### **FEDERAL COURT**

BETWEEN:

### BRITISH COLUMBIA CIVIL LIBERTIES ASSOCIATION

**Applicant** 

- and -

### ATTORNEY GENERAL OF CANADA

Respondent

### CERTIFIED TRIBUNAL RECORD Volume IV

### THE SECURITY INTELLIGENCE REVIEW COMMITTEE

In the matter of a Complaint filed by the BRITISH COLUMBIA CIVIL LIBERTIES ASSOCIATION, pursuant to section 41 of the Canadian Security Intelligence Service Act, RSC 1985, c.C-23

BETWEEN:

BRITISH COLUMBIA CIVIL LIBERTIES ASSOCIATION

Complainant

- and -

THE CANADIAN SECURITY INTELLIGENCE SERVICE

Respondent

### COMPLAINANT'S REBUTTAL SUBMISSIONS

- 1. The complainant, the British Columbia Civil Liberties Association ("BCCLA") sets out its final rebuttal submissions below (subject to any further questions that may be raised by the Committee).
- 2. The complainant will address three-main issues in reply to the Service's submissions: (1) whether the "give to get" technique expands the Service's mandate and permits information sharing with private sector entities under section 19 of the CSIS Act; (2) whether and to what extent Minister Oliver's letter is relevant to the Committee's inquiry into the present complaint; and (3) whether the "chili" experienced by the affected groups was reasonable and linked to CSIS activities.
- 3. Finally, BCCLA affirms its position with respect to the application of subsection 48(1) of the CSIS Act to the testimony and submissions made in this case, in light of

Page 801 of 1048 Copy 3555 the Service's confirmation that it does not object to public disclosure of the *in camera* evidence or submissions made by the complainant. <sup>1</sup>

- (1) "Give to Get" Neither Requires nor Authorises Information Sharing under Subsection 19(2) of the CSIS Act
- 4. It was the Service's own evidence which confirmed that the biannual classified briefings held by the Department of Natural Resources (NRCan) are used by CSIS "to share classified information with energy sector stakeholders." BCCLA submits this information sharing to private sector actors is, on its face, outside the Service's mandate under the CSIS Act. Indeed, the Review Committee has previously held that "the CSIS Act does not authorize disclosure of information collected by the Service to non-traditional or non-government partners, such as private sector organizations." 3
- 5. The Service argues there are nevertheless situations where it may be "required" to disclose information outside of government, asserting that sharing intelligence information with third party private sector entities is justified by the "give to get" principle and thus authorized under subsection 19(2) of the *Act* as being for purposes of the performance of its duties and functions. However, while "give to get" may be a favoured technique or a practice that CSIS frequently employs, it is not part of the Service's mandate under the *CSIS Act*, nor is it identified under section 19 as an exemption to the presumption against disclosing intelligence information.
- 6. BCCLA submits that the Committee should not readily accept the sharing of intelligence information with private sector entities as authorised under subsection 19(2), merely on the basis that this practice may be convenient for the Service from an operational perspective. Indeed, to do so would effectively render section 19 meaningless, as *all* of the Service's activities must presumptively be rooted in the performance of duties and functions under the *Act*. The threshold for the subsection

<sup>2</sup> Ex Parte Summary at paras 16-17, 19; Robert Evidence at 319.

<sup>4</sup> Respondent's Submissions at para. 15; Robert Evidence at 319-322.

<sup>&</sup>lt;sup>1</sup> Respondent's Submissions at para, 71; BCCLA Submissions at para, 207.

<sup>&</sup>lt;sup>3</sup> Security Intelligence Review Committee, Annual Report 2010-2011: Checks and Balances (2011) at 15.

19(2) exception cannot be so low as to effectively be engaged in all circumstances in which the Service acts in relation to its statutory mandate.

7. Rather, and as this Committee has previously held, section 19 makes clear that any assessment of CSIS information sharing practices must begin with a presumption against the disclosure of intelligence information to third party, private sector entities. The "give to get" technique cannot be assumed to override this statutory presumption, and must not be used to justify information sharing where such disclosures are not permitted under the *Act*.

### (2) Minister Oliver's Letter is Relevant to the Complaint

- 8. The Service downplays the relevance of Minister Oliver's letter, providing evidence suggesting that the Service was unaware as to who briefed Minister Oliver, 5 and arguing that the Review Committee should narrowly construe its own jurisdiction so as not to consider the letter for purposes of this complaint in any event. 6
- 9. BCCLA submits that the Review Committee's mandate must not be so narrowly construed. SIRC's mandate under the *CSIS Act* is broad and its powers are extensive: Parliament has entrusted the Committee with scrutinizing CSIS activities for the purpose of ensuring that the Service operates in accordance with the law, including the *Charter*, the *CSIS Act* and its regulations and policies. As such, the Committee's role in investigating complaints is not strictly limited to deciding factual questions concerning specific Service actions, but necessarily also includes a broader review and analysis of the context in which concerns or complaints about the Service may arise. Indeed, even in cases where the Committee finds specific allegations are

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Ex Parte Summary at para. 24; Respondent's submissions at para. 57.

Respondent's submissions at para. 45.

<sup>&</sup>lt;sup>7</sup> Canada (Attorney General) v Telbani, 2012 FC 474 at paras 70, 74-77, 83, 92 94, 105, 156 160. Also see: Canadian Civil Liberties Association v Canada, 1998 CanLil 6272 (ONCA).

unsubstantiated, it may nevertheless make recommendations in order to avoid future circumstances that may lead to similar concerns or complaints.<sup>8</sup>

- 10. The evidence before the Committee is clear that the "open letter" issued by then-Minister of Natural Resources, Joe Oliver, referring to "environmental and other radical groups" that threaten to "hijack" the regulatory system to achieve a "radical ideological agenda" that will "undermine Canada's national economic interest" gave rise to legitimate, reasonable concerns that CSIS's extraordinary powers may be used to target groups or individuals. These concerns became manifest when Minister Oliver's letter was followed by publication of *ATIA* documents revealing that the Service was included among the government institutions, law enforcement and security agencies, and private sector energy industry stakeholders engaged in sharing intelligence information about security matters, including the monitoring of environmental organizations and activists. 9
- 11. BCCLA submits that Minister Oliver's letter is clearly relevant, in that it amounts to a public declaration by a senior representative of the government of Canada that environmental groups are engaged in activities coming within the Service's mandate. As such, neither the Service nor the Review Committee can ignore the letter or the impact it had on groups and individuals who felt targeted by law enforcement and security agencies. Minister Oliver's letter establishes the context in which the affected groups (and individual witnesses) learned about intelligence gathering and sharing by government agencies including CSIS and, at the very least, is relevant to properly assessing the impact and chilling effect of reports concerning CSIS activities which followed these very public statements.

<sup>8</sup> See, e.g., "Case #1: Allegations of Improper Conduct;" included in Security Intelligence Review Committee, *Report 2001-2002*, Section 2: Investigation of Complaints, Complaints Case Histories at page 2 of 6.

Open Letter from the Hon. Joe Oliver, Minister of Natural Resources, dated January 9, 2012 [Exhibit C 3, Tab 7]; Matthew Millar, "Harper government's extensive spying on anti-oilsands groups revealed in FOIs," The Vancouver Observer, November 19, 2013 [Exhibit C-1, Tab 9]; Matthew Millar, "Harper government officials, spies meet with energy industry in Ottawa," The Vancouver Observer, November 22, 2013 [Exhibit C-1, Tab 12].

- 12. Moreover, BCCLA submits that it would be appropriate for the Committee to consider and comment on the Service's oblivious or cavalier response to Minister Oliver's letter. <sup>10</sup> Where a Minister of the Crown publicly makes clear and unequivocal declarations regarding activities which, if true, would come squarely within the Service's mandate (again, Minister Oliver accused "environmental and radical groups" of "hijacking" the regulatory system to "undermine Canada's national economic interest"), it behooves the Service to respond to those statements in a responsible manner. First of all, it was incumbent upon the Service and within its mandate to follow up on such serious allegations and inquire with the Minister as to their substance. Secondly, BCCLA submits that the Service has a responsibility to ensure that neither these groups nor the public at large are unduly frightened or panicked by such allegations, especially where it is clear that they are unfounded.
- 13. While the Service provided evidence that it undertakes public outreach initiatives "to allay concerns," such efforts appear to be focused on industry stakeholders, and the Service never proactively approached the groups involved in this complaint or any other environmental advocacy groups. <sup>11</sup> BCCLA submits that reaching out to advocacy groups could have provided an excellent opportunity for the Service to build constructive relationships, furthering its capacity to fulfil its statutory mandate while remaining mindful and respectful of lawful advocacy and *Charter* rights. Indeed, a proactive initiative to allay the concerns of advocacy groups could well be a more valuable application of the "give to get" principle than sharing information about them with the NEB and the private sector, as these groups acknowledge that from time to time they have encountered and distanced themselves from individuals whose motivations seemed questionable. <sup>12</sup>

<sup>10</sup> Respondent's submissions at paras 45, 57-59.

<sup>12</sup> Dance-Bennink Evidence at 81-82.

<sup>&</sup>lt;sup>11</sup> Robert Evidence at 252-253, 292-293; Ex Parte Summary at para. 19.

### (3) The Alleged Chill is Reasonable and Directly Linked to CSIS Activities

- 14. The Service cites jurisprudence holding that a chilling effect resulting from a "patently incorrect understanding" of a statutory provision cannot ground a finding of unconstitutionality. However, these cases also make clear that while a chill arising from the *conduct* of law enforcement or security agencies may not render *legislation* unconstitutional, a *Charter* breach for which a remedy is required may of course still arise in respect of the improper or unconstitutional *application* or *enforcement* of a constitutionally valid statute.<sup>13</sup>
- 15. Moreover, there is also a crucial distinction between a chilling effect arising from misapprehension of the law and a chilling effect arising from reasonable inferences drawn from available information. BCCLA again emphasizes that in the present case, members of the affected groups were keenly aware of Minister Oliver's public description of them as "radical groups" involved in "hijacking" the regulatory system to "undermine Canada's national economic interest." When the ATIA documents which clearly show at least some CSIS involvement in intelligence gathering and sharing about groups opposed to the Northern Gateway project were publicized, the resulting concerns were not due to a "patently incorrect understanding" of a statutory provision, but rather the only reasonable inference that could be drawn from the limited information available to them. <sup>14</sup>
- 16. Indeed, the evidence presented by the Service in this hearing has supported these suspicions, confirming that CSIS is indeed engaged in routine sharing of classified intelligence information with energy sector stakeholders, including the National Energy Board ("NEB"), and has provided specific intelligence assessments to the NEB. <sup>15</sup> In these circumstances, it simply cannot be said that concerns about a chilling effect are rooted merely in a "patently incorrect understanding" of the law.

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<sup>&</sup>lt;sup>13</sup> Little Sisters Book and Art Emporium v Canada (Minister of Justice), [2000] 2 SCR 1120 at paras 133-35, as cited in R v Khawaja, [2012] 3 SCR 555 at paras 82 83.

<sup>14</sup> See, e.g., Biggar Evidence at 133-134.

<sup>15</sup> Ex Parte Summary at paras 16-19; Robert Evidence at 319.

Rather, the evidence is clear that concerns about a chilling effect are both reasonable in the circumstances and directly linked to the Service's conduct in his matter.

### (4) Section 48 of the CSIS Act

17. Given that the Service has now advised that it has no objection to BCCLA's submissions regarding the scope and application of section 48 of the CSIS Act, <sup>16</sup> the complainant requests the Committee to confirm that witnesses who appeared before the Committee on August 12-13, 2015 may speak publicly about the evidence and testimony they provided during the in camera portion of the hearing, and that BCCLA may publicly disclose those transcripts and its submissions in this matter, without further concern in relation to section 48 of the Act. With respect, it would be preferable if the Committee could provide this guidance and direction at its earliest convenience on an interim basis, and without waiting for its final decision.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

Dated at Ottawa, this 3rd day of November, 2016

Bubn Roy

J. Chamo

CHAMP & ASSOCIATES Barristers & Solicitors Equity Chambers 43 Florence Street Ottawa, ON K2P 0W6

T: 613-237-4740 F: 613-232-2680

Solicitors for the Complainant

Respondent's Submissions at para, 71; BCCLA Submissions at paras 198-207.

# TAB



Equity Chambers 43 Florence Street Ottawa, ON K2P 0W6 T: 613-237-4740 F: 613-232-2680

Paul Champ pchamp@champlaw.ca

Our File: 1555

February 6, 2014

BY COURIER

Shayna Stawicki, Registrar Security Intelligence Review Committee 122 Bank Street, Suite 200 Ottawa, ON K1P 5N6

Dear Ms Stawicki:

Re: Surveillance of Canadian Citizens and Information Sharing with the National Energy Board

We are legal counsel for the British Columbia Civil Liberties Association ("BCCLA"). By this letter, our client is making a complaint pursuant to section 41 of the *Canadian Security Intelligence Service Act* regarding the improper and unlawful actions of the Canadian Security Intelligence Service ("CSIS" or "the Service") in gathering information about Canadian citizens and groups engaging in peaceful and lawful expressive activities, and sharing it with other government bodies and private sector actors.

As set out in greater detail below, recent media reports indicate that the National Energy Board ("NEB" or the "Board") has engaged in systematic information and intelligence gathering about organizations seeking to participate in the Board's Northern Gateway Project hearings. Records obtained under the *Access to Information Act* confirm that this information and intelligence gathering was undertaken with the co-operation and involvement of CSIS and other law enforcement agencies, and that CSIS participates in sharing intelligence information with the Board's security personnel, the Royal Canadian Mounted Police ("RCMP"), and private petroleum industry security firms. The records suggest that the targeted organizations are viewed as potential security risks simply because they advocate for the protection of the environment.

This complaint is directed at all CSIS employees participating in, directing or supervising the impugned activities described in more detail in the body of this letter. In brief, BCCLA has serious concerns about the scope and extent of the Service's intelligence gathering activities and its practice of monitoring groups and organizations that seek to peacefully participate in public discourse about energy-related programs such as the Northern Gateway Project. BCCLA is particularly concerned about the chilling effect that such intelligence gathering and sharing will have on participation in the Board's proceedings, as

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it appears to criminalize what is intended to be a forum for public expression and engagement in decision-making processes regarding projects of significant public interest. These activities violate sections 2(b), 2(c), 2(d) and 8 of the Canadian Charter of Rights and Freedoms, and are not authorized by section 12 of the CSIS Act.

### **Background and Specific Concerns**

For the past few years, BCCLA has become increasingly alarmed by reports about the interest expressed by Canadian law enforcement and security agencies in organizations engaged in environmental advocacy. Last year, media reports documented these agencies describing such groups as "a growing radicalized environmentalist faction within Canadian society that is opposed to Canada's energy sector policies". Subsequent media reports have suggested that CSIS and other government agencies regard protests and opposition relating to the petroleum industry as threats to national security.

Most recently, the media has reported that CSIS worked with and shared information with the NEB about so-called "radicalised environmentalist" groups seeking to participate in the Board's hearings regarding the Northern Gateway Project. These groups, which include Leadnow, ForestEthics Advocacy Association, the Council of Canadians, the Dogwood Initiative, EcoSociety, and the Sierra Club of British Columbia, have well-established records of engagement and advocacy on a wide range of public issues. Also included was the relatively newer social and political movement for Indigenous rights, Idle No More. None of these groups are criminal organizations, nor do they have any history of advocating, encouraging, or participating in criminal activity.

BCCLA has reviewed the Access to Information Act records upon which these recent media reports were based, and has also been contacted by many individuals involved with these organizations. BCCLA has serious concerns about the Service's involvement and conduct in this matter. In particular, we note the following:

• Documents released by the NEB indicate that CSIS provided the Board with intelligence information beyond the open-source information its own security staff were capable of gathering. Richard Garber, the NEB's Group Leader of Security, wrote in a January 31, 2013 email that the Board's security team had consulted with CSIS "at national and regional levels," noting that they would continue monitoring all sources of information and intelligence together with police and intelligence partners. The NEB's "threat assessments" pertaining to hearings in Kelowna and Prince Rupert confirm that the Board consulted with "national-level intelligence

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<sup>&</sup>lt;sup>1</sup> Jim Bronskill, "RCMP Concerned About 'Radicalized Environmentalist' Groups Such As Greenpeace: Report," The Canadian Press, July 29, 2012.

Stephen Leahy, "Canada's environmental activists seen as 'threat to national security'," The Guardian, February 14, 2013.

<sup>&</sup>lt;sup>3</sup> Shawn McCarthy, "CSIS, RCMP monitored activist groups before Northern Gateway hearings," *The Globe and Mail*, November 21, 2013; Krystle Alarcon and Matthew Millar, "Harper government under fire for spying on environmental groups," *The Vancouver Observer*, November 21, 2013; Matthew Millar, "Harper government officials, spies meet with energy industry in Ottawa," *The Vancouver Observer*, November 22, 2013.

<sup>4</sup> Email of R. Garber re Prince Rupert security assessment, dated January 31, 2013 [A0008929\_37-000037-38].

resources" including "the Canadian Security Intelligence Service, both National Headquarters and Regional offices." BCCLA finds it disturbing that CSIS would provide such high-level intelligence to an arms-length government adjudicative body such as the NEB, particularly since national and local police had no expectation of any criminal activity in connection with the Board's proceedings.

- A member of the RCMP's Critical Infrastructure Intelligence Team ("CIIT") wrote to NEB staff and at least one CSIS official, on April 19, 2013 regarding the risk of interference with the Board's hearings by groups opposed to oilsands and pipeline development. Despite acknowledging that CIIT had no intelligence indicating a criminal threat to the NEB or its members, the email advises that CIIT "will continue to monitor all aspects of the anti-petroleum industry movement" and confirms that this information is also being shared with CSIS. Again, BCCLA is troubled that CSIS and the RCMP would deem it necessary to share information and monitor the activities of groups and individuals who are not suspected of any criminality.
- The April 19, 2013 email also refers to the biannual "NRCan Classified Briefings" held by Natural Resources Canada, at which CSIS and the RCMP share information about security matters, including the monitoring of environmental organizations and activists, with the NEB and representatives of the energy industry. Indeed, the email invites the Board's representatives to discuss their concerns with security officials at the next NRCan Classified Briefing meeting. Such information sharing may compromise the ability of individuals, groups, and organizations to participate fully and effectively before the NEB, as industry representatives may be receive information that assists in advancing their position before the Board, and the Board itself may be made privy to unproven yet highly prejudicial allegations against some of the parties appearing before it.
- Finally, it appears highly likely that "intelligence" gathered by CSIS and shared with the NEB and industry representatives includes personal information about specific individuals.

### Chilling Effect on Free Expression and Violations of Privacy

Freedom of expression is among the most fundamental of rights possessed by Canadians, and is guaranteed by section 2(b) of the *Canadian Charter of Rights and Freedoms*. Similarly, sections 2(c) and (d) of the *Charter* protect historically powerful modes of

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<sup>&</sup>lt;sup>5</sup> National Energy Board, "Appendix 9: Enbridge Northern Gateway Project Integrated Security, Logistics and Communications Plan: Kelowna," dated January 24, 2013 [A0008929\_61-000061]; National Energy Board, "Appendix 11: Enbridge Northern Gateway Project Security Plan: Prince Rupert," dated January 23, 2013 [A0008929\_77-000077].

Email of T. O'Neil to R. Garber and 23 other recipients re "Security Concerns - National Energy Board," dated April 19, 2013 [A0008929\_14-000014-15].

<sup>&</sup>lt;sup>7</sup> Matthew Millar, "Harper government's extensive spying on anti-oilsands groups revealed in FOIs," The Vancouver Observer, November 19, 2013; Matthew Millar, "Harper government officials, spies meet with energy industry in Ottawa," The Vancouver Observer, November 22, 2013.

collective expression, namely peaceful assembly and association. Protecting democratic discourse and participation in decision-making is a core rationale for these freedoms. The Supreme Court of Canada has repeatedly emphasized the paramount importance of free expression to Canadian society. As Chief Justice McLachlin stated in *Grant v Torstar Corp*, "free expression is essential to the proper functioning of democratic governance." For this reason, "freewheeling debate on matters of public interest is to be encouraged" because the truth-seeking function of public debate is dependent on the free flow of information and expression of diverse opinions.<sup>8</sup>

Any state action that discourages or deters individuals from engaging in free expression infringes section 2(b) of the *Charter*. Such violations are particularly egregious when they restrict expression concerning public affairs. BCCLA maintains that monitoring, surveillance, and information sharing with other government agencies and private sector interests creates a chilling effect for groups and individuals who may wish to engage in public discourse or participate in proceedings before the Board. Such scrutiny may also deter those who simply wish to meet with or join a group to learn more about a matter of public debate or otherwise exchange information or share views with others in their community. Indeed, BCCLA has already heard from several of the affected groups that members and prospective members of their organizations have expressed serious concerns and reluctance to participate in light of recent media reports of monitoring by law enforcement and security agencies.<sup>9</sup>

BCCLA also notes that individuals and groups have a reasonable expectation of privacy in meeting to discuss matters of public interest or planning ways of lawfully exercising their *Charter*-protected assembly and expression rights. If CSIS is involved in infiltrating these groups or is otherwise relying on confidential informants or covert intelligence gathering, then an inquiry must also be conducted into whether such activities amount to an unreasonable search in violation of section 8 of the *Charter*.

CSIS officials appear to equate advocacy for the environment at the expense of the petroleum industry as "a threat to the security of Canada". But opposing certain energy sector policies, even those viewed as key national policies to the government of the day, does not constitute subversion or a threat to national security. The evidence confirms that the groups were not suspected of any criminal activity, and were planning only to express their opinions to decision-makers and the public at large. That is a core democratic activity that should not attract the attention of CSIS. Indeed, the CSIS Act makes clear that "lawful advocacy, protest or dissent" cannot be regarded as threat to national security. Accordingly, monitoring and surveillance of these groups was not authorized by section 12 of the CSIS Act, and constituted a breach of privacy and an unreasonable search pursuant to section 8 of the Charter.

Finally, BCCLA is also concerned that the Service's ongoing collaboration and information sharing with the NEB and other interested parties may undermine the fairness of the Board's proceedings. In this regard, BCCLA is concerned that disclosing to the NEB that

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<sup>&</sup>lt;sup>8</sup> Grant v Torstar Corp., 2009 SCC 61 at paras. 48 and 52.

<sup>9</sup> BCCLA is prepared to provide the Committee with statements or other information from affected individuals and groups as to the impact of news reports of surveillance by law enforcement and security agencies on group membership and participation upon request or at such later stage as may be appropriate.

certain groups are of interest to or under investigation by CSIS may prejudice their credibility when they appear before the Board as intervening parties. As such, disclosure of intelligence information to the Board or other interested parties may compromise the right of these groups or individuals to participate in or even attend proceedings in which they have clearly expressed an interest. Moreover, CSIS is only authorized under section 12 of the CSIS Act to report intelligence or information to the Government of Canada, which would not include private sector actors or the arms-length NEB.

### Conflict of Interest

Recent media reports have identified several SIRC committee members who maintain close relationships with Enbridge and the petroleum industry. Given the subject-matter of this complaint, including allegations of inappropriate or unlawful collaboration between CSIS, the National Energy Board, and petroleum industry representatives (including Enbridge and Northern Gateway in particular), these ties raise serious concerns about conflict of interest, independence, and reasonable apprehension of bias.

BCCLA was therefore pleased to learn that the Hon. Chuck Strahl had done the right thing by voluntarily stepping down as SIRC Chair after it emerged that he is also registered as a lobbyist on behalf of Enbridge's Northern Gateway Pipelines project. However, BCCLA remains concerned that other SIRC committee members may have similar conflicts arising from their close ties to the petroleum industry and controversial pipeline projects. In particular, we note that SIRC member Denis Losier currently sits on the board of directors for Enbridge NB, a wholly-owned Enbridge subsidiary, while SIRC member Yves Fortier previously sat on the board of TransCanada Pipelines, the company that is now behind the proposed Keystone XL project. 11

Not only do these companies have direct and significant financial interests in the outcome of NEB proceedings, but they are also squarely implicated in matters raised in this complaint. For example, the above-mentioned "NRCan Classified Briefings," at which CSIS shared intelligence information with NEB and petroleum industry representatives, were sponsored by Enbridge. <sup>12</sup> In our view, the involvement in this complaint of any SIRC committee member who also works with the petroleum industry gives rise to a clear conflict of interest and reasonable apprehension of bias. In addition, participating in the investigation of this complaint could provide these individuals with information or insight which may be extremely valuable to their petroleum industry clients.

Given these serious concerns, BCCLA maintains that any Review Committee members having ties to the petroleum industry must recuse themselves from <u>any</u> participation or involvement in the investigation of this complaint, and no other member who may have similar ties to the petroleum industry should be designated to act in respect of this matter.

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<sup>&</sup>lt;sup>10</sup> Matthew Millar, "Canada's top spy watchdog lobbying for Enbridge Northern Gateway pipeline," *The Vancouver Observer*, January 4, 2014.

<sup>17</sup> Greg Weston, "Other spy watchdogs have ties to oil business," *CBC News*, January 10, 2014.

18 Matthew Millar, "Harper government's extensive spying on anti-oilsands groups revealed in FOIs," *The Vancouver Observer*, November 19, 2013.

#### Conclusion

In light of the foregoing, BCCLA asks that the Committee undertake a full investigation of the allegations described in this complaint and those CSIS members who are or may have been involved in targeting groups participating or seeking to participate in NEB hearings. You will note that this letter is copied to Michel Coulombe, Interim Director of CSIS. As such, our letter also constitutes a complaint to the Director, as required under section 41 of the CSIS Act. As we anticipate that CSIS will issue its final response within thirty days, we would ask SIRC to take the preliminary steps needed to commence its review of the within complaint by appointing a member of the Committee to investigate this matter, keeping in mind the conflict of interest and bias concerns discussed above.

In particular, we expect the investigation to address the following questions:

- Why is CSIS (and other branches of Canadian law enforcement and security apparatus) monitoring public interest, environmental and advocacy groups, in particular Leadnow, ForestEthics Advocacy Association, Council of Canadians, the Dogwood Initiative, EcoSociety, the Sierra Club of British Columbia, and Idle No More, despite an absence of any basis for believing that these groups have engaged in criminal wrongdoing?
- For how long has CSIS been involved in surveillance of these, and other, groups?
- Under what law, regulation or other authority is CSIS acting when it monitors these groups?
- Why is CSIS sharing information about public interest, environmental and advocacy groups with members of the petroleum industry?
- Under what authority is CSIS acting when sharing intelligence concerning these groups with members of the petroleum industry?
- What information has been conveyed by CSIS to members of the petroleum industry?
   (We request copies of any notes, transcripts or recordings of these communications.)

We trust you will appreciate the urgency of this matter, and look forward to hearing from you regarding next steps in the complaint process as soon as possible. We remain available to address any questions or furnish any additional information which you may require in the course of your inquiry into this matter.

Yours trul

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c:

J. Paterson, Executive Director, BCCLA M. Coulombe, Interim Director, CSIS

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### Rick Garber

From:

Rick Garber

Sent:

January 31, 2013 5:05 PM

To:

Shella Leggett, Kenneth Bateman; Hans Matthews

Cc:

Ruth Mills; John Pinsent; Gord Campbell; Lee Williams (Lee.Williams@neb-one.gc.ca);

Kelly-Anne Dypolt (Kelly-Anne Dypolt@neb-one.gc.ca)

Subject:

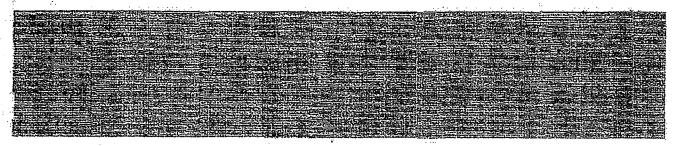
RE: Prince Rupert security assessment

Sheila, Kenneth and Hans,

In response to your query, the Security Team has consulted today with CSIS at national and regional levels; RCMP at national, regional and local (Prince Rupert Detachment) level and conducted a thorough review of open source intelligence, including social media feeds.

Based on the intelligence received, we have no indications of threats to the Panel at this time.

Intelligence has been received of Idle No More activities planned for Feb 9 and 11 in Prince Rupert, as well as the possibility of activities associated with the "All Native basketball Tournament" being held in Prince Rupert the week of 10-16 February - but none of these activities correspond with your schedule in Prince Rupert.



The Security Team, together with our police and intelligence partners, will continue to monitor all sources of information and intelligence and promptly advise the Panel of any changes to the current threat assessment.

Rick

Richard S. Garber, CD, MA, MBA

Group Leader, Security | Chef de groupe, sureté Business Integration | Intégration Opérationelle National Energy Board | Office national de l'énergie.

444 - Seventh Avenue SW | 444, Septième Avenue S.-O.

Calgary, Alberta T2P 0X8 | Calgary (Alberta) T2P 0X8 Phone | Téléphone : 403-299-3679 Fax | Télécopieur : 403-292-5503 Richard Garber@neb-one.gc.ca

---Original Message----

From: Sheila Leggett

Sent: January 31, 2013 8:54 AM

To: Rick Garber

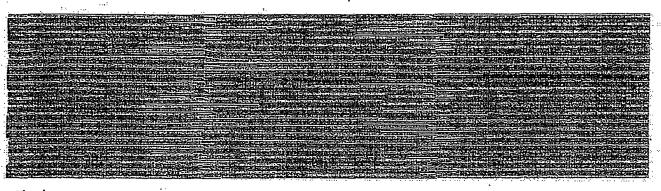
Cc: Kenneth Bateman; Hans Matthews; Ruth Mills

Subject: Prince Rupert security assessment

Rick.

s.21(1)(a) s.21(1)(b)

A0008929\_37-000037

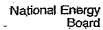


Thanks, Sheila

> s.21(1)(a) s.21(1)(b)

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A0008929\_38-000038





Office national de l'énergie

### Appendix 9

### ENBRIDGE NORTHERN GATEWAY PROJECT INTEGRATED SECURITY, LOGISTICS AND COMMUNICATIONS PLAN-

### **KELOWNA**

Sandman Hotel & Suites Kelowna 2130 Harvey Avenue, Kelowna, BC

January 28, 2013

Issue Date: January 24, 2013

Canada Departmental Security Officer - RDIMS 682869

A0008929 50-000050

Daily briefing at end of hearing day by email from NEB Security or one of the NEB Security
 Advisors to Presiding Member, Departmental Security Officer, Secretary, Applications BU Leader
 and Applications Team Leader

### 12. THREAT ASSESSMENT

### Overview:

As of 24 January 2013 no direct threats to the safety and security of the panel and NEB staff participating in the Kelowna Hearings have been identified. However, information obtained through open source media, and the Kelowina RCMP has identified indications that there will be protest activity on 28 January 2013.

s.16(2)(c)

### National-Level Intelligence Resources:

The NEB has consulted the Canadian Security Intelligence Service, both National Headquarters and Regional offices,

s.16(2)(c)

National level RCMP intelligence assets

s.21(1)(a)

#### Police Intelligence Resources:

NEB Security and the Kelowna RCMP held an initial meeting on December 17, 2012 and have discussed the hearings, associated venue and threat intelligence; there have been ongoing liaison and coordination. Ongoing liaison with the Kelowna RCMP

s.16(2)(c)

As protests are anticipated the Kelowna RCMP will be maintaining public peace for planned protests and will have First National Liason Officers working with the Idle No More and other groups to ensure public order is maintained. There is no specific threat to personnel or property.

s.21(1)(a)

#### Open Source Information Reporting:

Idle No More (INM). INM is planning to protest by blocking 2100 block of Enterprise Way as well at, or around, the Sandman Hotel & Suites Kelowna from 0900 – 1400 hrs, 28 Jan 12. This time/date has been chosen to coincide with the ENG JPR hearings.

s.16(2)(c)

<u>People's Summit.</u> On 26 Jan, the People's Summit is planning to host keynote speakers as well as a question and answer session. Grand Chief Stewart Phillip, Elizabeth May, Damien Gillis and Rob Fleming are anticipated to speak. The People's Summit is encouraging citizens to either bare witness with honor to the testimonies given at the Hearing or to engage in organized rallies at designated public locations.

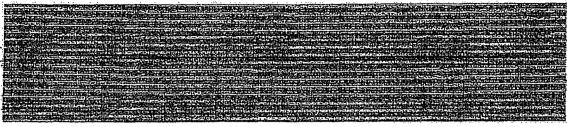
<u>Leadnow and Dogwood Initiative</u>. On 27 Jan, the Leadnow and Dogwood Initiative will be providing an afternoon workshop and skills training that will provide tools and strategies for community resistance and solidarity to members of the public. This initiative is intended to foreshadow the Hearings on 28 Jan.

= 16(2)(c)

12

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EcoSociety. The EcoSociety of Nelson, BC, is chartering a bus from Nelson to attend the Hearings on 28 Jan (0600 hrs - 1600/1700 hrs). In their notice they state that "[t]he public apparently CAN attend the hearing."

The Kelowna RCMP as well as NEB Communications and Security continue to monitor open source information.

### 13. SECURITY LEVEL

Further details can be found in the Risk Level raple, Hearing Security Management Procedure Manual, Appendix 4.1.

### 14. HEARING SITE SECURITY PLAN

s.16(2)(c) s.21(1)(a)

The specific security plans have been tailored to the potential Hearing threat, vulnerability and risks. Reporting to the Hearing Manager, security coordination at the Hearing Site will be conducted by Lee Williams, NEB Security Advisor, and will be deployed to the Hearing venue to ensure appropriate security management of the Hearing.

The Kelowna RCMP will provide law enforcement and emergency response services in and around the Hearing site.

In case of an emergency situation that cannot be mitigated by the NEB, security and police resources,

Should it necessary to move NEB personnel from any one of the booked rooms, personnel will evacuate under police protection

### 15. ROUTINE SECURITY ISSUES

Pre-Hearing Site Security Verification:

Verification will be done by NEB/contract security advisors.

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### Appendix 11

## ENBRIDGE NORTHERN GATEWAY PROJECT SECURITY PLAN

### PRINCE RUPERT

Chances Casino
240 West 1st Ave, Prince Rupert, BC

February 4 - May 17, 2013

Issue Date: January 23, 2013

Canadä

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### 7. Communications

There are no concerns with communications at this venue as it is in an urban area with cell phone coverage and land lines.

s.16(2)(c) s.21(1)(a)

### 8. Media

A review of media (local and social) reports up to January 23, 2013, has not identified any issues associated to these hearings. On the evening of January 11, 2013, Idle No More conducted a peaceful rally in Prince Rupert<sup>1</sup>

### 9. Itinerary

Information as shown in RDIMS #560681 and other sources (subject to change).

Itinerary for this round of hearings are published separately for each two week Hearing Session as follows:

Annex 1 - February 4 - 8 See RDIMS 689545

Annex 2 - February 18 - March 1 See RDIMS 692541

Annex 3 - March 11 - 22 See RDIMS 698141

Annex 4 - April 2-12 See RDIMS 701183

Annex 5 - April 22 - May 3 See RDIMS 706298

Annex 6 - May 13-17

### 10. Threat Assessment

### Overview:

There are no confirmed gatherings in the Prince Rupert area related to the hearings at this time.

#### National-level Intelligence Resources:

The NEB has consulted the Canadian Security Intelligence Service, both National Headquarters and regional offices.

### Police Intelligence Resources:

NEB Security and the RCMP have been in regular communications since an initial meeting on October 24, and have discussed the hearings, associated venues and threat intelligence.

Ongoing liaison with Prince Rupert RCMP Detachment

10

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<sup>&</sup>lt;sup>1</sup> TheNorthernView.com, *Idle No More movement holds Prince Rupert rolly* http://www.thenorthernview.com/news/186629451.html

#### Rick Garber

From:

Timothy O'Neil <tim.oneil@rcmp-grc.gc.ca>

Sent:

April 19, 2013 6:51 AM

To:

Rick Garber, Roberta Alder,

Wes Elliott; Barbara WEGRZYCKA; Bill Kalkat; Brittany McBain; Chris Pallister; Dan BOND;

Irene Lemaire, Jim (Edmonton) STEWART; Kyle Melnychyn; Laurie MACDONELL; Nicole Bristow, Nicole Murphy, Noel FLATTERS; Robert Zawerbny; Scott Foster; Sofia

MANOLIAS; Steve CORCORAN; Ted Broadhurst; Timothy O'Neil; Wendy Nicol:

Subject:

Security Concerns - National Energy Board

Attachments:

ONeil, Timothy.vcf

#### Roberta

Please open a SPROS/SIR file for this.

Rick: I reviewed the noted websites and agree there is some questionable rhetoric by the participants. However, I could not detect a direct or specific criminal threat.

CITT currently has no intelligence indicating a criminal threat to the NEB or its members.

However, there continues to be sustained opposition to the Canadian petroleum and petroleum pipeline industry with most of it directed at the Alberta Oil Sands. To date, opposition to the Canadian petroleum industry has included both lawful and unlawful actions. Unlawful actions have ranged from acts of civil disobedience to acts of vandalism, sabotage and threats to property and persons.

Opponents to the Oil Sands have used a variety of protest actions to draw attention to the Oil Sands' negative environmental impact, with the ultimate goal of forcing the shut down of the Canadian petroleum industry. These same groups have broadened their protests to include the pipelines and more recently, the railroad industry, who the opposing groups claim are facilitating the continued development of the Oil Sands.

Opposition is most notable in the British Columbia, with protest focused on the: Enbridge Northern Gateway; Kinder Morgan Trans Mountain Pipeline expansion; the increasing use of hydraulic fracturing, and proposed LNG facilities.

More recently, Enbridge's Line 9 reversal proposal, which will move Oil Sands' oil through the heart of Ontario, has moved to the front of the anti-Oil Sands movement,

The anti-petroleum and anti-nuclear movement has attempted to interfere within the federal regulatory hearings (NEB and CNSC), and have used coordinated/mass interventions, that have at times, bogged down the regulatory hearings. In response; the federal government has instituted new regulatory procedures that will limit who may make formal presentations at the NEB's public hearings.

These new hearing procedures have re-focused protest activity from the content of the hearings, to the conduct of the hearings.

As such, protest rhetoric is being directed at the NEB and its members.

As the NEB is the federal regulator for many aspects of the Oil Sands, it is the focus of attention by many anti-Oil Sands, anti-Canadian petroleum, and anti-petroleum pipeline operations, and it is highly likely that the NEB may expect to receive threats to its hearings and its board members.

As always, prior to conducting its hearings, I encourage NEB to discuss its security concerns with the police of jurisdiction.

1

A0008929\_14-000014

CIIT will continue to monitor all aspects of the anti-petroleum industry movement to identify criminal activity, and will ensure you are apprized accordingly.

I have included the RCMP's CITT Divisional analysts and message.

within this

If you are planning to attend the NRCan May 23rd Classified Briefing, you may wish to discuss your concerns with the security officials who will be in the briefing room.

You are welcome to contact me directly to discuss your concerns in more detail.

Regards......Tim

Tim O'Neil
Senior Criminal Intelligence Research Specialist
Critical Infrastructure Intelligence Team
Federal Policing Criminal Operations
M3, 4th Floor, Rm 616-95,
Mailstop #148
73 Leikin Drive,
Ottawa, Ontario
K1A0R2

613-843-5129

s.19(1)

613-825-7030 (f)

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>>> Rick Garber <Richard.Garber@neb-one.gc.ca> 2013-04-18 14:45 >>>

Tim, enclosed please find the link to a recent YouTube item wherein threats to energy CI (pumping stations) and possibly to government officials ("targeting" the NEB panel members) is featured,

Your assistance is sought in establishing whether this represents a credible threat to the NEB panel members from the RCMP perspective.

Thanks in advance!

Pint.

Richard S. Garber, CD, MA, MBA.
Group Leader, Security | Chef de groupe, sureté
Corporate and Information Solutions
National Energy Board | Office national de l'energie

444 - Seventh Avenue SW | 444, Septieme Avenue S.-O.

Calgary, Alberta T2P 0X8 | Galgary (Alberta) T2P 0X8

Mobile | Cellulaire Fax | Télécopieur : 403-292-5503

Richard Garber@neb-one.gc.ca

From: Whitney Punchak Sent: April 17, 2013 11:53 AM To: John Pinsent; Rick Garber

Cc: Paul Lackhoff

Subject: FW: You Tube anti Line 9 video

s.19(1)~

2

A0008929 15-000015

s.19(1) s.21(1)(a)

			'4
Hi	lohi	า ลกท่	Rick.

I did a little research on the two people who were interviewed by Poor Man Media.

http://toronto.mediacoop.ca/author/zach-ruiter

http://rabble.ca/category/bios/zach-ruiter

http://www.youtube.com/watch?v=SLi2Q3nvteg

http://www.genuinewitty.com/2013/02/04/toronto-anarchists-make-a-mockery-out-of-idle-no-more-feat-zach-ruiter-derek-soberal/

https://twitter.com/lifeortheatre

From: Paul Lackhoff

Sent: April 17, 2013 9:51 AM

To: Jody Saunders; Whitney Punchak; Ryan Rodier; Sylvia Marion; Jamie Kerelluk; Alex Ross; Carole Léger-Kubeczek

Cc: Margaret Barber; Sandy Lapointe; Ed Jansen; Tracy Sletto; John Pinsent

Subject: You Tube anti Line 9 video

http://www.youtube.com/watch?v=G5\_AZV3mmEE

s.21(1)(a)

November 28, 2013

### HUST POLITICS

CANADA

### RCMP Concerned About 'Radicalized Environmentalist' Groups Such As Greenpeace: Report

CP | By Jim Bronskill, The Canadian Press Posted; 07/29/2012 5:00 am Updated; 07/29/2012 10:33 am

THE CANADIAN PRESS \*+\*3

OTTAWA - There is a "growing radicalized environmentalist faction" in Canada that is opposed to the country's energy sector policies, warms a newly declassified intelligence report.

The RCMP criminal intelligence assessment, focusing on Canadian waters, cites potential dangers from environmental activists to offshore oil platforms and hazardous marine shipments, representing perhaps the starkest assessment of such threats by the Canadian security community to date.

The report drew a sharp dismissal from Greenpeace — a prominent environmental group singled out in the document — which suggested it could simply be an effort by security authorities to tell the Harper government what it wants to hear.

The Canadian Press obtained a heavily censored copy of the September 2011 threat assessment of marine-related issues under the Access to Information Act.

The report was compiled by the Mounties with input from the Canada Border Services Agency, Canadian Security Intelligence Service, Defence Department, Fisheries and Oceans and Transport Canada. Contributing agencies reviewed the resulting assessment.

"The Canadian law enforcement and security intelligence community have noted a growing radicalized environmentalist faction within Canadian society that is opposed to Canada's energy sector policies," says the report.

"Greenpeace is opposed to the development of Canada's Arctic region, as well as Canada's offshore petroleum industry. Criminal activity by Greenpeace activists typically consists of trespassing, mischief, and vandalism, and often requires a law enforcement response.

"Greenpeace actions unnecessarily risk the health and safety of the activists, the facility's staff, and the first responders who are required to extricate the activists."

Recent protests off the coast of Greenland involving Greenpeace vessels MV Esperanza and Arctic Sunnise "highlight the need to be prepared for potential threats to the safety and security of offshore oil and gas platforms."

"Tactics employed by activist groups are intended to intimidate and have the potential to escalate to violence."

For years CSIS has cited the potential for the most extreme environmentalists to resort to violence. But some critics have accused the Conservative government of taking the message much further with none-too-subtle warnings about "environmental and other radical groups" bent on derailing major oil, forestry and mining projects.

Yossi Cadan, campaigns director for Greenpeace Canada, said while group members sometimes trespass on private property to make their point, the group shuns violence.

"We're peaceful and non-violent. We are taking direct actions, but it's never violent," he said, adding "safety is a No. 1 priority for us."

"There is a difference between breaking the law and criminal activities," Cadan added.

"It's true that the distance between the government policy and the environmental movement is growing, but I don't think that the movement is getting more radical."

It seems like anyone who disagrees with the government on subjects such as the Alberta oilsands "has become an enemy in many ways," he said.

Cadan accused the federal government of trying to avoid the real issues by publicly attacking opponents. "It's not going to work because we are going to continue and focus on the environmental issues."

For its part, CSIS denies any ideological bias against environmental activists, saying in a recently declassified memo from earlier this year that, "Needless to say, such accusations are patently untrue."

Overall, the 2011 RCMP-led assessment of Canadian waters found criminal organizations continue to exploit marine ports, waterways and waterside infrastructure to smuggle drugs, people and other commodities including stolen vehicles.

In addition, the report says illegal fishing remains a problem, and Canada's expertise in maritime and scientific fields makes it "an attractive target for espionage."

IP Concerned About 'Radicalized Environmentalist' Groups Such As ... http://www.huffingtonpost.ca/2012/07/29/radical-environmentalism-rcmp...

Increased accessibility to ice-free Arctic waterways may also result in greater commercial fishing and vessel activity, says the report. The boost in traffic, along with a commercial fisheries ban in the Beaufort Sea, "could lead to an increase in illegal, unreported and unregulated" fishing in the Arctic, it adds.

The assessment concludes there is a need for strategies "to detect and disrupt threats" before they occur.

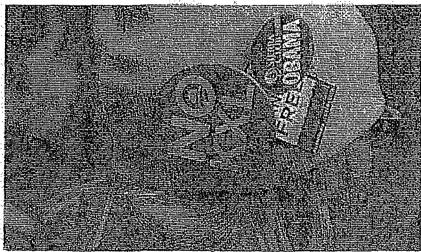
EARLIER ON HUFFPOST

### theguardian

## Canada's environmental activists seen as 'threat to national security'

Police and security agencies describe green groups' protests and petitions as 'forms of attack', documents reveal

- Stephen Leahy in Uxbridge, Canada
- theguardian.com, Thursday 14 February 2013 17.41 GMT



Canadian government agencies have been accused of conflating extremism with peaceful protests, such as the ongoing campaign against Keystone XL tar sands pipeline project. Photograph: Jonathan Ernst/Reuters

Monitoring of environmental activists in Canada by the country's police and security agencies has become the "new normal", according to a researcher who has analysed security documents released under freedom of information laws.

Security and police agencies have been increasingly conflating terrorism and extremism with peaceful citizens exercising their democratic rights to organise petitions, <u>protest</u> and question government policies, said <u>Jeffrey Monaghan</u> of the Surveillance Studies Centre at Queen's University in Kingston, Ontario.

The RCMP, Canada's national police force, and the Canadian Security Intelligence Service (CSIS) view activists activities such as blocking access to roads or buildings as "forms of attack" and depict those involved as national security threats, according to the documents.

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Protests and opposition to Canada's resource-based economy, especially <u>oil</u> and <u>gas</u> production, are now viewed as threats to national security, Monaghan said. In 2011 a Montreal, Quebec man who wrote letters opposing shale gas fracking was charged under Canada's Anti-Terrorism Act. Documents released in January show the RCMP has been monitoring Quebec residents who oppose fracking.

"Any Canadians going to protest the <u>Keystone XL pipeline</u> in Washington DC on Sunday had better take precautions," Monaghan said.

In a Canadian Senate committee on national security and defence meeting Monday Feb 11 Richard Fadden, the director of CSIS said they are more worried about domestic terrorism, acknowledging that the vast majority of its spying is done within Canada. Fadden said they are "following a number of cases where we think people might be inclined to acts of terrorism".

Canada is at very low risk from foreign terrorists but like the US it has built a large security apparatus following 9/11. The resources and costs are wildly out of proportion to the risk said Monaghan.

"It's the new normal now for Canada's security agencies to watch the activities of environmental organisations," he said.

Surveillance and infiltration of environmental protest movement has been routine in the UK for some time. In 2011 a Guardian investigation revealed that a Met police officer had been living undercover for seven years infiltrating dozens of protest groups.

Canadian security forces seem to have a "fixation" with Greenpeace, continually describing them as "potentially violent" in threat assessment documents, said Monaghan.

"We're aware of this" said Greenpeace Canada's executive director Bruce Cox, who met the head of the RCMP last year. "We're an outspoken voice for non-violenceand this was made clear to the RCMP," Cox said.

He said there was real anger among Canadians about the degradation of the natural environment by oil, gas and other extractive industries and governments working for those industries and not in the public interest. Security forces should see Greenpeace as a "plus", a non-violent outlet for this anger, he argued. "It is governments and fossil fuel industry who are the extremists, threatening the prosperity of future generations."

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### THE GLORIFAND MAIL \*

November 21, 2013

## CSIS, RCMP monitored activist groups before Northern Gateway hearings By SHAWN MCCARTHY

The National Energy Board worked with police to monitor risk posed by environmental groups and First Nations

The National Energy Board worked with the RCMP and Canadian Security Intelligence Service to monitor the risk posed by environmental groups and First Nations in advance of public hearings into Enbridge Inc.'s Northern Gateway project, documents released under Access to Information regulations reveal.

In one e-mail, dated April 19, a member of the RCMP's Critical Infrastructure Intelligence Team warns that the federal government's efforts to exclude activist groups from regulatory hearings could result in protesters "targeting" NEB panel members.

"These new hearing procedures have refocused protest activity from the content of the hearings to the conduct of the hearings," Tim O'Neil, an Ottawa-based RCMP "research specialist" says.

The e-mail – with the subject heading "Security Concerns – National Energy Board – was sent to a number of federal officials, including NEB's chief security officer Richard Garber.

Noting "sustained opposition" to oil sands expansion, Mr. O'Neil said it was "highly likely that the NEB may expect to receive threats to its hearings and its board members."

However in an extensive e-mail chain, Mr. Garber and other RCMP analysts said they had not identified any threats or criminal activity, and that protests against the project had so far been peaceful.

The police monitoring of regulatory hearings reflects the growing tension around certain resource projects, as pipeline companies seek NEB approval for a series of highly controversial plans aimed at bringing Alberta crude to new markets. Those include Enbridge Inc.'s Northern Gateway through B.C. and the Line 9 reversal, which would transport western crude through Ontario to Montreal, as well as TransCanada Corp.'s Energy East line that would ship 1.1-million barrels per day to refineries and export terminals in eastern Canada. The projects face fierce opposition from environmentalists, as well as some First Nations communities.

Activists in the U.S. are pledging a campaign of non-violent civil disobedience if President Barack Obama approves, TransCanada's Keystone XL pipeline.

The documents were obtained under Access to Information by an Ottawa-based media outlet Blacklock Group and released to ForestEthics Advocacy, which was among the groups monitored by the RCMP.

"This a light-year leap in the level of paranoia and government action to protect the profits of private companies," Toronto lawyer Clayton Ruby said Thursday. Mr. Ruby, who is chairman of ForestEthics Advocacy, said environmental groups typically endorse only lawful protests. In the rare instances civil disobedience is used as a tactic, it remains peaceful, he added.

The documents make it clear that police have informants from movements like the aboriginal Idle No More movement. They also make reference to police monitoring of the websites, press releases, social media and other public statements of environmental groups including the Council of Canadians, the Dogwood Initiative, the Sierra Club of British Columbia and ForestEthics.

According to other documents previously disclosed under Access to Information, The RCMP and CSIS have identified "extremist" environmental groups and aboriginal protesters as a potential source of domestic terrorism, thereby justifying the monitoring and infiltration of such groups. An RCMP spokesman was unable to comment on the documents on Thursday.

NEB spokeswoman Sarah Kiley said the board was merely doing routine security reviews to ensure the Northern Gateway hearing would remain safe and peaceful.

"Under the Canada Labour Code, we are required to ensure the safety of our NEB staff and NEB members and we would extend that to participants in the hearings," Ms. Kiley said. "As part of that, we would have a look at the environment to see if there is anything that we should be aware of and make our plans accordingly."

She added she was not aware of any threat that prompted the contact with police and CSIS.

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Published on The Vancouver Observer (http://www.vancouverobserver.com)

### Harper government under fire for spying on environmental groups

Green leaders and members of Parliament react to FOIs obtained by the Vancouver Observer that revealed the National Energy Board was coordinating spying efforts on environmental groups.

Krystle Alarcon and Matthew Millar Posted: Nov 21st, 2013 (Page 1 of)

Politicians, environmentalists and First Nations alike are infuriated that the federal government worked hand-in-hand with the oil industry to spy on groups that opposed pipeline projects.

<u>Documents obtained by the Vancouver Observer</u> under the Access to Information Privacy Act revealed that the <u>National Energy Board</u>, an independent regulatory agency, coordinated with the <u>Canadian Security Intelligence</u> <u>Service</u> (CSIS), the police, and oil companies.

"It's the death of democracy if you've got non-violent, law-abiding First Nations, environmentalists and Canadian groups of all kinds being subjected to surveillance then handed over to industry groups. Frankly, it's scary," said Elizabeth May, the MP and Green Party leader. "What Stephen Harper has essentially done is to take the spy agencies of the federal government of Canada and put them at the service of private companies like Enbridge."

The board coordinated the gathering of intelligence on opponents to the oil sands before the Joint Review Panel hearings on the proposed Enbridge pipeline, which will carry up to <u>525,000 barrels of oil everyday</u> from Alberta to Kitimat in northern BC.

Emails between the board and CSIS looked at groups that work for environmental protections and democratic rights, including <u>Idle No More</u>. ForestEthics, Sierra Club, EcoSociety, LeadNow, Dogwood Initiative, Council of Canadians and the People's Summit.

May, who was in Poland for the <u>United Nations conference on climate change</u>, was alarmed by the private-public sector partnership.

Even the innuendos within the exchanges of emails between the board and CSIS alarmed her.

"The assumption in the briefing documents (of the NEB) is that somehow we pose a threat to the state because we are potentially a security threat," which could lead into using the new anti-terrorism law against opponents, May said.

In a letter called, "Can you keep a secret?" last month, May already raised red flags about CSIS working too closely with industry, as it spied on Brazil's mining industry and gave their findings to Canadian energy companies.

The Green Party, NDP and Liberal Party criticized the Conservative government after finding out about the board's involvement with intelligence agents.

"I wonder if I'm under investigation, I raised questions about the Enbridge pipeline," said <u>Nathan Cullen</u>, the MP and NDP House Leader.

He called the relationship between the board and CSIS disturbing: "It's very Canadian to be involved in your community. It's very un-Canadian to run the country like Joe McCarthy looking for enemies of the state just because they disagree with you."

Liberal Party MP and environment critic <u>John McKay</u> expressed similar outrage. "If Canadians can't intervene on an issue in a manner where you feel comfortable, and without being 'blacklisted,' then this speaks to the diminishing quality of democracy," he said.

McKay was referencing how environmental groups were allegedly blacklisted as enemies of the Government of Canada last year.

He further slammed the board for its coordination efforts with CSIS and the RCMP. "These are 'sham hearings — a moot court' only carrying out the work of the Harper government," McKay argued.

Liberal MP Joyce Murray said that the NEB's neutrality had been compromised by the current administration.

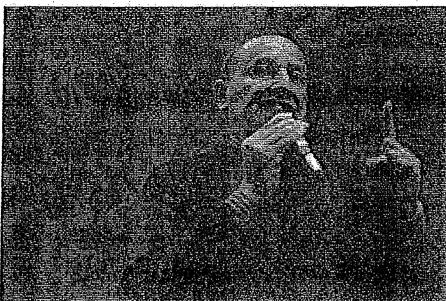
"It's supposed to be a neutral agency. In fact it is controlled by the government, so the question in my mind is, was it the government that instructed the NEB to do this?"

NDP environmental critic Megan Leslie said, "Canadians should push back".

Council of Canadians environment campaigner Andrea Harden-Donahue said, "The NEB is meant to be an independent federal agency, not a spy watch dog. This is yet another example of the NEB failing to meet its mandate."

### "Third World police state"

Grand Chief Stewart Philip was outraged that the Idle No More movement was spied upon, he said, adding, "I'm shocked that the National Energy Board would do such a thing. It's a gross infringement on our freedom of speech and freedom and right to free assembly. It smacks of Third World police state."



Grand Chief Stewart Phillip,

head of Union of BC Indian Chiefs. Photo by David P. Ball (davidpball.com)

One environmentalist is worried the government taps her phone line. "It makes any person who acts openly on their desires to see Canada have a clean future become second-class citizens," said <u>Valerie Langer</u>, with <u>ForestEthics Solutions</u>. "Everything we do is perfectly clear. We do not hide from what we see as industrial exploitation that is threatening the environment and the people."

She added that, "We will keep doing what we do best which is to mobilize people. We will continue to do our work."

Will Horter, of the Dogwood Initiative said the spying was a waste of taxpayers' money. One email in particular, that focused on the Dogwood Initiative's event in a Kelowna church on Jan.27, was "farcical", he said. "We were training participants on how to be better story makers and sign makers. What appears to have triggered the surveillance is that we worked with a number of people to participate in a public process," he said. "This will reinvigorate us if anything."

Harper will stop at nothing, he said, adding that "he has gutted the environmental laws, changed the hearing policies midstream, cut funding for vital organizations. He's done a lot of things governments haven't done before. I can see him fix the spy agencies on Canadians."

Cullen said he will file for his own access to confidential government documents, but added that it will be hard to get CSIS to disclose anything.

"The government would be able to say they operated at arms length... so we need to drag the CSIS national director into this," he said.

Grand Chief Stewart Philip plans on talking to his legal counsel. He will also consult with <u>British Columbia Civil Liberties Association</u> and <u>Amnesty International</u>, he said. "We will not stand down, regardless of this secret state mentality of the Harper government infringing upon our legal rights."

### More in **Environment**

Deadly Sinopec pipeline blast in China raises questions in BC

Obama approves border-crossing fracked gas pipeline used to dilute tar sands

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Climate pollution: 140 nations vs Alberta's tar sands

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## Harper government officials, spies meet with energy industry in Ottawa

Matthew Millar Posted: Nov 22nd, 2013 (Page 1 of)

Government <u>spies</u> and energy stakeholders met in Ottawa yesterday to discuss issues of national security, including the monitoring of environmental organizations and activists.

Harper government's extensive spying on anti-oil sands groups revealed in FOIs

This meeting is the second of bi-annual "classified briefings" held at CSIS headquarters in Ottawa, bringing together federal agencies, spies, and private industry stakeholders with high level security clearances, including officials from energy companies in the oil, natural gas, pipeline, petroleum refinery and electricity sectors.

The last briefing was held on May 23 and was sponsored by Enbridge, Brookfield and Bruce Power.

In attendance at prior briefings were representatives from the RCMP, CSIS, NEB, DND (Department of National Defence) and also the Communications Security Establishment (CSEC), a federal agency that spies mainly on foreigners by hacking into their computers, reading their email and intercepting their phone calls. It was reported last month in documents released by whistle blower Edward Snowden that <u>CSEC has spied on computers and smartphones</u> affiliated with Brazil's mining and energy ministry in a bid to gain economic intelligence.

The purpose of the classified briefing is to provide intelligence to select energy representatives, while encouraging the private sector to brief the Canadian Intelligence and law-enforcement community on issues that they would not "normally be privy to".

"From my experience, these briefings provide an excellent forum to build the relationships required to assist the RCMP within its investigations" writes Tim O'Neil, RCMP Senior Criminal Research Specialist in an email sent in advance of a 2012 briefing. The energy sector representatives all possess at least a Level II (Secret) Security Clearance. There are three levels of clearance, as defined by the Policy of Government Security: Confidential (Level I), Secret (Level II) and Top Secret (Level III).

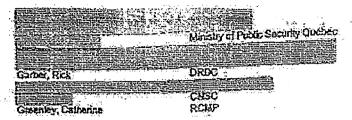
<u>Documents published</u> earlier this week reveal the cooperation of the RCMP, CSIS and the National Energy Board in the gathering of intelligence on oil sands opponents, including advocacy organizations and First Nations groups.

"These are legitimate spokespersons, relating concerns that people have on the environmental impacts of Conservative and industry plans", said Liberal MP Joyce Murray, who suggests that these actions are part of an intimidation campaign by Prime Minister Stephen Harper and his government:

The documents, 140 pages of emails and operations plans from December 2012 to April 2013, show Richard "Rick" Garber, the NEB's "Group Leader of Security" overseeing the cooperation of RCMP, CSIS and

private energy companies.

In a list of 2011 briefing attendees obtained last night, Garber is identified as a representative of DRDC, an agency of Canada's Department of National Defence (DND).



# Click on image to enlarge.

DRDC provides DND, the Canadian Armed Forces and other government departments as well as the public safety and national security communities, "the knowledge and technological advantage needed to defend and protect Canada's interests at home and abroad," according to DRDC's website.

The National Energy Board, Canada's independent federal regulator of pipelines, responded yesterday to reports of intelligence gathering on opponents to the proposed developments. In a statement from NEB CEO Gaétan Caron, he acknowledges that the NEB may work with local officials and federal colleagues such as "the RCMP in the interests of safety for the public hearings, NEB Board Members, staff and the general public."

It has <u>raised concerns</u> in Parliament that the collection of intelligence on Canadians is happening without parliamentary oversight, and potentially, with partisan influence and outside the confines of the law.

CSIS is overseen by the independent Security Intelligence Review Committee (SIRC). SIRC is currently chaired by former Conservative cabinet minister Chuck Strahl. Disgraced committee member <u>Dr. Arthur Porter</u>, who was appointed by Stephen Harper in 2008, is currently in a Panamanian jail facing a range of charges, from money laundering, to taking kickbacks and conspiracy to commit fraud.

Both the National Energy Board and Security Intelligence Review Committee are supposed to function free of government collusion, but parliamentarians say they believe that the Harper government has instructed, or at least influenced the agencies in this case. MP Megan Leslie, deputy opposition leader and environmental critic is outraged. "It's not appropriate for the government to be giving these instructions".

She feels that they have influenced the NEB either by direct instructions or in creating a fear-based culture within the independent agency.

"The National Energy Board is supposed to be a neutral agency," said Liberal MP Joyce Murray.

"Of the three members on the NEB Joint Review hearing panel, one is handpicked by the government, with the second holding a power of veto," she continued, noting that two out of the three panel members are either selected or endorsed by government.

"This is unprecedented," says Murray, "and now they are potentially instructing the NEB to collect private information and we have no way of knowing if it is being used counter to the law or not."

# More in Canada

Ecojustice demands National Energy Board answer for spying on anti-oil sands groups

Canada's approval puts Frankenfish' one step closer to dinner plate

Rex Murphy is fluent in the language of occupation

Surveillance Trojan Horse or Big Brother in disguise?

Exposure of Harper government spying should frighten "scandal-plagued" Tory pols: Leadnow

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Published on The Vancouver Observer (http://www.vancouverobserver.com)

# Harper government's extensive spying on anti-oilsands groups revealed in FOIs

Independent federal agency, National Energy Board, directly coordinated effort between CSIS, the RCMP and private oil companies.

Matthew Millar Posted: Nov 19th, 2013 (Page 1 of)

The federal government has been vigorously spying on anti-oil sands activists and organizations in BC and across Canada since last December, documents obtained under the Access to Information Act show. Not only is the federal government subsidizing the energy industry in underwriting their costs, but deploying public safety resources as a de-facto 'insurance policy' to ensure that federal strategies on proposed pipeline projects are achieved, these documents indicate.

Before the National Energy Board's Joint Review Panel hearings on the proposed Enbridge oil pipeline, the NEB coordinated the gathering of intelligence on opponents to the oil sands. The groups of interest are independent advocacy organizations that oppose the Harper government's policies and work for environmental protections and democratic rights, including Idle No More. ForestEthics, Sierra Club, EcoSociety, LeadNow, Dogwood Initiative, Council of Canadians and the People's Summit.

- Leadnow and Dogwood Initiative. On 27 Jan, the Leadnow and Dogwood Initiative will be providing an afternoon workshop and skills training that will provide took and strategies for community resistance and solidarity to members of the public. This initiative is intended to foreshadow the Hearings on 28 Jan.
- STATES SEASON STATES ST

# Click on image to enlarge

Mandated as an 'independent federal agency', the NEB directed the police protection of their board members and officials from Enbridge and TransCanada Corporation, 140 pages of emails from December 2012 through April 2013 show.

In the emails, Richard "Rick" Garber, the NEB's "Group Leader of Security", marshals security and intelligence operations between government agencies and private interests, and says in a January 31, 2013 email that the NEB "Security Team has consulted today with Canadian Security and Intelligence Service (CSIS) at national and regional levels; RCMP at national, regional and local levels."

### Rick Garber

From

Rick Garbe

Sent:

January 31, 2013 5:05 PM

To:

Shella Leggett, Kenneth Batemen; Hans Matthews

Auch Late John Pissent Gord Campbell: Lee Williams Ree Wikiams@neb-onegraat Kelly-Anne Dypoli (Kelly-Anne Dypoli@neb-crecca)

Subject.

#### SheRa, Kenneth and Honz

In response to your query, the Security Tears has consumed roday with CSS at national and regional breaks; ROM at national, regional and local [Prince Rupert Cetachment] level and conducted a thorough review of open source intelligence, including social media feeds.

# Click on image to enlarge

"The Security Team, together with our police and intelligence partners, will continue to monitor all sources of information and intelligence," he says.

The documents show the NEB working with CSIS and the RCMP to make "security plans" for the Vancouver, Victoria, Kelowna and Prince Rupert hearings and actively coordinating with officials from Enbridge and TransCanada Corporation and a private security contractor hired by the NEB.

They also show Garber asking Sgt. Steinhammer of the Prince Rupert RCMP to provide a visible uniformed presence during the hearings there to deter "illegal activities."

In particular, would it be possible for you to provide a visible uniformed presence the first day or two of the bearings to both deter illegal activity and get a sense of the evolving / changing conditions (if any), coupled with periodic tours the remainder of the hearing sessions?

Your combining assistance is greatly appreciated by the underapped and the board

Click on image to enlarge.

# Sustained opposition to pipelines noted, especially in BC

On April 20, 2013, an email entitled "Security Concerns - National Energy Board" was sent to integrated security officials, and stressed the continued protection of NEB and private interests. The memo was from Tim O'Neil, Senior Criminal Intelligence Research Specialist with the RCMP, and then circulated to the NEB and associated stakeholders by Garber.

