

PROJECT AGREEMENT FOR THE NORTHERN GATEWAY PIPELINES PROJECT IN ALBERTA AND BRITISH COLUMBIA

PREAMBLE

WHEREAS the Government of Canada is committed to improving the federal environmental assessment (EA) and regulatory review processes for major resource projects to enable a more effective assessment and mitigation of potential environmental effects, while protecting the health and safety of Canadians and promoting innovation and competitiveness within the Canadian resource industry sectors;

AND WHEREAS the Government of Canada is committed to undertaking a process of early, effective and meaningful engagement and consultation with Canada's Aboriginal peoples concerning contemplated Crown conduct with respect to, among other things, major resource projects that may adversely affect established or potential Aboriginal and treaty rights under Section 35 of the *Constitution Act 1982*;

AND WHEREAS the Government of Canada has created the Major Projects Management Office (MPMO) for the purpose of overseeing and tracking the federal review and Aboriginal engagement and consultation for major resource projects;

AND WHEREAS Northern Gateway Pipelines Limited Partnership (the Proponent) has submitted a Project Description for the Northern Gateway Pipelines Project (the Project) in support of its proposal to construct and operate the Northern Gateway Pipeline Project between Bruderheim, Alberta to a proposed marine terminal near Kitimat, British Columbia;

AND WHEREAS the National Energy Board (NEB), Fisheries and Oceans Canada (DFO), Transport Canada (TC), Indian and Northern Affairs Canada, (INAC), Environment Canada (EC) and the Canadian Transportation Agency (CTA) may have regulatory and statutory duties in relation to the development proposal;

AND WHEREAS the Minister of the Environment (the Minister) has referred the development proposal to a panel pursuant to the *Canadian Environmental Assessment Act (CEAA)* and will sign an Agreement with the NEB to conduct a joint panel review (JRP) under the CEAA and the *National Energy Board Act (NEBA)*;

AND WHEREAS nothing in this Project Agreement (the Agreement) fetters the powers, statutory authorities and functions of federal departments and their respective Ministers;

AND WHEREAS the JRP, like the NEB, is a quasi-judicial administrative tribunal and nothing in this Agreement should be construed as permitting activities that will undermine the quasi-judicial function of the JRP process, including compliance with the principles of natural justice; and,

NOW THEREFORE the signatories (the Parties) to this Agreement commit to work together to facilitate an effective, accountable, transparent, timely and predictable federal review in relation to the development proposal and to contribute to the discharging of any duty to consult with Aboriginal groups.

1.0 PURPOSE

This Agreement describes the main activities of the federal review and outlines the key roles and responsibilities of the Parties. For further clarity, this Agreement shall be read together with the annexes, which form part of this Agreement. The federal review includes the JRP process, regulatory review(s), and Aboriginal engagement and consultation activities.

2.0 PROJECT DESCRIPTION

The development proposal submitted by the Proponent consists of the construction and operation of two pipelines in a single right-of-way connecting from Bruderheim, Alberta to Kitimat, British Columbia as well as the construction of a new marine terminal in Kitimat, British Columbia. The export oil pipeline would be approximately 1170 km long from Bruderheim Station to the Kitimat Terminal and capable of moving 400,000 barrels/day. The import condensate pipeline would be approximately 1170 km in length from the Kitimat Terminal to Bruderheim and capable of moving 150,000 barrels/day.

The Project for the purposes of the federal review may be different from the development proposal.

3.0 ROLES AND RESPONSIBILITIES

Based on the information provided by the Proponent, the following federal departments and agencies have identified an interest in the Project, and will participate in the federal review as follows:

- NEB has regulatory and statutory responsibilities under the NEBA and, pursuant to the CEAA, is a responsible authority (RA). The NEB will form the JRP Secretariat in concert with the Canadian Environmental Assessment Agency (CEA Agency);
- TC may have regulatory and statutory responsibilities under the *Navigable Waters Protection Act* (NWPA) and the NEBA and, pursuant to the CEAA, is a likely RA. TC requires a Navigation Impact Assessment (NIA) to be completed as a component of the EA. To complete the NIA and make its EA decision, TC requires the information described in the NWPA application form. In order to meet the timelines in this Agreement, this information must be submitted no later than the time of submission of the NEB application, which includes the Environmental Impact Statement (EIS). TC may be in possession of specialist or expert information or knowledge with respect to the Project and, on request, shall make available that information or knowledge to the RAs and/or the JRP. A voluntary TERMPOLE Review Process (Technical Review Process of Marine Terminal Systems and Transshipment Sites) chaired by TC has also been initiated by Enbridge;

