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NEIL YOUNG'S ANTI-OILSANDS COMMENTS DRAW FIRE FROM INDUSTRY

Petroleum producers says rock star's rhetoric is uninformed and divisive

The oil industry is speaking out about negative comments made by rock star Neil Young during his benefit tour to help an Alberta First Nation.

"Mr. Young may represent that rock stars don't need oil, but we would represent that Canadians very much do need oil," said David Collyer of the Canadian Association of Petroleum Producers (CAPP).

He said the industry is proud of the positive relationships it has built with First Nations across Canada.

"Certainly from time to time there are barriers to effective collaboration and engagement between industry and First Nations — we recognize that and we acknowledge it," said Collyer.

He said those differences relate to education, culture, unresolved land claims and views regarding economic benefits and opportunities.



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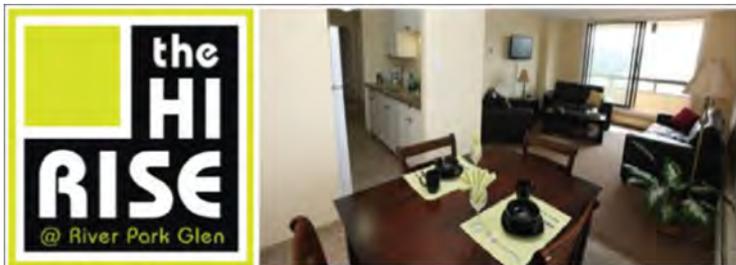
"However, what Mr. Young and his colleagues fail to acknowledge is that in many causes, and in the face of those challenges, we've had many significant successes," said Collyer, pointing to jobs, contracts, cultural programs and infrastructure development.

He said oilsands companies contract with aboriginal organizations for up to \$1.8 billion a year for goods and services.

Young also had a news conference Thursday in Winnipeg, the second stop on his Honour the Treaties tour to help raise money for the

Athabasca Chipewyan First Nation (ACFN) in its fight against Shell Canada's Jackpine mine.

Neil Young speaks to the media in Winnipeg accompanied by members of the Athabasca Chipewyan First Nation. (Jillian Taylor/CBC)



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"My job is to bring light to the situation through my celebrity. Aside from that, I am not nearly as qualified to speak as these other folks are," said Young.

"I think when you make a deal, you've got to stick to the deal that you have made. If you are going to change the deal, you have got to talk to the people you made a deal with and change it."

The oilsands development received the go-ahead from Ottawa in December despite the environment minister's view that it's "likely to cause significant adverse environmental effects."

Shell Canada's Stephanie Sterling, the vice-president of commercial strategy and business development for heavy oil, declined to comment specifically on the Athabasca Chipewyan's legal challenge.

But she did say relationships with aboriginal communities are in general quite positive.

"We want them to share in the benefits in the communities that we operate in," said Sterling.

But Eriel Deranger, ACFN member and communications co-ordinator, said it's time for First Nations to sit down at the table with government to work on policies affecting them.

David Schindler, a University of Alberta biologist who was also at the Winnipeg press conference, said meeting with government officials is important because the consultations done by oil companies with First Nations are a sham.

Latest shot at Keystone pipeline

Young's latest shot at the energy industry was aimed at the

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proposed Keystone XL pipeline.

He told a news conference ahead of his Winnipeg concert tonight that the pipeline makes no sense since the oilsands bitumen would be sent to China — a country he says is one of the dirtiest in the world.

Collyer said the singer has every democratic right to be "wrong," but his rhetoric is uninformed and divisive.

"Speaking on behalf of the thousands of people who work in this industry and have a great deal of pride in what they do and how they do it, we find the misrepresentations made throughout the tour quite irresponsible," he said.

Collyer said there needs to be a balanced discussion about the oilsands.

"I would suggest that Mr. Young does not at all have a good understanding of

what science is being done," he said.

But in Winnipeg on Thursday, Young didn't dispute he wasn't an authority on the matter, instead saying he was hoping simply to bring light to the situation.

"As far as me not knowing what I am talking about, everyone knows that that's obvious," he said, drawing a laugh from the crowd. "Couldn't be more obvious."

