

10 November 2015

Ms. Sheri Young
Secretary of the Board
National Energy Board
517 Tenth Avenue, SW
Calgary (Alberta) T2R 0A8

Gordon R. Mitchell VP
Greenarch farms (1983) Ltd
Located at Chilliwack B.C.
Mailing Address:
Box 1058
Logan lake B.C.
V0K1W0

Re: New Crossing Regulations.

I want to give you this example of what can happen when there is no appeal process in place. A landowner must be given the option to appeal any allegation of not complying with the regulations.

In the spring of 2015 we were farming our land in Chilliwack area. Mr. Ian Sparkes who physically farms our land, contacted Spectra Energy and asked them to come out to the farm to locate and flag the pipeline because we were working the soil for spring planting.

The Spectra Energy employee, (initials B.O.), said they would be out in a couple of days to do the work because they would have to find someone else to mark the pipeline location because we have restricted access to one of the Spectra Employees because of the lies he has told us in the past. (He is no longer allowed access on our land. All Spectra Energy employees in fact are now required to gain expressed permission before accessing our private property.)

Mr. Sparkes said he would carry on farming, meaning that he would continue to work the fields away from the pipeline until Spectra got there to locate and mark the pipe.

Shortly thereafter we noticed that Spectra employees were photographing the tractors as they were working in the fields. We were then contacted by a Spectra Energy employee B.O. who said he was the "pipeline safety officer" (or something like that) and he told us that we were contravening the crossing regulations and that he would be reporting us to the NEB for not complying with the crossing regulations, implying, in our view, that we would be subject to up to a \$100,000 fine.

To be clear, we were farming the fields but we were nowhere near the pipeline easement. I contacted the independent Land Agent (G.S.) that has been hired by Spectra Energy to help negotiate a settlement on the damages done to our field in 2011 and to help negotiate a contract for the proposed replacement dig which is now scheduled for 2016.

The Land Agent (initials G.S.) quickly organized a meeting at the farm with myself, Ian Sparkes, present. I would describe the demeanor of the Spectra Energy employee B.O. to be very agitated and condescending on the edge of being unable to control his emotions. Even threatening to leave the meeting by going to his truck and opening the door to leave at one point. He was swearing at us and told us that he had pictures of us in contravention of the crossing regulations and that he was going to report us to the NEB. We told him that we had not contravened the crossing regulations and we would appeal the allegation and asked how we could do that. We were told there was no appeal process.

B.O. told us he would be forwarding the pictures to the NEB. We asked to see the pictures which he produced on his phone. We pointed out that the pictures clearly showed that we were nowhere near the pipeline and both he and the Land Agent agreed that we were correct. B.O. left the meeting without telling us that he would not be reporting us as previously stated nor did he contact us after the fact to inform us one way or the other. We

assumed that because the pictures that we had seen clearly showed that we were not farming in contravention of the new crossing regulations that he would not be filing a report.

We tell this story because we have a very strong feeling that there may have been a vendetta against us because we have been a very loud voice in terms of unethical acts committed by Spectra Energy and the shortcomings with respect to the National Energy Board Act and the National Energy Board itself as it relates to landowners.

Our concern is that if the new crossing regulations do not contain an avenue of appeal, any pipeline company could use these regulations to falsely accuse any landowner of wrong doing subjecting them to an Industry based penal system to bully landowners into submission.

Gordon R. Mitchell V.P.
Greenarch farms (1983) Ltd