



January 17, 2014

Pierre River Mine Joint Review Panel Secretariat
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RE: Public Comment by the Fort McMurray Métis Local 1935 pertaining to *Shell Pierre River Mine (PRM) Project Supplemental Information Requests: ERCB Responses and CEAA and AESRD Responses* by Shell Canada for the Pierre River Mine Oil Sands Mine Project Application and Environmental Impact Assessment Report.

Dear Joint Review Panel Secretariat,

Fort McMurray Métis Local 1935 (ML1935) is the association which represents the interests of Métis people living in Fort McMurray and its environs.¹ The ML1935 intervenes with various government agencies on behalf of members whose rights are at risk of infringement as a result of industrial development in traditional Métis territories. Currently ML1935 has approximately 300 active members and ML1935 will also represent the interests of any Métis people in the community whose rights are at risk of infringement. ML1935 is a member of the Métis Nation of Alberta, Region 1 (MNAA R1) and works collaboratively with other Métis organizations in the region. MNAA R1, which includes ML1935, forms the larger Northeastern Alberta Métis Community as identified by Neil Reddekopp in his 2006 Government of Alberta Report.²

This letter contains the ML1935's comments on Shell Canada's Pierre River Mine (PRM) Project. The first part of the letter outlines our general concerns with the consultation process to date. Shell has only provided a minimum amount of consultation regarding our concerns about the project and has yet to provide us the capacity necessary to engage in a meaningful dialogue. This letter contains specific comments about Shell's responses to the AER, ERCB and CEAA Supplementary Information Requests (SIRs). Our review places particular emphasis on sections related to Stakeholder and Aboriginal Consultation and on Aboriginal Traditional Land Use.³

¹ The Fort McMurray Métis Local 1935 consultation area can be located on page 194 in our recently published *Mark of the Métis: Traditional Knowledge and Stories of the Métis People of Northeastern Alberta*. Fort McMurray: Friesens, 2012.

² Alberta, Office of the New Democrat Opposition. "Research summary dated December 6, 2006, summarizing the status of research on the New Democrat Opposition's historical issues, prepared by Neil Reddekopp, 2006, summarizing the status of research on Métis historical issues, prepared by Neil Reddekopp." Government of Alberta Sessional Papers, 2007.

³ Many of our concerns echo those provided by our parent organization, MNAA R1. For this reason many of our

requests are very similar to the requests already made by MNAA R1.



General Concerns with the Consultation Process

Issue 1: Capacity to Undertake Effective Consultation

In order for consultation with Aboriginal Stakeholders to be considered meaningful, both proponents and community representatives need to fully understand the issues and be empowered to have an informed conversation about a project's potential impacts and the ways that those impacts may be mitigated or accommodated. While it is true that Shell has a good neighbour agreement with our organization and has met with us regularly, those discussions have rarely, if ever, dealt with the potential impacts this project will have on our community members. Furthermore, Shell has yet to provide our organization the technical capacity to fully review the project application, to complete project-specific traditional land-use studies, or engage in sustained conversations with our membership. Using our own funds and internal resources we have initiated a process to better understand potential impacts, but we will require substantially more to fully comprehend the impacts of this project. Until we have the resources to fully understand the potential impacts of the project and have a meaningful discussion with the project proponent and Crown we believe that this application should be considered incomplete and returned to the proponent.

Issue 2: Lack of Engagement by Shell, the Government of Alberta and the Government of Canada

