

**JOINT REVIEW PANEL FOR THE ENBRIDGE NORTHERN  
GATEWAY PROJECT  
COMMISSION D'EXAMEN CONJOINT DU PROJET  
ENBRIDGE NORTHERN GATEWAY**



**Hearing Order OH-4-2011  
Ordonnance d'audience OH-4-2011**

**Northern Gateway Pipelines Inc.  
Enbridge Northern Gateway Project  
Application of 27 May 2010**

**Demande de Northern Gateway Pipelines Inc.  
du 27 mai 2010 relative au projet  
Enbridge Northern Gateway**

**VOLUME 36**

**Hearing held at  
Audience tenue à**

**Comox Community Centre  
1855 Noel Avenue  
Comox, British Columbia**

**March 31, 2012  
Le 31 mars 2012**

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as represented by the Minister of the Environment  
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Imprimé au Canada

HEARING /AUDIENCE  
OH-4-2011

IN THE MATTER OF an application filed by the Northern Gateway Pipelines Limited Partnership for a Certificate of Public Convenience and Necessity pursuant to section 52 of the *National Energy Board Act*, for authorization to construct and operate the Enbridge Northern Gateway Project.

**HEARING LOCATION/LIEU DE L'AUDIENCE**

Hearing held in Comox (British Columbia), Saturday, March 31, 2012  
Audience tenue à Comox (Colombie-Britannique), Samedi, le 31 mars 2012

**JOINT REVIEW PANEL/LA COMMISSION D'EXAMEN CONJOINT**

S. Leggett	Chairperson/Présidente
K. Bateman	Member/Membre
H. Matthews	Member/Membre

## ORAL STATEMENTS/EXPOSÉS ORAUX

Ann Andrews  
Dave and Monica Ashwell  
Mike Bell  
Kerry Dawson  
Ramona C. De Graaf  
Sharon Farinha  
Judith Goldschmidt  
Christine Hollmann  
Louis Lamb  
Jim Manly  
Paul McIsaac  
Sue Moen  
Gary Schaan  
Darrell Tomkins

Gillian Butler  
Nick Dudink  
Lavonne Garnett  
Kirsty Graham  
Mary Graves  
Jack Migue  
Jack Rosen  
Sally Soanes  
Marilyn Weland  
Nancy Westwood

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## Opening remarks

--- Upon commencing at 9:02 a.m./L'audience débute à 9h02

26297. **THE CHAIRPERSON:** Good morning, everyone. We'll get ready to get underway just shortly.

26298. Thank you. Welcome.

26299. My name is Sheila Leggett and this is Mr. Hans Matthews and Mr. Kenneth Bateman.

26300. **MEMBER MATTHEWS:** Good morning.

26301. **MEMBER BATEMAN:** Morning.

26302. **THE CHAIRPERSON:** Just as we get underway I'd point out that the -- there's two emergency exit doors out of this room; one at the back of the room and one off to the right-hand side; and the washrooms are off the hallway on this door that goes out to the right-hand side of the room.

26303. We have a number of staff with us today who are helping us deliver this process and you can identify them because they're all wearing either their gold nametags or I.D. If you have any process-related question they're the people to ask, they have the information to be able to help you.

26304. In addition to that we have three contractors with us; we have our Court Reporter, we have our IT Sound Technician, as well as Safety and Security Advisor.

26305. Kenneth, Hans and I are all members of the National Energy Board and have been tasked to make decisions for the Northern Gateway Pipeline Limited Partnership Application. The National Energy Board is an independent quasi-judicial regulatory body. Our decisions as a Panel will be based solely on the relevant information we obtain through this process.

26306. The process for the Joint Review includes two sets of hearings; the first set of hearings are what we're here for today and that's the community hearings. The

**Oral Statement  
Mr. Mike Bell**

community hearings have two components to them, the first component has been oral evidence, which we are -- almost completed that phase, as well as the oral statements. And it's the oral statements that we're here to hear today.

26307. As we've outlined before, oral statements are an opportunity for participants to provide their personal knowledge, views and concerns about the proposed project to the Panel in your own words.
26308. In order to help provide a reference point for registered participants a map's been prepared by the Panel Secretariat, and is shown here and you're welcome to refer to it. If you need us to adjust the zoom, the pull in, pull out, that sort of thing that can be done.
26309. Oral statements; the timeframe for each oral statement is a maximum of 10 minutes. We have a system designed here which I know the oral statement presenters who are with us now have been advised of but it's a black gadget, I would call it, at the front of the room here, and when there's three minutes left the green light and an audible sound will flash, and when the 10 minutes has been completed there'll be a red light and an audible sound.
26310. We're doing this to make sure that everybody has the opportunity to be in front of the Panel for the -- to present their oral statements that they've prepared.
26311. And lastly, before we begin listening, because that's what we're here to do today, I just want to confirm that all individuals who will be presenting an oral statement to us today were sworn or affirmed by Panel staff.

26312. So, with that, Mr. Bell, would you lead us off.

26313. Thank you.

**--- ORAL STATEMENT BY/EXPOSÉ ORAL PAR MR. MIKE BELL:**

26314. **MR. MIKE BELL:** Thank you for coming to our community, and thank you for the invitation to speak to you today.

26315. I'm the Co-Chair of the Sierra Club, Comox Valley but I'm not speaking to you in that capacity today. I'm also the owner of Inukshuk Management Consultants. For the last 30 years, most of which I've lived in the Arctic, first on Baffin Island and then in Northwest Territories, I've worked in every community in Baffin Island and almost every one in the Northwest Territories.

26316. I'm working in the area increasingly of self-government. My concern today is the impact of this pipeline on the loss of culture, also the feasibility of self-government and the loss of what is considered by most of the people I've worked with in Treaty 8 and 11 is a sacred trust, their Treaty.

26317. I'd like to point out that this is not the first attack on the culture; there have been two previous efforts of the federal government. The first was a residential school system, 150,000 students over more than a century, and if their parents didn't let them go to the school they were subject to fines and jail, this type of thing.

26318. As I look back on the 30 years of my work in the North and in the Arctic the thing that strikes me that I will remember the rest of my life is the horror stories I've heard about what happened at the residential schools and seeing the vestiges of this going through two or three generations, in terms of children grew up not knowing how to parent.

26319. The stories of children clinging to their mothers when they were sent off to school, and the RCMP surrounding the community, whereas truant officers and fathers very ashamedly going into the bush because they could not say anything or do anything.

26320. In the early nineties the -- the early twenties Duncan Campbell Scott, head of Indian Affairs had an aggressive integration policy and the theory was, put them in those schools and get the Indian out of them. It was legal.

26321. No one spoke on behalf of the children; not the Mounties, who knew what was going on and doing it for years, not the government, and particularly not the

- churches. Sixty (60) percent of these schools were run by the Roman Catholics.
26322. I'm a former Monk and Roman Catholic Priest and it's always been a great shame that nobody spoke out until Pope Benedict finally said something in the 1990s.
26323. The second attempt was by Mr. Trudeau in 1969, with his White Paper. Fortunately that died an early death.
26324. The third attempt, from my point of view, is the Enbridge pipeline. I saw something I was very, very impressed by on a video that tried to explain how this relates to culture.
26325. A young man, one of the guardians of the Great Bear Rain Forest was asked why he did this. He didn't talk about his rights, he didn't talk about the fact that they'd been here longer than anybody else, he didn't talk about environment. He looked out at the interviewer and he said: "We're guarding this area because we made a promise to the land and the bears".
26326. The land is the foundation of the First Nation culture. As the group I work with now continue to say, "Our culture is written in our land." If you take the land away from First Nations you take their culture away.
26327. If the federal government does this precedent is set. It will be very easy to come in and violate the land ever again. Self-government doesn't make any sense if you've got nothing to govern, particularly the way this is being handled and the effects of government and the rights of First Nations are seen as collateral damage.
26328. The special relationship, what they've seen as sacred is being destroyed. In terms of self-government, there is no self-government, it means nothing because there's nothing to govern and the special relationship, in effect, is gone.
26329. Today you can go into any First Nation and after a few conversations still see the vestiges of the residential schools. It's gone from generation to

generation. And you probably -- having been through what you've been through for the last several months have heard this time and time again. In the future it will be the same for future generations with this pipeline.

26330. In the residential schools the government took away the children's language and punished them for speaking. In this Enbridge situation they're taking away the land and its species as they're downgrading all the environmental habitat protection; this will have an impact for generations to come.

26331. As I've watched this I couldn't help of a thought of something someone said many years ago that indulgently will be familiar to you. First they came for the children but they were not my children so I didn't speak out. Then they came for the land and the culture, but it was not my land and culture so I didn't speak out.

26332. And I think the question -- the difficult question you're facing today is this situation goes way beyond energy. It's got impacts for years to come. The question I've got is; since nobody has spoken out before when these things have come will you tell the federal government that the First Nations are not collateral damage, that they must respect the sacred trust. And will you tell them not to destroy the culture and their chances for self-government.

26333. Thank you.

--- (Applause/Applaudissements)

26334. **MEMBER MATTHEWS:** Okay. Thanks a lot, Mr. Bell.

26335. Okay. Ms. Ashwell.

**--- ORAL STATEMENT BY/EXPOSÉ ORAL PAR MS. MONICA  
ASHWELL:**

26336. **MS. MONICA ASHWELL:** Good morning. I'm one of a group called Comox United Church and the only one who signed up to speak this weekend

because the time slots filled quickly.

26337. I'm not representing Comox United Church this morning, but I do speak on behalf of many Comox United Church members, more than 50, who signed a petition after church last Sunday. Many others told me that they had already signed petitions and that they were also feeling alarmed about the Northern Gateway proposal.

26338. We are called to be the Church, to live in respect with creation. We say, when we recite the United Church creed, "We are called to live in respect with creation." That's really difficult. Almost every choice we make, what we choose to eat, what we buy, how we travel, has some impact on creation, on the ecosystems of our earth, the plants, the trees, the animals, the insects, the fish, the microorganisms, the carbon dioxide levels, the web of life. And still we bumble along. We try to lessen our impacts. Most of us recycle when we can. Most of us make do, putting off purchasing something new when the old one still works fine. We buy secondhand. We put on a sweater. We turn down our heat at night. We turn off lights. We walk or bike when we can, try to carpool when we can't. We attempt to live in respect with creation. We try.

26339. But in the case of the Northern Gateway Project, trying isn't good enough. Any risk of an oil spill is too much risk. This pipeline/tanker project is the antithesis of living in respect with creation. Creation must be trembling.

26340. Enbridge will claim that it will be using state-of-the-art technology; the pipeline will be invincible; no accidents could happen; the thousand rivers and streams the pipeline will cross will be just fine. It will be built with minimal impact on the temperate rainforest of Northern British Columbia. It will have all sorts of safety features built in it.

26341. But pipelines regularly leak or burst unexpectedly. Enbridge pipelines regularly leak or burst, 159 times by their own count, just in the United States, not Canada, since 2002. The company has defended its safety and environmental record by saying it spills less than the industry average.

26342. In this part of the world, the Fraser River and other great salmon-bearing rivers and streams, less than the industry average is not good enough. The only way to a guaranteed zero is to not allow the pipeline to be built.
26343. Equally frightening is what happens when the bitumen reaches Kitimat and is pumped onto supertankers. People with long personal experience have documented for you the treacherous water and weather conditions along the narrow Douglas Channel.
26344. Again, the industry will claim that the supertankers are invincible, double-hulled, specially piloted. But once again, we know that accidents happen. An accident like the Exxon Valdez, except bigger, because the supertankers are eight times larger and different because they would be carrying bitumen not crude; a spill that would devastate the Great Bear Rainforest.
26345. Have the sea otters been invited to speak to this Panel? They were nearly wiped out by greed two centuries ago by the economy of that time. Will you let it happen again? Have the orcas been invited? One of the two pods that called Prince William Sound home is not recovering since the Exxon Valdez spill. What about the herring, the salmon, the black bears, the spirit bears, all of the incredibly rich flora and fauna of the Great Bear Rainforest. I trust you are considering their voices as you make your decision.
26346. I'm glad that you've heard from some of the First Nations peoples whose very way of life would be threatened. In years past, when humans wreaked havoc on one part of the world, there was always another area that had not been devastated. Not so anymore. This is a very special corner of the earth, pristine, rich, wild, diverse, virtually untouched. It must be protected.
26347. I am the mother of three young adults and I wish for their children's children to know this special corner of the earth still exists, rich, pristine, wild, diverse.
26348. The Northern Gateway Project also puts at risk thousands of sustainable jobs in fisheries and tourism, jobs that will be here long after the tar sands are

**Oral Statement**  
**Ms. Monica Ashwell**

used up. It makes no economical sense to put these jobs at risk. No amount of money can buy back an ecosystem. It also puts at risk the myriad of small pleasures we islanders enjoy; the reasons we love to live in Comox.

26349. I've made a very short list of things I would miss if oil began to wash up on our beaches; something that some computer models indicate could happen if this project is approved, and then the very worst happens. Here's a few things I'd miss: watching a kingfisher hover and chitter then drop into the water and, if she's lucky, fly low to an exposed rock to eat her silver catch; walking barefoot on the sand around the spit; buying pinks and cohoes at the dock, or last week halibut freshly caught north of Cape Scott; listening to the bald eagles sing the fir trees above our home; watching tiny crabs scuttle busily on the mud flats inside the spit as the tide moves slowly in; watching the herring fleet off Denman; chatting with the clam diggers during the low, low summer tides; watching salmon work their way up the Puntledge to spawn.

26350. How do we place a value on the joy and pleasure we get from living in this community on the Georgia Strait? We, in the United Church, are called to be the Church; to live in respect with creation. In the case of the Northern Gateway I, along with many others who attend Comox United Church, believe that the only acceptable risk is no risk, no pipeline.

--- (Applause/Applaudissements)

26351. **MEMBER BATEMAN:** Ms. Dawson, thank you for attending today. Please present your oral statement.

--- **ORAL STATEMENT BY/EXPOSÉ ORAL PAR MS. KERRY DAWSON:**

26352. **MS. KERRY DAWSON:** Thank you for having us and listening to us.

26353. I'll quickly introduce myself. My name is Kerry Dawson. I currently work on contract as the Education Coordinator for the Comox Valley Conservation Strategy and own and operate Comox Academic Tutoring, where I tutor kids in math, science, and life. I'm not here speaking on behalf of anyone

other than myself.

26354. I began my career about 25 years ago, working as a biologist for B.C. Parks, where I was employed to engage children and families in learning about the importance of our natural heritage, something our provincial and federal governments used to think was important.

26355. For nearly 10 years, I also worked as an ecotourism guide on the B.C. mainland coast, taking people to view grizzly and black bears in the wild. My clients were mostly foreigners who came to Canada primarily to see what they could not see anywhere else in the world, real, wild nature on a grand scale.

26356. I'd like to tell you about a client I remember in particular, a man who had come to Canada with a childhood dream, a dream to see a real, live grizzly bear catch a salmon in a real, wild Canadian salmon river. He told me that, as a child, Canada had been a mythical place to him, a place where vast forests still stood guard over rugged coastlines and wild rivers still ran fresh and clean.

26357. And he knew from a young age that he would come here one day and see it for himself. One rainy day, when that man was 37 years old, I took him and his childhood dream and I placed them on a viewing platform in the estuary of a wild B.C. salmon river and within 10 minutes the grizzly bear, that he had dreamed all his life about, came out of the woods, stopped a moment to stand and scratch her back on a tree and wandered over to a riffle in the river right in front of us where the salmon were pooling. She swatted at the water with her powerful paw but came up empty. She then charged into the water, chasing the fish to and fro but again was unsuccessful. She sat on the bank a few moments before three smaller bears came out of the bush and wandered over to her side. They all sat there in a line staring longingly at the fish.

26358. Then suddenly, Momma stood up as if a new idea had struck her. She waded slowly into the middle of the river and then stood absolutely still, unmoving in the ice cold water, while her cubs wrestled and played on the bank of the estuary. Suddenly, her paw sprung sideways, powered by enormous muscles on her back, in a flurry of water and flying silver scales, the bear had a fish. She

climbed from the river and laid down in the grass right in front of her cubs and started to tear at the salmon.

26359. I looked over at that moment at my client just as he crumpled to the ground. Overcome with emotion, this grown man was weeping, great tears rolling down his face bigger than the raindrops outside. When he finally regained his composure, he said to me, "You are the luckiest person in the world to be able to witness this magic and beauty every day. Do you know what you have here".

26360. And I said to him, "Yes, I do know". But it made me think that day that, sadly, many Canadians don't know what we have here. Most Canadians have grown up in cities and know nothing of the immeasurable value of our intact wilderness, of the value of having wild salmon and grizzly bears and wild rivers and wilderness coastlines.

26361. This is the heart of Canada. This is what makes our nation great, and I urge all of you listening to me here today to go on a tour like this and sit quietly beside a wild river near an estuary for a day watching grizzly bears live their lives because human beings are not the only animals living on this land, and we don't own this land. We share it with a wealth of other creatures, both great and small. But if we are not careful, we will be the last and only animals living here in a desolate wasteland of our own making.

