

EXHIBIT G INDIGENOUS RELATIONS

Waterdown to Finch Project

Indigenous Consultation Report



Contents

ACRONYMS AND ABBREVIATIONS	III
1. INTRODUCTION	1
1.1 Project Description Summary	1
1.2 Purpose of the Consultation Report	2
1.3 Imperial's Guiding Principles.....	2
1.4 Crown's Direction.....	3
1.5 Approach to Engagement and Consultation	3
2. IDENTIFICATION OF FIRST NATION AND MÉTIS COMMUNITIES	4
2.1 Crown's Direction on the Duty to Consult	4
2.2 Meeting the Crown's Direction	4
3. CONSULTATION ACTIVITIES	5
3.1 Mississaugas of the Credit First Nation	6
3.2 Six Nations of the Grand River	9
3.3 Six Nations – Haudenosaunee Confederacy Chiefs Council/Haudenosaunee Development Institute	12
3.4 Huron-Wendat Nation	17
3.5 Métis Nation of Ontario	19
3.6 Ongoing Engagement.....	19
4. REFERENCES	21

APPENDIX A RECORD OF CONSULTATION LOG

List of Tables

Table 3.1-1: MCFN Key Comments Table	7
Table 3.2-1: Six Nations Key Comments Table	11
Table 3.3-1: HCCC/HDI Key Comments Table.....	14
Table 3.4-1: Huron-Wendat Key Comments Table	18

ACRONYMS AND ABBREVIATIONS

CSA	Canadian Standards Association
ERM	ERM Consultants Canada Ltd.
GTHA	Greater Toronto and Hamilton Area
HCCC/ HDI	Six Nations Haudenosaunee Confederacy Chiefs Council/ Haudenosaunee Development Institute
HONI	Hydro One Network Inc.
HDB	Horizontal directional bore
HDD	Horizontal directional drilling
HWN	Huron-Wendat Nation
IO	Infrastructure Ontario
Imperial	Imperial Oil Limited
INAC	Indigenous and Northern Affairs Canada
LTC	Leave to Construct
MECP	Ministry of Environment, Conservation and Parks
MENDM	Ministry of Energy, Northern Development and Mines
MCFN	Mississaugas of the Credit First Nation
MNO	Métis Nation of Ontario
MNRF	Ministry of Natural Resources and Forestry
MTCS	Ministry of Tourism, Culture and Sport
ROC	Record of Consultation
SNEC	Six Nations Elected Council
SPPL	Sarnia Products Pipeline
TSSA	Technical Standards and Safety Authority
OEB	Ontario Energy Board
OPCC	Ontario Pipeline Coordinating Committee
ROW	Right-of-way

1. INTRODUCTION

1. Consultation is the process of identifying interested and potentially affected parties and informing them about the Project, soliciting information about values, local environmental and socio-economic circumstances, and receiving input for consideration in planning and design (OEB 2016). Imperial is committed to meaningful consultation; in addition to informing stakeholders, Imperial employs a two-way communication approach to sharing information, receiving and responding to comments, which ultimately enables it to make informed decisions.
2. Consultation is an integral part of Imperial's *Guiding Principles* (Exhibit G, Tab 1, Schedule 2), and an integral part of planning for the Waterdown to Finch Project (the "Project"). Indigenous consultation for the Project has been guided by the requirements of the OEB's *Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario, 2016, 7th Edition* ("Environmental Guidelines"). In addition, Imperial has followed the guidance of the Ontario Ministry of Energy, Northern Development and Mines ("MENDM") requirements to prepare and submit this Indigenous Consultation Report and associated Record of Consultation ("ROC").
3. This Consultation Report will elaborate on Imperial's approach to consultation, the identification of Indigenous communities that have the potential to be interested in or affected by the Project, consultation activities completed, and provides a summary of key comments and responses.
4. Appendix A includes a reference to the Indigenous ROC Log and supporting documents which are included in Exhibit H Record of Consultation, Tab 2, Schedule 1 – 6 as part of the Application. The Indigenous ROC Log includes details of information shared, comments received and Imperial's responses to the comments.
5. Most importantly, comments received during consultation have been considered during project planning and design to avoid or minimize potential environmental and socio-economic effects, as evidenced in the Key Comments tables ("Key Comments").

1.1 Project Description Summary

Project Purpose

6. Imperial's Sarnia Products Pipeline ("SPPL") is important infrastructure that provides petroleum products used by households and businesses across the Greater Toronto and Hamilton Area. Products include a significant portion of jet fuel for Toronto Pearson International Airport, as well as gasoline and diesel fuel that keep people, goods and services moving throughout the region. To support continued safe, reliable, and environmentally responsible transportation of products, Imperial is planning to construct and operate approximately 63 km of pipeline between the company's Waterdown Station and Finch Terminal to replace the transportation capabilities of the existing SPPL.

Project Description

7. The Project involves installation of approximately 63 km of a new 12-inch diameter pipeline and associated infrastructure between Imperial's Waterdown Station and Finch Terminal.
8. The new pipeline will be constructed following the existing SPPL as closely as possible, in consideration of environmental and social constraints, and other infrastructure and land uses in the area. The existing pipeline is located within an Imperial right-of-way ("ROW") for approximately 18.8 km, and within a ROW managed by Hydro One Networks Inc. ("HONI") for

approximately 43.7 km. New easements will be required on a limited number of private lands and Imperial will be working directly with the affected landowners to obtain these agreements. New easements will also be required within the HONI ROW, and Imperial is working with HONI and Infrastructure Ontario to secure the necessary agreements. Pipelines owned by other operators inside the ROW will continue to operate without disruption.

9. Infrastructure associated with the new pipeline will include new valves and launchers/receivers (infrastructure necessary to launch and receive pipeline inspection tools). Valve mechanism and placement will be in compliance with Technical Standards and Safety Authority (“TSSA”) requirements and Canadian Standards Association (“CSA”) Z662. A cathodic protection system consisting of rectifier and anode beds will be installed to protect the pipeline from corrosion. Alternating current mitigation will be accomplished by installing zinc ribbon with the pipeline to prevent corrosion.

1.2 Purpose of the Consultation Report¹

10. An Indigenous Consultation Report is required to be prepared and submitted to the Ontario Pipeline Coordinating Committee (“OPCC”) to support the Leave to Construct (“LTC”) application as stipulated in:
 - o Section 3.3 of the OEB Environmental Guidelines;
 - o OEB staff email of July 27, 2018 (Appendix H, Tab 1, Schedule 1, Internal Rec. No. 469);
 - o MENDM’s letter (“Delegation Letter”) of Sept. 10, 2018 (Exhibit G, Tab 2, Schedule 1);
11. MENDM identifies the purpose of the Consultation Report is to:
 - o document consultation in order for the MENDM to determine if the consultation activities undertaken by the project proponent fulfill the requirements outlined within the *Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario, 2016* and any delegated procedural aspects; and
 - o provide a record of comments and information received through consultation and document how these comments were considered, including whether the Project was modified as a result of these comments.
12. The intent of this Consultation Report is to describe Imperial’s approach to consultation, including how it has addressed the Crown’s requirements, outline consultation activities undertaken to date and identify how consultation has influenced the project planning and design.

1.3 Imperial’s Guiding Principles

13. Imperial conducts its business in a manner that respects the land, environment, rights and cultures of indigenous communities, in accordance with the laws of Canada and corporate policies and guidelines that underlie the company’s demonstrated commitment to ethics, equity, environment and safety.
14. In areas where Imperial operates, Indigenous communities are engaged through consultation, employment and business development and educational program investments.
15. Imperial endeavors to understand Indigenous perspectives on issues of mutual interest, to deal constructively with differing viewpoints and to engage Indigenous communities and their

¹ Consistent with the Ontario Energy Board Environmental Guidelines and the Ministry of Energy Northern Development of Mines guidance, the words “consultation” and “consultation activities” are used throughout this document.

representatives in open and forthright consultation. Imperial maintains an open and ongoing dialogue about the Project with Indigenous leaders, community members and their designated representatives by:

- respecting traditional practices, decision-making processes, cultural activities and language;
- respecting the legal rights of Indigenous peoples as well as the Crown's direction on the duty to consult;
- ensuring timely discussions when activities have the potential to impact communities;
- treating all parties fairly and equitably; and
- providing appropriate responses to comments and concerns in a timely manner.

16. Imperial supports communities in areas where it explores, develops and operates, and strives to establish meaningful relationships built on mutual trust and respect. Additional details on its corporate guiding principles and guidelines are attached in Exhibit G, Tab 1, Schedule 2 and online at www.imperialoil.ca/en-ca/community/indigenous-engagement.

1.4 Crown's Direction

17. In addition to Imperial's commitment to Indigenous relations, the company's approach to consultation has been guided by the requirements and expectations of the Crown.
18. The MENDM provided a Delegation Letter dated Sept. 10, 2018, delegating the procedural aspect of consultation to Imperial. While the Crown has a constitutional duty to consult, and where appropriate, accommodate First Nation and Métis communities, the Crown may delegate the day-to-day, procedural aspects of consultation to project proponents.

