



June 30, 2022

Canadian Energy Regulator  
210-517 10 Ave SW  
Calgary AB T2R 0A8

by email: opr-rpt@cer-rec.gc.ca

**RE: OPR Review – Métis Nation Saskatchewan – Eastern Region 3**

MN-S and ER3 have been working collaboratively with X-Terra Environmental to address the Regions comments and concerns on the CER Onshore Pipeline Regulations. The discussion paper was used as the basis to form conversation around the document while addressing Sections 1, 2 and 3. The Region has a few comments and concerns on the 1999 Onshore Pipeline Regulations document and hopes to see them reflected into the updated version. Please see attached comments that originated from the engagement session that was held on June 14<sup>th</sup>, 2022.

Sincerely,



██████████ for



*Minister of Health  
Minister of Finance  
Regional Representative  
Eastern Region 3*

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**Métis Nation-Saskatchewan (MN-S)**

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## **Métis Nation of Saskatchewan – Eastern Region 3 Canada Energy Regulator – Onshore Pipeline Regulations Review Discussion Paper**

At the request of Métis Nation- Saskatchewan (MN-S) Eastern Region 3 (ER3), X-Terra Environmental Services Ltd. (X-Terra) assisted in the review of Canada Energy Regulator (CER) – Onshore Pipeline Regulations Review Discussion Paper (OPR). The review of the OPR discussion paper was requested by the CER to collect input that will assist with the review of the OPR.

On June 14, 2022, Curtis Riou, President of X-Terra, did two presentations via video conference. The first presentation was an information session on pipeline planning, pre-construction, and construction of a typical pipeline project. The intent was to inform the attendees on the process of planning and construction a pipeline. The second presentation was a summary on the material and questions included in CER's Onshore Pipeline Regulations Review Discussion Paper. Sections 1,2, and 3 were the focus of the presentation, however each attendee was provided a full version of the Discussion Paper to allow them to follow up on input from the other sections of the paper.

X-Terra's role in this process was to present and provide technical support and clarification, when able, on the OPR discussion paper. Attendees provided their experience with CER, Indigenous Advisory and Monitoring Committee (IAMC) and pipeline project construction. They also shared their thoughts and advice on improvements centered around the questions outlined in the discussion paper.

### **In attendance**

Sydney Nickolet – Métis Nation - Saskatchewan  
Mark Calette – Métis Nation - Saskatchewan  
Matthew Caron – Métis Nation - Saskatchewan  
Dexter Mondor – Métis Nation - Saskatchewan Local #182 President  
Trisha Nykiforuk-Racette – Métis Nation - Saskatchewan Local #87 President  
Marg Friesen – Eastern Region 3 Regional Director  
Shannon Landrie - Crossland – Métis Nation - Saskatchewan  
Linda Lagace – Métis Nation - Saskatchewan Local #6 President  
Curtis Riou – X-Terra Environmental Services - President  
Tracy Rogers – Métis Nation - Saskatchewan Local #103 President  
Linda Sopp – Metis Nation-Saskatchewan Local #25 President

### **Summary of Attendees' Comments to OPR Discussion Paper Questions**

1. What's working well in relation to the OPR, and its implementation, and what could be improved?
  - They (the CER) need to know who in our (MN-S) government to contact when the Duty to Consult requirement is triggered.
  - Engagement requirement should commence sooner (when the project is being proposed).
  - MN-S was made aware of the Enbridge Line 3 Replacement project far too late. This was the responsibility of both parties (MN-S and the regulator).
  - Engagement process was not consistent within the regions that were impacted.
  - The reporting process for MN-S should be embedded in the IAMC and efforts should be taken for more visibility with Term 2 and Term 3, the engagement process has improved.
  - We (MN-S) are being informed of incidents on the line and what effects they will have on wildlife better than we were before, but there is room for improvement.

- MN-S has 2 active representatives on IAMC therefore MN-S will be included in decisions on monitoring and engagement., policy development and improving access to economic benefits for all Indigenous Nations.

2. How can the OPR contribute to the advancement of reconciliation with indigenous peoples?

- The proponents, the CER, and anyone involved with the projects should have knowledge of the people they are engaging with.
- Knowledge of Indigenous government structures.
- Knowledge of its history.
- Compared our (MN-S) relationship with the Canadian Nuclear Safety Commission (CNSC) to our relationship with the CER. There are great differences and room for improvement.
- The relationship between CNSC and MN-S has grown over the years and is built on trust and respect.
- Having a relationship with regulators like we (MN-S) do with the CNSC makes engagement much easier.

3. How can the OPR contribute to the protection of heritage resources on a pipeline right-of-way during construction, and operations and maintenance activities?

4. How can the OPR contribute to the protection of traditional land and resource use, and sites of significance for indigenous peoples on a pipeline right-of-way, during construction, and operations, and maintenance?

- **We need to be engaged with at the conception of the project instead of when it is required that we are engaged.**
- To have an authentic partnership we need to be brought in on the project as soon as it is conceived.
- Need time to consult with our citizens and knowledge keepers.
- It needs to be clear that we are a large region/nation spread-out all-over Saskatchewan, not a group isolated to a small area of the province.
- Early engagement will would be mutually beneficial for the proponent and Metis citizens who have knowledge of the land and sustenance us.
- Partnerships with regulators should include accommodation resources for Traditional Land Use Studies (TLU's) to be done on affected areas.

5. How can the use of Indigenous knowledge be addressed in the OPR?

- Must accommodate communities who are expressing interest in a land use map and provide resources so that the TLU's can continue to be developed.
  - A suggestion is to accommodate Métis communities by offering support for traditional land use projects which identify the Métis footprint regionally. This will provide resources to develop or continue mapping projects.

6. How can the OPR address the participation of Indigenous peoples in pipeline oversight?

- Develop a database of potential Métis service providers and companies that proponents, labor force and companies have access to and input data that is current for contract opportunities.
  - SMEDCO has developed a directory for the province, and it lists Métis owned and operated businesses. This could be a resource for a potential database.
- Companies could be held to a bonus and penalty system for proper consultation and engagement with indigenous communities and companies.
- Making permanent positions for Indigenous monitors would make engagement much more meaningful.

7. How can the OPR support collaborative interaction between companies and those who live and work near pipelines?

➤ Answers above in Question: 6.

8. How could communication and engagement requirements in the OPR be improved?

- Engagement should be a prerequisite for applying to a project instead of being a requirement for construction approval.
- Project delays like blockades could be prevented if engagement was done much earlier time.
- The CER should consider something like the CNSC orientation sessions for communities across the province.
  - this should be part of the recommendation

9. How could the CER improve transparency through the OPR?

- This engagement (Discussion Paper) is a start.
- Will see how much our feedback is taken into consideration in phase two
- An introduction session hosted by the CER for MN-S would be good, most people have never even heard of the CER

MN-S and ER3 are pleased to continue the discussion Canada Energy Regulator – Onshore Pipeline Regulations Review Discussion Paper. Please feel free to contact MN-S – ER3 to elaborate on the comments presented here and any additional collaboration would be welcome.

Regards,  
**X-Terra Environmental**

