

Redtail Wilderness Camp and Pipeline Route Hearings

By David Orton

Update January 2010

The destructive impact of the oil and gas industry upon the people and the ecology of rural Canada is gradually starting to seep into the consciousness of Canadians. While much of the attention to this is rightly focused on Western Canada, there is a Maritime connection and the reproduction of this Bulletin is a timely illustration of this.

We have placed Green Web Bulletin # 65 "Redtail Wilderness Camp and Pipeline Route Hearings", August 1998, plus "Comments at Billy MacDonald's Final Pipeline Hearing" of January 8, 1999 on the internet for the first time. The various interventions on behalf of the camp, and community support at the hearings, presented a case that convinced the National Energy Board to rule in favour of Redtail. This ruling forced the pipeline company to move its gas line away from the camp over the company's strenuous objections.

The struggle to move the natural gas pipeline was a successful practical illustration of the application of the deep ecology philosophy. It showed the countering of the world view of industrial society, as expressed in the plans of the pipeline company and their supporters. John Livingston, the pre-eminent Canadian eco-philosopher, opposed "resourcism" and the human-centeredness of industrial society, and was a passionate voice for wildlife. (For more on John Livingston see Green Web Bulletin #79 "An Appreciation".) This, remarkably, was similar to Billy MacDonald 's Nature-bonding work at Redtail Nature Awareness, through the wilderness camp's activities.

Billy feels that the documents are an expression of the philosophy of Redtail in the period of the pipeline hearings. Also, that these documents would be helpful for those seeking to understand the values he has, guiding the current struggle to stop over 300 acres from being clear cut by "Wagner Land Management" in the vicinity of Redtail Nature Awareness.

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Introductory note

The entire East Coast of Canada, an area apparently rich in undersea oil and gas deposits, is being turned into a fossil fuel extraction zone to mainly feed the insatiable demands of the United States. Oil and gas company executives make public pronouncements about spending thirty billion dollars over the next ten years on the offshore fossil fuel industry on Canada's East Coast. We already have the exploitation of the Sable gas fields off Nova Scotia, the exploitation of the oil and gas fields off the coast of Newfoundland, and the attempt to overturn a moratorium on oil and gas extraction on the Canadian Northeast Peak of Georges Bank.

The project to extract natural gas from six gas fields surrounding Sable Island has proceeded through what turned out to be various illusory regulatory hurdles. After 56 days of formal hearings in Nova Scotia and New Brunswick, the Canadian National Energy Board (NEB), after federal cabinet approval, issued the misnamed "Certificate of Public Convenience and Necessity" in December of 1997. At present, gas wells are being drilled and extraction platforms are being built. Natural gas is scheduled to come ashore in November of 1999.

Now that the Sable gas project has received the overall regulatory go-ahead in Canada, it is resistance to the placement of the main gas transmission line by individual land "owners" where the opposition fights

on. The needed "rights-of-way" for the onshore 1,048-kilometre underground high pressure natural gas transmission line, are being extricated from many unwilling landowners, using any corporate/government strategies that are effective.

In Nova Scotia and New Brunswick, there have been quite a number of objections by landowners, who have asked for what are called "detailed route hearings", allowed under the National Energy Board Act. (This Act is essentially a land-expropriating document for the oil and gas industry.) The hearings were held in both provinces in late July/early August 1998.

Backgrounder on the Redtail Nature Awareness Camp hearing

On Wednesday August 5th, 1998 a "detailed route hearing" was held by a panel from the National Energy Board to consider the objection by Billy MacDonald to the proposal by the Maritimes & Northeast Pipeline (M&NEP) to run their high pressure main natural gas pipeline close to his wilderness camp (coming at one point about 150 metres from the land boundaries).

The camp is known as the Redtail Nature Awareness Camp and is designed with simplicity in mind. Activities center around a 25 by 30 foot pole-barn structure with cooking arrangements and sleeping accommodations. There are: no running water, electricity or other 'modern' amenities. Campers can bring their own tents and erect them in the base camp area. In another area, where winter camping is carried out, is a year-round teaching lodge, 18 foot by 24 foot, with an outdoor wood sauna. The camp, which is used by young people and adults, is situated in rugged terrain, posing extremely difficult stream crossing problems for any pipeline project.

