At pp. 178-179, FEI summarizes the recommendations provided by Golder
4 based on the results of the AOA:

- 5 • For areas where no archaeological potential was assessed, proceed
6 with an Archaeological Chance Find Management Procedure in
7 place for all works.
- 8 • For areas with potential for deeply buried archaeological sediments,
9 proceed with an Archaeological Chance Find Management
10 Procedure in place for all works and if works extend below 4.0
11 metres, conduct monitoring.
- 12 • For areas with potential for deeply buried archaeological sediments
13 that have likely been removed or the subsurface data is absent,
14 proceed with an Archaeological Chance Find Management
15 Procedure in place for all works and if works extend below 40
16 centimetres, conduct AIA and/or monitoring.
- 17 • For areas with surface or near surface potential, conduct an AIA prior
18 to construction.

19 7.1 How will TWN be involved in developing and managing the Archaeological Chance
20 Find Management Procedure?

21
22 **Response:**

23 TWN will have the opportunity to comment on the site-specific chance find management
24 procedure.

25
26

27

28 7.2 Will FEI hire Indigenous archaeology monitors?

29

30 **Response:**

31 FEI will follow the recommendations of the AIA regarding archaeological monitoring. If
32 archaeological monitoring is recommended, FEI commits to hiring Indigenous archaeology
33 monitors.

34

35

36

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 11

1 7.3 How will FEI include TWN Archaeology and Cultural Heritage representatives in
2 both developing the Archaeological Chance Find Management Procedure and
3 ongoing monitoring?
4

5 **Response:**

6 Please refer to the responses to TWN IR1 7.1 and 7.2.
7
8

9
10 7.4 How will TWN's values be reflected in determinations about the significance of
11 chance finds?
12

13 **Response:**

14 In the event of a chance find of archeological material, FEI or its archaeological consultant will
15 contact TWN to assist in the determination of the significance.
16
17

18
19 7.5 Who will make decisions about whether to issue a stop work order based on
20 chance finds?
21

22 **Response:**

23 In the event of known or suspected archaeological material is encountered, a stop work order will
24 be immediately issued by FEI.
25

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 12

1 **E. CONSULTATION**

2 **8. REFERENCE: CONSULTATION**

3 **Exhibit B-1, pp. 184-185 (PDF pp. 200-201)**

4 **Preamble:** The Declaration on the Rights of Indigenous Peoples Act, SBC 2019, c 44
5 (“**DRIPA**”) was passed into BC law on November 28, 2019. This legislation
6 affirms that UNDRIP applies to the laws of BC.

7 Article 29(1) of UNDRIP states: Indigenous peoples have the right to the
8 conservation and protection of the environment and the productive capacity
9 of their lands or territories and resources. States shall establish and
10 implement assistance programmes for indigenous peoples for such
11 conservation and protection, without discrimination.

12 Article 32(1) of UNDRIP states: Indigenous peoples have the right to
13 determine and develop priorities and strategies for the development or use
14 of their lands or territories and other resources.

15 At pp. 184-185 of the Application, FEI states:

16 Under the new BC EAA, the BC EAO will seek the consent of
17 Indigenous groups throughout the process. The new process is
18 meant to implement the Province’s commitment to the United
19 Nations Declaration on the Rights of Indigenous People (UNDRIP)
20 and advances reconciliation.

21 FEI is committed to meeting the comprehensive Indigenous
22 engagement and public consultation requirements of these
23 agencies. These engagement requirements, along with the
24 activities proposed as part of the CPCN engagement, will help
25 ensure the interests of Indigenous groups and the public are
26 collected and addressed throughout the development of the
27 Project.

28 8.1 Has FEI’s Indigenous engagement approach changed with the advent of DRIPA,
29 and if so, how?

30
31 **Response:**

32 FEI has a longstanding commitment to engagement with Indigenous groups which predates
33 DRIPA legislation of BC. In 2001, FortisBC engaged with Indigenous leaders across the province
34 to build its Statement of Indigenous Principles², which provides a foundation to FEI’s engagement
35 approach. FEI and its employees have been guided by these Principles and have continued to

² <https://www.fortisbc.com/in-your-community/indigenous-relations/statement-of-indigenous-principles>.

