

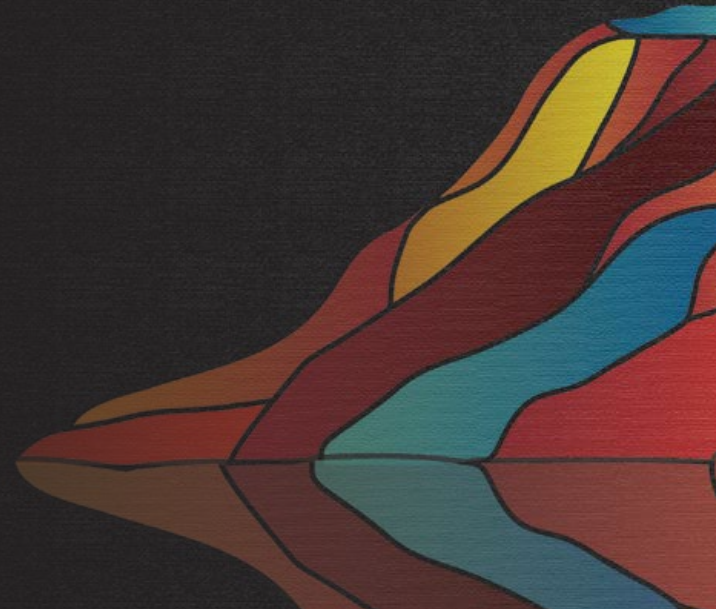
- ✓ 2 Interactive Workshops
- ✓ Indigenous Governance Forum
- ✓ Multiple interactive sessions

13<sup>th</sup> Annual

# WESTERN INDIGENOUS CONSULTATION & ENGAGEMENT

Where communities, government and industry come together

February 19-20, 2020 | Matrix Hotel | Edmonton



Receive the latest policy updates from an impressive roster of experts, including:



**Brian MacDonald**  
Assistant Deputy Minister  
Government of Yukon  
**CHAIR**



**Marlene Poitras**  
Alberta Regional Chief  
Assembly of First  
Nations Chiefs



**Lisa Tchir**  
Assistant Deputy Minister,  
Aboriginal Consultation  
Office, Indigenous  
Relations  
Government of Alberta



**Stephen Buffalo**  
President & CEO  
Indian Resource Council  
(IRC)



**Melody Lepine**  
Director  
Mikisew Cree  
First Nation  
Member  
Indigenous Wisdom  
Advisory Panel

WITH PARTICIPATION FROM:



The must attend event for Indigenous Consultation in Western Canada. This year's highlights include:

- **Indigenous Leaders Panel:** Rights, Treaties and Priorities for Consultation
- **Breakdown on Bill C69** — Providing Clarity on New Regulations
- **CASE STUDY:** Traditional Knowledge Meets Western Science in a Natural Resources Project
- **Writing Contracts and Agreements** for Communities and Companies
- Tangible Expressions of the **UN Declaration of the Rights of Indigenous People**

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## A solid foundation for consultation, engagement and accommodation

is only possible when all parties are at the table and have an equal voice. With changes in the federal government, and provincial governments in Western Canada, there is uncertainty in consultation policies and natural resource projects. *The Canadian Institute's 13<sup>th</sup> Annual Western Indigenous Consultation & Engagement* conference takes a critical look at the legal and business practices taking place in the natural resources sector — from government practices and policy to accommodation and economic development trends. Do you have the latest information to negotiate in good faith?

This event provides a non-partisan platform for making meaningful connections and getting conversations started. Make this event part of your consultation strategy by learning government process from government representatives; hear from industry experts on how major projects are affecting the natural resource sector, and engage with Indigenous leaders and reignite relationships.

I look forward to seeing you in Edmonton.