1.5 Approach to Engagement and Consultation

19. Following the Crown's direction (Exhibit G, Tab 2, Schedule 1) and Imperial's guiding principles (Exhibit G, Tab 1, Schedule 2), Imperial's approach to consultation is proactive and flexible, based on the unique preferences of each community. Identified communities have participated in and influenced consultation methods and activities.
20. Imperial takes reasonable steps to foster positive relationships with the First Nation communities and has maintained a ROC, as required by the MENDM, describing activities carried out as part of the delegated procedural aspects of consultation. Additionally, Imperial bears the reasonable costs associated with the procedural aspects of consultation.
21. Imperial's approach to engagement and consultation has included meetings with Indigenous communities to share the information required for communities to understand and assess the potential impacts on rights and responding to questions and concerns raised by Indigenous communities.

2. IDENTIFICATION OF FIRST NATION AND MÉTIS COMMUNITIES

22. The identification of Indigenous communities that have the potential to be interested in or affected by the Project was based on the following considerations:
- proximity to the Project and likelihood of being directly affected by project activities;
 - review of historical treaty maps;
 - communities who have demonstrated interest in other projects or developments in the region of the Project;
 - in-person discussions with the identified communities;
 - institutional knowledge of Imperial and ERM staff based on previous experience and operations in the area; and
 - direction from MENDM and Ontario Ministry of Tourism, Culture and Sport (“MTCS”).
23. As described above, formal direction on which communities Imperial was delegated the procedural aspects of consultation was provided by the MENDM. Imperial has followed the Crown’s direction by initiating and continuing consultation efforts for the Project.

2.1 Crown’s Direction on the Duty to Consult

24. On May 23, 2018, Imperial sent a letter to the MENDM (formerly the Ministry of Energy) to provide notification of the Project (Exhibit G, Tab 1, Schedule 3). In addition to serving as formal notification of the Project in accordance with the Environmental Guidelines issued by the OEB, Imperial requested that the MENDM provide direction on the duty to consult obligation for the Project.
25. MENDM provided a response Delegation Letter dated Sept. 10, 2018 delegating the procedural aspect of consultation to Imperial (Exhibit G, Tab 2 Schedule 1). The Delegation Letter indicated that while the Crown has a constitutional duty to consult and, where appropriate, accommodate First Nation and Métis communities, procedural aspects of consultation were delegated to Imperial for:
- Huron-Wendat Nation (“Huron-Wendat”);
 - Mississaugas of the Credit First Nation (“MCFN”); and
 - Six Nations of the Grand River (“Six Nations”):
 - Required to consult Six Nations Elected Council;
 - Required to consult the Haudenosaunee Confederacy Chiefs Council (“HCCC”), with a copy of correspondence to the Haudenosaunee Development Institute (“HDI”).
26. On Sept. 25 and 27, 2018, following the Delegation Letter date Sept. 10, 2018, MENDM notified Huron-Wendat, MCFN, Six Nations and HCCC/HDI that MENDM, on behalf of Ontario, had delegated the procedural aspects of consultation to Imperial.

2.2 Meeting the Crown’s Direction

27. Based on the Crown’s direction from MENDM, which is outlined above, Imperial is consulting with Huron-Wendat, MCFN, Six Nations, and Six Nations - HCCC/HDI.
28. In addition, while the Métis Nation of Ontario (“MNO”) was not listed in the MENDM’s Delegation Letter, Imperial identified MNO as an Indigenous community to be informed of the Project for engagement and MNO was provided notification.

3. CONSULTATION ACTIVITIES

29. This Consultation Report consists of records from the period covering project notification to the end of January 2019,² representing the project information shared and comments received during the pre-application filing period.
30. Imperial has conducted the following consultation activities:
- notified Indigenous communities early and often throughout the regulatory process;
 - provided project information, including project descriptions, timelines and maps; explained regulatory and approval processes that apply to the Project;
 - Exhibit G, Tab 3, Schedules 1 – 5
 - participated in and offered to host community information events;
 - Exhibit G, Tab 3, Schedule 2
 - enabled the participation of Indigenous field monitors for archaeological and environmental field studies and provided capacity funding to facilitate participation;
 - involved communities in archaeological assessment planning and shared archaeology assessment findings and draft reports – provision of draft Stage 1 Archaeological Assessment report for review and comment;
 - provided the draft Environmental Report for review and comment;
 - invited communities to attend public Community Information Sessions for the project; and
 - Invited communities to participate in a tour of an Emergency Response Exercise.
31. Where communities have responded to Imperial's request for information, key comments are included in the Key Comments tables.
32. Throughout consultation, Imperial has been clear that it will work to ensure feedback, comments, and concerns can be raised by the communities at any time for consideration and response by Imperial and that process is not dependent on the OEB's defined regulatory consultation periods. That said, communities have been made aware of the regulatory timelines and that key comments will be considered in regulatory submissions, as timelines allow.
33. The following sections describe the consultation with each identified community for the Project. Each section includes an introductory community profile, a description of consultation activities and a summary of key comments received that helped inform and influence the project planning and design. Detailed consultation records with each community are provided in the ROC Log (Appendix A – Exhibit H, Tab 2, Schedule 1).
34. Additionally, the Key Comments tables presented for each community summarize the key comments received during consultation and describe the response or action taken relating to each comment made by the communities, including whether and how the project was altered to reflect comments from the communities and the rationale behind any proposed mitigation measure(s) to address environmental effects; any information from the communities about their Aboriginal and Treaty rights and any information on potential impacts to those rights; and any

² The ROC included a few records that occurred during the first week of February 2019 in order to capture evidence of the transmittal (e-copy and hardcopy versions) of the draft Environment Report to Indigenous communities.

- information from the communities regarding measures for avoiding, minimizing or mitigating those potential impacts.
35. Key comments were identified based on a community explicitly indicating a level of concern or importance regarding a comment or Imperial's understanding that the comment carried concern or importance for the community. Key comments focus on the Project's potential effects.
 36. The associated Exhibit H - ROC Log record number (Internal Rec. No.) is identified for each key comment and response in the tables.
 37. As new information arises throughout the consultation process, Imperial will consider the information received and incorporate changes into project design, as appropriate. It is anticipated that information collected may result in changes to Project design to accommodate key comments raised, as appropriate and in building positive relationships with communities in the project area, which will lead to better communication of ideas and ways of collaborating in the future.
 38. If archaeological artifacts are discovered, Imperial will follow the appropriate process to notify the Ministry of Tourism, Culture and Sport.

3.1 Mississaugas of the Credit First Nation

39. The ancestors of MCFN occupied the lands north of Lake Superior and the area around Georgian Bay. The ancestors of MCFN lived on the land and moved about the landscape harvesting resources as they became available and migrated into southern Ontario (MCFN, 2018).
40. MCFN traditional territory is described as commencing at Long Point on Lake Erie thence eastward along the shore of the Lake to the Niagara River, down the River to Lake Ontario, northward along the shore of the Lake to the River Rouge east of Toronto, up that river to the dividing ridges to the head waters of the River Thames and southward to Long Point (MCFN, 2018).
41. MCFN's current First Nation territory is located near Hagarville, Ontario, approximately 16 km south-southeast of Brantford, Ontario (MCFN, 2018).
42. The total registered population of MCFN is approximately 2,523 people living on and off reserve (INAC 2018).
43. MCFN has the following departments to administer and provide services for the community: Administration, Department of Consultation and Accommodation, Education, Children's Services, Employment and Training, Public Works, Social and Health Services, Sustainable Economic Development, Housing, and Media and Communications (MCFN, 2018).

Consultation Activities

44. To date, MCFN and Imperial have had numerous interactions, including meetings, phone calls and emails. In an effort to provide the most important details of consultation to date in the body of this Consultation Report, the summary below identifies important interactions chronologically and provides a short description of those interactions. Additionally, the summary identifies other key outcomes of consultation to date. The ROC Log provided in Appendix A provides the full details for every interaction to date.
45. On May 11, 2018, Imperial and MCFN met to introduce the Project team and to provide an overview of the Project to MCFN. Project details provided to MCFN at the meeting are included in ROC Log provided in Appendix A.

