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July 23, 2024

File(s): S24A-005 / S24L1-002

Fort Good Hope K'ahsho Got'ine Committee:
Chief Collin Pierrot, Fort Good Hope Dene Community Council
Edwin Erutse, Yamoga Lands Corporations
Aurora McNeely, Fort Good Hope Métis Nation Local #54 Land Corporation
Bonnie Kakfwi, Fort Good Hope Renewable Resources Council
Darcy Edgi, K'ahsho Got'ine Development Foundation

Dear Fort Good Hope K'ahsho Got'ine Committee,

RE: Norman Wells Goose to Bear Island Flowline Replacement - New Type A Land Use Permit and Type B Water Licence (S24A-005/S24L1-002)

On behalf of the Sahtu Land and Water Board (the Board or SLWB), we acknowledge receipt of your July 17, 2024, letter and comments on Imperial Oil Resources N.W.T. Ltd. (the Applicant)'s Land Use Permit and Water Licence Applications for the Norman Wells Goose to Bear Island Flowline Replacement Project (the Project). It is of considerable assistance to the Board to hear the collective views of all representative Fort Good Hope organizations.

The Board is aware of the difficulties resulting from the recent evacuation of the community and has decided that additional time should be provided to Fort Good Hope residents and organizations, particularly the K'ahsho Got'ine Committee, to provide comments on the Project. The Board will provide an additional four-week public comment period and will also adjust the timing for the Applicant's reply accordingly. Board staff will notify the SLWB's distribution list, which includes Fort Good Hope organizations, of these changes.

The Board notes the Traditional Knowledge shared in your letter, including the specific citations from the Canada Energy Regulator's (CER) Oral Indigenous Knowledge Hearing OH-001-2023 Transcripts, Volume 1 and 2. To better understand this context and have access to all the information collected by the CER, the Board intends to place these volumes of the CER record on the Board's public record for this proceeding, unless your Committee or the Applicant has an objection. We respectfully request that any such objection be filed and explained in writing to the Board within seven days of the date of this letter. We look forward to any further comments you may provide.

Unless the evidence received during the review period indicates that a public hearing may be needed under section 24 and paragraph 72.15(1)(a) of the *Mackenzie Valley Resource Management Act (MVRMA)*, Board staff will distribute a draft licence and permit for public review following the Applicant's response period. The public review of the drafts will provide another opportunity to provide input before the Board makes its decision on the Applications.

Below, we provide additional information in response to your July 17th submission:

The Board acknowledges the rights granted to Participants and Sahtú organizations by the *Sahtú Dene and Métis Comprehensive Land Claim Agreement* as well as Treaty 11, and government commitments in relation to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The legislative framework applicable to the Project – the MVRMA and its regulations – are also a product of the Sahtú land claim agreement.

The Board also acknowledges the K'ahsho Got'ine Committee's recommendations, however, many are beyond the Board's authority under legislation – for example, provision of funding for participation in this proceeding and ongoing filing, and also, the authority to order the economic opportunities and independent monitoring programs, including funding and access for monitoring, for the Project mentioned in your letter. The Board will be notifying the Crown of the concerns shared in the July 17th letter and we also encourage the Committee to take up these matters with the Crown and the Applicant. While the Crown relies primarily on the Board's process to fulfill the duty to consult Indigenous Peoples and, if appropriate, accommodate potential adverse impacts to asserted or established Aboriginal or Treaty Rights relating to the authorizations the Board issues, the Board does not necessarily have the authority to address all issues that arise through consultation.

In conclusion, the Board appreciates the expressions of concern set out in your July 17, 2024, letter and will give these concerns careful consideration as it proceeds with the preliminary screening and regulatory processes. We strongly encourage the Committee to continue its participation in these processes for the Applications.

Should you have any questions, please feel free to contact me directly at (867) 322-0302 or by [email](#) with any questions or concerns regarding this letter.

Yours truly,

A handwritten signature in black ink, appearing to read 'Paul Dixon', written in a cursive style.

Paul Dixon
Executive Director, Sahtú Land and Water Board

BCC'd to: SLWB – Tuli't'a District
SLWB – K'asho Got'ine District
SLWB - Délı̨ne District
SLWB – Imperial Oil Resources N.W.T. Limited
Mike Roesch – Manager, Resource and Land Management, CIRNAC
Megan Larose – Environmental Specialist, CIRNAC
Erin Goose – Inspector, GNWT-ECC
Rick Walbourne – Director, Regulatory and Permitting, GNWT-ECC
Onida Banksland – GNWT-ECC