Sincerely,



**Brian MacDonald**  
Assistant Deputy Minister  
Aboriginal Relations Division  
Executive Council Office  
**Government of Yukon**

## DISTINGUISHED FACULTY

### CONFERENCE CHAIR



**Brian MacDonald**  
Assistant Deputy Minister,  
Aboriginal Relations Division,  
Executive Council Office  
**Government of Yukon**

### SPEAKERS



**Krystal Abotossaway**  
President  
**Aboriginal Professional Association of Canada**



**Amber Armstrong**  
Manager, Communications and  
Stakeholder Relations  
**Mercer International**



**Brook Arcand-Paul**  
Lawyer  
**MLT Aikins**



**Laurie Buffalo**  
Intergovernmental Policy Analyst  
**Confederacy of Treaty Six First Nation**



**Stephen Buffalo**  
President & CEO  
**Indian Resource Council (IRC)**



**Eddy Cardinal**  
Consultation Policy Analyst  
**Confederacy of Treaty Six First Nations**



**Jean Dubé**  
Indigenous Community  
Engagement Liaison  
**SAIT**



**Scott Duguid**  
Executive Director  
**Alberta Land Use Secretariat**



**Mark Gustafson**  
Principal  
**JFK Law**



**Melody Lepine**  
Director  
**Mikisew Cree First Nation**  
Member  
**Indigenous Wisdom Advisory Panel**



**Adam Levine**  
Team Lead – Indigenous Relations and  
Participant Funding  
**Canadian Nuclear Safety Commission**

**Jeff Mackey**  
A/Director, Contaminated Sites Branch,  
Northern Affairs Organization  
**Crown-Indigenous Relations and  
Northern Affairs**



**Shawn McDonald**  
President  
**Region One Aboriginal Business Association (ROABA)**



**Trish Merrithew-Mercredi**  
Executive Director, Aboriginal  
Consultation Office, Indigenous Relations  
**Government of Alberta**



**William "Billy" Morin**  
Chief  
**Enoch Cree Nation**



**Marlene Poitras**  
Alberta Regional Chief  
**Assembly of First Nations Chiefs**



**Jenna Strachan**  
Indigenous Relations Superintendent  
**Mercer International**



**Lisa Tchir**  
Assistant Deputy Minister, Aboriginal  
Consultation Office, Indigenous Relations  
**Government of Alberta**

**Archie Waquan**  
Chief  
**Mikisew Cree First Nation**

**Confirmed Representative**  
**MEG Energy**

Join the Conversation



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VOICES: Bringing Together Aboriginal, Industry and Government

Pre-Conference Workshops

**TUESDAY,  
FEBRUARY 18, 2020**

9:00 am – 12:00 pm (Registration begins at 8:30 am)

## WORKSHOP A

### Consultation 101: From Duty to Consult to Daily Operations



**Brook Arcand-Paul**

*Lawyer*

**MLT Aikins**



**Eddy Cardinal**

*Consultation Policy Analyst*

**Confederacy of Treaty Six First Nations**

- Know the legal requirements
  - » The meaning and intent of the Duty to Consult
  - » What triggers the Duty to Consult, the types of projects, and grey areas
- Know the role of the Crown, the regulator, and other groups
  - » Calculating whether the duty has been sufficiently met
- Know your documents — what to read, and what to look for, and what to do next
  - » Environmental Assessments
  - » Technical documents
  - » Filing permits
- Know your day-to-day operations and how to find efficiencies
  - » Discussing costs incurred from fulfilling the consultation process, who usually pays
  - » Tracking referrals and timelines

1:00 – 4:00 pm (Registration begins at 12:30 pm)

## WORKSHOP B

### Writing Employment Contracts and Implementing Training Initiatives



**Krystal Abotossaway**

*President*

**Aboriginal Professional Association of Canada**

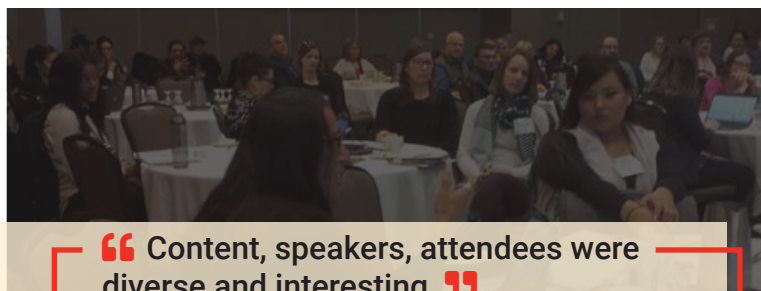


**Jean Dubé**

*Indigenous Community Engagement Liaison*

**SAIT**

- Understanding what it takes to inspire and motivate millennium workers and those from underrepresented groups
- Identifying employment barriers at the community level
- Investing in education, apprenticeship and internship programs to increase employability and retention
- Evaluating different training opportunities — balancing classroom and on-the-job learning
- Creating a welcoming, inclusive work place where everyone is productive



“Content, speakers, attendees were diverse and interesting.”

