



Yamoga Building, Old Airport Road
PO Box 1, Fort Good Hope NT X0E 0H0

Tel: 867-598-2413 Fax: 867-598-2325
www.slwb.com

May 15, 2024

S24S-003

Edwin Erutse
President
Yamoga Land Corporation
PO BOX 229
Fort Good Hope, NT X0E 0H0

Sent via email

Re: Letter from Yamoga dated May 13, 2024, regarding the Imperial Oil Resources N.W.T. Limited (IOR-NWT) Application for a Type A Land Use Permit.

Dear Mr. Erutse,

Thank you for your letter expressing the K'ahsho Got'ine Committee's concerns regarding the timelines and funding for participation in the IOR-NWT's application review. The SLWB acknowledges the importance of meaningful engagement, the timelines associated with the Board's process, and your concerns regarding participant funding.

The Sahtú Dene and Metis Comprehensive Land Claim Agreement (SDMCLCA) defines the existing and future rights of the Sahtú Dene and Metis people, particularly regarding land and water use. While the Mackenzie Valley Resource Management Act (MVRMA), establishes the Sahtú Land and Water Board (SLWB) as the decision-making body, the SDLCA shapes how these decisions are made. The SLWB is obligated to consult with the Sahtú Dene and Metis on matters impacting their rights. The SDMCLCA acknowledges and affirms the existing and future rights of the Sahtú Dene and Metis people. Your input in decisions concerning your lands, the water and resources is paramount in the SLWB's decision-making process.

The SLWB makes decisions within a framework that balances the MVRMA, the SDMCLCA, and the need for fair and thorough reviews. The SDMCLCA, the MVRMA and the associated regulations establishes the SLWB's authority and outlines the process for reviewing land use permits and water licences, including the timelines regarding Board decision making.

Furthermore, the SLWB adheres to the duty to consult with and accommodate the Sahtú Dene and Metis whenever their rights might be infringed upon by a proposed project. In the case of IOR-NWT's application, the SLWB will consider the potential effects of the geotechnical investigations on K'ahsho Got'ine rights established by the SDMCLCA. Alongside technical

considerations and any concerns raised during the review process, the SLWB will weigh these factors in its decision-making process. Ultimately, the SLWB strives to reach a conclusion that respects Sahtú Dene and Metis rights while ensuring responsible development within the bounds of the MVRMA and the SDMCLCA.

Regarding Timelines

We appreciate your reference to sections 22(1) and (2) of the Mackenzie Valley Land Use Regulations (MVLUR) and sections 124 and 125 of the MVRMA. The MVLUR dictates specific timelines for the preliminary screening and review of Type A Land Use Permits. As outlined in section 22(2) of the MVLUR, the SLWB has 42 days after receiving a complete application to take one of the following actions:

- Issue a permit with conditions.
- Conduct a hearing or require further studies.
- Refer the application to the Mackenzie Valley Environmental Impact Review Board (MVEIRB).
- Refuse to issue a permit.

Given these legislated timelines, we are unable to modify the overall timeframe for the review process. However, we acknowledge the importance of providing the K'ahsho Got'ine Committee with sufficient opportunity to meaningfully participate.

We are committed to the following:

- We have provided all relevant materials related to the application on the SLWB's Public Registry and provided the opportunity to comment directly or through the Online Review System (ORS). Review the Application and proposed permit conditions available on the SLWB website.
- We cannot extend the deadline for your comments on the application. However, should this application require further study, or you have not been adequately consulted or your rights are impacted, please submit notification to the Board accordingly.
- We encourage you to request a meeting with the SLWB's staff to discuss your concerns and any questions you may have regarding the application.

Regarding Funding

We understand the K'ahsho Got'ine Committee's concerns regarding the limitations on participation in the SLWB review process. The ability for Indigenous groups to meaningfully engage in these reviews is vital for ensuring a thorough and well-informed decision.

One recognized challenge is the current absence of dedicated funding programs to support Indigenous participation in Land and Water Board reviews within the Northwest Territories' regulatory system. The SLWB, along with other boards, have consistently advocated to the Canadian government for the establishment of such programs.

While we cannot offer financial support at this time, we are committed to facilitating your participation in the review process. We encourage you to explore other avenues for potential funding, and we will keep you informed of any developments regarding dedicated participant funding programs. In the meantime, we are happy to discuss alternative ways to support your involvement in the review, such as extending deadlines or scheduling meetings to address your specific questions and concerns.

The SLWB is committed to open communication and encourages the K'ahsho Got'ine Committee to actively participate in the review process. We appreciate your understanding and continued participation. Please do not hesitate to contact me directly or via email if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Dixon', with a stylized, cursive script.

Paul Dixon
Executive Director
Sahtú Land and Water Board