46. On May 22, 2018, Imperial provided a project notification letter to MCFN.
47. On Jun. 15, 2018, MCFN hosted a community proponent open house event. The purpose was to introduce community members to the invited companies and local municipalities and their respective projects and initiatives in the region. The Imperial Project team attended and brought materials to explain the Project and answered community member questions in a one-on-one setting. Key comments received during this activity are presented in the Key Comments table.
48. On Jul. 19, 2018, the Imperial Project team met with MCFN's Archaeological Operations Supervisor and Field Archaeologist to introduce MCFN to Imperial's licensed archaeological consultant ("Past Recovery"). Past Recovery provided an overview of the firm and archaeological experience, including experience working with Ontario communities. The meeting purpose was to discuss archaeological assessment planning. Imperial provided an overview of the archaeological assessment planning and confirmed that reporting will be shared with the communities and the communities are invited to provide feedback and input. Additionally, field monitors will be invited to participate in the archaeological field work.
49. On Sept. 25, 2018, MENDM provided a notification letter to MCFN that the Ministry has delegated procedural aspects of consultation to Imperial in relation to the Project. The Ministry encouraged representatives from MCFN to participate in efforts made by Imperial to consult the communities, to receive information on the Project, and to understand if there are any potential impacts on Aboriginal or treaty rights.
50. On Nov. 13, 2018, Imperial and MCFN held a teleconference call to discuss MCFN's Stage 1 Archaeological Assessment comments and to seek feedback on the field monitors program.
51. MCFN field monitors have participated in environmental, archaeological and geotechnical borehole investigation environmental compliance inspections field work. Imperial provided capacity funding to facilitate this participation. Field monitor participation included participation in all aspects of the field work. To date, MCFN field monitors have participated in an estimate of 129 total person field survey days for the Project. MCFN has stated that the field monitor program has been a positive experience for the monitors. MCFN and Imperial collaborated to improve logistics coordination for the field work. MCFN will participate in future field work.
52. MCFN provided a response to their review of the draft Stage 1 Archaeological Assessment report. Key comments from MCFN's response are captured in the Key Comments table.
53. A summary of key comments received from MCFN and Imperial's responses is included in the MCFN Key Comments table below.

Table 3.1-1: MCFN Key Comments Table

Topic	Key Comments	Responses
Field Liaison Representatives (Field Monitors)	Request for participation of Indigenous field liaison representatives ("FLR") during fieldwork surveys. (Internal Rec. No. 77)	Imperial worked with each community to enable the participation of field liaison representatives. Imperial provided capacity funding to facilitate the participation. (Internal Rec. Nos. 77, 115)
Archaeological Assessment	Request for input into archaeological assessments for Project. (Internal Rec. No. 77)	Imperial involved MCFN in environmental, archaeological assessment, and environmental compliance surveys. (Internal Rec. Nos. 115 and various)

Topic	Key Comments	Responses
Accidents and Malfunctions – Spills	Request for further information related to potential spills and emergency response. (Internal Rec. No. 449)	<p>Imperial takes proactive safety measures to prevent spills. Imperial has a robust Emergency Response Plan. Regulations and government oversight dictate how Imperial prepares for and responds to a potential pipeline spill. Imperial would be responsible for cleaning up and mitigating damages.</p> <p>Imperial has proactive safety measures: Imperial uses in-line inspection tools, which are sent from one side of the line to the other and measures the inside diameter of the pipeline and assesses the integrity of the line. Imperial flies the line every week; portions that cannot be flown are ground patrolled. Entire line walked in a periodic frequency. Line is monitored 24 hours a day, 365 days a year. In the unlikely event of a spill, the line will be shut down immediately. Imperial would implement the Emergency Response Plan, evaluate the hazards and risks, protect property, protect waterways and wildlife, coordinate the emergency response, and clean up the site. (Internal Rec. No. 449)</p>
Archaeological Assessment	Request for review of the Stage 1 Archaeological Assessment report. (Internal Rec. No. 448)	Imperial provided the Stage 1 Archaeological Assessment report to each community for review in advance of submission to the MTCS. (Internal Rec. No. 474)
Traditional Territory	MCFN commented that the Project is within MCFN's traditional territory. (Internal Rec. No. 681)	Imperial reiterated its recognition that the Parsons site is within shared traditional territory and fully understood that MCFN would participate in field work and monitoring and be consulted on mitigation strategies related to the site. Imperial agreed to modify the wording in the draft Stage 1 report to more clearly reflect MCFN's assertions on its traditional territory. (Internal Rec. No. 681)
Archaeological Assessment	MCFN asked if all access routes and temporary work spaces are included in the current study area or are these yet to be determined as part of the Stage 2 work. (Internal Rec. Nos. 568 and 681)	Imperial responded that most of the temporary work spaces and access routes relate to the placement of the horizontal directional drilling (HDD) and horizontal directional boring (HDB) path. If access routes and temporary work spaces are added or altered, the project study area will be amended as necessary so that the archaeological assessment includes the full project footprint and areas determined to have archaeological potential will be subject to further archaeological assessment. (Internal Rec. No. 681)

Topic	Key Comments	Responses
Archaeological Assessment	MCFN requested that the draft Stage 1 Archaeological Assessment report be redacted to protect the identification of mapped archaeological sites if the report is made publicly available. (Internal Rec. No. 568)	Imperial noted it will submit an appropriately redacted version of the Stage 1 Archaeological Assessment report to MTCS to ensure that sensitive information is not made public. A hardcopy confidential version of the Stage 1 Archaeological Assessment report is also provided to MTCS (Internal Rec. No.681)
HDD	MCFN asked if HDD will be used at crossings to avoid impacts to major waterways. (Internal Rec. No. 77)	Imperial explained that work is being planned to avoid, minimize and mitigate construction impacts as much possible for roadways and water crossings, including the use of HDD and HDB in these areas. (Internal Rec. No. 77)
Archaeological Assessment	MCFN shared the MCFN Standards and Guidelines for Archaeology. (Internal Rec. No. 77)	Imperial provided the MCFN Standards and Guidelines for Archaeology to Imperial's licensed archaeological consultant for consideration. (Internal Rec. No. 77)
HDD	After Imperial shared with MCFN the planned HDD paths for the Project, MCFN requested additional mapping of the planned HDD paths with a list of all HDD locations depicted so that MCFN can review the locations from an archaeological and waterway perspective. (Internal Rec. No. 681)	Imperial provided the planned HDD paths map and GIS shapefiles to MCFN. (Internal Rec. No. 644)

54. As per MCFN's preference, Imperial will continue to consult with MCFN on an ongoing basis. MCFN would like to be notified, in advance, of project changes and submissions. Imperial will maintain regular and frequent communication with MCFN designated representatives and will provide updates as the Project progresses. Consultation on the Project will continue to be in good faith and will be ongoing from pre-filing, filing of the Leave to Construct application and through to approval, construction and execution of the Project.

3.2 Six Nations of the Grand River

55. Six Nations consist of the six Iroquois nations of Mohawk, Oneida, Cayuga, Seneca, Onondaga and Tuscarora. Six Nations' current territory is bounded by Brant County, Haldimand County, Norfolk County, and to the north, MCFN. Six Nation village of Ohsweken, Ontario, is approximately 8 km south-southeast of Brantford, Ontario (Six Nations, 2018).
56. According to Six Nation's Lands and Membership Department, the total registered band membership of Six Nations as of December 2013 is 25,660, with approximately half living on reserve (Six Nations, 2018).
57. Six Nations has the following departments to administer and provide services for the community: Administration, Lands and Resources, Health Services, Fire, IT, Finance, Public Works, Social Services, Parks and Recreation, Ontario Works, Development Corporation and Lands/Membership (Six Nations, 2018).

Consultation Activities

58. To date, Six Nations and Imperial have had numerous interactions, including meetings, phone calls and emails. In an effort to provide the most important details of consultation to date in the body of this Consultation Report, the summary below identifies important interactions chronologically and provides a short description of those interactions. Additionally, the summary identifies other key outcomes of consultation to date. The ROC Log provided in Appendix A provides the full details for every interaction to date.
59. On May 22, 2018, Imperial provided a project notification letter to Six Nations.
60. On Jun. 15, 2018, Imperial and Six Nations Lands and Resources and the Wildlife Department staff met in Ohsweken, Ontario. The purpose of the meeting was to introduce the Project team, provide an overview of the Project and to discuss the planned archaeological assessment field work. Project details provided to Six Nations at the meeting are included in the ROC Log provided in Appendix A.
61. On Jul. 19, 2018, a follow-up meeting was held. Imperial reviewed the project details. Past Recovery provided an overview of the firm and their archaeological experience in Ontario and with communities. Imperial provided an overview of the archaeological assessment planning and confirmed that reporting will be shared with the communities and the communities are invited to provide feedback and input. Additionally, field monitors will be invited to participate in the archaeological field work.
62. On Sept. 25, 2018, the MENDM provided a notification letter to Six Nations that the Ministry has delegated procedural aspects of consultation to Imperial in relation to the Project. MENDM encouraged representatives from Six Nations to participate in efforts made by Imperial to consult the communities, to receive information on the Project, and to understand if there are any potential impacts on Aboriginal or treaty rights.
63. On Nov. 13, 2018, Imperial and Six Nations met in Ohsweken, Ontario. The purpose of the meeting was to solicit Six Nations' feedback on the draft Stage 1 Archaeological Assessment report; discuss feedback on the field monitor program; share information on what the Imperial Project team has heard from external stakeholders; discuss the LTC regulatory process and timelines; and discuss ongoing Six Nation consultation expectations.
64. Six Nations field monitors have participated in environmental, archaeological and geotechnical borehole investigation environmental compliance inspections field work. Imperial provided capacity funding to facilitate this participation. Field monitor participation included participation in all aspects of the field work. To date, Six Nations field monitors have participated in an estimate of 41 total person field survey days for the Project. Six Nations has stated that the field monitor program has been a positive experience for the monitors. Six Nations and Imperial collaborated to improve logistics coordination for the field work. Six Nations will participate in future field work.
65. Six Nations did not provide a response to the draft Stage 1 Archaeological Assessment report.
66. A summary of key comments received from Six Nations and Imperial's responses is included in the Six Nations Key Comments table below.