The hearing ran from 11 am until about 10.30 pm. It was held in Stellarton, Pictou County, Nova Scotia, as part of the detailed route hearings for people who opposed the pipeline going through their land. Although this is, apparently, the first time that the NEB has held detailed route hearings, the procedures were complex and designed for lawyers. The official, narrow terms of the detailed route hearings, concerned only the exact placement of the natural gas line within a one-kilometre pipeline corridor across Nova Scotia and New Brunswick, which was already federally approved. Specifically:

Parties are reminded that the issues before the Board in this proceeding are the best possible detailed route of the pipeline, and the most appropriate methods and timing of constructing the pipeline. (NEB letter of July 23, 1998)

Maritimes & Northeast Pipeline had two lawyers and a number of company "experts" (about nine of them), plus back-up staff, to discredit any landowner opposing them. I listened to three days of hearings (in Moncton and Stellarton). The final position of M&NEP was always to insist that their route was the shortest possible one – hence least expensive; it was the most environmentally benign; and of course should not be changed, no matter what "evidence" came out in the detailed hearings. I was however surprised at some of the critical comments and questions raised by the three-person NEB panel, who ran the hearings basically like court proceedings. (Whether this will be reflected in their decisions remains to be seen.)

During the Redtail hearing, Billy MacDonald said that while he was in principle opposed to the gas pipeline, at the present hearing he was speaking in favour of at least moving the pipeline away from his camp, to the other side of the one-kilometre corridor. (Whereas M&NEP offered to move the camp away from the pipeline!) Billy also spoke with a lot of emotion about the Nature-bonding work he was doing. This particular hearing was fundamentally about a clash of philosophies, as embodied in the Maritimes & Northeast Pipeline Project and the Redtail Nature Awareness Camp. By the end of the all-day hearing, this was clear to anyone who wanted to see.

The lawyer representing Billy was Bernadette Romanowsky, who has been active in opposing the whole Sable Gas project. Bernadette obtained the services of an "expert" (Alex Ramsay) with previous pipeline experience, to testify that an alternative pipeline route, farther from the camp, was feasible. The company attempted unsuccessfully to prevent Ramsay from testifying. There were two intervenors who spoke in support of the Redtail Camp. One was Ethan Huner, speaking very eloquently on behalf of the recently formed "Friends of Redtail". Ethan had been a camper and worked closely with Billy as a counsellor at the camp. The other intervenor was myself. About ten former campers attended the hearings as well as a number of their parents. Decisions from the NEB panel concerning the detailed route hearings are expected to be handed down in September 1998.

Below are the notes from my oral presentation.

IN SUPPORT OF THE REDTAIL NATURE AWARENESS CAMP

I asked to be an "intervenor" at these hearings in order to comment on the unique environmental significance of the Redtail Nature Awareness Camp. Perhaps I should start by saying that I have been impressed with the open-mindedness of this panel, although I have a total disbelief in the National Energy Board regulatory process as it concerns the oil and gas industry.

I have known Billy MacDonald since 1986. I am here today, because I feel it is my duty to speak out about this very special camp. Hopefully, my presentation can be helpful in making you understand the Redtail Nature Awareness Camp, the natural gas pipeline, and the opposite, incompatible philosophies they represent.

In a nutshell, Redtail represents sustainability. The M&NE pipeline project represents sustainable development, in their actions and as spoken of in their **Environmental Management Manual**.

NATURE-BONDING

What the Redtail Camp stands for, is protecting the Earth, Nature-bonding, and putting the Earth first. The camp is trying to protect our collective futures. What this pipeline project stands for, is endless industrial growth without ecological limits, human-centeredness (or anthropocentrism), and seeing Nature as a "resource" for corporate and human utilization.

This pipeline, to supply gas to mainly a United States market – as we heard today 83% of Sable gas is going to the US – disregards the future. The pipeline is contributing to global warming, as the United States with about 5% of the world's population, contributes over 25% of greenhouse gas emissions. The pipeline also promotes habitat fragmentation and propagates the fiction that the pipeline does not have any significant environmental impact that cannot be mitigated! The pipeline promotes the dishonesty that there is "concern", when the only concern is for the shortest line and the corporate bottom line.