Nate Cox, Enbridge

2<sup>ND</sup> ANNUAL

# INDIGENOUS GOVERNANCE FORUM

*Your Community's Economic Path to Self-Governance*

**February 18, 2020**

*Check out pg. 6 to find out more!*

## Who You Will Meet

Chiefs and Councilors, Senior Executives, Directors and Managers of: Indigenous Relations, Internal and External Affairs, Stakeholder Relations, Community Relations, Project Development, Environmental Planning, Government and Corporate Affairs, Policy Analysts, In-House Counsel and Partners

From:

- Indigenous Communities
- Provincial and Federal Government
- Oil and Gas
- Mining and Exploration
- Power Generation and Transmission
- Agriculture and Forestry
- Engineering and Environmental Services
- Law Firms

## Legal Accreditation



This program can be applied towards 4 of the 12 hours of annual Continuing Professional Development (CPD) required by the **Ontario Law Society**, plus 3 hours each for Workshops A & B; plus four and a half hours for attending the Indigenous Governance Forum.

The same number of hours may be applied toward your continuing legal educational requirements in **British Columbia**.

For Alberta lawyers, consider including this course as a CPD learning activity in your mandatory annual Continuing Professional Development Plan as required by the **Law Society of Alberta**.

The **Law Society of Saskatchewan** recognizes another province's CPD credits so long as the hours are submitted to the Director of Admissions & Education for approval.



Day One  
**WEDNESDAY,  
FEBRUARY 19, 2020**

8:45

## Traditional Welcome

9:00

## Opening Remarks from the Conference Chair



**Brian MacDonald**  
*Assistant Deputy Minister, Aboriginal Relations Division,  
Executive Council Office  
Government of Yukon*

9:15

## Indigenous Leaders Panel: Rights, Treaties and Priorities for Consultation



**Marlene Poitras**  
*Alberta Regional Chief  
Assembly of First  
Nations Chiefs*

**Archie Waquan**  
*Chief  
Mikisew Cree  
First Nation*

An inspiring examination of the reasons why consultation is important to Indigenous people, why it should be done, what constitutes consent and why it is worth doing well.

10:45 **Networking Refreshment Break**

11:00

## Breakdown on Bill C69 – Providing Clarity on New Regulations

- Implications of Bill C69 and what this means for industry and project development
- Understanding current requirements and timelines
- Application of new regulations and finding common ground; how will industry address early engagement?

11:45

## CASE STUDY: Traditional Knowledge Meets Western Science in a Natural Resources Project



**Melody Lepine**  
*Director  
Mikisew Cree First Nation  
Member  
Indigenous Wisdom Advisory Panel*



**Mark Gustafson**  
*Principal  
JFK Law*

How Traditional Knowledge and Western Science can be applied to projects in the natural resources sector, with a look at the co-developing of a methodology used for assessing the Teck Frontier Project's impacts to the Mikisew Cree culture and rights.

- Collaborating and engaging with Indigenous communities
- Sharing information and research and what is kept confidential
- Establishing financial arrangements and supports, setting financial priorities and understanding budgetary constraints
- Monitoring and reporting on project commitments from all parties
- Drafting agreement duration, termination and renewal
- Anticipating a dispute resolution scenario

12:30 **Networking Luncheon for Speakers and Delegates**

“ Very enjoyable conference with good speakers and activities. ”

Tanya Shum

1:45

## Canada's Strategy for Indigenous Partnership

2:15

## PANEL: Discussing the Federal Consultation Policy



**Stephen Buffalo**  
*President & CEO  
Indian Resource Council (IRC)*

- Priorities for reconciliation
- Actualizing economic development opportunities
- Increasing accommodation agreements
- Strategies for cooperative management of land and resources

3:00 **Networking Refreshment Break**



3:15

## INTERACTIVE Discussion Tables with the Natural Resource Sector



**Adam Levine**  
*Team Lead – Indigenous Relations and Participant Funding  
Canadian Nuclear Safety Commission*



**Amber Armstrong**  
*Manager,  
Communications and  
Stakeholder Relations  
Mercer International*



**Jenna Strachan**  
*Indigenous Relations  
Superintendent  
Mercer International*

Learn how the consultation process differs from sector to sector. Delegates are invited to join small groups to discuss the different consultation requirements and processes for different natural resource industries, and discover efficiencies through working together.