- DFO has regulatory and statutory responsibilities under the *Fisheries Act* and, pursuant to the CEAA, is an RA. DFO is also in possession of specialist or expert information or knowledge with respect to the Project and, on request, shall make available that information or knowledge to the RAs and/or the JRP;
- INAC has regulatory and statutory responsibilities under the *Indian Act* and, pursuant to the CEAA, is an RA. INAC also has advisory responsibilities to support the Government of Canada's Aboriginal engagement and consultation activities in relation to the Project;
- EC has regulatory and statutory responsibilities under the *Canadian Environmental Protection Act, 1999* and, pursuant to the CEAA, may be an RA. EC is in possession of specialist or expert information or knowledge with respect to the Project and, on request, shall make available that information or knowledge to the RAs and/or the JRP;
- CTA has regulatory and statutory responsibilities under the *Canada Transportation Act* and, pursuant to the CEAA, may be an RA;
- Natural Resources Canada (NRCan), Health Canada (HC) and Parks Canada Agency (PCA) are federal authorities (FAs) pursuant to the CEAA and may be in possession of specialist or expert information or knowledge with respect to the Project (expert FA) and, on request, shall make available that information or knowledge to the RAs and/or the JRP. Additionally, NRCan will manage the submission of the Certificate to the Minister of Natural Resources and Governor-in-Council (GIC);
- The CEA Agency has administrative and advisory responsibilities pursuant to the CEAA in support of the EA and the JRP. The CEA Agency will form the JRP Secretariat in concert with NEB staff. The CEA Agency will act as the Federal Participation Coordinator and the Crown Consultation Coordinator (CCC) for the EA in relation to the Project; and,
- The MPMO has administrative and advisory responsibilities under the *Cabinet Directive on Improving the Performance of the Regulatory System for Major Resource Projects* and its associated Memorandum of Understanding (MOU). The MPMO will provide oversight and advice throughout the entire federal review in relation to the Project to ensure adherence to the service standards and roles and responsibilities of all Parties.

For further information regarding the roles and responsibilities of the Parties, please see the applicable Annexes.

4.0 FEDERAL REVIEW PROCESS

The Minister has determined that a JRP should be established pursuant to paragraph 40(2)(a) of the CEAA to consider the potential environmental effects associated with the Project under the CEAA. The JRP will determine whether the Project is also in “the public convenience and necessity” under the NEBA. The Parties will participate in and rely on the information gathered

through the JRP process to fulfill their roles and responsibilities as defined under the CEAA and the NEBA, and where appropriate, to inform their legislative decisions.

The Joint Review Panel Agreement (JRPA) entered into by the Minister and the Chair of the NEB will establish the JRP and its Terms of Reference. Following the submission of an application by the Proponent for a Certificate of Public Convenience and Necessity under section 52 of the NEBA for the Project to the NEB, the JRP will release a hearing order detailing the hearing process to be followed.

The JRP has statutory responsibilities pursuant to the CEAA and the NEBA. The JRP is not a Party to this Agreement.

As part of finalization of the JRPA, the Minister and the Chair of the NEB will establish a single scope of project for the federal review also outlined in the JRPA. The current draft scope includes the construction, operation, decommissioning and abandonment of: an oil pipeline commencing near Bruderheim, Alberta and terminating at a new marine terminal located in Kitimat, British Columbia; a condensate pipeline commencing at a new marine terminal in Kitimat, British Columbia and terminating near Bruderheim, Alberta; a new marine terminal located at Kitimat, British Columbia; and, associated pump stations and other infrastructure components. Operations will involve the main activities to commission, operate and maintain the pipelines as well as the marine transportation of oil and condensate associated with the Project.

In preparing its application, the Proponent will be expected to refer to the NEB's Filing Manual, the JRPA, including the Terms of Reference, and a separate scope of factors document. Federal departments are to engage directly with the Proponent to convey their respective information requirements.

Through the EA process, RAs will confirm any regulatory decisions required in relation to the Project. If no regulatory decisions are required for a department or agency, it will end its participation in the EA as an RA, but may, upon request from the JRP or an RA, continue to participate as an expert FA should it be in possession of specialist or expert information or knowledge with respect to the Project. Similarly, expert FAs will continue to review information provided by the Proponent, as it becomes available and as the project evolves and changes, in order to confirm whether a regulatory approval may be required based on this updated and/or new information. In this case, an expert FA may become an RA and continue its participation in the EA on that basis.

5.0 Aboriginal Engagement and Consultation Process

The Parties are committed to a "Whole of Government" approach to Aboriginal engagement and consultation in the context of major resource projects to ensure that Aboriginal groups are sufficiently consulted, and where appropriate accommodated, when the Government of Canada contemplates actions that may adversely affect established or potential Aboriginal and treaty rights. To the extent possible, and with the CEA Agency responsible for coordination, the Parties will work together toward a coordinated approach for Aboriginal consultation that is integrated with the federal review. The Crown will rely on the consultation efforts of the Proponent and the

JRP process, to the extent possible, to meet the duty to consult. The Crown will continuously monitor the adequacy or sufficiency of its Aboriginal consultation efforts throughout the federal review and will undertake sufficiency analyses when appropriate in the process.