PEOPLE-BONDING

This camp, as well as standing for Nature-bonding, also stands for people-bonding. It is extremely popular. The camp is in its seventh year of operation. It was started locally, by a local person, here in Pictou County. My own daughter, who is here today, has attended this camp five times. She is also going this summer.

The pipeline's "people perspective" is to use the words of "care", "consult", etc. but to manipulate and control any public discourse. So there were not public meetings, but "public information sessions" held by

M&NE. Yet the fundamental corporate decision had already been made, to drive this pipeline through Nova Scotia and New Brunswick. Also, no critical information was available at the so-called information sessions. This is **an abuse of the public process**. The pipeline company, through spending lots of money, tries to create the illusion of popular support. That only a few people fight to the end – and are here in a detailed routing process – is falsely presented as "approximately 96% of landowners" on the pipeline's route not being in opposition. Yet remember Glengarry in Pictou County, where the community organized to move the pipeline outside its boundaries? Remember the Scotsburn community meeting, organized by the County Council, where apart from pipeline functionaries only two people spoke in support of the gas pipeline? While there may be an extensive paper trail in these hearings from the company side, there is a lot of dishonesty.

MAGIC

Billy MacDonald has a magic to him. Anyone who has visited the camp and talked to the campers can see this. The campers love him, for his gentleness, kindness, and for what he stands for. Money is not important for Billy, and he is not trying to turn the natural world into commodities. His beliefs have meant not seeking government or corporate monies. He travels to the North for several months of the year to finance Redtail, and does this by working as a carpenter for and with the Inuit. This camp is now directly threatened by a high pressure natural gas line (1,440 lbs per sq. inch). What this pipeline represents, stands in opposition to the beliefs and work of Billy MacDonald. Why should he have to accommodate to it?

REDTAIL, PHILOSOPHY AND DEEP ECOLOGY

What then does this camp stand for, philosophically? What is it that Billy MacDonald is trying to do? Why is it that a number of young people feel it sufficiently important to be in the audience today and were here yesterday? Why is it that I have taken environmental activists who have visited me from other parts of Canada, from the United States, or from other countries, to this camp so that they may see its work? These activists also gave informal talks at Redtail about their struggles to protect the Earth.

I would like to stress that this camp is reaching out to a much wider environmental community than the campers who attend its programs. This is particularly through the teaching lodge at the camp. For example, a regional Wildlands Project meeting was held at the teaching lodge. The Wildlands Project is concerned with restoring the biological health of this region through a system of connected wildlands reserves. Redtail is part of the North American environmental movement.

The uniqueness of Redtail is that it is an **application** of the philosophy of deep ecology. This application makes the camp quite unique from an environmental perspective. Yet Billy MacDonald has come to his position through his own personal journey. We need this camp like we need Nova Nada, which is threatened by Irving's industrial logging. Both of these special places emphasize **silence**. Billy's camp emphasizes "quiet spots", 24-hour solos and the necessity for silence on hikes, etc. Both Redtail and Nova Nada are showing how to live in place. Both of these special places in Nova Scotia contain the seeds for a sustainable future. This is unlike the pipeline's model of continual industrial expansion using fossil fuels.

DEEP ECOLOGY

So what is deep ecology? Deep Ecology (DE) is a philosophy first given this name in the early seventies by the Norwegian philosopher Arne Naess. He wrote a now famous article called "The shallow and the deep, long-range ecology movements" which was published in the journal **Inquiry** in 1973. DE means to ask deeper questions and not to stay on the surface of things. It is meant to stimulate thought and

discussion. Shallow ecology, a term also coined by Naess (it would describe the "environmentalism" of the M&NE pipeline project), means that the major ecological problems can be resolved within and with the continuation of industrial society. Yet this industrial society has caused the Earth-threatening ecological crisis.

DE says major ecological problems cannot be resolved within the existing capitalist or socialist industrialist economic systems. DE promotes biological, cultural, and social diversity. Respect for diversity avoids dogmatism in ideas and organizational forms and the elevation of ideas above life itself.

Perhaps the heart of the Redtail Nature Awareness Camp and of deep ecology is the belief that there has to be a fundamental change in consciousness for humans, in how they relate to the natural world. This requires a change from a human-centered (anthropocentric) to an ecocentric perspective, meaning humans as a species have no superior status in Nature. There are no hierarchies. All other species have a right to exist, irrespective of their usefulness to the human species or human societies. Humans cannot presume dominance over all non-human species, and see Nature as a "resource" for human and corporate utilization. We humans are equal to other life forms, and often we need to back off, so that other species may live.