Industry leaders said there is some damage being done by Young's comments. They say he is driving a wedge between industry and aboriginal groups.

Top oil executives in Calgary hope to sit down with Young to talk about the oilsands when he comes to town. His concert in Calgary on Sunday is sold out.

AFTER TRAIN FIRES, FEDS WARN BAKKEN OIL MAY BE MORE FLAMMABLE THAN OTHERS

Following a string of explosive accidents, federal officials say crude oil being shipped by rail from the Northern Plains across the U.S. and Canada may be more flammable than traditional forms of oil.

A safety alert issued by the U.S. Department of Transportation warns the public, emergency responders and shippers about the potential high volatility of crude from the Bakken oil patch. The sprawling oil shale reserve is fuelling the surging industry in eastern Montana and western North Dakota, which is now the nation's second-largest oil producer behind Texas.

Thursday's announcement from officials declares that the Bakken's light, sweet crude oil may be different from traditional heavy crudes because it is prone to ignite at a lower temperature. Experts say lighter crudes, which contain more natural gas, have a much lower "flash point" – the temperature at which vapours given off by the oil can ignite.

The government's warning comes after a huge explosion on Monday caused by a crude train derailment near Casselton, N.D. No one was hurt, but worries about toxic fumes prompted the evacuation of hundreds of residents from the small eastern North Dakota town.

The oil boom in the Bakken has reduced the nation's reliance on

imported oil and brought thousands of jobs to the region. But as companies increasingly rely on trains instead of pipelines to get that oil to lucrative coastal markets, public safety in communities bisected by rail lines has become a major concern.

In July, 47 people were killed in Lac-Megantic, Quebec, when a train carrying Bakken crude derailed. Another oil train from North Dakota derailed and exploded in Alabama in November, causing no deaths but releasing an estimated 749,000 gallons of oil from 26 tanker cars.

RESIDENTS, INDUSTRY FACE OFF OVER ALBERTA OILSANDS HEALTH CONCERNS

After years of enduring what they say are health problems related to nearby oil and gas development, residents of Three Creeks and Reno, Alberta are getting the chance to formally air their grievances.

On Tuesday the Alberta Energy Regulator begins a hearing process examining odours and emissions from heavy oil operations in the Peace River area. The panel could come up with recommendations that may include changes to regulations.

There's minor furor over reports local doctors are reluctant to draw direct links between health problems and the oilsands.

But one family's already seeking a swifter solution.

The Labrecques have filed for an injunction against their oil-producing neighbour, Baytex

Energy Corporation, to force the company to stop operating 86 storage tanks near their properties for eight months. The injunction application will be heard March 19.

In the meantime, "we were happy that the inquiry was called so that we could hopefully get some answers, get to the bottom of this," said Brian Labrecque, who owns land in the area.

"At the end of the day we hope that it brings about regulatory changes and we can see some changes so that others don't need to go through what we've been experiencing."

Baytex, for its part, says it follows the rules and its operations aren't making people sick.

Labrecque doesn't live near the oil facilities himself. He lives in the nearby town of Falher. He's involved mostly because of his father, Michel.

Michel left his Reno home in April 2012 because, Brian said, emissions from nearby oil tanks operated by Baytex were making him sick.

"We honestly thought that he had a terminal illness. He lost a lot of weight. I think he lost almost 40 pounds. His skin colour was kind of grayish, blotchy. Constant headaches, severe headaches. Nausea, where he was throwing up at night," said Brian.

Once his father moved away to Falher, his health improved. When they drove back to the house to collect some things, Brian said, the symptoms returned. "To me, that was the proof I needed that there's something here."

Another family member, Michel's nephew Alain Labrecque, also

moved away from Reno in 2011 with his wife and children because of health problems that they were experiencing, he says. They now live in Smithers, British Columbia.

Alain Labrecque is returning to Peace River, taking two weeks off work, to take part in the hearing.

"I'm not too interested in reiterating everything we've been through," he said. "I'm more interested in the changes, that they do implement changes that are necessary."

What they want are tougher emissions rules.

"There is definitely a regulatory gap," Brian Labrecque said. "We just want more accountability. We want the regulator to take on a greater role, and have regulations in place so they can enforce them, and just provide more accountability to industry."

