



## ANNUAL REPORT 2020-2021

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The Line 3 Indigenous Advisory and Monitoring Committee acknowledges and shares the grief of the recent finding of unmarked graves on and around former residential schools across the nation—with the understanding that more will be revealed. We acknowledge that these events have been very difficult and we hope healing can be achieved through the next steps of reconciliation between Canada and Indigenous Peoples. Finding pathways to work together to support meaningful Indigenous participation in the activities along the Line 3 corridor remains at the heart of the work of the Committee.

## **Welcome to the Line 3 IAMC third Annual Report, covering the period from April 1, 2020 to March 31, 2021**

The year 2020–2021 was a successful one for the Line 3 Indigenous Advisory and Monitoring Committee (Line 3 IAMC), owing to the hard work and dedication of a great number of people as we transitioned our focus from construction to operations with the new pipeline in operation. The gratitude begins with Indigenous Nations for nominating Committee Members. Committee Members dedicate an enormous amount of time and effort to advancing the goal of the Line 3 IAMC, bringing their knowledge and experience. Indigenous ‘boots on the ground’ are a reality because of Line 3 IAMC Indigenous Monitors and others involved in Indigenous Monitoring and emergency management activities. We also acknowledge the work of staff from the Line 3 IAMC Secretariat and the Canada Energy Regulator for their professionalism and willingness to embrace positive change.

The pandemic caused enormous hardship and all involved deserve thanks for continuing the Committee’s work through a particularly challenging and disrupted time.



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## MESSAGE FROM MARCI RIEL, INDIGENOUS CO-CHAIR

**T**HE LINE 3 IAMC PROVIDES A FORUM TO find new ways of ensuring the voice of Indigenous Nations is included, and there is opportunity for Indigenous Nations to engage in a meaningful way during the implementation of a major natural resource project—the Line 3 Replacement Program.

Reflecting on this first year with the second-term Committee Membership for the Line 3 Indigenous Advisory and Monitoring Committee, a key theme is dedication and relationships. Over the past year, the focus of the Committee continued to shift with construction of the Line 3 replacement pipeline complete, and everyone learning how to adapt and continue to advance the priorities of the Committee in the COVID-19 environment.

The Committee made progress building relationships between Indigenous Nations, the federal government and the Canada Energy Regulator. By finding ways to continue to support meaningful engagement of Indigenous Nations in Indigenous Monitoring, Emergency Management, and training and capacity building initiatives, the Committee is contributing to meaningful change in how industry, government and the regulator work with Indigenous Nations in the implementation of natural resource projects that impact our land and our environment. Our aim is to help build capacity

in our citizens and Indigenous Nations, and have Indigenous Knowledge reflected in the work.

With the onset of pandemic restrictions, the Committee transitioned to meeting online, engaging with Indigenous Nations in a virtual way, and adjusting how we conducted our work with health and safety a priority. While the usual ways of engaging with Indigenous Nations and meeting in person were not possible, we adapted and accomplished much:

- We offered a range of online training opportunities, with a focus on training for the Line 3 IAMC Indigenous Monitors.
- With proper COVID-19 protocols in place, Line 3 IAMC Indigenous Monitors were able to be in the field and to see for themselves what was happening on the pipeline. They forged a strong working relationship with Inspection Officers from the Regulator, sharing Indigenous Knowledge and ensuring Indigenous oversight.
- We captured and documented learnings with reports on the Monitoring program and on wise practices for successfully dealing with major projects, drawing on the experiences of Indigenous Nations through the Line 3 Replacement Program.



- Line 3 IAMC members also worked extensively with the Regulator and Enbridge to improve emergency management, bringing an Indigenous lens to exercise planning and ensuring that emergency communications work well for impacted Indigenous Nations. Each step strengthens the relationship between Indigenous Nations, Canada, and the Regulator.

I am honoured to serve as the Indigenous Co-Chair and acknowledge the dedication and commitment that Committee Members give to the work. Looking ahead, there is a lot to do as the Committee continues its journey towards new relationships, bringing the Indigenous voice to protect our land and support sustainability of our resources. A key focus will be the co-development of recommendations to chart a path for the Line 3 IAMC beyond March 2022, supporting engagement of Indigenous Nations through the lifecycle of Line 3.

Meeqwetch.



A handwritten signature in dark ink, appearing to read 'M Riel' in a cursive, flowing style.

**Marci Riel**

*Indigenous Co-Chair Line 3 IAMC  
Manitoba Métis Federation*



## MESSAGE FROM CORAL DESHIELD, GOVERNMENT CO-CHAIR

**T**HE 2020–21 YEAR WAS ONE OF TRANSITION FOR THE LINE 3 IAMC. The Line 3 project itself had just moved into operations and the work of the Committee pivoted to respond to the operations and decommissioning phases. The Committee kept a sharp focus on ensuring Indigenous oversight of the project through collaboration between Indigenous Nations, government and the regulator. I have been extremely honoured and humbled to be a part of the Committee, for a second year, and serve as the government co-chair.

The Committee demonstrated, for the first time in 2018, the value of an operational Indigenous Monitoring program that ensured Indigenous inclusion in construction and stood as an example of how to work together collaboratively. In 2020, the accidental release of 150 cubic metres of petroleum product at Herschel illustrated the importance of Indigenous Monitoring through the operational phase. Because of the monitoring expertise and ongoing relationships that the Committee has developed, we were able to have an Indigenous Committee Member on site at the beginning of the spill response. Communication with the proponent and regulator was sustained throughout and Enbridge invited and accepted feedback from the Committee regarding its notification protocols.

The work of the Committee, developed through a collaborative and consensus-based approach, gives me confidence that our efforts are moving reconciliation forward. In December 2020, the Government of Canada introduced legislation to implement the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) as a framework for reconciliation in Canada. I believe the Line 3 IAMC contributes to this work by incorporating Indigenous Knowledge into oversight of Line 3 throughout the project lifecycle and by building a partnership between Indigenous Nations, federal government, and the regulator, that reaches out to and involves the proponent and others.



As you read through the rest of this annual report, you will find more about our monitoring program, as well as how the Committee and its monitors were involved in emergency management exercises with the proponent. The Committee had an opportunity to look back and commissioned work on wise practices and also looked forward, supporting capacity development through work on emergency management tools and monitoring training.

Entering the fifth year of its five-year mandate, the Committee will focus on co-developing options for the future and for supporting meaningful Indigenous participation throughout the full lifecycle of the Line 3 Replacement Program. The pipeline will be in operation for 50 years and there will be an ongoing need for Indigenous involvement, advice and oversight.

The COVID-19 pandemic significantly impacted how we worked together in 2020–21. The Committee, however, found virtual ways to stay connected and technology allowed for more Committee members, Indigenous monitors, and Indigenous Nations to participate in Enbridge's emergency exercises and debriefs. While we have learned and adapted as a committee, I very much look forward to seeing colleagues on the Committee, as well as the leaders, elders, and citizens of the Line 3 impacted Indigenous Nations and all our other partners as soon as we are able to meet in person again.



