

Line 3 Indigenous Advisory Monitoring Committee (IAMC) Regional Engagements

Final Report

Alberta, Saskatchewan, Manitoba | May – June 2023

Written by Coeuraj



Acknowledgements

We are grateful to have held three Line 3 IAMC Regional Engagements on the ancestral and traditional territories of many First Nations and the Métis Nation who are the original stewards of the land on which we gathered.

The first Regional Engagement was held in Calgary, Alberta on Treaty 7 territory which are the traditional lands of the Blackfoot Confederacy (Siksika, Kainai, Piikani), the Tsuut'ina, the Îyâxe Nakoda Nations, and the Métis Nation (Region 3).

The second Regional Engagement was held in Saskatoon, Saskatchewan on Treaty 6 territory which is the traditional lands of the Cree, Nakota, and Saulteaux, and the homeland of the Métis Nation.

The third Regional Engagement was held in Winnipeg, Manitoba on Treaty 1 territory which are the traditional lands of the Anishinaabeg (Ojibway), Ininew (Cree), Oji-Cree, Dene, and Dakota, and the birthplace and homeland of the Métis Nation.

Thank you to all participants who attended the Line 3 IAMC Regional Engagements. The full list of Indigenous Nations invited to attend these sessions are included in **Appendix A**.

Contents of this report

This report summarizes the activities and discussions had at the Line 3 Indigenous Advisory and Monitoring Committee (L3 IAMC) Regional Engagements in Alberta, Saskatchewan, and Manitoba from May to June 2023.

The structure of this report includes an overview of the session, the recommendations from the roundtable discussions, the dialogues from the Q &As, and supporting materials in the appendix section.

The roundtable discussions are summarized in a table that details the overarching recommendation based on the discussion question; who is involved; the short, medium, and long-term actions; and additional considerations. This report was written based on all insights shared by participants during the engagements.

Coeuraj, a design consultancy, was invited to facilitate the Regional Engagements. In this report, Coeuraj synthesized the content from all three sessions and developed a report that highlighted the participant insights that emerged. Coeuraj synthesized and collated the content to support the renewal process, and we acknowledge that the specific recommendations and actions may shift depending on the opportunities, constraints, and needs of the L3 IAMC.

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Introduction and Purpose of the 2023 Line 3 Regional Engagements

The L3 IAMC hosts three Regional Engagements each year, one in each impacted province to inform citizens about the L3 IAMC and engage in discussion about the scope of the L3 IAMC's work. The Regional Engagements and activities of the L3 IAMC are engagement practices and are not part of the consent process. The Regional Engagements were co-designed by the Indigenous Co-chair Richard Aisaican, representative Committee members Chief Matthew Todd Peigan and Minister Marg Friesen, Bridget Oliveira and Amber Clark from the Canada Energy Regulator, and the Federal Co-chair Raheel Baig-Mirza and secretariat staff David Murray and Kristine Wu. Coeuraj was hired to facilitate the Regional Engagements, including team members Ashlyn Jensen Fisk, Dani Prapavessis, John Nesbitt and Nikkie To.

One of the intended outcomes of these Regional Engagements was to obtain feedback on the future direction of the L3 IAMC, including future scope and activities. The discussions will inform the L3 IAMC's government funding renewal process, aiming to secure funding beyond the current cycle, which will end in March 2024. The discussion topics build upon the Committee work and the Line Wide Gathering (2022), which defined Five Possible Direction topics: **Mandate, Engagement, Indigenous Monitoring, Oversight, and Expansion of Scope.**

The Regional Engagement invitations were sent to 111 Indigenous Nations most impacted by the Enbridge Line 3 Replacement Program (L3RP) and separated by region (Alberta, Saskatchewan, and Manitoba). The list of Impacted Nations along the Line 3 Right-of-Way was originally provided by the Canada Energy Regulator. The invitations were directed to leadership, who had the opportunity to extend them to technicians, community members, youth, and Elders. Up to four representatives per Nation were invited to attend. The sessions hosted a total of 150 in-person attendees and 24 virtual attendees representing 43 Impacted Nations across the prairie provinces. Attendees included representatives from Impacted Nations, Enbridge, the Canada Energy Regulator (CER), and Natural Resources Canada (NRCan).

Session design

Participants gathered in-person and virtually throughout two days. They received introductory information on the L3 IAMC and participated in five group discussions centered around the Five Possible Directions. The discussions were introduced by the L3 IAMC Indigenous Co-chair and participants received supporting material to inform the discussion. Notetakers were present at each table to capture the discussions.

Throughout the engagements, we were joined by local musicians, dancers, and performers who generously shared their creativity, culture, and wisdom. At the end of the engagements, participants spent time reflecting on their learnings and experiences over the two days. An Elder from each of the regions concluded the engagements by sharing their reflections and insights and offered a thank you prayer to end the day.

For a full description of the session methodology, design, and agenda see **Appendix B.**



Image 1: All Alberta Regional Engagement participants during the opening presentation.



Image 2: All Saskatchewan Regional Engagement participants during the opening presentation.



Image 3: All Manitoba Regional Engagement participants during the panel discussion.

Glossary of Terms

AB	Alberta
AFN	Assembly of First Nations
CER	Canada Energy Regulatory (Previously the NEB)
FSIN	Federation of Sovereign Indigenous Nations
GIS	Geographic Information System
HRB	Heritage Resource Branch
IAAC	Indigenous Advisory and Advocacy Committee
IAMC	Indigenous Advisory and Monitoring Council
IM	Indigenous Monitor
IO	Inspection Officer
IOGC	Indian Oil and Gas Canada
IIRA	Independent Indigenous Regulatory Authority
ISC	Indigenous Services Canada
Line 3	Line 3 pipeline which was decommissioned and replaced with the Line 93 pipeline
L3 IAMC	Line 3 Indigenous Advisory and Monitoring Committee
MB	Manitoba
Menti	An online survey platform used to collect feedback
MKO	Manitoba Keewatinowi Okimakanak
NEB	National Energy Board (See CER)
NRCan	Natural Resources Canada
Right-of-Way	Defined corridor which contains a pipeline
SCO	Southern Chiefs Organization
SK	Saskatchewan
TMX IAMC	Trans Mountain Expansion Indigenous Advisory and Monitoring Committee



Regional Engagement Objectives

The objectives of the Regional Engagements were to:

- Deepen participants' understanding of the L3 IAMC including its history, purpose, and impact.
- Engage in a collaborative process to expand upon and validate the Five Possible Directions for the future of the L3 IAMC's work.
- Explore key concepts such as oversight, Indigenous Monitoring, and the potential expansion of the scope of the L3 IAMC in the context of renewal.

These Five Possible Directions were:

1. Become a stable oversight entity throughout the Lifecycle of the Line 3
2. First Nations and Métis Nation leadership, youth, and community members are actively engaged and influence the L3 IAMC work
3. Expand the Indigenous Monitoring program through capacity development and employment opportunities
4. Expand the L3 IAMC scope to include all CER-regulated projects in the Line 3 corridor and explore developing an Independent Indigenous Regulatory Authority
5. Co-develop and impact evaluation process and knowledge translation strategy for the L3 IAMC work

Key Discussion Questions

The discussions throughout this Regional Engagement were oriented around the following questions:

1. In thinking about the lifecycle of the Line 3 pipeline, how should the L3 IAMC define oversight and what could this look like in practice?
2. What could an expansion of scope entail for the L3 IAMC and what impact could this enable for your community?
3. Should one of the L3 IAMC's long-term goals include supporting the creation of an Independent Indigenous Regulatory Authority, and if so, what might it do?
4. What does the future of Indigenous Monitoring look like now that the Line 3 pipeline is in its operational phase?
5. What additional information would you like to know about the L3 IAMC and how can the Committee better engage with your community?



