January 14, 2014

Ms. Roxanna Benoit
Vice President, Public, Government and Aboriginal Affairs
Enbridge Inc.
3000, 425 - 1st Street SW
Calgary, AB T2P 3L8

Dear Ms. Benoit:

Re: Enbridge Line 9B Reversal of Flow Proposal

At its meeting on December 19, 2013, the Niagara Escarpment Commission (NEC) received a report on Enbridge’s proposal to transport diluted bitumen, in addition to light crude oil, and to reverse the flow of oil in Enbridge’s Line 9B pipeline. As you may be aware, Line 9B crosses the Niagara Escarpment Plan Area in East Flamborough and North Burlington and also falls within Conservation Halton’s watershed.

The protection of Ontario’s Niagara Escarpment was made a provincial priority 40 years ago through the Niagara Escarpment Planning and Development Act, which resulted in the approval of the Niagara Escarpment Plan in 1985. In 1990, the uniqueness and importance of the Escarpment was further enshrined when the Escarpment was granted status as a UNESCO World Biosphere Reserve. To maintain this legacy of protection, and ensure that the Escarpment continues to provide crucial ecosystem services to Ontario’s citizens, the Niagara Escarpment Commission is committed to ensuring the highest measures of environmental protection are applied across the Niagara Escarpment Plan Area.

The Commission shares many of the same concerns that have been raised by conservation authorities, municipalities and Aboriginal and community groups, regarding the environmental damage that could result from a rupture of Line 9B, especially if crude oil contaminates ground and surface water resources. While we acknowledge that the risk is considered to be low, the consequences of a spill are significant enough that we feel strongly that Enbridge should undertake additional environmental protection measures, including the installation of isolation valves at key watercourse crossings and additional emergency response planning and training to ensure an immediate response to any pipeline rupture.

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Under Ontario Regulation 828/90, the maintenance, repair, and renewal of utilities such as pipelines are exempt from NEC Development Permit requirements. However, if safety upgrades to Line 9B are to be undertaken either as a result of the National Energy Board's conditions of approval, or as a result of Enbridge's on-going discussions with municipalities and conservation authorities, the Commission is in principle prepared to support such measures if the extent of work required goes beyond permit exemptions and Development Permits are required.

I have copied the Mayors of Hamilton and Burlington, the Chair of Conservation Halton, and the Ontario Ministry of Energy to make them aware of the Commission's support for their concerns, and to further encourage their efforts to prioritize environmental protection and human health and safety.

Sincerely,

Don Scott  
Chair  

cc: Mayor Rick Goldring, City of Burlington  
Mayor Bob Bratina, City of Hamilton  
Mr. John Vice, Chair, Conservation Halton  
Mr. Ray Pichette, Director, Ontario Ministry of Natural Resources  
Edward Sweet, Manager, Energy Markets, Ontario Ministry of Energy