**Coral deShield**

*Government Co-Chair Line 3 IAMC*

Director, Indigenous Partnerships Office-West  
Natural Resources Canada, Government of Canada



## MESSAGE FROM JONATHAN TIMLIN, CANADA ENERGY REGULATOR

**O**VER THE LAST YEAR, the Canada Energy Regulator (CER) continued its work with the Line 3 Indigenous Advisory and Monitoring Committee to ensure Indigenous Monitoring and oversight of the Line 3 Replacement Program.

With construction of the replacement pipeline completed in December 2019, monitoring efforts switched to focus on decommissioning and reclamation. Indigenous Monitors from the Line 3 IAMC were in the field with CER Inspection Officers on 34 site inspections, along 88% of the pipeline's length. Meanwhile, the Committee moved its work online; working virtually, we were able to offer training and continue the relationship-building that is critical to proper oversight of the pipeline. Members of the committee were heavily involved in protecting their nations, communities, and families from COVID-19, and yet found the time and energy to continue the Line 3 IAMC's important work.

Indigenous involvement in oversight is central to the CER's strategic plan and Reconciliation is a foundational element of the Canadian Energy Regulator Act. We are committed to reconciling our relationship with Indigenous peoples based on the recognition of rights, respect, co-operation and partnership—and are turning those commitments into action.

The Line 3 IAMC is a place where such action happens. We strive to work collaboratively, building capacity and integrating Indigenous Knowledge to respectfully involve Indigenous peoples in oversight for the entire lifecycle of the Line 3 Replacement Program. As we work together, commitments become concrete activities.

In 2020, the CER began a new chapter when it established an Indigenous Advisory Committee (IAC) as an integral part of its governing structure. The first meeting of the new IAC was in September 2020 and, in February 2021, the Committee co-endorsed its terms of reference with the CER's Board of Directors. The Committee's work and advice will be grounded in advancing Reconciliation by helping transform the relationship between the CER and the Indigenous Peoples of Canada. Its advice will bring a broader perspective to the CER reflecting the worldviews of First Nations, the Métis Nation and Inuit.

Advancing Reconciliation means driving meaningful change in how the CER and the industry we regulate work with Indigenous peoples, with a commitment to implementing the United Nations Declaration on the Rights of Indigenous Peoples as well as the Calls to Action of the Truth and Reconciliation Commission. The CER will work to implement the commitments it made in its Response to the Line 3 IAMC Advice, and this work will be coordinated within the CER's overall plan for delivering its multi-year Reconciliation Strategic Priority.

The CER is proud of what the Line 3 IAMC has already achieved and looks forward to continuing to work together on this meaningful path.



A handwritten signature in black ink, appearing to read 'J. Timlin'.

**Jonathan Timlin**

*CER Representative to the Line 3 IAMC*  
Vice President, Indigenous Relations  
and Reconciliation







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## GOAL

The Committee will form the basis of an enhanced relationship between Indigenous Nations, the Government and the Canada Energy Regulator in respect of the Line 3 Replacement Program Activities. Through communication and engagement the Committee will provide for collaborative and inclusive Indigenous involvement in the review, monitoring, and reporting of environmental, safety and socio-economic aspects related to L3RP Activities over their lifecycle, with meaningful and adequate consideration of traditional land use, sacred sites, historical knowledge, and the diversity of Indigenous traditional and cultural worldviews.

Terms of Reference November 3, 2017



# INTRODUCTION

The Line 3 Indigenous Advisory and Monitoring Committee (IAMC or “the Committee”), established in 2017, continues to provide a forum to bring together Indigenous Nations, the federal government and the Canada Energy Regulator (CER) to engage in dialogue and find ways to support meaningful Indigenous participation in the Line 3 Replacement Program (L3RP). The opportunity to bring together different perspectives is setting a path for working in different ways, guided by Indigenous Knowledge and supporting the Reconciliation journey.

This annual report outlines the Line 3 IAMC’s progress in achieving its vision from April 1, 2020 to March 31, 2021. This fourth year for the Committee was one of significant change:

- Membership for the second term of the Committee (2020–2022) was announced in January 2020; this report covers the first full year of that term.
- The Committee adapted quickly to the COVID-19 pandemic. Meetings were held twice a month via Zoom, while training and outreach moved online. Monitoring activities took place in the field with all appropriate health and safety measures in place.
- With the IAMC’s initial five-year funding set to end in March 2022, Committee members began discussing options for renewal to continue the Committee’s work.

Each year, the Committee sets out a work plan to guide its efforts to achieve its vision to ensure that:

- Information is shared in a cooperative and transparent manner to foster improved relationships and collaboration between government, Indigenous Nations, and industry.

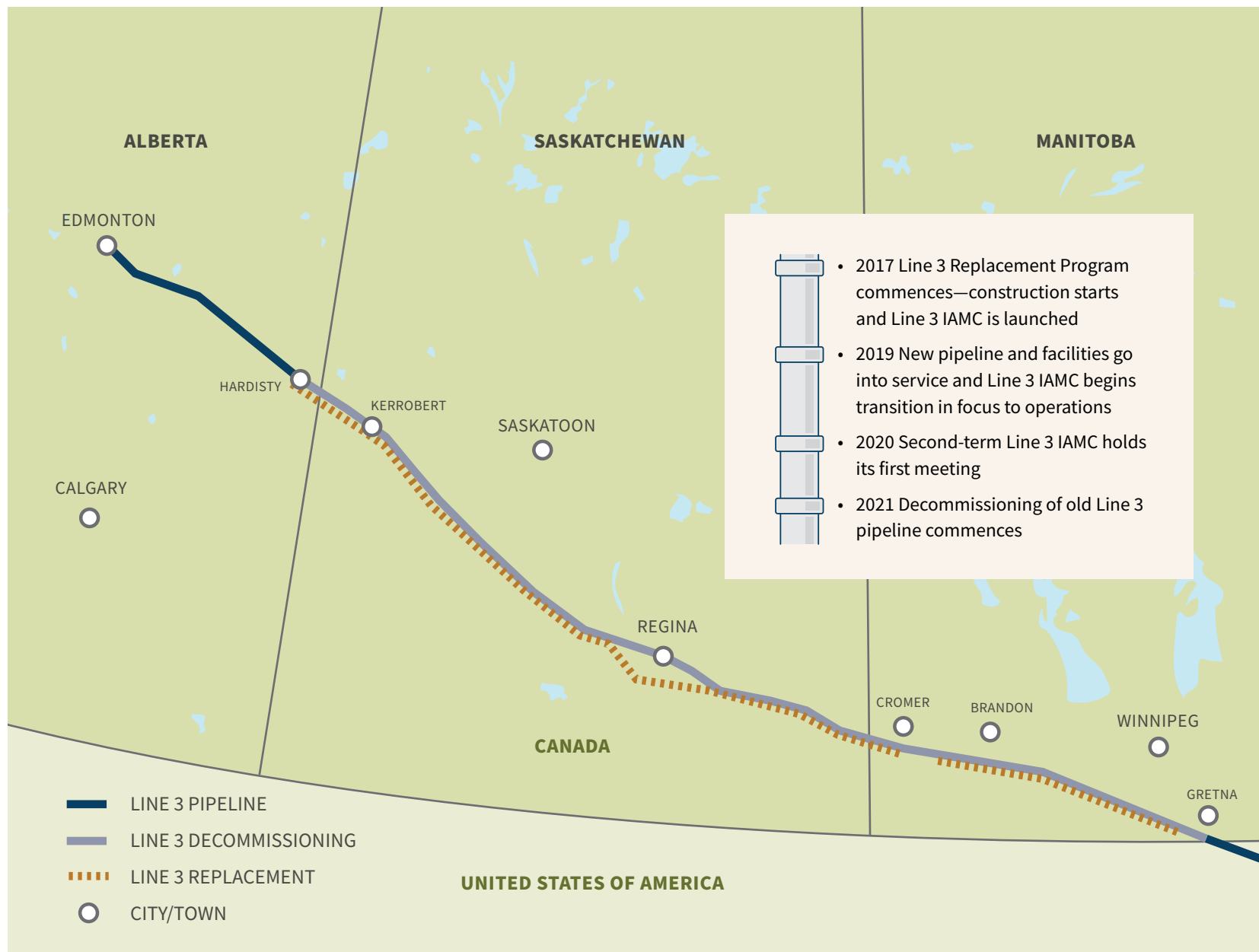
- Indigenous Monitoring is conducted in the Line 3 corridor to protect the land, air, water, species, and cultural and natural resources.
- The Committee provides advice on how to more meaningfully include Indigenous Knowledge and better protect traditional lands and resources.
- Indigenous communities are supported with the skills and capacity to participate effectively in regulatory oversight.

