

Oil Sands Consultations

ABORIGINAL CONSULTATION FINAL REPORT



June 30, 2007

Alberta

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Provide First Nations peoples with equitable economic benefit in relation to ongoing resource development processes within their traditional territories.

”

- Slave Lake First Nations
Consultation Session

“

Through this series of consultation sessions, First Nations and Métis people have been able to put their concerns forward to the Government of Alberta.

- **Cole Pederson**

Chair, Aboriginal Consultation Interdepartmental Committee

”



Message from the ACIC Chair

For the past five months I have enjoyed chairing the Aboriginal Consultation Interdepartmental Committee (ACIC) as it worked its way through a Crown consultation process on the development of strategies and action plans to implement the vision of oil sands development produced by Phase I of the Multistakeholder Committee consultations.

Between January 25 and May 31, 2007, Alberta met through the ACIC with First Nations and Métis organizations throughout northern Alberta. In the First Nations process, we held six sessions and consulted with 12 First Nations, three Tribal Councils representing another eight First Nations, and the Treaty 8 First Nations of Alberta. In the Métis process we held five regional sessions, consulting with Métis Nation of Alberta locals, zones and the provincial office and with all eight of the Métis Settlements.

Through this series of consultation sessions, First Nations and Métis people have been able to put their concerns forward to the Government of Alberta in a manner that allows those concerns to have a genuine impact on Alberta's strategy for developing oil sands.

I would like to thank all of the representatives on the ACIC for their dedication to the process. Their work in establishing the concepts to take forward to First Nations and Métis leadership and their willingness to take long flights in the dark on tiny planes were essential to the success of the process.

Finally, I would like to recognize the cooperation and support that the Multistakeholder Committee extended to ensure that their process and ours coordinated effectively and that First Nations and Métis input would appear in the most effective locations between our reports.

Message from the Aboriginal Consultation Project Manager

Over the past year and a half, I have had the pleasure of being involved with the Oil Sands Consultations initiative. Although it has been an extremely busy time, I have had a wealth of opportunities to create and build relationships with Aboriginal communities across the province. I greatly value the interactions I have had with First Nations and Métis through this process and thank them for their ongoing engagement and dedication. Without their participation, I believe the Province's new vision for oil sands development would be incomplete, particularly in the areas of cultural connections to and traditional uses of the land and impacts on remote northern communities. The passion and frankness with which First Nations and Métis presented their issues and corresponding solutions was impactful and greatly appreciated.

Through this process, I have also learned the complexities of consulting with over 20 Métis organizations and 30 First Nations across three different jurisdictions. At times it was a challenge to keep the details in order and the parallel consultations straight, but I believe it was extremely valuable to provide Aboriginal communities with the opportunity to participate in their own way. I look forward to working with First Nations and Métis to evaluate and build upon this new approach to consultation so future government initiatives can benefit from jointly developed processes.

I would like to thank the many provincial and federal government staff for their work on this initiative, particularly the Aboriginal Consultation Interdepartmental Committee team and support staff. With so many differing mandates across governments, it is refreshing when we can work collectively to achieve a positive outcome for not only First Nations and Métis but all Albertans. I appreciate their ongoing commitment to the process, including hours of exchanging ideas, developing new approaches, and reviewing thousands of pages of written material, often on short notice. I also value the executive-level support provided to this initiative. It was uplifting to know that the present leadership within our province is aware of the many issues facing Aboriginal communities and see our need to work toward mutually beneficial outcomes.

I look forward to the opportunities and challenges that the implementation of a provincial oil sands strategy will create for all parties involved. I know this is an exciting and prosperous time for our province, where new approaches and creative solutions will be promoted and utilized.

“

The passion and frankness with which First Nations and Métis presented their issues and corresponding solutions was impactful and greatly appreciated.

”

- Janelle Wyman

Aboriginal Consultation Project
Manager



“

I welcome the Government of Alberta's efforts to start the process of meaningful consultation and the good faith shown by everyone involved.

”

- **Chief Jim Boucher**

First Nations Panel Member



Message from the First Nations MSC Panel Member

Consultation with the founding First Nations of Alberta is critical to the formation of public policies that meet the constitutional obligations of the Government of Alberta to honour the treaties and to achieve harmonious reconciliation of the rights, needs and aspirations of First Nations communities and other Alberta communities. As the Chief of the Fort McKay First Nation, a community situated in the midst of the Athabasca Oil Sands, I understand the importance and potential impacts of oil sands development and a policy to manage it.

I welcome the Government of Alberta's efforts to start the process of meaningful consultation and the good faith shown by everyone involved. I urge both the Government and First Nations to persevere in this process—a process that has just begun.

Message from the Métis MSC Panel Member

Over the last year, I have been actively participating on the oil sands Multistakeholder Committee (MSC), which was formed by the Alberta Government to lead a public consultation on the development of Alberta's oil sands, based on recommendations from the MLA-led Consultation Advisory Group.

After holding seven community consultations throughout the oil sands regions, we have developed a report that identifies a vision and principles for the future of oil sands development in Alberta. I was very impressed with the level of participation from our Métis leaders, as their input helped outline a vision for oil sands development.

The findings from the first and second phases have also been validated by the Métis community, by way of five Métis-specific community consultations throughout the oil sands regions, and one provincial gathering. I am excited about this process, and thank all of our Métis citizens who have taken the time to give their input.

For more information on this consultation, visit our website at www.oilsandsconsultations.gov.ab.ca. You can also contact me on this process or any other Métis issues at tgladue@metis.org or toll-free 1-800-252-7553.

“

I am excited about this process, and thank all of our Métis citizens who have taken the time to give their input.

- **Trevor Gladue,**
Métis Panel Member

”



“

I know that things can change. It has to be a partnership between Aboriginal people, industry and government.

- Métis Validation Session

”

Acknowledgements

The Department of Energy would like to thank the following people for their valuable contributions towards the success of the Aboriginal consultation component of the Oil Sands Consultations initiative.

Aboriginal Consultation Interdepartmental Committee (ACIC)

Cole Pederson, Chair, Department of Energy
 Janelle Wyman, Alternate Chair and Aboriginal Consultation Project Manager, Department of Energy
 Eric Davey, International, Intergovernmental and Aboriginal Relations
 Randy Leal, Environment
 Andy Masiuk, Sustainable Resource Development
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 Jay Nagendran, Environment
 Neil Reddekopp, International, Intergovernmental and Aboriginal Relations

Multistakeholder Committee (MSC)—First Nations and Métis Members

James Badger, Tallcree First Nation, MSC First Nations Representative
 Chief Jim Boucher, Fort McKay First Nation, MSC and Panel First Nations Representative
 Chief Archie Cyprien, Athabasca Chipewyan First Nation, MSC First Nations Representative
 Trevor Gladue, Métis Nation of Alberta, MSC and Panel Métis Representative
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Sonny Flett, Fort Chipewyan Métis Local #125
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Carol Nipshank, Wood Buffalo Métis Locals
Jill Norris, Heart Lake First Nation
Lisa Schaldemose, Fort McKay First Nation
BJ Simpson, Métis Settlements General Council

Photos Provided By:

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Cold Lake First Nation
Fort McKay First Nation
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Smith's Landing First Nation
Tuccaro Inc.
Janelle Wyman

“

There are impacts on water, land, wildlife, fish, berries, cranberries, rabbits and rats. There used to be an abundance of everything. Now there's hardly anything.

”

**- Fitzgerald First Nations
Consultation Session**

Executive Summary

In January 2007, the Aboriginal Consultation Interdepartmental Committee (ACIC) was formed to undertake a specific process with First Nations and Métis to gather feedback on the potential impacts that Alberta's oil sands development may have on Aboriginal rights and traditional uses. This separate process, designed to gather direct input from First Nations and Métis individuals and communities, was to run parallel with the Multistakeholder's public consultation process with stakeholders in Alberta.

The following report describes the background of Alberta's Oil Sands Consultations initiative, how consultation was undertaken with each group, feedback received during the consultation process, the full versions of recommendations that First Nations and Métis would like to put forward to the Ministers for consideration, and Alberta's next steps for further consultations with First Nations and Métis.

The summarized versions of the First Nations and Métis submissions follow, respectively:

Common First Nations Recommendations

Upon reviewing the feedback received from First Nations through discussions at the consultation sessions and through written submissions, several recommendations common to two or more First Nations were identified. These recommendations are listed below in no particular order of importance, under relevant subject headings. To see the First Nations Phase II Methodology and Compiled First Nations Recommendations for Alberta's Oil Sands Consultations, please see pages 23 and 25.

1. Impacts on the Environment

- Undertake or fund a cumulative impacts study to determine the effects of current and expected oil sands development on First Nations rights and traditional uses.
- Address First Nations concerns with water quality and quantity, both within the oil sands regions and downstream within adjacent watersheds.
- Provide technical capacity to help review environmental impact assessments.
- Keep reclamation on pace with development, involve First Nations in planning and implementation, and set and enforce reclamation standards that will return the land to a functioning boreal ecosystem that will sustain traditional land use.
- Undertake environmental management on a regional rather than project-by-project basis.
- Establish a formal process to involve First Nations in environmental and biodiversity monitoring.
- Involve First Nations in integrated land management in a way that respects First Nations stewardship of and connection to the land.
- Manage oil sands liabilities to ensure that they do not impact future generations.
- Address access management issues.
- Address the adverse impacts of oil sands development on plants and wildlife.
- Address health issues related to poor air quality.

“Number one is to make sure the health of every Albertan is not being affected by the development.”

- Bonnyville Métis Consultation Session



“
If you want true consultation, both parties have to sit down and talk about it eye to eye and resolve it fairly, not with court actions and civil disobedience.”

- **Bonnyville First Nations Consultation Session**

- Develop and implement more rigorous air-quality standards and environmental management practices that are protective of human health as well as the health of fish, wildlife and plants.
- Reduce greenhouse gases and minimize pollution.
- Heighten standards regarding noise control and abatement.
- Provide ongoing funding to First Nations to conduct and update traditional land use studies.
- Incorporate Traditional Environmental Knowledge (TEK) into oil sands environmental management and planning more effectively.
- Ensure the best available technology is used.
- Create programs to promote community-based monitoring.
- Create a trans-boundary water management agreement between First Nations, Government of Alberta, and Government of Canada.
- Reduce water use in oil sands development and set an ecological base flow for the Athabasca River.
- Create parks and protected areas where First Nations can practise their rights and traditional uses.
- Recognize First Nations stewardship of the land and promote partnerships between Alberta and First Nations for managing and monitoring environmental impacts.

2. First Nations Rights and Interests

- Honour Treaty 6 and Treaty 8 and the constitutionally protected rights of First Nations.
- Uphold the honour of the Crown in protecting and accommodating First Nations rights and interests.
- Settle outstanding Treaty Land Entitlement claims.
- Ensure access to traditional lands.
- Reconcile differences in opinion among the Government of Alberta, First Nations, and industry, regarding First Nations rights and livelihood interests.
- Ensure Government of Alberta participates in treaty implementation processes.

3. Communication and Relationship-Building

- Improve communication and relationship-building between Alberta and First Nations.
- Enhance early information-sharing.
- Hold regular high-level meetings between Cabinet and Chiefs.

4. First Nations Consultation

- Respond to First Nations rejection of the Government of Alberta consultation policy and guidelines.
- Improve current notification processes.
- Improve the provincial consultation policy and guidelines.
- Extend timelines and consult further on the Oil Sands Consultations initiative.



- Integrate all government planning and consultation.
- Provide full funding for consultation capacity.
- Improve First Nation trappers' notification and consultation.
- Ensure federal government participation in consultation.
- Improve coordination of consultation among Government of Alberta ministries.
- Give First Nations the opportunity to provide input before public offering of mineral rights.
- Address First Nations mistrust of the EUB and the oil sands development approval process.
- Clearly define "meaningful consultation."
- Clearly define when consultation is triggered.
- Let First Nations comment on draft decisions regarding oil sands development before final approval.
- Revise the "directly and adversely affected test" to better address impacts on First Nations rights and traditional uses.
- Accept and promote community consultation protocols.
- Address compensation and accommodation as it relates to oil sands development and lost opportunities to exercise rights.

5. Impacts on First Nations Communities

- Address infrastructure issues on reserve.
- Address the health and wellness of community members.
- Respond to the shortage of healthcare professionals within remote communities.
- Address issues related to education, jobs and training.
- Provide opportunities for youth.
- Recognize and address issues related to the current pace of development.
- Support and participate in community processes and programs.
- Study and address the effects of oil sands development on First Nations quality of life.
- Plan for an Alberta after oil.
- Control the pace of development.

6. Economic Participation

- Allow First Nations to share in the benefits of oil sands development.
- Develop opportunities for First Nations businesses to participate in the oil sands economy.
- Review the current royalty structure for oil sands and develop a mechanism for royalty-sharing with First Nations.

“

We need to define our traditional use areas of hunting and fishing so that becomes the basis of our rights.

”

- Fort Chipewyan Métis
Consultation Session



“

There's still a high level of mistrust that not all information is being shared and industry secretly lobbies governments on issues.

- Fort McKay First Nation
Consultation Session

”

Métis Recommendations

Based on feedback from the consultation sessions and through written submissions, Métis have developed the following recommendations for strategies and actions. Métis emphasized the need to prioritize certain strategies and actions; those strategies are identified below with an asterisk (*). To see the Métis Phase II Methodology and Compiled Métis Recommendations for Alberta's Oil Sands Consultations, please see pages 83 and 85.

1. Build relationships and increase communications between Métis, the Government of Alberta, and industry.

- Work together to develop a strategy for building relationships and enhancing communications.
- Jointly develop an education strategy to increase awareness between Métis, the Government of Alberta, and industry.
- Recognize the distinction between the Métis Settlements General Council and the Métis Nation of Alberta.
- Set up regional tables where Métis, the Government of Alberta, and industry can discuss and resolve issues arising from oil sands development.
- Hold an annual high-level meeting between Cabinet, leadership from Métis groups and organizations, and industry.
- Develop government-to-government relationships between Métis organizations and specific government departments.
- Review and revise the *Aboriginal Policy Framework* to better address Métis-specific issues.

2. Clearly define who Métis are and what their inherent rights are in Alberta.

- In consultation with Métis organizations, create a formal process to define the inherent rights of Métis people and identify Métis rights-holders.
- Acknowledge that Métis and First Nations rights are afforded equal protection under the Constitution.
- Create a legal defence fund for Métis.

3. Develop a Métis consultation policy and guidelines.*

- In consultation with Métis, develop a Métis consultation policy and guidelines that ensures consultation occurs prior to resource development and land management decisions and throughout development.
- Clearly define “meaningful consultation.”
- Define the roles and responsibilities of all parties in the consultation process, including the federal government and individual Government of Alberta departments.
- Ensure that the Métis consultation policy recognizes the distinctions between the Métis Settlements General Council and the Métis Nation of Alberta.
- Ensure that the Métis consultation policy and guidelines include regulatory requirements for industry to consult with Métis on specific projects.



- Review and revise the current trappers' notification and compensation process, including the role of the Alberta Trappers Association and the importance of the land's cultural value.
- Create a Métis trappers association to lobby for their interests.
- Consult before renewing licenses on Métis settlements.
- Include Métis in developing oil sands-related policy.

4. Build Métis organizational and consultation capacity.*

- Work with Métis groups to develop a framework for building organizational and consultation capacity.
- Provide Métis with organizational and consultation capacity funding for adequate staffing, governance, administration, membership services, communication, equipment and facilities.
- Incorporate consultation capacity funding in the Government of Alberta's royalty structure to ensure that funding is available on an ongoing basis.
- Build Métis consultation capacity at the same time as Government of Alberta capacity.
- Create all-party core agreements among Métis, the Government of Alberta, and industry to establish Industry Relations Corporations (IRCs) within the oil sands regions.
- Form a Métis lobby group to deal with oil sands issues.

5. Identify and protect Métis traditional land uses in Alberta.*

- Develop and fund a Métis Traditional Use Study program to identify Métis traditional lands and uses.
- Promote the sharing of traditional use study data with the Government of Alberta to facilitate the protection of important sites and areas.
- Work with Métis to identify opportunities to preserve and promote their unique culture and transfer this knowledge to future generations.
- Create more Métis settlements and set aside additional lands for Métis to practise their rights and traditional uses.
- Establish a buffer zone around Métis settlements to prevent further impacts on traditional land uses by resource development.
- Subsidize the cost of commercial fishing licenses for Métis.

6. Address the potential impacts of oil sands development on human health, air, water, land, wildlife, and Métis rights.

- Develop oil sands at a sustainable pace to minimize environmental impacts.
- Undertake a cumulative impact assessment to determine the overall impact of oil sands development on Métis rights.
- Conduct studies on the impacts of oil sands development on Métis health.
- Revise current Government of Alberta approval processes to assess projects regionally rather than individually.
- Review existing water, fish and wildlife studies and work with Métis to identify and fill in the gaps.

“

A healthy community means people know their neighbours and help each other.

”

- Bonnyville Métis Consultation Session



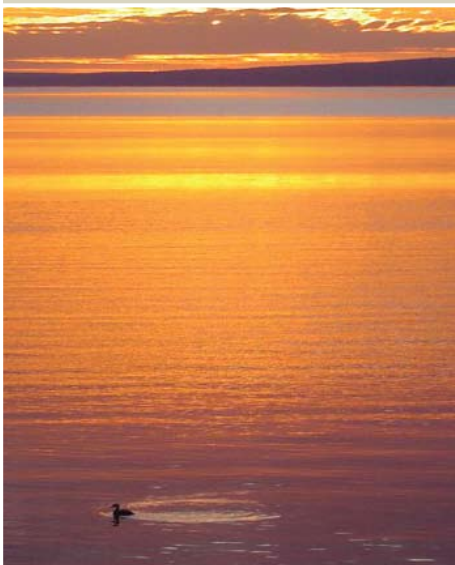
“

Invest a portion of incoming wealth into alternative energy sources.

”

- **Peace River Métis Consultation Session**

- Establish a formal process to involve Métis in environmental and biodiversity monitoring.
- Increase Government of Alberta environmental monitoring related to oil sands development.
- Assist Métis with resolving industry-specific environmental concerns.
- Include Métis in developing and implementing reclamation strategies as well as determining appropriate end land use.
- Involve Métis in Integrated Land Management (ILM).
- Undertake Traditional Environmental Knowledge studies and incorporate the results into environmental planning and management in the oil sands regions.
- Consult with Métis communities in the NWT regarding downstream effects of oil sands development.



Background

Work of the Oil Sands Consultation Group – December 2005 to March 2006

In December 2005, the Ministers of Energy, Environment, and Sustainable Resource Development formed a stakeholder consultation group (the Oil Sands Consultation Group) to:

1. Develop revised plans for consulting on the policy principles for Alberta's oil sands area in relation to oil sands development and environmental management; and
2. Work with the Cumulative Effects Management Association (CEMA) and other stakeholders to review and recommend how consultation on the management principles for the oil sands area should proceed.

Group members included representatives from environmental organizations, First Nations, industry and government. The group was asked to submit their final recommendations to government by March 31, 2006.

As per their mandate, the stakeholder consultation group submitted the *Oil Sands Consultation Group Final Report and Recommendations* to the Ministers on March 31, 2006. They recommended that:

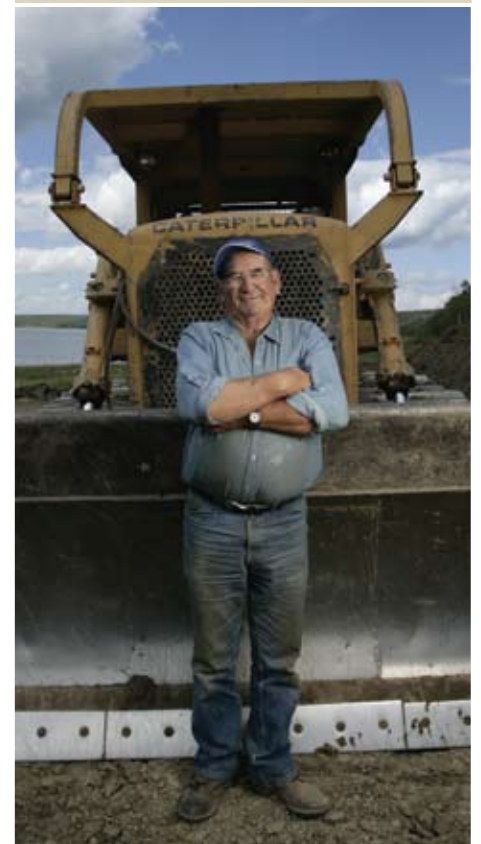
1. The Province consult on oil sands development using the hybrid multistakeholder and panel model and process developed by the group.
2. The scope of the consultation include consideration of economic, environmental, and social issues in an integrated manner.
3. Consultation be on oil sands development as a subject matter, not on a defined geographic area.
4. The consultation process include assessment of possible linkages to other policies or processes already in place, government or otherwise.
5. Information be made available to stakeholders in a timely fashion.
6. The consultation process be structured so as not to prejudice the consultation rights of First Nations.
7. Consultation take place in the three oil sands areas: Peace River, Cold Lake and Athabasca, as well as Edmonton and Calgary.
8. An Internet process be set up to allow interested persons to access information and provide input.
9. The entire consultation process be completed by June 2007.

