

Federal Authority Advice Record

Response due by May 22, 2020

Please submit the form to: IAAC.TilburyLNG-GNL.Tilbury.AEIC@canada.ca

Tilbury Phase 2 LNG Expansion Project – FortisBC Holdings Inc.

Agency File: 005724

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| Department/Agency | Women and Gender Equality Canada (WAGE) |
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1. Is it probable that your department or agency may be required to exercise a power or perform a duty or function related to the Project to enable it to proceed?

If yes, specify the Act of Parliament and that power, duty or function.

WAGE does not hold any regulatory power, function or duties

2. Is your department or agency in possession of specialist or expert information or knowledge that may be relevant to the conduct of an impact assessment of the Project?

Specify as appropriate.

WAGE holds expertise in the application of GBA+ and intersectional analysis as well and information related to gender-based violence.

3. Has your department or agency considered the Project; exercised a power or performed a duty or function under any Act of Parliament in relation to the Project; or taken any course of action that would allow the Project to proceed in whole or in part?

Specify as appropriate.

No

4. Has your department or agency had previous contact or involvement with the proponent or other party in relation to the Project? (for example, enquiry about methodology, guidance, or data; introduction to the project)

Provide an overview of the information or advice exchanged.

No

5. Does your department or agency have additional information or knowledge not specified, above?

Specify as appropriate.

No

6. From the perspective of the mandate and area(s) of expertise of your department or agency, what are the issues that should be addressed in the impact assessment of the Project, should the Agency determine that an impact assessment is required?

For each issue discussed, provide a concise, plain-language summary that is appropriate for inclusion in the Summary of Issues and Engagement.

See attachment

Denise Gareau

Name of Departmental / Agency Responder

Director, Policy and External Relations

Title of Responder

Signature

Date

Federal Authority Advice Record: Designation Request under IAA – Tilbury Phase 2 LNG Expansion Project

Introduction

Tilbury Phase 2 LNG Expansion Project is proposing to expand its existing liquefied natural gas (LNG) storage and production facility located in Delta, British Columbia. The Project would increase the facility's LNG production capacity by more than 50% for an operational life of at least 40 years. The expansion would allow for a total storage capacity of up to 208, 000 cubic metres of LNG and include an additional storage tank and liquefaction facilities. Furthermore, the Project Site has been used for natural gas processing and storage for nearly 50 years and is located in a largely industrial setting adjacent to the Fraser River. Much of the necessary utilities and infrastructure are present or readily expandable.

In the extractive industries, including with natural gas projects, women, men, diverse persons and people from a range of groups and communities can often have vastly different experiences of the risk, benefits and impacts of projects – from access to benefits in terms of jobs, compensation or benefits and community investment; to decision making roles for new innovation and technologies; to access to services and programs that account for the perspective, knowledges and experiences of diverse individuals and communities.

The following are the Department for Women and Gender Equality's (WAGE) key suggested areas/issues for the proponent to consider using a Gender-based Analysis Plus (GBA+) lens to understand the differential impacts of extractive industries on diverse populations.

Overview of Gender-based Analysis Plus (GBA+)

GBA+ is a process for examining how different groups of women, men and gender diverse people may experience government initiatives. The "plus" in GBA+ acknowledges that a complete assessment of impacts must go beyond binaries of biological (sex) and socio-cultural (gender) differences and also consider many other intersecting identity factors that influence the whole person. These include race, ethnicity, religion, age, mental or physical disability, sexual orientation, geography, language, income and education.

GBA+ Should be undertaken throughout the entire process of an initiative's lifecycle, from the early identification of the problem/opportunity through to the evaluation of the project's impacts. GBA+ is integral to any strategy for the creation of inclusive initiatives because it helps improve the predictability of outcomes and minimize unintended consequences.

