Welcome to the 2022 Line 3 IAMC Webinar: Wise Practices

Greetings! Tansi! Oki! Danit'ada! Tawnshi! Boozhoo! Aaniin! Aba Washded! Hau! Iyuskin! Bienvenue!

April 27, 2022

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WISE PRACTICES:
Effective Relationships with Regulators and Proponents

April 27, 2022

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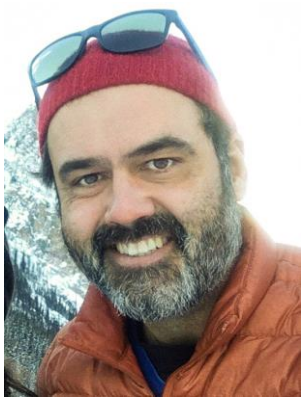
SHARED VALUE SOLUTIONS

INTRODUCTIONS



Steven Rowe

Jenna Wolno

Emma Barnes

Mike Sutherland

Kyra Northwest

Marci Riel

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SHARED VALUE SOLUTIONS

INDIGENOUS PARTICIPATION IN PROJECT REVIEWS

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WISE PRACTICES REPORT

1. Shared understanding
2. Improved socio-economic outcomes for Indigenous Peoples
3. Greater protections for the environment

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WISE PRACTICES REPORT

1. Preparing your community for the next project
2. Advancing your Rights and interests
3. Advancing economic opportunities and influencing project design
4. Collecting and using Indigenous Knowledge
5. Engaging the Citizens of your Nation

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SHARED VALUE SOLUTIONS

PREPARING YOUR COMMUNITY

Getting familiar with the regulatory landscape

Getting familiar with the infrastructure in your Territory

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PREPARING YOUR COMMUNITY

Community vision

Strategic documentation

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PREPARING YOUR COMMUNITY

Formal collaboration

Documenting values and priorities

Designating a key contact

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SHARED VALUE SOLUTIONS

NATION-SPECIFIC PROTOCOLS

- Consultation Process
- Consultation vs Engagement
- Roles & Responsibilities
- Workplans & Budgets
- Timelines
- Communication Expectations

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RESOURCES

Process Strategy Toolkits

1. Guide to Effectiv olvement in Federal Impact Assessm
2. First Nations Env sessment Toolkit
3. Environmental A lkit

Consultation Protoc ous Nations

4. Alderville First N tion Protocol
5. Chippewas of sultation Protocol
6. Taykwa Tagamou Nation Consultation and Accommodation Protocol
7. FSIN Consultation Protocol

Links available in the ZOOM chat!

ADVANCING YOUR RIGHTS & INTERESTS

Intentional and curious questions

Purposeful and reciprocal relationships

Expectations for receiving information

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SHARED VALUE SOLUTIONS

ADVANCING YOUR RIGHTS & INTERESTS

- Purposeful relationships
- Consistent and regular communication
- Meeting with proponents
- Working collaboratively
- Adjusting your approach
- Proactive and assertive participation
- Engagement requirements

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ADVANCING ECONOMIC OPPORTUNITIES & INFLUENCING PROJECT DESIGN

Proactive and early engagement

- Protecting cultural resources
- Understanding project impacts to Rights
- Bilateral consultation agreement negotiations

