
4 Consultation

4.1 Introduction

Gateway is implementing a consultation and communication program (the program) for the Project. The program provides a framework for developing and distributing information as well as the basis on which engagement with stakeholders is and will be undertaken. This program has been updated and expanded several times since 2002, when Enbridge began initial discussions with key stakeholders and interested parties regarding the Project.

Enhancements to the program will be made, as required, based on stakeholder input and as new information comes available. Enhancements will also be made to ensure alignment with the NEB's filing requirements.

Stakeholder involvement will be integral to Project planning and for planning, developing and implementing the ESA. Stakeholders will be involved with data collection and verification, issues scoping, impact assessment, mitigation and management planning and follow-up. Their involvement will be undertaken in the context of overall project public disclosure and communications.

Stakeholder engagement opportunities will provide opportunities to consider the potential effects of the Project on traditional Aboriginal land and on resource use. There will also be focused opportunities for the general public and other stakeholder groups, including non-governmental and community-based organizations, to identify their concerns and provide input to the ESA. Public and stakeholder concerns and comments and how they are being addressed by the Project will be documented and reported.

4.2 Program Goals

The consultation and communication program reflect Gateway's corporate commitment to stakeholder engagement.

4.2.1 Corporate Vision

Gateway is committed to implementing practices that comply with legislated requirements and respond to the social, economic and environmental needs of the communities where it operates. Social responsibility—ensuring the safety of employees and the public, preserving a clean and healthy environment, and contributing to strong, vibrant communities—is a core value of Gateway.

Enbridge's 2004 Strategic Plan⁴ and Corporate Social Responsibility Policy⁵ dictate how the company (including Gateway as an Enbridge subsidiary) does business and realizes its commitments to sustaining values through socially responsible operations and community involvement. These commitments guide the approach to public consultation.

⁴ Strategic Plan is available as a PDF at <http://www.enbridge.com/about/pdf/04-strategicPlan.pdf>

⁵ Corporate Social Responsibility Policy is available at <http://www.enbridge.com/csrReport2005/index.php>

4.2.2 Consultation and Communication Principles

The consultation and communications expectations of regulators and stakeholders continue to evolve and expand. Recognizing that the Project will entail many challenges, the consultation and communication program is comprehensive. All stakeholders⁶ and their views will be treated with respect. As such, the engagement program for the Project is formed around the following core principles:

- Stakeholders will be informed in a timely and accurate way about Gateway's business activities. Gateway will seek stakeholder dialogue on business decisions that affect them.
- Stakeholders will be engaged early in the development planning process so that community goals and perspectives can be taken into account in decision-making.
- Affected stakeholders will be encouraged to help define the desired elements and approach of the public involvement process.
- Stakeholder consultation and public participation processes will be transparent and open.
- As part of the ESA and planning, Gateway and its consultants will respect local and traditional knowledge.
- Gateway and its consultants will develop and maintain ongoing dialogue with stakeholders to:
 - increase knowledge of the effects of Project activities
 - develop balanced requirements and expectations
 - seek resolution of issues
- Accountability will be a key characteristic, including written commitments to stakeholders.
- All interactions and information sharing with stakeholders will be done according to ethical, legal and regulatory standards.

⁶ The term stakeholder is used to refer to persons or groups affected or potentially affected by the Project.

4.2.3 Goal and Objectives of Involvement

Objectives

Stakeholder involvement in Gateway will be guided by the following objectives:

- provide affected and interested stakeholders with Project information in a timely and sensitive manner so they can be engaged in a knowledgeable and comfortable manner
- provide opportunities appropriate to the interests and experiences of stakeholders so they can contribute to the identification of potential Project effects
- provide opportunities that facilitate the development, articulation and registration of a variety of stakeholder perspectives
- generate support among stakeholders for the fairness and results of the assessment process

The program will:

- meet or exceed the prescribed consultation expectations
- provide multiple points of access to stakeholders for input and discussion about the Project
- provide opportunity for issue resolution, where possible

4.2.4 Definition of “Stakeholder”

There is a range of stakeholders who may be interested in participating in Project consultation. They can be defined as those:

- individuals or groups who reside or work near the Project and will be physically affected by the construction or operation (or both) of the Project and its associated activities
- individuals or groups that have established environmental, cultural, social or economic interests in, or particular knowledge of, defined spatial areas or activities that might be potentially affected by the Project
- individuals or groups that have a mandate to manage areas or activities that might be potentially affected by the Project

