

# COASTAL FIRST NATIONS

## GREAT BEAR INITIATIVE



May 18, 2012

**Delivered by E-File**

National Energy Board  
444 Seventh Ave. SW  
Calgary, Alberta T2P 0X8

Attention: Sheri Young, Secretary to the Joint Review Panel

Dear Sirs/Mesdames:

**Re: Northern Gateway Pipelines Inc. (Northern Gateway) Enbridge  
Northern Gateway Project (Project) Hearing Order OH-4-2011**

**Registration for May 30, 2012 Procedural Conference filed May 18, 2012**

1. Coastal First Nations wishes to register for the Procedural Conference tentatively scheduled for May 30, 2012 and will participate by telephone.
2. The list of issues identified for the Prince Rupert sessions should be clarified to ensure that the matters identified in the brackets as aboriginal interests are meant only as examples, and are not limited to socio-economic, aboriginal & treaty rights.
3. Location of Hearings – the JRP should consider holding hearings on marine issues in Vancouver with video links to Prince Rupert and Kitimat as a way of reducing the costs to Intervenor (many experts and legal and technical representatives live in the lower mainland) and in recognition that Kitimat is the proposed site of the Marine Terminal and that there are many people in the lower mainland who use the area for recreational, commercial fishing and other uses.
4. Witnesses – as of now, Coastal First Nations intends to cross-examine NGP, Transport Canada, Canadian Coast Guard, DFO, CEAA (as crown consultation coordinator and expert on environmental assessment methodology) and possibly the Government of B.C. These cross-examinations will focus on risk assessment, spill response, measures to prevent incidents, and reduce risk of spills, consequences of spills, and Aboriginal consultation. Naturally, until the JRP approves the government participants we wish to cross-examine, and NGP identifies the witnesses they will present, it is difficult to determine the amount of time needed for

cross-examination. It would likely take several hours of cross-examination for each party.

5. Coastal First Nations is supportive of remote questioning techniques such as video conferencing and telephone.
6. Location for Final Argument Phase - the JRP should consider holding final argument hearings in Vancouver with video links to Prince Rupert and Kitimat as a way of reducing the costs to Intervenors and in recognition that Kitimat is the proposed site of the Marine Terminal.
7. Constitutional Questions and outstanding motions should be dealt with after the end of the final argument, and both written and oral presentations should be allowed.
8. Translation – provision should be made for translation services if Aboriginal elders are cross-examined.

Yours truly,

A handwritten signature in cursive script, reading "Art Sterritt", followed by a horizontal line.

Art Sterritt  
Executive Director  
Coastal First Nations