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ADVANCING ECONOMIG OPPORTUNITIES & INFLUENCING PROJECT DESIGN

Economic development structure

Economic vs. Political discussions

The right relationships

Preparing for employment opportunities

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REFLECTIONS ON WISE PRACTICES FOR ENGAGING PROPONENTS

Peguis First Nation Consultation and Special Projects Office

COLLECTING AND USING INDIGENOUS KNOWLEDGE & LAND USE INFORMATION

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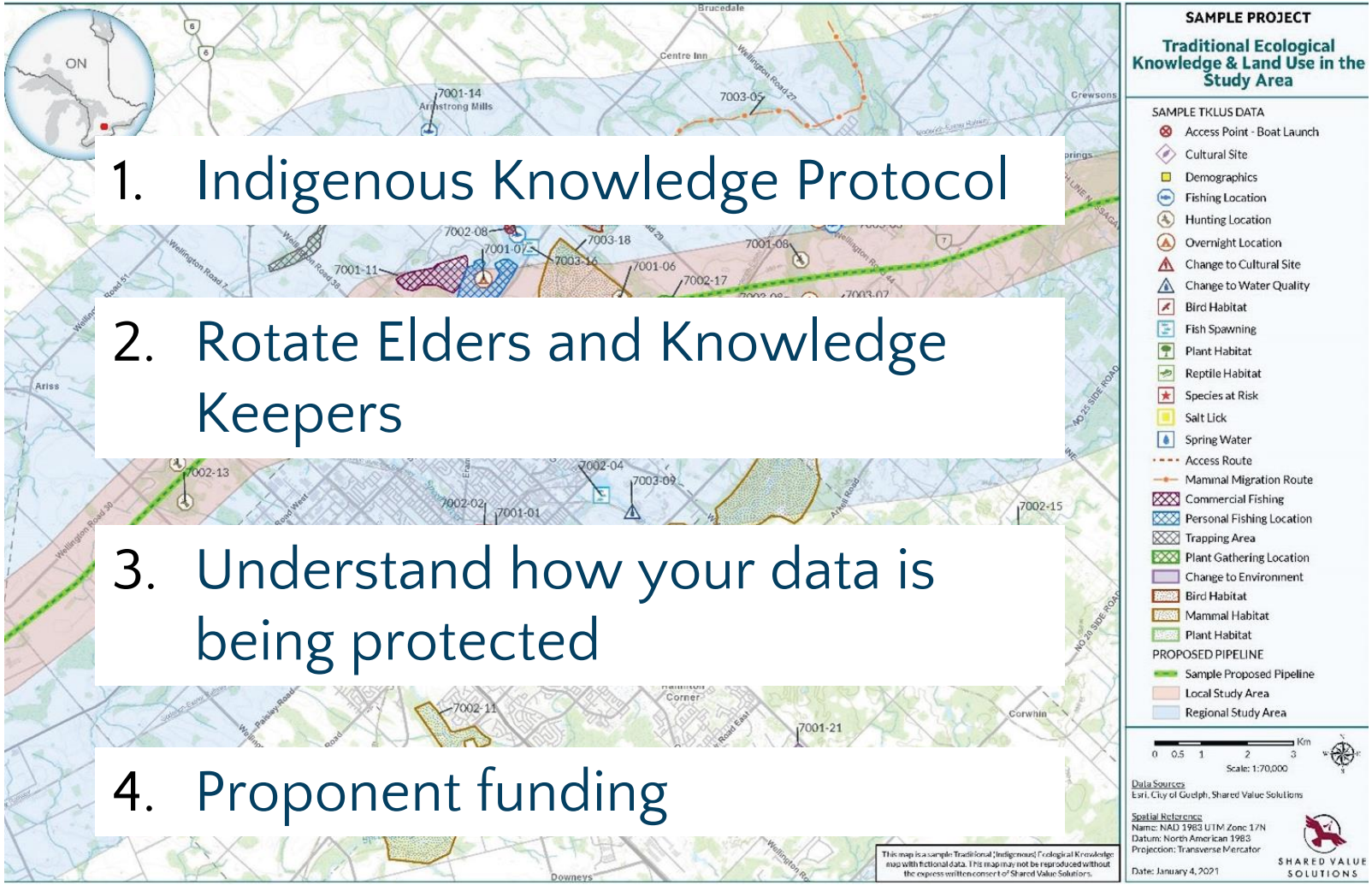
COLLECTING AND USING INDIGENOUS KNOWLEDGE INFORMATION



1. Indigenous Knowledge Protocol
2. Rotate Elders and Knowledge Keepers
3. Understand how your data is being protected
4. Proponent funding

