

# Enbridge Northern Gateway Project Joint Review Panel

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13 December 2013

Mr. Barry Robinson  
Staff Lawyer  
Ecojustice  
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Calgary, AB T2P 4V1

## Concerns Regarding Intelligence Gathering, Northern Gateway Project Hearings

In your letter of 27 November 2013, you express concern about media reports that the National Energy Board gathered information and intelligence regarding safety and security during the Northern Gateway Project hearings.

The National Energy Board has the duty to see that its public hearings are safe for the public, participants, NEB staff and the presiding members.

In order to help fulfill this duty, open source information and social media scans are conducted and information is sought from local police, the RCMP and other organizations that may help to identify and evaluate risks. The position of, and the passion expressed by, a party is not a factor in determining whether a party poses a risk. Any threats of criminal action, disobedience or disturbance to the process, however, are taken seriously so that appropriate security measures can be put in place before incidents occur to ensure the safety of the public, participants, NEB staff and presiding members.

Rallies and meetings planned near to, and to coincide with, our hearings are identified in this regard. Even when the organizers of these events are not a safety risk, the events themselves may attract individuals or groups who are. Events that are meant to be peaceful can turn violent despite the intentions of the organizers.

Within this context I will provide answers to some of your questions and explain why other questions will not be answered.

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National Energy Board  
Office national  
de l'énergie

Canada



Canadian Environmental  
Assessment Agency

Agence canadienne  
d'évaluation environnementale

The National Energy Board did not collect information on your clients, their employees, contractors, or Board members other than what you have already seen. The National Energy Board did not collect information on your firm and no communications of a privileged nature were sought or obtained. Accordingly your questions about what was collected, when it was collected, to whom it was given or disclosed are not applicable.

For safety and security reasons, the Panel was briefed about information obtained through open sources about planned events coinciding with the hearing. These briefings did not identify any individuals or parties or provide any background of any individuals or parties. No other information gathered was provided to the Panel.

We will not, because of privacy concerns, respond to your questions about information from other registered intervenors.

Yours truly,

A handwritten signature in black ink, appearing to read "Sheri Young", with a long horizontal flourish extending to the right.

Sheri Young  
Secretary of the Joint Review Panel

Attachments

Cc: Gaétan Caron, CEO and Chair, National Energy Board  
Devon Page, Executive Director, Ecojustice Canada  
Karen Campbell, Ecojustice Canada  
Nikki Skuce, ForestEthics Advocacy  
Karen Wristen, Executive Director, Living Oceans Society  
Chris Genovali, Executive Director, Raincoast Conservation Foundation  
All parties to proceeding OH-4-2011