



DRAFT INDIGENOUS ENGAGEMENT AND PARTNERSHIP PLAN FOR THE IMPACT ASSESSMENT OF THE GAZODUQ PROJECT

January 30, 2020

1. Introduction

This document is a draft version of the Indigenous Engagement and Partnership Plan (IEPP) for the impact assessment of the Gazoduq Project (the Project). During the comment period on this document, the Impact Assessment Agency of Canada (the Agency) invites Indigenous communities to submit their comments on the draft IEPP.

On January 22, 2020, the Impact Assessment Agency of Canada determined that a federal impact assessment is required for the proposed Gazoduq Project, pursuant to Section 16 of the *Impact Assessment Act (IAA)*. Since the Project is subject to the IAA and the *Canadian Energy Regulator Act (CERA)*, the impact assessment will automatically be referred to a review panel and must meet the legal requirements of both these acts. A review panel whose mandate covers both the IAA and the CERA is an “integrated review panel” (the Panel). The Agency will coordinate the impact assessment process with the Canada Energy Regulator (the CER). Upon completion of the impact assessment, should the Project be allowed to proceed, the CER will be responsible for the ongoing monitoring and follow-up, as the regulator of the life cycle of gas pipeline projects.

The Indigenous Engagement and Partnership Plan outlines opportunities and methods for meaningful engagement and consultation with potentially affected Indigenous groups and Nations throughout the impact assessment process for the Project. The Plan is intended to be flexible and does not preclude the Agency from making changes to the approaches described in this Plan in order to accommodate changes that may occur during the assessment process.

Throughout this document, the terms “Indigenous groups and Nations” are used to refer to the Indigenous communities that may wish to participate in the impact assessment. These terms are intended as inclusive of Indigenous peoples or other sub-groups connected by Band, geographical location, community roles or other shared governance system, values or identity. Within the context of the impact assessment process, the Agency encourages the active participation of Chief and Council, community leadership or other Indigenous collective as well

as other members of an Indigenous community including women, elders, and youth.

For more information regarding Indigenous participation throughout the impact assessment process, please see the Agency's interim guidance at the following link:

<https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/interim-guidance-indigenous-participation-ia.html>

To complement this broader Indigenous Engagement and Partnership Plan, Indigenous group-specific or Nation-specific consultation plans may be developed to describe an Indigenous group's or Nation's specific objectives for consultation, or any unique features of the impact assessment and consultation process.

This framework replaces any previous plans, including the one shared on May 27, 2019, by Natural Resources Canada's Major Projects Management Office.

A separate public participation plan has also been developed and is available through the Public Registry homepage for the Project at: <https://iaac-aeic.gc.ca/050/evaluations/proj/80264>

2. Description of the Gazoduq Project (the Project)

Gazoduq Inc. is proposing the construction and operation of a natural gas pipeline approximately 780 kilometres long between northeastern Ontario and Saguenay, Quebec. The proposed project would connect TC Energy Limited's existing main natural gas transmission system in northeastern Ontario to the proposed Énergie Saguenay Project, a natural gas liquefaction facility proposed by GNL Québec in Saguenay, Québec. The proposed project would also include three compressor stations, one metering station, approximately 25 block valves and a dedicated control center.

3. Objectives of Indigenous Engagement and Partnership

Impact Assessment Agency of Canada's Objectives

The plan for Indigenous engagement and partnership for the Project addresses:

- Crown consultation on the potential positive and negative effects and impacts of the Project on the rights of the Indigenous peoples of Canada recognized and affirmed in section 35 of the *Constitution Act, 1982* (section 35 rights);
- Engagement with Indigenous groups and Nations regarding Indigenous knowledge and how it may inform the consideration of potential effects and impacts of the Project and impacts on the exercise of Aboriginal or Treaty rights;
- Engagement with Indigenous groups and Nations to identify cultural considerations and customs that should be taken into account in project decision-making;

- Engagement with Indigenous groups and Nations throughout the impact assessment process with opportunities to provide comments on key documents and the broader consultation and engagement processes;
- Opportunities for collaboration with specific Indigenous groups and Nations on elements of the impact assessment; and
- Following the appointment of the Review Panel, opportunities for Indigenous groups and Nations to provide information and comments to the Review Panel for consideration in its assessment.