At the Alberta Regional Engagement, there were 60 in-person participants and 16 virtual participants. These participants represented the following Nations.

- Alexis Nakota Sioux Nation
- Blood Tribe (Kainai First Nation)
- Enoch Cree Nation
- Ermineskin Cree Nation
- Frog Lake First Nation
- Louis Bull Tribe
- Manitoba Métis Federation
- Métis Nation of Alberta - Region 3
- Moosomin First Nation
- Piikani (Peigan) Nation
- Saddle Lake Cree Nation
- Samson Cree Nation
- Stoney Nakoda Nations
- Sunchild First Nation
- The Key First Nation
- Tsuu T'ina Nation
- Whitefish (Goodfish) Lake First Nation

At the Saskatchewan Regional Engagement, there were 54 in-person participants and four virtual participants. These participants represented the following Nations.

- Cote First Nation
- Dene Nation
- English River First Nation
- George Gordon First Nation
- Kahkewistahaw First Nation
- Keeseekoosewane First Nation
- Métis Nation
- Métis Nation - Eastern Region 2A
- Métis Nation - Eastern Region 3
- Métis Nation - Western Region 3
- Moosomin First Nation
- Muskowekwan First Nation
- Onion Lake Cree Nation
- Pasqua First Nation
- Red Pheasant Cree Nation
- Sweetgrass First Nation
- The Key First Nation
- Zagime Anishinabek First Nation

At the Manitoba Regional Engagement, there were 36 in-person participants and four virtual participants. These participants represented the following Nations.

- Métis Nation
- Moosomin First Nation
- Peguis First Nation
- Pinaymootang (Fairford) Anishinabe First Nation
- Skownan (Waterhen) First Nation
- Swan Lake First Nation
- Waywayseecappo First Nation
- Wuskwi Sipihk (Indian Birch) First Nation

We acknowledge that the insights included in this report only reflect the discussions with individuals who attended on behalf of their Nation and that this report does not represent the interests of all Impacted Nations along the Line 3 Right-of-Way.

The full list of Indigenous Nations invited to attend these sessions are included in **Appendix A**.



Image 4: Musical performance by Brianna Lizotte & Justin Smith.



Image 5: Musical performance by Joseph Desjarlais.



Image 6: Performance by Walking Wolf Singers and Dancers.

“If you want a leader’s ear you need cumulative impacts, decision-making over advice, and to meet “us” where we are at.”

– Louis Bull Tribe representative



Roundtable Renewal Discussions Content

The roundtable discussions were centered around five themes: **Mandate, Engagement, Indigenous Monitoring, Oversight, and Expansion of Scope**. These themes stemmed from the Five Possible Directions for the future of the L3 IAMC work which emerged from the Line Wide Gathering that took place in November 2023. Read the [L3 IAMC Line Wide Gathering Session Content Summary](#) for more information.

The high-level insights from these roundtable discussions are summarized in the tables below. The tables detail the overarching recommendation based on the discussion question; who is involved; the short, medium, and long-term actions; and additional considerations.

During the discussions, participants shared their thoughts about who should be involved in the implementation of the recommendations where appropriate. Those who were identified are categorized as responsible, consulted, and engaged as described below.

- **Responsible:** Individuals, groups, and/or organizations who are responsible for the implementation of the recommendation
- **Consulted:** Individuals, groups, and/or organizations who must be consulted prior to, during, and after the implementation of the recommendation, and who provide knowledge, advice, and consent where needed throughout the process
- **Engaged:** Individuals, groups, and/or organizations who must be engaged and informed prior to, during, and after the implementation of the recommendation

For this report, the short, medium, and long-term are described using the timeframe below.

- **Short-term:** between now (July 2023) to one year
- **Medium-term:** within the next funding cycle between one year to five years
- **Long-term:** five+ years

The actions are categorized as short, medium, and long-term based on the best judgement of the Coeuraj team to support the renewal process. However, we recognize that these actions may shift depending on the opportunities, constraints, and needs of the L3 IAMC.



Discussion 1: Mandate

This discussion focused on the process of renewal and the changes required to the L3 IAMC’s mandate and governance structure. The introduction to this discussion outlined previous suggestions to transition the L3 IAMC from NRCan to CER and provided information on the potential impacts of this transition. The L3 IAMC Regional Engagement participants had the opportunity to inform the way the Committee advises the federal government to advance the mandate and governance of the L3 IAMC.

What should the governance structure for the L3 IAMC look like?		
<p>Recommendation There is strong support for the L3 IAMC to transition to an Independent Indigenous Regulatory Authority with oversight and authority across all natural resource industry projects across federal projects. This transition requires a phased approach to ensure readiness and viability as detailed in the timeframe below.</p>		
<p>Responsible: L3 IAMC, NRCan, CER Consulted: TMX IAMC, Leadership, Chiefs Engaged: All Impacted Nations, Elders, Youth</p>		
<p>Short-term Actions</p> <ul style="list-style-type: none"> • Transition the L3 IAMC leadership to CER from NRCan to CER • Hire L3 IAMC Committee members as full-time employees • Hire Indigenous staff to support the L3 IAMC and who report directly to the Indigenous Caucus • Address the disparity between the number of Committee members and all Impacted Nations – This may include creating more guided processes to ensure that all Nations can participate and/or hiring more Committee members from underrepresented Nations • Establish indicators to measure the impact and success of the L3 IAMC • Establish a process for the Line 3 and TMX IAMCs to 	<p>Medium-term Actions</p> <ul style="list-style-type: none"> • Secure approval from Chiefs to establish an Independent Indigenous Regulatory Authority • Establish one unified IAMC that consolidates the Line 3 and TMX IAMCs • With CER’s guidance, build the unified IAMC’s capacity, experience, and knowledge in regulatory oversight on all natural resource industry projects • Set up the unified IAMC structure to transition to an Independent Indigenous Regulatory Authority 	<p>Long-term Actions</p> <ul style="list-style-type: none"> • Establish an Independent Indigenous Regulatory Authority with federal-level oversight and authority across all natural resource industry projects that work alongside CER • Set up the Independent Indigenous Regulatory Authority’s governance structure to ensure effective and informed communication, engagement, and decision-making at the leadership, provincial, and local levels



convene and share knowledge		
<p>Considerations</p> <ul style="list-style-type: none"> • If the L3 IAMC were to remain under NRCan, it would become stagnant • Any transition should increase the level of the L3 IAMC’s authority • The Regional Engagements did not have adequate leadership participation to achieve consensus on this direction and some participants expressed limited knowledge on this topic which made it challenging to provide an informed response • Nations were curious if there would be resistance from the Government of Canada to transfer power to Indigenous Nations through the creation of an Independent Indigenous Regulatory Authority • There are concerns about a lack of capacity, experience, and expertise to achieve the goal of establishing an Independent Indigenous Regulatory Authority, especially as the L3 IAMC currently struggles to organize and align all regions on a range of issues • The concept of an Independent Indigenous Regulatory Authority is perceived to duplicate pre-existing entities (i.e. Indigenous Advisory and Advocacy Committee (IAAC), Indian Oil and Gas Canada (IOGC), Indigenous Services Canada (ISC)) • The future body should be complementary to the activities of the CER and benefit from the guidelines already in place • This recommendation is important because it acknowledges and enables the protection of the rights of Indigenous Peoples • An Independent Indigenous Regulatory Authority would enable Nations to build their capacity and ensure region-specific supports and practices that address the needs of diverse cultures and ecosystems • This recommendation comes at a time when more First Nations and Métis Nations are becoming more collaborative within leadership and working together with the Indigenous Leadership, and Chief and Council 		



Discussion 2: Engagement

The L3 IAMC has a commitment to ensure that community perspectives direct its work and that the Committee strengthens the relationships between Impacted Nations and the Government of Canada, the NRCan, the CER, and the proponent. This discussion explored how the L3 IAMC might enhance communication and engagement with Nations.