In 2020–21, the Committee identified five key priority areas to focus on:

- 1. Communications and Engagement**
- 2. Indigenous Monitoring**
- 3. Emergency Management**
- 4. Advice to Government and Regulators**
- 5. Operations**

“The establishment of the Line 3 IAMC is a commitment from government to work with Indigenous Nations in the Spirit of Cooperation and the Spirit of Partnerships.”

**Chief Matthew T. Peigan,**  
*Pasqua First Nation #79 Nation*



# ABOUT THE LINE 3 INDIGENOUS ADVISORY AND MONITORING COMMITTEE

The Line 3 Indigenous Advisory and Monitoring Committee brings together a diverse group of people, with individuals from different impacted Indigenous Nations, the federal government (Natural Resources Canada), and the Canada Energy Regulator.

The Committee's overall goal, based on the Terms of Reference, is:

*An enhanced relationship between Indigenous Nations, the Government and the CER to provide for collaborative and inclusive Indigenous involvement in the review, monitoring, and reporting of the L3RP Activities over their lifecycle.*

In line with this goal, the Committee's overarching vision for the second membership term of 2020–2022 is to ensure that:

- Information is shared in a cooperative and transparent manner to foster improved relationships and collaboration between government, Indigenous Nations, and industry.
- Indigenous Monitoring is conducted in the Line 3 corridor to protect the land, air, water, species, and cultural and natural resources.
- The Committee provides advice on how to more meaningfully include Indigenous Knowledge and better protect traditional lands and resources.
- Indigenous communities are supported with the skills and capacity to participate effectively in regulatory oversight.

The Line 3 IAMC is comprised of First Nation and Métis Nation representatives from Alberta, Saskatchewan and Manitoba, and one senior federal representative each from Natural Resources Canada and the Canada Energy Regulator. Members are appointed to their positions by the Indigenous Nation and/or organization they represent. Committee Members serve a two-year term and may serve multiple terms.

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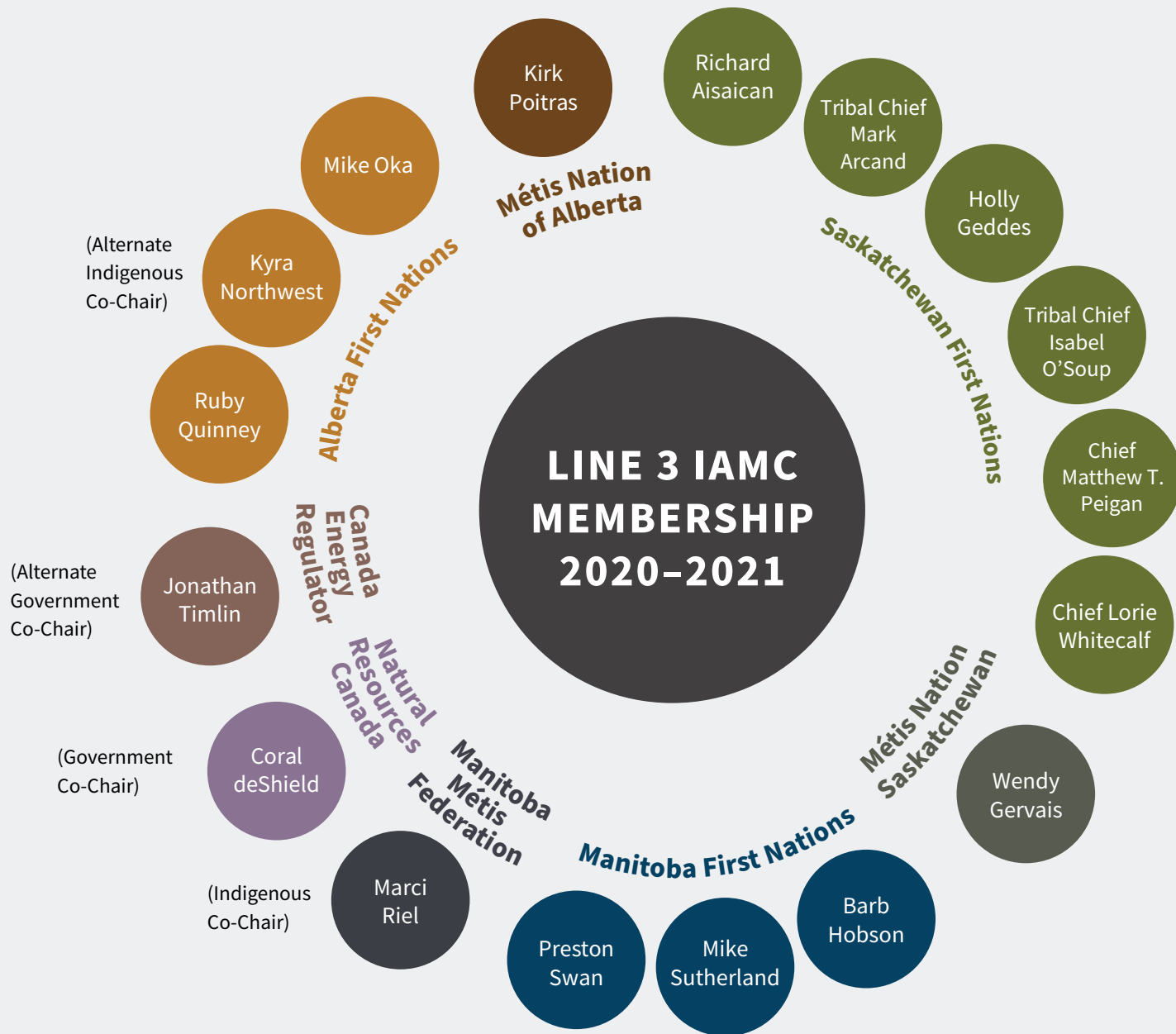
“We have a foot in the door now. We are inside the room where the decisions are made.”

