

Commitments made during the Public Hearing:

Hearing Part 1

October 27, 2017

	Commitment	Board Staff Analysis
1	Enbridge is committed to developing a notification protocol with local communities to facilitate timely information exchange regarding the project, including spills. (Oct. 27, 51: 14-17)	Can be included in the Engagement Plan. Must still abide by the conditions set out in the Water Licence. May be addressed through Environmental Management Agreements with affected communities.
2	Enbridge to confirm that verified data from its permafrost monitoring (done as part of an NEB regulated program) is publicly available and if there is any additional information that would be provided that is not covered within that program. (Oct. 27, 60: 20-22; 61: 1-7)	Enbridge confirmed information is not publicly available but is shared with GNWT in annual reporting.
3	Enbridge commits to go back and review the MSDS and compare that against the mud program that's proposed for the project. (Oct. 27, 72: 19-23)	An updated Waste Management Plan can be provided that includes appropriate MSDS information.
4	Enbridge to provide a way for the local First Nations to communicate with the construction management team regarding concerns on employee conduct. (Oct. 27, 165: 18-24)	Can be included in submission of an updated Engagement Plan, including all triggers of engagement. May be addressed through Environmental Management Agreements with affected communities.
5	Enbridge to commit to providing a way for local First Nations to have input into the development of the employee conduct reporting system. (Oct. 27, 166: 20-25)	Can be included in submission of an updated Engagement Plan, including all triggers of engagement. May be addressed through Environmental Management Agreements with affected communities.
6	Enbridge to outline in writing their system of employee conduct reporting. (Oct. 27, 167: 16-18)	Can be included in submission of an updated Engagement Plan, including all triggers of engagement.
7	Enbridge to discuss with First Nations communities the possibility and parameters of a women's advisory panel. (Oct. 27, 168: 13-17)	Can be included in submission of an updated Engagement Plan, including all triggers of engagement. May be addressed through

		<p>Environmental Management Agreements with affected communities.</p> <p>See also Commitment 17.</p>
8	<p>Enbridge to ensure that all workers on the project receive indigenous awareness training prior to starting work, and to work with local communities on its development. (Oct. 27, 169: 11-15)</p>	<p>Can be included in submission of an updated Engagement Plan, or provided under another project plan.</p> <p>May be addressed through Environmental Management Agreements with affected communities.</p> <p>See also Commitment 17.</p>
9	<p>Enbridge to update its camp policies to address harvesting concerns. (Oct. 27, 172: 10-12, 241: 4-6)</p>	<p>Can be included in submission of an updated Engagement Plan, or provided under another project plan.</p> <p>May be addressed through Environmental Management Agreements with affected communities.</p>
10	<p>Enbridge will consider working with other stakeholders, including GNWT ENR, in revising the Turbidity Monitoring Program. (Oct. 27, 79: 6-13)</p>	<p>Recommend to Board to include as a condition of the Water Licence.</p>
11	<p>Enbridge to outline how contacting stakeholders will occur in the event of turbidity exceedances, following input of stakeholders and communities. (Oct. 27, 144: 1-7)</p>	<p>Can be included in submission of an updated Engagement Plan, including all triggers of engagement, as well as the Turbidity Monitoring Plan.</p> <p>May be addressed through Environmental Management Agreements with affected communities.</p>
12	<p>Enbridge offers to meet with local communities, first responders, and interested stakeholder groups to deliver public awareness program information, provide updates on key operational activities, and update communication contacts and protocols. (Oct. 27, 56: 9-14)</p>	<p>Already a requirement of Engagement Plan.</p>
13	<p>Enbridge has also committed to tracking records of engagement, including dates, description, actions taken, and status. (Oct. 27, 56: 15-18)</p>	<p>Already a requirement of Engagement Plan.</p>
14	<p>Enbridge commits to a directed fish and fish habitat assessment downstream of the HDD. It intends to work with First Nations to understand their concerns and thus direct the assessment. (Oct. 27, 148: 16-22; 149: 1-14)</p>	<p>Enbridge to provide information to the Board for the public registry.</p> <p>Engagement actions can also be included in submission of an updated</p>

		Engagement Plan, including all triggers of engagement.
15	Enbridge will provide the camp code of conduct and camp rules and policies to the Board for review. (Oct. 27, 161: 6-17)	Enbridge to provide information to the Board for the public registry. Can be included in submission of an updated Engagement Plan, including all triggers of engagement.
16	Enbridge will engage with LKFN and the Mouse family to develop a Safe Traffic Plan covering safety and access with respect to the land use of the Mouse family, to be built into the General Safety Plan for the project. (Oct. 27, 177: 5-9; 178: 5-9).	May be addressed through Environmental Management Agreements with affected communities.
17	Enbridge to continue engagement with First Nations regarding aboriginal awareness training and women's safety programs. (Oct. 27, 240: 11-16)	Can be included in submission of an updated Engagement Plan, including all triggers of engagement. May be addressed through Environmental Management Agreements with affected communities. See also Commitments 7, 8.
18	Enbridge to respond to questions by LKFN on recommendations made in the 1981 environmental assessment. (Oct. 27, 269: 18-25; 270: 4-7, 11-17, 22; Oct. 28: 112: 21-25, 113: 1-2)	Enbridge to provide information to the Board before January 8, 2018. Complete.