26362. I have learned a lot about bears. I know that not all bears are as patient as the one I just described. I know that bears learn, that they get better at things with experience, as we do. I know that bears all have individual personalities, just like any other animals do. I know that all bears fish in their own way, in their own favourite spot, some better than others.

26363. I once knew a young, foolish grizzly bear whose idea of fishing was to bellyflop off a high bank, smack into a deep pool of salmon. After each bellyflop, he would snorkel about the pool with just his ears peeking above the water searching for any fish he'd managed to stun into submission. Then he would scamper up the bank and repeat the process over and over and over again. I never once saw him catch a fish this way, but he kept on trying for days.

**Oral Statement**  
**Ms. Kerry Dawson**

26364. I know that bears love to play and are curious and intelligent. I've seen bears strategize, use tools and even babysit. I know that bears can also suffer incredible pain. I know that bears on our coast need salmon to survive. Without salmon, the bears go hungry, as do the orcas, the porpoises, the wolves, the seals, the sea lions, otters, mink, eagles, ravens and so many other species.
26365. Salmon are the key to the coastal food web. They are the glue that keeps this complex and fragile ecosystem functioning. I also know that oil and salmon don't mix.
26366. The ecotourism industry and tourism in general is worth billions to our economy. Our coastline is a national, a global treasure. It took thousands of years to become what it is today. We cannot let it be destroyed by greed in the blink of an eye. Some things are more valuable than money and can never be replaced.
26367. We've seen what's happened to the ocean off Japan after its recent tragedy. It has become a radioactive cesspool. No one would dream of eating salmon or any seafood taken from those waters now. We can't let -- we can't risk that kind of disaster here. Oceans are not without their own limits.
26368. There are already huge dead zones in our oceans caused by our land-based pollution, as well as islands of plastic in the sea that cover vast areas, some over 700,000 square kilometres. You don't have to be a scientist to know that something is very, very wrong with this picture.
26369. We live on the edge of the Pacific Ring of Fire, one of the most tectonically active subduction zones in the world. The earthquake that brought such tragedy and horror to Japan will happen here sooner than later. The earth will shake, mountains will move, and big waves will come, and little pipes will be snapped and broken like twigs under a grizzly's paw.
26370. Before the pipeline even reaches its destination at the coast, it has the added potential to damage or destroy many of the great rivers and streams all

across this province and threaten the livelihood of the people and creatures that depend on them.

26371. Climate change is bringing increasingly volatile and unpredictable weather to our coast, as the brutal storm just a few weeks ago attests. Throw into that a few thousand oil supertankers with fallible human Captains, and you've got a certain prescription for black water, oil-covered rocks, birds, seals, wolves and bears; a poisoned land, a destroyed legacy, something that can never be fixed, or at least not for a very long time.

26372. The recent Concordia cruise ship disaster happened in far less dangerous waters, while the sinking of our very own Queen of the North occurred right on one of the proposed tanker routes. With Enbridge's extensive spill record, I have no doubt that if their tankers are allowed to navigate around places with names like Calamity Bay, then calamity is what you'll get.

26373. This pipeline must not be built. It makes no sense. It is nothing but greed that fuels that pipe dreams.

26374. Would you let your children play Russian Roulette with a loaded revolver in exchange for making a few of your friends wealthy? Because that's exactly what you're preparing to do if this insane project is approved. Disasters that will bespoil the bounty and abundance of our world-envied coastline will happen and, with them, our salmon, our orcas, our grizzly bears, birds, the entire coastal environment will crumble and so, too, will the future for British Columbians and Canadians.

26375. As an ecologist, I assure you that our insistence on clinging to the untenable idea of a human-created economic system based on endless growth is an absolutely biological impossibility. Leading scientists all over the world agree, our relentless pursuit of growth and material wealth along with our continuing reliance on fossil fuels is destroying the earth's capacity to provide us with the life-giving ecosystems we rely on for air, water and food.

26376. It is time to take the difficult steps and face the coming downturn in oil

**Oral Statement  
Mr. Louis Lamb**

and begin to plan our new energy strategy now. Canada was once a respected world leader in environmental policy and forward-thinking technologies. Canada should be leading the way on our global path to a more sustainable energy future, not investing in more dinosaur technology.

26377. We need to embrace a new vision now, and that vision does not include an oil pipeline across our province and supertankers on our coast.

26378. Thank you.

26379. --- (Applause/Applaudissements)

26380. **THE CHAIRPERSON:** Thank you, Mr. Lamb, for being here.

26381. Please go ahead.

--- **ORAL STATEMENT BY/EXPOSÉ ORAL PAR MR. LOUIS LAMB:**

26382. **MR. LOUIS LAMB:** Thank you for being here and inviting us out to these hearings.

26383. I don't represent any groups, and I come to you as a younger man from the Comox Valley. And when I said to my friends that I was coming out to speak here they all said, "Thank you, and you're representing us".

26384. So this is short. I'll start ---

26385. **THE CHAIRPERSON:** Excuse me just a sec. If we could just get quiet in the room, please.

26386. Thank you very much.

26387. Go ahead, Mr. Lamb.

26388. **MR. LOUIS LAMB:** Thank you.

26389. So I'll start off by being a bit of a cynic. This process seems redundant to me. We all saw the budget come down and heard beforehand that the government was going to get this through regardless of a negative recommendation, let alone -- or sorry, let alone by a Panel such as yours. It really doesn't inspire a lot of trust or hope for this process.

26390. So why did I even bother showing up? In a sense, I don't really know but I want to be able to say that I tried to have my voice heard in our democratic society and that I spoke up to speak out about the disaster waiting to happen.

26391. We have an amazing resource, many, for that matter, and we're shipping it out of the country as fast as we can. We have not -- have we not heard or learned about Dutch syndrome? Do we not want to harvest this resource in a sustainable way to ensure it remains available to us for the longer term?

26392. And a final question directed to the leaders of Canada, do you think the price of oil is going down? I need oil and gas to run my business and to sustain my way of life. I'm not anti-economy or anti-development. I just wish we could grow our development and economy towards alternatives. And though I would like to see alternatives, I'm fully aware it's going to be as sluggish as ducks trying to swim in bitumen for them to come around, or tailings ponds for that matter.

26393. I grew up on this coast, and a spill from one of these tankers -- sorry, one of these supertankers would devastate our coastline. I know there are many measures in place to ensure this doesn't happen, but the track record of Enbridge is pretty poor.

26394. The fishing, aquaculture, tourism and multitude of other businesses and scientific stations that add so much to our economy and, of course, to science would cease. From Ottawa, this may not seem like such a big deal, or as big a deal, but it's our livelihood and our way of life that we're risking.

26395. And a few fun facts, pardon the sarcasm, Enbridge will import 200,000 barrels of condensate or diluent from Russia or Malaysia to help lubricate the export line. The pipeline will cross over 700 streams and rivers, including many salmon-bearing ones. And as said earlier, Enbridge has a terrible record of

- keeping the flow of oil contained to their pipeline. The Canadian public will pay over \$50 million through our taxes to upgrade the navigational aids of the tankers.
26396. This may be my favourite, least favourite, however you want to put it, but Enbridge has to pay a maximum of \$40 million to clean up in case of an oil spill, then the public has to take care of the rest. Enbridge will get a higher price on the world market for the oil; this will in turn bring up the price in Canada.
26397. Two tons of tar sand and three barrels of water is needed to retrieve one barrel of bitumen. There will be 300 supertankers a year going through that Channel. The B.C. Ferries ran through a similar area, approximately 175 times per year and went down due to human error. This ferry was much smaller than a supertanker.
26398. And this one can be interpreted, I'm sure, many different ways by many different people, but the export of 400,000 barrels per day represents the loss of 18,000 jobs in Canada.
26399. I'm embarrassed for Canada and how we're viewed in the eye of other developed nations. Our regulations are weak at best, our environmental standards are plummeting. And when my kids grow up, they'll have a lot to work -- they'll have little to work with, and too much to clean up.
26400. People are ready to get in the way of the construction of this pipeline. This isn't a warning that I'm sending, it's a fact. People are so passionately against this they're willing to be arrested, abused by contractor goons, and potentially give up freedoms for crossing borders, et cetera. I guess our government was anticipating this and there will be plenty of jails to house these socially and environmentally conscious people.
26401. So other than a few things I mentioned, what is my evidence, what do I have to present to you to go to Ottawa and recommend to put a stop to this project?
26402. I really don't have much for you. There's so much evidence, so many reports that the government has chosen to ignore. They've disregarded and tried to discredit environmental advocacy groups by calling them names and attempting to put them in a bad light.
26403. So, really, we're left to protest and to take to the front lines. The power of truly concerned citizens is and will be evident.

26404. Thank you.

26405. **THE CHAIRPERSON:** Thank you to each of you for taking the time to be here and present to the Panel, it's much appreciated.

26406. We'll take a 10-minute break and come back at -- sorry, we'll take a 10-minute break and come back at 9:45.

26407. Thank you.

--- Upon recessing at 9:35 a.m./L'audience est suspendue à 9h35

--- Upon resuming at 9:47a.m./L'audience est reprise à 9h47

26408. **THE CHAIRPERSON:** Thank you very much.

26409. **MEMBER MATTHEWS:** Okay, welcome to the next panel.

26410. So we have Ms. Farinha, could you please present your evidence.

26411. Okay, thanks.

**--- ORAL STATEMENT BY/EXPOSÉ ORAL PAR MS. SHARON FARINHA:**

26412. **MS. SHARON FARINHA:** Good morning.

26413. My name is Sharon Farinha and thank you for the opportunity to speak to you today. And thank you to Comox for hosting these hearings. Comox is a good location for this discussion. The people in the Comox Valley love the outdoors and value the coastal waters. It's the home of the Snow to Surf Race, one of the best adventure relays in our country. So way to go Comox.

26414. My background is that I live in Parksville and I'm retired. My career was a public school administrator. I was an elementary school principal in several locations in B.C. for many years. I'm also a registered psychologist, but I never seem to get around to that, so small practice.

26415. After my retirement, I coordinated a restorative justice program at the local RCMP detachment. And then I provide dispute resolution program for the schools.

26416. But I'm here today just for myself because I'm opposed to the pipeline

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crossing our province, and I'm opposed to the oil tankers traveling in the Douglas Channel.

26417. So I'd like to first mark an anniversary. It was 45 years ago in March that the oil tanker, the Torrey Canyon, went down off the coast of Cornwall. Now this oil tanker went down and the oil spill covered about 120 miles of coastline in Cornwall. And I believe it was the very first oil tanker, super oil tanker, supertanker to go down.

26418. It absolutely made the British people aghast and it upset the government badly. They didn't quite know what to do with the oil spill, it had not happened before. So they tried in many ways to accommodate the people and to clean up the oil spill, all unsuccessfully.

26419. Eventually, they decided to call in the Royal Navy and by calling in the Royal Navy, they expected the fleet air arm to take up aircraft carriers and drop thousand-pound bombs on the founder tanker in the hope that perhaps it would disperse the oil or that it would catch fire. And, of course it was totally unsuccessful, although it was spectacular.

--- (Rires/Laughter)

26420. **MS. SHARON FARINHA:** What can we learn from this? Well the people of Guernsey in the Channel Islands, I just looked up to see where that was, they're still paying for this oil spill. Not only are they still paying for the oil spill, they're still cleaning it up. And this is 45 years later.

26421. So I think this is probably a bit of a lesson for us in B.C. You know, what could happen here. It's very frightening to me to think about this.

26422. And the British government at the time, as governments will do, promised the British people that such a human error, such a catastrophe would never happen again. Well, I guess the lesson for us is don't trust what governments say. Unfortunately, it's not always true.

26423. And thirdly, the fact that they're still cleaning this up, 45 years later, tells us that our ecosystem will be plagued for years and years by any oil spill that happens. And we all know that it's not "if," it's going to be "when".

26424. So they say that there's now the polluter pays principle. Well the polluter pays principle means that the polluter will then have to take responsibility should an oil spill occur. But we all know what big business is like and corporations.

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They'll allow it to twist through the courts for years and years and there will be appeal after appeal.

26425. I know I'm sure you've heard so much about the Exxon Valdez, but just briefly, I believe the first court settlement was \$5 billion just for the oil clean-up. And it's now down to something like \$500 million, one tenth of the original court settlement. And it's still twisting its way through the courts. So there's lessons to be learned.

26426. Now the Enbridge proposal, as many others have said before, they're trying to take into account all the safety measures they possibly can. But this is not enough. And they're giving us all this high-price persuasion on, "Don't worry, everything is going to be okay. And it's going to be to the benefit of Canada", if not for British Columbia, at least for the rest of Canada.

26427. Well, as someone has said previously, risk reduction is not enough. We need risk elimination. Our landscape is irreplaceable. We don't have another B.C. coastline, this is all we have. So I decided I should go to the MPs and MLAs and see if I could perhaps interest them in my thinking.

26428. I tried to speak to my MP, but he was suspiciously unavailable. I tried to speak to my MLA and I put my name down on a list and the administrative assistant said that definitely, I would get to speak to him, but that didn't happen. However, she assured me that if I was there to speak about Enbridge, there's no problem because Enbridge has a perfect record.

26429. Okay. So I went back home and did a bit more research, and I think it's been said already, but their record may be better than the industrial average, but it's certainly not a very good record.

26430. I believe there's 159 oil spills -- of course... there's gas spills, too, but 159 oil spills in the last 10 years. Not only 159 oil spills; 12 of them are called the "Dirty Dozen". They are really significant oil spills.

26431. And I looked up a couple of them. One that I just briefly will tell you about is, is that the Kalamazoo River in Michigan is unbelievably polluted; 840,000 gallons of oil went down that river as a result of a break in an Enbridge pipeline. And the problem, of course, is they spend as much money to counter negative publicity as they do to clean up the oil because they're so concerned about what the newspapers are saying and what the people are saying.

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26432. You know, I read a lot of testimonials, and I know testimonials are fallible, but still, there were so many testimonials about that particular oil spill. You know that they're going to do the best they can to put a good face on something that has happened, and it's not good.

26433. So I want to tell you that I love our coastal waters. I walk the beaches and in the summertime I run on the Parksville Bay. I'm from Parksville, so I run out there in the Parksville Bay and train, and I paddle. My kayak is my best friend -- well, maybe my second-best friend. And I paddle the waters of the Georgia Strait a lot of times, but I've also paddled up at Klemtu, which is a wonderful little northern community. And I've paddled around the Haida Gwaii. And both those areas are just breathtaking.

26434. If you haven't been there, it's -- we need to support those northern people. They have an amazing, amazing place to live in.

26435. So I love my coastal waters and I'm bewildered because I thought, you know -- as a school principal, especially, I thought that I was part of the establishment and a moderate, but I saw somebody with a shirt on today that said "I'm a radical Canadian", and I guess that's what I've turned into. I don't know when I had this reframe happen.

26436. I'm angry and I'm bewildered. I'm so upset that there's millions of dollars that's being spent to convince Canadians of the benefits of having this pipeline go through, and it's divisive, you know. I now have someone building across the road from me that's from Alberta, and I never used to feel this way, but it's -- I'm sorry.

--- (Laughter/Rires)

26437. **MS. SHARON FARINHA:** The ploy that they're using by saying that the oil is ethical oil, doesn't that make you laugh? I mean, that's like government intelligence, for goodness' sakes, you know. It's an oxymoron.

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26438. So I lastly would like to tell you that I'm saddened. I have five grandchildren, and they are all growing up on the coast. And it's so unfair to them. I -- you know, what is their legacy? Is it to pay for oil spills in the future or to become connected to this natural beauty of our coast?

26439. So esteemed members of the Panel, you're charged with making a fair and independent recommendation, and it's good that you're leading this process, it's integral to our democracy. I'm really heartened to hear that you're going to review our testimony and read all our comments about the fisheries and the wildlife and that people that will be affected.

26440. I respectfully ask you to consider what kind of Canada do you want? Do you want to grow or die corporate philosophy? Do you want to expand the oil sands and just please the shareholders? Is this really in our national interest? Is this good for the future of B.C.?

26441. If you recommend yes, you know what's going to happen. I know what's going to happen. I think everybody hear knows what's going to happen; the government will walk away and go "Yay, yes", but they will just ignore any conditions that you put on it. The only way to go is an unequivocal no.

26442. Thank you.

--- (Applause/Applaudissements)

26443. **MEMBER BATEMAN:** Ms. Goldschmidt, thank you for coming today.

26444. Please proceed.

--- **ORAL STATEMENT BY/EXPOSÉ ORAL PAR MS. JUDITH  
GOLDSCHMIDT:**

26445. **MS. JUDITH GOLDSCHMIDT:** Thank you. I'd like to acknowledge the Panel and thank you for being here.

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26446. My computer blew up two days ago, so whatever prepared formal notes I was making are moot. I'm going to speak rather extemporaneously.

26447. And I'm just struck by your patience. I don't think I'd want to be sitting in your seats. I can't believe you are getting paid to spend hours and hours and hours sitting. I think the money might be better spent putting you on a ship and sending you up to the Great Spirit Bear -- Rain Bear Forest, which I haven't even been to yet, and having the experience for yourself.