Closely related to the first concern, the ML1935 has not received the capacity necessary to engage with Shell, the Government of Alberta or the Government of Canada. To date, none of the above has provided project-specific resources to engage in a conversation. In our original statement of concern in 2008 we requested that the proponent meaningfully engage our organization so that we could evaluate the potential impacts of the project on our members. The issue was again raised at the recent Shell Jack Pine Mine Expansion (JPME) Hearing with concerns about the process detailed in community and expert testimony. To date, while conversations about this issue have been had with all three of the before mentioned parties, resources have still yet to be made available. This issue is further complicated by the fact that the Alberta Energy Regulator has yet to make a determination regarding whether any costs will be awarded to those parties that participated at the JPME participants. As such, it is very difficult for us to comment on issues involving air quality, water resource use and project impacts on biodiversity or to retain experts to participate at the Hearing, this even though the proponent recognizes that we are an Aboriginal group that will be affected by the project's development. Without adequate resources we have not had the opportunity to study the project's potential environmental, cultural and/or socioeconomic impacts in addition to possible impacts to our member's traditional land use. While we have used some of our own resources to complete a cursory review of the most recent SIRs, without additional resources to fully review the project and engage with our membership it is impossible to consider this consultation process meaningful or the application complete.



Specific Concerns with Round 2 of the Supplementary Information Requests

Cover-Letter

On page 2 Shell states that “the JPME hearing also allowed for a considerable amount of new Traditional Land Use (TLU) information to become available,” and that they have “taken the opportunity to incorporate this information into its PRM cultural review and TLU assessments, where practicable.” Unfortunately, as was repeatedly pointed out during the JPME hearing and recognized in the Panel report, Shell did not complete project-specific Métis cultural and TLU information for ML1935 and our parent organization, the Métis Nation of Alberta, Region 1 (MNAR1) was largely absent at the Hearing. As a result Shell has yet to provide the PRM Panel a full understanding of how the project may impact Fort McMurray Métis members, even though the proponent agree that the affect of the PRM project on our community will be “high.” (3-61 & 3-65). Such a finding should warrant additional work, particularly considering such work was undertaken for other communities that the proponent deemed to potentially highly impacted by the project. We strongly encourage the Panel to offer this direction to the proponent and deem the application incomplete until such information is provided.

Response to JPME Decision Report

Section 1.5.5 Mitigation for Terrestrial Effects and Conservation Offsets

In Section 1.5.5. Shell states that they “acknowledges the July 2013 JPME JRP’s findings and recommendations regarding significant adverse cumulative effects in the oil sands region.” Shell continues that they “are currently involved in a tri-lateral process with the Government of Alberta, non-governmental organizations and other companies to discuss the policies that will be necessary to support a process by which cumulative effects can be mitigated, not only in the oil sands, but in other parts of Alberta,” (Section 1, p. 1-8). Shell further states that it “believes that this initiative together with other existing frameworks such as the Lower Athabasca Regional Plan and the Alberta Wetlands policy will address many of the concerns raised by the JPME JRP.”

Métis Local 1935 (ML1935) is concerned that Shell suggests the JPME JRP’s findings and recommendations pertaining to significant adverse cumulative effects in traditional Métis territories will be addressed in a tri-lateral process excluding our Métis community. The mitigation of cumulative effects in the traditional Métis territories is a critical concern to ML1935 and policy development pertaining to mitigation of cumulative effects in the traditional Métis territories must be developed with the participation of our community. Métis Local 1935 (ML1935) requests that Shell be required to provide more information about the membership and governance of the tri-lateral process to which Shell is referring and to describe how this process will address the JPME JRP’s findings and recommendations in more detail. Furthermore, ML1935 requests that Shell provide capacity funding to ML1935 to participate in the tri-lateral process and other existing frameworks such as the Lower Athabasca Regional Plan and the Alberta Wetlands policy.



Determination of PRM Project Effect

SIR 5

Shell's response to SIR 5 provides an effects assessment and environmental consequence of the PRM on all Key Indicator Resources (KIRs) not previously assessed for the PRM only. ML1935 requests Shell provide capacity funding to support a thorough review of the additional information.