“

The Elders have said the vegetation, medicinal herbs and berries aren't of the quality or quantity that they used to be.

– Heart Lake First Nation
Consultation Session

”



“
What will the consultation process amount to? What will be there for the Métis people?
”

- Peace River Métis
Consultation Session

Public, First Nations, and Métis Consultations – September 2006 to June 2007

In May 2006, the Government of Alberta accepted all nine recommendations of the Oil Sands Consultation Group and committed to undertake public consultations from September 2006 to June 2007 through the Multistakeholder Committee (MSC). The MSC was made up of representatives from the provincial departments of Energy, Environment, and Sustainable Resource Development; local government; federal government; First Nations; Métis; industry; and environmental organizations.

Following consultations with the public, First Nations and Métis from September 2006 through October 2006 (Phase I), the MSC developed the *Multistakeholder Committee Interim Report for Phase I*, which identified a vision and principles for the future of oil sands development in Alberta. They recommended a vision for development that:

- honours the rights of First Nations and Métis;
- provides a high quality of life;
- ensures a healthy environment;
- maximizes value-added in Alberta;
- builds healthy communities;
- sees Alberta benefit from the oil economy and lead in the post-oil economy;
- sees Alberta as a world leader in education, technology and a skilled workforce;
- provides high-quality infrastructure and services for all Albertans; and
- demonstrates leadership through world-class governance.

In January 2007, the Aboriginal Consultation Interdepartmental Committee (ACIC) was formed to undertake a separate, parallel consultation process with First Nations and Métis. A copy of the ACIC Terms of Reference can be found in Appendix 1.

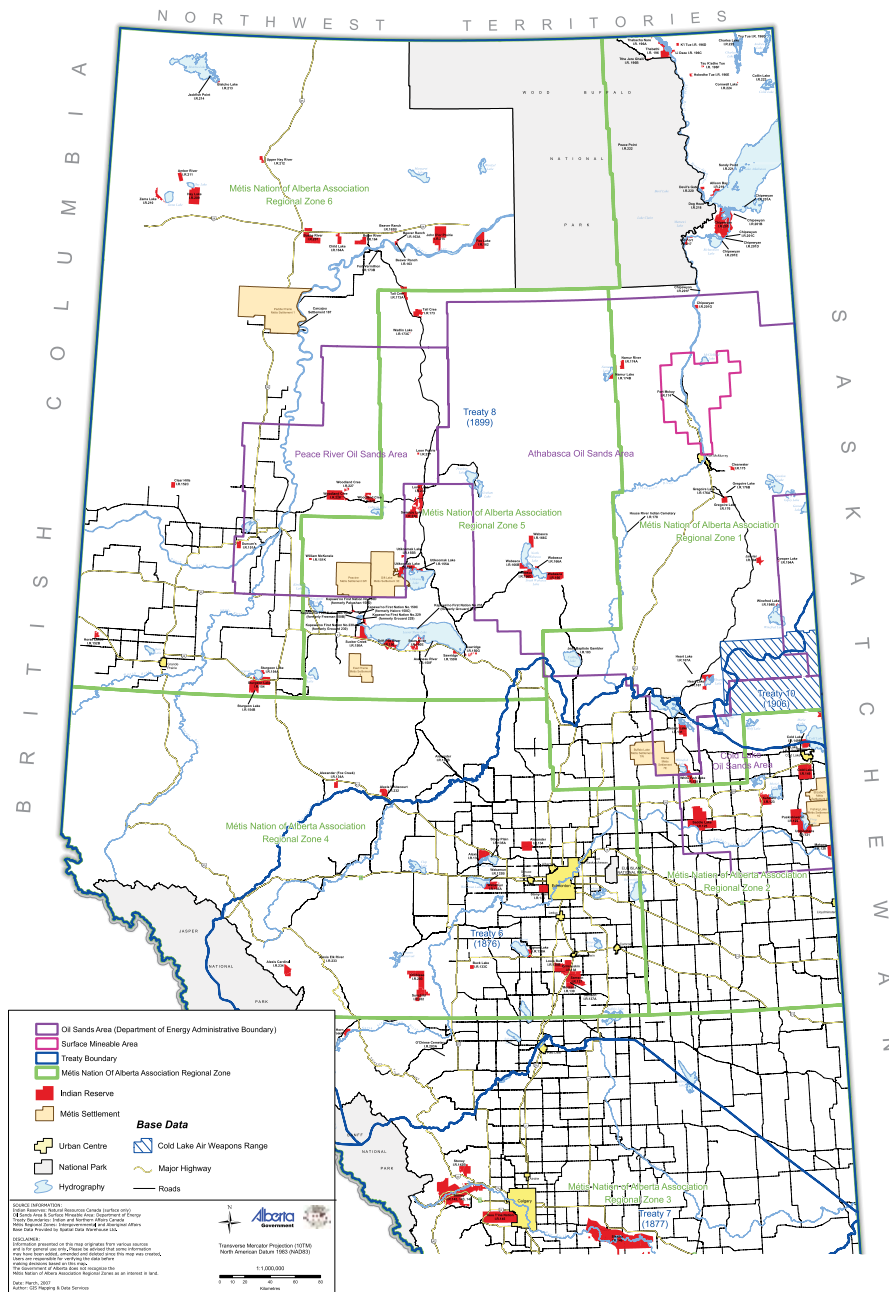
From January through May 2007 (Phase II), both the MSC and ACIC travelled throughout the province to share the findings of the interim report and gather feedback from the public, First Nations and Métis. This *Aboriginal Consultation Final Report* represents the findings of the ACIC.



Overview of Methodology for First Nations and Métis Consultation

Because the issues and decisions of Phase I were highly abstract and remote from activity on the land, the MSC used a “good government” model for Aboriginal consultation rather than addressing possible infringement to treaty and constitutional rights. As such, First Nations and Métis individuals and communities presented to the MSC Panel in the regular public consultation sessions. Their interests were further represented by having three First Nations and one Métis leader on the MSC.

ALBERTA OIL SANDS CONSULTATIONS First Nations and Métis Communities



“ There is an impact on the Métis traditional way of living, knowing and being which can't be understood by those who are not Métis. To live, know and be this way is our birthright. ”

- Bonnyville Métis Consultation Session

“
The Government of Alberta can't simply rubber stamp permits anymore. Things are changing too quickly. Alberta needs to change its strategy.”

- Fitzgerald First Nations Consultation Session

Phase II of the consultation process sought to identify strategies and actions for implementing the vision and principles. Those strategies and actions had the potential to adversely impact First Nations and Métis rights and traditional uses; therefore, Alberta consulted directly with First Nations and Métis in a separate and parallel process, rather than through the MSC during Phase II. This direct approach allowed First Nations and Métis to give early and identifiable input into the range of implementation measures available for the government to consider.

During the Phase II parallel process, any feedback that focused on non-rights-based issues, such as economic development, housing and infrastructure, healthcare, education, jobs and training was passed along to the MSC for their consideration. Many Aboriginal communities also participated in several of the public consultation sessions and summits. Further details regarding the MSC public consultation process and resulting recommendations are contained within the accompanying *MSC Final Report*.

The following First Nations and Métis sections of this report provide an overview of how consultation was undertaken with each group, the feedback received by Alberta during the consultation process, and the recommendations that each group would like to put forward to the Ministers for consideration.



Phase I: Summary of First Nations and Métis Participation

During Phase I of the Oil Sands Consultations, the MSC undertook an initial round of public consultations to develop a vision for oil sands development and principles to assist in guiding future policy. In September and October 2006, they held meetings for the public, First Nations, and Métis in Bonnyville, Fort McMurray, Fort Chipewyan, Wabasca, Peace River, Edmonton, and Calgary. The Government of Alberta directly notified First Nations and Métis about the details of these consultation sessions and the capacity assistance available for engagement.

Throughout Phase I, there was a high level of participation by First Nations and Métis. Thirty-four First Nations and Métis presenters addressed the MSC during the public meetings, 19 First Nations and Métis presenters submitted written comments, and 11 First Nations and Métis presenters participated in the Visioning Summit in Calgary. Further details and summaries of presentations from Phase I can be found at www.oilsandsconsultations.gov.ab.ca.

First Nations Themes

The feedback received from First Nations shared the following themes:

Traditional uses of the land, including hunting and fishing, trapping, berry-picking, collecting medicinal plants, and sacred ceremonial uses of the land;

Impacts on air, water, land, wildlife, and First Nations rights;

Cumulative impacts, social and economic impacts, and the desire to participate in the economic benefits of oil sands development;

First Nations rights and interests and the duty of the Crown to consult with First Nations as early as possible;

Capacity to engage in meaningful consultation;

The importance of sharing in the benefits of development, including opportunities for employment and training, and contracts for First Nations communities or First Nations members' companies;

Infrastructure concerns such as improvement or expansion to roads, highways, hospitals, and schools.

Métis Themes

The feedback received from Métis shared the following themes:

Métis historic presence in Alberta, including attachment to the land, traditional uses of the land, including hunting and fishing, trapping, berry-picking, and gathering medicinal plants;

Impacts on air, water, land and vegetation; on wildlife and on the right to hunt and trap; and on fish and the right to fish;

Social and economic impacts;

Métis Aboriginal rights and the duty of the Crown to consult; and

“

We need development, but not at the cost of the environment or the people.

”

- Calgary Public Summit



©Renato Gandia

“

Prior to all oil sands activities, governments should consult with First Nations governments. After all, we were all placed here to share.

- **Bonnyville First Nations Consultation Session**

”



Sharing in the benefits of development including opportunities for employment and contracting; training to enable employment and contracting; improvements to roads, highways, and other infrastructure; and protection against rising property taxes.

Vision for Oil Sands Development

Based on these themes and other input received from the general public around the province, the MSC developed the *Multistakeholder Committee Interim Report for Phase I*, which identified a vision and principles for the future of oil sands development in Alberta. They recommended a vision for oil sands development that:

- honours the rights of First Nations and Métis;
- provides a high quality of life;
- ensures a healthy environment;
- maximizes value-added in Alberta;
- builds healthy communities;
- sees Alberta benefit from the oil economy and lead in the post-oil economy;
- sees Alberta as a world leader in education, technology and a skilled workforce;
- provides high-quality infrastructure and services for all Albertans; and
- demonstrates leadership through world-class governance.

Goal for Phase II

The goal of Phase II of the Oil Sands Consultations would then be to provide feedback on the vision and principles and help develop ways to implement them.

Phase II: First Nations Consultation Methodology

A separate, parallel First Nations consultation process was established for Phase II of the Oil Sands Consultations to deal with the potential impacts oil sands development may have on First Nations rights and traditional uses. One of the first steps of this process was to develop a consultation plan to identify whom to contact, the various stages of the consultation process, and any applicable timelines. This plan was developed by the ACIC and approved by the Assistant Deputy Ministers Committee and First Nations members on the MSC. A copy of the detailed Phase II Aboriginal Consultation Plan can be found in Appendix 1.

The consultation plan contains a list of 28 potentially affected First Nations, based on the location of reserves and known traditional use sites and areas within the province's three oil sands regions of Athabasca, Cold Lake, and Peace River. Salt River First Nation, Smith's Landing First Nation and Deninu Kue First Nation were later added to that list based on their assertion of impacts on treaty rights presented since Phase I.

Each potentially affected First Nation was contacted through their Chief and key consultation contacts to provide notice of the Phase II consultation process and to discuss the appropriate mechanism for consultation for their community.

A detailed timeline of the First Nations consultation process for Phase II is on the following page:

“

Improve the quality of life for the generation we're leaving behind. ”

- Fort Chipewyan Métis
Consultation Session



First Nations Consultation Timeline

January to June 2007

DAY 1	January 25	Release of MSC <i>Interim Report</i> and initial notice to First Nations of Phase II separate First Nations consultation process Ongoing follow-up and discussion with First Nations regarding consultation process
	March 7	Follow-up correspondence to First Nations with copy of MSC <i>Proposed Strategies and Actions</i> document Ongoing follow-up and discussion with First Nations regarding consultation process
	April 10	Heart Lake First Nation Consultation Session; notice of Peace River, Slave Lake and Bonnyville Regional Consultation Sessions to affected First Nations based on minimal response to previous correspondence from First Nations in these regions.
	April 11	Fort McKay First Nation Consultation Session
	April 20	Fitzgerald Regional First Nation Consultation Session
	April 25	Peace River Regional First Nation Consultation Session
	April 26	Slave Lake Regional First Nation Consultation Session
	April 27	Bonnyville Regional First Nation Consultation Session Compilation of First Nations feedback from consultation sessions and submission to MSC for their additional consideration
	May 10	Invitation to attend First Nations Validation Session, with copies of transcripts and meeting summaries ACIC development of draft Government of Alberta recommendations to Ministers based on First Nations feedback
	May 18	MSC First Nation/Métis subcommittee meeting to incorporate First Nations/Métis input into MSC report
	May 22	Follow-up invitation, with copy of draft Government of Alberta recommendations to Ministers
	May 30	First Nations Validation Session Development of compiled First Nations recommendations to Ministers document
	June 5	Notice of revised approach, with copy of compiled First Nations recommendations to Ministers document
	June 15	Deadline for feedback on compiled First Nations recommendations to Ministers document
	June 19	Provision of updated First Nations recommendations to Ministers document and incorporation of feedback received up until June 15
June 28	Deadline for notifying of critical omissions or errors	
DAY 156	June 29	<i>Aboriginal Consultation Final Report</i> to Ministers
TBD	Report back to First Nations once the Ministers issue a response to the Aboriginal Consultation and MSC Final Reports	
TBD	Evaluate the consultation process with First Nations in order to make improvements for future Crown consultation	
Ongoing	Consultation with First Nations on the implementation of accepted recommendations	

“The treatment of trappers with respect to notification of development on their traplines needs to be addressed if you are going to honour the Métis lifestyle.”

- Bonnyville Métis Consultation Session



Compiled First Nations Recommendations for Alberta's Oil Sands Consultations

In total, 111 First Nations participants, representing 27 First Nations communities or organizations, attended Phase II consultation sessions throughout the province. Throughout the sessions, First Nations expressed a number of concerns about the consultation process. They believed that the time allotted was too short and that provision of their comments was only an initial step in the consultation process. Further, they requested that their recommendations be summarized and forwarded to the Ministers rather than filtered through Government of Alberta positional commentary. They also requested an opportunity to review the final document to ensure it accurately reflected their concerns and recommendations. In response to their requests, Alberta provided First Nations with two additional opportunities to review the draft First Nations recommendations before submitting them to the Ministers. To the extent that Alberta does not agree with or adopt the following recommendations and issues identified as requiring resolution, the First Nations request consultation on the points of disagreement—consultation aimed at resolving or accommodating these differences.

It is important to note that First Nations feel that this report is only the first step in an ongoing consultation process to resolve many of the issues related to oil sands development.

For further information about First Nations feedback, please refer to the First Nations Consultation Session Summaries in Appendix 3.

Common Recommendations

Upon reviewing the feedback received from First Nations representatives during the consultation sessions, several recommendations common to two or more First Nations were identified. These recommendations are listed below in no particular order of importance, under relevant subject headings.

1. Impacts on the Environment

- Undertake or fund a cumulative impacts study to determine the effects of current and expected oil sands development on First Nations rights and traditional uses.
- Address First Nations concerns with water quality and quantity, both within the oil sands regions and downstream within adjacent watersheds.
- Provide technical capacity to help review environmental impact assessments.
- Keep reclamation on pace with development, involve First Nations in planning and implementation, and set and enforce reclamation standards that will return the land to a functioning boreal ecosystem that will sustain traditional land use.
- Undertake environmental management on a regional rather than project-by-project basis.
- Establish a formal process to involve First Nations in environmental and biodiversity monitoring.
- Involve First Nations in integrated land management in a way that respects First Nations stewardship of and connection to the land.
- Manage oil sands liabilities to ensure that they do not impact future generations.
- Address access management issues.

“

No matter how low the river gets, oil companies keep taking the water. Industry's interests and making money comes first.

”

- Fort Chipewyan Public Consultation Session



“

We don't know how effectively the land can be reclaimed. Who's to say it will really be done? Will animals really come back?

”

- Peace River First Nations
Consultation Session

- Address the adverse impacts of oil sands development on plants and wildlife.
- Address health issues related to poor air quality.
- Develop and implement more rigorous air-quality standards and environmental management practices that are protective of human health as well as the health of fish, wildlife and plants.
- Reduce greenhouse gases and minimize pollution.
- Heighten standards regarding noise control and abatement.
- Provide ongoing funding to First Nations to conduct and update traditional land use studies.
- Incorporate Traditional Environmental Knowledge (TEK) into oil sands environmental management and planning more effectively.
- Ensure the best available technology is used.
- Create programs to promote community-based monitoring.
- Create a trans-boundary water management agreement between First Nations, Government of Alberta, and Government of Canada.
- Reduce water use in oil sands development and set an ecological base flow for the Athabasca River.
- Create parks and protected areas where First Nations can practise their rights and traditional uses.
- Recognize First Nations stewardship of the land and promote partnerships between Alberta and First Nations for managing and monitoring environmental impacts.

2. First Nations Rights and Interests

- Honour Treaty 6 and Treaty 8 and the constitutionally protected rights of First Nations.
- Uphold the honour of the Crown in protecting and accommodating First Nations rights and interests.
- Settle outstanding Treaty Land Entitlement claims.
- Ensure access to traditional lands.
- Reconcile differences in opinion among the Government of Alberta, First Nations, and industry, regarding First Nations rights and livelihood interests.
- Ensure Government of Alberta participates in treaty implementation processes.

3. Communication and Relationship-Building

- Improve communication and relationship-building between Alberta and First Nations.
- Enhance early information-sharing.
- Hold regular high-level meetings between Cabinet and Chiefs.

4. First Nations Consultation

- Respond to First Nations rejection of the Government of Alberta consultation policy and guidelines.
- Improve current notification processes.



- Improve the provincial consultation policy and guidelines.
- Extend timelines and consult further on the Oil Sands Consultations initiative.
- Integrate all government planning and consultation.
- Provide full funding for consultation capacity.
- Improve First Nations trappers' notification and consultation.
- Ensure federal government participation in consultation.
- Improve coordination of consultation among Government of Alberta ministries.
- Give First Nations the opportunity to provide input before public offering of mineral rights.
- Address First Nations mistrust of the EUB and the oil sands development approval process.
- Clearly define “meaningful consultation.”
- Clearly define when consultation is triggered.
- Let First Nations comment on draft decisions regarding oil sands development before final approval.
- Revise the “directly and adversely affected test” to better address impacts on First Nations rights and traditional uses.
- Accept and promote community consultation protocols.
- Address compensation and accommodation as it relates to oil sands development and lost opportunities to exercise rights.

5. Impacts on First Nations Communities

- Address infrastructure issues on reserve.
- Address the health and wellness of community members.
- Respond to the shortage of healthcare professionals within remote communities.
- Address issues related to education, jobs and training.
- Provide opportunities for youth.
- Recognize and address issues related to the current pace of development.
- Support and participate in community processes and programs.
- Study and address the effects of oil sands development on First Nations quality of life.
- Plan for an Alberta after oil.
- Control the pace of development.

6. Economic Participation

- Allow First Nations to share in the benefits of oil sands development.
- Develop opportunities for First Nations businesses to participate in the oil sands economy.
- Review the current royalty structure for oil sands and develop a mechanism for royalty-sharing with First Nations.

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Our doctor says there's something wrong with the inordinate amounts of rare cancer our people are dying from.

- Fort Chipewyan Métis
Consultation Session

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“

When assessing projects, if we had to have them in our backyards, would we do them? Most of us would not.

- Calgary Public Summit

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First Nations-Specific Recommendations

During the Phase II consultation sessions, several First Nations made recommendations, either verbally or through written submissions, that are particularly relevant to their communities. These recommendations are categorized by specific community.

Other comments were made in response to vision statements, principles, or specific strategies and actions proposed by the Multistakeholder Committee (MSC) in their *Interim Report* or their *Proposed Strategies and Actions* document in Appendix 2. Community responses to the MSC's proposed strategies and actions are identified under the heading "Responses to the MSC's Proposed Strategies and Actions."

Alexander First Nation

- Consult on upgraders in the Heartland region.
- Consult on oil sands upgraders missed by this process.
- Clearly define when consultation is triggered.