Table 3.2-1: Six Nations Key Comments Table

Topic	Key Comments	Responses
Field Monitors	Request for participation of Indigenous field monitors during fieldwork surveys. (Internal Rec. No. 76)	Imperial worked with each community to enable the participation of field liaison representatives. Imperial provided capacity funding to facilitate the participation. (Internal Rec. No. 451 and various)
Accidents and Malfunctions - Spills	Request for further information related to potential spills and emergency response. (Internal Rec. No. 637)	<p>Imperial takes proactive safety measures to prevent spills. Imperial has a robust Emergency Response Plan. Regulations and government oversight dictate how Imperial prepares for and responds to a potential pipeline spill. Imperial would be responsible for cleaning up and mitigating damages.</p> <p>Imperial has proactive safety measures:</p> <ul style="list-style-type: none"> ■ Imperial uses in-line inspection tools, which are sent from one side of the line to the other and measures the inside diameter of the pipeline and assesses the integrity of the line. ■ Imperial flies the line every week; portions that cannot be flown are ground patrolled. ■ Entire line walked in a periodic frequency. ■ Line is monitored 24 hours a day, 365 days a year. <p>In the unlikely event of a spill, the line will be shut down immediately. Imperial would implement the Emergency Response Plan, evaluate the hazards and risks, protect property, protect waterways and wildlife, coordinate the emergency response, and clean up the site. (Internal Rec. No. 637)</p>
Archaeological Assessment	Request to meet with the licenced archaeologist engaged by Imperial for the work since Six Nations have not previously worked with this firm. (Internal Rec. No. 76)	Imperial met with Six Nations to introduce Past Recovery, the licenced archaeologists working on the Project. The licenced archaeologist has experience in southern Ontario and has worked with Indigenous communities. Shared archaeological assessment methods and plans that conform to MTCS requirements. Shared Project information on upcoming Stage 2 Archaeological Assessment fieldwork. (Internal Rec. No. 450)
Fish and Fish Habitat	Requested information on the Project's potential effects on fish and fish habitat. (Internal Rec. No. 76)	<p>The pipeline will be installed at major watercourse crossings using trenchless construction methods to avoid in-water work and avoid impacts to fish and fish habitat.</p> <p>There will be agency regulatory oversight of proposed watercourse crossings activities. Fish habitat assessments have informed whether or not in-water work during construction</p>

Topic	Key Comments	Responses
		will need to avoid the timing of sensitive fish life stages. Construction disturbance (vegetation clearing and grading) will be limited at watercourses and riparian areas, and reclamation measures will re-establish riparian vegetation. (Internal Rec. No. 450)
Wildlife	Noted that some community members participate in hunting activities in southern Ontario. (Internal Rec. No. 76)	Six Nations Field Monitors are involved in fieldwork and it is Imperial's understanding that Field Monitors are able to report to Six Nations Lands and Resources/Wildlife Management Office if traditionally used wildlife species are encountered. To date, no comments have been relayed to Imperial regarding traditional use wildlife species. In addition, Imperial has shared the draft Environmental Report with Six Nations for their review. (Internal Rec. No. 777)
Traditional Use	Noted traditional use and collection of medicinal plants in southern Ontario. Six Nations commented that traditional knowledge locations would be kept within the community and not shared. The Field Monitors would have a role to report back to Six Nations Lands office in the event of locating traditional knowledge (e.g., medicinal plants) along the areas of interest to Six Nations. (Internal Rec. No. 76 and 450)	Six Nations Field Monitors are involved in fieldwork and it is Imperial's understanding that Field Monitors are able to report to Six Nations Lands and Resources/Wildlife Management Office if traditionally used medicinal plants are encountered. To date, no comments have been relayed to Imperial regarding traditional use medicinal plants. (Internal Rec. No. 76, 450, 637)
	Six Nations identified pipeline safety and spill prevention, trenchless and trenched construction methods and wildlife sightings as areas of interest. (Internal Rec. No. 637)	Imperial provided mapping and GIS shapefiles relevant to trenchless and trenched construction to Six Nations. (Internal Rec. No. 643)

67. As per Six Nations' preference, Imperial will provide notification to Six Nations when Imperial files the LTC application to the OEB. Additionally, Imperial will maintain regular and frequent communication with Six Nations and will provide project updates as new information becomes available. Consultation on the Project will continue to be in good faith and will be ongoing from pre-filing, filing of the LTC application and through to approval, construction and execution of the Project.

3.3 Six Nations – Haudenosaunee Confederacy Chiefs Council/ Haudenosaunee Development Institute

68. Haudenosaunee means the people of the long house. The HCCC is made up of the Mohawks, Oneidas, Onondagas, Cayugas, and Senecas (HCCC/HDI, 2018). According to the HDI website, the HCCC has legislated the HDI to represent HCCC interests in the development of lands within areas of Haudenosaunee jurisdiction (HCCC/HDI 2018).

Consultation Activities

69. To date, HCCC/HDI and Imperial have had numerous interactions, including meetings, phone calls and emails. In an effort to provide the most important details of consultation to date in the body of this Consultation Report, the summary below identifies important interactions chronologically and provides a short description of those interactions. Additionally, the summary identifies other key outcomes of consultation to date. The ROC Log provided in Appendix A provides the full details for every interaction to date.
70. On Jun. 29 and Jul. 5, 2018, Imperial exchanged email correspondence with HCCC/HDI through HCCC/HDI's general inquiries email inbox to initiate engagement and consultation.
71. On Jul. 19, 2018, to begin initial discussions with HCCC/HDI and as a sign of good faith, a draft field monitoring agreement was provided to HCCC/HDI for review.
72. On Aug. 15, 2018, the Imperial Project team met with HCCC/HDI representatives at Ohsweken, Ontario. The purpose of the meeting was to introduce the Project team, to provide an overview of the Project and to discuss HCCC/HDI's interests regarding the Project. HDI shared details regarding its engagement process. A copy of the project overview presentation was left with HCCC/HDI representatives. Project details provided to HCCC/HDI at the meeting are included in ROC Log provided in Appendix A.
73. On Sept. 17, 2018, HCCC/HDI emailed the Imperial Project team and expressed concern that Imperial is conducting archaeological assessment on Haudenosaunee asserted 1701 Nanfan treaty lands near Ontario Highway 5. HCCC/HDI representative asked Imperial and field crews to cease work and engage HCCC/HDI. On Sept. 18, 2018, Imperial confirmed that it has accommodated HCCC/HDI's request and temporarily suspended the archaeology assessment field work. Imperial confirmed that it had made arrangements to delay archaeology work specific to the Project, as requested, until Sept. 26, 2018 to accommodate the request.
74. On Sept. 20, 2018, Imperial provided HCCC/HDI with a formal letter to engage, including the requested project information sought in HCCC/HDI's development application and a project location map. In addition, Imperial indicated that it received a Delegation Letter dated Sept. 10, 2018, from the MENDM informing Imperial that the Ministry has formally delegated the procedural aspects of the Crown's duty to consult to Imperial.
75. On Sept. 25, 2018, MENDM provided a notification letter to HCCC/HDI that the Ministry has delegated procedural aspects of consultation to Imperial in relation to the Project. The Ministry encouraged representatives from HCCC/HDI to participate in efforts made by Imperial to consult the communities to receive information on the Project and to understand if there are any potential impacts on Aboriginal or treaty rights.
76. On Oct. 25, 2018, the Imperial Project team members and HCCC/HDI representatives met in Ohsweken, Ontario. HCCC/HDI outlined concerns regarding the delegation of the procedural aspects of consultation by MENDM and Imperial encouraged contact with the MENDM concerning the Crown's delegation of procedural aspects of the duty to consult.
77. On Nov. 5, 2018, HDI's legal counsel sent a letter to Imperial asserting that receipt of Imperial's letter of Sept. 20, 2018, was the first notification received in relation to the Project. The letter asserted that the Crown, specifically the MENDM, has not provided notification and there is concern about the honour of the Crown and delegation of consultation. Additionally, HCCC/HDI raised concerns that the Ontario Archaeological Standards and Guidelines are not being followed and the manner in which archaeological assessment is proceeding does not meet Haudenosaunee requirement.