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 13

1 evolve its practices over time, which has resulted in successful working relationships with
2 Indigenous groups across the province.

3
4

5

6 8.2 Please explain whether, and how, FEI has considered the Articles of UNDRIP (in
7 particular, Articles 29 and 32) in FEI's consultation to date with TWN.

8

9 **Response:**

10 As discussed in Section 8.2.2 of the Application, there is a concurrent BC EAA and IAA regulatory
11 process underway for the Tilbury Phase 2 LNG Expansion Project, of which the TLSE Project is
12 a component.

13 FEI understands that the new EA process under the 2018 *Environmental Assessment Act*
14 requires consensus-seeking at key decision points, consistent with the UN Declaration. To that
15 end, FEI and FortisBC Holdings Inc. have consulted with TWN with a view to seeking consensus
16 on the assessment process thus far. The next steps in the provincial assessment will be
17 "readiness" and process planning under sections 16 and 19 of that Act. The chief executive
18 assessment officer must seek consensus with participating Indigenous nations, including TWN,
19 before making those decisions. FEI and FortisBC Holdings Inc. will consult with TWN in respect
20 of its consent to make those decisions, and, if the Project proceeds to assessment, future
21 engagement with Indigenous Nations will be guided by the process order for that assessment.

22 Additional detail regarding Indigenous participation in the Environmental Assessment process can
23 be found at the following site:

24 [https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/environmental-
assessments/environmental-assessment-
revitalization/documents/indigenous_participation_in_environmental_assessment_-_final.pdf](https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/environmental-
25 assessments/environmental-assessment-
26 revitalization/documents/indigenous_participation_in_environmental_assessment_-_final.pdf)

27

28

29

30 8.3 Please explain how the Articles of UNDRIP (in particular, Articles 29 and 32) have
31 affected or have been incorporated into FEI's plans for further consultation.

32

33 **Response:**

34 Please refer to the response to TWN IR1 8.2.

35

36

37

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 14

1 8.4 Please explain what measures were taken by FEI to achieve the minimum
2 standard of FPIC of TWN to the TSLE Project, as affirmed by UNDRIP and DRIPA.

3

4 **Response:**

5 FEI is committed to ongoing, meaningful engagement and to working with Indigenous groups
6 regarding the Project. As part of the BCUC regulatory review process, FEI provides its overall
7 view as to the sufficiency of the engagement process to date, in the context of the approval being
8 sought from the BCUC and the early stage of the Project.

9 As discussed in Section 8.4.6, it is FEI's view that engagement activities to date are sufficient for
10 this stage of the Project planning and development, and for the BCUC regulatory review process.
11 FEI and FortisBC Holdings Inc. will continue to engage Indigenous groups through the
12 development and other phases of the project. Please also refer to response to TWN IR1 8.2 for
13 discussion of ongoing engagement in the EA process.

14

15

16

17 8.5 If any measures were taken, how were TWN and other Indigenous groups involved
18 in evaluating the success of FEI in meeting FPIC objectives?

19

20 **Response:**

21 Please refer to the response to TWN IR1 8.4.

22

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 15

1 **9. REFERENCE: CONSULTATION**

2 **Exhibit B-1, pp. 197 (PDF pp. 213)**

3 **Preamble:** At pp. 197 of the Application, FEI states:

4 Where appropriate, FEI, together with the Crown agencies
5 responsible for Indigenous consultation (i.e., BCOGC, BC EAO,
6 IAAC), will identify methods to avoid or mitigate potential impacts
7 on those Indigenous interests, and where appropriate, discuss and
8 develop options for accommodation.

9 9.1 Please describe the methods under consideration for avoiding or mitigating
10 impacts on Indigenous rights and interests.

11
12 **Response:**

13 FEI's engagement to date has included discussions with Indigenous groups to identify issues and
14 concerns related to the TLSE Project. Given the concurrent BC EAA and IAA regulatory process
15 underway for the Tilbury Phase 2 LNG Expansion Project, of which the TLSE Project is a
16 component, FEI and FortisBC Holdings Inc. will engage with Indigenous groups, the BC EAO and
17 IAAC in more detail through these processes to consider potential impacts on Indigenous rights
18 and interests and develop avoidance or mitigation strategies for those potential impacts.