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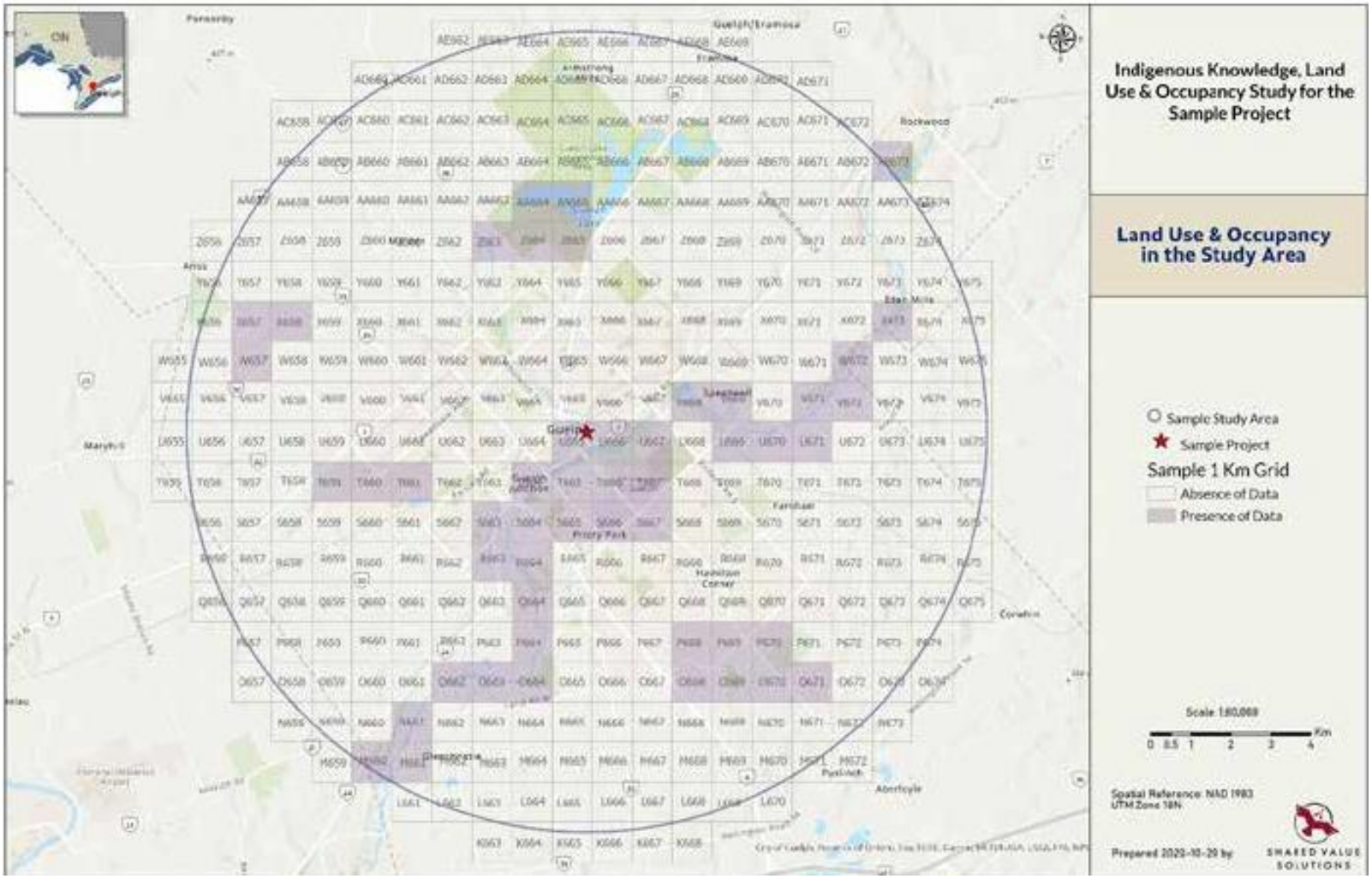
IMPORTANCE OF MAPS