"There continues to be sustained opposition to the Canadian petroleum and pipeline industry," O'Neil said. "Opposition is most notable in British Columbia, with protests focused on the: Enbridge Northern Gateway; Kinder Morgan Trans Mountain Pipeline expansion; the increasing use of hydraulic fracturing, and proposed LNG facilities. Opponents have used a variety of protest actions (directed at the NEB and its members) to draw attention to the oil sands' negative environmental impact, with the ultimate goal of forcing the shutdown of the Canadian petroleum industry."

Opposeris to the Dil Sands have used a variety of protest actions to draw attention to the Oil Sands' negative emicromental impact, with the utanishs goal of forcing the sinct down of the Canadian perceiving industry. These same groups lieve broadened their protests to include the pipelines and more recently, the railroad industry, who the opposing groups chirm are fact taking the continued development of the Oil Sonds.

Opposition is most notable in the British Columbia, with protest focused on the Enbridge Horthern Gateway; Kinder Morgan Trans Mountain Protine expansion; the increasing use of hydraulic fracturing, and proposed LNG facilities.

# Click on image to enlarge

O'Neil then ordered the escalation of RCMP and CSIS intelligence measures following the opening of an SPROS/SIR database file. According to the Government of Canada, SPROS is the new National Security Program's primary database for the electronic storage, retrieval and management of national security criminal investigations and information, and on a required basis, classified criminal intelligence and other sensitive cases.

"It is highly likely that the NEB may expect to receive threats to its hearings and its board members," O'Neil, said. However, in the same memo he states that there is "no intelligence indicating a criminal threat to the NEB or its members" and "I could not detect a direct or specific criminal threat."

In closing, O'Neill advises recipients to discuss their concerns with the security officials at the National Resources May 23rd classified briefing.

"What is particularly chilling about the Harper administration's approach is the conversion of government agencies to private spy agencies for private sector corporations," Green Party Leader, Elizabeth May said, upon learning about the emails. "What is unacceptable is the marginalization, demonizing, and threat of criminalization of healthy debate in a democracy."

On May 23, 2013, Natural Resources Canada hosted a 'Classified Briefing for Energy & Utilities Sector Stakeholders' in collaboration with CSIS and the RCMP at CSIS's headquarters in Ottawa.

If you are plansing to attend the INDC on May 23rd Classified Beloning, you may wish to discuss your poncent with the security of Finish who will be in the besides occur.

You are welcome of cortact me directly to discuss your concerns to more versa.

Regards.....Tar

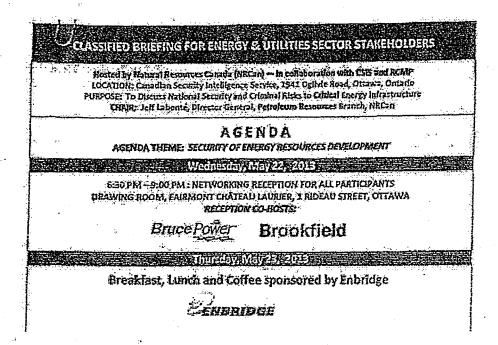
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The briefing has occurred twice annually since 2005 and its stated purpose is to discuss national security and criminal risks to critical energy infrastructure. Attendees include government officials, federal ministries, law enforcement agencies and energy stakeholders with high-level security clearances. These meetings have been described as an opportunity for government officials and companies to exchange information "off the record" and form "ongoing trusting relationships" in the protection of national energy infrastructure.

An agenda obtained by Tim Groves and Martin Lukacs at *The Guardian* last month <u>revealed</u> that breakfast, lunch and coffee was sponsored by Enbridge and a networking reception held at the Chateau Laurier was co-hosted by Bruce Power and Brookfield Renewable Energy Partners. Meetings during this conference

included "challenges to energy projects by environmental groups."



Given proof of CSIS and RCMP intelligence resources being afforded to the NEB, and evidence of disclosure across the private sector, it is undetermined how much information is being provided to corporations such as Enbridge and TransCanada Corporation, and to what extent international entities such as CNOOC are also benefiting.

Since coming to power, Conservative prime minister, Stephen Harper, has used his government apparatus to serve a natural resources development agenda, the Guardian recently wrote, "while creating sweeping domestic surveillance programs that have kept close tabs on indigenous and environmental opposition and shared intelligence with companies.

"Harper has transformed Canada's foreign policy to offer full diplomatic backing to foreign mining and oil projects, tying aid pledges to their advancement and jointly funding ventures with companies throughout Africa, South America and Asia."

The National Energy Board has no spying mandate, according to its website, but serves to function as a regulatory agency over the gas and oil industry, answering to Parliament and the Canadian people.

Correction: a previous version of the article attributed the May 22, 2013 agenda to have been obtained by the CBC. It was obtained by The Guardian and provided to CBC afterward.

# More in Politics

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Published on The Vancouver Observer (http://www.vancouverobserver.com)

# Canada's top spy watchdog lobbying for Enbridge Northern Gateway pipeline

Matthew Millar Posted: Jan 4th, 2014 (Page 1 of)

<u>Chuck Strahl.</u> Chairman of the federal body which oversees Canada's spy agency, the Canadian Security Intelligence Service (CSIS), has registered to lobby on behalf of Enbridge's 'Northern Gateway Pipelines Limited Partnership'.

Two weeks before the December 19, 2013 decision of the National Energy Board's Joint Review Panel on the Enbridge Northern Gateway Pipeline Project, Strahl and his firm — <u>Chuck Strahl Consulting Inc.</u>—registered as a B.C. provincial lobbyist and listed the Enbridge subsidiary as his client starting December 6.

# Lobbyist Firm Business Contact Information

Name of Labbyitt fam: Check Sirahi Consulting Inc

5100 Farnham Road Chilinsek, BC V42 187 Canada

Enall, costabligatiserve.com Phode: 604 316-5335

### Client Information

Name of Cliente Northern Galeray Pipelines LP. Summary of client's buriness unactivities: pipeline construction and operation

Susiness Contact Information: Sulm 3000 425-15151, S.W. Calgary , AB 72P 318

Emaii: esry.palmispaipenbridga.com Phone: 664 349-2599 Far:

# Click on image to enlarge

Strahl's registration declares that he is targeting B.C.'s Minister of Natural Gas Development, Rich Coleman, to arrange a meeting with representatives from Northern Gateway Pipelines on the subject of "Energy". Strahl stated that he is lobbying on their behalf until June 2014.

"I do some contract work for Enbridge," Strahl told the Vancouver Observer. "I've registered just in case I arrange a meeting, but no meetings to report".

Strahl is a former Conservative Member of Parliament for the B.C. riding of Chilliwack-Fraser Canyon and was first elected in 1993. While in federal government, Strahl served as Minister of Agriculture, Minister of Indian Affairs and Northern Development, Minister of Transport and Deputy Speaker of the House of Commons.

Strahl retired from politics in 2011 and was appointed by Prime Minister Stephen Harper to head the non-partisan and independent Security Intelligence Review Committee (SIRC) on June 14, 2012 for a five-year term. He also serves as <u>Director and Chairman</u> of the Conservative party's <u>Manning Centre</u>, an organization "dedicated to building Canada's conservative movement".

Strahl replaced disgraced Chairman <u>Dr. Arthur Porter</u>, who is currently in a Panamanian jail facing a range of charges from money laundering, to taking kickbacks and conspiracy to commit fraud while acting as a middleman for SNC-Lavalin and other private business interests.

The Security Intelligence Review Committee reports to Parliament on all activities undertaken by CSIS – and with the exception of cabinet secrets, Strahl's position affords access to all intelligence gathered by the organization.

Strahl's move to represent Enbridge confounds prior assertions which downplayed the circumstantial relationships between CSIS, its oversight committee and the private sector. Former CSIS Assistant Director Ray Boisvert said at one point to the Vancouver Observer that "there is no collaboration between intelligence organizations and private industry. That is against the law". Boisvert retired from CSIS in 2012 and is currently a security consultant in the private sector.

However, <u>documents</u> published by The Vancouver Observer in November 2013 revealed the extent to which the Harper government, CSIS and the RCMP monitored activists and organizations who opposed the Enbridge Northern Gateway Pipeline Project. At the same time, CSIS and the RCMP were cooperating with the private sector by holding <u>Classified Briefings</u> for Energy and Utilities Sector Stakeholders' at CSIS's headquarters in Ottawa.

The May 23, 2013 'classified briefing' was sponsored by Enbridge and brought together federal agencies, spies, and private industry stakeholders with high level security clearances — which included officials from energy companies in the oil, natural gas, pipeline, petroleum refinery and electricity sectors.

Strahl's registration for lobbying activities on behalf of Enbridge raise questions about conflicts-of-interest and ethics, lobbying legislation and also the collusion of private interests within Canada's security apparatus.

"What Stephen Harper has essentially done is to take the spy agencies of the federal government of Canada and put them at the service of private companies like Enbridge," said Green Party Leader Elizabeth May in November.

Strahl is listed as Consultant with 'Chuck Strahl Consulting Inc.' since 2011 and his duties are to "develop and provide communications, strategic and government relations advice to corporations, governments and NGOs".

As a former minister, Strahl is a 'Designated Public Office Holder' under the federal Lobbying Act and is prohibited from lobbying the Government of Canada for a five year period post-employment. He is also required to declare his prior status as an MP in the lobbyist registry.

Strahl did not declare in his B.C. registration that he held federal public office from 1993 to 2011, as the provincial Lobbyists Registration Act only applies to previous officers of the B.C. government. He is not restricted from lobbying the province of British Columbia on behalf of Enbridge or other interests.

Strahl previously stated that he "won't lobby" governments and has never done so, according to a <u>story by Brian Hutchinson</u> in the *National Post* following Strahl's appointment to the Security Intelligence Review Committee in 2012.

However, a B.C. lobbying registration from December 2011 states: "Charles Strahl, a consultant lobbyist with

Chuck Strahl Consulting Inc, is arranging meetings on behalf of his client, Cascade Aerospace Inc, with the Minister of Jobs, Tourism, and Innovation (and/or his staff)".

In the same interview, he said that he "has a system of 'double make-sure' to protect himself and the public from conflicts of interest and questions around ethics". In the event a problem does arise he said that he would "call up ethics commissioner (Mary Dawson) and consult her", also stating that he spoke with her when he was offered the SIRC appointment.

Strahl's son, Mark, is currently the Member of Parliament for Chilliwack-Fraser Canyon.

Strahl also maintains close ties to the current B.C. government.

His former federal Chief of Staff, <u>Laurie Throness</u> was newly elected as MLA for Chilliwack-Hope in the 2013 provincial election.

In financial disclosures published last month, Throness declared income from consulting fees for Chuck Strahl Consulting Inc. Throness is a member of the provincial cabinet under Premier Christy Clark and serves as the Parliamentary Secretary to the Minister of Justice and Attorney General for Corrections.

In 2013, Strahl was publicly thanked by Christy Clark for his assistance in helping during her provincial election campaign. At a media event, Clark said that Strahl is an example of a retired federal politician who is "very actively helping us on this campaign and I'm really proud of the contribution (he's) making".

The acknowledgement raised immediate questions given his position as SIRC chair, with Clark clarifying her statement on the record the following day to protect his necessarily impartial relationships as Canada's top spy watchdog.

# More in <u>Investigations</u>

New "concerned citizens group" has deep pockets and close ties to oil industry

CSIS spying on citizens at alarming rate. FOIs reveal

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Analysis

# Other spy watchdogs have ties to oil business

Chuck Strahl isn't the only SIRC committee member who has history with oil, gas or Harper

By Greg Weston, CBC News Posted: Jan 10, 2014 5:00 AM ET Last Updated: Jan 10, 2014 7:28 AM ET

### About The Author



Greg Weston National Affairs Specialist

Greg Weston is an investigative reporter and a regular political commentator on CBC Radio and Television. Based in Ottawa, he has afflicted governments of all stripes for over three decades. His investigative work has won awards including the coveted Michener Award for Meritorious Public Service in Journalism. He is also the author of two best-selling books, Reign of Error and The Stopwatch Gang.

# Related Stories

- SIRC chair's pipeline lobbying seen as symptom of larger problem
- Ex-minister on the hotseat over Enbridge lobbying job
- · Strahl defends expansion of security watchdog's role
- · Brian Stewart: Why are we eliminating the CSIS watchers?

While the head of the watchdog committee overseeing Canada's intelligence agency is under attack for also being a lobbyist for the controversial Northern Gateway pipeline, it turns out that half of the other Harper government appointees keeping an eye on the spies also have ties to the oil business.

NDP Leader Tom Mulcair has joined a growing chorus of critics calling for the resignation of former Conservative cabinet minister Chuck Strahl as chairman of the Security Intelligence Review Committee (SIRC).

The committee oversees the activities of Canada's spy service, the Canadian Security Intelligence Service (CSIS), including surveillance of groups opposed to construction of the Northern Gateway pipeline from Alberta to the B.C. coast.

Strahl has touched off a political controversy for registering with the B.C. government as a lobbyist for Enbridge, the company wanting to build the pipeline.

To be clear: Strahl has long had a reputation as one of the straightest arrows in Canadian politics, and there is no evidence of any actual conflict of interest in his work for Enbridge.

His problems are entirely matters of public perception.

- SIRC chair's pipeline loboving scen as symptom of larger problem
- Ex-minister on the hotseat over Enbridge lobbying job
- · Strahl defends expansion of spy watchdog's role

In a recent television interview, Strahl said he would recuse himself from anything to do with the proposed pipeline that came before the spy service review committee, passing the case to one of the other four members.

But a few of them may have their own problems of perception.

For example, Denis Losier is an accomplished former New Brunswick politician, bureaucrat and insurance company top executive.



Denis Losier sits on both the SIRC committee and the board of directors for Enbridge N.B.

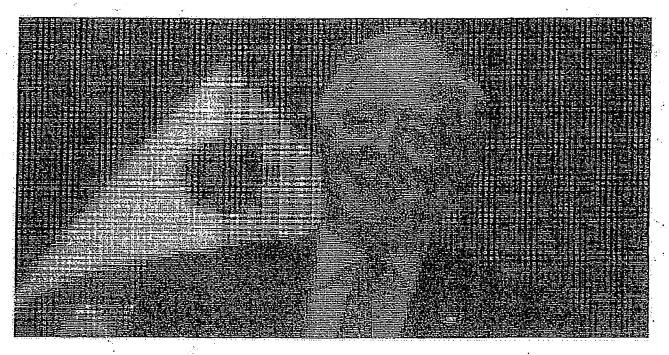
But he is also on the board of directors of Enbridge N.B., a wholly-owned subsidiary of the pipeline and gas company of the same name, Strahl's client.

Yves Fortier is one of Canada's most pre-eminent and highly respected lawyers.

He was previously a member of the board of TransCanada Pipelines, the company now behind the proposed Keystone XL pipeline from Alberta to Texas.

That project is currently being blocked in the U.S. by the Obama administration, and has been the target of huge protests.

Former Reform MP Deborah Grey is one member of the spy service oversight committee with no apparent connections to the oil industry.



Yves Fortier was previously on the board of TransCanada Pipelines, the company behind the Keystone XL pipeline. (Peter McCabe/Canadian Press)

But she does have long ties to Stephen Harper (he used to work in her MP's office) and friendly connections in a government that has branded pipeline opponents "radicals."

That leaves Frances Lankin, former Ontario NDP cabinet minister in Bob Rae's government, and retired long-time head of the United Way in Toronto.

Among the five members of the intelligence oversight committee, Lankin alone has no ties to either the current government or the oil industry.

But any group wanting to file a complaint to her about the spy service will have to huny: Her five-year appointment expires this month.



Deborah Grey has long ties to Stephen Harper, from her days as an Alberta MP. (John Ulan/Canadian Press)

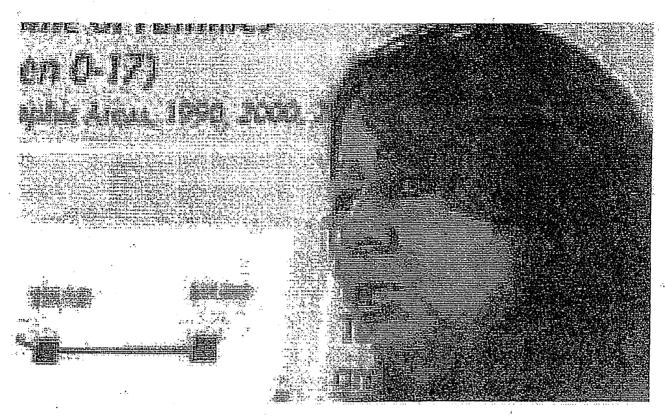
Forest Ethics Advocacy is one of the environmental groups apparently targeted in CSIS surveillance, and is now publicly calling for Strahl's resignation as head of the oversight committee.

The director of the Vancouver-based group says she is surprised to learn that some other members of SIRC have ties to the oil and pipeline industries.

"What's becoming clear is there is no impartial body that can oversee CSIS right now," said Tzeporah Berman. "This is another example of the fox minding the henhouse."

Berman says Canadians have a right to expect that an important body such as SIRC is "protecting us and being impartial."

"Instead, what we're finding is our government is using our tax money to spy on us and support the oil industry."



Frances Lankin is the only SIRC committee member with no ties to the current government or the oil industry. (Canadian Press)

Strahl is currently paid up to \$650 a day as chairman of SIRC, and the other four members get about half that. All of the positions are part-time.

The lawyer for Forest Ethics, iconic Canadian attorney Clayton Ruby, says if the government wanted effective oversight of its spy service, it would start by paying the watchdogs as full-time jobs, and like judges, members should be banned from taking outside employment. "At the very least, all of them should be banned from lobbying," Ruby says.

SIRC members contacted by CBC News would only speak on background, but several agreed that at the very least, chairing the committee should be a full-time job.

Whether any of those suggestions or the current kerfuffle over Strahl's lobbying will move the Harper government to action seems doubtful.

Brian Stewart: Why are we eliminating the CSIS watchers?

The last time there was any reform of spy service oversight, the Conservative government eliminated the office of the inspector general that was supposed to have virtually unlimited powers to ensure CSIS was operating within the law.

To paraphrase the old saw, what people don't know can't hurt the government.

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96 Comments



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Service canadien du renseignement de sécurité

Paul Champ Champ & Associates Counsel, British Colombia Civil Liberties Association 43 Florence Street Ottawa, ON K2P 0W6 MAR 142014

Dear Mr. Champ:

Thank you for your letter dated February 6, 2014, in which you raise concerns, on behalf of your client, the BC Civil Liberties Association, relating to the investigation of groups and individuals associated with environmental activism.

The activities of the Canadian Security Intelligence Service (CSIS) are governed by the CSIS Act. Our mandate includes, under section 12 of the Act, investigating and advising the Government of Canada on activities that may on reasonable grounds be suspected of constituting threats to national security, defined in section 2 of the act, as: a) espionage or sabotage; b) foreign interference; c) terrorism and extremism; and d) subversion. The CSIS Act also does not constrain the provision of advice to any particular department, agency, or Minister of the Crown.

As you note, the CSIS Act expressly forbids the investigation of lawful advocacy, protest, or dissent. Such activities can only be investigated when they are carried out in conjunction with the threat-related activities cited above, again as stipulated by the Act. The Service's adherence to the Act, which is of course thoroughly reviewed annually by the Security Intelligence Review Committee (SIRC), is very well-established. In that regard I would encourage you to examine SIRC's most recent annual report and in particular its review of CSIS activities related to domestic investigations and emerging issues. In that review, SIRC found that the Service adhered to the law and internal policy, that the Service did not investigate "activities related only to legitimate protest and dissent," and that the Service was quick to terminate investigations when individuals were no longer involved in threat-related activity. The above referenced report can be found at <a href="https://www.sirc-csars.gc.ca">www.sirc-csars.gc.ca</a>.

In response to your concerns, as articulated in the four bullets outlined on pages 2 to 3 of your letter, it is difficult to respond insofar as credible specifics of any wrongdoing or improper conduct by the Service were not provided. The information and observations are largely speculative and based on third-party information. The Service can, however, assure you that that we conduct ourselves according to the law, policy, and Ministerial Direction.

20. Box 9732 Postal Station "T" Ottawa, Ontario 41G 4G4 C.P. 9732 Succursale "T" Ottawa (Ontario) K1G 4G4

Canada

I understand your concerns that Canadians engaged in peaceful advocacy and protest would be targeted illegitimately by a Government agency. In fact, the employees of CSIS are devoted to protecting Canada's national security and ensuring that the very rights of privacy and free speech which you refer to are indeed protected from individuals and groups who would reject peaceful democratic processes to attain their goals.

I trust that the foregoing has been of some assistance.

Yours sincerely,

Tom Venner

**Assistant Director** 

Policy and Strategic Partnerships

# 

3



Equity Chambers 43 Florence Street Ottawa, ON K2P OW6 T: 613-237-4740 F: 613-232-2680

Paul Champ pchamp@champlaw.ca

Our File: 1555

March 25, 2015

BY COURIER

Shayna Stawicki, Registrar Security Intelligence Review Committee 122 Bank Street, 4<sup>th</sup> Floor Ottawa, ON K1P 5N6

Dear Ms Stawicki:

Re: British Columbia Civil Liberties Association ("BCCLA")

Complaint re CSIS Surveillance and Information Sharing with the NEB

SIRC File No.: 1500-481

We are writing to inquire as to the status of above-noted complaint by the British Columbia Civil Liberties Association ("BCCLA"), which was first presented to the Review Committee on February 6, 2014.

It has now been more than three months since we last heard from the Review Committee, and BCCLA continues to await further information from SIRC regarding the next steps in this matter. As noted in our December 9, 2014 letter, BCCLA is prepared to proceed with its complaint before Mr Fortier, and looks forward to hearing from you soon to ensure that the Review Committee's inquiry into this important matter proceeds in a timely fashion.

We also take this opportunity to call the Review Committee's attention to additional records which have recently been disclosed under the *Access to Information Act*. These documents, copies of which are enclosed for Mr Fortier's review, provide further evidence of CSIS's ongoing involvement in gathering and sharing information and intelligence about protests concerning the petroleum industry, including the Northern Gateway Project. Perhaps most significantly, these records show that CSIS prepares reports and shares

Rights

Equality

Dignity

2 of 10

information regarding protest activities, even where it recognizes that such actions are lawful and therefore outside the Service's statutory mandate under s.12 of the CSIS Act.<sup>1</sup>

As set out in BCCLA's initial complaint, such intelligence gathering and information sharing regarding legitimate and lawful environmental advocacy on issues of significant public debate is a disturbing trend that represents a significant threat to the freedoms of all Canadians as guaranteed under the *Charter*. It is also a clear sign that CSIS is acting well beyond its statutory mandate. As you know, Parliament has placed very clear limits the scope of the Service's intelligence-gathering activities, expressly providing that CSIS's mandate "does not include lawful advocacy, protest, or dissent."<sup>2</sup>

Given the foregoing, we would ask that you please provide copies of the enclosed documents to Mr Fortier. We look forward to hearing from you very soon regarding the next steps in Review Committee's inquiry into this serious and important matter.

Youks truly

Paul Cham

encls.

J. Paterson, Executive Director, BCCLA

<sup>&</sup>lt;sup>1</sup> See, e.g., Memorandum of Assistant Director Tom Venner to the Director re Meeting of the Deputy Ministers' Committee on Resources and Energy, Monday, 9 June 2014 at page 2 of 3: "The Service recognizes that many of these issues involve legitimate protest and dissent and as such, have no mandate nexus." Also see: Memorandum of Assistant Director Tom Venner to the Director re Meeting of the Deputy Ministers' Committee on Resources and Energy, Monday, 19 June 2014, at pages 1 and 3 of 4.

<sup>2</sup> Canadian Security Intelligence Service Act, RSC, 1985, c.C-23, s. 2.

# MEMORANDUM TO THE DIRECTOR

# MEETING OF THE DEPUTY MINISTERS' COMMITTEE ON RESOURCES AND ENERGY

15:00 – 16:00 Monday, 9 June 2014 269 Laurier Avenue West, 19<sup>th</sup> Floor Boardroom

# **BACKGROUND**

This ad hoc meeting of Deputy Ministers has been called to discuss the federal response to protests associated with resource and energy development in anticipation of possible events in summer 2014. The issue is being driven by violence of the hydraulic fracturing protests in New Brunswick in 2013 (TAB 1), and the Government's interest in assuming a proactive approach to possible issues as the summer approaches.

# **GOVERNMENT OPERATIONS CENTRE RISK FORECAST 2014**

Public Safety will present on the Government Operations Centre (GOC) report titled "Government of Canada Risk Forecast – 2014 Protests and Demonstration Season" (TAB 2) in which the GOC identifies and assesses the potential risks associated with the spring/summer protests and demonstrations. The GOC assesses the risk for 2014 as low (characterized by awareness-building protest activities) with possible medium risk activities (characterized by disruption to critical infrastructure including transportation networks).

Page 1 of 3

In reviewing the Risk Forecast (TAB 2),

Traditional Aboriginal and treaty rights issues, including land use, persist across Canada
Discontent related to natural resource
development across Canada is largely an extension of traditional concerns. In British Columbia,
this is primarily related to pipeline projects (such as Northern Gateway). In central Canada,

The Service recognizes that many of these issues involve legitimate protest and dissent and as such, have no mandate nexus.

Page 2 of 3

# **GUIDED DISCUSSION**

If you require any further information, please do not hesitate to contact me.

Tom Venner
Assistant Director
Policy and Strategic Partnerships

# Enclosed:

- TAB 1: "Violent Confrontation over Seismic Testing (Hydraulic Fracturing) in New Brunswick"
- TAB 2: "Government of Canada Risk Forecast 2014 Protests and Demonstration Season (Government Operations Centre)

Page 3 of 3

# MEMORANDUM TO THE DIRECTOR

# MEETING OF THE DEPUTY MINISTERS' COMMITTEE ON RESOURCES AND ENERGY

10:30 - 12:00 Monday, 19 June 2014 269 Laurier Avenue West, 19<sup>th</sup> Floor Boardroom

# BACKGROUND

Further to the agreement at the 9 June ad hoc meeting of Deputy Ministers, this follow-up meeting has been called to further discuss the federal response to potential protests associated with resource and energy development issues in summer 2014. The discussion is being driven by the violence that occurred surrounding the hydraulic fracturing protests in New Brunswick in 2013 (TAB 1), and the Government's interest in proactively preparing for possible issues as the summer approaches.

At the time of writing, Public Safety had not provided any information in support of the discussion. As such, information included represents issues that may be raised.

# **NOTHERN GATEWAY PIPELINE DECISION**

The federal government is expected to render its decision pertaining to the proposed Northern Gateway pipeline project on 17 June. The project was approved by the National Energy Board in late 2013, and has become a touchstone for opposition to oil sands development. While most of the Aboriginal (and non-Aboriginal) opposition falls under the category of legitimate protest and dissent,

Page 1 of 4

The proposed Northern Gateway pipeline project would carry oil to tankers for export to the U.S. and Asia. It would be 1,177 km in length and run from Bruderheim, Alta, to Kitimat, B.C carrying 525,000 barrels per day. If approved, the estimated start-up date is in 2017.

Although an announcement had not been made at the time of writing, it is expected to be one of three possibilities: approval; approval with additional Aboriginal consultation; or rejection. Each of these decisions could have a distinct impact on Government-Aboriginal relations, particularly during summer and fall 2014.

In the event that the Government approves the pipeline, the Service assesses that

The Government may also announce that while it supports the Northern Gateway project, it will not approve it until after additional Aboriginal consultation is conducted

The Service assesses that

There is also a possibility that the Government could reject the pipeline. The Service assesses

the Service assesses that

# **GOVERNMENT OPERATIONS CENTRE RISK FORECAST 2014**

Public Safety may present on the Government Operations Centre (GOC) report titled "Government of Canada Risk Forecast – 2014 Protests and Demonstration Season" (TAB 3) in which the GOC identifies and assesses the potential risks associated with spring/summer protests and demonstrations. The GOC assesses the risk for 2014 as low (characterized by awareness-building protest activities) with possible medium risk activities (characterized by disruption to critical infrastructure including transportation networks).

In reviewing the Risk Forecast (TAB 3)

Page 2 of 4

SECRET.

Traditional Aboriginal and treaty rights issues, including land use, persist across Canada

Discontent related to natural resource
development across Canada is largely an extension of traditional concerns. In British Columbia, this is primarily related to pipeline projects (such as Northern Gateway). In central Canada,

The Service recognizes that many of these issues involve legitimate protest and dissent and as such, have no nexus to CSIS' mandate.

Page 3 of 4

9 of 10

# **GUIDED DISCUSSION**

Public Safety may also lead DMs in a guided discussion of a protest or demonstration incident. Originally intended as a table-top exercise, this discussion will consider possible federal responses to protest and demonstration incidents.

If you require any further information, please do not hesitate to contact me.

Tom Venner
Assistant Director
Policy and Strategic Partnerships

# Enclosed:

- TAB 1: "Violent Confrontation over Seismic Testing (Hydraulic Fracturing) in New Brunswick"
- TAB 3: "Government of Canada Risk Forecast 2014 Protests and Demonstration Season (Government Operations Centre)

Page 4 of 4

1 of 122

Rick Garber				
From: Sent: To: Subject:	Gord Campbell April 20, 2013 3:03 PM Rick Garber Re: Prince Rupert security			
Thanks Rick, I've got it	t. If there are any challenges I will keep you posted	· · · · · · · · · · · · · · · · · · ·	. :	
Cheers,				
Gord				
National Energy Board 444 - Seventh Avenue	ent de sureté Intégration Opérationelle I   Office national de l'énergie SW   444, Septième Avenue SO. (8   Calgary (Alberta) T2P 0X8 103-463-4516 13-292-5503		•	
From: Rick Garber Sent: Saturday, April : To: Gord Campbell; Subject: Fw: Prince R	Dshaw.ca' < Dshaw.ca>	s.19(1)		s.16(2)(c)
reporting to you throu	from the flurry of emails: you will have ghout the two weeks trated that I apparently cannot make up my mind the second s	from one day to the ne	ext.	
Also FYI, Ruth and Alis	on are in agreement that there are no new substa	ntive threats to the he	aring.	S
Take care and safe tra	vels,			
From: Alison Farrand ent: Friday, April 19, o: Sheila Leggett Cc: Rick Garber; Lee V Subject: RE: Prince R	Villiams; Gord Campbell; Ruth Mills; Shawnna Cox		.21(1)(a) .21(1)(b)	
Thanks for the feedba	ck Sheila.			
As noted in m	y earlier message, we do not see any additional ri	sk factors that require	police prese	ence.

A0008929\_1-000001

From: Sheila Leggett

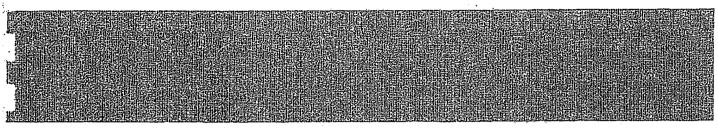
Sent: April 19, 2013 2:25 PM

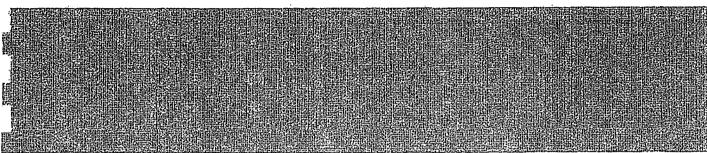
To: Alison Farrand

Cc: Rick Garber; Lee Williams; Gord Campbell; Ruth Mills; Shawnna Cox

Subject: RE: Prince Rupert security

Alison,





sheila

s.21(1)(a)

s.21(1)(b)

From: Alison Farrand

Sent: April 19, 2013 1:12 PM

Fo: Sheila Leggett

Cc: Rick Garber; Lee Williams; Gord Campbell; Ruth Mills; Shawnna Cox

Subject: Prince Rupert security

importance: High

iheila,

Rick and I met with Ruth to get a better understanding of the nature of the hearings over the next couple of weeks, and he thinking that has already occurred around any security adjustments.

The expectation is that we would have less than 100 people in the hearing room at any given time. A large number of he people in the room would be government of Canada attendees (on the witness panel or observing in the audience). Ve are expecting around a dozen representatives of the proponent with their own security personnel. We could expect up to two dozen intervenors in the room at any given time. Media attendance is possible.

When at the last hearings, Ruth and Lee put some thought into the hearing room layout and potential space for evacuation of the witness panel. The government of Canada will have a work room and there are means for evacuating from the hearing room that will ensure passages are not blocked.

We have just received information from the RCMP that a peaceful Idle No More Protest is planned for the courthouse awn Sunday afternoon and that the RCMP will be monitoring this event.

2

A0008929 2-000002

Given the information available to staff to date and the expectations outlined above, we do not see any increased risk associated with the hearings over the next couple of weeks.

Alison

s.16(2)(c)

s.21(1)(a)

s.21(1)(b)

From:	Rick Garber	
Sent:	April 19, 2013 6:13 PM	
Γο:	Alison Farrand; Gord Campbell	
Subject:	Re: Prince Rupert security	
Done.		
lave a fine weekend.		
From: Alison Farrand Sent: Friday, April 19, 2013 0 To: Rick Garber; Gord Campbo Subject: Fw: Prince Rupert se	ell	
	unicate to RCMP that they do not need to follow t	hru on our earlier request.
		•
Thanks, Alison		•
ent from my mobile device		
ent nom my moone device	•	·
Sent: Friday, April 19, 2013 09  O: Alison Farrand  C: Rick Garber; Lee Williams;  Subject: RE: Prince Rupert se	; Gord Campbell; Ruth Mills; Shawnna Cox	
abject it. Thice haperese		
i Alison,		
i Alison, t sounds like we are in vehem olice presence. Let's proceed dicate that this presence is n	nent agreement that, at this point, there is no indi d on this basis and amend if Gord's on the ground required. Please keep the Panel updated if furthe	assessment and any further intelligence
i Alison, sounds like we are in vehem olice presence. Let's proceed idicate that this presence is n	nent agreement that, at this point, there is no indi d on this basis and amend if Gord's on the ground	assessment and any further intelligence
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i Alison, t sounds like we are in vehem olice presence. Let's proceed dicate that this presence is n manks, meila  om: Alison Farrand ent: April 19, 2013 3:52 PM o: Shella Leggett	nent agreement that, at this point, there is no indid on this basis and amend if Gord's on the ground required. Please keep the Panel updated if further Gord Campbell; Ruth Mills; Shawnna Coxecurity	l assessment and any further intelligence r risk factors are identified. s.21(1)(a)
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A0008929\_4-000004

5 of 122

### Alison

From: Sheila Leggett

Sent: April 19, 2013 2:25 PM

To: Alison Farrand

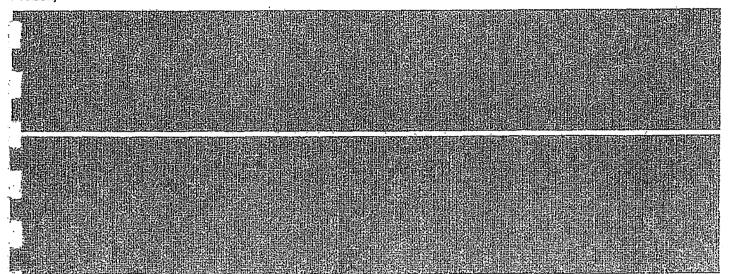
s.21(1)(a)

Cc: Rick Garber; Lee Williams; Gord Campbell; Ruth Mills; Shawnna Cox

s.21(1)(b)

Subject: RE: Prince Rupert security

Alison,



باوالم

rom: Alison Farrand

sent: April 19, 2013 1:12 PM

To: Sheila Leggett

c: Rick Garber; Lee Williams; Gord Campbell; Ruth Mills; Shawnna Cox

\_ubject: Prince Rupert security

Importance: High

neila,

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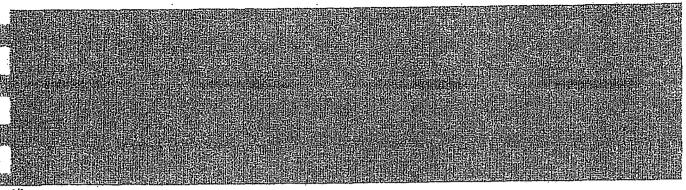
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'e have just received information from the RCMP that a peaceful Idle No More Protest is planned for the courthouse wn Sunday afternoon and that the RCMP will be monitoring this event.

2

A0008929 5-000005

Given the information available to staff to date and the expectations outlined above, we do not see any increased risk associated with the hearings over the next couple of weeks.



Alison

s.16(2)(c)

s.21(1)(a)

s.21(1)(b)

# Rick Garber

From:

Rick Garber

Sent:

April 19, 2013 1:28 PM

To:

John Pinsent; Ed Jansen (Ed.Jansen@neb-one.gc.ca)

Subject:

FW: Prince Rupert security

Importance:

High

Ed, and John - for your Situational Awareness...

# Rick

Richard S. Garber, CD, MA, MBA

Group Leader, Security | Chef de groupe, sureté

Corporate and Information Solutions

Vational Energy Board | Office national de l'énergie

144 - Seventh Avenue SW | 444, Septième Avenue S.-O.

Calgary, Alberta T2P 0X8 | Calgary (Alberta) T2P 0X8

Mobile | Cellulaire: 課題

-ax | Télécopieur : 403-292-5503

Aichard.Garber@neb-one.gc.ca

s.19(1)

rom: Alison Farrand

Sent: April 19, 2013 1:12 PM

To: Sheila Leggett

:c: Rick Garber; Lee Williams; Gord Campbell; Ruth Mills; Shawnna Cox

Jubiect: Prince Rupert security

Importance: High

heila,

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s.16(2)(c)

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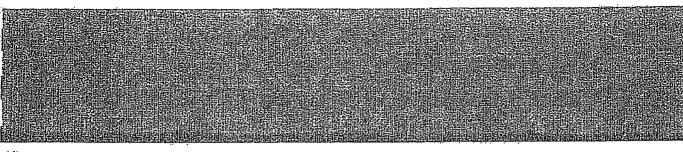
s:21(1)(b)

ven the information available to staff to date and the expectations outlined above, we do not see any increased risk isociated with the hearings over the next couple of weeks.

A0008929 7-000007

8 of 122

AGC0149



Alison

s.16(2)(c)

s.21(1)(a)

s.21(1)(b)

2

A0008929\_8-000008

#### Rick Garber

From:

Rick Garber

Sent:

April 19, 2013 1:07 PM

To:

Alison Farrand

Subject:

RE: draft on Prince Rupert security for Sheila

...Alison - I would say send it now - and should changes emerge we can deal with them later...

Thanks again for the great note!

#### Rick

Richard S. Garber, CD, MA, MBA

Group Leader, Security | Chef de groupe, sureté

Corporate and Information Solutions

Vational Energy Board | Office national de l'énergie

144 - Seventh Avenue SW | 444, Septième Avenue S.-O.

Calgary, Alberta T2P 0X8 | Calgary (Alberta) T2P 0X8

Vobile | Cellulaire :

ax | Télécopieur : 403-292-5503

Aichard.Garber@neb-one.gc.ca

s.19(1)

rom: Alison Farrand

Sent: April 19, 2013 1:06 PM

To: Ruth Mills; Rick Garber

C: Shawnna Cox; Lee Williams

Jubject: RE: draft on Prince Rupert security for Shella

lick - shall I send it? Or did you want me to wait for any further updates from you?

From: Ruth Mills

ent: April 19, 2013 12:57 PM

.o: Rick Garber; Alison Farrand

Cc: Shawnna Cox; Lee Williams

Jubject: RE: draft on Prince Rupert security for Sheila

Looks good to me as well. Good job to all!

Quality work at the 11th hour.

R

From: Rick Garber

Sent: Friday, April 19, 2013 12:51 PM

o: Alison Farrand

: C: Shawnna Cox; Lee Williams; Ruth Mills

Subject: RE: draft on Prince Rupert security for Sheila

ery well crafted, Alison. Thank you!

Tick

Lichard S. Garber, CD, MA, MBA

Group Leader, Security | Chei de groupe, sureté

1

A0008929\_9-000009

Corporate and Information Solutions
National Energy Board | Office national de l'énergie
444 - Seventh Ávenue SW | 444, Septième Avenue S.-O.
Calgary, Alberta T2P 0X8 | Calgary (Alberta) T2P 0X8

Mobile | Cellulaire :

Fax | Telécopieur : 403-292-5503

s.19(1)

Richard.Garber@neb-one.gc.ca

From: Alison Farrand

Sent: April 19, 2013 12:49 PM

To: Rick Garber

Cc: Shawnna Cox; Lee Williams; Ruth Mills

Subject: draft on Prince Rupert security for Sheila

Importance: High

Below is my proposed email to Sheila. Please feel free to provide comments.

#### Sheila,

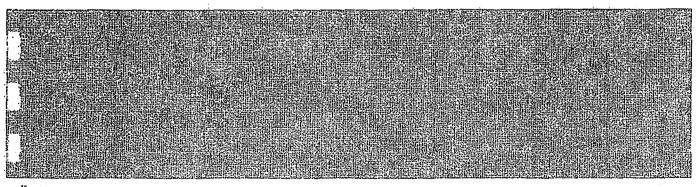
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We have just received information from the RCMP that a peaceful Idle No More Protest is planned for the courthouse jawn Sunday afternoon and that the RCMP will be monitoring this event.

Given the information available to staff to date and the expectations outlined above, we do not see any increased risk ssociated with the hearings over the next couple of weeks.



ılison

s.16(2)(c)

s.21(1)(a)

s.21(1)(b)

2

A0008929\_10-000010

#### Rick Garber

From:

Rick:Garber

Sent:

April 19, 2013 12:49 PM

To:

Ruth Mills

Subject:

FW: Security for upcoming round of Northern Gateway hearings

Attachments:

Victor STEINHAMMER.vcf

Ruth - for your situational awareness.

#### Riok

Richard S. Garber, CD, MA, MBA

Group Leader, Security | Chef de groupe, sureté

Corporate and Information Solutions

National Energy Board | Office national de l'énergie

444 - Seventh Avenue SW [ 444, Septième Avenue S.-O.

Calgary, Alberta T2P 0X8 | Calgary (Alberta) T2P 0X8

Mobile | Cellulaire :

Fax | Télécopieur : 403-292-5503

s.19(1)

Richard.Garber@neb-one.gc.ca

From: Victor STEINHAMMER [mailto:victor.steinhammer@rcmp-grc.gc.ca]

Sent: April 19, 2013 12:43 PM

To: Rick Garber

Cc: Alison Farrand; Gord Campbell; John Pinsent; Lee Williams

Subject: Re: Security for upcoming round of Northern Gateway hearings

#### Rick,

i have received information of a planned peaceful Idle No More Protest on the courthouse lawn on Sunday April 21 @ 1400 hours. We will be monitoring this event. On the facebook page there is only 24 hits.

/ic

/.K.( Victor ) Steinhammer, S/Sgt **Operations NCO** Prince Rupert Detachment Office phone: 250.627.0766 . acsimile: 250.627.3013

00 6th Avenue West 'rince Rupert, B.C.

**V8J3Z3** 

.. everything we do is about people. It's not about organization, structure, process or management. It's people who accomplish things and they need to be inspired, informed, enabled and supported."

s.16(2)(c)

ieneral Rick Hillier

>> Rick Garber < Richard.Garber@neb-one.gc.ca> 2013-04-18 16:34 >>>

A0008929\_11-000011

In particular, would it be possible for you to provide a visible uniformed presence the first day or two of the hearings—to both deter illegal activity and get a sense of the evolving / changing conditions (if any), coupled with periodic tours the remainder of the hearing sessions?

Your continuing assistance is greatly appreciated by the undersigned and the Board!

Should you have any questions, please feel free to phone me any time on my cell-

Cheers,

Rick

Richard S. Garber, CD, MA, MBA
Group Leader, Security | Chef de groupe, sureté
Corporate and Information Solutions
National Energy Board | Office national de l'énergie
444 - Seventh Avenue SW | 444, Septième Avenue S.-O.
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Mobile | Cellulaire:
Fax | Télécopieur: 403-292-5503
Richard.Garber@neb-one.gc.ca

## Page 13 is withheld pursuant to sections est retenue en vertu des articles

15(1)(d)ii), 24(1)

of the Access to Information Act de la Loi sur l'accès à l'information

#### Rick Garber

řrom:

Timothy O'Neil <tim.oneil@rcmp-grc.gc.ca>

Sent:

April 19, 2013 6:51 AM

ſο:

Rick Garber, Roberta Alder,

.c:

Wes Elliott; Barbara WEGRZYCKA; Bill Kalkat; Brittany McBain; Chris Pallister; Dan BOND; Irene Lemaire; Jim (Edmonton) STEWART; Kyle Melnychyn; Laurie MACDONELL; Nicole

Bristow; Nicole Murphy; Noel FLATTERS; Robert Zawerbny; Scott Foster; Sofia

MANOLIAS; Steve CORCORAN; Ted Broadhurst; Timothy O'Neil; Wendy Nicol;

iubject:

Security Concerns - National Energy Board

Attachments:

ONeil, Timothy.vcf

Roberta

Please open a SPROS/SIR file for this.

Rick: I reviewed the noted websites and agree there is some questionable rhetoric by the participants. However, I could not detect a direct or specific criminal threat.

CITT currently has no intelligence indicating a criminal threat to the NEB or its members.

Towever, there continues to be sustained opposition to the Canadian petroleum and petroleum pipeline industry with most of it directed at the Alberta Oil Sands. To date, opposition to the Canadian petroleum industry has included both lawful and unlawful actions. Unlawful actions have ranged from acts of civil disobedience to acts of vandalism, abotage and threats to property and persons.

Opponents to the Oil Sands have used a variety of protest actions to draw attention to the Oil Sands' negative nvironmental impact, with the ultimate goal of forcing the shut down of the Canadian petroleum industry. These same troups have broadened their protests to include the pipelines and more recently, the railroad industry, who the opposing groups claim are facilitating the continued development of the Oil Sands.

Opposition is most notable in the British Columbia, with protest focused on the: Enbridge Northern Gateway; Kinder Morgan Trans Mountain Pipeline expansion; the increasing use of hydraulic fracturing, and proposed LNG facilities.

lore recently, Enbridge's Line 9 reversal proposal, which will move Oil Sands' oil through the heart of Ontario, has noved to the front of the anti-Oil Sands movement.

The anti-petroleum and anti-nuclear movement has attempted to interfere within the federal regulatory hearings (NEB nd CNSC), and have used coordinated/mass interventions, that have at times, bogged down the regulatory hearings. In response, the federal government has instituted new regulatory procedures that will limit who may make formal presentations at the NEB's public hearings.

hese new hearing procedures have re-focused protest activity from the content of the hearings, to the conduct of the hearings.

. s such, protest rhetoric is being directed at the NEB and its members.

s the NEB is the federal regulator for many aspects of the Oil Sands, it is the focus of attention by many anti-Oil Sands, nti-Canadian petroleum, and anti-petroleum pipeline operations, and it is highly likely that the NEB may expect to receive threats to its hearings and its board members.

s always, prior to conducting its hearings, I encourage NEB to discuss its security concerns with the police of jurisdiction.

7

A0008929 14-000014

CIIT will continue to monitor all aspects of the anti-petroleum industry movement to identify criminal activity, and will ensure you are apprized accordingly.

I have included the RCMP's CITT Divisional analysts and message.

within this

If you are planning to attend the NRCan May 23rd Classified Briefing, you may wish to discuss your concerns with the security officials who will be in the briefing room.

You are welcome to contact me directly to discuss your concerns in more detail.

Regards.....Tim

Tim O'Neil
Senior Criminal Intelligence Research Specialist
Critical Infrastructure Intelligence Team
Federal Policing Criminal Operations
M3, 4th Floor, Rm 616-96,
Mailstop #148
73 Leikin Drive,
Ottawa, Ontario
K1AOR2

613-843-5129

s.19(1)

513-825-7030 (f)

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>>> Rick Garber <Richard Garber@neb-one.gc.ca> 2013-04-18 14:45 >>>

Tim, enclosed please find the link to a recent YouTube item wherein threats to energy CI (pumping stations) and nossibly to government officials ("targeting" the NEB panel members) is featured,

our assistance is sought in establishing whether this represents a credible threat to the NEB panel members from the RCMP perspective.

Thanks in advance!

Pick

Richard S. Garber, CD, MA, MBA

Group Leader, Security | Chef de groupe, sureté

Corporate and Information Solutions

National Energy Board | Office national de l'énergie

444 - Seventh Avenue SW | 444, Septième Avenue S.-O.

lalgary, Alberta T2P 0X8 | Galgary (Alberta) T2P 0X8

fobile | Cellulaire

Fax | Télécopieur : 403-292-5503

"lichard.Garber@neb-one.gc.ca

rom: Whitney Punchak

Sent: April 17, 2013 11:53 AM

To: John Pinsent; Rick Garber

:c: Paul Lackhoff

Subject: FW: You Tube anti Line 9 video

s.19(1)

2

s.19(1) s.21(1)(a)

Hi John and Rick,

I did a little research on the two people who were interviewed by Poor Man Media.

http://toronto.mediacoop.ca/author/zach-ruiter

http://rabble.ca/category/bios/zach-ruiter

http://www.youtube.com/watch?v=SLi2Q3nyteg

http://www.genuinewitty.com/2013/02/04/toronto-anarchists-make-a-mockery-out-of-idle-no-more-feat-zach-ruiter-

derek-soberal/

https://twitter.com/lifeortheatre

From: Paul Lackhoff

Sent: April 17, 2013 9:51 AM

To: Jody Saunders; Whitney Punchak; Ryan Rodier; Sylvia Marion; Jamie Kereliuk; Alex Ross; Carole Léger-Kubeczek

Cc: Margaret Barber; Sandy Lapointe; Ed Jansen; Tracy Sletto; John Pinsent

Subject: You Tube anti Line 9 video

FYI-

http://www.youtube.com/watch?v=G5\_AZV3mmEE

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#### Rick Garber

From:

Kelly-Anne Dypolt

Sent:

April 18, 2013 4:06 PM

To:

Rick Garber

::Subject:

OSI

Found a few things on this fellow

s.19(1)

Thanks

s.21(1)(a)

http://rabble.ca/taxonomy/term/15585/%2A/feed

s.21(1)(b)

https://www.google.ca/search?q=zack+ruiter&hl=en&rls=com.microsoft:en-us:IE-

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6
http://www.genuinewitty.com/2013/02/04/toronto-anarchists-make-a-mockery-out-of-idle-no-more-feat-zach-ruiter-lerek-soberal/maggie-helwig-idle-no-more-zach-ruiter-anarchists/

		•	
From:	Rick Garber		
Sent:	April 18, 2013 12:39 PM		
To:	Kelly-Anne Dypolt (Kelly-Anne.Dypolt@neb-one.gc.ca)		
Cc:	Lee Williams (Lee.Williams@neb-one.gc.ca)	•	
Subject:	FW: You Tube anti Line 9 video		
FYI to assist in open source res	search		
Rick			
Richard S. Garber, CD, MA, N	MRA		
Broup Leader, Security   Chef	de groupe, surelé		
Corporate and Information Solu	utions		
National Energy Board   Office	national de l'énergie		
144 - Seventh Avenue SW   44	4, Septième Avenue SO.		
Calgary, Alberta T2P 0X8   Cal Mobile   Cellulaire :	gary (Alberta) T2P 0X8	•	
Fax   Telécopieur : 403-292-55		• •	
Richard.Garber@neb-one.gc.c			
	<u>.</u>		
From: Whitney Punchak			
ient: April 17, 2013 11:53 AM			
'o: John Pinsent; Rick Garber	•		
Cc: Paul Lackhoff		s.19(1)	
ubject: FW: You Tube anti Li	ine 9 video	s.21(1)(a)	
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>: Jody Saunders; Whitney Punchak; Ryan Rodier; Sylvia Marion; Jamie Kereliuk; Alex Ross; Carole Léger-Kubeczek
>: Margaret Barber; Sandy Lapointe; Ed Jansen; Tracy Sletto; John Pinsent
Subject: You Tube anti Line 9 video

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http://www.youtube.com/watch?v=G5\_AZV3mmEF

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of the Access to Information Act de la Loi sur l'accès à l'information

#### Rick Garber

From:

Wes Elliott

Sent:

March 04, 2013 11:58 AM

To:

**NEB BUOPS-Emergency Mgmt and Security** 

Cc:

Patrick Smyth; Jamie Kereliuk; Alison Farrand; Rick Garber

Subject:

Interesting article...if you haven't seen it already.

http://www.winnipegfreepress.com/opinion/westview/gateway-showdown-might-dwarf-idle-no-more-194755771.html?device=mobile

Nes Elliott

**Dperations Technical Specialist, Security** 

National Energy Board

444 Seventh Ave SW, Calgary, AB T2P 0X8

Office: 403-299-3735, Mobile: 403-473-4740

wes.elliott@neb-one.gc.ca

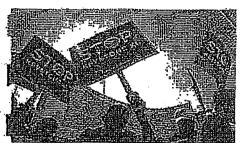
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#### Open Source intel as at 31 January 2013

#### Sierra Club's Michael Brune on Keystone XL and civil disobedience

This month, Michael Brune said that the the Sierra Club would officially participate in an act of civil disobedience. The target? The Keystone XL pipeline

- By David Roberts for Grist, part of the Guardian Environment Network
- guardian.co.uk, Tuesday 29 January 2013 16.18 GMT



Demonstrators in San Francisco rally against the Keystone XL oil pipeline. Photograph: Stephen Lam/Reuters

Earlier this month, Sierra Club Executive Director Michael Brune announced that the Club would, for the first time in its long and toried history, officially participate in an act of civil disobedience — i.e., break the law. The target? The Keystone XL pipeline, "For ivil disobedience to be justified, something must be so wrong that it compels the strongest defensible protest," he wrote. "Such a protest, if rendered thoughtfully and peacefully, is in fact a profound act of patriotism."

called Brune to get some insight on the Club's thinking and its future plans.

#### ?. How was this decision made?

A. One of the strengths of the Club is that we are a democratically driven organization. If you're a member and you write a check for \$30, you get to vote on who's on our board, and the board sets policies. The board voted to authorize the Sierra Club to engage in civil isobedience, to pressure the president to use his full authority to reject the Keystone pipeline. There will likely be a conversation wout the Club's position on civil disobedience more broadly, but all that has happened so far is approval to take this single action.

. Obviously nothing is stopping members of Sierra Club from engaging in civil disobedience on their own. What is the gnificance of this sort of authorization?

. Sierra Club members and even board members have participated as individuals. What is different now is, one, that the club itself is idorsing this civil disobedience and organizing to make it effective and strategic. And two, we are putting it in the context of a larger plan to support the president in realizing his vision and make sure his ambition meets the scale of the challenge.

#### . What exactly is the action?

A. I can't tell you that. I'd love to give Grist the inside scoop on it, but if I say, "Hello world, we're going to be on the corner of 22nd dZ Ave." ... we probably won't be able to pull it off.

Q. Do you worry that this will cost the Sierra Club access to policymakers, or credibility inside the halls of power?

. No. The Sierra Club has the most recognized brand in the country on environmental issues; we've been around for 120 years; we have millions of members and active supporters who are involved in every state, in every congressional district, in every city, in just out every country in the country. We have a strong track record of being very determined, very relentless, but also strategic and agmatic in advocating for smarter environmental policies. None of that changes simply because we are also employing civil disobedience has a long and proud tradition in our country.

Q. Why did this come up now? Who got it on the agenda?

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A. It came from a couple of directions. The Sierra Club has delegates from across the country who gather every year in September. At one of their recent gatherings, they voted to ask the board of directors to allow the club to engage in civil disobedience. This had been done before — there had been many attempts to have the board approve this and none of them went forward. The board tabled for some time, to consider it, and then I helped bring it to the board back in December and a decision was made in January.

- Q. What's changed? Is it the composition of the board of directors, or is it circumstances?
- A. It's all external, really. Look at the year we had the wildfires, the record drought, the derecho, Superstorm Sandy, a full degree Fahrenheit warmer than we've ever seen in the lower 48. That's an extraordinary year. We have a president who gets the issue, cares about climate change and its impacts on our country, and has elevated climate to the short list of priorities in his second term. Yet the president has considerable executive authority that isn't being exercised. So what motivated the board is the fact that we need to create political moments that break through the lethargy and the paralysis that is gripping Washington right now in order to help prompt nore inspirational leadership.
- Q. Why Keystone XL? Obama has <u>EPA power plant regulations</u> coming up. He's leasing Powder River Basin coal for <u>pennies</u> on the dollar. Those arguably involve more direct CO2 emissions. What it is about Keystone that prompted this?
- A. Two reasons: One, by itself, Keystone is a climate disaster. We simply can't transport 700,000-800,000 barrels of oil [a day] from one of the dirtiest, most carbon-intensive oil sources on the planet and say that we're sincere in our commitment to fight climate hange. You can't cut carbon pollution and expand production of a carbon-intensive fuel source.

The other reason is that we learned last year from [the International Energy Agency] and Bill McKibben the "New Math." We know not we have to keep at least two-thirds of all coal, all oil, all gas reserves in the ground if we're to have a shot at keeping warming elow 2 degrees Celsius — which is, in itself, a reckless goal to embrace as a society. If we're to have a shot at transforming how we look at fossil fuel energy resources, and convincing policymakers, we need symbols. We need to find high-profile, extreme sources of energy and turn away from them, as a way to begin and lead a transition away from dirty fuels.

so when you look at North America, those extreme energy sources are the tar sands, first and foremost. But also mountaintop-removal coal mining, drilling for oil in the Arctic — sadly, there are plenty of targets to choose from. We picked the tar sands because it's mong the most high-profile and highly destructive and it's going to be one of first big decisions coming from the president in the first alf of the year.

- . What is the role of civil disobedience today? How can it make an impact?
- A. Civil disobedience can highlight the urgency of a particular injustice and can increase the profile of a particular problem. It doesn't a ways work that way, but it can Look at the <u>Dreamers</u> if you want a good example of how civil disobedience works. Or look at how ty rights advocates have organized so effectively to bring at least some equality to gay and lesbian Americans in the military or states across the country.
- civil disobedience can be effective. But I would also say: Rarely is it effective if we're not also employing every other means of Loial change, whether it's creative communications, engaging with artists and entertainers, or classic organizing, phone banking, doing stuff online. If we think the only thing missing is civil disobedience, then we're probably kidding ourselves, because there's a lot straight-up hard work to be done to make sure that we're effective.

#### On is the Sierra Club come to help with legal defense at there are arrests?

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... Has the Sierra Club done anything to coordinate with other groups who are trying to organize similar actions?

That's an excellent question. I'll be happy to answer it sometime later in February.

A0008929\_29-000029

look speaks with Michael Brane, executive director of the Sierra Club, about the approved one, time use of beace full dividisobedience for the first time in the group's history. They will be participatine in a climate fally in February in Washington, D.C.

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MEGISSA-BLOCK-HOST

or the first time and its 120-year history, the Sterra Chaptasis and it will officially participate maskel-disobedience to profest tar oll and the Keysone-Alepheel ne environmental groups leaders say they planterisk arest or even provoke arrest accombit I unspecified in our literatury astrocion the hierarchors executive director victore! Dune foins me to talk about that decision iore. Michael Brune welcome forthe program

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ie Realisticallysido voo think ihat the pipeline can beduined around when a good portion of it is already under way

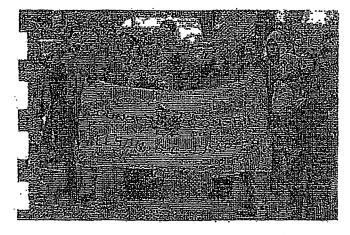
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### \*LOCAL ACTIVISTS VOICE DISPLEASURE OVER ENBRIDGE TO NATIONAL ENERGY OARD'S JOINT REVIEW PANEL

#### y Nelson Daily staff on 29 Jan 2013



.ck Vission and Pegasus McGauley represented the Nelson Chapter of the Council of Canadians in Kelowna Monday. — Suzy. Hamilton photo By Suzy Hamilton, The Nelson Daily

noting UBC Kermode bear expert Kermitt Ritland, bear biologist Wayne McCrory said: "One thing is for sure, black oil will not look good on a white coat."

- what are we going to tell our children when we knew what was inevitable and approved it anyway?"
  - Crory was presenting a submission at the National Energy Board's Joint Review Panel in Kelowna Monday.
- I based his submission on years of work with the genetically unique white Kermode bears that inhabit Gribble Island, located in the in the proposed tanker traffic.

A0008929\_31-000031

Piqued that he wasn't allowed to bring in his bottle of bitumen to show water and oil don't mix, McCrory told the panel that Enbridge had grossly underestimated the chance of spills and overestimated the ability to clean them up by citing the reality of the number of spills in the last 25 years that were only supposed to happen once every 200 years.

Douglas channel, which I know well, is far longer, more convoluted, has more turns for supertankers than the Exxon Valdez had to contend with... containing and cleaning up a major spill...given the huge storms ... and tidal currents that typify this area... how can this (project) ever be possible? Only a small portion of an oil spill could realistically be cleaned up."

He said the toxic mess would be there for "centuries".

vicCrory was one of a half dozen Kootenay residents who spoke at the hearings Monday.

A bus chartered by the West Kootenay EcoSociety delivered 35 spectators and several presenters to the Sandman Inn in Kelowna where the National Energy Board's Joint Review Panel was conducting oral hearings for the day.

Three days earlier the Joint Review Panel closed the hearings to the public, who had to watch it by video in a hotel two kilometers away. Presenters were allowed to bring one guest.

limate change contribution, risk to water, food, oceans and wildlife, preservation of First Nations' way of life, oil spills and alternative energy topics were all brought up.

Slocan Valley resident Denise Default told the panel: "Hopefully your final report will find there is too much risk for this project to receed.

"This pipeline is not in Canada's best interest, but instead in the hands of privateers. Let's open our minds to ways of providing new lergy for ourselves," she said.

But Enbridge's communication manager Ivan Gesbrecht said that the \$6 billion pipeline project could be built without serious insequence.

" wouldn't be sitting here if I didn't believe that. I believe in this project and I believe it can be done safely."

"We've had very few people in favour of the project, most have spoken out against the project, but we are certainly interested in aring what they have to say, whether people are for or against the project."

Presenters told the panel that Enbridge has had over 800 spills since 1999.

But Giesbrecht responded: "From 2002 - 2011 we recorded 666 liquid spills. However, it's important to note that not all barrels of uids spilled are the same. The majority of these spills (559 of the 666) is small (less than 10 barrels each) and occur at Enbridge dilities such as pump stations and terminals.

his means they are completely contained within Enbridge's facilities and never leave the site - resulting in low or no environmental impact."

: did not provide information about the 100 plus spills that were not small.

A0008929 32-000032

Nelson resident Paul Craig drew criticism from the panel when, after citing environmental and economic reasons for not allowing the Alberta to BC coast pipeline, he said:

"The last point I would like to make is that there are so many people so passionate about stopping this project, if they try to build it, I think much violence will come to this land, as people lay down their lives to protect their land, their water, their way of life."

At that point a spectator let out a loud supportive whoop and the panel admonished both the spectator and Craig for the outburst and for bringing up the topic of civil disobedience.

"This is a technical review panel," said the chair Sheila Leggett.

"It's not helpful to us to make comments—as we've mentioned in other sessions—when people make comments about potential civil disobedience."

Other presenters such as Nelson's Marty Sutmoller, Michael Jessen and Tom Prior provided the panel with further environmental, conomic and social reasons to not allow Enbridge to proceed.

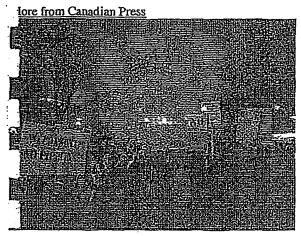
The panel moves next to Prince Rupert for hearings and is expected to submit their report to Otrawa by the end of 2013. They have eard about 1400 submissions from 17 communities in BC and Alberta.

#### ENERGY

Iorthern Gateway opponents target CN Rail



Canadian Press | Jan 31, 2013 10:36 AM ET



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"ANCOUVER — Opponents of the Northern Gateway pipeline are threatening to turn their sights on CN Rail, as at least one Alberta company explores the possibility of transporting oil sands crude to the B.C. coast by rail.

Sixteen environmental groups have signed a letter to CN CEO Claude Mongeau questioning the rail industry's safety record.

A0008929 33-000033

The letter specifically cites a 2005 train derailment that spilled thousands of litres of oil and toxic chemicals into Lake Wabamun, in Alberta, and another accident the same year that dumped caustic soda into the Cheakamus River, killing half a million fish and poisoning the river for kilometres.

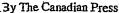
The groups say that if CN decided to move forward with oil transport plans, it would face major opposition and risks to the company.

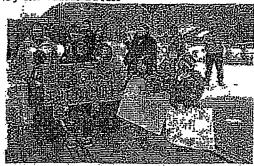
The Port of Prince Rupert confirms that it has had "very preliminary" talks with Nexen Inc., about using trains to bring oil from Alberta to the north coast port city.

Production in the Alberta oil sands has outstripped pipeline capacity, and several projects have been proposed to expand Pacific exports — including Enbridge's Northern Gateway pipeline into Kitimat and an expansion of Kinder Morgan's existing pipeline into Metro Vancouver.

#### HOME | BUSINESS | RESOURCES | STORY

Northern Gateway pipeline opponents say CN's crude-by-railcar pitch poses 'risk to company' Thursday, January 31, 2013





dembers of the Gitxsan First Nation blockade a CN railroad track in Kitwanga, B.C., between Terrace and Smithers, on Wednesday, Jan. 16, 2013. The Gitxsan were supporting a nationwide day of Idle No Protests as well as local issues such as the Enbridge Northern Gateway Pipeline. CN and Via Rail stopped traffic on the line during the blockade.

#### hotographed by:

Robin Rowland, THE CANADIAN PRESS

ANCOUVER - Opponents of the Northern Gateway pipeline are threatening to turn their sights on CN Rail, as at least one Alberta oil company explores the possibility of transporting oil sands crude to the B.C. coast by rail.

ixteen environmental groups have signed a letter to CN CEO Claude Mongeau questioning the rail industry's safety record.

he letter specifically cites a 2005 train derailment that spilled thousands of litres of oil and toxic chemicals into Lake Wabamun, in Iberta, and another accident the same year that dumped caustic soda into the Cheakamus River, killing half a million fish and poisoning the river for kilometres.

ne groups say that if CN decided to move forward with oil transport plans, it would face major opposition and risks to the company.