Objectives Identified by Indigenous Groups and Nations during the Planning Phase

This section will be further developed collaboratively, based on dialogue between the Agency and Indigenous groups and Nations during the Planning Phase, and as such, the Agency welcomes other values and objectives that Indigenous groups and Nations may wish to add. The list of objectives listed below are those received to date through consultation activities with Indigenous groups and Nations. They are not static or meant to be limiting and will continue to evolve throughout the impact assessment process.

The following objectives have been identified by Indigenous groups and Nations as important in designing an approach to Indigenous engagement in the impact assessment:

- Open and transparent communication;
- Consultation that respects the diverse roles of Indigenous groups and Nations within the project area;
- Early consultation that is meaningful and assesses, considers, and where appropriate, accommodates for adverse impacts due to the Project;
- Opportunities to provide evidence that project design and mitigation measures are informed by input from Indigenous groups or Nations and input from Indigenous groups and Nations informs Crown action and decisions;
- Decisions related to the Project are informed through broad and ongoing consultation;
- Decisions related to the Project are informed by rights impact assessment;
- Decisions related to the Project are informed by community concerns and traditional values;
- Decisions related to the Project are informed by community input on the assessment of cumulative effects;
- Potential adverse effects to the natural environment are communicated or reported in a transparent way; and

- Opportunities for Indigenous groups and Nations that have expressed interest, to provide direct input into the proponent's baseline studies and to the impact assessment.

4. Indigenous Groups and Nations

The following is a list of Indigenous groups and Nations identified by the Agency for Crown consultation related to the impact assessment of the proposed Project, on the basis that the Project may adversely impact the exercise of Aboriginal or Treaty rights of the Indigenous peoples of Canada recognized and affirmed in section 35 of the *Constitution Act, 1982*. While the impact assessment is not a rights determination process, for the purpose of consultation, the Crown will consult with the Indigenous groups and Nations listed¹ below to understand the concerns and potential impacts of the Project on their exercise of Aboriginal or Treaty rights and, where appropriate, make accommodations.

Table 1 – Crown List of Indigenous groups and Nations to be consulted

| Province | Indigenous Group or Nation |
|----------|---|
| QC | Algonquins of Barriere Lake |
| QC | Communauté Anicinape de Kitcisakik |
| QC | Nation Anishnabe du Lac Simon |
| QC | Première Nation Abitibiwinni |
| QC | Conseil des Atikamekw de Manawan |
| QC | Conseil des Atikamekw de Wemotaci |
| QC | Conseil des Atikamekw d'Opitciwan |
| QC | Cree First Nation of Waswanipi |
| QC | Cree Nation of Waskaganish |
| QC | Grand Council of the Crees (Eeyou Istchee) / Cree Nation Government |
| QC | Kebaowek First Nation |
| QC | Kitigan Zibi Anishinabeg |
| QC | Long Point First Nation |
| QC | Nation huronne-wendat |

¹ The Indigenous groups and Nations referenced may change as more is understood about the effects and impacts from the Project and/or if the Project or its components change during the impact assessment. The Agency reserves the right to alter this list as additional information is gathered during the impact assessment.

| Province | Indigenous Group or Nation |
|-----------------|--|
| QC | Première Nation des Essipiunnuat (Essipit) |
| QC | Première Nation des Innus de Pessamit |
| QC | Première Nation des Pekuakamiulnuatsh (Mashteuiatsh) |
| QC | Timiskaming First Nation |
| QC | Wolf Lake First Nation |
| ON | Flying Post First Nation |
| ON | Matachewan First Nation |
| ON | Mattagami First Nation |
| ON | Métis Nation of Ontario |
| ON | Taykwa Tagamou Nation (New Post) |
| ON | Temagami First Nation |
| ON | Wahgoshig First Nation |

For the purposes of good governance, the Agency also plans to provide information and discuss potential effects and impacts from the Project with the Indigenous groups and Nations listed below during each phase identified in the appendix at Table 6.1. The engagement and consultation methods for the following Indigenous groups and Nations will be different than the other Indigenous groups and Nations mentioned at Table 1. Direct mail and email distribution, provision of Registry links to key documents, funding through the Agency's regular participant funding program, and comments on key documents throughout the impact assessment process will be the primary methods used.

Table 2 – Crown List of Indigenous groups and Nations to be consulted for good governance reasons

| Province | Indigenous Group or Nation |
|-----------------|-----------------------------------|
| QC | Cree Nation of Washaw Sibi |
| ON | Beaverhouse Indigenous Community |

The Government of Canada is committed to renewing the relationship with Indigenous groups and Nations based on the recognition of rights, respect, cooperation and partnership. Through this plan, the Agency supports the Government's commitment to advancing reconciliation with Indigenous groups and Nations. In addition to this plan, the Agency plans to engage Indigenous organizations who have indicated an interest in the impact assessment process using the engagement tools and methods outlined in the Public

Participation Plan (PPP).

