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FAX TRANSMISSION

To: Heidi Wiebe
Executive Director
DehCho Land Use Planning Committee
Fort Providence
Fax: 1-867-~~682-2940~~ **699-3166**

From: Andrea Lochan

Date: January 30, 2006

Re: Land Use Zoning and management on the Acho Dene Koe
Land Base

Heidi,

Attached is a letter for your reference re the Land Use Zoning and Management of
the Acho Dene Koe Land Base.

Andrea

P.S. A Revision of map will be sent later

Pages: 6 [incl cover]

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January 30, 2006

Ms. Heidi Wiebe
Executive Director
Deh Cho Land Use Planning Committee
P.O. Box 199
Fort Providence, Northwest Territories
X0E 0L0

Via Fax (867) 699-3166

Re: Land Use Zoning and Management on the Acho Dene Koe Land Base

Dear Heidi,

The membership of the Acho Dene Koe wish to ensure that responsible oil and gas exploration and development can continue on our land base to provide local business and employment opportunities and benefits. We are particularly concerned that the thresholds included in the Deh Cho Revised Draft Land Use Plan are unworkable and could prevent further oil and gas development.

The Acho Dene Koe proposes the following changes to the Deh Cho Revised Draft Land Use Plan to better reflect our values:

- 1) Create a new development area with different land management rules in the same Call for Nominations area used between 1993 and 1996. This 'Special Management Zone' identified in the attached map would be like the 'Special Infrastructure Corridor' zone set aside in the region to support an activity of national and local importance. This type of change should not affect the overall Deh Cho management vision or objectives as it would influence a very small part of the plan area.
- 2) The primary purpose of this Special Management Zone is to promote responsible oil and gas (or other specified resource) development in an area known to have significant resource potential and of importance to our community and our values. We suggest that less conservative thresholds be adopted for this area, and accept that this could increase risk for the most sensitive wildlife or land uses. We

believe that this approach would be consistent with the Revised DLUP philosophy and framework.

- 3) We also think that this Special Management Zone should be treated as an intensive development experiment (the 'adaptive management approach'), and woodland (muskeg) caribou population dynamics should be monitored to document actual response to resource development

The following specific management terms and conditions should be applied to these special areas:

- Waive the 1.8 km/km² Corridor Density threshold per ¼ Oil and Gas grid established for woodland caribou protection.
 - Continue to apply the proposed Road Density threshold and/or Habitat Availability threshold which are less likely to be exceeded by oil and gas development but still protect other environmental values and wildlife that can tolerate more land use activity. Another alternative might be to apply the 1.8 km/km² Corridor Density threshold but calculate it as a median value over a much larger area as recommended in the cumulative effects background report. Although we realize that time is limited, it would be best if the development and environmental benefits and disadvantages of these options could be compared.
 - Include specific criteria to remove partially or completely re-grown seismic lines, leases, and other land use footprints from the human disturbance database. A standard of 1.5 m re-growth has been proposed elsewhere, assuming that this would reduce human and predator use and associated impacts on sensitive wildlife. We accept that that this does not necessarily represent a 're-vegetated disturbance' where habitat recovery is the primary concern.
 - Apply the 3 m wide disturbance cutoff identified in the cumulative effects background report instead of the 1.5 m cutoff identified in the Deh Cho Revised Draft Land Use Plan. Canadian Association of Petroleum Producers information shows that this would allow 'mulchers' and 'enviro-drills' to be used and reduce exploration costs compared to hand cut seismic. It would also continue to discourage conventional (≥6 m wide) seismic access techniques that are not consistent with current Alberta practices where average line width is <3 m wide (CAPP's One Forest brochure). Applying this cutoff would encourage use of 'mulchers' and enviro-drills and could provide a business opportunity for local contractors to supply this equipment. We understand that this could create implementation issues for the Mackenzie Valley Land and Water Board that would need to be addressed.
- 4) Create a new 'Special Infrastructure Corridor' that reflects the right-of-way for the Netla Arrowhead corridor and surrounding area proposed pipeline. (See the

Attached Map) The Special Infrastructure Corridor allows for the commercialization of existing discoveries.