How might the L3 IAMC enhance communication and engagement with the Impacted Nations?

<p>Recommendation</p> <p>The L3 IAMC can improve communication, foster knowledge building, and empower community engagement by developing a strong communications plan that has multiple forms of engagement. This will ensure that all Impacted Nations can establish a strong understanding of the L3 IAMC, engage in educational programs, and access opportunities for active participation. These initiatives will enhance collaboration, understanding, and mutual benefit between the L3 IAMC and all Impacted Nations.</p>		
<p>Responsible: L3 IAMC Consulted: Leadership, Chiefs, Elders Engaged: All Impacted Nations, Elders, Youth</p>		
<p>Short-term Actions</p> <ul style="list-style-type: none"> Establish effective, relevant, and diverse channels of communication Organize alternative forms of in-person and virtual engagements Encourage youth participation at L3 Committee meetings, Regional Engagements, and Line Wide gatherings Organize regular visits on Nations to connect, share information, and hear stories 	<p>Medium-term Actions</p> <ul style="list-style-type: none"> Create mechanisms for provincial-level resource sharing, compensation, and shared profits with Nations Create educational youth programs and access to mentorship Appoint youth ambassadors Form a youth and elder advisory council Build a data network to exchange Indigenous land-based knowledge(s) about the environment 	<p>Long-term Actions</p> <ul style="list-style-type: none"> Continuation of the short-term and medium-term actions
<p>Considerations</p> <ul style="list-style-type: none"> There was limited awareness among many participants about the L3RP and the L3 IAMC, which highlighted the importance of communication and engagement for all Impacted Nations with the L3 IAMC as well as the CER, the proponent, NRCan, and the Government of Canada. There cannot be engagement without the capacity to support it among the Nations. 		

- Possible communications channels include the website, email, phone calls, social media (i.e. Facebook), newsletters, newspapers, information packages, radio (i.e. FM 98.7 Skownan First Nation radio), and other technology platforms (i.e. WayWay app)
- Possible alternative engagement opportunities include virtual monthly meetings, annual in-person meetings, town halls, one on one workshops, job fairs, events (i.e. Back to Batoche), regional and local visits to Nations
- There must be reciprocity between the L3 IAMC and the Impacted Nations, which takes place when the Committee meets with Nations where they are at to learn about each of their unique needs, protocols, language, and cultures
- It is critical to engage with Elders and youth in this work to preserve and share traditional knowledge, and to encourage the active involvement of the next generation
- Highschool is an important time to engage youth as they consider their next paths in their education and career

How might the L3 IAMC engage First Nations and Métis leaders in decision-making?		
<p>Recommendation The L3 IAMC can better engage First Nations and Métis leaders in decision-making by increasing the opportunities for discussion and collaboration and creating region-specific Committees to advocate for interests of the Nations. All decision-making processes must be respectful of First Nations and Métis governance models.</p>		
<p>Responsible: L3 IAMC Consulted: Leadership, Chiefs Engaged: All Impacted Nations, Elders, Knowledge Keepers</p>		
<p>Short-term Actions</p> <ul style="list-style-type: none"> • Identify and engage with Nations that are less involved or are on the periphery of impacted areas • Invite Nations and incorporate Elder/Knowledge Keeper led ceremonies when engaging in decision-making • Increase the occurrence of the L3 IAMC general meetings • Attend leadership meetings (i.e. Assembly of First Nations, Federation of Sovereign Indigenous Nations Assembly) 	<p>Medium-term Actions</p> <ul style="list-style-type: none"> • Create regional bodies that include L3 IAMC Committee members and leadership from their specific regions who are responsible for advocating for local community interests, and bringing them forward to the L3 IAMC, NRCan, and CER • Have the proponent be responsible for funding these regional bodies 	<p>Long-term Actions</p> <ul style="list-style-type: none"> • N/A
<p>Considerations</p> <ul style="list-style-type: none"> • There must be explicit value and benefit to leadership involvement 		



Discussion 3: Indigenous Monitoring

At the Line Wide last November, participants talked about the vision for the Indigenous Monitoring (IM) program to expand to include Emergency Management (EM) and environmental stewardship more broadly. In our conversations, we continued this discussion to understand how the L3 IAMC could further advance specific aspects of Indigenous Monitoring, Emergency Management, and environmental stewardship.

How might we sustain the Indigenous Monitoring program now that decommissioning is complete, and the Line 3 pipeline is in its operational phase?		
Recommendation Monitoring should occur in all areas along the Right-of-Way at every stage of the project including the eventual decommissioning and reclamation.		
Responsible: L3 IAMC, NRCan, CER, Enbridge Consulted: Elders, Knowledge Keepers Engaged: All Impacted Nations, Elders, Youth		
Short-term Actions <ul style="list-style-type: none"> Monitor the CO2 vents that are designed to release natural gas to the atmosphere 	Medium-term Actions <ul style="list-style-type: none"> Create an IM Mentorship program Introduce IM opportunities to all Impacted Nations Hire conservation officers Develop a complaint process for IMs who are actively monitoring to resolve potential issues Hire IMs for full 12 months full-time 	Long-term Actions <ul style="list-style-type: none"> N/A
Considerations <ul style="list-style-type: none"> Moving into the operational phase of the Line 93 pipeline, there are fewer monitoring opportunities Monitoring needs to be consistent, regular and with the same IMs at a site, during and after construction Sharing of information about traditional medicines and plants that are kept private by the Nation creates distrust 		

One idea that the L3 IAMC has considered is to expand the Indigenous Monitoring program to include Emergency Management. Do you see the L3 IAMC supporting Emergency Management and what might this look like? What training is needed to support Indigenous Monitoring and Emergency Management?

<p>Recommendation Expanding to Emergency Management (EM) can increase demand for monitors and ensure more job security. To support Indigenous Monitors (IMs) in Emergency Management, they should receive a broad level of training and be supported in future learnings which encompass traditional teachings, environmental and Western education, and industry certifications and courses.</p>		
<p>Responsible: L3 IAMC, NRCan, CER, Proponents Consulted: Indigenous Monitors, Elders, Knowledge Keepers, Industry Partners, Educational Institutions Engaged: Indigenous Monitors, Elders, Youth</p>		
<p>Short-term Actions</p> <ul style="list-style-type: none"> • Assignment sheets • Fund or support Indigenous Monitors in taking Technical Institute training and certification • Enable Elders to attend training with IMs • Shadow CER Monitors 	<p>Medium-term Actions</p> <ul style="list-style-type: none"> • Create opportunities for Indigenous Monitoring training and skills building: <ul style="list-style-type: none"> - report writing - notetaking - GIS mapping - youth programs - drone training - wetland monitoring - traditional plants and medicines training - spill clean up - fire response and safety - archaeological identification • Increase land-based learning and lived-experience • Enhance training and learning for a Master's degree and or PhD candidacy • Invest in fire departments and funds for Nations to set up their own Emergency Management systems 	<p>Long-term Actions</p> <ul style="list-style-type: none"> • N/A
<p>Considerations</p> <ul style="list-style-type: none"> • Training should align with the expansion of the scope 		

Another idea is for the Indigenous Monitoring and Emergency Management programs to advance environmental stewardship. What do you think this could look like and why is this important?