**Mike Sutherland**, *Peguis First Nation*

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“During the course of the Line 3 Replacement Program, Enbridge and the IAMC laid the foundation for a long-term, respectful relationship based on openness, mutual respect and trust. We value the independent perspectives both individual IAMC members and the Committee as a whole provided to this essential maintenance project. We look ahead to continued engagement and dialogue on how Enbridge may continue to work with the IAMC and impacted Indigenous Nations.”

**Kim Brenneis**, *Director, Community & Indigenous Engagement Enbridge*



## How We Work

The Committee is guided by and seeks to support the Indigenous Nations that are potentially impacted by the Line 3 Replacement Program in Canada.

The Committee comes together on a regular basis, with Members dedicating time and expertise to advance each of the priority areas. Members bring a strong commitment to achieving the Goal of the Line 3 IAMC, while also having responsibility for many other obligations outside of their Committee work.

The Committee engages the proponent, Enbridge, along with technical experts as needed. It is supported by Working Groups, composed of Committee Members and formed over the year to carry out tasks and bring together recommendations for consideration and discussion with the full Committee.

Enbridge does not sit on the Committee, but attends meetings when invited to attend or to present. Enbridge works with the Committee to provide updates on the Line 3 Replacement Program in Canada including the decommissioning of the old Line 3. It also addresses questions raised by the Committee Members, whether specifically about the Line 3 Replacement Program or other concerns such as Enbridge's emergency management procedures and its ongoing approach to Indigenous engagement and inclusion.

The Committee is a partnership—Indigenous Nations, Natural Resources Canada and the Canada Energy Regulator, working together to ensure meaningful Indigenous oversight of and participation in the Line 3 Replacement Program, throughout its lifecycle. Co-development is critical to how we work—we develop terms of reference, structures, and activities jointly before proceeding with the tasks. Decisions are made

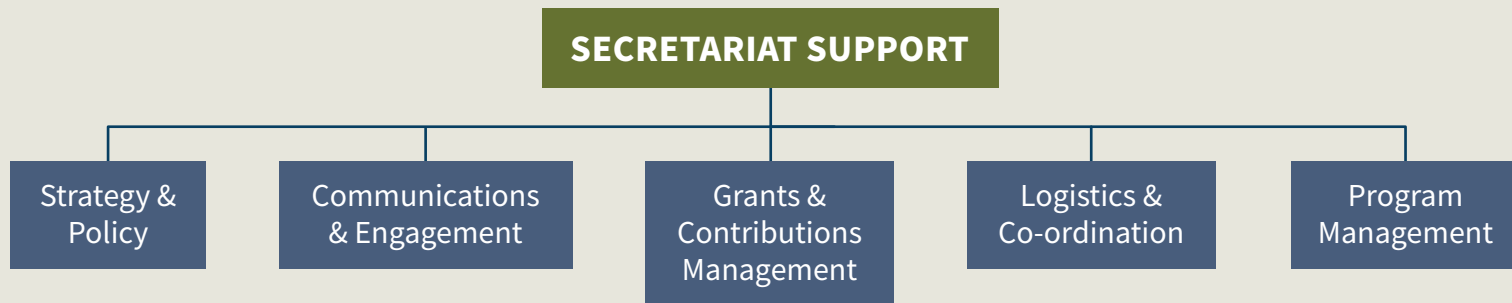
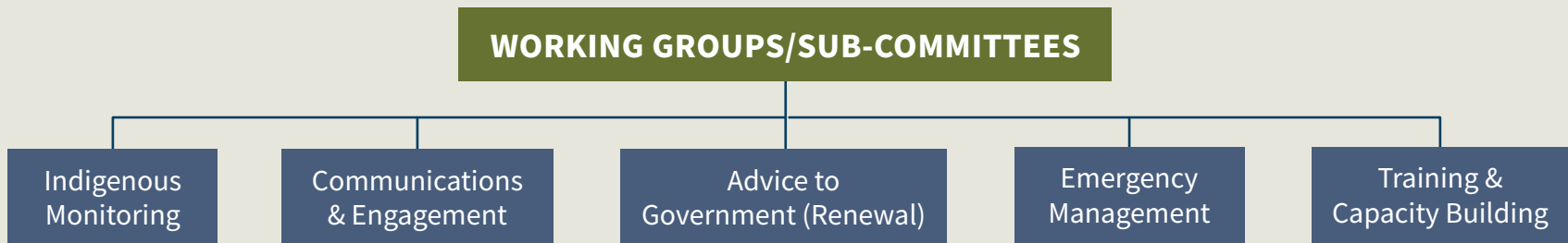
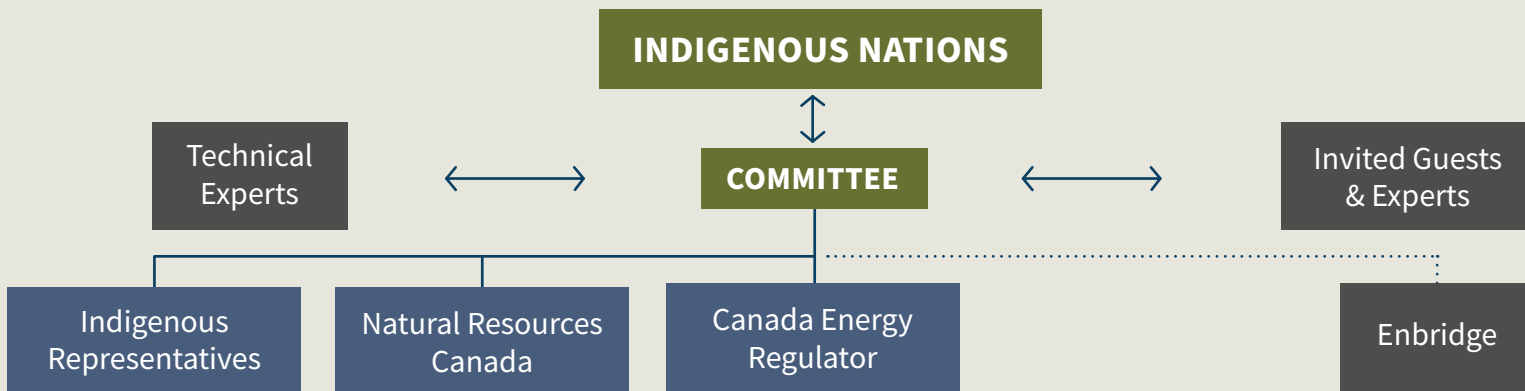
by consensus, to ensure that the concerns, knowledge, and interests of individual Indigenous Nations are more fully reflected in the Committee's work. We seek to advance the principles underlying the United Nations Declaration of the Rights of Indigenous Peoples and the Calls to Action of the Truth and Reconciliation Commission.