You heard how those attending Redtail have a totem animal which they adopt. These animals can convey meanings to attentive humans and hence illumination. If you go to the camp, you will find tacked up on the wall the eight-point **Deep Ecology Platform**. This **Platform**, drawn up by the eco-philosophers Arne Naess and George Sessions, contains the core beliefs and basis of unity of the ecocentric environmental movement which Redtail is contributing to and applying. The **Deep Ecology Platform** has eight points and I am going to list them for you:

1. The well-being and flourishing of human and nonhuman life on Earth have value in themselves (synonyms: inherent worth, intrinsic value, inherent value). These values are independent of the usefulness of the nonhuman world for human purposes.
2. Richness and diversity of life-forms contribute to the realization of these values and are also values in themselves.
3. Humans have no right to reduce this richness and diversity except to satisfy vital needs.
4. Present human interference with the nonhuman world is excessive, and the situation is rapidly worsening.
5. The flourishing of human life and cultures is compatible with a substantial decrease of the human population. The flourishing of nonhuman life requires such a decrease.
6. Policies must therefore be changed. The changes in policies affect basic economic, technological, and ideological structures. The resulting state of affairs will be deeply different from the present.
7. The ideological change is mainly that of appreciating life quality (dwelling in situations of inherent worth) rather than adhering to an increasingly higher standard of living. There will be a profound awareness of the difference between big and great.
8. Those who subscribe to the foregoing points have an obligation directly or indirectly to participate in the attempt to implement the necessary changes.

From **Clearcut: The Tragedy of Industrial Forestry**, edited by Bill Devall (San Francisco: Sierra Club Books and Earth Island Press, 1993).

One of Billy's camps dealt with earth philosophies. Those attending made up their own deep ecology platform based on their camp and personal experiences.

Redtail is saying there are other epistemologies out there. This camp is about the spiritual nature of landscape. It is about, through the totem animals, the spiritual nature of animals' lives. Redtail stands against the loss of biodiversity, global warming and the corporate/individual quest for material wealth.

Aldo Leopold wrote in **A Sand County Almanac**, a book of essays describing the joy and beauty of a lifestyle that protects the environment, of "Thinking like a mountain." Redtail is where you can think like a mountain. Leopold also spoke of what he called a land ethic which he described as follows:

The land ethic simply enlarges the boundaries of the community to include soils, waters, plants, and animals, or collectively: the land.

The activities, discussions, and way of life at the camp, strive not to treat Nature as a resource, but try to inculcate the land ethic spoken of by Leopold. In contrast, as you know, industrial society gives degrees in "resource management".

In 1850, Henry David Thoreau said, "In wildness is the preservation of the world." As has been said, today in the age of ecology, we are still discovering the deeper meanings of this statement. This is the work being done by the Redtail Nature Awareness Camp. Our existing industrial society is removing wildness from Nature and from society itself. Social participation, as we see in these detailed route hearings, becomes formalized and tightly structured.

NATURE RIGHTS, SOCIAL JUSTICE AND PROPERTY RIGHTS

One species, humans, cannot "own" Nature, that is, the Earth and all its living creatures. We do, however, make use of the Earth, wisely or foolishly. The human-centered idea that individual humans or corporations are free to do whatever they want with the land, air, water, minerals, and all the animals that live on the land, in the air, or in the seas, irrespective of other humans and non-human life forms, is at the root of our rapidly growing ecological crisis. The human species must eventually move to the position that the land, water, and air are seen as the common inheritance of all living beings. We must tread very lightly upon this one Earth that we share.

Language embodies a world view that is often taken for granted and frames a debate, as we have seen in these detailed route hearings. I believe that whatever a society's conception of property rights, it must basically serve two ends: one is to protect Nature and all the non-human living creatures; the other is to protect social justice within a particular society. The Sable gas pipeline project violates both these ends.

CONCLUSION

I hope this panel can see this treasure, which is the Redtail Nature Awareness Camp. I hope you will not be swayed by corporate bottom-line arguments, dressed up as somehow in the public interest.