Conducting a GBA+ of an initiative can reveal differential impacts or unintended barriers, prompting the development of mitigation strategies to strengthen the initiative, thus helping promote equity. Similarly, equity considerations should be used throughout the design and implementation of the engagement process to ensure inclusiveness. For example, attention should be given to groups that have been underrepresented in impact assessment and resource development research and practice, such as women and people with disabilities, recent immigrants, among other groups or communities.

GBA+ informed analysis will:

- Consider, for example who does what, who has what, who decides, and how are values defined;
- Examine the wider social, legal and economic environment where rules, norms and routines in organizations or in other societal structures (e.g. laws, policies, decision-making structures, family organizations, etc.) and systems of power (e.g. colonization, sexism, racism, ableism, etc.) becomes obstacles for certain individuals or groups;
- Assess intersectional factors, with the objective to identify and understand people that are most marginalized due to compounded identity factors e.g. project impacts on not only women but women with disabilities or older men;
- Allow not only for the identification of potential impacts or unintended negative impacts on diverse individuals or groups, but also how a project may reinforce and/or challenge existing inequalities; and
- Examine how expected positive impacts may be distributed differently across diverse groups.

These dynamics are not always easily identified; therefore a comprehensive GBA+ should include several strategies, such as reviewing disaggregated data and relevant studies/documents to create a diagnostic of the current environment. The analysis should look not only at demographics but also information on socio-economic conditions and cultural trends in order to obtain a context-specific analysis. The underlying causes and conditions are most often found in institutions in society – including the family, community and state. An institutional analysis would seek to identify the broader factors that contribute to gender inequality, including an overview of the legal framework, both informal and formal, such as relevant labour laws and policies, searching for provisions that guarantee equality before the law. Analysis should also be complemented with qualitative information that can be generated through consultation with an emphasis on groups that may not actively engage on their own, drawing on participatory and ethnographic approaches.

Should it be required, the Impact Statement could include information on the explicit effort that will be made to identify activities and investments to narrow the gender gaps and other disparities. The project proponent could include how they plan to monitor impacts of the project on specific populations. The goal is to reveal inequalities and design mitigation strategies. Finally, by monitoring the actual effects on populations, the project exposure to specific groups.

Additional information on GBA+ and diversity analysis is available at the following: <https://research-groups.usask.ca/reed/documents/CEAA%20Report.FINAL.%20Walker%20Reed%20Thiessen.%20Gender%20Diversity%20in%20IA.Feb%208%202019.pdf>

Documenting the context – creating a baseline

As the proponent prepares the Impact Statement, there would be a need to document baseline information about the community potentially impacted by the project. This would include basic data and gender analysis as it relates to the social, economic and health impacts, such as gender and poverty, division of labour, the differential situation of women and men vis-à-vis key indicators (such as literacy, land access, participation in agriculture, political participation). The information should bring to the surface gender differences and disparities of a core problem or issue demonstrating that some groups face different or distinct or higher barriers and risk than others. The analysis should move beyond the descriptive (e.g. percentage of low income people) to ask critical questions about

gender norms, roles and relations and how these influence gendered power relations (e.g. who has what, who does what, etc.) in a particular context. It should also demonstrate linkages between the inequalities at different societal levels, such as the gendered structural conditions (e.g. wider social, economic and legal environment) where norms and rules in organizations or in other societal structures become obstacles for certain groups (e.g. historical or contextual issues that have limited access to opportunities).

Insufficient disaggregated data

Detailed overview of the target group(s) and local context will be necessary in the Impact Statement. This will allow to clearly identify the segments of the population that will either benefit or be negatively impacted by the project. For example, the Project Site is located on Tilbury Island, in Delta within Metro Vancouver. The Project's desktop evaluation provide a population overview of Delta and Metro Vancouver, however no detail on the sex and age of those populations was provided. This may provide an inaccurate assumption of the population's homogeneity and that all individuals in these communities may be impacted equally. Information should be disaggregated at minimum by sex, age and ethnicity. Where possible, data should be further disaggregated to include information such as Indigeneity or education levels. Disaggregated baseline information will be essential in the Impact Statement to demonstrate changes over the life of the project and to provide a reference point for assessing gender equality results. Extracting this data normally involves consulting a range of sources, such as government statistics, administrative reports or previous studies. If data gaps exist, this should be mentioned up front in the Impact Statement and additional steps should be taken to fill gaps in information. For instance, while there is a rise in census participation from Indigenous communities, the information may not always be available or shared.