5. Engagement and Consultation Tools, and Methods

The following is a list of tools and methods identified by Indigenous groups or Nations during the Planning Phase, summarized by the Agency, to ensure meaningful engagement and consultation with the Crown in the impact assessment process. The Agency-led engagement and consultation activities will use a suite of tools and methods, which includes:

- Funding under the Participant Funding Program to assist Indigenous groups and Nations involvement in the impact assessment and consultation activities which may include the assessment of the potential effects and potential cumulative effects and impacts on Aboriginal and/or treaty rights of the Project;
- Clear information on available funding, impact assessment process timelines, and the workload expected of Indigenous groups and Nations to ensure participation and engagement;
- Communication with Indigenous groups and Nations in an ongoing, open, and transparent manner;
- Consideration of cultural needs including seasonal issues (e.g., harvesting, hunting) and cultural protocols (e.g. offering tobacco) and spirituality (opening prayers);
- Following Indigenous groups and Nations consultation protocols in consultation and/or engagement activities, to the extent possible;
- Prior to the Agency determining that the Impact Statement contains the required information and studies, holding meetings between the Crown, proponent, experts and Indigenous groups and Nations to support Indigenous groups and Nations review of key documents and participation throughout the impact assessment process, in consideration of timelines and capacity of Indigenous groups and Nations
- Outreach and engagement with Chief and Council or community leadership, elders, youth, and women;
- Providing reasonable time for in-community and off-community visits;
- Ensuring that meetings are inclusive and allow for diverse participation (e.g., accessibility of meeting locations, timing of meetings, transportation, childcare);
- Providing training on the impact assessment process and how to effectively participate in the process, including offering the Agency's Level 1 and Indigenous-

- focused Level 2 training²; and
- Providing user-friendly summaries of key documents, fact sheets, infographics, PowerPoint tools, booklets, audio-visual materials.

In addition, the Agency will explore opportunities for:

- The use of translators and/or interpreters to support meetings between Indigenous groups and Nations and the Crown;
- Translation of key high-level summary documents into French, English or into Indigenous languages;
- Flexible timelines to accommodate in-community communication and engagement processes; and
- Workshop formats to discuss key documents through the impact assessment process, where appropriate.

The Agency will work bilaterally with individual Indigenous groups and Nations on these items or any items not listed above, in the development of an Indigenous group-specific and Nation-specific consultation work frameworks.

→The Agency is seeking your opinion on the tools and methods of engagement and consultation listed above. Please tell us your preferences and your suggestions for other tools and methods that could facilitate your participation.

→The Agency would also like to know if there are any challenges that could prevent you or your community or organization from accessing participation opportunities for this project, including language barriers, economic or technical challenges, or other factors.

6. Engagement and Consultation Approach

Table 6.1 provides a description of the main phases in the impact assessment process and an explanation as to how the Agency, on behalf of the federal Crown, proposes to engage and consult with Indigenous groups and Nations during each phase. The table reflects the process for an impact assessment by an integrated Review Panel and describes objectives of each phase and engagement methods, including opportunities for Crown-Indigenous collaboration throughout the impact assessment process.

Prior to the determination that an impact assessment was required, the Agency consulted with Indigenous groups and Nations on the Initial Project Description and prepared the Summary of Issues. Subsequently, the Agency provided the Summary of Issues to the

² Level 1 and Indigenous-focused Level 2 training focus on the impact assessment process and is offered through the Agency's website at <https://www.iaac-aeic.gc.ca/014/index-eng.aspx>.

proponent for response, including the key issues identified by Indigenous groups and Nations. The Agency has and will continue to seek input from Indigenous groups and Nations for the development of the Tailored Impact Statement Guidelines³ and the Indigenous Engagement and Partnership Plan (this document).

Specific Indigenous groups and Nations to whom the Crown owes a duty to consult and who wish to work with the Agency to identify consultation activities beyond those included within this document are welcome to express their interest in an Indigenous group-specific and Nation-specific consultation work plan. The Agency will work with Indigenous groups and Nations during the Impact Statement phase to develop this plan, as needed.

7. Provincial Engagement Approaches

The Agency will coordinate Indigenous engagement activities with the Province of Quebec and Ontario, to the extent possible.

