

ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGISTRATION FOR 138 KV TRANSMISSION LINE IN THE MONCTON INDUSTRIAL PARK, MONCTON, NEW BRUNSWICK

Aboriginal Engagement
December 15, 2017

7.0 ABORIGINAL ENGAGEMENT

NB Power believes that building long-lasting mutually respectful relationships with NB First Nations is essential. As such, engagement is one of three pillars in the Strategic Approach to First Nations Affairs, approved by the NB Power Executive in June 2013. While engagement efforts manifest in many ways, for the purposes of project engagement, regular monthly update meetings have been occurring throughout 2017 and agreements to support needed capacity for meaningful information have been established with the Wolastoqey Nation in New Brunswick (WNNB) and Mi'gmaqew'l Tplutaqunn Incorporated (MTI). While not a part of WNNB, Woodstock First Nation is invited to participate in, and receive all the benefits associated with the agreement with WNNB.

NB Power also makes Elsipogtog and its delegated consultative body, Kopit Lodge as well as the Peskotomuhkati Nation aware of all projects and invites inquiries for further information. Additionally, because of the close proximity of the Point Lepreau Nuclear Generating Station, NB Power community affairs representatives frequently engage with the Peskotomuhkai Nation and have established a strong, respectful relationship. Regular communication regarding all projects will be established in a manner suitable to both of these groups going forward.

7.1 OBJECTIVES

As with the Public Involvement Program, the objectives of the Aboriginal Engagement Program are as follows:

- Provide information directly to First Nations communities in the vicinity of the Project and associated First Nations groups
- Address issues and concerns raised during this process
- Identify measures that will mitigate or resolve First Nations issues or concerns proposed during future consultation initiatives

7.2 ABORIGINAL ENGAGEMENT PROGRAM ELEMENTS

An effective Aboriginal Engagement program has many elements. The following section describes those elements as they relate to the Project.

7.2.1 Agreements

NB Power and MTI are in the process of finalizing a Relationship and Consultation Agreement and NB Power and WNNB have entered into a Consultation and Capacity Funding Agreement. The purpose of the agreements are to:

- Foster a long term meaningful relationship between the Nations and NB Power.
- Build upon the relationship established.

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- Facilitate engagement and consultation and, where appropriate, accommodation discussions between NB Power and the Nations.
- Provide funding to promote and ensure an effective approach to engagement and consultation and where appropriate, accommodation so as to foster meaningful, good faith and cost effective consultation and accommodation measures between the Parties about Projects.

The following principles will guide the Parties' consultations and relationships under these agreements:

- Seek to understand and respect one another's values, interests, constraints and aspirations at all times.
- Engage with each other in good faith, honestly and with as much transparency as possible.
- Strive to avoid adversarial positions and strive to reach an agreement on the nature of any potential impacts on Aboriginal Rights associated with Projects and any appropriate mitigation and accommodation measures to address such potential impacts.
- Acknowledgment of the importance of, and the need for NB Power to provide energy in a sustainable, safe, reliable way at low and stable rates for all residents of New Brunswick.

NB Power's willingness to engage effectively with NB First Nations is clearly demonstrated by the efforts put forth to design and implement agreements with both WNNB and MTI. The agreements ensure that both Nations can participate in technical discussions with NB Power in a meaningful way. The agreements were the direct result of issues put forward during monthly meetings with the First Nations groups, demonstrating the effectiveness of the communication protocols in place and the earnest desire to affect positive change.

7.2.2 Communication Methods

The methods employed to communicate with affected First Nations communities and groups are described below:

- **Letters of Notification-** An official letter of notification regarding the Organigram Project was sent to MTI, Elsipogtog First Nation, WNNB, Woodstock First Nation, and the Peskotomukhkat Nation on October 11, 2017.
- **Monthly Update Meetings-** Regularly scheduled monthly update meetings with both MTI and WNNB have been in place throughout 2017. During the meetings, project updates are delivered followed by discussions. Minutes of the previous meetings are reviewed, during which time any outstanding actions items are revisited. The monthly meetings foster ongoing communication between the First Nations communities/groups and NB Power and provide an avenue to give advance notice of projects being contemplated.
- **Field Reports-** Any fieldwork related to generation and transmission projects is monitored by NB Power's First Nations Field Monitor. The Field Monitor participates in all aspects of work in the field and compiles detailed reports which are delivered electronically to MTI and WNNB. The reports outline the nature of the work being performed, tasks associated with the study, detailed photographs and interests and concerns from a First Nations Perspective. Feedback is generally received promptly and is incorporated into our project planning at NB Power. Due

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to the location of the proposed transmission line, within the Moncton Industrial Park, it is not anticipated that an NB Power First Nation's Field Monitor will be required.