There are seven general audiences of stakeholders that need to be involved throughout the process:

- Aboriginal communities and organizations
- non-Aboriginal communities and municipalities
- landowners
- environmental non-government organizations (ENGOS)
- non-government and community based organizations (NGOs and CBOs)
- regulators
- resource users

4.2.5 Regulatory Requirements for Consultation Program

The Canadian Environmental Assessment Agency's document *Public Involvement Guide to the Preparation of a Comprehensive Study* outlines ten advisory guidelines for stakeholder involvement. The National Energy Board *Filing Manual* also outlines the role of the stakeholder during an ESA. It also indicates the components to include in the engagement process, including principles, types of stakeholders to involve and how to present the outcomes in the ESA.

Gateway's plan for stakeholder involvement for the Project respects the directives in the *CEAA* and NEB documents.

4.3 General Consultation

4.3.1 Consultation Before June 2005

For the preceding three years, consultation activity had primarily consisted of relationship building with Aboriginal communities and organizations in Alberta and British Columbia. This was done through a series of visits. For more information, see Section 4.5.

4.3.2 General Project Communications Since June 2005

Since June 2005, consultation and communication activities have increased, with stakeholders becoming significantly involved.

In June 2005, a toll free telephone number was established. It allows people to phone free of charge and, through a series of prompts, leave a recorded message describing the information they are seeking and contact information. Messages are checked twice a day.

In July 2005, about 1000 brochures entitled *Enbridge Gateway Project* were mailed to municipalities, provincial and federal governments, Aboriginal communities, industries, businesses, landowners and special interest groups near to or with a potential interest in the Project. The brochure provided an overview of the Project and the expected timeline. It invited people to learn more about the Project and to offer comments. Reference was made to community open houses and future informational meetings. Reference was also made to the Project's toll free telephone number and website, which became operational in July. Since the initial mailing, the brochures have been handed out at all stakeholder events.

In July 2005, a public announcement was made about the inclusion of a condensate line as part of the Project. The media reported the message throughout western Canada.

Requests registered through the Project website and toll free number will be answered for the duration of the Project. It is likely that meetings with individual groups of stakeholders will be held, by request, on an ongoing basis throughout the project.

4.3.3 Non-Aboriginal Communities and Municipalities

In August and September 2005, meetings were held with political and administrative representatives of municipalities in which community open houses for the general public were being planned. These meetings provided Gateway representatives and their communications and ESA consultants the opportunity to:

- introduce the Project and ESA-related studies
- gather initial feedback about issues of concern to the municipalities
- discuss details regarding open houses

Introductory meetings were held in the municipalities of:

- in Alberta – Strathcona County, Morinville, Mayerthorpe, Fox Creek, Whitecourt and Grande Prairie
- in British Columbia – Dawson Creek, Tumbler Ridge, Fort St. James, Burns Lake, Houston, Prince George, Smithers, Terrace, Kitimat and Prince Rupert

4.3.4 Community Open Houses

Community open houses are scheduled for mid-October 2005 to early November 2005 in these same communities. They are being advertised through local and regional newspapers and radio as well as highlighted by Gateway consultants during advance visits to the municipalities. Representatives of Aboriginal and non-Aboriginal communities are being invited and encouraged to attend.

Where requested—and in addition to engagement efforts—informational meetings are being held with Aboriginal communities and representatives of regional municipalities during the day. While the same information is being reviewed at these meetings as at the open houses, emphasis is being placed on discussing and gathering information about issues of interest to stakeholders.

4.3.5 Environmental Non-government Organizations

Environmental non-government organizations (ENGOS) are being engaged early in the ESA process to express Gateway's commitment to undertaking a comprehensive assessment and to express Gateway's intent to address ENGO input in an inclusive a manner as possible.

The ENGOS most likely to be interested in the Project and its assessment were identified according to:

- publicly stated mandates
- previous experience of Project personnel

During August and early September 2005, approximately 50 telephone calls were made to ENGO representatives. The purpose of these calls was to:

- introduce the Project
- determine the level of ENGO interest in the project
- invite ENGOs to participate in technical project ESA workshops planned for November 2005
- solicit input for workshop planning to ensure the workshops are as accessible as possible

It was indicated during these conversations that other representatives of organizations with environmental interests were also being invited to participate. Those included were representatives from government management agencies as well as representatives from Aboriginal communities and municipalities responsible for dealing with environmental issues within their jurisdictions.

