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File No. 4729

December 15, 2014

[Shell.Reviews@ceaa-acee.gc.ca](mailto:Shell.Reviews@ceaa-acee.gc.ca)

Pierre River Mine Project Joint Review Panel  
Canadian Environmental Assessment Agency  
160 Elgin Street, 22<sup>nd</sup> Floor  
Place Bell Canada  
Ottawa, ON K1A 0H3

**Attention: Mr. Alex Bolton – Joint Review Panel Chairman**

Dear Sir:

**Re: Athabasca Chipewyan First Nation's Written Comments – CEAA Document No. 234**

We are legal counsel to ACFN in this matter. For the reasons identified in Ms. King's September 2014 correspondence, ACFN does not support a pre-hearing meeting on methodology.

Further, we note that a pre-hearing determination regarding select issues of methodology would be incongruous with ACFN's experience in the JME Joint Review Panel process, where the methodological issues identified by ACFN and other interveners were consistently re-directed to the hearing phase of the Panel process.<sup>1</sup> If this Joint Review Panel is of the view, upon Shell's request, that a pre-hearing determination on methodological issues is appropriate, we suggest that it would be most efficient for all concerned if such a meeting were scheduled after completion of a sufficiency review of the entire updated application. This approach would allow all key identified methodological issues to be dealt with in a consistent manner, rather than providing selective treatment to those methodological issues chosen by the proponent.

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<sup>1</sup> i.e. CEAR 59540, CEAR Doc. 283, Panel Letter dated August 15, 2014 at page 2: "In its January 30, 2012 letter the Panel stated that differences of opinion on . . . methodologies used by Shell are more appropriately dealt with during the hearing Phase. That statement also applies to much of the public comment provided in relation to the updated information. . ."

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Please note that ACFN has not agreed with Shell that the end of March, 2015 is a realistic timeframe within which to identify and/or resolve all methodological issues related to cultural effects and RSA sizing. If the cultural assessments are to be community led as Shell has suggested, then it does not lie with Shell to unilaterally set a time frame within which all methodological issues regarding cultural assessment are to be identified and/or resolved.

Yours truly,  
WOODWARD & COMPANY

<original signed by>

Jenny Biem  
JB/bb

Cc: Lisa King, ACFN IRC  
ACFN Chief and Council