8. Proponent Engagement Approaches

For information on the proponent's future engagement plans with Indigenous groups and Nations during the impact assessment process, please see the Detailed Project Description at proponent's website via the following link: <https://gazoduq.com/en/>. During the Planning Phase, Indigenous groups and Nations identified the expectation that the proponent should maintain regular contact with Indigenous groups and Nations as the Project progresses and continue to share Project details and plans.

The Agency encourages the proponent to engage with Indigenous groups and Nations to gather information, identify potential effects and appropriate mitigation or accommodation measures and address concerns throughout the impact assessment process. The Agency also encourages the proponent to incorporate Indigenous Knowledge and cultural considerations into its Impact Statement, and to validate the information within the Impact Statement with Indigenous groups and Nations prior to formally submitting it to the Agency for review.

If requested, prior to the appointment of the Review Panel, the Agency can explore organizing a series of meetings in coordination with the proponent and Indigenous groups and Nations to discuss technical matters as the assessment process progresses. The outcomes of any such meetings would be documented and posted on the public registry. For more detail on

³ The Tailored Impact Statement Guidelines are available here: <https://www.iaac-aeic.gc.ca/050/evaluations/document/133758?culture=en-CA>

Agency expectations of the proponent, please see the Tailored Impact Statement Guidelines <https://www.iaac-aeic.gc.ca/050/evaluations/document/133758?culture=en-CA>.

9. Participant Funding

During the Planning Phase, grant funding was made available to Indigenous groups and Nations to support comment on the Initial Project Description, the Tailored Impact Statement Guidelines, and the Indigenous Engagement and Partnership Plan.

Funding is also available to support Indigenous groups and Nations to participate throughout the impact assessment process. The opportunity to submit applications for funding will be made available to the Indigenous groups and Nations during the Impact Statement Phase. These participant-funding opportunities will support Indigenous groups and Nations to comment on the proponent's Impact Statement and the Agency's draft Consultation and Accommodation Report, including consultation summary, and potential conditions.

For information about the activities that are eligible for funding or to apply for funding, see the National Program Guidelines and application on the following page <https://www.canada.ca/en/environmental-assessment-agency/services/public-participation/participant-funding-application-environmental-assessment.html>.

10. How to submit comments and contact information

Until close of the record for the impact assessment by the Review Panel, comments can be submitted at any time during the project assessment via the "submit a comment" feature available on the Project's Canadian Impact Assessment Registry page (Reference No. 80264 at <https://iaac-aeic.gc.ca/050/evaluations/proj/80264?&culture=en-CA>) Attachments can also be uploaded using this feature. If you have any difficulties submitting this way, please contact the Agency or the Review Panel Secretariat, once the Review Panel is established, by using the information provided below for assistance. Comments may also be submitted by mail or email.

Comments and other documents received by the Agency or Review Panel will form part of the Project File and will be posted on the Canadian Impact Assessment Registry Internet site, with the exception of those that are deemed to be confidential or subject to non-disclosure. The Agency's Submission Policy⁴ determines which submitted information can be shared publicly, and what should remain private. For further information on how we protect your privacy, please refer to the Privacy Notice⁵. If you do not want your comment posted on the Registry, please

⁴ The Agency's Submission Policy can be accessed at <https://iaac-aeic.gc.ca/050/evaluations/participation/conditions>

⁵ The Agency's Privacy Notice can be accessed at <https://www.ceaa-acee.gc.ca/050/evaluations/protection?culture=en-CA>

contact Agency or the Review Panel Secretariat at the coordinates below prior to submitting the comment.

A summary of comments received throughout the impact assessment process will also be included in the Review Panel's Impact Assessment Report.

For any questions or additional information, please contact the Crown Consultation Leads or the Agency office responsible for administering the impact assessment of the Project:

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Table 6.1 – Indigenous Engagement Approaches and Activities

Note: This table complements Table 6.1 of the PPP, which is also applicable to Indigenous groups and Nations except where specified otherwise in this plan.

