

June 16, 2022

The Honourable Jonathan Wilkinson
Minister of Natural Resources
HonJonathan.Wilkinson@nrcan-rncan.gc.ca
Jonathan.Wilkinson@parl.gc.ca

Subject: Engaging with the Line 3 Indigenous Advisory and Monitoring Committee (Line 3 IAMC)

Dear Minister Wilkinson,

On behalf of the Line 3 IAMC Indigenous Caucus, thank you for taking the time to meet with the Committee on May 31st. This was a milestone, marking the first meeting of the Third Term Committee, and the first meeting with the Minister of Natural Resources.

The Line 3 IAMC provides a space for Indigenous Nations, the Canada Energy Regulator (CER), and Natural Resources Canada (NRCan) to work together to achieve a shared vision of meaningful participation of Indigenous Peoples throughout the lifecycle of Line 3. The Line 3 IAMC Indigenous Caucus remains committed to this forum for collaboration and co-development of new ways forward.

We are pleased to have had the opportunity to engage in open dialogue with you around priority areas for the Indigenous Caucus:

Indigenous Monitoring – A key achievement of the Line 3 IAMC is the Indigenous Monitoring (IM) Program, the first of its kind. This program brings Indigenous eyes and ears to the work of Enbridge, the CER and NRCan, and the Committee is looking to continue this work but needs sufficient resources. With your experience on the Indigenous Guardians Program, we are optimistic about expanding the IM Program into other projects and we are interested to hear how you can support this.

Funding Commitment – The Committee looks forward to working with Canada to determine an appropriate allocation to Line 3 IAMC of the two-year commitment of \$27.9M for the IAMCs. But, with only a two-year funding commitment in place, the Indigenous Caucus is concerned that Canada is walking-back its commitment to meaningful Indigenous participation for the lifecycle of the project. The Committee needs longer term support to maintain and strengthen relationships, find new ways of working together, and build training and capacity, that result in bringing Indigenous perspectives to the forefront of natural resource development. A key priority this year will be the co-development of recommendations to support the work of the Line 3 IAMC beyond March 2024 and we were reassured of your commitment to co-developing this proposal.

Consultative Role of the CER – The *Canadian Energy Regulator Act* (CER Act) designates the CER as an agent of the Crown. The Government of Canada has also tasked the CER to act as Crown Consultation Coordinator. A concern was raised at our meeting about the regulator being responsible for Crown

Consultation, and its ability to ensure that appropriate accommodation measures are implemented. The Indigenous Caucus would appreciate more information and await an opportunity for further dialogue with you and the CER, about how the CER will ensure that the rights of Indigenous Nations are protected.

Relationship with Enbridge – At this time, Enbridge’s engagement with Indigenous Nations is limited to transactional opportunities to hear about and observe the proponent’s work and we recognize an opportunity here to do better. We suggested to you to raise with Enbridge that NRCan and the CER could support improved approaches for how industry and Indigenous Nations can work together more closely. We look forward to hearing the outcome of your meeting with Enbridge.

Access to Economic Benefits – A shared concern is that there is unequal opportunity and noted gaps to support capacity for Indigenous Nations to access funding through projects such as the Smart Renewables and Electrification Pathways Program “SREP”. We recognize the potential to improve this process, and you suggested the National Benefit-Sharing Framework could be a good avenue for this. We would like to ensure that Indigenous Nations are involved in the development of this framework.

The Line 3 IAMC looks forward to ongoing dialogue with you in these priority areas to advance the issues raised during our meeting and reflected in this letter, summarized in bullets below, for your commitment to:

- Continuing and expanding the Indigenous Monitoring Program;
- Co-developing recommendations for renewal;
- Engaging directly with Enbridge and the CER on their roles; and
- Improving access to economic benefits for all Indigenous Nations.

We are also pleased to have your commitment to meet directly with the Committee on a bi-annual basis as we walk together, finding new and better ways for Indigenous Peoples, NRCan, and the CER to work together to advance sustainable natural resource development and to protect our land and resources for future generations.

As my time as Indigenous Co-Chair comes to an end with the transition to the Third Term committee, the Line 3 IAMC is pleased to announce Richard Aisaican (Cowessess First Nation) as my successor. Please direct any future correspondence to him at richard.aisaican@cowessessfn.com.

I remain on the Committee as a member and look forward to future Line 3 IAMC engagements with you.

Meeqwetch ■ Thank you,



Marci Riel

Indigenous Co-Chair, Second Term, Line 3 IAMC
Manitoba Métis Federation

CC:

Line 3 IAMC Indigenous Caucus

John Hannaford, Deputy Minister, Natural Resources Canada (NRCan)

Angie Bruce, Assistant Deputy Minister, Nòkwewashk, NRCan

Gitane De Silva, CEO, Canada Energy Regulator (CER)

Coral deShield, Government Co-Chair, Line 3 IAMC, NRCan

Jonathan Timlin, Vice President Indigenous Relations and Reconciliation, CER