<p>Recommendation Increase the mechanism of stewardship through open communications, presence on the land and increasing capacity for Impacted Nations to participate in Emergency Management, Indigenous Monitoring, and support of Indigenous knowledge learning.</p>		
<p>Responsible: L3 IAMC, NRCan, CER, Proponents, Indigenous Monitors Consulted: Indigenous Monitors, Elders, Knowledge Keepers, Engaged: All Impacted Nations, Elders, Youth</p>		
<p>Short-term Actions</p> <ul style="list-style-type: none"> • Increase effective communications with Nations to share knowledge of the line 	<p>Medium-term Actions</p> <ul style="list-style-type: none"> • Collect baseline data • Ensure cultural sensitivity training and understanding of local knowledge • Create cultural training for L3 IAMC, CER, and proponent IMs to ensure procedures are followed • Have Elders review sites • Establish holistic approaches to environmental reviews for projects • Define and implement a chance finds protocol, especially for human remains • Traditional land use mapping • Create learning opportunities about traditional plants and medicines 	<p>Long-term Actions</p> <ul style="list-style-type: none"> • Account for the cumulative effects in the surrounding area • Set up strong relationships with partners such as the HRB • L3 IAMC acts as a center of information with the list of Impacted Nations • Expand stewardship into other areas of industry such as natural resources and crown corporations
<p>Considerations</p> <ul style="list-style-type: none"> • N/A 		



Discussion 4: Oversight

In previous discussions about the future of the L3 IAMC, there was support for the Committee to transition from an information exchange and advisory function to an Indigenous Regulatory Authority with decision-making authority throughout the lifecycle of the project. With the Line 3 pipeline in the post-construction operational phase, we explored what an oversight entity might mean.

What types of activities could an oversight entity include for the L3 IAMC?		
Recommendation Expand the activities currently underway by the L3 IAMC and take on new activities.		
Responsible: L3 IAMC, NRCan, CER Consulted: Leadership, Chiefs, Proponents Engaged: All Impacted Nations, Elders, Youth		
Short-term Actions <ul style="list-style-type: none"> Propose and plan youth involvement Begin proactively collecting information from proponents on activities to support transparent communications 	Medium-term Actions <ul style="list-style-type: none"> Changes to the onshore Pipeline Regulations (OPR), and Filings Manuals (FM) Increase involvement of youth through mentoring Inform Industry of land use for traditional and other means Conduct EM activities Perform follow-up on implementing the conditions that CER has put on the Line 3 project Increase the number of IMs Co-develop and share definitions (i.e. Treaty) Monitor internal racism and prejudice within industry staff Fund and oversee the creation of a traditional land use map(s) with Impacted Nations of all areas Become involved in archaeological and chance-find procedures 	Long-term Actions <ul style="list-style-type: none"> Maintain continual and consistent engagement with proponents and other regulatory agencies Increase influence on Line 3 decision-making and activities Set conditions and regulations for proponents especially for ceremonial areas, plants, water, and cultural areas
Considerations <ul style="list-style-type: none"> N/A 		



Discussion 5: Expansion of Scope

In previous discussions, there has been interest in expanding the scope of the L3 IAMC. To explore what a possible expansion of scope might entail, there were four possible options for renewal of scope presented.

What do you think the scope for the L3 IAMC’s work should include and why, and what might a phased approach look like?

- a) The scope remains the same (Line 3 pipeline only)
- b) All Enbridge CER-regulated projects within the Line 3 Right-of-Way
- c) All CER-regulated projects within the Line 3 Right-of-Way
- d) All CER-regulated energy projects across Alberta, Saskatchewan, and Manitoba

Recommendation

There was strong support for Option D (all CER-regulated energy projects across Alberta, Saskatchewan, and Manitoba) in all three regional gathering survey responses where 50 out of 57 responses were in support. Options A-C received few to no responses. This gradual transition would require continued and enhanced relationship building, training, and guidance from CER, beginning with projects of similar geography and function, and then expanding to other regions and other types of energy projects.

Responsible: L3 IAMC, NRCan, CER

Consulted: Leadership, Chiefs, Proponents

Engaged: All Impacted Nations, Elders, Youth

Short-term Actions

- Appoint L3 IAMC members as permanent staff to ensure the capacity to increase scope prior to expansion
- Consult industry and regulatory agencies to set a realistic timeline
- Produce a more region based permanent ‘location’ for the L3 IAMC
- Training and increased meetings and planning with CER for future expansion

Medium-term Actions

- Increase IM opportunities to include other projects which also increases job stability and employment prospects of IMs
- Expansion to projects with similar proponent, geography, or purpose as the Line 3 i.e. all Enbridge projects
- Expansion to projects with a similar function as Line 3

Long-term Actions

- Expansion to increasing number and variety of projects
- Creation of a National Body to replace the L3 IAMC

Considerations



- Increasing the scope may have a greater influence on the cumulative effects of Industry for Nations
- There are built-in rights with Option D due to [Section 35](#)
- Concern that not all Nations would be well represented by the L3 IAMC
- L3 IAMC is not currently prepared to expand due to limited availability and competing commitment of Committee members
- Ensure a collective voice among all Nations before determining what the expansion of scope should look like
- It is important Nations know how they will be benefited or impacted by the implementation



Image 7: Alberta Regional Engagement participants during the roundtable discussions.



Image 8: Saskatchewan Regional Engagement participants during the roundtable discussions.



Line 3 IAMC Overview Questions & Answers

In the Saskatchewan and Manitoba Regional Engagements, there was an opportunity for a Q&A after the overview presentation by Richard Aisaican. The Q&A was incorporated after the Alberta engagement in response to feedback that not all participants had a thorough understanding of the L3 IAMC.

Participant questions were centered around the L3 IAMC's history, current activities, and future vision; the renewal process; and technical aspects of the Line 3 pipeline. Below is a list of all the questions asked. All participant questions and responses can be found in the summary reports for each Regional Engagement and in **Appendix C**. For official responses to all technical questions, please refer to Enbridge's official responses included in Appendix C.

Visit the [L3 IAMC website](#) for more information or reach out to them through the [contact us form](#).

Questions

- Now that the Line 3 project is over, where is the L3 IAMC focused on going in the future?
- How was the L3 IAMC created and why is there a different number of Nations across Manitoba, Saskatchewan, and Alberta? How do Committee members get selected?
- How do we make this all real? How can the L3 IAMC have clout? How do we take action and protect this land?
- Is this L3 IAMC a one-off specific to this line? Are there any other projects where something similar is happening to ensure our involvement in the project itself or is today one of a kind?
- Does the L3 IAMC have the capacity to expand outside the scope of Line 3 in both major and minor projects?
- Are there plans to expand into other natural resources like potash in Saskatchewan or uranium? This could be a blueprint that can be taken into other resource sectors as well.
- A lot of the jobs on this project were low-level jobs. I'm wondering if there are plans or ways for our people to move up the ladder into management positions instead of being labourers only?
- When talking about the budget for next fiscal year, is there an amount you're requesting? You said 5.5% for the last 2 years. Are you requesting the same amount again?
- As the pipe gets older, if things go wrong, who is responsible for that in the end? Will it be the First Nations?
- How do you detect oil spills and what safety features have been put in place for Line 3? How are issues fixed?
- Is there a protocol in place where Enbridge gets a hold of Chiefs?
- Why was Line 3 left in [the ground]?
- What impact does leaving the line in the ground have on the environment? Were Elders and Knowledge Keepers consulted and what was their response?

Line 3 IAMC Questions & Answers Panel Discussion

On the second day of each of the Regional Engagements, there was a Q&A panel discussion that invited members of the L3 IAMC to answer participant questions. All panel discussions were hosted by Dani Prapavessis from Coeuraj.

The **Alberta Regional Engagement** panelists included Richard Aisaican (Indigenous Co-chair), Raheel Baig-Mirza (NRCan federal Co-chair), Genevieve Carr (CER federal Co-chair), and Kyra Northwest (L3 IAMC).

The **Saskatchewan Regional Engagement** panelists included Richard Aisaican (Indigenous Co-chair), Raheel Baig-Mirza (NRCan federal Co-chair), Genevieve Carr (CER federal Co-chair), and Chief Matthew Peigan (L3 IAMC).