- **Community Meetings and Open House Events-** When requested by a consultative body, Community Meetings and Open House events are organized, facilitated and delivered within First Nations communities. The Community Meetings and Open House events allow face to face interaction with NB Power staff, where project details can be discussed in a more holistic fashion. Recent Open House events in Mi'kmaq Territory have been delivered in the communities of Bouctouche (Oct. 17, 2017), Eel Ground (Oct. 26, 2017), Eel River Bar (Oct. 25, 2017), Elsipogtog through Kopit Lodge (Oct. 30, 2017), Esgenoopetitj (Oct. 30, 2017), Fort Folly (Dec. 6, 2017), Indian Island (Oct. 18, 2017), Metepenagiag (Dec. 6, 2017) and Pabineau First Nation (Oct. 25, 2017). During the Open House events, presentations and information packages associated with all NB Power projects were made available. Although this project is in traditional Mi'kmaq territory, a project description was included in the handouts for the Wolastoqey Open Houses as well as St. Mary's First Nation (Sept. 18, 2017).
- **Project Registration and Information Exchange** - In an effort to be as inclusive, efficient and transparent as possible, all Environmental Impact Assessment Documents are sent to the First Nations consultative bodies at the same time as Environment and Local Government and Aboriginal Affairs Secretariat. The same is true for Recommendations and Responses to Traditional Land Use/ Indigenous Knowledge Studies (if conducted), and Technical Review Committee Questions and Answers.
- **Information Packages-** Bilingual information packages were used to provide interested First Nations that wish to receive project information in both official languages with basic information about the project.
- **Web Postings-** The NB Power website (www.nbpower.com) serves as an electronic method for members of the public to access Project documents, view maps and send comments.
- **Viewing of the EIA Registration-** A paper copy of the EIA Registration document will be made available for viewing during the review period at the New Brunswick Department of Environment and Local Government, Project and Approvals Branch (Fredericton) and Moncton City Hall. In addition, an electronic or paper copy of the EIA Registration document will be provided to any First Nation community, upon request. A brief summary report on the First Nations engagement initiatives carried out, and the key issues raised during the EIA review, will be provided to NBDELG within 60 days following registration.
- **Project Telephone Number-** A toll-free Project Information Line (1-866-754-7727) will appear on all communications and will provide an easy-to-access means of contacting Project personnel without requiring computer capability, subscription to a newspaper, or attendance at an Open House.

7.2.3 Issues Tracking and Reporting

A major effort of the Aboriginal Engagement Program will be to track, synthesize, and present comments to the applicable regulatory agencies. NB Power will maintain a log that is used to track issues and concerns raised during the Aboriginal Engagement Process. The log will provide Project staff with the ability to review the status of all issues, concerns or commitments.

Issues or concerns raised by, or commitments made to, Aboriginal groups will be entered into the log and monitored regularly during the Project meetings until the appropriate actions have been taken to address them. During the meetings, outstanding items will be reviewed and updates

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provided to the Project Team. Upon completion of each outstanding item, the necessary information will be forwarded to administrative support personnel in order to identify the item as “complete”. Results of the Aboriginal engagement activities conducted will be reported to the NBDELG along with the public engagement summary report.

7.3 RESULTS OF ABORIGINAL ENGAGEMENT PROGRAM TO-DATE

There has been no interest expressed for further engagement on this project beyond the communication methods described above.

7.3.1 Summary of Aboriginal Engagement

Prior to the notification letters being issued to all First Nations in New Brunswick, including the Peskotomuhkati Nation, on October 11, 2017, MTI, WNNB, and Woodstock First Nation were provided early notice of the potential Organigram Project through monthly update meetings.

The letter detailed a description of the project and nature of the environmental setting of the Project footprint (See Appendix D). All First Nation Communities/Consultative Bodies identified in Table 7.1 received the letter and associated information. As the Project is located in an industrial park, which has been previously impacted by various construction activities, it was determined that no new impacts to Aboriginal or Treaty Rights would be caused by the construction of the project. To date, there have been no responses from Aboriginal groups that contradict the previous statement.

