

Green Scene: Concerns about Kinder Morgan Pipeline Hearing

by Elaine Golds

(published June 20 2014 – *The TriCity News*)



A small group of residents recently showed their opposition to Kinder Morgan’s proposal to use portions of Colony Farm Regional Park for assembling the pipe that would pass under the Fraser River.

K. Takahashi photo.

As my deadline approaches for submitting this column, many people are anxiously awaiting a decision from the federal government regarding the proposed Enbridge pipeline across northern BC to allow export of tar-sand derived oil. Few people expect the federal government do to anything but approve this pipeline; a project which the National Energy Board has already approved, albeit with conditions attached.

Now, all eyes will likely turn to the Kinder Morgan pipeline, a project which will have far greater implications for people who live in the lower mainland. Like its northern “twin”, this pipeline has also met with considerable resistance from people across BC. Most noteworthy in this opposition are the many First Nations who oppose construction of the pipeline in their territories and fear the risk and damage that could ensue from spills of explosive and toxic diluted bitumen.

As far as I am concerned, the federal government has set the tone for this debate by demonizing people who care about nature as foreign-supported environmental radicals and by eliminating a number of important environmental protection measures - such as protection of salmon habitat - through passage of their Omnibus bills in 2012. What's more, the government went much further; they also halted important environmental research into pollution, destroyed priceless scientific libraries and then diverted several million taxpayer-funded dollars towards fruitless investigations into the financial backing of a number of environmental groups. None of these initiatives gave me any confidence that, by the time we enter into discussions over the pro and cons of pipelines, there would be anything fair and balanced about the deliberations.

So, instead of a more proper (and neutral) environmental assessment undertaken by Environment Canada for the Kinder Morgan pipeline, we now have an evaluation being conducted by the National Energy Board, a Board which focuses on energy production and is based in Calgary. What's more, the federal government has changed the rules of engagement. Unlike the Enbridge hearings, people no longer have the opportunity to speak in person to the 3 person panel from the National Energy Board. Instead, people had to submit written applications to participate and prove they had expertise to offer or would be directly impacted by the pipeline. What ever happened to freedom of speech in this country? The government also determined that people must confine their comments to a list of 12 issues; any discussion about impacts on climate change are not acceptable.

Despite the unusual and more onerous application process, almost 2200 people applied to participate in the Kinder Morgan hearing. People, groups, companies or governments granted the opportunity to participate were given either commenter or intervenor status. Of those who applied, 468 were denied altogether and 452 participants who requested intervenor status were downgraded to commenter status. In total, 1250 applicants were granted commenter status. Commenter status allows the submission of a single letter which is due in September. About 400 participants were granted intervenor status which allows them two opportunities to submit written questions to Kinder Morgan plus make an oral presentation to the National Energy Board panel in early 2015. However, unlike most legal hearings, intervenors will not be allowed to cross-examine witnesses. The first round of questions was due in mid-May; Kinder Morgan has a deadline of June 18 to issue written responses. All the questions and responses will be posted to the [National Energy Board website](#), filed under the Trans Mountain Expansion Project. While it would take days to go through all the material posted, it does make for some fascinating reading. The submission from economist Robyn Allan is especially worth a read.

Thankfully, several local municipalities and Metro Vancouver are participating as intervenors. The Mayor of Burnaby, influenced no doubt by his experience dealing with the devastating 2007 Kinder Morgan oil spill, is playing a lead role in opposing the Kinder Morgan pipeline. The Burke Mountain Naturalists and members of the Colony Farm Park Association were delighted when the City of Coquitlam recently submitted a letter to Kinder Morgan opposing their proposed use of Colony Farm Regional Park as a worksite for pipeline assembly. Next Wednesday evening on June 25, the City of Port Moody is doing their bit by hosting a town hall meeting on the Kinder Morgan project. While pre-registration is requested (via the City's website), members of the public are welcome to attend although preference will be given to Port Moody residents when it comes to asking questions of the four person panel. This panel will include representatives from Kinder Morgan, the Pacific Pilotage Authority, Western Canada Marine Response Corporation as well as advocate for the protection of Burrard Inlet, local resident Rod MacVicar. It should make for an interesting evening and provide some valuable perspectives on this pipeline project.