



February 4, 2020

Hon. Jonathan Wilkinson
200, Sacré-Coeur Blvd, 2nd Floor
Gatineau, Quebec K1A 0H3
Canada

SENT VIA Electronic Mail: Jonathan.Wilkinson@canada.ca

Dear Minister Wilkinson,

Re: Decision to proceed on the Teck Frontier oil sands mine project (the "Project")

On behalf of the Athabasca Chipewyan First Nation (ACFN), I would like to thank your officials for the hard work that they have undertaken throughout the consultation process on the Project. While there are too many people to name, Candace Anderson, Stephen Fitzpatrick, and Ian Ketcheson of the Impact Assessment Agency of Canada deserve particular praise for the hard work and goodwill that they have demonstrated since this process began. They have shepherded the federal accommodation table in an effective and respectful manner. While we have yet to see the final accommodation package, to date, your government has treated us like an equal partner.

I am writing you to update your government on the status of ACFN's Frontier Project accommodation table with Alberta.

While ACFN notes that we have been sufficiently consulted by Teck, you will recall that we informed members of the federal Cabinet in December 2019 that Alberta was negligent in its unwillingness to discuss environmental and cultural mitigation measures related to the Project with ACFN. Shortly thereafter, Alberta decided to engage and talks have been ongoing since January 2020.

While we were hopeful that progress could be made in the month of January, unfortunately we have seen little to no meaningful movement on the long list of items that impact our ability to practice our constitutional treaty rights. This list includes:

- Protection of the Richardson backcountry, which Alberta says it is unwilling to entertain
- Mitigations on community and cultural impacts
- Inclusion of CNRL leases in the Kitaskino Nuwenéné Wildland Provincial Park
- Meaningful responses to the Joint Review Panel Recommendations
- Commitments to consult with ACFN on the draft Environmental Protection and Enhancement Act and Oil Sands Conservation Act approvals and Water Act licences.
- Funding for ACFN to conduct restoration of linear disturbances in caribou habitat
- Ongoing core funding for ACFN's community-based monitoring program
- Implementation of the 2015 Lower Athabasca Regional Plan Review Panel recommendations & completion of Biodiversity Management Framework and Cultural Framework
- Full review of Surface Water Quantity Management Framework (with participation of Transport Canada, Fisheries & Oceans Canada, and Indigenous communities) to address Indigenous navigability and ecological baseflow concerns
- Inclusion of additional monitoring sites and parameters in the Surface Water Quality Management Framework
- Formal inclusion of ACFN in Oil Sands Monitoring committees (including Oil Sands Bird Technical Committee)

- Indigenous Guardian role for ACFN in monitoring and enforcing regulations in Kitaskino Nuwenëné Wildland Provincial Park and other wildlands.
- Development of the Ronald Lake Bison Herd- Kitaskino Nuwenëné Wildland Society - an Indigenous entity with delegated authority to implement conservation measures to protect the RLBH and manage the KNW.

I would also note that ACFN supports your position that Alberta must meet its climate change obligations as a condition of approval. Climate change poses a substantial threat to our way of life, as it disproportionately impacts northern Canada and our ability to fish, hunt and travel on water and ice.

While both Teck and Canada are dealing with us in good faith, we feel that Alberta has not taken its duty to consult seriously. We have been told explicitly by the Alberta government that they feel that they have already fulfilled their duty to consult and are not required to provide any accommodations. We fundamentally disagree. The Project is directly within ACFN territory and our members live within sixteen kilometers of the proposed mine site, and thus ACFN is the most impacted community on this matter.

ACFN, Canada and Teck have gone to great lengths to ensure that this Project can be built in a socially and environmentally responsible manner; however, Alberta has not yet taken the appropriate actions or put the policies in place to support this goal. That said, we are still talking with Alberta and remain hopeful that progress can be made from now until the end of February, when Cabinet makes its decision on Project approval. However, this seems increasingly unlikely within the prescribed timelines for a final decision on the Project.

We sincerely hope that Alberta has a change of heart on this matter and takes the meaningful measures that are necessary to permit the Project to go forward in a way that respects the environment and ACFN's treaty rights.

As always, I am happy to discuss this matter directly, and I am available to talk over the phone.

Respectfully,



Chief Allan Adam
Athabasca Chipewyan First Nation
Treaty 8 Territory

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