

The Honourable Jim Carr, P.C., M.P.  
Minister of Natural Resources  
House of Commons  
Ottawa, Ontario  
K1A 0A6

May 12, 2016

Dear Minister Carr,

Re: Trans Mountain Expansion Project Transitional Review Process

On behalf of our organizations and the thousands of our supporters with an interest in Kinder Morgan's Trans Mountain pipeline proposal, we welcome your government's commitment to additional consultation on the project.

We understand that you intend to announce further details on the new phase of government's review of the project in the near future. In light of this, we are writing to share some suggestions on how this new process can be made as robust as possible in order to meet the high expectations generated by the Prime Minister's campaign commitment to redo the Kinder Morgan review.

First, one of the most significant criticisms of the previous National Energy Board (NEB) review was the restrictions that were placed on public participation. In order to address this gap, the new round of consultation should be as open, inclusive, and easy to participate in as possible. Accordingly, the consultations should be open to everyone, with no prescribed criteria for participation or application process. In addition, the consultation meetings should be held in communities along the marine shipping corridor, as well as the pipeline route, to include people who did not meet the National Energy Board's 'directly affected' test. We suggest that government plan to hold consultation meetings in the following communities:

Edmonton, Kamloops, Merritt, Abbotsford, Surrey, Coquitlam, Burnaby, Vancouver, North Vancouver, Gulf Islands, Victoria, Sechelt, Nanaimo

We would welcome the opportunity to work with you to ensure that residents in the communities you visit are informed of the opportunity to participate, and are aware of the meetings' purpose, format and guidelines for attendance.

We will also be informing our supporters and partners of opportunities to submit comments online. Again, to ensure that this process is as accessible and inclusive as possible, we request that the public be offered a clear option to submit comments by email, with no requirements to register or create an online account.

Second, we hope that the additional time provided by the transitional review process will allow for the consideration of critical information that was excluded from the NEB evidence record; specifically, a

December 2015 report published by the U.S. National Academy of Sciences (NAS) on diluted bitumen spills. The report concluded that existing response technologies are ineffective at recovering sunken bitumen; and that current U.S. regulations and practices do not capture the unique properties of diluted bitumen or encourage effective planning for spills of that product.

The NEB rejected an application to have the NAS report introduced into evidence on the grounds that it would prejudice Trans Mountain, due to the shorter project review timelines imposed by amendments to the NEB Act made by the former government.

We believe that the exclusion of this evidence and the failure, to date, of the Trans Mountain review process to critically examine the regulatory and technical ability to respond to bitumen spills in Canada will render any attempt to assess environmental impacts fatally flawed.

In the additional time provided by the transitional review, we ask that a process be established to take the findings of the NAS report, and any response that Trans Mountain might wish to make to it, into account in Cabinet's ultimate deliberations on the outcome of the project.

We would welcome the opportunity for further dialogue on any aspect of the transitional review, and we look forward to engaging in the process over the coming months.

Yours sincerely,

**Burnaby Residents Opposing Kinder Morgan  
Dogwood Initiative  
Force of Nature Alliance  
Friends of the Earth  
Georgia Strait Alliance  
Living Oceans Society**

**North Shore No Pipeline Expansion  
Pipe Up Network  
Sierra Club BC  
Stand (formerly ForestEthics)  
WaterWealth Project  
Wild Coast**