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INDIGENOUS KNOWLEDGE
In the Review Process

- Community participation strategy
- Outreach and engagement strategy
- Developing strong relationships
- Building familiarity through education
- Involving Elders and knowledge keepers with prior experience
- Language translation for Elders

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INDIGENOUS KNOWLEDGE
In the Review Process

Inter-Elder dialogue

Hearing Process Strategy

- Supporting individuals newer to the process
- Subject matter experts
- Current and historical perspectives

Crown Consultation Strategy

- Document review
- Learn from the past
- MOU with the Crown

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INDIGENOUS KNOWLEDGE
In the Review Process

- Internal working groups
- Meetings between decision-makers
- Adequate resources
- Dedicated committee
- Long-term and reciprocal relationships

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ENGAGING THE CITIZENS OF YOUR NATION

Across the Lifecycle of a Project

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ENGAGING THE CITIZENS OF YOUR NATION

Social Media platforms

Using your Nation's website

Radio and/or TV broadcasts

Calling, texting or in-person meetings with community members

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ENGAGING THE CITIZENS OF YOUR NATION

Two-way feedback system

Opportunities for Elders & youth

Direct engagement with proponents

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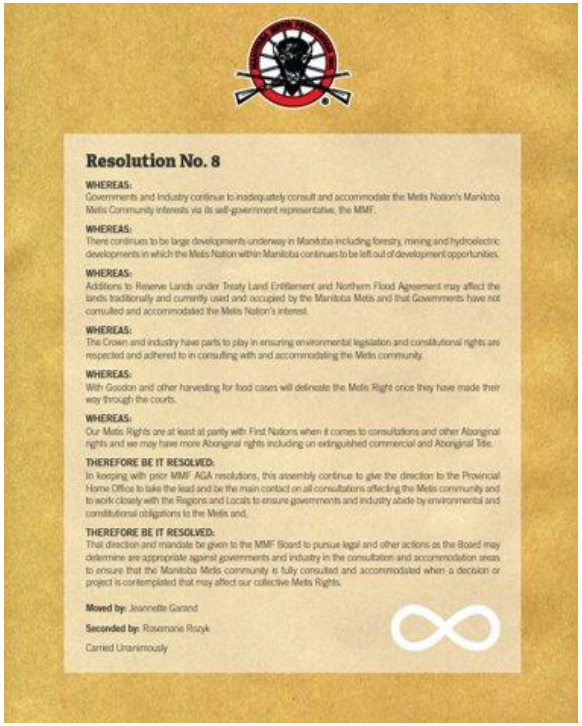
CONSULTATION AND ENGAGEMENT PROTOCOLS AND THE "*SINGLE WINDOW APPROACH*"

Resolution No. 8,
Manitoba Métis Federation

KEY ATTRIBUTES OF RESOLUTION NO. 8



Resolution No. 8

WHEREAS:
Governments and Industry continue to inadequately consult and accommodate the Metis Nation's Manitoba Metis Community interests via its self-government representative, the MMF.

WHEREAS:
There continues to be large developments underway in Manitoba including forestry, mining and hydroelectric developments in which the Metis Nation within Manitoba continues to be left out of development opportunities.

WHEREAS:
Additions to Reserve Lands under Treaty Land Entitlement and Northern Flood Agreement may affect the lands traditionally and currently used and occupied by the Manitoba Metis and that Governments have not consulted and accommodated the Metis Nation's interest.

WHEREAS:
The Crown and Industry have parts to play in ensuring environmental legislation and constitutional rights are respected and adhered to in consulting with and accommodating the Metis community.

WHEREAS:
With Goodon and other harvesting for food cases will delineate the Metis Right once they have made their way through the courts.

