



OFFICE OF THE GRAND CHIEF DEHCHO FIRST NATIONS

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January 12, 2018

Mackenzie Valley Land and Water Board
4922 - 48th Street
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P.O Box 2130, Yellowknife, NT. X1A 2P6

Via Email: angela.love@mvlwb.com

**Re: Dehcho First Nation Final Written Arguments for Enbridge Pipelines (NW) Inc.
proposed Line 21 Replacement Project – MVLWB New Land Use Permit and Water
License (MV2017P0013 and MV2017L1-0002)**

Dehcho First Nations would like to express our appreciation to the members and staff of the Mackenzie Valley Land and Water Board for running a fair and transparent regulatory process.

Dehcho First Nation participated throughout the entire course of the regulatory process to ensure regional concerns regarding the Line 21 Segment Replacement Project were considered, and to advocate our position for a high environmental standard to protect our lands and water. DFN is satisfied that the Board's process provided a venue for DFN and our member communities to be heard and better understood by the Board and Enbridge representatives.

Dehcho First Nations, Łíídljį Kúé First Nation, Pehdzeh Ki First Nation, Tthets'éhk'edéí First Nation, and Sambaa K'e First Nation have reached an Environmental Management Agreement with Enbridge. This Agreement provides for an Environmental Management Committee as a mechanism for improved communication and collaboration. Moreover, the agreement provides some resources for community based monitoring to support the Dehcho Dene as stewards of our traditional lands. A summary of the agreement is attached.

During the MVLWB hearings, DFN raised concerns regarding fish and fish habitat studies, permafrost impacts and monitoring, the socio-economic impacts resulting from the work camps and the disposal of drilling waste. With the establishment of the Environmental Management Committee there is a process and a mechanism to address our concerns.

With an Environment Management Agreement in place, Dehcho First Nations can support a timely resolution of the applications for the Line 21 Segment Replacement Project, and believes that any concerns with Enbridge's use of water and temporary lands as proposed in Enbridge's applications to the Mackenzie Valley Land and Water Board have been or will be addressed through this Agreement.

DFN is a regional organization that supports and represents local communities and community members. Any submissions by our member communities are further supported by DFN.

Mahsi for your time and consideration of our final written submission for the proposed Enbridge Line 21 Replacement Segment Project. If you have any questions, please contact Dahti Tsetso, Resource Management Coordinator at 867-695-2355, or by email at dahti_tsetso@dehcho.org.

Mahsi cho,



Herb Norwegian
Grand Chief
Dehcho First Nations

Appendix A: Summary of the Line 21 Dehcho Environmental Management Agreement

Enbridge Pipelines (NW) Inc. and the Dehcho First Nations, Łı́ıdljı́ Kúé First Nation, Samba K'e First Nation, Pehdzeh Ki First Nation and Tthets'éhk'edélı́ First Nation have entered into an Environmental Management Agreement (EMA). This Agreement establishes a structure and process for addressing Dene concerns about the Line 21 Segment Replacement Project and the ongoing operation of Line 21 for an initial term ending on December 31, 2020.

The Environmental Management Agreement provides for:

- Dene-led Environmental Monitoring Program for the Line 21 Segment Replacement Project and for Line 21 activities in the Dehcho region;
- Meaningfully engaging Dehcho communities in the development, implementation, management, monitoring and evaluation of measures that prevent or mitigate adverse Environmental Effects of the Line 21 Activities;
- Collaborative information sharing and seeking consensus regarding Line 21 activities, including future regulatory applications and decommissioning and abandonment;
- Integrating and promoting the use of Dene knowledge in environmental monitoring and management for Line 21;
- Development and improvement of Dene capacity to participate in environmental monitoring and adaptive environmental management;
- Formal mechanisms for Enbridge to share information about Line 21 activities and regulatory applications, collect information about environmental interests and concerns from potentially impacted Dene Communities, and resolve environmental interests and concerns; and
- Formal mechanisms for Enbridge to address environmental interests and concerns of the Dehcho communities regarding regulatory applications prior to or outside of regulatory processes.

The EMA ensures that the Dehcho communities are involved in monitoring and mitigation regarding potential environmental impacts caused by Line 21 activities in the

Dehcho region. This includes monitoring and mitigation planning for impacts on soil, vegetation, wetlands, water quality and quantity, plants, wildlife, wildlife habitat, heritage sites, traditionally used lands and resources, human health and noise.

A key component of the EMA is the Dene-led environmental monitoring program, coordinated by the Dehcho First Nations and involving all affected Dehcho communities. The monitoring program will build on the Dehcho K'ehodi guardianship program. Dehcho K'ehodi guardians monitoring may include water and fish, wildlife, cultural resources and the environment during the Line 21 Segment Replacement Project and once Line 21 operations resume.

The Enbridge and Dehcho community relationship is formalized through an Environmental Management Committee (EMC) with representation from Enbridge and each affected Dehcho community. The EMC will review information from Enbridge and Dene monitors, facilitate Dene participation in monitoring and potential environmental impacts, and make recommendations on environmental mitigation and follow up programs to address potential environmental impacts. Consistent with Dene traditions, the EMC will seek to make decisions by consensus. Where consensus is not reached between Enbridge and the Dene, the EMA provides for various mechanisms including dispute resolution and the ability to make submissions through the regulatory process. The EMA also provides a process for independent peer review.

The EMA provides an important vehicle for ensuring that Dehcho community concerns expressed about the Line 21 Segment Replacement Project and Line 21 activities generally are addressed by:

- Supporting Dene-led community monitoring programs to monitor fish, wildlife, cultural and environmental impacts of Line 21;
- Ensuring that Dene people and Dene knowledge are directly engaged in determining and implementing appropriate mitigation measures to address the potential impacts of Line 21 activities on land, water, air, wildlife and other environmental values in the region; and
- Ensuring timely and robust information exchange between Enbridge and the Dehcho communities in order to facilitate efficient and effective decision-making about Line 21 concerns.