Well over a thousand pages of reports, scientific studies and testimonials from residents, oil companies and experts in human and animal health have been submitted to the hearing's panel.

The evidence so far is mixed: One report says "there is no obvious prospect" for emissions from oil wells to harm residents in the area.

Another report points to health problems – like lung lesions found in deceased calves and lower cell counts of a specific kind of lymphocyte – among cattle exposed to higher levels of volatile organic compounds, such as oil emissions.

And a third report says that not only are health problems possible, but that among health care

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providers, "health effects associated with hydrocarbon extraction appear to be a taboo subject."

Residents interviewed for chemical engineer Margaret Sears' report said doctors were afraid to speak to their patients about hydrocarbon toxicity and, in some cases, refused further testing and treatment for their patients.

A medical record sent to Global News by Michel Labrecque's lawyer showed that he visited a doctor in April 2012, complaining of dizziness and neck spasms. The doctor suspected "environmental toxicity." When Michel returned in May after his move to Falher, his symptoms gone, the doctor advised him to contact environmental lawyers.

New Democrat critic Rachel Notley says the provincial government has avoided the kind of research that could settle questions about the long-term effects of petrochemical emissions.

Baytex, one of four oil companies presenting to the hearing, says it has studied human health and air quality in the region, most recently in early 2013. "And that health study has shown that there are no human health impacts associated with the emissions from our projects," said Andrew Loosley, director of stakeholder relations for Baytex.

"Our view is that our current operations are working within all the regulations and in some cases we are exceeding the regulations," he said.

"The panel members will be able to weigh all that evidence and allow a decision that's in

the best interest of all Albertans. "If there's changes to the regulations, Baytex will comply."

Will the Labrecques get the changes they're hoping for? Their lawyer, Keith Wilson, is optimistic. But in the meantime he's pursuing an injunction on grounds that have nothing to do with proving health problems.

"It became pretty apparent in early November that these folks could be at least a year away from possibly having changes to the emissions that are forcing them from their homes," he said.

The application argues emissions from Baytex's tanks are interfering with the Labrecques' use and enjoyment of their property. Wilson hopes the eight-month injunction will give Baytex enough time to install systems to reduce tank emissions.

Baytex wouldn't comment on the injunction case, writing in an emailed statement, "This matter is before the courts and Baytex will direct its public comments about this matter to those proceedings, which are scheduled to resume March 19 in Peace River."

"Our focus at this point in time is really on the other part, which is the public inquiry that the AER has called," said Loosley.

BEFORE ALBERTA EMISSIONS INQUIRY BEGINS, SPARRING OVER EXPERT CREDENTIALS

A hearing examining oil emissions in the Peace River area hasn't yet

begun and already participants are attacking each others' credentials.

The hearing, commissioned by the Alberta Energy Regulator, is mandated to examine residents' concerns related to odours and emissions from nearby heavy oil operations and come up with recommendations for solutions and, possibly, regulatory changes.

Oral proceedings begin Tuesday but participants have been filing reports to the regulator for months. In many cases, they have not just rebutted opposing points of view but called into question the credentials of expert witnesses.

Early on, lawyer Keith Wilson, who represents a group of residents from the Reno area, questioned why the regulator invited Donald Davies to participate as an independent expert.

Davies, who holds a PhD in Nutrition and Toxicology from the University of Guelph, is chairman of an environmental consulting firm. According to his curriculum vitae he has worked extensively for oil companies to provide assessments of health impacts relating to specific developments.

In his reports to the inquiry Davies concluded that there was "no obvious prospect" for emissions from nearby oil facilities to harm residents in Reno or Three Creeks – the two areas where residents had been complaining of health problems.

In a letter to the regulator, Wilson wrote that Davies' "past work could create a reasonable apprehension of bias on the

important issue of health impacts."

When Global News left Davies a voicemail requesting comment, the energy regulator called instead.

Davies would not be available for interviews, AER's Bob Curran said in a voicemail. "We want to ensure the proceeding is not compromised in any way."

Oil firm Baytex Energy, which owns several oil wells and storage tanks in the Peace River area, has also taken issue with an expert's resume.

