

# Enbridge Northern Gateway Project Joint Review Panel

## Written Comment Form

The Joint Review Panel (the Panel), established to review the Enbridge Northern Gateway Project (Project), has a broad mandate to assess the potential environmental effects of the Project and to determine if it is in the public interest.

As an initial step in the review process, the Panel is interested in receiving comments on the following three topics:

1. the draft List of Issues attached as Appendix I;
2. additional information which Northern Gateway should be required to file; and
3. location(s) for the oral hearings.

The Panel encourages interested people to provide their comments in writing by using this form.

Contact information and written comments will be placed on the public registry.

**Participants submitting written comments should provide the following information by noon (Mountain Standard Time), Wednesday, 8 September 2010:**

Hard copy filings may be made by mail, courier, hand delivery or fax at the address below.

Joint Review Panel – Enbridge Northern Gateway Project

444 Seventh Avenue S.W., 2<sup>nd</sup> floor mailroom

Calgary, Alberta T2P 0X8

Facsimile: (403) 292-5503, or toll free at 1-877-288-8803

### Contact Information

Name: <i>Mimi Gillis.</i>	Address: <i>71 Starling St.</i>
Title if applicable (optional):	City: <i>Kitimat</i>
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National Energy Board  
Office national de l'énergie

Canada



Canadian Environmental  
Assessment Agency

Agence canadienne  
d'évaluation environnementale

Signed Mimi Gillis 71 Stirling St.  
List of Issues Kitimat BC

The draft List of Issues has been included at the end of this form.

Are there other issues that you think should be considered in the Panel process?

Yes ☐ No ☐

If yes, please indicate what additional issues and provide a brief explanation of why you think it should be added to the List of Issues.

I Feel That Enbridge is Not Doing The Environment & Native People nor white's any Good. Especially E.P. Pipe & Holding Storage Tanks & Super Tankers Going thru where all whales & porpoises are. I am Totally Against this project.

Additional Information  
Is there additional information that you think Northern Gateway should be required to file prior to the Panel's initiating further procedural steps in the review process?

Yes ☐ No ☐

If yes, please indicate the additional information and provide a brief explanation why it should be filed by Northern Gateway at this time.

### Oral Hearing Location

What location(s) in the project area do you think should be selected and why?

Additional Enbridge Northern Gateway Project application information can be found at [www.gatewaypanel.review-examen.gc.ca](http://www.gatewaypanel.review-examen.gc.ca).

# Draft List of Issues

The following lists the issues which the Panel will be evaluating, however not limited to, as it conducts its environmental assessment of this project and its public interest determination review.

## Need For the Proposed Project

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

## Potential Impacts of the Proposed Project

- What are the potential impacts on:
  - Aboriginal interests;
  - commercial interests; and
  - landowners and land use?

## Environmental Effects

- What are the potential effects on environment<sup>1</sup> and social economic matters?

## Financial Regulation

- Is the proposed differential tolling structure and tolling methodology appropriate?
- Is the proposed method of financing appropriate?

## Design, Construction and Operation

- Is the general route of the pipeline, location of the proposed facilities and the siting of the marine terminal appropriate?
- Is the applicant's consultation program for the Project adequate?
- Is the design of the proposed facilities suitable?
- What is the capacity of the applicant to safely build and operate the proposed facilities in the range of physical conditions) along the Rocky and Coastal Mountains and at the Kitimat Terminal?

## Safety, Mitigation and Prevention

- What safety measures are in place to protect people and the environment?
- What are the consequences of hydrocarbon releases from the Project?
- Are the proposed risk assessment, mitigation and prevention measures and programs appropriate for the design, construction, operation and abandonment of the proposed facilities?
- Are the proposed plans and measures for emergency preparedness and response appropriate?

## Terms and Conditions

- What terms and conditions should be included in any decision the Panel may issue?

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<sup>1</sup> Including those to be considered under the *Canadian Environmental Assessment Act* as outlined in Parts I, II and III of the Joint Review Panel Terms of Reference (see following pages).