(Presentation given on August 5th, 1998)

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Appendix

The following letter to the editor was sent to newspapers in the Atlantic region in July of 1998. We have seen it published in a number of NS newspapers. It was also published as an Opinion article in the **Chronicle Herald** on July 28, 1998, under the title "We must stop disregarding planet's future."

Disregarding The Future

Dear Editor:

Material distributed by the Maritimes and Northeast Pipeline Project, says that this underground high pressure main natural gas line will "access more than one thousand parcels of land and hundreds of road, rail, utility and water crossings." This main line comes ashore at Country Harbour, and snakes across northern Nova Scotia, then through New Brunswick and New England, before interconnecting with the existing pipeline grid near Dracut, Massachusetts.

On both sides of the border, there has been landowner/tenant resistance to this pipeline. In the United States, the Federal Regulatory Commission requires that preference be given to existing utility corridors. This is not the situation in Canada as many landowners have found out. (For example, Shelagh Lynch in Pictou County, is faced with a pipeline almost at her doorstep.)

The project now faces what are called "detailed route hearings" in Fredericton (July 23), Moncton (July 28), and Stellarton (August 4). Rights-of-way are 25 metres wide, and there is a trench excavated/ blasted to a depth typically of 2 to 3 metres. In Canada, to be heard at these route hearings, objections have to pass the National Energy Board (NEB) censorship criteria of not being "frivolous" or "vexatious". In spite of my total disbelief in the NEB regulatory process, I have applied for and been accepted as an "intervenor" at the Stellarton meeting. This, so I can speak up in support of the work of the very popular Redtail Nature Awareness Camp. This Camp will have its wilderness character wrecked by the Maritimes and Northeast Pipeline Project.

The rights-of-way are being pried from many unwilling landowners using various corporate/government strategies. Such strategies would include:

- Using the National Energy Board Act, which ultimately gives pipeline companies a mechanism to have land expropriated for a right-of-way, after a route has been approved.
- Corporate strategies, accepted by the federal and provincial governments, to negotiate "one-on-one" with individual landowners, and refusing to make lists of affected landowners and tenants available, so that collective organizing by those affected by the pipeline can take place.
- The National Energy Board and the pipeline companies use a complicated set of procedures, with an extensive paper trail, which benefits lawyers but makes it difficult, expensive, and time-consuming for opponents of such a project, thus favouring corporate power and resources.

The main line will eventually be linked to a maze of feeder lines, further ruining wildlife and people habitat. Nova Scotians and New Brunswickers should be aware that in Western Canada rights-of-way already contain up to six parallel pipelines. This could be the unwelcome face of the future for the Atlantic region – the creation of a utility corridor, with several lines, as more oil and gas fields are brought into production on the East Coast.

People have to speak up against the fossil fuel extraction madness and its obvious links through greenhouse gas emissions, to climate instability and global warming, in total disregard of the future of all planetary life.

Sincerely,
David Orton
Coordinator, the Green Web

The following "Comments" were made at the second hearing, on January 8th, 1999

A "David and Goliath" Struggle Comments at Billy MacDonald's Final Pipeline Hearing

I was granted intervenor status in this detailed route hearing, in order to make an intervention "on the unique environmental significance of this camp." Apparently, my request passed the NEB censorship test of not being considered "frivolous" or "vexatious". The batting record for land owners and tenants in N.B. and N.S., who finally made it to a detailed route hearing, is not all that good: 12 cases declared in favour of the Maritimes and Northeast Pipeline Project (M&NEP), 3 cases denied – and on two cases, which includes this one of Billy MacDonald, the NEB has reserved its decision.

From what has been going on here today, it seems that Redtail is on trial, not M&NEP. From my perspective, and after reviewing the documentation submitted by the M&NEP, three issues need to be addressed. The first issue that I will discuss is the most important, and yet the most neglected today:

1. The first and key issue for deciding whether or not to go with the M&NEP proposed route or that proposed by Billy MacDonald, is surely that of the work being done by the Redtail Nature Awareness Camp and how the respective pipeline routes will impact on this. Previous testimony on this work, its meaning and significance, by Billy MacDonald who is leading this, and by Ethan Huner and myself, does not seem to have made much impact on the corporate mind set. But then how could it? Otherwise they would change their activities.