Supporting the Committee is a secretariat, housed within NRCan, providing administrative, policy, and logistical support.

Respectful of the varied opinions regarding L3RP activities, Committee members participate without prejudice and their participation does not indicate support for or opposition to L3RP.







## LINE 3 IAMC PRIORITIES

In its Work Plan for 2020–21, the Committee identified key milestones to achieve, organized around the five priority areas, with Indigenous Knowledge integrated as a component of each of these priority areas:



### 1. COMMUNICATION AND ENGAGEMENT

Strategic goal:

- To ensure Indigenous Nations, including leadership, elders, and youth:
  - Are informed about and guide the work of the Committee; and
  - Have opportunities to engage with each other and with industry and government as appropriate, in working to protect Indigenous interests



### 2. INDIGENOUS MONITORING

Strategic goal:

- Indigenous peoples are involved in the monitoring of environmental, safety, and culturally sensitive aspects related to Line 3 activities over its lifecycle, with meaningful and adequate consideration of traditional land use, sacred sites, historical knowledge, and the diversity of Indigenous traditional and cultural worldviews



### 3. EMERGENCY MANAGEMENT

Strategic goal:

- To support more meaningful involvement of Indigenous peoples during emergency preparation and response, and
- To support greater protection of Indigenous interests during emergencies.



### 4. ADVICE TO GOVERNMENT AND REGULATORS

Strategic goal:

- To build a shared understanding of issues of concern to Indigenous communities and provide informed advice on how to address those issues to government and regulators.



### 5. TRAINING AND CAPACITY DEVELOPMENT

Strategic goal:

- To support information-sharing, training resources, and opportunities that increase capacity for participation in regulatory oversight.

Guided by a Strategic Work Plan updated each year setting out its priorities and key activities, the Committee meets on a regular basis and is supported by a Secretariat to bring together information for Committee Members to advance their key priorities.



## COMMUNICATION AND ENGAGEMENT

In the pandemic environment, the Committee moved most of its communications and engagement online. The Committee aims to support a dialogue and stay connected with individuals and Indigenous Nations, to provide the information they need to stay fully informed.

This year the Committee continued its commitment to ongoing communications through the winter edition of the Line 3 IAMC newsletter, the 2019–20 Annual Report, line-wide emails and mail-outs, and regular updates on the initiative through the Line 3 IAMC website.

The Committee continued to meet on a twice-monthly basis through Zoom with Working Group meetings also taking place on a regular basis to advance the Committee's priorities.

The Committee commissioned a report on wise practices and another on Indigenous Monitoring, to share with impacted Nations and have made these available on the Line 3 IAMC website. Both aim to improve capacity in Indigenous Nations that are involved in major projects.

Committee Members continued to engage in dialogue with Nations, providing updates and addressing questions about the L3RP and the work of the Committee. For example Committee members met with leadership virtually and in person, where possible, providing an overview of role of the Line 3 IAMC, its work plan, and progress towards achieving its goal.

Building and maintaining partnerships is an important role the Committee plays to support information flow to the impacted Indigenous Nations. The Line 3 IAMC's relationship with Enbridge and the CER led directly to improvements in the communications protocols used to inform Indigenous Nations during emergency responses. The improved protocols worked well when put to the test following a minor spill at Youngstown in October 2020.

### Highlights included:

- An annual report for 2019–2020
- Spring and winter newsletters
- A fall blog post, focussing on the experience and findings of Indigenous Monitors
- The Wise Practices Report
- Online engagement via email and Zoom





## INDIGENOUS MONITORING

The Indigenous Monitoring program evolved over the year in the transition to the operational phase of Line 3. While the goal to increase Indigenous involvement in the CER's regulatory oversight of the L3RP remains, the focus has changed to decommissioning activities and ongoing operations, as well as ensuring the safety of monitors during the pandemic.

Line 3 IAMC Indigenous monitors accompany the CER's inspection officers on all compliance verification activities for the L3RP to provide Indigenous values and perspectives, identify potential heritage resources, and point out potential non-compliances for consideration. The inclusive nature of the Indigenous Monitoring program is a meaningful step toward reconciliation and trust building. Indigenous monitors hold unique skills and knowledge that are critical to the success of the CER's regulation of large projects.

With the completion of construction, the focus of Indigenous monitoring shifted to decommissioning of the old pipeline and ongoing operation of the new one. Indigenous Monitors accompanied CER inspectors on five compliance verification activities in 2020, bringing the total number of inspections to 31 over the course of the monitoring program. Inspections are carried out over five days and covered 88% of the pipeline through Manitoba and Saskatchewan.

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**“The monitoring program is one of our greatest achievements as a committee. It has really changed relationships. They are so positive.”**

**Kyra Northwest**, *Samson Cree First Nation*

### Examples of monitoring activities:

- surveying the growth of crops on reclaimed areas
- assessing conditions surrounding wetlands and vegetation regrowth
- monitoring soil erosion
- visiting pumping stations to review conditions around their perimeter, overall maintenance, and activities at the stations

After each inspection, Indigenous Monitors produce a monitoring report that is publicly posted on the Committee's website and emailed to impacted Indigenous Nations, to ensure it can be accessed by all. The reports record the observations and findings of the monitors and are not submitted for approval to or edited by Enbridge or the CER.

Overall, monitors concluded that there were no serious issues of concern; they issued one notice of non-compliance due to a longer-standing maintenance concern at one location. Most items for follow-up involved minor improvement of erosion control and vegetation regrowth.