Margaret Sears, a researcher and chemical engineer, submitted reports on toxic materials found in bitumen and wrote that many of the studies on air quality and toxicity the inquiry was considering were flawed in some way.

Baytex wrote that Sears has twice submitted affidavits on behalf of plaintiffs in lawsuits and had her evidence found inadmissible as expert opinion.

One 2009 case was an application for a class action lawsuit heard at the Court of Queen's Bench of New Brunswick relating to spraying herbicides at CFB Gagetown. The judge found Sears's affidavits did not "meet the test of admissibility for expert opinion evidence" as she was not a medical doctor and did not have "specific expertise" in toxicology and other subjects.

The other case mentioned by Baytex, also in 2009, also related to an application for a class action lawsuit at CFB Gagetown – this time heard at the Court of Queen's Bench for Saskatchewan. In this case the



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judge decided the evidence was to be admitted not as expert opinion but instead as a summary identifying existing information on the topic.

When contacted by Global News, Sears said the regulator told her not to not give interviews, but wrote in an email that the case in question was "a long time ago."

"My resume is available on the Proceeding website, and on that basis the AER hired me," she wrote.

In a telephone interview, AER's Curran told Global News that questions about experts' credentials are "not unusual for a hearing." Concerns and questions about the experts, he said, "will be addressed in the context of the hearing."

Participants will have the opportunity to ask questions of all expert witnesses and other participants during the oral proceedings, scheduled from January 21 to 31. Once oral proceedings are complete, the panel will assess the information and may recommend regulatory changes.

KEYSTONE XL 'LIMBO' NEEDS TO END SOON, BAIRD TELLS U.S.

Canadian foreign affairs minister shares thoughts with U.S. Chamber of Commerce

Foreign Affairs Minister John Baird wants a decision soon on the proposed Keystone XL pipeline, even if it's not the one the federal government is counting on from the U.S. administration.

Baird told an audience at the

U.S. Chamber of Commerce in Washington, D.C., on Thursday that building Keystone XL would create thousands of jobs and prompt economic growth on both sides of the border.

"With the construction season coming up, I don't want a single unemployed worker sitting at home when they could get a knock on the door saying 'we've got a great job for you,'" Baird said.

"So if there's one message I'm going to be promoting on this trip, it is that the time for Keystone is now. I'll go further — the time for a decision on Keystone is now, even if it's not the right one," said Baird. "We can't continue in this state of limbo."

Baird outlined three key reasons why the TransCanada pipeline that would carry oil from Alberta to refineries in the Gulf of Mexico should get the green light from President Barack Obama. He said there would be "no significant environmental impact," that Canadian oil would offset imports from other sources and that carrying oil by pipeline is favourable to carrying it by rail.

"U.S. energy independence is too important; the environment is too important; and our economic growth is too important," Baird said about the need for a decision to be made one way or the other.

Baird is in Washington for the North American ministerial meeting with his counterparts Secretary of State John Kerry and Mexico's Jose Antonio Meade. The meeting is Friday but he arrived early and had multiple meetings with

American lawmakers on Capitol Hill on Wednesday and Thursday and with others including National Security Adviser Susan Rice.

It is Kerry's department that is currently finishing off a final environmental assessment report on the Keystone XL proposal and Baird said he hopes that will be completed in the coming weeks. Then the final decision rests with Obama.

"We'll be making a strong case that this is a priority for an important friend and ally of the United States," Baird told reporters about his meeting Friday with Kerry.

He wouldn't elaborate on any contingency plans if Obama rejects the pipeline project and said his government is focused on getting it approved. Baird said a number of safety improvements have been made to what was already a safe project and that the proposal has been thoroughly studied by a number of agencies in the U.S. capital.

"We believe that decision-time is upon us. We look forward in the coming weeks for the State Department to release its final report and for the president to make a decision," Baird said. "This matters to Canada. We're a close friend, we're a close ally and we want to see this project go forward and that's a big part of our visit to talk to folks here in Washington about."

Baird also addressed other bilateral issues including trade and streamlining regulations through the Beyond the Border initiative during his remarks to the chamber of commerce.

Harper recently suggested the U.S. president had "punished" a politically uncomfortable dilemma by adding additional steps to the regulatory process. Harper also told a US audience in New York last September that Canada would not take "no" for an answer on the Keystone XL pipeline.