The Port of Prince Rupert confirms that it has had "very preliminary" talks with Nexen Inc., about using trains to bring oil from lberta to the north coast port city.

Production in the Alberta oil sands has outstripped pipeline capacity, and several projects have been proposed to expand Pacific ports — including Enbridge's Northern Gateway pipeline into Kitimat and an expansion of Kinder Morgan's existing pipeline into etro Vancouver.

A0008929\_34-000034

#### TWITTER

Council of Canadians

Haida Gwaii Coast CN runs risk with crude by rail car pitch

#TrollYourGovernment @OkanaganD\_anon Okay #Kelowna let's show those #Enbridge nitwits what we're made of! Get out & shut his illegal process down!! #nopipelines #notankers #J28

Sierra Club BC Enbridge hearings continuing today - we'll be live-tweeting highlights from the testimony in Vancouver starting at 1 .m. Check it out at @Sierra\_BC on Twitter all afternoon. 28 minutes ago.

#### Main page headers

#### Sierra Club BC Statement on Civil Disobedience

We are doing all that we can, within the bounds of the law, to stop the proposed Enbridge pipeline and persuade governments to act on the climate crisis before we cross a truly dangerous threshold.



Sierra Club BC is a separate organization from Sierra Club Canada. Sierra Club BC has its own board of directors, sets its own rategic direction, and raises all of its own funds. Sierra Club BC does not engage in civil disobedience as a matter of policy.

The Sierra Club of BC Foundation is a registered charity and is compliant with all legal requirements for Canadian charities, Sierra lub Canada is not a registered charity.

The Sierra Club BC mission is to protect and conserve British Columbia's wilderness, species and ecosystems, within the urgent mext of global warming impacts. That work takes place within the letter and spirit of the law.

In the United States, the Sierra Club has indicated that it will engage in civil disobedience as part of its response to the many critical sues associated with the Keystone Pipeline. This decision has led to an important debate here in Canada around now best to raise uncern about and act wisely in shaping not just our energy future, but the future of the planet.

We are doing all that we can, within the bounds of the law, to stop the proposed Enbridge pipeline and persuade governments to act the climate crisis before we cross a truly dangerous threshold. The climate crisis is a borderless threat that calls all of us to act as a spired leaders; to leave behind our reliance on fossil fuels and usher in a new age of smart, clean, green energy and wise stewardship of our irreplaceable planet.

Dil Spill Stories: Vancouver

As the community hearings on Enbridge's proposed Northern Gateway Pipeline and Tanker project wrap up, join us for an evening of powerful stories that highlight the need for all of us to take a stand to protect our water from oil spills.

When

Jan 31, 2013

from 07:00 PM to 09:00 PM

Where

Heritage Hall (3102 Main Street, Vancouver, Coast Salish Territories)

Contact Name

iolan@forestethicsadvocacy.org

্রার্থি Add event to calendar

As the community hearings on Embridge's proposed Northern Gateway Pipeline and Tanker project wrap up, join us for an evening of rowerful stories that highlight the need for all of us to take a stand to protect our water from oil spills.

WHEN: 7PM, Thursday, January 31st.

WHERE: Heritage Hall (3102 Main Street, Vancouver, Coast Salish Territories)

peakers:

Melina Laboucan-Massimo will speak about the impacts on her community of the 28,000 barrel Plains Midstream Pipeline spill in Lubicon Cree territory.

a'Kaiya Blaney will raise her powerful young voice to protect our coast from oil spiils.

r-ce Admission

contact jolan@forestethicsadvocacy.org for more info.

<sup>&</sup>quot;fiehelle Barlond-Smith will share her first-hand experience from Enbridge's catastrophic oil spill into the Kalamazoo river.

#### Rick Garber

...From:

Rick Garber

Sent:

January 31, 2013 5:05 PM

To:

Sheila Leggett; Kenneth Bateman; Hans Matthews

....Cc:

Ruth Mills; John Pinsent; Gord Campbell; Lee Williams (Lee.Williams@neb-one.gc.ca);

Kelly-Anne Dypolt (Kelly-Anne.Dypolt@neb-one.gc.ca)

Subject:

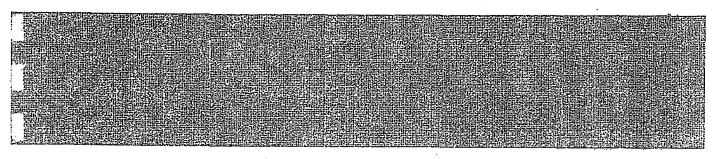
RE: Prince Rupert security assessment

#### Sheila, Kenneth and Hans,

In response to your query, the Security Team has consulted today with CSIS at national and regional levels; RCMP at national, regional and local (Prince Rupert Detachment) level and conducted a thorough review of open source ntelligence, including social media feeds.

Based on the intelligence received, we have no indications of threats to the Panel at this time.

Intelligence has been received of Idle No More activities planned for Feb 9 and 11 in Prince Rupert, as well as the possibility of activities associated with the "All Native basketball Tournament" being held in Prince Rupert the week of 10-16 February - but none of these activities correspond with your schedule in Prince Rupert.



The Security Team, together with our police and intelligence partners, will continue to monitor all sources of information and intelligence and promptly advise the Panel of any changes to the current threat assessment.

ick

ichard S. Garber, CD, MA, MBA

Group Leader, Security | Chef de groupe, sureté Business Integration | Intégration Opérationelle National Energy Board Office national de l'énergie

14 - Seventh Avenue SW | 444, Septième Avenue S.-O.

Calgary, Alberta T2P 0X8 | Calgary (Alberta) T2P 0X8 Phone | Téléphone : 403-299-3679 Fax | Télécopieur : 403-292-503 Richard.Garber@neb-one.gc.ca

s.21(1)(a)

s.21(1)(b)

---Original Message----om: Sheila Leggett

Sent: January 31, 2013 8:54 AM

r: Rick Garber

:: Kenneth Bateman; Hans Matthews; Ruth Mills

Subject: Prince Rupert security assessment

ck,

L

A0008929\_37-000037

∵hanks, Sheila

> s.21(1)(a) s.21(1)(b)

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38 of 122

AGC0149

### Pages 39 to / à 40 are not relevant sont non pertinentes

39 of 122

#### Rick Garber

From:

Victor STEINHAMMER <victor.steinhammer@rcmp-grc.gc.ca>

Sent:

January 31, 2013 11:11 AM

Гo:

Rick Garber

**€c:** 

Jim Vardy

Subject:

RE: FW: Prince Rupert security assessment

**\ttachments:** 

Victor STEINHAMMER.vcf

Rick,

This has come back to me to address. Of course we can only analyze what has happened in the past. The hearings in prince Rupert have been uneventful, but not without saying "without an event", there has been two events during the hearings. The first was during the first round and a female refusing to stop interrupting the proceedings, she was escorted out and shortly after allowed back in with no further interruption.

The second was during the last hearings here where there was a small protest over the lunch hour that lasted less than an hour and very peaceful.

There was a large scale rally that took place in the community but the hearings were not taking place at the time, even this was peaceful.

We have no other information pertaining to any protest or otherwise for the upcoming hearings.

/ic

V.K.( Victor ) Steinhammer, S/Sgt Operations NCO Prince Rupert Detachment Office phone: 250.627.0766 Facsimile: 250.627.3013

.00 6th Avenue West Prince Rupert, B.C. '/8J 3Z3

Men make history and not the other way around. In periods where there is no leadership, society stands still. Progress occurs when courageous, skillful leaders seize the opportunity to change things for the better.

. larry S. Truman

>>> "Rick Garber" <Richard.Garber@neb-one.gc.ca> 2013-01-31 08:59 >>>

ive me an hour or two to see what comes up and I'll track you down. FYI RCMP in Ottawa have flipped my request out to Inspectors Peter Haring and Dan Bond, of "E" Division...

\_heers,

Rick

ichard S. Garber, CD, MA, MBA
Group Leader, Security | Chef de groupe, sureté
Business Integration | Intégration Opérationelle
lational Energy Board | Office national de l'énergie
44 - Seventh Avenue SW | 444, Septième Avenue S.-O.
Calgary, Alberta T2P 0X8 | Calgary (Alberta) T2P 0X8

1

A0008929\_41-000041

Phone | Téléphone : 403-299-3679 Fax | Télécopieur : 403-292-5503 Richard Garber@neb-one.gc.ca

From: Victor STEINHAMMER [mailto:victor.steinhammer@rcmp-grc.gc.ca]

Sent: January 31, 2013 9:56 AM

To: Rick Garber

Subject: RE: FW: Prince Rupert security assessment

I am here until 1400.

/ic

V.K.( Victor ) Steinhammer, S/Sgt Operations NCO Prince Rupert Detachment Office phone: 250.627.0766 Facsimile: 250.627.3013

100 6th Avenue West rince Rupert, B.C. /8J 3Z3

Men make history and not the other way around. In periods where there is no leadership, society stands still. Progress occurs when courageous, skillful leaders seize the opportunity to change things for the better.

Harry S. Truman

"Rick Garber" < Richard.Garber@neb-one.gc.ca> 2013-01-31 08:55 >>>

Vic - I have calls into CSIS and RCMP Critical infrastructure. I'll share anything I get from them with you.

there a good time I could call you later today to discuss possible contingencies?

heers,

#### Rick

ichard S. Garber, CD, MA, MBA iroup Leader, Security | Chef de groupe, sureté Business Integration | Intégration Opérationelle National Energy Board | Office national de l'énergie 44 - Seventh Avenue SW | 444, Septième Avenue S.-Q. Jalgary, Alberta T2P 0X8 | Calgary (Alberta) T2P 0X8 Phone | Téléphone : 403-299-3679 ax | Télécopieur : 403-292-5503 ichard.Garber@neb-one.gc.ca

2

A0008929 42-000042

From: Victor STEINHAMMER [mailto:victor.steinhammer@rcmp-grc.gc.ca]

Sent: January 31, 2013 9:36 AM

To: Rick Garber

Subject: Re: FW: Prince Rupert security assessment

Rick,

First off, yikes. We have received no intel on the hearings. I have been advised of a Idle no more rally on Feb 9 and on Feb 11, nothing on the hearings.

·Vic·

V.K.( Victor ) Steinhammer, S/Sgt Operations NCO Prince Rupert Detachment Office phone: 250.627.0766 Facsimile: 250.627.3013

100 6th Avenue West Prince Rupert, B.C. V8J 3Z3

Men make history and not the other way around. In periods where there is no leadership, society stands still. Progress occurs when courageous, skillful leaders seize the opportunity to change things for the better.

Harry S. Truman

>>> "Rick Garber" < <a href="mailto:Richard.Garber@neb-one.gc.ca"> 2013-01-31 08:30 >>>

/ic - per the note below, I have just had the requirement for what is essentially a comprehensive intelligence summary dropped on me for the end of the day. Sigh.

s there any way that I could impose upon you to produce a short, high level analyses of the likelihood / potential for ggressive activities in Prince Rupert BC, associated with the Enbridge Northern Gateway Joint Review Panel hearings.

^ tall order, I know. ...

Rick

Richard S. Garber, CD, MA, MBA

roup Leader, Security | Chef de groupe, sureté Business Integration | Intégration Opérationelle National Energy Board , Office national de l'énergie

444 - Seventh Avenue SW | 444, Septième Avenue S.-O.

algary, Alberta T2P 0X8 | Calgary (Alberta) T2P 0X8 Phone | Téléphone : 403-299-3679 Fax | Télécopieur : 403-292-503 Richard.Garber@neb-one.gc.ca

---Original Message----

rrom: Sheila Leggett

Sent: January 31, 2013 8:54 AM

o: Rick Garber

c: Kenneth Bateman; Hans Matthews; Ruth Mills Subject: Prince Rupert security assessment

ick,

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A0008929 43-000043

Thanks, Sheila

s.21(1)(a)

s.21(1)(b)

Rick Garber		
From: Sent: [o:	Ed Jansen January 29, 2013 7:22 AM Lee Williams	Plante de la companya
C: Subject:	Rick Garber Re: ENG Project Hearing - Security Daily Brief - 28 Jan 13, Kelowna, BC	·
Thanks for the update	e, Lee. Keep up the good work.	• .
d		•
ereliuk Cc:	γ 28, 2013 11:20 PM a Leggett; Alison Farrand; Ed Jansen; Hans Matthews; Kenneth Bateman; Sheri Young; Jamie s.19(1)	
Security Daily Briefing	g - 28 January 2013 - Kelowna	
om a security perspo	ective, there were no security violations, breaches or incidents this date.	
	hrs, Sandman Hotel and Suites Kelowna) several protests were held by the Idle No More, Ped gwood Initiative and independent activists. There were approximately 150 peaceful protests	
No security violation	s, breaches or incidents occurred at the Hearing Venue (Sandman).	
	s, breaches or incidents occurred at the Public Viewing Venue (Holiday Inn), Of note, ple attended the venue.	s.16(2)(
- A total of ecu curity) Commis	rity personnel were tasked to the two Venues; NEB Security Advisor, conti sionaires at Public Viewing Venue and the Hearing Venu).	ract
- Police assistance. RCI	MP members were present in and around venues. No law enforcement assistance was requir	red.
ieneral Comments: I	It is believed that holding a separate Public Hearing Venue eliminated disruptions.	
lext hearing is sched	luled in Vancouver on 30 January.	

For your information,

i e Williams

Security Advisor, Business Integration

i itional Energy Board

4 - Seventh Avenue SW

Calgary, Alberta T2P 0X8

I one: (403) 909-5423 Fax: (403) 292-5503 E-mail: Lee.Williams@neb-one.gc.ca

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# Appendix 9

# **ENBRIDGE NORTHERN GATEWAY PROJECT** INTEGRATED SECURITY, LOGISTICS AND **COMMUNICATIONS PLAN**

# KELOWNA

Sandman Hotel & Suites Kelowna 2130 Harvey Avenue, Kelowna, BC

January 28, 2013

Issue Date: January 24, 2013

Canada Departmental Security Officer -- RDIMS 682869

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# 1. Sign-off on Security Risk Level and Hearing Security Management Plan

Hearing #:		•
Security Risk Level:		
For Reduced (Level 1) Risk Hearings		
Hearing Manager	Signature	Date
Presiding Member	Signature	Date
For Standard (Level 2) and Elevated (	Level 3) Risk Hearings	
Shawnna Cox / Ruth Mills Hearing Manager	Signature	Date
Rick Garber	<u> </u>	Date
Risk Management Team Lead Sheri Young	Signature	
Secretary of the Board  Sheila Leggett	Signature	Date
Presiding Member	Signature	Date

s.16(2)(c)

# CONTACTS

# Accommodations

Dates	Organization	Notes	Phone Numbers
27 – 28 Jan 13	Sandman Hotel & Suites Kelowna	2130 Harvey Avenue, Kelowna, BC	T: 250-860-6409

# Transportation

Organization	Contact Name	Notes	Phone Numbers
Avis		Toll Free: 800-879-2847	T: 250-491-9500
Budget		Toll Free: 800-268-8900 www.budget.com	T: 250-552-0768
Discount Car		Toll Free: 800-263-2355 www.discountcar.com	T: 250-762-7737
Enterprise	_	Toll Free: 800-261-7331 www.enterpriserentacar.ca	T: 250-491-9611
Hertz		Toll Free: 800-654-3131	T: 250-765-3822
Național		Toll Free: 800-227-7368 www.nationalcar.com	T: 250-963-7473

# Venue

Dates	Organization	Contact Name	Notes	Phone Numbers
27 – 28 Jan 13	Sandman Hotel & Suites Kelowna	(GM) (Banquet Mgr)	2130 Harvey Avenue - Okanagan (Hrg Rm, 2,810 sq ft) - Westbank (Processing, 808 sq ft) - Kelowna (Retiring Rm, 680 sq ft)	250-860-6409

s.19(1)

# **Emergency Contacts**

Organization	Contact Name	Notes	Phone Numbers
Security Advisor	Lee WILLIAMS	NEB Site Security Advisor	403-909-5423
Contract Security Advisor		Security Advisor	
NEB 24/7 Incident phone	On-Call Responder		
911		Fire / Police / Ambulance (24/7)	911
Kelowna General Hospital		2268 Pandosy Street, Kelowna (6.1 km; 11 minutes from venue)	888-877-4442 250-862-4000

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# Security/Law Enforcement Contacts

Name	Position	E-mail	Telephone No.
Lee Williams*	NEB Security Advisor	Lee.Williams@neb-one.gc.ca	
	Security Advisor	2 tocra.ca	
	Contractor (CCoC) - Security		
Insp Paul DRISCOLL	OIC	Paul.Driscoll@rcmp-grc.gc.ca	
Cpl Dave ALBRECHT	NCO I/C Target Team	David:Albrecht@rcmp-grc.gc.ca	
	Director Ops - Interior	Kel-ops-dir@commissionaires.bc.ca	
* denotes part of ad	vance group		

s.19(1)

# **Staff Contacts**

Name		Cell Number
Sheila Leggett	Panel Member	
Kenneth Bateman	Panel Member	
Hans Matthews	Panel Member	
Shawnna Cox	Hearing Manager	
Brenda Price	Process Advisor	
Kristen Higgins	Communications Officer	
Deb Gilbert	Regulatory Officer	
Jessica Fung	IT Support	
Lee Williams*	Security Advisor	
KNEED	Security Contractor	
(contractor)	Court Reporter	
(contractor)	Sound Technician	1000000000000000000000000000000000000
(contractor)	Sound Technician	•

<sup>\*</sup> denotes part of advance group

# 3. GENERAL COMMENTS

### Mission Statement

On behalf of the Presiding Member, it is the mission of the Business Integration Group, Security, to provide for the on-site security and safety of Hearing Attendees for the Enbridge Northern Gateway Project Oral Hearings at the Sandman Hotel & Suites Kelowna, 2130 Harvey Avenue, Kelowna, BC, which are to be held on 28 January 2013.

### Scope

The scope of responsibilities of the Business Integration Group, Security, in this security plan is limited to ensuring room security (Hearing Room, Working Room, Process Room and adjacent rooms/hallways/corridors) and Hearing Attendee security by way of National Energy Board (NEB) staff, contract security, hotel security and the Royal Canadian Mounted Police (RCMP). All plans and procedures shall be in accordance with the NEB Hearing Security Management Policy and Procedure.

# 4. HEARING SITE, MAPS AND DIAGRAMS

The Sandman Hotel & Suites Kelowna is situated across from the Orchard Park Mall and minutes away from sandy beach and Okanagan Lake. The hotel has an indoor pool and whirlpool, fitness facilities and casual dining. The hotel also provides high-speed Internet access, a fully equipped business centre, a Moxie's Grill & Bar and Kelowna's only 24-hour family restaurant, Denny's 24 Hour Restaurant. It also is just a 12-minute drive to Kelowna International Airport (YLW).

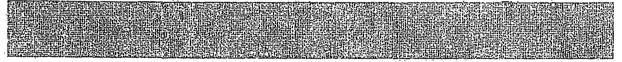
# **Hearing Room Details**

The Okanagan Room is 2,810 sq ft located underground, and reasonably soundproof from hotel exterior noise. Keys for the venue are available for 24-hour access.

### Work Room

### Additional Work Room/Process Room

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Hearing Site maps and diagrams are contained at Annex A to Appendix 9 (RDIMS 683931).

# 5. SECURITY AND LAW ENFORCEMENT LIAISON PERSONNEL

Personnel from the NEB, Sandman Hotel & Suites, contract security such as the Canadian Corps of Commissionaires and Tocra Inc. as well as the RCMP will be providing security and law enforcement support to the Hearings as follows:

Agency/Company

Responsibilities

NEB

To ensure a safe and secure environment at Hearings for Hearing Attendees where all participants are free to express their comments while maintaining appropriate decorum and that all Hearing Attendees are safe and feel safe by way of advice from the NEB Security Advisor, contract security and the RCMP. The NEB Site Security Advisor is responsible for conducting: Hearing threat, vulnerability and risk assessment; development and implementation of the Hearing security plan; oversight of contract security; daily security brief; and security after action report.

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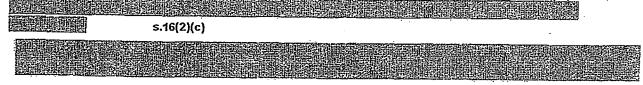
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Sandman Hotel & Suites Kelowna Security	To provide direct security support to the Sandman Hotel & Suites.
Canadian Corps of Commissionaires and Tocra Inc.	To provide direct security support to the NEB. Security contractors will wear appropriate civilian attire and be identified by wearing a visible name tag.
RCMP-	To provide security and law enforcement emergency response services at the Hearing Site as well as enforce federal and provincial laws.

# 6. COMMUNICATIONS AND ON-SITE CHAIN OF COMMAND

There are little concerns with communications at this venue as it is in an urban area with cell phone coverage and landlines. Communications with NEB staff, RCMP, hotel security and contract security



Based on the Hearing Security Management Procedure, the Hearing Manager will notify the NEB on Call Responder of all incidents as soon as possible after the occurrence, bearing in mind that ensuring safety of Hearing Attendees is the primary consideration. The On Call Responder will take the appropriate follow-up action based on the information provided and the NEB's Emergency Response Procedures and the criteria set out in the Guide for Notification and or Activation of the Emergency Operations Centre (EOC). The occurrence of a major (unmanageable) security incident may result in the convening of the Security Incident Response Team and activation of the EOC.

A daily briefing will occur at the end of the hearing day by e-mail from the NEB Security Advisor to Presiding Member, Departmental Security Officer, Secretary, and Applications Team Leader.

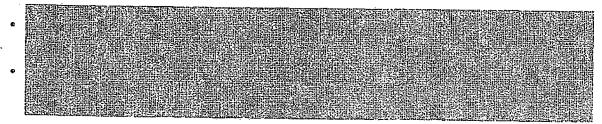
# 7. ITINERARY

Information as shown in RDIMS #560681 and other sources (subject to change).

Arrival	Set-up Time	Hearing Time(s)	Dismantle Time	Departure
27 January: Calgary/Kelowna	27 January 1300 – 1700 hrs	Monday (28 <sup>th</sup> ) 0900 - 1800 hrs	28 January	28 or 29 January

# 8. ROOM STAFFING AND ACCESS

All NEB staff and contractors will wear identifying name tags and NEB employees will carry staff
 id.



Hearing Location

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### Hotel Main entry

A Commissionaire will be positioned at the inside front entrance to the hotel to verify attendees to the Hearings and direct attendees to the Processing Room. Should person(s) not be part of the Hearing Process, they will be directed to hotel staff for further assistance. A uniformed RCMP member will also be positioned in the main lobby.

### **Processing Room**

# Processing Room Logistics

- Each oral statement maker is allowed to have one guest enter with them. The only exceptions to the one guest limit will be for young children requiring adult supervision where there is no alternate caregiver present.
- The oral statements will be broadcast by audio in the public audio/listening venue.
- Media will be permitted in the processing room, but will not be permitted to film or conduct interviews in the processing room.
- In the processing room, Process Person 1 to greet each person, confirm they are registered on
  the list; they will check id and if no id will use the existing process; will provide each person with
  identification card. Guests will be identified by name and as "Guest of..." on their identification
  card. The colour of the identification card will change with each session, and cards will be
  retrieved from presenters, guests and media prior to their departure.
- No placards allowed into room, per Panel Direction #6 (see extract below).
- Will have on hand a map of how to get to public audio venue and transportation options for anyone needing to be directed to that venue.
- Inside room
  - o Process Person 2 provides briefing of groups (to extent possible), check on visual aids. Procedural Direction #6, identified the following with respect to visual aids:
    - If necessary, to communicate your message to the Panel, you may use visual aids that can be produced on paper such as photographs, charts, maps, or other documents during your presentation. A map showing the proposed pipeline, facilities and marine shipping routes will be displayed for you to refer to during your presentation.
    - Electronic forms of visual aids such as PowerPoint presentations, videos, digital photos, sound recordings or maps, or other media will not be permitted.
    - If you choose to use a visual aid, please describe it during your presentation. This will allow people listening to the hearings online or reading the transcripts later to follow your presentation.
    - Do not bring copies of your visual aids for the Panel or anyone else. If you would like a copy of your visual aid on the record, please file it on the public registry as a letter of comment by 31 August 2012.
  - Note that anything resembling a placard or poster that doesn't meet the intent of a
    document intended to aid in an oral statement presentation should not be brought into the
    hearing room.
  - o Process Person 3 RO or lawyer to swear in/affirm oral statement makers.
  - Process Person 2 or 3 escort OS makers to hearing room, relay info/requests to Panel.
     Will identify the number of people in the group to the security advisor at the hearing room door.

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### **Hearing Room**

 The hearing room will hold all of the presenters and their guests for each session. The process staff will bring the presenters and their guests to the hearing room and

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standing at the hearing room exterior door will allow them to enter. The process staff will identify each setoff presenters from the audience and seat them at the table for their turn. This configuration will eliminate crowds and the need for a fixed barrier. The seats should be arranged for easy access by attendees.

- A process person will be in the hearing room to time the oral statements and help to seat the next set of presenters
- Media are allowed in the hearing room.

s.16(2)(c)

# Retiring (breakout) Room

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ě	

# Public Hearing Venue

# 9. STAFF ATTENDANCE

# Public Hearing Venue -28 Jan

Position	Location	Role	Staffed by	Dates
Security	In Public Hearing Room	Ensures public safety and security.	Commissionaire	28 Jan
Security	In Public Hearing Room	Ensures public safety and security.	Commissionaire	28 Jan

# Hearing Venue - 27-28 Jan

Position	Location	Role	Staffed by	Dates
Sound Tech	Hearing Room	Setup and operations of A/V system	Contract	27 – 28 Jan
Sound Tech	Audio Room	Setup and operations of Audio system	Contract	27 – 28 Jan
Court Reporter	Hearing Room	Court reporter	Contract	28.Jan
IT ,	Hearing Room/Processing Room	Setup and oversight of IT and A/V systems	Jarrod Hildebrand	27 – 28 Jan
Process Person 1	Processing Room entrance	Greeting participants, checking ID against	Deb Gilbert*  *staff may rotate	27-28 Jan

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			`	
Position	Location	Role	Staffed by	Dates
		registered list	between process	
		Answering questions	positions	
Process Person 2	Processing Room	Briefing oral statement makers	Brenda Price*	27-28 Jan
		Answering questions		٠
		Escorting participants/to & from hearing room	•	
Process	Processing Room	Swearing in/affirming	Shawnna Cox*	27-28 Jan
Person 3		Answering questions		
		Escorting participants/to & from hearing room		
			Lee Williams	27 - 28 Jan
			(Tocra Inc.)	27 – 28 Jan
			Commissionaire	28 Jan
			Commissionaire	28 Jan
			Commissionaire	28 Jan
			RCMP.	28 Jan
			·	

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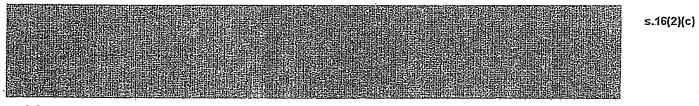
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Position	Location	Role	Staffed by	Dates	•
			RCMP	28 Jan	s.16(2)(c)

# 10. TRANSPORTATION PLAN BETWEEN HOTEL ROOMS AND HEARING ROOM (FOR PANEL/STAFF AS NEEDED)



# 11. COMMUNICATIONS

There are no concerns with communications at this venue as it is in an urban area with cell phone coverage and land lines.

# Communications -

- Room setup day before hearing
  - All staff and contractors who will be at the venue will meet to review roles and responsibilities, security briefing will be included at this time
  - Identify one lead contact at each venue to coordinate contact with other venue as needed
- Daily briefing of all staff/contractors in the Working Room before hearing start.
  - o Identify any media issues.
  - o The Hearing Manager will confirm the lead contacts for each venue.

s.16(2)(c)

- Debrief at end of the day with Panel and staff to discuss media, process and security processes.
- Based on the Hearing Security Management Procedure, the Hearing Manager or the Senior Security Advisor at the venue will notify the NEB on Call Responder.

  | All incidents as soon as possible after the occurrence, bearing in mind that ensuring safety of Hearing Attendees is the primary consideration. The On Call Responder will take the appropriate follow-up action based on the information provided and the NEB's Emergency Response Procedures and the criteria set out in the Guide for Notification and or Activation of the Emergency Operations Centre (EOC).

Emergency Operations Centre (EOC).

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Daily briefing at end of hearing day by email from NEB Security or one of the NEB Security
 Advisors to Presiding Member, Departmental Security Officer, Secretary, Applications BU Leader and Applications Team Leader

# 12. THREAT ASSESSMENT

### Overview:

As of 24 January 2013 no direct threats to the safety and security of the panel and NEB staff participating in the Kelowna Hearings have been identified. However, information obtained through open source media, and the Kelowna RCMP has identified indications that there will be protest activity on 28 January 2013.

s.16(2)(c)

### National-Level Intelligence Resources:

The NEB has consulted the Canadian Security Intelligence Service, both National Headquarters and Regional offices,

s.16(2)(c)

National level RCMP intelligence assets

s.21(1)(a)

### Police Intelligence Resources:

NEB Security and the Kelowna RCMP held an initial meeting on December 17, 2012 and have discussed the hearings, associated venue and threat intelligence; there have been ongoing liaison and coordination.

Ongoing liaison with the Kelowna RCMP

s.16(2)(c)

As protests are anticipated the Kelowna RCMP will be maintaining public peace for planned protests and will have First National Liaison Officers working with the Idle No More and other groups to ensure public order is maintained. There is no specific threat to personnel or property.

s.21(1)(a)

### **Open Source Information Reporting:**

Idle No More (INM). INM is planning to protest by blocking 2100 block of Enterprise Way as well at, or around, the Sandman Hotel & Suites Kelowna from 0900 – 1400 hrs, 28 Jan 12. This time/date has been chosen to coincide with the ENG JPR hearings.

s.16(2)(c)

<u>People's Summit.</u> On 26 Jan, the People's Summit is planning to host keynote speakers as well as a question and answer session. Grand Chief Stewart Phillip, Elizabeth May, Damien Gillis and Rob Fleming are anticipated to speak. The People's Summit is encouraging citizens to either bare witness with honor to the testimonies given at the Hearing or to engage in organized rallies at designated public locations.

<u>Leadnow and Dogwood Initiative</u>. On 27 Jan, the Leadnow and Dogwood Initiative will be providing an afternoon workshop and skills training that will provide tools and strategies for community resistance and solidarity to members of the public. This initiative is intended to foreshadow the Hearings on 28 Jan.

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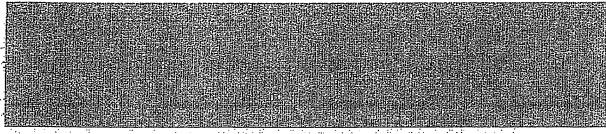
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<u>EcoSociety</u>. The EcoSociety of Nelson, BC, is chartering a bus from Nelson to attend the Hearings on 28 Jan (0600 hrs – 1600/1700 hrs). In their notice they state that "[t]he public apparently CAN attend the hearing."

The Kelowna RCMP as well as NEB Communications and Security continue to monitor open source information.

# 13. SECURITY LEVEL

Further details can be found in the Risk Level rable, Hearing Security Management Procedure Manual, Appendix 4.1.

# 14. HEARING SITE SECURITY PLAN

s.16(2)(c) s.21(1)(a)

The specific security plans have been tailored to the potential Hearing threat, vulnerability and risks. Reporting to the Hearing Manager, security coordination at the Hearing Site will be conducted by Lee Williams, NEB Security Advisor, and will be deployed to the Hearing venue to ensure appropriate security management of the Hearing.

The Commissionaires and Toora Inc., has been contracted by the NEB to provide security for the hearing attendees and NEB property at the Hearing Site.

The Kelowna RCMP will provide law enforcement and emergency response services in and around the Hearing site.

In case of an emergency situation that cannot be mitigated by the NEB, security and police resources,

Should it necessary to move NEB personnel from any one of the booked rooms, personnel will evacuate under police protection.

# 15. ROUTINE SECURITY ISSUES

Pre-Hearing Site Security Verification:

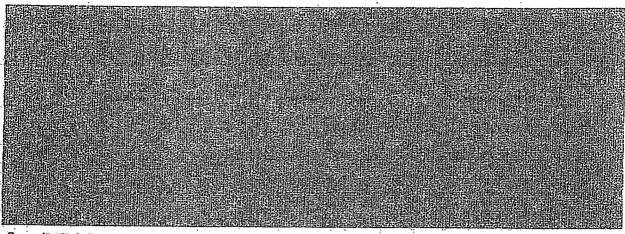
Verification will be done by NEB/contract security advisors.

13

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61 of 122 AGC0149

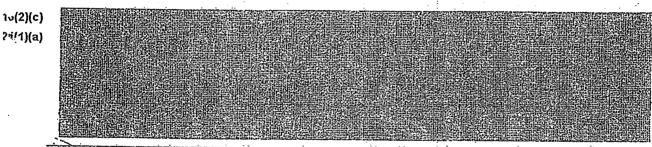


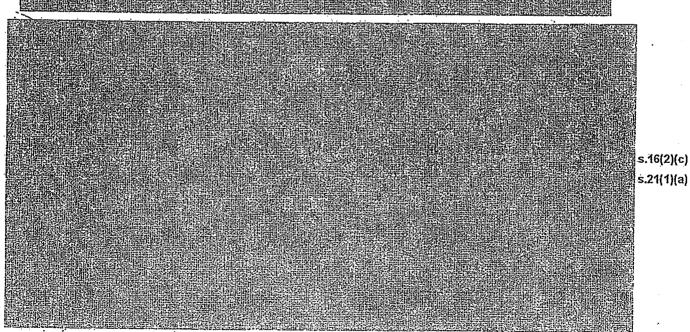
# Security Briefings:

As site security coordinator, Lee Williams will deliver a comprehensive security briefing on 27 January 2013 coordinated with Set-up activities and on an as required basis thereafter.

# Personnel Security:

NEB staff should always apply diligence in evaluating their personal safety risks, especially when leaving the Hearing site.

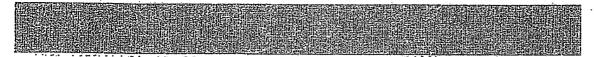




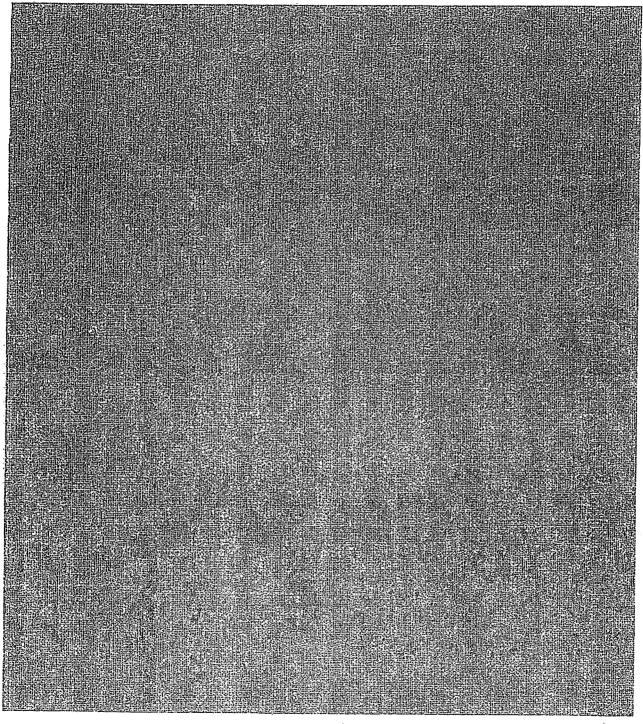
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# 16. CONTINGENCY PLANS



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s.16(2)(c)

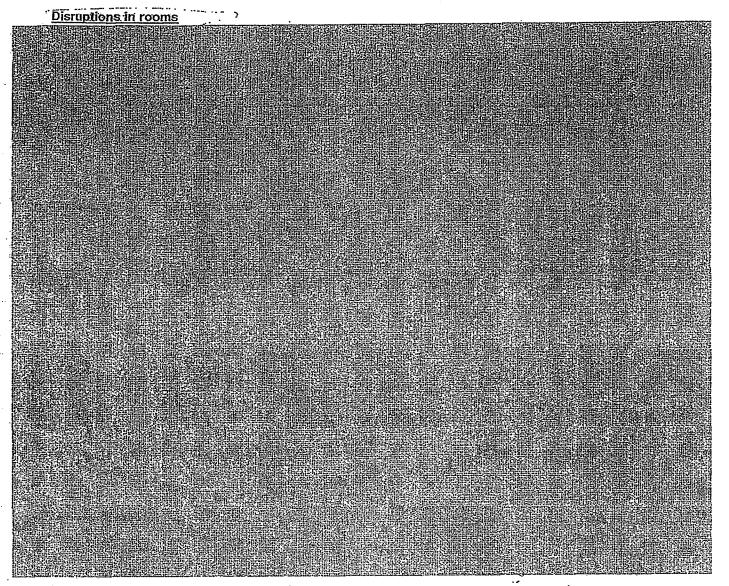
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# 17. EMERGENCY PROCEDURES

### Technical problem with broadcast to Audio Room

1- Contact Process Person in hearing room by text/email to tell the Panel or Process Person in Processing Room by phone, and to IT/sound to report the problem s.16(2)(c) s.21(1)(a)

- 2- Panel take short break to allow fix, resume after 5-10 min
- 3- Ongoing communication between two venues to provide update on the situation (id who is responsible for this at each end), and to provide updates to the room
- 4- If audio is down for any period of time, panel decision on how to proceed with staff involved in discussion may need contractor to act to communicate to crowds if present.



Contingency Plans for critical / major incidents:

16

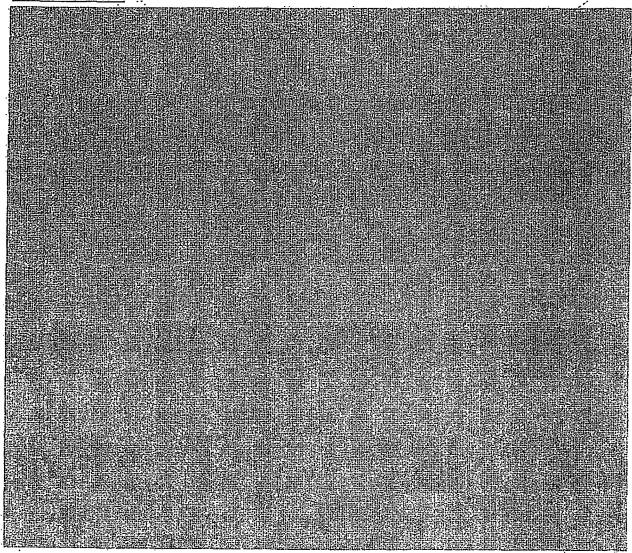
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Specific Scenarios



# 18. COMMUNITY PROFILE

With a population of more than 117,312, Kelowna is the largest city in British Columbia's Okanagan Valley. Bordering Okanagan Lake, Kelowna is well known for its hot summers and temperate winters. According to the City of Kelowna, Kelowna is one of the most liveable cities in Canada. In the recent Canada Pulse survey, 90% of residents reported "My city is a great place to live."

s.16(2)(c) s.21(1)(a)

. 17

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A0008929 66-000066

65 of 122 AGC0149

http://www.kelowna.ca/CM/page67.aspx

Kelowna has become the main marketing and distribution centre of the Okanagan Valley, with a flourishing tree fruit industry and a growing light industrial sector that competes on a world scale. Best known for forestry and the manufacture of boats, plastics, fibreglass, body armour and oil field equipment. Kelowna also has a growing high technology sector that includes aerospace development and service.

Regional Crime Rate 2010. The 2010 Regional Profile for the Central Okanagan Region reports that in 2010, 17,076 Criminal Code offences were recorded within the regional district. This was a 9% decrease (-1,681 offences) from the 18,757 recorded in 2009. In 2010, the CORD recorded a crime rate of 92, a 9% decrease from the region's 2009 crime rate of 102 offences per 1,000 population. In 2010, 3,079 violent crimes were reported within the regional district, an 8% decrease (-255 offences) from the 3,334 recorded in 2009. The 2010 CORD violent crime rate was 16.6 offences per 1,000 population, an 8% decrease from the 2009 rate of 18.1. In 2010, 10,291 property crimes were recorded within the regional district, an 11% decrease (-1,253 offences) from the 11,544 reported in 2009. The 2010 CORD property crime rate was 55.5 offences per 1,000 population, an 11% decrease from the 2009 rate of 62.5. In 2010, 3,706 other crimes were reported within the regional district, a 4% decrease (-173 offences) from the 3,879 reported in 2009. The 2010 CORD other crime rate was 20.0 offences per 1,000 population, a 5% decrease from the 2009 rate of 21.0.2

18

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http://www.pssg.gov.bc.ca/policeservices/statistics/docs/centralokanagan.pdf



# Appendix 11

# ENBRIDGE NORTHERN GATEWAY PROJECT SECURITY PLAN

# PRINCE RUPERT

Chances Casino 240 West 1st Ave, Prince Rupert, BC

February 4 - May 17, 2013

Issue Date: January 23, 2013

Canada

1

# **Table of Contents**

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10.	Threat Assessment	10
11.	Security Level	11
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13.	Emergency Procedures	11
14.	Community Profile	11

# 1. Sign-off on Security Risk Level and Hearing Security Management Plan

Security Risk Level:		
For Reduced (Level 1) Risk Hearings		
Hearing Manager	Signature	Date
Presiding Member	Signature	Date
For Standard (Level 2) and Elevated (Level 2) Shawnna Cox / Ruth Mills	evel 3) Risk Hearings	,
Hearing Manager	Signature	Date
Rick Garber		·
Risk Management Team Lead	Signature	Date
Sheri Young / Louise George		
Secretary of the Board	Signature	Date
Sheila Leggett Presiding Member	Signature	Date
i residing Meniper	Signature	Date

s.16(2)(c)

# Contacts

# Accommodations

Organization	Notes	Phone Numbers
Crest Hotel	222 1st Avenue West Prince Rupert, BC V8J 1A8 Contact: Janet Thorne	250.624.6771
The Prince Rupert Hotel	118 – 6th Street Prince Rupert, BC	250-624-6711

# Transportation

Organization	Contact Name	Notes	Phone Numbers
Airport Shuttle		Free – access from airport to city (Highliner Hotel). Prince Rupert Airport(IATA: YPR)is located 5.0 NM (9.3 km; 5.8 mi) west southwest of Prince Rupert	
Budget		www.budget.com	1-800-268-8900
National		www.nationalcar.com	1-800-227-7368

# Venue

Organization	Contact Name	Notes	Phone Numbers
Chances Casino 240 - 1st Avenue West Prince Rupert		Hearing room located in basement of Casino with external access. Casino opens at approx 11:30 daily.	250 627-5687

# **Emergency Contacts**

Organization	Contact Name	Notes	Phone Numbers	
Security Advisor	Gord Campbell	NEB Staff	403-463-4516	
Security Advisor	Lee Williams	NEB Staff	403-909-5423	
RCMP	Staff Sergeant Vic Steinhammer	100 6th Avenue West Prince Rupert, B.C. V8J 3Z3	O: 250.627.0766 C: 250.627.0766	s.19(1)
NEB 24/7 Incident phone	On-Call Responder			-; s.16(2)(c)
911		Fire / Police / Ambulance (24/7)	911	V.10. 2
Prince Rupert Regional Hospital		1305 Summit Ave Prince Rupert (3 km; 5 minute drive from venue)	(250) 624-2171	

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# 3. Staff Contacts

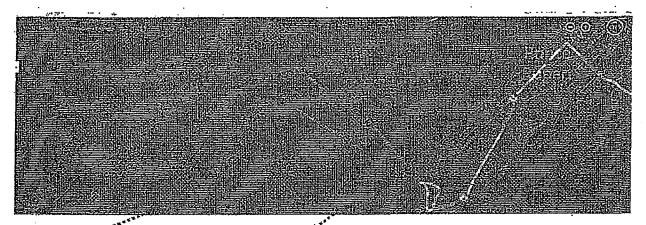
Staff Contact Lists for this round of hearings are published separately for each two week Hearing Session as follows:

- Annex 1 February 4 8 See RDIMS 689545
- Annex 2 February 18 March 1 See RDIMS 692541
- Annex 3 March 11 22 See RDIMS 698141
- Annex 4 April 2 12 See RDIMS 701183
- Annex 5 April 22 May 3 See RDIMS 706298
- Annex 6 May 13-17

# 4. Maps

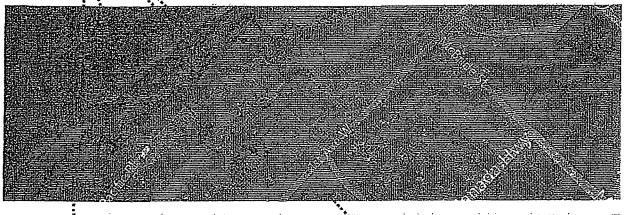
Chances Casing

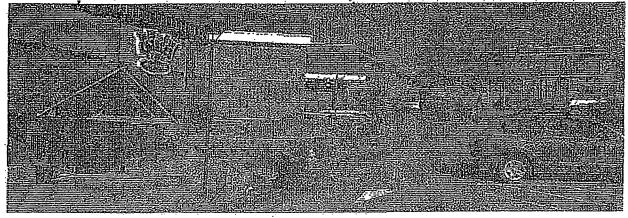
# **Overview of Prince Rupert**



Crest Hotel Prince Rupert Hotel

# Overview of the Crest Hotel and Chances Casino:



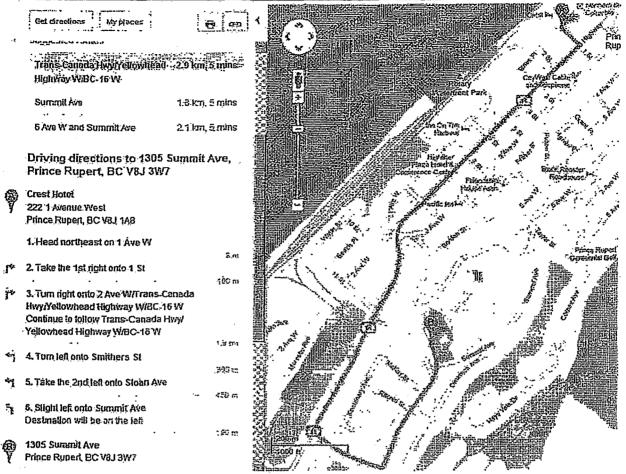


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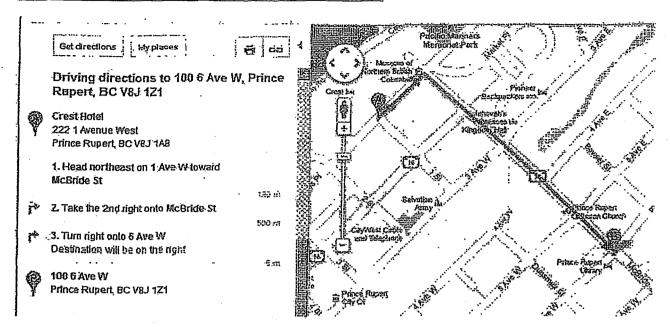
Not to be printed or reproduced without the authorization of the Deputy Departmental Security Officer - RDIMS 689157A0008929\_73-000073

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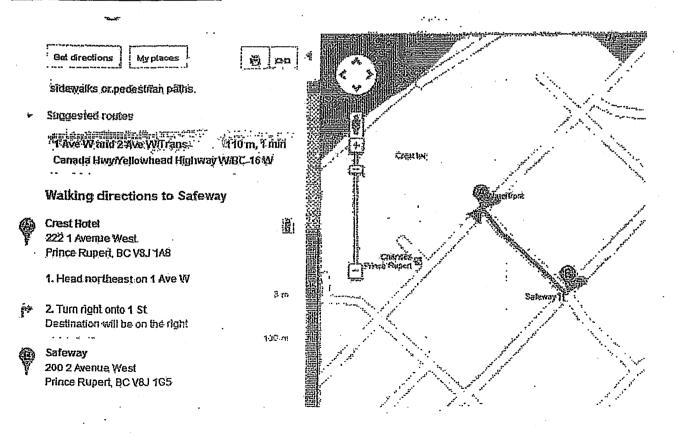
# Route from Chances Casino / Crest Hotel to Prince Rupert Regional Hospital:



# Route from Chances Casino / Crest Hotel to RCMP Detachment:



# Walking route to nearest pharmacy:



8

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# Venue Floor Plans

Chances casino is adjacent to the Crest Hotel (2 minute walk). There is a local shopping plaza (5-minute walk) and various restaurants nearby.

# Hearing Room Details

Two rooms (Eagle and Grizzly) with an open partition are located in the basement of the casino (see diagram below).

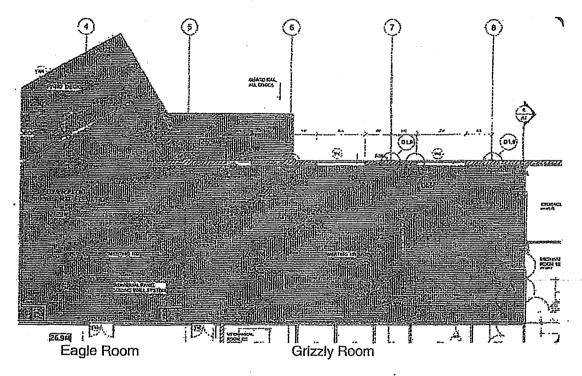
Workroom s.16(2)(c)

IT

No unique IT challenges are foreseen.

### Meals

Meals are available through the casino catering service. Within walking distance of the venue / accommodations are several restaurants.



# 6. Room Staffing and Access

- These hearings will be conducted using the traditional, single-room approach, with Hearing Staff and Viewers located in one venue.
- All NEB staff and contractors will wear identifying name tags and NEB employees will carry staff ID.

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# 7. Communications

There are no concerns with communications at this venue as it is in an urban area with cell phone coverage and land lines.

s.16(2)(c) s.21(1)(a)

# 8. Media

A review of media (local and social) reports up to January 23, 2013, has not identified any issues associated to these hearings. On the evening of January 11, 2013, Idle No More conducted a peaceful rally in Prince Rupert<sup>1</sup>

# Itinerary

Information as shown in RDIMS #560681 and other sources (subject to change).

Itinerary for this round of hearings are published separately for each two week Hearing Session as follows:

Annex 1 – February 4 – 8 See RDIMS 689545

Annex 2 - February 18 - March 1 See RDIMS 692541

Annex 3 - March 11 - 22 See RDIMS 698141

Annex 4 - April 2-12 See RDIMS 701183

Annex 5 - April 22 - May 3 See RDIMS 706298

Annex 6 - May 13-17

# 10. Threat Assessment

# Overview:

There are no confirmed gatherings in the Prince Rupert area related to the hearings at this time.

### National-level Intelligence Resources:

The NEB has consulted the Canadian Security Intelligence Service, both National Headquarters and regional offices,

### Police Intelligence Resources:

NEB Security and the RCMP have been in regular communications since an initial meeting on October 24, and have discussed the hearings, associated venues and threat intelligence.

Ongoing liaison with Prince Rupert RCMP Detachment

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<sup>&</sup>lt;sup>1</sup> TheNorthernView.com, Idle No More movement holds Prince Rupert rally http://www.thenorthernview.com/news/186629451.html

# Open Source Intelligence Reporting:

As of 8 April 2013 there is no open source intelligence referring to protest activities associated with the Hearings.

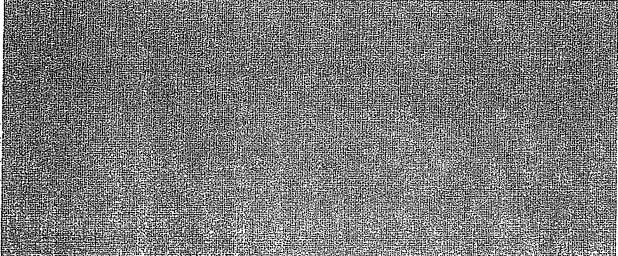
s.16(2)(c)

11. Security Level

s.21(1)(a)

Further details can be found in the Risk Level Table, Hearing Security Management Procedure Manual, Appendix 4.1.

# 12. Security Management Plan



13. Emergency Procedures

Based on the Hearing Security Management Procedure, the Hearing Manager will notify the NEB on Call Responder of all incidents as soon as possible after the occurrence, bearing in mind that ensuring safety of Hearing Attendees is the primary consideration. The On Call Responder will take the appropriate follow-up action based on the information provided and the NEB's Emergency Response Procedures and the criteria set out in the Guide for Notification and or Activation of the Emergency Operations Centre (EOC). The occurrence of a major (unmanageable) security incident may result in the convening of the Security Incident Response Team and activation of the EOC.

s.16(2)(c)

s.16(2)(c) s.21(1)(a)

# 14. Community Profile

# General:

Prince Rupert has a population of 12,508 (2011). Prince Rupert is situated on Kaien Island (approximately 770 km (480 mi) north of Vancouver), just north of the mouth of Skeena River, and linked by a short bridge to the mainland. The city is located along the island's northwestern shore, fronting on Prince Rupert Harbour.

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At the western terminus of Trans-Canada Highway 16 (the Yellowhead Highway), Prince Rupert is approximately 12 km west of Port Edward, 144 km west of Terrace, and 717 km west of Prince George. It is Canada's wettest city, with 2,590 millimetres (102 in) of annual precipitation on average, 2,470 millimetres (97.2 in) of that total being rain; in addition, 240 days per year have at least some precipitation, and there are only 1230 hours of sunshine per year - It is regarded as the municipality in Canada which receives the least amount of sunshine annually. Prince Rupert's sheltered harbour is the deepest ice-free natural harbour in North America, and the 3rd deepest natural harbour in the world. Situated at 54° North, the harbour is the northwestern most port in North America linked to the continent's railway network. Located on the Great Circle Route between eastern Asia and western North America, the port is the first inbound and last outbound port of call for cargo ships.

Prince Rupert Airport (YPR/CYPR) is located on Digby Island. The airport consists of one runway, one passenger terminal, and two aircraft stands. Access to the airport is by a bus connection that departs from one location in downtown Prince Rupert (Highliner Hotel) and travels to Digby Island by ferry. The airport is served by Air Canada and Hawkair from Vancouver International Airport (YVR).

### Crime:

Prince Rupert ranked second among BC cities in Crime Severity Index in the top 10 worst communities across country. The Crime Severity Index (CSI) takes the crimes, assigns them a weight based on sentences handed down by the courts and dividing that number by the population. The numbers look at communities with a population over 10,000 people across Canada. For 2011 Prince Rupert had the 8th highest overall CSI in the country and the second highest in the province behind only Williams Lake, which ranked sixth in Canada, and Prince Rupert was ranked just ahead of Langley. When it comes to violent crimes, Prince Rupert is ranked even worse with the fifth highest in the country and second in the province again to Williams Lake, which was ranked fourth. When it comes to non-violent crimes, Prince Rupert is ranked 12th in the country, but ranked third in the province behind both Williams Lake and Langley City. 2011 was the second year in a row Prince Rupert ranked 8th in the Crime Severity index.

The Prince Rupert RCMP say that while the city had the eighth highest crime severity index in the country according to figures released in August 2012 by Stats Canada, it's important to note the number actually dropped from last year. In the previous year Prince Rupert also ranked eighth, but this year the overall CSI dropped 8.07 points, or 4.25 per cent, while non-violent crime dropped 11.66 per cent. Overall, the RCMP refute the claims that Prince Rupert is one of the 10 most dangerous places to live in Canada. "It is our belief that the City of Prince Rupert is and will continue to be a safe community and that this has been demonstrated in the downward trend in crime. The Prince Rupert RCMP is committed to promoting safe homes and safe communities and that we can build on our current success by being proactive with this strategy by preventing crime in the onset rather than the outset."

12

As you are aware, security received some information regarding planned disruptions for the upcoming oral statement session in Kelowna. Below you will find a summary of that information, followed by the options to execute the Kelowna oral statements for Panel consideration.

discussions with the RCMP regarding the Kelowna hearings. A summary of this information follows.

# Security Information - Background

s.16(1)(c)ii)
s.16(2)(c)

Lee has since conducted more research and had

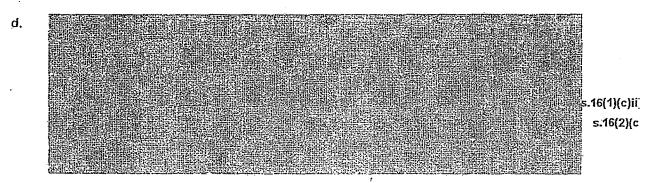
Diament During

**Planned Protests** 

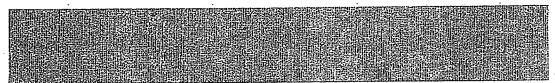
a. Idle No More (INM). INM is planning to protest by blocking 2100 block of Enterprise Way as well at, or around, the Sandinan Hotel & Suites Kelowina from 0900 – 1400 hrs, 28 Jan 12. This time/date has been chosen to coincide with the ENG JPR hearings.

s.16(1)(c)ii) s.16(2)(c)

- b. <u>People's Summit</u>. On 26 Jan, the People's Summit is planning to host keynote speakers as well as a question and answer session. Grand Chief Stewart Phillip, Elizabeth May, Damien Gillis and Rob Fleming are anticipated to speak. The People's Summit is encouraging citizens to either bare witness with honor to the testimonies given at the Hearing or to engage in organized rallies at designated public locations;
- Leadnow and Dogwood Initiative. On 27 Jan, the Leadnow and Dogwood Initiative will be providing an afternoon workshop and skills training that will provide tools and strategies for community resistance and solidarity to members of the public. This initiative is intended to foreshadow the Hearings on 28 Jan.



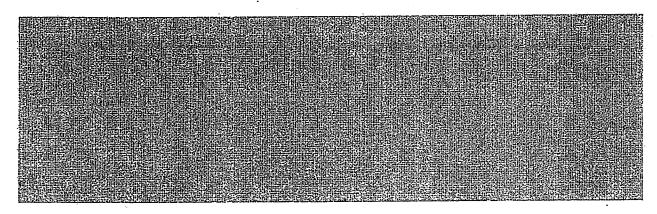
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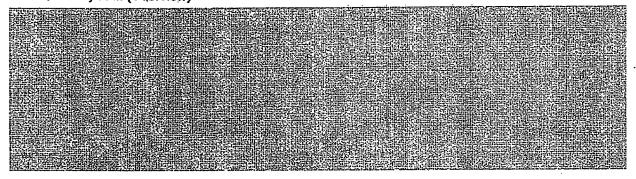
e. EcoSociety. The EcoSociety of Nelson, BC, is chartering a bus from Nelson to attend the Hearings on 28 Jan (0600 hrs - 1600/1700 hrs). In their notice they state that "[t]he public apparently CAN attend the hearing."

s.16(2)(c) 21(1)(a) ... 21(1)(b) f.

RCMP. The Kelowna RCMP will be maintaining public peace for planned protests and will have First National Liaison Officers working with the INM and other groups to ensure public order is maintained. There is no specific threat to personnel or property.



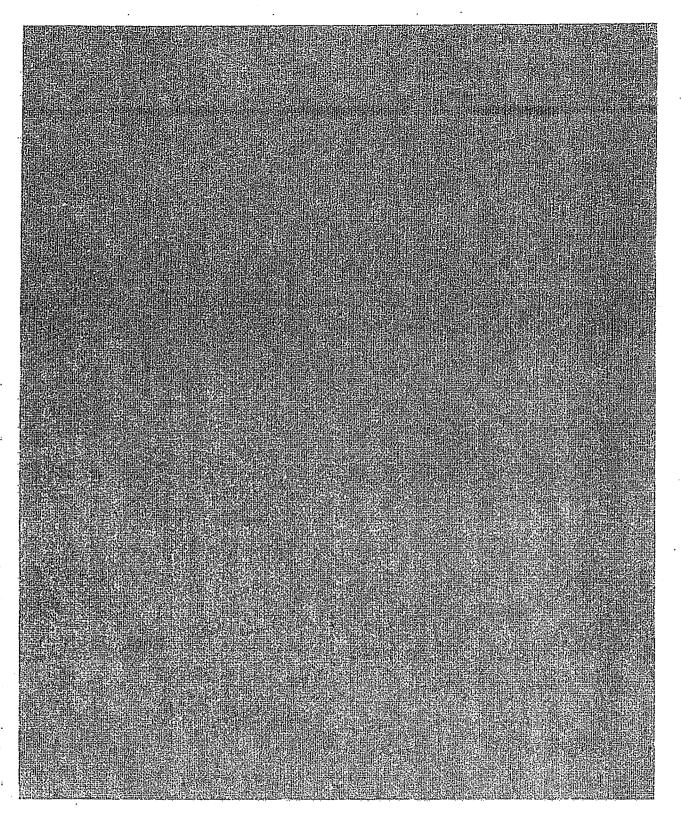
# **NEB Security Plan (Overview)**



**Proposed Options** s.16(2)(c) s.21(1)(a) s.21(1)(b)

s.16(2)(c s.21(1)(a

s.21(1)(b) A0008929\_81-000081

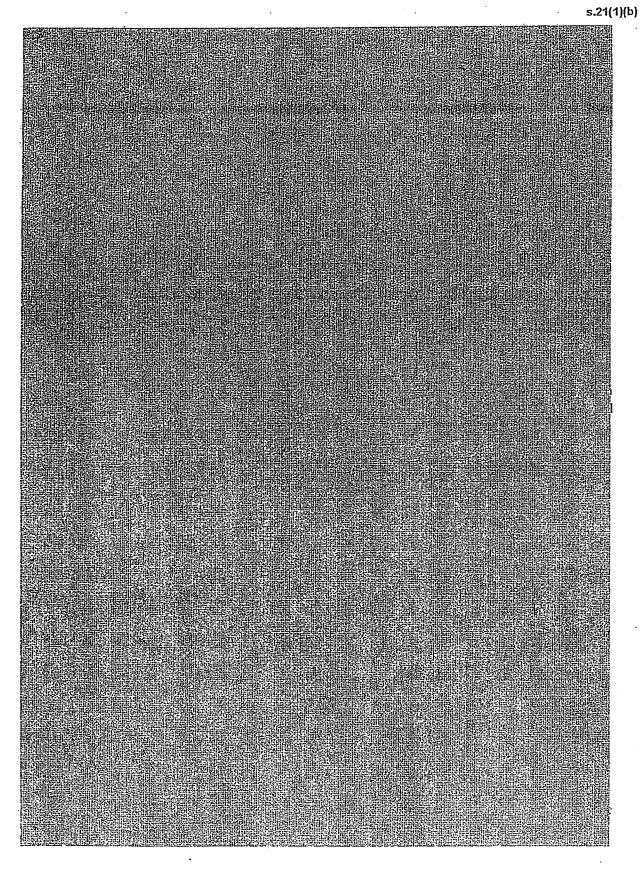


s.16(2)(c)

s.21(1)(a)

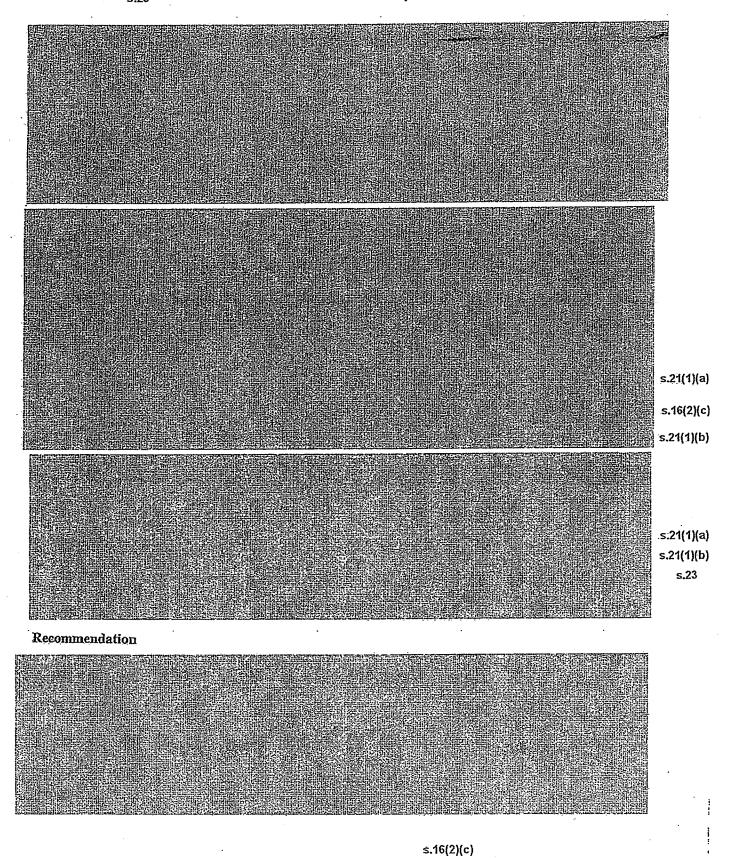
s.21(1)(b)

A0008929\_82-000082



A0008929\_83-000083

s.21(1)(b) s.23



A0008929\_84-000084

s.21(1)(a) s.21(1)(b)

## ENG Hearing Kelowna – Information Summary 22 Jan 13

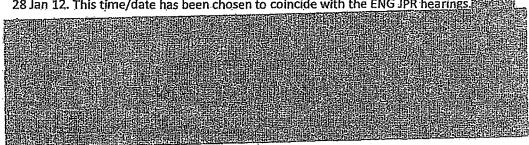
#### PROTESTS

a. <u>Idle No More (INM)</u>. INM is planning to protest by blocking 2100 block of Enterprise

Way as well at, or around, the <u>Sandaran Hotel & Suites Kelowna</u>; from 0900 – 1400 hrs,

28 Jan 12. This time/date has been chosen to coincide with the ENG JPR hearings

s.16(1)(c)ii) s.16(2)(c)



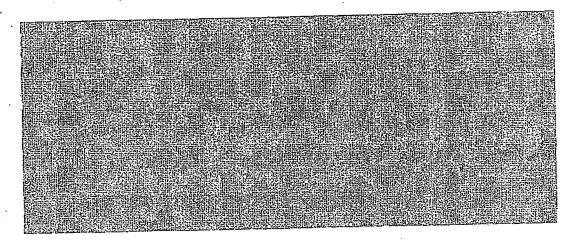
- b. People's Summit. On 26 Jan, the People's Summit is planning to host keynote speakers as well as a question and answer session. Grand Chief Stewart Phillip, Elizabeth May, Damien Gillis and Rob Fleming are anticipated to speak. The People's Summit is encouraging citizens to either bare witness with honor to the testimonies given at the Hearing or to engage in organized rallies at designated public locations;
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d.