78. On Dec. 18, 2018, Imperial responded to HCCC/HDI's letter dated Nov. 5, 2018. Imperial stated that its explicit intention is to follow the provincial regulatory processes and guidelines related to obtaining approval for the Project and completing a thorough LTC application for submission to the OEB. Additionally, Imperial stated that it is prepared to meet with HCCC/HDI to discuss 1) presentation of the Project information; 2) Stage 1 Archaeological Assessment report; 3) Stage 2 Archaeological Assessment planning and protocol; 4) field monitoring program review. Imperial encouraged contact with the MENDM concerning the Crown's delegation of procedural aspects of the duty to consult.
79. HCCC/HDI field monitors have participated in environmental, archaeological and geotechnical borehole investigation environmental compliance inspections field work. Imperial provided capacity funding to facilitate this participation. Field monitor participation included participation in all aspects of the field work. To date, HCCC/HDI field monitors have participated in an estimate of 114 total person field survey days for the Project.
80. HCCC/HDI did not provide a response to the draft Stage 1 Archaeological Assessment report.
81. A summary of key comments received from HCCC/HDI and Imperial's responses is included in the HCCC/HDI Key Comments table below.

Table 3.3-1: HCCC/HDI Key Comments Table

Topic	Key Comments	Responses
Aboriginal Rights	Concern raised about the Honour of the Crown. Request to the Crown, specifically, MENDM that it has not provided adequate notification in relation to the Project and that the Project would potentially impair, interfere with, and infringe upon Haudenosaunee rights and interests. (Internal Rec. No. 724)	Imperial responded encouraging HCCC/HDI to contact MENDM concerning the Crown's delegation of procedural aspects of the duty to consult. Imperial noted that it commits to engaging and consulting HCCC/HDI as directed by the MENDM. Imperial's intention to engage and consult with HCCC/HDI as directed by the MENDM to determine specific impacts of project activities on Aboriginal and treaty rights. As the project proponent, Imperial has and is willing to provide project information to HCCC in care of the HDI to assist in determining these impacts. Once impacts are identified and communicated to Imperial, Imperial invites HCCC/HDI to work collaboratively with the Project team on solutions to reduce or mitigate these identified impacts. (Internal Rec. No. 734)
Field Monitors	Request for temporary work suspension of fieldwork until HCCC/HDI field monitor agreement is in place. (Internal Rec. No. 456)	Imperial paused work to accommodate the request and worked closely with HCCC/HDI to provide capacity funding to enable the participation of HCCC/HDI field monitors. (Internal Rec. Nos. 456 and 431)
Archaeological Assessment	Raised concerns with the manner in which archaeology is proceeding and how it does not meet the required level of diligence which the Haudenosaunee require to ensure that their commitments to their obligations are maintained. (Internal Rec. No. 724)	Imperial proposed a further meeting to discuss the Stage 2 Archaeological Assessment test pitting and ploughing protocol and Ontario Archaeology Standards and Guidelines. (Response to Internal Rec. No 724)

Topic	Key Comments	Responses
Archaeological Assessment	Request to use more ploughing and pedestrian survey. (Internal Rec. No. 724)	All ploughable fields are subject to pedestrian survey. Currently, the only exceptions are two small fields (WTFN1035 and WTFN2008) which are established no-till properties where the land owners have not permitted ploughing. MTCS has provisionally agreed that these no-till fields can be test pitted subject to review of the Stage 2 report and the associated supporting documentation justifying the testing methodology. (Response to Internal Rec. No 724)
Archaeological Assessment	Request for clearing of vegetation in advance of test pitting. (Internal Rec. No. 493)	Imperial responded that the vegetation height has not impeded the careful execution of test pit work. Vegetation was cleared from specific test pit locations and the project field crew was diligent to ensure that the sod was broken up and backdirt screened. Work was completed to the MTCS standards of assessment. (Internal Rec. No. 493)
Archaeological Assessment	Request that test pits be excavated to depths sufficient to identify true subsoil with consensus between HCCC/HDI Field Monitors and archaeologists. (in-person during field monitoring)	The field crew is working closely with HCCC/HDI field monitors and the other Indigenous Field Monitors to ensure that there is agreement that sterile subsoil has been reached in all excavations. The Project team and field monitors have continued this process and have reached agreement in the field to determine when sterile subsoil has been reached. (Response to Internal Rec. No 724)
Archaeological Assessment	Request to consider the draft technical bulletin <i>Engaging Aboriginal Communities in Archaeology</i> (MTCS 2011). (Internal Rec. No. 724)	The draft technical bulletin <i>Engaging Aboriginal Communities in Archaeology</i> (MTCS 2011) has been reviewed and the archaeological assessments will seek to address the protocol as well as the concerns of all Indigenous communities through the inclusion of field monitors in the fieldwork and through on-going engagement regarding all aspects of the archaeology. (Response to Internal Rec. No 724)
Archaeological Assessment	Request for pedestrian survey not be undertaken in damp conditions. (in-person during field monitoring)	The field crew is working closely with HCCC/HDI field monitors and the other Indigenous field monitors to ensure that pedestrian surveys are being conducted under appropriate conditions. (Response to Internal Rec. No 724)
Deactivation	Inquiry about deactivation of the existing line. (Internal Rec. No. 724)	The existing line will be cleaned, filled with nitrogen and deactivated in place. Recognizing the congestion of the corridor of other lines and infrastructure, undertaking deactivation will minimize net environmental impacts. Deactivation will take place in accordance with regulatory requirements. (Response to Internal Rec. No 724)

Topic	Key Comments	Responses
Geotechnical Program	<p>HCCC/HDI expressed concerns about a planned geotechnical borehole (BH10).</p> <ul style="list-style-type: none"> ■ No response was received from HCCC/HDI with concerns on the alternative routing. ■ Subsequent to this correspondence, no comment was received from HCCC/HDI regarding BH10. (Internal Rec. No. 686) 	<p>Imperial paused work at this location to allow time to address HCCC/HDI's concern.</p> <ul style="list-style-type: none"> ■ Imperial's Community Relations Advisor visited the BH10 site to better understand the concern. Imperial corresponded with HCCC/HDI explaining that an alternate access route will be used to access borehole BH10. ■ Imperial provided a follow-up email to HCCC/HDI about the alternative access routing to access geotechnical work at borehole BH10. A PDF file showing the new access route to the test area was provided, and feedback was solicited. Information was shared that matting would be placed in the area and that an archaeologist would be monitoring the geotechnical borehole work. An invitation was extended for HCCC/HDI field monitors to participate in monitoring this location. (Internal Rec. No. 686) ■ Following requests from First Nations that field monitors be present during the matting and drilling at BH10, Past Recovery provided a Field Director to be present on-site on Jan. 22, 2019 to help ensure that the matting was being placed appropriately. Field monitors from the Huron Wendat First Nation and HCCC/HDI were present. ■ The field monitors from Huron-Wendat and HCCC/HDI expressed satisfaction with this information and the way the matting was progressing.

82. Imperial will continue to consult with HCCC/HDI on an ongoing basis. Imperial noted that it is committed to engaging and consulting HCCC/HDI as directed by the MENDM. Imperial noted that it is open to continue providing reasonable project capacity funding to HCCC/HDI within a mutually acceptable agreement and prepared to meet with HCCC/HDI to engage in further dialogue related to sharing project information, archaeological assessment and the field monitoring program. Imperial will maintain regular and frequent communication with HCCC/HDI designated representatives and will provide updates as the Project progresses. Consultation on the Project will continue to be in good faith and will be ongoing from pre-filing, filing of the Leave to Construct application and through to approval, construction and execution of the Project.

3.4 Huron-Wendat Nation

83. Traditionally, the Huron-Wendat were Iroquoian farmers and fishermen -hunter-gatherers representing between 30,000 and 40,000 individuals, who traveled widely across a territory stretching from the Gaspé Peninsula in the Gulf of Saint Lawrence and up along the Saint Lawrence Valley on both sides of the Saint Lawrence River all the way to the Great Lakes (Huron-Wendat, 2018).
84. According to Huron-Wendat traditional knowledge, the Huron-Wendat people were intimately linked to the Saint Lawrence River and its estuary, which was the main route of its activities and way of life. The Huron-Wendat formed alliances and traded goods with other First Nations among the networks that stretched across the continent (Huron-Wendat, 2018).
85. According to the INAC First Nations Profile website, the Huron-Wendat total registered membership is approximately 3,900 members, with approximately 1,497 living on -reserve members (INAC, 2018).
86. The headquarters of the Huron-Wendat band council is in Wendake, approximately 20 km north of Quebec City, on the banks of the Saint Charles River. The Huron-Wendat community is called by the ancestral territory name of the Nionwentsio, which translates to “our beautiful land” in the Wendat language (Huron-Wendat, 2018).

