

OPR Review – Peavine Metis Settlement

1. What's working well in relation to the OPR, and its implementation, and what could be improved?

2. How can the OPR contribute to the advancement of Reconciliation with Indigenous peoples?

Answer: The Indigenous Advisory Committee does not have a metis representative from the Metis Settlement's General Council. There are 8 metis settlements in Alberta and only in Alberta that are land based. When I called to find out who are the members of this committee I was told that we have a MNA representative. We have issues with this as the MNA does not collaborate or represent the 8 metis settlements in any way, shape or form. Metis Settlement's General Council is a council that is made from the leaders of the 8 settlements, I think it would be appropriate to approach this council to ask for a designated person to represent the 8 settlements on this IAC. This would be the proper way to engage the 8 settlements.

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 activities?

Answer: There has to be follow through after the initial site visits are completed, the indigenous groups that stated the concerns need to revisit after construction to ensure that these sensitive areas were not disturbed. If they were disturbed than some form of compensation needs to be paid by the company to an insurance fund of sorts that can be utilized to bring the site back

as close to its original form. Examples of compensation 3 types of compensation such as level 1. Minimal compensation because area can be returned to its original state; Level 2. Greater form of compensation because site cannot be returned to its original state but is still usable; Level 3. Greatest form of compensation because site is forever unusable. (these levels to be determined by indigenous community representative.

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

Indigenous knowledge is a “knowing” that has been ingrained in our people since childhood, an inherent knowledge passed down for generations. We have learned to accept this knowledge as truth and don’t question its authenticity. This knowledge in our eyes is equal to western science and when indigenous knowledge is used, it can then be proven by western science as to make it tangible to non-indigenous peoples. Please understand that the environment can be scoped in a grander sense by an indigenous knowledge holder and when areas of concern are flagged then the western science can be utilized to prove the environmental concern.

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

Again I cannot say it enough that all indigenous groups need to be represented in the committees that are made, (MNA does not represent the 8 metis settlements of Alberta, an indigenous representative from the south cannot represent a community from the north and same for west and east as the landscape differs from area to area. I do understand that committees do not work with a huge representation but committees also don’t work without the proper representation and my example is; The Metis Nations of Alberta does not represent my interests as a

member of the Peavine Metis Settlement (1 of 8 settlements in AB).

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

Answer: The company needs to communicate with those who live and work near pipelines regardless if they reside on a settlement or reserve. Example: A company recently discussed a well site with our Council and continued to start construction without consulting with the residents that live only a few 100 meters away. I know this is a well site and not a pipeline but the idea is the same.

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

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

10. Gender and other intersecting identity factors may influence how people experience policies and initiatives. What should the CER consider with respect to:

- a. those people implementing the OPR; or
- b. those people who are impacted by the operational activities addressed in the OPR?

11. How can the OPR support a predictable and timely regulatory system that contributes to Canada's global competitiveness?

Answer: Canada needs to become independent from the states and refine our own resources.

12. How can the OPR support innovation, and the development and use of new technologies or best practices?

13. What company-specific or industry-wide performance metrics could the CER consider to support enhanced oversight and transparency for CER-regulated facilities?

Answer: Cumulative Effects is always a concern and maybe the CER already has a system in place that determines the effects that all the companies create collaboratively over time. The Companies themselves do not determine this so it should fall to the CER or AER to determine the Cumulative Effects as all projects go through the CER or AER. This system can be worked on in conjunction with the people that are within these regions so that all effects are taken into account. Government departments may have to join efforts to see this through but it would benefit all people not just the indigenous communities.

14. Are there opportunities within the OPR for data and digital innovation that could be used by the CER and by companies regulated by the CER?

15. How can the OPR be improved to address changing pipeline use and pipeline status?

Answer: There was no consultation for older pipelines that are now being decommissioned or abandoned and when deciding what to do, Indigenous Communities should be consulted with to help determine the actions going forward as these pipelines may have overgrowth and may prove to have a bigger footprint if removed and vice versa. I would think if the government is working in someone's back yard they would ask the resident their thoughts on how to proceed or at least let the resident know how the process works and ask for comments.

16. What further clarification, in either the OPR (e.g. structure or content), or in guidance, would support company interpretation and implementation of management system requirements?

- 17. How should information about human and organizational factors, including how they can be integrated into a company's management system, for both employees and contractors, be provided in the OPR, and/or described in related guidance?**
- 18. How can the OPR improve the connection between company safety manuals and the overarching Safety Management Program, for both employees and contractors?**
- 19. How can respect and personal workplace safety be assured at CER regulated sites?**
- 20. How should the CER be more explicit about requirements for contractor management?**
- 21. How should the OPR include more explicit requirements for process safety?**
- 22. How can the OPR drive further improvement to the environmental performance of regulated companies?**
- 23. How can the connection between the Environmental Protection Plan, specific to an individual pipeline, and the company's Environmental Protection Program, designed for a company's pipeline system, be improved?**
- 24. How can contaminated site management requirements be further clarified, in the OPR or in guidance?**
- 25. Are there any matters related to the Emergency Management Program in the OPR that require clarification? If so, what are they? Are there any matters for which further guidance is required?**
- 26. How could the requirement for a Quality Assurance Program be improved or clarified in the OPR?**
- 27. How can the OPR incorporate the key issues identified in the Safety Advisory regarding the strength of steel and the relative strength of the weld area?**

28. What are your recommendations for compliance promotion at the CER?

29. How do you want to be engaged by the CER in the development of technical guidance?

Answer: I believe the CER should engage with in person meetings to discuss things as important as these regulations. Indigenous People are personable and more meaningful information can be gathered if asked for in person and worked through together. Covid has created a different society, one that is not cohesive with the indigenous people. I for one would like to continue this conversation in person as there are a lot of questions I am unable to answer at this time, not saying that they are not important but would be better asked in person to others that hold that information from our community and having them write or dictate their answers just is not advantageous at the moment. Looking forward to future discussions.

Regards,