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.s.16(1)(c)ii)

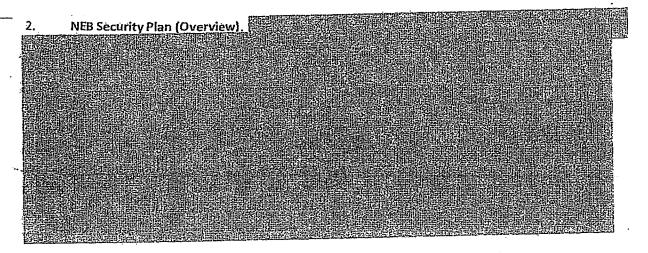
s.16(2)(c)



e. <u>EcoSociety</u>. The EcoSociety of Nelson, BC, is chartering a bus from Nelson to attend the Hearings on 28 Jan (0600 hrs – 1600/1700 hrs). In their notice they state that "[t]he public apparently CAN attend the hearing."

A0008929\_85-00008

f. <u>RCMP</u>. The Kelowna RCMP will be maintaining public peace for planned protests and will have First National Liaison Officers working with the INM and other groups to ensure public order is maintained. There is no specific threat to personnel or property.

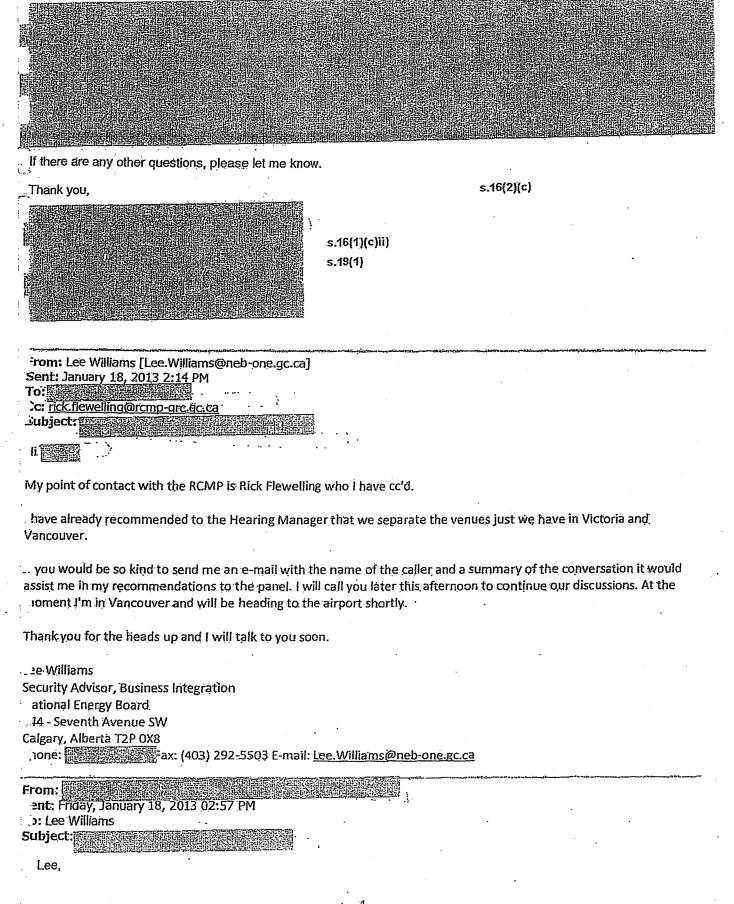


s.16(2)(c) s.21(1)(a) s.21(1)(b)

Please don't hesitate to contact me directly for the next two days.		s.16(2)(c)
Regards,	s.19(1)	
	·	•
s:16(1)(c)ii)		
s.19(1)		
From: Lee Williams [mailto:Lee.Williams@neb-one.gc.ca] Sent: Monday, January 21, 2013 9:26 AM To:		yk, gyr Pafr agrang gyggann (fil pagyalaifin)
Cc: rick.flewelling@rcmp-grc.gc.ca; Timothy.Head@rcmp-grc.gc.ca; Paul.DRISCOLL@rcmpsubject:	62.3p.31p-0	
Good Morning s.16(1)(c)ii)	:	•
s.19(1) Thank you again for taking the time to speak to me and drafting your e-mail below. It is we NEB's plans in Kelowna. I, or a member of the NEB, will advise you once a firm decision has the Hearing plans which will likely occur in the next couple of days.		
Kind Regards,		
Lee Williams, BCom, MSc Security Advisor, Business Integration, National Energy Board hone: Fax: (403) 292-5503 E-mail: Lee.Williams@neb-one.gc.ca		• .
From: 5:16(1)(c)(i) s.16(1)(c)(ii) lent: January 18, 2013 6:10 PM	***************************************	And the latest the same of the latest participation of the
To: Lee Williams  Cc: rick.flewelling@rcmp-grc.gc.ca  ubject: s.16(1)(c)ii)		
Hello Lee & Rick,		
3	s.16(1)(c)i)	A0008929_87-000087

Rick Garber	Dan parties and the second			
rom:	Shawnna Cox			·
ent:	January 21, 2013 5:26 PM	1		
o;	Rick Garber			
ubject:			s.16(1)(c)ii)	
lope, not easier at all. Thanks R	ick.			
rom: Rick Garber		المناه الأوميس فاستحسبنا أأدفا أوميسيمه المعمونين بين بين المستحدث	و ما در در این است. است می این این این این این این این این این ای	مرحبت من والمحمد المحمد
ent: January 21, 2013 5:26 PM o: Shawnna Cox		s.16(1)(c)ii)		
c: Lee Williams ubject:				
nfortunately. The other possible have to locate someone at the nem)?				
just isn't getting any easier, is î	t?			
(I, tonight I will be finishing the of course) and sending it to yo ead's up.				
ake care,				
iek				
ichard S. Garber, CD, MA, MB roup Leader, Security   Chef de usiness Integration   Intégration ational Energy Board   Office na	groupe, sureté Opérationelle			
44 - Seventh Avenue SW   444, algary,Alberta T2P 0X8   Calgar ione   Téléphone : 403-299-367	Septième Avenue SO. y (Alberta) T2P 0X8 9	•		•
ax ] Télécopieur : 403-292-5503 ichard.Garber@neb-one.gc.ca	•			
rom: Shawnna Cox ent: January 21, 2013 5:20 PM o: Rick Garber	• .	age paragraphic properties of the second		
c: Lee Williams ubject	7	s.16(1)(c)ii)		
may be. I'll see what I can com ere are disruptions just went o	e up with. It sounds like o ut the window now though	ur option of moving fo	orward as planned an	d shutting down if
om: Rick Garber		يها و در الله الله الله الله الله الله الله الل	ه ۱۰ مسلمه پیدادگی که میسودی به بستان سینیسیدی سینیکند.	The second secon
ent: January 21, 2013 5:17 PM o: Shawnna Cox c: Lee Williams		s.16(1)(c)ii)	·	•

Shawnna – the stipulation by the hotel sounds reaguests of the speakers would have to be identified yet	asonable to me, bu d / invited — somet	t may be challenging for y hing I do not believe that	ou and the Panel, in you have been doin	that g as of
Cheers,				
 De 1		•	•	•
Rich	•			
Richard S. Garber, CD, MA, MBA Group Leader, Security   Chef de groupe, sureté				
Business Integration   Integration Operationelle				
Vational Energy Board   Office national de l'énergie	e			
144 - Seventh Avenue SW   444, Septième Avenue	e SO.			
Calgary Alberta T2P 0X8   Calgary (Alberta) T2P 0 Phone   Téléphone : 403-299-3679	1X8			
ax   Télécopieur : 403-292-5503		•		
richard.Garber@neb-one.gc.ca			*	
From: Lee Williams				
Sent: January 21, 2013 5:02 PM				
To: Shawnna Cox; Rick Garber	题、 s.16(1)(c)	ii)		
Subject:		•		
Shawnna/Rick,				
. Is see below.				
ee				
Lee Williams				
Security Advisor, Business Integration		•		
ational Energy Board				
-44 - Seventh Avenue SW			•	
Calgary, Alberta T2P 0X8	Carrella Const		. •	
none: (403) 909-5423 Fax: (403) 292-5503 E-mail:	Lee. Williams@nei	o-one.gc.ca		
		s.16(1)(c)ii)	* ************************************	,
ent: Monday, January 21, 2013 02:24 PM	1	s.19(1)		
10: Lee Williams		, , , , , , , , , , , , , , , , , , ,		
Cc: rick.flewelling@rcmp-grc.gc.ca <rick.flewelling@< td=""><td>@rcmp-grc.gc.ca&gt;;</td><td>Timothy.Head@rcmp-grc.</td><td><u>gc.ca</u></td><td>s.16(1)(c)ii)</td></rick.flewelling@<>	@rcmp-grc.gc.ca>;	Timothy.Head@rcmp-grc.	<u>gc.ca</u>	s.16(1)(c)ii)
Timothy.Head@rcmp-grc.gc.ca>; Paul.DRISCOLL@	@rcmp-grc.gc.ca <	Paul.DRISCOLL@rcmp-gro	:.qc.ca>;	
<u>atricia.cook@rcmp-grc.qc.ca</u> <patricia.cook@rcmp Subject:</patricia.cook@rcmp 	-grc.gc.ca>			學/
Subject	··· s,16(1)(c)ii)			
ood afternoon Lee,				GIGH.
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A0008929\_90-000090

Rick Garber From: Lee Williams Sent: January 18, 2013 4:33 PM To: Rick Garber s.19(1) ·Cc: ∰@Tocra.ca' Subject: Fw. Fwd. Idle No More event in Kelowna Follow Up Flag: Follow up Due By: January 17, 2013 4:00 PM Flag Status: Flagged Rick, FYI. Unkown whether this protest is related to the info received earlier. Lee Williams Security Advisor, Business Integration National Energy Board 444 - Seventh Avenue SW Calgary, Alberta T2P 0X8 Phone: (403) 909-5423 Fax: (403) 292-5503 E-mail: Lee.Williams@neb-one.gc.ca From: Paul DRISCOLL [mailto:Paul.DRISCOLL@rcmp-grc.gc.ca] Sent: Friday, January 18, 2013 04:20 PM fo: Lee Williams; Tim HEAD < Timothy. Head@rcmp-grc.gc.ca> Cc: Bill MCKINNON < Bill.MCKINNON@rcmp-grc.gc.ca>; Brian HARRIS < brian.harris@rcmp-grc.gc.ca>; Duncan DIXON <u><duncan.dixon@rcmp-grc.gc.ca</u>>; Rick FLEWELLING <<u>rick.flewelling@rcmp-grc.gc.ca</u>> Subject: Fwd: Idle No More event in Kelowna YI, I will follow up with Cpl. Harris on Monday... Paul s.16(1)(c)ii) \*>> Martin TRUDEAU 1/18/2013 2:43 PM >>> Good morning Brian. received a call today (Friday) from You may have met her when you came down here for the INM protest that took place on December 21st. ) any event, there is another INM protest being organized to take place in Kelowna on Monday Jan 28th, and the proposed location is at or around the Sandman hotel and organizers plan on blocking the 2100 block of Enterprise way from about 0900 hrs until 1400 hrs.

This time and place has been chosen to coincide with the Enbridge joint review panel hearing taking place at the Sandman on Jan 28 and 29th (see link below for more info)

ttp://www.pacificwild.org/site/take\_action/enbridge-tankers/enbridge-joint-review-panel-hearing-dates-andlocations.html s.16(1)(c)ii)

don't know who the main organizers are but has been tasked as being the RCMP contact for this protest and thus the reason she called me. Organizers are well aware that the Sandman is private property and they do not want

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to cause any problems with the hotel. This is apparently near the Orchard Mall and so that is where participants will be parking their vehicles.

advised this protest plans on attracting a lot of attention and participants.

Her number is she has been very accommodating and great to work with thus far.

I have given by your name and number and told her you would be back on Monday.

s.16(1)(c)ii)

Please give her a shout when you can.

:hanks **Martin** 

pl. Martin TRUDEAU Rural / First Nations Policing NCO Penticton Detachment Office: 250-770-4725 ax: 250-492-4851 martin.s.trudeau@remp-grc.gc.ca

loufidentiality Warning:

The information contained in this email is confidential. It is intended only for the individual(s) named above. If the reader of this email is not the intended recipient, any distribution or copying of this email is prohibited. If you have received this email in error, please notify the writer by return email and delete all copies.

Aventissement concernant la confidentialité de l'information":

' information contenue dans le présent courtiel est confidentielle. Elle est destinée uniquement à la (aux) personne(s) mentionnée(s) ci-dessus. Si le lecteur n'est pas le estinataire prévu, toute distribution du présent courriel est interdite. Si vous avez reçu le courriel par erreur, veuillez en informer l'auteur par retour de courriel et supprimer utes les copies qui ont été faites.

From:

Ed Jansen

Sent:

January 17, 2013 7:59 AM -

To:

Rick Garber

Subject:

Fw: Briefing from Today's Hearing

Rick

What is our relationship like with the Hotel?

---- Original Message -

From: progers.com Sent: Thursday, January 17, 2013 12:06 AM

To: Ed Jansen; Jamie Kereliuk; sheri.young@neb-one.cgc.ca <sheri.young@neb-one.cgc.ca>; Alison Farrand; Rick Garber

Cc: Sheila Leggett; Kenneth Bateman; Hans Matthews; Ruth Mills; Gord Campbell; Lee Williams;

@Tocra.ca>; @rogers.com @rogers.com>

Subject: Briefing from Today's Hearing

security Daily Briefing - 16 January 2013 - Vancouver

From a security perspective, there were no security incidents today.

Three protests were held on this date at the Sheraton Wall Centre hotel. The first protest was held at noon by Idle No More. There were approximately 85 protesters. The second protest by Hope and Idle No More was held at 6:00 PM. here were approximately 35 protesters. The final protest was held at 8:00 PM by Idle No More. Approximately 20 reople shut down the intersection of Burrard and Nelson in front of the hotel for 15 minutes.

- No security incident occurred at Hearing Venue.

No security incidents occurred at Viewing Venue

Viewing attendance - Max 8, Min 2 person, with a total of 12 people for the day.

- The Panel requested that police officers be stationed

Post-Hearing Security debrief: It was determined that a police presence at the Hearing Venue and the Viewing Venue) would be maintained.

Outlook for Thursday, 17 January 2013 - The Vancouver Police Department advise there is a rumour that a protest will e held by "Idle No More" in the evening at the Sheraton Wall Centre. No intelligence indicators of violence or hostile activity have been received.

From:	Kelly-Anne Dyport		
Sent:	January 16, 2013 9:59 AM		
To:	Rick Garber		
Subject:	FW: FN National Day of Ac	tion ·	
Hiya,			
Nothing on this yet, but	apparently they are going to be o	downtown today. CPS and o	other Law enforcement are
obviously aware.	fl		
≪A			
	ilto:Kiran.Khullar@ps-sp.gc.ca]		
Sent: January 15, 2013 4			
	780-495-0452 / AAI		
Costa CBS	A Karen Holzer	nary): CBSA - Liz Pasieczka	(Winnipeg); CFIA
AB North - Bonnie Jense	CFIA - AB South -	Scott Acker; CFIA - AB South -	Tessa Olchowy 403-292-
5531 / CFI	A - Craig Ward	Diane Brochu	CFIA - Paul Littlewood
103-292-56/1; CHIA - WAI	EMC - Jennifer <mark>Lindo 403-292-6239</mark> airie Region) - Canadian Coast Guard	CRA - Brenda	Brown
JTFW/JOC DO Capt. Geoff	rey Robinson 780-973-4011 ext.	FC: EMERGENCY DO: EC -	-Gordon Leek:403-292-6528 /
HC -FNIH (	CDC- Jeff Kresowaty 780-495-7809 /	/ IC - Ernie Alle	en 403-221-3032; IC - Glen
mith 780-495-6499 / 🧱	Justice Canáda - Mike S	itewart 780-495-2487; Emerge	ncyManagement s.19(1
	Scott Pepper; Kelly-Anne Dypolt; NE		
	n; PC - Tracy Thiessen; PHAC - Cait - Regional Chief,Security - <u>Susa</u> n Ne		
. icCourt (no ph#); RCMP	- Cpl. Clint Vair	RCMP - Cst. Keith (	O'Neill Control of the Control of th
SC = Marlene To	- Cpl. Clint Vair	SC Edmonton -Cathy Rede	kop
IC- Tracy Soloway	204-983-4548 / WD wood, Richard; Hick, Christine; Khull	- Kevin Johnson 780-495-605.	/ illen Tason: Sigouin Michel
Subject: FYI: FN National		idi, Kildil, Makai, Culds, McMc	men, Jason, Sigodin, Pienei
,			
ello Folks,			
We have received the follo	owing.open source information rega	arding <i>Idle No More</i> protests fr	om/our problems
ounterparts. )	www.g.open source unormation rege	stang for the more process in	om agazistanam.
Open source indicates the	e following events are planned for	tomorrow 16 January 2013	Idle No More National Day
FAction:			
Plockade at derrick/Gate	veroire Dovide	1	
	diction on Highway 2 northbound	-1 ·	
urganizers:		•	
Start time: unknown	s.19(1)		
	5.10(1)		
March and rally			
Location: Downtown Calg rganizers: Treaty 7 Firs			
Jart time: after 1000hrs	e manons		

93 of 122 AGC0149

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Candlelight vigil

Location: Calgary city hall Organizers: unknown Start time: 1900hrs

Activities planned: round dance

Law enforcement are aware of these events.

As per our usual process, we will exchange any new information regarding the events.

Thank-you, Kiran

Kiran Khullar
Imergency Management Program Advisor
Public Safety Canada
Suite 1000, 10025 106 St
Idmonton, AB T5J 1G4
Celephone No:
Main Line No: (780) 495-3005

s.19(1)

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Rick Garber			
From:	Alison Farrand	A STATE OF THE PARTY OF THE PAR	personal and the second
Sent:	January 16, 2013 8:43 AM		•
To:	Rick Garber	s.19(1)	
Cc:	Sheri Young		
Subject:	RE: Briefing on Today's Hearings		
Hi and Rick, s.19(1)		•	
Thanks for the briefing. It soul on your distribution list.	nds like you have been kept busy. Fo	r future security briefings, pleas	e include Sheri Young
•			•
Alison			
Original Message	s.19(1)	·	
rom	@rogers.com	•	
Sent: January 16, 2013 3:01 Al		•	
To: Ed Jansen; Jamie Kereliuk;		Cord Comphalls Loo Williams	
Progers:com	teman; Hans Matthews; Ruth Mills; (	30rd Campbell; Lee Williams;	
Subject: Briefing on Today's He	aarings .	s.19(1)	
1.19(1)	2011/163	3.10(.)	
Security Daily Briefing - 15 Jan	uary 2013 - Vancouver		
, , , ,			
rom a security perspective, th	nis was an eventful day with one secu	urity incident.	
One security incident occurre	ed at Hearing room. There was no org	ahizad mrotest activity outside	the hotel however at
	enter's guests, opened the hearing ro		
	nterviewing the "guest", the police be		•
•	tes after her admission into the hear		
	nilitary precision. The protesters were		
	in handcuffs by the Vancouver Police		
•	to be recessed until the protesters w	•	
	remaining oral presentations were h		
- No security incidents occurre	_ · · ·	·	s.16(2)(c)
Viewing attendance - Max 10	, Min 1 person, with a total of 28 per	sons for the day	
In response to the security in	cident, the Panel requested that poli	ce be stationed	
Post-Hearing Security debrief	: It was determined that a police pre	sence at the Hearin	ng Venue and
	maintained. Guests will now have th		
	o, the appropriate designation of, m		ill be included on the
ass. Pass colours will be chan	ged from morning to afternoon and	afternoon to evening, each day.	s.16(2)(c

Dutlook for Wednesday, 16 January 2013 - The Vancouver Police Department advise there will be a protest at noon by "Idle No More" at the Sheraton Wall Centre. In light of the planned protest, an additional police officers will be ationed Wednesday to assist the hotel in maintaining perimeter security. No intelligence indicators violence or hostile activity have been received. There remains only one confirmed Gateway related protest for this

ass. Pass colours will be changed from morning to afternoon and afternoon to evening, each day.

day.

s.16(2)(c)

A0008929\_97-000097

from:

Rick Garber

Sent:

January 15, 2013 9:51 PM

To:

Sheila Leggett

subject:

Re: Police Intelligence - Protest on Wednesday

sheila, as of approximately 5 pm today Police were projecting this hotel to again be the focal point of protest activities - but nothing will be certain until the crowd forms and moves towards its target.

hope this helps...

---- Original Message -----

From: Sheila Leggett

ent: Tuesday, January 15, 2013 09:13 PM

o: Rick Garber

Subject: Re: Police Intelligence - Protest on Wednesday

lick,

had understood from your briefing this afternoon that the protest is planned for this hotel. Is that accurate?

Sheila

--- Original Message ----

s.19(1)

From: Rick Garber

ent: Tuesday, January 15, 2013 03:19 PM

o: Sheila Leggett; Hans Matthews; Kenneth Bateman; Ruth Mills; @rogers.com

c: Ed Jansen; Jamie Kereliuk; Alison Farrand; Sheri Young

ubject: Police Intelligence - Protest on Wednesday

olleagues, Vancouver Police have just advised of a planned protest tomorrow by the Idle No More movement at approximately noon, precise location, size of protest unknown at this time.

a date, Idle No More have been non-violent and there are currently no indications of violence.

Vancouver Police plan a robust turnout) but cannot guarantee that a large protest could not impede the Sheraton otel's normal activities, as was the case last night.

I will share further intelligence as it is received.

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AGC0149

From:

Rick Garber

Sent:

January 14, 2013 5:15 PM

To:

s.19(1)

@rogers.com; Gord Campbell; Lee Williams;

Cc Subject: Ed Jansen, Jamie Kereliuk, Alison Farrand

Attachments:

Fw. ST003-13B - First Nations Protests - National Day of Action 2013-01-14 ST003-13B First Nations Protests - Day of Action.docx; 2013-01-14

ST003-13B Events Matrix.pdf

colleagues - FYI, still no protest activities for Vancouver associated with the Hearings for Wednesday.

Id - should this change, I will request your authorization to stay on in Vancouver rather than return Wednesday as currently scheduled.

Theers,

'rom: EmergencyManagement EmergencyManagement

Jent: Monday, January 14, 2013 02:05 PM

To: Robert LeMay; Karen Duckworth; Wes Elliott; Lynne Duquette; Ryan Petersen; Chris Finley; Rick Garber

Subject: FW: ST003-13B - First Nations Protests - National Day of Action

s.16(2)(c)

Sent: Monday, January 14, 2013 2:05:36 PM · ·

o: \_GOC Distribution List / Liste de distribution du COG

ubject: ST003-13B - First Nations Protests - National Day of Action

Auto forwarded by a Rule

DISSEMINATION LEVEL: DL-1 Releasable to P/T EMOs, CI Partners and EM Community.

.a version française sera envoyée sous pli séparé).

# Executive Summary

A number of FN demonstrations are planned for 16 Jan as part of a "National Day of Action".

lease find attached ST003-13B - First Nations Protests - National Day of Action and corresponding event matrix. Information valid as of 14 Jan 2013, 16:00 EST.

tuation report provided to: F/P/T Contacts

**Government Operations Centre/** 

Centre des opérations du gouvernement

nail/courriel:

s.16(2)(c)

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AGC0149

### DISSEMINATION LEVEL: DL-1 Releasable to P/T EMOs, Cl Partners, and EM Community

(La version française yous sera envoyée sous pli séparé)

### **Government Operations Centre (GOC)**

### Situation Report

Incident Number: ST003-13B

Incident: First Nations Protests - National Day of Action

Date: Information valid as of 14 Jan 2013, 16:00 EST

Description of current incident: As part of the ongoing First Nations (FN) engagement, a number of FN protests are anticipated as part of a "National Day of Action" planned for 16 Jan 2013.

On 16 Jan, several demonstrations are expected in various locations across Canada. Media has reported that the protestors are seeking to cause an "economic slowdown" by organizing blockades at border crossings, railway lines and highways. Marches, demonstrations and other forms of peaceful protest have been scheduled by various organizations under the "Idle No More" banner in order to raise awareness of FN issues.

**Source(s) of reporting:** Aboriginal Affairs and Northern Development Canada, PS Regional Offices, media/open source reporting.

### **Current actions:**

The GOC continues to monitor the situation closely and has established contact with key federal departments/agencies and PS Regional Offices in order to maintain cohesive information sharing.

A consolidated events matrix is being maintained by the GOC and will be distributed periodically, as information becomes available.

Event management of the protests falls under the purview of local jurisdictions and local law enforcement agencies, as appropriate.

Future actions: The GOC will continue to work with federal and provincial partners to coordinate efforts and to assess impacts.

Assessment/Analysis: The national "Day of Action" planned for 16 Jan is expected to cause interruptions to passenger and freight trains, disruptions to traffic and potential delays at border crossings/ports of entry. Based on past events related to the "Idle No More" movement; demonstrations are expected to remain peaceful.

Departments and Agencies with further information on this incident are asked to report to the GOC.

Additional situation reports: Further situation reports will be issued as more information becomes available.

Additional Products: An events matrix will be attached to a follow-on message.

Government Operations Centre/ Centre des opérations du gouvernement Email/courriel:

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Jane	14	Guawa	Various First Hations		Demenstration	ANKIC
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Janji	16	(Pontréal	Various first Kations	I	Detromytration	AANOC .

From:

Rick Garber

Sent:

January 11, 2013 3:19 PM

To:

Subject:

s.19(1)

RE: Security Update for the Final Day of Hearings in Victoria

Thanks

Rick

Richard S. Garber, CD, MA, MBA

Group Leader, Security | Chef de groupe, sureté Business Integration | Intégration Opérationelle National Energy Board | Office national de l'énergie

144 - Seventh Avenue SW | 444, Septième Avenue S.-O.

Calgary, Alberta T2P 0X8 | Calgary (Alberta) T2P 0X8 Phone | Téléphone : 403-299-3679 Fax | Télécopieur : 403-292-3503 Richard. Garber @neb-one.gc.ca

--- Original Message----

roms @rogers.com

Sent: January 11, 2013 3:17 PM

o: Ed Jansen; Jamie Kereliuk; Alison Farrand; Rick Garber

C: Gord Campbell; Lee Williams Sheila Leggett; Kenneth Bateman; Hans Matthews; Ruth Mills

Subject: Security Update for the Final Day of Hearings in Victoria

ecurity Daily Briefing - 11 January 2013 - Victoria

rom a security perspective, this was again a positive day:

There was a joint protest held outside the hearing venue at 11:30 by Social Coast, Wild Coast and several BC First Nations. The protest organizers asked the "Idle No More" group to attend their protest at the Delta Hotel before going in to their own protest in the downtown core. A second protest is organized by "Knock the Vote" to protest the lorthern Gateway Pipeline at 16:00 at the Delta Hotel.

- One security incident occurred at the hearing venue when a lone protester appeared in front of the Hearing Room with is placed and wanted to protest his inability to speak at the Hearing. The protester was politely spoken with and ecided to leave the hotel of his own volition.
- No security incidents at Viewing Venue
- Viewing attendance Morning Max 8, Min 2 people

Post-Hearing Security debrief, it was determined that security was adequate for the hearing and viewing locations. We look forward to our next meeting at 13:00 on 13 January 2013 in Vancouver.

Note: The noon protest drew slightly less than one hundred people. Considering that the Hearings were over at 11:15, ne protest had absolutely no effect on the Panel or the hearing process.

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A0008929\_104-000104

From:

Kelly-Anne Dypolt

Sent:

January 10, 2013 2:30 PM

To:

Rick Garber

Subject:

RE: Enbridge Joint Review Panel comes to Vancouver and... WE SAY NO!

This obviously looks very well organized, I am also checking the FB/T witter feed.

KA

Enbridge Joint Review Panel comes to Vancouver and... WE SAY NO!

**ENBRIDGE NOISE DEMO!** 

No Consent? No Pipelines! No Tar Sands! No Climate Crimes!

Victory Square, Cambie & Hastings Street

/ancouver, Unceded Coast Salish Territories

On Facebook: <a href="http://on.fb.me/ZLnKKO">http://on.fb.me/ZLnKKO</a>
On Twitter: <a href="https://www.twitter.com/risingtide604">www.twitter.com/risingtide604</a>

'This event is in solidarity with IDELSIVE MORE Refronting Indicenous communities. Bring drums and wear regalia.

Noise demo: bring pots and pans (to bang), whistles, horns and such! (and ear plugs, it's going to get loud!)

This is a child and family friendly event.

When the pipeline Joint Review Panel comes to Vancouver on January 14th it is our time to voice our pposition. It is our moment to say NO to this crazy climate crime of a pipeline and to expose the Review Panel for what it truly is - a sham, a corporate smokescreen, seeking input while reserving the right to pprove the project regardless and removing the right of communities to say no.

#### n Monday 14th we invite you to attend the Enbridge Review Panel NO!SE DEMO!

Indigenous communities have already said no to this project and have repeatedly affirmed that free, ior, and informed consent must be respected by both colonial governments and industry.

ore than 130 First Nations have signed the Save the Fraser Declaration, an Indigenous law that bans all talks and pipelines within the Fraser Watershed. The Unist'ot'en Clan have made it clear that they oppose

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the construction of all pipelines, including natural gas pipelines, on their territories, that may even blaze the trail for Enbridge's proposal.

We are standing in full support of the self-determination of Indigenous communities and calling out the consultation process" as inadequate and ultimately unacceptable.

Furthermore, the Joint Review Panel have provided a long list of issues that cannot be discussed during the hearings. Shockingly, one of these issues is climate change-perhaps one of the most significant impacts of the project.

Climate change impacts many communities globally as well as locally, and by affirming our belief in invironmental justice we hope to mobilize grassroots communities in order to highlight the voices that will not be in the hearings and are generally underrepresented in the resistance to pipelines.

Inceded Indigenous lands are threatened to be further destroyed these projects. Subsidies and tax breaks to industrial corporations are promoted in the face of austerity for the people. People are being displaced by these projects and climate change around the world to live in exploitative and impoverished conditions whether they be in the Downtown Eastside of Vancouver or in migrant worker camps. Militaries that are vaging war against the people of Palestine, Iraq and Afghanistan are fueled by these industries. Structured sexism (or patriarchy) and other oppressions aid in determining who bears the brunt of social impacts of industrial expansion upon communities and who profits. Capitalism and state promotion of economic growth are the driving forces behind extractive industries.

oin with thousands as we meet the system's violence with our creative defiance. On the streets we will amplify marginalized voices demanding environmental and social justice and challenge the legitimacy of the Review Panel process. From every roof top in the city we cry No Consent? No Pipelines! No Climate Crimes!

. his event is organized by Rising Tide - Vancouver, Coast Salish Territories, and endorsed by:

Iliance for People's Health
Ancestral Pride Ahousaht Sovereign Territory
eyond Boarding
Boycott Israeli Apartheid Campaign
afé Rebelde Collective
Council of Canadians
Powntown Eastside Neighbourhood Council
owntown Eastside Not for Developers Coalition
Downtown East Side Power of Women Group
and Not Bombs

2

A0008929\_106-00010

Fractured Land (Documentary & Transmedia Project) Fraser Valley Peace Council Home Health Care Idlenomore Founders (Jess Gordon, Sylvia McAdam Saysewahum, Nina Wilson, and Sheelah McLean) Indigenous Action Movement Indigenous Environmental Network Idle No More founders Kootenays For A Pipeline-Free B.C. (Kootenay to Kitimat Caravan) 'he Lin Liyin (Grassroots Wet'suwet'en) Mining Justice Alliance No One Is Illegal - Vancouver, Coast Salish Territories . Jakis Taring Tananan San Occupy Vancouver Environmental Justice Group Pedal Revolutionary Radio Peoples' Health Movement PIPE UP ?urple Thistle Rhizome Cafe Shop Wrong Collective Jimon Fraser Public Interest Research Group Social Coast iouth Asian Network for Secularism and Democracy Spartacus Books top the Pave StopWar.ca treams of Justice Unist'ot'en Camp ancouver Catholic Worker ancouver Island Community Forest Action Network Mancouver Island Public Interest Research Group ancouver Raging Grannles Vancouver-West End Greens om: Rick Garber Sent: January 10, 2013 2:11 PM To: Kelly-Anne Dypolt ibject: FW: Enbridge Joint Review Panel comes to Vancouver and... WE SAY NO!

Hey Keily Anne – please take a look at the reference and see

provide any leads / details...

manks!

s.16(2)(c)

A0008929\_107-00010

## Rick

Richard S. Garber, CD, MA; MBA
Group Leader, Security | Chef de groupe, sureté
Business Integration | Intégration Opérationelle
National Energy Board | Office national de l'énergie
444 - Seventh Avenue SW | 444, Septième Avenue S.-O.
Calgary, Alberta T2P 0X8 | Calgary (Alberta) T2P 0X8
Phone | Téléphone: 403-299-3679

Phone | Téléphone : 403-299-367 Fax | Télécopieur : 403-292-5503 Richard.Garber@neb-one.gc.ca

From: Richard Garber [mailto:rgarbe0851@gmail.com]

Sent: January 10, 2013 7:56 AM

To: Rick Garber

Subject: Enbridge Joint Review Panel comes to Vancouver and... WE SAY NO!

http://www.watershedsentinel.ca/content/enbridge-joint-review-panel-comes-vancouver-and-we-say-no

Rick Garber

From:

Josie Stiles

Sent:

s.19(1)

January 04, 2013 7:42 PM

To: Cc: otocra ca', Sheila Leggett; Dave Walker @rogers.com'; Rick Garber, Gord Campbell; Lee Williams

Subject:

Local Idle No More rallies to continue despite Harper's decision to meet native leaders

I want to share a story with you from vancouversun.com:

3Y Kevin Griffin - An organizer of Idle No More rallies in Metro Vancouver said rallies will continue even though Prime Minister Stephen Harper has agreed to meet a delegation of aboriginal leaders organized by the Assembly of First Vations Jerilynn Webster said in her ideal world Harper would agree to take part in a traditional talking circle with Attawaskipat Chief Theresa Spence who is the 26th day of a hunger strike in Ottawa

See the full text at

nttp://www.vancouversun.com//news/local+idle+more+rallies+continue+despite+harper+decision+meet+native/77776 28/story.html)

From:

s.19(1)

Sent:

©Tocra.ca> January 04, 2013 7:08 AM

To:

Lee Williams Gord Campbell; Rick Garber

Subject:

IdleNoMore

### Good Morning

FYI. In event you did not catch it on the news, early morning news is reporting the movement is planning a demonstration at the Peace Arch Crossing tomorrow. Last night they were in Vancouver. The movement has given the PM 72 hrs to meet its Leader.



s.19(1)

From:

Wes Elliott

Sent:

January 04, 2013 1:25 PM

To:

Shane Richardson; Robert LeMay; Ryan Petersen; Lynne Duquette

Cc:

Chris Finley: Patrick Smyth: Sandy Lapointe: Rick Garber

Subject:

FW: Situational Awareness to Hardisty, Alberta ACTCMP stakeholders: "TURN OFF THE

TAPS! BLOCKADE AT THE PIPELINE TERMINAL IN HARDISTY, ALBERTA". Update: as

of Friday January 04, 2013 at 11:15 a.m.

As I'm not in the office, I'm not sure how many folks received this email. Apologies if you already have it, but just in case, I'm forwarding it on for your awareness and would ask that it not be distributed further.

As I suspect this will be covered in the media, I won't forward further updates unless something unforeseen develops.

In a somewhat unrelated matter, the Occupy Denver group in support of of the Tar Sands Blockade commenced a three lay action camp today with plans to hold a "mass action" against the Keystone XL Pipeline project in southeast Texas on Monday. The are calling on national and international mobilization and solidarity actions against the Keystone XL 'roject.

Again, please do not distribute this email.

. hanks Wes

ubject: Situational Awareness to Hardisty, Alberta ACTCMP stakeholders: "TURN OFF THE TAPS! BLOCKADE AT THE PIPELINE TERMINAL IN HARDISTY, ALBERTA". Update: as of Friday January 04, 2013 at 11:15 a.m.

\_PDATE: as of Friday January 04, 2013 at 11:15 a.m.

\*\*\*\*Situational Awareness provided to Hardisty, Alberta ACTCMP stakeholders\*\*\*\*

Most are aware of an upcoming event on Facebook- "TURN OFF THE TAPS! BLOCKADE AT THE PIPELINE TERMINAL IN ARDISTY, ALBERTA". https://www.facebook.com/events/546688902025681/.

The event is part of the IdleNoMore movement that has been sweeping across Canada. The description of the event is as illows: "Need more hosts. January 5, 2013 at 12:00 pm. Stand together for Chief Theresa Spence and our rights for parentions to come. Come together as one fire to block the gates at the Pipeline Terminal in Hardisty, Alberta. This is the main terminal heading out to the US. This pipeline goes through our traditional lands."

... le logistical information regarding this event has not been forthcoming as compared to other such IdleNoMore events held in Alberta.

... hat is known thus far is as follows:

o be held on Saturday January 05, 2013

- The RCMP have been in contact with the organizers of the event.
- . The industry people in the area are aware as well.

1

A0008929\_111-000111

- Indications are that 30 50 people will be participating in this event. Although not always accurate regarding the number of people attending such events, Facebook indicates number of people as 118 "Going" and 50 "Maybe".
- A posting on the Internet indicates there is a preliminary meeting to take place on Saturday January 05, 2013 at 11:30 am at the intersection of Highway 13 and Highway 881 (49 street) in Hardisty. It is expected the formalized part of the event will take place shortly thereafter at 12:00 p.m. It is unknown how long the event will last; but expectations are for one hour. The weather for Hardisty on Saturday January 05, 2013: High -7, Low -13 Mainly Sunny.
- · Indications are the target a location might be East of Hardisty on Highway 13 in the area of Range Road 95A and Range Road 94A. Symbolically, there are storage tanks to the south and a railway line to the north.

No indications of any railway being impacted. Railway personnel are aware as well.

No indications of any other infrastructure to be impacted.

- The organizers have indicated the event will be peaceful. At this time, traffic will not be impeded as there are no plans for a road blockade. As a note, people from the Occupy Calgary movement have posted they will be attending. If so, the vearing of pig costumes and possibly banner hangings is within the realm of possibilities.

A twitter account of #idlenomorehardisty has been set up but thus far not tweets.

The RCMP will monitor to ensure participants are not putting themselves and/or the general public at risk. If any rehicles are travelling in the area it is advised to do so before 12:00 noon. If urgent and changing conditions are incountered contact S/Sgt. Greg Gerbrandt 780-385-4554 or Sgt. Lee Brachmann 403-805-1744.

\*SSIST will provide updates as they are forthcoming.

his email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message ontains confidential information and is intended only for the individual named. If you are not the named addressee you nould not disseminate, distribute or copy this e-mail.

From:

Rick Garber

Sent:

January 04, 2013 7:10 PM

To:

Jamie Kereliuk

Subject:

Re: Hardistry Terminal Protest intelligence from Enbridge

Thanks Jamie!

From: Jamie Kereliuk

Sent: Friday, January 04, 2013 04:46 PM To: Alison Farrand; Wes Elliott; Rick Garber

Subject: Fw: Hardistry Terminal Protest intelligence from Enbridge

FYL

amie Kereliuk 403.608.2226

-Sent via Blackberry--

From: Paul Lackhoff

Sent: Friday, January 04, 2013 04:44 PM
To: Philippe Marquis; Jamie Kereliuk

Subject: Re: Hardistry Terminal Protest intelligence from Enbridge

hank you.

Sent from my 8B.

. rom: Philippe Marquis

Sent: Friday, January 04, 2013 04:34 PM

To: Paul Lackhoff; Jamie Kereliuk

ubject: Hardistry Terminal Protest intelligence from Enbridge

Good afternoon,

We received a call from Enbridge to advise they are expecting a protest during the week-end.

Prostest Group: Idle No more

ocation: Hardisty Terminal

"vpected size of the protest: 50 - 150 individuals

**Expected time: Noon** 

• The RCMP will be present and Enbridge advise they will handle Media response and we can redirect the request to them if we wish so.

Enbridge Media response. 1-888-992-0997

7

A0008929\_113-000113

Regards, Philippe Marquis

From: Sent:

@Tocra.ca>

To:

Subject:

January 03, 2013 2:56 PM s.19(1)

Rick Garber Fwd: Hardisty - Protest

FYI

## Begin forwarded message:

From:

Date: 31 December, 2012 11:41:00 PST

To: @Tocra.ca' <

Subject: FW: Hardisty - Protest

Sent: Monday, December 31, 2012 11:37 AM

Denbridae.com';

s.19(1)

@cnrl.com' @huskyenergy.com';[

@huskyenergy.com plainsmidstream.com @interpipelinefund.com'; @dibsons.com':

<u>@enbridge.com</u>'; 🎏 Subject: RE: Hardisty - Protest

FYI :

@gov.ab.ca] On Behalf Of SOLGPS Assist

Sent: Monday, December 31, 2012 9:46 AM

To: SOLGPS Assist

Subject: Situational Awareness to Hardisty ACTCMP stakeholders: "TURN OFF THE TAPS! BLOCKADE AT THE PIPELINE TERMINAL IN HARDISY, ALBERTA".

\*\*\*\*\* Situational Awareness provided to Hardisty ACTCMP stakeholders\*\*\*\*

Some may be aware of an upcoming IdleNoMore sponsored event on Facebook- "TURN OFF THE TAPS! BLOCKADE AT THE PIPELINE TERMINAL IN HARDISY, ALBERTA". https://www.facebook.com/events/546688902025681/

The description of the event is as follows: "Need more hosts. Date and time to be determined. Stand together for Chief Theresa Spence and our rights for generations to come. Come together as one fire to block the gates at the Pipeline Terminal in Hardisty, Alberta. This is the main terminal heading out to the US. This pipeline goes through our traditional lands."

The event is advertised as to be held on Saturday, January 05, 2013. At the moment, there doesn't appear to be a lot of Internet traffic mentioning this event, other than Facebook.

A0008929\_115-000115

The issue with this event is obviously the specific mention of "pipelines". Thus far the majority of the IdleNoMore events have been held near a First Nation Reserve or government buildings; but Hardisty does not represent either. The thought is that this could be the first step in the IdleNoMore movement selecting future Alberta iconic targets.

This email is to advise you that ASSIST, AEMA, RCMP INSET, RCMP Hardisty and Critical Infrastructure Intelligence National Security Criminal Investigations (Ottawa) are aware of the event.

To date, not much is known about the intentions/actions of the persons participating in this event.

Efforts are underway to develop a plan of action regarding this event. As the efforts unfold, ASSIST will contact you with follow-up emails.

Feel free to forward this email onto your colleagues but at the moment, please keep it internal.

Please contact assist@gov.ab.ca should you have any additional information.

Thanks.

s.19(1)
Intelligence Analyst
Alberta Security and Strategic Intelligence Support Team (ASSIST)
Justice & Solicitor General

Tel:

Cell

Fax

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate; distribute or copy this e-mail.

From:
Sent: Friday, December 28, 2012 5:41 PM

To @cnrl.com'; @gibsons.com'; @pmclp.com';
@gibsons.com'; @gibsons.com'; @transcanada.com';
@huskyenergy.com'; @huskyenergy.com'; @interpipelinefund.com';
@gibsons.com'; @enbridge.com'; @enbridge.com'; @ggov.ab.ca'
Subject: Fw: Hardisty - Protest

FYI, please see the below with regards to a protest that is being planned for the Hardisty area by a First Nations group with regards to C-Bill 45 on Jan 5th.

from Enbridge has been in contact with the RCMP.

I will update when more info comes available or if any of you hear more please update the Hardisty complex group.

s.19(1)

	From: aenbridge.com
	Sent: Friday, December 28, 2012 06:17 PM
(0/4)	To: https://diranscanada.com
.19(1)	@enbridge.com>
	Cc: The state of t
	Subject: Re: Hardisty - Protest
	Thanks
	From: Otranscanada.com
	Sent: Friday, December 28, 2012 04:57 PM
0/41	To:
9(1)	Cc: @fhr.com>
·	Subject: Hardisty - Protest
•	HIESE TO THE TOTAL PROPERTY OF THE PROPERTY OF

Low risk event and I suspect you were advised already but just in case...

RCMP Hardisty has advised that Aboriginal Group "Idle No More" would be holding a demonstration at the entrance to "Hardisty Facilities" on January 5, 2013. Not sure if any company will be targeted specifically and thus far their profest activities have been peaceful with respect to Bill C-45. No specific details on numbers, timing or physical location have been shared but there is a meeting with the RCMP on the 3<sup>rd</sup>.

Thanks,



s.19(1)





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From:

Rick Garber

Sent:

December 24, 2012 12:11 PM

To:

Lee Williams; Gord Campbell; @rogers.com';

Cc:

Subject:

Kelly-Anne Dypolt Idle No More protest continues in Vancouver

For your SA - no NG mention...

http://www.vancouversun.com/touch/story.html?id=7739023

#### Rick Garber

From:

Alison Farrand

:Sent:

December 24, 2012 10:08 AM

To:

Robert Steedman; Rick Garber

subject:

RE: Idle No More movement

Article about associated protest in Vancouver yesterday:

http://www.vancouversun.com/news/Idle+More+protest+continues+Vancouver/7739023/story.html

rom: Robert Steedman

Sent: Thursday, December 20, 2012 1:41 PM

To: Rick Garber

Subject: Idle No More movement

robably on your radar screen already Rick. Worth a Google re. Vic and Van.

1

Rick Garber	
From: s.19(1)  Sent:  To: s.19(1)  Cc:  Subject:	@vicpd.ca>  December 20, 2012 8:11 AM  s.19(1)  FW: Enbridge Northern Gateway Project Intelligence Briefing Report
Follow Up Flag: Due By: Flag Status:	Follow up December 19, 2012 4:00 PM Flagged
From: \ s.19(  Gent: Thursday, December 20, 20  o: Cc:	
	s.16(1)(c)ii) s.19(1)
set for Victoria in early January. In any mass protest set to disrupt the vancouver Island'. They are a little legislature. Their focus is pipelined: viewed at: <a href="http://www.facebox">http://www.facebox</a> The second group is referred to as anned to take place at the Delta informative and peaceful. On the embarking on a door-to-door can	who has provided me with some insight Enbridge Northern gateway Project and the upcoming National Energy Board Hearings in short the ir is very little intelligence available on-line and in the community to suggest the hearings. For now all we have is the stirrings of a group identified as; 'Idle No More to known group who are protesting this Friday, December 21, 2012 at the BC the related as well as the broader environmental and First nation Treaty issues. They can took.com/events/486723598044645/  The 'Dogwood Initiative' who plan a protest called Knock the Vote. It is currently the Dogwood Initiative' who plan a protest called Knock the Vote. It is currently the Joyce Point Resort during the course of the NEB Hearings. It appears to be last day of the hearing they plan to distribute hot chocolate to the group before paign in the various leadership ridings in Victoria looking for support in their the last of the property is the last of the
	at: <a href="http://dogwoodinitiative.org/events/knock-the-vote-event">http://dogwoodinitiative.org/events/knock-the-vote-event</a>
Hope this helps.	
	.16(1)(c)ii) .19(1) (c)ii)

A0008929\_120-000120

s.19(1)

From:	***************************************	s.19(1)			
Sent: Monday, December 10, 2	012 10:11 AM	•			
To	No. of the Party o		•		
Cc: Subject: Enbridge Northern Ga	toway Project In	telligance Briefing	Deport 5.19	9(1)	
	terray Project In	congence briefing	Kebore	•	
Hello					
taking place at Delta Ocean Poir					
Briefing Report for the Defend to	1.00	· .			
assist us with a threat assessme working in Sgt				ne event, for the ti	me being t am
Morror B in Straingering Strain S. O. Mc	e ii you would iii	re in alseass this t	ui tiici.	n4	
Thanks in advance,	•	•			
	~ 40/4)		•		
	s.19(1)				•
Cst. #8006 · · ·					
Patrol Division	٠		*		
D Watch Victoria Police Department	•				
950 Caledonia Ave	· <i>i</i>		•		
Victoria, BC V8T 5J8		s.19(1)			
Tel: Fax: Fax: Police victoria.bc.ca		2772[7]			

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Pages 122 to / à 123 are not relevant sont non pertinentes

#### Paul Lackhoff

From:

Paul Lackhoff

Sent:

January 04, 2013 4:45 PM

To:

Philippe Marquis; Jamie Kereliuk

Subject:

Re: Hardistry Terminal Protest intelligence from Enbridge

Thank you.

Sent from my BB.

From: Philippe Marquis

Sent: Friday, January 04, 2013 04:34 PM

To: Paul Lackhoff; Jamie Kereliuk

Subject: Hardistry Terminal Protest intelligence from Enbridge

Good afternoon,

We received a call from Enbridge to advise they are expecting a protest during the week-end.

Prostest Group: Idle No more

Location: Hardisty Terminal

Expected size of the protest: 50 - 150 individuals

Expected time: Noon

• The RCMP will be present and Enbridge advise they will handle Media response and we can redirect the request to them if we wish so.

Enbridge Media response. 1-888-992-0997

Regards,

Philippe Marquis

#### Paul Lackhoff

From:

Brianne Rohovie

Sent:

December 28, 2012 9:48 AM

To:

Margaret McQuiston

Subject

RE: Article On Idle No More Protests

#### Thanks Margaret!

From: Margaret McQuiston

Sent: December 27, 2012 9:15 PM To: Kristen Higgins; Brianne Rohovie

Subject: Fw: Article On Idle No More Protests

FYI

Margaret McQuiston -Sent by BlackBerry-

From: Carla Osborne

Sent: Thursday, December 27, 2012 11:13 AM

To: DL R&I Working Groups

Subject: Article On Idle No More Protests

FYI - these protests will impact NEB hearings and processes in the coming year. I understand that CBC coverage is still fairly spotty, so this is a good up to date summary:

http://www.democracynow.org/2012/12/26/idle no more indigenous led protests

#### - Carla

#### Carla A. Osborne

Socio-Economic Specialist, Aboriginal Engagement | Specialiste Socio-économique, Participation des Autochtones

National Energy Board | Office national de l'énergie 444 Seventh Avenue SW | 444, Septième Avenue S.-O., Calgary, AB Canada T2P 0X8

Carla:Osborne@neb-one.gc.ca

Telephone | Téléphone 403-299-3705 Cell | 403-870-4811

Toll free | Sans frais 1-800-899-1265

Facsimile | Télécopieur 403-292-5503 Government of Canada | Gouvernement du Canada



Jake en Centrites the Custing of the State Centrites

Our file: 117-2014-389

FEB 27 2015

Mr. Jim Bronskill The Canadian Press 800-165 Sparks Street Ottawa, Ontario KIP 5B9

Dear Mr. Bronskill:

This refers to your Access to Information Act request of November 10, 2014, for "2014 06 04 / Background Note for DM Resources and Energy Committee (9 June 2014) / Internal Tracking No. 18507; and 2014 06 17 / Background Note for DM Resources and Energy Committee (18 June 2014) / Internal Tracking, received on November 18, 2014".

Enclosed please find a copy of the releasable material pertaining to the subject of your request. Portions of the material have been exempted from disclosure by virtue of one or more of sections 13(1), 15(1) (as it relates to the efforts of Canada towards detecting, preventing or suppressing subversive or hostile activities), 16(1)(a) or (c), 19(1), and/or 21(1)(a) or (b) of the Act.

With regards to the information exempted pursuant to subsection 19(1), I wish to inform you that the disclosure provisions contained in subsection 19(2) were considered however, none of them applied.

You may use the contact information located in the letterhead to contact us should you wish to obtain clarification concerning your request. Please provide the file number at the top of this letter in any subsequent correspondence.

Please be advised that you are entitled to file a complaint to the Information Commissioner concerning the processing of your request within sixty days of the receipt of this notice. In the event you decide to avail yourself of this right, your notice of complaint should be addressed to: Information Commissioner of Canada, 30 Victoria Street, Gatineau, Quebec, KIA 1H3.

Yours truly,



Coordinator
Access to Information and Privacy

Attachments

"Canada

#### MEMORANDUM TO THE DIRECTOR

## MEETING OF THE DEPUTY MINISTERS' COMMITTEE ON RESOURCES AND ENERGY

15:00 – 16:00 Monday, 9 June 2014 269 Laurier Avenue West, 19<sup>th</sup> Floor Boardroom

#### **BACKGROUND**

This ad hoc meeting of Deputy Ministers has been called to discuss the federal response to protests associated with resource and energy development in anticipation of possible events in summer 2014. The issue is being driven by violence of the hydraulic fracturing protests in New Brunswick in 2013 (TAB 1), and the Government's interest in assuming a proactive approach to possible issues as the summer approaches.

#### **GOVERNMENT OPERATIONS CENTRE RISK FORECAST 2014**

Public Safety will present on the Government Operations Centre (GOC) report titled "Government of Canada Risk Forecast – 2014 Protests and Demonstration Season" (TAB 2) in which the GOC identifies and assesses the potential risks associated with the spring/summer protests and demonstrations. The GOC assesses the risk for 2014 as low (characterized by awareness-building protest activities) with possible medium risk activities (characterized by disruption to critical infrastructure including transportation networks).

Page 1 of 3

In reviewing the Risk Forecast (TAB 2),

Traditional Aboriginal and treaty rights issues, including land use, persist across Canada

Discontent related to natural resource
development across Canada is largely an extension of traditional concerns. In British Columbia, this is primarily related to pipeline projects (such as Northern Gateway). In central Canada,

The Service recognizes that many of these issues involve legitimate protest and dissent and as such, have no mandate nexus.

Page 2 of 3

#### **GUIDED DISCUSSION**

If you require any further information, please do not hesitate to contact me.

Tom Venner Assistant Director Policy and Strategic Partnerships

#### **Enclosed:**

- TAB 1: "Violent Confrontation over Seismic Testing (Hydraulic Fracturing) in New Brunswick"
- TAB 2: "Government of Canada Risk Forecast 2014 Protests and Demonstration Season (Government Operations Centre)

Page 3 of 3

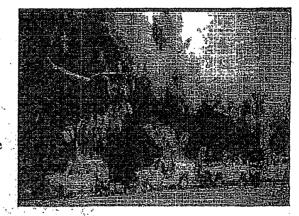
#### Violent Confrontation over Seismic Testing (Hydraulic Fracturing) in New Brunswick

On 2013 10 17, violence erupted near the Elsipogtog First Nation, New Brunswick, when the RCMP enforced a provincial court injunction against an encampment of

(bolstered by a number of self-described Mi'kmaq warriors). The camp, situated on Highway 134 (near the town of Rexton), had blocked the facility and equipment of SWN Resources Canada (an American-owned shale gas exploration company) since September 29, 2013.

A broad convergence of Aboriginals and non-Aboriginals have attempted to prevent hydraulic fracturing in New Brunswick since 2011, but since the late spring of 2013 have sought to prevent SWN from conducting preliminary seismic testing which is done to ascertain if hydraulic fracturing is feasible.

During the October 17<sup>th</sup> raid and subsequent arrests, Molotov cocktails were thrown at the RCMP and several shots were fired from the nearby woods. Shortly after the initial RCMP raid, approximately 300 local Aboriginals and non-Aboriginals confronted and subsequently broke the RCMP line resulting in additional arrests. During this period, six RCMP vehicles were destroyed by fire. In total, 40 people were arrested.



The RCMP recovered three firearms, knives, unspent ammunition, and small improvised

explosive devices (IED'S) from the camp. RCMP Assistant Commissioner Brown subsequently stated that the IED's "were akin to a Boston Marathon-type of bombing." In response to the RCMP raid, and in support of the Elsipogtog First Nation, activists and militants engaged in more than 50 peaceful solidarity protests, demonstrations and road blockades across the country.

Since the summer of 2011,

militants and extremists have engaged in equipment sabotage, multiple road blockades, and the

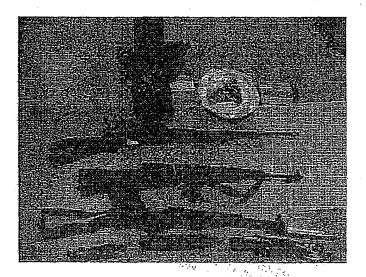
<sup>&</sup>lt;sup>1</sup> As outlined in the United Nations Declaration of Rights of Indigenous Peoples (UNDRIP) which Canada endorsed as an aspirational document in 2010.

destruction of six RCMP vehicles (previously mentioned) resulting in over 100 arrests since June 2013. The cost of industrial equipment sabotage has exceeded \$250,000 (excluding the estimated \$300,000 to replace the six RCMP vehicles) while the additional cost to law enforcement has reportedly surpassed \$4 million.

This included some of the self-described "Mi'kmaq Warriors" who came from other parts of the Maritimes and often attempted to co-opt the direction and actions of this group.

Regulatory and Crown decisions on a range of natural resource development and critical infrastructure projects are expected in 2014

RCMP Photo of some of the item seized at the raid.



### **Government Operations Centre**

Government of Canada Risk Forecast 2014 Protests & Demonstrations Season

Date of issue: 01 May 2014



#### **IMPORTANT NOTICE**

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RDIMS# 1092364

Prepared by: Planning Division

Canada

#### **EXECUTIVE SUMMARY**

The notoriety and success of past civil society movements including the Arab Springs (2010), the Occupy Movement (2012-present), the Idle No More movement (2012 – 2013) and Pipeline demonstrations across Canada and the US, as well as the province-wide student demonstrations in Quebec (2012) have inspired citizens to build grass roots movements and have their voices heard on a wide range of issues across larger and larger geographic areas.

Over the last several years, protests and demonstrations in Canada have been motivated by social, political, environmental, First Nations-related issues or some combination of these. These general catagorizations continue to hold true.

Based on previous Government Operations Centre (GOC) work on historical protest/demonstration trends and ongoing tracking of protest and demonstration trends, as well as public announcements and other pre-protest/demonstration indicators observed by the GOC and federal partners, a number of conclusions can be drawn:

- Of the usual protests and demonstrations which occur in Canada annually only a limited number rise to the level of being of a national interest;
- The majority of protests and demonstrations are peaceful in nature and their individual impacts are short-lived;
- Due to the local nature of protests and demonstrations, it is often difficult to develop a national picture because most information and impact stays at the local level;
- Other aspects of protests and demonstrations need to be considered (e.g., the use of social media, the engagement of youth populations, the perceived success of previous protest "movements", growth in the geographic breadth of protest and demonstration activity, as well as a seeming increase in the targeting of critical infrastructure);
- Exact triggers are difficult to predict. What information or action will be seized upon as a trigger is not usually known to either side of a confrontation, and there are too many potential trigger points to identify which ones will ignite a situation;
- At this point, the federal partners consulted had no information to indicate that any identified issues had yet provoked significant organizing activity or would do so in the near to medium terms.

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Thus, the GOC forecasts a LOW risk during the 2014 spring / summer protest and demonstration season, with the possibility of MEDIUM level events occurring.

#### 1. SCOPE

The purpose of this document is to identify and assess the potential risks associated with the 2014 spring / summer protests and demonstrations season.

While response to protests and demonstrations do not generally fall under federal responsibility, disruptions to critical infrastructure may trigger a federal response, or at least situational reporting by the GOC.

#### 2. METHODOLOGY

The risk forecast is based on a previously completed five-year environmental scan, a statistical update to the scan, as well as an interdepartmental meeting (April 1, 2014) hosted by the GOC and consisting of representatives of nine other federal partners organizations. The meeting was used to discuss and share information regarding members' knowledge of any future potential large, disruptive or geographically widespread protests or demonstrations in Canada which may rise to the level of national or federal interest.

#### 3. BACKGROUND

As a result of the increased scope and reach of civil society protest and demonstration activities, and their correspondingly wider impact on critical infrastructure, the GOC began to examine the strategic effect of major protest and demonstration movements from the perspective of their growing frequency, their impact on critical infrastructure, and of the need for any federal government response.

The GOC conducted a five-year environmental scan of past protests and demonstrations in Canada that affected the national interest or had an impact on critical infrastructure.

After conducting a trend analysis of protests and demonstrations, the GOC concluded that most of the protests and demonstrations naturally fell into four primary categories:

 Social Issues protests include specific issues and concerns (e.g. labour actions, anti/pro-abortion rights protests, pro-marijuana demonstrations), as well as broad-based grievances and protests against generic conditions (e.g., Occupy Wall Street).

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- Political Issues protests are generally for or against domestic or international political developments. This would include the Quebec student protests, opposition to Federal employment insurance reforms, protests against perceived political injustices by foreign governments, protests against decisions taken by municipal, provincial or federal government, and protests in-opposition to domestic or international political events (e.g., political leadership conferences, WTO/IMF meetings, G8/G20 meetings).
- Environmental Issues protests include pipeline protests, Non-Governmental Organization (NGO) organized protest events, and all protests in opposition to government or industry environmental policy decisions or actions. This also includes animal rights-related protests.
- First Nations Issues protests include all protests with a First Nations nexus, including Idle No More protests, Assembly of First Nationsorganized events, fishing-related protests, and treaty or resource development-related protest activities.

That said, not all significant protests and demonstrations can be slotted exclusively under these headings. Some issues are naturally compatible (e.g., some evironmental and First Nations issues) and supporters may come together to engender organizations responsible for large, disruptive or geographically widespread protests and demonstrations which can not be categorized under a single heading.

The GOC's environmental scan also indicated that mass protests and demonstrations have proven to be a highly effective means to communicate information on political views, alternative policy and specific agendas.

#### 4. LIKELIHOOD AND SEVERITY ASSESSMENT

The likelihood and severity assessment for this Risk Forecast is based on:

- A. Historical protest/demonstration trends
- B. Ongoing tracking of protest and demonstration trends by the GOC and other federal partners;
- C. Public announcements and other pre-protest/demonstration indications observed by the GOC and federal partners;
- D. The collective assessment by those on the working group.

#### A. Historical protest/demonstration trends

As stated earlier, over the last several years, protests and demonstrations in Canada have been motivated by social issues, political issues, environmental issues, First Nations-related issues or some combination of these.

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Historically, the majority of protests and demonstrations are peaceful in nature and their individual impacts are short-lived (rail/highway blockades, traffic and port and entry disruptions).

Of the usual protests and demonstrations which occur in Canada annually only a limited number rise to the level of being of a national interest. The criteria for the GOC to report on protests and demonstrations (*i.e.*, domestic civil disturbances) is for an event resulting in actual or potential, significant disruption to government operations, critical infrastructure and/or pose a significant, actual or potential threat to public safety. Thus, while there has rarely been "a significant actual or potential threat to public safety", large, disruptive, and geographically widespread protests and demonstrations have caused disruption to government services and critical infrastructure.

### B. Ongoing tracking of protest and demonstration trends by the GOC and other federal partners

Although post-"Idle No More" (INM) First Nations protests and demonstrations actually decreased after April 2013, a recent statistical update to the GOC's environmental scan found that Aboriginal issues are still the leading motivator of protests and demonstrations, though at a much reduced occurrence rate. Political issues, environmental issues and social issues followed (in that order), though collectively only represented about one-quarter of the events tracked.

However, these findings should only be taken as demonstrative and not concrete fact. Due to the local nature of protests and demonstrations, it is often difficult to develop a national picture because most information and impact stays at the local level. If not covered by the media or publically reported on by local authorities, federal partners and the GOC may not be aware of some protests and demonstrations.

### C. Public announcements and other pre-protest/demonstration indications observed by the GOC and federal partners

Federal partners reported that while they are aware of public calls or announcements for organized protests and demonstrations motivated by various issues, none have yet demonstrated a level of organization, public acceptance or geographic coverage to warrant potential federal/national level interest. Instead, a number of partners pointed out that the pre-protest/demonstration season indicators they would have otherwise expected to observe over the course of the winter did not materialize. Most reported that they were not aware of any significant ongoing pre-protest/demonstration activities.

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#### D. The collective assessment by those on the working group

During the discussion of the working group, several potential motivating issues were identified (e.g., anti-pipeline; anti-fracking/shale gas; First Nations issues collectively; various political and environmental issues). However, while all agreed that any one of these issues could motivate large, disruptive, or geographically widespread protests and demonstrations, none of the partners had any information to indicate that any of these issues had yet provoked significant organizing activity or would do so in the near to medium terms.

#### Other Factors

That said, previous GOC experience has revealed that there are some influencing factors that should be considered:

First is the <u>use of social media</u>. Many interest groups and civil society movements have leveraged the power of social media not only to spread their various messages farther than ever before, but have also been able to translate this digital reach into the physical environment by more effectively and efficiently organizing larger numbers of interested individuals over larger geographic areas. The result has been larger single issue or related-issue protests and demonstrations occurring concurrently in multiple locations.

The <u>spread of "citizen journalism"</u> through social media and other internet fora allows for even wider distribution of alternatively sourced information into the mainstream, which can then translate into even wider coverage to otherwise less politically active populations.

Related to the use of social media, is the <u>activation and engagement of youth</u> by many of the issue-related movements that have been established in the last half decade.

Finally, the <u>notoriety and success of past civil society movements</u> will necessarily encourage new groups to emulate the actions and activities of those that came before them. While at the same time, existing groups continue to perfect their methodologies.

For the GOC, this has meant that individual protests and demonstrations which in and of themselves may not have been a significant priority in the past are now noted because of their potential for spawning additional or concurrent protests or demonstrations in support of the original issue in other locations.