# ***Terms of Reference<sup>2</sup>***

## ***Part I – Scope of the Project***

The project includes the construction, operation, decommissioning and abandonment of the following components:

- An oil pipeline commencing near Fort Saskatchewan, Alberta and terminating at a new marine terminal located in Kitimat, British Columbia;
- A condensate pipeline commencing at a new marine terminal in Kitimat, British Columbia and terminating near Fort Saskatchewan, Alberta;
- The right-of-way for the two pipelines as well as any temporary workspace required for the construction;
- Associated pump stations, a pressure letdown station (oil) and a pressure initiation station (condensate);
- Tunnels through North Hope Peak and Mount Nimbus to facilitate crossing of the Coast Mountains by the pipelines;
- A tank terminal, including hydrocarbon tanks, pump facilities and other land facilities, adjacent to the marine terminal;
- All-weather road access and electrical power requirements for the pump stations, the tank terminal and the new marine terminal in Kitimat, British Columbia;
- Block valves located at pump stations, selected watercourse crossings and other locations along the route;
- Pigging facilities at either end of the pipeline system and in selected intermediate locations;
- Cathodic protection system for the pipelines and tanks, including anode beds at selected locations along the pipeline route;
- Two marine loading and unloading berths (one each for oil and condensate) including:
  - loading and unloading platforms;
    - breasting dolphins;
    - mooring dolphins;
    - gangway tower;
    - walkway bridges between platform and breasting dolphins;
    - utility boat floating dock;
    - oil contingency deployment system with storage platforms;
    - fire fighting systems;
    - offshore anchorages in Kitimat Arm or elsewhere; and
    - pipeline interconnects between the berths and the tankage.
- Marine transportation of oil and condensate within:
  - the Confined Channel Assessment Area, as defined by the proponent, which includes the marine and shoreline area of Kitimat Arm, Douglas Channel to Camano Sound, and Principe Channel to Browning Entrance;
  - Hecate Strait; and
  - the proposed shipping routes to be used for the project that are within the 12 nautical mile limit of the Territorial Sea of Canada.
- All related works and activities including:
  - all temporary electrical power supply lines, such as those supplying energy for camps and worksites;
  - temporary work camps;
  - temporary access roads;
  - bridges and watercourse crossings (new or modified);
  - management and treatment of wastewaters and waste management;
  - water withdrawals;

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<sup>2</sup> The definitions in the Agreement between the National Energy Board and the Minister of the Environment concerning the joint review of the Northern Gateway Pipeline Project will apply to this Appendix.

- borrow pits and quarries;
  - management of excavation material, including stockpiles (e.g. overburden);
  - log handling and storage facilities
  - construction worksites, storage areas and staging areas;
  - handling and storage of petroleum products and hazardous materials;
  - handling, storage and use of explosives; and
- Any other components described by the proponent in its Preliminary Information Package, filed with the National Energy Board on November 1, 2005

Any additional modifications or decommissioning and abandonment activities would be subject to future examination under the *National Energy Board Act* and consequently, under the *Canadian Environmental Assessment Act* (the Act), as appropriate. Therefore, at this time, the Proponent will be required to examine these activities in a broad context only.

## ***Part II - Factors to be Considered During the Joint Review***

The joint review will include a consideration of the following factors listed in paragraphs 16(1) (a) to (d) and subsection 16(2) of the Act:

- The environmental effects of the project, including the environmental effects of malfunctions or accidents that may occur in connection with the project and any cumulative environmental effects that are likely to result from the project in combination with other projects or activities that have been or will be carried out;
- The significance of the effects referred to above;
- Comments from the public and Aboriginal peoples that are received during the review;
- Measures that are technically and economically feasible and that would mitigate any significant adverse environmental effects of the project;
- The purpose of the project;
- Alternative means of carrying out the project, that are technically and economically feasible and the environmental effects of any such alternative means;
- The need for, and the requirements of, any follow-up program in respect of the project; and
- The capacity of renewable resources that is likely to be significantly affected by the project to meet the needs of the present and those of the future.

In accordance with paragraph 16(1)(e) of the Act, the assessment by the Panel will also include a consideration of the following additional matters:

- Need for the project;
- Alternatives to the project;
- Community knowledge and Aboriginal traditional knowledge received during the review;
- Measures to enhance any beneficial environmental effects; and
- Environmental protection, environmental monitoring, and contingency and emergency response plans.

## ***Part III - Scope of Factors***

The Panel in conducting its consideration of the factors outlined in Part II will have regard to the following:

- The National Energy Board's *Filing Manual* dated 2004 as amended from time to time; and
- The document issued by the Canadian Environmental Assessment Agency, in response to comments received on the draft Joint Review Panel Agreement, entitled "*Scope of the Factors - Northern Gateway Pipeline Project, August, 2009*".