The quantitative information, including gender sensitive data, should also be complemented by qualitative insights from studies or consultations, and from various sources. For example, the Impact statement should provide a detailed profile of the socio-economic conditions of the households and communities that may be affected by the project.

Public Engagement and decision making

Even if the project site is located on industrial lands, consultations with various groups and individuals, including residents and Indigenous Groups, are an important element of the GBA+ process. Although the Initial Project Description identified Indigenous Groups that may be affected by the Project, and preliminary engagement activities, further detail on the nature of consultation and engagement activities (e.g. interviews, focus groups, meetings, etc.) and participants may be required in the Engagement Plan to ensure transparent and inclusive processes. Companies often fail to adequately consult with women or diverse groups when negotiating access to land, compensation or benefit-sharing agreements. In addition, language and information materials should be accessible all. This can disempower and disadvantage individuals and groups, and may also undermine traditional decision-making structures. Communities also have different social, economic and political conditions and cultural specificities that combine in different ways to enable or

constrain women's agency and leadership. It is important to understand decision making processes and abilities of individuals or groups in the local area – not only who, but also the different kinds of decisions people, make, particularly related to the use of resources.

Ultimately, the Impact Statement may want to understand people's decision making abilities about development in the community, particularly on the use of resources. Similarly, while paved and well-lit roads and walkways can improve women's safety and mobility, these groups often do not have the opportunities to voice their needs and priorities. An Impact Statement can provide information on how the project intends to support culturally sensitive participation of women and diverse groups in decision making.

Social needs and well-being

The Impact Statement should also include information on what was heard through the engagement or consultation process on social needs and well-being. Including diverse perspectives in engagement and consultation processes supports the identification of different needs, particularly as it relates to social needs such as health or social services. For example, when barriers are identified to women's participation, such as lack of child care services, measures can be considered to provide childcare services or creating child-friendly spaces during meetings. Similarly, there are cases where men gain employment in extractive projects and withdraw their labour from traditional subsistence activities, such as hunting fishing gathering and/or trapping, which can create – and exacerbate existing – gender inequalities in the communities.

Issues raised in the Initial Project Description include the potential impacts to health. While data and research is important in this regard, the Impact Statement will also need to demonstrate how engaging community members helps ensure that the specific needs of men, women and diverse groups of people are understood (e.g. women's differential needs may relate to biological conditions such as menstrual hygiene or sex and pregnancy related needs). Another example is the influx of population during the construction of the facility could reduce access to services that address people's specific needs and ultimately restrict their options and potentially compromise their health. Certain groups may be more affected than others by the increased demands on community services.

Similarly, the Impact Statement should identify if it will help yield positive social impacts through sustainable infrastructure and improvements to the quality of services. Whether the project may have an impact on social conditions and any other potential impacts to the quality of life for communities as a result of the project. For example, when health centres see improvements to their infrastructure and service delivery, these potential impacts for women, men, and diverse populations should be included in the Impact Statement.

Access and control over resources

Access and control over resources is concerned with both the availability of resources, and the benefits that come from the use of these resources. The extractive industry has fewer opportunities for women than men for education and training, economic participation, and less diverse

representation on company boards. The project proponent may therefore wish to include information in the Impact Statement on how access to and use of resources, such as education, information and services will be impacted by the implementation of the proposed project.

In order for the project to be sustainable and inclusive, the Impact Statement may want to identify resources in the community, and then understand who accesses these resources. For example, if traditional livelihoods are affected and women are unable to access employment due to skill shortages, the project can consider ways to support women's employment in the extractive industry or hire businesses owned by local and/or Indigenous women in the supply chain.

