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- **Opposition Grows to Proposed Pipeline Expansion**
- **No to the Sell-Off of Our Natural Resources!**

**We Need a New Direction for the Economy! - Statement of CPC(M-L)
Vancouver Committee (Excerpts)**

BC Government Proceeds with Site C in the Face of Broad Opposition

- **Hands Off Site C Protest Camp!**
- **Executive Decree Hands Billions to Monopolies to Construct and Finance Site C Dam**
- **Dam Construction Will Destroy Prime Agricultural Land**
- **For Your Information**

Kinder Morgan Pipeline and Bogus National Energy Board Hearings

Opposition Grows to Proposed Pipeline Expansion

Five hundred people gathered in Burnaby on January 23, to denounce as a sham the pipeline hearings of the National Energy Board (NEB). The NEB is holding hearings regarding Kinder Morgan's application to expand its Trans Mountain pipeline capacity. The U.S. oil monopoly has applied to construct a new pipeline to more than double the amount of crude oil and diluted bitumen it carries from the Alberta tar sands to the company's Westshore Terminal on Burrard Inlet.

Demonstrations opposing the hearings began the first day of the proceedings on January 19, when protestors "took over" the Willingdon Trans-Canada Highway overpass. The protestors shouted, "NEB is a sham!" and "Trudeau, we said no!" while beating drums, sounding foghorns and whistles, and marched to the site of the NEB hearings at the Delta Burnaby Hotel and Conference Centre.



Carleen Thomas of the Sacred Trust Initiative for the Tsleil-Waututh Nation, which has launched a federal court case to stop the pipeline expansion, said to the assembled crowd: "This project does not benefit us, not only as citizens, but as human beings. The scope is so narrow. How can a regulatory process not consider the impacts of climate change?" Grand Chief Stewart Phillip of the Union of BC Indian Chiefs said, "The outstanding question of today is, Prime Minister Trudeau, where are you?"

To start off the January 23 rally, a group of Indigenous activist women performed and drummed rousing songs including the "Woman Warrior." After several speeches, the Solidarity Notes Labour Choir affiliated with the Vancouver and District Labour Council sang, "No Oil Tankers in the Salish Sea" and other songs composed by Earle Peach, the choir master.

Audrey Siegl of the Musqueam First Nation told the crowd that the members of the NEB inside the hotel do not have authority to be there to deliberate on the future of the Trans Mountain Pipeline project because they do not have the permission and mandate from the people. She and other speakers pointed out that numerous organizations that applied to make presentations to the hearings were denied the right to do so, and that those making presentations are not allowed to discuss the subject of climate change and no cross-examination has been permitted. The demonstrators declared that the NEB has turned the proceedings into a sham.

Brandon Gabriel of the Kwantlen First Nation in New Westminster said that his people rejected \$600,000 in bribe money from Kinder Morgan and instead put up signs demanding that Kinder Morgan stay off their land. Kinder Morgan drillers trespassed anyway and chopped the signs down. He said, "It is time for system change. We are not going away. We will change things."

Burnaby City Councillor Sav Dhaliwal, speaking on behalf of Mayor Derek Corrigan, said the planned pipeline expansion was not for the benefit of the Burnaby community or any other community, as "every drop of oil will go overseas. We take all the risk while the multi-nationals take none."



Dhaliwal remarked that the hearings are evidence that the system is dysfunctional adding, "This should have been stopped a long time ago when it was evident that the hearing is a sham, doesn't represent Canadians, and is not transparent. A public hearing minus the public! What kind of public hearing is that?"

NDP MP Fin Donnelly also denounced the hearing process as a sham and demanded that the new Liberal government make good on its election promise to put the approval process on a scientific footing. "Let us keep working together for a healthy economy, a healthy environment and a healthy river," he said.

A contingent of Simon Fraser University students carried signs opposing Kinder Morgan's proposal to tunnel under Burnaby Mountain where the university is located. The environment

representative for the Simon Fraser Students' Society denounced the hearing process as invalid saying, "We will have the final say," that is "No consent" and "Yes to a different future!"

Another SFU student called for "a new kind of politics where promises are kept and delivered," adding, "If we want a future, we have to fight for it and work together to protect this land for generations to come."

A representative of the Wilderness Committee said, "We do not grant the project permission. The world leaders who gathered in Paris will not stop climate change, but we will."