Athabasca Chipewyan First Nation (ACFN)

The following recommendations were provided by Athabasca Chipewyan First Nation representatives at the MSC public consultation sessions in Fort Chipewyan and Fort McKay, *not* as part of the separate First Nations consultation process.

- Stop expansion and development now.
- Rather than digging up our rivers and using our muskeg water, use our five months' worth of snow.
- Have more First Nations representation on the MSC.
- Stop approving new oil sands projects and put a moratorium on future approvals.
- Figure out how to mitigate their impacts and get monitoring systems in place. Moratorium should last as long as it takes for concerns to be fully addressed.
- Work with Elders to limit environmental impacts to air, forests, wildlife, fish, and fresh water.
- Set aside areas where industry won't be allowed—where wildlife population will be sustained.
- Stop polluting our environment by releasing greenhouse gases that are changing our climate and causing global warming.
- Put benefits in place so future generations are sustained.
- Give us equal opportunity by having industry and government train our youth to have life-long employment.
- Government of Alberta should review all social needs to ensure that the wealth benefiting Alberta is also benefiting First Nations and Métis.
- The oil industry can do better, but they have to be told by government that they have to.
- Start listening to First Nations, environmental groups, and concerned Albertans instead of just industry.
- Don't say we've been fully consulted, yet sideline our concerns.

Vision 3: Ensures a healthy environment

- Athabasca area needs a water plan.
- Muskeg river area needs a water plan.
- Need impact study for ACFN heartlands and Richardson Backcountry area.
- Treat First Nations on a government-to-government basis.
- Need a new regulatory regime that accounts for sustainability. Right now, it's a foregone conclusion that the EUB will approve a project.
- Industry should pay for reclamation and cleanup, not taxpayers.

Vision 8: Provides high-quality infrastructure and services for all Albertans

- Develop infrastructure for *non*-Fort McMurray towns (Conklin, Anzac, Fort Chipewyan).

Bigstone Cree Nation**Vision 3: Ensures a healthy environment**

- Involve First Nations in gathering information on land and wildlife.
- Involve First Nations in managing land and wildlife.

Chipewyan Prairie Dene First Nation

- Include First Nations “interests” in “rights.”
- Ensure adequate and full consultation funding for all First Nations on an ongoing basis.
- Full consultation funding is a fiduciary responsibility of either the Government of Alberta or the federal government.
- Get Elders involved.

Cold Lake First Nation (CLFN)

- Arrange for leaders from First Nations' Chief and Council to meet with the Government of Alberta.
- Clarify who pays for the consultation process.
- Consultation should be fully funded.
- Government of Alberta has to compensate First Nations.

Vision 1: Honours the rights of First Nations and Métis

- Develop plan for sharing resources and royalties with First Nations.

Responses to the MSC's Proposed Strategies and Actions

Strategy 1: We strongly endorse all actions, but high-priority actions include: **Actions 1.1, 1.5, 1.6, 1.9.** We also suggest an additional action:

- Prior to Government of Alberta decisions on making land available for oil sands exploration, consult First Nations and Métis communities. Under the present system, we are not consulted regarding whether traditional lands should be made available for exploration. The result is that there is no opportunity for us to provide input regarding the

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We don't segregate the impact of development into environmental, social or economic impacts. They're all interrelated.

”

- Fort McKay First Nation
Consultation Session



“ Métis consultation must be meaningful and valid, involving the critical organizations of the Metis. ”

- **Bonnyville Métis Consultation Session**



impact exploration will have on our traditional territory. The right to be consulted is being denied notwithstanding:

- a. The SCC has confirmed the duty of provincial governments to consult with First Nations on matters arising out of treaty obligations and rights.
- b. The access agreement provides (condition 5.3): “All of the parties recognize that protection of the environment of the Alberta portion of the range is a matter of mutual concern and they agree to work together to protect the environment having regard to the impact on the environment by normal military operations.”

Action 1.7: We strongly endorse this action.

- Allow input before public offering of mineral rights. Within CLFN traditional territory, it is imperative that a preliminary assessment of the environmental implications of developing the resource and an opportunity for public consultation be conducted before the public offering is made. Under this proposed system, the decision will be whether the land sale should go ahead, and consequently whether an oil sands facility should be built.
- Automatically compensate First Nations on resource exploration or extraction. We propose that automatic financial benefits be paid to First Nations whenever natural resources are explored for and/or extracted from traditional lands. A system must be established for a schedule of compensation to First Nations, for loss of traditional land use productivity from the exploration stage until the land is returned to its equivalent original level of productivity. CLFN must be compensated. Such compensation could take the form of scheduled payments during the exploration and reclamation stages and a share of the royalties during the production stage.
- In addition, CLFN holds the license to Trapping Block 2946 and must be compensated accordingly.

Vision 3: Ensures a healthy environment

Responses to the MSC's Proposed Strategies and Actions

Strategy 1, Actions 1.5 and 6 and Strategy 4, Action 4.4:

- We strongly endorse these actions.
- We are concerned that the MSC could not agree on the above three actions. Most of Government of Alberta's pollution control guidelines do not reflect Best Available Technology Economically Achievable (BATEA).
- Base Government of Alberta pollution control standards on BATEA to ensure that emissions and impacts will be minimized to the full extent possible.

Strategy 4: We suggest an additional action:

- Develop sulphur recovery guidelines that are based strictly on BATEA.

Strategy 7:

Action 7.5. We strongly endorse this action. We are concerned that the MSC could not agree to establish new protected areas such as a wildlife preservation area in the range. As the oil industry continues to alter the remaining natural wilderness areas in the traditional territory,

and in particular the range, the population of wildlife such as the woodland caribou continues to decrease. As a direct result of this declining population, CLFN treaty rights and the rights guaranteed by the access agreement are breached.

Actions 7.1, 7.2, 7.4, 7.7 and 7.8: We strongly endorse these actions and suggest an additional action:

- Alberta SRD to complete a caribou range plan for the herd in the range on a priority basis with input and support from First Nations. CLFN is concerned that the MSC could not agree to take steps to protect the woodland caribou and other wildlife. Oil sands underlie virtually the entire CLFN traditional territory and consequently large portions are being developed and will continue to be developed in the future. The woodland caribou population will continue to decline under the current legislation, regulations, policies and guidelines.

Strategy 8:

Actions 8.1-8.5. We strongly endorse these actions.

Action 8.9. This action is of particularly high priority for us.

Strategy 11:

Action 11.2, 11.7, 11.9. We strongly endorse these actions and suggest an additional action:

- Ensure return of wildlife populations and/or habitat to pre-exploration levels as a condition precedent to the issuance of a reclamation certificate.
- CLFN is concerned that the MSC could not agree to ensure that reclamation commitments by industry are met on a planned schedule. Require industry to reclaim the lands as they agreed upon when they received development approvals. Productivity level should be the same as it was pre-disturbance, in particular but not limited to, vegetation growth (berries, grasses, shrubs, willows, medicinal plants, animal foods, etc.), water flow, ponds and wildlife populations (birds, bees, ungulates, etc.). If after reclamation the productivity of the land is not consistent with pre-disturbance conditions, CLFN will be unable to exercise the rights guaranteed by Treaty 6 and confirmed by the access agreement. Reclamation must be timely and effective.
- Ensure more effective environmental, fisheries and wildlife protection programs. Within CLFN traditional territory, conduct a preliminary assessment of the environmental implications of developing the resource and offer an opportunity for public consultation before the public offering is made. The decision will then be whether the land sale should go ahead, and consequently whether an oil sands facility should be built.
- Emission requirements should reflect best available technology, which is currently used in other nations.

Vision 7: Sees Alberta as a world leader in education, technology, and a skilled workforce

Strategy 3:

Actions 3.4-3.5: We strongly endorse these actions. CLFN suggests these additional actions:

- Identify specific employment opportunities within the region, both present and future.
- Identify the skills required to fill the positions.

“

There are very few places within this landscape where either heavy oil or conventional oil is either not already taking place or being proposed.

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- Slave Lake First Nations
Consultation Session



“ Métis rights are ignored. It's like the Métis are 35 years behind First Nations in dealing with industry. ”

- Fort Chipewyan Métis
Consultation Session



- Identify the various learning mechanisms available by which CLFN members can acquire the skills.
- Identify the individuals who are interested in training to acquire the skills.
- Identify and offer means and mechanisms to train the individuals, including but not limited to cooperative programs.
- All levels of government, industry, and accredited institutions and First Nations people should all participate as equal partners in establishing such a program in each oil sands region.

Action 3.6: We strongly endorse this action.

Vision 8: Provides high-quality infrastructure and services for all Albertans
Responses to the MSC's Proposed Strategies and Actions

Strategy 1:

Action 1.2: We strongly endorse this action.

- The basic need of affordable, adequate housing has been a priority concern of CLFN for decades. This must be addressed.

Vision 9: Demonstrates leadership through world-class governance
Responses to the MSC's Proposed Strategies and Actions

Strategy 1:

Action 1.12: We strongly endorse this action.

Deninu Kue First Nation

- Please give us a very strong letter of support to the federal government asking Environment Canada to help us fund a specific consultation process.

Vision 3: Ensures a healthy environment

- We have to settle the boundary issue re: water. The only thing stopping us is the border. You have to deal with our people—not the NWT—our people. We would like you to come visit our community.
- Prove to us that whatever is getting into the food chain will not affect us down there.
- Commit that you're going to start dealing with us now and hearing us. Come to our community.
- At the Deh Cho Conference in 2006, we committed to developing an integrated water basin management plan, which brings together watershed management and best practice commitments on our home land. We hope you join us to do that. To share information among all indigenous governments and all responsible authorities and organizations to improve our water. To create jurisdictional arrangements re: water and the environment and to support others in their struggles to build capacity to assert jurisdiction, care, and control over all waters.

Duncan's First Nation

Vision 1: Honours the rights of First Nations and Métis

- Take First Nations views and issues into account on a Government of Alberta level and be able to represent them to industry.
- Provide information to all First Nations to ensure a level playing field.
- Put Treaty 8 on the table throughout the consultation process.

Vision 2: Provides a high quality of life

- Provide long-term education and careers in First Nations communities, and not just trade-based.

Vision 3: Ensures a healthy environment

- Make sure the environment is cared for—the air, water, trees and animals.
- Monitor the amount of water being taken out of the system.
- Monitor wildlife as an indicator of environmental degradation.

Vision 4: Maximizes value-added in Alberta

- Encourage the location of facilities and pipelines elsewhere to protect our environment, and charge for the export of materials.

Vision 5: Builds healthy communities

- Provide ongoing assessment and assistance with social needs.
- Create good working relationships between First Nations and surrounding municipal districts to take care of infrastructure needs.
- Let First Nations participate in developing the oil sands. We want opportunities to participate.

Vision 6: Sees Alberta benefit from the oil economy and lead in the post-oil economy

- Require industry to pay part of the cost of consultations.
- Proactively plan for a post-oil economy.
- Save for a post-oil economy.

Vision 7: Sees Alberta as a world leader in education, technology, and a skilled workforce

- Include education and training as well as discussion of long-term careers for band members in the consultation process.
- Make discussions about education, careers and training separate from consultations because it is something for Chief and Council to deal with.

Vision 8: Provides high-quality infrastructure and services for all Albertans

- Look at ways to provide infrastructure and services to First Nations communities separately from municipalities.

“

Once the resources are all gone or the price of oil falls, Aboriginal people will still be here.

”

- Fort McKay Community Summit



“

Focus on prevention rather than cleaning up environmental problems.

”

- Peace River Métis
Consultation Session



Fort McKay First Nation

- Prepare communications documents that are appropriate for community to understand and use.
- We highly recommend that the final Phase II document links the principles accepted by the Ministers with the strategies and actions.

Fort McKay's Recommended Strategies and Actions

Principle 1: Honouring and respecting First Nations and Métis rights

Strategy 1.1: Support cumulative effects assessment of development on First Nations communities in Athabasca Oil Sands area and our traditional lands and land use.

Action 1.1.1:

- Immediately provide resources to conduct a comprehensive cumulative effects assessment of impacts of existing and planned development on ATC First Nations and their land use.

Strategy 1.2: Recognize and support use of Fort McKay consultation protocols with resource developers and Government of Alberta.

Action 1.2.1:

- Government of Alberta to support Fort McKay's protocols by:
 - a. Providing resource developers a map of our traditional lands when a disposition or approval is sought, and require that the applicant contact us (through Fort McKay IRC) in early project planning stages if the disposition or project is on, or impacts, our traditional lands;
 - b. Informing applicants of our consultation protocols and encouraging their use;
 - c. Participating in project consultation when needed to develop and implement accommodation strategies beyond the jurisdiction of a developer; and
 - d. Prior to granting approvals and authorizations, verify with us (through Fort McKay IRC) that satisfactory consultation has occurred.

Strategy 1.3: Establish a Province-First Nations consultation protocol.

Action 1.3.1:

- Revisit provincial guidelines, which have been surpassed by recent court decisions and revise guidelines accordingly.

Action 1.3.2:

- Develop a new negotiation strategy for the Protocol Working Group (PWG) aimed at addressing the needs and interests of the First Nations and Government of Alberta.

Action 1.3.3:

- Support and encourage successful development and finalization of Consultation and Regional Benefits Agreement (CRBA) Schedule 10, PWG regional consultation guidelines that addresses both the rights of Fort McKay and interests of Fort McKay and Alberta.

Strategy 1.4: *Complete CRBA with ATC and Fort McKay.***Action 1.4.1:**

- Support and encourage successful development and finalization of the CRBA that addresses rights and interests of Canada, Alberta, industry and ATC First Nations with regard to consultation, economic development and infrastructure.

Action 1.4.2:

- Ensure that benefits to First Nations through CRBA are commensurate with the benefits received by industry and government.

Action 1.5:

- Establish policy requiring the Government of Alberta to verify that industry has consulted with us in a manner satisfactory to all parties before granting approval for development.

Action 1.6:

- Support initiatives to ensure successful rehabilitation and reclamation of the land.

Action 1.7:

- Carry out cultural knowledge documentation prior to development.

Principle 2: Maximizing the commercial value of the oil sands within the context of sustainable development**Strategy 2.1:** *Support First Nations and Métis access to employment opportunities.***Action 2.1.1:**

- Work with industry and First Nations and Métis communities to increase access to employment opportunities through the Athabasca Tribal Council All Parties Core Agreement, a CRBA, and other venues to enhance education and training.

Action 2.1.2:

- Support the use of local labour over foreign workers.

Action 2.1.3:

- The Government of Alberta and federal government to support training and capacity-building opportunities for Aboriginal people to increase their ability to participate in regional employment opportunities.

Strategy 2.2: *Support First Nations and Métis access to business opportunities.***Action 2.2.1:**

- Work with industry and First Nations and Métis communities to increase access to business opportunities through the Northern Alberta Aboriginal Business Association (NAABA) and other venues to enhance small business acumen and provide financing and support services.

“

Cumulative environmental impacts still aren't managed by the Government of Alberta. Promises of regional sustainable development strategies have not been fulfilled.

- Fort Chipewyan Public Consultation Session

”



“

Our livelihood was taken away from us, so a new livelihood has to be exchanged to replace that—a fair and meaningful agreement for compensation.

”

- **Bonnyville First Nations
Consultation Session**



Strategy 2.3: *Support a Fort McKay royalty system, where royalties are paid to Alberta (for transfer to Fort McKay) by companies who develop on our traditional lands.*

Action 2.3.1:

- Develop with Fort McKay a royalty system to offset development-related impacts that may infringe Fort McKay First Nation and Métis rights and interests.

Strategy 2.4: *Acknowledge and support Fort McKay's Community Plan, Healing the Earth Strategy, and Health Strategy.*

Action 2.4.1:

- Work with us to support our strategy and community policies through such things as provision of provincial data, grant applications to Government of Alberta programs, use of our indicators and criteria in resource and environmental decision-making, and in development and implementation of requirements for environmental and socio-economic impact assessments.

Strategy 2.5: *Support First Nations and Métis access to quality education and training programs.*

Action 2.5.1:

- Work with industry and First Nations and Métis communities to increase access to education and training opportunities through the Athabasca Tribal Council All Parties Core Agreement, a CRBA, and other venues to enhance education and training.

Strategy 2.6: *Ensure Aboriginal access to a healthy functioning landscape.*

Action 2.6.1:

- Ensure that access to traditional lands, including traplines, is ensured and protected throughout the development process. For example, finalize the Moose Lake Access Management Plan.

Action 2.6.2:

- Support initiatives to identify and protect special places from development as an offset for planned development disturbances (e.g., Fort McKay GIS Project and CEMA's Sustainable Ecosystem Working Group's proposed TRIAD management strategy, currently under exploration).

Action 2.6.3:

- Through legislation, protect culturally important lands and resources from development to maintain and support traditional land use, preservation of traditional environmental knowledge and intergenerational transfer of this cultural heritage.

Action 2.6.4:

- Support initiatives to ensure successful rehabilitation/reclamation of land, including current, future, and historic disturbances.

Action 2.6.5:

- Require that reclamation include habitat that supports healthy and viable populations for our cultural keystone species: beaver, rat-root, moose, and cranberry as well as fish.

Principle 3: Within constraints and parameters, economic development of the oil sands should be based on market principles

Strategy 3.1: *Reform current royalty and tax structure for oil sands development.*

Action 3.1.1:

- Eliminate all existing tax incentives previously used to encourage oil sands development.

Action 3.1.2:

- Tax oil sands developments at levels commensurate with the social and environmental costs and impacts they create.

Action 3.1.3:

- Create royalty structures that ensure a fair rate of return to owners of the resource and increase this rate of return when oil prices increase and decline when they decrease.

Action 3.2

- Perform a full cost-benefit analysis to determine the true value of the oil sands and what legacy they might leave.

Principle 4: Planning and implementation for orderly infrastructure and community development, and the need for timely required funding for infrastructure and services for those communities that are and will be most impacted by oil sands development including First Nations and Métis

Strategy 4.1: *Provide support to help Fort McMurray and Fort McKay build community infrastructure and expand service delivery to better meet the needs within these communities.*

Action 4.1.1:

- Support finalization of CRBA and ensure it's based on full-cost accounting.

Action 4.1.2:

- Allocate a portion of royalty revenue to address the unique needs of the communities most affected by generation of those royalties—Fort McMurray and Fort McKay—to enable them to develop and meet their infrastructure needs and provide adequate service delivery.

Action 4.1.3:

- Endorse and support our *Community Plan* and *Health Strategy* that identify key concern areas on social and quality of life issues and needs.

Action 4.1.4:

- Promote capacity-building within the community to enhance the ability of members to participate in negotiations and decision-making regarding their traditional lands and community health.

“

We need to get ready for the oil boom hangover. We need to look at preventative, proactive, long-term planning and actions.”

- Bonnyville Métis
Consultation Session



“

When there's no fresh water for our children to drink, will we say enough is enough?

”

- Fitzgerald First Nations
Consultation Session

Principle 5: An orderly pace of development of oil sands requires responsible environmental management and appropriate development of services and infrastructure

Strategy 5.1: Reform current Environmental Impact Assessment (EIA) and Socio-Economic Impact Assessment (SEIA) process.

Action 5.1.1:

- Undertake collection of pre-development baselines and include the use of these standard baselines in all EIAs.

Action 5.1.2:

- Require industry to define appropriate regional and local study areas in applications and assessments so environmental impacts are not diluted by inappropriately large assessment area sizes.

Action 5.1.3:

- In project terms of reference, ensure that SEIAs acknowledge or identify when Fort McKay is closest, and the most directly affected stakeholder.

Action 5.1.4:

- Require a cumulative effects assessment on traditional lands and use for inclusion in all relevant sections of the EIAs. (See **Action 1.1.1.**)

Action 5.1.5:

- The terms of reference to clearly require an integrated assessment of the project's impacts on Fort McKay, in consultation with Fort McKay.

Action 5.1.6:

- Require industry to better integrate TEK, including the environmental context that supports it, throughout EIAs. This will necessitate engaging in timely, meaningful and effective consultation with Aboriginal communities.

Action 5.1.7:

- Take a leadership role in developing acceptable impact thresholds and outline the actions/consequences when proposed projects are projected to result in exceedence of these thresholds.

Action 5.1.8:

- Change the terms of reference for EIAs to require a pre-development baseline assessment case and to require a clear depiction of current levels of air emissions, terrestrial impacts, and so on. The future-case scenario should include possible impacts of allocated leases.



Strategy 5.2: *Ensure proactive and responsive legislation, policy, planning and decisions to changing economic, social and environmental conditions.*

Action 5.2.1:

- Ensure that review timelines for policies, plans, etc. (e.g., annual and five-year plans) are adhered to and that review includes all affected stakeholders.

Action 5.2.2:

- Develop or revise policy and regulations to reflect Best Available Technology Economically Achievable (BATEA), full-cost accounting, social impacts, and First Nations and Métis rights and interests.