In addition, to understand the constraints and barriers faced by certain individuals or groups in access to and use of resources, the Impact Statement should describe the social norms and broader social power structures, such as legal frameworks that can impact women, men and diverse groups of people's ability to equally benefit from the opportunities in the extractive industry sector.

Economic opportunities

Economic opportunities and access to the financial benefits of natural gas pipeline projects is often limited for women and for a range of diverse groups. Moreover, the Impact Statement should describe whether the project will generate significant benefits and opportunities for local communities, such as who from the communities will benefit and the potential for diverse labour force considerations, including women's employment or entrepreneurship opportunities in the sector. It should also outline employment rates in the area and describe the level or nature of unemployment in the local area (e.g. people with low levels of educational attainment, specific sectors).

As the project proponent develops the Impact Statement, information should be included on how women and men and diverse groups of people are employed either as wage earners in the labour market or in customary livelihood occupations. This is particularly relevant for Indigenous communities where "pluri-activity" often characterizes household incomes. The proponent may wish to include information on what potential it has for increasing employment for women and other under-represented groups in the sector and for local workers more generally. The proponent may wish to identify measures that will be undertaken to support the recruitment, development and retention of these workers. Information on the training opportunities that will be made available for prospective workers may also be of relevance. This could include collaboration with local learning institutions to deliver training targeted to these populations. Measures related to the supply-chain may also be considered like, for example, the creation of incentives or criteria that favour local suppliers. Consideration could also be given as to how the project can have positive implications on the local economy more broadly. This can include for example, as it relates to supplying food, accommodations or potentially as it relates to purchasing construction materials. The proponent may also wish to describe in the Impact Statement its own workforce development plans as they relate to diversity and inclusion.

Gender-Based Violence

In certain cases, extractive industry sector projects can generate and result in increasing migration and influx of transient workers. In most cases, men remain over-represented in the extractive industries. The Initial Project Description has identified potential safety or risks due to increased traffic and industrial activities but it has not identified scoping and assessment of potential issues of gender based violence (e.g. sexual harassment, violence against women, human trafficking). The Impact Statement will need to explore these potential issues and increased risks such as gender based violence, which can make women feel less safe in their homes and communities. The Impact Statement will need to identify vulnerable groups among women (e.g. Indigenous, younger women) that are often disproportionately affected by these health and safety risks, including intimidation and discrimination. Risks and negative impacts can also be experienced by groups that are not specifically targeted by the project.

Gender based violence (GBV) is a persistent problem in all societies and should be explored in the assessment, for example, to ensure that the proponent and worksite contractors take measures to prevent sexual harassment and violence. The Impact Statement should include an overview of the legal framework, such as relevant labour laws and policies related to GBV. For example, Canada's laws governing domestic violence and the jurisdictions to address the problems may differ province to province. In British Columbia, for instance, emotional abuse and financial abuse are included in the Family Law Act. The Family Law Act allows survivors to get protection orders. The Impact Statement should also consider mitigation measures, where relevant, such as programs to support the safety and security of people, including codes of conduct, and programs to engage men as change agents - arguably one of the most challenging aspects of promoting gender equality. Temporary infrastructure and accommodations required during construction such as worker camps should include dormitories and washroom facilities that are safe spaces for all workers. Should it be relevant, the proponent should include in the Impact Statement background information on GBV in the impacted communities and how project interventions may have unintended impact or increase risk in the development of the project.

Conclusion

While GBA+ should be embedded throughout the Impact Statement and Impact Assessment, a specific section that summarizes key issues and identifies mitigating measures to address these issues can be useful as it helps form the basis for a GBA+ implementation framework. It is recommended that key issues and practical measures be prioritized, rather than devising an exhaustive list that might not be realistic to implement. Underpinning these key actions with indicators of success and monitoring progress regularly also helps institutionalize gender equality and inclusion in the project management.