19
20

21
22 9.2 Will potentially impacted Indigenous groups be involved in the discussions with FEI
23 and Crown agencies to identify methods to avoid or mitigate potential impacts to
24 Indigenous interests and options for accommodation? If so, please explain how.

25
26 **Response:**

27 Confirmed. As discussed in Section 8.2.2 of the Application, there is a concurrent BC EAA and
28 IAA regulatory process underway for the Tilbury Phase 2 LNG Expansion Project, of which the
29 TLSE Project is a component. At several stages of the EA process, the EAO will seek consensus
30 with Participating Indigenous Nations, including with respect to a draft assessment report and
31 draft environmental assessment certificate conditions.

32 FEI and FortisBC Holdings Inc. will also engage with Participating Indigenous Nations during the
33 EA process with respect to potential impacts and potential avoidance or mitigation of potential
34 impacts.

35
36
37

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 16

1 9.3 Please describe what standard or threshold will be used to decide whether it is
2 appropriate to accommodate impacted Indigenous interests and identify who will
3 make that decision and how it will be made.
4

5 **Response:**

6 As discussed in Section 8.2.2 of the Application, there is a concurrent BC EAA and IAA regulatory
7 process underway for the Tilbury Phase 2 LNG Expansion Project, of which the TLSE Project is
8 a component.

9 Although it is the Government that has the ultimate duty to consult and, if necessary,
10 accommodate Indigenous peoples, it may delegate procedural aspects of that duty to FEI or
11 FortisBC Holdings Inc. and has done so with the regulatory process under the 2018
12 Environmental Assessment Act. FEI, together with FortisBC Holdings Inc., and the EAO will
13 engage with Participating Indigenous Nations during the environmental assessment process both
14 with respect to potential impacts and potential avoidance or mitigation of potential impacts.

15 At several stages of the EA process, the BC EAO will also seek consensus with Participating
16 Indigenous Nations, including with respect to the preparation of a draft assessment report and
17 draft certificate conditions.

18
19

20

21 9.4 How will FEI's evaluation and mitigation of Project impacts to TWN's rights reflect
22 and follow TWN legal orders and policies, in particular the Tsleil-Waututh
23 Stewardship Policy?
24

25 **Response:**

26 Please refer to the response to TWN IR1 9.2.

27

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 17

1 **10. REFERENCE: CONSULTATION**

2 **Exhibit B-1, pp. 197-198 (PDF pp. 213-214)**

3 **Preamble:** At pp 197-198 of the Application, FEI describes its “two-way
4 communication” with Indigenous groups to date as follows:

5 FEI has engaged with all the Indigenous groups listed in Table 8-4
6 by sharing information, identifying the next steps in the regulatory
7 review, responding to questions, and recording concerns. FEI has
8 engaged in these activities to support the potentially affected
9 Indigenous groups in understanding the proposed Project at an early
10 stage. This engagement included.

- 11 • Sending notification letters regarding relevant Project
12 milestones, including application filing, public comment periods
13 and open house dates;
- 14 • Sending notification emails with Project materials and
15 opportunities for review and comment. These emails included
16 an explicit offer to meet and discuss any questions or concerns;
- 17 • Attending six Project meetings as requested by five Indigenous
18 communities to discuss questions or comments related to the
19 Project; and
- 20 • Facilitating a site visit in response to a request by an Indigenous
21 group.

22 10.1 Please describe how the engagement with TWN to date has demonstrated that
23 FEI has substantively engaged with Indigenous concerns with an openness to
24 make substantive changes to the Project.

25

26 **Response:**

27 Please refer to the response to TWN IR1 8.4 and the engagement activities outlined in Section
28 8.4.3. Please also refer to the response to BCUC IR1 58.1 for an updated table of engagement
29 activities. Additionally, as discussed in the response to TWN IR1 9.1, FEI and FortisBC Holdings
30 Inc. will continue to engage with TWN with respect to the TLSE Project in the concurrent BC EAO
31 and IAA regulatory processes.

