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SALLE DE COURIER

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NEB/ONE

October 3, 2011

Secretary
National Energy Board
444 Seventh Avenue SW, 2nd Floor Mailroom
Calgary Alberta T2P 0X8

Re.: Enbridge Pipeline (Enbridge) Line 9 Phase 1 Application

We are landowners of Lot 10 Concession 2 East Williams Township under the Lands Patent Act. That address puts us in North Middlesex. We are writing to express both our disagreement and our grave concerns regarding Enbridge's application.

1. TRANSPARENCY

Our first concern could come under transparency. It seems at the very least strange that the first letter from Enbridge to notify us of the application and comment deadline never reached us. Doesn't that seem 'strange' to those of you at the NEB as well? A person might well wonder how hard Enbridge tried to get in touch with landowners. You might wonder too. A person might go further and wonder whether there is a lot more to ponder here.

2. INCREASED RISK

Our second concern would be the possibility of a spill either on our land or affecting our land. The pipeline here is more than 35 years old. How long do these pipelines last? Does anyone know? I think we can agree that line 9 is past middle age but if the NEB approves this proposal the pressure this aging line sustains will be raised and the amount of internal corrosion it will be subject to will also be increased. Nor is all of the pipeline safely buried well below possible interference. We learned just how shallow the pipeline can be when Enbridge were called in to supervise a dredging of the drainage ditch on the southwestern side of our property more than a decade ago. Before machinery ever began its work it was evident that part of the pipeline was already exposed and had been for 20 years or so. At first the Enbridge representative seemed to accuse the equipment operator, who had done no digging, of exposing the pipe but soon reluctantly conceded that the pipeline had not been properly buried during its initial construction. We as land owners, our neighbours and all users of the water shed were lucky over the years that a falling tree or cow did not damage that pipe.

You cannot assume, despite strategic depth studies by Enbridge that all parts of the pipeline are at or below the proscribed depths. When Enbridge was doing this "investigative dig" we asked for a copy of the results for our own land but we have never received this. Nor do we even know if the depths have been checked on our land. Adding new stresses by reversing Line 9 would add to the risk of a pipeline leak.

3. CONSEQUENCES

Let us lay out for you some of the possible consequences of a leak or spill on even our one small parcel of land.

The shallowest part of the pipeline on our property crosses a small drainage ditch that runs directly into the Ausable River. Our land is in the headwaters of the Ausable River. The Ausable runs into Lake Huron where there are intake pipes for drinking water for municipalities as far away as London. The consequences of a leak here go far beyond our own land.

The consequences of any leak or pipe rupture would, of course, impact our property much more directly. The woodland in the back south east of our property has been designated part of Significant Middlesex Natural Heritage. To achieve this designation the woods here passed through a rigorous study of the number of native and heritage trees measured against weedy and invasive species. That woods is part of a corridor remnant of forest crucial to the survival of many bird species. Southwestern Ontario remaining woodlands are under multiple threats right now, with Ashes, Elms and Hickories undergoing near extinction. Any leak would push the trees in our woodland closer to the edge.

However, before it got to our 'significant woodland' any leak would roll over a newly installed wetland habitat, the Sanders Westland Restoration Project designed by Ausable Bayfield Conservation Authority's wetland expert Angela Van Niekirk, completed in September 2011 and approved and partnered by other agencies among them Ducks Unlimited. Ducks Unlimited would not have been involved in our wetland project unless they thought this was a sustainable habitat, which it will be so long as an aging pipeline doesn't spring a leak.

4. LIABILITY

Perhaps, though, our biggest concern is our potential liability as landowners.

The NEB has said we have "some" liability. What does that mean? And why should we have any liability? We did not ask for a pipeline. We do not directly benefit from the pipelines. We live under a risk we never willingly assumed. We understand how pipelines benefit all Canadians. We are not against pipelines. But we need far more assurances from Enbridge and the NEB that the proposed Line 9 Reversal is safe, rigorously monitored and that in case of accident we are protected from liability.

We hope that the National Energy Board takes seriously the need to protect ordinary landowners like us. You must strike a fair balance between energy needs, the need for

profit and the needs of people like us. We have to count on you to very critically study this proposal for a Line 9 Reversal . If the stakes are so high for one very small parcel of land, think of all the much bigger landowners who will be under much greater risk if this proposal is accepted as is.

Sincerely,

B. Lynn Sanders
A. Wayne Sanders

Wayne and Lynn Sanders

cc.: Bev Shipley M.P.

CAEPLA

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