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First look for Northern Gateway pipeline review committee

In late August and early September, the Joint Review Panel set up by the National Energy Board to evaluate the Enbridge Northern Gateway proposal held its first hearings in Whitecourt, Alberta, and Kitimat and Prince George, BC. The proposal covers a 1,172 km. twin pipeline (condensate diluent west-to-east, diluted bitumen east-to-west), together with shipping terminal and storage facilities at Kitimat, and shipping via supertankers to Asia.

The panel was one of the first to be appointed under a new procedure, set up under the 2010 federal Conservative government's *Budget Implementation Act*, which decreed that assessments of energy-related projects would be led by the National Energy Board (NEB) rather than the Canadian Environmental Assessment Agency.

Those attending the hearings expecting to discuss the proposal was disappointed. The sessions were strictly controlled by the chair, Sheila Leggett, Vice Chair of the National Energy Board, to discuss three preliminary topics: whether a draft list of issues prepared by the NEB was adequate, what additional information should be filed by Enbridge (in addition to the 10,000 plus pages of the existing application), and where the full-fledged oral hearings should be held.

In Whitecourt, a CTV news crew was asked to leave after 15 minutes, and the RCMP had been engaged to provide 'security'. Presenters were limited to 30 minutes, but written submissions were also invited.

While the meeting in Whitecourt attracted a reported audience of 30, the Kitimat meeting was a full house, with hundreds outside. In addition, a demonstration occurred outside Enbridge's office in Vancouver.

At press time, no report on the Prince George meeting was available.

Wide Scope of Evaluation

These hearings were more an opportunity for the joint review panel to get the feel of public opinion rather than

hear substantive argument. However, the draft list of issues published by the Panel for comment had indicated an intention to examine the \$5.5 billion proposal from several comprehensive viewpoints—as a business and financial proposal, as an engineering project, and operationally; in terms of its environmental impacts, its socio-economic impacts, its safety, and its regulation.

The physical scope of the project to be considered includes not only the twin pipelines, but also the Kitimat shipping terminal and marine operations from Kitimat out to Canada's twelve-mile limit. The evaluation would also include all aspects of engineering, construction, land and aboriginal consultation.

In fact, the first questions to be answered by the Panel are fundamental to its feasibility:

- Is there a need for the project as proposed by the applicant?
- And, what is the economic feasibility of the proposed facilities?

Among environmental aspects to be included in the review are not only those related to its construction and operation, but also the possible effects of 'malfunctions or accidents', cumulative environmental effects, and mitigation of adverse environmental effects. This would appear to include the possibility and impacts of marine accidents.

This first round of hearings invited the public to suggest additional considerations that should be included in these terms of reference.

For And Against

Despite the role of the National Energy Board and the Ministry of the Environment in conducting an unbiased evaluation of the pipeline project, it would appear that some parts of the federal government strongly support it. On July 20, Stockwell Day, President of the Treasury Board and Minister for the Asia-Pacific Gateway, and

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Transport and Infrastructure Minister John Baird toured port facilities in both Kitimat and Prince Rupert. Minister Day was quoted as saying, 'These ports are vital to boost trade between Canada and the growing economies of the Asia-Pacific region. They provide Canada with a crucial edge in the competition among North American west-coast ports for business with Asia. This is another example of the competitive economic advantage that our government is aggressively promoting.'

'Our visit was a great opportunity to see the investments our government is making to modernize and strengthen the ports in this region,' added Baird. 'As demonstrated by today's tour, our investments have paid off and helped attract more business.'

A federal government press release said, 'Since 2006, the Government of Canada, through its Asia-Pacific Gateway and Corridor Initiative, has partnered with BC and other western provinces, municipalities and the private sector to undertake strategic infrastructure projects worth more than \$2.8 billion, including federal contributions of over \$1 billion.'

However, First Nations along the entire pipeline route, and all First Nations on the BC coast, have strongly registered their opposition to the project. North Coast MLA Gary Coons and Skeena MP Robin Austin sailed the proposed tanker route, and while they expressed little worry about navigating the relatively straight Douglas Channel, they were extremely concerned about the sharp turns and narrow passages between Wright Sound (the site of the *Queen of the North* sinking) and Hecate Strait (and their vessel was undoubtedly smaller and more maneuverable than a Very Large Crude Carrier of *Exxon Valdez* dimensions).

A visit by Enbridge representatives to Smithers on August 24 saw some 30 members of the Wet'suwet'en First Nation accuse Enbridge of trespassing on their lands, and, by all reports, the Enbridge people had to beat a hasty retreat.

Finally, the reported results of an Angus Reid poll said 49% of British Columbians opposed both the Enbridge pipeline proposal and a competing Kinder Morgan proposal that would carry tar sands bitumen in a pipeline parallel to the existing Edmonton–Burnaby pipeline (formerly known as the Trans-Mountain pipeline). The opposition to the Enbridge proposal was strongest on northern BC, at 56%.

The July 26 rupture of an Enbridge pipeline in Michigan, with oil leaking into the Kalamazoo River, probably didn't help. ☹