

Trans Mountain Pipeline Project Backgrounder

Ecojustice, Living Oceans Society and Raincoast Conservation Foundation

Timeline

Ecojustice, Living Oceans Society, Raincoast Conservation Foundation and the Trans Mountain pipeline project:

January 2016 – The groups appeared before the National Energy Board (NEB) panel charged with reviewing the Trans Mountain Expansion Project. At the time, Kinder Morgan still owned the project.

June 2016 – The groups filed for a judicial review of the NEB’s final report, which recommended Cabinet approve the expansion.

December 2016 – The groups launched a second a lawsuit challenging Cabinet’s approval of the expansion.

October 2017 – The groups appeared in court as part of a landmark hearing that saw environmental groups, First Nations, communities and local governments make the case for why the project could not proceed. On behalf of their clients, Ecojustice lawyers argued the government’s approval of the project violated its responsibility to protect endangered Southern Resident killer whales.

August 2018 – The groups won a major victory when the Federal Court of Appeal struck down Cabinet’s approval of the Trans Mountain project. The court ruled that the approval failed to comply with the *Species at Risk Act* and that the government failed to properly consult with First Nations.

January 2019 – The groups made submissions to the NEB once more to give evidence on how the project-related marine shipping will impact endangered Southern Resident killer whales.

July 2019 - On behalf of Living Oceans Society and Raincoast Conservation Foundation, Ecojustice launched a new case challenging the federal government’s approval of the Trans Mountain pipeline expansion.

Quick facts

Southern Resident killer whales and the Trans Mountain pipeline project

- Southern Resident killer whales are a genetically and culturally distinct population of endangered orcas. Only 76 remain, as of May 2019.
- If built, the Trans Mountain pipeline project would lead to a sevenfold increase in tanker traffic — for a total of 408 trips per year — through critical Southern Resident habitat. It would also increase the risk of a catastrophic oil spill.
- In its project reconsideration report, the National Energy Board itself found “Project-related marine shipping is likely to cause significant adverse environmental effects on the Southern Resident killer whale and on Indigenous cultural use associated with the Southern Resident killer whale.”

Climate change and the Trans Mountain pipeline project

- According to the UN's Intergovernmental Panel on Climate Change, we have only 11 years to ward off the worst impacts of climate change.
- Environment and Climate Change Canada estimates tankers related to the Trans Mountain pipeline expansion would create 76,200 tonnes of CO2 emissions per year — the equivalent of adding 16,178 passenger vehicles to the road each year
- According to Abacus Data, 83 per cent of Canadians say they are quite, very, or extremely concerned about climate change.
- Polling from Abacus Data also suggested 69 per cent of Canadians say climate policies will be among the top five considerations affecting how they'll vote in the election this fall.
- Members of Parliament passed a motion to officially declare a national climate emergency on June 17, 2019, just one day before Cabinet approved the Trans Mountain pipeline project. The House declared that *"Canada is in a national climate emergency which requires, as a response, that Canada commit to meeting its national emissions target under the Paris Agreement and to making deeper reductions in line with the Agreement's objective of holding global warming below two degrees Celsius and pursuing efforts to keep global warming below 1.5 degrees Celsius."*