Dan Wallace, who was one of several activists arrested recently aboard a Kinder Morgan drilling rig in Burrard Inlet said, "Kinder Morgan needs our consent to do anything."

SFU science professor Lynne Quarmby, who was arrested in 2013 for protesting Kinder Morgan drilling on Burnaby Mountain told participants not to "relax for one second." She called on participants to work to involve friends and neighbours saying, "Together we have power." She connected the pipeline expansion to the proposed Trans-Pacific Partnership free trade agreement, which the Trudeau Liberal government has agreed to sign, and said it must not be ratified.

Activists of CPC(M-L) distributed a statement and held discussions with other participants in the rally. The sham hearings on expansion of the Trans Mountain pipeline should be stopped, they said, and the Enbridge Northern Gateway project scrapped. But importantly, a new pro-social direction for the economy is needed for nation-building, an economy not based on the extraction and sell-off of natural resources, the "rip and ship, boom and bust" economy. Events are already shattering any illusions about the Liberals and their promises, they pointed out. The activists emphasized the need for people to organize to become the real decision-makers, to deprive the financial oligarchy and global monopolies of their power to decide against the will of the people.

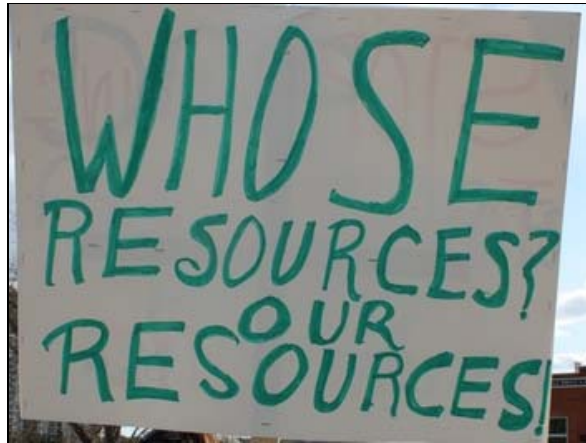
(With files from the National Observer)



No to the Sell-Off of Our Natural Resources! We Need a New Direction for the Economy!

- Statement of CPC(M-L) Vancouver Committee,
January 23, 2016 (Excerpts) -

The people of British Columbia, as well as many municipal governments, overwhelmingly oppose the plans of the U.S. monopoly Kinder Morgan to expand its Trans Mountain Pipeline carrying diluted bitumen through Burnaby for export to markets overseas. The youth and members of First Nations have been in the forefront of the struggle to stop this disastrous path of plundering resources from the earth, building massive pipelines to transport it, and increasing by 7-fold the number of tankers in coastal waters.



Following the defeat of the Harper Conservatives in the federal election last October, many people hoped for real change: change from an economy based on "rip and ship" for the profits of the few; and transition to a diversified economy that meets the needs of the majority of the people, and that is environmentally sustainable.

But people rightly suspect that the National Energy Board hearings [held] in Burnaby from January 19 to 29 will more or less rubber-stamp the Kinder Morgan [Trans Mountain expansion] plan, without any thoroughgoing review of scientific evidence about the true impact of this proposed plan on the lives of people, their economy, and their environment.



Despite promises by the Liberals to revise the National Energy Board if elected, the members of the NEB, who are responsible for evaluating the Kinder Morgan plan, are the same ones that were appointed by the former Harper Conservative government. All of them have ties to the energy and petroleum industries, and thus can hardly be expected to deliver an objective and fair assessment of the proposed plan, or to make recommendations to the federal government that will benefit the people of BC and the rest of Canada. Thus people are demanding that the NEB hearings be stopped, and the Kinder Morgan plan scrapped.

Events are showing people that we cannot have illusions that the Liberal government will keep their promises to put a stop to the plans of

Kinder Morgan and other such plans of the financial oligarchy. Only the people can be depended on to steadfastly oppose that which harms their interests and the interests of society. The problem of the day is how can people advance from being only protestors, to becoming the actual decision-makers.

Grand Chief Stewart Phillip, President of UBCIC, stated, "We are absolutely outraged that BC Hydro is working at the proposed dam site when critical court proceedings are in motion and a decision on Site C proceeding has yet to be determined. Yesterday, BC Hydro moved equipment in toward the camp, despite publicly saying they are speaking with Site C dam protestors and local authorities to try to peacefully end the standoff. The RCMP made three arrests at the north bank entrance of the project yesterday morning including a former regional district director. We are deeply concerned that BC Hydro's actions are increasing tensions on the ground."