| Process Phase | Main Activity and Consultation-related Objectives of the Phase | Expected Consultation-related Activities by the Agency | Expected Consultation-related Activities by Indigenous groups and Nations | Engagement and Consultation Methods | Time Frame |
|------------------------------|---|---|--|--|------------------------|
| <p>Planning Phase</p> | <ul style="list-style-type: none"> • Obtain comments and feedback on documents related to the planning phase • Share information on the impact assessment process and on opportunities for participation, including the opportunity to influence the proponent's Impact Statement | <ul style="list-style-type: none"> • On October 10, 2019, the Agency accepted an initial description of the Project • From October 22 to November 22, the Agency invited comments on the initial Project description. These comments were used to prepare the summary of issues • On November 29, the Agency submitted the Summary of Issues to Gazoduq • On January 30, 2020, the Agency published the draft Tailored Guidelines and the public participation plan and invited the public to provide comments from January 30 to March 10, 2020 • From February 11 to February 20, 2020, the Agency will hold community sessions • At end of planning phase, | <ul style="list-style-type: none"> • Online comments on the initial Project description, and the Indigenous Engagement and Partnership Plan • Community sessions in the communities most likely to be affected by the proposed project | <ul style="list-style-type: none"> • Face-to-face Meetings • Teleconference Meetings • Email • Online comments | <p>✓ Current phase</p> |

| Process Phase | Main Activity and Consultation-related Objectives of the Phase | Expected Consultation-related Activities by the Agency | Expected Consultation-related Activities by Indigenous groups and Nations | Engagement and Consultation Methods | Time Frame |
|-------------------------------|---|--|--|---|--|
| | | <p>Agency posts key documents on the Registry website, including the final Tailored Impact Statement Guidelines, Indigenous Engagement and Partnership Plan, Public Participation Plan, Cooperation Plan, Permitting Plan in English and French</p> | | | |
| Impact Statement Phase | <ul style="list-style-type: none"> • Provide opportunities to comment on the mandate of the Review Panel through the draft Integrated Review Panel Terms of Reference • Identify, encourage and implement opportunities for collaboration (e.g. Indigenous-led studies) • Develop Indigenous group-specific or Nation-specific consultation frameworks, as requested • Proponent develops Impact Statement based on comments received on the Tailored Impact Assessment Guidelines • Share project information in a timely manner, to the extent | <ul style="list-style-type: none"> • Agency works with Indigenous groups and Nations to implement the Indigenous Engagement and Partnership Plan • Agency works with Indigenous groups and Nations to develop and implement Indigenous group-specific or Nation-specific consultation frameworks, including identifying collaborative approaches, as applicable • Agency has ongoing dialogue with section 35 rights holders on conducting a rights impact assessment • Agency administers participant funding with eligible | <ul style="list-style-type: none"> • Indigenous groups and Nations provide additional input on collaboration opportunities and how they would like to participate • Indigenous groups and Nations provide comments, including but not limited to Indigenous knowledge, as appropriate, for consideration by the proponent when developing the Impact Statement • Indigenous groups and Nations engage with the proponent to co-develop, collect any relevant information and /or directly provide input into proponents assessment of potential | <ul style="list-style-type: none"> • Face-to-face Meetings • In community meetings • Teleconference Meetings • Email • Online comments | <ul style="list-style-type: none"> • Activities will begin immediately upon release of the final Tailored Impact Statement Guidelines • Teleconferences or meetings will take place within 60 days of the Agency providing proposed Indigenous group-specific or Nation-specific consultation work plans, as |

| Process Phase | Main Activity and Consultation-related Objectives of the Phase | Expected Consultation-related Activities by the Agency | Expected Consultation-related Activities by Indigenous groups and Nations | Engagement and Consultation Methods | Time Frame |
|---------------|---|--|--|-------------------------------------|--|
| | <p>possible</p> <ul style="list-style-type: none"> • Engage and/or consult on issues of importance to potentially affected Indigenous groups and Nations • Identify potential impacts on exercise of section 35 rights • Identify avoidance, mitigation or accommodation measures to address potential impacts on the exercise of section 35 rights • Ensure the Impact Statement contains the required information and studies, as outlined in the Guidelines • Prepare for the Impact Assessment phase by increasing awareness of the Review Panel process including Panel Terms of Reference and how to participate in Public Hearings • Review of the proponent's Impact Statement to ensure it contains the information and studies outlined in the Tailored Impact Statement Guidelines | <p>Indigenous groups and Nations to support participation in the impact assessment process</p> <ul style="list-style-type: none"> • Agency sends direct email and/or letter with process updates; plain language handouts; and links to key documents on the public registry internet site • Agency sends correspondence detailing how comments received during comment periods have been considered on documents such as the Tailored Impact Statement Guidelines and draft Integrated Review Panel Terms of Reference and the Joint Review Panel Agreement, if applicable • Agency shares information and/or provides training to Indigenous groups and Nations on the impact assessment process • Agency instructs proponent to provide accessible information documents to support Indigenous groups and | <p>effects, mitigation and follow-up measures, to inform the Impact Statement</p> <ul style="list-style-type: none"> • Indigenous groups and Nations identify and communicate views on potential impacts on them caused by the Project and their section 35 rights • Indigenous groups and Nations provide input to and/or comments on the proponent's Impact Statement • Indigenous groups and Nations identify information gaps in the proponent's Impact Statement and make suggestions to the Agency/proponent on how to address gaps | | <p>applicable</p> <ul style="list-style-type: none"> • Capacity-building activities, including in community meetings and teleconference meetings, may occur within the first year of the Impact Statement Phase and may continue throughout impact assessment process • Implementing a collaborative approach to reviewing the proponent's Impact Statement may occur in the weeks before the document is submitted • Instructions to |