The proposed Aboriginal engagement and consultation roles and responsibilities are identified in Annex III.

6.0 TIMELINES

The estimated timelines for the federal review of the Project, including those timelines to be determined by the JRP for its forthcoming public hearing process and the regulatory review process of other Parties, are detailed below and in the Gantt chart in Annex I. Pursuant to the NEBA, the JRP has sole discretion with respect to the timelines and process of the hearing. RAs and expert FAs commit to following the timelines established by the JRP. Estimated timelines include:

- a) Submission of Joint Review Panel EA Report to Government – 18 months from the date of the submission of the NEB application;
- b) Recommendation by the Minister of Natural Resources Canada to the Governor-in-Council in respect to the NEB Certificate – within 4 weeks of release of NEBA Reasons for Decision;
- c) If appropriate, issuance of the NEBA 108(4) and NWPA, *Fisheries Act*, *Indian Act*, and *Canadian Environmental Protection Act, 1999* authorizations – 3 months from the EA Course of Action decisions posted on the Canadian Environmental Assessment Registry (CEAR), assuming submission of all applications no later than the time of submission of the NEB Application, including the EIS; and,
- d) If appropriate, issuance of *Canadian Transportation Act* authorizations – within 120 days of submission of an application to the CTA.

The above timelines have been established on the basis of a number of assumptions, such as activities of participants to the review that are not signatories to this Agreement. Should events unfold in a manner that is different from what has been assumed, the timelines will necessarily be different.

The MPMO Tracker will provide for transparent and publicly accessible monitoring of the progress of the federal review.

7.0 FOLLOW-UP AND MONITORING

The RAs will work with expert FAs and the Proponent to ensure that mitigation measures related to their areas of responsibility that were identified through the EA, and any conditions attached to licences and approvals, are effectively implemented.

For those mitigation strategies within federal jurisdiction that were identified through the EA but that are not related to the RAs' regulatory responsibilities, the expert FAs will provide assistance

to ensure the mitigation and follow-up strategies related to areas within their mandate are adhered to and effectively implemented by the Proponent.

8.0 ADMINISTRATION

Tracking Progress

The milestones, timelines and service standards set out in this Agreement, subject to any amendments, will provide the basis against which the MPMO will monitor the progress of the federal review process and report on this progress in the MPMO Tracker.

The following are examples of situations where the MPMO may pause the timelines of the federal review:

- a) the JRP delays its process on its motion;
- b) the JRP agrees to delay its process at the request of the Proponent, the province or another jurisdiction;
- c) the RAs have indicated to the MPMO that the Proponent is required to provide additional information necessary for the completion of the federal review following the completion of the JRP process or due to circumstances related to Aboriginal engagement and consultation; or,
- d) litigation or other court action prevents the completion or continuation of the federal review.

Issues Resolution

The Parties will use their best efforts to resolve any differences of opinion in the interpretation or application of this Agreement in an effective and timely manner.

Issues relating to the federal review of the Project will be resolved through direct discussions and collaboration between the involved Parties, supported by the MPMO, as appropriate, given the restrictions associated with the quasi-judicial nature of the JRP process.

Should issues remain outstanding, they will be referred to the appropriate senior level committee established through the MPMO initiative.

Post-Project Evaluation

The Parties will participate in an informal evaluation of the effectiveness of the federal review in relation to the Project within 90 days of the completion of the regulatory review. The level of effort and format of the evaluation will be appropriate to the scale of the issues encountered.

Amendments

The Parties may recommend to the MPMO whether a change to the federal review or to the Project warrants an amendment to the Agreement. Where there is agreement that an amendment is warranted and where such amendment is considered significant, the MPMO, on behalf of the Parties, will provide the proposed amendment to the Major Projects Deputy Ministers for consideration.

Unless otherwise determined by the MPMO in collaboration with the Parties, an amendment of the Agreement shall not cause the federal review to stop with respect to any Agreement-related activities that might be ongoing at the time when the need for an amendment is identified.

9.0 PROJECT AGREEMENT

The Parties hereto have signed the Agreement, in counterpart, on the dates indicated below.