Significance of Effects

SIR 7

The information presented in SIR 7 is of great interest to ML1935 because it predicts the environmental consequences of effects prior to reclamation. As reclamation completed to date in the oil sands region has not demonstrated the re-establishment of biodiversity and ecosystem functions required to support traditional land use activities, the environmental consequences of PRM prior to reclamation represents the additional potential losses to traditional Métis territory given the current state of reclamation in the oil sands region. For example, in Table 7-1, the magnitude of the effect on riparian communities, old growth forests and wetlands is high and the direction is reported as reversible/irreversible with a high environmental consequence. Reclamation practices to address the potential effects on these three KIRs are in the rudimentary stages of development and have not demonstrated any potential to reverse the long-term effects. ML1935 requests capacity funding to review the methods and assessment results presented by Shell in the Appendices of the Additional Information submitted as part of the SIRs. ML1935 also requests clarification on how the effects on KIRs can be described as both reversible and irreversible.

As part of the response to SIR 7, on p.3-47, Shell states that environmental consequences for Aboriginal Rights and Interests cannot be determined in the same manner as the other biological or environmental KIRs contained in the preamble, and thus are not outlined in the tables presented as part of the response to SIR 7. Shell's position is that "the environmental consequences to a particular Aboriginal Right or Interest will be closely tied or directly related to the environmental consequences of the supporting environmental or biological KIR."

The environmental consequences of oil sands development on Aboriginal Rights and Interests are of utmost concern to ML1935. Shell does not provide any predictions of environmental consequences on Aboriginal Rights and Interests, but suggests a process that could be used to estimate the environmental consequence. ML1935 requests that Shell apply the suggested method (see Section 3, 3-47) to determine the environmental consequences of the PRM on Aboriginal Rights and Interests. ML1935 requests capacity funding to work with Shell to identify the KIRs that are associated with Aboriginal Rights and Interests and to review the methods and results of the effects assessment and predictions of environmental consequence on Aboriginal Rights and Interests.



SIR 8

Shell provided an effects assessment of the 2013 Application Case and 2013 Planned Development Case to a Pre-Industrial baseline. For some components, the 2013 Base Case was also compared to a Pre-Industrial baseline. The Pre-Industrial baseline should represent traditional Métis territory prior to the initiation of industrial development in the region and should be the starting point for evaluating cumulative effects of PRM. A comparison of the Significance of each KIR is presented before and after reclamation for each of the cases assessed against the Pre-Industrial baseline. ML1935 requests that Shell present the direction, magnitude, geographic extent, duration, reversibility, frequency and environmental consequence for the LSA and RSA of each KIR for the 2013 Base Case, 2013 Application Case and 2013 Planned Development Case assessed against the Pre-Industrial baseline. ML1935 requests that Shell define the criteria used to determine the magnitude of each KIR. The summary provided in the response to SIR 8 indicates that many Terrestrial Resources KIRs have undergone a change of greater than 10% of the resource and in some cases greater than 20%. It is unclear in the Additional Information provided how high, low and medium magnitude is determined for KIRs. ML1935 requests that Shell present the magnitude of change from the Pre-Industrial baseline for all cases.

ML1935 requests capacity funding to review the methods used to define the Pre-Industrial baseline. Furthermore, ML1935 requests that the environment effects and environmental consequences on Aboriginal Rights and Interests be determined using the Pre-Industrial baseline and that ML1935 be provided with capacity funding to review this information.

On page 3-65 Shell states that in the Planned-Development Case (PDC) “[t]here is not enough information to assess the effects of the 2013 PDC on trapping by the Fort McMurray Métis.” They go on to state that “as a result of the [project’s] high magnitude and long duration effects to traditional hunting, fishing and plant and berry harvesting the effects [...] are considered significant.” While we are pleased that Shell has recognized that the impact of their project will be “significant,” we still believe that a baseline project-specific traditional land-use study and technical review are necessary to determine whether measures can be taken to reduce the impact and mitigate potential community concerns. We understand that Shell has provided such opportunities to other communities who will be impacted to a lesser degree and we would expect that the same opportunities be offered to our Aboriginal group.

SIR 30

The Fort McMurray Métis did not have the capacity to review or respond to the Shell No Net Loss Plan in writing. The Fort McMurray Métis would request the capacity to undertake a technical review of this document and a chance to respond.