Through formal resolutions, the Union of BC Indian Chiefs fully supports the efforts of Treaty 8 First Nations to ensure that their Aboriginal and Treaty Rights are honoured and preserved.

Grand Chief Phillip concluded, "We continue to urge the provincial and federal governments to immediately cease proceeding with the proposed Site C dam project until such time as the Site C court proceedings are complete and the Site C Dam proposal is properly reviewed by the BC Utilities Commission. Further provocations on the part of BC Hydro will only serve to escalate tensions in an already volatile situation."

(Photos: Red Power Media)



Executive Decree Hands Billions to Monopolies to Construct and Finance Site C Dam

At a BC Hydro substation in Burnaby, Premier Christy Clark and BC Hydro CEO Jessica McDonald announced on November 25, 2015 the main contractors for the Site C dam construction. Awarded the contract are the three member monopolies that comprise the Peace River Hydro Partners consortium. They are Korean engineering Samsung Corp., ACCIONA, a Spanish construction monopoly, and Petrowest Corp., an Alberta-based company, which is expanding beyond the oil and gas industry with this project.



The "civil works" covered by this contract include excavation, river diversion tunnels, intake and outlet structures, a kilometre-long earth-filled dam, a 70-metre-high concrete buttress and a road network. Site C will be the largest hydro project in the province's history. BC Energy Minister Bill Bennett said the price-fixed project at some \$8.3 billion does not include a separate \$1.5 billion contract for a dam and river

diversion.

Despite widespread opposition from all sectors of the population, work has already begun on the project. On July 7, 2015 the provincial government issued two dozen authorizations under land, water, forest and wildlife acts providing permits for timber removal, road building and site preparation. Those announcements came just four days before the 10th annual "Paddle for the Peace (River Valley)" in which hundreds of people in canoes and boats demanded cancellation of the Site C project. According to the provincial government and BC Hydro, the people's opposition and their popular will are inconsequential, the ruling capitalist elite have made their decision and the time for "consultation" and discussion is over.

British Columbians are outraged that a clique of politicians representing monopoly right can usurp both the rule of law and broad public opinion to dictate and enforce its private will. Three construction monopolies are to be directly enriched, others within the financial oligarchy will suck the blood of the people and Mother Earth through financing the project, and energy monopolies will benefit from the electricity to engage in the rip and ship, boom and bust sell-out of natural resources.

The Right to Say No

Site C is not a done deal. Many people demand their right to say no. First Nations, Peace River settlers and their allies are contesting the project in the courts. Even the Joint Review Panel established by the provincial and federal government ministries of the environment has grave reservations and serious questions about the project.

In its May 2014 Report, the Joint Review Panel raised a number of critical questions, including the fact that no authority has demonstrated a need for the electricity to be generated by this expensive project. Also, BC Hydro has not made a credible case for the financial viability of the project.



Many critics point to the burden imposed arbitrarily by the Campbell Liberal government to permit private "run-of-river" power contracts that have already inflated the price of production of electricity for BC Hydro resulting in higher hydro bills. The added financial burden of Site C, which is being financed through private global moneylenders with huge profits siphoned off by the construction monopolies, may be sufficient to create a crisis. The crisis would be an excuse for arbitrary executive authority to privatize BC Hydro further, selling off lucrative pieces "to pay down the debt" or finance other infrastructure projects, as some jurisdictions are now doing. The Ontario Liberal government's privatization of Hydro One is a dangerous example of a crisis- and panic-driven neo-liberal decision.

The Joint Review Panel also recommended that the project not proceed without review by the BC Utilities Commission (BCUC). But Premier Clark has refused to allow the BCUC to review the Site C project. This violates the legislation that mandates BCUC "to ensure that ratepayers

receive safe, reliable, and non-discriminatory energy services at fair rates from the utilities it regulates, and that shareholders of those utilities are afforded a reasonable opportunity to earn a fair return on their invested capital."

Is Clark afraid that the BCUC will disclose that the three monopolies constructing the project, the global moneylenders financing it, and the energy monopolies directly benefiting from the electricity are going to profit to such an extent that Site C, together with the private "run-of-river" projects, will bankrupt BC Hydro and the public treasury and mean a huge jump in electricity rates, general taxes and further privatizations?