<u>Original Signed by</u> Cassie Doyle Deputy Minister Natural Resources Canada	<u>October 2, 2009</u> Date
<u>Original Signed by</u> Peter Sylvester President Canadian Environmental Assessment Agency	<u>August 10, 2009</u> Date
<u>Original Signed by</u> Gaétan Caron Chief Executive Officer National Energy Board	<u>August 12, 2009</u> Date
<u>Original Signed by</u> Michael Wernick Deputy Minister Indian and Northern Affairs Canada	<u>September 11, 2009</u> Date
<u>Original Signed by</u> Claire Dansereau Deputy Minister Fisheries and Oceans Canada	<u>August 25, 2009</u> Date
<u>Original Signed by</u> Yaprak Baltacioğlu Deputy Minister Transport Canada	<u>August 28, 2009</u> Date
<u>Original Signed by</u> Ian Shugart Deputy Minister Environment Canada	<u>September 23, 2009</u> Date

Original Signed by _____
Geoffrey Hare
Chairman
Canadian Transportation Agency

August 11, 2009

Date

Annexes

Annex I – Gantt Chart – Target Timelines for the Federal Review Process for the Project

Annex II – Key Milestones and Service Standards for the Environmental Assessment and Aboriginal Engagement and Consultation

Annex III – Aboriginal Engagement and Consultation Approach and Roles and Responsibilities

Annex IV – Transport Canada: Roles and Responsibilities, Key Milestones and Service Standards

Annex V – Fisheries and Oceans Canada: Roles and Responsibilities, Key Milestones and Service Standards

Annex VI – Indian and Northern Affairs Canada: Roles and Responsibilities, Key Milestones and Service Standards

Annex VII – Environment Canada: Roles and Responsibilities, Key Milestones and Service Standards

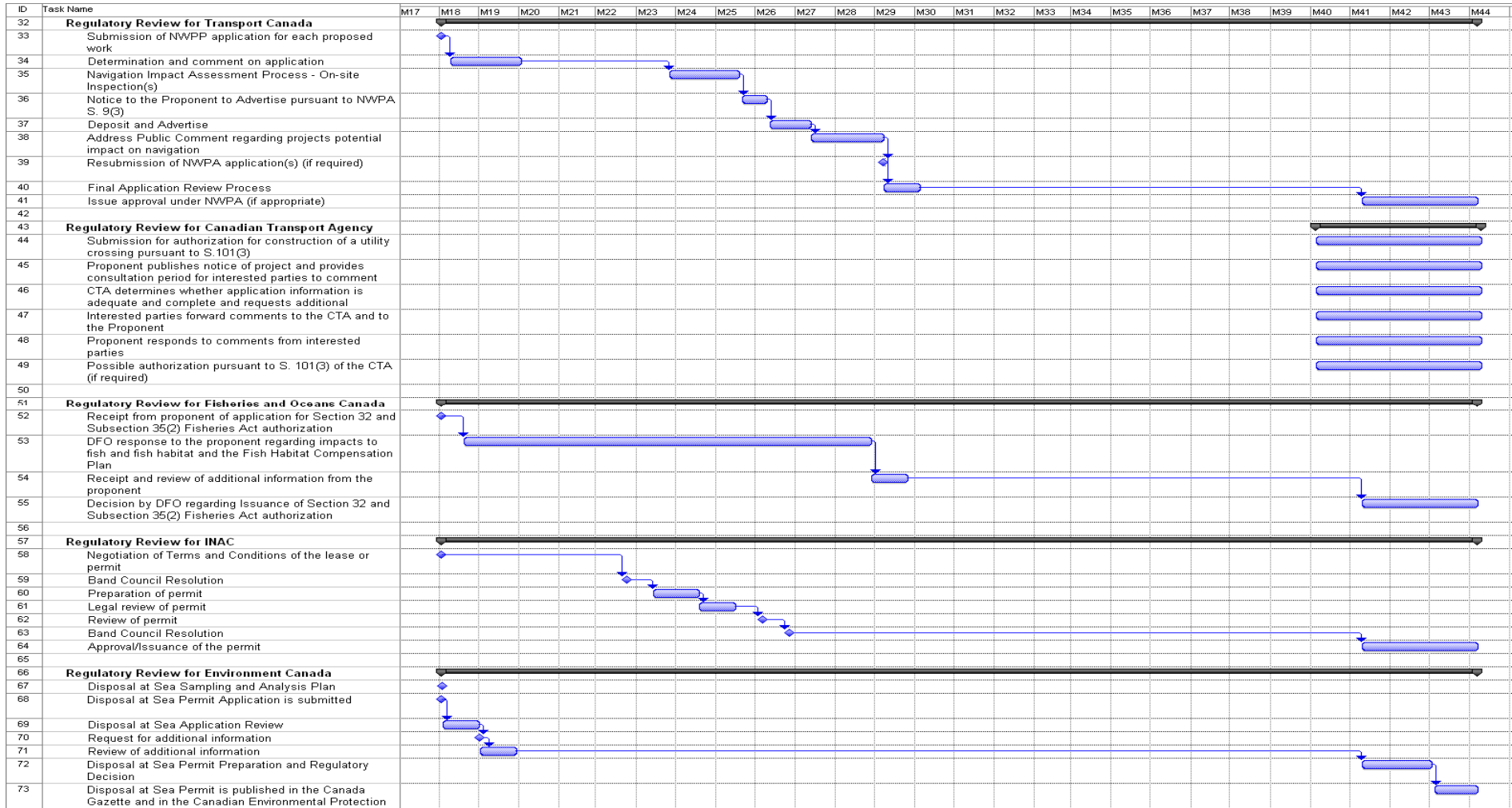
Annex VIII – Canadian Transportation Agency: Roles and Responsibilities, Key Milestones and Service Standards