SIR 60

In this SIR Shell is requested to determine the impact of the project on “Aboriginal people” and develop mitigation strategies to assess the cumulative effects of the Project on the health of affected communities. Additionally Shell is asked to “describe how traditional practises of Aboriginal groups in the area may be impacted by changes or perceived changes in the levels of toxic substances in traditional food items,” Assess the effects on the health of Aboriginal people



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due to cumulative impacts on their traditional lifestyle caused by the proposed project in combination with past, existing and future development using a pre-industrial baseline; and “identify possible monitoring and mitigation strategies for the direct and cumulative impacts of the Project on the health of Aboriginal people.”

In partial response, Shell states that to “mitigate the impacts associated with a potential shift away from traditional foods, Shell will continue to consult with the Fort McKay First Nation and Métis, Athabasca Chipewyan First Nation, Mikisew Cree First Nation, Fort McMurray #468 First Nation, Fort Chipewyan Métis Local #125 and Fort McMurray Métis to address issues and concerns about traditional use of the areas adjacent to and outside the PRM area and the perceived changes in the levels of toxic substances in traditional food items.” Our concern is that currently Shell does not provide the resources necessary to our organization to make these consultations regular or meaningful. While Shell is proud to note that the Oil Sands Developers Group, an organization to which they are a major partner, provided \$22 million dollars for Industrial Relations and Government and Industry Relations corporations owned by First Nations to ensure meaningful consultation,⁴ no funds were provided by this organization to our group over that time period, and no project specific funds have been provided to our community to undertake project specific reviews or studies. This even though the proponent has identified the Fort McMurray Métis as a community that will be significantly impacted by the project. We therefore ask the Panel to require proof of an agreed to consultation plan with associated funding with our community prior to accepting Shell’s plan to mitigate the impacts associated with developing the PRM site.

**Cumulative Effects
SIR 8**

On page 3-67 Shell states that “There is not enough information to assess the effects of the 2013 PDC on trapping by Fort McMurray Métis.” We feel that this statement is inaccurate for there is more than enough information available to make this assessment had Shell undertaken a project-specific Traditional Land-Use study with our Métis community. Had such a study been undertaken they would have learned that Registered Fur Management Area 1743 extends to the west side of the Athabasca River and that the Fort McMurray Métis member who owns that trapline is very concerned about the project and has a number of specific sites of concern in the Local Study Area (LSA). Additionally a cursory review of our TLU information produced the following TLU map which identified over 40 unique points within 5 KM of the project area and a number of intersecting points. Further research including a technical review and project-specific TLU study will be required to understand the nature of these potential impacts and how the proponent might work with the Fort McMurray Métis to mitigate or accommodate concerns. We have attached a TLU assessment map to provide the Panel a sense of the potential impact. If provided the capacity we would be more than happy to elaborate on these initial findings prior to the Hearing.

⁴ PRM SIR Response, Appendix 7 Page 6 & 7; Appendix 8 Page 18 & 19.



Aboriginal Rights and Interests

SIR 63

The Fort McMurray Métis community is concerned that the proponent did not show the loss of traditional land for our community in the same chart that they tracked land loss for the Fort McKay community, the Mikisew Cree First Nation, and Athabasca Chipewyan Prairie First Nation. Our community would encourage the Panel to ask Shell to include information about our community before considering the proposal complete.

SIR 64

In the SIR Shell was asked to justify choosing two non-Aboriginal RFMA holders to interview as part of the PRM project study. As noted in the attached map, a number of Fort McMurray Métis community members consider this area to be part of their traditional territory and they regularly hunt, fish, travel, recreate, and have cabins within 5KM of the project site. Additionally the owner of trapline 1743 is a Fort McMurray Métis and has a trapline that extends from the east-side to the the west-side of the Athabasca River and is approximately 10 KM from the project footprint. Furthermore historically his father, held a trapline that intersected the project area and as a result our member would hold a great deal of Traditional Environmental Knowledge concerning the local study area. We believe the Panel will be at a severe disadvantage if they proceed without this information and we would strongly encourage the Panel to consider EIA incomplete until a project-specific TLU study is completed with our community and a separate interview takes place with the holder of RFMA 1743.