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This growth in the geographic breadth of protest and demonstration activity, as well as a seeming increase in the targeting of infrastructure (i.e., the transportation section, especially rail and road) has increased the strategic impact of recent protest movements. A recent example of critical infrastructure (CI) disruption occurred in Sarnia, ON, in December 2012 where a CN line was blocked for approximately 1 week and disrupted delivery of supplies to Sarnia's Chemical Valley, which if prolonged, may have resulted in job losses. The VIA passenger corridor in the Kingston / Belleville are was disrupted and generated abundant media coverage; as well, ports of entry, such as Blue Water Bridge in Sarnia, were also targeted. The impacts are quite fluid and vary according to the nature and length of disruption.

#### **Potential Triggers**

Exact triggers are difficult to predict. What information or action will be seized upon as a trigger is not usually known to either side of confrontation, and there are too many potential trigger points to identify which ones will ignite a situation. A dispute over a relatively minor incident can spark a larger local incident with sympathy events elsewhere.

However, some potential strategic trigger points could include:

- The Government's regulatory, policy and legislative agenda. Some activists may feel the Government has not consulted with them, such as the ongoing Northern Gateway Keystone XL and shale gas protests.
- Financial contribution to communities with unresolved disputes.
   Frustration toward education issues, funding mechanisms, land claims and treaties that may spark provincial protests causing major disruptions to critical infrastructure, small businesses, and traffic. The mass student protests in Quebec are a prime example.
- The Government's response to an emergency could also feed discontent.
  For example, the Attawapiskat housing crisis triggered protests. Any
  perceived inadequate response to cyclical events, like forest fires and
  floods, may be a flash point. There is still discontent from First Nations
  evacuees as a result of the 2011 Manitoba Floods (over 1,800 still have
  not returned home).

#### 5. IMPACT ASSESSMENT

The impact from protest activities may include: disruption of services and inconvenience to the public (transportation disruptions), damage to property, disruption of government operations (municipal / provincial / federal), increased media coverage and scrutiny, political fallout, economic losses (i.e.,

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transportation or port of entry blockades, policing costs), and in the extreme, injury and loss of life.

There are three levels of risk associated with protest activities:

EXELEVELS OF RISK	TO THE SECOND PROPERTY OF THE PARTY OF THE P
Low	
Medium	
High	

Although the impact increases with each risk level, the probability of occurrence diminishes. For example, extremist actions will result in high impact, but the probability of its occurrence is low.

The duration of a particular protest action will also affect its impact, as the longer the activity lasts, the greater the disruption and potential impact. For example, the blockade of a rail line leading to Sarnia, Ontario's Chemical Valley for one week in December 2012 was on the verge of affecting the supply of propane in Ontario, potentially leading to harmful economic effects. This type of disruption can lead to increased pressure for more robust response by authorities. This in turn can further aggravate an already delicate situation.

#### 6. RISK FORECAST

The risk forecast considers the likelihood, severity and impact assessments outlined above as well as the risk tolerance of the Canadian public and of the various levels of government.

The Canadian public, as well as all levels of government in Canada, recognize that lawful advocacy, protest and dissent are rights protected by the *Canadian Charter of Rights and Freedoms*. As such, there exists in Canada a very high risk tolerance regarding protest and demonstration activities, though this tolerance declines when there is proven illegality or a threat of violence and injury, or the protest i demonstration continues over an extended period of time.

This elevated tolerance level, along with the fact that at this point, there is little information to predict the occurrence of one or more large, disruptive, or geographically widespread protests or demonstrations necessitates the GOC to forecast a **LOW** to **MEDIUM** risk during the spring / summer protest and demonstration "season".

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#### 7. GOC RESPONSE

Public Safety Canada has the overarching responsibility for response coordination supported by the federal family.

In the event that protest activities become a national interest, the Federal Emergency Response Plans (FERP) would form the basis of response and coordination by the Government. The FERP outlines how the primary Federal institutions will be engaged through their emergency support functions. Supporting departments may be called upon, depending on the situation, to provide specialized assistance. The GOC will be the hub, and be responsible for:

- Operations: monitoring, validating and coordinating a response to events of a national interest.
- Interdepartmental consultation: coordinated communications with interested and responsible federal departments and agencies, as well as provincial and private sector partners.
- Situational Awareness: consolidated reporting to senior officials will be provided.
- Risk Assessment: threats and impacts to Canada's critical infrastructure will be analyzed to determine the level of response.
- · Planning: developing a course of action.
- Briefing Senior Decision-Makers: coordinated briefing of senior officials, including the Assistant Deputy Ministers Emergency Management Committee and the Assistant Deputy Ministers National Security Operations Committee, on developments related to an incident and the federal response.

#### 10. CONCLUSION

While there is a certainty that some protests and demonstrations will occur during the spring and summer of 2014, and there are enough issues brewing in various domains (e.g., legislative, regulatory, political, etc.) which have the potential to trigger large, disruptive or geographically widespread protests and demonstrations, there is little or no concrete information indicating more than a normal level of protest and demonstration activity.



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#### MEMORANDUM TO THE DIRECTOR

## MEETING OF THE DEPUTY MINISTERS' COMMITTEE ON RESOURCES AND ENERGY

10:30 - 12:00 Monday, 19 June 2014 269 Laurier Avenue West, 19<sup>th</sup> Floor Boardroom

#### **BACKGROUND**

Further to the agreement at the 9 June ad hoc meeting of Deputy Ministers, this follow-up meeting has been called to further discuss the federal response to potential protests associated with resource and energy development issues in summer 2014. The discussion is being driven by the violence that occurred surrounding the hydraulic fracturing protests in New Brunswick in 2013 (TAB 1), and the Government's interest in proactively preparing for possible issues as the summer approaches.

At the time of writing, Public Safety had not provided any information in support of the discussion. As such, information included represents issues that may be raised.

#### NOTHERN GATEWAY PIPELINE DECISION

The federal government is expected to render its decision pertaining to the proposed Northern Gateway pipeline project on 17 June. The project was approved by the National Energy Board in late 2013, and has become a fouchstone for opposition to oil sands development. While most of the Aboriginal (and non-Aboriginal) opposition falls under the category of legitimate protest and dissent.

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The proposed Northern Gateway pipeline project would carry oil to tankers for export to the U.S. and Asia. It would be 1,177 km in length and run from Bruderheim, Alta, to Kitimat, B.C carrying 525,000 barrels per day. If approved, the estimated start-up date is in 2017.

Although an announcement had not been made at the time of writing, it is expected to be one of three possibilities: approval; approval with additional Aboriginal consultation; or rejection. Each of these decisions could have a distinct impact on Government-Aboriginal relations, particularly during summer and fall 2014.

In the event that the Government approves the pipeline, the Service assesses that

The Government may also announce that while it supports the Northern Gateway project, it will not approve it until after additional Aboriginal consultation is conducted

The Service assesses that

There is also a possibility that the Government could reject the pipeline. The Service assesses

the Service assesses that

#### **GOVERNMENT OPERATIONS CENTRE RISK FORECAST 2014**

Public Safety may present on the Government Operations Centre (GOC) report titled "Government of Canada Risk Forecast – 2014 Protests and Demonstration Season" (TAB 3) in which the GOC identifies and assesses the potential risks associated with spring/summer protests and demonstrations. The GOC assesses the risk for 2014 as low (characterized by awareness-building protest activities) with possible medium risk activities (characterized by disruption to critical infrastructure including transportation networks).

In reviewing the Risk Forecast (TAB 3)

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Traditional Aboriginal and treaty rights issues, including land use, persist across Canada
Discontent related to natural resource
development across Canada is largely an extension of traditional concerns. In British Columbia,
this is primarily related to pipeline projects (such as Northern Gateway). In central Canada,

The Service recognizes that many of these issues involve legitimate protest and dissent and as such, have no nexus to CSIS' mandate.

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#### **GUIDED DISCUSSION**

Public Safety may also lead DMs in a guided discussion of a protest or demonstration incident. Originally intended as a table-top exercise, this discussion will consider possible federal responses to protest and demonstration incidents.

If you require any further information, please do not hesitate to contact me.

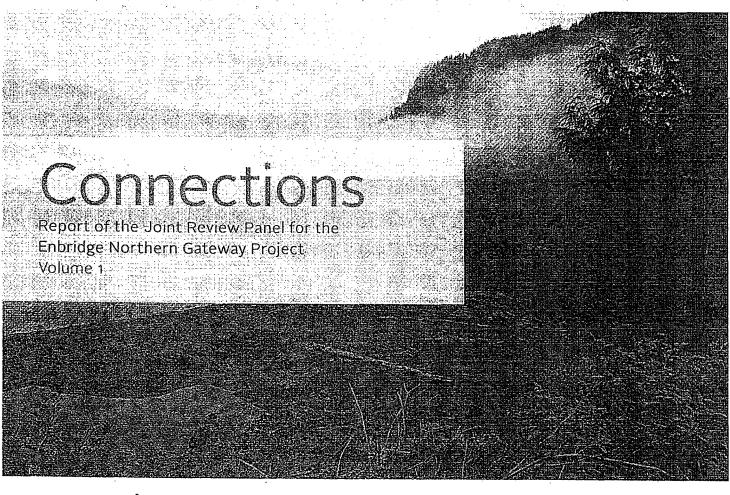
Tom Venner Assistant Director Policy and Strategic Partnerships

#### **Enclosed:**

- TAB 1: "Violent Confrontation over Seismic Testing (Hydraulic Fracturing) in New Brunswick"
- TAB 3: "Government of Canada Risk Forecast 2014 Protests and Demonstration Season (Government Operations Centre)

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# Connections

Report of the Joint Review Panel for the Enbridge Northern Gateway Project Volume 1

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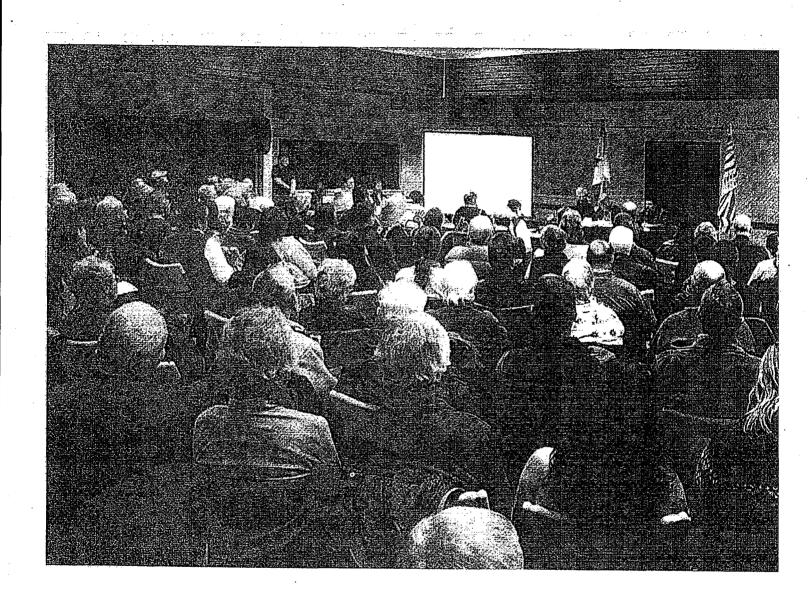
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# Recognizing connections

This volume of our report, Connections, is about connections and linkages across time and place, on land and sea, between the economy and the environment, and among people, resources, cultures, wellbeing, safety, and way of life. It explains how we reached the conclusions and recommendations that are detailed in our second volume, Considerations.

During our hearings, we heard that many people feel a deep connection to the environment. Aboriginal people described their connections to the land and see that continue to sustain their way of life. Many Aporiginal and non-Aboriginal people told us about how foods from the land and sea knit together the ecology, economy, and cultures along the proposed pipeline and tanker routes. People stressed the importance of water in their lives and environments. People expressed a spiritual

connection to nature and a passionate commitment to stewardship of natural resources.

Some people said economic development like the Enbridge Northern Gateway Project could harm society and the environment, while others told us a strong economy was necessary to sustain and enhance environmental and social values. They all recognized the linkages among people, economy, and environment, and that these are all aspects of a shared ecosystem.

Our task was to recognize these connections. We weighed and balanced them to answer the fundamental question: Would Canada and Canadians be better off or worse off if the project goes ahead?

Connections explains how we answered this question.

JOINT REVIEW PANEL



Calgary, Alberta, December 2013

### 2.2 How did people participate in our review?

Northern Gateway's application attracted attention and controversy. Some of this was due to the nature of the project. It proposed the first oil and condensate pipelines to cross northern British Columbia. It would establish a new tanker terminal and result in an increase in tanker traffic on the West Coast. There were concerns about the products that would be transported, especially diluted bitumen. We heard concerns about effects on Aboriginal uses of lands, waters, and resources.

In 2005, after three years of planning and preliminary meetings, Northern Gateway began consulting with communities, Aboriginal groups, landowners, commercial interests, and government authorities. Northern Gateway also negotiated protocol agreements with many Aboriginal communities. In 2009, the company established Community Advisory Boards to share views and information with affected communities. The project's environmental assessment included detailed information from the company's consultations.

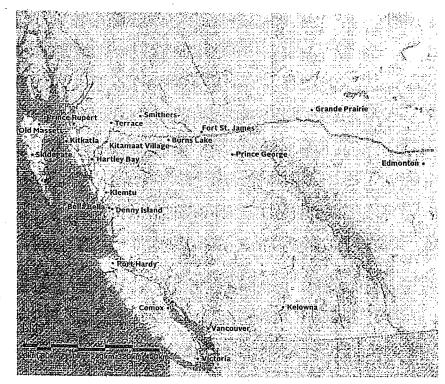
In early 2009, Northern Gateway said it intended to seek regulatory approval of the project. The Canadian Environmental Assessment Agency then invited public comment on a draft agreement to create this Joint Review Panel. This process, including consultation with Aboriginal groups, led to the signing of the Joint Review Panel Agreement and our appointment. The Joint Review Panel Agreement set out our terms of reference and broadly defined the factors to consider during our review. The agreement was amended in August 2012 to reflect changes in the legislation governing our hearing process.



CONNECTIONS: Report of the Joint Review Panel for the Entridge Not Utern Gateway Project

#### MAP 2.1 HEARING LOCATIONS

We visited 21 communities in British Columbia and Alberta during 180 days of hearings.



After receiving the Enbridge Northern Gateway Project application in May 2010, we listened to everyone who wished to comment on the scope of issues. We held public sessions in Whitecourt; Alberta, and in Kitimat and Prince George, British Columbia. Many people told us that they wanted to share their views, experiences, and knowledge. In January 2011, we responded to what we had heard. We released a revised list of issues that clarified what we would consider. The main categories of issues were:

- · Need for the project
- · Potential effects of the project
- · Environmental effects
- · Socio-economic effects
- Consultation
- Financial and tolling matters
- Routing
- · Design, construction, and operation
- Safety, accident prevention, and emergency response
- Follow-up and monitoring
- · Recommendations and conditions

PART Z: PEOPUS

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During community hearings, individuals shared with us their knowledge, views, or concerns about the project.

To help us understand the evidence, we viewed the pipeline route and portions of the shipping routes by air and by boat. In 2011, our staff provided 35 public information sessions and 32 online workshops to share procedural information and answer questions on how to participate in the hearing process. All documents and transcripts of the proceedings are publicly available on the National Energy Board website. The audio from the hearings was webcast live.

We received and read more than 9,000 letters of comment regarding the application. Most of the letters argued against approving the project. Many referred to the risk of spills and the effects on people and their wellbeing and on Aboriginal activities. People arguing for the project emphasized

its economic benefits and the social benefits from employment opportunities and increased government revenues. Various organizations with large regional or national memberships submitted letters in support of the project. Some letters cited peer-reviewed scientific and technical data. Many relied on internet and media references.

We considered all the information and views filed on the public record. Our process was designed to receive all perspectives. Our recommendations are based on technical and scientific analysis rather than the on number of participants sharing common views either for or against the project.

From January to July 2012, we heard oral evidence from 393 participants in 17 communities.

Aboriginal people, from youth to Elders, told us of their history and culture, traditional use of lands, waters, and resources, and how they could be affected by the project. We also heard from non-Aboriginal groups and individuals who shared their stories and experiences on the land and water. All of this knowledge informed our assessment.

Beginning in March 2012, we heard oral statements from 1,79 individuals in 17 communities. Unlike oral evidence, oral statements are untested evidence and are not subject to questioning by other parties. Young and old were represented. The statements covered a wide spectrum of styles and views. Many cited their personal or professional experience in areas such as forestry, fishing, recreation, business,

CONNECTIONS: Report of the Joint Review Panel for the Embridge Northern Galeryay Project

agriculture; government, environmental science, medicine, engineering, and education.

A total of 206 intervenors and 12 government participants registered in 2011 for the formal hearing process. These parties could provide written and oral evidence, request information, question witnesses, and present written and oral final argument. The formal hearing process in 2012 and 2013 included oral questioning in Edmonton, Prince George, and Prince Rupert, and oral final argument in Terrace, British Columbia. Experts presented evidence for and against the project. Northern Gateway and 56 other parties submitted written final arguments.

Northern Gateway made various changes in its proposal in response to concerns raised during the hearing process. Examples of changes included the use of thicker-walled pipe, a smaller distance between isolation valves, valves at water crossings, and complementary leak-detection systems. The company revised the proposed route – for example, moving it several kilometres farther from the Morice River. Three pump station locations were changed at the request of Aboriginal groups.

The views in oral statements and letters of comment told us what people thought was important. Scientific and technical review of the evidence led to our information requests. Information requests were also submitted by government participants and the intervenors. For example, we asked the company to provide more information about project design and risk assessment. Northern Gateway also made information requests to intervenors and government participants. The responses helped to clarify the application and the issues.

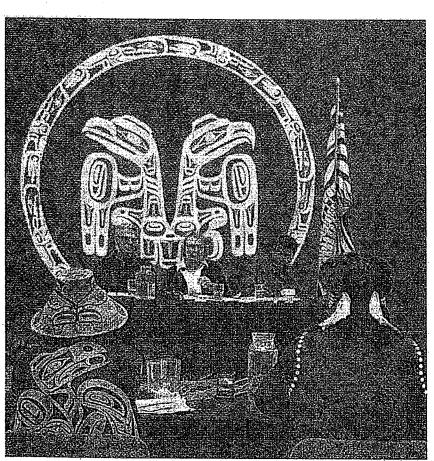
Some parties chose not to participate because they had concerns about the regulatory process or were opposed to the project. They lost the opportunity to present their views to us and have them considered during our deliberations. We sought to optimize opportunities for individuals and groups to present their evidence and opinions to us. We incorporated remote participation through video and telephone links into the hearing room during

all aspects of the oral hearings. Many participants, including expert witnesses, commented that they found the remote participation options useful and effective. Some of the questioning phase of the hearing process was conducted through these methods. This approach provided all participants with opportunities to decide to participate and not be limited from giving evidence, and opinions due to travel, finances, work, and life commitments.



PART 2: PEOPLE

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## 2.2.1 PARTICIPATION BY ABORIGINAL GROUPS

Our hearing process provided an opportunity for Aboriginal people to learn more about the project and to place on our record their views about:

- their traditional knowledge with respect to the environmental effects
- the effects any change in the environment resulting from the project may have on their current use of lands and resources for traditional purposes, and
- the nature and scope of their potential or established Aboriginal and treaty rights, the effects the project may have on those rights, and appropriate measures to avoid or mitigate such effects

Aboriginal people participated as intervenors in the final hearing process and through oral evidence, oral statements, and letters of comment. Many attended our information sessions and hearings.

Under the Joint Review Panel Agreement, our process received information on the nature and scope of potential or established Aboriginal and treaty rights that the project might affect and the effects that the project might have on these rights. We received a great deal of evidence from Aboriginal groups and other parties on these matters.

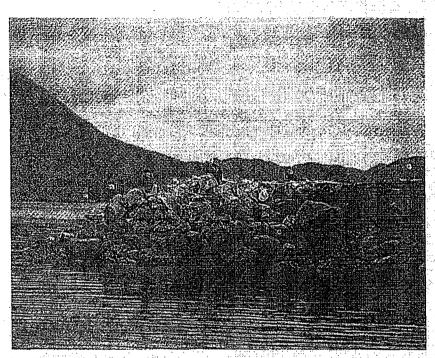
CONNECTIONS: Report of the Joint Review Panel for the Enbridge Northern Cateway Project

## 2.2.2 WHAT WAS OUTSIDE OUR MANDATE?

During our hearings and in written submissions, many people urged us to include assessment of matters that were beyond the scope of the project and outside our mandate set out in the Joint Review Panel Agreement. These issues included both "upstream" oil development effects and "downstream" refining and use of the products shipped on the pipelines and tankers. We heard these concerns initially during our sessions in 2010 and addressed them in our January 2011 decision accompanying the revised list of hearing issues.

Many people said the project would lead to increased greenhouse gas emissions and other environmental and social effects from oil sands development. We did not consider that there was a sufficiently direct connection between the project and any particular existing or proposed oil sands development or other oil production activities to warrant consideration of the effects of these activities. We based our decision on four factors:

- Provincial and federal energy and environmental authorities already regulate oil sands development and other oil production activities.
- Northern Gateway applied only for a transportation project and did not indicate any intention to develop oil sands or other oil production.
- The Bruderheim Station would not be located near oil sands developments and could receive oil from a variety of sources.
- Oil sands projects and activities were not included in our terms of reference under the Joint Review Panel Agreement. The agreement was reached after consultations with the public and Aboriginal groups.

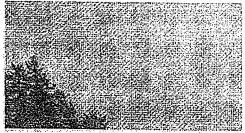


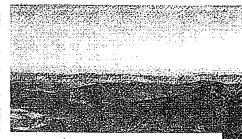
In addition, some people asked us to consider the "downstream" emissions that could arise from upgrading, refining, and diluted bitumen use in China and elsewhere. These effects were outside our jurisdiction, and we did not consider them. We did consider emissions arising from construction activities, pipeline operations, and the engines of tankers in Canadian territorial waters.

Some people asked us to consider other issues such as trade policy, renewable energy, and industrial strategy. We did not consider them; they were outside our mandate.

PART 2: PEOPLE

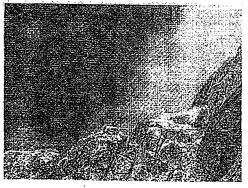
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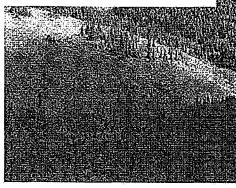




## Considerations

Report of the Joint Review Panel for the Enbridge Northern Gateway Project Volume 2







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## Considerations

Report of the Joint Review Panel for the Enbridge Northern Gateway Project Volume 2

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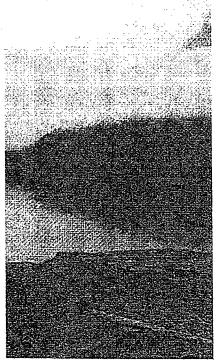
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## 1 Principles, considerations, and disposition



The first volume of the Joint Review Panel report, Connections, summarizes the Panel's conclusions and recommendations for the Enbridge Northern Gateway Project. This second volume, Considerations, provides a more detailed description of the issues and reasoning behind the conclusions and recommendations. The Joint Review Panel and its process are described in more detail in Appendix 3.

Many Aboriginal and non-Aboriginal people described the complex connections between land, sea, air, and the people who use these natural resources. They asked the Panel to consider the complex economic, social, and environmental connections that could be affected if the Enbridge Northern Gateway Project is built. The Panel assessed the proposed facility design and operation to determine whether the project could be constructed and operated in a safe, reliable, and environmentally-responsible manner. The Panel considered how negative effects could be prevented or minimized, and how benefits could be realized and maximized.

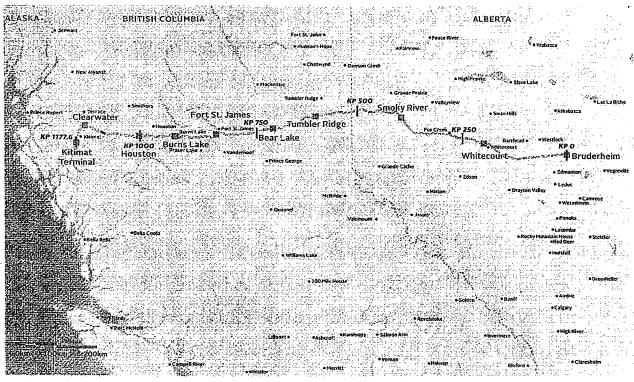
Ultimately, the Panel is required to make a recommendation on whether the project is in the public interest. In other words, would Canada and Canadians be better off, or worse off, if the project is built and operated? The Panel's consideration of the Canadian public interest is described in Chapter 2.

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#### FIGURE 1.1 PROPOSED PIPELINE ROUTE

The Alberta portion of the proposed pipeline route is about 520 kilometres in length and crosses more than 360 watercourses, About half of the Alberta portion of the route would cross private land and half would

cross provincial or federal Crown lands. The British Columbia portion of the proposed pipeline route is about 660 kilometres in length and crosses about 850 watercourses. More than 90 per cent of the British Columbia portion of the route would be on provincial Crown lands. Much of the route in both provinces would cross lands currently and traditionally used by Aboriginal groups.



题 Pump Station 【Kilometre Post (KP) ~ Clore and Hoult Tunnels

2 CONSIDERATIONS: (report of the Joint Review Panel for the Enbeldge Hottlyen Gateway Project

#### 1.1 The project

Northern Gateway Pipelines Limited Partnership (Northern Gateway) proposed to build and operate a terminal at Kitimat, British Columbia, and two pipelines between Bruderheim, Alberta, and Kitimat (Figure 1.1). A primary purpose of the project would be to provide access for Canadian oil to international markets including existing and future refiners in Asia and the United States West Coast. The project would also be intended to provide greater diversification in the supply of condensate used for diluting heavy oil.

The total estimated capital cost of the project is \$7.9 billion, which includes \$500 million for associated marine infrastructure. Northern Gateway said that the project would be completed by late 2018.

The three major components of the project are:

- one 914 millimetre (36 inch) outside diameter export pipeline that would carry an average of 83,400 cubic metres (525,000 barrels) per day of oil products west from Bruderheim to Kitimat;
- a parallel import pipeline, 508 millimetres (20 inches) in outside diameter, that would carry an average of 30,700 cubic metres (193,000 barrels) of condensate per day east from Kitimat to the terminal at Bruderheim, and
- a terminal at Kitimat with 2 tanker berths,
   3 condensate storage tanks, and 16 oil storage tanks.

Appendix 2 provides a more detailed description of the project.

The Joint Review Panel Agreement and the Panel's List of Issues defined the scope of the hearing. The Panel considered the project's environmental effects, the risks of accidents, effects to local economies and traditional resource use, economic benefits, the need for the project, the safety of facilities, and marine transportation, among many other factors.

In the early stages of the public hearing, the Panel heard from many people who said that the Panel should consider the environmental impacts of bitumen extraction, including the production of greenhouse gases and related effects on climate change. The Panel considered the degree of connection between the Enbridge Northern Gateway Project and upstream oil sands development, downstream air emissions from bitumen upgrading, and eventual use of petroleum products to be transported by the project. The Panel concluded that connections to oil sands. development were not sufficiently direct to allow consideration of their environmental effects in its assessment of the project, other than in its consideration of cumulative effects. The Panel also concluded that downstream effects would be hypothetical and of no meaningful utility to the Panel's process. The Panel considered emissions arising from construction activities, pipeline operations, and the operation of tankers in Canadian waters to be within the scope of its assessment.

#### 1.2 The review process

The Minister of the Environment and the Chair of the National Energy Board established the Joint Review Panel under the Canadian Environmental Assessment Act and the National Energy Board Act. The National Energy Board appointed two of its members as Panel members. The Minister of the Environment selected the third member who was subsequently appointed as a temporary member of the National Energy Board. The Panel was directed to conduct an environmental assessment of the project and submit a report recommending whether or not the project was in the public interest. In its report, the Panel was to set out terms and conditions necessary or desirable in the public interest. The Panel was also directed to set out its rationale, conclusions, and recommendations relating to the environmental assessment of the project.

As an independent expert tribunal, the Panel believed that it was important to gain a broad perspective on all aspects of the proposed project before making its recommendation. This included technical, as well as human and cultural, aspects of the project. The Panel heard local, regional, and national perspectives about the project from affected individuals, Aboriginal groups, and other groups along the proposed pipeline and shipping routes.

The Panel sought at all times to ensure that the joint review process was fair, open to the public; safe, respectful, and transparent. The Panel designed and implemented a hearing process that encouraged and supported meaningful public and Aboriginal participation. This included the collection

CHAPTER IS PRINCIPLES, CONSIDERATIONS, AND DISPOSITION

of oral traditional evidence, such as Aboriginal community knowledge, and the testing of the technical evidence filed during the review process. People were able to share their information with the Panel orally, in writing, or using both methods.

In preparation for the hearing process, the Panel's Secretariat staff hosted 35 public information sessions and 32 online workshops to share procedural information and answer questions about how to participate in the hearing process.

Public hearings for the proposed project attracted a high level of public interest. There were 206 intervenors, 12 government participants, and 1,179 oral statements before the Panel. Over 9,000 letters of comment were received. The Panel held 180 days of hearings, of which 72 days were set aside for listening to oral statements and oral evidence. Most of the hearings were held in communities along the proposed pipeline corridor and shipping routes. The entire record of the proceeding is available on the National Energy Board website.

The Panel acknowledges and thanks all parties for their contributions to the Enbridge Northern Gateway Project proceeding. There was a high level of participation by individuals and groups who had never before appeared in front of a regulatory panel. The Panel acknowledges the challenge of dealing with large volumes of technical evidence, particularly when additional information was submitted during the review process in response to questioning. The Panel sincerely appreciates the time and effort that people invested in their submissions and testimony. Many adjusted personal schedules and travelled long distances to express their views on the proposed project.

## 1.3 The Panel's approach to sustainable development

If approved and built, the Enbridge Northern Gateway Project could operate for 50 years or more. The Panel heard from participants that it must consider the project's implications for future generations. People expressed a passionate commitment and sense of stewardship for the environment and told the Panel how important it was to think about the long term. In making its public interest recommendation on the project, the Panel was mindful of the implications to future generations of Canadians, and of the need to integrate current environmental, social, and economic considerations.

One of the purposes of the Canadian Environmental Assessment Act, 2012 is to encourage federal authorities to take actions that promote sustainable development and, thereby, achieve or maintain a healthy environment and a healthy economy. Under the National Energy Board Act, the Panel must determine whether the project is in the public interest based on the evidence put before it. These two objectives are complementary and both relate to sustainable development.

Hearing directly from those who may be affected by the project is key to any consideration of sustainable development. The Panel designed the public hearing to support and encourage public participation. The public hearing design included:

 public input on the draff List of Issues, additional information requirements, and locations for oral hearings;

- oral comments on the process for hearings heard in Whitecourt, Kitimat, and Prince George;
- public information sessions held in 16 communities:
- process advisors available to assist participants throughout the hearing process;
- community hearings for oral statements and oral evidence held in 21 communities to hear from those potentially affected by the project, and to enable Elders and First Nations to share their oral history and traditional knowledge;
- online workshops to assist participants in preparing for oral statements, questioning of witnesses, and participation in final argument;
- final hearings for questioning held in Edmonton, Prince George, and Prince Rupert;
- hearings for final argument held in Terrace;
- transcripts and documents that were all publicly available on the National Energy Board website;
   and
- . audio from the hearings was webcast live.

In order to optimize opportunities for individuals and groups to present their evidence and opinions to the Panel, the Panel incorporated remote participation through video and telephone links into the hearing room during all aspects of the oral hearings, including questioning. It is the Panel's view that this approach was effective. Many participants, including expert witnesses, commented that they found the remote participation options useful and effective. This approach provided all participants with opportunities to participate and not be excluded from giving evidence and opinions due to travel, finances, work, and life commitments.

CONSIDERATIONS: Report of the Joint Review Panel for the Enbridge Northern Gateway Project

#### 1.4 A precautionary approach

The Panel used a careful and precautionary approach in its assessment of the project. Precautionary aspects of the Panel's report and recommendations were guided by five principles:

- Precaution is an element of risk detection, risk reduction, and risk management.
- Precautionary mitigation should be based on scientific and technical information made available and tested through a public hearing process.
- Precaution is appropriate when potential environmental effects are difficult to predict accurately due to natural variability and incomplete knowledge of natural processes.
- Continuing community engagement and follow-up environmental monitoring can help to reduce scientific uncertainty and unnecessary precaution, over time.
- A public and transparent assessment process improves the quality of a precautionary approach.

## 1.5 Improving the project design through regulatory review and environmental assessment

Northern Gateway refined the design of the project during the review process in response to participants' views, questions, and advice. New information and analysis produced during the environmental assessment also allowed Northern

Gateway, the public, and the Panei to identify and evaluate new and innovative mitigation measures.

The assessment of the Enbridge Northern Gateway Project involved predicting complex biophysical system behavior years into the future. An element of uncertainty was inevitable and had to be accommodated in the Panel's conclusions and recommendations. Some precautionary conditions set out by the Panel would require ongoing monitoring and research to help reduce uncertainty. Examples include prevention and mitigation of potential undesirable project effects on old growth forests, wetlands, caribou, grizzly bear, and marine mammals.

The Panel did not need the final design details of the Enbridge Northern Gateway Project to be presented during the hearing. Final engineering would commence if the project receives certificates of public convenience and necessity, and if the company decides to proceed with the project subject to all required terms and conditions. The Panel acknowledges that many final engineering details can only be determined after the Panel's process is concluded and project construction has begun in the field.

Through Northern Gateway's application, responses to information requests, questioning, reply, and final argument, the Panel has received sufficient detail to complete a comprehensive and precautionary assessment of the proposed project. The Panel is of the view that follow-up and monitoring programs, as set out in the Panel's conditions, would minimize adverse project impacts on people, communities, and the environment, and would support improvements to future assessments.

Northern Gateway has proposed mitigation measures that go well beyond those typically proposed for pipeline projects. An example is the funding of research chairs and the vision for a collaborative marine shipping community through the proposed Fisheries Liaison Committee (see Chapter 9 for details). The Panel finds that these types of measures would respond, to some extent, to society's broader expectations of industry.

#### 1.6 Conditions set out by the Panel

The National Energy Board Act requires the Panel to set out conditions that it considers necessary or desirable in the public interest, should the Governor in Council direct the National Energy Board to issue certificates to authorize the project. The purpose of conditions is to mitigate potential risks and effects associated with the project so that the project would be designed, constructed, and operated in a safe manner that protects human health and the environment.

The Panel sets out 209 conditions in Appendix 1. The conditions address all aspects of the proposed project, including potential risks associated with the oil pipeline, the condensate pipeline, the Kitimat Terminal, and associated activities and facilities. The Panel's conditions incorporate all of Northern Gateway's voluntary commitments: During the hearing, the Panel made all of its potential conditions available for review and considered all comments received, before finalizing the conditions.

CHAPTER I: PRINCIPLES, CONSIDERATIONS, AND EISPOSITION

If the Governor in Council approves the Enbridge Northern Gateway Project, the National Energy Board would issue certificates of public convenience and necessity for the oil pipeline and the condensate pipeline. The certificates would be subject to the terms and conditions set out in this report, unless the Governor in Council orders the National Energy Board to reconsider any of them. If ordered to reconsider any condition, the National Energy Board would prepare a report either confirming the condition or replacing it with another one.

Any commitments made by Northern Gateway in its application, or in submissions or testimony during the public hearing, would become regulatory requirements attached to the certificates. A number of conditions would specifically require Northern Gateway to implement its commitments relating to marine navigation safety measures and the types of tankers that would access the oil and condensate terminal in Kitimat. These conditions would take effect through the certificates of public convenience and necessity authorizing the operation of the marine terminal and pipelines.

If the project is approved, and Northern Gateway decides to proceed, it would be required to comply with all conditions that are set out in the certificates. Some conditions require third party review of certain programs or plans that would be filed by Northern Gateway. The National Energy Board would monitor and enforce compliance during the lifespan of the project through audits, inspections, and other compliance and enforcement tools. Documents filed by Northern Gateway in relation to condition compliance, and related National Energy Board correspondence, would be available to the public in the project registry on the National Energy Board website.

#### 1.7 Recommendations

In its application, Northern Gateway asked for:

- a certificate of public convenience and necessity pursuant to section 52 of the National Energy Board Act, authorizing the construction and operation of the oil pipeline and associated facilities, including tankage and terminal facilities at Kitimat;
- a certificate of public convenience and necessity pursuant to section 52 of the National Energy Board Act, authorizing the construction and operation of the condensate pipeline and associated facilities, including tankage and terminal facilities at Kitimat;
- an order pursuant to Part IV of the National Energy Board Act approving the toll principles applicable to service on each of the oil and condensate pipelines, including tankage and the terminal at Kitimat; and
- such further and other related relief as Northern Gateway may request or the National Energy Board may deem appropriate pursuant to section 20 of the National Energy Board Act.

The Panel was satisfied that the proposed Enbridge Northern Gateway Project is, and will be, required by the present and future public convenience and necessity, taking into account the terms and conditions set out in Appendix 1, including all commitments made by Northern Gateway during the hearing process. This conclusion reflects the Panel's consideration of the entire record of the Northern Gateway proceeding, including, but not limited to, environmental effects to be taken into account under section 5 of the Canadian Environmental Assessment Act, 2012. Our reasoning is set out in the various chapters of this volume.

The Panel recommends that the Governor in Council find that the two cases of significant adverse environmental effects are justified in the circumstances. The Panel's environmental assessment findings are summarized in Chapter 2 and are detailed in Chapter 8.

Therefore, the Panel recommends to the Governor in Council that certificates of public convenience and necessity, incorporating the terms and conditions in Appendix 1, be issued pursuant to Part III of the National Energy Board Act.

The Panel finds that the toll principles are acceptable for developing tolls for each pipeline in a later Part IV application, subject to the Panel's comments and conditions.

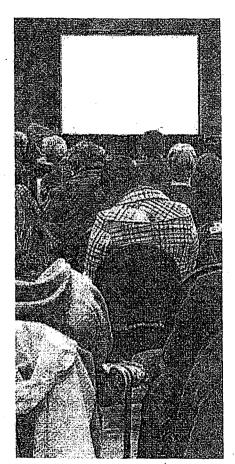
Finally, the Panel finds it appropriate for Northern Gateway to be designated a Group 1 company, and orders that it be so designated.

#### JOINT REVIEW PANEL



Calgary, Alberta, December 2013

.6. CONSIDERATIONS: Report of the Joint Review Panel for the Embridge Northern Gateway Project



## 3 Public consultation processes

The Panel regards engaging the public as an essential and ongoing activity throughout the project's entire lifespan. As part of its review, the Panel has considered and evaluated Northern Gateway's consultation with the public for the Enbridge Northern Gateway Project. The National Energy Board's Filing Manual requires applicants to provide evidence of consultation.

The goals of consultation are to provide the public and potentially-affected parties with information to assist in their understanding of the project, to provide opportunities to raise and understand any concerns, and to discuss how these may be appropri- responded to opportunities for consultation on ately addressed.

Principles of thorough and effective consultation include;

- · It is initiated as soon as possible in the planning and design phases of a project.
- · It provides clear, relevant, and timely information to potentially-affected persons or groups.
- · It is accessible to, and inclusive of, all potentiallyaffected persons or groups.
- · It provides appropriate and effective opportunities for all potentially-affected parties to learn about a project, and to provide comments and concerns about a project to the applicant.
- The applicant is responsive to the needs, input, and concerns of potentially-affected persons or groups.
- . It continues throughout all phases of a project.

To assess the design and implementation of Northern Gateway's public consultation program, the Panel reviewed the information provided by all parties. The Panel considered how the public the project, how Northern Gateway considered and addressed the concerns of potentially-affected parties, and how input from the public influenced the project's proposed design and operation.

The Panel observed that parties expressed differing views about what constitutes thorough or effective consultation, and the adequacy of consultation activities undertaken for the project. Parties also expressed differing perspectives on the roles and responsibilities of parties engaged in consultation. The Panel's views on these matters are set out at the conclusion of this chapter.

CONSIDERATIONS: Report of the Joint Review Panel for the Enbridge Northern Gateway Project

## 3.1 Northern Gateway's public consultation program

While Aboriginal groups participated in a number of Northern Gateway's public consultation activities, the company's public consultation program focused on consultation with non-Aboriginal groups and individuals. Northern Gateway's consultation with Aboriginal groups is described in Chapter 4.

#### 3.1.1 PRINCIPLES AND GOALS OF NORTHERN GATEWAY'S PUBLIC CONSULTATION

Northern Gateway said that the goal of its public consultation program was to be transparent, to provide information, and to address concerns to the best of its ability, based on the following principles:

- Share information as it becomes available, so stakeholders can build their understanding of the project and engage in meaningful dialogue.
- · Encourage stakeholder input.
- Demonstrate that Northern Gateway is sincere in its efforts to hear and seriously consider all input,
- Provide timely and flexible opportunities for stakeholders to provide input.
- Support dialogue through access to experts to discuss the technical aspects of the project.
- Respect diverse opinions.
- Work with stakeholders to identify possible solutions to concerns.

- Work with government agencies to achieve a coordinated approach to consultation.
- Provide consultation opportunities throughout the lifespan of the project.
- Identify opportunities and benefits for communities throughout the lifespan of the project.
- Accommodate new stakeholders that emerge throughout the process.

Northern Gateway said that it began its public consultation program in 2002 as part of feasibility studies for the Enbridge Northern Gateway Project. During 2005 and 2006, Northern Gateway focused its consultation activities on providing general project information and identifying the general concerns to be addressed early in project development. It said that consultation activities slowed in 2007 when the project was put on hold because of commercial considerations. In 2008, Northern Gateway resumed full public consultation and detailed discussions with stakeholders and Aboriginal groups.

For the purposes of public consultation, Northern Gateway said that it identified stakeholders based on the following criteria:

- landowners and tenants owning or residing on land potentially directly affected by, or adjacent to, the right-of-way where the proposed construction and operations are to occur;
- landowners and tenants residing within the project corridor;
- those who reside or work near the project and could potentially be physically affected by construction or operations and its associated activities:

- those who have established environmental, cultural, social, or economic interests in the project;
- those who have particular knowledge that would be helpful for the project; and
- those who have a statutory mandate to manage areas or activities that might be potentially affected by the project.

Northern Gateway initially identified 226 potentially-affected landowners and 541 individuals within the applied-for 1-kilometre-wide corridor or within 1,5 kilometres of a proposed pump station. As of March 2013, Northern Gateway noted that there were 1,438 landowners and occupants within these areas. Northern Gateway also noted approximately 300 land use dispositions in these areas.

Northern Gateway said that, throughout all phases of the project, stakeholders were, and would continue to be, encouraged to provide input into all aspects of project planning, development, and operation. Northern Gateway committed to continue consultation through all phases of the regulatory process and, if approved, through project construction and operations. Northern Gateway committed to continuing discussions to understand outstanding concerns. Where appropriate, it would make refinements to the project.

CHAPTER 3: PUBLIC CONSULTATION PROCESSES

### 3.1.2 PUBLIC INFORMATION AND OUTREACH TOOLS

Northern Gateway said that it used a variety of information and outreach tools to provide timely information about the Enbridge Northern Gateway Project. As the project progressed, Northern Gateway developed additional communications materials to provide information on topics such as project refinements, studies on the project's marine component, and spill risk and response. Some of Northern Gateway's communication tools included:

- print material (letters, project brochures, project newspaper inserts, newsletters, fact sheets, project maps, employment profile cards and brochures, and open house display boards);
- · mail-outs and emails;
- · online modules;
- · marine and pipeline discussion guides;
- · project website;
- social media (Facebook, MySpace, Twitter, YouTube, and Flickr);
- . videos and commercials; and
- · a toll-free telephone number.

Northern Gateway said that, between 2009 and 2013, there were tens of thousands of exchanges with stakeholders through face-to-face meetings, coffee chats, presentations, public forums, technical meetings, community meetings, Community Advisory Boards (CABs), blogs, social media sites, receptions, community investment events, emails, telephone calls, letters, advertisements, and website postings. These exchanges resulted in

- more than 970,000 visits to Northern Gateway's website;
- · more than 1,000 toll-free calls received;
- approximately 2,100 resumes received from people across Canada hoping to work on the project; and
- providing responses to more than 1,900 emails and letters.

The number of stakeholders and Aboriginal groups that Northern Gateway identified increased from 1,200 in 2005 to approximately 4,500 by 2012. These included land and resource users, landowners, Aboriginal groups, government representatives, Environmental Non-Government Organizations (ENGQs), media, academic and research institutions, and the public. Between 2005 and 2008, Northern Gateway hosted 36 public open houses, and provided a presentation on the project to every regional district and county that the project route would pass through and every municipality within 25 kilometres of the right-of-way.

#### TECHNICAL MEETINGS

Northern Gateway said that it hosted three community technical meetings in northern British Columbia in September 2010 to offer specific information about pipeline integrity and safety, as well as local community benefits and opportunities. It said that approximately 115 attendees signed in at these meetings.

#### 3.1.3 PUBLIC CONSULTATION ACTIVITIES

Throughout the Panel's process, Northern Gateway submitted détailed updates summarizing its project-related consultation activities. These updates included the concerns that were raised during consultations in Alberta and British Columbia. Northern Gateway said that stakeholder input was incorporated into project design, planning, and environmental and socio-economic assessment studies. Information was reviewed for consideration of refinements or modifications to the project, while balancing factors related to communities, landowners, Aboriginal groups, environment, engineering, integrity, cost, constructability, and operations.

As a result of concerns raised, and input received, from stakeholders and Aboriginal groups, Northern Gateway implemented a range of changes to the design and operation of the pipelines and the Kitimat Terminal. Some examples of these changes are listed in Table 3.1.

CONSIDERATIONS: Report of the Joint Review Panel for the Enbridge Northern Gateway Project

#### Pipeline Route and Pump Station Locations Pipeline and Watercourse Crossings

- Revised route between kilometre post (KP) O and KP 20 to address landowner concerns.
- Revised route between KP 310 and KP 475 to address input from Alberta Sustainable Resources Development (ASRD).
- Relocated pipelines onto Alexander Indian Reserve Nos. 134 and 134A as result of negotiations with the Alexander First Nation.
- Relocated Whitecourt oump station onto the Alexis Indian Reserve No. 232 as requested by the Alexis Nakota Sioux Nation
- Relocated Bear Lake oump station and pipelines off the Sas Mighe Indian Reserve No. 32, as requested by the McLeod Lake Indian Band.
- Relocated Tumbler Ridge pump station outside the Greg Duke memorial Forest
- Relocated Burns Lake pump station to address community concerns regarding the Boer Mountain Recreation Area.
- Revised route between KP 983 and KP 988 to address a Buck Flats community concern.
- Revised route between KP 1145 and KP 1161 to accommodate existing and proposed industrial land use.

- Revised Pembina River crossing method to address input from Fisheries and Oceans Canada (DEO), ASRD, and Aboriginal groups.
- Revised Athabasca River crossing method to address input from DFO, ASRD, and Aboriginal groups.
- Relocated Little Smoky River crossing to address input from ASRD.
- Revised Smoky River crossing method to address input from DFO and
- Relocated Simonette River and Smoky River watercourse crossings.
- Relocated Stuart River crossing to address landowner concerns
- Relocated Five Cabin Creek crossing to address input from the British Columbia Ministry of Environment.
- Revised Kinuseo Creek crossing method to address input from DFO.
- Revised Murray River crossing method to an aerial crossing to address input from OFO.
- Relocated Hook Creek crossing to address input from the British Columbia Ministry of Environment.
- Relocated Missinka River east crossing location to address local community input.
- Relocated Missinka River west crossing location to address input from DFO and Aboriginal groups.
- Relocated Parsnip River crossing location and reviseo crossing method to address input from DFC, stakeholders, and Aboriginal groups
- Revised Muskeg River crossing method to a bore to address input from DFO and Aboriginal groups
- Revised Salmon River crossing method to a bore to address input from DFO and Aboriginal groups.
- Relocated Owen Creek crossing location and revised crossing method to address input from DFO, Aboriginal groups, and local community.
- Relocated Lamorey Creek crossing location and revised crossing method to address input from DFO.
- Relocated Morice River crossing location to address input from DFO, local community, and Aboriginal groups.
- Relocated Gosnell Creek crossing ocation and crossing method to address input from QFO and Aboriginal groups.
- Relocated Clore River crossing location and revised crossing method to address input from local community and Aboriginal groups.
- Relocated Hunter Creek crossing location to address input from DFO, local community, and Aboriginal groups.
- Relocated Chist Creek crossing location and revised crossing method to address input from Aboriginal groups and local community Revised Cecil Creek crossing method to address input from DFO and Aboriginal
- Revised Little Wedeene River crossing method to address input from DFO and

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Aboriginal groups.

- Kitimat Terminal and Marine Operations Project Operations
- One or more radar stations would be installed near Gil Island to allow coverage of Wright Sound.
- Weather monitoring stations would be located along the confined channel route and at the marine terminal berths.
- Tanker berths would be equipped with a containment boom for use during oil loading operations.
- Pilots would use independent handheld electronic navigation systems.
- Vapour recovery would be used to recover and treat hydrocarbon vapours from oil tanker cargo holds during loading operations.
- Bilge water handling facilities would permit local treatment of tanker bilge liquids.
- Water collection from the tanker berth decks would permit treatment before release to the environment.
- A whale surveillance system would be implemented during months of peak marine mammal abundance in the Confined Channel Assessment Area.

- Training, construction employment, and long-term operations employment initiatives.
- Community investment initiatives Potential joint venture and preferred supplier
- initiatives. An Access Management Plan, to address access issues along the pipeline route.

CHAPTER 3: PUBLIC CONSULTATION PROCESSES

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Northern Gateway said that, in some instances and after careful review, some route refinements based on stakeholder feedback were not ultimately accepted or incorporated into the project design. For example:

- A number of pipeline route alternatives between KP 13.2 and KP 88.4 were requested by affected landowners to minimize land disturbance or to increase distances from residences. Northern Gateway deemed these alternatives to have further impacts to adjacent landowners or to have design and constructability issues.
- ASRD requested a pipeline route alternative from KP 477.6 to KP 489.9 that parallels existing road and pipeline corridors. The alternative would have increased the pipeline route length by 1.246 metres, would not have significantly minimized disturbance requirements due to shared pipeline rightsof-way that have completely regrown, and would have traversed an area of much greater oilfield activity.

#### 3.1.3.1 Community Advisory Boards

Northern Gateway established independent Community Advisory Boards in 2009 to provide an opportunity for participants to:

- gather, receive, and process information to arrive at a common body of knowledge;
- identify and discuss key areas of regional interest or concern;
- recommend improvements or enhancements to the project; and
- · educate the public.

The CABs are governed by Terms of Reference and Operating Guidelines, which the CAB memberships independently developed and ratified. Northern Gateway said that the CABs were intended to function independently and provide opportunities for meaningful exchange between Northern Gateway, local communities, Aboriginal groups, industry, stakeholders, and the public in each of five geographic regions (British Columbia North Coastal, British Columbia North West, British Columbia Central, Alberta North Central, and Peace Country). CABs include representatives from environmental groups, Aboriginal groups, business associations, municipal governments, and the public.

Northern Gateway said that participation in the CABs was on a "without prejudice" basis, allowing organizations to put forward their own opinions during the regulatory review process, and that participation did not represent support for the project. Northern Gateway described the CABs as participant-driven, with the scope of discussions including:

- · pipeline design, construction, and operations;
- environmental, economic, human health, social, and community effects from routine aspects of the project;
- risk of a hydrocarbon spill and emergency response plans;
- protection measures to limit effects or maximize enhancements; and
- employment, training, community benefits, and economic opportunities.

As of 2012, there were approximately 125 CAB members, 64 alternates, and 50 observers registered in the CAB process. Northern Gateway said that it routinely sent out over 450 invitations to CAB members, alternates, and observers, and that an average of 105 people attended each round of regional CAB meetings. Between 2009 and February 2013, there were 15 rounds of CAB meetings, for a total of 75 meetings.

Northern Gateway noted that a number of improvements recommended at CAB meetings resulted in changes to the project to enhance safety, including:

- · thicker-walled pipe;
- additional isolation valves to protect environmentally-sensitive locations;
- increasing the frequency of in-line inspections across the entire pipeline system;
- installing complementary leak detection systems, and
- staffing all pump stations 24 hours per day.

Some intervenors raised questions or concerns about the CABs, including:

- how long CABs would be active;
- whether CAB members were compensated for their involvement and, if so, the compensation amount;
- how CAB members were determined or selected;
- why the names of CAB members were not publically available, and whether the minutes of CAB meetings would be publically available;
- a suggestion that some communities and Environmental Non-Government Organizations refused to participate in the CABs, due to the

18. CONSIDERATIONS: Report of the Joint Review Panel for the Embridge Northern Gateway Project

perception that their participation would indicate an endorsement for the project; and

 whether any presentations on the environmental risks of the project had been offered to CABs.

In reply, Northern Gateway said that:

- CABs would remain active throughout the life of the project, or until the CAB members decide to disband;
- as a living document, the CAB Terms of Reference would be revisited semi-annually, or as needed at the discretion of the CAB;
- CAB members or their alternates are offered an honorarium, and that CAB meetings are funded by Northern Gateway;
- when requested, the names of individual CAB participants were withheld at the request of members, that the minutes of CAB meetings were available on the CAB website, and that CAB meetings were open to the public;
- the CAB planning team invited 52 individuals representing various Environmental Non-Government Organizations to attend each CAB meeting;
- Environmental Non-Government Organizations who attended as members included Alberta Fish and Game Association, BC Wildlife Federation, Ducks Unlimited Canada, Lakes District Friends of the Environment, Nature Alberta, and Spruce City Wildlife Association, while the Kitimat Valley Naturalists Club was a frequent observer;
- all presentations at the CABs, other than one presentation made at the June 2011 Richmond

Conference, were posted on the CAB website; and

 environmental issues were one of the four topic areas of the CABs, and that most presentations discussed environmental issues associated with topics such as routing, construction, emergency response, and marine operations.

## 3.1.3.2 Quantitative Risk Assessment (Marine) Working Group

In response to feedback it received, Northern Gateway said that it proposed a Quantitative Risk Assessment (QRA) Working Group of Aboriginal, environmental, and community organizations to oversee the completion of the QRA for the Enbridge Northern Gateway Project.

Northern Gateway said that it contacted 10 Aboriginal groups, in Environmental Non-Government Organizations, 2 local municipal organizations, and 2 federal departments regarding their interest and capacity to participate in the ORA Working Group. Northern Gateway said that it identified Environmental Non-Government Organizations with marine-related mandates that had expressed an interest in, or concerns about, marine-related project risks. It identified Aboriginal groups and local community organizations based on geographical proximity to marine-related project activities.

Northern Gateway said that the GRA Working Group provided advice and input for selecting the most qualified consultant team to complete the QRA work, and worked with the consultant to finalize the scope and methods for conducting the QRA. The selected consultant, Det Norske

Veritas – Maritime (DNV), prepared two reports, which were included in Northern Gateway's TERMPOL submission for the project.

Northern Gateway noted that a number of groups invited to participate indicated that they would not participate in the QRA Working Group because they expressed concerns about the regulatory process or they opposed the project. Attendance varied from meeting to meeting. Northern Gateway said that some groups requested that their attendance be recorded as "observer" and that their presence should not be characterized as support for the project.

Northern Gateway said that a total of seven ORA Working Group meetings were held during 2009 and 2010. It said that the ORA Working Group agreed in 2010 that the TERMPOL. Study 3.8 draft, provided by Det Norske Veritas – Maritime, could be submitted to the Transport Canada TERMPOL. Review Committee.

During questioning, one intervenor raised concerns about how the work of the QRA Working Group was conducted, and whether all parties could understand the information. Northern Gateway said that the QRA Working Group's intent was to allow groups invited to participate the opportunity to contribute in selecting the consultant, to review the study results, and to ask questions of the consultant. The QRA included a hazard identification process and the development of mitigation measures: Hazard identification input related to marine shipping included a number of interviews with local stakeholders to gain further local knowledge of the proposed shipping routes.

CHAPTER 3: PUBLIC CONSULTATION PROCESSES

#### 3.1.4 LANDOWNER CONSULTATION

Northern Gateway said that it engaged with fandowners and occupants, as appropriate, to:

- · inform them of the project;
- · solicit their feedback;
- · gain access for studies and surveys;
- record their comments, concerns, and recommendations; and
- develop and implement a strategy to address their concerns, whenever possible.

Northern Gateway said that, by October 2010, 99 per cent of all landowners and occupants within the original applied-for 1-kilometre-wide pipeline corridor, as well as those within 1.5 kilometres of a pump station, were personally consulted and provided with updated project information, landowner guides, project pamphlets, and maps. The company said that it would continue to consult with previously-identified landowners and with newly-identified landowners and occupants.

Northern Gateway said that, as it made route refinements, some landowners and occupants were either no longer within the 1-kilometre-wide pipeline corridor or within 1.5 kilometres of a pump station, or were subsequently identified within these areas. Those landowners who no longer fell within the consultation areas were notified and no longer engaged as part of efforts within those areas. Those landowners or occupants that were subsequently identified within these areas were contacted. Northern Gateway said that, beginning in January 2011, it contacted the "subsequently-identified" landowners and occupants in Alberta

and British Columbia to review aspects of the project and provided project information to them. Northern Gateway also said that it met specifically with certain landowners and occupants upon request to address concerns on a variety of topics including, among other things, routing, proximity to various residences and buildings; tree stands, rare plants, calving areas, abandonment, compensation, damages, and the 30-metre safety zone.

## 3.2 Northern Gateway's consultation with governments

Northern Gateway said that it incorporated consultation with municipal, provincial, and federal governments into its consultation activities for the project, as it anticipated they would have an interest in shaping project planning.

Northern Gateway identified a range of federal, provincial, and municipal government stakeholders as part of its consultation program. Table 3.2 lists the federal, provincial, and municipal authorities consulted by Northern Gateway.

Northern Gateway said that it hosted a number of environmental and socio-economic assessment workshops beginning in 2005, targeted to those stakeholders having, or anticipated to have, an active interest in those aspects of the project. This included municipal, provincial, and federal government authorities involved in managing biophysical resources.

As well, Northern Gateway said that representatives of municipal, federal, and provincial governments participated in CAB meetings.

Northern Gateway said that it would continue consultation activities through all phases of the project, including consultation with officials of urban municipalities, counties, and regional districts, as well as with federal and provincial government officials and elected representatives.

The Government of British Columbia requested further information from Northern Gateway on aspects of its consultation with stakeholders, landowners, and government, including:

- the conflict resolution process available to land holders and holders of provincial authorizations, and any dispute mechanisms that are available; and
- information regarding Northern Gateway's consultation activities with forest industry user groups, including the forest license holders that would be affected by the project.

In reply, Northern Gateway said that section 88 of the National Energy Board Act provides for negotiation proceedings for the purposes of achieving voluntary settlements of damage claims with the assistance of a federally-appointed negotiator. In the event that damage claims cannot be resolved through negotiation (including appropriate dispute resolution, where appropriate), section 90 of the National Energy Board Act establishes a process for arbitration proceedings and the appointment of a federal arbitration tribunal to settle any disputes regarding damages claims.

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CONSIDERATIONS: Report of the Joint Review Panel for the Embridge Morthern Galeway Project

Northern Gateway said that information regarding the project has been provided to forest industry user groups. It listed 53 forestry industry user groups that have received information. It also said that, if a forest industry user group, such as a forest license holder, may be directly affected or is adjacent to the right-of-way, it would have received land-specific information such as a Notice of Environmental Assessment on subject lands, land interest update letters, a pump station notification, or personal land agent contacts.

## G

Government of Conada	The Auditor General of Canada, the Canadian Environmental Assessment Agency, the Canada Transportation Agency, Environment Canada, Finance Canada, DFO; Foreign Affairs, and International Trade Canada, Health Canada, Indian and Northern Affairs Canada (now Aboriginal Affairs and Northern Development Canada), Industry Canada, Intergovernmental and International Affairs, International Trade, Justice Canada, the National Energy Board, Natural Resources Canada, the Pacific Pilotage Authority Canada, Parks Canada, the Privy Council Office, Service Canada Centre, Transport Canada, and the Transportation Safety Board of Canada
Government of British Columbia	Advanced Education and Labour Market Devolopment; Agriculture and Lands; Children and Family Development; Community Services; Economic Devolopment; Eriergy, Mines and Petroleum Resources; Environment; Finance; Forests and Range; Health Services; Housing and Social Development; Hie Intergovernmental Relations Secretariat; Labour and Citizens' Services; Public Safety and Solicitor General; Technology, Trade and Economic Development; Tourism, Sport and the Arts; Transportation and Infrastructure: the BC Environmental Assessment Office; BC Hydro; the BC Major Project Inventory; the BC Oil and Gas Commission; the BC Public Service Agency: the BC industry Training Authority; the BC Transportation Financing Authority; and WorkSafe BC
British Columbia municipalitles	Bear Lake, Burns Lake, Chetwynd, Dawson Creek, Fort St. James, Fort St. John, Fraser Lake, Hazelton, Houston, Hudson's Hope, Kitimat, Mackenzie, Peace River Regional District, Port Edward, Prince George, Prince Rupert, Regional District of Bulkley-Nechako, Regional District of Fraser-Fort George, Regional District of Kitimat-Stikine, Skeena-Queen Charlotte Regional District, Smithers, Southbank, Telkwa, Terrace, Tumbler Ridge, Valemount, Vancouver, and Vanderhoof
Government of Alberta	Culture and Community Spirit; Economic Development; Employment and Immigration;

Energy Environment; Finance and Enterprise; Health and Wellness; Infrastructure and Transportation; International, Intergovernmental and Aboriginal Relations; Municipal Affairs and Housing; Solicitor General and Public Security; ASRD; Tourism, Parks and Recreation; Transportation, the Treasury Board, Alberta Association of Municipal Districts and Counties: the Energy and Utilities Board; and the Energy Resources Conservation Board

Beaverlodge, Bon Accord, Bruderheim, County of Grande Prairie No. 1, Edmonton, Fort McMurray, Fort Saskatchewan, Fox Creek, Grande Prairie, Lac Ste. Anne County, Mayerthorpe, McBride, Morinville, Peace River, Strathcona County, Sturgeon County, Valleyview, Wernbley, Whatcom County, and Whitecourt

## 3.3 Public participation in the hearing process

As outlined in the Joint Review Panel Agreement, participation of the public and Aboriginal peoples was facilitated to enable them to convey their views on the Enbridge Northern Gateway Project to the Panel by various means. In the public hearing process, several options were made available to anyone wishing to participate. These methods of participation, described below, varied in their levels of involvement and respective privileges and responsibilities.

Those who did not wish to actively participate in the hearing process were still able to follow the proceeding by viewing information in the online public registry, listening to the oral hearings via webcast, or by attending the hearings in person as an observer.

A broad range of Canadian society participated in the hearing process, including individuals, community and stakeholder groups, landowners, governments, and Aboriginal groups. These included:

- children and youth;
- · local, regional, and national representatives;
- business owners; and

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 Aboriginal Elders, traditional knowledge holders, and leaders.

All available forms of participation were used during the hearing process.

#### LETTERS OF COMMENT

Over 9,400 letters of comment were filed in this proceeding. By submitting letters of comment, participants were able to provide the Panel with their knowledge, views, or concerns about the project at the level of detail they chose. Individuals or groups that submitted letters of comment were not considered intervenors, and could not ask written or oral questions of the parties or make final argument.

#### ORAL STATEMENTS

The Panel heard 1,179 oral statements. Oral statements allowed participants to share their knowledge, views, or concerns about the project in person to the Panel. Presenters were required to register to make a statement. Oral statement givers were not considered intervenors and could not ask written or oral questions of the parties or make final argument.

#### INTERVENORS

There were 206 registered intervenors (listed in Appendix 6), not including those that registered but subsequently withdrew their involvement. Intervenors were characterized as parties to the review process. Their roles and responsibilities included:

- asking questions, both in writing and orally, of Northern Gateway, other intervenors, and, with Panel approval, government participants;
- submitting written evidence or, with Panel approval, oral evidence;

- formally receiving all documents filed in the process; and
- · making final argument, in writing and orally.

#### GOVERNMENT PARTICIPANTS

There were 12 registered government participants in the Panel's process (listed in Appendix 6). Government participants had similar capabilities and responsibilities as intervenors, with certain restrictions on their involvement, and were considered parties to the review process.

#### ORAL HEARINGS

A significant portion of the information that the Panel received was gathered through oral hearings. These included both community hearings (for oral evidence and oral statements) and final hearings (for oral questioning and final arguments).

Community hearings were held in locations along the proposed pipeline route, as well as locations in the vicinity of the proposed Kitimat Terminal and the proposed marine transportation routes. Final hearings occurred in Edmonton, Alberta, and in Prince George, Prince Rupert, and Terrace in British Columbia. A total of 180 days of oral hearings were held, including 7 days when the Panel received oral comments from the public and Aboriginal groups on the draft List of Issues, possible oral hearing locations, and what supplemental information Northern Gateway should be required to file.

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To help the public understand and prepare for the oral hearings, staff from the National Energy. Board and the Canadian Environmental Assessment Agency provided 18 presentations to the public prior to receipt of the application to explain the joint review process. Sixteen public information sessions were conducted in 2011 to discuss the hearing process and participation options. Over 450 members of the public and Aboriginal groups attended these sessions. The Panel's Secretariat staff also held a total of 32 online workshops with intervenors and oral statement presenters to assist their participation in the joint review process.

### 3.3.1 CONCERNS REGARDING NORTHERN GATEWAY'S PUBLIC CONSULTATION

Through information requests, written and oral submissions, and direct questioning, members of the public and stakeholders raised a number of concerns regarding Northern Gateway's public consultation.

Two landowners raised concerns regarding consultation with respect to proposed routing across their properties. In reply, Northern Gateway said that it would respect individual requests for preferred communication (such as by registered mail), and it expressed continued willingness to meet to discuss concerns. Chapter 9 includes further discussion of issues related to the proposed routing for the project.