Strategy 5.3: *Ensure that cumulative impact studies are relevant to regional Aboriginal communities.*

Action 5.3.1:

- Provide resources immediately to conduct a comprehensive cumulative effects assessment on ATC First Nations traditional lands and their land use.

Action 5.3.2:

- Address the cumulative impacts from development specific to the physical location of Fort McKay, where most members spend most time, in addition to whole traditional territory. Do this for all regional Aboriginal communities.

Action 5.3.3:

- Require that TEK is integrated into cumulative impact assessments and related mitigative actions are identified.

Strategy 5.4: *Minimize environmental impacts to extent possible and establish aggressive continuous environmental performance improvement targets and ensure pace of environmental impact reduction matches pace of development.*

Action 5.4.1:

- Implement interim precautionary-based environmental and emission thresholds, guidelines and frameworks based on best information currently available, to be updated or replaced as new information is obtained and better management tools are developed.

Action 5.4.2:

- Apply best available pollution control technologies (BACT) on all significant sources of air emissions (both point and mobile) in the region (e.g., NO_x, SO₂, particulates, VOCs, CO and TRS).

Action 5.4.3:

- Determine BACT using USEPA RACT/BACT/LAER Clearinghouse (RBLC) or develop a similar approach for oil sands projects (using stakeholder input).

“

It's like climate change. We said forever that it was coming and no one acknowledged it. Now, everyone acknowledges it. Listen to the people who live off the land. ”

- Fort Chipewyan Métis
Consultation Session



“

Our hunting, trapping and fishing rights are already infringed upon. The rapid pace and increasing development will further exacerbate this infringement unless long-term strategies are quickly developed and implemented to meet the community's cultural, hunting, trapping and fishing needs.

- Fort McKay First Nation
Consultation Session

”



Action 5.4.4:

- Require Lowest Achievable Emission Reductions (LAER) controls on significant sources or precursors of air contaminants for which safe levels may be lower than current or predicted levels in Wood Buffalo region. (Note: Selection of air emission sources to which LAER controls would apply should be based on guidance from health authorities working on air-quality and health issues.)

Action 5.4.5:

- Require companies, as part of new or expanded project applications, to review in detail the air and wastewater emission implications of all possible mining, in-situ, extracting and upgrading process options and related technologies and all air and water pollution prevention and control options in detail, including capital and operating cost data. (Note: As appropriate, we expect regulators will dictate the type of process technologies that can or cannot be used).

Action 5.4.6:

- Develop ambient air-quality targets for Wood Buffalo region that reflect a “keeping clean areas clean” approach to air-quality management with the goal being to minimize air-quality changes in the region (these would be used as the benchmark against which the acceptability of predicted and/or measured air-quality impacts are determined). (Note: We are developing our own KCAC air-quality targets and will apply these in our evaluation of project impacts on our air quality.)

Action 5.4.7:

- Base regional air-quality guidelines used to assess the health impact of air emissions solely on health and environmental protection considerations. (Note: Fort McKay will use WHO air-quality guidelines global update 2005 –EUR/05/5046029 for PM, Ozone, NO2 and SO2 to assess the acceptability of proposed new air emissions and expects exceedences of these limits to trigger immediate control/mitigation actions.)

Action 5.4.8:

- Develop odour criteria and related monitoring programs for the region and for communities to minimize nuisance odours and protect our quality of life.

Action 5.4.9:

- Require that ambient air-quality objectives used to assess the impacts of projects be health-based and protective. (Note: We will use such objectives to review and assess projects.)

Action 5.4.10:

- Do not allow man-made structures on river channels.

Action 5.4.11:

- Design new sub-watersheds established during reclamation to sustain themselves through all magnitudes of flood and drought.

Action 5.4.12:

- Do not allow end pit lakes as part of new projects and, where necessary for existing or approved operations, ensure they have the smallest surface area possible and are deep enough to over-winter fish.

Action 5.4.13:

- Ensure end pit lakes have a contributing watershed of sufficient size to ensure, on average, a one-year flushing rate for the lake.

Action 5.4.14:

- Achieve acceptable water quality in end pit lakes using Athabasca River water rather than diverting runoff from pristine areas through the end pit lake.

Action 5.4.15:

- Make sure reclaimed stream channels replicate pre-mine conditions.

Action 5.4.16:

- Adjust final closure drainage plans to reflect information gained from on-site monitoring. Base calibration of runoff models on site-specific data.

Action 5.4.17:

- Form a multistakeholder committee (including Fort McKay) to define “reasonable standards” necessary for reclamation certification to refine the ambiguous legislative requirement of “equivalent capability.”

Action 5.4.18:

- Require industry to use TEK to help ensure healthy populations of culturally important species occur in reclaimed landscapes.

Action 5.4.19:

- Use traditional land use studies and other available community documents, supplemented with interviews/consultation, to identify culturally important species and habitats that need to be present in viable populations in reclaimed landscapes.

Action 5.4.20:

- Support actions of communities to develop their own traditional land use studies to document cultural diversity and perceptions of environmental health.

Action 5.4.21:

- Require that reclamation include habitat that supports healthy populations of our cultural keystone species: beaver, rat-root, moose, cranberry and fish.

Action 5.4.22:

- Use standardized scientific methods for monitoring and modelling wildlife to allow data comparison and model improvement (e.g., Alberta Biodiversity Monitoring Program developed monitoring procedures for many species).

“

A high quality of life is ensuring that 200 years from now our great grandchildren can live in this area. Protecting the environment is the only way you can achieve a higher quality of life.

”

- Bonnyville Metis Consultation Session



“

All Albertans around us are getting millions for roads, housing and everything else, but many of our First Nations are still suffering and receive very little.

”

- Bonnyville First Nations Consultation Session

Action 5.4.23:

- Verify all wildlife models used for environmental impact assessments with field data.

Action 5.4.24:

- Base approval and management decisions on wildlife data and results that show statistical significance with sufficient statistical power.

Strategy 5.5: *Minimize social impacts to the extent possible through development and implementation of social support programs that keep pace with demands and the rate of development.*

Strategy 5.6: *Acknowledge and support our Community Plan, Healing the Earth Strategy, and Health Strategy.*

Principle 6: Maximizing the benefits and minimizing the impacts of oil sands development

Strategy 6.1: *Ensure continuous improvement and use of best technology.*

Action 6.1.1: Require companies to periodically undertake formalized reviews of all major pollutant generation and release sources and the possible options to further reduce pollutant releases. Require companies to implement any identified cost-effective improvement options. Formalize this process in facility operating approvals.

Action 6.1.2: Ensure operators make ongoing efforts to improve the performance and reliability of existing pollutant control and management systems. Require periodic reporting of these efforts and resulting performance approvals. Make this reporting part of operating approval requirements.

Action 6.1.3: Establish preset design lives for different process and utility units, including mine fleet units, after which the pollutant control requirements for the unit would become those that would apply to a new unit of that type and size. Establish design lives for units when unit is initially approved so operators know well in advance when new limits will eventually apply to the unit.

Action 6.1.4: Ensure that continuous improvement reviews and efforts be transparent, available for public review and scrutiny, including financial information if economics are identified as an obstacle to improvement. Establish an independent third-party expert audit process of emission controls and options.

Action 6.1.5: Periodically review reclamation research and techniques in an honest, inclusive, transparent and collaborative forum that includes local stakeholders—to identify evolving approaches or “best” technology for reclamation.

Action 6.1.6: Consult and participate with community members on TEK to inform evolving reclamation practices and to determine effectiveness of implemented practices.

Action 6.1.7: Do community-appropriate reporting of reclamation practices and research, particularly as it relates to their present and future land use opportunities.



Action 6.1.8: Strengthen the link between reclamation practices, standards for certification, assessment of performance and continuous improvement, so reclamation is guided by clear and accepted standards, there is a clear mechanism for evaluating against these standards, and clear guidance on how to adapt practices given evidence of under-performance (see Action 5.1.17).

Action 6.1.9: Eliminate the use of out-of-pit tailings ponds.

Action 6.1.10: Require oil sands mining operators to place all materials removed and stored outside the mining pit area back into the mined-out areas.

Strategy 6.2: *Formalize use of the precautionary principle to manage the environment.*

Action 6.2.1: Develop a working definition of the precautionary principle in context of oil sands developments and establish an approach for applying the principle.

Action 6.2.2: Apply precautionary principle to the management of the air, water, land and wildlife (e.g., some oil sands development-related air contaminants may have no, or very low, threshold health-effect levels). Until the health and environmental implications of these contaminants are better understood, use precautionary approach regarding management of their sources. (See Actions 5.1.2, 5.1.3 and 5.1.4).

Action 6.2.3: See Action 5.4.5.

Action 6.2.4: Implement a water management strategy for the Lower Athabasca River, which includes a weekly Ecological Base Flow (EBF) at 95% exceedence probability.

Action 6.2.5: Undertake research during droughts to assess how the river ecosystem naturally recovers **before** adaptive management adjustments are made to EBF.

Action 6.2.6: Stockpile all soil and other suitable reclamation material resources during industrial development to allow adequate “adaptive management” response to detected under-performance of reclamation.

Strategy 6.3: *Maximize benefits of oil sands development through continuous improvement.*

Action 6.3.1: Encourage oil sands developers and others to bring technology research into the region.

Action 6.3.2: Develop incentives and/or a royalty structure that strongly encourages good environmental performance and provides disincentives for poor performance.

Principle 7: Current and future generations of Albertans and other Canadians should benefit socially and economically from oil sands development

Strategy 7.1: *Support our efforts to enhance and maximize the quality of life of current and future generations of our people.*

Action 7.1.1: See Action 1.4.1.

Action 7.1.2: See Action 1.4.2.

Action 7.1.3: See Action 4.1.2.

Action 7.1.4: See Action 2.4.1.

“Reclamation is as important as production, yet reclamation is always pushed back for production.”

- Fort McMurray Métis
Consultation Session



“

Through legislation, protect culturally important lands and resources from development to maintain and support traditional land use, preservation of traditional environmental knowledge and intergenerational transfer of this cultural heritage.

”

- Fort McKay First Nation
Consultation Session



Strategy 7.2: *Identify, minimize and appropriately allocate mining liabilities.*

Action 7.2.1: Consult with us in determining reclamation bonding and with respect to review or finalization of the Mining Liabilities Plan.

Principle 8: Ensuring a clean, healthy environment and the identification and implementation of limits that protect human and ecosystem health

Strategy 8.1: *Acknowledge and support our Healing the Earth Strategy and Health Strategy.*

Action 8.1.1: See **Action 2.4.1.**

Strategy 8.2: *Champion the protection of human and ecosystem health.*

Action 8.2.1: See **Action 5.4.6.**

Action 8.2.2: See **Action 5.4.7.**

Action 8.2.3: See **Action 5.4.8.**

Action 8.2.4: Monitor flows in streams and rivers in the vicinity of mines before, during and after mining operations as follows:

- Natural watersheds—to help calibrate runoff models and to verify changes in runoff
- Part of mine drainage to be affected—to collect data on changes in runoff
- Reclaimed site within mine—to verify predicted runoff

Action 8.2.5: Protect the source for fresh water supply: the Athabasca River.

Action 8.2.6: Provide five months of off-stream storage.

Action 8.2.7: Require projects to share off-stream storage sites to minimize surface disturbances.

Action 8.2.8: Phase projects to minimize total cumulative water withdrawals.

Action 8.2.9: Require that climate-change scenarios on flows in mined watersheds include sensitivity analysis. Use these scenarios to help develop a mine development plan with the least risk to uncertainty in flow.

Action 8.2.10: Capture and use mine-site drainage as process water.

Action 8.2.11: Require 100% recycling of wastewater.

Action 8.2.12: Require developers to use TEK in developing mine layouts.

Action 8.2.13: Configure mines to protect major natural river channels.

Action 8.2.14: Disallow diversion of major rivers (therefore, no dams).

Action 8.2.15: Time drainage of muskeg and overburden with other projects to reduce impacts to receiving streams.

Action 8.2.16: Divert pristine water around the mine site.

Action 8.2.17: Capture, treat, and use mine-site water in mine processes.

Action 8.2.18: Ensure companies take all reasonable actions to reduce noise levels from their developments in the region.

Action 8.2.19: Continue to apply EUB Guide 38 as criteria for determining acceptable noise impacts once sound minimization controls have been applied.

Action 8.2.20: Do not allow background noise levels to increase by more than 1.5 dbA for certain protected or traditional areas, determined through consultation with us.

Action 8.2.21: Develop strategies to manage short-term but regular pure-tone noises.

Action 8.2.22: Develop regional noise strategies related to air and vehicular traffic and off-road recreational units.

Action 8.2.23: See **Action 5.4.17**.

Action 8.2.24: Ensure ongoing clear reporting and discussion on the status of environmental and human health with affected communities, including Fort McKay.

Action 8.2.25: Wildlife health assessments have been based on predictive models based on chemicals of concern concentrations in air, water, and vegetation.

- Implement bio-monitoring needs immediately to determine if these chemicals of concern are accumulating in wildlife species used as country foods.

Action 8.2.26: Adopt standard survey methods developed by Alberta Biodiversity Monitoring Program (ABMP) and other science-based organizations to assess wildlife populations.

Action 8.2.27: Operators should not limit monitoring study areas to artificial spatial limits such as lease boundaries. For instance, if lease area is too small for a valid scientific study (sample sizes are too small), operator should consider partnering with an adjacent operator to obtain a larger study area (where sample sizes would be sufficient). Require oil sands operators to work together.

Action 8.2.28: Monitor wildlife populations outside mineable oil sands regions. Healthy and abundant populations in the surrounding lands will be required for recolonizing developed areas and maintaining the genetic diversity of wildlife populations.

Action 8.2.29: Field data collected should contribute to understanding, conservation, recovery, or management of wildlife species. For example, collect data that is usable by regulatory agencies like Fish and Wildlife (Alberta Sustainable Development) or Canadian Wildlife Service (Environment Canada).

Strategy 8.3: *Ensure that government, industry and monitoring agencies conduct air and water quality monitoring and report results in a culturally meaningful manner when addressing community health and environmental concerns.*

Action 8.3.1: Promote regional elemental deposition studies, particularly on areas where traditional territory and emission pathways overlap, to help determine health risk of ingesting traditional foods (e.g., TEEM Studies and community-based monitoring).

“
Métis are not secondary to First Nations, nor are their issues.”

- **Bonnyville Métis Consultation Session**



“

We are very passionate about our land, water, wildlife. We need to protect it together.

”

- Fitzgerald First Nations
Consultation Session



Action 8.3.2: Convey research results in a culturally appropriate manner so we remain informed of developmental impacts.

Strategy 8.4: *Computer models are frequently used to predict environmental impacts on the Fort McKay traditional lands. Validate, defend, and discuss their limitations, because computer models are only a predictive tool.*

Action 8.4.1: Set protocols for appropriate use of computer models used for determining environmental impacts.

Action 8.4.2: Validate computer models with data collected from environmental assessment area.

Action 8.4.3: Recalibrate computer models based on collected data.

Action 8.4.4: Clearly state level of confidence in the conclusions derived from predictive models.

Principle 9: Renewable resources are used in a sustainable manner and non-renewable resources are used responsibly to attain a sustainable energy future

Strategy 9.1: *Ensure the effective use and management of resources.*

Action 9.1.1: Our key sustainability issues and actions relate to air, land and water use and the impact the use or disturbance of these nature resources have on our quality of life. For truly sustainable development, environmental considerations must be equal to, and considered part of, development considerations and therefore the EUB, Alberta Environment, Alberta Sustainable Resource Development, Alberta Energy and certain federal government departments must work with regional stakeholders and First Nations to develop a truly sustainable development strategy for the region.

Action 9.1.2: Disallow any permanent out-of-pit storage areas.

Action 9.1.3: Require oil sands mining operators to place all materials removed and stored outside the mining pit area back into the mined-out areas.

Action 9.1.4: Capture and reuse water vapour lost up the stacks.

Action 9.1.5: Use, where available, brackish groundwater in SAGD operations.

Action 9.1.6: Charge industry a significant fee under the Water Act for that portion of their water diversion that is either lost or not reclaimed.

Action 9.1.7: Ensure governments use economic approaches to achieve environmental protection goals.

Principle 10: As stewards of the oil sands the governments should maximize the long-term value and create a legacy from the oil sands resources for its owners

Strategy 10.1: *Support a cost-benefit analysis that incorporates the results of cumulative effects assessment.*

Action 10.1.1: Conduct a cost-benefit analysis that incorporates results of cumulative effects assessment and communicate analysis to all affected stakeholders.

Action 10.1.2: Revisit the 1%/25% royalty structure.

Principle 11: Reasonable certainty and predictability in regulatory structures and systems

Strategy 11.1: *Provide clear direction to industry on expectations and processes related to ensuring environmental impacts are minimized.*

Action 11.1.1: See actions under **Strategies 5.4** and **6**.

Strategy 11.2: *Recognize the need for and include social indicators in the assessment process.*

Action 11.2.1: Ensure that government and industry use social indicators, developed with us and other affected communities, to help determine impacts and benefits to regional communities.

Strategy 11.3: *Create a standard definition of “quality of life.”*

Action 11.3.1: Engage all Albertans to develop a comprehensive and meaningful definition of “quality of life.”

Strategy 11.4: *Support our consultation protocols with developers and the Government of Alberta.*

Action 11.4.1: See **Action 1.2.1**.

Action 11.4.1: See **Action 1.3.3**.

Principle 12: The best results will be achieved in oil sands development if stakeholders are: honest, inclusive, transparent, collaborative and effective in communications

Strategy 12.1: *Establish a Government of Alberta-First Nations consultation protocol.*

Action 12.1.1: See **Actions 1.3.1-1.3.3**.

Strategy 12.2: *Ensure collaboration with us and other regional Aboriginal communities in the resource development process.*

Action 12.2.1: Institute a collaborative and culturally meaningful consultation process at the onset of developing regional resource management strategies (e.g., TEK best practices; Elder advisory groups).

Action 12.2.2: Utilize TEK during resource planning, extraction and reclamation when appropriate. (Let Aboriginal communities determine when is “appropriate.”)

Action 12.2.3: Conduct continued periodic review of reclamation research and techniques honestly, inclusively, transparently and collaboratively, and include local stakeholders—to identify evolving approaches or “best” technology for reclamation.

Action 12.2.4: Include us in organizations that make critical decisions related to oil sands issues (e.g., RIWG and CONRAD).

“

We’re not here to stop development, but it needs to be balanced with the environment.”

”

- Fort McMurray Métis
Consultation Session



“

The lack of affordable, adequate housing has been a priority concern for decades. This basic need must be addressed. Alberta is in a unique position to make this happen as the province has a strong vibrant economy and a shortage of capacity and labour.

”

- Bonnyville First Nations
Consultation Session

Strategy 12.3: *In collaboration with Aboriginal communities (with the option to be directed by the communities themselves), document cultural knowledge of areas before development takes place.*

Action 12.3.1: Institute a practice ensuring that we and other regional communities have the support to document and record traditional knowledge of an area before development. Use that information in the design of reclaimed landscapes (e.g., TLUS; Fort McKay GIS Project).

Responses to the MCS's Proposed Strategies and Actions

Vision 1: Honours the rights of First Nations and Métis

Strategy 1:

Action 1.1: Qualified support. This action does not advance the current process and it is not specific as to how. **Actions 1.6-1.12** are the specifics. **Action 1.1** is more of a strategy than an action.

Action 1.2: Qualified support. This action again does not advance the current practice and only states the obvious. As a new policy it needs regular review and adjustment to accommodate reality.

Action 1.3: Qualified support. This action is more of a strategy—not saying who will develop and implement the policy. As Métis communities in the region are directly affected stakeholders, Government of Alberta has an obligation to consult with them and is therefore again not advancing the current process.

Action 1.4: Qualified support. This is in place and does not advance the current process.

Action 1.5: Qualified support. How will still more regional multistakeholder groups advance the current process? First Nations, Government of Alberta, and industry are already overcommitted to the current groups, which causes ineffective or no participation. Unless there is corresponding commitment to address and resolve issues, more discussion does not help.

Action 1.6: Support.

Action 1.7: Qualified support. This is more of a strategy. How will this be done in a manner meaningful and relevant to Aboriginal communities when the current reclamation of land and “equivalent capability” is turning once-important harvesting areas (wetlands, bogs, fens) to upland forest?

Action 1.8: Qualified support. This is more of a strategy. How will this be done? Will the Government of Alberta make a stronger commitment to develop access management plans? What about First Nations and Métis strategy documents, like Fort McKay's *Healing the Earth Strategy* or *Traditional Environmental Knowledge Report*?