This Camp teaches that the evolution of industrial society has led to a narrowing of human discourse as we relate to the natural world. We have come to exclude plant and animal beings from our consciousness. We have come to relate to the whole natural world in a totally human-centered way. Many deeper ecological voices believe there has to be a fundamental paradigm shift towards an ecocentric consciousness, where humans are no longer the center of the natural world. It is in this work of "changing paradigms," of how we see and relate to the world, that the work of the Redtail Nature Camp needs to be situated. There can be no more important and needed work.

Industrial capitalist society has turned Nature into a resource for consumption. The narrowing of human discourse, seeing Nature as "object", is a foundation for the modern domination of Nature. Redtail is a place where animal and plant beings are brought back into human consciousness. Billy teaches that only a fool would imagine him/herself as exclusively a human being; that part of our real essence is to feel part of the animals and plants which live around us, and to feel part of Dalhousie Mountain and other geological formations which are of the natural world.

Redtail is really a sacred place. It is a place where humans, through such teaching tools as a "Council of All Beings", can call into consciousness the memory of the plant life, insects, birds, animals and indigenous cultures which have or are being driven to extinction by our out-of-control industrial society.

Re-establishing a sense of kinship with plant and animal beings, is the Nature-bonding or deep ecology experience that this Camp has given to many of its visitors who have stayed a while. The Camp is really a spiritual center of Earth-healing. Traditional aboriginal views in hunting and gathering societies had a similar animistic view of the natural world, which was seen as alive and not separate from human identity. Of course we have lost this outlook, and this explains the routine destructive horrors we carry out against the natural world, in the name of economic growth, jobs, and increased consumerism. Billy believes that how we treat plants and animals is ultimately how we treat ourselves. To disrespect Nature is to disrespect ourselves. To turn Nature into commodities for sale in the world's marketplace, is ultimately

to do this to humans. The "Department of Natural Resources" has its parallel in the "Department of Human Resources".

For M&NEP, relative wilderness and the work of the Redtail Nature Awareness Camp becomes transformed into a "posted" industrial work site, as illustrated in Appendix A of their submission. "Concerns" are supposedly addressed by M&NEP while the soul or gestalt of the camp is desecrated. How does one "compensate", as suggested by M&NEP, when Billy's work gives his life its extraordinary meaning, as a Nature and community teacher to which hundreds of people have been exposed, including the young people sitting through this hearing?

The Redtail Nature Awareness Camp is a spiritual center of Earth Healing. Although it has been a happy place for campers, it is a place where the Earth, not humans, is put first. Redtail opposes the view that the destiny of the natural world is to be re-made in the human or corporate image. It is a special place and has touched in quite a profound way, many who are searching for sustainable living alternatives to industrial destruction.

The additional costs associated with the alternative route, which have been much of the focus of this meeting, are irrelevant, considering the billions of dollars in the Sable Gas Project.

Given that this high pressure natural gas line is not wanted by Billy MacDonald, and that he has been rooted in this particular physical place for quite a number of years, that M&NEP are the "Johnny-come-latelys," the least this panel can do, if it understands the fundamental clash of cosmologies which are at issue here, is to accept the alternative route that has been put forward. In this way the work of Redtail, as understood by Billy MacDonald, can hopefully continue.

2. The second issue is whether or not the M&NEP route, or the alternative route proposed by Billy MacDonald, is more environment- and people-friendly. To have such a discussion with the pipeline proponents, who have invaded, uninvited, the space of the Redtail Camp, is in itself totally bizarre. The focus here is on the two reports which have been filed. **Affecting my judgement on this, is that this whole Sable gas and the pipeline project are declared to have "no significant adverse environmental effects", providing certain "mitigation measures" are carried out.** The basic philosophy here seems to be that humans can "repair Nature" and, moreover, this right is taken for granted. Yet how can one repair the forest opened up by a pipeline right-of-way? How can one repair the industrial violation of a wilderness experience? In larger terms, which are not even considered by this project, how one can repair climate change and disregard the contribution of carbon dioxide, methane, and oxides of nitrogen from natural gas, when the Intergovernmental Panel on Climate Change has called for a 60-80 percent reduction, just to stabilize greenhouse gases?