SIR 65

In this SIR the Panel requested that Shell consider the impacts to the Local Study Area providing a list of the type and number of sources of information used, assess the impacts to each of the potentially affected Aboriginal groups, validate the information source by specifying the Aboriginal affiliation of each person who provided information, and provide details about how this information was incorporated into the Project assessment. We will deal with each of these points separately:

- i) *Provide the type and number of sources of information used.*

It is disappointing the Proponent seemed to only use the minimum when determining potential projects impacts. At the JPME Hearing both ACFN and MNA R1 provided lists of additional sources that could be consulted to gain a proper background to assess the potential project impacts.⁵ It is unfortunate that the proponent chose not to include any primary source material in their review and it should be difficult for the Panel to deem the project complete without the inclusion of important primary source material from the

⁵ Métis Nation of Alberta, Region 1. "Written Submission to Participate in the Hearings." Oct. 1, 2013: <http://www.ceaa.gc.ca/050/document-eng.cfm?document=81947>; Athabasca Chipewyan First Nation, "Written Submission to Participate in the Hearings and Notice of Question of Constitutional Law." Oct. 1, 2013: <http://www.ceaa.gc.ca/050/document-eng.cfm?document=81951>.



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Athabasca Oil Sands Research Project, the Northern River Basin Study Program, the Hudson's Bay Company Archives, National Archive of Canada and the Alberta Provincial Archives.

ii) Assess the impacts for each of the potentially affected Aboriginal Groups.

For Métis Local 1935 the proponent makes the following assertions: "The available information suggests that members of Fort McMurray Métis Local #135 (sic) may be conducting TLU activities within the larger region in proximity to the LSA. Therefore, the assessment made the conservative assumption that members of Métis Local #135 (sic) are undertaking TLU activities within the LSA."

While we are pleased that Shell chose to make this conservative assumption, had they completed a project-specific TLU study with our community they would have learned that, in fact, a number of our members use land within the LSA and will be directly and adversely impacted by the project. Shell Continues:

Traditional Hunting

The LSA was not identified as a preferred hunting area for members of Fort McMurray Métis Local #1935. Therefore, the assessment did not identify any effects to Métis Local #1935 hunting under the 2013 PRM Application Case

This assertion is particularly troubling given that in our own limited assessment, multiple Fort McMurray Métis community members identified areas within the LSA as preferred areas to hunt moose, buffalo, deer and some small game. Without a project-specific TLU study for our community it will be difficult to determine the extent that the project will impact on this use.

While Shell deems the project impact negligible, our community members are concerned about the very north-end of the project footprint near the Red Clay Creek. Historically this area was occupied by a Métis community at "Lobstick." We would like further archaeological studies completed so we can determine the historic importance of this area and the potential impact that the PRM will have upon it.

In the last section of the response, "provide details on how Shell has incorporated the [TLU & TEK] information in the assessment of the Project's effects" it is disappointing that very little, if any, information from our community was used. Specifically Shell chose not to complete a project-specific study with our community therefore information provided would be general and potentially misleading. As demonstrated by the attached TLU assessment map, our community members have used land in the local study area historically and continue to use the land today, and are planning to use this land in the future. As such, had our community been included in the project and provided an opportunity to complete a technical review and project-specific TLU study potential issues could have been identified and mitigation and accommodation measures discussed. As such, without this information we again ask the Panel to deem this application incomplete and to ask Shell to include our community's information in the assessment.



SIR 66

We have concerns that Shell chose to our Mark of the Métis atlas as our contribution to traditional plant species used by the community. Our atlas is a general source, a coffee table book, and in order to gain a full understanding of the project's potential impact on a community a project-specific study is necessary.

SIR 68

While Appendix 2, section 4.4 discusses the significance on the cumulative effects for the 2013 PRM Application case and it does so without project-specific information from our community. We feel this is a significant gap and that the project application cannot be deemed complete without it.