32

33

34

35 10.2 Please identify the individuals who met with TWN to discuss the project and those
36 individuals’ level of decision-making authority within FEI.

37

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 18

1 **Response:**

2 The titles of the individuals who met with TWN to discuss the Project include:

- 3 • Project Manager;
- 4 • Sr. Manager, Business Development & Technical Assessment;
- 5 • Indigenous Relations Manager;
- 6 • Indigenous Relations Liaison; and
- 7 • Indigenous Relations Manager.

8 Each individual has decision making authority in their respective field and for associated Project
9 deliverables. Project Management and Business Development & Technical Assessment are
10 responsible for the overall Project development, whereas the Indigenous Relations Managers and
11 Liaison are responsible for the relationship and engagement with TWN and other Indigenous
12 groups.

13 FEI has not provided the names of these individuals on the public record for privacy reasons.

14

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tseil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 19

1 **11. REFERENCE: CONSULTATION**

2 **Exhibit B-1, pp. 199-202 (PDF pp. 215-218)**

3 **Preamble:** At pp. 199-202 of the Application, FEI provides a table of consultation
4 activities to date. In the table FEI states that following occurred:

- 5 • TWN provided expectations around consultation and accommodation
6 for the project on August 14, 2019.
- 7 • FEI provided a revised project description to the Nations that had
8 provided comments or indicated interest in engaging in consultation
9 on Sept 16, 2019.
- 10 • An initial meeting with TWN leads for the project took place on
11 November 28, 2019.
- 12 • In February 2020, FEI sent notice of intent to formally enter the BC
13 Environmental Assessment process, and on June 1, 2020, FEI sent
14 notice of intent to submit this CPCN application to BCUC.

15 11.1 Please explain whether the meeting with TWN on November 28, 2019 resulted in
16 any substantive changes to the Project, and if so, describe the nature and scope
17 of those changes in respect of TWN's input.

18
19 **Response:**

20 The meeting with TWN on November 28, 2019 did not result in substantive changes to the Project
21 as its purpose was to provide an introduction to the FEI project team and proposed Project. The
22 FEI project team provided an overview of the Project and relevant regulatory processes and TWN
23 discussed their processes for engagement with proponents.

24 Please also refer to the response to BCUC IR1 61.3 for details about engagement activities with
25 Indigenous groups and the objectives at each stage within the concurrent BC EAA and IAA
26 regulatory process for the Tilbury Phase 2 LNG Expansion Project, of which the TLSE Project is
27 a component.

28

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 20

1 **12. REFERENCE: CONSULTATION**

2 **Exhibit B-1, pp. 203, 204 (PDF pp. 219, 220)**

3 **Preamble:** At pp. 203 of the Application, FEI outlines concerns raised by Indigenous
4 groups, including marine shipping with Project construction and ongoing
5 operation. FEI responded as follows:

6 The Project may result in shipping impacts during construction as a
7 result of transportation of equipment modules via the Fraser River,
8 mooring at the temporary construction jetty and offloading at site.
9 These will be addressed in detail via the BC Environmental
10 Assessment.

11 FEI also states at pp. 204 of the Application:

12 Concerns raised related to impacts from increased shipping on the
13 Fraser River are limited to the potential delivery of heavy modules
14 for the Project. The full scope of these impacts will be assessed in
15 detail as part of the Environmental Assessment processes.

16 12.1 Will there be any increase in marine shipping during ongoing operation of the
17 Tilbury site after the construction of the proposed expansion?

18 **Response:**

19 The TLSE Project Application is in relation to an LNG storage facility and regasification equipment
20 being developed by FEI for system resiliency purposes. The TLSE Project does not involve
21 marine shipping or operations in the Fraser River, and will not increase the capacity of the Tilbury
22 Marine Jetty Project.
23

24
25

26 12.2 Will increases in export capacity influence marine shipping frequency?
27

28
29 **Response:**

30 The TLSE Project Application is in relation to an LNG storage facility and regasification equipment
31 being developed by FEI for system resiliency purposes. The TLSE Project does not involve export
32 of LNG, and will not increase the capacity of the Tilbury Marine Jetty Project as described in its
33 assessment. Shipping frequency discussions for various business scenarios can be found in the
34 Tilbury Marine Jetty's Environmental Application Certificate area on the BCEAO website.³

35

³ <https://www.projects.eao.gov.bc.ca/p/58851208aaecd9001b829b58/project-details>.