Annex IX – Other Federal Departments: Roles and Responsibilities

Annex I

GANTT Chart - Target Timelines for the Federal Review Process for the Project

Note: With respect to the JRP process, the Chart below outlines some of the typical key procedural steps based on a typical NEB hearing process and potential dates for those steps in relation to this Project. It is important to note that the dates presented here are neither official nor final and are included only to provide a rough timeline. The timelines are quite likely to change subject to the schedule set by the JRP who will oversee the Application. Further, timelines related to some procedural steps, such as the length of the oral hearing, are often dependent on the amount of third party involvement in the process. An official listing of procedural steps and associated timelines for the process as established by the JRP overseeing the Application will be set out in the JRP's Hearing Order when that is released.



Annex II

Key Milestones and Service Standards for the Environmental Assessment, Regulatory Review, and Aboriginal Engagement and Consultation

Milestone Description/Activity	Lead	Support As Needed	Service Standard/ Completion Date
Federal Coordination Notification Process and Determination of Departmental Role in the EA	NEB		November 2005 – January 2006
Request for a Panel Review	NEB	RAs, FAs	February 9, 2006
Referral to a Panel Review	Minister of the Environment	CEA Agency	September 29, 2006
Public Comment Period on draft JRPA	CEA Agency		September 29, 2006 – November 27, 2006
Commence Initial Engagement and Aboriginal Consultation on draft JRPA	CEA Agency	NEB	October 2008 – April 2009
Announce availability of funding under the Aboriginal Funding Envelope (Phase I of the funding program)	CEA Agency		October 15, 2008 – February 19, 2009
Award funding under the Aboriginal Funding Envelope (Phase I of the funding program)	CEA Agency		45 days from close of funding application period
Public Comment period on draft JRPA	CEA Agency	NEB, RAs	February 9, 2009 – April 14, 2009
Announce availability of funding under the Aboriginal Funding Envelope and the Participant Funding Envelope (Phase II of the funding program)	CEA Agency		July 26, 2009
Approval of JRPA	Minister of the Environment	NEB	6.5 months from close of public comment period on JRPA
Appointment of Joint Review Panel	Minister of the Environment	NEB	2 weeks from approval of JRPA
Submission of NEB Certificate application and	Proponent	NEB	To be determined by the Proponent.

Milestone Description/Activity	Lead	Support As Needed	Service Standard/ Completion Date
application to TC under NWPA and NEBA 108(4).			
Awarding of funding under the Aboriginal Funding Envelope and Participant Funding Envelope (Phase II of the funding program)	CEA Agency		45 days from close of funding application period
Engage Aboriginal Groups	NEB Staff	CEA Agency	From filing of application to hearing
Provide initial comments to the JRP on the Application	RAs and FAs	CEA Agency	Within 3 weeks of submission of NEB certificate application by Proponent
Conduct initial sufficiency review of Application	JRP		Within 4 weeks of submission of NEB certificate application by Proponent
JRP Hearing order issued	JRP		To be determined by the JRP
Identification of issues to be reviewed	JRP		As described in the JRP's Hearing Order
Submit applications to intervene, declare government participant status, or submit letter of comment	RAs and FAs		As described in the JRP's Hearing Order
Submit additional Information Requests to Proponent, if required	JRP	RAs and FAs	As described in the JRP's Hearing Order
Submit written evidence	RAs and FAs	CEA Agency	As described in the JRP's Hearing Order
JRP Oral Hearing	JRP		As described in the JRP's Hearing Order
Preparation of Final JRP EA Report	JRP		To be determined by the JRP
Submit JRP EA Report to Government	JRP		18 months from the date of the submission of the NEB application
Aboriginal consultation on the JRP EA Report	CEA Agency		Upon the submission of the JRP EA Report
Prepare and submit a Crown Consultation Report	CEA Agency	RAs	21 months from the date of the submission of the NEB application
Prepare the Government Response to JRP EA Report	NRCan	RAs and FAs	Within 12 weeks of submission of JRP EA Report under the conditions that the RAs have determined that the Crown's duty to consult has been