| Process Phase | Main Activity and Consultation-related Objectives of the Phase | Expected Consultation-related Activities by the Agency | Expected Consultation-related Activities by Indigenous groups and Nations | Engagement and Consultation Methods | Time Frame |
|---------------|--|---|---|-------------------------------------|--|
| | | <p>Nations participation</p> <ul style="list-style-type: none"> • Agency instructs proponent to present project information, results of baseline studies, and brief Indigenous groups and Nations on technical matters • Agency instructs the proponent to work with Indigenous groups and Nations to gather and incorporate Indigenous knowledge • Agency instructs the proponent to work with Indigenous groups and Nations collaborate on the proponents assessment of potential effects, mitigation and follow-up measures, to inform the Impact Statement • Agency works with Indigenous groups and Nations on implementing collaborative approaches as appropriate, regarding the proponent's Impact Statement to ensure it contains all of the information and studies outlined in the Tailored Impact Statement | | | <p>the proponent will be provided throughout the Impact Statement Phase</p> <ul style="list-style-type: none"> • Guidance to Indigenous groups and Nations on protecting confidential information will be provided throughout the Impact Statement Phase • Comment functionality on the Registry is available throughout the impact assessment process • Online comment period, potential in community meetings and teleconferences |

| Process Phase | Main Activity and Consultation-related Objectives of the Phase | Expected Consultation-related Activities by the Agency | Expected Consultation-related Activities by Indigenous groups and Nations | Engagement and Consultation Methods | Time Frame |
|---------------|--|---|---|-------------------------------------|---|
| | | <p>Guidelines</p> <ul style="list-style-type: none"> • Agency provides Indigenous groups and Nations with guidance on how to protect confidential information • Agency-led engagement and/or consultation on the proponent's Impact Statement to ensure it contains the information and studies outlined in the Tailored Impact Statement Guidelines • Agency sends direct email and/or letter with process updates; and plain language handouts and Registry links to key documents • Agency provides Indigenous groups and Nations with opportunity to provide comment, on the proponent's Impact Statement to ensure it contains the information and studies outlined in the Tailored Impact Statement Guidelines • Agency sends correspondence detailing how comments received during a comment period as well as at | | | <p>will occur within 30 to 45 days of posting the proponent's Impact Statement on the Registry</p> <ul style="list-style-type: none"> • Teleconference meetings may occur within a month of receiving proponent's responses to Agency requests for required information or studies |

| Process Phase | Main Activity and Consultation-related Objectives of the Phase | Expected Consultation-related Activities by the Agency | Expected Consultation-related Activities by Indigenous groups and Nations | Engagement and Consultation Methods | Time Frame |
|--|--|--|---|---|---|
| | | <p>meetings have been addressed</p> <ul style="list-style-type: none"> • Agency issues requests to the proponent for information or studies required to satisfy the Tailored Impact Statement Guidelines • Agency, as per the Tailored Impact Statement Guidelines, instructs proponent to present the Impact Statement, including potential effects, effects assessment, mitigation and follow-up measures and conclusions, and brief Indigenous groups and Nations on technical matters • Agency posts key documents on the Registry website: proponent's Impact Statement Summary in English and French, Impact Statement and Appendices in French | | | |
| Impact Assessment conducted by the Review Panel – Immediately | <ul style="list-style-type: none"> • Review of the proponent's Impact Statement by the Review Panel • Share procedural updates regarding consultation in a timely manner | <ul style="list-style-type: none"> • Agency encourages Indigenous groups and Nations to provide views and concerns directly to the Review Panel in order to provide Review Panel with analysis and comments regarding potential impacts | <ul style="list-style-type: none"> • Indigenous groups and Nations provide views to the Review Panel on the effects of the Project including the potential impacts on Indigenous peoples and their section 35 rights, how Indigenous knowledge was | <ul style="list-style-type: none"> • Reliance on the Review Panel process to facilitate the review of the proponent's Impact | <ul style="list-style-type: none"> • Timeframes during the Impact Assessment Phase are set by the Review Panel |