Subsequent to these initial calls, it was decided that workshops would be offered in Vancouver, Terrace, Prince George, Dawson Creek, Grande Prairie, Whitecourt and Edmonton.

Telephone contact has and is being maintained with ENGO representatives throughout September and October 2005, to keep them apprised of updated Project information and possible workshops. As well, meetings are being held with some ENGO representatives to discuss other aspects of the Project. These meetings are attended by Gateway representatives, with assistance provided, as required, by consultants.

4.3.6 Non-government and Community Based Organizations

Non-government and community-based organizations (e.g., regional and local business associations, service clubs and social interest groups situated in municipalities near the corridor) were identified during August and September 2005. This was done while preparing the socio-economic database and the first round of community open houses for October to November 2005. Specifically, groups and organizations that were significant sources of social and economic data, as well as those interested in providing input to the assessment, were identified.

Subsequent to this, consultation was initiated in two ways. The first was through direct contact by members of Gateway's socio-economic consulting team to request specific information. The second was through invitation. Invitations were sent to the groups to attend the open house in the community nearest them. These groups will be encouraged to stay involved throughout the Project. This will be done in a number of ways. First, they will be put on the Project's mailing list so that they will receive general information about the Project's status.

There are a number of established committees and associations in Alberta and British Columbia that already work as a group to address economic and community development issues. In Alberta, these include inter-municipal planning committees and, in particular, the Northern Alberta Development Council (NADC). In British Columbia, the regional districts, regional economic development associations, Municipal Officers Association, and the Northern

Corridor Development Corporation (NCDC) address this function, including the production of Land and Resource Management Plans.

In September 2005, these groups were contacted to determine if representatives of Gateway and its consultants could use their offices while collecting data and scoping issues of regional concern and for verifying compiled information. It is intended that these meetings will continue throughout the assessment.

4.4 Regulatory Consultation

Meetings between Gateway and federal regulators to discuss the Project began in 2004. They were held with CEA Agency representatives in Ottawa, Edmonton and Vancouver and with National Energy Board staff, Transport Canada, Environment Canada and Fisheries and Oceans Canada. The purpose of these meetings was to introduce the Project, review regulatory procedures and discuss issues that might arise during the planning, development and operation.

In spring 2005, contacts with federal departments and agencies were re-established as well as established with others, such as Indian and Northern Affairs and other federal departments that might be involved with the ESA review process as RAs or FAs pursuant to *CEAA* or the TERMPOL Review Process. Meetings were held to discuss the Project sites and routing, preliminary issues scoping and to review the proposed applications and timelines. Meetings involving Gateway, its consultants and government representatives have continued through the summer and fall. As the Project progresses, more meetings will be held to discuss baseline studies and assessment methodologies, with personnel assigned from RAs and FAs.

Gateway's consultants initiated meetings with regional and headquarters staff of federal and provincial agencies in September 2005 to obtain and review baseline data, discuss field study and assessment methods and to secure work permits.

Representatives of many of these agencies have been kept informed of the Project's consultation activities, asked to provide relevant agency data and have been advised of upcoming events. These invitations will continue to be made for the duration of the Project, particularly as the ESA activities ramp up in late 2005 and into 2006.

4.5 Aboriginal Engagement

Gateway and Enbridge have been introduced to the majority of the potentially affected Aboriginal communities and organizations since 2002.

Because of this early engagement, Gateway has been able to establish agreements with some communities to hire residents to participate in biophysical field studies being done as a part of the assessment process. It has also enabled Gateway to discuss Memoranda of Understanding or similar agreements with Aboriginal communities, which would address the preparation of Traditional Knowledge studies, local skill surveys, training initiatives and employment opportunities.

4.5.1 Relations with Aboriginal Peoples

Maintaining positive relationships with Aboriginal peoples who may be affected by a new or existing pipeline project is an important corporate goal for Enbridge. To assist in achieving that goal, Enbridge employs an Aboriginal affairs manager and staff and has instituted a company-wide indigenous people's policy that states key principles for relations with indigenous peoples (e.g., respect for traditional ways and land, heritage sites, the environment and traditional knowledge). The policy is also designed for a consistent and thorough approach to consultation and engagement with Aboriginal communities.

