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Subject: Kinder Morgan Pipeline

Mayor and Council:

Today, the National Energy Board (NEB or the Board) issued a 533-page [report](#) recommending Governor in Council approve the Trans Mountain Expansion Project (Project), subject to 157 conditions. The conditions cover the following categories:

- Safety and Integrity of the pipeline
- Emergency preparedness and response
- Protection of the environment
- Ongoing consultation with those affected, including Aboriginal communities
- Socio-economic matters
- Affirmation of commercial support for the Project prior to construction; and
- Financial responsibility.

The NEB concluded: *"Taking into account all the evidence, considering all relevant factors, and given that there are considerable benefits nationally, regionally and to some degree locally, the Board found that the benefits of the Project would outweigh the residual burdens."*

The Board's recommendation report is one of the factors that Governor in Council will consider when making the final decision on whether or not the Project should proceed. The Governor in Council will also consider the recently created Government of Canada's Ministerial Panel that will engage with the public and Indigenous peoples along the pipeline route and complement the NEB's environmental assessment and review to identify whether there are significant outstanding questions of public interest.

The City is disappointed by the NEB's recommendation. Throughout this review process, the City and many other intervenors have raised significant concerns about the flaws in the process which allows for no opportunities for oral cross-examination and inadequate information sharing. Furthermore, the 12 evidence based reports prepared by independent subject-matter experts and a public survey signified to staff and Council that there is no need for the pipeline expansion, that the risks of a major oil spill and the upstream and midstream impacts on climate change are not justified and the proposal is not in the public interest as the burdens significantly outweigh the benefits.

Over the coming week, City staff will be reviewing the report and providing comments to City Council on how best to proceed.

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