



THE SAHTU SECRETARIAT INCORPORATED

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March 1, 2017

Hélène Lauzon, Gary Merasty (co-chairs)

NRCan's NEB Modernization Secretariat

580 Booth Street, 17th floor

Ottawa, Ontario

K1A 0E4

RE: National Energy Board Modernization Process

Dear Madame and Sir,

Thank you for the opportunity to provide comments in respect to the National Energy Board (NEB) Modernization Process. The Sahtu Secretariat Incorporated (SSI) is providing comments in relation to almost eighty years of experience that Sahtu communities have had with the exploration and development of oil and gas resources, the development of pipelines, and the activities of the NEB in our region.

The SSI, and Sahtu communities have deep concerns that are not being addressed by the complicated web of regulatory bodies, processes and responsibilities associated with the development of oil and gas resources in the Northwest Territories. In SSI's view, the NEB should use the opportunity provided by the modernization process to increase the accountability of projects, proponents, and regulators to the local residents and communities affected by oil, gas, and pipeline activities.

Specifically, SSI believes that the NEB should look to strengthen its role as a full lifecycle regulator by expanding its role to encompass regulatory oversight and community reporting responsibilities with regard to environmental and socioeconomic commitments made by proponents. This oversight and reporting function would be carried out at the project application, construction, operation, and abandonment stages; and would capture commitments made during all authorizations, licenses, and permits (including license renewals and amendments) associated with a given project, regardless of the responsible federal, territorial or co-management authority.

SSI's primary interest is in ensuring that new and existing oil, gas and pipeline activities are responding to the environmental concerns of Sahtu communities, and are accountable for the commitments made to communities through the authorizations, permits, licensing, and EA processes. In SSI, and Sahtu community's experience this has not been the case; the highly technical nature of the licensing, permitting, screening and review processes coupled with the overlapping jurisdictions and diffusion of accountability amongst federal, territorial and co-management boards has led to a legacy of unaddressed environmental concerns, unrealized socioeconomic opportunities for Sahtu communities, and the erosion of public trust in oil and gas proponents and government.

For years, the federal and territorial governments have put tremendous efforts into regulatory improvement to increase certainty for industry. What has been missing from SSI's perspective is any effort to improve certainty for the communities that are most in a position to benefit or be impacted by development. What we are looking for is for the NEB to fill the gap in accountability to communities for oil and gas development. NEB can do this by providing our communities with the certainty that someone is the keeper of the record on behalf of communities, and reporting back to communities on that record of social and environmental commitments, every time an authorization is made.

For the benefit of the expert panel, SSI has included a copy of correspondence with the Minister of Indigenous and Northern Affairs, President of Imperial Oil Resources, and Executive Director of the Sahtu Land and Water Board (also copied to the NEB). This correspondence illustrates our experience with the ongoing challenges and concerns of Sahtu communities with regard to oil and gas development in our region.

On behalf of SSI and Sahtu communities I thank the expert panel for taking the opportunity to consider our recommendations and experience.

Respectfully,



Chairperson

ATTACHMENTS:

- *Letter of August 29, 2016 from SSI Chairperson to Minister of INAC, CEO of Imperial Oil, and ED of Sahtu Land & Water Board.*
- *Letter of April 10, 2014 to the ED of Sahtu Land & Water Board and CEO of Imperial Oil.*