



MAIL ROOM
VILLE DE COLITTE
2005 DEC 20 A 9:25

NEB / ONE

File: 30050-01

Reference: 96090

December 13, 2005

Michel Mantha
Secretary
National Energy Board
444 Seventh Ave SW
Calgary AB T2P 0X8

Dear Mr. Mantha:

Thank you for your correspondence of November 28, 2005, requesting the British Columbia Environmental Assessment Office (EAO) indicate its roles and responsibilities respecting an environmental assessment of the Enbridge Gateway Project (Project).

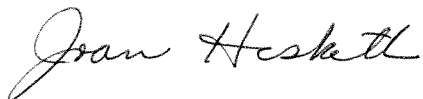
We note that the Project proposes to build a pipeline that is inter-provincial in nature. Inter-provincial pipelines are federally regulated since they are works or undertakings that fall within section 92(10)(a) of the Constitution, and are not therefore subject to any certificate that may be issued under the British Columbia *Environmental Assessment Act* (Act).

Since an environmental assessment under the Act is not applicable, the Canada-British Columbia Agreement on Environmental Assessment Cooperation is also not applicable.

I trust this information addresses the questions that have been raised by the National Energy Board. If you have any further questions on this matter, please contact John Bones, Project Assessment Director, at (250) 387-1447 or John.Bones@gov.bc.ca.

.../2

Yours truly,



Joan Hesketh
Associate Deputy Minister

pc: Debra Myles, Project Manager
Canadian Environmental Assessment Agency

Dave Carter, Senior Program Officer
Canadian Environmental Assessment Agency

Tony Epp, Senior Program Officer
Canadian Environmental Assessment Agency

Richard Neufeld, Partner
Fraser Milner Casgrain LLP

Roger Ramcharita, EA Team Leader
Alberta Environment

Jim Russell, Vice President
Gateway Pipeline Inc.

John Bones