26448. And short of that, we were recently treated in the Comox Valley to a movie called "Spoil", which I don't know if you can enter it into evidence, but I would surely ask you to take a look at that if you haven't heard from the people directly in the movie.

26449. I saw that movie a few months ago, and I'm inspired. I'm planning to make my first trip there this summer. So you're probably saying, "Well, how can she be here speaking when she's never even been there up to the north".

26450. And I'll tell you a little bit about my history. I guess you can tell, perhaps, from my accent I'm not born Canadian; I'm actually from the Philadelphia area. I came out here with my husband in 2003 on a summer holiday. We worked on a farm in the Comox Valley, and I was smitten, absolutely smitten with everything about this area and British Columbia.

26451. And I said to my husband, "I feel called to give up my urban marketing tourism professional life in Philadelphia and come here and be part of the earth and be land stewards". And he agreed, and in 2005 we got our immigration papers done and everything flew beautifully.

26452. You should note that Canada's immigration booklets even refer to our legacy for environmental responsibility, which I really don't think the U.S. government does with their immigrants. That really impressed me.

26453. So we came here in 2005 and we bought some land and we saw ourselves as land stewards. And I feel today my role sitting here is just an extension of that,

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of love for the land, wanting to care for it, wanting it to stay special for years and years to come so future generations can enjoy it.

26454. So I know people have talked all about, you know, the uniqueness of it and the pipeline, and thank goodness they're saying what I would have liked to have said if I had my written notes.

26455. I did want to speak about a trip I took last year in January. I took myself to the Galapagos Islands in South America. I wanted to experience this vast ecosystem of unique plants and animals and life that exists only there and just needs to be experienced, and how clearly the steps their government in Ecuador takes to preserve this.

26456. We didn't know from day to day exactly what our tour route would be because there was like an air traffic controller, but it was more like a yacht controller deciding who goes where just to control the traffic on each of the areas where people were allowed to visit the Galapagos Islands. And it made me think when I came back, you know, that I was very fortunate.

26457. Well, after I saw the movie "Spoil", I started looking up trips to the north, to Kitimat and that area and Bella Coola. And surprisingly, if you look on some of the websites that promote B.C. tourism up north, they call it the Galapagos of the north. And I thought, oh, my gosh, that's amazing. Here I travelled all this way to South America to see unique and -- you know, unique wildlife that's preserved and we have the same thing here.

26458. People are coming from all over the world to visit our Galapagos of the north. I don't think we want them coming on oil tankers. I don't think that's the way we meant for people to come and experience B.C.

26459. I could go on and on about the wildlife, but I think you understand and, if you don't, then I hope you'll take some time yourself to walk barefoot in the Great Bear Rainforest.

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26460. I want to talk about risk. Newspaper article months ago and letter to the editor, it was entitled "We cannot afford to get this wrong". You're charged with a very, very important responsibility, which is to make a recommendation to our government as to what should be done about this pipeline. The more people feel passionately about this, the more you have to sit and the more hours you have to sit and listen, just like you're doing now.

26461. I can't imagine that that increases your sympathies. I hope it does but, I mean, I imagine your rears are getting a little sore after all of this.

26462. We can't afford to take this risk and get it wrong and have an oil spill in the north of B.C.

26463. Now, it seems to me when you're evaluating risk, in order to evaluate risk you either start from a place of any risk is worthwhile in which case these hearings are all a dog and pony show and we're all just part of this game or we have to -- you have to determine where the boundary is, when -- what risk is acceptable and when does it become unacceptable.

26464. And I ask you to really give that serious thought, what about be your bottom line. Where can we do with, where can we do without?

26465. So if you're making a decision about a company that doesn't have a good track record, then you're taking a lot of risk. And if they continue to act the way they have been, based on their record and not on their promises, you're going to be -- I don't know how you'll wake up in the morning when the next oil tanker spill happens up there and you'll know that you were part of the reason that it happened.

26466. So I'm trying to appeal to your consciences. I hope I'm doing a good job.

26467. I mean, the -- all right. I wanted to tell you I'm Jewish. I'm a real minority here. And the most basic prayer in Judaism is the Shema, and it's a call to listen, listen and experience the unity of the world. It's not an exclusively like kind of just for Jewish people prayer; it's universal, the way I see it.

26468. I had a learning that in the Hebrew the first letter of the first word and the first -- the last letter of the first word, the first letter of the last word in the Hebrew

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are always printed in capitals, larger, and I was taught that the reason why is those two letters put together are the word “witness”.

26469. So it’s not enough to hear; it’s not enough to listen; you have to be a witness as well.

26470. So I wanted to recite a poem that I’ve carried in my heart for years that I hope will speak to you. It goes like this:

*“He doesn’t know the world at all who sits in his nest and doesn’t go out. He doesn’t know what birds know best, nor what I want to sing about, that the world is filled with loveliness, when dew drops sparkle in the sun and earth alight with morning dew, a blackbird sings upon the bush to greet the dawning after light. Hey, go to the woods some day and experience the beauty for yourselves, and if the tears obscure your way, you’ll know how wonderful it is to be alive.”*

26471. And that poem, believe or not, was written by an anonymous child who perished in a concentration camp in the ‘40’s. So it seems to me if that child could have that wisdom and that vision of a world, that the least we could do is exercise our consciousness and our love of this planet and do the same and experience that.

26472. So I ask you to please listen, to be witnesses, and may your hearts and your consciences guide you to make the appropriate recommendation.

26473. Thank you.

--- (Applause/Applaudissements)

26474. **THE CHAIRPERSON:** Thank you very much.

26475. Ms. Hollmann, please go ahead.

**--- ORAL STATEMENT BY/EXPOSÉ ORAL PAR MS. CHRISTINE HOLLMANN:**

26476. **MS. CHRISTINE HOLLMANN:** Good morning. My name is Christine Hollmann. I’d like to acknowledge today that I’m a visitor in the traditional territory of the Comox First Nation. I will today tell you a little bit about myself, where I’m from and how this proposed pipeline will impact my livelihood and my

- well-being.
26477. I arrived here yesterday on the island, travelling by ferry across the Salish Sea from my home community of Lund which is located on the mainland, a half an hour drive north of the City of Powell River.
26478. I must admit, like a previous panelist said, that I've been feeling rather cynical about this process, wondering about its effectiveness and really being able to communicate anti-Enbridge sentiment -- my anti-Enbridge sentiment to government officials far removed from daily life on the coast.
26479. As we were leaving the ferry terminal yesterday, a beautiful black dorsal fin cut through the water really close to the harbour, followed by another one and another one, in total, nine orcas including two calves, and I was reminded of the many reasons why I'm coming here.
26480. I feel like I'm coming here not only to represent myself and the interests of my family and the interests of my small coastal village, but for all the species that can't speak the human animal's language to communicate their thoughts about the proposed pipeline, and if they could, this proposed pipeline would already be dead in the water.
26481. I'm here today as a neo-indigenous person, a term that wild salmon activist Alexander Morton has coined, used to describe people like me, those who were born, raised and live on the coast, those who are in love with the coast in modern times.
26482. My days as a child were spent in the bush hiking, mushroom and berry picking, and when we weren't in the forest, we were on the beach, a short walk away from our house. Many days were also spent on a shared family boat, a slow diesel powered cruiser, where we made up songs, swam in the deep green ocean, saw orcas, deer and eagles as we slowly cruised along our coast.
26483. My days as a teenager were spent outdoors with my friends camping and hiking in our back country. As a young adult, away from home, I always sought out natural spaces to help ground me, as I still do today.
26484. I'm here today as a mother, thinking of the future for my seven-year old son, not only for his lifetime but his children and their children and their children beyond that, seven generations.
26485. At five weeks of age my son went on his first, albeit short, kayak

excursion where we quickly found a sea lion carcass feasted upon by eagles and turkey vultures just around the corner from my home.

26486. I'm here today as an ecotourism guide, as a small business owner, an ecotourism and environmental education business that provides an income for me, my family, a business that provides employment opportunities for four or five other families or people and their families and a business that is part of a local economy in Lund, in the small coastal village whose economics depends on tourism and fisheries.

26487. I'm in the business of taking people into natural spaces on foot, by kayak, by boat, by making connections between us as the human animals and the world around us. The people I serve are from places around the world, from families, to seniors, to school groups. And in the business of environmental education, taking children and youth into natural places, sharing knowledge of plants and animals, facilitating opportunities to explore and ask questions, again making connections.

26488. This is my passion, my work, for once we make connections between ourselves and the natural worlds, we can learn from nature and in turn take action on its behalf.

26489. The people that come to visit us on the coast, they come to be in these natural places and beautiful spaces, with clean environments and abundant wildlife, and they're paying top dollar to do so and many of them are coming and will continue to come.

26490. Tourism has surpassed the resource-based industries in the Province of B.C. in terms of its revenue. If we continue to be ignorant of the correlation between the economic benefits of nature in its natural state, not only for visitors to our province but also to our own population's holistic wellness, we will all find ourselves in a state of "dis-ease".

26491. Locally-owned, small-scale ecotourism operations provide opportunities for the operators and their employees to live in rural settings, be self-sufficient, live active and healthy lifestyles with minimal impact on the environment, but in order for us to survive, there must be a healthy environment to live and to work in. It is in our best interest to maintain and sustain these smaller local economies.

26492. And what will be gained from a pipeline here on the coast? We gain risk. We gain risk to the environment, risk to wild salmon watersheds when pipelines are being built, when oil is being spilled through leaks in remote and rugged environments, from spills in the ocean from tankers travelling through treacherous

- remote waters, subject not only to the forces of nature but to human error.
26493. We gain environmental risk, again risk to the land-based animal species when a pipeline corridor 1,170 kilometres long and 30 metres wide is built, causing habitat loss and destruction. We gain risk, risk to cultures, to First Nation cultures still living in harmony with earth, still healthy, still self-sufficient, still strong precisely because of where they live and their connection to the land and the foods that they eat, to coastal and interior peoples dependent on the land for their livelihood and income.
26494. We gain risk, financial risk, the cost of spills from tankers which will be paid for by whom? As once the bitumen is out of Enbridge pipelines and onto tankers, apparently they, Enbridge, are no longer responsible for paying for its cleanup.
26495. We gain risk of political unrest, of government's kowtowing to corporate greed, changing environmental regulation and habitat protection all to make it easier just for business to succeed.
26496. We gain geopolitical risk in selling our oil to a future super power with an authoritarian regime with deplorable human rights and environmental policies.
26497. We gain risk in not taking care of our own national energy needs. Quebec and Atlantic Canada are nearly 100 percent dependent on foreign oil supplies.
26498. We gain risk of people like me becoming cynical and jaded and losing hope, of people like me losing my passion for working with youth because I wonder to myself, "Does this really matter?"
26499. We gain risk of people like me losing my ability to sustain my little family and, in turn, my coastal community being unable to sustain itself.
26500. And what do we gain? Nothing.
26501. The negatives far outweigh any positive impacts. And all -- through all of this I keep thinking, to me it just makes sense to say no, and I wonder about the common sense.
26502. All of this is so nonsensical, from how the oil is being derived from the earth, right to the export of it in its raw form through one of the last remaining intact rainforest ecosystems on the earth, through northern B.C. waters that are

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inherently violent and dangerous. And any person that has common sense, any person that values economics in terms of the health of its ecosystems would have to say no.

26503. And what does all of this do? Sometimes it makes me want to move away from a place that I love so deeply -- pardon me -- and a community that I care for. Why? Because I want to find a place where all beings on earth have a say and are valued for their perfect participation in a delicate web, living, and breathing, and giving, and sharing in a balance -- in a dance that has existed for thousands of years before too many people without a care graced our planet.

26504. It makes me hope for a time where our supposedly superior brains actually make superior and intelligent decisions that are based not only on short term financial gain for a few, but for mental, emotional, spiritual, and physical wellness for all creatures in that environment.

26505. My voice says no, my family says no, and I will take a stand. Standing here in front of you today, I will stand in front of machines, and I will stand in front of tankers. You three, please say no for me, to the powers that be. They are regrettably far away standing in tall windowed towers where they can't see my coast with their eyes obscured by dollars and dollars.

26506. By the way, I'm not a radical, I just have some common sense. This pipeline makes none.

26507. Thank you.

--- (Applause/Applaudissements)

26508. **MEMBER MATTHEWS:** Good morning, Mr. Manly.

26509. We look forward to hearing your oral statement.

**--- ORAL STATEMENT BY/EXPOSÉ ORAL PAR MR. JIM MANLY:**

26510. **MR. JIM MANLY:** Thank you.

26511. I am a retired United Church minister. I also served for eight years as Member of Parliament for Cowichan/Malahat the islands, and as such I was on the Indian Affairs Committee, and also on the Fisheries Committee.

26512. I appreciate this opportunity to appear before you today and to share my opinion of the Northern Gateway Pipeline and the proposed tanker traffic that goes with it.

26513. To begin with, I want to recognize that you have a difficult task to try and find the appropriate balance between economic and ecological concerns. And it's interesting that both words, economy and ecology, come from the same Greek root oikos, meaning house, household. And we're trying to manage this household of earth. And I think we can all agree that a sound economy must always be based upon a sound ecology.

26514. A number of people have presented serious arguments against the way the pipeline threatens our river systems and wildlife on the overland route through British Columbia's northern interior. I want to focus on the danger that the resulting tanker traffic presents to coastal British Columbia. Just as interior First Nations and others oppose the overland section, so coastal First Nations and other people on the coast strongly oppose this tanker traffic.

26515. When we were first married in 1959, Eva and I spent four years in Kitimaat Village among the Haisla people who are the people most threatened by tanker traffic. Living at the end of Douglas Channel, the Haisla worry that it is not a question of if there will be an oil spill, but when and how large.

26516. Although, like other communities, they would welcome the jobs that the pipeline and tanker traffic might bring, they know that the price is too high. As other presentations have shown, an oil spill would have major long-term and disastrous consequences.

26517. Three weeks ago an article in the Vancouver Sun reported that back in

November 2010 the Canadian Environmental Assessment Agency warned federal Cabinet Ministers that lack of adequate funding meant that First Nations would not have the resources to adequately review the relevant information.

26518. This meant that there would not be “the meaningful and reasonable participation that our Constitution requires and the entire process could be tied up in the courts for many years”.

26519. I would submit that this is far more than a legal challenge to the pipeline Proponents; it is a basic moral and ethical challenge to the people and Government of Canada. Are we a people who only recognize the rights of First Nations people when it suits us or do we recognize that these are not rights that were created and granted by our government but that they are pre-existent rights which our Constitution recognizes but did not create?

26520. Two weeks ago I attended the Truth and Reconciliation hearings in Port Alberni. A Gitksan former student concluded his testimony about the abuse he experienced at residential school by saying, Enbridge is just like a residential school supervisor. This is how many First Nations people see the Northern Gateway Pipeline proposal. Although it makes fine promises of jobs, and of protecting the environment, it is in the final analysis destructive.

26521. Environmentalists and others who oppose the pipeline and tanker traffic have been criticized for receiving funds from the United States, implying that opposition to the pipeline is not truly Canadian but merely a branch from American roots. I'd like to make two comments on this.

26522. First of all, the people of British Columbia know that this coastline is an irreplaceable resource in terms of its beauty, its wealth of seafood, as a site for homes and communities, and its present and future value for tourism.

26523. But this coastline is not simply a resource, something that can be balanced and traded off with other resources; this coastline is our lifeblood. Without it we wouldn't be the people we are. Above all, First Nations people know this and this is why they're sworn to protect it, whatever political decisions may be made.

26524. A few months ago I saw a video about the proposed pipeline where a woman from the white community of Kitamaat town site said she favoured the pipeline, but that if it didn't work out she and her family would simply move on to someplace else.

26525. The people of Kitamaat Village, of Hartley Bay, Kitkatla, Metlakatla, Port Simpson, Haida Gwaii, Klemtu, Bella Bella and other First Nations communities know that there is no place else to go. This coast is where their lives are to be lived and where our lives are to be lived. Other people on the coast know the same thing, perhaps not to the same degree.

26526. For at least four decades going back to the West Coast Oil Ports Inquiry under Andrew Thompson, people on the coast have been strongly opposed to oil supertankers operating on this coast, just as they have opposed any proposals to drill for offshore oil.

26527. The second point I want to make with respect to American funding for environmental causes is that it should be most welcome. We live in a global society. Globalization is a fact of life in terms of our economy, no more so than in the oil industry. And this is what this pipeline is all about. But even more basic than a global economy is the global ecology. We don't live in small, air-tight, water-tight compartments separated from each other.

26528. Ten (10) days ago I heard a woman from Metlakatla saying she and her mother would not be gathering any seafood or harvesting any herring roe or canning any salmon this year. Why, because they feared the danger of contamination from Japan's nuclear disaster last year. As the old saying has it, we're all wrapped up in a single ball of twine.

26529. I want to close with a verse of scripture from Psalm 24.

*"The Earth is the Lord's, and the fullness thereof".*

26530. And the truth of this goes beyond any particular religious creed. In secular

terms, it tells us that on Planet Earth we have obligations that go far beyond our particular interests. We need to consider the integrity of the environment and the rights for future generations to have a decent place to live.