- 5) The proposed Special Management Zone allows for oil and Gas exploration and production. Within this zone we have identified a block in the Netla Arrowhead area for an immediate "Call for Nominations" as identified in the attached map.

The Acho Dene Koe wishes to engage Nahanni Butte Dene Band and Samba Ke in discussions leading to a Rights Issuance consistent with the requirements of the Canada Petroleum Resources Act and awarded on the basis of a Work Bid commitment. We recognize that this is outside the mandate of the DCLUP. However, Deh Cho First Nations has stipulated that an agreement must be in place between the three communities before a Petroleum Rights Issuance can be initiated on lands where there is overlap. Section 41 of the Interim Measures Agreement reads as follows:

"Canada will not initiate any new issuance cycle for oil and gas exploration licenses under the *Canada Petroleum Resources Act* in the Deh Cho territory without the support of the affected Deh Cho First Nation(s)."

In recent years the three communities have discussed the creation of economic boundaries between the three communities and we have investigated opportunities to work together on economic opportunities. If future petroleum exploration and development on overlap areas within our proposed Special Management Zone is conditional on an agreement with the Nahanni Butte Dene Band and Samba Ke; how can we support the DCLUP until such agreements are in place?

- 6) Some of the proposed Conformity Requirements, Actions and Recommendations identified in the November 2005 Revised Draft Plan are unworkable and inconsistent with existing legislation and the mandate of existing institutions. Some of the proposed Conformity Requirements, Actions and Recommendations are consistent with the manner under which the Acho Dene Koe presently manages our Land. The Acho Dene Koe would like to meet with you and your officials to review Conformity Requirements, Actions and Recommendations to determine their appropriateness as they relate to our proposed Special Management Zone in the attached map.
- 7) The Acho Dene would like to remove Conservation Zone 8 (Fisherman Lake / Clara D) and Zone 9 (Bovie and Bctamea) from the Land Use Planning Map. Areas around Fisherman Lake and Bovie Lake and other sensitive areas have been and will continue to be protected by the Acho Dene Koe. We fail to recognize any tangible benefit from labeling these areas as proposed in the Draft Land Use Plan. With respect to Conservation Zone 5 (Sambaa Ke) and Zone 6 (Greater Nahanni Ecosystem) the Acho Dene Koe has previously expressed concerns with the expansion of these proposed Conservation Zones on our Traditional Territory.

We look forward to further discussions with Nahanni Butte and Sambaa Ke scheduled for February 8, 2006 at 7:00 PM to resolve these and other concerns brought forward by the Nahanni Butte Dene Band and Samba Ke.