Appendices

As mentioned above, we were unable to complete a full and thorough review of the numerous appendices attached to the SIRs. The few we did briefly review did raise a number of concerns which call into question whether Shell has provided the detail necessary to consider this application complete. Prior to the application being deemed complete, we would ask the proponent to provide the capacity necessary to complete a full review of this latest round of SIRs.

Appendix 2 – Cumulative Effects

On page 35 Shell states that: “No spatial data regarding the traditional territories of potentially affected Métis groups was available at the time of report preparation, though the discussion of disturbance within First Nations traditional territories should be illustrative of the degree and type of change experienced by Métis groups as well.” This is an unfortunate and untrue statement and speaks less to the availability of material and more to Shell's decision not to meaningfully include Métis communities in their Cumulative Effects assessment. Spatial data is available from the Fort McMurray Métis community and if Shell had entered into a consultation agreement with us, this information could have been shared along with additional project-specific information that could assist the Panel in making their decision. We would therefore ask the Panel to deem this project incomplete until that information is brought before the Panel.

Additionally, on pages 139-140 the Fort McMurray Métis community is concerned that Shell uses the Mark of the Métis atlas as their only source for our community's information for, as they recognizes, the book is primarily concerned with “life of the Métis in northeastern Alberta” and, as a result Shell's level of confidence in the assessment of the cumulative effect of the project on our community was “considered low.” As such it would seem necessary for Shell to look to other sources to fill this gap, most notably working with the community to complete a project to determine the degree of impact on the Fort McMurray Métis in the Regional Study Area. We feel until the “level of confidence in the assessment” for the Fort McMurray Métis is high, that this application should be considered incomplete.



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On page 191 Shell continues by stating that they are unable to make a determination about the effects of the project on Fort McMurray Métis trapping in the region because information is not available. It is unfortunate that Shell chose not to enter into a meaningful dialogue with our community on this topic for, if they had, we could have provided a number of sources which would have allowed them to provide the Panel a more complete cumulative effects assessment. As such, we would ask the Panel to deem the application incomplete and for Shell to discuss this topic with our community so we can provide the necessary information to complete their assessment.

Again, Shell's assessment of the Fort McMurray Métis community is based upon the Mark of the Métis Atlas which is general in nature, and was never meant to be used to determine project-specific concerns. As our attached TLU Assessment map shows, a number of our members have concerns with the project especially concerning the PRM's impact to hunting, trapping, fishing, transportation and historical resources. Those concerns include (but are not limited to):

TLU concerns intersecting the project

- Commercial Trapping Concerns
- Subsistence Hunting (large game)
- Subsistence Hunting (small game)
- Key Wildlife Habitat (large game)
- Key Wildlife Habitat (small game)
- Water transportation

TLU concerns within 1 kilometer of the project

- Commercial Trapping Concerns
- Subsistence Fishing Concerns
- Indigenous Place Name (Métis Community of Lobstick)
- Historic Resources (Métis community of Lobstick)
- Habitation Site
- Subsistence Hunting (large game)
- Subsistence Hunting (small game)
- Key Wildlife Habitat (large game)
- Key Wildlife Habitat (small game)
-

TLU concerns within 5 kilometers of the project

- Commercial Trapping Concerns
- Subsistence Hunting
- Subsistence Hunting (large game)
- Subsistence Hunting (small game)
- Key Wildlife Habitat (large game)
- Key Wildlife Habitat (small game)
- Water transportation



These findings, which are shown spatially in the attached map, should be followed up upon with a project-specific TLU study so the degree to which these impacts will affect the community can be properly documented and either mitigated or accommodated. This study should be submitted before the Panel can deem this application complete.