26531. I hope that your Panel will see the centrality of this as you make your decision, and that our government will also recognize this and will reject the Enbridge Northern Gateway Pipeline proposal.

26532. One final comment. I want to stress that it's the basic right of Canadians to be able to voice their concerns about important environmental concerns and environmental issues, and to be heard by a panel like yours. This is a basic right and responsibility that must not be taken away. Thursday's Budget Speech unfortunately was like a kick in the groin to this process.

26533. Thank you very much.

--- (Applause/Applaudissements)

26534. **THE CHAIRPERSON:** The Panel thanks each of you for being here and presenting us with your thoughts. It was very insightful for us, thank you.

--- (A short pause/Courte pause)

26535. **THE CHAIRPERSON:** If we could get quiet in the room, we're ready to get underway with the next panel. Thank you.

26536. **MEMBER BATEMAN:** Good morning, Ms. Moen. Thank you for coming.

26537. Please present your oral statement.

--- **ORAL STATEMENT BY/EXPOSÉ ORAL PAR MS. SUE MOEN:**

26538. **MS. MOEN:** Thank you. I first wish to acknowledge that we are visitors on the traditional territory of the K'ómoks Nation.

26539. I am Sue Moen. I live in the Comox Valley and I came here via Vancouver, but I was born and I grew up in the Prairies, and I had close ties to farming and to the First Nations communities in my neighbourhood. This childhood afforded me the opportunity to learn about and appreciate and, indeed, to honour and respect the land; to put in more than we take out, to revere the plants and animals that feed us and, above all, to maintain balance.
26540. I learned a certain pragmatism. There are events in life we cannot influence and must, therefore, learn to accept. But almost everything that involves humans involves choice, and so I am here today asking that you choose to say “no” to this proposal.
26541. This proposal does not fulfill even one need. Indeed, this development is part of a pattern around the world, a part of a flawed economic paradigm that is destroying all that we do need; healthy soil, water and air.
26542. I have been privileged to study with a Cree elder and participated in what is commonly referred to as a vision quest. He gifted me with the name Shaw-a-ma-ee-n-i-quay, which means an earth woman or earth mother.
26543. I have struggled to understand why I received this gift. I have struggled to live in a way that does duty and honour to this name. Like millions of individuals, I have struggled to lessen my impact on this planet. I compost; I grow some of my own food. I feel guilt every time I get into my gas-powered vehicle. I agonize over my consumer choices. Tonight, I will turn off my lights for Earth Hour. And I struggle against the rage and futility I feel that the individual actions, even of millions of us, do not balance this one proposal, the expansion of the Tar Sands.
26544. And so I come to understand what my duty is to this name, to this legacy. It is to do everything within my resources to oppose this pipeline, and I start with this presentation today.
26545. My primary argument against the proposal is through the lens of the precautionary principle, which denotes a duty to prevent harm when it is within

our power to do so, even if we don't know all the facts. This principle has been codified in several international treaties to which Canada is a signatory.

26546. The World Commission on the Ethics of Scientific Knowledge and Technology Expert Group on the Precautionary Principle, has developed a working definition for UNESCO, again, of which Canada is a member. This must be considered during your deliberations and your decision-making.

*“When human activities may lead to morally unacceptable harm that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm. ‘Morally unacceptable harm’ refers to harm to humans or the environment, that is threatening to human life or serious and effectively irreversible or inequitable to present or future generations or imposed without adequate consideration of the human rights of those affected. The judgment of plausibility should be grounded in scientific analysis. Analysis should be ongoing so that chosen actions are subject to review. Uncertainty may apply to, but need not be limited to, causality or the balance of the possible harm. Actions are interventions that are undertaken before harm occurs that seek to avoid or diminish the harm. Actions should be taken that are proportional to the seriousness of the potential harm.”*

(As read)

26547. I believe the possible consequences to the environment, to human and planetary health are sufficiently dire from this proposal as to be classified as morally unacceptable.

26548. Many have already described the likeliness of a pipeline or tanker spill and the devastation that would wreak on species' health and on the marine inshore and estuary and land ecosystems. The economic and environmental effects of mining and transporting this product are serious and effectively irreversible.

26549. The bitumen will run out and, with no conservation or renewable energy plan in place, we are effectively robbing the next generations. There will be leaks and spills, the cumulative effect of which we can only dread, and if this pipeline goes ahead the human rights of everyone in its path or the path of the mining, transport and burning of the oil, so pretty much all of us, will have been ignored.

26550. Many have already made the economic arguments. I am being told that the continued runaway development of the oil sands and other energy resource projects is good for Canada as a whole. I have not yet and do not anticipate any direct benefit from this project. I do, however, anticipate and dread the inevitable degradation of our environment and the costs that we will have to pay for generations when the pipe or the tanker leaks or loses against nature.

26551. I have been told that 130,000 new jobs will be created in the tar sands over the next decade, and somehow that will benefit me and mine. We don't need those particular jobs with their negative impact on the social and cultural fabric of the communities involved. The equivalent investment into local, sustainable industries and jobs would far exceed for far, far longer the economic impact of this development.

26552. The vast majority of the money being created benefits very few. This economic engine is fuelling somewhere and someone else, not Canadians.

26553. Many First Nations view their actions through the lens of seven generations. A friend of mine of Chinese heritage describes his family and his culture's plan, the lens is 100 years. We seem to operate with a lens of four years or less.

26554. We are pulling the resource millions of years in the making out in decades and sending it away with no long-term plan or benefit to our country or communities. The lack of a plan or, if there is a plan, it's too horrendous for me to accept, is another reason I recommend you deny this application.

26555. Yes, the lack of a national energy plan is beyond the purview of this Panel, but if you say no, maybe our government will start to discuss it in a reasonable

and rational manner.

26556. I personally want to see the expansion of the tar sands slow and stop, to be replaced with renewable energy and energy conservation industries, but recognize that that is a different fight. I believe that within the pro pipeline economic arguments are inconsistencies and contradictions to what is actually happening in the industry today. They are making those arguments just for the sake of making a case, with no -- nothing to back them up.

26557. A comprehensive overall national energy strategy and plan that includes the slowdown of tar sands development, local refinement and distribution to Canadian markets and investment in renewable energy to replace oil and gas would truly provide long-term benefits to all Canadians.

26558. This pipeline is designed to assist in the useless destruction of what should be a precious and honoured resource, useless because the fossil fuels will run out. And Canada has no plans to conserve what we have, develop alternative fuels and energy or to change the paradigm of our lifestyles and economies to benefit not only our citizens, but the world's people.

26559. My name is Shaw-a-ma-eeen-iquay

26560. I recommend that this Panel deny this proposal.

--- (Applause/Applaudissements)

26561. **THE CHAIRPERSON:** Thank you, Ms. Moen.

26562. Mr. Schaan? Thank you.

--- **ORAL STATEMENT BY/EXPOSÉ ORAL PAR MR. GARY SCHAAN:**

26563. **MR. GARY SCHAAN:** Thank you.

26564. Twenty-one (21) years ago, I was working in the Bulkley and the Skeena

**Oral Statement**  
**Mr. Gary Schaan**

River Valleys when Chief Justice Allan McEachern of the B.C. Supreme Court issued the initial decision denying Aboriginal title in the *Delgamuukw* case.

26565. I was, at that time, the federal negotiator with the Gitksan and Wet'suwet'en. I felt shame -- a little closer, okay -- and the Gitksan and Wet'suwet'en were the First Nations who had launched this legal action seeking recognition of title to their traditional territories.

26566. This was at the time of the Oka crisis in Quebec. There was trepidation in Ottawa over the Gitksan and Wet'suwet'en reaction to McEachern's very harsh ruling.

26567. My personal concern was, as I said, the shame, the quasi-racist language in the written decision which asserted not only that Aboriginal peoples were immigrants to the Americas, like those of us descended from European backgrounds, but they had lacked any sophisticated social and economic organization prior to contact. This was totally contrary to my experience with First Nations and absolute nonsense.

26568. The Gitksan and the Wet'suwet'en reaction was to risk all and appeal. In 1997, the Supreme Court of Canada upended the initial decision and for the first time Aboriginal title was recognized in Canadian law.

26569. The honour of the Crown was restored and I thought I had witnessed the closing page in the history of institutionalized legal repression of First Nations in Canada and I saw that, at the time, as an employee and negotiator for the Government of Canada.

26570. I was born in this province and care deeply about it, about both the environment and the economic prospects for future generations. However, I'm here to offer the Panel advice based on considerable expertise and experience concerning Aboriginal title and rights affecting lands and resources in this province and elsewhere in Canada.

26571. I've worked for Canada, B.C. and First Nations. I drafted the Government

of Canada's legal policy out of -- based on -- out of the First Ministers' Conference on the Constitution and Aboriginal Governance. I negotiated the lands and resources agreement between Canada and B.C. to establish the B.C. Treaty process. I evaluated for the provincial government B.C.'s protection of Aboriginal rights policy. I also have expertise in environmental issues. For example, I planned the Georgia Basin Puget Sound ecosystem initiative for Environment Canada.

26572. It is my position that any recommendation by the Joint Review Panel or any decision by the Government of Canada to allow the proposed Northern Gateway pipeline and the shipment of oil out of Kitimat will be historically regressive and both legally and ethically flawed. Like the initial *Delgamuukw* decision, it will be open to successful challenge through the courts.

26573. A century ago Canada and British Columbia established a two-man board to review Indian reserve land. In 1916, the McKenna-McBride Royal Commission, not unlike your Panel, undertook extensive consultations in Indian communities across the province. The Commission submitted detailed recommendations to remove the most valuable lands from Indian reserves because these were desired for settlement and economic development for whites.

26574. The B.C. First Nations objected. Therefore, in 1920, in the national interest, Canada passed the *Indian Land Settlement Act*, which removed the consent requirement for reserve land adjustment. This marked the beginning of a long period of overt legal, cultural and economic repression of B.C. First Nations.

26575. Political assembly and potlatches were banned. The residential school system was introduced and commercial activities, which the First Nations were actively engaged in, such as fishing, trapping and logging, were restricted. Their access to these economic activities was legally truncated.

26576. Today, we are led to believe federal and provincial decisions affecting First Nation rights and interests are held to a much higher standard of comportment. Panels such as yours are now directed by the Supreme Court to act as if the honour of the Crown were at stake.

26577. The Prime Minister publicly supports the Gateway pipeline enterprise in the interests of national economic development. No doubt your legal staff have advised you that First Nations do not have a veto over the proposed project, that there is only the requirement for consultation and accommodation. They are guiding you carefully on procedural matters.

26578. I know this because I, too, have sat for many years opposite First Nations in negotiations with federal lawyers, like hawks looking... my shoulder. I also know that these lawyers are not always correct. Please consider my objections.

26579. First, while the pipeline is being considered of national interest, has not the settling of Aboriginal Treaties in British Columbia also been declared in the national interest? This Panel is charged to review an application by Enbridge to build a pipeline and a terminal to ship large volumes of oil across lands and waters over which B.C. First Nations still hold unextinguished Aboriginal title.

26580. Are we to repeat the past mistakes in our history by saying that the national economic interest trumps Aboriginal interests and rights, including First Nation current and future economic rights.

26581. Second, as was the case a hundred years ago with the McKenna-McBride Royal Commission, a process of intensive consultation in First Nation communities, in itself, is not sufficient to assume any form of implied consent.

26582. Finally, and most tellingly, I do not see how meaningful accommodation of First Nation title with the Enbridge proposal can be accomplished. There is a very real question here about how risks are presented; about two competing scientific paradigms.

26583. The traditional approach is to model the probability of failure over time and then, in effect, amortize the consequences over that period. However, increasingly today, professionals in the field -- and I have a son who is one, who does risk analysis internationally for global resource companies -- are also assessing risks based on discrete events of low probability, the so-called Black

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Swan event such as the Fukushima nuclear plant disaster in Japan a year ago.

26584. The risks in the Gateway pipeline proposal are of these sort; of a catastrophic failure of a major terrestrial or marine oil spill of major consequences, of low probability but the risk is not negligible. The low probability of such an event cannot be considered independent of its consequences.

26585. What does accommodation of First Nation rights and interests mean in this context? What does First Nation title mean in this context? My experience in working with First Nations in B.C., including First Nations who will be directly affected by this pipeline proposal is that if a catastrophe happens it's tantamount to cultural genocide.

26586. Therefore, I urge you to act honourably in both a legal and ethical sense of the term and reject this project as proposed.

26587. Thank you very much.

--- (Applause/Applaudissements)

26588. **MEMBER MATTHEWS:** Good morning, Ms. Tomkins.

26589. Can you please present your oral statement.

26590. Thanks.

--- **ORAL STATEMENT BY/EXPOSÉ PAR MS. DARRELL TOMKINS:**

26591. **MS. DARRELL TOMKINS:** Good morning.

26592. I hope you can hear me. I want to thank the Panel for the time that they are devoting to this process, and I want to thank all of the speakers from this morning who came from very diversified backgrounds and brought different expertise to the table and to the Panel.

**Oral Statement**  
**Ms. Darrell Tomkins**

26593. My name is Darrell Joan Tomkins and I am a Professor Emeritus in Medical Genetics from the University of Alberta.
26594. I worked for 35 years as a scientist, a clinician, and a teacher. I retired to the Comox Valley in 2006 and obtained a Diploma in Fine Arts at the North Island College and graduated in 2010. I consider myself a British Columbian citizen and a Canadian citizen with ties to Alberta, Ontario, and Quebec.
26595. I will limit my comments to the topics of risk, common property, and common good with respect to the Enbridge Northern Gateway Pipeline Project, although my concerns apply equally well to the Alberta tar sands and to tankers in the west coast waters.
26596. I would like to relate a personal experience that I had with environmental damage from an oil spill in Alberta in 2005. The accident involved derailment of 45 train cars carrying Bunker C crude oil and toxic pole preservative.
26597. It affected Lake Wabamun, once reputedly the best whitefish lake near Edmonton. Up to 1.3 million litres of oil were spilled into the lake, a relatively small spill, only about 1 percent of the volume of the Exxon Valdez spill.
26598. I was involved in the rescue operations of oiled wildlife that was captured from the lake and taken to the emergency facilities. Veterinarians, their assistants and ordinary people mobilized to save the hundreds of birds that were arriving over the first few days.
26599. As one volunteer says: “The fear and stress in the eyes of the birds is unforgettable”, and I can only agree. And I do have a visual aid that I would like to pass to the Panel.
26600. **THE CHAIRPERSON:** We can just see it from where you are there.
26601. **MS. DARRELL TOMKINS:** And I will describe it to the members of the audience.

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**Ms. Darrell Tomkins**

26602. **THE CHAIRPERSON:** If you'd just hold it up while you're describing it, that would be helpful for everyone.

26603. Thank you.

26604. **MS. DARRELL TOMKINS:** It's just a graphic image of one of the volunteers, Wayne, who is holding a loon, and is cleaning the oil off of the head.

26605. And it shows not only the bird's signs of distress in its eyes but also the distress in the man's eyes.

26606. The operation involved the capture of the birds, recording vital signs, veterinarians making decisions about whether the bird was recoverable or not, injection of activated charcoal into the stomachs of the birds and rehydration over days.

26607. The birds were put into individual cribs and monitored to see when they became stable and were able to be washed. They were washed with dish detergent and toothbrushes.

26608. They were then placed in outdoor pools so the birds could waterproof themselves. And when the birds were ready to fly, they were released to the environment. Of the 1,000 birds that were captured, only 101 were released to the environment.

26609. The birds are just the canary in the mind. They represent the loss of wildlife, degradation of the ecosystem and loss of livelihood. Fishing has been reduced to catch and release in Wabamun Lake due to the toxicity from tar balls that remain at the bottom.

26610. The story is to illustrate one of my concerns about the project; accidents happen.

26611. The Enbridge Northern Gateway Pipeline website provides many fact sheets that show an awareness of the dangers associated with the proposed

pipelines and the marine route. There is a demonstrated effort to mitigate the dangers. However, there is a lack of evidence and a lack of data as to the efficacy of their mitigations.

26612. Everyone admits that there is a risk for an accident but no one has any idea of the magnitude of the risk. As Patrick Daniel, President and CEO said in a CTV B.C. interview this week, the safety measures will be able to “reduce the odds as much as we possibly can”. They cannot be reduced to zero. So the possibility of an accident is real and therefore it’s necessary to consider whose property is at risk.

26613. There are volumes of economic literature on the matter of common property, much written since biologist, Garrett Hardin wrote of “The Tragedy of the Commons” in 1968.

26614. Economists now speak of common property resources, including such things as, fisheries, wildlife, service and groundwater, range and forests. These are some of the resources that have to be considered in the Enbridge project.

26615. The proposed route of the Northern Gateway pipeline passes through several different kinds of property, including native land, private property, communal protected property, such as the Great Bear Rainforest, and provincial and federal Crown property. The Enbridge website itself states the pipelines will cross 772 identified watercourses, 669 of them of which are fish bearing. The water and the fish are common property resource.

26616. I do not have the legal expertise or knowledge to discuss the variety of common property regimes that apply to the route but I do believe that the Joint Review Panel should consider the *de facto* and legal *de jure* regimes.

