



200 - 2006 West 10th Avenue
Vancouver, BC V6J 2B3
www.wcel.org

tel: 604.684.7378
fax: 604.684.1312
toll free: 1.800.330.WCEL (in BC)
email: admin@wcel.org

FOR IMMEDIATE RELEASE

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Review process for Enbridge Northern Gateway Project subject to ongoing opposition & controversy

Vancouver – The months of opposition and controversy that have dogged federal government plans to conduct an environmental assessment and regulatory review the Enbridge Northern Gateway Pipeline project will not be quelled by the terms of reference released today by the Canadian Environmental Assessment Agency and National Energy Board.

“Opening our sensitive northern waters, salmon stocks, and communities to oil super tankers and inevitable oil spills from projects like Enbridge’s is a risk that that vast majority of British Columbians are not willing to take, repeated polling has shown,” said Jessica Clogg, Executive Director & Senior Counsel, West Coast Environment. “Given the potentially devastating risks, citizens can be rightfully concerned about a federal environmental assessment process that has a track record of giving the thumbs up to over 99% of projects.”

West Coast is an advocate for robust environmental assessment, which is a critical to achieving Canada’s sustainable development goals. However, since its inception, federal environmental assessment processes under the *Canadian Environmental Assessment Act* have had greater success at mitigating project-specific environmental impacts than putting the brakes on environmentally-damaging mega-projects.

“Some improvements were made to the draft terms of reference in response to the outpouring of First Nations and citizen feedback received, but the scope of the proposed review still fails to explicitly include the role of the Enbridge project in facilitating the growth of the Alberta tar sands, Canada’s fastest growing source of greenhouse gas emissions,” said Josh Paterson, Staff Counsel, West Coast Environmental Law. “Furthermore, affected First Nations have well-substantiated concerns that the proposed review process fails to meet the Crown’s constitutional duties to them.”

Recent case law confirms that the Crown had a duty to consult First Nations in the design of the review process. Affected First Nations who feel that the Crown failed to meet this duty will have 30 days to file legal proceedings challenging the terms of reference and proposed consultation framework in federal court. However, the Crown’s duty to First Nations is ongoing, and Enbridge will face the risk of potential legal challenges from the approximately 100 Aboriginal Peoples affected by the pipeline for year to come.

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For more information:

Jessica Clogg, Executive Director & Senior Counsel, West Coast Environmental Law: 604.601.2501

Josh Paterson, Staff Counsel, West Coast Environmental Law: 778-829-8973