| Process Phase | Main Activity and Consultation-related Objectives of the Phase | Expected Consultation-related Activities by the Agency | Expected Consultation-related Activities by Indigenous groups and Nations | Engagement and Consultation Methods | Time Frame |
|--|---|---|--|---|---|
| <p>after the Agency issues notice that it is satisfied that the Proponent has submitted all necessary studies and information</p> | <ul style="list-style-type: none"> Update Indigenous group-specific and Nation-specific consultation work plans, as required Identify and track proponent commitments, proposed mitigation and/or accommodation measures that may address Indigenous groups or Nations concerns | <p>from the project</p> <ul style="list-style-type: none"> Agency works with Indigenous groups and Nations to implement the Indigenous Engagement and Partnership Plan and specific consultation work plans (as applicable) Agency administers participant funding with eligible Indigenous groups and Nations to support participation in this phase Agency sends direct email and/or letter with process updates; and plain language handouts and Registry links to key documents, up until the Panel is appointed <p>Note: Following the appointment of the Review Panel, the Panel Secretariat provides procedural updates including timing of public hearing and any other procedures. The Panel Secretariat also posts key documents on the Registry website</p> | <p>incorporated, and proposed mitigation and/or accommodation measures</p> | <p>Statement</p> <ul style="list-style-type: none"> Activities will be defined by the Panel's Terms of Reference and any procedures issued by the Panel Provision of information to the Review Panel, as appropriate and requested by the Panel | <ul style="list-style-type: none"> Agency-led teleconference meetings on the proponent's Impact Statement may occur during the pre-hearing stage *within 30 to 45 days following the posting of the notice of Agency determination that the proponent's Impact Statement is satisfactory |
| <p>Impact Assessment - Public</p> | <ul style="list-style-type: none"> Review Panel holds public hearing | <ul style="list-style-type: none"> Encourage Indigenous groups and Nations to participate fully | <ul style="list-style-type: none"> Indigenous groups and Nation participate in the public hearing | <ul style="list-style-type: none"> Activities will be defined by the Panel's Terms of | <ul style="list-style-type: none"> Public Hearing phase and Time Frame led by |

| Process Phase | Main Activity and Consultation-related Objectives of the Phase | Expected Consultation-related Activities by the Agency | Expected Consultation-related Activities by Indigenous groups and Nations | Engagement and Consultation Methods | Time Frame |
|---|---|--|--|---|--|
| Hearing | <ul style="list-style-type: none"> Agency and Federal Authority participation in the public hearing Indigenous groups and Nations participation in the public hearing | <p>in the public hearing</p> <ul style="list-style-type: none"> Agency administers participant funding with eligible Indigenous groups and Nations to support participation in this phase, including Public Hearing and post hearing phase consultations Agency relies on the public hearing during this phase to complement its ongoing dialogue with section 35 rights holders the conduct of a rights impact assessment Agency collaborates with Indigenous groups and Nations on preliminary assessment of impacts on rights in draft Consultation and Accommodation Report Review Panel provides Indigenous groups and Nations opportunity to comment on draft potential conditions | process | Reference and any procedures issued by the Panel | Review Panel |
| Impact Assessment Phase – Following the submission | <ul style="list-style-type: none"> Consultation on the Review Panel's Impact Assessment Report Consultation on potential impacts on rights, outstanding | <ul style="list-style-type: none"> Agency works with Indigenous groups and Nations to implement the Indigenous Engagement and Partnership Plan | <ul style="list-style-type: none"> Indigenous groups and Nations participate in meetings and provide input on the draft Consultation and Accommodation Report | <ul style="list-style-type: none"> Provision of comments on Review Panel's Impact Assessment | <ul style="list-style-type: none"> Community meetings and teleconferences on the Review Panel's Impact Assessment |