26617. To quote:

*“Property is a triadic social relation involving benefit streams, right holders and duty bearers.”*

26618. The situation with the project is that there are multiple uses of a common property with multiple resources and values, including the economic benefit

derived from fisheries, tourism, recreation, long-term costs and benefits for Canadians, and what economists call existence value; the benefit derived from the existence of an asset, such as a wilderness, which is derived just from the knowledge of its existence.

26619. For me, it's enough to know that the Great Bear Rainforest exists without having to go there to see it myself. To me, it would be commonsense to consider refining the dirty oil at the source before transporting it over land. It would be common sense to use existing pipelines and right-of-way corridors for the transportation of the oil from the Alberta tar sands to the market. Spend the billions of dollars budgeted for the pipeline expansion on improving and upgrading the existing pipelines with no added risk or limited added risk to the environment.
26620. It would be common sense to sell the oil to Eastern Canada rather than continue with Canada importing around 50 percent of its oil. When other countries such as the United States are working towards energy security we are pursuing an export market which offers no sustainability.
26621. It would be common sense to tax all extraction of non-renewable resources in order to establish a heritage fund, such as they did in Alberta under Premier Lougheed from 1976 to 1987, and as they do in Norway now, the Norwegian Oil Fund, for innovation and sustainability for future generations.
26622. The Review Panel needs to find a solution that allows all stakeholders to enjoy the benefits, rights and bear the duties equitably.
26623. I would recommend that the Review Panel withhold approval of the project until there has been a full environmental risk assessment and a quantitative analysis of the costs and benefits of the project to all Canadians. These have not taking place.
26624. Quoting Daniel Bromley from his book Making the Commons Work:
- “By successful common property regimes I mean that the natural resource has not been squandered, that some level of investment in the natural resource has occurred and that the co-owners of the resource are not in a perpetual state of anarchy.”*
26625. And this is what we face.

**Oral Statement  
Ms. Darrell Tomkins**

26626. So I would like to conclude by saying that I believe that successful common property regimes, plus common sense will equal common good for all Canadians.

26627. Thank you very much.

--- (Applause/Aplaudissements)

26628. **THE CHAIRPERSON:** Thank you to each of you for taking the time.

26629. The Panel continues to be struck by how well prepared everybody is who's coming to give us the oral statements and the thoughtfulness that have gone into them and we appreciate that time and effort in you being here.

26630. Is Ms. Ann Andrews in the room?

--- (No response/Aucune réponse)

26631. **THE CHAIRPERSON:** Mr. Paul McIsaac?

--- (No response/Aucune réponse)

26632. **THE CHAIRPERSON:** Robin Justin Hutchison?

--- (No response/Aucune réponse)

26633. **THE CHAIRPERSON:** Mr. James Mack?

--- (No response/Aucune réponse)

26634. **THE CHAIRPERSON:** We've been careful in getting these oral statement schedules set up to make sure that everybody who had registered would have the time to speak. So it appears that these individuals are not going to be here to speak with us this morning.

26635. So we will be finishing this session now and we will sit again at one o'clock this afternoon to hear the remaining oral statements that have been scheduled for this afternoon.

26636. Thank you very much, everyone.

--- Upon recessing at 10:58 a.m./L'audience est suspendue à 10h58

**Opening Statement  
Chairperson**

--- Upon resuming at 12:58 p.m./L'audience est reprise à 12h58

26637. **THE CHAIRPERSON:** Good afternoon, everyone.

26638. My name is Sheila Leggett. And I'll just go through a brief introduction again because there are probably people who have joined us here this afternoon who may not have been here this morning.

26639. So to introduce you to the Panel; this is Mr. Hans Matthews and Mr. Kenneth Bateman, on my right.

26640. I'll just go through the emergency exits and the bathrooms as well, just from a safety perspective. There's two emergency exit doors out this room, one's at the back of the room and one's over on the side, off to our right. If you go down that corridor and turn right the washrooms are on your left-hand side going down that corridor.

26641. We have a number of staff with us today to -- as our presenters have probably already had the opportunity to meet them, who've been helping with making sure that the process runs smoothly, and you can identify all of them because they're typically wearing a gold name tag, a gold-plated name tag, or they also have -- they might have an identification badge.

26642. In addition to our Secretariat staff who are with us, we have three contractors with us as well. We have our Court Reporter, our IT Sound Technician and our Safety and Security Advisor.

26643. If you have any questions about the process itself, please feel free to ask any of our staff members.

26644. Kenneth, Hans and I are all members of the National Energy Board and have been tasked to make decisions for the Northern Gateway Pipelines Limited Partnership Application.

26645. The National Energy Board is an independent quasi-judicial regulatory body. Our decisions as a Panel will be based solely on the relevant information we obtain through this joint review process.

**Opening Statement  
Chairperson**

26646. The session today, as all sessions, are being broadcast live on our website and the website also has the entire written record, as well as copies of the transcripts are available on the website. So if you're looking for any of that information, the website is a good place to go to.
26647. The process for the joint review includes two sets of hearings, and we are here for the first set of those. The first set of them are the community hearings. Within the community hearings we've been hearing oral evidence, and we're at this point beginning, over the last few days, to also hear the oral statements. And so it's the oral statement portion of the community hearings that we're here for this afternoon.
26648. Oral statements are an opportunity for participants to provide your personal knowledge, views and concerns about the proposed project to us the Panel, in your own words. In order to help provide a reference point for registered participants for those who are giving oral statements, Panel staff have prepared a map that you're welcome to refer to if it helps you in your presentation today.
26649. The timeframe for each oral statement is a maximum of 10 minutes and we have a timer up here on the table. And at the three minute point, you'll hear an audible sound and the green light will go on -- just like that. And then when you're 10 minutes is completed a red light will go on and you'll hear the audible sound as well.
26650. And that's just to make sure that we have the opportunity to hear all the people who've registered to speak with us. And that's why the system seems to be working very well.
26651. This is the first community that we've done as many oral statements as this in one community. And so the systems appear to be working well. If you have any feedback for us, as far as what's working and what's not, please provide it to our staff so that we can continue to learn as we move forward.
26652. And the last thing I'll say just before the Panel does what it's come here to

**Oral Statement  
Ms. Gillian Butler**

do which is to listen to the oral statements, I want to confirm for the record that all individuals who will be presenting an oral statement to us this afternoon, were sworn or affirmed by the Panel staff.

26653. So with that, Ms. Butler, could we have you proceed. Welcome, and could we have you proceed with your oral statement.

26654. Thank you.

**--- ORAL STATEMENT BY/EXPOSÉ ORAL PAR  
MS. GILLIAN BUTLER:**

26655. So thank you very much. Good afternoon, everyone. I really appreciate having this opportunity to sit before you today and speak to the Enbridge Northern Gateway Project.

26656. Thank you, Panel, for being here today to listen to what I have to say.

26657. For a time after I signed up, I wasn't sure. I was confused because I am an environmentalist and Americans have been giving me money for a long time.

26658. For many years they've been giving me money because -- and I've been paying my taxes, and employing people with it. I co-own a tourism company that operates in the inside passage, and before I was a radical I spent a lot of time, energy, and money promoting beautiful B.C.

26659. The perception of pristine wilderness is what the West Coast of Canada has, but I'm old enough to remember when there were a lot of big trees and plenty of salmon. Take just one of our iconic species, the killer whale. Orcas have been used to market British Columbia to the world. From the Canucks, well to my company, Pacific Northwest Expeditions, to government agencies, orca the brand, symbolizes everything that is wild and free. The wildlife on this coast has worked tirelessly, without pay, for years and the interest in nature continues to grow as it disappears elsewhere.

26660. I'm not sure how it would be possible to assess the monetary the value the

killer whale has added to this province. But let's just say they've earned their keep. Even the remotest possibility of harm is non-negotiable.

26661. It's not that I don't feel the pipeline builders wouldn't do the best job possible, nor that improvements to tankers and safety procedures have not made the possibility of spills far less likely today; it's in no one's best interests for there to be an oil spill. I realize that. But for me, my colleagues in the tourism industry, and the wildlife we depend upon, it would be catastrophic.

26662. So we must ask ourselves, is it absolutely necessary that we lay over a thousand kilometres of pipes under rivers, through mountains so that bitumen can be loaded onto tankers to navigate some of the most dangerous waters in the world.

26663. What are our choices, and how can we best meet the needs of the majority of Canadians while causing the least environmental damage?

26664. From what I understand, there is a glut of unrefined crude coming from the tar sands. The bottleneck in the Midwest is due to insufficient capacity of the pipelines to move bitumen to the refineries and this is the root cause of low oil prices. I understand it's costing Canadians anywhere from 20 to \$30 a barrel which translate -- while costing Canadians billions of dollars a year in lost revenue.

26665. I'm going to quote from a March 27<sup>th</sup> Globe and Mail article.

*"Enbridge said Monday evening that it intends to expand by more than five times the size of the Seaway Pipeline it recently acquired and proceed with a major new pipe that will carry new supplies between the U.S. Midwest and the continental heartland."*

26666. That's the end of the quote.

26667. If Enbridge moves ahead with all three pipelines, Seaway, Northern

Gateway, and the new pipeline, there will be a capacity for 1,775,000 barrels of oil every day. When you consider that each unit of oil also requires two to five times as much water to extract we're talking a lot of volume. When is enough, enough?

26668. Oil has fuelled the amazing growth of the human species in the last century and there's nothing on the horizon to replace it. It might be time to start thinking about slowing down. Perhaps it's not in the best interests of Canadians to continue the same old boom and bust practices and maybe learn something from the past.

26669. The tar sands belong to all Canadians; it belongs to all of us, and the oil is only becoming more valuable as it becomes scarcer. And I realize that turning the tap down won't be appreciated by some, but as a long-term view for Canadians, isn't it kind of like keeping money the bank?

26670. Those billions of dollars aren't lost; they're merely being saved for a rainy day. It's interesting to note that this week the Alberta Premier, Allison Redford, promised 3 billion over the next 20 years for research to clean up the energy sector and foster technological innovation.

26671. So obviously it's needed and also it's an example of what must be done to make this industry viable to Canada over the long-term and how slowing production down will actually give us more opportunities.

26672. Of concern to our present government now is also what I understand is a lack of diversity in our markets. If a barrel of oil is worth \$100 to our existing market what are we gaining by diversifying our market to China?

26673. Attempts to push this pipeline across British Columbia and move tankers out of Kitimat are going to be met with much resistance. The ensuing struggle will divide our communities; it's going to pit B.C. and Alberta against each other, and potentially disastrous environmental risks will follow. Is it worth the 10 or 20 or \$30 a barrel because that's all we're making more it's not -- well, I'm not going to stray from my speech.

26674. We do have another choice, we have pipeline capacity right now that will move our heavy oil to our family to the east and our neighbours to the south. Seventy-five (75) percent of the North American oil reserves are said to be in northern Alberta. We have enough market right here in North America for many years to come and soon enough will be recouping that 10 or 20 or \$30 we are accepting for less now.

26675. I don't agree with everything American but doesn't China have a bit of a sketchier human rights record? I mean isn't it better for our future to have a bargaining chip with the super power next door?

26676. The other side of this for the many who support the Gateway Project is the promised creation of jobs and the boost to the economy of many northern communities. We need to be thinking about how we're going to structure a post-oil society and we need the oil we have to do that.

26677. I understand people need to work. Let's get to work building some post-oil infrastructure and pay for it with the revenues from oils, oil in the future. Today I had to drive my car from Nanaimo; there's no train. That's a perfect example of where we should be putting some resources.

26678. Inspiring forward thinking and leadership has come from First Nations. They've stood to gain hugely and with great financial reward if they had agreed to support the Enbridge proposal, but instead they have chosen to think through this opportunity and see only a transient economic gain that actually threatens their future.

26679. It must be interesting for the Panel to hear this spectrum. I mean, you have people who want to leave the tar in the ground and leave the boreal forest to those that want to take oil out as quickly as they can and sell it to the highest bidder.

26680. I don't believe that saying no to the Tar Sands development is really a possibility, but we can choose between a few people getting really rich, really

quickly, or a whole lot of people making some money for a much longer time, while also respecting the rights of First Nations, ensuring our jobs on the west coast remain sustainable, and leaving us with choices for our future.

26681. The compromise has to be the continued use of pre-existing pipelines, especially with the announcement of vastly increased capacity to ensure this project is in Canada's best public, not corporate, interest. Enbridge is just going to have to make do with 1,250,000 barrels of oil every day.

26682. When we destroyed the old-growth forests and our salmon runs at the same time, we were ignorant. We really didn't believe they'd ever run out. Today, we know better. Nor can we pretend to know nothing of the 1 percent or of the incredible effectiveness of corporations and the governments and ideology they support.

26683. Thank you. Good luck.

--- (Applause/Aplaudissements)

26684. **MEMBER MATTHEWS:** Okay, thank you.

26685. Welcome, Mr. Dudink. Please present your oral statement. Thanks.

--- **ORAL STATEMENT BY/EXPOSÉ ORAL PAR MR. NICK DUDINK:**

26686. **MR. DUDINK:** Okay. Can everybody hear me? Okay.

26687. My name is Nick Dudink from Nanaimo. I used to live in Courtney actually, and I have a letter here that I found in one of my books. This is a letter from Chief Seattle, and this man used to live in the 1850s and he is, of course, a First Nation man, and he wrote a wonderful letter. I want to read it to you.

26688. **THE CHAIRPERSON:** Mr. Dudink, the only thing I would just ask you is if you would address the Panel when you're speaking; that would be very helpful for us.

26689. MR. DUDINK:

*"The President in Washington sends word that he wishes to buy our land."*

26690. This whole letter has to do with the First Nations, you know. The buying of land is probably involved in this oil business.

*"But how can you buy or sell the sky; the land? The idea is strange to us. If we do not own the freshness of the air and the sparkle of the water, how can you buy them? Every part of the earth is sacred to my people, every shining pine needle, every sandy shore, every mist in the dark woods, every meadow, every humming insect. All are holy in the memory and experience of my people.*

*We know the sap which courses through the trees as we know the blood that courses through our veins. We are part of the earth and it is part of us. The perfumed flowers are our sisters. The bear, the deer and the great eagle, these are our brothers. The rocky crests, the dew in the meadow, the body heat of the pony, and man all belong to the same family. The shining water that moves in the streams and rivers is not just water, but the blood of our ancestors.*

*If we sell you our land, you must remember that it is sacred. Each glossy reflection in the clear waters of the lakes tells the events and memories in the life of my people. The water murmur is the voice of my father's father. The rivers are our brothers. They quench our thirst. They carry our canoes and feed our children. So you must give the rivers the kindness that you would give any brother. If we sell you our land, remember that the air is precious to us, that the air shares its spirit with all the life that it supports. The wind that gave our grandfather his first breath also received his last sigh. The wind also gives our children the spirit of life. So if we sell our land, you must keep it apart and sacred, as a place*

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*where man can go to taste the wind that is sweetened by the meadow flowers.*

*Will you teach your children what we have taught our children, that the earth is our mother? What befalls the earth befalls all the sons of the earth. This we know: the earth does not belong to man, man belongs to the earth. All things are connected like the blood that unites us all. Man did not weave the web of life, he is merely a strand in it. Whatever he does to the web, he does to himself. One thing we know: our God is also your God. The earth is precious to him and to harm the earth is to heap contempt on its creator.*

*Your destiny is a mystery to us. What will happen when the buffalo are all slaughtered and the wild horses tamed? What will happen when the secret corners of the forest are heavy with the scent of many men and the view of the ripe hills is blotted with talking wires? Where will the thicket be? Gone! Where will the eagle be? Gone! And what is to say goodbye to the swift pony and then hunt? The end of living and the beginning of survival.*

*When the last red man has vanished with this wilderness, and his memory is only the shadow of a cloud moving across the prairie, will these shores and forests still be here? Will there be any of the spirit of my people left? We love this earth as a newborn loves its mother's heartbeat. So if we sell you our land, love it as we have loved it. Care for it, as we have cared for it. Hold in your mind the memory of the land as it is when you receive it. Preserve the land for all children, and love it as God loves us. As we are part of the land, you too are part of the land. This earth is precious to us. It is also precious to you.*

*One thing we know, there is only one God. No man, be he red man or white man, can be apart. We are all brothers after all."*

*(As read)*

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26691. Okay. So this is basically what the story is all about. It was written in 1854, I believe, and we thought it is just a wonderful moment to read this letter to all of you.

26692. Thank you.

--- (Applause/Applaudissements)

26693. **MEMBER BATEMAN:** Ms. Garnett, thank you for preparing today and attending.

26694. Please proceed with your oral statement.

26695. **MS. GARNETT:** Can I take some of the leftover time and speak slower?

26696. **MEMBER BATEMAN:** Yes.

--- **ORAL STATEMENT BY/EXPOSÉ ORAL PAR MS. LAVONNE GARNETT:**

26697. **MS. GARNETT:** My name is Lavonne Garnett, and I want to thank the K'ómoks First Nation for preserving and providing the land upon which we are having this meeting.

26698. I'm here to say that the Enbridge Pipeline project must not receive approval. There are three points I wish to emphasize: First Nations, our natural wilderness, and the need for a new economic paradigm for healthy communities and environment.