4.5.2 Gateway Approach to Aboriginal Engagement

From the outset of Project development, it has been recognized that Aboriginal engagement would be an important part of Project activity before, during and after construction. A team comprising Gateway employees, consultants and advisors is responsible for:

- implementing the Gateway Aboriginal engagement program
- adhering to the basic principles of the Gateway Indigenous Peoples policy
- following Gateway's general principles and goals for Aboriginal and public consultation and communication

In applying these principles and goals to Aboriginal involvement, Gateway has been mindful to properly respect cultural differences between Aboriginal and non-Aboriginal communities, varying levels of capacity between Aboriginal communities along the proposed pipeline route, and the need for fairness of treatment, in respect of issues such as Project benefits.

The principles and goals of the Aboriginal engagement program are similar to those for the general consultation program. Gateway is committed to working with Aboriginal communities to provide information about the Project, answer questions, solicit issues and obtain input for Project planning and the ESA. In addition, Aboriginal communities will be asked to share their traditional knowledge of land potentially affected by the Project to assist with Project planning.

The Aboriginal engagement program is a community-based program. Gateway's focus is to meet with individual communities to understand their specific views, interests and concerns and to align opportunities for benefits with the specific aspirations of each community. However, Gateway will respect the wishes of communities that would like to be represented by their Tribal Council. Those Aboriginal communities that, at this time, have requested to be represented by a regional or tribal council are noted in Table 4-1.

4.5.2.1 Agreements

Agreements proposing a framework for discussion have been and continue to be presented for the consideration of interested First Nations and Métis communities along the pipeline. These agreements do not bind Aboriginal communities to support the Gateway Project, nor do they commit Gateway to provide any specific type or amount of benefits. Rather, they set out the framework for:

- sharing information on the Project
- understanding the nature and extent of Aboriginal interests potentially affected by the Project
- describing the types of benefits that might be provided should the Project proceed
- providing a measure of capacity funding to facilitate discussions

To date, some Aboriginal communities have expressed interest in pursuing discussions in accordance with a Memorandum of Understanding or discussion protocol approach. Others have indicated a preference for different forms of agreements and some have elected to enter into collective negotiations with Gateway through mechanisms such as a tribal council. Discussions are actively proceeding.

4.5.2.2 Activities

Enbridge has been actively engaged with Aboriginal communities since 2002. This first stage of Aboriginal engagement was designed to establish communication between Enbridge and Aboriginal communities interested in the Project. At the feasibility analysis stage, these contacts were general in nature because the decision to proceed with the Project had not been made. The purpose of the early engagement was to introduce Enbridge to the communities, build relationships and scope issues and concerns early in the Project.

The second and more active stage of Aboriginal engagement was initiated in spring 2005, when Project development activity ramped up and a specific Project was defined. Gateway is continuing this stage of engagement with a smaller number of Aboriginal communities that could be potentially affected by the route from Edmonton, Alberta to Kitimat, British Columbia. On a preliminary basis, Gateway has identified potentially affected communities within an 80-km radius of the RoW with traditional territory that is traversed by the route and/or could be affected by the Project. As Project engagement proceeds, this community listing (Table 4-1) may change as new information becomes available.

In addition to ongoing meetings with community Elders and the elected leadership, the Aboriginal communities and agencies have received or will receive invitations to participate in community open houses. Offers are also being made to hold meetings in Aboriginal communities in conjunction with the open house meeting schedule, therefore providing everyone similar opportunities to learn about the ESA and offer their input.

Gateway has also had discussions with broadly based regional organizations representing northern and coastal First Nations (e.g., the Turning Point initiative and the Northwest Tribal Treaty Association).

Table 4-1 Aboriginal Communities

Alberta	British Columbia
Alexander First Nation Alexis Nakota Sioux Nation Aseniwuche Winewak Nation Driftpile First Nation ^b Duncan’s First Nation ^a Enoch Cree Nation #440 Grande Cache Métis Local #1994 ^c Horse Lake First Nation ^a Kapawe’no First Nation ^b Métis Regional Council – Zone IV Paul First Nation Sawridge Band ^b Sturgeon Lake Cree Nation ^a Sucker Creek First Nation ^b Swan River First Nation ^b	Burns Lake Indian Band ^d Cheslatta Carrier Nation Fort George Métis Association Kelly Lake Cree Nation Kelly Lake First Nation Kitamaat Village Council (Haisla First Nation) Kitselas Indian Band Kitsumkalum Indian Band Lake Babine First Nation Lheidli T’enneh Nation McLeod Lake Indian Band Nadleh Whut’en Band ^d Nak’azdli Indian Band ^d Nee Tai Buhn First Nation New Caledonia Métis Association Northwest BC Métis Association Office of the Wet’suwet’en (Wet’suwet’en Nation) Saik’uz First Nation ^d Saulteau First Nation Skin Tyee First Nation Stellat’en First Nation Takla Lake First Nation ^d Tl’atz’en Nation ^d West Moberly First Nation Wet’suwet’en First Nation ^d Yekooche First Nation
<p>NOTES:</p> <p>^aThese communities have asked to be represented by the Western Cree Tribal Council (Valleyview, Alberta).</p> <p>^bThese communities have asked to be represented by the Lesser Slave Lake Indian Regional Council (Slave Lake, Alberta).</p> <p>^cThis Métis Local has asked to be represented by the Métis Regional Council – Zone IV.</p> <p>^dThese communities have requested to be represented by the Carrier Sekani Tribal Council (Prince George, British Columbia).</p>	

