



National Energy
Board

Office national
de l'énergie



Canadian Environmental
Assessment Agency

Agence canadienne
d'évaluation environnementale

Ms. Sheri Young
Secretary to the Joint Review Panel
Joint Review Panel – Enbridge Northern Gateway Pipeline Project
444 Seventh Avenue SW
Calgary AB T2P 0X8

Dear Ms. Young:

As signatories to the Joint Review Panel Agreement (the Agreement) and Terms of Reference for the Enbridge Northern Gateway Project, the Minister of the Environment and the National Energy Board have amended the Agreement to specify the composition of the Joint Review Panel. The amended Agreement is attached to this letter.

The Agreement, as amended remains in full force and effect and is effective upon execution by both parties.

Sincerely,

<signature removed>

The Honourable Leona Aglukkaq
Minister of the Environment

<signature removed>

Gaétan Caron
Chair and CEO
National Energy Board

Enclosure

**AMENDMENT TO THE
AGREEMENT BETWEEN THE NATIONAL ENERGY BOARD AND THE
MINISTER OF THE ENVIRONMENT CONCERNING THE JOINT REVIEW OF
THE NORTHERN GATEWAY PIPELINE PROJECT**

WHEREAS each of the Parties signed the Agreement Concerning the Joint Review of the Northern Gateway Pipeline Project (hereinafter referred to as the Agreement); and

WHEREAS section 11.1 of the Agreement provides that amendments may be made upon written notice by a Party to the other Party and upon mutual consent of the Chair of the National Energy Board and the Minister of the Environment; and

WHEREAS section 126(1) of the *Canadian Environmental Assessment Act, 2012* provides that the environmental assessment of the Project is continued under the process established under that Act and the Agreement is considered to have been entered into by the Federal Minister of the Environment under section 40 of that Act;

WHEREAS pursuant to the *Jobs, Growth and Long-Term Prosperity Act*, the *National Energy Board Act* was amended to allow the Chairperson of the National Energy Board to authorize a person who resigns or ceases to hold office as a member to continue to inquire into, hear and conclude any proceeding to which that person was assigned while that person was a member and the person shall for that purpose be considered to continue to be a member; and

WHEREAS the Parties wish to amend the Agreement.

Now therefore, the Parties hereby amend the Agreement as follows:


1. Paragraph 5.5 is added as follows:

For the purpose of this Agreement, a permanent or temporary member of the Board includes a person authorized by the Chair of the Board to continue to inquire into, hear and conclude the proceeding in accordance with subsection 16(6) of the *National Energy Board Act*.

The Agreement, as hereby amended in accordance with the terms thereof, remains in full force and effect and is effective upon execution by both parties below

The Honourable Leona Aglukkaq
Minister of the Environment

Date: SEP 19 2013

 Gaétan Caron
Chair, National Energy Board

Date: OCT 02 2013