4:15

## Preparing for Life After Mine Reclamation

**Jeff Mackey**

*A/Director, Contaminated Sites Branch,  
Northern Affairs Organization  
Crown-Indigenous Relations and Northern Affairs*

The federal government has earmarked \$2.2 billion in funding for the reclamation abandoned mine sites in Yukon and Northwest Territories, available in 2020/2021, as part of the Northern Abandoned Mine Reclamation Program.

- Current and upcoming reclamation projects, steps and timelines
  - » Faro Mine Remediation Project
  - » United Keno Hill Mine Remediation Project
  - » Mount Nansen Mine Project
  - » Ketz River Mine Remediation Project
  - » Clinton Creek Mine Remediation Project
  - » Giant Mine Remediation Project
  - » Cantung Mine Project
  - » Great Bear Lake Remediation Project
- Next steps and effects on current land claims

5:00

## Closing Remarks from the Chair Conference Adjourns

Join the Conversation



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VOICES: Bringing Together Aboriginal, Industry and Government

Day Two

**THURSDAY,  
FEBRUARY 20, 2020**

9:00

## Opening Remarks from the Chair

9:05

## **KEYNOTE:** Tangible Expressions of the UN Declaration of the Rights of Indigenous People

In August 2019, the Tšilhqot'in National Government, including six member First Nations, signed the Gwets'en Nilt'i Pathway Agreement with Canada and the Government of British Columbia to sustain self-determination priorities including the promotion and protection of language and culture, children and families, healthy communities, justice, education and training, lands, water and resources, and economic development.

9:30

## **PANEL:** Top Legal Cases and Why They are in Court



**Brook Arcand-Paul**  
*Lawyer*  
**MLT Aikins**

In September 2019, the Federal Court of Appeal decided to allow six Indigenous consultation challenges to the Trans Mountain pipeline project to proceed. The challenges are from the Squamish Nation, Tsleil-Waututh Nation, Upper Nicola Band, Coldwater Indian Band, Tk'emlúps Te Secwepemc of the Secwepemc Nation, and seven Ts'elxweyqw Tribes.

10:30 **Networking Refreshment Break**

10:45

## Policy Focus for Alberta



**Lisa Tchir**  
*Assistant Deputy Minister, Aboriginal Consultation Office, Indigenous Relations*  
**Government of Alberta**



**Trish Merrithew-Mercredi**  
*Executive Director, Aboriginal Consultation Office, Indigenous Relations*  
**Government of Alberta**

Examining priorities for the Alberta Consultation Office in advance of the newly elected provincial government's one-year anniversary.

- Regional planning and renewable planning

11:15

## **PANEL:** Deconstructing the Provincial Consultation Policy



**Laurie Buffalo**  
*Intergovernmental Policy Analyst*  
**Confederacy of Treaty Six First Nation**



**Scott Duguid**  
*Executive Director*  
**Alberta Land Use Secretariat**



**Trish Merrithew-Mercredi**  
*Executive Director, Aboriginal Consultation Office, Indigenous Relations*  
**Government of Alberta**



**Lisa Tchir**  
*Assistant Deputy Minister, Aboriginal Consultation Office, Indigenous Relations*  
**Government of Alberta**



“ Wide array of Indigenous presenters. ”

Bryan Hansen, Solaris-MCI

Experts will discuss the changing consultation policies, their impact of the ongoing review on current consultation projects and their expectations going forward. Delegates are invited to pose questions to the panelists.

- Utilizing the current provincial policies, its effectiveness and how it aligns or deviates from other consultation policies
- Discussing the meaning of consent and approaches to meaningful consent
- Common pitfalls in consultation, avoiding problems and turning consultation failures into success

12:15 **Networking Luncheon for Speakers and Delegates**

1:15

## How to Be a Good Neighbour – A Look at Building Relationships and Bridges Between Mayors and Chiefs



**William "Billy" Morin**  
*Chief*  
**Enoch Cree Nation**

- Establishing Working Group Terms of Reference
- Coordinating development planning and shared borders, including shared transit services
- Signing and reaffirming a Memorandum of Understanding (MOU)
- Exploring collaboration opportunities for green energy development

