



Whitefish Lake
FIRST NATION #128

GOODFISH LAKE Box 271, Alberta, Canada T0A 1R0

February 22, 2013

Environment and Sustainable Resource Development
2nd fl Provincial Building, 10320 - 99 Street
Grande Prairie, AB T8V 6J4

Dear Ms. Hincz:

**Re: Coal Valley Resources Inc., Robb Trend Project
ERCB Application No. 1725257
EPEA Application Nos. 00011006-02-00, 00011006-02-01 &
00011006-02-02**

The Whitefish (Goodfish) Lake First Nation #128 communicated its concerns with the above captioned Project to the Government of Alberta by way of a letter on January 23, 2013. We have yet to receive a response. Alberta expects First Nations to communicate our concerns with proposed resource projects within 21 days of notification. Does this same expectation not apply to Alberta?

Further, on those occasions when Whitefish has been unable to respond within the 21 day deadline prescribed by Alberta, nearly without exception, Crown officials have rushed to deem consultation complete and claim to be entitled to proceed on the assumption that we have no concerns. In light of the fact that Whitefish has never received notice about the Project and Alberta's failure to respond to our concerns about the Project within 21 days, we ask for an explanation as to why Whitefish is not entitled to conclude that Alberta has failed to satisfy its duty to consult with respect to the Project, thus calling into question the validity of any required approvals for the Project?

In closing, we note that on an annual budget of \$80,000 to cover wages, training, travel and other expense, and with a staff of only two people, Whitefish is currently engaged in consultation with industry on more than a dozen major resource projects and a long list of Crown related initiatives and decisions. Given the comparatively enormous resources of the Government of Alberta, why has the Crown failed to respond to us within 21 days regarding this Project?

We look forward to your response.

Sincerely, _____

<original signed by>

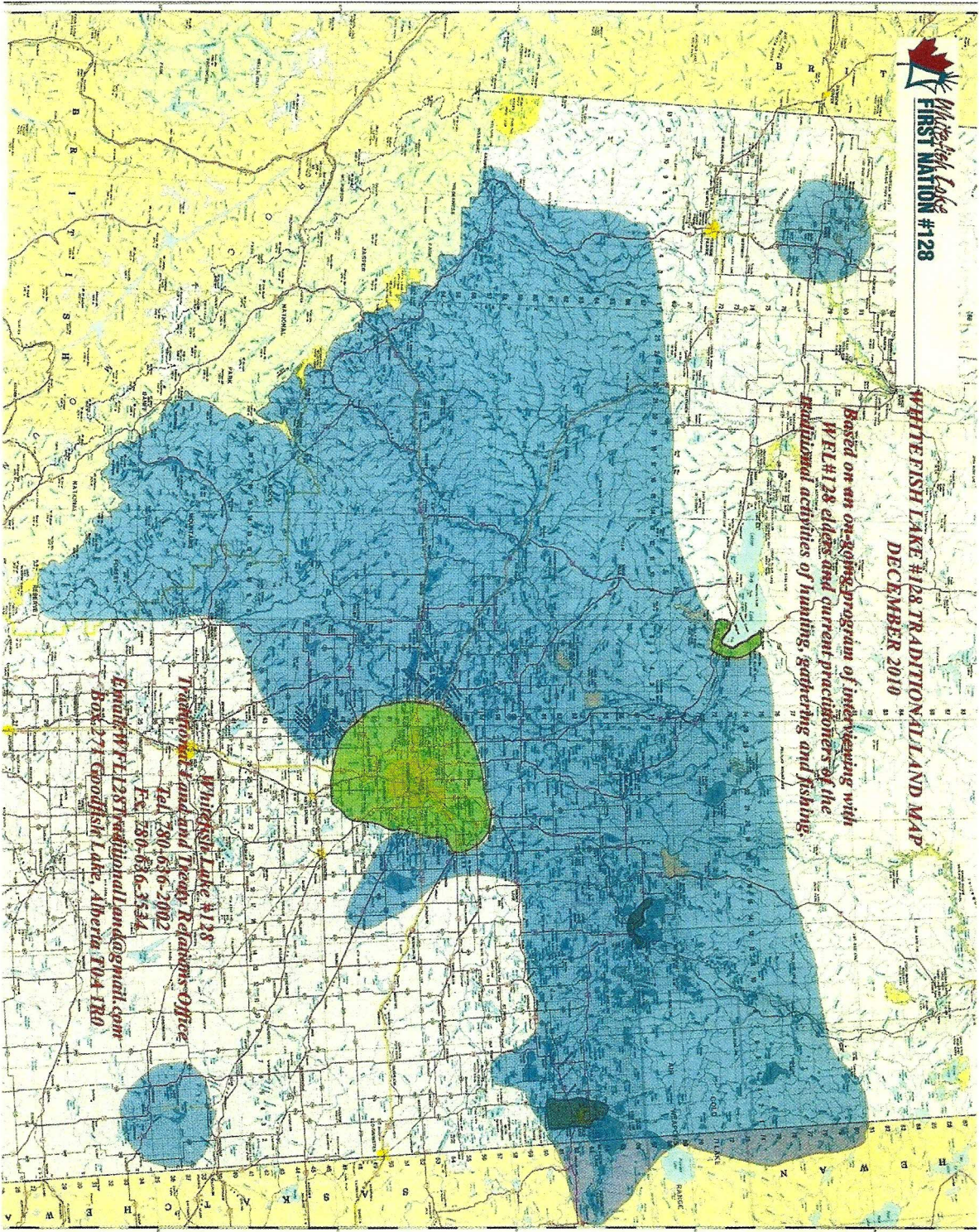
Per: _____
Darryl Steinhauer, Consultation Coordinator
Whitefish (Goodfish) Lake First Nation #128

CC: WLFN Chief and Council
Curtis Evans, ERCB - curtis.evans@ercb.ca
Lori Crozier, CEAA - lori.crozier@ceaa-acee.gc.ca
Les LaFluer, Coal Valley Resources Inc. - lflaur@coalvalley.ca
Darcy Evanochko, AESRD - darcy.evanochko@gov.ab.ca
Clayton Leonard, MacPherson Leslie & Tyerman LLP - cleonard@mlt.com



**WHITEFISH LAKE #128 TRADITIONAL LAND MAP
DECEMBER 2010**

*Based on an on-going program of interviewing with
WEL #128 elders and current practitioners of the
Traditional activities of hunting, gathering and fishing.*



**Whitefish Lake #128
Traditional Land and Treaty Relations Office**
Tel: 800-636-2002
Fax: 800-636-3534
Email: WEL128traditionaland@gmail.com
Box 271 Goodfish Lake, Alberta T04 1B0