The **Manitoba Regional Engagement** panelists included Richard Aisaican (Indigenous Co-chair), Raheel Baig-Mirza (NRCan federal Co-chair), Genevieve Carr (CER federal Co-chair), and Mike Sutherland (L3 IAMC).



Image 9: Alberta Regional Engagement panel discussion: (from left) Richard Aisaican (Indigenous Co-chair), Kyra Northwest (L3 IAMC), Raheel Baig-Mirza (NRCan federal Co-chair), Genevieve Carr (CER federal Co-chair).

Participants had the opportunity to pre-submit questions or ask them during the panel discussion. Participants asked some questions that require more technical responses than could be provided in the room. These questions were forwarded to CER to compile answers but are listed below for reference.

- What happens when the lines get decommissioned?
- What do nearby Nations think about the pipe being decommissioned and left in the ground instead of removed entirely?
- What are the chances of a blowout [large oil spill]?
- What is the material that decommissioned pipelines are filled with?
- If the old, decommissioned pipeline corrodes, what are the contingencies or practices in place to prevent issues?
- Does the decommissioned line 3 pipeline have corrosion markers?

All participant questions and panelist responses can be found in the summary reports for each Regional Engagement. For official responses to all technical questions, please refer to Appendix C. Below is a list of all the questions asked. Find all questions and responses, indicating specific panellists, in **Appendix D**.



Image 10: Saskatchewan Regional Engagement panel discussion: (from left) Genevieve Carr (CER federal Co-chair), Chief Matthew Peigan (L3 IAMC), Richard Aisaican (Indigenous Co-chair), Raheel Baig-Mirza (NRCAN federal Co-chair), Dani Prapavessis (Coeuraj).

Questions

- Do the CER and NRCAN have a vision for the L3 IAMC and what was their experience with renewal in the past?
- How do you ensure that the L3 IAMC is taking First Nations and Métis community concerns and raising them to government and industry?
- What mechanisms can we build within the structure of the L3 IAMC that account for capacity shortfalls or interests of individual nations and ensure that government, regulators, and proponents still engage rights holders?
- How are guidelines and recommendations from L3 IAMC oversight activities enforced or implemented by the CER? What types of activities and what is the process?
- What do communication lines look like from the L3 IAMC to the Minister?
- Are there other options that we could consider to better situate the L3 IAMC in the regulatory process and what do those look like?
- What advancements and successes have the L3 IAMC achieved to get where we are today?
- From your perspectives, what does success mean for the L3 IAMC & how does the L3 IAMC measure success?
- How is this going to be impacted by the possible change of Government? There is great fear about a bunch of federal projects as we speak.



- For property owners near where the line passes through, do they have similar oversight of regulatory work being done or is this something that extends throughout the pipeline as it crosses Mother Earth?
- What is going to happen with Youth, and how are you going to include Youth with it all?
- Who is the CER and what is their relation to the NEB?
- Do you see a future of having Line 3 and TMX [IAMCs] meet to go over what has gone wrong and what has gone right? Everyone should be here because everyone has a hand in this.



Conclusion

Throughout all the Regional Engagements, we had many productive conversations exploring the Committee’s mandate and governance structure, their approach to engagement, the Indigenous Monitoring program, what oversight should look like, and what a possible expansion of scope might entail. The recommendations shared during the roundtable discussions are represented in this final report to inform the renewal process and the future direction of the L3 IAMC. The content will be reviewed by the Committee members and the Renewal Sub-committee will be preparing the renewal submission in the fall of 2023.

Thank you to all the participants and Committee members who offered their time, perspectives, and insights throughout this session.

We are grateful to have held these engagements on the traditional territories of the many First Nations and the Métis Nation across Treaty 1, Treaty 6, and Treaty 7 territories.



Appendix A – List of Impacted Nations

The Regional Engagement invitations were sent to 111 Indigenous Nations most impacted by the Enbridge L3RP and separated by region (Alberta, Saskatchewan, and Manitoba). The invitations were directed to leadership, who had the opportunity to extend them to technicians, community members, youth, and Elders. Up to four representatives per Nation were invited to attend.

The full list of Impacted Nations along the Line 3 Right-of-Way was created by the CER and is listed below.

Alberta

- Alexander First Nation
- Alexis Nakota Sioux Nation
- Bearspaw First Nation
- Blood Tribe (Kainai First Nation)
- Chiniki First Nation
- Enoch Cree Nation
- Ermineskin Cree Nation
- Frog Lake First Nation
- Goodstoney First Nation
- Louis Bull Tribe
- Métis Nation of Alberta - Head office
- Métis Nation of Alberta - Region 2
- Métis Nation of Alberta - Region 3
- Métis Nation of Alberta - Region 4
- Michel First Nation
- Montana First Nation
- Paul First Nation
- Piikani (Peigan) Nation
- Whitefish (Goodfish) Lake First Nation
- Saddle Lake Cree Nation
- Samson Cree Nation
- Siksika First Nation
- Stoney Nakoda Nations
- Tsuu T'ina Nation

Saskatchewan

- Ahtahkakoop First Nation (Shell Lake)
- Beardy's and Okemasis
- Big Island Lake First Nation (Joseph Bighead Cree First Nation)
- Carry the Kettle First Nation
- Chacachas First Nation
- Cote First Nation
- Cowessess First Nation
- Day Star First Nation
- English River First Nation
- Fishing Lake First Nation
- Flying Dust First Nation
- George Gordon First Nation
- Kahkewistahaw First Nation
- Kawacatoose First Nation
- Keeseekoosewa First Nation
- Kinistin Sauleaux Nation
- Little Black Bear First Nation
- Little Pine First Nation
- Lucky Man First Nation
- Métis Nation - Eastern Region 1
- Métis Nation - Eastern Region 2
- Métis Nation - Eastern Region 2A
- Métis Nation - Eastern Region 3
- Métis Nation - Northern Region 1
- Métis Nation - Northern Region 2
- Métis Nation - Northern Region 3
- Métis Nation - Western Region 1
- Métis Nation - Western Region 1A
- Métis Nation - Western Region 2



- Métis Nation - Western Region 2A
- Métis Nation - Western Region 3
- Mistawasis Nêhiyawak First Nation
- Moosomin First Nation
- Mosquito, Grizzly Bear's Head, Lean Man First Nation
- Muscowpetung First Nation
- Muskeg Lake Cree Nation
- Muskowekwan First Nation
- Nekaneet First Nation
- Ocean Man First Nation
- Ochapowace First Nation
- Okanese First Nation
- One Arrow First Nation
- Onion Lake Cree Nation
- Pasqua First Nation
- Peepeekisis First Nation
- Pheasant Rump Nakota Nation
- Piapot First Nation
- Poundmaker Cree Nation
- Red Pheasant First Nation
- Saulteaux First Nation
- Standing Buffalo Dakota Nation
- Star Blanket Cree Nation
- Sweetgrass First Nation
- The Key First Nation
- Thunderchild First Nation
- Wahpeton Dakota Nation
- White Bear First Nation
- Whitecap Dakota First Nation
- Wood Mountain Lakota Nation
- Yellow Quill First Nation
- Zagime Anishinabek First Nations

Manitoba

- Birdtail Sioux First Nation
- Brokenhead Ojibway First Nation
- Buffalo Point First Nation
- Canupawakpa Dakota Nation
- Dakota Plains First Nation
- Dakota Tipi First Nation
- Ebb and Flow First Nation
- Gamblers First Nation
- Keeseekoowenin First Nation
- Lake Manitoba First Nation
- Long Plain First Nation
- Manitoba Métis Federation
- O-Chi-Chak-ko-Sipi (Crane River) First Nation
- Peguis First Nation
- Pinaymootang (Fairford) Anishinabe First Nation
- Pine Creek First Nation
- Rolling River First Nation
- Roseau River Anishinabe First Nation
- Sandy Bay First Nation
- Sapotaweyak Cree Nation
- Sioux Valley Dakota Nation
- Skownan (Waterhen) First Nation
- Swan Lake First Nation
- Tootinaowaziibeeng Treaty Reserve (Valley River)
- Waywayseecappo First Nation
- Wuskwi Sipiik (Indian Birch) First Nation



Appendix B – Regional Engagement Methodology, Design, and Agendas

The 2023 Regional Engagements were planned by a Design Team that comprised the L3 IAMC Indigenous and Federal Co-chairs, select Committee members, representatives from NRCan and CER, and facilitators from Coeuraj. The Design Team was provided further guidance by a Sponsor Team made up of additional members of the Indigenous Caucus.