2:15

## Writing Contracts and Agreements for Communities and Companies



**Brian MacDonald**  
*Assistant Deputy Minister, Aboriginal Relations Division, Executive Council Office*  
**Government of Yukon**

- Negotiating practical graduated agreements and arrangements
- Understanding how an Impact Benefit Agreement (IBA) applies differently to the mining sector, forestry and green energy projects
- Optimizing a resource revenue sharing agreement to benefit your community
- Identifying options for structuring Joint Ventures

3:15 **Networking Refreshment Break**

3:30

## What Does a Successful Procurement Look Like?



**Shawn McDonald**  
*President*  
**Region One Aboriginal Business Association (ROABA)**

**Confirmed Representative**  
**MEG Energy**

- Engaging strategies to identify and promote local and regional economic opportunities
- Developing win-win partnerships with community owned, individually owned and joint venture owned companies
- Connecting with partners and Indigenous communities and service providers

4:30

## Closing Remarks from the Chair Conference Concludes

Don't forget to register for this pre-conference event!

# 2<sup>ND</sup> ANNUAL INDIGENOUS GOVERNANCE FORUM

*An Interactive Focus Group to Identify Practical Legal and Economic Development Strategies to Achieve Self-Governance*

**February 18, 2020**



**Charlene Bruno**  
Board Member  
**Aboriginal Financial  
Officers Association**



**William Wadsworth**  
Research and  
Policy Analyst  
**Alberta First  
Nations Information  
Governance Centre**



**Hal Eagletail**  
Owner  
**Eaglestart  
Enterprises Ltd.**



**Bonnie Healy**  
Chair of Board  
of Directors  
**First Nations  
Information  
Governance Centre**



**Racquel Fraser**  
Partner  
**Fox Fraser Law**

The 2019 Federal Budget announced \$48 million for First Nation communities to be spent on core supports and tools to govern and deliver critical programs and services. The announcement was part of a \$4.5 billion allocation focused on economic development. Is your community positioned to access funding and achieve self-determination through strong economic development?

This event will bring together chiefs, councillors and legal counsel from First Nation communities as well as government officials from across Western Canada to discuss improving Indigenous governance to discuss your community vision and spirit. Attend this one-day forum to reaffirm your community has the right focus and establish a critical path to attain self-determination goals.

Join us for in-depth discussions and explore opportunities for your community!

**8:45**

**Traditional Welcome**

**9:00**

**Opening Comments from the Chair**

**9:15**

**INTERACTIVE THINKTABLE #1 The Vision**  
**Envisioning Your Community for the Next Seven**  
**Generations and Making Critical Decisions for Today**

**10:45**

**INTERACTIVE THINKTABLE #2 Sovereignty**  
**Inherent Approaches to Asserting Sovereignty**

**11:45**

**INTERACTIVE THINKTABLE #3 Effective Structures**  
**Developing Self-Governance Structures Through**  
**Economic Development**

**1:00 Networking Luncheon for Speakers and Delegates**

**2:30**

**INTERACTIVE THINKTABLE #4 Rule of Law**  
**Legalization and Recognition of Indigenous Laws –**  
**Making the Law Work for You**

**5:00**

**Closing Remarks from the Chair**

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The Canadian Institute

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The Canadian Institute is pleased to offer our delegates a limited number of hotel rooms at a negotiated rate. To take advantage of these rates, please contact the hotel directly and quote "Indigenous Consultation & Engagement West". Please note that the guest room block cut-off date is **January 17<sup>th</sup>, 2020**. After that date *OR* when the room block fills, guestroom availability and rate can no longer be guaranteed.

### Supported By



**Aboriginal Business Quarterly** is the first business magazine of its kind in Canada. Our content goes beyond simply telling stories that entertain to delve into industry best practices and how-to-style reporting aimed at assisting Aboriginal business leaders and entrepreneurs — as well as their partners, suppliers, customers and the politicians whose decisions influence the legal and regulatory landscape in which they operate — as they look to strengthen their ventures going forward.