Appendix 7: Cultural Effects Review

On page 6 and 7 Shell outlines its approach to Community Engagement that is, in short, to exclude Métis communities, especially if one considers the discrepancy between consultation funding provided to First Nation Communities versus Métis communities. Between 2007 and 2009 Shell notes that the Oil Sands Developers Group provided approximately \$22 million in funding to IRCs/GIRs in the region. Additionally Shell themselves have entered into “agreements with MCFN and FMFN that address each group’s project-specific concerns for all existing operations and the JME and PRM projects. Shell also has an agreement with ACFN that addresses ACFN’s project-specific concerns for existing operations.” No such project-specific agreements exist for Métis communities who only hold “Good Neighbour Agreements” that do not include funds for project-specific consultation. As a result, as seen throughout the SIR response as well as the earlier EIA, Shell has completed very little project-specific consultation with the Fort McMurray Métis community. We do not believe this gap is acceptable and we would ask the Panel to consider the application incomplete until it is filled.

It is within this context that Shell makes the assertion on page 33 that “Because of the small size of the PRM footprint in relation to the RSA and that most of the disturbance to traditional access within the RSA has been caused by existing and approved developments (i.e., the 2013 Base Case), the effects of the PRM on its own are not considered significant to Fort McMurray Métis TLU.” As noted above, we disagree with this assessment and are not even sure how Shell could come to such a finding given they have yet to complete a Métis specific TLU study. As such, we would strongly encourage the Panel to ask Shell to provide a Métis specific TLU study prior to accepting this application.

Summary

In sum, in response to the Panel’s invitation for public comments the Métis Local 1935 would like to express its disappointment with the Shell’s SIR responses, just as we maintain our disappointment with Shell’s earlier submissions. Our analysis of this latest round of SIRs show that Shell has made minimal effort to engage with our community representatives in a manner that would effectively identify Métis community-specific concerns about the PRM’s potential impacts on the ability of our community to use the land in the area. In addition, the lack of reliable and up-to-date information about Métis land use in the EIA report is a point of contention.

One positive step forward would be for Shell to sponsor a ML1935 led project-specific Métis traditional land-use study for the potentially impacted areas. Additionally, our community would welcome a Métis specific technical review of the project and other related documents so we could better understand how the PRM might affect our community. So far no original project-specific information on Métis land-use in the proposed project area has been collected



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and made public by Shell besides that provided by the Fort McKay Métis community which has partnered with the Fort McKay First Nation. Funding ML1935 to conduct its own Métis community-specific and community-based studies would provide reliable and verifiable information upon which meaningful engagement could take place between the ML1935 and Shell. This engagement would be motivated by the need to cooperate in order to mitigate and accommodate the potentially harmful impacts of the project.

The information provided here should help the Joint Review Panel Secretariat to better understand ML1935's concerns about the Project. Please be reminded that the ML1935 represents an historic Métis community with credible claims and legally recognized rights to use Crown land in areas directly surrounding the project. The Athabasca River near the Shell Pierre River Mine Project and the surrounding area continue to be important places for Métis subsistence harvesting and cultural activities and our members are gravely concerned about how the proposed project will impact their socio-economic well being, local ecosystems and harvesting practices. We believe we have a right to be considered as a formal stakeholder in this process, though if you require further information, including community member testimonials, we would happily provide them. If you agree that our concerns are valid we ask that you respond in writing to this letter, and in the event that you do not, we ask that you meet with the ML1935 leadership in person to explain your position.