Consultation Activities

87. To date, Huron-Wendat and Imperial have had numerous interactions, including meetings, phone calls and emails. In an effort to provide the most important details of consultation to date in the body of this Consultation Report, the summary below identifies important interactions chronologically and provides a short description of those interactions. Additionally, the summary identifies other key outcomes of consultation to date. The ROC Log provided in Appendix A provides the full details for every interaction to date.
88. On May 22, 2018, Imperial provided a project notification letter to Huron-Wendat.
89. On Jul. 17, 2018, Huron-Wendat and Imperial met in Toronto with representatives of the Huron-Wendat Nionwentsio office. The purpose of the meeting was to present an overview of the Project and to discuss Huron-Wendat’s interest in archaeological assessment planning and field work. Project details provided to MCFN at the meeting are included in the ROC Log provided in Appendix A.
90. On Sept. 25, 2018, MENDM provided a notification letter to the Huron-Wendat that the Ministry has delegated procedural aspects of consultation to Imperial in relation to the Project. The Ministry encouraged representatives from Huron-Wendat to participate in efforts made by Imperial to consult the communities, to receive information on the Project, and to understand if there are any potential impacts on Aboriginal or treaty rights.
91. On Dec. 10, 2018, Huron-Wendat and Imperial met at ERM’s Toronto office. The purpose of the meeting was to continue ongoing project consultation; discuss feedback on the field monitor program; share information on feedback and input received to date; discuss the LTC regulatory process; and discuss ongoing Huron-Wendat needs and consultation expectations.
92. Huron-Wendat field monitors have participated in environmental, archaeological and geotechnical borehole investigation environmental compliance inspections field work. Imperial provided capacity funding to facilitate this participation. Field monitor participation included participation in all aspects of the field work. To date, Huron-Wendat field monitors have participated in an estimate of 83 total person field survey days for the Project.

93. Huron-Wendat provided a response to their review of the draft Stage 1 Archaeological Assessment report. Key comments are captured in the Key Comments table. In general, Huron-Wendat was satisfied with the report.
94. A summary of key comments received from Huron-Wendat and Imperial's responses is included in the Huron-Wendat Key Comments table below.

Table 3.4-1: Huron-Wendat Key Comments Table

Topic	Key Comments	Responses
Field Monitors	Request for participation of Indigenous field liaison representatives during fieldwork surveys. (Internal Rec. No. 136)	Imperial worked with each community to enable the participation of field liaison representatives. Imperial provided capacity funding to facilitate the participation. (Internal Rec. No. various)
Archaeological Assessment	Huron-Wendat shared that while the Huron-Wendat did not sign a treaty with the Crown, the Huron-Wendat have rights and interests in Ontario. There are many Huron-Wendat archaeological sites, both known and unknown, to be discovered in Ontario. Huron-Wendat works with other Nations, companies, governments over shared traditional territory related to archaeological assessment. With respect to the Parsons site, an existing archaeological site of interest to Huron-Wendat (Internal Rec. No. 136)	Huron-Wendat participated in field work for the Project and reviewed and provided feedback on the Stage 1 Archaeological Assessment report. (Internal Rec. No. various)
Archaeological Assessment	Huron-Wendat reviewed the Stage 1 Archaeological Assessment report. The report was found to be satisfactory for this study area. Huron-Wendat requested to be consulted at every stage, especially regarding the Parsons site and to continue with the Huron-Wendat field monitor program for field work. Huron-Wendat stressed that avoidance and/or mitigation measures must apply for any potential disturbance to their heritage. Huron-Wendat reiterated their interest in continuing involvement in the archaeological assessment and project planning to avoid impacts to the Parsons site. (Internal Rec. No. 679)	Imperial received Huron-Wendat's feedback on the report and incorporated into the report. Imperial agreed to review the archaeology field assessment plans for the Parsons site with HWN in advance and to ensure continued participation in the field programs. (Internal Rec. No. 761) Imperial agreed and committed to ensuring the Huron-Wendat is meaningfully consulted on site-specific mitigation measures. (Internal Rec. No. 761)
Consultation Framework	Huron-Wendat raised the potential of establishing a framework protocol to guide consultation. (Internal Rec. No. 761)	Imperial responded that it is open to discussing further and welcomed the Huron-Wendat's direction on how best to meet its consultation preferences. (Internal Rec. Nos. 761 and 787)

95. Consultation on the Project will continue to be in good faith and will be ongoing from pre-filing, filing of the Leave to Construct application and through to approval, construction and execution of the Project.

3.5 Métis Nation of Ontario

96. In addition to meeting its obligations stemming from the Crown's direction on consultation, Imperial engaged MNO to share the project notification and provide updates. Based on the preferences of MNO, Imperial remains open to engaging with MNO to share project planning details.
97. MNO was established by the Métis people to create an Ontario Métis specific governance structure to represent individuals and communities that are part of the Métis Nation (MNO, 2017).
98. Currently, MNO has a province-wide governance structure with 30 chartered Community Councils and 18,000 registered Métis citizens who meet at an Annual General Assembly. MNO represents Métis citizens and communities throughout the Province of Ontario (MNO, 2017).

Engagement Activities

99. To date, MNO and Imperial have had various interactions, including phone calls and emails. In an effort to provide the most important details of consultation to date in the body of this Consultation Report, the summary below identifies important interactions chronologically and provides a short description of those interactions. Additionally, the summary identifies other key outcomes of consultation to date. The ROC Log provided in Appendix A provides the full details for every interaction to date.
100. On May 22, 2018, Imperial provided a project notification letter to MNO.
101. On Jul. 11, 2018, Imperial notified MNO's Lands, Resources and Consultations Branch of the project commencement and shared project information.
102. To date, MNO has indicated an interest in the project, but has not identified an opportunity to meet to further discuss the project and engagement.
103. On Nov. 13, 2018, Imperial provided an email to MNO's Consultation Coordinator sharing project information with the Regional Consultation Committee members. To date, Imperial has not received comments on the Project from MNO and though Imperial has provided project information, additional opportunities for engagement have yet to be discussed.
104. Imperial remains open to meeting with MNO. To date, Imperial awaits MNO's direction on its engagement preferences and remains open to meeting, if desired. Imperial will continue to engage by providing periodic updates as the Project progresses.

3.6 Ongoing Engagement

105. Imperial recognizes that consultation is an integral part of the LTC process and is committed to ongoing consultation throughout the life of the Project. After the submission of the LTC application, Imperial will continue to maintain records and will file a supplemental Indigenous Consultation Report and associated Record of Consultation covering the comments received after the application filing.
106. Project engagement with Indigenous communities has been ongoing during preparation of the Environmental Report and application and it is anticipated to continue after the application is submitted.
107. The project will continue to track all consultation activities with Indigenous communities to ensure that key comments are considered in project design and execution.

108. Imperial will continue to engage Indigenous communities to provide project information and updates, facilitate participation in field programs, and respond to requests for engagement or further information. Imperial anticipates that additional project information and updates will include more details regarding topics of concern/interest, i.e., archaeological sites and more details regarding the specific permits associated with the Project.

4. REFERENCES

Haudenosaunee Confederacy Chiefs Council and Haudenosaunee Development Institute website pages. Accessed Dec. 2, 2018 at <https://www.haudenosauneeconfederacy.com/>.

Huron-Wendat Nation website. Accessed Dec. 2, 2018 at <https://wendake.ca/>.

Imperial Oil Limited, 2018, Indigenous relations website. Accessed on Dec. 2, 2018 at <https://www.imperialoil.ca/en-ca/community/indigenous-engagement>.

Indigenous and Northern Affairs Canada, First Nation Profiles website. Accessed Dec. 2, 2018 at <http://fnp-ppn.aandc-aadnc.gc.ca/fnp/Main/Index.aspx?lasng=eng>. Ministry of Tourism, Culture and Sport (MCTS). 2011. *Standards and Guidelines for Consultant Archaeologists*. Ministry of Tourism, Culture and Sport, Toronto.

Metis Nation of Ontario website. Accessed Dec. 2, 2018 at <http://www.metisnation.org/governance/governing-structure/>.

Ministry of Energy, Northern Development and Mines, 2018. *Indigenous Consultation Report Requirements*. Provided July 2018.

Mississaugas of the Credit First Nation website. Accessed Dec. 2, 2018 at <http://www.newcreditfirstnation2015.com/community-profile/>.

Ontario Energy Board, 2016. *Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario. 7th Edition, 2016*.

Six Nations of the Grand River website. Accessed Dec. 2, 2018 at <http://www.sixnations.ca/CommunityProfile.htm>.

APPENDIX A RECORD OF CONSULTATION LOG

Please see Exhibit H Record of Consultation, Tab 2, Schedule 1 – 6 as part of this Application for the Indigenous ROC Log, which includes details of information shared, comments received and Imperial's responses to the comments.

Indigenous relations

Guiding principles and guidelines

Many of Imperial's operations and development opportunities are located within indigenous communities or on their traditional lands. Imperial supports communities in areas where it explores, develops and operates, and strives to establish meaningful relationships built on mutual trust and respect.



Principles

Imperial conducts its business in a manner that respects the land, environment, rights and cultures of indigenous communities, in accordance with the laws of Canada and corporate policies and guidelines that underlie the company's commitment to ethics, equity, environment and safety.

