



March 15, 2017

Sent by Fax and Mailed: 780-638-4052

Hon. Richard Feehan

Minister of Indigenous Relations – Alberta Legislative Assembly
104 Legislature Building, 10800 – 97 Avenue
Edmonton, AB
T5K 2B6

Hon. Richard Feehan,

Reference: Letter to the Canadian Association of Petroleum Landmen dated February 20, 2017

Thank you for the opportunity to participate in the renewal of *Government of Alberta's Policy on Consultation with First Nations on Land and Natural Resource Management, 2013 (Policy)*. In the recent past, access to Public Lands has become a major focus for many Oil and Gas Producers in Alberta. Consultation with First Nation communities is a major and valuable component within this process. In an effort to enhance the consultation process, the Canadian Association of Petroleum Landmen (CAPL) would like to offer the following points for consideration and reply:

1. CAPL requests a better understanding of how any potential funding will be distributed among Indigenous communities. As you are aware, proponents regularly assist with consultation capacity, therefore having a better understanding of where the Alberta funding will be directed will ensure the proponents allocate funding appropriately. Published guidance of funding allocations will inform all proponents.
2. For your consideration, the creation of a regional Traditional Land Use Study would facilitate the Government and Industry to understand and identify regions of high significance and significant traditional values (for all Indigenous communities) which could then occur much earlier in the consultation and design process. A classification and mitigation guideline should be included to assist both Aboriginal communities and industry determine appropriate mitigations to address a variety of potential impacts.
3. With respect to funding for Consultation on the Band Level, would the funding be specifically directed to consultation office/admin support plus Training/education for individuals to complete First Nation specific field study programs?
4. We desire to see clearer determinations of actual impacts of site specific applications/projects on Public Lands by industry. And we feel there should be guidance on reasonable mitigation plans for specific types of Traditional Values. As important, it should be noted on an application that a concern from First Nations is not necessarily an objection, and in that way the application process can move along expeditiously.
5. The key goal for all groups is that there should be transparency in the process for changes and/or potential changes to First Nations' Boundaries, as should the process for applications for additional land to be added to a traditional area. Industry is establishing ongoing relationships in their operational areas and a unique response or a "new" band or additional band to consult with (and coincident with no chance to have a relationship in place) can seriously affect timelines, the existing and new relationships and the current agreements that are in place with existing First

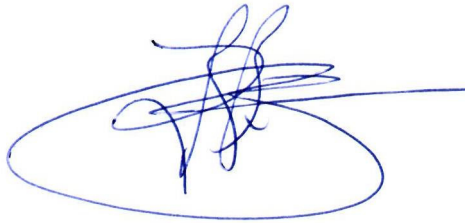
Nations already. For example, a map clearly outlining Traditional Boundaries as recognized by the Aboriginal Consultation Office (ACO) to assist with pre-planning and pre-consultation activities will greatly relieve the pressure we all feel and keep the surprises to a minimum for planners on all sides. We realize boundaries may and do change (as above), but this gives proponents an opportunity to optimize the project design to mitigate potential impacts and be a success for all. If a map is not available, we feel that access to a database that industry can query regarding Public lands will serve to provide a successful identification of Indigenous communities for consultation.

6. We recommend leeway be considered to Industry when requiring amendments to facilitate an existing FNC application. On occasion projects require amendments to facilitate issues that don't become apparent until later in project design phase. Adding additional communities at this point can cause significant impact on schedules, which in turn could have significant impacts on budget, workforce, royalty commitments and missed construction season in sensitive areas.
7. We would encourage that ACO provide training for Industry and First Nations regarding the ACO process, guidelines and regulations.

We appreciate you reaching out and we look forward to receiving your response to the points listed above, and as well we would encourage meeting together and investigating additional opportunities to further discuss the renewal of *the Government of Alberta's Policy on Consultation with First Nations on Land and Natural Resource Management, 2013 (Policy)*.

The Canadian Association of Petroleum Landmen has a Board representative for which further questions or comments can be directed - to **Rob Pettifer**, CAPL Director, FAM Committee at RobP@landsolutions.ca or his cell phone at (403) 816-3170 or alternately, **Chris Sillito**, Indigenous Relations Advisor, FAM Committee at chris_sillito@transcanada.com or his cell phone at (403) 909-9480. I am always open to a conversation as well and I can be reached at president@landman.ca or at my office at (403) 774-2906. Thank you kindly for the opportunity to present this opinion on these matters.

Sincerely,



Larry Buzan, P.Land
President, CAPL 2016-2017



cc: Godlove Suh
Indigenous Relations

Adam Schneidmiller
Indigenous Relations

CAPL Board
CAPL CAPP Liaison Attention: Amanda White c/o Husky Oil Operations Limited