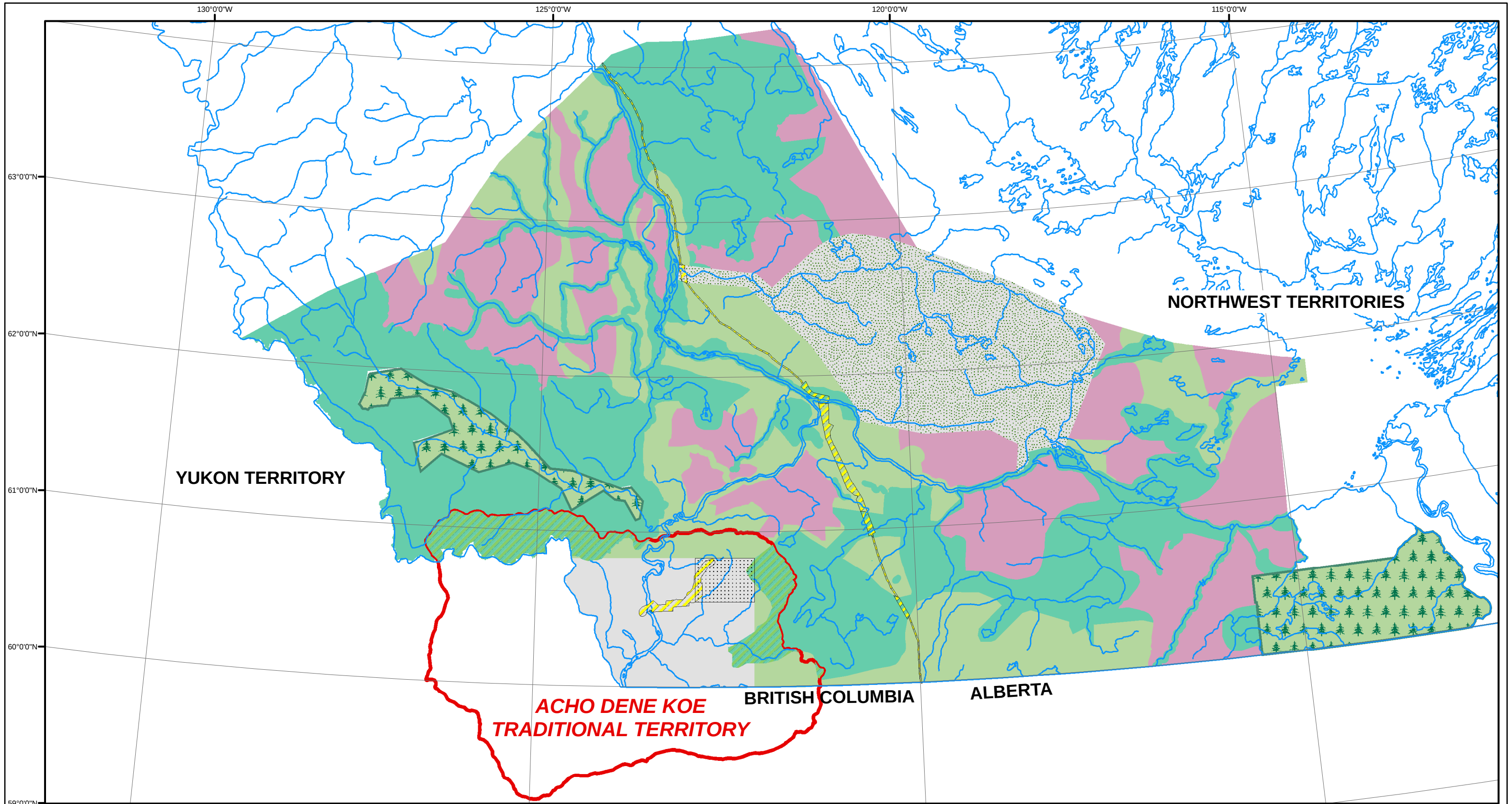
We look forward to your response on the above matters.

Sincerely yours,

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

Chief Harry Deneron

Cc: Chief Eric Betsaka (Nahanni Butte Dene Band)
Chief Denis Deneron (Sambaa Ke)



LEGEND

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|-------------------------------------|---|----------------------------------|-------------------------|
| Hydrology | National Park Reserve | Special Infrastructure Corridor | Special Management Zone |
| Acho Dene Koe Traditional Territory | Conservation Zone | Protected Areas Strategy Zone | General Use Zone |
| Call for Nominations | Conservation Zone Subject to Further Discussion | Proposed Special Management Zone | |

0 25 50 100 Kilometers

ACHO DENE KOE TRADITIONAL TERRITORY DRAFT LAND USE PLAN AND PROPOSED CORRIDOR FORT LIARD BAND



Project: FN-15807-PL-01
Georeferencing: NAD83 UTM Z10N
By: RDCF Checked: MM
Date: January 30, 2006
Note: This figure was compiled from information available at the time of preparation. This information is believed to provide a reasonable representation of existing features and boundaries.

FIGURE NO.