Table 7.1 List of First Nations Communities and Groups Contacted to date

<p>Buctouche First Nation Chief: Ann Mary Steele 9 Reserve Road Bouctouche Reserve, NB E4S 4G2 Tel: (506) 743-2520</p>	<p>Eel Ground First Nation Chief: George Ginnish 47 Church Road Eel Ground, NB E1V 4E6 Tel: (506) 627-4600</p>
<p>Eel River Bar First Nation Chief: Thomas (Everett) Martin 11 Main Street, Unit 201 Eel River Bar, NB E8C 1A1 Tel: (506) 684-6277</p>	<p>Elsipogtog First Nation Chief: Arren Sock 373 Big Cove Road Elsipogtog First Nation, NB E4W 2S3 Tel: (506) 523-8200</p>
<p>Esgenoopetitj First Nation Chief: Alvery Paul 620 Bayview Drive Burnt Church, NB E9G 2A8 Tel: (506) 776-1200</p>	<p>Fort Folly First Nation Chief: Rebecca Knockwood PO Box 1007 Dorchester, NB E4K 3V5 Tel: (506) 379-3400</p>

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<p>Indian Island First Nation Chief: Kenneth Barlow 61 Indian Island Drive Indian Island, NB E4W 1S9 Tel: (506) 523-8100</p>	<p>Kingsclear First Nation Chief: Gabriel Atwin 77 French Village Road Kingsclear First Nation, E3E 1K3 Tel: (506) 363-3028</p>
<p>Madawaska Maliseet First Nation Chief: Patricia Bernard 1771 Main Street Madawaska Maliseet First Nation, NB E7C 1W9 Tel: (506) 739-9765</p>	<p>Metapenagiag Mi'kmaq Nation Chief: William (Bill) Ward PO Box 293 Metapenagiag Mi'kmaq Nation, NB E9E 2P2 Tel: (506) 836-6111</p>
<p>Oromocto First Nation Chief: Shelley Sabattis PO Box 417 Oromocto, NB E2V 2J2 Tel: (506) 357-2083</p>	<p>Pabineau First Nation Chief: David Peter-Paul 1290 Pabineau Falls Road Pabineau First Nation, NB E2A 7M3 Tel: (506) 548-9211</p>
<p>St. Mary's First Nation Chief: Candice Paul 150 Cliffe Street Fredericton, NB E3A 0A1 Tel: (506) 458-9511</p>	<p>Tobique First Nation Chief: Ross Perley 13156 Route 105 Tobique First Nation, NB E7H 5M7 Tel: (506) 273-8439</p>
<p>Woodstock First Nation Chief: Timothy (Tim) Paul 3 Wulastook Court Woodstock, NB E7M 4K6 Tel: (506) 328-3303</p>	<p>Mi'gmawe'l Tplu'taqnn Incorporated (MTI) Contact: Samantha Robichaud 40 Micmac Road Eel Ground, NB E1V 4B1 Tel: (506) 455-1881 or (506) 627-4696</p>
<p>Peskotomuhkati Tribe Chief: Hugh Akagi 3 Prince of Wales Street, St. Andrews, NB E5B 3W9 Tel.: (506) 529-4657</p>	

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7.4 FUTURE ENGAGEMENT

On-going communication will be maintained through NB Power's regularly scheduled monthly meetings with MTI and WNNB, and will be established with the Peskotomuhkati and Kopit Lodge as appropriate.

The ongoing communication will support the following:

- Ongoing engagement, including required capacity, with First Nations regarding the Project
- Reviewing the results of environmental studies
- Inviting feedback and identifying opportunities to reduce, mitigate, or otherwise accommodate potential adverse effects to First Nations' treaty rights and other interests

While communication regarding all NB Power Projects has been shared with the Mi'kmaq and Wolastoqey communities through Open House events that took place throughout the summer and fall of 2017, NB Power remains committed to facilitating other community Open House events in First Nations communities when requested and feasible.

Interests and concerns identified during engagement with First Nations, particularly if any are identified in relation to the practice of traditional activities in the project area, will be documented and appropriate mitigation measures will be implemented as necessary to minimize any interactions of the project on the practice of traditional activities.

Aboriginal interests are incorporated into the Environmental Management Plan (EMP) to ensure appropriate action and follow up following support to proceed.