Imperial engages indigenous communities and their representatives in open and forthright consultation. We seek to understand indigenous perspectives on issues of mutual interest and to deal constructively with differing views.

Imperial supports recruitment and development programs that enable indigenous people to meet the company's employment requirements and business needs.

Imperial fosters the development of indigenous businesses in ways that provide benefits to the company and to indigenous communities.

Imperial creates meaningful relationships with indigenous peoples by supporting programs that build capacity through leadership development and community initiatives.

Imperial expects its contactors to conduct their business in accordance with these principles and guidelines.



Indigenous relations guidelines

Consultation

Imperial maintains ongoing dialogue with indigenous leaders, community members and their representatives by:

- Respecting the legal rights of indigenous people and adhering to government requirements.
- Ensuring timely discussions when activities have the potential to impact the community.
- Supporting the identification of specific infringements on traditional uses and rights in order to minimize or mitigate impacts.
- Treating all parties fairly.
- Respecting traditional practices, decision-making processes, cultural activities and language.
- Coordinating with Crown consultation.

Workforce development

In accordance with Imperial's equal employment opportunity policy, the company's goal is to achieve a workforce that is representative of the available qualified indigenous peoples in the labour market.

To this end, Imperial focuses on:

- Developing and supporting educational programs and recruiting practices that facilitate employment of qualified indigenous people.
- Establishing internal training and development programs that enhance retention of indigenous staff.
- Addressing workplace barriers that may exist.
- Supporting indigenous staff and promoting a culturally inclusive workplace.

Business development

Imperial recognizes that indigenous communities may be interested in maximizing the economic benefits of development on their lands. The company fosters the development of indigenous businesses in ways that benefit the company and the community by:

- Using indigenous suppliers of goods and services that are competitive and meet Imperial's safety, technical and quality standards and timing needs.
- Providing information and training on Imperial's procurement processes, safety standards and expectations of business conduct.
- Developing local indigenous content plans, which address employment of indigenous people alongside the amount of work subcontracted to indigenous businesses, as a factor in evaluating and awarding contracts.

Community relations

Imperial builds meaningful relationships with indigenous communities in areas where it explores, develops and operates by:

- Working collaboratively in the design and implementation of programs that build capacity through leadership development and community initiatives.
- Participating in community events.





Waterdown to Finch General Inquiries
questions@imperialon.ca
416.586.1915

May 22, 2018

Shereen Smithanik
Senior Policy Advisor
Indigenous Energy Policy
Ministry of Energy
6th Floor, 77 Grenville Street
Toronto, Ontario
M7A 1B3

Dear Ms. Smithanik,

Imperial's Sarnia Products Pipeline (SPPL) is important infrastructure that provides fuels used by households and businesses across the Greater Toronto and Hamilton Area. This includes a significant portion of jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel that keeps people, goods and services moving throughout the region.

Operating safely in the region for many years, Imperial is planning to replace approximately 63-kilometres of the line with new pipe. This section runs from Imperial's Waterdown pump station in rural Hamilton to the company's terminal storage facility in Toronto's North York area.

The Waterdown to Finch Project (the Project) is proactively replacing a segment of pipeline to deliver continued safety and reliability. The existing pipeline will continue to operate until the Project is complete.

Environmental and cultural assessments will start in the spring of 2018. Subject to provincial regulatory review and receipt of all permits, Imperial anticipates construction to begin in 2019.

Most replacement work will take place in close vicinity to the existing pipeline. In the coming weeks, Imperial representatives or designates will be directly contacting Indigenous groups and landowners to schedule a meeting. Over the duration of the Project, we will work collaboratively and communicate proactively to minimize construction impacts.

The Project will require an application to the Ontario Energy Board (OEB) for Leave to Construct under subsection 90(1) of the *Ontario Energy Board Act*, in addition to other federal, provincial and municipal regulatory requirements. Imperial will work with the OEB, the members of the Ontario Pipeline Coordinating Committee, and other regulators to comply with all applicable law, regulation and associated approval and permit requirements.

Please accept this letter as a formal notification of Imperial's Waterdown to Finch Project. In accordance with the Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario, 7th Edition, 2016 (the Guidelines) issued by the OEB, Imperial requests that the Ministry determine if a duty to consult obligation is required for the Project. Figure 1 provides the general location of the Project.

Ministry of Energy, Northern
Development and Mines

77 Grenville Street
8th Floor
Toronto ON M7A 2C1

Tel: (416) 314-2599

Ministère de l'Énergie, du
Développement du Nord et des
Mines

77 rue Grenville
8^e étage
Toronto ON M7A 2C1

Tél: (416) 314-2599



Indigenous Energy Policy

VIA EMAIL

September 10, 2018

Kelly Williams
Imperial Indigenous Relations-Ontario Region
Imperial Oil Limited
100 5th Conc E, Waterdown,
ON L0R 2H1

Re: Waterdown to Finch Pipeline Project

Dear Kelly Williams:

Thank you for your email dated May 23, 2018 notifying the Ministry of Energy, Northern Development and Mines of Imperial Oil's intention to apply for Leave to Construct for the Waterdown to Finch Station Pipeline project and requesting clarification on duty to consult requirements.

I understand that Imperial Oil is planning to redevelop a pipeline in order to provide fuel across the Greater Toronto and Hamilton Area, including jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel. The project consists of approximately 63 kilometers of the existing line with new pipe. The proposed pipeline will commence at Waterdown Station [43.33500° N, 79.93248° W], and will end at the company's terminal storage facility at North York's Finch Terminal [43.76652° N, 79.48878° W]. If approved, construction is anticipated to begin in 2019.

The Ministry has reviewed the information provided relative to its current understanding of the interests of First Nation and Métis communities in the area and has determined that it may have the potential to affect First Nation communities who hold or claim Aboriginal or treaty rights protected under Section 35 of Canada's *Constitution Act* 1982.

As you are aware, the Government of Ontario (the "Crown") has a constitutional duty to consult and accommodate First Nation and Métis communities when Crown project approvals may lead to an appreciable adverse impact on established or asserted Aboriginal or treaty rights. While the legal duty to consult falls on the Crown, the Crown

may delegate the day-to-day, procedural aspects of consultation to project proponents. The Ministry of the Energy, Northern Development and Mines is delegating the procedural aspects of consultation to Imperial Oil through this letter.

Based on the Crown's preliminary assessment of First Nation and Métis community rights and project impacts, the following Aboriginal communities should be consulted on the basis that they have or may have constitutionally protected Aboriginal or treaty rights that may be adversely affected by the Project:

Community	Mailing Address
Mississaugas of the New Credit First Nation	2789 Mississauga Road R.R. #6 Hagersville, ON N0A 1H0
Six Nations of the Grand River *	Six Nations of the Grand River Elected Council PO Box 5000 Ohsweken, Ontario N0A 1M0 Haudenosaunee Confederacy Chiefs Council P.O Box 714 Ohsweken, ON N0A 1M0
Huron Wendat**	255, place Chef Michel Laveau Wendake, QC G0A 4V0

Note:

*Please note, proponents are required to consult with both, Six Nations Elected Council and Haudenosaunee Confederacy Chiefs Council (HCCC). Please copy Haudenosaunee Development Institute (HDI) on all correspondence to Haudenosaunee Confederacy Chiefs Council (HCCC).

**interests are specific to archeological resources

This rights-based consultation list is based on information that is subject to change. First Nation and Métis communities may make new rights assertions at any time, and other developments (e.g. the discovery of Aboriginal archaeological sites) can occur that may require additional First Nation and/or Métis communities to be notified and/or consulted. If you become aware of potential rights impacts on communities that are not listed above at any stage of the consultation and approval process, kindly bring this to the attention of the Ministry with any supporting information regarding the claim. The Ministry will then assess whether it is necessary to include the community on the rights-based consultation list above.

It is the Ministry's expectation that Imperial Oil will communicate directly with the communities listed above, and that Imperial Oil will:

- Notify the communities that Imperial Oil has been delegated the procedural aspects of consultation by the Ministry of Energy, Northern Development and Mines on behalf of Ontario.
- Notify the communities that they may contact the Crown directly should they have any questions or concerns.
- Provide the communities with the following contact information should they wish to communicate directly with the Ministry:

Raina Crasto
Policy Advisor, Indigenous Energy Policy
Ministry of Energy, Northern Development and Mines
416-326-4571/raina.crasto@ontario.ca

Shannon McCabe
Senior Advisor, Indigenous Energy Policy
Ministry of Energy, Northern Development and Mines
416-212-6704 / shannon.mccabe@ontario.ca

- Please copy the Ministry contact when communicating the above information.