26699. I am heartened that an unprecedented 4,500 persons or so have signed up to speak. Everyone I know is deeply concerned about the damage we have already done to our environment and they see the Enbridge Pipeline as a risk of more pollution.

26700. I am very troubled that Prime Minister Harper would skew these hearings

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by saying that the pipeline must go ahead and that Natural Resources Minister Oliver would refer to people like me as “radical environmentalists”. Are they be stuck in an economic paradigm that risks the future of our planet?

26701. One might think that these hearings are only for the rest of the world to learn how our country is governed. I believe we have a great deal to learn from First Nations. First, in a consensus model, they would not limit us to five minutes to stop the insanity of the world.

26702. In Grade 5, I learned that First Nations lived in harmony with nature, that they hunted animals to meet their needs and wasted no part of them, that they did not take the first healing plant in an area, and they left others for self-propagation. I learned at that early age that the word exploit was what the white man did to take advantage of the Indians, trading cheap beads for expensive furs.

26703. I grew up beside First Nations and saw the poverty and the way adults talked down to them. I saw their women breastfeed their babies and knew that I would do that too. Somehow, in spite of how they were treated, I recognized the wisdom and integrity of their ways. We can be grateful for the teachings to live in harmony with nature, for nature is as old as our planet and has learned from gradual evolution what best survives.

26704. However, our society has come to disregard nature, to plow over and overuse it, to dump refuse all over it until it is now highly toxic. No other animal smears it's excrement in its own nest like we do. How do we allow this?

26705. In 1971, I read Rachel Carson's Silent Spring. She warned us about the excessive use of pesticides. At that time, I had only heard about cancer. In time people were saying, everyone knows at least one person who has cancer. Over the years the statement became one in every four persons will likely develop cancer. And now almost everyone dreads of this disease and we all know many who have struggled and died.

26706. I lived in a farming community with extensive aerial spraying of pesticides and an unusually high rate of breast and colon cancer. I lived in a First

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Nation community with a disturbing rate of cancer, compounding grief and loss of culture.

26707. It is evident that we are contaminating our world at such a pace that the human body cannot rid itself of toxins quickly enough to remain healthy. Babies are born with many toxins in their umbilical cords, and even born with cancer and mothers breastfeed these manmade chemicals to their babies. How have we come to this?

26708. In 2008, Chris Wood from Ladysmith B.C. wrote Dry Spring. His excellent treatise deals with our diminishing rivers, lakes, aquifers and contamination of our water supply in North America. These two books represent an abundance of literature that reveals the damage we have been doing to ourselves and mother earth for the past 50 years. If we had paid heed to Rachel Carson's Silent Spring, perhaps there would have been no need for Chris Wood to write Dry Spring.

26709. And what does this have to do with the Enbridge Pipeline proposal? Imagine the Enbridge Pipeline project as attached to a massive tar sands extraction project on one side of a hugely encompassing equation. First Nations people near the tar sands in Alberta already feel the impacts of their poisoned water, a high rate of cancer, mutated fish, and damaged way of life. The equation sign traverses a thousand or so miles of rugged, mountainous, and forested land filled with wildlife and ecosystems that are life itself. It is estimated to cross over 700 streams and rivers. And encompassed on the other side of the equation is the extensive B.C. coastline, rich in marine life, the heart and soul of First Nations culture and community sustenance.

26710. Within that equation, our government and corporate claims that the pipeline is valuable for jobs and economy, measured in the billions of dollars. Yet the value of the natural landscape, food resources, wildlife, countless gifts from Mother Earth, serenity, and love of the land is inestimable. Love is far more powerful than money, industry, economics, and jobs. Love keeps our families together, respects our environment, makes us feel happy.

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26711. When a loved one dies all else loses importance in the realization of what we have lost, an irreplaceable life, a source of giving and receiving love. Likewise, when the land dies, when the water is poisoned, when the air is polluted, we lose our life source. We become an unhealthy people. In a sense, we are dying with our environment. Why do we risk the health and love of our land, of our children, and our grandchildren's future?

26712. I was impressed by the wisdom of a Cree woman's view of her people. Traditionally her people lived off of the land. They moved with the seasons and gave thanks to the Creator for all they had. She said everyone had a meaningful role in their society. There were those who travelled ahead of the group seeking food, a good place to encamp, and enemies. They had what we would call foresight.

26713. Then there were those who formed the main group who sustained the families, setting up tents, hunting, gathering firewood, cooking and preserving food, caring for the young and elderly, and maintaining culture. At the rear of the group were those who also watched for danger. When the clan moved, they would bury the ashes, clean the area, and leave the place so that predators would not follow their trail. They had what we would call hindsight. My Cree friend said that these roles continue even as their culture evolves. While traditions have changed, some lost, new ones acquired, they maintain their identity, culture, and communities.

26714. I think this world view of the Cree is a human one, a global one. While we dream of new possibilities and care for our families, we must learn from the past and choose well for the future. We need to determine how to deal with increases in climate change, pollution, and population. Our environment does not need to be at the expense of the current economic paradigm based on carbon-emitting oil and other fossil fuels. We are capable of so much more. We have inestimable power to create a better world. Why would we want to create unhealthy Enbridge jobs away from home and support systems, cut trees and wildlife habitat, block animal corridors and risk spewing oil over land and ocean? Why have more noisy helicopters and ocean tankers? Why risk computer failures, power outages, terrorist targets and human error in this project?

26715. Has anyone determined the long-term effects of extracting so much oil, the blood of Mother Earth?

26716. Why not focus on families, education, healthcare, mental health, and environmental cleanup and alternative energy? Why not create a new paradigm where we place more value on employment that generates a wealth of happiness, well-being, culture and fulfillment than on big houses, cars, televisions, computers, and sundry electronics based on oil products?

26717. As the global economy crumbles, we need to be efficient and self-efficient with a homegrown economy. Why not tax corporations to pay for cleanup and give a fair return on resources to the people of Canada to support these jobs?

26718. Fifty (50) years of warnings regarding damage to Mother Earth have been ignored. Will we seize the opportunity to change our direction before things get worse? Do we have the right to continue to negatively exploit First Nations and our environment? Will the love and respect that so many Canadians have for our natural wilderness and the indigenous peoples be honoured? Will we create a new economic paradigm that is in harmony with our true loving human nature to do no harm to any other living human -- living thing including Mother Earth? Or will we allow vested corporate interests to make money no matter the results of what the rest of us think?

26719. And why do you suppose the federal government plans to take the protection of habitat criteria out of the *Fisheries Act*? Mr. Flaherty tells us that this criteria is ridiculous since fish were found needing protection on the farm fields after floods. It is ridiculous that removal of the habitat protection clause opens the door to the Enbridge Pipeline and other projects involving our waters.

26720. Who can trust decisions of a government that skews these hearings, removes environmental protection, and enacts legislation to prevent foreign charity support for environmental groups while rich and powerful corporations have unfair advantage?

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26721. Who are we? Are we a people who put money and jobs before environment, or are we a people who love and hold the intrinsic value of the land paramount in our view of the future for our children? This panel chooses our -- what to tell our government, and the future of our planet depends on the wisdom of our choices.

26722. And I'd like to add quickly that every time I go to the National -- the NEB -- every time I go to that site and try to click on a link to listen to any hearing or get information, my computer jams up. I don't know if anybody else has that problem, but I sure do and I haven't heard -- I have not heard one other person. These are the only people I've heard talk. And somebody else -- there's something strange that happened that I -- when I applied, I was told I could -- I would have to speak in November and then I got an email saying I could sign up, so I did for this session. And somebody else just told me that they had signed up for -- they thought they were going to be on this session and they have to wait until November. So I just thought I'd point that out.

26723. Thank you very much for listening.

26724. **MEMBER BATEMAN:** Ms. Garnett, thank you for the feedback.

--- (Applause/Aplaudissements)

26725. **MEMBER BATEMAN:** Ms. Garnett, thank you for the presentation and for the feedback. We will look into that, and if I could have our communications officer just put up your hand, or -- Annie.

26726. So this is the individual that perhaps the two of you can take a moment and talk after and see what we can do to help work that out.

26727. **MS. LAVONNE GARNETT:** Okay. I appreciate that.

26728. **MEMBER BATEMAN:** Thank you.

26729. **THE CHAIRPERSON:** Ms. Graham, please proceed. Thanks.

**--- ORAL STATEMENT BY/EXPOSÉ ORAL PAR KIRSTY GRAHAM:**

26730. **MS. KIRSTY GRAHAM:** My name is Kirsty Graham. I'm a student. I am a Canadian. I am 21 years old and I plan on spending the rest of my life in British Columbia.

26731. I'm speaking for a generation who have inherited fisheries on the brink of collapse, a generation that will have to deal with shifting climate zones, and a generation that seems to be so disillusioned with the political system that many of us don't bother to vote.

26732. For many British Columbians of my generation, this pipeline has been the last straw. It is a physical manifestation of our government's willingness to push through corporate interest at the cost of human rights and environmental integrity. It will pass through British Columbia with no benefit to us, and if anything were to happen, we would be the ones left cleaning up. It is entirely against our public interest, and the public is in outcry.

26733. The 4,000 people who have signed up to speak at this -- to this Panel show what a contentious issue this is. But I hope that in making this decision the Panel will look past us 4,000 and look to the response from the majority of British Columbia. Flip through a newspaper and see the anti-pipeline political cartoons; look through social media sites to see the number of posts against Enbridge; attend an event by one of the dozens of NGOs that have sprung up to deal with this particular issue; look outside at all the people who have showed up for the rally today.

26734. The pipeline project has gone from being an easy engineering gig through the back door of northern B.C. to an issue discussed at coffee tables and at coffee shops and dinner tables across the province.

26735. I can see the silver lining to this pipeline project. The youth are mad as hell and we're not going to take it any more. We are angered that anyone with enough money can pass an environmental assessment if they try again and again and again. We are angered that the government is ignoring First Nations' land

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- rights. We are angered by Stephen Harper and Joe Oliver publicly endorsing private interest, and we are angered that the environment is an issue that is divisive along party lines.
26736. Politicians should take heed because we don't believe the traditional argument that we have to choose between economics and the environment, right wing versus left wing. For a functioning economy, we need a functioning environment. And guess what? The pipeline project does nothing to improve either side for us anyway.
26737. The last remaining temperate rainforest in the world will be put in jeopardy, and Albertan oil companies will get just a little bit richer.
26738. The pipeline project is too great -- the pipeline project is too great an environmental risk to justify, even with all of the changes that have been recommended. Sending supertankers through the Channels off of Kitimat is a disaster waiting to happen. So what if they're double-hulled? They said the Titanic was unsinkable.
26739. Even if the route were to be changed so that the tankers dock at Prince Rupert, the risk is still substantial. Enbridge gives the impression that they are trying to ship out as much oil as they can, as quickly as they can before a spill occurs. And we should ask ourselves what would happen if there was a spill off our coast?
26740. BP procrastinated in the Gulf of Mexico to minimize their costs at the expense of the ecosystem and the livelihood of local fishermen. ExxonMobil up and left without compensating anyone for their losses in Alaska. And besides oil companies, the Queen of the North sank in 2006 and it's still leaking oil.
26741. Private companies are notorious for not cleaning up after themselves. But assume that Enbridge is different. Assume -- I know it's a stretch -- that they are somehow embodying ethical oil. They could throw as much money as they want into a clean-up project, but one does not simply clean up an oil spill, it disperses. We see images of volunteers scrubbing seabirds with brand-name detergent and

dredging beaches, but we don't see what happens to the marine ecosystem under the water.

26742. A study in 2008 showed that orca populations still had not recovered after the Exxon Valdez spill in 1989, almost 20 years later. In fact, one pod is verging on extinction.

26743. Many pods of resident and transient orcas are found off the coast of B.C., along the route of the tankers. A spill would be a death sentence, and surely the humpback whales in the area would be similarly affected.

26744. The Exxon Valdez spill has also taught us that the damage from an oil spill is not only sudden and acute, as we had assumed before; it persists in the environment and can affect generations of wildlife.

26745. An article in 2003 said that we need to take these long-term toxicological implications into account. Prolonged exposure for fish and other marine life can cause reproductive problems, such as deformity and behavioural deficits. Toxins from the spill can bio-accumulate or knock out food sources for various predators.

26746. We rarely hear about the effects on fish populations because they're not so cute and cuddly. But here in B.C. we have a certain attachment to our salmon, and for good reason, too; they are a key species for riparian habitats. They provide food for numerous other animals, they fixate nitrogen in the soil, they provide food for us, and they are part of the biodiversity that makes B.C. so amazing and attractive to tourists.

26747. We draw about \$7 billion annually from our tourism industry, and another 100 million from fishing and hunting, and those come from Stats Canada. Both of these economies would suffer terribly in the long-term if we had an oil spill.

26748. And we have to think seriously about these speculations because as we've heard from so many other people, if this pipeline goes through it won't be a matter of if there's an oil spill but when there's an oil spill. It may not happen within a four-year political term, but it would happen within my lifetime.

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26749. And if that sounds selfish then everyone in this room should think of their children and what kind of province you would want them to live in and think of the eagles that you saw on your drive here, of the cormorants, the salmon, the oysters and the other creatures supported in this intricate web of an ecosystem.

26750. They don't have voices to be heard at this Panel. But for every time you have been held in awe by B.C.'s natural splendour, then all stakeholders, flora and fauna, shall be represented.

26751. This pipeline is not in the public interest and should not be passed under any circumstances. I am honoured to have been able to be a part of this process, and I trust that you will make your decision wisely.

26752. I would like to say that I have faith in this democratic process, but more and more I put my faith in the fact that whatever should happen, the entire population of B.C. will hold you accountable.

26753. Through all the times that we have silently watched corporate interests take over the landscape let it be known that this once we stood up and were heard.

26754. Thank you.

--- (Applause/Aplaudissements)

26755. **THE CHAIRPERSON:** Thank you to each of you for taking the time to -- again, we're -- to come and to be prepared to present your views to us and to present them in such an articulate way.

26756. Thank you very much, everyone.

--- (A short pause/Courte pause)

26757. **MEMBER MATTHEWS:** Welcome, to our new panel.

26758. So with that, please, Ms. Graves, would you like to begin?

**--- ORAL STATEMENT BY/EXPOSÉ ORAL PAR MS. MARY GRAVES:**

26759. **MS. MARY GRAVES:** I would like to begin by thanking the Panel for their commitment to this very important process and giving me this opportunity to express my views.
26760. My name is Mary Graves. In 1980 I moved to the Comox Valley from Ottawa, where I'd worked in the Conservation Division of National Historic Sites to help preserve our unique past. It was then that I became acquainted with the rich history of the First Nations.
26761. One of my goals when I moved to B.C. was to visit native villages along the west coast, including those on Haida Gwaii, and in particular Ninstints Haida Village. This UNESCO World Heritage Site on Anthony Island is truly an extraordinary place and as part of our shared national heritage must be respected and protected from the very real risk of an oil spill.
26762. Shortly after my arrival in the Comox Valley I had the good fortune to meet up with David Hardie, a delightful fisherman who was then planning to trawl for salmon along the North Coast, I joined on as crew.
26763. It was the first time I had ever travelled north of Port Hardy, beyond the reach of roads and human settlement. We crossed Queen Charlotte Sound to Calvert Island and headed north through a maze of channels past misty mainland inlets, and so began my new career as a commercial fisher.
26764. Over the ensuing years I have loved exploring the wild and mysterious coastline of British Columbia, fishing alongside of David and in time our two sons. Both of our boys came on board with us as two-month old infants.
26765. Now at 26 and 28 years of age neither have ever spent a summer on land. Both have paid their way through university by earnings made decking on our trawler and later crewing on IPHC charter boats conducting halibut test fisheries in Alaska. Dylan has just completed his Master Mariners Ticket at B.C. IT, and so appears to be destined for a career on the water.
26766. We are all very concerned about the possible devastation of the north coast commercial fishery due to a single spill of two million barrels of oil. This is the amount of crude oil which can be carried by the very large crude carriers referred to as VLCC supertankers.

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26767. This is not unlike the 2010 British petroleum oil spill in the Gulf of Mexico when 4.9 million barrels of crude oil gushed from the ocean floor over a five-month period.

26768. We usually began each season by fishing our way north, often stopping to fish around the maze of islands and treacherous reefs that make up Caamano Sound. As you know, this lies on the proposed southern tanker route. We would then continue fishing north, travelling north along Principe Channel and through Browning entrance following the proposed northern tanker route.

26769. Our boat Northern Star was our lifeline. We kept it carefully maintained and well stocked with spare parts and the latest safety and navigational equipment. Even so, we were always mindful of the unpredictable risks faced by all mariners. These include: Accidents caused by human error, mechanical breakdown, computer equipment failure and extreme weather. During the many summers I spent commercially fishing for both salmon and halibut, I experienced all of these mishaps at one time or another.

26770. Supertankers operate with only one engine, should it fail, the safety of their cargo of up to two million barrels of oil would then depend on the ability of two escorting tugs to manoeuvre the tanker to safety.