Action 1.9: Qualified support. Does not advance current process. Communities are already doing this through traditional land use studies with the Government of Alberta. The problem lies in the Government of Alberta currently not requiring industry to use this information in the EIAs and SEIAs or when they are determining who to consult with when lease activities are planned.

- Protect sites identified by communities as valuable and sacred from development.



Action 1.10: Strongly support. This is very much needed and is currently being completed, in the form of recommendations, for the Regional Municipality of Wood Buffalo by Cumulative Environmental Management Association’s (CEMA’s) Sustainable Ecosystems Working Group (SEWG).

Action 1.11: Qualified support. This is more of a strategy. How will this be done (e.g., by restructuring CEMA)?

Action 1.12: Strongly support. See [Part I \(Principles\)](#) of the Fort McKay written submission in Appendix 4. Reword to “development on First Nations communities’ rights and land uses.”

Vision 2: Provides a high quality of life

Strategy 1: We support.

Action 1.1: Strongly support.

Action 1.2: Support. Include “infrastructure” to list of quality-of-life concerns.

Action 1.3: Support. Add “and assess these implications on an ongoing basis and adjust policy as needed.”

Strategy 2: We support.

Action 2.1: Support. See [Part I \(Principles\)](#). We are developing our own quality-of-life indicators. Support and use Fort McKay’s community-specific indicators.

Action 2.2: Support. See [Part I \(Principles\)](#). We are developing our own quality-of-life indicators. Support and use Fort McKay’s community-specific indicators.

Vision 3: Ensures a healthy environment

Strategy 1: We support.

Action 1.1: Qualified support. This is more of a strategy. Who will determine the priorities? Different First Nations and Métis will have different priorities based on their proximity to development.

Action 1.2: Qualified support. Does not advance current process. We already work with industry and municipality in emergency response and are currently developing our own emergency response plan.

Action 1.3: Support.

Action 1.4: Strongly support. This is a strategy. See [Part I \(Principles\)](#).

Action 1.5: Qualified support. This is already government policy. Implement it and take a stronger stand by setting those requirements as opposed to the current process of industry defining BATEA for their projects; otherwise, it is not advancing the current process. Change to BACT (Best Available Control Technology).

Action 1.6: Strongly support. See [Part I \(Principles\)](#).

Action 1.7: Strongly support.

“ You want to teach your traditional lifestyle to your grandchildren. How can you put a dollar sign on that? ”

- Métis Validation Session



“
The real scientists and
biologists are our old
people—the Elders.
They know the land
inside and out.”

- Fitzgerald First Nations
Consultation Session

Action 1.8: We do not support.

First bullet: Without clarification, cannot support. Does it mean AENV would hire consultants to do the reviews?

Second bullet: Agree that common corridors and integrated planning are needed to minimize impacts. Recommendations for minimizing seismic footprints have been developed through SEWG's *Management Tools* initiative.

- AENV needs to require this.

See [Part I \(Principles\)](#).

- Work with us to finalize Moose Lake Access Management Plan.

Third and fourth bullets: Too vague and don't seem to advance current process. Are these not current expectations of industry? How will the Government of Alberta require or enforce this?

Strategy 2: We support.

Action 2.1: Support. Oil sands region should be a leader in research and development.

Action 2.2: Support.

Action 2.3: Do not support. Seems inconsistent with **Actions 2.4** and **2.6**.

Action 2.4: Support. See [Part I \(Principles\)](#).

Action 2.5: Strongly support. See [Part I \(Principles\)](#). We expect full-cost accounting.

Action 2.6: Support.

Strategy 3: We support.

Action 3.1. Support. See [Part I \(Principles\)](#). We need pre-development baselines.

Action 3.2: Qualified support. Statement needs to be focused.

- Focus and refocus research based on results.
- Monitor and adapt future monitoring based on findings.
- Establish interim environmental management objectives for various ecosystem components.

Action 3.3: Support. See [Part I \(Principles\)](#). Do cumulative effects assessment of traditional lands and land use.

Action 3.4: Qualified support. This is more of a strategy. How will this be done? In the interim, use precautionary principle.

Action 3.5: Support. See [Part I \(Principles\)](#) on revisiting assessment process to include pre-development baselines, etc.

Action 3.6: Support. Do cumulative environmental assessments specific to First Nations. Include pre-development baselines and cumulative effects on predevelopment baselines.



Strategy 4: We believe this strategy and related actions are fundamental underpinnings for any credible environmental management of development in the region.

Action 4.1: Strongly support. See [Part I \(Principles\)](#) on use of precautionary principle. Our view of taking a 'precautionary approach' includes taking action in advance of formal scientific proof (onus of proof lies with those proposing change); allowing for an ecological margin of error; taking into account future generations of First Nations and other Albertans; and payment for ecological debts (such as failure to reclaim) through a strict liability regime.

Actions 4.2-4.3: Strongly support. See [Part I \(Principles\)](#). Need stricter limits.

Action 4.4: Support. See [Part I \(Principles\)](#) on continuous improvement.

Action 4.5: Support. See [Part I \(Principles\)](#) on need for stricter limits, as is used elsewhere in the world.

Action 4.6: Do not support. Conflicts with **Action 4.5**.

Action 4.7: Support. See [Part I \(Principles\)](#) on use of precautionary principle.

Action 4.8: Do not support. See [Part I \(Principles\)](#) on use of precautionary principle. Conflicts with **Action 4.1**.

Action 4.9: Support.

Strategy 5: Difficult to respond to actions stemming from what seem to be two opposing strategies.

Actions 5.1-5.3: Support.

Action 5.4: Do not support. Intensity-based targets do not reduce or limit mass emissions which are growing rapidly.

Action 5.5-5.6: Support.

Action 5.7: Qualified support. Only if they are environmentally responsible.

Action 5.8-5.9: Qualified support. Oil sands area should be a leader in emissions reductions.

Strategy 6:

Action 6.1: Support. Buffer should be at least 200m.

Action 6.2: Support. See [Part I \(Principles\)](#). Use ecological base flow (EBF) and precautionary principle.

Action 6.3: Support.

Action 6.4: Do not support. See [Part I \(Principles\)](#). Use EBF and precautionary principle.

Action 6.5: Qualified support. Do immediately. See [Part I \(Principles\)](#). Use EBF and precautionary principle.

Action 6.6: Do not support. See [Part I \(Principles\)](#). Use EBF and precautionary principle.

Action 6.7: Qualified support. Interim Instream Flow Needs (IFN) has been released. It lacks an EBF.

“ Hire local people before bringing in skilled people from other areas. ”

- Bonnyville Métis Consultation Session



“

We're trying to find a way to allow [development] to proceed with some degree of certainty, while protecting our rights and interests.

”

- Peace River First Nations
Consultation Session

Action 6.8-6.9: Support.

Action 6.10: Support. Regional Aquatics Monitoring Program (RAMP) is doing this. Make it coordinated, consistent, and comprehensive, and include lower reaches of the Athabasca and the delta.

Strategy 7: We believe this strategy and related actions are fundamental underpinnings for any credible environmental management of development in the region.

Action 7.1: Strongly support. See [Part I \(Principles\)](#) – access to traditional lands.

Action 7.2: Support. This is more of a strategy. How will this be implemented? See [Part I \(Principles\)](#) on sustainable development.

Action 7.3: Strongly support. See [Part I \(Principles\)](#) on need for protected areas and Fort McKay *Healing the Earth Strategy*.

Action 7.4: Strongly support. See [Part I \(Principles\)](#) – access to traditional lands.

Action 7.5: Support. See [Part I \(Principles\)](#) on need for protected areas and Fort McKay *Healing the Earth Strategy*.

Action 7.6: Support.

Action 7.7: Strongly support. See [Part I \(Principles\)](#) on access management and *Healing the Earth Strategy*.

Action 7.8: Support. How does this advance the work of SEWG and RAMP? Will the Government of Alberta do more studies? This needs to build on and complement the work completed by others.

Strategy 8:

Action 8.1: Support. This is more of a strategy. How will this be done? Through CONRAD Tech Transfer Group or CEMA?

Action 8.2: Support. Much more detail is required in C&R planning at the project application and approval phase.

- Ensure reclamation planning clearly addresses traditional values and land use.

Action 8.3-8.4: Support.

- Do regular monitoring and revising of these processes as new information becomes available.

Action 8.5: Support, based on assumption that “boreal forest ecosystem” includes all ecosystem components, including non-forested wetlands.

Action 8.6-8.7: Strongly support. See [Part I \(Principles\)](#).

Action 8.8-8.9: Support.



Strategy 9:

Action 9.1: Strongly support. See [Part I \(Principles\)](#) on liabilities.

Action 9.2: Do not support. See [Part I \(Principles\)](#) on liabilities.

Action 9.3-9.4: Strongly support. See [Part I \(Principles\)](#) on liabilities.

Strategy 10:

Action 10.1: Strongly support. See [Part I \(Principles\)](#) on access to traditional species.

- Ensure that plant populations are reclaimed in a manner that ensures desirable use (e.g., species must not only grow in an area but have sufficient cover and vigour to make them a usable and desirable population.)

Action 10.2-10.3: Support.

- Incorporate immediately (within reasonable time frame) into existing C&R plans for all new projects.

Action 10.4: Support. This is more of a strategy. How will this be done?

Action 10.5: Support. This only advances the current process if **Action 10.8** is in place.

Action 10.6: Qualified support. See [Part I \(Principles\)](#) on reclamation standards.

- We believe this action is a fundamental underpinning for any credible reclamation certification policy. Why could agreement not be reached? We assume “closure certification” means “reclamation certification.”

Action 10.7: Do not support. See [Part I \(Principles\)](#). The community is not against sharing traditional lands if activity respects the land and puts it back as soon as possible and as close as possible to the way it was.

- Implement strategies recommended by Fort McKay.
- See also *Healing the Earth Strategy*.

Action 10.8: Strongly support.

Strategy 11:

Action 11.1: Support.

- Remove “should”; otherwise, it is not an action but a suggestion.

Action 11.2: Strongly support. This is more of a strategy. How and when will objectives be developed?

- Involve us in this process.

Action 11.3-11.4: Support. See [Part I \(Principles\)](#).

Action 11.5: Support. See original principle on transparency and inclusivity.

- Develop “best” practices with group that includes local stakeholders and their traditional knowledge.
- Combine traditional knowledge and western science.

“

Métis people in the area need a cultural centre to retain, capture, maintain, hold our culture and tell our story.

”

- Fort McMurray Métis
Consultation Session



“

Tax oil sands developments at levels commensurate with the social and environmental costs and impacts they create.

- Fort McKay First Nation
Consultation Session

”



Action 11.6: Support. Operators need to work together with common reclamation goals.

Action 11.7: Strongly support. See [Part I \(Principles\)](#) on access to traditional species.

Action 11.8: Do not support. Each project must reclaim as per their obligations, as they are part of the consultation with us to mitigate project impact—this would result in that company possibly infringing our rights. However, we see potential advantages if this means reclamation to occur at lease boundaries.

Action 11.9: Strongly support. See [Part I \(Principles\)](#). We're not against sharing its traditional lands so far as activity respects the land and puts it back as close as possible to the way it was.

- See *Healing the Earth Strategy*.

Strategy 12:

Action 12.1: Strongly support. See [Part I \(Principles\)](#) on access management.

Action 12.2: Support. See [Part I \(Principles\)](#).

Vision 4: Maximizes value-added in Alberta

Strategy 1:

Action 1.1: Support.

Action 1.2: Support.

Strategy 2:

Actions 2.1-2.3: Support.

Actions 2.4-2.6: Do not support. There are human and ecosystem health implications to upgraders near us.

Action 2.7. Support. See [Part I \(Principles\)](#) on environmental limits.

Vision 5: Builds healthy communities

Strategy 1:

Action 1.1: Support. See [Part I \(Principles\)](#) on *Quality of Life and Health Strategy*.

Action 1.2: Strongly support. [Part I \(Principles\)](#).

Action 1.3: Support. See [Part I \(Principles\)](#) on infrastructure and services.

Action 1.4: Support. Include Fort McKay authorities.

Action 1.5: Support.

Strategy 2:

Action 2.1: Support.

Action 2.2: Support. Include Fort McKay governance.

Action 2.3: Support.

Strategy 3:

Action 3.1: Support. See [Part I \(Principles\)](#) on education and training.

Action 3.2: Support. Industry not to hire existing Fort McMurray doctors on their sites.

Strategy 4:

Action 4.1-4.2: Support.

Action 4.3: Support. See [Part I \(Principles\)](#) on support of Health Strategy.

Vision 6: Sees Alberta benefit from the oil economy and lead in the post-oil economy**Strategy 1:**

Action 1.1: Qualified support. Does not advance the strategy.

Action 1.2: Support. See [Part I \(Principles\)](#) on royalties.

Actions 1.3-1.4: Support. See [Part I \(Principles\)](#) on market principles.

Actions 1.5-1.6: Do not support. See [Part I \(Principles\)](#) on market principles

Action 1.7: Support. See [Part I \(Principles\)](#).

Actions 1.8-1.9: Support.

Strategy 2:

Action 2.1: Support. See [Part I \(Principles\)](#) on royalties.

Action 2.2: Do not support. Conflicts with **Vision 5, Actions 1.2-1.4.**

Strategy 3:

Actions 3.1-3.3: Support.

Vision 7: Sees Alberta as a world leader in education, technology, and a skilled workforce**Strategy 1:**

Actions 1.1-1.7: Support. See [Part I \(Principles\)](#) on education, training and employment.

Strategy 2:

Action 2.1-2.3: Support. See [Part I \(Principles\)](#) on BATEA and continuous improvement.

Action 2.4: Support. See [Part I \(Principles\)](#) on BATEA and continuous improvement. The CONRAD process would be improved if it were transparent and inclusive. See [Part I \(Principles\)](#) on this principle.

Action 2.5: Do not support. See [Part I \(Principles\)](#) on market principles.

“

I have seen many changes that are negative to our traditional way of life. Things have to change.

- Fort Chipewyan Public Consultation Session

”



“

Fifty years ago, you never heard of an Aboriginal person having a heart attack. Now there's heart attacks, diabetes, cancer.

”

- Fitzgerald First Nations
Consultation Session



Strategy 3:

Action 3.1: Strongly support. See [Part I \(Principles\)](#) on honouring First Nations and Métis.

Action 3.2-3.6: Support. See [Part I \(Principles\)](#).

Vision 8: Provides high-quality infrastructure and services for all Albertans

Strategy 1:

Action 1.1-1.5: Support. See [Part I \(Principles\)](#) on infrastructure.

Action 1.6: Do not support. The RIWG does not include us, thus our infrastructure needs are not addressed by this group.

Vision 9: Demonstrates leadership through world-class governance

Strategy 1:

Action 1.1-1.2: Support.

Action 1.3-1.4: Support. See [Part I \(Principles\)](#) on environmental management.

Action 1.5: Support. See [Part I \(Principles\)](#) on environmental management and *Healing the Earth Strategy*.

Action 1.6: Support. See [Part I \(Principles\)](#) on environmental management.

Action 1.7: Support.

Action 1.8: Support. See [Part I \(Principles\)](#) on environmental management; royalties; access to business; and infrastructure.

Action 1.9: Support.

Actions 1.10-1.11: Qualified support. We are the most impacted.

- Give us priority standing for such things as statements of concerns and EUB standing.

Action 1.12-1.13: Support. See [Part I \(Principles\)](#) on consultation and protocols.

Action 1.14: Support. See [Part I \(Principles\)](#) on royalties.

Action 1.15: Support.

Action 1.16: Support. See [Part I \(Principles\)](#) on consultation, improving the regulatory process, and technology.

Action 1.17: Do not support. See [Part I \(Principles\)](#) on market principles.

Action 1.18: Do not support. See [Part I \(Principles\)](#). We are not against sharing traditional lands so far as activity respects the land and puts it back as soon as possible and as close as possible to the way it was.

- Implement our recommended strategies.
- See [Part I \(Principles\)](#) on royalties and employment.

Action 1.19: Support. See [Part I \(Principles\)](#) on our core policy and strategy documents.

Strategy 2:

Actions 2.1-2.5: Support. See [Part I \(Principles\)](#) on environmental management.

Fort McMurray First Nation

- Make initiatives more integrated with all the other initiatives of Alberta so we don't duplicate items and we address issues more uniformly across Alberta—for all Albertans.
- First Nations need the technical capacity to address the issues.
- First Nations need to be recognized as governments, not stakeholders in processes like this.
- Government of Alberta has to move from risk-management to cooperative consultation on joint interests of both Alberta and First Nations.

Vision 3: Ensures a healthy environment

- Be clear about whether existing processes or new processes will be used to address environmental concerns.

Heart Lake First Nation (HLFN)

- Either compensate Heart Lake for loss of weapons range or give Heart Lake access to the range.
- Replace existing Government of Alberta consultation policy and guidelines.

Vision 1: Honours the rights of First Nations and Métis***Responses to the MSC's Proposed Strategies and Actions***

Strategy 1: HLFN agrees with proposed actions, with these comments:

Action 1.2: HLFN does not condone or support Government of Alberta's Aboriginal consultation policy and guidelines. Develop new Aboriginal policies and guidelines that are consistent with the judicial decisions rendered in conjunction with Alberta First Nations.

Action 1.4: Revisit desired outcomes of *Aboriginal Policy Framework* to determine whether progress has been made, and to provide First Nations with the authority to review it and recommend further actions.

Action 1.9: Traditional use information is the intellectual property of each First Nation. There is no basis for communities to share specifics to ensure appropriate and adequate consultation.

- Consult at point of strategic resource use planning—not just when a company is ready to start a project or when Government of Alberta thinks consultation should occur.
- Government of Alberta must recognize First Nations' own consultation processes rather than trying to control consultation processes to protect Crown's position or offset Crown concerns.

Vision 2: Provides a high quality of life***Responses to the MSC's Proposed Strategies and Actions***

Strategy 1: HLFN agrees with proposed actions, with these comments:

Action 1.3: Address how baseline info is identified. Don't begin with lease purchases but look at changing patterns and implications of settlement encroachment, provincial infrastructure and resource development to understand full implications to First Nations and traditional activities.

- Give more than general statements about enhancing quality of life. Tell us specific plans.

“

Provide academic upgrading and job training in communities in such a way that individuals do not have to quit school or work first to receive it.

”

- Wabasca Métis Consultation Session



“

Our traditional territory is now scarred by networks of cutlines, roadways, above- and below-ground pipelines, power lines, pads and processing plants.

- Bonnyville First Nations
Consultation Session

”



Strategy 2: HLFN agrees with proposed actions, with this comment: First Nations have experienced a lower quality of life than average Albertans. It will take considerable work and understanding to differentiate the source of the impacts.

Vision 3: Ensures a healthy environment

- When planning a design for the oil sands, consider oil sands, conventional oil, and forestry activity.
- When planning, be flexible. Don't take a hard-line stance that you can't change.
- Slow down, take a look around, and see damage done to date. Take time to understand impact the boom of activity has had on Mother Earth.

Responses to the MSC's Proposed Strategies and Actions

Strategy 1: HLFN agrees, in principle, with all proposed actions.

Action 1.7: Our current consultation approach is to meet with each company on a project-by-project basis, but we are interested when companies discuss how they work with neighbouring companies to mitigate impacts and introduce new reclamation programs. Leads to more effective discussions on potential cumulative impact.

- Crown must undertake a cumulative impacts study of all industrial and resource development in the area.

Strategy 2: HLFN does not support these actions. Resource developers should not receive further Crown welfare payments through additional tax incentives to consider implications of their activities.

- Make it their responsibility as good corporate citizens to mitigate all impacts on Mother Earth. Financial incentives are misplaced on multi-national corporations already earning record profits when communities like Heart Lake continue to languish.

Strategy 3: HLFN agrees, in principle, with proposed actions, with these comments:

- Do not begin baseline with lease purchases. Look at encroachment, infrastructure, and development to understand implications to First Nations.
- Give oral traditions as much credit as scientific evidence for projects. First Nations' expertise can add depth.
- Use community information to establish baseline from 1929-35 to compare impacts of development damage.

Strategy 4:

- Protect human and ecosystem health immediately.
- The Government of Alberta and developers should adhere to standards that not only ensure our health and wellness but that push other countries and regions to protect the environment.
- Set these standards high and strictly enforce them to encourage technological changes. Emission credits are not acceptable.
- Measure impacts on actual data without offsets.

Strategy 5: No support for actions as written.

- Do not work in isolation. Look at technologies developed in other regions or countries, new policies being introduced, and become part of the global discussion on greenhouse gas emissions.
- Cut emissions, greenhouse gases, acid-causing substances, noxious gases, noise pollution, hazardous dumping, and environmentally damaging activity.

Strategy 6: Actions miss a key element—how watersheds interact with each other and ground water.

Action 6.4: We do not support environmental economics—the balance of the greater good from development versus specific damages to a small group of people. Democracy must protect perspectives of the minority.