NORTHERN GATEWAY PIPELINE REPORT DRAWS LAWSUIT

B.C. environmental groups seek to block cabinet approval

A coalition of environment groups has filed a lawsuit in Federal Court alleging serious flaws with the Joint Review Panel's final report that recommended the pipeline be approved because "Canadians will be better off with this project than without it."

The group is seeking a court order to prevent the federal cabinet from acting on the panel's report to approve the proposed pipeline.

Ecojustice lawyers representing ForestEthics Advocacy, the Living Oceans Society and the Raincoast Conservation Foundation allege the Joint Review Panel's 419-page report contains legal errors and that its approval is based on insufficient evidence.

"The JRP did not have enough evidence to support its conclusion that the Northern Gateway pipeline would not have significant adverse effects on certain aspects of the environment," said Ecojustice staff lawyer Karen Campbell, in a statement released on Friday.

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"The panel made its recommendation despite known gaps in the evidence, particularly missing information about the risk of geohazards along the pipeline route and what happens to diluted bitumen when it is spilled in the marine environment."

Serious flaws alleged

In its lawsuit, the environmental coalition says the panel concluded that diluted bitumen is unlikely to sink in an ocean environment even though it says a federal study released earlier this week suggests otherwise.

The lawyers say the review panel did not consider the federal recovery strategy for Pacific humpback whales, whose critical habitat overlaps with the proposed tanker route, or identify mitigation measures for caribou populations.

The lawsuit also alleges the panel refused to consider the environmental impacts of upstream oilsands development and permits Enbridge to assess landslide risks during instead of before construction.

Pipeline construction is currently awaiting cabinet approval, which is expected sometime within the next six months. (CBC)

Ecojustice says the battle over Northern Gateway is about more than just one pipeline project. Campbell says it's the epicentre of the debate over Canada's energy future and Canada needs to get it right.

"There is simply too much at stake.

Any decision about Northern Gateway must be based on the best available science. That's why the panel's incomplete and flawed report cannot stand as the final word on whether Northern Gateway is in the national interest," says Campbell in the release.

A cabinet decision on whether to accept the panel's recommendation and approve the pipeline is expected sometime in the next six months.

Under the new environmental assessment framework contained in the 2012 spring omnibus budget bill, cabinet has final decision-making power over Northern Gateway but is bound by the 209 conditions laid out in the Joint Review Panel report.

FRACKING WASTE WATER LEAK IN KENNETCOOK INVESTIGATED

There are an estimated 27 million litres of fracking waste water in Nova Scotia

Provincial environment officials are looking into a leak of fracking waste water at holding ponds in Kennetcook, N.S.

The water has been there for years in two large holding ponds. Nova Scotia's Environment Department ordered them covered this year.

The problem is, the heavy snow and rain in recent weeks has weighed those covers down

so much that the wastewater underneath has been spilling out.

Ken Summers lives near the holding ponds and describes how work crews have been trying to stop the overflow.

"There's a crew that has been pumping [surface water] out for, constantly, for two and a half days — so it's taken two and a half days of pumping that to get it off and what they're pumping off is an equivalent amount — that [surface water run off] displaced an equivalent amount [of fracking waste water] that was pushed out," he said.

There are an estimated 27 million litres of fracking waste water in Nova Scotia. Some of it contains so-called Naturally Occurring Radioactive Materials (NORMs). Fracking waste water is stored at the Atlantic Industrial Services facility in Debert, as well as in holding ponds in Kennetcook and Noel.

Hydraulic fracturing, or fracking, involves blasting a mixture of water, sand and chemicals into a well bore to split the surrounding rock and release trapped hydrocarbons, usually natural gas, coal bed methane or crude oil.

REDFORD DEFENDS ALBERTA TRADE MISSION TO INDIA

Alberta Premier Alison Redford is offering no apologies for her trade mission to India which begins this week.

The trip to Petrotech, the largest oil and natural gas trade show in the region, will cost taxpayers \$120,000.

Redford is to be joined by representatives from 25 Alberta energy service companies.

She says India and China are major trade markets for the province.

Redford says success will be measured by commercial agreements.