M&NEP continuously claimed today that Redtail can adjust to the industrial activity. They present the fiction that this pipeline is no different from a clear cut.

The "repair" philosophy seems to say that any problems caused to the Redtail Camp by this pipeline project, can be patched up. For me this is human-centered corporate arrogance and I totally reject it. Based on reading quite a lot of pipeline and Sable gas literature and attending several meetings, the pipeline company always defends its route alignment, as it has here today, against whatever opposition that can be mounted. Ultimately, the route alignment for M&NEP rests on what is best for the corporate bottom line. So, on this second issue, while the comparison of the respective merits of the two pipeline routes has some importance, in my judgement it is not the crucial reason to reject the M&NEP proposal. I do reject their proposal and support the alternative route proposed by Billy MacDonald because, hopefully, this alternative will not deal the Camp a death blow.

3. The third and final issue is the real extent of the regulatory and enforcement authority of the National Energy Board over the oil and gas industry. Who will enforce whatever conditions this panel charges M&NEP to uphold, which I hope are very strict, as regards the Redtail Camp? We are told in NEB reports that "The pipeline industry has primary responsibility for pipeline safety..." (**Public Inquiry Report into Stress Corrosion Cracking**, November 1996, p.3.) The **Auditor General's Report** of September 1998 is extremely critical of the NEB and makes a general case that the Board lacks the staff and resources to carry out surveillance and inspections. Here are some examples from this **Auditor General's Report**:

13.41 When the Board approves pipeline construction, it may include terms and conditions to which applicants must adhere in addition to the applicable legislation and approved specifications and procedures. In cases of non-compliance, the Board is empowered to impose a penalty of up to \$1 million and/or jail terms. The Board uses a graduated approach to resolving any non-compliance. First, it requests the company to provide its Assurance of Voluntary Compliance; second, it issues a Board Order compelling the company to rectify the situation if no Assurance of Voluntary Compliance is received; and third, it imposes a penalty. As a result of this graduated approach, no penalty has ever been imposed. A system of penalties for repeated or persistent non-compliance was to be developed in 1997-98, but this was not done.

13.45 The NEB lacks an effective information system necessary to support assessment of the cumulative effects of pipelines on the environment.

13.50 Due to resource constraints, 40 percent of scheduled safety audits were not carried out in 1997-98.

13.54 The NEB is developing a risk analysis approach toward scheduling and conducting environmental inspections. Recently, its inspection staff dropped from three to only one. Only inspections considered to be highest priority have been carried out. NEB staff informed us, for example, that last year they visited only 4 out of 28 potential sites as part of a post-construction inspection.

13.57 For three projects that we selected at random for review, NEB staff were unable to find the inspection binders, which are supposed to contain all relevant inspection documentation.

This might be considered a low blow, but the bungling in organizing yesterday's public hearing, a major inconvenience to a lot of people, probably gives some insight on the level of administrative competence within the NEB.

Canada now exports more than 50 percent of the crude oil and natural gas it produces. The NEB, apart from the lack of regulatory and enforcement resources, seems to accept the assumptions of the industry. That is, the need for continuous economic growth, continuing use of fossil fuels, and that Canada should supply the United States, the largest greenhouse gas emitter, with such fossil fuels. We were told once again in the previous hearing that 83% of Sable gas is going to the United States.

In conclusion, I feel I am the voice at this hearing for those who support the work of the Redtail Nature Awareness Camp. You should ask yourselves, why do none of the campers at this hearing support the view of M&NEP?

I believe this particular detailed route hearing is extremely important because of the fundamental clash of world views or cosmologies. It will surely be seen this way in the future, by those who look back and seek to understand the oil and gas industry and its destructive impacts on the Maritimes and our total unpreparedness to combat this. As is the case with most detailed route hearings, this is a very unevenly matched battle. Look at the line-up of "experts" facing off, actually 10:1, as we saw earlier today. These

detailed route hearings are, in many ways, David and Goliath struggles. But Billy does not even have a bag of stones and a slingshot. What he does have is his work and a record of positively influencing so many people. I hope this panel is capable of seeing what is at issue here and will rule against the philistine side.

Thanks for listening,

David Orton
Coordinator, Green Web

January 8, 1999
Museum of Industry
Stellarton, N.S.

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