The Ministry relies on consultation conducted by proponents when it assesses the Crown's obligations and directs proponents during the regulatory process. Imperial Oil's responsibilities for procedural aspects of consultation include:

- Providing the First Nation communities with timely notice of the project for the purposes of considering possible impacts on their Aboriginal and/or treaty rights;
- In that notice, clearly stating that Imperial Oil has been delegated the procedural aspects of consultation by the Ministry of Energy, Northern Development and Mines on behalf of Ontario for the project.
- Providing First Nation communities with information about the project including anticipated impacts, and information on project timelines;
- Following up with First Nation communities to ensure they have received project information and that they are aware of the opportunity to express comments and concerns about the project;
- Explaining the regulatory and approval processes that apply to the project;
- Gathering information about how the project may adversely impact the relevant Aboriginal and/or treaty rights (for example, hunting, fishing) or sites of cultural significance (for example, burial grounds, archaeological sites);
- Considering the comments and concerns raised by First Nation communities and providing responses;
- Where appropriate, discussing accommodation, including mitigation or other measures to address potential adverse impacts on Aboriginal and/or treaty rights;

- Where appropriate, developing and discussing with the Crown appropriate accommodation measures;
- Taking reasonable steps to foster positive relationships with the First Nation communities;
- Bearing the reasonable costs associated with these procedural aspects of consultation; and
- Maintaining records of activities in relation to carrying out the delegated procedural aspects of consultation and providing information to the Ministry.

If you have any questions about this letter or require any additional information please contact Raina Crasto at 416-326-4571 or raina.crasto@ontario.ca and Shannon McCabe at 416-212-6704 or shannon.mccabe@ontario.ca.

Sincerely,



Morgan Owen
A/Manager
Indigenous Energy Policy

C: Ontario Pipeline Coordinating Committee (OPCC)
Jessie Malone, Environmental and Regulatory Advisor, Safety Security Health and Environment, Imperial Oil Limited

Ministry of Energy, Northern
Development and Mines

Ministère de l'Énergie, du
Développement du Nord et des
Mines

77 Grenville Street
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Indigenous Energy Policy

VIA EMAIL

September 25, 2018

Grand Chief Konrad Sioui
255 place Chef Michel Laveau
Wendake, QC
G0A 4V0

Re: Imperial Waterdown Pipeline Project

Dear Grand Chief Sioui:

This letter is to notify you that the Ministry of Energy, Northern Development and Mines on behalf of Ontario has delegated the procedural aspects of consultation to Imperial Oil Limited for its' proposed Imperial Waterdown Pipeline Project in relation to the Ontario Energy Board's Leave to Construct approval process.

Imperial Oil is planning to redevelop a pipeline in order to provide fuel across the Greater Toronto and Hamilton Area, including jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel. The project consists of approximately 63 kilometers of the existing line with new pipe. The proposed pipeline will commence at Waterdown Station [43.33500° N, 79.93248° W], and will end at the company's terminal storage facility at North York's Finch Terminal [43.76652° N, 79.48878° W]. If approved, construction is anticipated to begin in 2019

I encourage representatives of your community to participate in efforts made by Imperial Oil Limited to consult your community on its proposed project so that you can receive project information and understand if there are any potential impacts on Aboriginal or treaty rights. The consultation process is an opportunity to provide your community's feedback to Imperial Oil Limited and the Crown, including any suggestions or proposals your community might have for mitigating, avoiding or accommodating any potential impacts to Aboriginal or treaty rights. Ministry officials are also available should you wish to contact the Crown directly. Please note that none of the foregoing should be taken to imply approval of this project.

Should you or any members of your community have questions regarding the material above, please contact Raina Crasto at 416-326-4571 or raina.crado@ontario.ca and Shannon McCabe at 416-212-6704 or shannon.mccabe@ontario.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Owen", with a long horizontal flourish extending to the right.

Morgan Owen
A/Manager
Indigenous Energy Policy

C: Ontario Energy Board
Ontario Pipeline Coordinating Committee (OPCC)
Jessie Malone, Environmental and Regulatory Advisor, Safety Security Health and Environment, Imperial Oil Limited

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Indigenous Energy Policy

VIA EMAIL

September 25, 2018

Chief R. Stacey Laforme
Mississauagas of the New Credit First Nation
2789 Mississauga Road R.R. #6
Hagersville, ON N0A 1H0

Re: Imperial Waterdown Pipeline Project

Dear Chief Laforme:

This letter is to notify you that the Ministry of Energy, Northern Development and Mines on behalf of Ontario has delegated the procedural aspects of consultation to Imperial Oil Limited for its' proposed Imperial Waterdown Pipeline Project in relation to the Ontario Energy Board's Leave to Construct approval process.

Imperial Oil is planning to redevelop a pipeline in order to provide fuel across the Greater Toronto and Hamilton Area, including jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel. The project consists of approximately 63 kilometers of the existing line with new pipe. The proposed pipeline will commence at Waterdown Station [43.33500° N, 79.93248° W], and will end at the company's terminal storage facility at North York's Finch Terminal [43.76652° N, 79.48878° W]. If approved, construction is anticipated to begin in 2019

I encourage representatives of your community to participate in efforts made by Imperial Oil Limited to consult your community on its proposed project so that you can receive project information and understand if there are any potential impacts on Aboriginal or treaty rights. The consultation process is an opportunity to provide your community's feedback to Imperial Oil Limited and the Crown, including any suggestions or proposals your community might have for mitigating, avoiding or accommodating any potential impacts to Aboriginal or treaty rights. Ministry officials are also available should you wish to contact the Crown directly. Please note that none of the foregoing should be taken to imply approval of this project.

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Morgan Owen
A/Manager
Indigenous Energy Policy

C: Ontario Energy Board
Ontario Pipeline Coordinating Committee (OPCC)
Jessie Malone, Environmental and Regulatory Advisor, Safety Security Health and Environment, Imperial Oil Limited

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Indigenous Energy Policy

VIA EMAIL

September 25, 2018

Chief Eva Hill
Six Nations of the Grand River Elected Council
PO Box 5000
Ohsweken, Ontario N0A 1M0

Re: Imperial Waterdown Pipeline Project

Dear Chief Hill:

This letter is to notify you that the Ministry of Energy, Northern Development and Mines on behalf of Ontario has delegated the procedural aspects of consultation to Imperial Oil Limited for its' proposed Imperial Waterdown Pipeline Project in relation to the Ontario Energy Board's Leave to Construct approval process.

Imperial Oil is planning to redevelop a pipeline in order to provide fuel across the Greater Toronto and Hamilton Area, including jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel. The project consists of approximately 63 kilometers of the existing line with new pipe. The proposed pipeline will commence at Waterdown Station [43.33500° N, 79.93248° W], and will end at the company's terminal storage facility at North York's Finch Terminal [43.76652° N, 79.48878° W]. If approved, construction is anticipated to begin in 2019

I encourage representatives of your community to participate in efforts made by Imperial Oil Limited to consult your community on its proposed project so that you can receive project information and understand if there are any potential impacts on Aboriginal or treaty rights. The consultation process is an opportunity to provide your community's feedback to Imperial Oil Limited and the Crown, including any suggestions or proposals your community might have for mitigating, avoiding or accommodating any potential impacts to Aboriginal or treaty rights. Ministry officials are also available should you wish to contact the Crown directly. Please note that none of the foregoing should be taken to imply approval of this project.

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Morgan Owen
A/Manager
Indigenous Energy Policy

C: Ontario Energy Board
Ontario Pipeline Coordinating Committee (OPCC)
Jessie Malone, Environmental and Regulatory Advisor, Safety Security Health and
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Indigenous Energy Policy

VIA EMAIL

September 25, 2018

Haudenosaunee Confederacy Chiefs Council
C/o Haudenosaunee Development Institute
P.O Box 714
Ohsweken, ON N0A 1M0

Re: Imperial Waterdown Pipeline Project

This letter is to notify you that the Ministry of Energy, Northern Development and Mines on behalf of Ontario has delegated the procedural aspects of consultation to Imperial Oil Limited for its' proposed Imperial Waterdown Pipeline Project in relation to the Ontario Energy Board's Leave to Construct approval process.

Imperial Oil is planning to redevelop a pipeline in order to provide fuel across the Greater Toronto and Hamilton Area, including jet fuel at Toronto Pearson International Airport, as well as gasoline and diesel fuel. The project consists of approximately 63 kilometers of the existing line with new pipe. The proposed pipeline will commence at Waterdown Station [43.33500° N, 79.93248° W], and will end at the company's terminal storage facility at North York's Finch Terminal [43.76652° N, 79.48878° W]. If approved, construction is anticipated to begin in 2019

I encourage representatives of your community to participate in efforts made by Imperial Oil Limited to consult your community on its proposed project so that you can receive project information and understand if there are any potential impacts on Aboriginal or treaty rights. The consultation process is an opportunity to provide your community's feedback to Imperial Oil Limited and the Crown, including any suggestions or proposals your community might have for mitigating, avoiding or accommodating any potential impacts to Aboriginal or treaty rights. Ministry officials are also available should you wish to contact the Crown directly. Please note that none of the foregoing should be taken to imply approval of this project.

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Morgan Owen
A/Manager
Indigenous Energy Policy

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Ontario Pipeline Coordinating Committee (OPCC)
Jessie Malone, Environmental and Regulatory Advisor, Safety Security Health and
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