She will also use the tour to open Alberta's new trade office in New Delhi, which will be based out of the Canadian consulate.

"We have already an existing relationship based on agriculture. Many Albertans may not know there's a great deal of energy development happening in India offshore and on land," Redford said Tuesday.

"It signals to decision makers in India, both in government and in industry, that we're committed to building that relationship further."

REDUCE SEISMIC TESTING NOISES TO PROTECT WHALES, STUDY RECOMMENDS

Whales rely on sound for communication; no regulations in Canada

A study by a group of experts including two Canadians is offering recommendations to reduce the impact of seismic surveys by oil

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and gas companies on vulnerable whales and other marine species.

The research, compiled over a six-year period ending in 2012, outlines a set of guidelines developed by the International Union for Conservation of Nature and Sakhalin Energy Investment Company in their seismic testing off Russia's Sakhalin island, just north of Japan.

The survey region is rich in oil and gas deposits, but it's also near the vital feeding grounds of the critically endangered western gray whale, the study said.

Roberto Racca of JASCO Applied Sciences in Victoria said usually testing is halted if whales are seen within an area where they could be physically harmed.

But the measures cited in the study, published in the journal *Aquatic Mammal*, also accounted for the potential area where a whale's behaviour could be disturbed.

"The region of which a behavioural disturbance can occur is significantly larger than the region where the physical harm would take place," said Racca, who helped author the study.

Whales rely on sound for communication, navigation and foraging and exposure to loud noise from seismic surveys can result in stress, behaviour changes and drive the whales away from their feeding grounds, said Randall Reeves of the Quebec-based Okapi Wildlife Associates.

The recommendations include reducing the survey area, keeping the seismic noises as low as

possible and halting operations if whales are too close, he said.

Not a 'quick fix' Reeves, another author of the study, said other countries can use look to it but cautioned that it's not a "cookbook."

"This can't be advertised as an inexpensive or quick fix for energy companies," said Reeves, adding that Sakhalin Energy Investment Company had been collecting data about the whales for about a decade before it started seismic testing.

"With different species in different areas ... it's always going to be different in some ways."

Racca said the lessons learned from studying Sakhalin's operations cannot be directly applied to seismic testing in Canada, as there isn't a population of whales in Canadian waters that are bound to specific feeding regions.

"There's never been a situation where the criticality of the population, the state of endangerment, would have warranted something of the order of what is being suggested in the paper," he said.

But proper planning of acoustic modelling, studying the potential harm to whales and establishing mitigation measures should be paramount for oil and gas companies in any country, said Racca.

He added that Ottawa currently doesn't have specific standards regarding seismic testing around whales and oil and gas companies usually look to

American regulations for guidance.

The federal Fisheries Department recently issued a tender asking the successful bidder to collect data about the behaviour of endangered whales on the Scotian Shelf off Nova Scotia — including North Atlantic right whales and northern bottlenose whales — during and after seismic surveys.

"Given that seismic noise production on the Scotian Shelf near the identified critical habitat of these endangered populations is increasing, technologies and methods designed to help monitor and mitigate the potential impacts of seismic noise on cetaceans will be important," the tender says.

The government is offering up to \$50,000 for the work and the deadline is March 31.

WORKER FOUND DEAD AT SUNCOR OILSANDS FACILITY

Man had been missing for several hours before body found
A 40-year-old worker at the Suncor Energy oilsands facility near Fort McMurray, Alta., has died, the company reported Sunday.

In a press release, Suncor said the man had gone missing early Sunday. Emergency personnel with the company were called in around 7 a.m. to look for the worker. The worker was found dead submerged in sand a few hours later.

Suncor informed RCMP and Alberta Occupational Health and Safety.

"The employee was found in the sand-dump area. That's a drying area that is part of our extraction process," Suncor spokesperson Sneh Seetal told CBC News.

Out of respect for the family, the company would not release any more information about the worker, Seetal said.

"Our immediate concern is for family and friends and co-workers and they are in thoughts at this incredibly difficult time."

Seetal said the employee's immediate family members have been notified and grief counsellors brought in to assist family and co-workers. No other employees were involved in the incident.

Seetal said it was too early to tell what caused the death, and the company would be conducting an investigation.

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