



DEC 15 2017

Ms. Shelagh Montgomery  
Executive Director  
Mackenzie Valley Land and Water Board  
4922-48<sup>th</sup> Street  
7<sup>th</sup> Floor, YK Centre Mall  
YELLOWKNIFE, NT X1A 2P6

MV2017P0013  
MV2017L1-0002

VIA EMAIL

Dear Ms. Montgomery,

**Addition to Workplan - Review of Draft Water Licence MV2017L1-0002 - Enbridge Pipelines (NW) Inc.**

The Government of the Northwest Territories (GNWT) has received the most recent work plan for Enbridge's water licence application MV2017L1-0002, dated December 12, 2017, and is aware that closing arguments are due on January 12, 2018. GNWT will be attending the reconvened public hearing on January 8 and 9, 2018.

The GNWT is writing to inform the Mackenzie Valley Land and Water Board (MVLWB) that the GNWT will be recommending within its closing comments that the MVLWB circulate an updated draft water licence for review and comment by interveners prior to the close of the public record for this application.

Although we recognize that a draft water licence was available for comment at the start of the regulatory process, there has been a great deal of discussion and information raised through the regulatory process since that time. Given the nature of the concerns brought forward to date and the decision by the MVLWB to hold a public hearing, this additional step would assist in properly assessing if any residual concerns exist from interveners prior to the possible approval and issuance of the water licence. This includes concerns raised by Indigenous Governments and Organizations, regarding potential impacts to asserted or established Aboriginal and/or treaty rights.

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The GNWT notes that the circulation of an updated draft water licence following a public hearing is a common aspect of Type A water licence application processes, and generally reflects only a few weeks (~2-3 weeks) of the overall Board process. As mentioned above, we feel that the addition of this aspect to the workplan will add value and robustness to the process, without unduly causing delay to that process, or negatively affecting the current project schedule.

The GNWT is providing this letter in advance of the closing arguments to allow the MVLWB to adjust the workplan, if so determined, to accommodate an updated draft water licence review. Should the MVLWB determine that additional time is required to incorporate a short period (~2-3 weeks) for this review, Section 52(1) of the *Waters Act* allows the MVLWB to request that the Minister of Environment and Natural Resources extend the MVLWB's timeline for this purpose and duration.

Should you wish to discuss further, please contact me by email at [lorraine\\_seale@gov.nt.ca](mailto:lorraine_seale@gov.nt.ca) or by phone at (867) (867)-767-9180 ext. 24020.

Sincerely,

A handwritten signature in blue ink, appearing to read 'L Seale', written in a cursive style.

Lorraine Seale  
Director  
Securities and Project Assessment  
Lands

- c. Robert Jenkins, Director, Water Resources, Environment and Natural Resources