Sincerely,

ORIGINAL SIGNED

James R. Dragon
President, Métis Local 1935

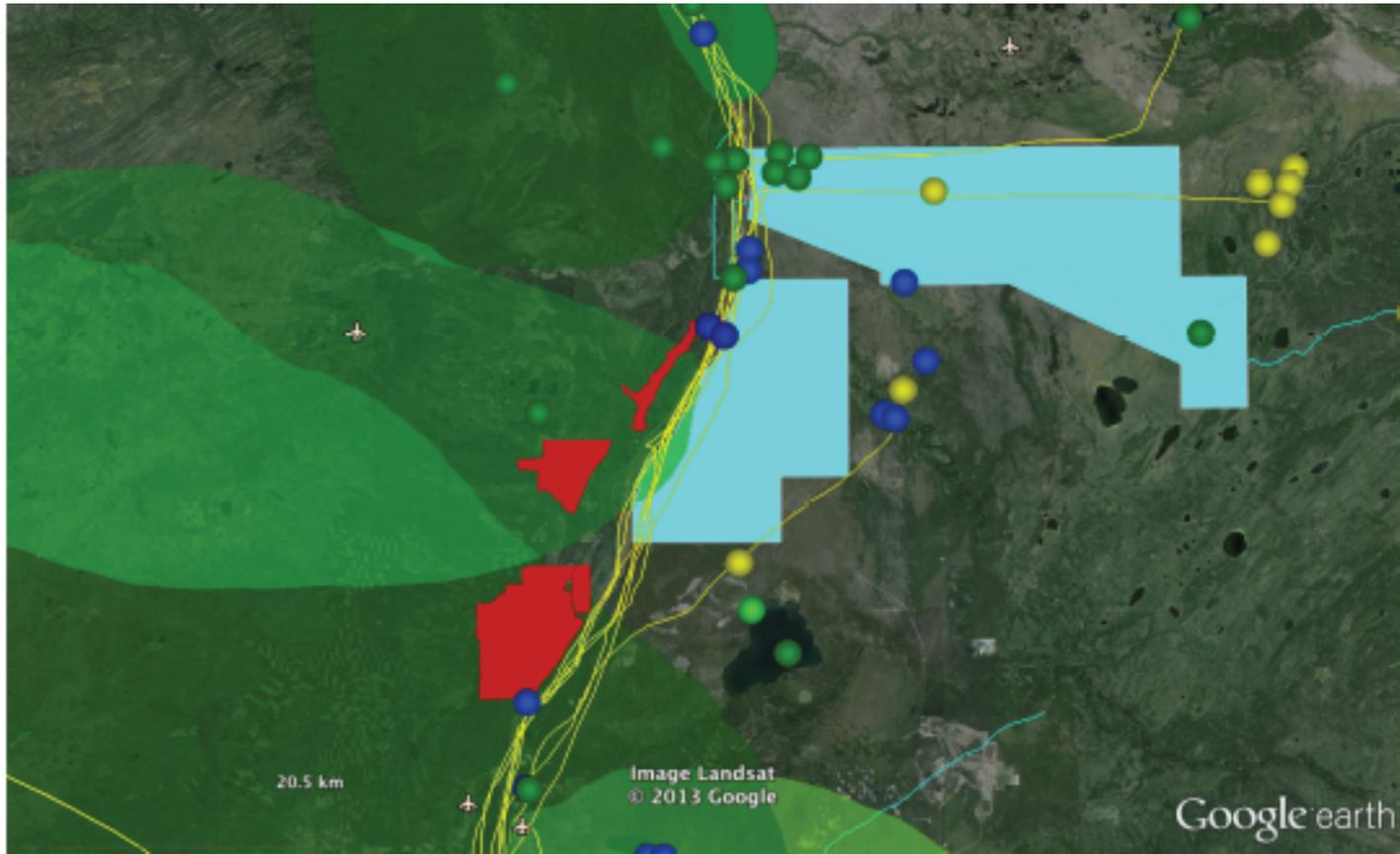
ORIGINAL SIGNED

Kyle Harrietha
General Manager, Métis Local 1935

Enclosures

1. Fort McMurray Métis Traditional Land-Use Assessment – Shell Pierre River Mine Local Study Area.

CC William Landstrom, Métis Nation of Alberta, Region 1
Dr. Gillian Donald, Donald Functional & Applied Ecology
Debbie Bishop, K2B Law Group
Donald Crowe, Manager, Regulatory Approvals, Shell
Jill Adams, CEAA
Amanda Black, AER
Shawn Denstedt, Osler



- Fort McMurray Métis RFMA Interests (1000m Buffer)
- TLU Trail & Access Management Interests (1000m Buffer)
- TLU Habitation Sites (1000m Buffer)
- TLU Subsistence Sites and Areas (1000m Buffer)
- Shell PRM Site (Estimate)

Métis Local 1935 Traditional Land Use Values