

Your reference: GOVT-0602-0826-01103

June 6, 2014

Mr. Alvaro Pinto  
Director, Fort McKay Sustainability Department  
Fort McKay First Nations  
P.O. Box 5360  
Fort McMurray AB T9H 3G4

Dear Mr. Pinto:

Thank you for your letter of May 20<sup>th</sup>, 2014 regarding Fort McKay's participation in development of new management frameworks for the Lower Athabasca Regional Plan. I can appreciate the concerns expressed in the letter and assure you that Alberta Environment and Sustainable Resource Development is committed to addressing your concerns. A response to your letter regarding the surface water quantity and tailings management frameworks will be coming shortly.

The Lower Athabasca Regional Plan (LARP) reflects an ongoing commitment to engage aboriginal peoples in land-use planning. The Government of Alberta recognizes that those First Nations and Métis communities which hold constitutionally protected rights are uniquely positioned to inform land-use planning. Specifically, Outcome 7 in LARP describes objectives, strategies and indicators for inclusion of aboriginal peoples in land-use planning. Specific to developing the biodiversity management framework the Government of Alberta will work with First Nations to consider:

- how First Nations' exercise of constitutionally protected rights to hunt, fish and trap for food can continue to occur within reasonable proximity of First Nations' main population centres; and
- how to minimize land disturbance in the Athabasca River corridor north of Fort McMurray.

The LARP establishes a new monitoring and evaluation system for air, water and biodiversity – a cumulative effects management system – which did not previously exist. This system will provide better sustainability for the landscapes that support traditional foods and medicine. This system will also provide better sustainability for the landscapes, watersheds and lakes that support traditional land uses.

Regarding follow-up to the March 2014 information sessions, workshops are planned for later this summer to develop the Biodiversity Management Framework and that will be followed by a broader feedback opportunity on the draft framework in October 2014. In the near future you will receive a letter that will provide an update on proposed opportunities over the summer to work with the team to develop the framework, as well as the status of other LARP implementation initiatives. The update letter will include an opportunity to meet with Fort McKay First Nations and others prior to the formal workshops to review some ideas regarding indicators of biodiversity for the framework.

In reference to conservation areas; hunting, fishing and trapping (including by Aboriginal Peoples) will continue in accordance with existing provincial laws governing such activities as such laws may be amended or replaced from time to time. The reduction in land disturbance is expected to enhance opportunities for these activities. Supporting Aboriginal traditional uses is named in the key criteria for the creation of conservation areas. Approximately 16% of the regions land base is to be managed as new conservation areas. In addition to the existing 6% of the region already protected as wildland provincial parks which have conservation management intent, 1.5 million more hectares of land has been designated as conservation within the Lower Athabasca Region.

Setting measurable targets and objectives that aim to protect water quality, air quality and biodiversity, where there were no such targets previously, helps support continued hunting, fishing and trapping for food, as does effective reclamation of disturbed land and the creation of conservation areas. While traditional activities might not be expressly mentioned in a particular portion of the LARP, that does not mean they cannot occur to the extent permitted by law, depending on the nature of the activity. It is recognized that managing cumulative effects on air, water, land and biodiversity is important to the needs of aboriginal communities in the region that hold constitutionally protected rights. Accordingly, engagement with these communities is desired as air, water, land and biodiversity strategies and plans are developed, for example:

- enhancing the regional network of conservation areas to support biodiversity and ecosystem function by increasing conservation areas in the region; and
- developing a sub-regional plan, using a strategic environmental assessment approach, for the south Athabasca oil sands area. Undertaking this assessment at a sub-regional scale will contribute to the management of cumulative effects and support efficiencies in the regulatory review process for in-situ oil sands operations.

At this time, the Government of Alberta is not considering development of a traditional land use framework for the Lower Athabasca or any of the other regional planning areas in the province.

I look forward to further discussions at the upcoming meeting with Athabasca Tribal Council First Nations. Thank you for your continued interest in regional planning.

Sincerely,



Scott Milligan  
Executive Director  
LUF Regional Planning Branch

cc: Fort McKay First Nation Chief and Council  
Ron Quintal, President, Fort McKay Metis Community  
Peter Fortna, Fort McKay Metis Community  
Karla Buffalo, Fort McKay Sustainability Department  
Dan Stuckless, Fort McKay Sustainability Department  
Bev Yee, ADM, Integrated Resource Management Planning Division, ESRD  
Scott Duguid, Director, ESRD Stewardship Branch  
Lawrence Aimoe, Executive Director, Aboriginal Consultation Office  
Stephanie Clarke, Director, Strategy Development and Foresight, ESRD  
Jennifer Steber, Vice President Stakeholder Engagement, Alberta Energy Regulator