Action 6.10: We are appalled that the Government of Alberta would support oil sands water usage plans given that the value of fresh water is more than double that of petroleum.

Strategy 7: No consensus.

- Establish stringent limits on the amount of land that can be disturbed at any one time for each oil sands area and a maximum level of disturbance within each. Animals can then adjust patterns in neighbouring regions without being full pushed out.

Action 7.8: Strongly supported. Study plant life also.

Strategy 8: We support all actions except **Action 8.8**.

- Give no financial incentives to encourage company inactivity. Rather, employ harsh penalties and fines to encourage a company to accelerate reclamation.
- Educate public about reclamation. Many think companies should return land to pre-disturbed state, which is not possible.
- Set standards to force industry to develop the appropriate means to properly reclaim.
- Educate the public on reclamation and discuss implications and potential to be involved in reclamation of traditional lands.

Strategies 9-10: HLFN agrees, in principle, with proposed actions.**Strategy 11:** HLFN agrees, in principle, with proposed actions, with these comments.

Action 11.2: Involve First Nations communities at the onset of a project to discuss reclamation implications and plans throughout, and be active in the reclamation.

Action 11.9: Provide further public education about implications of this action.

Strategy 12: Define “recreational activities.” Activities protected by Aboriginal and treaty rights, cultural activities undertaken on the lands, or something else?

“

We don't want to hinder development. We want to participate in all aspects, from education to planning to infrastructure development. We'd like the opportunity to invest in these projects and to have employment.”

- Peace River Métis Consultation Session



“

The Government of Alberta should review all social needs to ensure that the wealth benefiting Alberta is also benefiting First Nation and Métis.

”

- Fort Chipewyan Public Consultation Session

Vision 5: Builds healthy communities

- Build a strategic approach to handling the abrupt cultural shifts that come from business developments.

Responses to the MSC's Proposed Strategies and Actions

Strategy 1:

- Extend funds to reserves regardless of the desire to ensure that the federal government continue their fiduciary responsibility—so all Albertans benefit from the Alberta Advantage.
- Ensure that equal funds are being offered to strengthen reserve infrastructure.
- Have municipalities provide equal services to First Nations.

Strategy 2: Comments under Strategy 1 apply here also. Make sure federal government is invited to participate in discussions about addressing infrastructure needs and future growth.

Strategy 3: Give more money to provide capacity in communities.

Strategy 4: HLFN agrees, in principle, with all proposed actions.

Vision 6: Sees Alberta benefit from the oil economy and lead in the post-oil economy

- Include Heart Lake in talks about long-term benefits.

Responses to the MSC's Proposed Strategies and Actions

Strategy 1:

- Eliminate federal and provincial tax breaks. There is no need to add further incentive to attract capital investments in the oil sands.
- Share development revenues with HLFN.
- Plan for appropriate investment in our future while ensuring that our current situations are strong.
- Invest a set proportion of revenues into long-term funds.

Strategy 3: HLFN agrees, in principle, with proposed actions.

Vision 7: Sees Alberta as a world leader in education, technology and a skilled workforce

Responses to the MSC's Proposed Strategies and Actions

Strategy 1: HLFN agrees emphatically with proposed actions.

Action 1.1: Start programs in elementary school before many youth lose interest in math and sciences.

- Sponsor learning. Many First Nations do not have the capacity to continue education.
- Increase awareness about opportunities for student loans, scholarships and bursaries.
- Combine scholarships with work practicum—most First Nations people are visual learners.
- Encourage development and operations contracts with local business and entrepreneurs.



Strategy 2: HLFN agrees, in principle, with proposed actions.

Strategy 3: HLFN agrees, in principle, with proposed actions.

- Let us seek multi-year funding rather than having to apply annually.
- Change wording to: “Ensure that First Nations and Métis populations are afforded opportunities to build sustainable relationships and have community members active in all levels of development.”

Vision 8: Provides high-quality infrastructure and services for all Albertans

- Alberta should come in and upgrade this road.

Responses to the MSC’s Proposed Strategies and Actions

Strategy 1: HLFN agrees, in principle, with all proposed actions in left column on p. 20.

- Please see comments under **Vision 5, Strategy 1**. They also apply here.

Vision 9: Demonstrates leadership through world-class governance

Responses to the MSC’s Proposed Strategies and Actions

Strategy 1: HLFN agrees, in principle, with all proposed actions except **Actions 1.1, 1.2, 1.9, 1.11, 1.14 and 1.15**.

- Increase the capacity of government departments and regulators to understand and address First Nations issues including infringement on Aboriginal and treaty issues.
- In addition to eliminating the term “directly affected” from legislation, direct resource developers to consult with First Nations if projects are within their traditional lands.

Strategy 2: HLFN agrees, in principle, with all proposed actions, with this addition:

- Ensure Aboriginal representation on all technical working groups that address cumulative effects.
- Work with interested Aboriginal communities to build capacity required to participate.
- Clarify definitions and usages between cumulative effects and cumulative impacts.

Iyiniwok Consultation, Referral and Coordination Centre (representing Driftpile First Nation, Kapawe’no First Nation, and Sawridge Band)

Impacts on the Environment

- The Government of Alberta is strongly advised to undertake (participatory and knowledge integrated) cumulative impact studies to determine the effect of oil sands (and other) developments on First Nations rights, health, and traditional uses.
- The Government of Alberta needs to address First Nations concerns with water quality and quantity, both within the oil sands regions and downstream and within adjacent watersheds.
- The Government of Alberta needs to and should provide technical capacity, human capital, and other resources to help assess and review cumulative environmental (ecological, including effects to the atmospheric, aquatic and terrestrial systems) impacts.

“

Let First Nations and Métis do monitoring so we know what we’re breathing. Elders are getting sicker and sicker. We can’t eat the fish and meat anymore.

– Fort McMurray Métis
Consultation Session

”



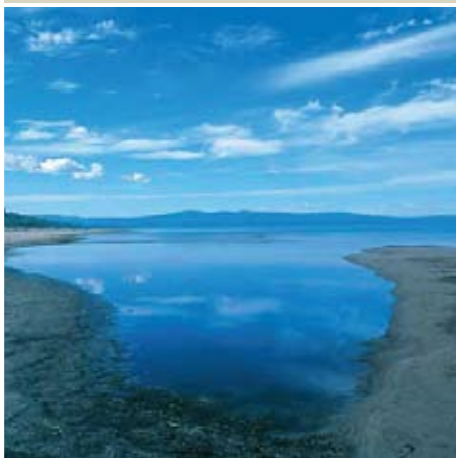
“

Promote capacity-building within the community to enhance the ability of members to participate in negotiations and decision-making regarding their traditional lands and community health.

- Fort McKay First Nation
Consultation Session

”

- The Government of Alberta needs to and should rehabilitate landscapes in a timely manner, in pace with development, and should involve First Nations in land and resource governance, planning, management, and monitoring. The member First Nations reject the current reclamation standards of the Government of Alberta and maintain that rehabilitation of the ecosystem should occur rather than reclamation.
- Undertake environmental (ecological) management on a regional and landscape level rather than a project-by-project local-level basis.
- Establish a formal process to involve First Nations in ecological (including biodiversity, fish, wildlife and habitat) monitoring.
- Involve First Nations in integrated land management governance, planning, and management in a way that respects First Nations stewardship and connection to the land, and in a way which is equitable, rather than within the current framework/paradigm which is largely driven by the hegemonic group.
- Effectively manage oil sands liabilities, degradation and risks to ensure that they do not impact future generations and which provides for a sustainable future for all Albertans.
- The Government of Alberta needs to and should address First Nations access management issues.
- The Government of Alberta needs to and should address the adverse (inimical) impacts of oil sands (and other) development on aquatic systems, habitat, fish and wildlife, including those positively correlated to changes in ecosystem composition, structure and functioning.
- The Government of Alberta needs to and should address human and wildlife health issues related to poor air, water, and habitat quality.
- Reduce greenhouse gases and minimize contaminant inputs into aquatic, atmospheric, and terrestrial systems.
- Heighten terrestrial, aquatic and atmospheric system management standards by making them more rigorous and conducive to human, fish, wildlife, and habitat salubrity.
- The Government of Alberta needs to and should provide and augment ongoing funding to First Nations to conduct and update traditional land use studies.
- The Government of Alberta needs to and should incorporate Traditional Environmental Knowledge (TEK) into oil sands, and all other environmental (land and resource) management and planning initiatives to meet sustainable land and resource management objectives (they currently are not).
- Promote (in diverse ways) the use of best available technology and practices to effectuate sustainable land and resource management.
- Create programs to promote and engage community-based monitoring.
- Create a trans-boundary, multi-level water management agreement between First Nations, Government of Alberta, and Government of Canada.
- Substantively reduce water use in oil sands development.
- The Government of Alberta should work with First Nations to create protected areas for First Nations, where First Nations can be afforded their rights and practise their culture and traditional uses.
- The Government of Alberta needs to and should recognize First Nations stewardship of the land and promote partnerships between the Government of Alberta and First Nations, on a government-to-government basis, for planning, managing, and monitoring environmental (ecological) impacts and infringements to First Nations rights.



First Nations Rights and Interests

- Honour First Nations Treaty 8 rights, which are constitutionally and legally protected.
- Uphold the honour of the Crown.
- Include “interests” along with “rights.”
- Settle outstanding Treaty Land Entitlement claims.
- Ensure access to traditional lands.
- Reconcile disparities between the Government of Alberta, First Nations, and industry regarding First Nations rights and livelihood interests as they pertain to land and resources.
- Ensure the Government of Alberta participates in treaty implementation processes.

Economic Participation

- Allow First Nations to share (equitably) in the benefits of oil sands (and other) development.
- Develop opportunities for First Nations businesses to participate in the economy, including the oil sands economy.
- Review the current royalty structure for oil sands and develop a mechanism for royalty-sharing with First Nations.

Loon River First Nation (LRFN)

- Do not disregard input from this process.
- Include LRFN in the Peace River oil sands region.

Vision 1: Honours the rights of First Nations and Métis

- Government of Alberta needs to recognize Treaty 8.
- Government of Alberta needs to support individual First Nations consultation protocols.

Vision 2: Provides a high quality of life

- Make sure communities outside the oil sands regions also benefit from development.

Vision 3: Ensures a healthy environment

- Balance protection of the environment with economic development.
- Look at all watersheds as a whole—not individually.

Vision 7: Sees Alberta as a world leader in education, technology, and a skilled workforce

Responses to the MSC's Proposed Strategies and Actions

Include First Nations in **Strategy 1**, rather than creating a separate strategy.

“

Trappers are being pushed aside. Their land is tramped upon and they can no longer trap. Anybody can do what they want with the trappers' land and by the time they realize what's happened it's too late.

”

- Peace River Métis
Consultation Session



“

Things are done and then we're told about it. Aboriginal people believe in sharing, sitting down and discussing things.

- Fitzgerald First Nations
Consultation Session

”



Mikisew Cree First Nation

The Mikisew Cree First Nation's recommendations cannot be viewed in isolation of its entire written submission. For further details, please see the Mikisew Cree's full written submission in Appendix 4.

The Mikisew Cree strongly suggests that the following recommendations be implemented immediately by the Government of Alberta and supported by the MSC:

- That until such time that the Government of Alberta has adequately carried out its legal duty to consult with the Mikisew Cree, and to the satisfaction of the Mikisew Cree on any and all activities related to oil sands development, that the Government of Alberta immediately put a moratorium on issuances of any further licenses, permits or approvals with regard to any and all activity related to oil sands development in the Athabasca oil sands region or what the Mikisew Cree recognize as its traditional territory;
- That until such time that the Government of Alberta has revised its regulatory regime processes including the AEUB that takes into account the Mikisew Cree's treaty and Aboriginal rights as priority rights and to ensure that these regimes are consistent with case law, that the Government of Alberta immediately put a moratorium on issuances of any further licenses, permits or approvals with regard to any and all activity related to oil sands development in the Athabasca oil sands region or what the Mikisew Cree recognize as its traditional territory;
- That until such time that the Government of Alberta has completed a comprehensive cumulative effects assessment of past, existing, and future impacts and infringements of oil sands development on the Mikisew Cree, that the Government of Alberta immediately put a moratorium on issuances of any further licenses, permits or approvals with regard to any and all activity related to oil sands development in the Athabasca oil sands region or what the Mikisew Cree recognize as its traditional territory;
- That until such time that the Government of Alberta and the Government of Canada has completed a comprehensive baseline health study on the residents of Fort Chipewyan to the expectations of First Nations residing in Fort Chipewyan, that the Government of Alberta immediately put a moratorium on issuances of any further licenses, permits or approvals with regard to any and all activity related to oil sands development in the Athabasca oil sands region or what the Mikisew Cree recognize as its traditional territory;
- That until such time that the Government of Alberta and the Government of Canada have substantially addressed the outstanding Mikisew Cree Treaty Land Entitlement Claim including land selection that is due to the Mikisew Cree, lands that continue to be taken up at an unprecedented rate for uncontrolled oil sands development, that the Government of Alberta immediately put a moratorium on issuances of any further licenses, permits or approvals with regard to any and all activity related to oil sands development in the Athabasca oil sands region or what the Mikisew Cree recognize as its traditional territory;
- That until such time that the Government of Alberta has exposed and clarified to the Mikisew Cree through direct government-to-government consultation deemed satisfactory by the Mikisew Cree, how reclamation and securities liabilities are being managed in the province, that the Government of Alberta immediately put a moratorium on issuances of any further licenses, permits or approvals with regard to any and all activity related to oil sands development in the Athabasca oil sands region or what the Mikisew Cree recognize as its traditional territory;

- That until such time that the Government of Alberta has modified its *First Nations Consultation Policy on Land Management and Resource Development* (2005) and *Guidelines* (2006) to ensure these policies are constitutionally sound in accordance with SCC case law, that the Government of Alberta immediately put a moratorium on issuances of any further licenses, permits or approvals with regard to any and all activity related to oil sands development in the Athabasca oil sands region or what the Mikisew Cree recognize as its traditional territory;
- That until such time that the Government of Alberta and the Government of Canada has established a precautionary, scientifically sound IFN framework for the Lower Athabasca River (encompassing the Peace Athabasca Delta) that includes an Eco-system Base Flow (EBF), protects the fish and fish habitat even if this means water demands of oil sands projects are halted in the winter, and meets the satisfaction of the Mikisew Cree, that the Government of Alberta immediately put a moratorium on issuances of any further licenses, permits or approvals with regard to any and all activity related to oil sands development in the Athabasca oil sands region or what the Mikisew Cree recognize as its traditional territory.

Saddle Lake First Nation

- Let First Nations discuss resource-sharing with Government of Alberta.
- Increase Aboriginal participation on energy boards and in high-level decision-making positions.
- There should be a public inquiry on how First Nations are being treated with regards to the EUB and getting involved in these processes.

Salt River First Nation

- Let's sign an agreement to protect our environment and the river.
- Government of Alberta and the federal government should take into consideration that we're impacted and hear more voices before they go ahead.
- We have to be involved in how consultation works and we have to agree to it. It's not there yet. I think we could do this better.
- We would really like you to come back—anyone involved in the tar sands. Come for longer—not just a few hours.
- Take this back with you to show that you have been listening. Think about what you've heard. Then show respect and share it.

Vision 3: Ensures a healthy environment

- Give the Elders a chance to tour the tar sands and really understand where the changes are beginning.
- I want the Ministers of Energy and Environment to come to my community to see what we see and what we have to live with.
- I'm asking you to be a partner with us. Let's make it better. Because if we don't have water, what do we have? As Aboriginal people, we believe water is life. We'll all perish without it—every one.
- Do environmental impact assessments to address the cumulative impacts of rights.
- Develop an agreement on the quality of water.

“Time has not been taken to understand the impact of activity on Mother Earth.”

- Heart Lake First Nation
Consultation Session



“

Ensure that Métis can participate in the workforce in a meaningful way at all levels of employment, including management.

- Bonnyville Métis
Consultation Session

”

- Look at Traditional Environmental Knowledge before making any decisions about industry.
- Come to our community and do a tour. We'd like to show you our delta and all areas so you know what we're talking about.
- Do studies downstream on why the fish are in that condition.
- Government of Alberta and the federal government should fund environmental studies.
- Has anyone looked at the results of the Northern River Basin Study. It's time Albertans and Aboriginal people demand from the Government of Alberta that we review those studies.

Smith's Landing First Nation

- Let us address the people who really make the decisions.
- Let's have another session like this one, but more organized.
- Before a final summary on this goes to the Ministers, give us a chance to have a meeting of the technical minds, particularly from the Aboriginal communities. An opportunity for us to get together to discuss this as a whole. Include industry even.
- Send out information directly to the bands down river of the tar sands about the quality of water and how it's being affected.
- Send somebody out here to check out the quality of the water. And keep those studies current.
- Don't approve more tar sands projects until water studies are done.
- Do clear publicity to the average Joe who will be affected. And you can't centralize the information to that little area on the map. It's got to go beyond that.
- Take the onus upon yourselves (Government of Alberta) to prove to First Nations why we should buy into what you're saying.
- Do studies independent of industry. Make industry pay for it, since they want the license.
- Put the brakes on development happening upstream.
- Give First Nations Chiefs direct input into these policies. Give all First Nations direct input and have it validated at some level within the Government of Alberta.

Vision 1: Honours the rights of First Nations and Métis

- Cease all applications until consultation can be done fully and responsibly.

Vision 3: Ensures a healthy environment

- Government of Alberta and the federal government should take into consideration that we're impacted and hear more voices before they go ahead.
- Government of Alberta should pay more attention to environmental issues to deal with them correctly.

Sucker Creek First Nation

- Bring in expertise to advise Chief and Council on issues to ensure meaningful understanding.
- Begin the consultation process with First Nations by holding a meeting to disseminate information.

Vision 1: Honours the rights of First Nations and Métis

- Consult First Nations on every aspect of development.



Swan River First Nation

Vision 1: Honours the rights of First Nations and Métis

- Include First Nations in archaeology, surveying, mitigation, etc.

Treaty 8 First Nations of Alberta (T8FNs)

- Make approval of oil sands projects conditional upon a firm commitment of Alberta and Canada to conduct a Regional Strategic Environmental Assessment and to work with Treaty 8 governments to identify and fund practical measures to be documented in terms of need.
- Provide provincial capacity support to First Nations for consultations.
- We request a regional round table on the MSC report.
- Do further consultation with T8FNs on these visions statements, strategies and actions.

Principle 2: Maximizing the commercial value of the oil sands within the context of sustainable development

- As the Crown “takes up” Treaty 8 land for resource development, the Crown will maintain an environment within those Treaty 8 lands “not taken up” that can support the ongoing traditional use activities of First Nations peoples.
- As the Crown allocates resources within Treaty 8 lands for development, the Crown allocation processes used, and the actual patterns of resource allocation achieved through provincial allocation processes, must mean First Nations peoples receive “equitable economic benefit” in relation to ongoing resource development activities within their traditional territories.
- Canada and Alberta should consult with First Nations governments, and with third-party resource interest-holders, about identifying and implementing strategies to ensure First Nations peoples begin and continue to receive “equitable economic benefit” in relation to future resource tenures and ongoing resource development activities within their traditional territories.
- Canada and Alberta should consult with First Nations governments about identifying and implementing strategies to ensure First Nations governments begin and continue to receive “equitable economic benefit” in relation to Crown revenues (royalties and taxes) accruing to these Crown governments as a result of the existing pattern of resource tenures, future resource tenures, and ongoing resource development activities within their traditional territories.

Principle 3: Within constraints and parameters, economic development of the oil sands should be based on market principles

- Market decisions reached by investors and allocation decisions made by the Government of Alberta must begin to consider and account for the impacts of resource allocation and development upon natural, social and cultural capital.

Principle 4: Planning and implementation for orderly infrastructure and community development, and the need for timely required funding for infrastructure and services for those communities that are and will be most impacted by oil sands development including First Nations and Métis

- Crown governments should undertake work cooperatively with First Nations governments to develop and implement the community-based research needed for assessing education, health, social and infrastructure needs at the First Nations community level. Canada and Alberta must provide funds sufficient to develop capacity at the First Nations government level to participate in such an assessment process.

“Environmental management tools and resources need to match or exceed the pace of development.”

- Fort McKay First Nation
Consultation Session



“

Environmental management tools and resources need to match or exceed the pace of development.

- Fort McKay First Nation Consultation Session

”



- Crown governments should undertake work cooperatively with First Nations governments to establish a regime for review of the RSEA findings related to education, health, social and infrastructure needs at the First Nations community level and to provide Crown funds sufficient to address these needs as a precondition for Crown approval of future energy projects.