Milestone Description/Activity	Lead	Support As Needed	Service Standard/ Completion Date
			adequate to this particular point and that the CEAA requirements have been met
Submit the Government Response to the JRP EA Report to Governor-in-Council for approval	NRCan	CEA Agency, RAs and FAs	To be determined by Cabinet
Release the NEBA Reasons for Decision	JRP		To be determined by the JRP
Request approval from Governor-in-Council to issue an NEB Certificate of Public Convenience and Necessity	NRCan	MPMO	Within 4 weeks of the release of the Reasons for Decision
Course of Action Decisions pursuant to the CEAA, s 37 posted on CEAR	RAs	CEA Agency	Within 1 week of the Governor-in-Council decision

Annex III

Aboriginal Engagement and Consultation Approach and Roles and Responsibilities

1.0 Approach

The Government of Canada will take a whole-of-government approach to Aboriginal consultation; federal parties will work together in a coordinated manner that is integrated with the environmental assessment process. The approach for federal consultation of Aboriginal peoples for major resource projects was created in accordance with “Aboriginal Consultation and Accommodation: Interim Guidelines for Federal Officials to Fulfill the Legal Duty to Consult” (INAC/Department of Justice; February, 2008, <http://www.ainc-inac.gc.ca/ai/mr/is/acp/intgui-eng.asp>)

For the Northern Gateway Project, the Crown will rely on the consultation efforts of the Proponent, and the Joint Review Panel (JRP) process, to the extent possible, to meet the duty to consult.

- The Proponent contacts and consults with Aboriginal groups potentially affected by the Project. It documents their concerns, accommodates those concerns in the Project planning stage and initial design of the Project and includes information on unresolved concerns in its application. As well, the JRP can require the Proponent to gather more information about impacts, Aboriginal concerns or mitigation, if necessary.
- The JRP as a recommendation body under the *Canadian Environmental Assessment Act* will submit an Environmental Assessment Report to the Minister of the Environment and the relevant federal departments; the response to the report will be considered by the Governor in Council (GiC) and if approved would subsequently inform all federal permitting/authorisation decisions.
- The JRP as decision maker under the *National Energy Board Act*, will consider all evidence provided by the Proponent, Aboriginal groups and other third parties in order to determine whether the Project should be permitted to proceed and if so, to include mitigation or accommodation through the imposition of conditions on the Project approval.

It is important for Aboriginal groups with concerns about the Project to participate in the JRP process to ensure that their concerns are taken into account by the decision-makers responsible for assessing the Project. There is no separate or parallel process to deal with issues within the JRP mandate.

The JRP is the key assessment and decision-making body for the Project and has a broad mandate under both the *National Energy Board Act* and the *Canadian Environmental Assessment Act* to examine project-related issues. The JRP will consider and address all project-related Aboriginal issues and concerns within this mandate. The CEA Agency representing the Crown, will lead the initial consultation on the JRP Agreement as well as consultation on the

Environmental Assessment Report issued by the JRP before it is forwarded for response by the Government of Canada. The CEA Agency will be the contact for the Crown for project-related matters raised by Aboriginal groups that are outside the mandate of the JRP.

The phases for Crown consultation for the Project are summarized below:

Phase I: Preliminary Phase

Consultation on the draft JRP Agreement and provision of information on the NEB and CEA Agency mandates and the JRP process.

Phase II: Pre-Hearing

Continue to provide information on the JRP process and encourage Aboriginal groups to participate in the JRP process. The CEA Agency will be the contact for the Crown for Project-related matters raised by Aboriginal groups that are outside the mandate of the JRP.

Phase III: Hearing

Federal departments and agencies with regulatory responsibilities in relation to the Project will participate in the hearing. Aboriginal groups will be encouraged to participate in the hearing and the CEA Agency will be the contact for the Crown for Project-related matters raised by Aboriginal groups that are outside the mandate of the JRP.

Phase IV: Report/Decision

Under the NEBA, the JRP will consider all Aboriginal issues and concerns, within its mandate, brought forward in the hearing process and take them into account in its decision making. If the Project is approved, the JRP may impose conditions on the Project to mitigate any potential adverse impacts.¹

Crown consultation on the JRP Environmental Assessment Report prior to consideration by GiC will be undertaken. The CEA Agency will be the contact for the Crown for project related matters raised by Aboriginal groups that are outside the mandate of the JRP.

Phase V: Regulatory/Permitting

If it is determined that additional consultation about the Project is required on permits or authorizations which other federal departments are requested to issue, the Crown will appoint a federal department to lead any consultations that may be required after the EA phase is complete.

¹ The JRP would not impose conditions over matters for which it does not have jurisdiction under the NEBA.

