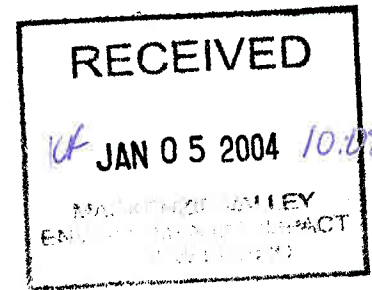


National Energy  
Board



Office national  
de l'énergie

NEB File: 9180-W730-2  
MVEIRB File: EA02-002  
24 December 2003



Mr. Alan Ehrlich  
Senior Environmental Assessment Officer  
**Mackenzie Valley Environmental Impact Review Board**  
Box 938  
Yellowknife, NT X1A 2N7  
Facsimile (867)766-7074

Dear Mr. Ehrlich:

**Request for s.131(1) Consultation to Modify Report on Environmental Assessment for WesternGeco Ltd.'s Mackenzie and Liard Rivers Seismic Program 2003**

We have received the Mackenzie Valley Environmental Impact Review Board's (MVEIRB) letter dated 8 December 2003. The National Energy Board (NEB) looks forward to the commencement of the consultation process. The following comments have been provided in response to MVEIRB's letter.

A request was made that pursuant to subsection 131(4) of the *Mackenzie Valley Resource Management Act* (MVRMA) the NEB disclose any new information or any matter of public concern that was not before the Review Board and which contributed to the NEB's decision to undertake consultation on the WesternGeco Environmental Assessment Report (EA Report). Please be advised that no new information was considered by the NEB in its decision made pursuant to subsection 131(1)(b).

For the Review Boards information, in consideration of the proposed changes to MVEIRB's recommended measures Fisheries and Oceans Canada (F&O) has proposed a study program to be conducted in conjunction with WesternGeco's River Seismic Program in the event it is approved. For further information on F&O's study proposal you can contact Mr. Bruce Hanna at (867) 669-4931 or Mr. Pete Cott (867) 777-7520.

Should the MVEIRB wish to discuss the NEB's section 131(1)(b) decision further opportunities will be provided during the consultation process.

Paragraph four of MVEIRB's letter indicated that "Once a mutually acceptable date for the consultation is selected, the Review Board will give notice to the parties to the Environmental Assessment. They will be given the opportunity to review any information provided by the NEB and Department of Indian and Northern Affairs (DIAND) representatives about the need for changes to the recommendations in the EA report and to submit additional information or comments to the Review Board about the issues under consultation." The NEB and the federal Minister and Responsible Ministers must consult with the MVEIRB but are not required to include anyone else in those consultations. If the MVEIRB wishes to allow parties to the Environmental Assessment to review information or to submit additional information this should be outside of the "consult to modify" process.

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As a tentative date the NEB, in consultation with DIAND, would propose initiating the consult to modify process on January 15<sup>th</sup> or 16<sup>th</sup> 2004. Once a mutually acceptable date is selected an agenda will be confirmed. DIAND has offered the use of their Boardroom which is an acceptable location for us. Please contact Ms. Mieke Vander Valk at (403) 292-5048 to make arrangements to commence the consultation process.

Yours truly,

  
for / T. M. Baker  
Chief Conservation Officer

cc: Mr. Steve Whidden, WesternGeco Canada fax: (403) 509-4217  
Mr. David Livingstone, DIAND Yellowknife, fax: (867) 669-2701  
Mr. Bruce Hanna, F&O Yellowknife, fax: (867) 669-4940