| Process Phase | Main Activity and Consultation-related Objectives of the Phase | Expected Consultation-related Activities by the Agency | Expected Consultation-related Activities by Indigenous groups and Nations | Engagement and Consultation Methods | Time Frame |
|--|---|--|---|---|--|
| of the Review Panel's impact assessment report and potential conditions | <p>issues and draft potential conditions informed by the Panel's recommendations</p> <ul style="list-style-type: none"> • Update community-specific consultation plans, as required • Share project information in a timely manner, to the extent possible • Review information in the Panel Report related to potential impacts on Indigenous peoples and in relation to environmental, health, social and economic conditions, and their section 35 rights • Provide input on complementary Crown measures as appropriate • Consult on draft Consultation and Accommodation Report | <ul style="list-style-type: none"> • Agency works with specific Indigenous groups and Nations to implement Indigenous group-specific and Nation-specific consultation work plans as applicable • Agency administers participant funding with eligible Indigenous groups and Nations to support participation in the post-hearing phase • Agency sends direct email and/or letter with process updates; and plain language handouts and Registry links to key documents • Agency consults Indigenous groups and Nations on the Review Panel's Report • Agency consults on the draft Consultation and Accommodation Report • Agency has ongoing dialogue with section 35 rights holders on conducting a rights impact assessment via the Consultation and Accommodation Report | <ul style="list-style-type: none"> • Indigenous groups and Nations provide feedback on the Review Panel's Impact Assessment Report | <p>Report</p> <ul style="list-style-type: none"> • Sharing of views on assessment of potential impacts on rights, and input into draft potential conditions to address impacts and issues • Community meetings • Teleconference Meetings • Comments and/or collaboration on sections of the Consultation and Accommodation Report including the adequacy of the process to inform decision making | <p>Report</p> <ul style="list-style-type: none"> • Community meetings and teleconferences on the Consultation and Accommodation Report • Consultation continues into the decision making phase as required |

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|------------------------|---|---|---|--|---|
| | | <ul style="list-style-type: none"> Agency posts key documents on the Registry website in French and English | | | |
| Decision Making | <ul style="list-style-type: none"> Assessment, Responses to unresolved issues; drafting of a submission to the Governor in Council Inform potentially affected Indigenous groups and Nations about the Governor in Council's Decision Statement | <ul style="list-style-type: none"> Agency has ongoing dialogue with Indigenous groups and Nations Agency sends direct email and/or letter with process updates; and plain language handouts and Registry links to key documents Agency responds to any outstanding concerns prior to the Governor in Council's Decision Statement Agency posts the Decision Statement and reasons for decisions on the Registry Agency provides opportunities with interested Indigenous groups and Nations to learn about next steps post-impact assessment decision Agency facilitates transfer of Crown Consultation record to federal authorities for regulatory approvals post-decision, including the Canadian Energy Regulator | <ul style="list-style-type: none"> Ongoing dialogue with the Agency on impacts on rights assessment Ongoing dialogue with Agency on potential accommodation options, as appropriate | <ul style="list-style-type: none"> Provision of a separate submission directly to the Governor in Council's that would accompany the public service advice and/or recommendations to the Minister Letters, teleconference or face-to-face Meetings | <ul style="list-style-type: none"> Face to face meetings or teleconferences to inform decision will occur within 30 days following the posting of the final draft conditions by the Agency on the registry Teleconferences to explain how comments were addressed will occur within 30 days following the posting of the decision on whether the adverse effects in federal jurisdiction are in the public interest |

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| | | <p>(CER), if applicable</p> <ul style="list-style-type: none"> Agency posts key documents on the Registry website: Decision Statement, including conditions | | | |
| <p>Post Impact Assessment Decision – Should the Project be allowed to proceed</p> | <ul style="list-style-type: none"> Transfer of Crown Consultation Lead to the CER Ensure the project complies with the CER's <i>Onshore Pipeline Regulations</i> Ensure compliance with any conditions to which the project is subject | <ul style="list-style-type: none"> Agency will facilitate the transfer of the Crown Consultation Lead to the CER Crown will engage and/or consult on potential amendments to Decision Statements, should the proponent submit a project change CER will conduct compliance verification activities | <ul style="list-style-type: none"> The CER is committed to meaningful engagement with Indigenous groups and Nations throughout the lifecycle of the project, including sharing information in a transparent manner and responding to issues of concern associated with the project The CER uses a cooperative and respectful approach to engage with Indigenous groups and Nations to build and enhance relationships, build CER knowledge in Indigenous communities and of Indigenous matters | <ul style="list-style-type: none"> Information will be posted on the CER's website and provided to the public through other means as appropriate | <ul style="list-style-type: none"> The CER verifies and enforces compliance with regulatory requirements during all phases of a project, from application to construction, operation and maintenance, as well as during temporary or permanent suspensions of a pipeline such as deactivation, decommissioning and abandonment |