The Fort St. James Sustainability Group asked whether Northern Gateway planned to negotiate an agreement with landowners along the project route, similar to that developed with the

Manitoba Pipeline Landowners Association and the Saskatchewan Association of Pipeline Landowners for the Enbridge Alberta Clipper Pipeline Project. In reply, Northern Gateway said that its intention was to negotiate with individual landowners along the pipeline right-of-way, and that it would negotiate with British Columbia landowners as a group if asked to do so.

The group also requested details of Northern Gateway's consultation regarding the pump station location in the Fort St. James area, and whether Northern Gateway would re-evaluate the station's location. Northern Gateway said that it conducted personal consultation with approximately 109 landowners and occupants within 1.5 kilometres of the Fort St. James pump station, An additional six landowners and occupants could not be consulted with personally, but Northern Gateway said that they were consulted via mail. Northern Gateway noted that it believed the proposed Fort St. James pump station is appropriately located because it is next to the major highway corridor and major power transmission line in this area, and has good access. Northern Gateway also suggested that further information exchanges about how pump stations operate might be helpful, that it would be open to further dialogue regarding other location options in the area, and would continue to work with concerned landowners. Northern Gateway said that it provided information to landowners concerned with property values, domestic water supply, and noise.

Some intervenors raised a number of general concerns or requested further information regarding Northern Gateway's public consultation program. These were related to:

- plans for engaging with other companies who are carrying out major projects, as well as consultation with regional governments and agencies;
- how consultation is defined, whether it is meaningful, and consultation obligations;
- if Northern Gateway's approach to consultation differed depending on the audience;
- information concerning the location of valves, whether the public would have an opportunity to provide input, and information regarding the consultation programs for spill response and high consequence area maps; and
- information on the relationship between CABs and the Northern Gateway Alliance, and funding to the Alliance.

In reply to these concerns and requests for further information, Northern Gateway said that:

· The Kitimat Chamber of Commerce initiated a series of meetings involving Northern Gateway, other major companies working in Kitimat and Terrace, the District of Kitimat, City of Terrace, the Royal Canadian Mounted Police, Child Development Centre, Social Services, Kitimat Community Services, and the museum to discuss the socio-economic effects of the project and how to manage them. Upon project approval, the company said that it would approach the District of Kitimat to determine the appropriate mechanism by which information about the project and other projects in the area would be shared, effects of the project and other projects would be monitored, and corrective actions (if required) would be taken.

CHAPTER 3: PUBLIC CONSULTATION PROCESSES

- Consultation is a process that should ensure that both parties are better informed and which entails testing and being prepared to amend proposals in light of information received, and providing feedback.
- The company had an overarching strategy on public consultation, with various tools to engage different groups, including the CABs, the Northern Gateway Alliance, open houses, public speaking, the company website, blogs, and hearing participation. People chose to engage in different ways and on different levels for the project. Therefore, Northern Gateway had different ways of engaging with people and information was provided in various ways.
- The locations of pipeline valve sites and consequence areas would be finalized during detailed engineering and would primarily be based on CSA Z662-11 requirements and the additional requirements identified in the pipeline risk assessment work. An opportunity for public input on valve site locations would be available through the CABs. Northern Gateway is responsible for the design, operation, and integrity of the pipelines and, consequently, it would select the valve site locations.
- The Northern Gateway Alliance was a community coalition that provided people in pipeline corridor communities and elsewhere with information about the project, the regulatory review process, and how people could participate in the review process. The Alliance chairperson was a paid position funded by Northern Gateway, and Northern Gateway reimbursed administrative expenses incurred by the Alliance.

#### 3.4 Views of the Panel

The Panel finds that the magnitude, extent, and potential impacts of this project required an extensive program of public consultation. The Panel considers thorough and effective consultation to be a process that is inclusive of, and responsive to, all potentially-affected groups and individuals. The Panel notes that, among potentially-affected parties, there were differing perspectives on what constitutes a thorough and effective process of consultation. There were also different views among some parties about how consultation should occur, and their roles and responsibilities during consultation. The Panel believes that it is critical for all parties to recognize and understand their respective roles and responsibilities for achieving effective dialogue during consultation.

The Panel noted the principles of thorough and effective consultation at the beginning of this chapter. The Panel finds that these principles require that a process must provide timely, appropriate, and effective opportunities for all potentially-affected parties to learn about a project, provide their comments and concerns, and to discuss how these can be addressed by the applicant. The applicant must be genuinely responsive.

Affected parties have an ongoing and mutual responsibility to respond to opportunities for consultation, to communicate concerns they may have, and to discuss how these can be addressed. Consultation requires trust, mutual respect, and relationship-building. All parties have an obligation to seek a level of cultural fluency, in order to better understand the values, customs, needs, and preferences of the other parties involved

in the consultation process. All parties may be required to adjust their expectations in response to the information, concerns, and interests raised and considered through the process. The Panel observed that this approach did not always occur in this proceeding.

The Panel finds that Northern Gateway developed and implemented a broadly-based public consultation program, offering numerous venues and opportunities for the public, landowners, governments, and other stakeholders to learn about the Enbridge Northern Gateway Project, and to provide their views and concerns. The Panel accepts Northern Gateway's view that consultation is a process which should ensure that all parties are better informed through consultation, and that it involves being prepared to amend proposals in light of information received. In this regard, the Panel notes that Northern Gateway made numerous changes to the design and operation of the project in response to input provided by the public, landowners, governments, and stakeholders. Changes to the project based on input provided by Aboriginal groups are discussed in more detail in Chapter 4.

The Panel heard from individuals during oral statements, in letters of comment, and from intervenors that Northern Gateway's program had been inadequate. The Panel notes that public consultation is an important process, based on general principles of timeliness, inclusiveness, accessibility, and responsiveness. The requirements set out in the National Energy Board's Filing Manual provide an applicant with a starting point, and the Panel's process was not designed to be prescriptive with respect to consultation. Meeting the principles of thorough and effective consultation, in addition

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to the requirements outlined in the Filing Manual, can require an applicant to exceed the regulatory expectations in order to meet the public's need to be informed and to provide input. The National Energy Board's Filing Manual requires applicants to develop and implement a consultation program that is appropriate for the nature, magnitude, and geographic extent of the project and its potential effects.

In order to optimize opportunities for individuals and groups to present their evidence and opinions to the Panel, the Panel incorporated remote participation through video and telephone links into the hearing room during all aspects of the oral hearings, including questioning. It is the Panel's

view that this approach was effective. Many participants, including expert witnesses, commented that they found the remote participation options useful and effective. This approach provided all participants with opportunities to participate and not be excluded from giving evidence and opinions due to travel, finances, work, and life commitments.

The Panel finds that Northern Gateway provided appropriate and effective opportunities for the public and potentially-affected parties to learn about the project, and to provide their views and concerns to the company. The Panel is satisfied that Northern Gateway considered, and was responsive to, the input it received regarding the design, construction, and operation of the project.

Northern Gateway has committed to continuing its engagement activities throughout the project's lifespan. This includes committing to support the CABs for as long as members are prepared to participate. The Panel views the CABs as important multi-stakeholder venues that can facilitate continued dialogue, potentially over the project's entire life.

The Panel finds that, with Northern Gateway's commitments, and by meeting the conditions set, out by the Panel, Northern Gateway can effectively continue to engage the public, landowners, Aboriginal groups, and stakeholders, and address issues raised throughout the project's operational life.

CHAPTER 3; PUBLIC CONSULTATION PROCESSES

#### APPENDIX 3

## The joint review process

The Minister of the Environment and the Chair of the National Energy Board referred the Enbridge Northern Gateway Project to a Joint Review Panel on 29 September 2006. The Panel members were appointed on 20 January 2010.

The Panel's mandate is described in the Joint Review Panel Agreement, issued on 4 December 2009. The agreement was developed through an extensive public and Aboriginal consultation process, and is found in Appendix 4. It includes the Terms of Reference for the Panel and procedures for conducting the review.

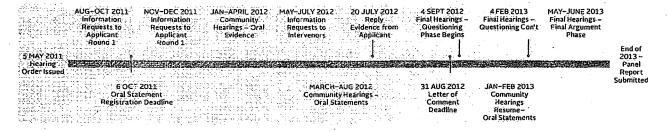
The Panel was required to:

- assess the environmental effects of the project and the significance of those effects;
- consider measures to avoid or reduce any adverse environmental effects;
- consider whether the project is in the public interest;
- consider comments from the public and Aboriginal peoples;
- conduct public hearing sessions to receive relevant information about the project; and
- submit to the Governor in Council a report that includes an environmental assessment, as well as a recommendation on whether or not the project should proceed.

#### THE JOINT REVIEW PROCESS

Before issuing the Hearing Order, the Panel conducted Panel sessions and asked people interested in the project to comment on specific issues related to the application and the hearing process. Sessions were held in Whitecourt, Alberta, and in Kitimat and Prince George, British Columbia, in August and September 2010.

The Panel considered all comments and, on 19 January 2011, issued a Panel Session Results and Decision document. This document expanded and clarified the draft List of Issues, detailed the Panel's plan to conduct oral hearings along the pipeline route and near the marine components of the project, and included requests for more information from Northern Gateway.



CONSIDERATIONS: Report of the Joint Review Panel for the Embridge Northern Gateway Project

On 5 May 2011, the Panel released Hearing Order OH-4-2011, outlining the various ways in which those who were interested could participate in the proceeding. The Hearing Order also specified key steps and timelines in the joint review process.

Over 450 members of the public and various Aboriginal groups attended 16 public information sessions held in the spring and summer of 2011 to discuss the hearing process, participation options, and to highlight key steps and deadlines. The Panel's Secretariat staff also met with approximately 70 representatives of various federal departments at 2 meetings in 2011 to talk about how they could participate in the hearing process. In addition, online workshops were held to assist participants in preparing materials and to further understand how the oral hearings would proceed.

Throughout the proceeding, the National Energy Board maintained the project's online public registry to provide easy access to all records in the proceeding. This registry included the submissions made by all participants in the Panel's process, as well as all public information produced by the Panel. Hearing transcripts were also available on the public registry.

#### PARTICIPATION OPTIONS

The fundamental purpose of the review was to gather information and views from all perspectives. In this process, someone wishing to participate had various options including: filing a letter of comment, making an oral statement, or registering as an intervenor or government participant.

Intervenors, government participants, and Northern Gateway were considered "parties" to the proceeding. Generally-speaking, parties played a more active role in the process. Parties who could not attend a particular hearing in person could participate remotely through a web-based application and teleconference calls. More information on each level of participation is found below:

Letters of comment - By submitting letters of comment, participants were able to provide the Panel with their knowledge, views, or concerns about the project in whatever level of detail they chose. Comments received orally or in writing as part of the 2010 Panel sessions were considered as letters of comment. People or groups who submitted letters of comment could not ask written or oral questions of the parties, or make final argument, in total, the Panel received, read, and considered more than 9,400 letters of comment.

Oral statements - Similar to a letter of comment, providing an oral statement allowed participants to share their knowledge, views, or concerns about the project. These statements were made in person during the community hearings. Presenters were required to register in advance. Those who provided an oral statement were not able to ask questions, or to make final argument. More than 4.300 individuals or groups registered to make oral statements, but not all registrants came forward to make a presentation. In the end, the Panel heard and considered 1,179 oral statements.

Intervenors – Intervenors were required to register with, and be confirmed by, the Panel. They were allowed to:

 ask questions of Northern Gateway, other intervenors, and, with Panel approval, government participants;

- submit written evidence or, with Panel approval, oral evidence during the community hearings;
- formally receive all documents filed in the joint review process;
- participate in processes for notices of motions; and
- · make final argument, in writing and orally.

Intervenors were required to respond to any questions asked of them, unless an acceptable rationale for not answering was given. There were 206 registered intervenors, not including those that registered, but subsequently withdrew their involvement. A full listing of the intervenors is found in Appendix 6.

Government participants -- This role was offered to government departments at all levels, however, these organizations were not limited to choosing this role over any others available during the process. Departments were required to register with, and be confirmed by, the Panel. Government participants had similar capabilities and responsibilities as intervenors. They could:

- ask written questions of Northern Gateway and, with Panel approval, other government participants or intervenors;
- · submit written evidence;
- orally question Northern Gateway and, with Panel approval, intervenors at the final hearings;
- formally receive all documents filed in the joint review panel process;
- participate in processes for notices of motion; and.
- make final argument, in writing and orally.

APPENDIX 3: THE JOHNT REVIEW PROCESS

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Government participants were required to respond to written information requests and to answer oral questions during the final hearings if the Panel approved another Party's request to ask questions. There were 12 registered government participants in the joint review process.

Those who did not wish to actively participate in the joint review process were still able to follow the proceeding by viewing information in the online public registry, listening to the oral hearings via webcast, or by attending the hearings in person as an observer.

#### ORAL HEARINGS

The Panel gathered a significant portion of the information it received and considered through the oral hearings. There were two distinct categories of oral hearings: community hearings (for oral evidence and oral statements) and final hearings (for oral questioning and final arguments). More information on each type of hearing is provided below:

Community hearings, the majority of which were held along the proposed pipeline route and in the vicinity of the proposed marine terminal, served two purposes:

- To allow intervenors to give a portion of their evidence orally, such as oral traditional evidence or evidence that could not be provided in writing (60 intervenors chose to present oral evidence).
- 2. To hear all oral statements.

There were approximately 77 days of community hearings in 21 communities. The Panel visited 10 communities more than once.

Final hearings occurred over a total of 96 days in Edmonton, Alberta, and Prince George, Prince Rupert, and Terrace in British Columbia. They were held in two distinct parts:

- To hear oral questioning about filed evidence in order to test the credibility of that evidence (or days). For planning and efficiency reasons, each hearing session devoted to oral questioning focused on specific pre-determined issues.
- 2. To hear parties' oral final arguments\* (5 days).

#### THE PANEL'S REPORT

This report is not a decision. It is the Panel's recommendation to the federal government, which, through the Governor in Council, will be considered in deciding whether or not to approve the Enbridge Northern Gateway Project. With the release of this report, the Panel no longer has any involvement in the project.

This report includes conclusions relating to the environmental assessment of the project and recommendations on whether the project is in the public interest. It also includes the terms and conditions the National Energy Board would impose on the project, should the Governor in Council decide to approve it. These conditions are found in Appendix 1.

The Governor in Council can refer any of the recommended terms and conditions back to the National Energy Board for reconsideration. The National Energy Board would then be required to reconsider the condition(s), and report back to the Governor in Council within the specified time limit.

The final decision on whether or not the project should proceed will be made by the Governor in Council. As part of its decision, it will determine whether or not the project is likely to cause significant adverse environmental effects and, if so, whether those effects are justified in the circumstances. The Governor in Council will also provide reasons for its decision. If the Enbridge Northern Gateway Project is approved, the National Energy Board would be required to issue its certificates of public convenience and necessity within 7 days of the Governor in Council's order.

<sup>•</sup> Parties wishing to present oral final argument were first required to file written final argument. The oral portion of a Party's argument was to allow it to respond to all other parties written final arguments.

#### APPENDIX 6

## List of intervenors and government participants

#### INTERVENORS (NOT INCLUDING REGISTRANTS WHO SUBSEQUENTLY WITHOREW THEIR INVOLVEMENT):

Alberta Enterprise Group Alberta Federation of Labour Alberta Lands Ltd. Alexander First Nation Alexis Nakota Sioux Nation

Andrews, M.

Ashley, A. B.A. Blackwell and Associates Baird, B.W.

Baytex Energy Ltd.

**BC Nature and Nature Canada** Beckett, D.

Bergman, C. Binnema, D.

Boreal Retreats Ltd. Bowles, M.

BP Canada Energy Company

Brain, L.

British Columbia Hydro and Power Authority

Brown, C. Brown, F. Brows, V. Bullock, M.

C.J. Peter Associates Engineering

Canadian Association of Petroleum Producers Canadian Natural Resources Limited

Canadian Oil Sands

Canadian Pipeline Advisory Council

Cenovus Energy Inc.

Chamber of Shipping of British Columbia City of Prince George

City of Prince Rupert: City of Terrace Coastal First Nations Collins, E.-S.

Collins, F.

Communications, Energy and Paperworkers Union of

Canada

ConocoPhillips Canada Resources Corp.

Coons, G.

Council of the Haida Nation

Cowpar, J.D. Cullen, N. Cullis-Suzuki, S.

Daewoo International (America) Corp.

Daiya-Mattess Keyoh Darimont, Dr. C. Dean, K. Dene Nation

Depey, F. Donaldson, D. Douglas Channel Watch Driftpile First Nation East Prairie Métis Settlement

Easterbrook, C.

**Edmonton Chamber of Commerce** Enbridge Northern Gateway Alliance

Enerplus Corporation Enoch Cree Nation

Ermineskin Cree Nation ExxonMobil Oil Corporation Fait, Dr. K.

Flint Hills Resources Canada LP ForestEthics Advocacy Fort St. James Sustainability Group

Foster, C. Fox, N.

Friends of Morice Bulkley Gitga'at First Nation Gitxaala Nation

Golden, L.

Grande Alberta Economic Region

Haida Gwaii CoASt Haida Gwaii Discovery Tours

Haisla Nation Halyk, R.

Harrison, S. Heiltsuk Economic Development Corporation

Heiltsuk Hereditary Chiefs Heiltsuk Nation Heiltsuk Tribal Council

Heiltsuk Youth Voice Kitasoo Hereditary Chiefs and Elder Council

Hopkins, E. Horse Lake First Nation Harwood, D.

Housty, M. Husky Energy Marketing Inc. Imperial Oil Limited In Situ Oil Sands Alliance

Initiatives Prince George lages, L.M. INPEX Canada, Ltd. Ivanhoe Energy Inc. Izzard, K.

Japan Canada Oil Sands Limited Kelly Lake Cree Nation Kelly Lake Métis Settlement Society Kendrick, C.

Kinder Morgan Canada Inc.

King; P.G.

Kitasoo Band Council Kitasoo / Xaisais Co-Management Fisheries

Kitasoo / Xaisais Integrated Resource Authority

Kitimat Valley Naturalists

APPENDIX 6: LIST OF INTERVENORS AND GOVERNMENT PARTICIPANTS

Kilsumkalum First Nation Kochanek, K. Korolyk, S. K.T. Industrial Development Society Kucheran, J. Lake Basine Nation Lakes District Clean Waters Coalition Living Oceans Society Loranger-Saindon, A. Louis Bull Tribe Martin, G. (Geraldine) Martin, G. (Greg) Mason, L. McKenzie, J. McLeod Lake Indian Band MEG Energy Corp. Métis Nation British Columbia Métis Nation of Alberta – Region 6 Métis Nation of Alberta – Regions 4 and 6 Métis Nation of Alberta Association Local #1994 of Grande Cache Metlakatla First Nation Michel First Nation Misfeldt, N. Mitchell, K. Montana First Nation Moresby Island Management Committee Mounce, W.R. Myshrall, D. and Pineault, J.-P. Naylor, G. Naylor, M.A. Naylor, S. Ned'u'ten Nation Nexen Inc. Nilsen, E. North Coast Cetacean Society North West Redwater Partnership Northern Gateway Landowner Committee / Canadian Association of Energy and Pipeline Landowner Associations

Kitselas First Nation

Office of the Wet'suwet'en Oil Sands Developers Group Association - Athabasca Region Old Masset Village Council Paddle for the Planet Pattison, V. Pearson, C. Pembina Piceline Corporation Physicians of Haida Gwaii Plan Implementation Committee for the Kalum Land and Resource Management Plan Pollard, C. Province of British Columbia Ogs (Eyes) Projects Society Queen Charlotte Secondary School Raincoast Conservation Foundation Regional District of Bulkley-Nechako Reid. I. Resource Stewardship Board, Klemtu Richardson, P. Rigney, D. Robinson, C. Jr. Robinson, F. Robinson, G. Robinson, H. Roth, C. Sagalon, L. Samson Crec Nation Saskatchewan Ministry of Energy and Resources Saulteau First Nations Sea to Sands Conservation Alliance Shannon, D. Sherwood Park Fish & Game Association SineCanada Petroleum Corporation Skidegate Band Council Stanyer, K. Strathcona County Sucker Creek First Nation Sulyma, S.

Northwest Institute for Bioregional Research

Suncor Energy Marketing Inc. Swan River First Nation T. Buck Süzüki Environmental Foundation Total E&P Canada Ltd. Town of Whitecourt TransCanada Keystone Pipeline GP Ltd. Tuchscherer Husband, A.M. United Fisherman and Allied Workers Union University of Northern British Columbia Village of Burns Lake Village of Gueen Charlotte Vulcano, T. Waldhaus, R. Water Policy and Governance Group, University of Waterloo Welton, J. West Moberly First Nations Wheele, N. White D. Whitecourt & District Chamber of Commerce Whitefish (Goodfish) Lake First Nation Wier, J. Wilson, J.D. Wilson-Lewis, A.C. Wong, D.
World Trade Centre Edmonton

GOVERNMENT PARTICIPANTS:
Aboriginal Affairs and Northern Development Canada
(formerly Indian and Northern Affairs Canada)
Environment Canada
Fisheries and Oceans Canada
Natural Resources Canada
Transport Canada
Alberta Transportation
Government of Alberta
District of Chetwynd
District of Fort St. James
District of Kitimat
Village of Masset

Woodlands County

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CONSIDERATIONS: Report of the Joint Review Panel for the Embridge Northern Gateway Project

Participated together as the "Coalition"

# APPENDIX 7 Oral hearing locations and dates

MONTH: LOCATIONS AND DATES (#Ill locations in British Columbia, unless acted)	niess noted)	What was heard			MONTH LOCATIONS AND DATES. (all locations in British Columbia, unless ented)		What was heard			
	Cral evidence	Oral Oral statements questioning	Orai final argument			Oral	Oral statements	Oral questioning	Oral final argument	
JAN 2012 Kitamaat Village (10-11)				JUL 2012	Prince George (9-10)		х	*****************		
Terrace (12)	Nation x		수 같다.		Burns Lake (17)		x.			
Smithers (16)	3000 X			7	Fort St. James (19)		×			
Burns Lake (17)			- 54-19 1		Denny Islano (27)	x	₩,			
Prince George (18)	in the second of				Smithers (30)		x.			
Edmonton, Alberta (24-2	(31) × ×			AUG 2012	Port Hardy (7-8)		×			
FEO 2012 Fort St. James (2)	Menganga ang kalandan 1982. Salangan gapanggan Xoles				Comox (20)		×			
Prince Ruper: (17-18)	ration in Nation	The second secon		SEP 2012	Edmonton, Alberta (4-8, 17-22, 24-28)			×		
Old Massett (28-29)				OCT 2012	Prince George (9-13, 15-19, 29-31)			×		
MAR 2012 Hartley Bay (2-3)				NOA 2013	Prince George (1-3, 5-9, 22-23, 26-28)			×		
Kitkatia (12-15)				DEC 2012	Prince Rupert (10-15)			x		
Skioegate (21-22)				JAN 2013	Victoria (4-5, 7-11)		X.			
Grande Prairie. Alberta (2	6-28) x	Vo <b>k</b> ina citilike.			Vancouver (14-18, 30-31)		×	*		
Comox (30-31)		x X			Kelowna (28)		×			
APR 2012 Beila Beila (3-5)	110 miles (100 miles (			FEB 2013	Vancouver (1)		×			
Klemcu (11-12)					Prince Rupert (4-8, 18-23, 25-28)			×		
Prince Rupert (16-17)		fiala il II il i		MAR 2013	Prince Rupert (1, 11-16, 18-22)			×		
Smithers (23-27).		X			Prince Ruper: (4-6, 8-11, 22-27, 29-30)			×		
MAY 2012 Terrace (7-9)		na <b>x</b> as dakili		1.00	Prince Rupert (1)			×		
Prince Rupe-t (24-25)					Terrace (17-20, 24)					
JUN 2012 Old Massett (1-2)		x						-	•	
Skidegate (13-14)										
Kitamaat Village (25-26)						•				

appendix 7: Oral Héaring Locations and Dates

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### November 28, 2013 POLITICS

CANADA

### RCMP Concerned About 'Radicalized Environmentalist' Groups Such As Greenpeace: Report

CP | By Jim Bronskill, The Canadian Press Posted: 07/29/2012 5:00 am Updated: 07/29/2012 10:33 am

THE CANADIAN PRESS \*+ \* OTTAWA - There is a "growing radicalized environmentalist faction" in Canada that is opposed to the country's energy sector policies, warns a newly declassified intelligence report.

The RCMP criminal intelligence assessment, focusing on Canadian waters, cites potential dangers from environmental activists to offshore oil platforms and hazardous marine shipments, representing perhaps the starkest assessment of such threats by the Canadian security community to date.

The report drew a sharp dismissal from Greenpeace - a prominent environmental group singled out in the document - which suggested it could simply be an effort by security authorities to tell the Harper government what it wants to hear.

The Canadian Press obtained a heavily censored copy of the September 2011 threat assessment of marine-related issues under the Access to Information Act.

The report was compiled by the Mounties with input from the Canada Border Services Agency, Canadian Security Intelligence Service, Defence Department, Fisheries and Oceans and Transport Canada. Contributing agencies reviewed the resulting assessment.

"The Canadian law enforcement and security intelligence community have noted a growing radicalized environmentalist faction within Canadian society that is opposed to Canada's energy sector policies," says the report.

"Greenpeace is opposed to the development of Canada's Arctic region, as well as Canada's offshore petroleum industry. Criminal activity by Greenpeace activists typically consists of trespassing, mischief, and vandalism, and often requires a law enforcement response.

"Greenpeace actions unnecessarily risk the health and safety of the activists, the facility's staff, and the first responders who are required to extricate the activists."

Recent protests off the coast of Greenland involving Greenpeace vessels MV Esperanza and Arctic Sunrise "highlight the need to be prepared for potential threats to the safety and security of offshore oil and gas platforms."

"Tactics employed by activist groups are intended to intimidate and have the potential to escalate to violence."

For years CSIS has cited the potential for the most extreme environmentalists to resort to violence. But some critics have accused the Conservative government of taking the message much further with none-too-subtle warnings about "environmental and other radical groups" bent on derailing major oil, forestry and mining projects.

Yossi Cadan, campaigns director for Greenpeace Canada, said while group members sometimes trespass on private property to make their point, the group shuns violence.

"We're peaceful and non-violent. We are taking direct actions, but it's never violent," he said, adding "safety is a No. 1 priority for us."

"There is a difference between breaking the law and criminal activities," Cadan added.

"It's true that the distance between the government policy and the environmental movement is growing, but I don't think that the movement is getting more radical."

It seems like anyone who disagrees with the government on subjects such as the Alberta oilsands "has become an enemy in many ways," he said.

Cadan accused the federal government of trying to avoid the real issues by publicly attacking opponents. "It's not going to work because we are going to continue and focus on the environmental issues."

For its part, CSIS denies any ideological bias against environmental activists, saying in a recently declassified memo from earlier this year that, "Needless to say, such accusations are patently untrue."

Overall, the 2011 RCMP-led assessment of Canadian waters found criminal organizations continue to exploit marine ports, waterways and waterside infrastructure to smuggle drugs, people and other commodities including stolen vehicles.

In addition, the report says illegal fishing remains a problem, and Canada's expertise in maritime and scientific fields makes it "an attractive target for espionage."

Increased accessibility to ice-free Arctic waterways may also result in greater commercial fishing and vessel activity, says the report. The boost in traffic, along with a commercial fisheries ban in the Beaufort Sea, "could lead to an increase in illegal, unreported and unregulated" fishing in the Arctic, it adds.

The assessment concludes there is a need for strategies "to detect and disrupt threats" before they occur.

EARLIER ON HUFFPOST:

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# theguardian

# Canada's environmental activists seen as 'threat to national security'

Police and security agencies describe green groups' protests and petitions as 'forms of attack', documents reveal

- Stephen Leahy in Uxbridge, Canada
- theguardian.com, Thursday 14 February 2013 17.41 GMT



Canadian government agencies have been accused of conflating extremism with peaceful protests, such as the ongoing campaign against Keystone XL tar sands pipeline project. Photograph: Jonathan Ernst/Reuters

Monitoring of environmental activists in Canada by the country's police and security agencies has become the "new normal", according to a researcher who has analysed security documents released under freedom of information laws.

Security and police agencies have been increasingly conflating terrorism and extremism with peaceful citizens exercising their democratic rights to organise petitions, <u>protest</u> and question government policies, said <u>Jeffrey Monaghan</u> of the Surveillance Studies Centre at Queen's University in Kingston, Ontario.

The RCMP, Canada's national police force, and the Canadian Security Intelligence Service (CSIS) view activist activities such as blocking access to roads or buildings as "forms of attack" and depict those involved as national security threats, according to the documents.

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Protests and opposition to Canada's resource-based economy, especially <u>oil</u> and <u>gas</u> production, are now viewed as threats to national security, Monaghan said. In 2011 a Montreal, Quebec man who wrote letters opposing shale gas fracking was charged under Canada's Anti-Terrorism Act. Documents released in January show the RCMP has been monitoring Quebec residents who oppose fracking.

"Any Canadians going to protest the <u>Keystone XL pipeline</u> in Washington DC on Sunday had better take precautions," Monaghan said.

In a Canadian Senate committee on national security and defence meeting Monday Feb 11 Richard Fadden, the director of CSIS said they are more worried about domestic terrorism, acknowledging that the vast majority of its spying is done within Canada. Fadden said they are "following a number of cases where we think people might be inclined to acts of terrorism".

Canada is at very low risk from foreign terrorists but like the US it has built a large security apparatus following 9/11. The resources and costs are wildly out of proportion to the risk said Monaghan.

"It's the new normal now for Canada's security agencies to watch the activities of environmental organisations," he said.

Surveillance and infiltration of environmental protest movement has been routine in the UK for some time. In 2011 a Guardian investigation revealed that a Met police officer had been living undercover for seven years infiltrating dozens of protest groups.

Canadian security forces seem to have a "fixation" with Greenpeace, continually describing them as "potentially violent" in threat assessment documents, said Monaghan.

"We're aware of this" said Greenpeace Canada's executive director Bruce Cox, who met the head of the RCMP last year. "We're an outspoken voice for non-violenceand this was made clear to the RCMP," Cox said.

He said there was real anger among Canadians about the degradation of the natural environment by oil, gas and other extractive industries and governments working for those industries and not in the public interest. Security forces should see Greenpeace as a "plus", a non-violent outlet for this anger, he argued. "It is governments and fossil fuel industry who are the extremists, threatening the prosperity of future generations."

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Published on The Vancouver Observer (http://www.vancouverobserver.com)

# Harper government's extensive spying on anti-oilsands groups revealed in FOIs

Independent federal agency, National Energy Board, directly coordinated effort between CSIS, the RCMP and private oil companies.

Matthew Millar Posted: Nov 19th, 2013 (Page 1 of)

The federal government has been vigorously spying on anti-oil sands activists and organizations in BC and across Canada since last December, documents obtained under the Access to Information Act show. Not only is the federal government subsidizing the energy industry in underwriting their costs, but deploying public safety resources as a de-facto 'insurance policy' to ensure that federal strategies on proposed pipeline projects are achieved, these documents indicate.

Before the National Energy Board's Joint Review Panel hearings on the proposed Enbridge oil pipeline, the NEB coordinated the gathering of intelligence on opponents to the oil sands. The groups of interest are independent advocacy organizations that oppose the Harper government's policies and work for environmental protections and democratic rights, including Idle No More, ForestEthics, Sierra Club, EcoSociety, LeadNow, Dogwood Initiative, Council of Canadians and the People's Summit.

- Leadnow and Dogwood Initiative. On 27 Jan, the Leadnow and Dogwood Initiative will be providing an afternoon workshop and skills training that will provide tools and strategies for community resistance and solidarity to members of the public. This initiative is intended to foreshadow the Hearings on 28 Jan.
- A THE CONTROL OF THE

## Click on image to enlarge

Mandated as an 'independent federal agency', the NEB directed the police protection of their board members and officials from Enbridge and TransCanada Corporation, 140 pages of emails from December 2012 through April 2013 show.

In the emails, Richard "Rick" Garber, the NEB's "Group Leader of Security", marshals security and intelligence operations between government agencies and private interests, and says in a January 31, 2013 email that the NEB "Security Team has consulted today with Canadian Security and Intelligence Service (CSIS) at national and regional levels; RCMP at national, regional and local levels."

### Rick Garber

From:

Rick Garber

January 31, 2013 5:05 PM

Shella Leggett, Kenneth Bateman, Hans Matthew Buth Mills John Pinsent: Gord Campbell: Lee Williams (Lee Williams@neo-onegcca);

Kelly-Anne Dypoli (Kelly-Anne Dypoli@neb-one gc cs)

Subject

RE: Prince Ropert security assessment

Shella, Kenneth and Mans

in response to your query, the Security Team has consulted today with CSIS at national and regional invals; RCMP at national, regional and local (Prince Rupert Detachment) level and conducted a thorough review of open source intelligence, including social media feeds.

### Click on image to enlarge

"The Security Team, together with our police and intelligence partners, will continue to monitor all sources of information and intelligence," he says.

The documents show the NEB working with CSIS and the RCMP to make "security plans" for the Vancouver, Victoria, Kelowna and Prince Rupert hearings and actively coordinating with officials from Enbridge and TransCanada Corporation and a private security contractor hired by the NEB.

They also show Garber asking Sqt. Steinhammer of the Prince Rupert RCMP to provide a visible uniformed presence during the hearings there to deter "illegal activities."

In particular, would it be possible for you to provide a vicible uniformed presence the first day or two of the hearings to both deter lifegal activity and get a sense of the evolving / changing conditions (II any), coupled with periodic toors the remainder of the hearing sessions?

Your continuing assistance is greatly appreciated by the undersigned and the Board!

Click on image to enlarge

# Sustained opposition to pipelines noted, especially in BC

On April 20, 2013, an email entitled "Security Concerns - National Energy Board" was sent to integrated security officials, and stressed the continued protection of NEB and private interests. The memo was from Tim O'Neil, Senior Criminal Intelligence Research Specialist with the RCMP, and then circulated to the NEB and associated stakeholders by Garber.

"There continues to be sustained opposition to the Canadian petroleum and pipeline industry," O'Neil said. "Opposition is most notable in British Columbia, with protests focused on the: Enbridge Northern Gateway; Kinder Morgan Trans Mountain Pipeline expansion; the increasing use of hydraulic fracturing, and proposed LNG facilities. Opponents have used a variety of protest actions (directed at the NEB and its members) to draw attention to the oil sands' negative environmental impact, with the ultimate goal of forcing the shutdown of the Canadian petroleum industry."

Opponents to the Oil Sands have used a variety of protest actions to draw attention to the Oil Sands' negative environmental import, with the ultimate goal of forcing the shut down of the Canadian petroleum industry. These same groups have broadened their protests to include the pipelines and more recently, the railmost industry, who the opposing groups down are feelinating the continued development of the Oil Sands.

Opposition is most notable in the British Columbia, with protest focused on the: Enbridge Northern Gateway; Kinder Morgan Trans Mountain Pipeline expension; the increasing use of hydraulic fractiving, and proposed LNG facilities.

# Click on image to enlarge

O'Neil then ordered the escalation of RCMP and CSIS intelligence measures following the opening of an SPROS/SIR database file. According to the Government of Canada, SPROS is the new National Security Program's primary database for the electronic storage, retrieval and management of national security criminal investigations and information, and on a required basis, classified criminal intelligence and other sensitive cases.

"It is highly likely that the NEB may expect to receive threats to its hearings and its board members," O'Neil, said. However, in the same memo he states that there is "no intelligence indicating a criminal threat to the NEB or its members" and "I could not detect a direct or specific criminal threat."

In closing, O'Neill advises recipients to discuss their concerns with the security officials at the National Resources May 23rd classified briefing.

"What is particularly chilling about the Harper administration's approach is the conversion of government agencies to private spy agencies for private sector corporations," Green Party Leader, Elizabeth May said, upon learning about the emails. "What is unacceptable is the marginalization, demonizing, and threat of criminalization of healthy debate in a democracy."

On May 23, 2013, Natural Resources Canada hosted a 'Classified Briefing for Energy & Utilities Sector Stakeholders' in collaboration with CSIS and the RCMP at CSIS's headquarters in Ottawa.

If you are planning to extend the MRCan May 23rd Caselfied Briefing, you may wish to discuss your concerns wit the security officials who ne'd be in the briefing more.

You are welcome to contact me directly to decres your concerns to more defail.

Regards.....Tirz

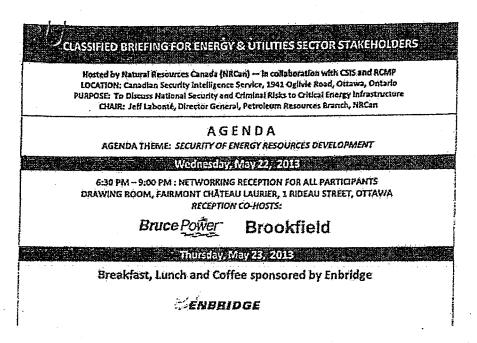
Ten O'Neil Senior Crimina Intelligence Research Specialist Conical Interduction: Intelligence Team Februal Spitcing Criminal Operations 813, 4th Piocs, Rim 616-96, History #1,48 7J Leikh Drive, Ottava, Crimin Krause, Crimin Krause,

### Click on image to enlarge

The briefing has occurred twice annually since 2005 and its stated purpose is to discuss national security and criminal risks to critical energy infrastructure. Attendees include government officials, federal ministries, law enforcement agencies and energy stakeholders with high-level security clearances. These meetings have been described as an opportunity for government officials and companies to exchange information "off the record" and form "ongoing trusting relationships" in the protection of national energy infrastructure.

An agenda obtained by Tim Groves and Martin Lukacs at *The Guardian* last month <u>revealed</u> that breakfast, lunch and coffee was sponsored by Enbridge and a networking reception held at the Chateau Laurier was co-hosted by Bruce Power and Brookfield Renewable Energy Partners. Meetings during this conference

included "challenges to energy projects by environmental groups."



Given proof of CSIS and RCMP intelligence resources being afforded to the NEB, and evidence of disclosure across the private sector, it is undetermined how much information is being provided to corporations such as Enbridge and TransCanada Corporation, and to what extent international entities such as CNOOC are also benefiting.

Since coming to power, Conservative prime minister, <u>Stephen Harper</u>, has used his government apparatus to serve a natural resources development agenda, <u>the Guardian</u> recently wrote, "while creating sweeping domestic surveillance programs that have <u>kept close tabs on indigenous and environmental opposition</u> and <u>shared intelligence with companies</u>.

"Harper has transformed Canada's foreign policy to offer full diplomatic backing to foreign mining and oil projects, tying aid pledges to their advancement and jointly funding ventures with companies throughout Africa, South America and Asia."

The National Energy Board has no spying mandate, according to its website, but serves to function as a regulatory agency over the gas and oil industry, answering to Parliament and the Canadian people.

Correction: a previous version of the article attributed the May 22, 2013 agenda to have been obtained by the CBC. It was obtained by The Guardian and provided to CBC afterward.

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# MELLE GROSSENAND MALLS

November 21, 2013

# CSIS, RCMP monitored activist groups before Northern Gateway hearings By SHAWN MCCARTHY

The National Energy Board worked with police to monitor risk posed by environmental groups and First Nations

The National Energy Board worked with the RCMP and Canadian Security Intelligence Service to monitor the risk posed by environmental groups and First Nations in advance of public hearings into Enbridge Inc.'s Northern Gateway project, documents released under Access to Information regulations reveal.

In one e-mail, dated April 19, a member of the RCMP's Critical Infrastructure Intelligence Team warns that the federal government's efforts to exclude activist groups from regulatory hearings could result in protesters "targeting" NEB panel members.

"These new hearing procedures have refocused protest activity from the content of the hearings to the conduct of the hearings," Tim O'Neil, an Ottawa-based RCMP "research specialist" says.

The e-mail – with the subject heading "Security Concerns – National Energy Board – was sent to a number of federal officials, including NEB's chief security officer Richard Garber.

Noting "sustained opposition" to oil sands expansion, Mr. O'Neil said it was "highly likely that the NEB may expect to receive threats to its hearings and its board members."

However in an extensive e-mail chain, Mr. Garber and other RCMP analysts said they had not identified any threats or criminal activity, and that protests against the project had so far been peaceful.

The police monitoring of regulatory hearings reflects the growing tension around certain resource projects, as pipeline companies seek NEB approval for a series of highly controversial plans aimed at bringing Alberta crude to new markets. Those include Enbridge Inc.'s Northern Gateway through B.C. and the Line 9 reversal, which would transport western crude through Ontario to Montreal, as well as TransCanada Corp.'s Energy East line that would ship 1.1-million barrels per day to refineries and export terminals in eastern Canada. The projects face fierce opposition from environmentalists, as well as some First Nations communities.

Activists in the U.S. are pledging a campaign of non-violent civil disobedience if President Barack Obama approves TransCanada's Keystone XL pipeline.

The documents were obtained under Access to Information by an Ottawa-based media outlet Blacklock Group and released to ForestEthics Advocacy, which was among the groups monitored by the RCMP.

"This a light-year leap in the level of paranoia and government action to protect the profits of private companies," Toronto lawyer Clayton Ruby said Thursday. Mr. Ruby, who is chairman of ForestEthics Advocacy, said environmental groups typically endorse only lawful protests. In the rare instances civil disobedience is used as a tactic, it remains peaceful, he added.

The documents make it clear that police have informants from movements like the aboriginal Idle No More movement. They also make reference to police monitoring of the websites, press releases, social media and other public statements of environmental groups including the Council of Canadians, the Dogwood Initiative, the Sierra Club of British Columbia and ForestEthics.

According to other documents previously disclosed under Access to Information, The RCMP and CSIS have identified "extremist" environmental groups and aboriginal protesters as a potential source of domestic terrorism, thereby justifying the monitoring and infiltration of such groups. An RCMP spokesman was unable to comment on the documents on Thursday.

NEB spokeswoman Sarah Kiley said the board was merely doing routine security reviews to ensure the Northern Gateway hearing would remain safe and peaceful.

"Under the Canada Labour Code, we are required to ensure the safety of our NEB staff and NEB members and we would extend that to participants in the hearings," Ms. Kiley said. "As part of that, we would have a look at the environment to see if there is anything that we should be aware of and make our plans accordingly."

She added she was not aware of any threat that prompted the contact with police and CSIS.

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Published on The Vancouver Observer (http://www.vancouverobserver.com)

# Harper government under fire for spying on environmental groups

Green leaders and members of Parliament react to FOIs obtained by the Vancouver Observer that revealed the National Energy Board was coordinating spying efforts on environmental groups.

Krystle Alarcon and Matthew Millar Posted: Nov 21st, 2013 (Page 1 of)

Politicians, environmentalists and First Nations alike are infuriated that the federal government worked hand-in-hand with the oil industry to spy on groups that opposed pipeline projects.

<u>Documents obtained by the Vancouver Observer</u> under the Access to Information Privacy Act revealed that the <u>National Energy Board</u>, an independent regulatory agency, coordinated with the <u>Canadian Security Intelligence Service</u> (CSIS), the police, and oil companies.

"It's the death of democracy if you've got non-violent, law-abiding First Nations, environmentalists and Canadian groups of all kinds being subjected to surveillance then handed over to industry groups. Frankly, it's scary," said <u>Elizabeth May</u>, the MP and Green Party leader. "What Stephen Harper has essentially done is to take the spy agencies of the federal government of Canada and put them at the service of private companies like Enbridge."

The board coordinated the gathering of intelligence on opponents to the oil sands before the Joint Review Panel hearings on the proposed Enbridge pipeline, which will carry up to 525,000 barrels of oil everyday from Alberta to Kitimat in northern BC.

Emails between the board and CSIS looked at groups that work for environmental protections and democratic rights, including <u>Idle No More.</u> ForestEthics, Sierra Club, EcoSociety, LeadNow, Dogwood Initiative, Council of Canadians and the People's Summit.

May, who was in Poland for the <u>United Nations conference on climate change</u>, was alarmed by the private-public sector partnership.

Even the innuendos within the exchanges of emails between the board and CSIS alarmed her.

"The assumption in the briefing documents (of the NEB) is that somehow we pose a threat to the state because we are potentially a security threat," which could lead into using the <u>new anti-terrorism law</u> against opponents, May said.

In a letter called, "Can you keep a secret?" last month, May already raised red flags about CSIS working too closely with industry, as it spied on Brazil's mining industry and gave their findings to Canadian energy companies.

The Green Party, NDP and Liberal Party criticized the Conservative government after finding out about the board's involvement with intelligence agents.

"I wonder if I'm under investigation, I raised questions about the Enbridge pipeline," said <u>Nathan Cullen</u>, the MP and NDP House Leader.

He called the relationship between the board and CSIS disturbing: "It's very Canadian to be involved in your community. It's very un-Canadian to run the country like Joe McCarthy looking for enemies of the state just because they disagree with you."

Liberal Party MP and environment critic <u>John McKay</u> expressed similar outrage. "If Canadians can't intervene on an issue in a manner where you feel comfortable, and without being 'blacklisted,' then this speaks to the diminishing quality of democracy," he said.

McKay was referencing how environmental groups were allegedly blacklisted <u>as enemies of the Government of Canada</u> last year.

He further slammed the board for its coordination efforts with CSIS and the RCMP. "These are 'sham hearings – a moot court' only carrying out the work of the Harper government," McKay argued.

Liberal MP Joyce Murray said that the NEB's neutrality had been compromised by the current administration.

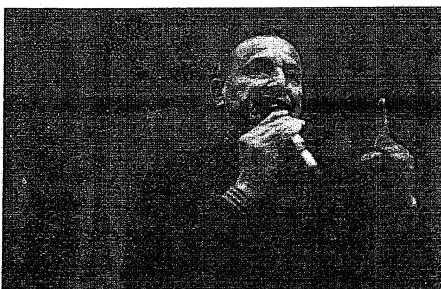
"It's supposed to be a neutral agency. In fact it is controlled by the government, so the question in my mind is, was it the government that instructed the NEB to do this?"

NDP environmental critic Megan Leslie said, "Canadians should push back".

Council of Canadians environment campaigner Andrea Harden-Donahue said, "The NEB is meant to be an independent federal agency, not a spy watch dog. This is yet another example of the NEB failing to meet its mandate."

# "Third World police state"

Grand Chief Stewart Philip was outraged that the Idle No More movement was spied upon, he said, adding, "I'm shocked that the National Energy Board would do such a thing. It's a gross infringement on our freedom of speech and freedom and right to free assembly. It smacks of Third World police state."



Grand Chief Stewart Phillip,

head of Union of BC Indian Chiefs. Photo by David P. Ball (davidpball.com)

One environmentalist is worried the government taps her phone line. "It makes any person who acts openly on their desires to see Canada have a clean future become second-class citizens," said <u>Valerie Langer, with ForestEthics Solutions</u>. "Everything we do is perfectly clear. We do not hide from what we see as industrial exploitation that is threatening the environment and the people."

She added that, "We will keep doing what we do best which is to mobilize people. We will continue to do our work."

Will Horter, of the Dogwood Initiative said the spying was a waste of taxpayers' money. <u>One email in particular</u>, that focused on the <u>Dogwood Initiative</u>'s event in a Kelowna church on Jan.27, was "farcical", he said. "We were training participants on how to be better story makers and sign makers. What appears to have triggered the surveillance is that we worked with a number of people to participate in a public process," he said. "This will reinvigorate us if anything."

Harper will stop at nothing, he said, adding that "he has gutted the environmental laws, changed the hearing policies midstream, cut funding for vital organizations. He's done a lot of things governments haven't done before. I can see him fix the spy agencies on Canadians."

Cullen said he will file for his own access to confidential government documents, but added that it will be hard to get CSIS to disclose anything.

"The government would be able to say they operated at arms length... so we need to drag the CSIS national director into this," he said.

Grand Chief Stewart Philip plans on talking to his legal counsel. He will also consult with <u>British Columbia Civil Liberties Association</u> and <u>Amnesty International</u>, he said. "We will not stand down, regardless of this secret state mentality of the Harper government infringing upon our legal rights."

# More in Environment

Deadly Sinopec pipeline blast in China raises questions in BC

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Published on The Vancouver Observer (http://www.vancouverobserver.com)

# Harper government officials, spies meet with energy industry in Ottawa

Matthew Millar Posted: Nov 22nd, 2013 (Page 1 of)

Government <u>spies</u> and energy stakeholders met in Ottawa yesterday to discuss issues of national security, including the monitoring of environmental organizations and activists.

• Harper government's extensive spying on anti-oil sands groups revealed in FOIs

This meeting is the second of bi-annual "classified briefings" held at CSIS headquarters in Ottawa, bringing together federal agencies, spies, and private industry stakeholders with high level security clearances, including officials from energy companies in the oil, natural gas, pipeline, petroleum refinery and electricity sectors.

The last briefing was held on May 23 and was sponsored by Enbridge, Brookfield and Bruce Power.

In attendance at prior briefings were representatives from the RCMP, CSIS, NEB, DND (Department of National Defence) and also the Communications Security Establishment (CSEC), a federal agency that spies mainly on foreigners by hacking into their computers, reading their email and intercepting their phone calls. It was reported last month in documents released by whistle blower Edward Snowden that <u>CSEC has spied on computers and smartphones</u> affiliated with Brazil's mining and energy ministry in a bid to gain economic intelligence.

The purpose of the classified briefing is to provide intelligence to select energy representatives, while encouraging the private sector to brief the Canadian Intelligence and law-enforcement community on issues that they would not "normally be privy to".

"From my experience, these briefings provide an excellent forum to build the relationships required to assist the RCMP within its investigations" writes Tim O'Neil, RCMP Senior Criminal Research Specialist in an email sent in advance of a 2012 briefing. The energy sector representatives all possess at least a Level II (Secret) Security Clearance. There are three levels of clearance, as defined by the Policy of Government Security: Confidential (Level I), Secret (Level II) and Top Secret (Level III).

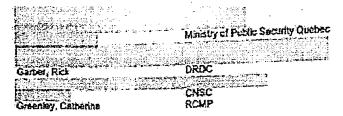
<u>Documents published</u> earlier this week reveal the cooperation of the RCMP, CSIS and the National Energy Board in the gathering of intelligence on oil sands opponents, including advocacy organizations and First Nations groups.

"These are legitimate spokespersons, relating concerns that people have on the environmental impacts of Conservative and industry plans", said Liberal MP Joyce Murray, who suggests that these actions are part of an intimidation campaign by Prime Minister Stephen Harper and his government.

The documents, 140 pages of emails and operations plans from December 2012 to April 2013, show Richard "Rick" Garber, the NEB's "Group Leader of Security" overseeing the cooperation of RCMP, CSIS and

private energy companies.

In a list of 2011 briefing attendees obtained last night, Garber is identified as a representative of DRDC, an agency of Canada's Department of National Defence (DND).



### Click on image to enlarge.

DRDC provides DND, the Canadian Armed Forces and other government departments as well as the public safety and national security communities, "the knowledge and technological advantage needed to defend and protect Canada's interests at home and abroad," according to DRDC's website.

The National Energy Board, Canada's independent federal regulator of pipelines, responded yesterday to reports of intelligence gathering on opponents to the proposed developments. In a statement from NEB CEO Gaétan Caron, he acknowledges that the NEB may work with local officials and federal colleagues such as "the RCMP in the interests of safety for the public hearings, NEB Board Members, staff and the general public."

It has <u>raised concerns</u> in Parliament that the collection of intelligence on Canadians is happening without parliamentary oversight, and potentially, with partisan influence and outside the confines of the law.

CSIS is overseen by the independent Security Intelligence Review Committee (SIRC). SIRC is currently chaired by former Conservative cabinet minister Chuck Strahl. Disgraced committee member <u>Dr. Arthur Porter</u>, who was appointed by Stephen Harper in 2008, is currently in a Panamanian jail facing a range of charges, from money laundering, to taking kickbacks and conspiracy to commit fraud.

Both the National Energy Board and Security Intelligence Review Committee are supposed to function free of government collusion, but parliamentarians say they believe that the Harper government has instructed, or at least influenced the agencies in this case. MP Megan Leslie, deputy opposition leader and environmental critic is outraged. "It's not appropriate for the government to be giving these instructions".

She feels that they have influenced the NEB either by direct instructions or in creating a fear-based culture within the independent agency.

"The National Energy Board is supposed to be a neutral agency," said Liberal MP Joyce Murray.

"Of the three members on the NEB Joint Review hearing panel, one is handpicked by the government, with the second holding a power of veto," she continued, noting that two out of the three panel members are either selected or endorsed by government.

"This is unprecedented," says Murray, "and now they are potentially instructing the NEB to collect private information and we have no way of knowing if it is being used counter to the law or not."

# More in Canada

Ecojustice demands National Energy Board answer for spying on anti-oil sands groups

Canada's approval puts 'Frankenfish' one step closer to dinner plate

Rex Murphy is fluent in the language of occupation

Surveillance Trojan Horse or Big Brother in disguise?

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# TAB

Published on The Vancouver Observer (http://www.vancouverobserver.com)

# Ecojustice demands National Energy Board answer for spying on anti-oil sands groups

Matthew Millar Posted: Nov 29th, 2013 (Page 1 of)

Following the publication of documents obtained by the Vancouver Observer showing the National Energy Board oversaw the spying activities of the RCMP and CSIS on oil sands opponents, Barry Robinson, Staff Lawyer for Ecojustice, sent a letter today to National Energy Board (NEB) legal counsel Andrew Hudson and NEB CEO and Chair Gaétan Caron demanding answers.

- Harper government's extensive spying on anti-oil sands groups revealed in FOIs
- Harper government under fire for spying on environmental groups

When asked if Ecojustice plans to litigate against the NEB and if so, what the grounds would be, Robinson told the Vancouver Observer: "We would pursue litigation against the NEB around the procedural fairness and bias in the conduct of the hearings process."

"In the context of the documents obtained under Access to Information, they do indicate that the NEB was in communication with the RCMP and CSIS," Robinson said. "The thing that bothers me the most is an April 19, 2013 email from the RCMP".

Robinson is referring to an email authored by Tim O'Neil, Senior Criminal Intelligence Research Specialist with the RCMP. O'Neil said that the "CIIT (Critical Infrastructure Intelligence Team) will continue to monitor all aspects of the anti-petroleum industry movement to identify criminal activity".

Included in this email was "RCMP's CIIT Divisional analysts and Ms. Manon Tessier and Mr. Tom Lanzer (CSIS)". Both Tessier and Lanzer's names appeared to be previously redacted.

"What bothers me is they are looking into those who are simply opposed to the pipelines, with no criminal wrongdoing, and are sharing that information with the NEB - the regulatory body that's supposed to make independent decisions," Robinson said.

Ecojustice has asked the National Energy Board to answer 15 direct questions, including:

- Who directed the collection of information relating to safety and security concerns posed by the organizations and individuals?
- Were the organizations and individuals aware that the information was being collected?
- Was the information shared with Northern Gateway Pipeline Inc. or Enbridge Inc.?
- Were there any other NEB employees, agents, contractors and legal counsel informed or aware of the intelligence gathering?

Ecojustice is a Calgary based non-profit environmental law firm that represents three clients who are registered as intervenors in the NEB hearings on the Northern Gateway pipeline project. The clients, Ecojustice Advocacy, the Living Oceans Society and the Raincoast Conservation Foundation, are concerned

that the NEB, in conjunction with the RCMP and CSIS, has illegally spied on their activities and those of other organizations and individuals prior to or during their appearance at the hearings, Robinson said.

The release of information has led to questions over the compromise of procedural fairness and bias at the NEB Joint Review Panel Hearings on the proposed Enbridge pipeline, especially if information was disclosed to NEB board members, Enbridge and any other third parties or federal agencies, Robinson also said.

Emails contained in the disclosures last week show NEB Board members Sheila Leggett, Kenneth Bateman and Hans Matthews copied on information circulated by Richard "Rick" Garber, "NEB Group Leader of Security". Robinson has questioned if the board members were aware that the NEB was collecting or had collected information on anti-oil sands organizations.

Legget appears to have had some knowledge of the intelligence gathering. In one email she seems to be asking for less surveillance and police presence and she tells NEB staff: "It sounds like we are in vehement agreement that, at this point, there is no indication of a requirement for an on-site police presence. Let's proceed on this basis and amend if Gord's on the ground assessment and any further intelligence indicated that this presence is required".

From: Shells Leggett
Sent: Friday, April 19, 2013 US;24 PM
To: Allson Farrand
Cc; Rick Garber; Le: Williams; Gord Campbell; Ruth Mills; Shawnna Cox
Subject: RE: Prince Rupert security

iti Akson.

It sounds like we are in veterment agreement that, at this point, there is no indication of a requirement for an on-site poisse prosence. Let's proceed on this basis and amend if Gord's on the ground assessment and any further intelligence indicate that this procence is required. Please keep the Panci updated if further risk factors are identified.

Thanks, Shella

Email from Sheila Leggett regarding Prince Rupert security

Robinson has also asked for further information on the means and sources used in open source intelligence gathering from social media.

Since the publication of the documents last week, knowledge of the NEB's activities have negatively underscored the participation of individuals and advocacy groups in the continued hearing process. "Knowledge that this is occurring is sure to have a chilling effect on participation in Board proceedings," Robinson said.

# More in Canada

Canada's approval puts 'Frankenfish' one step closer to dinner plate

Rex Murphy is fluent in the language of occupation

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Exposure of Harper government spying should frighten "scandal-plagued" Tory pols: Leadnow

Harper government officials, spies meet with energy industry in Ottawa

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11/29/2013 4:33 PM

# **ABOUT US**

# Fifteen years ago we set out to build the most innovative and effective non-profit organization in British Columbia.

### What we do

Everything we do is about giving British Columbians ways to take back decision-making power over their land and water. Right now, 96 per cent of British Columbia's land is owned by the people, but 88 per cent of that land is controlled by large timber, mining and oil companies. That stinks,

We believe British Columbians should have the right to make their own decisions about how the land they live on is used and we know that there is power in numbers. That's why we work with more than 170,000 supporters, as well as First Nations, businesses and communities, to leverage political victories and find common sense solutions to some of B.C.'s most pressing problems.

### What makes us different

We don't just work to protect the environment — we work to change how decisions are made in B.C. That requires a level of strategic focus that sometimes makes us go cross-eyed, but hey, that's a small price to pay to be called one of the province's most effective organizations.

We strive to work on the fundamental issues — those things that transcend boundaries and stand the chance to truly change the way things work in our province. With this in mind, we excel at pinpointing the places British Columbians can have the most impact and figuring out ways to take meaningful action. It's all about relationships — us helping you to catalyze action.

We love statistics and demographics and use data to inform every move we make. Our unique approach has led to us being called everything from scrappy to brilliant. Truth is, when you're gunning for big changes, you need to take risks. We've had some of our biggest successes while hanging out on a limb.

### Who we are

If you haven't noticed yet, we have kind of an odd name. We wish we could tell you it had a deep, philosophical meaning, but actually we chose Dogwood because it is B.C.'s provincial flower and Initiative because it is action-oriented.

Our team of super-talented people, based in Victoria, Vancouver and other areas of B.C. works with people in key communities throughout the province and the rest of the country. We find we get near daily reminders of why B.C. is worth fighting for. Together, we are building a new model for engaging British Columbians in the decisions that affect them most.

Learn more about what we're working on right now.

CAMPAIGNS	GET INVOLVED	ABOUT US	SUPPORT OUR WORK
no tankers	organize with us	blog	donate
coal	attend an event	privacy policy	other ways to give
CONTACT US	work with us	our annual report	
MEDIA CENTRE	stay in the loop	publications	

# **Our People**



Will Horter Executive Director



Matt Takach Operations Director



Laura Benson Beyond Coal Campaign Director



Don Gordon Head of Revenue



Celine Trojand Organizing Director



lan Birch Bookkeeper



Maggie Gilbert Development Associate



Lyndsey Easton Communications Coordinator



Karl Hardin Digital Strategist



Kai Nagata Energy & Democracy Director



Ariel Ross Beyond Coal Organizer



Alisha Brown Supporter Services Coordinator



Christina Smethurst Communications Coordinator



Dave Mills Provincial Organizer



Tracey Maynard Provincial Organizer



Terry Dance-Bennink Regional Organizer



Dan Mesec Regional Organizer



Mary Leighton Provincial Organizer

# **BOARD OF DIRECTORS**



Jennie Milligan - Board President

Jennie has been actively involved in the environmental movement in BC for over ten years. While attending the University of British Columbia in the late 90s, she was president of the Student Environment Centre. While attending the University of Victoria, she was on the executive of the Environmental Law Centre

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throughout her three-year law degree. She also conducted research on a volunteer basis for The Land Conservancy. Jennie has worked for the Environmental Youth Alliance and Sierra Legal Defence Fund, first in donor relations and then as a legal researcher. She is currently a practicing lawyer in Vancouver.



Frank Arnold - Treasurer

Frank heads The Pinch Group, a Victoria-based investment advisory practice that focuses on socially and environmentally responsible investment solutions for both individuals and institutions. A graduate of the University of Victoria's School of Environmental Studies, Frank also studied mathematics prior to entering the investment profession. In addition to serving on the board of Dogwood Initiative, Frank

currently serves on the board of Living Carbon Investments and the Land Trust Alliance of BC, on the fundraising and communications committee of Habitat Acquisition Trust, as an external advisor to the Sierra Club of BC Foundation, and on the external advisory board of UVic's School of Environmental Studies. Frank's passions in life are protecting biodiversity and promoting green philanthropy. When he's not enjoying his time with his two children, you may find Frank on the ski slopes (if so, make sure you ski behind him).



Jess Dempsey - Director

Jess is a professor at the School of Environmental Studies at the University of Victoria where she teaches classes in political ecology. She received her doctorate from the Department of Geography at UBC, focused on the rise of market-oriented environmental law and policy. As co-founder of the international network the CBD Alliance, Jess has participated in over a decade of major negotiations of the Convention on Biological Diversity (CBD) and worked with many NGOs and social movements (from the North and South) to develop analysis and positions on global biodiversity issues. Jess and her

partner Ryan live with their three kids in Vancouver.

### **ADVISORY ROUND TABLE**

In addition to its Board of Directors, Dogwood Initiative works closely with an Advisory Round Table of experts in sustainable land reform issues.

These people are:

David Boyd - Environmental Lawyer, former Executive Director Sierra Legal

Anita Burke - Corporate Research Consultant

Jessica Clogg - Staff Lawyer, West Coast Environmental Law

Helga Knote - Labour and environmental activist

Anne Levesque - former Executive Director, CPAWS & East Kootenay Enviro Society

James MacKinnon - writer, former Senior Editor, Adbusters

Michael M'Gonigle - Eco-Research Chair, Environmental Law & Policy, University of Victoria, Founder, Greenpeace International

CAMPAIGNS	GET INVOLVED	ABOUT US	SUPPORT OUR WORK
no tankers	organize with us	blog	donate
coal	attend an event	privacy policy	other ways to give
CONTACT US	work with us	our annual report	<del></del>
MEDIA CENTRE	stay in the loop	publications	

# **FOCUS**

## That's Our Promise To You.

We won't try to do a million things at once. And we'll only ask you to take action if we think it will make a big difference.

We pinpoint where the power of organized people can have the biggest impact and then we zero in on it. Most of all, we look for projects or issues that can be leveraged to drive deep rooted change. We're as focused as Olympic athletes on just two campaigns right now:



### No Tankers

Some of the most powerful oil companies in the world are pushing to bring more and more crude oil tankers to B.C.'s coast. They would jeopardize the livelihoods of tens of thousands of British Columbians and the stability of the Great Bear Rainforest and southern Gulf Islands ecosystems in the name of profit. We can hold them back and keep our oceans and rivers healthy and livelihoods secure,

but it's going to take size and diversity. That's where you come in.

SIGN THE NO TANKERS PETITION



## **Beyond Coal**

U.S. coal companies want to bring an unprecedented amount of coal through B.C. for export to China. This threatens the health of Lower Mainland residents living along the train routes and sends climate changing pollution to Asia - all with little economic benefit to B.C. Port Metro Vancouver is used

to making its decisions behind closed-doors with little to no public input. We have to show them we will not tolerate a rogue agency willing to trample the public interest on behalf of U.S. coal companies. That's where you come in.

SIGN THE PETITION

CAMPAIGNS	GET INVOLVED	ABOUT US	SUPPORT OUR WORK
no tankers	organize with us	blog	donate
coal	attend an event	privacy policy	other ways to give
CONTACT US	work with us	our annual report	
MEDIA CENTRE	stay in the loop	publications	

# **GET INVOLVED**

We need your help to create healthy and prosperous communities!



# Add your voice

Pledge to support a citizens' initiative to give British Columbians the chance to vote on plans to expand pipelines and oil tanker traffic on our coast.

SIGN THE PLEDGE



## Spread the word about the threat of oil tankers

Affixing oil slick decals to loonies is a great way to raise awareness.

ORDER LOONIE DECALS



## We need your help to build an organizing machine

We're working with core groups of passionate people across the province to become an unstoppable political force. Interested in working with us where you live?

TAKE ACTION



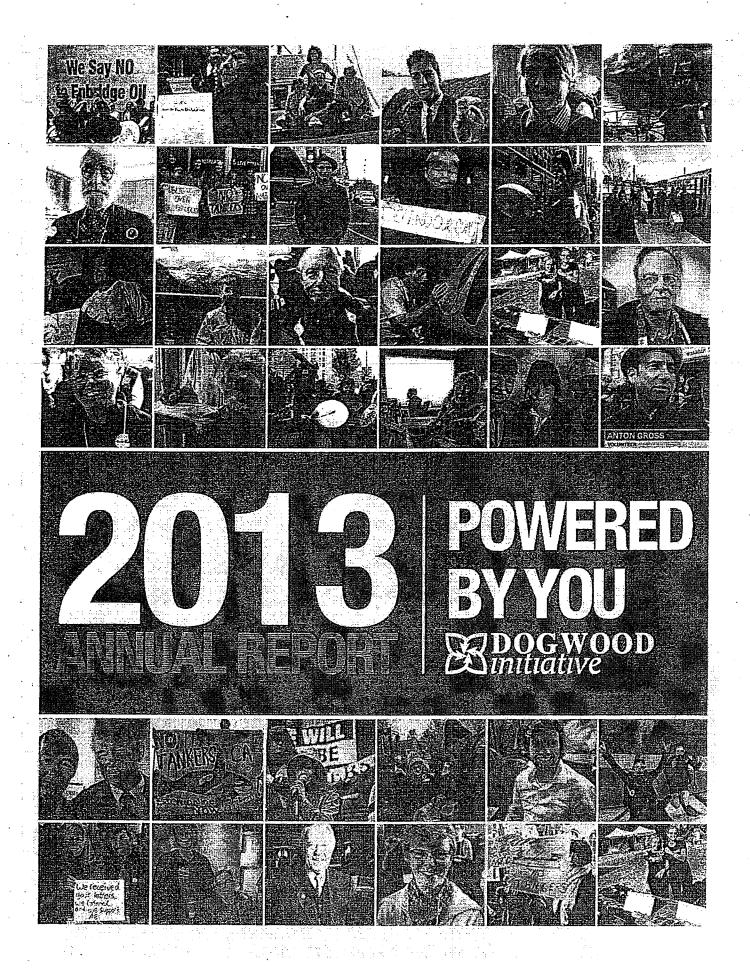
### Thinking about chipping in with dollars and cents?