4.5.3 Aboriginal Traditional Knowledge (ATK)

Gateway has contacted the potentially affected Aboriginal communities by letter to invite them to share their ATK in relation to the pipeline and associated activities. Subsequent to these letters, meetings are being planned with each interested community to discuss how Gateway and the community can collaborate in the collection of the ATK.

ATK studies will focus on understanding potential Project effects on traditional territories and practices of Aboriginal people. Effects may occur at a primary level (i.e., direct effects such as construction) or through secondary effects that occur as the by-product of construction or operations. ATK Project personnel are facilitators who work collaboratively with potentially affected Aboriginal people to provide opportunities to collect information about traditional land use, cultural practices and the perceived effect of the development on their lives and the land. Alternatively, where such information has already been assembled for the area of interest, it might be purchased by Gateway subject to negotiated terms and conditions regarding purchase price, copyright and confidentiality. These results will be incorporated in the ESA.

4.5.3.1 Aboriginal Traditional Knowledge Components

Two components of ATK will be collected: Traditional Land Use (TLU) information and Traditional Ecological Knowledge (TEK). TLU focuses on locations of cultural importance that may be identified in areas potentially affected by the pipeline RoW. Traditional Ecological Knowledge consists of wisdom and understanding of the natural environment that may aid in the analysis of Project environmental effects. The TLU portion of the studies will concentrate on the area of the physical footprint, its ancillary facilities and, minimally, a 1-km corridor width with the pipeline in the approximate centre. As part of the TEK information collection, however, the study will also include communities that have expressed concern about secondary effects of the Project in a larger regional area.

4.5.3.2 Carrier Sekani Tribal Council Aboriginal Interest and Use Study

Recently, seven Carrier Sekani Tribal Council (CSTS) affiliated communities have indicated a desire to conduct their own Aboriginal Interest and Use Study (AIUS) as an appropriate tool for addressing Aboriginal interests with respect to the Project. The First Nation communities that will be involved in this independent AIUS include:

- Burns Lake Indian Band
- Nadleh Whut'en Band
- Nak'azdli Indian Band
- Saik'uz First Nation
- Takla Lake First Nation
- Tl'atz'en Nation
- Wet'suwet'en First Nation

Gateway has agreed to provide financial support for the preparation of the AIUS on the basis that it will be conducted in a timely manner and will be available for preparation of the ESA.

4.5.4 Environmental and Socio-Economic Assessment and Crown Agencies

The Gateway Aboriginal participation program will have three goals. The first is to provide information to First Nations communities about the Project. The second is to provide opportunities for First Nations communities to constructively contribute to the ESA through programs (e.g., by providing field assistants) and traditional knowledge and input on matters such as scope of the assessment and route selection. The third is to provide opportunities for that input to be communicated to ESA and regulatory decision makers. Those opportunities will take different forms, including incorporating input received into the ESA and direct interfacing between First Nations communities who choose to participate in the ESA process and government representatives and tribunals.

Aboriginal groups who choose to participate in the ESA process will be afforded the opportunity to:

- make submissions for consideration to Gateway during Project design
- make submissions for consideration to government decision makers
- formally participate in the decision-making process (through submissions to the Gateway Joint Review Panel)
- review how Aboriginal concerns were considered and the influence Aboriginal concerns have had on decisions

The ESA will contain a complete review of the Aboriginal engagement program, including a description of the contacts made up to date of filing, the steps taken to offer opportunities to Aboriginal communities to engage in the ESA process and, subject to any confidentiality concerns, the results of those discussions and negotiations.