

NC/10-111-650  
November 22, 2010

Mr. Gaétan Caron, Chair  
National Energy Board  
444 Seventh Avenue S.W.  
Calgary, Alberta T2P 0X8

Dear Mr. Caron,

Nature Canada was an intervener in the Joint Review Panel (JRP) process for the Mackenzie Gas Project. We take the extraordinary step of writing to you at this time to share with the Board our concerns about what we see as a misleading response provided by the Governments of Canada and the NWT on November 15, 2010.

The governments characterize their response as accepting the great majority of the recommendations made by the JRP. Many of the JRP's recommendations for which the governments "accepted the intent" seek certainty and accountability with respect to the conditions that would be applied to the project if approved. The governments' claim to accept the intent of recommendations while declining to make commitments and accept deadlines amounts to rejecting the recommendations. In addition, the governments are not agreeing to ensure adequate planning happens before the project starts, which is simply bad planning. Nor are they agreeing to the accountability mechanisms which have been proposed to ensure that the mitigation measures are in fact implemented in the right sequence.

Crucially, the governments are refusing to set sustainability at the center of the project. For the project to be in the public interest it has to be in a sustainability framework. The JRP has provided 176 recommendations with exactly that in mind. The governments have rejected this in practice, despite their claims to have accepted the "intent". It is our view that the NEB cannot conclude the project is in the public interest and should therefore reject the project.

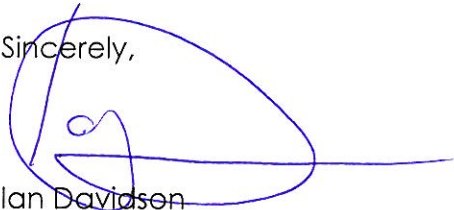
Where the JRP attempted to create more certainty about land use in the Mackenzie Valley, the governments' response has created confusion and economic uncertainty among a broad range of stakeholders on the landscape. The project cannot be considered to be in the public interest if it creates such uncertainty.

We trust that the NEB will recognize:

- the governments' refusal in practice to accept the majority of the JRP's recommendations
- that proceeding with the project without the JRP's recommendations would compromise a sustainable future for the North
- that the project is therefore is not in the public interest

As a result we believe that the NEB must reject the project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ian Davidson', enclosed within a large, hand-drawn blue oval. A long horizontal line extends from the right side of the oval.

Ian Davidson  
Executive Director