1 **F. ENERGY OBJECTIVES AND POLICY CONSIDERATIONS**

2 **13. REFERENCE: ENERGY OBJECTIVES AND POLICY CONSIDERATIONS**

3 **Exhibit B-1, pp. 206 (PDF pp. 222)**

4 **Preamble:** At pp. 206 of the Application, FEI states:

5 Based on the results of the socio-economic evaluation described
6 below, the Project will support the British Columbia energy objective
7 in section 2(k) of the CEA “to encourage economic development
8 and the creation and retention of jobs” in two ways: through
9 construction and through reducing the risk of a supply disruption.

10 13.1 Please explain whether, and how, the Project meets any of the other energy
11 objectives of the *Clean Energy Act*, s. 2; in particular, the clean and renewable
12 energy objectives and reduction of greenhouse gas objectives set out therein.
13

14 **Response:**

15 FEI notes that the BCUC’s consideration is of the “applicable” energy objectives. Which objectives
16 are applicable will differ for each project, and in some cases, none of the energy objectives will
17 be directly relevant. Where this is the case, FEI seeks to demonstrate that the Project is not
18 inconsistent with the energy objectives in the table below. Please also refer to the response to
19 BCUC IR1 63.1 for discussion of energy objectives relating to the reduction of greenhouse gases.

Clean Energy Act Objective (Section 2)	Comment
(a) to achieve electricity self-sufficiency	Not directly relevant; however, the TLSE Project does not impede or conflict with energy self-sufficiency.
(b) to take demand-side measures and to conserve energy, including the objective of the authority reducing its expected increase in demand for electricity by the year 2020 by at least 66%	Please refer to the response to BCUC IR1 63.1.
(c) to generate at least 93% of the electricity in British Columbia from clean or renewable resources and to build the infrastructure necessary to transmit that electricity	Not directly relevant; however, the TLSE Project does not impede or conflict with electricity generation from clean and renewable sources.
(d) to use and foster the development in British Columbia of innovative technologies that support energy conservation and efficiency and the use of clean or renewable resources	Not directly relevant; however, the TLSE Project does not impede or conflict with the development of innovative technologies.
(e) to ensure the authority's ratepayers receive the benefits of the heritage assets and to ensure the benefits of the heritage contract under the <i>BC Hydro Public Power Legacy and Heritage Contract Act</i> ⁴ continue to accrue to the authority's ratepayers;	Not directly relevant. This objective is specific to BC Hydro; however, the TLSE Project does not impede or conflict with this objective.

⁴ https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/03086_01.