Invest in the protection of B.C.'s coast.

DONATE NOW

CAMPAIGNS	GET INVOLVED	ABOUT US	SUPPORT OUR WORK
no tankers	organize with us	blog	donate
coal	attend an event	privacy policy	other ways to give
CONTACT US	work with us	our annual report	
MEDIA CENTRE	stay in the loop	publications	

# 



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# Istaff&board



## MORE STAFF

Laura Benson – Coal Campaigner Alain Ndayishimiye – Canvasser Ariel Ross - Canvasser Arran Walshe - Canvasser

Photo credit: Ilijc Albanese.



# mission



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## executive director's review



How do you grow exponentially while simultaneously increasing the quality of relationships with existing supporters? This challenge defined Dogwood Initiative's work last year.

We began the year on the tail of the massive increase in No Tankers supporters that followed Minister of Natural Resources Joe Oliver's attacks on opponents of Enbridge's oil tanker pipeline proposal. We were thrilled when 32,000 new supporters signed the No Tankers petition in three weeks, blowing past our goal for the whole year, but without any new staff, we needed to find a new way to manage all these new relationships

It was obvious we needed to seriously adjust our model, so instead of continuing on with more of the same we decided to try building people-powered self-organizing tools to allow people in communities all over the province to take a more active role in the campaign.

It isn't an easy task to figure out better ways to put power in the hands of British Columbians, but over time it is the only way we can win the big battles needed to catalyze the just, equitable and sustainable communities we long for.

Our Find Allies kit was our first experiment. Over 1,200 people downloaded the kit to help them organize their friends and neighbours. At the peak last summer Find Allies action takers brought in 2,000 to 3,000 new supporters per month.

Next up, our Find Leaders kit was launched in the fall to help local action takers put pressure on their elected officials. Our decentralized "Defend Our Coast" action, organized with LeadNow, was a smashing success. Local volunteer organizers pulled off events at 72 MLA offices across the province with 6,000 people taking part.

Our "Knock the Vote" events following the Enbridge public hearings in Victoria and Vancouver were other successful experiments with this new approach. More than 120 volunteers knocked on doors in specific electoral districts, speaking to voters about the party positions on oil tankers. Meanwhile inside the hearings, Dogwood's

communications team was live tweeting the incredibly articulate, well-researched and passionate submissions made by presenters. We were proud to calculate that 99 percent of the 253 people making presentations in Victoria had signed Dogwood Initiative's No Tankers petition, as had 89 per cent of the 176 participants in Vancouver.

This was a sneak peak at the future. Going forward, every month and every day it becomes less about what Dogwood Initiative staff have done, and more about how we help people like you create the world you want.

The philosophy behind this is that to make a dent in audacious issues like globalization and climate change, it's going to take hundreds of people leading the movement from the inside out.

People power can beat formidable corporate and government power. 2012 provided lots of examples. What began as a standoff between Royal Dutch Shell, the second biggest corporation in the world, and a few Tahltan elders over the Sacred Headwaters ended with a clear victory for people power. The permanent moratorium British Columbia established last year against coalbed methane drilling in the Sacred Headwaters, an issue Dogwood Initiative worked on with the Tahltan a few years ago, proves that point.

But how can these victories be scaled?

We haven't fully figured out exactly how to do this, but we have made progress, which we'll apply to both our Coal and No Tankers campaigns.

One thing we do know is that ultimately our success depends on your success. Our ability to create change depends on each of your willingness to take that extra step out of your comfort zone to fight for your neighbourhood, your province and your country.

MAMIC

Will Horter, Executive Director



## no tankers



The goal of our No Tankers program is to halt the expansion of crude oil tanker traffic on Canada's Pacific coast,

We believe we can do this by building a network of people that is larger and more diverse than any other network in B.C., and by giving each person the information and tools they need to effectively influence their local elected representatives.

Where We've Been For close to 40 years, British Columbians have been standing up and shutting down proposals to bring oil super tankers

- and inevitable oil spills
- to Canada's Pacific north coast. In 2005, Dogwood Initiative began work to pick up where these historical efforts left off, prompted by Enbridge's Northern Gateway proposal to bring more than 200 crude oil and condensate tankers to Kitimat, B.C., each year.

Our No Tankers program officially launched in 2007 with a small living room presentation to 15 people. Since then, our network has grown to include more than 150,000 supporters. These supporters have created grassroots power that has

led to significant advances toward our goal.

Our initial work culminated in a 2010 House of Commons motion seeking a ban on north coast oil tankers, which received the support of a majority of Parliament and all of Canada's opposition parties. However, the motion wasn't passed into law before the spring 2011 federal election was called. When the Conservative Party won a majority in that election, our hopes for a legislative ban to protect the north coast were temporarily dashed, as Prime Minister Stephen Harper is among the most

vocal proponents for increased oil tanker traffic on B.C.'s coast.

#### A New Focus

in response to this new political reality, we spent the summer of 2011 re-designing the No Tankers campaign. We broadened the campaign to include opposition to Kinder Morgan's oil tanker proposal on B.C.'s south coast and began focusing on the role of the government of British Columbia in the debate. The B.C. government has the power to protect our coast from oil tankers and spills - it's just a matter of using it.

## I no tankers continued

#### Our Objectives for the Year

Encourage B.C.'s provincial political parties to take a stronger stand against oil tanker proposals, including Kinder Morgan's Trans Mountain expansion;

Encourage more local governments to take a stand:

Grow our network by 30,000 people;

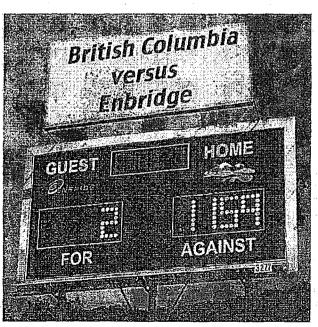
Help organize a strong showing at the federal Joint Review Panel hearings into Enbridge's Northern Gateway proposal;

Develop new tools to help supporters grow the network and engage elected decision-makers;

Set up oil tankers as a defining issue in the May 2013 provincial election.

#### **Our Successes**

We continued to march inexorably toward our goals. Overall, more than 40,000 new people became supporters of the No Tankers campaign and with the help of allies we successfully established the threat of oil tankers as a defining provincial political issue in the lead up to the B.C. election.



#### IN ADDITION, IN 2012-2013 WE:

Mobilized No Tankers supporters to grow the size of the network using our Find Allies kit. In some areas, Find Allies volunteers collected more signatures on our petition than our paid canvass team, totalling more than 20,000 new signatures overall.

Organized a letter-writing campaign and advocacy effort, which led to a successful resolution at the 2012 meeting of the Union of B.C. Municipalities. The resolution opposes any expansion of oil tanker traffic on B.C.'s coast. This is the strongest resolution ever passed by the UBCM on this issue. We also supported many successful resolutions passed by individual local governments.

Partnered with advocacy group LeadNow to hold 72 simultaneous "Defend Our Coast" rallies at MLAs' constituency offices across the province. With more than 6,000 participants, it was the largest, most widespread event in the history of the campaign.

Completed development of our Find Leaders tool kit, which provides supporters with a comprehensive journey to influence their local MLA.

Developed an online election organizing platform in advance of the B.C. election to help supporters across the province speak to their fellow constituents about the oil tanker issue at the door and on the phone.

Assisted those who registered to speak at the Enbridge joint review panel hearings and helped their testimony have a greater impact by blogging, making sure media were aware of particularly compelling testimonies and by connecting presenters to their local MLA via Twitter throughout the Victoria and Vancouver hearings.

Re-directed attention at the close of the Enbridge Joint Review Panel hearings back to the role of the provincial government by organizing two "Knock the Vote" events in Victoria and Vancouver (where we partnered with Forest Ethics Advocacy). More than 120 volunteers knocked on doors in specific electoral districts, speaking to voters about the party positions on oil tankers. The events also received extensive media coverage.



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Dogwood's Knock the Vote door-knocking blitz after the Enbridge review panel hearings. Photo courtesy of Matteus Clement.

#### **Our Failures**

- We under-estimated the amount of time it would take to complete both the Find Leaders kit and the online election platform, diverting resources from short-term tactics that could have seen one or both provincial parties come out with stronger positions, sooner.
- We failed to prepare for the razor-thin margin by which the UBCM resolution passed, which itself became the story, rather than the substance of the motion.
- We failed to adequately follow-up with the many dedicated people who so successfully used our Find Allies kit to grow
  the network.

Additional failures and lessons learned can be found in our Failures Report: http://bit.ly/direports

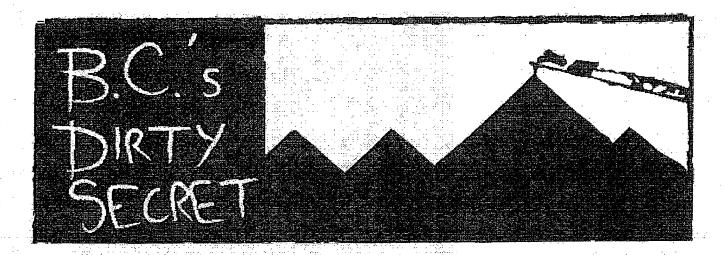
#### The Path Forward

Ultimately, the fate of oil tankers in B.C. waters will not be determined through regulatory processes; it is — and always has been — a political decision. That's why we are committed to bringing as many people as possible into our No Tankers network, helping them influence key federal, provincial and local decision-makers. Every day, we strive to do more for our coast with each minute and dollar donated.

No Tankers operates as a targeted and unique campaign within a growing and broad-based movement to half the expansion of crude oil pipeline and tanker projects to B.C.'s coast. We're incredibly proud to work alongside other non-profit groups, businesses, elected representatives and First Nations toward this common goal. Through it all we hope to advance Dogwood Initiative's core mission, which is to help British Columbians reclaim decision-making power over their air, land and water.

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## THE PARTY IS



The goal of our coal campaign is to stop the expansion of coal exports in B.C., particularly the export of U.S. thermal coal through B.C. ports.

#### Where We've Been

While British Columbia continues to call itself a clean energy leader, it is quickly becoming a major global player in what has been called the dirtiest, most polluting industry on the planet: coal. Controversial new coal mines have been proposed near Courtenay (Compliance Coal's Raven mine) and near Tumbler Ridge (HD Mining's Murray River coal mine). More than a dozen other coal mining proposals are seeking approval.

British Columbia's role in the global coal industry is not limited to mining; our province is also integral to the global trade in coal. Coal companies mining the Powder River Basin in Montana and Wyoming are growing increasingly desperate to find a west coast outlet for their thermal coal — a low-grade form of coal burned to create electricity. With the North American market switching to cleaner forms of electricity, the industry is looking to Asia for buyers, but it needs transport and shipping facilities — that means more coal trains and new or expanded ports.

But a strong citizen movement in the states of Washington and Oregon has built a united front against coal port proposals. Out of six proposals, three have already been defeated or withdrawn.

So the coal industry started looking north, where Vancouver ports have been shipping B.C. metallurgical (steel making) coal for decades and quietly expanding U.S. coal exports with little or no public notice or debate since 2008.

In 2011-2012, Dogwood Initiative published a report titled B.C.'s Dirty Secret: Big Coal and the Export of Global Warming

Pollution (bit.ly/bcdirtysecret) to shine a light on B.C.'s growing role in the global coal industry and began scoping out the framework of what a new coal campaign would look like.

#### Our Objectives for the Year

Develop three-year plan for building popular opposition to coal and coal exports in B.C.

Develop and implement communications strategy for coal campaign.

Recruit someone to lead coal program.

Expand and diversify funding base to allow for implementation of three-year program plan.

#### Our Successes

This year Dogwood was able to build on the successes of 2011-12, gaining resources and contributing to a growing momentum against the expansion of coal exports in B.C. and all along the west coast of North America.

By the end of the fiscal year Dogwood was able to hire a full-time coal campaigner Laura Benson. We also successfully built a partnership with the U.S.-based coalition fighting coal export facilities in the Pacific Northwest.



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#### SPECIFICALLY, IN 2012-2013 WE:

Conducted polling, interactive voice surveys and advertising in Lower Mainland communities most affected by increased coal exports after Port Metro Vancouver announced two new proposals in late 2012. This helped us begin to sketch out a longer-term communications strategy that will inspire and ignite British Columbians to take action on coal.

Activated our base of supporters on the coal export issue. More than 400 supporters in the Lower Mainland engaged in a letter-writing campaign urging the port authority to adequately consult the public and open up its decision-making process. Public pressure, outrage and action grew in the first three months of 2013, particularly after the port hastily approved the Neptune Terminals expansion despite the concerns of their neighbours.

Collaborated with local concerned citizens and Voters Taking Action on Climate Change to help put the coal export issue and lack of port accountability on the public's radar. Media are



Westshore coal terminal. Photo courtesy of Evan Leeson.

covering the story, politicians are responding to questions and pundits are forecasting coal exports as one of the issues likely to heat up in coming years.

#### **Our Failures**

- Although we succeeded in attracting some initial support to launch a coal campaign in 2012, we were unable to get sufficient funding to hire a full-time campaigner.
- Due to this, we didn't hire a full-time campaigner until the end of the year, delaying the launch of the campaign and hindering our ability to stop the Neptune expansion.

#### The Path Forward

The success of our coal campaign will depend on Dogwood's ability to support and sustain the growing movement against coal export expansion in the Lower Mainland in the coming year. Most immediately, we need to be sure the new coal handling facility proposed for Fraser Surrey Docks does not go forward. The final decision on Fraser Surrey Docks will be made by Port Metro Vancouver.

The only way to convince the port to listen is to scale up grassroots and political support into a powerful movement that cannot be ignored. That's why we will spend the next year spreading the word about coal exports, constantly increasing the base of support in Lower Mainland communities, and strengthening relationships with community, health and elected leaders to defeat the Fraser Surrey Docks proposal and prevent any further expansion projects for toxic U.S. thermal coal.



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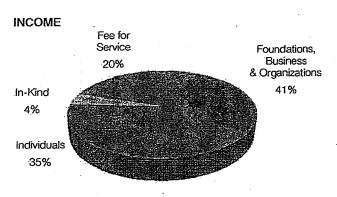
We can't thank you enough for another great year of growth at Dogwood. In January of 2012, Dogwood experienced a huge surge in the number of No Tankers petition-signers in the wake of the federal government's vocal attacks on oil pipeline opponents. People power is propelling the campaign and has made No Tankers an irresistible force in B.C. politics and society.

The No Tankers movement is in a David and Goliath battle with multi-national oil companies and we are winning thanks to the support of thousands of ordinary citizens. In 2012-13 we received gifts from 5,780 individuals, up from 3,167 the year before. This demonstration of popular support was not lost on Dogwood's foundation supporters who in turn increased their support for the No Tankers campaign. The bottom line is the organization had 31 per cent more resources available than in the year before.

One of our biggest stories this past year has been the growth in monthly donations. We began the year with 283 monthly donors and finished with 842, a three-fold increase. Monthly donations contribute in many ways: they lower fundraising costs, spread revenue evenly through the year and allow us the flexibility to respond quickly to emerging campaign issues. But the real story is not how much we raise but what we do with it. We did not increase the size of our staff; rather we invested in tools for distributed organizing, which allow volunteers to take an active lead within their own communities. We were able to extend the reach and effectiveness of the movement while maintaining the lean and efficient organization you entrust with your support.

Thanks from all of us — we can do nothing without you and anything with you.

Don Gordon CFRE, Development Manager



	2012-13		2011-12	
Foundations, Business & Organizations	\$437,618	41%	\$377,455	47%
Individuals	\$372,441	35%	\$311,062	38%
In-Kind	\$43,200	4%	\$65,000	8%
Fee for Service	\$211,868	20%	\$57,856	7%
TOTAL	\$1,065,127	100%	\$811,373	100%

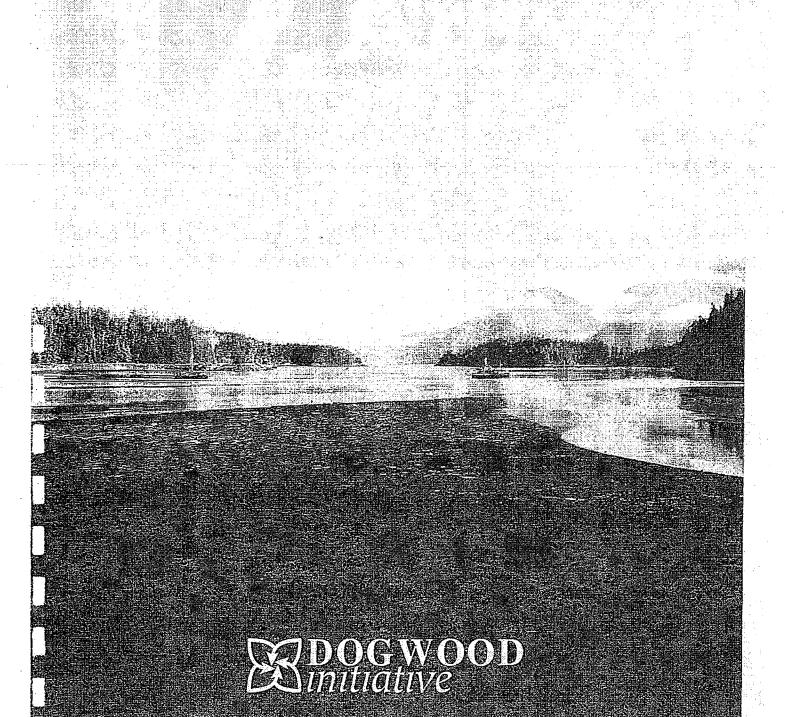
#### **EXPENSES**

Administration.

Operations & Fundraising
15% Programs & Campaigns
85%

•	2012-13		2011-12	
Programs & Campaigns	\$878,485	85%	\$721,167	85%
Administration, Operations & Fundraising	\$155,027	15%	\$128,295	15%
TOTAL	\$1,033,51	2 100%	\$849,462	100%

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Organizing 18
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Financials 24

Design

Erika Rathje

**Photography** 

Ilijc Albanese

Jaime Johnson

Liam Kearney (flickr.com/photos/lkearney)

AGC0161



Alisha Brown
Supporter Services Coordinator



Maggie Gilbert
Development Associate



Celine Trojand Organizing Director



Karl Hardin Digital Strategist



**Lyndsey Easton**Communications Coordinator



Matt Takach
Operations Director



Don Gordon Head of Revenue



Ian Birch Bookkeeper



Will Horter
Executive Director



Kai Nagata
Energy and Democracy Director



Laura Benson Coal Campaigner



Ariel Ross
Beyond Coal Organizer

4



Emma Gilchrist
Communications Director



Eric Swanson
No Tankers Director



Edie Irons
Communications Director



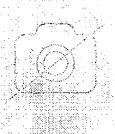
Sarah Richardson Supporter Services Coordinator



Ben Porcher Organizer



Alain Ndayishimiye Canvasser



Allieren Ward Organizer



Frank Arnold
Board Treasurer



Shannon McPhail
Board Director



Jennie Milligan Board Chair

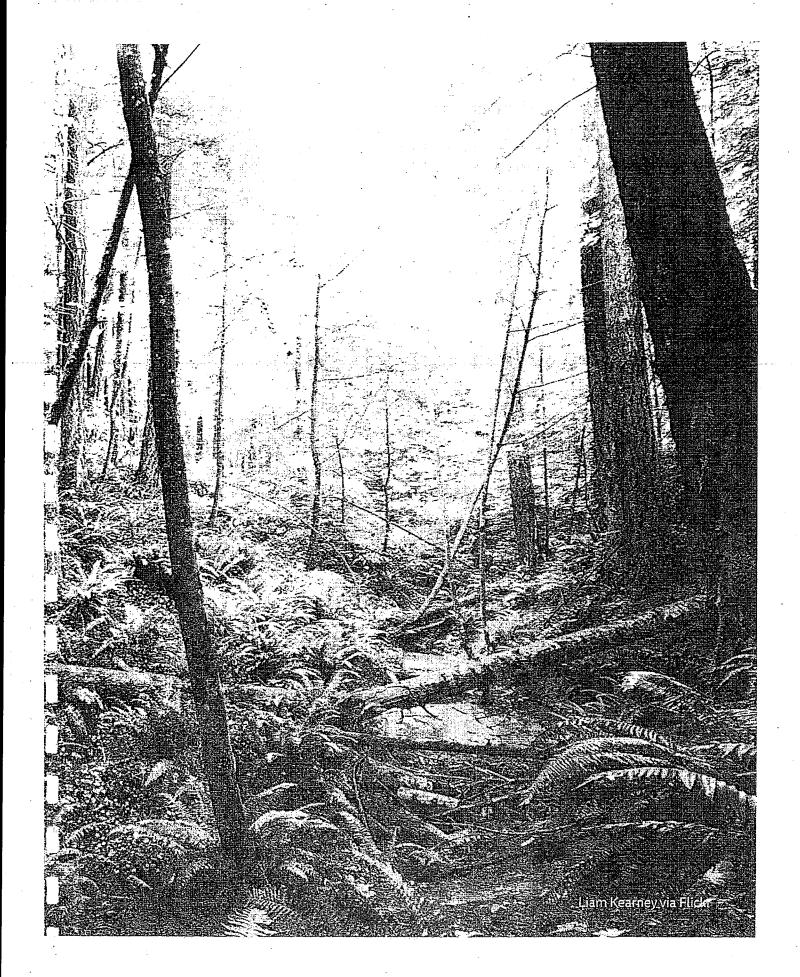


Geoff Mann
Board Director

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Dogwood Initiative brings together every day British Columbians to reclaim decisionmaking power over the air, land and water anavice panelon.

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"...'habituation is death'... When we become attached as individual leaders, organizations, or movements to our habits, our customs, and our traditions to the point where we become inflexible and resist innovation, that's the point when we move toward death."

- Akaya Winwood, Executive Director, Rockwood Leadership Institute



BY WILL HORTER

## **Executive Director's Report**

Changing the status quo is hard, whether out in the world or inside Dogwood Initiative. After 20 plus years as a change agent, I remain surprised that many of us with jobs dedicated to creating a better future in many ways resist new approaches to the very changes we're trying to make.

Unfortunately, over the last few years politics has fundamentally changed in Canada. Politics is no longer - if it ever really was - a debate about ideas. Now it's all about simple arithmetic (i.e. vote counting). To be effective in this new reality, change agents such as Dogwood Initiative must demonstrate we have a large constituency that will collectively act in a focused manner.

Over the past few years we've had some success getting large groups of people to act collectively. Our petitions have garnered tens to hundreds of thousands of signatures. The highlight was when 32,000 people signed the No Tankers petition within weeks of then Natural Resource Minister Joe Oliver's attacks on environmentalists and public advocacy groups.

Last year we took a hard look at the work we've done in previous years, and while remaining proud of what we'd accomplished, we concluded it wasn't good enough. By itself, growing lists of people won't

move the needle in any significant way. We realized we had to make fundamental changes to be more effective. We challenged ourselves to figure out a way to catalyze strong relationships at scale.

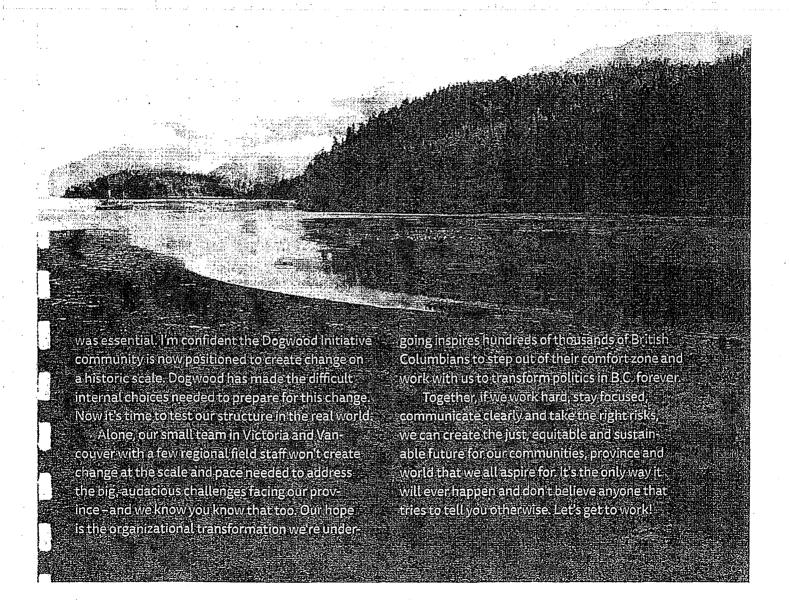
Instead of continuing to mobilize organizing efforts for our existing campaigns, we faced the classic innovator's dilemma: should we scrap our existing approach and build something stronger?

After a lengthy internal process and much soul-searching, we decided to restructure the organization to de-emphasize staff-led efforts and heavily invest in decentralized, unpaid staff.

This re-imagining was difficult, but transformative. It was kind of like taking the wings off a plane midflight and replacing them with a helicopter propeller. We elevated organizing to its own program and appointed our organizer extraordinaire as its director. For the No Tankers campaign, we brought on a new director and shifted focus to build local teams in B.C.'s 85 electoral ridings – turning Let BC Vote into more than just a slogan. For our Beyond Coal campaign, it meant honing in on our theory of change and clarifying our role in catalyzing the growing opposition.

Although it was difficult at times, the transition

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BY LAURA BENSON

## Beyond Coal Campaign



# Goal: No further expansion of coal exports through B.C. ports

#### Where we've been

In the B.C. government's single-minded pursuit of a liquefied natural gas (LNG) industry for our province, Premier Christy Clark has pledged that LNG exports will help wean China off dirty coal and thereby improve the climate and airshed that we share globally.

Meanwhile, B.C. continues to be North America's largest exporter of coal, and the coal industry continues to push for expanded port capacity to ship more of the dirtiest fossil fuel on earth. Much of this pressure comes from U.S. coal companies desperate to find an outlet to Asia for their low-grade thermal coal before the industry collapses for good.

British Columbia is the weakest link in the supply chain to get coal from the U.S. Powder River Basin to Asian power plants for two reasons: we already have coal export terminals and our regulatory and environmental assessment systems for new projects are far weaker and less democratic than in the U.S. Of the four proposals for new coal ports on the west coast of North America, only the Fraser Surrey Docks-Texada Island project has a chance of moving forward before 2015.

Dogwood started a slow build towards a coal campaign in 2011-2012 with the release of BC's Dirty Secret, a report revealing the staggering extent of planned coal mining and export expansion in our province. In 2012-2013 we developed key alliances with

B.C. and American groups and pursued funding to provide the foundation for a full-fledged campaign.

We've come a long way in the past year in the fight to prevent the expansion of coal exports from British Columbia. In 2013-2014 Dogwood hired me to build the campaign along with Arie Ross and Alan Ndayishimiye, a dynamic duo of summer canvassers. After the summer we kept Arie as a full-time organizer for the newly-branded Beyond Coal campaign.

#### Building a big tent

We started the campaign full-tilt by entering the fight to prevent the approval of the Fraser Surrey Docks-Texada Island transshipment project. Dogwood was able to bring its strengths to a powerful and growing network of organizations dedicated to supporting an unprecedented groundswell of grassroots and political opposition to thermal coal export expansion in southwest B.C. At the same time, we bolstered our alliances in the U.S. Power Past Coal coalition to build a cross-border wall of resistance to coal export expansion.

Through our work together, the movement forced Port Metro Vancouver to change the approval process for the Fraser Surrey Docks-Texada Island project. Although the port's responses were wholly inadequate, they did result in a significant delay: approval that proponents once considered a sure thing was delayed by more than a year.

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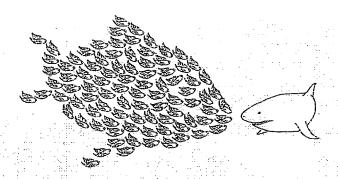
Here are just a few of the movement's major accomplishments.

#### Public support goes big

- 29,573 people have signed the Beyond Coal petition, many from impacted communities in southwest B.C.
- 3,464 people submitted comments to Port Metro Vancouver panning Fraser Surrey Docks' inadequate environmental impact assessment. This was a record-breaking number of comments for a Port Metro Vancouver project and only six comments were in support.
- Nearly 3,771 British Columbians wrote to our provincial ministers of health and environment asking for comprehensive environmental and health impact assessments that would cover the full scope of the Fraser Surrey Docks-Texada Island project.
- Five school boards and as many high school student councils passed resolutions opposing U.S.
   thermal coal export expansion or supporting the call for a health impact assessment.
- Nearly 100 local businesses, the B.C. Nurses Union and a dozen other organizations supported the movement.
- In October 500 people attended a rally to "Take Back Our Port".

#### Health impacts get profile

The chief medical health officers of the Fraser and Vancouver Coastal Health Authorities called for an independent, comprehensive health impact assessment of the Fraser Surrey Docks project. The provincial health officer and medical officer for the Sunshine Coast supported this call, as have nearly 50 doctors.



#### Municipal leaders stand up

As a result of these successes, local government leadership in opposition to coal and port expansion has been extraordinary. Thirteen municipal and regional councils passed resolutions expressing concerns or opposition to the Fraser Surrey Docks-Texada Island project or supporting the call for a health impact assessment and public consultation in the project's permitting process.

#### Hard lessons

As with many projects, we bit off more than we could chew. Our biggest failure: ambitious plans that didn't reflect the reality of our limited resources.

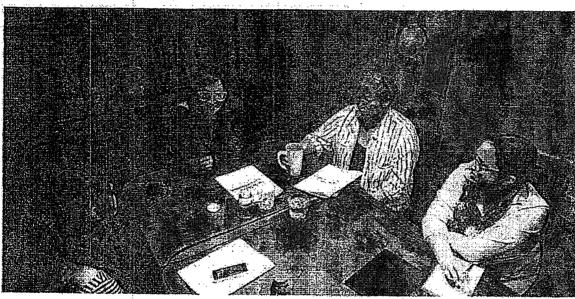
Through the process of focusing and streamlining we learned a lot about the time and resources required to successfully pursue multiple tactics at once. We learned the importance of focusing on what Dogwood is really good at building and mobilizing a big, broad network of supporters. We learned a lot about bringing those strengths to the larger movement against coal export expansion in order to maximize and support our work together, rather than overlapping or undermining the work of our partners.

#### Where we're headed

In the coming year, Beyond Coal will focus on defeating the Fraser Surrey Docks-Texada project once and for all. We will deepen and strengthen our network of allies and build an ever-bigger, more powerful network of Beyond Coal supporters to ensure every level of government respects the will of constituents so industry cannot proceed with coal expansion projects without public consent.





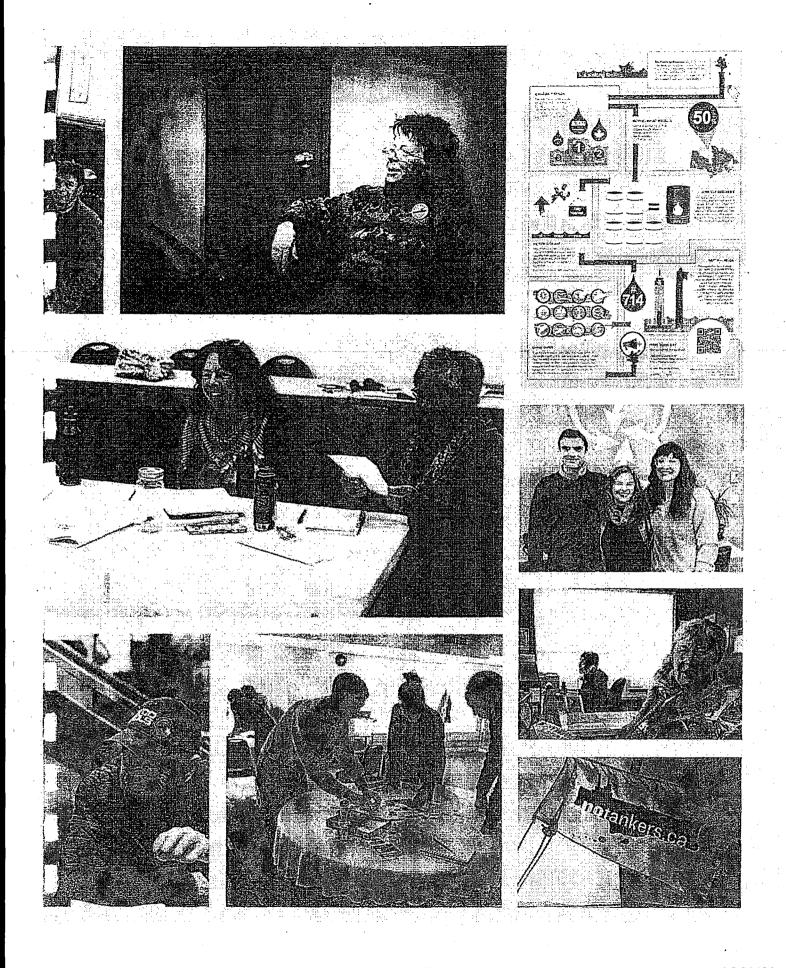














BY KAI NAGATA

## No Tankers Campaign



Goal: To halt the expansion of crude oil tanker traffic on Canada's Pacific coast. With the help of 200,000 people in British Columbia, we've held the line since 2007.

Over the years more than 130 First Nations have signed legal declarations banning raw bitumen exports through their territories. A large majority of British Columbians also oppose new oil tanker projects. Yet some Canadian politicians appear willing to ignore indigenous law – and their own constituents – when it comes to advancing the interests of a small number of foreign-owned energy companies.

Our No Tankers campaign works to organize B.C. voters to put electoral pressure on legislators otherwise tempted to disregard our collective values and aspirations. We believe in finding unlikely allies, building a broad consensus, then empowering individual citizens to work together until their political representatives have no choice but to do the right thing.

#### Where we've been

In the past year Dogwood has undertaken a dramatic structural transition, implementing new decentralized engagement organizing that has quickly transformed the No Tankers campaign. 2013-2014 was a year of profound change, from the B.C. election rollercoaster to the launch of our new citizens' initiative preparation strategy to a watershed plebiscite vote in Kitimat.

Our biggest long-term success came in the form of the B.C. government's final arguments at Enbridge's federal review hearings. The province officially concluded that Enbridge's project shouldn't be approved as proposed. The strongly worded submission set out definitions for "effective oil spill response", saying, "... 'trust us' is not good enough". The technical bar the province put in place as a condition of its support is virtually impossible for Enbridge to meet, making a later flip-flop politically dangerous for Premier Christy Clark.

Partway through the year, the field organizing component of the campaign became its own distinct program at Dogwood. At the same time, founding No Tankers director Eric Swanson wrapped up his contract. I took over the file in March 2014 and draw on my background as a former political journalist and fourth-generation British Columbian in my new role.

With new team members settled and a network of volunteer organizers building strength across the province, Dogwood and its No Tankers program are poised for unprecedented growth and development.

As the fiscal year came to a close, our new approach to organizing was validated by events in Kitimat. Mayor Joanne Monaghan's decision to call a local plebiscite vote on Northern Gateway was seen as a PR gift to industry. With no campaign spending limits and a remote population dependent on resource jobs, the Kitimat plebiscite dangled the elusive "social license" Enbridge had been looking for. The pipeline company took the bait, unleashing a massive ad campaign all across northern B.C. while canvassers flew in from Calgary and Edmonton.

One Kitimat resident described it as "like being

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raided by a SWAT team three times a day". Rented black SUVs prowled the snowy streets; idling in driveways as Enbridge executives knocked on doors and handed out pamphlets to bemused townspeople. But the people of Kitimat soon pushed back.

A team of local volunteers called Douglas Channel Watch organized themselves along the same model taught by Dogwood. With a little help from Dogwood Initiative and a lot of hard work and passion, voters in Kitimat pulled off a David-and-Goliath upset, defeating Enbridge at the ballot box and shifting the province-wide conversation to one about democracy.

#### Hard lessons

2013 also held its share of setbacks and failures - starting with Dogwood's experience in the provincial election. No Tankers teams charged into swing ridings, knocking on doors, polling voters on their top issues and providing information about the parties' different positions on oil export projects. We also tested a new online organizing platform, NationBuilder, which has since become the backbone of our ground game across the province.

We succeeded in making the expansion of oil tankers a major election issue in 2013, as Green, NDP and Liberal leaders competed to be perceived as No Tankers champions. Three weeks before the vote, frontrunner Adrian Dix of the BC NDP tried to prevent a Green Party breakthrough by coming out against the Kinder Morgan proposal, which caught even his own party by surprise. Dogwood organizers celebrated: Here was someone most pundits predicted to be the next premier, adopting the position we had fought so hard to advance. Polling showed an immediate bump for the NDP as voters abandoned other parties and rallied behind Dix on the tanker issue. Christy Clark's top advisors urged her to follow suit:

What happened next was instructive and sobering. Clark did not follow Dix on Kinder Morgan. Instead she turned it into a wedge issue, accusing him of flip-flopping, then wove it into a larger story about an NDP she said was opposed to jobs, development and economic growth. At the same time she took outfull-page ads saying she would "Stand Up For BC". Key union leaders withdrew get out the vote support from Adrian Dix and his campaign fell steadily off the rails. NDP voters stayed home thinking they had the election in the bag. Polls, it turns out, don't tell the whole story. And a general election is not always the best time to push a single issue.

December's conditional approval of Northern Gateway by the National Energy Board (NEB) was bittersweet. We expected it, but held out a faint hope that the power of 99.8 per cent of presenters being opposed might sway the panel. Unfortunately, the panel found that Enbridge's Northern Gateway was in the "national interest". Pro-pipeline commentators crowed. Many opponents sank into a funk. Lawyers filed five lawsuits: But there were two important lessons. One: the very act of participation builds power through the sharing of stories. The other: it's now crystal clear the NEB serves industry, not democracy. If we want a democratic outcome on oil tankers, we have to work harder than ever.

In the wake of the NEB decision Dogwood launched preparations for a potential citizens initiative. Under a law unique to B.C., any citizen may draft a piece of provincial legislation – in this case, a bill withdrawing provincial construction permits thereby stopping pipeline construction. The trick is, to make it to the floor of the legislature or to a province-wide vote, it must have the support of 10 per cent of voters in every riding of the province. Those signatures must be gathered in person.

Initially, our initiative-prep strategy triggered discord amongst allies who thought the thresholds were insurmountable. Slowly, as the network of organizers has built neighbourhood by neighbourhood, riding by riding, the initiative has built immense momentum as it becomes a viable political avenue.

### "I fought for democracy in Apartheid South Africa. Now I'm fighting for the rights of communities in B.C. to say no to these projects."

- Antoinette, organizer in the Slocan Valley



#### Where we're headed

The beauty of the citizens initiative strategy is threefold. First, unlike an election of perendum, it is the people that control the timing in of the politicians. Second: preparing for such an effort creates a focused framework within which to organize across the province on an unprecedented scale. Third: the skills necessary to pull off a citizens' initiative are the same skills that win elections—or plebiscite votes.

The legacy of 2013-2014 is that those of us working to stop these tanker projects are no longer written off as some fringe band of environmental

activists. We're the democratic majority. We're urban and rural, First Nations and non, liberal and conservative. We're the mainstream, and we're taking back our democracy from the oil companies. Neighbours got together to defeat Enbridge despite a badly rigged vote in Kitimat. Thanks to B.C.'s direct democracy laws, we know we can do the same thing on a province-wide scale. Along the way we're building a nonpartisan political machine of extraordinary strength and potential.

First well stop these tanker projects. After that, well see:

BY CELINE TROJAND

## Organizing



Goal: Build local, empowered, skilled and resilient political organizing teams across all 85 electoral ridings in British Columbia.

Unorganized people are powerless and organized people are formidable. That's the conclusion Dogwood Initiative has reached after reflecting on our work from the past 15 years.

Building real community power and engaging with British Columbians as an integral part of B.C.'s political landscape has always been central to Dogwood's work. Over the years we've gone through innumerable transformations as we tested the most effective ways to engage and empower communities around the issues they care most deeply about.

#### Where we've been

We've learned there are no shortcuts when organizing with people. It takes calculated and sometimes monotonous work to build a formidable network that's held together by strong relationships and commitment – it takes time to build shared purpose, responsibility and ownership.

The values Dogwood has traditionally brought to our efforts is clear and focused strategic thinking. What we were missing, however, was the prioritization of personal relationships and leadership development at the local level that empowers regular people to take action and develop their community.

This year we were thrilled to launch a new organizing program. My responsibility as Dogwood's first

ever organizing director is to identify, mentor and build leaders in all four corners of British Columbia. While today we're organizing to stop the expansion of oil tanker traffic on our coast, we are in fact building a resilient constituency of British Columbians committed to reclaiming their decision-making power.

Success relies on millions of conversations, thousands of training sessions, months of travel, collaboration with allied groups and trial and error. Our province is wide and its communities are diverse. We launched our program in January and so far the results have been extraordinary.

In the first three months our local organizing teams grew from 2 to 44. We grew from a four-member organizing team to more than 500. We're actively engaged in 45 of the 85 provincial ridings. Every step of the way I've been blown away by the quality and courage of the people stepping into leadership roles. It takes so much bravery to do this work and our community has never let us down.

#### Hard Lessons

"Great vision without great people is irrelevant." - Jim Collins

Every British Columbian who steps up to organize is a great gift to the movement. However, not every well-meaning, passionate British Columbian is in a position to lead a team into the trenches. So far, the hardest lesson learned in organizing has been to let results and data drive our relationship decisions – the surest way to burn out organizers is to invest in people who don't deliver.



#### Where we're headed

The hard, day-to-day work of organizing isn't flashy or glamorous, so the media won't always cover our team's activities. But rest assured, organizers will be out there every day, sharpening their skills and growing the movement.

- Over the summer we'll see organizers at events and canvassing door-to-door, practicing the nuts and bolts of political organizing.
- In the fall, many teams will work in upcoming municipal elections and other opportune moments.
- Every step of the way, teams will develop the relationships needed to be most effective political change-makers this country has ever seen.

Dogwood Initiative is experiencing exponential growth and with every new organizer we expand in capacity and resources needed. To be frank, the organizational structures needed to support this massive influx of unpaid staff are evolving and we're not entirely sure what shape our organization will take by years end, but we do know that it will be transformative.







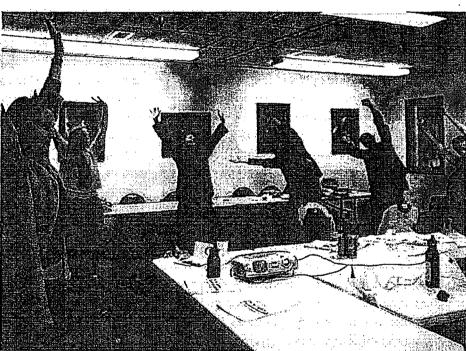




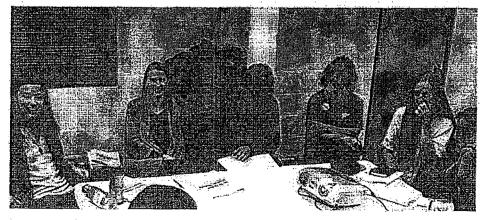














BY DON GORDON

## **Fund Raising**

Goal: \$1,200,000 Actual: \$1,390,271

#### Where we've been

How much is enough? We know if we tallied the money raised in a year by Dogwood and our allies, it would still be dwarfed by the money Enbridge spent on TV ads during Hockey Night in Canada alone. We can't outspend them and yet by all measurable and democratic accounts, we're winning.

Dogwood relies heavily on the support of individual donors—and that's what keeps us independent. In 2013–14 we received 7,684 gifts from 5,613 donors, with more than 1,000 of those donors giving monthly. Individual contributions and fee-for-service contracts provided 55 per cent of our revenue, while the balance came in through grants. Overall we had a 31 per cent growth in revenue from the previous year.

But the real story isn't how much money we raise – it's what we do with it. We were able to extend the reach and effectiveness of the No Tankers and Beyond Coal movements while maintaining the lean and efficient operations you entrust with your support.

Thank you from everyone at Dogwood. We can do nothing without you, and everything with you.

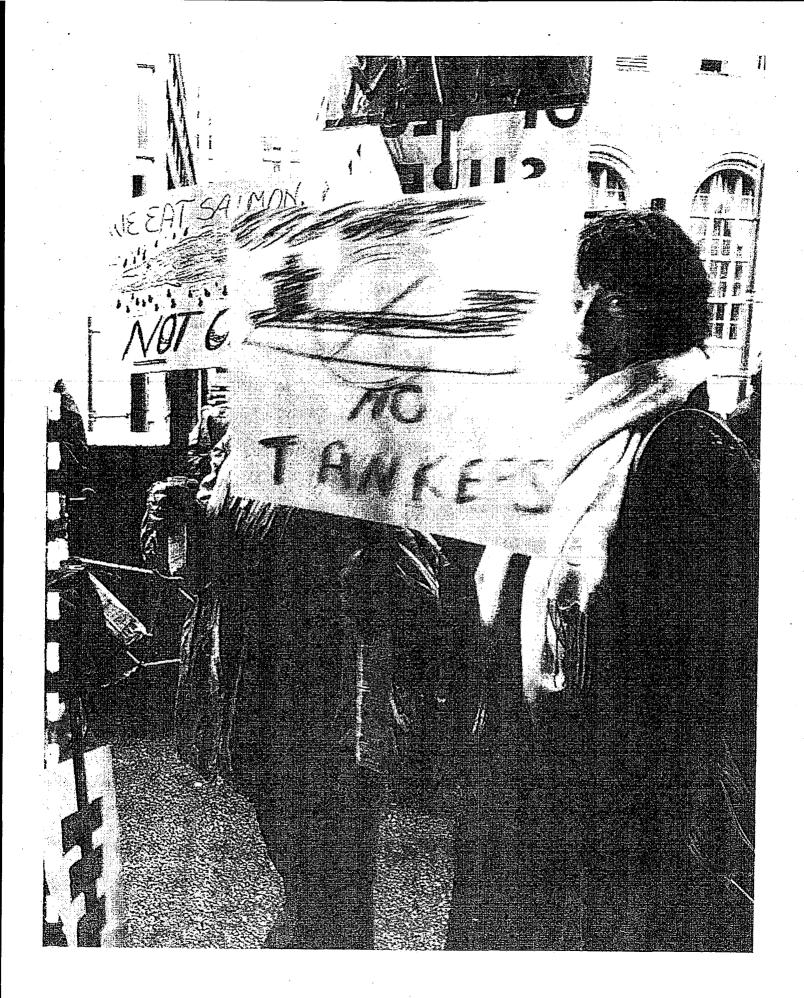
#### Hard lessons

With annual growth rates exceeding 30 percent since 2011, there have been few hard fundraising lessons as of late. That said, every year we identify expanding our major donor program as a priority and every year it gets under resourced. 2013 was no exception. Until we expand the resources available to deepening relationships with potential major donors, this aspect of fundraising will stagnate.

#### Where we're going

Monthly donations from individuals will continue to be our main priority for growth, as these donations yield higher returns, a more regular income and virtually no administrative costs. Our goal is to become so relevant and inspiring to British Columbians that more people become monthly supporters, allowing us to pay our core expenses without seeking grants.

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## Financials

N.B. Summarized from our audited financial statements

#### Statement of Financial Position

March 31, 2014

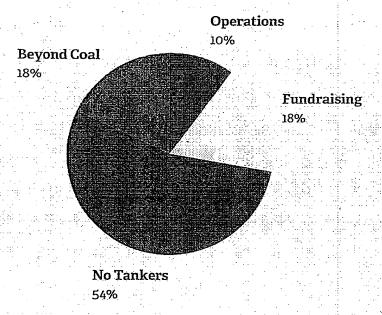
	2014	2013
ASSETS		
Current	\$367,379	\$147,171
Other	\$211,554	\$185,314
	\$578,933	\$332,485
LIABILITIES AND NET ASSETS		
Current	\$225,532	\$247,276
Other	\$162,349	\$0
	\$387,881	\$247,276
Net Assets	\$191,052	\$85,209
	\$578,933	\$332,485

#### Statement of Revenues and Expenditures

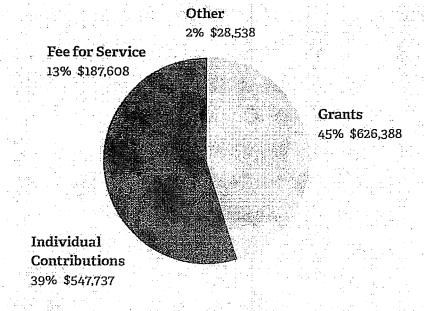
Year Ended March 31, 2014

	2014	2013
REVENUE		
Grants	\$626,388	\$437,618
Individual Contributions	\$547,737	\$415,641
Fee for Service	\$187,608	\$169,000
Other	\$28,538	\$42,868
	\$1,390,271	\$1,065,127
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EXPENDITURES		
Overhead	\$132,595	\$112,965
Communications/Campaigns	\$372,316	\$268,772
Special Events	\$12,347	<b>\$11,14</b> 5
Travel	\$25,154	\$20,725
Human Resources	\$748,439	\$619,904
	\$1,290,851	\$1,033,511
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Excess of Revenue Over Expenditures	\$99,420	\$31,616

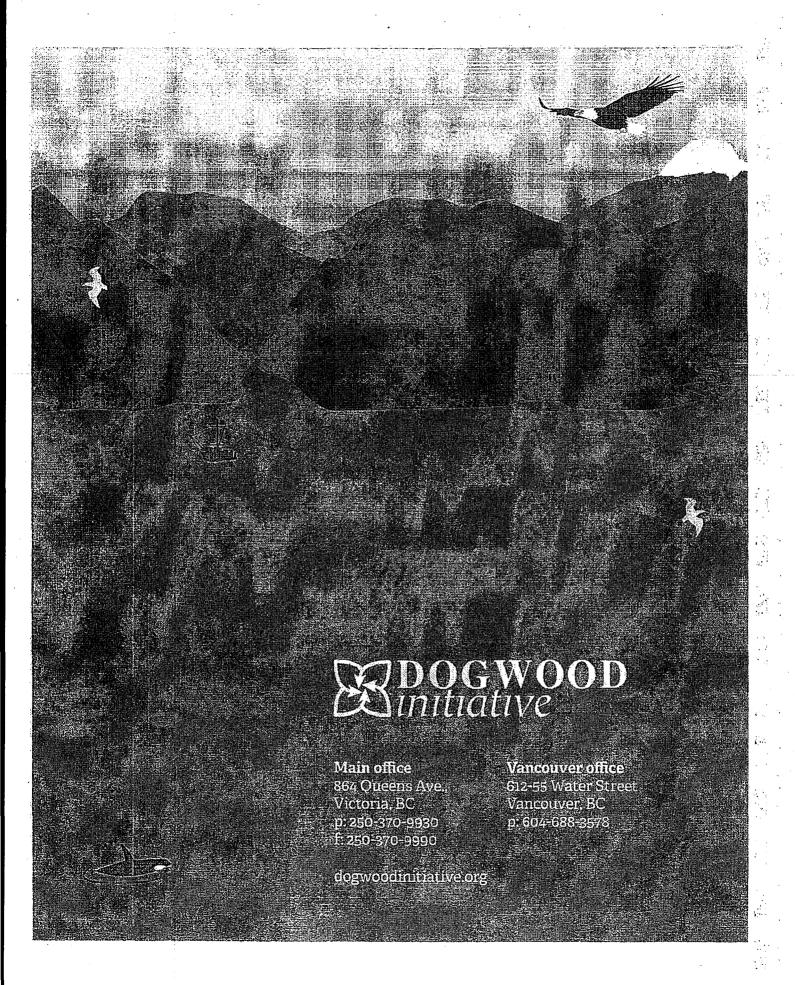
## Expenses



### Revenue



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# Dogwood Supporter Survey Findings

October 2013

Cara Pike of Rike Productions

Pike Productions

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# **Dogwood Supporter Survey Findings**

## I. Survey Overview

In August 2013, the Dogwood Initiative conducted an online survey to gauge supporter interests, affinity to the Dogwood mission and approach, and to gain input on ways supporters are interested in engaging further.

The Dogwood supporter base was divided into four segments:

- Donors: Donor = Yes in Salesforce and Engagement Level less or equal to 1.
- Donor/Action-Takers: Donor = Yes in Salesforce and Engagement Level greater than 1.
- Action-Takers: Donor = No in Salesforce and Engagement Level greater than 1.
- Non-Donor/Non-Action-Takers: Donor = No in Salesforce and Engagement Level less or equal to 1.

The survey was sent via email to 4,563 Donors, 2,264 Donor/Action-Takers, 6,930 Action-Takers and 72,095 Non-Donor/Non-Action-Takers. A total of 3,438 surveys were returned with the following response rates from the segments: 10% of Donors, 24% of Donor/Action-Takers, 11% Action-Takers, 2% Non-Donor/Non-Action-Takers.

## II. Key Takeaways

- 1) Dogwood supporters largely fall within the demographic categories outlined in the "what we know" supporter summary. Donors and Donor/Action-Takers tend to be older, and more likely to be retired and more affluent; while Action-Takers and Non-Donor/Non-Action-Takers tend to be younger and a portion have children at home. Not surprisingly, Dogwood supporters tend to vote NDP and Green Party at both the federal and provincial levels; however, 13% of Donors voted Liberal in the last federal election and 11% of Non-Donor/Non-Action-Takers voted Liberal in the last provincial election. Almost all of the survey respondents reported giving to other organizations besides Dogwood. In addition to donating to a number of conservation/environmental organizations, Dogwood supporters are contributing to health organizations, such as Doctors Without Borders and BC Children's Hospital, and organizing groups such as LeadNow. To a lesser extent they donate to animal rights groups and organizations that help children, especially those in developing countries.
- 2) Top concerns for Dogwood supporters are quite similar across the segments, with environment in the lead followed closely behind by the state of the democracy. Pipeline developments are also a top-tier concern, followed by health care and education as secondary issues. While coal is not a leading issue for any of the supporter segments, donors are the least likely to be interested in the issue.

There is a discrepancy between the top concerns for Dogwood supporters at a provincial level and local issues. Environmental degradation leads as a provincial issue followed by pipeline developments; however, at the local level the focus is more on land use, transportation and housing issues. Many supporters see Dogwood as a Victoria-based organization focused on provincial issues, versus operating at a local level.

3) Donor/Action-Takers are the most pleased with Dogwood. They are most familiar with Dogwood's agenda and are also candid with their feedback. At the same time, it is important to note that all segments are engaged in Dogwood's mission to some extent and approach and praise the organization for its tenacity. In terms of factors influencing people's support of Dogwood, "Responsibility to protect our natural heritage" scored highest across all segments, followed by "Dogwood works on issues I'm passionate about" and "political approach."

## Praise from Supporters

"You are a wonderful group of souls, thank you for what you are and what you do (and whom you must be)."

"I just know that what you are doing is really important for this country."

"I hope that those involved with Dogwood are taking the time to enjoy life, are kind to each other, and find ways to have fun with the campaigns."

"I really love Dogwood's work. They have great communication with their members, their work is focused and effective."

"Dogwood answers emails and responds to phone calls. I appreciate this very much.

Dogwood feels real and local."

"Gives hope."

"I like that DI is tough but respectful."

It is important to note that even though the Non-Donor/Non-Action-Takers have only been given a level one rating on Dogwood's engagement ladder; they have very positive impressions of Dogwood, report reading emails frequently and say they are quite willing to do more. While they are less strident about tankers, they are following the issues quite closely and have similar impressions of Dogwood as the other segments.

4) For the most part, Dogwood supporters from across the segments are pleased at how Dogwood is keeping them informed and equipped with tools to engage in issues. Donor/Action-Takers are most complimentary of Dogwood's organizing style and have the highest level of awareness of the campaigns Dogwood has run. At the same time, all

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segments say they appreciate that Dogwood provides critical information that is not available in mainstream media and that the organization gives them access to a platform they can use as a regular citizen to try to create change. At the same time, some supporters question the effectiveness of online email petitions (i.e. does anyone really pay attention to them given the state of the democracy) and wonder if there are other approaches Dogwood should be taking. Finally, supporters from across all four segments commented they would like to see more issue content and campaign updates, and fewer fundraising appeals in the mix.

All supporter segments say they are getting just the right amount of information. This is true more for the email content, which all segments score highly. While there is less satisfaction with the amount of phone calls and direct mail supporters receive, it is important to note that more than three-quarters of supporters feel the volume is just the right amount. Donors are the most content with the avenues Dogwood provides for action, while supporters from other segments often ask for ways to contribute other than giving money, and want more in-person action opportunities.

Despite the fact many Dogwood supporters comment that they are already doing what they can given how many groups ask for help, all survey segment respondents report being willing to do more for Dogwood. Not surprisingly, the Donor/Action-Taker segments is most willing to help, but all supporters say they would share campaigns online, attend events, and write letters to the editor. While percentages were lower, many supporters are also willing to phone or write officials, collect signatures, and speak at public meetings. 31% of the Non-Donor/Non-Action-Takers segments said they would be willing to make a small donation.

5) There is unfortunately a lack of clarity about Dogwood's effectiveness across the segments. For example, only one-quarter of the Donor segment ranks Dogwood as being very effective in achieving its mission (lower than how Donor/Action-Takers and Action-Takers rate Dogwood). While the more informed and engaged supporters do credit Dogwood with playing an important role in at least slowing down the Northern Gateway pipeline and other fossil fuel developments, many supporters do not know how to evaluate Dogwood's effectiveness. There is recognition that the odds are tough, that Dogwood plays an important role, and that the organization has an impact in keeping issues on the radar, particularly for being a small organization. Yet at the same time, supporters want more information about the milestones that Dogwood is achieving. They want to know what the historic outcomes are, as well as more recent impacts. For Donors, they want more clarity on the impact their donations are having and need more convincing that Dogwood is using their donations efficiently. Perhaps most significantly, only 36.25% of donors include Dogwood in their list of the top three non-profit organizations they support.

Part of the effectiveness challenge is related to supporters' frustrations that there are too many organizations filling up their inboxes with worthy causes and they simply don't have time to sort out how groups differ, which group is best and how the efforts fit together.

Supporters across the segments wish that groups would coordinate and help streamline the outreach efforts and have a larger impact. While there is only so much Dogwood can do to address larger ENGO coordination issues, there are things that can be done to call out Dogwood's contributions and milestones, and to make clear when Dogwood works with others and when it is leading on its own.

There is also overall frustration that the government, business and the media are not listening to any citizen organizations. Supporters are ready to credit Dogwood with trying hard, but they feel hopeless about it making any difference. As part of this, there are calls for more attention on issues related to the abuse of democracy, with calls for Dogwood to focus on keeping decision makers accountable and getting anti-environmental politicians out of office. Some supporters think Dogwood should get involved in campaigns addressing proportional representation because the political structure is undermining all environmental protections. In addition, some supporters suggest that Dogwood pay more attention to media outreach — both in terms of showing up more in mainstream media, but also in terms of taking more creative approaches, such as community-driven media and cultural campaigns. Many Dogwood supporters want to see the organization having a greater influence on the public discourse, and often comment that they want their friends and circles of influence to know about Dogwood, the issues they work on, and their importance. This is largely an identity issue where supporters want to know that others are interested in what they care about and find Dogwood worth paying attention to.

- 6) A reoccurring theme is that many supporters from across the segments ask Dogwood to do more to tie the "symptoms" (pipelines, tankers, coal) together into a broader frame that addresses the source (fossil fuel expansion). To a lesser extent, supporters also want to see climate change acknowledged as a threat. On a related note, many Dogwood supporters appreciate Dogwood's focus on the "no" campaigns, but at the same time, some supporters would like to see Dogwood include some "yes" campaigns that help forward solutions (i.e. the transition to clean energy) and that illustrate what effective government leadership could look like, rather than just emphasizing what is broken.
- 7) Dogwood supporters have a mixed response to the organization's involvement in political organizing. Many supporters are in favour of this approach, largely because of the frustration around the state of the democracy; however, many are calling for Dogwood to clarify its political strategy and priorities and to avoid falling into partisan traps (i.e. sounding like the NDP). Not everyone is happy, however. A number of supporters feel that they are being forced to support party platforms while others are outright critical of the actions Dogwood took during the last provincial election. At the same time, there were suggestions from Dogwood supporters that the organization go beyond reacting to elections and take on proportional representation as a core campaign issue.

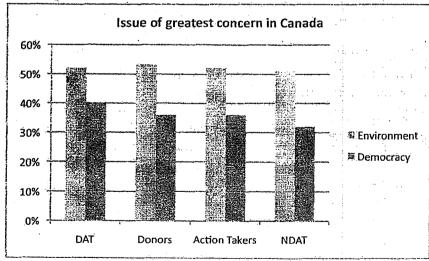
### III. Recommendations

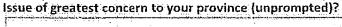
- 1) Clarify and communicate regularly the outcomes of Dogwood's efforts with supporters. Provide information about the milestones Dogwood is achieving, even if the larger challenges remain. Consider sending more results emails that report on outcomes and successes, but don't ask for money or further actions. Distinguish how Dogwood's approach differs from other environmental groups as well as from groups that focus on democracy and movement building, such as LeadNow. Articulate when and how Dogwood partners with other organizations to achieve results.
- 2) Find a way to connect the dots on the work you do and the challenges in the world. Tie the tanker and pipeline campaigns into a larger narrative about the need to reduce our dependence on fossil fuels, and address the many environmental impacts of carbonintensive energy developments such as air and water toxins and climate change. Dogwood supporters appreciate the focus on a number of priorities; however, they want to see the "no campaigns" tied to efforts to promote solutions, particularly the transition to clean energy. Work on communicating the "making space for yes" narrative.
- 3) Better articulate Dogwood's political strategy and stance and how the organization plans to move forward in this area, including plans for 2015 and how Dogwood is planning to work with other organizations to create a significant citizen response.
- 4) Address the disconnect between the desire many Dogwood supporters have for more distributed, local, in-person opportunities with Dogwood's current focus on provincial issues. While the more involved response would be to move into working on transportation, local land use and housing issues, a more realistic approach might be to share Dogwood's plan for building more grassroots capacity over time so that expectations are kept realistic. Additionally, there are a number of supporters who indicate that they are willing to take on leadership on behalf of Dogwood at a local level it's important to follow-up with these people to bring them into the existing efforts, such as the grassroots organizing strategy.
- 5) Consider developing a tailored approach for Dogwood supporters who live outside of the province but who are donating to you and looking for ways to participate from afar. Determine the best role for these supporters to play, keeping in mind that many of them are highly engaged but obviously cannot attend B.C. events in British Columbia. This could be as simple as making sure to acknowledge those outside of B.C. with a line in every email.
- Supporters from across all four segments want more factual information on Dogwood campaigns that can be easily digested and shared with friends and family. They want help determining talking points for reaching their networks, and would be happy to engage the media as well if they had guidance. Consider producing more materials that serve this need, such as "How to talk to your Conservative uncle" or handy talking point graphics for sharing on Facebook.

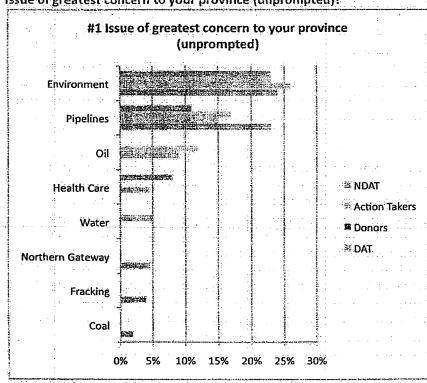
- 7) Non-Donor/Non-Action-Takers are more engaged than many thought. While they do have less affinity to Dogwood than other segments, comments from this segment reflected that they are following what Dogwood is doing. The challenge is to break through the multi-issue landscape they are immersed in by proving Dogwood's effectiveness in the ways outlined above. Given this is the youngest segment, it also might require re-examining Dogwood's narrative and approach to find ways to make the organization more relevant to younger Canadians. Keep in mind that close to one-quarter are making more than \$75,000 per year, reflecting an opportunity for donations as well. However, it might be wise to assume a long engagement cycle for this cultivation, given that they are still, to some extent, waiting on the sidelines.
- 8) Let Dogwood supporters know when you are in the media for example, a section in enews might be a good fit. Offer supporters a range of options for engagement, such as being involved in campaigns to place letters to the editor or add voices to radio call-in shows, or providing more social media actions. Brainstorm strategies for working with supporters to create more of a presence in a handful of strategic locations where increased issue as well as Dogwood profile could serve a purpose. For example, ask supporters to help fund the creation of outdoor advertising campaigns or to help staff outreach tables at local festivals. Don't forget that Dogwood gained supporters and profile through the loonie campaign that successfully subverted a Canadian icon and used social networks to spread the tactic and related messages. As threats to democracy and attacks on the environment increase, returning to such tongue-in-cheek cultural approaches that provide direct and meaningful engagement avenues may be even more important than in the past.