26771. Should an unescorted VLC class of tanker encounter hurricane force winds while crossing Hecate Strait and have a mechanical breakdown it would then be dead in the water and in need of rescue by a large ocean salvage tug.

26772. These large ocean salvage tugs have an average of 16,000 horsepower, which is much larger than Northern Gateway's largest escort tug which is rated at 10,000 horsepower.

26773. Winter is the time when the North Coast of B.C. experiences the most adverse weather conditions. Due to stormy weather, during the 2011 season, B.C. Ferries had to cancel 21 of its scheduled 315 trips crossing Hecate Strait from Prince Rupert to Skidegate and Haida Gwaii.

26774. Northern Gateway's plans project that there will be 250 tankers travelling each year in and out of Kitimat. This represents 500 crossings. How many of these are apt to be scheduled during the stormy winter months when the demand for heating oil is greatest?

26775. It is not uncommon for any vessel to have mechanical breakdowns while at sea. B.C. Ferries have had their share of such problems. These include; crash

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- landings, one due to a broken cotter pin, and another when the vessel's engine lost its reverse thrust. In the latest incident one of B.C. Ferries newest and largest ships, The Coastal Inspiration, rammed the dock at Duke Point. The cause at this time is still unknown.
26776. I am citing these examples to demonstrate that mechanical problems will occur. They are inevitable, despite such rigorous maintenance schedules as those carried out by B.C. Ferries.
26777. Human error, another concern, was deemed to be the cause of the Exxon Valdez disaster and the sinking of the Queen of the North in which two people died.
26778. The Canadian Environmental Assessment Agency, which is the government's centre of expertise tasked with preventing industrial projects from harming the natural environment, is expected to see its funding reduced by 43 percent this year.
26779. The Harper government, with its majority in the House of Commons, has introduced legislation to remove habitat protection from the Department of Fisheries mandate to protect wild salmon.
26780. I sincerely believe that the intent of the Harper government is to avoid liability arising from an oil spill along the miles of proposed pipeline passing through B.C.'s rugged terrain, both over and under countless fish-bearing streams.
26781. We need to support the voices of our fellow Canadian citizens, the First Nations peoples, who have forcefully rejected the Enbridge pipeline because it threatens not only their sacred historic sites but also their very way of life, so strongly dependent upon sustainable access to salmon, shellfish and seaweed.
26782. The livelihood of my family and of all commercial fishers is likewise threatened by the Harper government's unabashed support of the Northern Gateway Project.
26783. Liability is an extremely important consideration. If the Northern Gateway Project is allowed to go ahead Enbridge will be responsible for the clean-up of all oil spills along its pipeline.
26784. However, once a supertanker loaded with crude oil leaves Kitimat liable for clean-up of spill transfers to the ship's owner and its operator. Meanwhile, the oil companies stand to reap huge profits while conveniently assuming none of the

risk and responsibility for any clean-up of our coastal waterways.

26785. OMI Corporation is a leading seaborne transporter of crude oil. Stated on its website in broad capital letters is the following, quote:

*“The operation of tankers carries inherent risks that may not all be covered by insurance.”*

26786. The company website elaborates on this by stating, quote:

*“The operation of any ocean going vessel and the transportation of crude oil and refined petroleum products carry inherent risks. These risks include the possibility of catastrophic marine disasters and property losses caused by adverse weather conditions, mechanical failures, collisions, human error, war, terrorism, piracy, labour stoppages, business interruptions due to political action, hostilities, boycotts and other circumstances or events including spills and other environmental mishaps, as well as other liabilities arising from owning and operating vessels in international trade.”*

26787. The next paragraph states:

*“We cannot assure you that all risks are adequately insured against, that any particular claim will be paid, or that we’ll be able to procure adequate insurance coverage at commercially reasonable rates in the future. In particular, more stringent environmental regulations at times in the past have resulted in increased costs for and in the lack of availability of insurance against risks of environmental damage or pollution.”*

26788. End of quote.

26789. This is an important disclaimer that all Canadians, in particular British Columbian taxpayers need to pay close attention to.

26790. Prince William Sound is still trying -- sorry, is still trying to recover a full 23 years following the Exxon Valdez disaster. Despite a 900 million effort by Exxon, the result has been a spectacular failure. Less than 7 percent of the oil was recovered.

26791. In 2006, Exxon was presented with a final demand for damages of \$92 million. Today, some five years later, Exxon has still not paid those damages, and litigation continues.

26792. We all know that we cannot live without air and water. For Exxon and other corporations to disregard the environment and to dismiss their pollution of it as collateral damage in a bid to achieve the biggest possible corporate gains is completely unnatural, totally irresponsible and unacceptable. Canada's Pacific coast is a fragile treasure, and I have been privileged to experience it in its pristine state.

26793. In conclusion, I submit that if the proposed Northern Gateway Project were to proceed it would threaten the very existence of every living organism that touches it. This project should not be allowed to go forward.

26794. I am optimistic that over the course of these proceedings you will hear testimony, gather evidence that compels you to the same conclusion.

26795. I thank you for listening to my concerns.

--- (Applause/Applaudissements)

26796. **MEMBER BATEMAN:** Hi there. Are you Jack Migue?

26797. **MR. JACK MIGUE:** Yes, I am.

26798. **MEMBER BATEMAN:** Jack, how old are you?

26799. **MR. JACK MIGUE:** Eleven (11).

26800. **MEMBER BATEMAN:** Eleven (11). I think you are the youngest Canadian that has participated in the hearing.

--- (Applause/Applaudissements)

26801. **MR. JACK MIGUE:** That sounds good.

26802. **MEMBER BATEMAN:** If you'll begin now, and read in a loud voice the statement that you'd like to share.

**--- ORAL STATEMENT BY/EXPOSÉ ORAL PAR MR. JACK MIGUE:**

26803. **MR. JACK MIGUE:** Thank you. I would just like to thank the Panel for allowing me to come and speak here today.

26804. Yeah, my name is Jack Migue. I am a student at Brooklyn Elementary here in Comox, and I am 11 years old.

26805. I moved to British Columbia four years ago. I feel very, very fortunate to be able to live so close to the ocean and just to see the beauty of it every day. I don't want to wake up one morning just to look out my window and find that all that beautiful blue water and everything in it has been drenched in thick black oil.

26806. An oil spill here will mean the death of countless sea life, the end of countless -- sorry, the end of many people's livelihood, and just the heartbreak of so many people.

26807. After watching the two videos, "Stand up for Great Bear" and "Spoil" and just realizing how beautiful the Great Bear Rainforest really was, it just made me ill to think that an oil spill would wipe all of that out.

26808. Have you watched the videos or seen Great Bear Rainforest, Panel?

26809. Thank you.

**--- (Applause/Aplaudissements)**

26810. **MR. JACK MIGUE:** Has Stephen Harper seen those videos or seen the Great Bear Rainforest?

26811. Enbridge has had 804 spills in the past 11 years. Can they guarantee us that one of those supertankers are not going to make it 805?

26812. I just know that this is not the right thing to do and that there has just got to be a better way to make Canada more economically developed.

26813. A few months ago, I received an email from Joe Oliver, Minister of Natural Resources. I think so. He sent a form letter to me saying that I was a radical and an enemy of Canada.

--- (Laughter/Rires)

26814. **THE CHAIRPERSON:** Could we please have quiet in the room. It's really important that each speaker have the opportunity to complete their oral statement.

26815. Thank you.

26816. **MR. JACK MIGUE:** I don't mind.

26817. So if being a radical means standing up for the environment, then I'm definitely proud to be a radical.

26818. Thank you.

--- (Applause/Applaudissements)

26819. **THE CHAIRPERSON:** Thank you very much for your statement.

26820. Mr. Rosen?

--- **ORAL STATEMENT BY/EXPOSÉ ORAL PAR MR. JACK ROSEN:**

26821. **MR. JACK ROSEN:** Thanks.

26822. I'd like to acknowledge and pay respect to the First Nations of the Salish Sea that we're sitting and standing on.

26823. My name is Jack Rosen; I'm 51 years old, and I'm just going to quickly review some of my history.

26824. I've been a wilderness counsellor in British Columbia for 30 years with young offenders at a company called Coastline Challenges with the Boys and Girls Club, which contracts from B.C. Corrections, taking youth -- at-risk youth into the wilderness for counselling and therapy.

26825. I've worked at the Salt Spring Community Services where I counsel youth and families as an outdoor counsellor using the medium of -- using the outdoor medium to create trust and communication.

26826. Presently, I run an adventure company on South Spring Island called Island Escapades running eco-adventure programs for youth, adults and running kayak expeditions and tours.

26827. I've led expeditions from Salt -- kayak expeditions from Salt Spring Island to Alaska twice, once 62-day trip from Salt Spring to Skagway, and last year, one trip from Salt Spring Island to Ketchikan. Plus I've run several kayak expeditions from Bella Bella to Prince Rupert.

26828. I know these waters of the Great Bear Rainforest well. They are extreme, they are pristine and they exude wildlife. These waters are the essence of British Columbia and its cultural heritage.

26829. I am against the construction of the Northern Gate pipeline to Kitimat and the shipping of bitumen through the proposed routes with the Great -- through the Great Bear Rainforest.

26830. I come here representing the Sea Kayak Guides Alliance of British Columbia and myself, an examiner for the Sea Kayak Guides Alliance, and I have

operated my company on Salt Spring for 21 years.

26831. I'm representing 800 kayak guides and 75 tour companies, like Gillian Butler, our first speaker of the afternoon. We are all against this pipeline, knowing it will be detrimental to our tourism industry and the health of the marine ecosystem.

26832. The Sea Kayak Guides Alliance was formed in 1994 to set standards in the kayak industry, to reduce risk and, thus accidents along the B.C. coast, from the Gulf Islands to the Queen Charlottes, from Bella Bella to Klemtu, from Prince Rupert to the Portland Canal.

26833. In one year, the sea kayak guide industry serves 70,000 clients, with direct revenues of over -- direct revenues of over 15 million per year. Clients from all around the globe come to see beautiful British Columbia, experience the Great Bear Rainforest, its whales, its sea lions, seals, mink, otter, abundant bird life, raptors and vibrant inter-tidal life. They are all in awe to learn about First Nations culture, history, arts and legends.

26834. My fellow guides and myself make a living at showing this pristine coastline to tourists. However, while doing so we take into consideration winds, weather systems, tides, currents, wave height and bottom composition. We make our living at reducing risks, creating a low probability of consequences for our clients. We have done so safely for a long period of time.

26835. We do not believe that Enbridge's technical review, TERMPOL, properly reviews the risks to adequately protect the environment. After reviewing TERMPOL, we are worried because it is not a regulatory instrument and provisions are not mandatory.

26836. I would like to take a moment to look at a routing of tankers. I'm going to show one chart. This is a 250,000 scale chart of Hecate Strait and illustrates where our concerns lie as kayak guides. Please take into consideration VLCC, very large crude carriers, are 350 metres in length, 70 metres at beam and have a maximum draft of up to 23.1 metres.

26837. Transport Canada must have concerns of the risks as they're going to

- double safety aids to navigation that are presently in place now. Buoys, fixed lights, radar reflections, all at a cost of \$11.9 million to Canadians.
26838. We realize that tankers will utilize storm tethers and tugs and all tankers will be captained by experienced pilots and move at a slow speed, but let us look for a few minutes at the charts.
26839. The route that will be taken primarily goes through Principe Channel in the lee of Banks Island, coming through into here. When you see, when colours get lighter, it represents deeper water. When colours are darker, it represents shallower water.
26840. The blue on the chart, the dark blue closer to the land and closer to the islands, represents depths of zero to five metres. The lighter blue normally represents water five to 10 metres. Because of the scale of this chart, it will go up to 20 metres, but remember the depth of the tankers is 23.1 metres.
26841. Coming through the strait -- coming through between Banks and Pitt Island, the tankers will be in the lee of the wind and the storms. Our biggest concern lies in Nepean Sound, this is one of our concerns, in Nepean Sound. Otter Bay is open to -- Otter Passage, sorry -- is open to north-westerly winds, south-westerly winds and westerly winds.
26842. The tankers will take a turn -- a 90-degree turn -- at this point. The amount of leeway that they will make is drastic. There is very little control on how much leeway they will make and what obstacles they'll encounter on these turns.
26843. They'll go through Nepean Sound, through Otter Channel and make their way through Squaley Channel and decide whether they want to go on either side of Fin Island.
26844. Wright Sound is our biggest concern area. And this is where the Queen of the North did run aground. If you look at this area for just a moment, you'll see that six major channels merge at this location. We've got Louis Passage, Grenville Passage, Douglas Channel, McKay Reach and Whale Channel.
26845. The tankers are going to take 220-degree turns in this region where all these katabatic winds drop. They're going to take a 110-degree turn at Wright passage, make another 110-degree turn going up into Douglas Channel. The risks in this area are huge. Please remember, this is what we do for our livelihood is assess risks.

26846. I've paddled -- last year, when I paddled up to Ketchikan, I passed the area where the Queen of the North sunk, looked at the memorial with my client, and then we went on because we could see how rugged it was. We were in 10 knots of wind at that point. When we crossed from Gil Island to the northern section of Grenville Passage, we, in a period of 15 minutes of crossing, we were met with 45-knot winds.
26847. In 45-knot winds you can get up to 20 to 25 seas. In storm force winds, you can reach up to 35 to 40-knot seas. In hurricane force winds, which is a storm that we just went through in British Columbia, it's not unknown to reach 60-foot seas. When these boats are in this position and turning, they're very much at risk.
26848. I plan on doing a trip in three weeks up to the Estevan Islands. Jade, if you can hold that up just a little bit higher. These are the Estevan Islands. They are an extremely pristine environment on the west coast of the Great Bear Rainforest. No matter what the situation of an oil spill, they will be devastated.
26849. I'm going to move on because my time is starting to diminish.
26850. **THE CHAIRPERSON:** You time is up. So if you could wrap up with a summary comment, that would be terrific. Thank you.
26851. **MR. JACK ROSEN:** In closing, I just want to say that this coast, these waters, have a scenic value that cannot have a price tag placed upon them. We cannot place them under risk and leave them to be sacrificed for 560 full-time jobs or \$1.2 billion.
26852. I have a great story about a humpback whale, but I won't tell you because I'm out of time. But when I looked into that humpback's eye, and its pectoral fin went slowly down into the ocean, we shared a commonality, a true and utter respect for the ocean and the environment that I call my work and my home.
26853. We are part of nature, not above it. We must learn to respect it and not exploit it. If we allow this pipeline, there will eventually be a critical incident either from human error, a rogue wave, obstructions, massive winds, mechanical or technical error. The bitumen spill will cause massive repercussions to the coast which will affect the livelihood of so many that depend on these waters.
26854. As a person who evaluates risk every day in my job, I want to stress, from my viewpoint and those 800 sea kayakers who I represent, the inherent risk of this

pipeline are not worth the devastating consequences of one spill.

--- (Applause/Aplaudissements)

26855. **MEMBER MATTHEWS:** Thank you, Mr. Rosen.

26856. Okay, Ms. Soanes.

**-- ORAL STATEMENT BY/EXPOSÉ ORAL PAR MS. SALLY SOANES**

26857. **MS. SALLY SOANES:** Thank you. Today, I will only speak of three issues concerning me on this pipeline. To me, they are crucial and they trouble me the most.

26858. We know from their own publications by the oil industry that there will be what they term "an incident" that will devastate our waterways. An incident that is brought to mind is the horrific Enbridge spill that happened recently in the Kalamazoo River in Michigan, and that has left, after I don't know how long now, 30 miles of that river is now off limits because of the oil spilled there, unable to clean it up.

26859. When such a spill happens here, the fishery will be destroyed, tourism will be destroyed, and the native way of life will be destroyed. The cost, incidentally, will be passed on to all of us. We will be the ones paying and paying financially and in every other way.

26860. I volunteer at a wildlife recovery centre and we really don't need any more work. We get absolutely no public funding anyway and the magnitude of an oil spill either on land or in the waterways will be well over any of our capabilities to clean up.

26861. They're still cleaning up the Torrey Canyon spill, the BP spill, the Exxon Valdez spill, and we're talking years now. Years and years and years of cleaning and still not finished.

26862. Secondly, any breach of the oil pipeline over land destroys it. It destroys the land, the watershed, the fish, the flora, the fauna, and the culture of the people living there.

26863. Potable water is a necessity for all of us, flora, fauna, everything. We all need -- it is a right, it is our right to have clean drinking water, but it's not only

our right, it's wildlife, everything. Everybody needs potable water.

26864. And this pipeline will be going over hundreds and hundreds of streams, rivers, lakes and one spill will ruin it all, for not only us, but everything that lives in that area.

26865. And we happen to be in an earthquake zone, and it's a high earthquake zone, it's a high-risk, we're on the Pacific Rim. Not only that, but we have lots of seasons in B.C., all of which include avalanches. We have avalanches all the time, and the only ones you hear about are the ones that affect humans; you don't hear about the ones in the wilderness.

26866. What will happen with this pipeline, on land, in the middle of winter, if an avalanche hits in the wilderness? Who is going to respond that and how will they respond to that? How will they get to it? How will they get their machines to it? How will they clean it up in the middle of winter? How will they stop that oil flowing? Nobody is going to know even as far as I'm concerned. I'm sure their computers will tell us.