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 22

Clean Energy Act Objective (Section 2)	Comment
(f) to ensure the authority's rates remain among the most competitive of rates charged by public utilities in North America	Not directly relevant. This objective is specific to BC Hydro; however, the TLSE Project does not impede or conflict with this objective.
(g) to reduce BC greenhouse gas emissions (i) by 2012 and for each subsequent calendar year to at least 6% less than the level of those emissions in 2007, (ii) by 2016 and for each subsequent calendar year to at least 18% less than the level of those emissions in 2007, (iii) by 2020 and for each subsequent calendar year to at least 33% less than the level of those emissions in 2007, (iv) by 2050 and for each subsequent calendar year to at least 80% less than the level of those emissions in 2007, and (v) by such other amounts as determined under the Climate Change Accountability Act	Please refer to the response to BCUC IR1 63.1.
(h) to encourage the switching from one kind of energy source or use to another that decreases greenhouse gas emissions in British Columbia	Please refer to the response to BCUC IR1 63.1.
(i) to encourage communities to reduce greenhouse gas emissions and use energy efficiently	Please refer to the response to BCUC IR1 63.1.
(j) to reduce waste by encouraging the use of waste heat, biogas and biomass.	Not directly relevant; however, the TLSE Project does impede or conflict with the use of waste heat, biogas or biomass. Please also refer to the response to BCUC IR1 63.1.
(k) to encourage economic development and the creation and retention of jobs.	Please refer to Section 9.2 of the Application.
(l) to foster the development of first nation and rural communities through the use and development of clean or renewable resources	Please refer to Section 9.2.1 of the Application, which discusses FEI's intention to work with Indigenous groups and local communities to develop the local workforce, support local businesses and connect them to Project opportunities.
(m) to maximize the value, including the incremental value of the resources being clean or renewable resources, of British Columbia's generation and transmission assets for the benefit of British Columbia	Not directly relevant; however, the TLSE Project does not impede or conflict with the value of BC's generation and transmission assets.
(n) to be a net exporter of electricity from clean or renewable resources with the intention of benefiting all British Columbians and reducing greenhouse gas emissions in regions in which British Columbia trades electricity while protecting the interests of persons who receive or may receive service in British Columbia.	Not directly relevant; however, the TLSE Project does not impede or conflict with the export of electricity.
(o) to achieve British Columbia's energy objectives without the use of nuclear power.	Not directly relevant. The TLSE Project does not propose the use of nuclear power.

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 23

1 **14. REFERENCE: ENERGY OBJECTIVES AND POLICY CONSIDERATIONS**

2 **Exhibit B-1, Appendix Q-1, pp. 1-1, 8-1 (PDF pp. 607, 631) Exhibit B-**
3 **1, Appendix Q-2, pp. 6 (PDF pp. 694)**

4 **Preamble:** In the Initial Project Description and the Engagement Plan for the TSLE
5 Project, FEI states that TSLE introduces opportunities to upgrade existing
6 infrastructure to align with the Government of BC's CleanBC Plan. The
7 CleanBC Plan is not mentioned in the Application.

8 14.1 Please explain whether, and how, FEI considered the CleanBC Plan in concluding
9 that the TSLE Project is in the public interest.

10
11 **Response:**

12 Please refer to the response to BCUC IR1 63.1 for discussion of how the TLSE Project aligns with
13 provincial energy policy, including CleanBC.

14
15

16
17 14.2 Please explain whether, and how, the Project fulfills the Province's clean energy
18 policies set out in the CleanBC Plan to:

19 (i) Partner with Indigenous peoples to seize new clean economy
20 opportunities, help communities adapt to the impacts of climate change,
21 and partner on a climate change adaptation strategy based on
22 reconciliation, respect and the shared goal of a better future;⁵

23 (ii) Shift towards transportation, industrial, and building electrification;⁶

24 (iii) Make residential natural gas consumption cleaner by putting in place a
25 minimum requirement of 15% to come from renewable gas;⁷ and

26 (iv) Make industrial natural gas consumption cleaner with a minimum 15% to
27 come from renewable gas.⁸

28
29 **Response:**

30 The purpose of the TLSE Project is to enhance the resilience of FEI's gas system. However, as
31 discussed in the responses to BCUC IR1 63.1 and TWN IR1 13.1, the Project is consistent with
32 provincial energy objectives and the CleanBC plan, including the CleanBC's plan's objectives to
33 enhance collaboration with Indigenous peoples as the TLSE Project creates opportunities to
34 develop the local workforce, support local businesses and connect Indigenous people to Project

⁵ *CleanBC Plan, supra* note 1 at 13.

⁶ *Ibid* at 10.

⁷ *Ibid* at 8.

⁸ *Ibid* at 9.



FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tseil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 24

1 opportunities. In addition, FortisBC's *Clean Growth Pathway to 2050*⁹ describes measures that
2 FEI will take to align its investments, program offerings, and energy supply to achieve CleanBC's
3 identified GHG emission reduction goals, including emissions reductions in buildings,
4 transportation and industry. Finally, FEI's efforts to increase its renewable gas content to 15
5 percent are distinct from the TLSE Project and are discussed in more detail the response to
6 Sentinel IR1 48.