Principle 8: Ensuring a clean, healthy environment and the identification and implementation of limits that protect human and ecosystem health

- Conduct and invite First Nations participation in a joint federal/provincial, multi-party RSEA to document baseline information related to environmental degradation, ecosystem health and human health.
- As Treaty 8 land is “taken up” for resource development, the Crown should maintain an environment within those Treaty 8 lands “not taken up” that can support the ongoing traditional use activities of First Nations peoples.

Principle 9: Renewable resources are used in a sustainable manner and non-renewable resources are used responsibly to attain a sustainable energy future

- Ensure “sustainable use” of both renewable and non-renewable resources, and for development and use of all natural resources in a manner which is compatible with ongoing traditional use of Treaty 8 territory by T8FNs peoples.

Principle 10: As stewards of the oil sands, the governments should maximize the long-term value and create a legacy from the oil sands resources for its owners

- Establish government-to-government relations for co-stewardship over resource development and use. On an interim basis, develop and implement “cooperative management” approaches to meaningful consultations about land and resource development.

Principle 12: The best results will be achieved in oil sands development if stakeholders are: honest, inclusive, transparent, collaborative and effective in communications

- Create a forum for Government of Alberta, federal government, and T8FNs to discuss policies and develop a process for respectfully aligning priorities and integrating policies.

Vision 1: Honours the rights of First Nations and Métis

- Revitalize the 1993 memorandum of understanding between Government of Alberta and T8FNs of Alberta should provide a vehicle for meaningful consultation.
- Consult First Nations about activity within treaty land, regardless of how remote that land may be.
- Ensure that land within treaty territory does not become so degraded by resource development that it can't be used for traditional cultural uses.
- Address treaty and Aboriginal rights and governance matters at the treaty implementation table and through interim consultations about practical measures.
- Set aside land of high cultural significance where industrial development won't be allowed to occur.
- Establish a different way of evaluating the importance of archaeological surveys so they aren't site-specific.
- Provide First Nations peoples with equitable economic benefit in relation to ongoing resource development processes within their traditional territories.

- Recognize rights that First Nations define for themselves.
- Comply with First Nations' consultation process.
- Consult First Nations and Métis communities prior to making lands available for oil sands development.
- Declare First Nations peoples as occupants of the land.
- Carry out regional planning at the treaty level and the tribal council level to develop an integrated land management plan.
- Provide direct, meaningful consultation between Government of Alberta and First Nations on minimizing negative effects of development.

Responses to the MSC's Proposed Strategies and Actions

Strategy 1:

Action 1.1: T8FNs of Alberta have been undertaking to establish treaty-level and tribal council-level consultation roundtables for joint action to explore policy options for development of policy related to oil sands development.

Action 1.2: T8FNs have consistently advised the Government of Alberta that the existing policy is inadequate for meaningful consultations.

Action 1.4: The *Aboriginal Policy Framework* has been rejected as inadequate for this purpose.

Action 1.5: T8FNs advocate for establishment of tribal council regional tables for consultations with the member First Nations, and for direct consultations with each of the 23 T8FNs.

Action 1.6: Consultations with First Nations governments must be undertaken prior to consideration of any decision with the potential to affect First Nations interests in order to protect the honour of the Crown.

- Consult with Treaty 8 prior to decision by decision-makers within Alberta Energy to post lands within Treaty 8 territories for auction.

Action 1.7: T8FNs of Alberta are engaged in formal negotiations for treaty implementation. One matter which will be discussed is the Government of Alberta's obligation to return lands and resources to federal Crown in accordance with paragraph 10 of the NRTA (1930) so federal Crown can satisfy treaty obligations related to livelihood.

Action 1.8: During the 18-month discussion of the consultation framework with the Government of Alberta, T8FNs representatives made repeated requests for provincial designation of T8FNs peoples as "occupants" of their traditional territories.

- As Government of Alberta takes up lands and resources for development, maintain an environment capable of allowing First Nations peoples to sustain their way of life and culture. In the interim, designate T8FNs as "occupants."

Action 1.10:

- Conduct a Regional Strategic Environmental Assessment (RSEA) to inform development of an Integrated Land Management (ILM) plan.

“Consultations are only meaningful if Métis communities and organizations have the resources and funds to respond to technical information.”

- Wabasca Métis Consultation Session



“

There are places we can't go anymore. The water has dropped over five feet. Last year, the migratory birds didn't come because there was no food for them. Those are the birds we hunt for.

”

- Fitzgerald First Nations
Consultation Session

- Adopt government-to-government models for joint planning and cooperative decision-making within any ILM strategy.

Action 1.11: The existing regional processes are inadequate for addressing T8FN concerns.

Action 1.12: We support this action and want the Government of Alberta to be involved.

- Conduct an RSEA.

Vision 2: Provides a high quality of life

- Document the social, cultural, health and infrastructure needs within First Nations communities in a regional strategic environmental assessment.
- Develop a strategy to address First Nations quality-of-life issues, based on the social, cultural, health and infrastructure needs documented in a regional strategic environmental assessment.
- Establish meaningful consultations between federal, provincial and First Nations governments to determine how funds will be provided in sufficient amount to improve quality of life.
- Provide First Nations with legal means of leverage in their dialogue with industry to negotiate reasonable impact benefit agreements.
- Provide long-term education and careers in First Nations communities, and not just trade-based.
- Use cultural capital model in assessment that looks at economic value of having a vibrant way of life in a culture.

Responses to the MSC's Proposed Strategies and Actions

Strategy 1:

Action 1.1: We have no processes for looking at things discussed in **Action 1.1**—sharing of resource royalties, revenues from land sales, and tax revenues, or provision of funding for public services and development of municipal or community infrastructures. T8FNs of Alberta are undertaking negotiations with the Crown on treaty implementation. A number of matters identified within this action will be the subject of negotiations (e.g., royalty-sharing; revenue-sharing from land sales; tax revenue-sharing; and provision of funds to First Nations governments for provision of public services and for infrastructural development and maintenance).

- Use a “quadruple bottom-line” approach to consultations about such matters which recognizes the sui generis nature of Treaty 8 rights and interests in lands and resources.

Action 1.2: All 23 T8FNs having traditional territories within the provincial boundaries of the province will be impacted by heavy oil and tar sands development. Moreover, these impacts will be experienced by members who reside in each T8FNs community.

- We request further consultations with the Government of Alberta and the Government of Canada about the need for specific actions within each Treaty 8 community for addressing what you term as “quality of life” concerns.

Action 1.3: Do such an examination within the context of a mutually acceptable joint federal/provincial RSEA that uses a “quadruple bottom-line” approach to distinguish between First Nations peoples and other Albertans.



Strategy 2:

Action 2.1: Do consultations with the Government of Alberta and federal government and T8FNs governments about establishing appropriate “quality of life” indicators for T8FNs peoples.

Action 2.2: T8FNs request further consultation on this matter.

Vision 3: Ensures a healthy environment

- Conduct a joint federal/provincial, multi-party regional strategic environmental assessment focusing on Treaty 8 landscape and examining the impacts of multiple cumulative developments upon ecosystem integrity and ecological biodiversity.
- Use information gathered in the regional strategic environmental assessment to establish meaningful consultations and develop and implement an integrated land management plan.
- Commit to a broad mandate in terms of reference for the regional strategic environmental assessment, and to using the information and recommendations that emerge as the basis for planning and decision-making related to development.
- Establish qualitative limits on cumulative development.
- Establish precautionary standards for wildlife habitats; water use and release; air contaminants; watershed ecological integrity; and the accommodation of First Nations traditional use and livelihood interest.
- Establish a land management planning standard to guide development of operating plans for all resource industries within treaty lands.
- Recognize that northern Alberta is a wetlands ecology and base water use limits for that ecology.
- Establish a First Nations watershed council under the provisions of federal legislation like the Canada Water Act and under the provisions of Alberta legislation.
- Conduct a regional strategic environmental assessment on energy developments.
- Use results of regional strategic environmental assessment to develop and implement a land management plan.
- Develop regional plan for oil sands regions that describes landscape objectives to be met through allocation and regulatory approval process.
- Establish protected areas as conservation offsets to further development.
- Establish quantitative limits on cumulative industrial disturbances and precautionary standards for wildlife habitat, water use and release, air contaminants, watershed ecological integrity and for accommodation of First Nations livelihood and way of life interest.
- Require industry to implement best practices for minimizing environmental damage.
- Commit to using the results of the regional strategic environmental assessment.
- Consult with First Nations regarding areas to be used as conservation trade-offs.
- Consider a regional environmental impact assessment supported by a one-window approach and integrated landscape management coordinated with other sectors to minimize industrial footprints.
- Include technological developments to mitigate environmental impacts through improved water recycling systems, emission scrubbing and waste heat capture.
- Enshrine actions in legislation and policy to ensure a regime is in place that focuses on a healthy environment.

“

There’s too much emphasis on trades and not enough on entrepreneurship and setting up the kinds of businesses that could serve industry.

”

- Bonnyville Métis Consultation Session



“

There's a strong need for Alberta Energy and Alberta Environment and Sustainable Resource Development to work together—every policy has significant implications elsewhere. Everything is interconnected.

- Fort McKay First Nation
Consultation Session

”

- Adopt a real-cost accounting model of development that considers natural, social, and cultural capital, and economic values related to development.
- Carry out government-funded resource management plan.
- Adopt timely and seamless reclamation to a self-sustaining boreal forest ecosystem or adopt a no-net-loss approach to ecosystems and habitats where you conserve an ecosystem when one is destroyed.
- Require industry to use best available technology regardless of cost.
- Regulate sour gas flaring in all areas, not just in cattle ranching territory.
- Assess multiple, cumulative impacts in relation to Treaty 8 rights and interests.
- Incorporate TEK into management systems and compensate people for use of their knowledge.
- Establish First Nations watershed management boards through legislation, regulation and policy to give First Nations the opportunity to actively engage in environmental decision-making.
- Include First Nations in federal/provincial discussion about in-stream flow needs.

Responses to the MSC's Proposed Strategies and Actions

Strategy 1:

Action 1.1:

- Conduct a RSEA to develop baseline information needed to develop a comprehensive plan for managing key oil sands environmental priorities.
- Establish a federal/provincial/First Nations government-to-government process for consultation and cooperative planning to identify key oil sands environmental priorities and to develop a comprehensive plan for managing these environmental issues.
- Provide adequate capacity funding to First Nations governments to support our participation in these cooperative management planning processes.
- Consult with us further on this matter.

Action 1.3:

- Conduct a RSEA and develop funding and implementation of a Treaty 8 regional land use planning process, which is grounded in use of baseline information developed through RSEA process.
- Do formal consultation with T8FNs on request for an RSEA.

Action 1.4:

- Commit to requiring proponents to use BAT as a condition for approving new projects.
- Do further consultation with T8FNs on this matter.

Action 1.5:

- Commit to requiring proponents to use BAT as a condition for approving new projects.
- Do further consultation with T8FNs on this matter.

Action 1.6:

- Treaty 8 agrees in principle with this action and wishes to consult on what this might look like.



Actions 1.7-1.8: Consult with us further on these matters.

Strategy 2:

Actions 2.1-2.4: Consult with us further on these actions.

Action 2.5:

- Adopt a real-cost accounting model, which includes calculation of natural, social, and cultural capital costs associated with heavy oil development.
- Do further consultation with T8FNs on this matter.

Action 2.6: Consult with us further on these actions.

Strategy 3:

Action 3.1: Do an RSEA to collect this baseline data for Treaty 8 region.

Action 3.3:

- Develop a cumulative assessment process that can deal honourably with the asserted Treaty 8 livelihood interests.
- Do further consultation with T8FNs on this matter.

Action 3.6:

- Conduct a joint federal/provincial RSEA.
- Do further consultation with T8FNs on this matter.

Strategy 4:

Action 4.1: We believe formal consultations about establishing this type of environmental limit will emerge from the RSEA.

- Do further consultation with T8FNs on this matter.

Action 4.2: We believe consultations about establishing such caps will arise from an RSEA.

- Do further consultation with T8FNs on this matter.

Actions 4.4-4.5:

- Do further consultation with T8FNs on these matters.

Actions 4.7-4.8: T8FNs believe that best available information is a better basis for regulatory standards than “proven science.” Science cannot prove anything. In many cases, the best available information will be traditional ecological information.

Action 4.9: Do further consultation with T8FNs on this matter.

Strategy 5: Do further consultation with T8FNs on these strategies and actions.

Strategy 6:

Action 6.1: Buffer zones should be considered for all rivers and tributary streams within the Peace-Athabasca watersheds which are likely to be impacted by projected heavy oil developments.

“

Our youth can't afford to go to school in Alberta. That has to be addressed before Alberta can be a world leader in education.

”

- Fort Chipewyan Métis
Consultation Session



“

I'm asking you to be a partner with us. Don't ruin it. Let's make it better. Because if we don't have water, what do we have? As Aboriginal people, we believe water is life. We'll all perish without it—every one.

”

- Fitzgerald First Nations
Consultation Session

- Do further consultation with T8FNs on this matter.

Action 6.2: Such consultations should be informed by the findings emerging from RSEA.

- Do further consultation with T8FNs on this matter.

Action 6.3: Federal government has a trust-like obligation to protect and safeguard First Nations interests in water.

- Establish First Nations watershed management committees for government-to-government consultation on this.
- Do further consultation with T8FNs on trans-boundary water negotiations.

Action 6.4: Science and TEK must be combined to provide balance.

- Do further consultation with T8FNs on trans-boundary water negotiations.

Action 6.5:

- Do this for all rivers and tributary streams potentially affected by oil sands development, and for the wetlands associated with these rivers and streams.
- Do further consultation with T8FNs on trans-boundary water negotiations.

Action 6.6: Do further consultation with T8FNs prior to any further water withdrawals.

Action 6.7:

- Federal and provincial governments should consult with T8FNs at a regional, tribal council, and First Nations level about the federal/provincial interim in-stream flow needs framework. Focus consultations on these standards' ability to address legitimate expectations of T8FNs of Alberta.

Action 6.8: What are this action's implications? We oppose water diversion in any form.

- Do further consultation with T8FNs on this matter.

Action 6.10:

- Establish First Nations watershed management committees.
- Implement and manage water quality and quantity monitoring.
- Do further consultation with T8FNs on this matter.

Strategy 7:

Action 7.1: T8FNs want to focus on both the lands that will be “taken up” for development of heavy oil, tar sands, pipelines and infrastructure; and on the level of “disturbance” within lands adjacent to these lands which are taken up. This is the focus of the T8FNs legitimate expectation related to “cultural sustainability.”

- Do further consultation with T8FNs on this matter.

Action 7.2: T8FNs have no frame of reference for understanding what “balanced sustainable decision-making” means.

- Do further consultation with T8FNs on this matter.



Action 7.3:

- Consult further with T8FNs about establishing additional protected areas in relation to our two legitimate expectations (cultural sustainability and equitable economic benefit).
- Do further consultation with T8FNs on this matter.

Action 7.4: There is a need for more than ensuring accessing for traditional land uses. Crown has a trust-like obligation to ensure that as the Crown “takes up” Treaty 8 land for resource development, the Crown will maintain an environment within those Treaty 8 lands “not taken up” that can support the ongoing traditional use activities of First Nations peoples.

- Do further consultation with T8FNs on this matter.

Action 7.5:

- Conduct an RSEA which would lead to development of a government-to-government planning process.
- Consult with First Nations governments, tribal council organizations, and with the T8FNs about establishing new protected areas.

Action 7.6:

- Use these funds to restore ecosystem components damaged or degraded by oil and gas development.
- Do further consultation with T8FNs on this matter.

Action 7.7: Reforestation of seismic lines will require more than planting trees.

- Do further consultation with T8FNs on this matter.

Action 7.8:

- Make such research part of the proposed RSEA.
- Set limits on development to address legitimate expectations related to cultural sustainability.
- Do further consultation with T8FNs on this matter.

Strategy 8:**Actions 8.1-8.4**

- Do further consultation with T8FNs on these matters.

Action 8.5:

- Do timely and seamless reclamation to a self-sustaining boreal forest ecosystem level, or establishment of a “no net loss” approach to mitigation under circumstances where such a level is not feasible.
- Do further consultation with T8FNs on this matter.

Actions 8.8-8.9: Do further consultation with T8FNs on these matters.

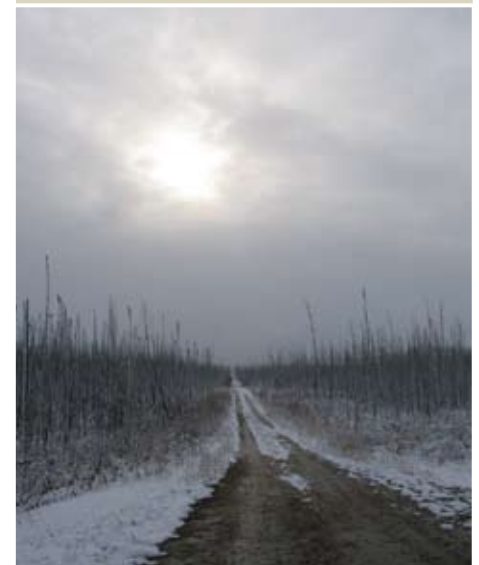
Strategies 9, 10, 11, 12:

- Do further consultation with T8FNs on these strategies and actions.

“

There are too few doctors, nurses and health support workers. Community, government and industry need to work together to make communities more attractive to these people.”

- Bonnyville Métis Consultation Session



“

Why does a trapper or land user have to move off the land so a developer can go in and destroy it? Why do I have to move out of my own home so somebody else can destroy it?”

- Fitzgerald First Nations
Consultation Session

Vision 4: Maximizes value-added in Alberta

- Develop market activities based on environmental services, conservation easements, carbon sequestration and caribou habitat protection that can be provided to First Nations as a source of revenue flow that also allows them to manage protected areas and exercise stewardship.

Vision 5: Builds healthy communities

- Use social capital model in assessment that looks at the value of healthy communities.

Responses to the MSC's Proposed Strategies and Actions

Strategy 1 does not work for First Nations as municipalities do not provide for our communities. **Strategy 2** doesn't work either.

- This vision statement and the strategies in it do not respond to our need, which is the greatest of any community in the oil sands area. Our education system, social services system, child welfare system, health system and infrastructure are all inadequate. Housing is inadequate.
- Provide support and sustainability of healthy First Nations communities.
- Ensure First Nations communities benefit from development.

Strategy 1: Do further consultation with T8FNs on this strategy and actions.

Strategy 2:

Action 2.1: Municipal governments do not have authority for First Nations infrastructure development. There must be a commitment to undertake and fund such work with First Nations governments, and to work cooperatively with First Nations organizations at the tribal council and treaty level during conduct of this work.

- Use the requested RSEA as a vehicle for assessing community need and for the need for Crown commitment of monies necessary to address identified need as a precondition for proceeding with tar sands development.

Strategy 4: Consult with us further on this strategy and actions.

Vision 6: Sees Alberta benefit from the oil economy and lead in the post-oil economy

- Provide First Nations peoples with equitable economic benefit in relation to ongoing resource development processes within their traditional territories.
- Require First Nations companies to adopt best available technology and best practices as a condition for approval.
- Set aside Government of Alberta funds—about \$500M/year if surplus is over \$4B—to address First Nations issues.
- Request matching funds from the federal government.
- Establish bilateral dialogue and negotiated agreements that allow First Nations to participate in protecting the environment and becoming economically sustainable communities.



- Look at alternative energies and renewable resources as a way to conserve non-renewable resources and promote sustainability.

Strategy 1: Consult with us further on this strategy and actions.

Strategy 2:

Actions 2.1-2.2:

- Return a portion of revenues to T8FNs.
- Consult with us further on these strategies and actions.

Strategy 3: We agree with this strategy.

Vision 7: Sees Alberta as a world leader in education, technology, and a skilled workforce

- Provide adequate funding for capacity development.
- Require industry to provide training to band members so they can participate in oil and gas operations at the operational level.
- Require Government of Alberta and industry to establish long-term education and training programs for First Nations and Métis.
- Provide Government of Alberta funding to implement long-distance training strategies within communities.
- Provide a social support system to help people succeed in jobs.

Responses to the MSC's Proposed Strategies and Actions

Strategies 1-2: Consult with us further on these strategies and actions.

Strategy 3:

Action 3.1: While the other T8FNs outside of ATC area would welcome the opportunity for extension of discussions and benefits to their respective First Nations, education, including training for development of skills required to enter the workforce, are principally a Crown responsibility and obligation under the terms of Treaty 8.

- Consult with us further on this matter.

Action 3.2: We have asked both levels of the Crown and industry to undertake discussions with T8FNs on this matter. The difficult part is identifying “adequate.” As a case in point, there are no identified capacity funds for engagement in this process.

- Consult with us further on this matter.

Action 3.4: This is a form of ensuring some level of equitable economic benefit to First Nations communities. We believe much more than “promotion” will be required.

- Consult with us further on this matter.

