



Dehcho Land Use Planning Committee

March 17, 2006

Chief Dennis Deneron
Sambaa K'e Dene Band
Box 10
Trout Lake, NT X0E 1Z0

RE: Proposed Southwest Dehcho Land Use Plan Revisions; March 10, 2006

Dear Chief Deneron,

Thank you for your letter dated March 16, 2006 regarding your community's discussions on the proposed zoning and terms for the Final Draft Dehcho Land Use Plan for the southwest corner of the region. I recognize the community's concerns and intent behind the four conditions proposed but must be clear that some of these conditions are beyond the Committee's authority to address. I offer the following information for your consideration and hope that Sambaa K'e Dene Band will continue to support Plan approval.

- 1) The Plan will not show the traditional boundaries for any communities. The ADK Traditional Boundary Line was included on the map in the March 13th letter only because Sambaa K'e Dene Band requested it be shown to facilitate community discussions.
- 2) You have requested that the Plan require consent of Sambaa K'e Dene Band for any rights issuance and/or other forms of resource development proposed for lands east of 122 degrees 30 minutes West Longitude and south of 61 degrees North Latitude. While community consent is required for a future oil and gas issuance cycle as per S. 41 of the IMA, we cannot currently require community consent in the Plan for all forms of resource development. As you know, DIAND has raised significant legal concerns about the use of community consent clauses in the Plan. Therefore, it is unlikely that we will be able to meet this condition. The wording in the Zone descriptions will be reviewed to ensure it is consistent with existing agreements between the Dehcho First Nations and Canada with respect to consent and or consultation requirements.
- 3) I would encourage you to work directly with Chief Harry Deneron of ADK to secure their written approval of the Sambaa K'e Candidate Protected Area. While I understand your need for this approval, again, this is not something the Dehcho Land Use Planning Committee can address or require. We have however worked with both SKDB and ADK to ensure the Land Use Zoning recognizes and reflects the current proposed boundaries for the Sambaa K'e Candidate Protected Area.

- 4) You state that a woodland caribou monitoring program must be put in place in the proposed oil and gas issuance area in advance of rights issuance and other forms of resource development. You also note that such work is already underway in this area with the support of your community. ADK have also expressed an interest in ensuring such research and monitoring moves forward in previous correspondence. We can identify this as a research priority in final revisions to the Zone description and objectives and recommend that the monitoring program be developed in advance. Ultimately, your three communities will determine whether or not this condition is met through the timing of your community's approval to the oil and gas issuance cycle.

I hope this information assists you in addressing your concerns. While we understand your need to have these issues addressed, we are not able to assist you directly with most of them. Nonetheless, the Plan is consistent with these values and promotes them through land use zones and terms to the greatest extent possible within the scope of existing legislation and agreements. I hope your community sees the value in the Dehcho Land Use Plan and can continue to support its approval.

If you have any questions or wish to discuss this further, please contact me at (867) 699-3164 or hwiebe@dehcholands.org.

Sincerely,



Heidi Wiebe, Executive Director
Dehcho Land Use Planning Committee

Cc: Chief Harry Deneron, Acho Dene Koe Band
Chief Eric Betsaka, Nahanni Butte Dene Band
Grand Chief Herb Norwegian, Dehcho First Nations
Peter Redvers, Crosscurrent Associates Ltd.