“ Very interesting and informative speakers, and people who attended were very approachable. ”

Chief Gene Hope  
Acho Dene Koe First Nation

“ Excellent networking opportunities, good overall view on government policies. ”

Mackenzi Mitchell  
Katch Kan

### → 3 Ways to Register



ONLINE:  
CanadianInstitute.com/WesternIndigenous



EMAIL:  
CustomerService@CanadianInstitute.com



PHONE:  
1-877-927-7936 or 416-927-7936

### Pricing and Registration Information:

	Register & Pay by November 28, 2019	Register & Pay by January 8, 2020	Register & Pay after January 8, 2020
PLEASE ADD 5% GST TO ALL ORDERS			
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<b>Main Conference Only</b> (February 19–20, 2020)	<b>\$1895</b>	<b>\$1995</b>	<b>\$2095</b>
<b>Indigenous Governance Forum</b> (February 18, 2020)	<b>\$995</b>	<b>\$1095</b>	<b>\$1195</b>
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<b>Indigenous Governance Forum</b> (February 18, 2020)	<b>\$895</b>	<b>\$995</b>	<b>\$1095</b>

#### Please add the following Workshop(s) to my order:

A: Consultation 101: From Duty to Consult to Daily Operations

**\$295 (Each)**

B: Writing Employment Contracts and Implementing Training Initiatives

All program participants will receive an online link to access the conference materials as part of their registration fee.

Additional copies of the Conference Materials available for \$199 per copy.

Conference Code 386W20-EDM

#### Bringing a Team?

3 - 5	10% Conference Discount
6 - 10	15% Conference Discount
10 or more	Call 416-927-7936

Call 1-877-927-7936 for Group or Special Industry Pricing Options

\*Only Indigenous Communities, Non-Profit and Government employees qualify for this special pricing offer. This special price cannot be combined with group rates or any other special offer. CI reserves the right to review eligibility for this rate.

To update your contact information and preferences, please visit <https://www.canadianinstitute.com/preference-centre/>.

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#### Payment Policy

Payment must be received in full by the program date to ensure admittance. All discounts will be applied to the Program Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to 3 or more individuals employed by the same organization, who register at the same time.

#### Delegate Substitutions and Cancellations

You must notify us by email at least 48 hrs. in advance of the conference if you wish to send a substitute participant. If you are unable to find a substitute, please notify us in writing no later than 10 days prior to the conference date and a credit voucher will be issued to you for the full amount paid, redeemable against any other Canadian Institute conference in the next 12 months. Delegates may not "share" a pass between multiple attendees without prior authorization.

All cancelled conference registrations will be subject to a cancellation fee of \$350 and applicable taxes. Any product extensions (inclusive of workshops, receptions, masterclasses, etc.) will be subject to a cancellation fee of \$50 and applicable taxes.

If you prefer, you may request a refund of fees paid less the applicable cancellation fee. No credits or refunds will be given for cancellations received within 10 days of the conference start date. No liability is assumed by The Canadian Institute for changes in program date, content, speakers or venue. The Canadian Institute reserves the right to cancel any conference it deems necessary and will, in such event, make a full refund of any registration fee, but will not be responsible for airfare, hotel or other costs incurred by registrants.

13<sup>th</sup> Annual

# WESTERN INDIGENOUS CONSULTATION & ENGAGEMENT

Where communities,  
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February 19-20, 2020  
Matrix Hotel | Edmonton



The Canadian Institute  
1329 Bay Street  
Toronto, Ontario M5R 2C4

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- ✓ 2 Interactive Workshops
- ✓ Indigenous Governance Forum
- ✓ Multiple interactive sessions

13<sup>th</sup> Annual

# WESTERN INDIGENOUS CONSULTATION & ENGAGEMENT

Where communities,  
government and industry  
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February 19-20, 2020  
Matrix Hotel | Edmonton

## Top Reasons to Attend

- » **HEAR Canada's Strategy for Indigenous Partnership** —  
Plus Discuss the Federal Consultation Policy alongside a  
panel of experts
- » **ANALYZE the New Alberta Government's Consultation Policy**  
— Plus Debate with an expert panel the implementation and  
coordination of the provincial policy
- » **ESTABLISH Solid Duty to Consult to Daily Operations Practices**  
— Know the meaning and intent of the Duty to Consult and  
execute the day-to-day operations of a consultation office
- » **DISSECT Top Legal Cases and Why They are in Court** —  
Unpack the challenges to the Trans Mountain pipeline project
- » **BREAKDOWN Bill C69 and Gain Clarity on New Regulations** —  
Apply the new regulations and learn strategies early engagement