IAMC Indigenous Monitors participated in a variety of training over the year, including two emergency response table-top exercises and species at risk training. The Line 3 IAMC supported individual Indigenous Monitors to maintain their safety tickets and also funded regional monitor training:

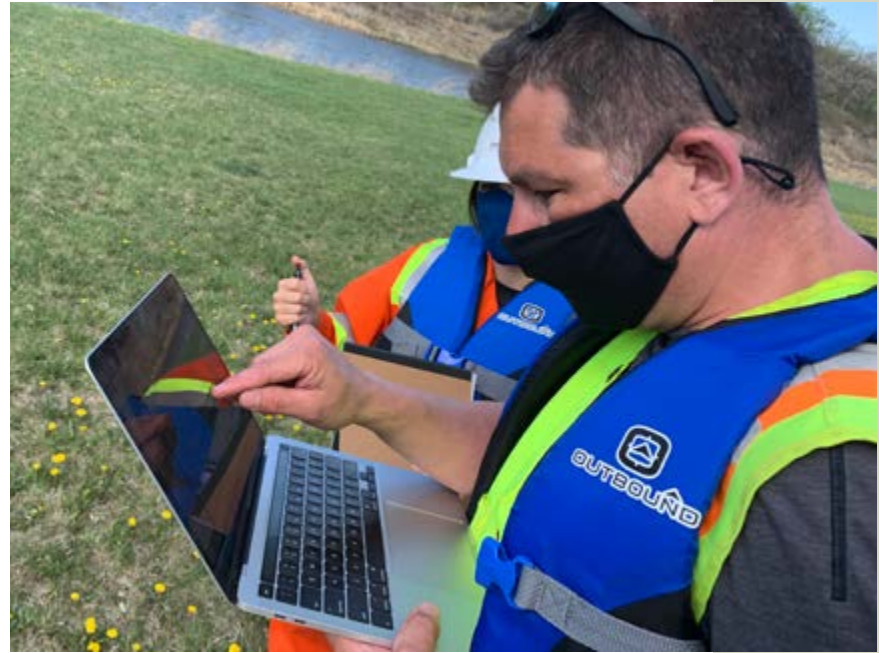
- Wetland Watercourse Monitoring, put on by the Manitoba Métis Nation;
- Water Monitor training, put on by Manitoba First Nations; and,
- Monitor training, hosted by the Alberta Métis Nation.

### Indigenous Monitoring Report

Over the winter, the Committee worked with Jade Dewar, an Indigenous Monitor with the Manitoba Métis Federation, to review the Line 3 IAMC's monitoring activities and document successes, challenges and lessons learned. The report includes input from Indigenous Monitors, CER Inspection Officers and employers who have been involved in the program.

The report clearly shows the value of the program, with Indigenous Monitors expressing how good the training was. They were able to forge a strong partnership with the inspectors from the CER. They were also able to speak with authority and get honest, meaningful answers from Enbridge staff. They noted several improvements that needed to be made and that were subsequently addressed.

Indigenous Monitors identified several things that would make the monitoring more successful going forward, including standardized reporting templates. There isn't enough work for each Indigenous Nation to have its own monitors, so it will make sense to establish a roster of Indigenous monitors, who can work on behalf of different Indigenous Nations. Indigenous Monitors should have the responsibility for outreach to Indigenous Nations prior to inspections to make sure local concerns and Indigenous Knowledge are reflected by the monitor when they are on site.



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**“As an Indigenous Monitor, my goal is to provide this report through the eyes of the Indigenous Monitors who participated.”**

**Jade Dewar, Indigenous Monitor**  
*Manitoba Métis Federation*





## EMERGENCY MANAGEMENT

In recognition of the importance of emergency management in the lifecycle oversight of the Line 3 replacement pipeline, the Committee advanced a number of activities under this priority area for 2020–21. The Committee participated in the planning of an Enbridge full-scale emergency response exercise for the Line 3 replacement pipeline; was involved in training activities; engaged in dialogue with both the CER and Enbridge; and supported regional projects aimed at providing a better understanding of the emergency management capacities across Indigenous Nations and providing better access to emergency response supports.

In May 2020, Enbridge responded to the release of an estimated 150 cubic metres (m<sup>3</sup>) of light, sweet crude oil at its Herschel pump station, most of which remained within the Enbridge property. A smaller amount of oil (20 m<sup>3</sup>) migrated about 300 feet southwest of the station into a municipal road allowance, where it was contained.

The Line 3 IAMC was notified by both Enbridge and the CER. In turn, the Line 3 IAMC provided the information to the Indigenous Nations.

In addition, a Line 3 IAMC member attended the Herschel site and was briefed by Enbridge within a day of the incident. This engagement

provided an opportunity to view and assess the site directly and improve information sharing with both the Committee and with Indigenous Nations.

Building on the Line 3 IAMC engagement in the Herschel incident, Enbridge further developed its Indigenous Unplanned Event Notification Protocol to include the improved processes. This protocol was used to keep Indigenous Nations and the Line 3 IAMC informed following a subsequent product release in October 2020 within a facility in Youngstown, Alberta, even though the incident did not take place within the Line 3 corridor.

Line 3 IAMC members were involved in emergency management training over the course of the year. The Committee held two workshops with the CER on emergency management and participated in emergency management planning with Enbridge. Committee members took part in two table-top exercises with Enbridge and provided feedback on how Enbridge procedures might work better for Indigenous Nations. Members of the Committee also assisted in the planning for a full-scale emergency response exercise on the Souris River at Wawanesa, Manitoba to ensure Indigenous perspectives were taken into account in the planning of the exercise and ensure meaningful Indigenous participation in the exercise.

The Committee supported two regionally-based Emergency Management Projects: one undertaken by Siksika Nation and one by Saskatchewan First Nations Natural Resource Centre of Excellence (SFNNRCE). The Line 3 IAMC engaged Siksika Nation's Emergency Management Department to review emergency preparedness in the Métis Nation and First Nations from across Alberta, Saskatchewan, and Manitoba. This report provided an overview of the varying capacities of Indigenous Nations, highlighting roles of Emergency Management partners.

The SFNNRCE project resulted in the development of a range of protocols including tools and technology to guide the notification and subsequent activities in relation to an Emergency Management Notification System. This project included opportunities for Incident Command System training for Indigenous Nations.

The Committee looks forward to finding ways to share information and tools developed through these projects with Indigenous Nations across the Prairie Provinces.





## ADVICE TO GOVERNMENT AND REGULATORS

A foundational element of the Line 3 IAMC is its ability to provide advice on matters regarding the L3RP to the regulator, government and the proponent. The Committee continued to be actively engaged in shaping the work of the CER and Enbridge, by advising on a range of activities.

In day-to-day operations, the Committee's Indigenous Monitors provided advice and feedback while working alongside Inspection Officers of the CER on site inspections. With over 30 such inspections having taken place, CER Inspection Officers routinely take local and Indigenous Knowledge into account in a way that hadn't been operationalized before. Indigenous Monitors also report that Enbridge provides honest and meaningful responses to Indigenous Monitors' questions and concerns while they are on the line.

In 2020, the CER hosted a workshop to discuss with Committee Members how advice from the Committee was shaping processes within the Regulator. In addition to working-level dialogue during site inspections, the Committee has also provided advice to Enbridge on its emergency management protocols and exercises. Committee representatives took part in two table-top emergency management exercises organized by Enbridge and provided feedback for improvements after each. Additionally, three Committee Members were part of the planning for a full-scale exercise, to ensure the exercise would better meet the needs of impacted Indigenous Nations.

The Committee worked with Enbridge to improve its notification protocols in the event of an emergency. The improved notifications were used during an incident at an Enbridge facility in the fall of 2020, with the timely communication clearly showing that Enbridge had taken Line 3 IAMC advice on board.