October 28, 2017

	Commitment	Board Staff Analysis
19	Enbridge commits to an updated engagement plan that includes community input in project plans. Intend to schedule mid-November to begin those discussions. (Oct. 28, 23: 7-9, 23; 24: 3-13)	Can be included in submission of an updated Engagement Plan, including all triggers of engagement. May be addressed through Environmental Management Agreements with affected communities.
20	Enbridge to continue discussion with communities on monitoring which could lead to a monitoring component in the engagement plan. (Oct. 28, 26: 7-13)	Can be included in submission of an updated Engagement Plan, or provided under another project plan. May be addressed through Environmental Management Agreements with affected communities.

21	Enbridge commits to including in the Engagement Plan discussions with communities on sump locations (restricted to either on its existing land or pending approval of this permit on those lands, and subject to the approval of the land use inspector). (Oct. 28, 34: 6-23)	Can be included in submission of an updated Engagement Plan, including all triggers of engagement. Must still abide by the conditions set out in the Water Licence. May be addressed through Environmental Management Agreements with affected communities.
22	Enbridge to share with community historical wildlife data from the project area along the Right of Way, for comparison with local TK. (Oct. 28, 86: 19-25, 87: 1-12)	Status unknown.
23	Enbridge to share the waste management plan for parties to review. (Oct. 28, 40: 11-13; 41: 5-7)	Can be included in submission of an updated Waste Management Plan or Engagement Plan.
24	Enbridge to develop a project-specific erosion control plan and share with the Board. (Oct. 28, 42: 6-8)	Must still abide by the conditions set out in the Water Licence.
25	Enbridge to provide the fish habitat assessment to the MVLWB once completed. (Oct. 28, 47: 19-22; 48: 1-2)	Enbridge to provide information to the Board for the public registry.
26	Enbridge committed to a permafrost assessment that would be included as apart of the sump construction assessment. (Oct. 28, 51: 23-25)	May be included in the Sump Construction and Monitoring Plan.
27	Enbridge commits to maintaining erosion control measures as needed throughout the monitoring period. (Oct. 28, 54: 2-4)	Must still abide by the conditions set out in the Water Licence.
28	Enbridge to look at the frequency and type of reporting to be incorporated into the engagement plan. (Oct. 28, 56: 9-12)	Must still abide by the conditions set out in the Water Licence. May be addressed through Environmental Management Agreements with affected communities.
29	Enbridge commits to sharing the noise mitigation strategies that are available to LKFN for comments. (Oct. 28, 82: 3-5)	Status unknown. May be addressed through Environmental Management Agreements with affected communities.
30	Enbridge to be very specific in the update of the engagement plan. (Oct. 28, 135: 14-15)	Can be included in submission of an updated Engagement Plan, including all triggers of engagement. May be addressed through

		Environmental Management Agreements with affected communities.
31	DFN to submit written questions for Enbridge no later than end of day November 10, 2017 . Enbridge will then have an opportunity to respond in writing by end of day November 21, 2017 .	Complete. Questions and answers posted to Public Registry.

Hearing Part 2

January 8, 2018

	Commitment	Board Staff Analysis
32	GNWT commits to confirming in written closing argument if the standard Archaeological Impact Assessment condition would still be required for the Land Use Permit. (Jan. 8, 43: 20-25)	Commitment fulfilled in written closing argument. GNWT retracted recommendation following completion of AIA conducted by Enbridge.
33	GNWT commits to providing input on the appropriate term for the Water Licence and its rationale for it. (Jan. 8, 45: 13-24)	Commitment fulfilled in written closing argument.
34	GNWT to provide clarification regarding turbidity monitoring under the Water Licence, specifically the differences between what GNWT and NEB would require under their processes. (Jan. 8, 52: 15-25; 52: 25; 53: 1-25; 54: 1-6)	Commitment addressed in written closing arguments.
35	DFN commits to outlining in its written final arguments details required in Enbridge's Engagement Plan. (Jan. 8, 69: 23-25; 70: 1-10)	N/A - no additional engagement requirements noted in written final arguments
36	DFN commits to commenting on in-stream turbidity monitoring in its written final arguments. (Jan 8., 78: 7-25; 79: 1)	N/A - no additional comments noted in written final arguments
37	DFN commits to providing input on the appropriate term for the Water Licence and its rationale for it. (Jan. 8, 79: 5-16)	N/A - no additional comments noted in written final arguments
38	DFN commits to identifying in their written closing arguments anything that needs to be done about Aboriginal consultation requirements. (Jan. 8, 81: 18-25; 82: 1-17)	"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." (DFN Written Closing Arguments, p.1, pgh.3)
39	SKFN commits to providing input on the appropriate term for the Water Licence and its rationale for it. (Jan. 8, 106: 18-25; 107: 1-10)	N/A - no additional conditions noted in written final arguments
40	LKFN commits to providing a list of specific conditions appropriate for the project approval. (Jan. 8, 115: 17-23)	N/A - no additional comments noted in written final arguments