Action 3.5: This requires extensive consultation about what “work with” means.

- Consult with us further on this matter.

“

Increase public knowledge of who Métis are and what makes them unique.

”

**- Peace River Métis
Consultation Session**



“

We don't oppose development but would like development in a sustainable fashion that benefits the region.

”

- Fort McKay First Nation
Consultation Session



Action 3.6: Because most First Nations have the youngest and fastest-growing populations within Canada, experience extremely high levels of unemployment, and their education levels are low, oil sands operators and other industrial corporations have a large, but unqualified, labour force situated amidst their development area.

- Both levels of Crown government and industrial corporations must work cooperatively with First Nations governments and must contribute equally to development and implementation of long-term education/training programs for First Nations peoples.
- Consult with us further on this matter.

Vision 8: Provides high-quality infrastructure and services for all Albertans
Responses to the MSC's Proposed Strategies and Actions

Strategy 1: Consult with us further on this strategy and actions.

Vision 9: Demonstrates leadership through world-class governance

- Require consultation with First Nations prior to posting land for sale as a condition of sale.
- Make environmental protection the Government of Alberta's primary role in relation to oil sands development.

Responses to the MSC's Proposed Strategies and Actions

Strategy 1: Consult with us further on these strategies and actions.

Strategy 2:

Actions 2.1-2.5:

- In the context of our petition for a RSEA, consult with us further on these matters.

Tribal Chiefs Peacekeeping Conservation Commission
(representing Beaver Lake Cree Nation, Frog Lake First Nation, Kehewin Cree First Nation and Whitefish (Goodfish) Lake First Nation)

- There must be some way in which the treaty is recognized and accommodated in the process of vetting the resource development dispositions that come before the Province. The Province is not in the position to argue for or be sensitive to the rights and associated benefits of treaty. It is for this reason that we recommended that a position be opened for a tribal chiefs association appointee to sit on the Crown Mineral Review Committee to ensure that the First Nations treaty concerns had been reasonably accommodated.
- Substantial and sustained commitment to funding to support consultation work with neighbouring municipalities regarding watershed management, wastewater management and other habitat-related concerns.
- Support of a regional First Nations infrastructure that would allow for the collection, assessment and interpretation of accumulated impacts of resource and settlement developments of those traditional lands that traverse the Cold Lake Oil Sands Deposit.
- The provision of all data and interpretations on fish and wildlife management, forestry activity, forest depleting oil and gas developments, and water quality management that is currently being collected across our traditional lands.

- The proper recognition and support by the Province of the concept of habitat and the full participation and funding support and involvement of our First Nations in the planned development of a balanced approach between human activity on our traditional lands and optimum eco-system functioning.

Woodland Cree First Nation

- In general, acceptable strategies and actions are those which:
 - are guided by the principle of ensuring that the highest regulatory, scientific, and technological standards are developed and applied to oil sands projects;
 - support and maintain the health of our people;
 - support and maintain the health of the land and animals upon which we depend for our survival;
 - lead to sustainable and mutually beneficial developments; and
 - address the views we are outlining here.
- There must be a plan in our region to look at land use and resource development. And there must be a regional cumulative effects study. There must be a regional health effects study. These must be done before Alberta approves any more oil sands projects.
- We must share in development if they are going to go ahead in our area.
- Consult with us directly and stop delegating your obligation to resource companies. Only through bilateral dialogue and negotiated agreements can we protect the environment and become an economically sustainable, self-governing community supported by access to equitable shares of resources developed in our territory.

Vision 1: Honours the rights of First Nations and Métis

- Establish meaningful consultation processes to deal both with us and with the cumulative effects of resource developments within our territory. Government of Alberta's First Nations policy and guidelines are not adequate and do not come anywhere near complying with what the Supreme Court of Canada has decided.
- Provide direct, meaningful consultation between the Government of Alberta and First Nations on minimizing negative effects of development.
- Ensure that the land will support the ongoing exercise of traditional practices and that we will receive equitable economic benefits from development within our traditional territory. Until this happens, we don't want to see any other oil sands projects constructed here.

Vision 3: Ensures a healthy environment

- Carry out a government-funded resource management plan.
- Please look at the effects that all past, current, and future developments are having and will have on us and the land and animals and plants on which we rely.
- Besides bilateral sub-regional discussions, we also support actions of Treaty 8 First Nations of Alberta who have called upon the Governments of Alberta and Canada to initiate a cooperative and inclusive multi-party regional strategic environmental assessment of all developments in northern Alberta before new tar sands projects are constructed.

“

High quality of life is a life that most of us are not used to.

- Wabasca Métis
Consultation Session

”



“
The animals live off the land. They're a good indicator of what will happen to us.
”

- Peace River First Nations
Consultation Session

- Ensure a plan that looks at health effects, cumulative impacts, etc., before projects proceed.
- We're not opposed to development, but to make it acceptable, consultation must be done with high standards and stewardship of land and animals.

Vision 5: Builds healthy communities

- Provide support and sustainability of healthy First Nations communities.
- Ensure First Nations communities benefit from development.

Vision 6: Sees Alberta benefit from the oil economy and lead in the post-oil economy

- Establish bilateral dialogue and negotiated agreements that allow First Nations to participate in protecting the environment and becoming economically sustainable communities.
- Look at alternative energies and renewable resources as a way to conserve non-renewable resources and promote sustainability.



Phase II Métis Consultation Methodology

Following detailed discussions with the Métis representative on the MSC, a separate, parallel Métis consultation process was also established for Phase II of the Oil Sands Consultations to deal with the potential impacts oil sands development may have on the constitutionally protected rights of Métis. One of the first steps of the separate process was to develop a consultation plan to identify whom to contact, the various stages of the consultation process, and any applicable timelines. This plan was jointly developed by the ACIC and MSC Métis representative and approved by the Assistant Deputy Ministers Committee. A copy of the detailed Phase II Aboriginal Consultation Plan can be found in Appendix 1.

In developing the consultation plan, it was decided that Alberta would consult with Métis community leaders in five centres throughout the oil sands regions: Bonnyville, Peace River, Wabasca, Fort McMurray, and Fort Chipewyan. Details about who would be included in these sessions were worked out with the MSC Métis representative, with advice from the Métis Nation of Alberta and the Métis Settlements General Council.

A detailed timeline of the Métis consultation process for Phase II is on the following page:

“
We can show world-class leadership by working with industry to solve problems rather than fighting them.”

- Bonnyville Métis Consultation
Session



“

We are concerned that development will degrade our way of life and make us unable to maintain sustainable economies in our communities.

”

- Slave Lake First Nations
Consultation Session

Métis Consultation Timeline

January to June 2007

DAY 1	January 25	Release of MSC <i>Interim Report</i> and initial notice to Métis of the public consultation process
	January 31	Meeting with Métis MSC representative, resulting in a separate, parallel consultation process for Métis Ongoing discussion with Métis organizations regarding consultation sessions
	March 7	Follow-up correspondence to Métis with dates of consultation sessions and copy of MSC <i>Proposed Strategies and Actions</i> document Preparation with Métis contacts for consultation sessions
	March 26	Fort McMurray Métis Consultation Session
	April 2	Fort Chipewyan Métis Consultation Session
	April 12	Wabasca Métis Consultation Session
	April 17	Bonnyville Métis Consultation Session
	May 1	Peace River Métis Consultation Session Compilation of Métis feedback from consultation sessions and submission to MSC for their additional consideration
	May 10	Invitation to attend Métis Validation Session, with copies of transcripts and meeting summaries ACIC development of draft Government of Alberta recommendations to Ministers based on Métis feedback
	May 18	MSC First Nations/Métis subcommittee meeting to incorporate First Nations/Métis input into MSC report
	May 22	Follow-up invitation, with copy of draft Government of Alberta recommendations to Ministers
	May 31	Métis Validation Session
	June 5	Notice of revised approach, with copy of compiled Métis recommendations to Ministers document
	June 22	Deadline for feedback on compiled Métis recommendations to Ministers document
	DAY 156	June 29
TBD		Report back to Métis once the Ministers issue a response to the Aboriginal Consultation and Multistakeholder Committee <i>Final Reports</i>
TBD		Evaluate the consultation process with Métis in order to make improvements for future Crown consultation
Ongoing		Consultation with Métis on the implementation of accepted recommendations



Compiled Métis Recommendations for Alberta's Oil Sands Consultations

In total, 116 Métis participants, representing over 20 Métis communities or organizations, attended Phase II consultation sessions throughout the province. Throughout the sessions, many Métis representatives expressed gratitude for being asked to participate. Others commended the Government of Alberta on their ability to capture and summarize their themes and recommendations accurately.

For further information about Métis feedback, please refer to the Métis Consultation Session Summaries in Appendix 3.

Métis Themes

Upon reviewing the feedback received from Métis during the consultation sessions, several theme areas were identified as being important. These themes are listed below in no particular order of importance:

1. Métis Consultation

- The need to develop a Métis consultation policy
- The need to increase Métis organizational and consultation capacity
- The need to undertake Métis traditional use studies
- The need to revise the current notification process for trappers and traditional land users regarding oil sands projects and for emergency situations
- The need to distinguish between the Métis Settlements General Council and the Métis Nation of Alberta for purposes of consultation

2. Communication and Relationship Building

- The current lack of understanding on all sides
- The need for education for government and industry regarding Métis structure and communities
- The need for education for Métis regarding oil sands development
- The need for increased communication between all parties

3. Métis Rights

- The need to clearly understand Métis rights under Section 35 of the Constitution
- The need for Métis to have land to practise their rights and maintain their communities
- The need to preserve and protect Métis culture

4. Impacts on the Environment

- The need to involve Métis in environmental monitoring
- The need to more adequately address the impacts of oil sands development on land, air, water and wildlife

“Ensuring a healthy environment is nothing to disagree about. It's necessary to live.”

- Calgary Public Summit



“

We are custodians of the land to keep it for all generations to come.

”

- Bonnyville First Nations
Consultation Session



- The need to fast-track reclamation and to involve Métis in reclamation planning and implementation processes
- The need to integrate Traditional Environmental Knowledge (TEK) into project planning and overall environmental management of the oil sands
- The need to address the cumulative impacts of oil sands development on Métis communities, health, and the ability to practise their rights

5. Socioeconomic Issues

- The need for Métis to participate in the economic benefits of oil sands including the need for increased Métis training, Métis jobs at all levels, and opportunities for partnerships between oil sands developers and Métis
- The need for an economic partnerships funding initiative for Métis
- The need for increased involvement of Métis in emergency and safety response planning
- The need to conduct a study specifically on Métis quality of life and address issues identified through such an exercise
- The need to address Métis health and healthcare, including the need to set up community clinics and do studies on Métis health issues and country foods
- The need to address Métis housing and infrastructure issues such as childcare, seniors housing, rising property taxes, the lack of recreational facilities and access for remote communities
- The need for realistic financial support for Métis pursuing secondary education as well as the need to address the issue of keeping kids in school
- The need to ensure that oil sands revenue is targeted to address Métis issues
- The need for the oil sands industry to invest in Métis communities, infrastructure, and future generations
- The need to recognize and address issues related to the current pace of development

Métis Recommendations

Based on feedback provided in the consultation sessions, Métis have developed the following recommendations for strategies and actions.

1. Build relationships and increase communications between Métis, the Government of Alberta, and industry.

- Work together to develop a strategy for building relationships and enhancing communications.
- Jointly develop an education strategy to increase awareness between Métis, the Government of Alberta, and industry.
- Recognize the distinction between the Métis Settlements General Council and the Métis Nation of Alberta.
- Set up regional tables where Métis, the Government of Alberta, and industry can discuss and resolve issues arising from oil sands development.
- Hold an annual high-level meeting between Cabinet, leadership from Métis groups and organizations, and industry.

- Develop government-to-government relationships between Métis organizations and specific government departments.
- Review and revise the *Aboriginal Policy Framework* to better address Métis-specific issues.

2. Clearly define who Métis are and what their inherent rights are in Alberta.

- In consultation with Métis organizations, create a formal process to define the inherent rights of Métis people and identify Métis rights-holders.
- Acknowledge that Métis and First Nations rights are afforded equal protection under the Constitution.
- Create a legal defence fund for Métis.

3. Develop a Métis consultation policy and guidelines.

- In consultation with Métis, develop a Métis consultation policy and guidelines that ensures consultation occurs prior to resource development and land management decisions and throughout development.
- Clearly define “meaningful consultation.”
- Define the roles and responsibilities of all parties in the consultation process, including the federal government and individual Government of Alberta departments.
- Ensure that the Métis consultation policy recognizes the distinctions between the Métis Settlements General Council and the Métis Nation of Alberta.
- Ensure that the Métis consultation policy and guidelines include regulatory requirements for industry to consult with Métis on specific projects.
- Review and revise the current trappers’ notification and compensation process, including the role of the Alberta Trappers Association and the importance of the land’s cultural value.
- Create a Métis trappers association to lobby for their interests.
- Consult before renewing licenses on Métis settlements.
- Include Métis in developing oil sands-related policy.

4. Build Métis organizational and consultation capacity.

- Work with Métis groups to develop a framework for building organizational and consultation capacity.
- Provide Métis with organizational and consultation capacity funding for adequate staffing, governance, administration, membership services, communication, equipment and facilities.
- Incorporate consultation capacity funding in the Government of Alberta’s royalty structure to ensure that funding is available on an ongoing basis.
- Build Métis consultation capacity at the same time as Government of Alberta capacity.
- Create all-party core agreements among Métis, the Government of Alberta, and industry to establish Industry Relations Corporations (IRCs) within the oil sands regions.
- Form a Métis lobby group to deal with oil sands issues.

“

Establish work and learn programs for youth so they can get an education while taking advantage of the boom.

”

- Peace River Métis
Consultation Session



“

When development is complete and industry is pulling out, this will still be our traditional land. What will be there and how will the community use it if they haven't been shared the cultural practices along the way?”

- Fort McKay First Nation
Consultation Session

”

5. Identify and protect Métis traditional land uses in Alberta.

- Develop and fund a Métis Traditional Use Study program to identify Métis traditional lands and uses.
- Promote the sharing of traditional use study data with the Government of Alberta to facilitate the protection of important sites and areas.
- Work with Métis to identify opportunities to preserve and promote their unique culture and transfer this knowledge to future generations.
- Create more Métis settlements and set aside additional lands for Métis to practise their rights and traditional uses.
- Establish a buffer zone around Métis settlements to prevent further impacts on traditional land uses by resource development.
- Subsidize the cost of commercial fishing licenses for Métis.

6. Address the potential impacts of oil sands development on human health, air, water, land, wildlife, and Métis rights.

- Develop oil sands at a sustainable pace to minimize environmental impacts.
- Undertake a cumulative impact assessment to determine the overall impact of oil sands development on Métis rights.
- Conduct studies on the impacts of oil sands development on Métis health.
- Revise current Government of Alberta approval processes to assess projects regionally rather than individually.
- Review existing water, fish and wildlife studies and work with Métis to identify and fill in the gaps.
- Establish a formal process to involve Métis in environmental and biodiversity monitoring.
- Increase Government of Alberta environmental monitoring related to oil sands development.
- Assist Métis with resolving industry-specific environmental concerns.
- Include Métis in developing and implementing reclamation strategies as well as determining appropriate end land use.
- Involve Métis in Integrated Land Management (ILM).
- Undertake Traditional Environmental Knowledge studies and incorporate the results into environmental planning and management in the oil sands regions.
- Consult with Métis communities in the NWT regarding downstream effects of oil sands development.



High-Priority Strategies and Actions

In the consultation sessions, Métis emphasized the need to prioritize certain strategies and actions. The strategies and actions identified for immediate implementation are:

- Developing a Métis consultation policy and guidelines;
- Undertaking Métis traditional land use studies;
- Providing Métis with organizational and consultation capacity funding; and
- Resolving trappers' notification and compensation issues.

Moving Forward

Métis have expressed the need to work in partnership with both the Government of Alberta and industry to ensure the above strategies and actions are completed. Further consultation will be necessary to discuss how these strategies and actions should be implemented and who should be involved. Métis also expect appropriate funding to be allocated for strategy and action implementation.

“

I am encouraged that the Alberta Government took this initiative. I just want to say thank you on behalf of our community.”

- Métis Validation Session



Next Steps

Through the Oil Sands Consultations initiative, the Government of Alberta's Aboriginal Consultation Intergovernmental Committee (ACIC) experienced firsthand the value of employing an open and collaborative approach to consultations with First Nations and Métis. The separate, parallel process dedicated to Aboriginal people allowed for an enhanced opportunity for direct input on matters of great importance and challenged the Province to remain flexible in its response.

Although the consultation process focused on strategic-level issues related to oil sands development, it was apparent that many of the day-to-day matters that First Nations and Métis contend with are also important.

This is not the end of the consultation process with First Nations and Métis. Further consultations will be required as the recommendations accepted by the Ministers are implemented. Consultation will continue to occur on individual oil sands projects that may have the potential to adversely impact rights and traditional uses as they are proposed and move through Alberta's regulatory processes.

The dedication and participation of First Nations and Métis throughout the Oil Sands Consultation initiative have been extremely valuable. Alberta looks forward to further opportunities to build and strengthen relationships with First Nations and Métis individuals and communities and to many more occasions to work together in the future.

“

We've had an opportunity for dialogue in the Province of Alberta that hasn't happened for many years.

”

- Métis Validation Session



“

Industry and government have to work together to improve social infrastructure of communities and ensure ongoing improvement after development.

”

- **Bonnyville Métis
Consultation Session**

Appendices

The following appendices are contained on the CD attached to the inside back cover of this report.

1. Phase II Aboriginal Consultation Process

1.1 ACIC Terms of Reference

1.2 Phase II Aboriginal Consultation Plan

2. Aboriginal Consultation Meeting Agendas and PowerPoints

First Nations Consultation Sessions

- 2.1 Standard Agenda – First Nations Consultation Sessions
- 2.2 Standard PowerPoint – First Nations Consultation Sessions
- 2.3 Agenda – First Nations Validation Session – May 30, 2007
- 2.4 First Nations Draft Recommendations – Handout at First Nations Validation Session
- 2.5 PowerPoint – First Nations Validation Session – May 30, 2007

Métis Consultation Sessions

- 2.6 Standard Agenda – Métis Consultation Sessions
- 2.7 Standard PowerPoint – Métis Consultation Sessions
- 2.8 Agenda – Métis Validation Session – May 31, 2007
- 2.9 Métis Draft Recommendations – Handout at Métis Validation Session
- 2.10 PowerPoint – Métis Validation Session – May 31, 2007
- 2.11 MSC Proposed Options for Strategies and Actions March 7, 2007

3. Aboriginal Consultation Meeting Summaries

First Nation Consultation Session Summaries

- 3.1 Heart Lake First Nation Consultation Session – April 10, 2007
- 3.2 Fort McKay First Nation Consultation Session – April 11, 2007
- 3.3 Fitzgerald First Nation Consultation Session – April 20, 2007
- 3.4 Peace River Regional First Nations Consultation Session – April 25, 2007
- 3.5 Slave Lake Regional First Nations Consultation Session – April 26, 2007
- 3.6 Bonnyville Regional First Nations Consultation Session – April 27, 2007
- 3.7 First Nations Validation Session – May 30, 2007

Métis Consultation Session Summaries

- 3.8 Fort McMurray Métis Consultation Session – March 26, 2007
- 3.9 Fort Chipewyan Métis Consultation Session – April 2, 2007
- 3.10 Wabasca Métis Consultation Session – April 12, 2007
- 3.11 Bonnyville Métis Consultation Session – April 17, 2007
- 3.12 Peace River Métis Consultation Session – May 1, 2007
- 3.13 Métis Validation Session – May 31, 2007

4. Phase II First Nation and Métis Written Submissions

Cold Lake First Nation

- 4.1 Cover Letter
- 4.2 Written Submission
- 4.3 Tab 1 (Map)
- 4.4 Tab 2 (Primrose Air Weapons Range Report)
- 4.5 Tab 3 (Access Agreement Alberta (executed))
- 4.6 Tab 4 (EUB Active Oil Sands Scheme Map)

4.7 Deninu Kue First Nation

Fort McKay First Nation

- 4.8 Cover Letter
- 4.9 Part I
- 4.10 Part II

4.11 Heart Lake First Nation

4.12 Iyinoiwok CRCC

4.13 Mikisew Cree First Nation

4.14 Northwest Territories Métis Nation

Treaty 8 First Nations of Alberta

- 4.15 PowerPoint Presentation
- 4.16 Discussion Paper
- 4.17 Strategic Diagram

4.18 Tribal Chiefs Peacekeeping Conservation Commission

4.19 Wood Buffalo Métis Locals

“

When assessing projects, if we had to have them in our backyards, would we do them? Most of us would not.

”

- Bonnyville Métis Consultation Session

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