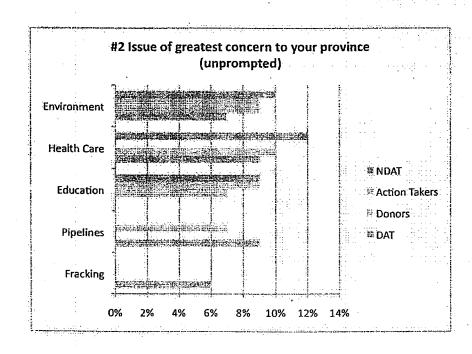
## IV. Detailed Research Findings

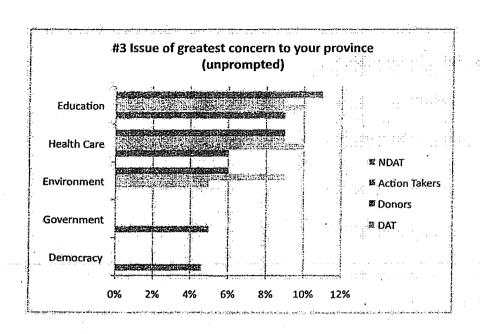
Issue of greatest concern in Canada



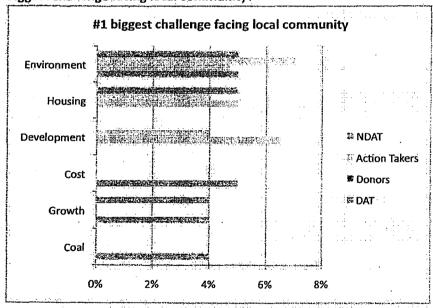


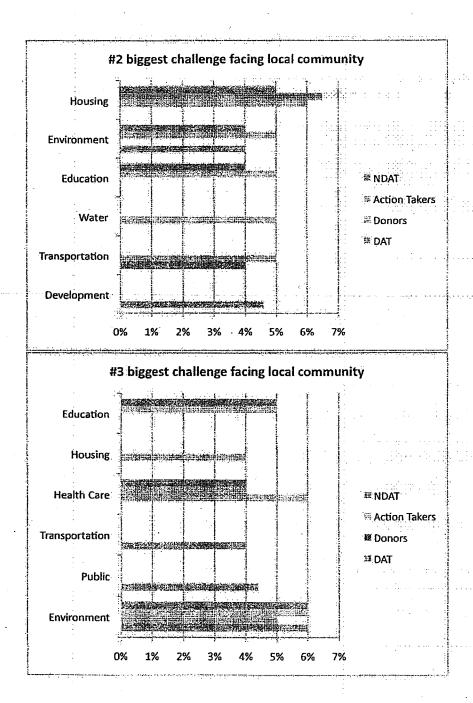




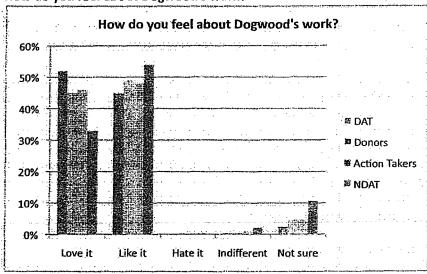




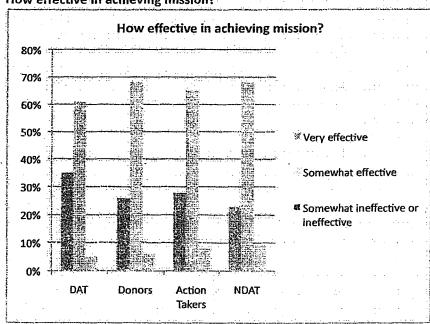




How do you feel about Dogwood's work?



How effective in achieving mission?



**Donors' comments on effectiveness:** Donors largely applaud Dogwood for its efforts and praise the organization for keeping important issues on the radar as well as providing

information they cannot get in the mainstream media. They give Dogwood credit for its role with Northern Gateway in particular.

"Dogwood Initiative has made a big difference in getting tankers, pipelines and tarsands, Sacred Headwaters, etc. on public agenda, getting people engaged to act on these issues."

At the same time, even though they like the approach, Donors comment that accomplishments are not clear and that they don't have a way to evaluate Dogwood's work when the goal is to stop tankers and pipelines and that has obviously not been achieved yet. They also point out that in the current environment, government, business and the media largely ignore Dogwood and other citizen groups and as a result, they feel somewhat hopeless that nothing can be done until our democracy is restored. This is linked to a frustration that Dogwood does not have a big enough presence, particularly offline, and that it does not represent a broad enough range of voices. A number of Donors said that because they are located outside of B.C., they cannot really assess whether Dogwood is making any progress.

Action-Takers' comments on effectiveness: Action-Takers are also for the most part very encouraging with comments such as "Great work, keep going." This segment appreciates the interactive opportunities and clear messaging and particularly values the position on pipelines and tankers. They feel that Dogwood brings together the right people to solve problems and gives citizens a voice with government. Some like the political approach and door-knocking, but also point out weaknesses with the strategy. Most prevalent, however, and similar to the Donors segment, Action-Takers perceive that government, business and media interests are not paying attention to Dogwood right now and that frustrates them. They recognize that Dogwood is effective given how little money it has compared to the powers it goes up against, but worry how the odds will play out. They echo comments that Dogwood does not have a large enough presence outside of the online world.

"I hate to say it, but it is hard to be effective against the evil Harper and Christy Crunch governments that are destroying our environment in the name of job creation and until we have electoral reform, I am afraid that is how it will remain."

"Pressure must continue to be applied; however, I feel that the Harper government and its policies are acting without concern for the future of Canada or globally."

Accomplishments are not clear to Action-Takers. In addition, they state they just "don't know" or "don't keep up" enough to know if Dogwood is being effective. Part of this is related to the complaint that there are too many groups out there, making it difficult to assess who is who and how it all adds up.

"I feel engaged in your causes and your way of communication--direct and versatile, not always only asking for monetary support; I say 'somewhat' instead of 'very' in my response because I feel I am not certain of the recent successes of Dogwood and that would be inspiring to continue supporting an organization. In general, I feel there are too many similar organizations in BC,

spread thin in resources, working towards the same goals: to preserve BC's nature. It would be nice if the various organizations would join hands together for a more effective, efficient progression."

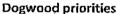
Non-Donors/Non-Action-Takers; comments on effectiveness: Top effectiveness comment for this group is that government, industry and the media are simply not listening to citizens, despite best efforts.

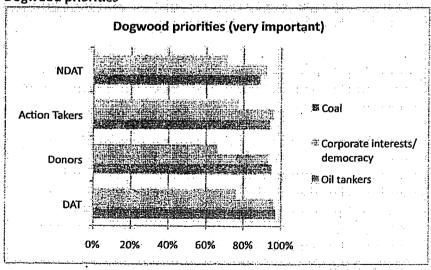
"I value organizations like the Dogwood Initiative but am unsure what the real impact on government is at the end of the day. The Liberals' recent win makes me doubt the effectiveness of all of the organizations working hard to make a difference since it is not translated into a difference in votes."

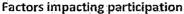
This is followed by comments that the Non-Donor/Non-Action-Takers just don't keep up or know enough to rank Dogwood's effectiveness. Interestingly, these comments mirror those by other segments around the lack of clarity when it comes to conveying Dogwood's effectiveness. This segment wants the information in an easy-to-access way that won't take much time to figure things out. While not as common as with other segments, Non-Donor/Non-Action-Takers still do applaud Dogwood for providing a citizen voice and holding government accountable. Some comments were quite specific in terms of noting Dogwood's contribution in at least slowing down the Northern Gateway pipeline.

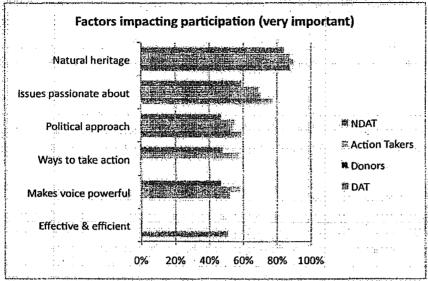
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**Note:** The Donor/Action-Takers were not given the option to provide comments on effectiveness.









Donor/Action-Takers' comments regarding participation: When it comes to comments, Donor/Action-Takers praise Dogwood for enabling citizen participation and adding their voices into the debate. They like the information they receive from Dogwood, placing value on it because they hear news they don't see covered in the mainstream media. As with comments related to other survey questions, Donor/Action-Takers do feel limited in their understanding of Dogwood's effectiveness, in part because of the information clutter from so many groups, and they are unclear about Dogwood's political approach. They also feel limited by the state of our democracy, with several supporters suggesting proportional representation be a key campaign issue.

"Continue to empower the citizens of this province to stand up against the corrupt federal and provincial governments, and the special interest groups they both serve. Keep shining the light on their fraudulent and amoral deeds."

Donors' comments regarding participation: Comments track those from the Donor/Action-Takers segment. Donors praise Dogwood for their proactive approach and mix of environmental issues with democracy challenges. Trust is mentioned often as Donors have a lot of confidence in Dogwood to do the right thing. At the same time, they too are calling for Dogwood to re-examine its approach given how the powers that be are currently ignoring citizen concerns. They want to see Dogwood connect the dots between tanker and pipeline threats and to directly tie these issues to is to risks associated with a weakening democracy and, to a lesser extent, climate change. Donors want to see Dogwood diversify the base of support for actions, and donors from outside of B.C. want to know what they can do from afar.

Action-Taker comments regarding participation: Action-Takers appreciate Dogwood's efforts to build an informed, engaged citizenry. They compliment the town hall meetings, the loonie campaigns and other creative efforts. At the same time, some say they are too busy working on issues in their community to track Dogwood closely and many say they do not know how to assess Dogwood's effectiveness and whether there are clear outcomes from the various actions. Finally, some Action-Takers complimented Dogwood for organizing events such as the Defend Our Coast rally while others complain there are not enough events to engage in and that they feel isolated geographically (being in a remote community in B.C. or in other parts of the country).

Non-Donor/Non-Action-Takers' comments regarding participation: When it comes to comments about factors affecting participation, many themes echoed in other questions appear here as well. Non-Donor/Non-Action-Takers in particular call out the need for clarity on Dogwood's political position. While some praise Dogwood for blending environmental actions with politics, more are uncertain about Dogwood's political stance and party affiliation, along with plans for moving forward. They are also somewhat fatalistic about the state of government and Dogwood's ability to influence it. They like that Dogwood is moving more into offline organizing; however, they do not yet clearly see the connection between critiques and the motivation of local action in their communities. They, like other segments, want to see Dogwood get the message out further and to add more diverse voices to the efforts. Finally, they want to see more emphasis on alternatives to fossil fuels and solutions.

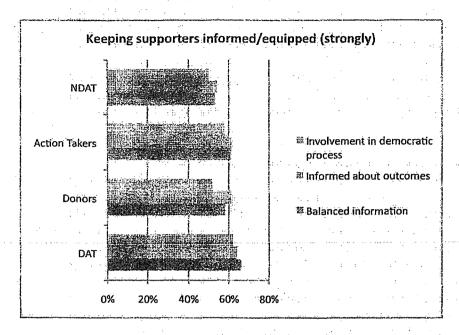
"I don't like that because I support Dogwood, I'm instantly roped into NDP campaigns. I'm not NDP."

"Dogwood and The Green Party could work well together!"

"Growing your already-impressive communications network, and perhaps forming a coalition with other organizations come election time."

"Please don't duplicate what Leadnow is doing. There aren't enough resources for any org to duplicate. Have a discussion with them and narrow your focus."

## Keeping supporters informed/equipped



Donor/Action-Takers comments on keeping supporters informed/equipped: Donor/Action-Takers, are very complimentary of Dogwood's organizing style and, not surprisingly, can comment on specific campaigns that Dogwood has initiated. Some of this segment came to Dogwood through the loonie campaign and have been with you ever since, including engaging in recent events. They appreciate being part of something bigger--connected to others who are trying to create change. Some comment that more updates on progress would be helpful.

"From the beginning with the loonie 'No Tankers' decals to keeping me formed of rallies in support of No Tankers, I appreciate Dogwood Initiative's efforts to keep us connected and informed."

"I think it is crucial for the 'average person' to be able to organize and present a united front on big issues. Dogwood is a good platform form for individuals to have a say in what goes on in the province or country, for people who don't buy into corporate ideology, or have political power to make changes. It gives voice and unity to many like-minded people who have limited ability to be heard on a large scale."

Comments on the email petition as a primary form of engagement are mixed. For many (seniors, the disabled, those from other provinces), email petitions work as a form of engagement and some would be willing to engage in even more. At the same time, there are others who question the effectiveness of the tactic (i.e. do they really ever change anything?), often as part of the larger concern about the state of the democracy and want to engage in other ways (i.e. more events, pursing other media avenues as a way to get the word out).

## Donors' comments on keeping supporters informed/equipped:

The majority of the comments from Donors are that Dogwood provides critical information that is not available in mainstream media. Donors overall are pleased that Dogwood draws attention to important issues and give the website, email and social media content high marks.

Donors count on Dogwood to reveal what is going on in government that affects issues they care about. They appreciate that Dogwood provides them ways to get involved, mostly referencing the email petitions. For Donors who live outside of the province, they turn to Dogwood to keep them informed of what is happening not just in B.C., but also with the state of the democracy. They are happy to have ways to get involved from afar but some do mention not being clear on what their role should be.

"You use my funds to inform others."

"Without your information I would not even be aware of a lot of what our governments are doing behind closed doors."

At the same time, Donors are frustrated with the state of the democracy and feel that Dogwood (and other non-profits) have limited influence right now. They also provide comments on how Dogwood could improve its communication with them, such as clarifying its effectiveness, limiting the number of phone calls and coordinating more deliberately with other organizations.

"At this point it is difficult to be truly involved in the democratic process, but you are doing your best. In the past, I have felt that I was inundated by Dogwood emails that I did not have the time to read. You have moderated your output which I appreciate, more than 2 a week will not get read. I think you could use the phone a little more often on critical issues-not more than 1-2 X month."

"I live in Ontario. Every province faces the same fundamental issues, though the disguise is different. Pipelines threaten almost every area. It isn't just the tankers. We need to work together through larger groups like Avaaz and the Council of Canadians to collectively prevent expansion of the Tar Sands. Each of us is only one, but one who has some limited capacity to effect change. Each small initiative has some limited capacity to effect change. We really need to unite some of our efforts in these big fights. Did you send delegates to the Healing Walk or help them raise money? How can Dogwood work with all of the good groups (like Ecology Ottawa) who are fighting the local impact of the same gigantic dark issue? I would like to see, say 10% of the efforts of each smaller group deliberately dedicated towards a larger awareness. This will catch more general attention, get more media coverage, and move change in the desired direction more quickly. Those dark forces are large and looming. We must be stronger in spirit and in numbers to turn the tide."

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"I belong to a number of different advocacy groups — some local, provincial, national and international. I can't say that Dogwood's communication about outcomes really sticks in my head. This could be a function of the number of groups from whom that I receive communication rather than a failure on Dogwood's part to keep me informed."

"I get lots of emails asking for donations, but not many on progress or events. Your website's events page has no information on upcoming events. You would also benefit on having a 'progress so far' page that shows what donations have led to (like the numbers on your 'no tankers' page - but more prominently communicated)."

Action-Takers comments on keeping supporters informed/equipped: Action-Takers are happy with the focus on a handful of key issues and appreciate Dogwood's solid information and willingness to hold decision-makers (the Liberals in particular) accountable. At the same time, they are asking that Dogwood expand its outreach efforts to more people and to consider looking more at campaigns in support of the shifts we want to see, not just opposition campaigns. Action-Takers also mention the outcomes of campaigns are not always clear and offered in balance with the requests for money.

"I think more talking points of people unready to evolve beyond a fossil fuel economy need to be presented, so that we all can imagine how to address these points and dig deep to the issues underlying statements opposing our views. If we can find universal principles that we share, then perhaps we can build a new conversation and think freshly. The arguments that we present and the federal govt. presents are now old, let them go and find where the blocks are to new thinking. So Dogwood could do more in providing balance, by exposing the blocks and the sidestepping."

Non-Donor/Non-Action-Takers comments on keeping supporters informed/equipped:

Comments from this segment largely track the other segments. They appreciate Dogwood but want to hear more about your effectiveness and want fewer requests for donations. One area of difference is this segment expressed less trust in Dogwood. They are less sure that Dogwood provides balanced information and some think Dogwood is too slanted (i.e. not enough reasonable, non-campaign information). As with other segments, they question Dogwood's political approach and some were not convinced of the strategy in the last provincial election. A large number of the comments from this segment related to being out of the province and unsure how they could engage. Finally, many appreciated the survey, saying they are more likely to engage now that Dogwood has reached out to gain input.

"Dogwood appears to have a serious conflict caused by the apparent desire to appear unbiased, while trying to promote a one-riding party that has no chance of forming government. This cripples Dogwood's ability to elect a government that will actually stop the pipelines."

"I would like to see more opportunity for people not from B.C. to be involved more... More exposure showing the great natural treasures of B.C. that you want to preserve for future generations of Canadians...Something like more use of beautiful pictures or videos in emails that

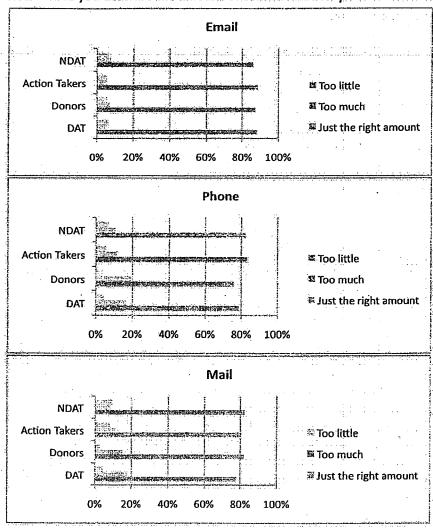
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people can forward to others that are maybe not quite so environmentally active, but something that they will enjoy seeing, and maybe make them more aware of what is at stake, if Northern Gateway proceeds... You could maybe even come up with some sort of creative contest that could involve people across B.C. & Canada creating pictures & videos showcasing what will be lost. Something that would give increased exposure and maybe make people feel like they have a personal stake in protecting our coast, rivers & forests no matter where they live."

"I am only on Dogwood's email list, and so do not have the knowledge of everything being done, on all fronts, by the group. I will look deeper, because the issues spoken of here are very important to me."

## How would you describe the amount of communication you receive from Dogwood?



Overall, supporters say they are getting just the right amount of email, phone and mail from Dogwood. In particular, supporters are happy with the email volume, with even 85.92% of Non-Donor/Non-Action-Takers saying it is just the right amount. Not surprising, supporters are less fond of the phone and mail contact; however, more than three-quarters say even in these mediums, they are fine with the volume of contact.

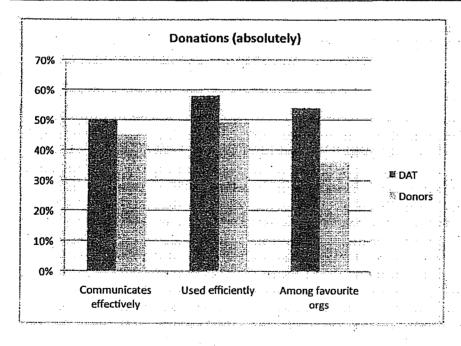
How Would You Rank the Following? (Only Donors and Donor/Action-Takers were asked this question)

**Donors** – They key takeaways from this question is that 36% of Donors do not agree that Dogwood effectively communicates how donations are used and reports back on results; 26% do not feel Dogwood uses donations efficiently; and only 36% say Dogwood is among their top three favourite non-profit organizations.

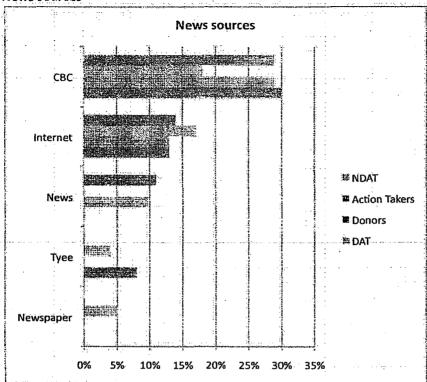
	Absolutely true	Somewhat true	Not true	Don't know/ Not applicable	Total
Dogwood staff replies quickly and professionally to my inquiries.	24.49% 96	7.14% 28	0%	68.37% 268	392
Dogwood makes it easy for me to donate.	78.73% 311	14.43% 57	0.76% 3	6.08% 24	395
Dogwood effectively communicates how my donations are used and reports back on results.	44.84% 178	35.52% 141	3.27% 13	16.37% 65	397
I feel that Dogwood has used my donations efficiently.	49.48% 192	26.03% 101	0.52% 2	23.97% 93	388
Dogwood is among my top three favorite non-profit organizations.	36.25% 141	35.48% 138	17.99 % 70	10.28% 40	389

For Donor/Action-Takers, satisfaction with Dogwood and affinity with the organization is significantly higher when it comes to Dogwood making it easy to donate and using donations efficiently. The biggest gap, however, is in how a much larger percentage of Donor/Action-Takers (54% versus 35% for Donors) rank Dogwood as being among their top three favourite groups. At the same time, as with Donors, a large percentage of Donor/Action-Takers feel Dogwood could be more effective when it comes to reporting on results and how donations were used to achieve them.

	Absolutely true	Somewhat true	Not true	Don't know/ Not applicable	Total
Dogwood makes it easy for me to donate.	85.84%	9.15%	0.44%	4.58%	45
	394	42	2	21	9
I feel that Dogwood has used my donations efficiently.	58.06%	21.41%	0.22%	20.31%	45
	263	97	1	92	3
Dogwood is among my top three favorite non-profit organizations.	53.76% 243	27.43% 124	11.50 % 52	7.30% 33	45 2
Dogwood effectively communicates how my donations are used and reports back on results.	49.67%	32.15%	2.44%	15.74%	45
	224	145	11	71	1
Dogwood staff replies quickly and professionally to my inquiries.	39.30%	8.52%	0.22%	51.97%	45
	180	39	1	238	8

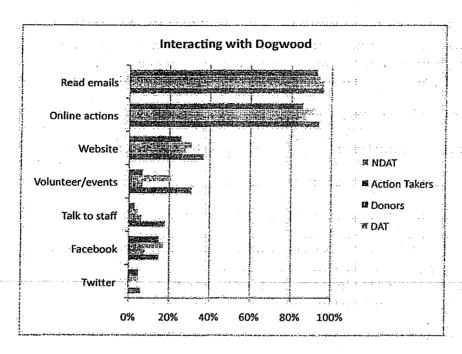


#### News sources

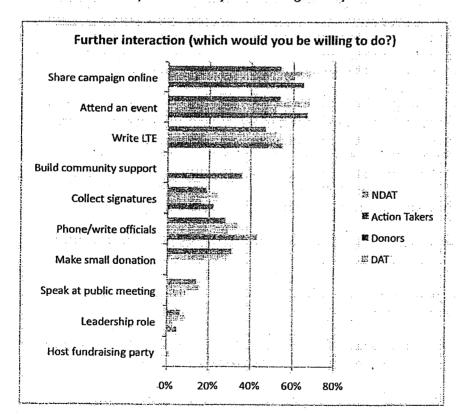


#### Interacting with Dogwood

The results from this question largely track Dogwood's understanding of supporter engagement based on its engagement levels. Unsurprisingly, Donor/Action-Takers are most involved across all areas of activities. Action-Takers report participating in email actions and volunteer efforts. Donors are interacting largely via email and the website but are less likely to follow Dogwood in social media or attend events. Most interestingly, the Non-Donor/Non-Action-Takers report surprisingly high levels of engagement, with a particular focus on reading email and taking online actions. Part of this is due to the fact people self-report taking action at a higher level than they typically do. At the same time, it could also be that people in this segment think they are taking action with Dogwood when they are engaging with other organizations as this segment comments often about the overwhelming volume of email they get from a host of organizations. Finally, as mentioned in the next sections on further interactions with Dogwood, some of the Non-Donor/Non-Action-Takers file may need to be placed in the Action-Taker segment as a number comment they have in the past or are currently volunteering with Dogwood.



## Further interaction (which would you be willing to do?)



There were many interesting comments from all of the segments on what they would be willing to do. While some supporters say they are already doing what they can with so many organizations asking for their time, many say they would be willing to do more for Dogwood.

These comment fields should be reviewed by Dogwood's fundraising and organizing staff for follow up as there were offers to host fundraising events for Dogwood, write blog pieces and produce other media products/content for Dogwood, to help organize in their communities, etc. There were also a number of offers to write songs, create art, and other creative projects that may be worth considering integrating into Dogwood's organizing platform.

An important note, Non-Donor/Non-Action-Takers comment that they are working directly with Celine, hosting Dogwood events, participating in the NEB hearings as an intervener, etc. — some of these supporters likely haven't had their engagement tracked in Salesforce. Also, a number of Non-Donor/Non-Action-Takers asked how they could volunteer, indicating an opportunity to move some people to higher engagement levels. Interestingly, 31% of Non-Donor/Non-Action-Takers say they would be willing to donate to Dogwood.

### How can Dogwood improve?

Comments offered in response to this open-ended question largely track other comment fields throughout the survey. Many supporters provided additional encouragement, rather than critiques of Dogwood. Themes that rise to the top when it comes to improvements include the fact there are too many groups sending email. As a result, they can't always tell Dogwood apart from the rest of the pack and any collaboration among organizations is unclear.

Dogwood supporters are asking for more useable facts to help equip them with talking points for discussions with influencers and friends and family, rather than just campaign-focused materials. They are asking Dogwood to include "yes" campaigns too in support of solutions such as clean energy. Dogwood supporters want to attend more events and would also be happy to help distribute Dogwood merchandise to their networks. Response to Dogwood's engagement in politics is mixed (i.e. Dogwood is too NDP); however, a number of supporters are in favour of Dogwood working on related issues, such as proportional representation.

Finally, supporters from across the segments who are located outside of British Columbia are asking for more tailored communication and actions that can be impactful from far away.

**Donor Comments:** Donors are overall very happy with Dogwood. They share that sentiment, while offering constructive feedback.

"Keep up the good work. A bit more feedback on current activities would be helpful - perhaps more info on what your next steps might be - but Dogwood is invaluable, even if you do not change a thing."

"Not close enough to advise, but keep up the pressure on the pipeline and coal issues and keep them connected to saving the B.C. environment and, if possible connect to poverty/inequality/lack of real democracy."

"Hmm, tough question. Dogwood is one of the more effective ENGOs I know. Maybe do more high-visibility, viral actions, Yes-Men style, to publicize and embarrass those who deserve it. I would also appreciate more whistle-blower type revelations on our secretive governments and corporations. Lawsuits also seem to be effective (if costly)."

"This survey is a good start. It is clear that we must organize locally and connect provincially and nationally. I live on an island that until recently had a very green municipal government. The developers are now in power, however an issue such as the tanker traffic is bound to be a resonant one with our residents. Should Dogwood come up with some public demonstrations that we could initially do locally, I am willing to act as a liaison to spread the Dogwood message."

Dogwood donors also want more clarity on how their donations are being used and how effective Dogwood is being in achieving its mission and affecting change.

"Demonstrate effectiveness in achieving your goals; prove that the donations and efforts are making a difference and using the political and democratic system to create change."

Donors from outside of British Columbia want Dogwood to consider a communications approach that recognizes that they are out of province and tailors the content/pitch to them. Donors are also interested in knowing how policy decisions made in different jurisdictions, including the U.S., affect issues across Canada.

"I don't like the fact that someone from Ontario called my on behalf of Dogwood with a script about how important BC's coast was. They had no idea how much I already knew about my own province and it felt fake. There might be a good reasoning to hire a marketing firm to make cold calls but currently, I am uncomfortable with it. A canned email with my name in it would feel more personal than a complete stranger who I've never met and doesn't live in B.C. calling to ask me to donate with the same script I've heard 2 years ago."

Donors want Dogwood to take a different approach by making sure people know about successes, such as the outcome of the Northern Gateway hearing, and by promoting the solutions as much as the threats. There is a call for Dogwood to tie tanker and pipeline issues together into a more cohesive whole, including considering the intersection of social justice and democracy issues. Donors want to see Dogwood more in the media, with efforts to "make environmental relevant and cool" in our culture.

**Donor/Action-Taker Comments:** Comments from Donor/Action-Takers largely mirror what Donors and the other segments had to say. The majority were focused on complimenting Dogwood.

"Well, I think Dogwood is pretty fabulous as it is: your campaigns are imaginative (thinking here of the black loon decals...) and your focus on local issues and real people (thinking of the woman in Burns Lake who was silenced by the community by-law. When I get scared of the horrible life my children are destined to have in, say, 2050, I think of the Dogwood Initiative and remember that change is possible with a dedicated and thoughtful organization. Thank you."

"Continue to stay vocal on the issues that affect us, and potentially lead the charge by showing citizens what we can do to effectively beat these corporate robber barons and the sleazy politicians. Help all of us come together to stand alongside the First Nations people to put a stop to the carnage or our environment and its wildlife, including ourselves. That said, I also applaud all of you and every citizen involved in speaking truth to power. Well done and keep on the path..."

At the same time, Donor/Action-Takers would like to see Dogwood to provide a clear vision for the organization including work on solutions, and are also asking the organization to provide more analysis on issues as they emerge.

"I feel although positive focus is stronger than negative. For example, there is no point hating on Harper and the government, we need to focus on a what is needed for a positive leader, government and actions. Focus on other ways to boost economy and jobs so pipelines are just not useful. Give Canadians a vision to aspire to, one that provides security but also clearly outlines the necessity of what changes are required. We need to focus on what we do want not what we don't."

"I would like to see more focus on Vancouver Island and coastal areas. I enjoyed participating in a couple of teleconferences; give me more. I would find it helpful to have some more interpretation of energy and environment issues as they emerge."

"Indicate in some way what Dogwood's vision for the next 10 years is, and for Enbridge, suggest the next and alternate steps Dogwood plans to pursue depending on the outcome of (a) the Panel Review decision and (b) the response of the Federal government to the Panel Review decision."

Action-Takers' Comments: While there are more calls for campaigns based on the solutions, the most common comment is that Dogwood is doing great work and to keep it up.

"The direction you are taking in engaging a broad base of people across the political spectrum is fantastic. Continue to find the broad topics that the majority of people can relate to and you will not alienate people. Professionalism and respect. Keep it up."

On the other hand, there is significant feedback regarding Dogwood's communication style. While some want to see more of a media presence, efforts to educate more British Columbians about the issues, and Dogwood positioning that does not assume the NDP's platform, more

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Action-Takers complained about the balance of donation requests from Dogwood. Some Action-Takers feel frustrated they are being asked so much when they are not in a position to give. They feel bad about it, feel that Dogwood doesn't understand they want to do more but can't. Additionally, there is a call for providing clear feedback as part of the communication mix and more concise, visual communication efforts.

"1. Present clear goals and objectives. Avoid broad statements and give specific examples of what your actively doing. 2. Explain how you're going to achieve stated goals within a predefined yet flexible timeline. 3. Give progress updates on a regular bases."

Finally, Action-Takers also call for taking new approaches. Some find that Dogwood is not being aggressive enough with decision makers and corporate leaders while others feel the organization is becoming too polarizing and war-like in your outreach. Some want to see more efforts focused on solutions while others want to see more efforts to reveal corruption and the abuse of power.

## Non-Donor/Non-Action-Takers' Comments:

The Non-Donor/Non-Action-Takers segment's top comment was that Dogwood is doing great and they want to see more. What is surprising is how detailed some of the comments are and engaged this group is in your work, directly and indirectly.

"The No Tankers action in Victoria was particularly effective because, with the work of Leadnow and other actors, including ourselves on the Sunshine Coast, it created a province-wide focus that also created local actions for distant communities to participate in and feel part of the larger movement. I think that variations of that model should be repeated. In my experience, some of the most successful campaigns specifically set out to create both national/provincial actions with supporting local/regional gatherings, which allow people at distance to join in and feel connected to the larger issue/movement. For our participation in the No Tankers action in Victoria last year, we had to arrange a bus in Nanaimo to pick us up at the ferry and return us to the ferry. In all we were 16 hours door-to-door to attend the Victoria gathering for just under 2 hours before we had to head back home. We were able to drum up the enthusiasm because we were also organizing the local No Tankers action in Davis Bay on the Sunshine Coast, which saw 500+ folks gather in joyous opposition to tankers on our Coast. The fact that we could speak to our local supporters, having participated in the Victoria action, gave added credibility to the local action and the resultant provincial and local news coverage was noted by all, both those opposed and those in favour of tankers. Additionally, the No Tankers action allowed for a much individual and group visual creativity which broadened the participation, the appeal and the effectiveness of the messaging."

They also want to see improved communication including streamlining the messaging, including more factual (i.e. non campaign) information, do not ask for money as often and better articulate outcomes. Non-Donor/Non-Action-Takers make it clear you are competing with many organizations and provide suggestions for how you can better grab their attention:

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"I would recommend giving interviews on television, having broadcasts on radio stations, and in the newspapers. Often I don't have time to sift through the many emails I receive, because subscriptions often cause an overwhelming number to read through. I only check my email once or twice a week. Make yourselves better known to the general public who have busy work schedules, so when they come across you by chance, they will open their eyes and ears to listen."

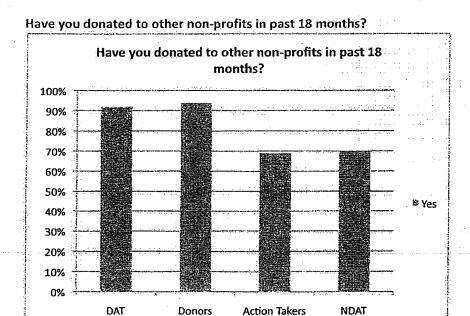
Finally, this group also comments on the need for Dogwood to expand or change its approach. Some feel Dogwood focuses too narrowly on the environmental impacts of the pipelines and tankers and should get more into economic and democracy arguments. Others feel the issues need to be bound together into a framework that recognizes the larger challenges. They also call for a more positive approach and, like other segments, want to see Dogwood focus more on the transition away from what we don't want to something more sustainable.

"Blanket all the initiatives in the umbrella of reversing or slowing global warming. Bring all the elements together under that - from coal to tankers to whatever--show how they're all connected to the bigger issue."

"Nothing is really going to change on the environmental front (i.e., it's going to continue to get worse) as long as Stephen Harper is PM. Ousting the Conservatives is Job 1. That won't happen if the Liberals, NDP, and Greens split the vote. Our only hope is to get the opposition parties to co-operate in 2015. If they will not do so willingly, we must compel them by making support and donations contingent upon co-operation. Otherwise, we can look forward to 4 more years of destructive Harper policies and petro-state politics. Dogwood must join the chorus of Canadians demanding one-time electoral co-operation in 2015."

"I feel that Dogwood is getting to be another typical anti-everything group. I will probably disengage soon. You don't seem to be advocating any type of economic development; you just want to oppose everything. It's unfortunate that you don't show a path forward economically in addition to environmentally."

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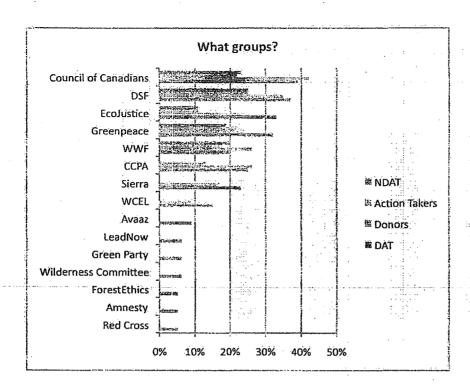


## Which groups?

Dogwood supporters contribute to a range of groups. The most common type of organization they support are other environmental and conservancy groups, such as the Nature Conservancy, the Land Conservancy of BC, the Georgia Strait Alliance, Western Canada Wilderness Association, Friends of Clayquot Sound, ForestEthics, the Marmot Recovery Centre, as well as a host of local organizations. Supporters also referenced the Sea Shepherd Conservation Society often across the segments.

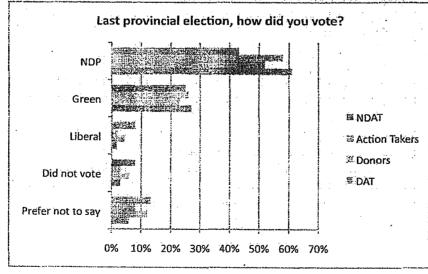
The next common area is donating to organizations focused on health issues. Doctors Without Borders is the mostly commonly referenced group, but others include the Stephen Lewis Foundation, BC Children's Hospital and organizations such as the Heart and Stroke Foundation.

Animal rights follow, with organizations listed such as the SPCA and PETA. Supporters are also contributing to organizing groups such as Avazz, LeadNow and Sum of Us. Finally, but less commonly, they contribute to children in need through organizations such as Plan Canada. While political parties and CBC were among the many other charities listed, support for these organizations did not reach the same level as the categories outlined above.



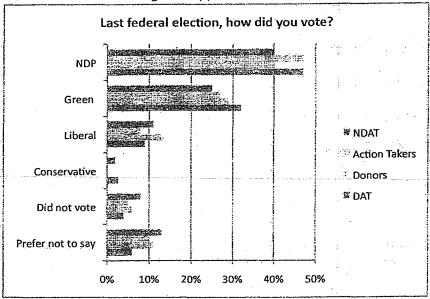
## Last provincial election, how did you vote?

Findings line up with assumptions about the political leanings of Dogwood's base. Non-Donor/Non-Action-Takers have the highest percentage of Liberal votes at the provincial level.



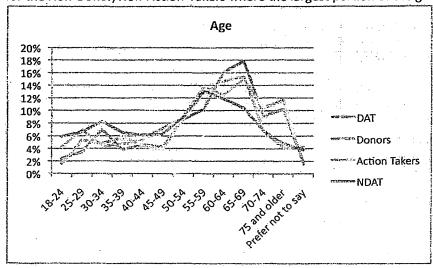
Last federal election, how did you vote?

When it comes to federal politics, trends mirror the provincial findings, however, in this case it is Donors who have the highest support for the Liberal party.



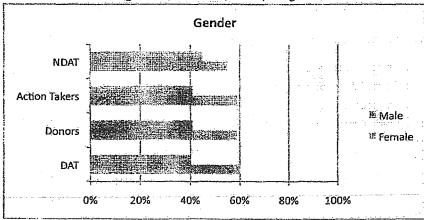
Age

The majority of Dogwood supporters are over the age of 55 with the exception of the Non-Donor/Non-Action-Takers segment where a slight majority are under. Donors are the oldest segment, followed by Donor/Action-Takers, Action-Takers, and finally by Non-Donor/Non-Action-Takers. Within each segment, the 65-69 age group makes up the largest portion except for the Non-Donor/Non-Action-Takers where the largest portion of the group is from 55-59.



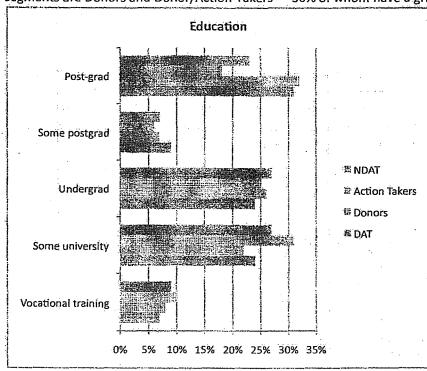
## Gender

As with most conservation /environmentally focused organizations, Dogwood's supporter base is majority female. Donor/Action-Takers and Action-Takers send to skew even more female than the other two segments, however, not by a significant amount.



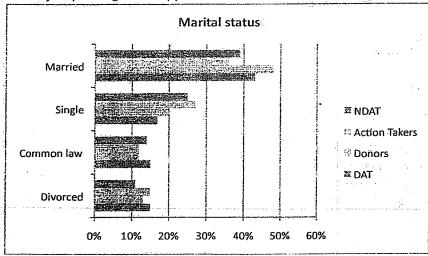
## Education

The majority of Dogwood supporters have an undergraduate degree. The most educated segments are Donors and Donor/Action-Takers — 30% of whom have a graduate degree.



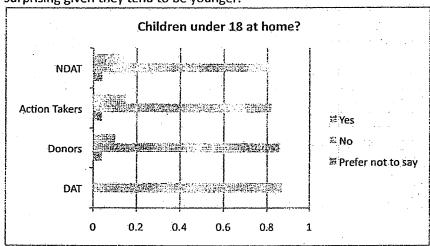
### Marital status

The majority of Dogwood supporters are either married or living in common-law relationships.



## Children under 18 at home?

Dogwood supporters typically do not have children living at home with them anymore. 15% of Action-Takers and Non-Donor/Non-Action-Takers have children living at home which is not surprising given they tend to be younger.

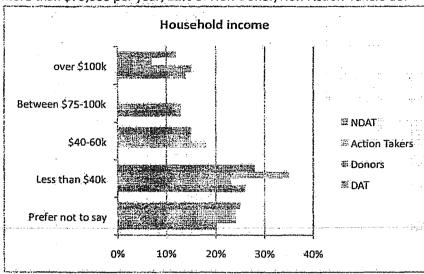


### Household income

While approximately one-quarter of supporters choose not to report their income, for the remainder who did, more than one-quarter report that their household income is under \$40,000 per year. This is not too surprising given the majority of Dogwood's donors are retirees living off pensions. At the same time, 28% of Donors say they make more than \$75,000 per

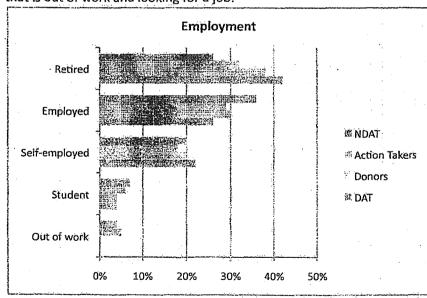
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year; 27% of Donor/Action-Takers report the same and, while only 15% of Action-Takers make more than \$75,000 per year, 22% of Non-Donor/Non-Action-Takers do.



## **Employment**

While a large percentage of Dogwood's base is retired, this is not true for most. 50% of Donors are still working, 46% of Donor/Action-Takers have a job or are self-employed, and 47% of Action-Takers work and 56% of Non-Donor/Non-Action-Takers are still in the workforce. Action-Takers and Non-Donor/Non-Action-Takers are the only segments where there is a percentage that is out of work and looking for a job.



#### DOGWOOD INITIATIVE SUPPORTER PROFILES

The following set of Dogwood supporter profile is representative of the types of supporters who fall within the four segments: Donor/Action-Takers, Donors, Action-Takers and Non-Donor/Action-Takers. They are not profiles of particular individuals, but rather composites that reflect the major demographic and attitude trends within each group. For a more in-depth look at the range of Dogwood supporters, a summary is provided as part of the survey findings and individual survey responses can be viewed in Survey Monkey.

#### **Donor/Action-Takers**

Demographics	% Plurality	Notable	
Employment	42% retired	47% still working	
Household income	26% less than \$40k	27% make more than \$75k/year	
Education	31% post-grad	Most educated (along with Donors)	
Gender	60% female	Tend to skew more female (along with Action-Takers)	
Age	18% 65-69	10% 75+/10% 60-65/7% 30-34	
Provincial election	61% NDP	27% Green	
Federal election	47% NDP	32% Green/9.13% Liberal	



Robert McArthur, 69, is a retired restaurateur living in Whistler. He votes NDP and is most concerned about the state of the democracy, and Harper in particular. At a provincial level, he is worried about pipelines and tankers, as well as the lack of development of clean energy alternatives. Robert worries about the spread of "Tea Party North" and when it comes to the environment, he doesn't like what he sees happening with fish farms and wild salmon. He loves Dogwood but is concerned that not enough people know about or pay attention to the campaigns. Robert supports a number of organizations including the Canadian Center for Policy.

Alternatives, Ecojustice, Council of Canadians and Sum of Us. He tracks the Green Party and NDP websites for information as well as the Canadian Dimension, CBC 1, and, to keep it all in perspective, he regularly watches The Daily Show and The Colbert Report. Right now, Robert is engaging online but would be happy to tell friends about Dogwood. An experienced musician, Robert would be happy to write songs that could be used at rallies.



Nicole Bauer is a 34-year-old woman living in Vancouver with her partner for now, but will soon be traveling as she has just finished her PhD in sociology. The environment is her top priority and she is following oil pipeline expansion, fracking and coal export issues — particularly the exports planned for Vancouver. Nicole loves Dogwood and regularly engages online and volunteers, often working directly with Dogwood's organizing staff. She mainly follows newsfeeds of NGOs but also checks in with CBC, and The Globe and Mail for information. The main group she

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donates to besides Dogwood is the United Way; her household income is \$100,000 and likely to rise. She did not vote in the last election because she was overwhelmed by school but plans to get more engaged in the future.



Janet Goldstein, 62, is a retired biologist living on Gabriola Island. She voted for the Green Party in both the last federal and provincial elections. Janet is most concerned about the province's plans to develop coal, LNG and more mines but she is also worried about local island issues, such as gentrification, invasive plants and the state of the local government. Currently, Janet engages primarily via e-mail but would be willing to take on a leadership role with Dogwood campaigns in his community. Janet relies on the Landwatch list serve for information, TV news and The Globe and Mail. In addition to Dogwood, she supports Ecojustice, the David Suzuki Foundation,

West Coast Environmental Law, Greenpeace and local conservation groups.

#### **DONORS**

Demographics	% Plurality	Notable	
Employment	38% retired	50% are still working	
Household income	23% less than \$40k	28% make more than \$75k per year	
Education	32% post-grad	Most educated (along with Donor/Action-Takers)	
Gender	59% female		
Age	15% 65-69	The oldest segment 12% 75+/14% 55-59/6% 35-39	
Provincial election	52% NDP	23% Green /12% preferred not to say	
Federal election	40% NDP	13% Liberal (Highest level of support)	



Danielle Sonner, 76, is retired and lives in Cowichan Bay with her husband Robert on a restricted income. She is most concerned about the state of the democracy, but health care and education follow closely behind. She voted NDP in the last federal and provincial elections. She likes Dogwood's approach and feels the organization does a great job of bringing issues to the attention of British Columbians and providing meaningful ways to take action, but she is concerned that the powers that be are not listening. She always has CBC on the radio, checks online to get updates and also

considers local Cowichan Valley publications as important sources of information. In addition to Dogwood, Danielle donates to David Suzuki Foundation, Greenpeace and Pacific Wild

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John Ramsey, 66, is divorced and lives in Victoria as a selfemployed architect, making about \$80,000 per year. A Green Party voter, he is a big fan of Dogwood and supports the organization because of the focus on abuses of democracy, the power of corporations and the lack of sustainability in development priorities. He wants to see more action on environmental and health issues, with a focus at the local level on improving building codes. In addition to Dogwood, John donates to Sierra Club and CPAWS. He prefers international media to the CBC, regularly

listening to the BBC, reading the Guardian and subscribing to publications such as New Scientist.



Lauri Tansman, 39, is single and lives in Edmonton. She is a self-employed therapist, making \$100,000 per year and finds room in her budget to support other groups such as the Sierra Club and Amnesty International. She turns to the Edmonton Sun and MSN.ca for news. See loves Dogwood and wants to see the organization featured more in these and other news outlets. She wouldn't even mind a few more e-mails coming from Dogwood because she relies on the organization for information she can't find in mainstream media. Supporting Dogwood is motivated by

her concerns over oil spills, pipelines and fracking. Lauri is an NDP voter.

### **Action-Takers**

Demographics	% Plurality	Notable
Employment	32% retired	5% are out of work (highest of segments)
Household income	35% less than \$40k	15% \$40-60K/10% \$60-\$75K/ 25% wouldn't say
Education	31% some university	
Gender	59% female	Tend to skew more female (along with Donor/Action-Takers)
Age	16% 65-69	15% 60-64/13% 55-59/7% 25-29
Provincial election	58% NDP	26% Green
Federal election	47% NDP	28% Green/8% Liberal



Paul Patreal, 43, is married with two kids and living in Courtenay. He is an environmental consultant, focusing on environmental impact assessments and gets frustrated by what he sees with plans to expand coal in the Comox Valley, fracking developments and Enbridge. He does not see much hope at the local level with leaders not embracing the need to transition to clean energy. Paul thinks this is part of the problem — environmental news, including information from Dogwood — can be so negative and

depressing that people tune it out. Paul voted NDP in the last provincial election and Green Party in the federal race. He is up for doing more, including organizing for Dogwood and speaking in his community.



Christina Jones, 68, lives in Williams Lake and is retired. She did very well in the real estate market and is enjoying life on an investment income of \$75,000 per year. She is motivated by her desire to see Harper out of office and feels Dogwood does critical work revealing the problems in our democracy. Healthcare is also a concern for Christina as she is facing a chronic health issue. This also limits what she can do but that does not mean Christina is not motivated. She spends hours online each day tracking what environmental groups are doing and would be happy to ask her friends to take action with Dogwood. She is also interested in

knowing what she can do to forward Dogwood campaigns in her community.



Rachel Potch 29, is single and lives in Victoria where she is not making much money in the current high-tech startup she works for, but she has hopes things will turn around. When it comes to news, Rachel relies on groups such as Dogwood, LeadNow and Sum of Us to tell her the real deal you don't get elsewhere, except places such as Huffington Post which she regularly browses. Rachel likes seeing groups experiment with new organizational approaches that leverage technology and, as a result, donates to these groups even on her small salary. She has been particularly

moved by the work of Alexandra Morton to protect wild salmon in B.C.

#### Non-Donor/Action-Takers

Demographics	% Plurality	Notable
Employment	36% employed	56% are still in the workforce
Household income	28% less than \$40k	15% \$40-\$60K/10% \$75- \$100K/8% \$100-\$150K
Education	27% some university/ 27% undergrad	23% Post-graduate degree
Gender	55% female	
Age	13% 55-59 12% 60-64 10% 65-69	Only segment where the largest portion of the group is 55-59 26% wouldn't say
Provincial election	43% NDP/25% Green	Highest percentage of Liberal votes
Federal election	40% NDP/25% Green	8% didn't vote

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Joseph Campula, 55, is a program administrator at Simon Fraser University. He appreciates Dogwood's approach because the organization creates a strong citizen voice around civic affairs. He currently donates to Canadian Centre for Policy Alternatives but would consider making a donation to Dogwood (not surprising given that his household income is \$140K) and would attend events. Joseph turns to Global News, The Vancouver Sun and The New York Times for information but his focus is on healthcare and education, not on the environment. Dogwood's democracy focus

appeals to Joseph, but he wishes the organization would focus more on other, more community-focused issues such as access to childcare, job creation for young people and investment in the post-secondary education system.



Scott Robertson is an 82-year-old retired doctor living with his wife in West Vancouver. He is an NDP voter and actively engaged in his community, supporting local food banks, covenant houses and wildlife rescue programs. But Scott and his wife are globally focused as well, supporting Oxfam and Medecins sans Frontiers and tuning into Al Jazeera for an alternative perspective. The environment is the top focus for Scott and he is frustrated by the lack of environmental enforcement as well as the "corruption" within government and actions of the forest sector. Scott supports

other nonprofits including Canadian Center for Policy Alternative and Greenpeace. He likes Dogwood's approach but like many supporters, is concerned the organization does not have enough power and is disregarded.



Gwen Chang is a 26-year-old massage therapist living with her common-law partner in Vancouver. Gwen is drawn to Dogwood because of her concern over pipeline developments and desire to see clean energy technologies adopted more aggressively. At a provincial level, she also feels that legalizing marijuana is an important issue and that BC. should follow in the steps of Washington State. Gwen votes for and donates to the Green Party because she likes their position on women's issues. Gwen gets all of her information online and checks out Dogwood's site and

Facebook page. She would be willing to do more if asked, including attending and/or speaking at an event, organizing for Dogwood and making a small donation.

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# Frequently asked questions about Dogwood's new strategy



#### What exactly is the plan I'm being asked to support?

Dogwood is planning a two-step process to prepare for a potential citizen's initiative to give British Columbians decision-making power over crude oil tanker and pipeline projects in our province.

If 10,000 British Columbians organize their friends, family and neighbours to stop an increase in crude oil tanker traffic on our coast, we can pressure Premier Clark to stand up for B.C and block these projects. If she betrays

her promise, together we will be ready to reach the hundreds of thousands of voters it would take to win a citizen's initiative.

The first step is to launch the largest organizing campaign in B.C. history to train and engage organizers in all 85 B.C. ridings, and get hundreds of thousands of British Columbians – exceeding the threshold necessary to win – to pledge to support a citizen's initiative if necessary.

We would only move on to the second step of launching an official citizen's initiative if:

- 1. Prime Minister Harper's cabinet approves oil tanker projects;
- 2. Premier Clark acquiesces and signs the necessary provincial permits for the projects; and
- 3. Together we have succeeded in recruiting enough team leaders, canvassers and pledge-takers to win.

At that point, a citizen's initiative may be British Columbia's best tool to stop increases in crude oil tanker traffic that put our coast and economy at risk.

#### Is Dogwood planning to run this campaign?

No, not alone. In the building phase, multiple interested groups (including Dogwood) will reach out to their own supporters and encourage them to canvass or at least pledge to sign a citizen's initiative if necessary.

Later this spring, any interested groups would create a partnership and form a new entity/organization that would collaboratively guide a coordinated campaign.

If Prime Minister Harper's cabinet approves a project and Premier Clark doesn't stand up for B.C., the new entity partners would decide whether they are prepared to launch and win an official citizen's initiative.

The name, membership and governance structure of this group would be decided later by the organizations involved.

#### How does the citizen's initiative process work?

A successful citizen's initiative needs to collect signatures from 10 per cent of all eligible voters in

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each of B.C.'s 85 provincial ridings during a 90-day period. After verifying the signatures and confirming the necessary thresholds have been achieved, Elections BC would send the matter to a standing committee of the legislature, which would choose one of two options:

- 1. Introduce the legislation into the legislature for a vote, or
- 2. Require a citizen's initiative vote in the fall of 2017.

#### Is an initiative vote binding on government?

Legally, no. But politically it would be difficult to refute.

For an initiative vote to pass, more than 50 per cent of all registered voters and 50 per cent of all registered voters in at least two-thirds of all ridings must vote in favor of a new law or changes to an existing law. The new law or changes to an existing law must then be introduced in the house.

While legally the house could reject the legislation, politically this would be almost impossible. The government would face enormous backlash if they betrayed the will of a majority of voters. The threat of this backlash would also make amendments to water down the legislation very unlikely.

#### What is the difference between an initiative vote and a referendum?

An initiative vote is a province-wide vote on a new law or changes to an existing law proposed by a registered voter. An initiative vote is not legally binding, as discussed above. Initiative votes are administered under the *Recall and Initiative Act*.

A referendum is a province-wide vote on a question that government asks of citizens. Referenda are administered under the *Referendum Act*.

There is no way for citizens to directly force a referendum, but it is possible that the legislation in a citizen's initiative could require a referendum before certain permits could be granted to oil tanker and pipeline projects.

#### Is this strategy risky?

Risk should always be evaluated in context. It would be foolish and risky to not prepare for the possibility that Ottawa will push oil tanker projects forward and Premier Clark won't stand in the way. A massive increase in the risk of an oil spill on our coast is unacceptable to most British Columbians.

This situation is risky regardless of the strategy we employ, so it seems wise to be ready for every scenario. Pursuing an initiative strategy may be a huge endeavor, but being unprepared if our elected representatives bow to Big Oil's interests is arguably riskier. Our coast and our economy wouldn't survive a massive oil spill – we should prepare every possible defense to protect what we hold dear.

#### What if we lose?

Remember that we would only launch the official citizen's initiative if Prime Minster Harper and Premier Clark approve increases in crude oil tanker traffic *after* we have organized enough support to be able to win.

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If Ottawa and Victoria sell B.C. out to Big Oil, there are three ways for British Columbians to stop expansion of crude oil tanker traffic:

- · Lawsuits particularly First Nations challenges
- · Civil disobedience
- · Organizing and flexing political muscle

Organizing political power through the citizen's initiative process does not preclude or interfere with other options. In fact, properly deployed it could enhance them whether or not an initiative is ultimately successful.

For example, if 400,000 people supported an initiative but we couldn't reach the required 10 per cent threshold in a few ridings, then the initiative would fail. However, the organized network of hundreds of thousands of supporters concerned about unpopular oil tanker and pipeline projects could change the political landscape. The 400,000 vocal supporters would not negatively affect the judges considering First Nation or other lawsuits, nor would it interfere with efforts to engage people in civil disobedience.

A new groundswell of engaged supporters creates opportunities to leverage new tactics at a scale previously unavailable.

#### Shouldn't we focus on the 2015 federal election?

The organizing network we build in key ridings could work for both the preparatory initiative campaign and the federal election.

People will likely be more excited about working on a direct democracy campaign in the next six months than building toward the federal election 18 months in advance.

Whereas electoral organizing splits our supporters two or three ways along partisan lines, British Columbians of all political stripes are passionate about protecting our coast.

#### How would a citizen's initiative impact aboriginal rights and title?

The legislation proposed in a citizen's initiative would probably be focused on limiting the B.C. government's' ability to approve the 60 provincial regulatory permits required for crude oil tanker and pipeline projects to be built. It could require special procedures for the granting of these permits in specific geographical zones. This would not affect aboriginal rights or title as the government's duty to consult would remain.

### How would this campaign impact First Nations' legal challenges?

A citizen's initiative campaign and First Nation's legal challenges would operate on parallel tracks. A citizen's initiative campaign would have no direct legal impact on First Nations legal challenges, but prior cases have shown that Canadian courts may be influenced by populist sentiments. In that context, having an organized, visible movement of British Columbians who support First Nations rights would not hurt, and may in fact help in the courts.

A citizen's initiative campaign will also create a larger pool of potential people who could be called upon to help fund First Nations litigation.

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#### Would there be a "No" side?

Yes. Initiative opponents would have to register with Elections BC, at which point a set of fairly restrictive rules comes into force, including strict spending limits.

A company like Enbridge could officially become a party in the "No" side, or create a front group, or register as a third party advertiser. Whichever course they took, spending limits would greatly decrease their ability to advertise as they currently do.

#### Will our opponents be able to outspend and out-advertise us?

Perhaps, but an official citizen's initiative campaign would actually create a much more level financial playing field. There would be a cap on opponent and proponent funding mandated and enforced by strict laws.

The spending cap will be less than one million dollars for all TV, radio and print advertising for each side. That may sound like a lot of money, but it is a fraction of what Enbridge, CAPP and others are currently spending. In addition, non-registered opponents would be limited to only \$5,000 in advertising.

Expense limits only apply to expenses used during the 90-day initiative petition period. Potential proponents and opponents may incur expenses before an initiative petition application is approved.

CONTACT US	GET INVOLVED	ABOUT US	SUPPORT OUR WORK
MEDIA CENTRE	organize with us	biog	donate
	attend an event	privacy policy	other ways to give
		our annual report	-
		publications	

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# **Past Events**



#### It's Time To Take Back Our Port Rally

Port Metro Vancouver could make a decision any day now to grant the permit for Fraser Surrey Docks and become the biggest coal exporter in North America. The port is unaccountable and undemocratic. Will you join us to take back our port? Read More...

#### Bring The Coal Fight To Port Metro Vancouver's AGM

Port Metro Vancouver is holding its AGM on Tuesday, June 4th at 3 p.m. at the Vancouver Convention Centre. Dogwood Initiative, Voters Taking Action on Climate Change, the Wilderness Committee and concerned residents from across the Lower Mainland are planning to attend to make sure coal expansion is on the agenda. Will you join us?

Read More ...



# Call For Real Public Consultation On The Proposed Fraser Surrey Docks Coal Facility

Join us in our call for public hearings to adequately consider the local and global implications of coal export plans for Port Metro Vancouver and to allow the public to express concerns directly to the decision maker.

Read More...



## Knock The Vote Burnaby North

Join us to collect NoTankers petition signatures and Knock The Vote in Burnaby on April 13th! Read More...



#### Knock The Vote In Vancouver

Join us to collect NoTankers petition signatures and Knock The Vote in Vancouver on Feb. 2nd!

Read More...



#### **Knock The Vote**

Join us to collect NoTankers petition signatures and Knock The Vote in Victoria on Jan. 11! Hey MLAs: oil tankers = A VOTING ISSUE!

Read More...



#### Navigating Our Water Future: Lessons From Australia And Europe

A Public Lecture & Discussion Hosted by the POLIS Project on Ecological Governance at the Centre for Global Studies, University of Victoria.

Read More...



#### Cycle For The Coast

Show-up at the finish line or participate as a cyclist in this multi-city bike tour to raise awareness about the threats of oil spills and how we can stop oil tanker traffic expansion on B.C.'s coast.

Read More...



# No Pipelines No Tankers Day Of Action

On Earth Day 2012 Say: "No Pipelines, No Tankers!" Organize in your community for this National Day of Action Read More...



# Creatively United For The Planet Festival - Earth Day

A creative, fun filled, all ages FREE family event supporting the local groups in our community. Creatively Uniting for the

planet on Earth Day 2012

Read More ...



### Rise Up Against Enbridge!

To protest a proposal by Calgary's Enbridge Inc. to build a \$5.5 billion, 1,177km pipeline right-of-way between the tar sands in northern Alberta near Edmonton and the coastal waters of British Columbia near Kitimat!

Read More ...



#### Our Coast! Our Decision! Rally In Comox

Residents of Vancouver Island are rallying outside the Northern Gateway Join Review Panel public hearings on March 31st in Comox BC

Read More ...



## No Tankers Rally: Stand Up For The Coast

WHAT: Rally - Our Coast, Our Decision, No Tankers! WHEN: 12 noon, Monday, March 26th WHERE: Vancouver Art Gallery BRING: Friends, coworkers, family members, signs, banners, etc.

Read More...



# Dance, Speakers & Dinner To Stop The Enbridge Pipeline

Salt Spring Island event with music, films, conversation, and dinner! Read More...



#### Coffee In Parksville

Ben and Celine will be visiting Pacific Brimm Coffee & Tea Co. in Parksville for some conversation, information and materials sharing.

Read More...



### **Coffee In Courtenay**

Ben and Celine will be visiting Zocalo Cafe in Courtenay for some conversation, information and materials sharing. Read More...



#### **Seedy Saturday**

We think farming is pretty cool! We'll have a booth at Seedy Saturday to talk about how we can transform Vancouver Island into one of the most liveable and sustainable regions in the Canada.

Read More...



#### 'Crafts For A Cause': Take Back BC

'Crafts for a cause' blog and community are putting on a fun letter writing, craft making, soup consuming afternoon of fun at Rhizome cafe in Vancouver. Take the opportunity to connect with other No Tankers organizers in the community!

Read More...



#### Films Of The Great Bear Rainforest

Join a selection of North America's award-winning documentary filmmakers for an engaging and entertaining evening focusing on the Northern Gateway pipeline/tanker project.

Read More...



# Public Meeting - North Saanich Sandown Proposal

Friends of Sandown Community Farm are hosting a public meeting on January 11th from 7:00 to 9:00pm at the Presbyterian Church 9296 East Saanich Rd. Panelists include Elizabeth May, MP for Saanich-Gulf Islands and Robert Maxwell, a well-known Saanich peninsula farmer.

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# Rise up against Enbridge!

	When	Apr 15, 2012 from <u>07:00 PM</u> to <u>11:30 PM</u>		
Where		Victoria, B.C., Legislature lawns to Centennial Square		
	Add event to calendar	型, vCal 型, iCal		



On Sunday April 15th, join us for a people powered day of action as we stand in solidarity with communities from tar sands to coast who oppose the Enbridge Northern Gateway Pipeline. The day of action will begin with a rally and march from the Legislature to Centennial Square. From 1:30-4:30 in the Square there will be a

series of panels and workshops concerning the Enbridge pipeline, other pipelines and northern mega energy projects, decolonization, direct action, youth involvement and kids activities, grassroots organizing brainstorming sessions, and energy alternatives, to list a few.

WHAT: Rally and Teach-in

WHEN: 11:30-4:30pm, Sunday April 15th

Gather on Legislature lawns and get your noise on with a Rally at 11:30am and march to Centennial Square. Teach-In runs from 1:30-4:30pm. Time to get organized - join us for free food, workshops, great speakers, grassroots organizing, and more!

WHERE: Rally at Legislature, Teach-In at Centennial Square Victoria, Coast and Straits Salish Territory

BRING: Friends, coworkers, family members, signs, banners, music makers, witty or feisty chants, etc.

Between 1999, and 2008, Enbridge pipelines were responsible for 610 recorded spills that released approximately 21.3 million litres of crude oil into the environment, an amount equivalent to half of the oil spilled in 1989 by the Exxon Valdez. In July 2010, nearly 4 million litres of oil gushed from a ruptured Enbridge pipeline into Michigan's Kalamazoo River, where local residents now suffer serious health problems resulting from the accumulation of heavy metals in the environment.

If permitted to proceed, the Enbridge Nothern Gateway pipeline will endanger sensitive ecosystems from Alberta to the wild northwest coast of Kitimat, B.C. An oil spill, inevitable given Enbridge's abhorrent track record, would threaten the livelihoods and continued existence of interior and coastal populations of people, animals, and vegetation. Crossing the traditional territories of more than 60 First Nations groups - many whom interpret the proposal and its federal review process as a direct violation of their laws, traditions, values, and inherent rights as Indigenous Peoples under international law - the pipeline would run 1,170 km in length, carrying oil and condensate to tankers bound for international export.

On April 15th, come out for a day of community action, solidarity, education, and movement building! Pass this invite on to everyone you know!

For More Information:

Facebook Event: www.facebook.com/events/126487254145786/
Or Check out our Blog at http://riseupriseupagainstenbridge.blogspot.ca/

No tankers; no pipelines: let's change our energy future! More information about this event...

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# Our Coast! Our decision! Rally in Comox

When	Mar 31, 2012 from <u>08:00 PM</u> to <u>12:00 AM</u>
Where	Comox Community Center
Contact Name	Celine Trojand
Contact Phone	250.686.2438
Add event to calendar	면, vCal 면, iCal



At 1pm gather outside Enbridge's Norther Gateway Join Review Panel hearings on March 31st at the Comox Community Center for a welcome dance, songs, speakers and more.

At 2pm the crowd will move over to nearby Robb Rd. School Gymnasium for a panel session, Info and action advice from various local and provincial representatives. Hear from fisher's teachers, environmental groups, local activist and more!

There will be car pools and buses leaving from your city. Contact Marie at 250.335.0850 or visit www.bit.ly/comoxorbust

Facebook event here

Come together, learn and act

Stand for jobs, for equality, for justice and for the coast.

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