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“Our participation on the committee has been foundational in our continued journey to grow Indigenous involvement in regulatory oversight. The progress we’ve made together so far is transforming how we work as the Regulator.”

**Jonathan Timlin**, *Canada Energy Regulator*

The structure of the Committee supports reconciliation by facilitating integration of Indigenous Knowledge and ensuring it is woven into the ongoing work of government and the regulator. In some ways, the work of the Committee is just beginning and yet it has already opened up an opportunity for dialogue that is changing the way that government and regulatory processes work. The Committee is well positioned to continue the dialogue with Indigenous Nations, federal government departments, the regulator and the proponent.

The Committee acknowledges the diversity of Indigenous Nations’ views on the L3RP and will continue to respect the various perspectives and voices engaged throughout this process. **In no way will the Committee’s activities replace, alter, or diminish the right of individual Indigenous Nations to be consulted and accommodated.**



## TRAINING AND CAPACITY BUILDING

One of the Line 3 IAMC's key roles is to support information-sharing, training resources, and opportunities that increase capacity for Indigenous Nations' participation in regulatory oversight.

In practice, this has meant an emphasis on developing tools and training. The Line 3 IAMC's Wise Practices Report collates practices that Indigenous Nations can use to increase the benefit from major projects and was developed with an eye to sharing with Indigenous Nations beyond those that are directly impacted by Line 3.

In a similar vein, the Committee commissioned a review of Indigenous Monitoring following the 2020 field season. It will lead to a guide to Indigenous Monitoring to be shared with Indigenous Nations in 2021–22. The Line 3 IAMC has been a pilot project and it makes sense to share its learnings widely.

Training for Indigenous Monitors was a key success this year, with a range of offerings. Filings review training in 2019 was well-received and the Committee acted on feedback from participants to plan expanded training that will be offered in the coming 2021–22 fiscal year.

The Committee also arranged Incident Command System training for 20 staff from impacted Indigenous Nations, to help them better meet the demands of emergency management. The Committee engaged Siksika Nation's Emergency Management Department to conduct a review of emergency management planning in impacted Indigenous Nations and found a wide range of readiness. Training and accessing funding will be key issues going forward.

### Wise Practices Report

The Committee engaged a consulting firm to collect key “wise practices” that Indigenous Nations can use when participating in consultation and engagement over major projects.

The consultant conducted interviews with senior managers in industry and over 30 Indigenous representatives with extensive experience in lands and resources management, consulting, or business development for Indigenous Nations.

Key themes from the report included:

- Preparing for the next project
- Advancing Rights and interests
- Advancing economic opportunities and influencing project design
- Collecting and using Indigenous Knowledge
- Engaging Indigenous citizens

The wide-ranging advice and recommendations in the Wise Practices Report are based on lived experience and are achievable and actionable.

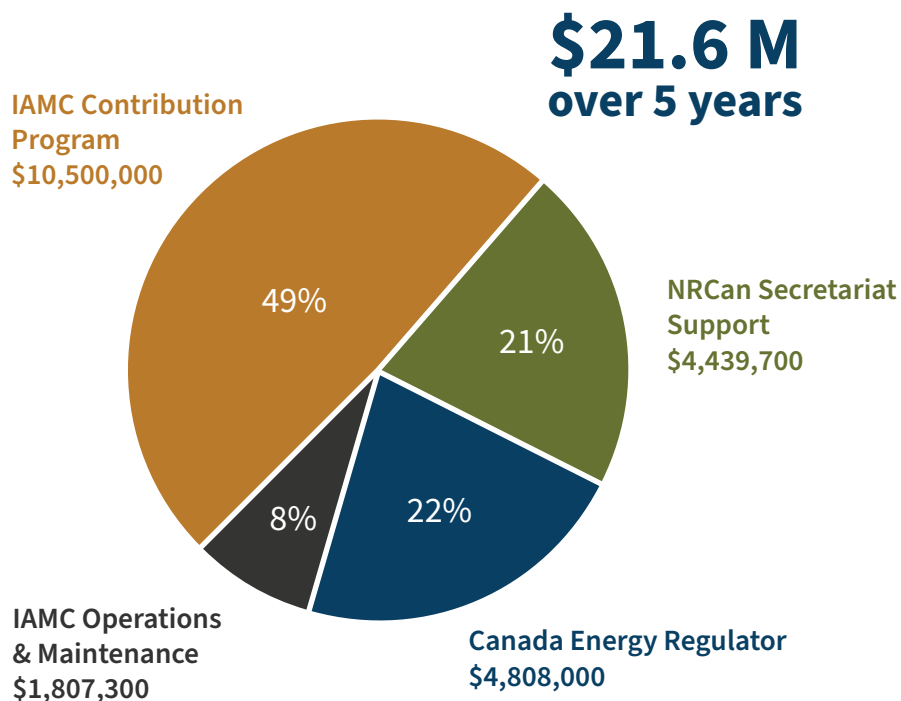
The report underscores the value of engaging with the Crown and proponents early, while the project is still in the planning and design stages. It notes that Indigenous Nations get better results when they approach consultation and engagement processes in two separate streams: one focused on rights and interests and another focused on economic opportunities. It emphasizes the value of having a clear point of contact within each Indigenous Nation and building relationships with industry and regulators, focusing on finding mutual interests and building trust. It presents advice on engaging with Indigenous Nations' citizens, documenting and mapping, and building capacity to use Indigenous Knowledge.





# FINANCIALS

This year marks the end of the fourth year of the Committee's five-year mandate, with a budget allocation of **\$21.6M over 5 years**.



**Line 3 IAMC Five-Year Budget Profile: \$21.6M**

Fiscal Year	2017-18	2018-19	2019-20	2020-21	2021-22	Total
Budget	\$4.6M	\$5M	\$5M	\$3.5M	\$3.5M	\$21.6M

## 2020-21 EXPENDITURES:

Total IAMC Contribution Program expenditures for 2020-21 were \$1,035,779—expenditures were lower this fiscal year because of the pivot in approach that the Committee was required to take as a result of the pandemic.

## INDIGENOUS PARTICIPATION:

**6** **\$573,650**  
 PARTICIPATION AGREEMENTS TOTAL COMMITMENT

## COMMITTEE PRIORITIES:

**\$574,097**  
 TOTAL COMMITMENT

**3**  
 EMERGENCY MANAGEMENT AGREEMENTS: \$215,601

**3**  
 INDIGENOUS MONITORING AGREEMENTS: \$198,880

**2**  
 TRAINING AND CAPACITY AGREEMENTS: \$159,616



## LESSONS LEARNED

At the end of its fourth year of a five-year mandate, the Committee is able to recognize successes in achieving its main aim of involving and engaging impacted Indigenous Nations and supporting meaningful Indigenous participation throughout the lifecycle of the Line 3 Replacement Program. It is positioned to identify those lessons that can inform how the Committee moves into the future and also highlight lessons that could inform other initiatives with similar aims.