This planning process included a series of iterative Design Team and Sponsor Team meetings between March to June 2023. In these meetings, the teams determined the overarching objectives, key questions, session structure, and content for all three Regional Engagements. The agenda for the Regional Engagements are included below. Certain aspects of the structure, key questions, and content between each Regional Engagement were refined to each context.

Each engagement began with an opening prayer provided by an Elder from each region to start the meetings in a good way. The L3 IAMC Indigenous Co-chair, Richard Aisaican, then opened each session with a presentation of the L3 IAMC's purpose, history, and impact to provide attendees with foundational context and information to support their participation throughout the engagements. In the Saskatchewan and Manitoba sessions, there was a Q&A after the presentation which allowed participants to ask further clarifying questions about the L3 IAMC and the replacement program.

Participants then engaged in five different discussions about **Mandate, Engagement, Indigenous Monitoring, Oversight, and Expansion of Scope**. Additional context was provided at the beginning of each discussion and time was made at the end of each discussion for participants to share key themes with the wider group. To ensure open and meaningful conversations, participants and Committee members were seated at round tables dispersed throughout the room or were placed in virtual breakout rooms online. Each table and breakout room were joined by a notetaker who was tasked to facilitate and capture the discussions. Another way participants shared their thoughts was through an online survey tool called Menti.

A panel discussion took place on the second day of each Regional Engagement. The panels were facilitated by Coeuraj and panelists included Richard Aisaican (L3 IAMC Indigenous Co-chair), Raheel Baig-Mirza (L3 IAMC Federal Co-chair, NRCan), Genevieve Carr (L3 IAMC Federal Co-chair, CER), and Indigenous Caucus members from each specific regions. Participants were able to submit questions prior to the panel discussion and they were also given an opportunity to ask questions live.

Throughout the engagements, we were joined by local musicians, dancers, and performers who generously shared their creativity, culture, and wisdom. At the end of the engagements, participants spent time reflecting on their learnings and experiences over the two days. A First Nations and Métis Elder from each of the regions concluded the engagements by sharing their reflections and insights and offered a thank you prayer to end the day.



Alberta Regional Engagement Agenda

Day 1

Opening Prayer – Elder Casey Eaglespeaker, Kainai/Blood Tribe First Nation

Welcome Address – Richard Aisaican

Line 3 IAMC Overview Presentation – Richard Aisaican & Dani Prapavessis

Renewal Discussion – facilitated by Coeuraj

Discussion 1: Oversight

Discussion 2: Expansion of Scope

Discussion 3: Indigenous Monitoring

Performance and Thank You Prayer – Chantal Chagnon

Closing Remarks – Richard Aisaican

Day 2

Opening Prayer – Elder Casey Eaglespeaker, Kainai/Blood Tribe First Nation

Welcome Address – Richard Aisaican

Renewal Discussion – facilitated by Coeuraj

Discussion 4: Engagement

Discussion 5: Mandate

Line 3 IAMC Q&A Panel Discussion

Performance – Brianna Lizotte & Justin Smith

Reflections and Alignment on Key Decisions

Closing Remarks – Richard Aisaican

Thank You Prayer – Elder Josephine Buffalo



Saskatchewan Regional Engagement Agenda

Day 1

Opening Prayer – Elder Sanford Strongarm Sr., Kawacatoose First Nation

Welcome Address – Richard Aisaican

Line 3 IAMC Overview Presentation – Richard Aisaican & Dani Prapavessis

Introductory Discussion

Performance – Sanford Strongarm, John Tootoosis, Danielle Strongarm, Elder Sanford Strongarm Sr.

Line 3 IAMC Overview Q&A

Renewal Discussion – facilitated by Coeuraj

Discussion 1: Mandate

Discussion 2: Engagement

Discussion 3: Indigenous Monitoring

Closing Remarks – Richard Aisaican

Thank You Prayer – Elder Deborah Smith, Métis Nation of Saskatchewan

Day 2

Opening Prayer – Elder Sanford Strongarm Sr., Kawacatoose First Nation

Welcome Address – Richard Aisaican

Line 3 IAMC Q&A Panel Discussion

Renewal Discussion – facilitated by Coeuraj

Discussion 4: Oversight

Discussion 5: Expansion of Scope

Performance – Joseph Desjarlais

Reflections and Alignment on Key Decisions

Closing Remarks – Richard Aisaican

Thank You Prayer – Elder Deborah Smith, Métis Nation of Saskatchewan



Manitoba Regional Engagement Agenda

Day 1

Opening Prayer – Elder Dave Daniels, Long Plain First Nation

Welcome Address – Richard Aisaican

Line 3 IAMC Overview Presentation – Richard Aisaican & Dani Prapavessis

Introductory Discussion

Performance – Walking Wolf Singers and Dancers

Line 3 IAMC Overview Q&A

Renewal Discussion – facilitated by Coeuraj

Discussion 1: Mandate

Discussion 2: Engagement

Discussion 3: Indigenous Monitoring

Closing Remarks – Richard Aisaican

Thank You Prayer – Elder Dave Daniels, Long Plain First Nation

Day 2

Opening Prayer – Elder Dave Daniels, Long Plain First Nation

Welcome Address – Richard Aisaican

Line 3 IAMC Q&A Panel Discussion

Renewal Discussion – facilitated by Coeuraj

Discussion 4: Oversight

Discussion 5: Expansion of Scope

Performance – Tayler Fleming, Métis Fiddler

Reflections and Alignment on Key Decisions

Closing Remarks – Richard Aisaican

Thank You Prayer – Elder Dave Daniels, Long Plain First Nation



Appendix C – Line 3 IAMC Overview Questions & Answers Responses

Now that the Line 3 project is over, where is the L3 IAMC focused on going in the future?

Now that decommissioning is complete and most of our monitoring opportunities are there is an opportunity for trained individuals to participate in operations, maintenance and monitoring or inspections.

How was the L3 IAMC created and why is there a different number of Nations across Manitoba, Saskatchewan, and Alberta? How do Committee members get selected?

In early 2017, the National Energy Board (now CER), Natural Resources Canada (NRCAN), and several Indigenous Nations formed a Working Group to co-develop an Indigenous Advisory and Monitoring Committee (IAMC). The co-development process included working group meetings, drafting team meetings, regional workshops, Line Wide workshops, and several membership selection processes that were specific to provincial First Nation and Métis working groups. In October 2017, the IAMC was launched and the first Committee meeting was held in Winnipeg, Manitoba. Thirty-five Indigenous Nations attended the initial Working Group meeting and membership subsequently grew to more than 50 Indigenous participants representing more than 30 potentially impacted Indigenous Nations.

The majority of the pipeline goes through Saskatchewan so there are more Impacted Nations there, whereas Alberta and Manitoba will only have a certain amount because it's only partial. In 2016, Chiefs from Impacted Nations were called to the CER Office in Calgary to start this Committee and participation. They decided to select from the people who were involved in developing the terms of reference because they already had knowledge and could hit the ground running. Everyone put in their names and all the Chiefs from the regions reviewed the resumes. They identified a shortlist of candidates who were then vetted and confirmed by the Government and then appointed to the Committee. It was regional, but not specific to one individual Nation. It was a long process.