PHASE I AND II STEPS IN THE CONSULTATION PROCESS

1. Meetings with Aboriginal groups to discuss the draft JRP Agreement will continue as appropriate until the JRP Agreement is finalized.
2. The Minister of the Environment and NEB will consider all comments prior to finalizing the JRP Agreement.
3. Information sessions on how to participate in the JRP process will continue through to the start of the JRP Hearings.

If required, a further communication concerning consultation for the Phase III Hearings will be provided prior to the start of that phase.

2.0 Roles and Responsibilities of Parties

Roles and responsibilities of each participating Party in respect of the Aboriginal Consultation for the Project are:

The NEB will:

- Provide information on its mandate and the JRP process in Phase 1(Preliminary Phase); and,
- Continue to provide information on the JRP process and encourage Aboriginal groups to participate in the JRP process (Pre-hearing Phase).

The CEA Agency will:

- Act as the Crown Consultation Coordinator (CCC) for the federal review of the Project, and coordinate and facilitate the Crown's consultation activities before and during the federal EA and during the transition to the regulatory review to ensure the transition is smooth. As the CCC the CEA Agency will:
 - Identify and engage Aboriginal groups in cooperation with the NEB, other RAs and the Proponent as appropriate;
 - Liaise with the Proponent to track the Proponent's consultations with Aboriginal groups;
 - Prepare an Aboriginal consultation work plan, in collaboration with other Parties;
 - Ensure that consultation activities required for the Project are integrated with the JRP process, as a means to discharge the Crown's duty to consult;
 - Ensure that a consultation process is in place for the regulatory review through the transfer of the CCC role to an RA;
 - Direct Aboriginal groups to introduce all project specific issues that are within the mandate of the JRP to the JRP process;
 - Track and refer project-related rights issues outside the mandate of the JRP (e.g. land claims, treaty rights) to appropriate entities (e.g. INAC, province, etc.);
 - Facilitate multi-party consultation activities where necessary;

- Represent the Crown and lead Crown consultation activities together with RAs and FAs that are requested to participate;
- Compile and update the Record of Crown Consultation activities conducted during the federal review, and then transfer responsibility for managing the Record to the MPMO at the end of the review;
- Provide funding for consultation activities in support of the JRP process through the Aboriginal Funding Envelope of the CEA Agency's Participant Funding Program;
- Consult on the JRP Report as required;
- Continuously evaluate the scope, nature and sufficiency of the Crown's consultation efforts, with input from the Department of Justice, INAC, and RAs as appropriate;
- Prepare Crown Consultation Report to be submitted along with the Government's Response to the JRP Report; and,
- Issue letter on behalf of the Government of Canada, to Aboriginal groups on how concerns were addressed.

The Major Projects Management Office will:

- House and maintain the official *Record of Crown Consultation Activities* for the project; and,
- Incorporate information relating to consultation activities into the project Monitoring and Tracking System.

RAs, with the exception of the NEB, will:

- Participate in coordinated consultation activities throughout the entire EA and regulatory review process (including pre-assessment, assessment, and post-assessment phases), as appropriate/required;
- Represent the Crown alongside the CCC, the province, the proponent and other federal parties (e.g. MPMO where appropriate) to address Aboriginal issues as appropriate/required;
- Contribute to the "Whole of Government" approach by participating in consultation activities in areas relevant/appropriate to their mandates and areas of statutory and policy responsibility;
- If RAs become aware of Aboriginal issues related to the mandate of the JRP, make efforts to have that information fed into the JRP process;
- Report on consultation activities to the Agency and the MPMO in accordance with the established records-management process; and,
- Support issues analysis work, where required.

Expert FAs will:

- Participate in any of the above RAs' activities upon request of the CCC and/or RAs, as appropriate.

The Department of Justice (DOJ) and INAC will:

- Provide legal services, information and advice to the CEA Agency, MPMO and RAs as appropriate and required throughout the EA and Regulatory Review; and,
- Assist in the evaluation of the scope, nature, and sufficiency of the Crown's consultation efforts

Annex IV

Transport Canada Roles and Responsibilities, Key Milestones, and Service Standards

EA

- Participate in meetings with other federal/provincial authorities as appropriate;
- Review and comment on the EA work plan, Aboriginal consultation work plan, public participation plan and communications plan;
- Review and comment on the Proponent’s NEB application and participate in the analysis of comments on the NEB application on TC related issues.
- Participate in JRP hearings with respect to TC’s mandate under the NWPA, section 108(4) of the NEBA, the *Canada Shipping Act* and other federal legislation within TC’s mandate where appropriate;
- Review and provide input into the Government Response to the JRP EA Report;
- Participate, where appropriate, in Aboriginal consultation activities coordinated by the CEA Agency;
- Consult with affected/potentially affected Aboriginal groups on the JRP EA Report, as appropriate;
- Take course of action decision following the Governor-in-Council decision;
- Provide input into the follow-up and monitoring programs relative to TC’s areas of regulatory responsibilities and areas of interest as required; and,
- Work with other RAs and FAs to ensure implementation of mitigation measures and those aspects of the follow-up program related to TC’s areas of regulatory responsibilities and areas of interest as required.