### **Monitoring and Emergency Management**

Indigenous Monitoring and emergency management capabilities are core elements to oversight of major projects, so that economic benefits are realized without compromising culture and safety. The Line 3 IAMC has garnered extensive experience and has sought to share that experience through a 'wise practices' report and a review of Indigenous Monitoring, which will lead to a report on monitoring best practices as well as an Indigenous Monitoring guide in the coming year.

### **Advice**

The Committee is an important forum for providing advice to the Government and the Regulator, as well as providing information to impacted Indigenous Nations. Through the Indigenous Monitoring program the Committee created opportunities to provide Indigenous perspectives and advice during project construction. During project operations, there are also opportunities for the Committee to provide advice, related to routine operations as well as emergency management, but also with respect to the broader set of challenges and barriers to Indigenous inclusion in major project development. The Advice Report the Indigenous Caucus provided in 2019–20 points to a need to support processes for providing advice, getting timely responses from the federal government and the regulator, and working collaboratively to find solutions.

### Capacity Building

One of the key themes that has emerged from the work of the Committee generally, as well as the advice in particular, is the importance of capacity building within Indigenous Nations. The Committee developed its own approaches to capacity building that brought together Indigenous Knowledge with western science, Indigenous Nations and the regulator, and people working towards similar aims across the Prairies. The training, workshops, and studies the Committee carried out were very well received and pointed to the importance of Indigenous peoples leading on developing capacity initiatives and resources in order to ensure they met the needs of Indigenous Nations. The Committee intends to continue to develop training and tools with an aim to supporting capacity of Indigenous monitors and Indigenous Nations more broadly for the purpose of enhancing Indigenous inclusion in oversight of major projects.

### Relationships

The Committee has had notable successes in creating relationships between Indigenous Nations, the government and the regulator. It has also supported information exchange and networking and provided tools related to specific issues. Through this, the Committee has helped in building capacity within Indigenous Nations to continue active Indigenous involvement in Line 3. These relationships and capacity can carry over to other major projects and the Committee provides learnings for Indigenous inclusion in major projects beyond just Line 3.

A key learning from the work of the Committee is the importance of building understanding and trust, between Indigenous Nations, government, and the regulator, as well as with the proponent. Consensus and co-development are principles and practices, used in the initial stages and throughout operations that support the work of the Committee and help in relationship building.

Making decisions together takes time, but there is a greater opportunity to be inclusive of the diverse perspectives at the Committee table and within the impacted Indigenous Nations.

### Renewal

There is agreement among Committee Members that while the focus of work transitions to the operations phase of the lifecycle of the pipeline, there remains important work to continue beyond the current funding commitment to March 2022. With construction complete, and decommissioning activities starting in 2021, there is an ongoing need for Indigenous Nations to be engaged, especially regarding Indigenous Monitoring in joint inspections and also emergency management.

The Line 3 IAMC has developed initiatives and tools that can inform other work on Indigenous Monitoring and oversight of major projects. Alternately, there may be opportunities, contingent on engagement and consultation with Indigenous Nations, for the existing Line 3 IAMC to expand its scope to support oversight on other major projects

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**“I place a lot of value on relationships and collaboration. Relationships are the crux of Indigenous life and Indigenous people.”**

**Richard Aisaican, Cowessess First Nation**





## LOOKING AHEAD

The coming year will be a busy one for the Committee as it builds on its successes and continues to work collaboratively in advancing activities, guided by its vision and priorities.

### **Renewal**

In the year ahead, perhaps the most important discussion is the one around renewal of the Line 3 IAMC beyond March 2022, when the initial five-year funding ends. The Committee is working hard to develop options for evolving its focus through the lifecycle of Line 3, and continuing Indigenous Monitoring and oversight, in the spirit of collaboration that has served it so well to date.

### **Monitoring**

The focus of monitoring is now on decommissioning activities and ongoing operations over the lifecycle of the Line 3 replacement line. The Committee looks forward to completing its guide to Indigenous Monitoring, which draws upon our experience since “boots on the ground” Line 3 IAMC monitoring began in 2018. We will share it with Indigenous Nations, including those outside of the Line 3 corridor, to seek feedback and foster dialogue on tools and perspectives on Indigenous oversight of major projects with others.

### **Training and Capacity-Building**

The Committee successfully pivoted to online training and communications through the pandemic and virtual training will become a standard edition to our toolkit. We will be building on feedback from previous sessions to offer more in-depth training, particularly in regulatory filings and emergency management. At the same time, there will be more in-person training, communications, and engagement with partners as the pandemic subsides.



### **Advice to Government**

The advice function is critical and the Committee is looking forward to a continued dialogue about how to formalize and streamline its advice to government. The Canada Energy Regulator, Natural Resources Canada and Enbridge are listening to the impacted Indigenous Nations and to the IAMC. Indigenous Knowledge is being woven into day-to-day operations as part of joint inspections and other work of the Committee.

### **Communications and Engagement**

As the Committee continues its journey through the lifecycle of the L3RP in its post-construction phase, the Committee will maintain its commitment to communication and engagement, and to bringing Indigenous perspectives and approaches to the monitoring of the Line 3 Replacement Program. The Committee has accomplished a lot over the last four years and will continue to enhance the relationship between Indigenous Nations, the Government, and the CER.

### **Emergency Management**

Impacted Indigenous Nations have a wide range of emergency management capacities. The Committee will sharpen its focus on supporting Indigenous Nations' capacities for participating in emergency response activities, by helping Indigenous Nations access training, funding, and other government support.

### **How We Work**

The Committee will continue building relationships and strengthening the partnerships amongst Indigenous Nations, federal, and regulator representatives through its collaborative work toward a shared purpose and vision of supporting meaningful Indigenous participation in the Line 3 Replacement Program. The Committee—in its work and how it approaches it—can advance the principles underlying the United Nations Declaration on the Rights of Indigenous Peoples and the Truth and Reconciliation Commission's Calls to Action.

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“This is an important and exciting year ahead for the Committee as it begins its work to develop options through co-development and communication and engagement with impacted Indigenous Nations, for renewing the L3RP beyond March 2022.”

**Marci Riel**, *Indigenous Co-Chair, Line 3 IAMC*  
*Manitoba Métis Federation*

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“Renewal is moving forward, while looking at the past, present and future. So much important work has been done and it has had such a huge impact. We must continue on this journey beyond March 2022. Renewal is a symbol of rebirth and hope.”

**Barb Hobson**, *Swan Lake First Nation*





We value the feedback we receive from communities that are potentially impacted by activities that take place as the Line 3 Replacement Program moves forward.

For more information or to contact the Committee, visit [iamc-line3.com](http://iamc-line3.com).

Contact us at [nrcan.line3committee-comitecanalisation3.nrcan@canada.ca](mailto:nrcan.line3committee-comitecanalisation3.nrcan@canada.ca) and we can add you to our mailing list or answer questions you may have.



*South of Virden near Canupawakpa Dakota Nation*