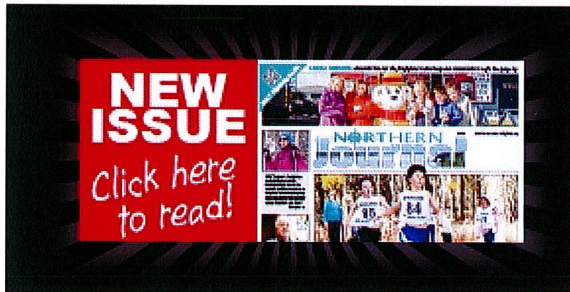


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[Fort McKay pulls out of joint oilsands monitoring](#)

by [Meagan Wohlberg](#)



Photo: Francois Paulette

Fort McKay First Nation became the first to pull out of the federal-provincial Joint Oil Sands Monitoring program earlier this month, claiming its requests have been ignored.

Citing a “frustrating and futile process” of attempting to have its concerns met, the Fort McKay First Nation withdrew from the Canada-Alberta Joint Oil Sands Monitoring (JOSM) program earlier this month.

The first to leave the process, the First Nation’s director of sustainability Alvaro Pinto told federal and provincial officials that Fort McKay would be pulling out after a year of attempting to have its own terms of reference on how to “effectively engage Fort McKay and other Aboriginal groups in the JOSM program” incorporated into the new monitoring program.

The First Nation had tried “to develop a meaningful process, which was then ignored and superseded by a process developed by Alberta and Canada,” Pinto wrote.

Complaints about the process began early for Fort McKay, after they were “explicitly denied” direct participation in the early scoping phase of the JOSM program, according to the letter.

Of key concern was Canada and Alberta’s decision to relegate First Nations and Métis concerns to a separate sub-table with other members of the Athabasca Tribal Council (ATC).

“We have repeatedly stated that the integration of TEK (traditional environmental knowledge) needs to be done in connection with Western science monitoring and not segregated into an add-on process,” Pinto said, adding that Fort McKay’s concerns extended beyond TEK into the areas of science and governance.

Monthly meetings of the ATC sub-table, whose arranged goal was to create a coordinated approach to addressing environmental subjects of interest, were frustrated due to “the evolving and uncoordinated development of JOSM by Alberta and Canada,” Pinto said, which was not communicated to the stakeholders.

Though Pinto said the First Nation was told by Alberta’s CEO of Environmental Monitoring in July that its terms of reference – meant to address concerns around meaningful engagement with Aboriginal groups, the management of environmental monitoring data and connections between the regulatory and environmental arms of government – were accepted in full, a month later they were told his position had changed.

The First Nation has yet to receive a formal response outlining the reasons for the rejection of its terms of reference. When a following meeting of the ATC sub-table with Alberta and Canada was not well attended by government officials, Pinto said First Nations walked out.

“These developments have seriously undermined our confidence that JOSM was being developed in a manner responsive to all stakeholders,” he said. “While we don’t expect that all of our proposals are met without discussion, we do expect timely discussion and reasonable dialog between parties.”

Alberta Environment and Sustainable Resources Development (ESRD) spokesperson Jason Maloney told *The Journal* the delay in approving Fort McKay’s terms of reference had to do with ESRD’s desire to consider the terms of reference supplied by all five ATC nations “in case there were similar items that could be looked at the same time.”

He said ESRD continues to support participation of all Aboriginal communities in the JOSM implementation plan.

“The input of all First Nations, including Fort McKay, is important in the responsible development and monitoring of our oilsands,” Maloney said in an email. “Alberta and Canada remain interested in talking to Fort McKay about their concerns and their terms of reference and encourage them to rejoin us at the Joint Oil Sands Monitoring table.”

He said that the sub-table structure was created for First Nations in order to increase the effectiveness of discussions, not to segregate Aboriginal groups from other parts of the process.

“Having every single party around one table could result in unfocused discussions, less focus on priority issues and scheduling problems to get everyone there. The sub-table approach leverages existing practices,” he said.

“The sub-table approach is used out of respect for Aboriginal governments as it sets out that chief and minister endorse and set the high level direction for work. Recommendations from these sub-tables are part of the decision-making process, as it is in this case for the JOSM initiative.”

Pinto noted that the First Nation would be interested in rejoining in the future if changes in the relationship and process are made to reflect concerns outlined in the terms of reference.

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