How do we make this all real? How can the L3 IAMC have clout? How do we take action and protect this land?

One of the steps to get there is to signal to the federal government that we want an Independent Indigenous Regulatory Authority that has certain responsibilities. TMX IAMC is already submitting a document to request the federal government to do this. This Committee will continue for the lifetime of the project, but we need a signal from you, from TMX IAMC, and other Indigenous people across the country to start work on creating an Independent Indigenous Regulatory Authority. What we're doing with some of this renewal work is to get this mandate. We hear it, we want to document it, we want to make sure it's in our renewal, and we want to expand the scope.

Is this L3 IAMC a one-off specific to this line? Are there any other projects where something similar is happening to ensure our involvement in the project itself or is today one of a kind?

There are two active Committees such as this, the L3 IAMC and the Trans Mountain Existing and Expansion pipeline (TMX IAMC). The CER is also currently leading engagement for the co-development of an NGTL System Wide Collaborative Mechanism with potentially affected indigenous Nations.



Does the L3 IAMC have the capacity to expand outside the scope of Line 3 in both major and minor projects?

No, we do not [right now], but that does not mean we can not. It requires us to ask federal government for renewal and more capacity dollars so we can continue to operate in this advisory and monitoring role and that's going to require a mandate letter. The legislation is created with the support of the federal government which puts money into it, and then the Minister gets their mandate letter.

Currently, the L3 IAMC is attached to the Line 3 replacement project, and that is their only mandate. Expanding the scope would require expanded capacity, engagement, employees, training, and a change to the mandate letter to indicate a certain amount of dollars to manage the Right-of-Way which includes more Impacted Nations and proponents. We have the right people in the right positions, but we have a long way to go to get to a capacity that would be ideal.

Are there plans to expand into other natural resources like potash in Saskatchewan or uranium? This could be a blueprint that can be taken into other resource sectors as well.

The L3 IAMC members have expressed the desire to expand the scope of the L3 IAMC. TMX IAMC has progressed further in determining an expansion of scope and eventually progression towards what an Independent Indigenous Regulatory Authority might look like.

A lot of the jobs on this project were low-level jobs. I'm wondering if there are plans or ways for our people to move up the ladder into management positions instead of being labourers only?

A representative Enbridge provided comments on this question. The representative did not have an answer but provided context on the bid process. Bids for projects are made by large general contractors. Generally, these contractors make partnerships with Nations, and some have agreements to subcontract scopes of work to Nation run, owned or affiliated businesses. Enbridge currently has a goal of 3.5% Indigenous employment and currently employs approximately 2.3%.

When talking about the budget for next fiscal year, is there an amount you're requesting? You said 5.5% for the last 2 years. Are you requesting the same amount again?

From 2017-2022, the L3 IAMC received \$21.6 million over five years to NRCan for the L3 IAMC to enable impacted Indigenous Nations to identify common priorities and provide informed advice on the L3RP, through activities planned and implemented by its four Sub-committees as per the [Terms of Reference](#). Over 2022-2024, they received \$5.5 million over two years to continue the work of the L3 IAMC and plan for the future, which includes determining scope and governance as the new pipeline is now fully operational and decommissioning of the old one is complete. The Committee allocates its budget by consensus, which means the general agreement of all Committee members on a course of action.

Federal Co-chair, Raheel Baig-Mirza answered that if they continue to have monitoring and oversight for the same pipeline, they would be challenged to support that amount of funding. In 2022 there was still work happening with the previous line, so it was in support of that. In terms of a high-level estimate, say they did two years again, Raheel thinks that it would be less than that if they just worked on Line 3 pipeline. If they expanded and thought collectively that it was a good idea to include other pipelines and/or energy projects regulated by the CER, then that amount would rise. Thinking about the needs of



Nations for capacity, for instance, drives the number up again. This will all be tested by Finance Canada, so they have to be strategic about what they propose. These are important factors to consider. Raheel would like to propose a long-term funding commitment so they don't have to do this all over again every two years.

Indigenous Co-chair, Richard Aisaican added they are working on going to go from 2024 for five years.

As the pipe gets older, if things go wrong, who is responsible for that in the end? Will it be the First Nations?

Discussions have been had with Transport Canada, Environment and Climate Change Canada and Justice Canada to explore the possibility of an Independent Indigenous Regulatory Authority. The government has charged Justice Canada to implement [Bill C-15](#). An Enbridge representative provided that it is the proponent, Enbridge, that is responsible to monitor for leaks and follow up with the pipeline including the remediation of protection of historical sites and that there are some grants available to support vibrant and safe communities that can be found on the Enbridge website.

How do you detect oil spills and what safety features have been put in place for Line 3? How are issues fixed?

It's a multi-barrier approach. All pipelines are monitored through a satellite monitoring system. Another approach is aerial patrol with a combination of fixed-wing aircrafts and helicopters that fly along the line. We also have staff in the field doing planned inspections and maintenance. The lines are also set up with isolation valves so if the system does detect a pressure drop, it is isolated and crews are dispatched. If vegetation is discolored, there is a pooling of oil, oil being sprayed into the air, or metallic or petroleum smells, that is an obvious indicator as well. The oil control center in Edmonton is the main hub for detecting pipeline leaks on the Right-of-Way. – Steve Loney, Enbridge Representative

Is there a protocol in place where Enbridge gets a hold of Leadership?

There is an enhanced notification protocol in operation where someone in the incident command system notifies First Nations and Métis Nations. In the event of an oil release, we do notify Nations across the line. We have had Nations come and observe some emergency response activities, but most Nations aren't trained in oil emergency response. I'm not saying it's not risky, but pipeline incidents are some of the lowest incidents in terms of shipping energy. So, Nations tend to focus on an emergency response on higher frequency items such as grass fires, motor vehicle incidents, etc. – Steve Loney, Enbridge Representative

Why was Line 3 left in [the ground]?

The old Line 3 was decommissioned. It was emptied, cleaned, and purged. We did fill sections with a cement-like material [not cement] where we cut and capped it underneath road crossings and railways to prevent sagging which could happen over time. It's important to note that Enbridge does still have to maintain that line. We've shared with Nations across the line that there is less environmental impact by leaving it in place and monitoring it, rather than taking it out of the ground because a lot of earth would have to be disturbed. – Steve Loney, Enbridge Representative



What impact does leaving the line in the ground have on the environment? Were Elders and Knowledge Keepers consulted and what was their response?

Towards the end of the Line 3 replacement and the beginning of the Line 3 decommissioning, there were engagements with Nations and Elders. We did share our strategy with Nations in proximity to the line such as in the case of Swan Lake, which was directly affected. We asked their opinion on the cutting and capping and we added extra cutting and capping for the Nation at the location of their choice. We then blew the schedule and did not have a Nation member on site so that was embarrassing on our end. But we did execute that work so I just wanted to share that nuance of having discussions and looking at where to place extra things that Nations were comfortable with. – Steve Loney, Enbridge Representative



Appendix D – Line 3 IAMC Q&A Panel

Do the CER and NRCan have a vision for the L3 IAMC and what was their experience with renewal in the past?

We are committed to establishing a systemic model for Indigenous involvement in oversight of the facilities. We need help from the Committee and Nations to figure out what that looks like. How do we develop that systemic model that is meaningful to Nations on the ground that we can practically implement? – Genevieve Carr, CER Co-chair

On renewal as a process, it is fatiguing, one of the key takeaways for us is to ensure our drafting of the proposals to the federal cabinet [will include reduced frequency of reapplying for funding]. For the broader vision, we see a lot of excitement for the future... L3 IAMC is challenging industry and governments, we need to build momentum and keep the momentum going for the monitoring program and everything else that we do. – Raheel Baig-Mirza, NRCan Co-chair

It's our children's futures that we need to think about. The vision is to just open the door. And Indigenous people have been knocking at the door for decades. We have treaties to back us up as well. There are thousands of things we could have done if the Government had just listened [before now]. So now that the door is open, it's up to us [Indigenous peoples] to dictate that future vision. – Richard Aisaican, Indigenous Co-chair

How do you ensure that the L3 IAMC is taking First Nations and Métis community concerns and raising them to government and industry?