The development of Site C violates the Treaty rights of the Treaty 8 peoples, and certainly also any notion of the Trudeau government of establishing new "nation-to-nation" relations. The federal government has a duty to step in to enforce its jurisdiction over this trans-provincial river. The Peace River runs into Alberta to the Slave River, Slave Lake and empties into the Arctic via the Mackenzie River. The federal government's fiduciary responsibility for Indigenous rights and for protection of the waters and the fish and the right of the people to say no, make it incumbent upon the government to stay the arbitrary authority and actions of the Clark government.

Finally, several cases are directly before the courts right now with claims by both Indigenous people and non-Indigenous farmers from the valley. By pushing through the project at breakneck speed, the Clark clique is riding roughshod even over the courts.

The energy requirements of the people of BC and their economy are not the concerns the government is addressing with this decision to proceed with Site C, nor is it food security for British Columbians, nor environmental protection, and certainly not the wishes and concerns of the First Nations and settlers whose lands will be flooded, nor the rights of people generally to decide on issues that affect them. The government concern is the demand of the monopolies for somewhere to invest where a maximum return is guaranteed by the state, and that somewhere at this point in time is Site C and other privately constructed, financed and managed yet state-backed big infrastructure projects. This is not nation-building in the public interest; it is nation-bankrupting, nation-wrecking.

The decision to proceed with Site C, the consequences should it go ahead, and the process by which the decision was made, all point to the necessity for a change in the direction of the economy and for democratic renewal and empowerment of the people.

The people say No! to the dictate of the monopolies and monopoly right. The peoples of British Columbia and Canada want to be the decision-makers in their own land; they want to make the decisions on a new basis that serves the public interest, and not be subjected to the dictate of the global monopolies and their narrow private interests.

(Photos: Treaty 8 Tribal Association)



Dam Construction Will Destroy Prime Agricultural Land

Site C dam, the second largest Canadian infrastructure project presently proposed, will flood

over 100 kilometres of the Peace River plus two major tributaries. 57,000 acres of land including over 31,000 acres of forest land and 25,000 acres of farmland will be wiped out. Besides the homes and farms of settler farmers, the homes of members of Treaty 8 First Nation will be destroyed, as well as their cultural and sacred burial sites. Traditional hunting, fishing and trapping territories will be ruined.

The unique microclimate of the Peace Valley is suitable for cantaloupes, watermelons, tomatoes, corn, fruit trees and much more. Presently much of the land is only being used for pasture as farmers are unwilling to make major investments while the spectre of dam construction and flooding looms.

Agriculture experts including well known agronomist Wendy Holmes say the agricultural land to be destroyed as a result of dam construction is capable of feeding a million people. The Peace River land is important for food security, as conversion of farmland for non-agricultural development and recreational use is growing rapidly across BC. As well, production of non-food products such as wine is expanding in the Okanagan and Fraser Valleys and Saanich Peninsula on Vancouver Island.

The provincial government has been carrying a massive advertising campaign touting the benefits of the dam including thousands of construction jobs, potential power for 200,000 homes as well as their liquefied natural gas schemes, which have yet to begin and may never see the light of day. Government advertisements also carry misinformation portraying the Peace Valley as frozen, barren hillsides mainly uninhabited but for a few Indigenous people. Despite the fact that construction of the dam would block a major migratory route for trout, the ads boast of widespread fishing and recreation opportunities, which will supposedly be opened up.

Amongst the most outspoken opponents of Site C is Richard Bullock, former chair of the BC Land commission. The Liberal government fired Bullock in May 2015 because he opposed the provincial government's amendments to the *Land Commission Act* in 2014. Those changes make it easier for mining and energy monopolies to have agriculture land removed from the Agriculture Land Reserve (ALR). Bullock also opposed the provincial cabinet's order removing all the Peace River Valley from the ALR.

First Nations including the West Moberly First Nation, as well as landowners including the Peace Valley Landowners' Association are currently challenging the Site C decision in the courts.



For Your Information

The BC Liberal government announced on December 16, 2014 its decision to proceed with the Site C dam on the Peace River. In its press release the government stated, "As the third project on the Peace River, the firm energy it provides will support the development of more independent power projects (IPPs) by backing-up intermittent resources, such as wind. IPPs currently provide 25% of BC's electricity and will continue to play a vital role in meeting the province's energy needs."