26867. The third one is that this really -- pipeline is really a sell-out to short term greed, with little or no consideration ---

--- (Applause/Applaudissements)

26868. **MS. SALLY SOANES:** --- with little or no consideration to the long-term benefit that is being sacrificed that could be derived from future generations. Why are we selling all of the oil right away? Why can't we bank some of this oil for future generations?

26869. We really haven't come very far from the time when we depended on furs. When we first became a country, our great economic benefit was furs, so we killed everything. We killed the beaver, we killed the muskrat, and we sent everything overseas to be -- that's where the jobs were. So everything was sent overseas and their -- that's where the jobs were maintained, and we killed everything off here -- and we're still trying to get some of them back in some

places.

26870. We're doing the same thing with oil. It's like a kid in a candy store. We found a big cache of candy; let's get rid of it, let's sell it all now, let's get the money.

26871. No thought to the future, no thought to what we're going to need in a hundred years. No thought to our grandchildren, our grandchildren's grandchildren, no thought to that at all. It's just make the money now.

26872. We sell raw logs now. Our logs in B.C. all go to China, and that's where the jobs are; they manufacture everything. All we do is cut them down and send them out. It's the same thing with the oil. All we do is dig it up and send it out.

26873. So we really haven't come very far in our economic planning than we have the day we arrived and started killing the beaver.

26874. I'm not at all a religious person but when I was young I was taught about the Father, the Son and the Holy Ghost. Well, they're gone. There is three new gods in this land; money, greed and power. They're the driving forces of this project.

26875. There is no thought to future generations, no thought to the environment, no thought to the wishes of the people that this most affects. The fact that the Douglas Channel is narrow and stormy, that we're an earthquake zone, an avalanche zone, and there's no thought that 80 percent of the people of this province do not want this project.

--- (Applause/Applaudissements)

26876. **THE CHAIRPERSON:** Could we have quiet in the room, please.

26877. The people who have come prepared to give these oral statements, we've seen how hard they've worked to make sure that they stay within the timeframe, and when we have to interrupt things with clapping from audience it affects their

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timing of being able to get through their presentation that they've worked hard on.

26878. So would you please continue, Ms. Soanes.

26879. **MS. SALLY SOANES:** This is a nightmare for all of us living in British Columbia. It's a complete no-win for everyone in this province and our future generations.

26880. The oil companies don't care as long as business proceeds as they wish. The government doesn't care because they're focussed on winning the next election, and they don't need B.C. for that. Power and big oil are their focus.

26881. Wouldn't it be wonderful if someone, somewhere, would stand up and say, "Enough, no more. It's not wanted here, it's not safe here. We need a new plan".

26882. Thank you.

--- (Applause/Applaudissements)

26883. **THE CHAIRPERSON:** Thank you to each of you who have taken the time to be very thoughtful in your presentations and to share your viewpoints and knowledge with the Panel. We appreciate it very much.

--- (A short pause/Courte pause)

26884. **MEMBER BATEMAN:** Thank you, Ms. Weland, for being here today.

26885. Please begin with your oral statement.

--- **ORAL STATEMENT BY/EXPOSÉ ORAL PAR  
MS. MARILYN WELAND:**

26886. **MS. MARILYN WELAND:** Thank you.

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26887. My name is Marilyn Weland; I live in Duncan, Vancouver Island. I was born and raised in the Cowichan Valley and I've lived for 14 years on Lasqueti Island which is one of the Gulf Islands. I've spent all my life on this coast and I fiercely love this part of the world.
26888. I was moved to speak at these hearings, they're an opportunity for which I'm grateful to be given; grateful that I live in a country which is willing to listen to and consider the feelings and needs of its citizens. Thank you.
26889. In December 2010, the Federal, Liberal and Bloc Quebecois parties teamed up with the NDP to pass a motion introduced by New Democratic M.P., Nathan Cullen. It was a motion urging the government to immediately propose legislation to ban traffic of bulk oiler tankers through Dixon Entrance, Hecate Strait, and the Queen Charlotte Sound off the north coast of B.C.
26890. The Motion passed 143 to 138 despite Conservative disapproval. I feel betrayed and disgusted that my government has gone against the wishes of the majority of Canadians and accepted billions of dollars from other countries to tear open the land and begin the chain of pollution.
26891. I wonder what might happen if this Joint Review Panel to the Proposed Northern Gateway Project has the guts to reject the proposed pipeline, to go against the greed and voracious appetite for oil.
26892. How much pressure might the Chinese inflict if there is no way to move their undigested black Chyme, pronounced C-H-Y-M-E. Having no pipeline would cause a constipation that would be painful and potentially explosive.
26893. How much fear is being felt by this Panel, fear of what the repercussions of a reject to pipeline decision might bring? What sort of pressure are you under? How useful are these hearings?
26894. My recommendation is to move away from greed and fear and come from the motivation of love. I wish for the best possible outcome for all, no matter what that might look like.

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26895. I recommend that the money that would be spent on the pipeline over land and super tankers on the ocean be spent in developing alternative energy methods. I would like to see the subsidies and incentives equal to that which oil and gas receive given to clean renewable energy plans.

26896. I wish to speak for those who cannot speak for themselves, to be an advocate for the fragility of life. The proposed Enbridge Pipeline would affect and disrupt the lives of countless plants and animals. From the colossal damage to the Muskeg, tar sands themselves, along the many hundreds of kilometres of pipeline through forests and mountains, over rivers and streams, to the oil tankers on the coastal waterways, the impact to life would be immense. The value of the lives of those affected could be measured in dollars, or measured in the richness of diversity and interconnected coexistence.

26897. I hold an aquaculture licence and I have spent time working at the intertidal zone, where I have seen the amazing activity of life at the interface between the ocean and the land. Those beings who live in this fertile hotbed, the crabs, clams, oysters, the tiny fish, they're the nourishment for larger creatures of the land, air, and sea. They're the ones who would be hardest hit if oil is spilled into the water as the oil slick would ride the tides up onto the rocks and back down into the sand.

26898. To quote our national treasure, Dr. David Suzuki, "The problem with our current economic system is that it treats things whose value is immeasurable as though they are worthless."

26899. I'm a mother and a grandmother, and there's no feeling like it. If for no other reason, I will protect this land for them and for the generations to come. Everyone needs to make money; there's no argument to that.

26900. I would like to see Canada move away from the frontier mentality of selling off our raw resources. Jobs could be created in secondary and tertiary industries. We could become a world leader and an example in using our resources in a controlled and imaginative way. We could have a government that

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takes the high road and follows the wishes of its citizens. Thank you.

--- (Applause/Applaudissements)

26901. **MS. MARILYN WELAND:** I have a poem that my mother gave me as I was walking out the door and she said read them this. So this is from my 90-year old mother here folks. You've got to meet her. Okay. It's called "The Game".

*"We are playing a game; the stakes are high and the devil is keeping tabs. He will cheat if he can, for the soul of man is the prize that is up for grabs."*

26902. Thank you.

--- (Applause/Applaudissements)

26903. **THE CHAIRPERSON:** Welcome, Ms. Westwood. Please proceed.

--- **ORAL STATEMENT/EXPOSÉ ORAL PAR NANCY WESTWOOD:**

26904. **MS. NANCY WESTWOOD:** Thank you. My name is Nancy Westwood. I'm a resident of Parksville and I want to thank you for hearing me today.

26905. My family has lived on Vancouver Island for three generations. In fact, I'm a second generation born Vancouver Islander, born in Campbell River. My life has always revolved around the ocean, whether it was fishing for salmon, or cod, or sailing, or digging clams, or picking oysters, or just living at the beach in the summer. My life has revolved around the coastal waters. I've always fished, but last year I took up fly fishing, beach fishing for salmon in particular. So from summer to late fall, when the salmon run arrives, I can be found at one of my favorite spots casting a line, hoping to catch one.

26906. You're never alone fishing in the fall at the river mouth. The seals, the otters, the herons, the gulls, and the eagles are always there fishing too, and there

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is the odd bear to watch out for too, of course. I'm there for fun, but they're all there to rely on the salmon runs for survival. There is a way of life here that people off the coast might not quite comprehend. We see the beauty, the fragility, and the harshness of the marine ecosystem every day.

26907. Right now beaches are teeming with migratory birds, bald eagles are in the midst of nesting, seals and sea lions are here in numbers and -- so why is it so active right now? Because it's herring season and all of this wildlife is feeding off this small fish because it's the base of the food chain. Herring season is the first sign of spring to me because the beaches are filled with birds, and the seals barking in the evening, and the coast becomes active. It's a sign of spring. One oil spill would kill that cycle. No more fish means no more birds, dead sea mammals. It would kill or poison the seaweed I collect in the fall for my garden. It would destroy everything I have built my life around.

26908. I don't agree that one industry can have the ability to force itself into areas when it poses a constant threat that would hang over our heads every day of destruction to our livelihoods and our way of life here. Everything -- or every time there is a storm, is a tanker going to run aground?

26909. Just last month we had winds clocked at 187 kilometres an hour around here. Every time there is an earth tremor, every time we have a forest fire, heavy rain, or snow, or possibly triggering a landslide or an avalanche, did it damage the pipe? Do we have a spill? To put this in perspective, the impact this pipeline is already having on me is that I'm not so worried about "the big one" anymore when it arrives. I'll survive the quake and can rebuild and I'll be fine. But I'm terrified of a tanker spill because that would cause such colossal damage that it could not be repaired in my lifetime.

26910. My education is in chemical sciences. I've been in account management in B.C. and Alberta and selling to heavy industry for years. I visited Kitimat since the early '90's, going to the mill up there for business until it shut down. I'm familiar with the area. The drive between Terrace and Rupert is one of the most beautiful in Canada, along the Skeena River and I hope that you took the opportunity while you were there to drive it.

26911. Flying into Kitimat has always been quite an exciting trip, with the horseshoe ring of mountains and the plane having to do its steep descent down into the airport. Most of the time it's zero visibility until you can get low enough under the clouds. And many times have been on the flight when it's so sogged in that the flight's just rerouted to Rupert and then we're bussed back to Terrace. I hope you didn't have to experience that.
26912. Kitimat can stay sogged in for days, and I have to say that with the horseshoe ring of mountains and the amount of weather inversions that they get in Kitimat, has it been investigated if Kitimat could even be habitable in the case of a spill and weather inversion? Would the trapped fumes from the bitumen cause an evacuation? And if that's so, that's where all the emergency response would be based from. Now, wouldn't that delay the cleanup response as well as a complete upheaval of the local residents?
26913. In my line of work, I've worked with industrial processes with fluid flow. Putting it simply, industrial processes have efficiencies and targets, and usually anywhere between 80 percent and up would be considered good. They never reach 100 percent efficiency. Now, in the case of 100 percent efficiency would be required in order to not devastate our way of life here and wipe out the marine life and coastal economies, for the rest of my lifetime at least. There isn't one industrial fluid process that can be 100 percent efficient 24/7 over its entire process life. Yet in order to protect our livelihoods, our coastal economies, and our way of life, this pipeline would require 100 percent efficiency, for the pipeline and tanker traffic, I should add.
26914. Now, there is a depreciation of equipment that has to be taken into consideration, wear and tear, and failure. And even if a system was installed at 100 percent efficiency, it could not be maintained at that level over any reasonable period of time.
26915. And in the case -- if there was a pipeline failure, an oil spill would be the result and unrealistic, unbearable consequences would occur to us.

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26916. As an example of action and response time in the case of a spill, let's take a look at the tons and tons of debris arriving on our coast from the Japan earthquake. If we look at the organization and clean-up response around that alone as an indicator for response to an oil spill, it's not a stellar outcome, is it?

26917. There has been no action yet with a clean-up plan for that. In fact, it's -- I think it's been left to us to pick up the debris as it washes onto our beaches. It's a pretty pathetic response, in my opinion. And if we extrapolate that to an oil spill response, it doesn't give me any faith whatsoever in industry or government to do what's necessary to properly clean up a major oil spill.

26918. Quite frankly, the technology isn't even invented yet to be able to respond correctly to an oil spill disaster on our coast. More than 70 percent of the oil is still in the Gulf of Mexico, still washing up on the beaches and there is nowhere near the rugged and accessible -- inaccessible shoreline that we have here. Alaska is still impacted 20 years after Exxon Valdez, and if that's the track record, it's not allowed here.

26919. I find it deeply concerning that Enbridge has not provided adequate consideration of the project-specific challenges and risks upfront to you. It's a big concern that this Review Panel had to ask them to go back and revisit challenges and risks.

26920. Enbridge has downplayed the risk at our expense. There is a "get the oil out at any cost and cover up the issues" myopic mentality. The professional engineers which these -- which these project managers for these projects are have a Code of Ethics; number one of that code of ethics states:

*"Hold paramount the safety, health and welfare of the public, the protection of the environment and promote health and safety within the workplace."*

26921. I'm seeing a huge disconnect between this Code of Ethics and this project, with high-risk to the coast. I think the profession itself needs to take a serious look at itself if it allows its members to downplay risks, publish glossy Gulf-like

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images of coastal terrain pipeline routes instead of depicting an accurate portrayal of harsh terrain and high-risk issues, such as the human and environmental disaster potential that this project has.

26922. I have serious concerns about companies and employees who have a culture that promote a higher interest in meeting their annual profit targets so they can collect their bonuses and get their raise when it's not balanced with how their actions impact the general population and environment.

26923. I think this needs to be addressed in this hearing for this project or, in the government's case, potential individuals setting themselves up for directorship positions after their term, as a reward for getting projects, possibly such as this, being pushed through regardless of consequences.

26924. Because of these potentials and the detrimental effect it would have on the coast, I request that every single report that has any dealings between government and industry, regardless of project, either be made public or go to, at minimum, scrutinized by an independent ethics committee.

26925. And I mean expense reports when I say that because I don't want people wined and dined and given trips and such into -- to get a yes for a project to be pushed through, and that does happen.

26926. A project like this and the money involved and the risk put on us must be based on science and impact, not on relationships and backroom deals. It's as I said, there's always -- there's a way of life here that people off the coast don't have a comprehension for. That is blatantly evident in the way this project is being pushed on us.

26927. Those of us that oppose it have been offensively dismissed and minimized by our government, labelling us as radical, foreigner, adversaries, generalizing our comments, saying we want to save every tree or anti-development, attacking environmental groups who oppose tankers by pulling funding and spouting accusations of foreign funding, attempting to undermine them.

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26928. These tactics from our federal government are despicable and unethical. This process has been tainted before it has even began, in my point of view. Undemocratic because this government has shown it has sided prematurely with industry and regardless of the outcome of the findings of this process.

26929. Even if this process shows, and it should show, a huge detriment to us on the coast, the Prime Minister and his gang seem to have already made their decision and he's ignoring what is in the best interests of the public on the coast and ignoring the environmental and human impact.

26930. In fact, they're going further, to gut the *Fisheries Act* and environmental review process to remove laws that hamper this project.

26931. **THE CHAIRPERSON:** Ms. Westwood, your 10 minutes is up, so if I could ask you to finish up with your summary statement.

26932. Thank you.

26933. **MS. NANCY WESTWOOD:** Sure.

26934. In closing, I'd like to add that all the safety nets invented in the world can be put in place for this project, but it's negligence and unpredictable human error that caused the Exxon Valdez with a drunk captain. It was over 15 safety infractions and cutting out procedures and cutting costs on projects that caused the Gulf of Mexico disaster.

26935. It was sheer negligence on the Costa Concordia grounding with a Captain who had a bet with a buddy. And it was a lover's quarrel that caused the sinking of the Queen of the North.

26936. Rules and regs don't protect human issues. If you look at all the unpredictables and add that to the predictable risks and the dire consequences to this coast, there's no way that this project should move forward. There are other routes with existing pipelines to be expanded on where oil can be refined domestically instead of being exported.

26937. Better yet, we can find new ways for developing more sound progressive energy alternatives.

26938. Thank you.

--- (Applause/Applaudissements)

26939. **THE CHAIRPERSON:** Thank you, Ms. Westwood.

26940. In your comments you raised some process-related questions about Board Members and ethics, Commissions and that sort of thing. And I would just suggest that you might want to talk to the staff about that aspect to gain a better understanding of that.

26941. I want to thank everyone very much for being here, both yesterday and today. This is the conclusion of the community hearings here in Comox over the last couple of days.

26942. I know I speak on behalf of my Panel mates that it's been a pleasure to be here. It's been hugely educational for us to have the opportunity to come and listen to both the oral evidence and the oral statements that have been so carefully prepared, in our minds, from everybody.

26943. So thank you all for being here and for sharing your knowledge, your passion, your viewpoints with us.

26944. We will conclude this afternoon's session and the Panel will sit again on Monday -- starting again ay Monday morning at 9 o'clock in Bella Bella.

26945. Safe travels to everyone who's travelled to be with us today, and thanks again to everybody.

26946. Good afternoon.

**Oral Statement  
Ms. Nancy Westwood**

--- (Applause/Applaudissements)

--- Upon adjourning at 2:37 p.m./L'audience est ajournée à 14h37