7

⁹ <https://www.cdn.fortisbc.com/libraries/docs/default-source/about-us-documents/clean-growth-pathway-brochure.pdf>.

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 25

1 **15. REFERENCE: ENERGY OBJECTIVES AND POLICY CONSIDERATIONS**

2 **Exhibit B-1, pp. 206-207 (PDF pp. 222-223)**

3 **Preamble:** Beginning at pp. 206 of the Application FEI states:

4 FEI will work with Indigenous and local leaders and organizations
5 to develop the local workforce, support local businesses, and
6 connect them to Project opportunities. Throughout the Project, FEI
7 will endeavor to track the following: Project investment in local
8 Indigenous communities and municipalities; local employment
9 opportunities; number of Indigenous and other local members of the
10 workforce employed on the Project; contract value awarded to
11 Indigenous and other local businesses; and other community
12 investment activities. This information will be valuable as FEI strives
13 to maximize local benefits throughout the Project.

14 In summary, FEI will continue to work with Indigenous groups and
15 stakeholders to promote the Project's positive socio-economic
16 opportunities. FEI recognizes the potential benefits to Indigenous
17 and other local businesses and believes that the Project has the
18 ability to provide an economic stimulus to the region based on its
19 assessment and FEI's experience with previous projects of a similar
20 scope.

21 15.1 Please identify the Indigenous leaders and organizations that FEI will work with
22 and which Project opportunities it intends to connect them with.

23
24 **Response:**

25 FEI is in the initial stages of its planning for local and Indigenous employment and procurement
26 opportunities for the Project and it is too early to confirm the specific opportunities that will be
27 available. FEI intends to work with Indigenous and non-Indigenous individuals and organizations
28 to maximize contracting and employment opportunities flowing to local Indigenous and non-
29 Indigenous communities.

30 FEI will continue to cultivate relationships with Indigenous economic development and
31 employment and training departments from local Indigenous communities, in addition to
32 organizations focused on broader economic interests in the region, such as the Vancouver
33 Regional Construction Association, the BC Construction Association and the BC Building Trades.

34 As the Project progresses, FEI will continue to work with a wide range of individuals and
35 organizations to leverage their experience, and existing programs to maximize employment and
36 procurement opportunities for Indigenous groups, local workers and local businesses.

FortisBC Energy Inc. (FEI or the Company) Application for a Certificate of Public Convenience and Necessity (CPCN) for the Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project (Application)	Submission Date: September 13, 2021
Response to Tsleil-Waututh Nation (TWN) Information Request (IR) No. 1	Page 26

1
2 15.2 Please indicate what methods and measures FEI will use to track Project
3 investment in Indigenous communities, employment of Indigenous people,
4 contract value awarded to Indigenous businesses.

5
6 **Response:**

7 FEI employs a third-party consultant to track socio-economic benefits of the Project, including
8 investment in Indigenous communities, employment of Indigenous people, and contract value
9 awarded to Indigenous business. FEI requests all contractors complete socio-economic reporting
10 at pre-determined intervals.

11
12

13
14 15.3 Please provide FEI's contract procurement policy for engaging Indigenous
15 businesses.

16
17 **Response:**

18 FEI does not have a formal procurement policy specifically for engaging Indigenous businesses.
19 However, FEI's Statement of Indigenous Principles¹⁰ will inform the Project contracting strategy
20 which feeds the RFP process, any terms and conditions, and resulting contracts. FEI's contractors
21 are requested to develop participation plans to optimize access to opportunities for local
22 Indigenous businesses and for local Indigenous members of the workforce for its Major Projects.
23 Subsequently, FEI tracks these socio-economic benefits and requests that its contractors and
24 consultants report on local Indigenous participation.

25
26

27
28 15.4 Please provide an estimate of the overall investment, in dollars, in Indigenous
29 peoples that the Project will provide through these opportunities.

30
31 **Response:**

32 Please refer to the response to TWN IR1 15.1.

33

¹⁰ <https://www.fortisbc.com/in-your-community/indigenous-relationships-and-reconciliation/our-statement-of-indigenous-principles>.