WHEREAS:
Our Metis Rights are at least at parity with First Nations when it comes to consultations and other Aboriginal rights and we may have more Aboriginal rights including un extinguished commercial and Aboriginal Title.

THEREFORE BE IT RESOLVED:
In keeping with prior MMF AGA resolutions, this assembly continue to give the direction to the Provincial Home Office to take the lead and be the main contact on all consultations affecting the Metis community and to work closely with the Regions and Locals to ensure governments and industry abide by environmental and constitutional obligations to the Metis and,

THEREFORE BE IT RESOLVED:
That direction and mandate be given to the MMF Board to pursue legal and other actions as the Board may determine are appropriate against governments and industry in the consultation and accommodation areas to ensure that the Manitoba Metis community is fully consulted and accommodated when a decision or project is contemplated that may affect our collective Metis Rights.

Moved by: Jeannette Garand

Seconded by: Rosemarie Rozyk

Carried Unanimously

1. Has complete unanimous Assembly support that the MMF is the main spokesperson for the Métis when it comes to Métis rights
2. Establishes a clear and consistent process for the Crown and proponents to follow when consulting/engaging the Manitoba Métis Community
3. Creates a '*single-window approach*' in that all consultation and engagement are routed through one department (the MMF's Home Office)
4. Ensures that consultation/engagement is being directed to a department that has the capacity to undertake these discussions on behalf of the Manitoba Métis Community
5. Promotes the spirit of partnership and promotes cooperative development
6. Advances accommodation through consultation
7. Establishes the expectation that the Crown and proponents advance a '*distinctions-based approach*' to consultation and engagement to ensure Métis are equally represented alongside other section 35 Rights Holders
8. Creates safeguards that ensure the Manitoba Métis Community will not be taken advantage of during a project review

RESOLUTION NO. 8
5-Phase Approach to Consultation

Phase 1: Notice & Response

Ensures that project-specific information is made available to the Manitoba Métis Community and enables answers to questions like "how do you want to be consulted?" and "what do you see as being important?"

Phase 2: Funding & Capacity

Requires that funding and capacity be made available to enable Métis skills and perspectives to inform the consultation and engagement process and ensures that the Manitoba Métis Community will be provided opportunity to verify that the information they are receiving is accurate and unbiased.

RESOLUTION NO. 8
5-Phase Approach to Consultation

Phase 3: Consultation or Engagement

- Enables opportunities for relevant project information to be shared and potential effects identified
- Most proponents see engagement as a good business practice, but some do not
- Crown has Duty to Consult and can enforce agreements/laws and affirm the constitutional rights of Indigenous peoples during project reviews

RESOLUTION NO. 8
5-Phase Approach to Consultation

Phase 4: Accommodation and Partnership

- Courts have affirmed that the Crown has the duty to consult and when appropriate, accommodate Indigenous peoples when their rights are impacted by a decision or action.
- Accommodation needs to flow directly from consultation