Since former Premier Gordon Campbell's decision on April 19, 2010 that Site C would proceed to Stage 3, several different justifications for Site C have been given. These include the export of

power to California; powering the Horn River basin; powering liquefied natural gas plants in Kitimat; supplying power for 450,000 homes; powering hydraulic fracturing (fracking) to extract natural gas and the recently-added need to "support the development of more independent power projects (IPPs) by backing-up intermittent resources" of these private projects.

The Site C dam would be the third of four major dams on the Peace River that were initially proposed in the mid-twentieth century. The WAC Bennett dam was completed in 1967. The Peace Canyon Dam was completed in 1980. The third dam, "Site C" was proposed at a site 83 km downriver from the Peace Canyon dam, 7 km southwest of Fort St. John.



The proposal was rejected after BC Utilities Commission (BCUC) hearings in 1983 and again rejected in the 1990s.

In October 2014, Site C received environmental assessment approvals from the federal and provincial governments in spite of recommendations from the Joint Review Panel that the project not proceed without review by the BCUC. Soon after, in December 2014 the provincial government approved the construction of the project at a cost of \$8.335 billion plus a project reserve of \$440 million.

The reservoir for the dam would require the flooding of 5,550 hectares of land and over 100 km of river valley along the Peace River and its tributaries, including prime agricultural land.

In the past, such a project would have been subject to review by the BCUC but the *Clean Energy Act* of 2010 legislated exemptions from BCUC regulations and review for several projects, including Site C, the Northwest Transmission Line, the two new generating units (5&6) at the Mica Station, a generator addition at Revelstoke (Unit 6) scheduled for 2015, the call for Bio-energy, the smart meter project, a proposed "feed in tariff program" (subsequently withdrawn) and various other requests for "clean power proposals."

BCUC is an oversight body, a mechanism of civil society established by the provincial government. The BCUC website defines its role as follows: "The Commission's primary responsibility is the regulation of British Columbia's natural gas and electricity utilities. We also regulate intra-provincial pipelines and universal compulsory automobile insurance." The *Clean Energy Act* virtually eliminates the BCUC's role and any oversight, even on such massive projects as Site C.

Canadian Mega-Project Spending

Canadian mega-project spending continues to rise. The value of the country's 100 biggest public infrastructure projects has grown to \$161.3 billion, an increase over 2015's \$157.9 billion, according to *ReNew Canada*, which on January 11 released its 10th annual Top100 Projects report.

Toronto's \$9.1-billion Eglinton Crosstown LRT is this year's new No. 1 public infrastructure

project, overtaking the \$8.775-billion Site C hydroelectric energy development in British Columbia, which had occupied the top spot since 2013. In November 2015, the Province of Ontario announced the Eglinton Crosstown public-private partnership's cost over 30 years, boosting it up from its No. 5 rank in 2015.

Overall, the list is dominated by \$57.5 billion in 28 energy projects, with hydroelectric generation-- including the controversial Site C project -- claiming the four of the top 10 spots:

1. Eglinton Crosstown LRT -- Transit -- Ontario -- \$9.1 billion
2. Site C -- Hydroelectric -- British Columbia -- \$8.775 billion
3. Muskrat Falls Project -- Hydroelectric -- Newfoundland and Labrador -- \$7.65 billion
4. Romaine Complex -- Hydroelectric -- Quebec -- \$6.5 billion
5. Keeyask Hydroelectric Project -- Hydroelectric -- Manitoba -- \$6.496 billion
6. Southwest Calgary Ring Road -- Transportation -- Alberta -- \$5 billion
7. Bipole III Transmission Line -- Transmission -- Manitoba -- \$4.6 billion
8. Green Line LRT -- Transit -- Alberta -- \$4.5 billion
9. New Champlain Bridge Corridor Project -- Transportation -- Quebec -- \$4.24 billion
10. Turcot Interchange -- Transportation -- Quebec -- \$3.67 billion

Beyond energy, the report includes 22 transportation projects, 19 transit, 12 buildings (social, educational, and government facilities), 10 health-care facilities, six water/wastewater, two remediation efforts, and one waste management development.

"There are 25 newcomers in 2016, representing \$25.8 billion in new mega-project investment," said André Voshart, Executive Editor, *ReNew Canada*.

The report ranks public projects by cost, including descriptions, funding sources, and key players. The list excludes privately held oil and gas developments. It can be accessed at <http://renewcanada.net/2016/insights-into-canadas-top100-projects/>

(top100projects.ca)



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