



SAHTÚ RENEWABLE RESOURCES BOARD

P. O. Box 134, Tulita, NT, X0E 0K0

Phone (867) 588-4040

Mobile/Voicemail 406-966-4370

Skype deborahleesimmons

Fax (867) 588-3324

director@srrb.nt.ca

www.srrb.nt.ca

<http://www.facebook.com/SahtuWildlife>

Larry Wallace, Chair
Sahtu Land and Water Board

Delivered via email

October-12-12

RE: ConocoPhillips Land Use Permit S12A-005 and Water License S12L1-005, Exploration License Block 470

Dear Mr. Wallace:

The Sahtú Renewable Resources Board (SRRB) is hereby submitting comments on the subject ConocoPhillips permit and license applications. We have appreciated the opportunity to work with ConocoPhillips staff in developing components of long term regional studies related to shale oil development, and look forward to continuing that collaboration. We also note that ConocoPhillips has expressed commitment to addressing concerns about the proposed exploration project for winter 2012. At this time, we would like to register ongoing concerns related to our legal mandate as the “main instrument of wildlife management” in the Sahtú Region.

The SRRB has specific responsibilities related to the objectives outlined in the Sahtú Dene and Métis Comprehensive Land Claim Agreement, as follows:

- 13.1.1(a) to protect for the future the right of participants to gather, hunt, trap and fish throughout the settlement area at all seasons of the year;
- 13.1.1(b) to conserve and protect wildlife and wildlife habitat and to apply conservation principles and practices through planning and management;
- 13.1.1 (e) to involve participants in a direct and meaningful manner in the planning and management of wildlife and wildlife habitat;
- 13.1.1 (f) to integrate planning and management of wildlife and wildlife habitat with the planning and management of all types of land and water use in order to protect wildlife and wildlife habitat.

We are also required by Section 13.9.5 to consult regularly with local Renewable Resources Councils (RRCs) about matters within our jurisdiction. In preparing this letter, we have received feedback from the Norman Wells and Tulít'a RRCs, the main stakeholding local harvesting committees, as well as the Fort Good Hope RRC. Our core concerns are threefold, relating to 1) cumulative impacts, including impacts on boreal caribou, 2) impacts on culturally significant areas/land use and occupancy, and 3) community capacity.

Concern 1: Cumulative Impacts

Our main concern relates to the challenges posed by the scope and pace of exploration projects and potential development project being initiated. With license blocks totalling 8,000 km², the aggregate activities over the coming period constitute a “megaproject” that is unprecedented in the Sahtú Region. The ConocoPhillips applications are restricted to the scope of a single project, and the expected footprint during the exploration phase is relatively small. However, in the context of the aggregate exploration blocks and potential future induced development, the stated footprint of just over ½ km² doesn't account for cumulative impacts.

The collective projects should be properly reviewed toward development of a coherent and coordinated Environmental Protection Plan (EPP) that is collaboratively developed with the RRCs, Norman Wells and Tulít'a communities, SRRB, NWT Environment and Natural Resources and other regional stakeholders, thoroughly addressing cumulative impacts on wildlife, wildlife habitat, and harvesting. The SRRB is willing to provide input on how this might be accomplished.

The area in question includes important habitat for boreal caribou, which is listed as Threatened under the federal *Species At Risk Act*, and a harvesting species essential to communities' wellbeing. According to the Sahtu Target Implementation Project, the most suitable indicators for managing woodland caribou in the Sahtu Settlement Area are linear density and young forest. As noted by ConocoPhillips, the area encompassed by the project already exceeds caribou management thresholds. The point is made by the proponent that added impacts of the proposed project will be relatively minimal – but this does not account for impacts of exploration and induced development considered cumulatively. Consequently, no plan appears to be in place for mitigation of cumulative impacts on boreal caribou.

Concern 2: Impacts on Culturally Significant Areas/Land Use and Occupancy

Together, the traditional knowledge studies conducted in Norman Wells and Tulít'a related to the proposed project demonstrate that the exploration area has historically been and continues to be a significant harvesting area. The EPP identifies only the McDonald and Blondin families as historical occupants of the area; we are advised that a variety of other families from Norman Wells and Tulít'a have harvested in the area extensively in the past, and continue to do so in the present.

The EPP states that “the program will not affect sites of cultural or archaeological significance,” and further that “the program will not directly affect the lifestyle of Aboriginal people.”

Although it is stated that traditional knowledge was used in developing the proposed exploration plan, there is no specific evidence provided in the EPP regarding how the concerns of land users have been accommodated. It is paramount that the affected families be provided with opportunities to meaningfully participate in project planning, monitoring and adaptive management to ensure that impacts on their way of life are reduced to the greatest extent possible.

Comment 3: Community Capacity

The separation of all the proposed exploration applications is an unreasonable pressure for RRCs and communities – there is a need for a participatory planning process related to the aggregate shale oil exploration projects that provides communities with full opportunities to understand the proposed activities, provide meaningful input, and received detailed information about how their concerns have been accommodated.

On behalf of the Board,

A handwritten signature in black ink, appearing to read 'Deborah Simmons', with a long horizontal stroke extending to the right.

Deborah Simmons
Executive Director