

National Energy
Board



Office national
de l'énergie

File OF-Fac-Gas-A174-2018-03 01
26 June 2019

Chief Alvin Francis
Nekaneet First Nation
Box 548
Maple Creek, SK S0N 1N0
Email: alvin.e.francis@gmail.com
SENT VIA MAIL

Dear Chief Francis:

**AltaGas Holdings Inc. on behalf of AltaGas Pipeline Partnership Ltd. (AltaGas)
Application for Leave to Abandon the Acadia Valley Pipelines and Tie-ins
(Application)
Letter from Natural Resources Canada**

This letter is to inform you that on 25 March 2019, Natural Resources Canada issued the attached letter which clarifies the federal Crown's approach to fulfilling any potential duty to consult that may arise on projects regulated by National Energy Board (NEB), including those for which the NEB is the final decision maker.

The attached letter from Natural Resources Canada is applicable to the assessment of the Application and will be placed on the record of this proceeding for reasons of transparency.

If you have any questions, please contact Melissa Trono through the Board's toll free number at 1-800-899-1265 or by e-mail at process.help@neb-one.gc.ca.

Yours truly,

Original signed by L. George for

for
Sheri Young
Secretary of the Board

Attachment

c.c. Ms. Nicole Finnamore, Compliance Manager - Gas Operations, AltaGas Ltd.,
Email: nicole.finnamore@altagas.ca

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MAR 25 2019

Ms. Sheri Young
Secretary of the Board
National Energy Board
Suite 210, 517 Tenth Avenue SW
Calgary, Alberta T2R 0A8

Dear Ms. Young:

Subject: Approach to Crown Consultation

The Government of Canada is committed to a renewed relationship with Indigenous Peoples based on recognition, rights, respect, cooperation and partnership. Ensuring that the Crown's consultation obligations and objectives are effectively and meaningfully communicated and fulfilled is a key aspect of this commitment.

This letter clarifies the federal Crown's approach to fulfilling any potential duty to consult that may arise on projects regulated by National Energy Board (NEB), including those for which the NEB is the final decision maker.

The Federal Crown relies to the extent possible on the NEB processes to fulfill its duty to consult, as the NEB has the technical expertise and mandate to consider and address project impacts, including those affecting Indigenous rights and interests.

Indigenous rights holders identified as potentially affected by a project application will be notified of the application and will be given opportunities to provide comments to the NEB on the project and its potential impacts. If Indigenous groups have questions about the NEB process or concerns about a proposed project or activity, including those for which they have not received notification, they can contact the NEB for more information directly by telephone at 1-800-899-1265.

The Crown strongly encourages Indigenous groups who are concerned that their established or potential Aboriginal or Treaty rights and related interests could be affected by any project the NEB regulates to make their concerns known to the NEB, and to participate in any process held by the NEB.

The Government of Canada also encourages potentially impacted Indigenous groups to engage directly with project proponents, who may have the ability to make changes and address concerns raised. Proponents are required by the NEB to explain proposed

projects, and engage and consult with potentially affected Indigenous groups and take appropriate actions. Proponents are also required to submit information to the Board on the nature of concerns raised, as well as their efforts to address these concerns.

If issues arise on project-related impacts that are outside the NEB's mandate, the NEB will notify me, and the Federal Crown may undertake additional consultations.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Timothy Gardiner', with a long horizontal flourish extending to the right.

Timothy Gardiner
A/Director General, Petroleum Resources Branch