

National Energy
BoardOffice national
de l'énergie

Office of the Chairman

Bureau du Président

8 January 2004

Mr. Todd Burlingame,
Chair
Mackenzie Valley Environmental Impact Review Board
Box 938, 200 Scotia Centre
5102 – 50th Avenue
Yellowknife, Northwest Territories
X1A 2N7

Fax: 867-766-7053

Dear Mr. Burlingame,

**Environmental Assessment of the Mackenzie Gas Project – Scope of
Development/Assessment and Draft Work Plan**

Thank you for the opportunity to comment on the above-referenced material. The MVEIRB Environmental Assessment (EA) represents an important step in the implementation of the Cooperation Plan for the Mackenzie Gas Project and the alignment of the various environmental assessment processes to which the project is subject.

The EA to be conducted pursuant to the *Mackenzie Valley Resource Management Act* is the mandate of the MVEIRB. Accordingly, the comments provided in this letter relate only to the aspects of the process that we have all sought to coordinate over the last many months.

As agreed in the Cooperation Plan, the focus of Phase 1 of the MVEIRB EA is on evaluation of public concern regarding the project. This focus is clearly reflected in the draft work plan with public meetings to be held throughout the Valley to hear directly from those likely to be affected by the project. The NEB notes with concern the extended timelines proposed for the completion of this phase. The draft schedule provided in the work plan indicates that Phase 1 will not be completed until the end of May 2004, nearly six months after the referral of the project to MVEIRB.

The intent of the EA coordination activities outlined in the Cooperation Plan was to enable the various parties to be well prepared in advance of the filing of an application and to provide certainty of process timelines for all parties. If a referral to joint panel is made, time is required to appoint panel members and also to gather input from the public

444 Seventh Avenue SW
Calgary, Alberta T2P 0X8

444, Septième Avenue S.-O.
Calgary (Alberta) T2P 0X8

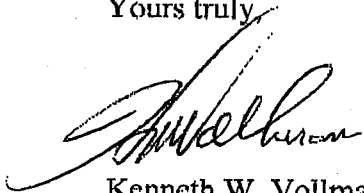
Telephone/Téléphone : (403) 292-4800
Facsimile/Télocopieur : (403) 292-5503
<http://www.neb.gc.ca>

on terms of reference and scoping of the project assessment. The proposed EA timelines would not allow completion of that advance preparation before mid-2004 and could directly delay the submission of an application, with financial implications for all parties.

It is our understanding that the Mackenzie Gas Project has embarked on an ambitious schedule of consultation and issues-scoping workshops with communities in the Valley through the mid-January to February period. Other activities demanding the attention of communities are also underway in that timeframe. This raises the question of the capacity of communities to participate in additional meetings regarding this project and the potential for duplication. Recognizing the multiple demands on community resources, the NEB invites the MVEIRB to look at alternative means of determining whether public concern warrants referral of the project to a panel review, perhaps including regional meetings or written submissions.

The NEB would support any consideration MVEIRB might give to a shortened timeframe for this phase of evaluation of public concern regarding the Mackenzie Gas Project.

Yours truly,



Kenneth W. Vollman
Chairman