We don't ever move forward without the advice of the Nations. I listen to the concerns of my people. If I am not doing a good job, I want to know – Kyra Northwest
The submissions are co-developed. We do the writing, but all the content is reviewed by the Indigenous Caucus. – Raheel Baig-Mirza, NRCan Co-chair

What mechanisms can we build within the structure of the L3 IAMC that account for capacity shortfalls or interests of individual nations and ensure that government, regulators, and proponents still engage rights holders?

Proponents still engage with rights holders. The IAMC is not a consultative body. – Richard Aisaican, Indigenous Co-chair

We are not here to replace the role of rights holders. We are here to ensure that what we are hearing is shared to help and empower Nations. Forums like this allow us to implement changes based on what we hear. – Kyra Northwest, L3 IAMC

How are guidelines and recommendations from L3 IAMC oversight activities enforced or implemented by the CER? What types of activities and what is the process?

With private land use, we were getting pushed out from being able to monitor those lands. Whoever is out with an Inspection Officer can go where they go, so our Indigenous Monitors were no longer excluded and can access private lands. – Kyra Northwest, L3 IAMC



We took advice from the IAMC regarding how Nations are notified when there is an incident. We issued an all-company letter that if it is reportable to the CER, they also need to be reporting it to the Nations. There is still work to be done with chance finds and private lands. – Genevieve Carr, CER Co-chair

What do communication lines look like from the L3 IAMC to the Minister?

I meet with the DG/ADM/DM regularly, reporting back to the Indigenous Caucus and raising their questions back to the bureaucrats. – Richard Aisaican, Indigenous Co-chair

The formal written advice was signed off by the Indigenous Caucus and sent directly to the heads of NRCan and the CER. – Kyra Northwest, L3 IAMC

Are there other options that we could consider to better situate the L3 IAMC in the regulatory process and what do those look like?

CER has made public its commitment to try to develop a model that can be replicated for Indigenous involvement in oversight. We are continuing to learn from the IAMCs about what model might work. A model would not replace consultation, but it may help. – Genevieve Carr, CER Co-chair

What advancements and successes have the L3 IAMC achieved to get where we are today?

When we first started, Indigenous folks and the Government of Canada were very separate which impacted initial conversations. We worked through some of these issues and built relationships. – Richard Aisaican, Indigenous Co-chair

The key thing is building relationships, enhancing them, and maintaining them. – Kyra Northwest, L3 IAMC

From your perspectives, what does success mean for the L3 IAMC & how does the L3 IAMC measure success?

Success is the starting point of inclusivity. It is not just simple inclusion by engaging or informing. How can they shift the manner in which decisions are made by Canada, whether it is NRCan or the CER, to include Indigenous perspectives? How can they enforce the views of Métis and First Nations people in the way they conduct themselves in industry in things such as stop orders? – Raheel Baig-Mirza, NRCan Co-chair

It took quite some time for Indigenous people to be at the table and have a voice and have proponents be in the same room talking to them and asking what they need and listening to their recommendations on what needs to be changed or adjusted. Those are the kinds of things with which they can measure success. – Richard Aisaican, Indigenous Co-chair

On November 29, 2016, an email was sent out to the 132 Impacted Nations on Line 3. That email was an invitation to a conference call. When he logged on, it was the Government of Canada explaining that the process of Line 3 was being approved with 89 conditions. Two more conditions were added: The IAMC and the Indigenous Economic Pathway. That was a success. It may not seem like it, but everyone is here today because of that call in 2016. – Chief Matthew Peigan, L3 IAMC



From the regulator's point of view, success is that the facilities that they regulate are safer and they have better oversight of them. The involvement of Indigenous peoples in that oversight is making things safer. – Genevieve Carr, CER Co-chair

How is this going to be impacted by the possible change of Government? There is great fear about a bunch of federal projects as we speak.

Each political party has a different position in terms of how they collaborate and engage Métis, First Nation, and Inuit people. – Chief Matthew Peigan, L3 IAMC

The inclusion of Indigenous people guarantees the security of the pipeline which has impacts on economics. In his point of view, the science behind this concept should be favorable because it does drive the economy. Whatever party people are aligned with, there is success in that. – Raheel Baig-Mirza

The regulator is independent but that doesn't mean that they aren't susceptible to being neo-modernized... Embedded within the CER legislation is a commitment to implement the UN declaration, and commitments for inclusion of Indigenous knowledge, rights, and interests. – Genevieve Carr, CER Co-chair

For property owners near where the line passes through, do they have similar oversight of regulatory work being done or is this something that extends throughout the pipeline as it crosses Mother Earth?

The question of landowner involvement in pipeline applications has been longstanding and predates the 'establishment' of the CER. Landowners had strong interests and voices, probably stronger voices than Indigenous peoples, in the earlier days of the National Energy Board. To address these interests, the Board (i.e. National Energy Board, at the time) invested heavily in working with landowners on how to address concerns and make sure there were ways for landowners to work with the regulator and companies on federally regulated pipelines. The regulator has a national Land Matters Group Advisory Committee which is made up of different landowner association groups. This Committee helps guide the Regulator in understanding and address interests of landowners; it does not provide regulatory oversight. – Genevieve Carr, CER Co-chair

What is going to happen with Youth, and how are you going to include Youth with it all?

[The Committee] needs to improve on that. At the last meeting, the Committee did think about that, and when they did the call for this Regional Engagement, they did proactively try to include Youth. There is a lot of opportunity for improvement in [our] ways of thinking, and [we] would like to hear from the Youth on what their perspectives are.... The Committee as a collective needs to champion those voices and support systemic change. Youth are often the ones that drive that. – Raheel Baig-Mirza, NRCan Co-chair

Who is the CER and what is their relation to the NEB?

[CER is the] regulator for interprovincial and international pipelines and some electrical transmission pipelines. We oversee 77,000 km of pipelines in the country, about 10%. Most are regulated provincially,



and we only are involved when borders are crossed. We [NEB] became the CER in 2019 when the CER act and replaced the Canada Energy Regulator Act. [NEB and the CER] are the same and different. [CER] has an independent decision-maker body, and a board of directors and has established an Indigenous advisory Committee. [CER] is the lifecycle regulator, when projects come forward, we monitor the construction, operation, decommissioning and eventual deconstruction of projects. We give project advice on engagement and consultation and once it is formal, we engage in our formal regulatory process and consultation. – Genevieve Carr, CER Co-chair

Do you see a future of having Line 3 and TMX [IAMCs] meet to go over what has gone wrong and what has gone right? Everyone should be here because everyone has a hand in this.

[The Committees] do touch base with each other. But formally, we are stuck doing renewal. When really, we should be reporting to you what our achievements are, our barriers, and what we have overcome. That is in the parking lot right now. [The Committees] talk informally, but we need to formalize this. We need to share ‘what do we do about this problem?’. – Richard Aisaican, Indigenous Co-chair

We have been trying to connect with TMX, but we haven’t quite been able to make that happen. We hope that can happen in the not-too-distant future. That is something in the works and I think it is important. - Mike Sutherland, L3 IAMC

A number of us are going to a workshop about our regulatory framework [later this week] at CER where Caucus members from both IAMCs are coming together to convene the people working in this space for the past seven years. – Genevieve Carr, CER Co-chair