Phase 5: Implementation

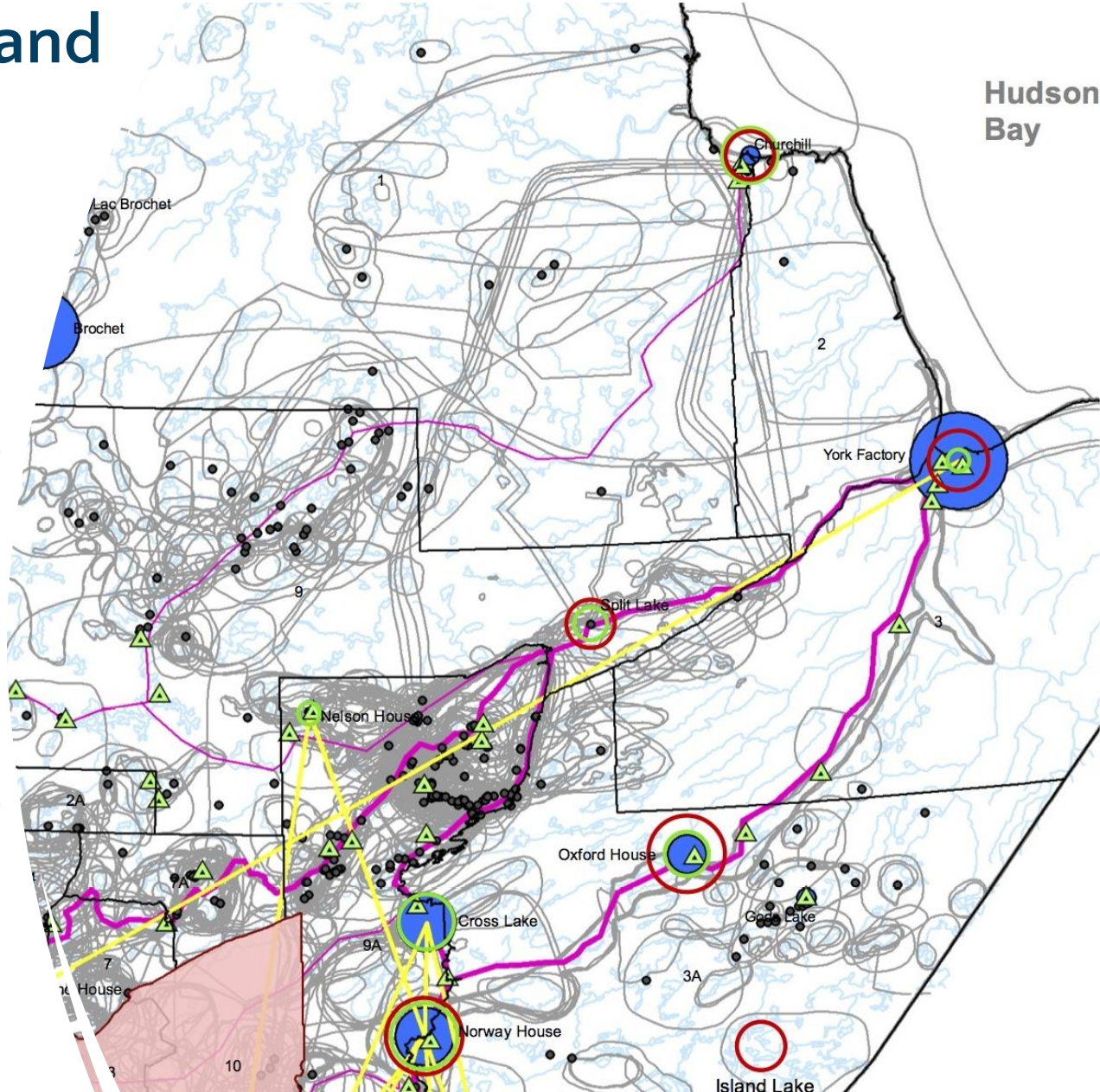
HIGHLIGHTS OF A POSITIVE RELATIONSHIP WITH PROPONENTS

Enbridge – Line 3 Replacement Project (L3RP)

CNL – Whiteshell Reactor #1 – Decommissioning

Alamos Gold – Lynn Lake Gold Mine

Red River Métis Knowledge, Land Use and Occupancy Studies



Scrip Records

33 - 54
17 - 32
11 - 16
5 - 10
1 - 4

1911 Canadian Census

58 - 424
35 - 57
10 - 34
3 - 9
2

1901 Canadian Census

15 -182
3

MNRHZ
Game Hunting Areas
Trade Posts
AE Life Linkages
Culturally Significant Areas
Canoe Routes
Major York Boat Routes
Metis Specific Land Use

Red River Métis Monitoring Program

Line 3 Replacement Project (L3RP)

Whiteshell Nuclear Reactor

Manitoba Minnesota Transmission Project

St Andrews Lock and Dam Project

DISCUSSION:
REFLECTING ON WISE PRACTICES

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