Regulatory

- Participate in meetings with other federal/provincial authorities as appropriate;
- Participate in public comment period, public notice and possible public consultations concerning navigation issues;
- Undertake any required activities, including consulting with affected/potentially affected Aboriginal groups as appropriate, related to TC’s regulatory responsibilities under the NWPA as required supporting TC’s regulatory decisions; and,
- Conduct site inspections to support its regulatory decisions, as required.

Note: The following milestones represent the key activities associated with the regulatory process for the Project and are not intended to reflect the entire work plan schedule associated with this Project. Furthermore, these milestones may need to be adjusted as additional information is made available.

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
TC liaises with Project	TC liaises with Project	TC	Ongoing

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
Proponent regarding potential works in regards to impacts on navigability	Proponent regarding proposed works that could potentially impact navigation and on potential alternatives and mitigation strategies to ensure that navigability is maintained.		
Submission of NWPA application, including information required to process applications under the NWPA and NEBA 108(4), for each proposed work	<p>Proponent provides TC-NWPP with application for each proposed work and request for NWPA and NEBA 108(4) approval(s) complete with dimensioned plans, maps, reports, studies and data as outlined on the NWPA website. This is received before or in conjunction with the Proponent's NEB application, which includes the EIS.</p> <p>Review draft Fish Habitat Compensation Plans for potential impacts to navigation and provide comments to DFO with respect to the navigability of the watercourse and any concerns regarding potential mitigation measures with respect to navigation.</p>	Proponent	<p>Dependent on the Proponent.</p> <p>Within 2 weeks of receiving draft Fish Habitat Compensation Plan</p>
Determination and comment on NWPA and NEBA 108(4) application(s)	<p>Review application package and information/plans for adequacy to support NWPA and s. 108(4) NEBA review.</p> <p>Requests further information if required, to proceed with application</p>	TC	8 weeks after application submission
Navigation Impact Assessment Process - On-site Inspection(s)	Complete on-site Navigation Impact assessment of project, site and waterway(s), subject to weather and time of year.	TC	An initial 2 month inspection process, then ongoing until completion of public comment process

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
	papers and the Canada gazette is required if substantial changes to proposed works are required. Furthermore, DFO fish habitat compensation plans will have to be reviewed prior to issuing an approval.		
Final Application Review Process	Perform a final review (subject to the Joint Review Panel's conclusions and recommendations) of all information on file, including technical information and public comments.	TC	4 weeks
Issue approval under NWPA and/or s. 108(4) under NEBA (if appropriate)	If appropriate, issue approvals under NWPA and/or s. 108(4) under NEBA	TC	Within 90 calendar days following EA Course of Action decision, if NWPA applications are submitted before or in conjunction with the EIS

Annex V

Fisheries and Oceans Canada Roles and Responsibilities, Key Milestones, and Service Standards

EA

- Participate in meetings with other federal/provincial authorities as appropriate;
- Review and comment on the EA work plan, Aboriginal consultation work plan, public participation plan and communications plan;
- Review and comment on the Proponent’s NEB application and participate in the analysis of comments on the NEB application;
- Participate in JRP hearings with respect to DFO’s mandate under the *Fisheries Act* and aquatic species under the *Species at Risk Act*, where appropriate;
- Participate, where appropriate, in Aboriginal consultation activities coordinated by the CEA Agency;
- Consult with affected/potentially affected Aboriginal groups on the JRP EA Report, as appropriate;
- Review and provide input into the Government Response to the JRP EA Report;
- Take course of action decision following the Governor-in-Council decision;
- Provide input into the follow-up and monitoring programs relative to DFO’s areas of regulatory responsibilities and federal interest under the *Fisheries Act* and aquatic species under the *Species at Risk Act* as required; and,
- Work with other RAs and FAs to ensure implementation of mitigation measures and those aspects of the follow-up program related to DFO’s areas of regulatory responsibilities and areas of interest under the *Fisheries Act* and aquatic species under the *Species at Risk Act* as required.

Regulatory

- Participate in meetings with other federal/provincial authorities as appropriate;
- Prepare regulatory work plan;
- Undertake any required activities related to DFO’s mandate under the *Fisheries Act* and aquatic species under the *Species at Risk Act* as required, to support DFO’s regulatory decisions, including consulting with affected/potentially affected Aboriginal groups as appropriate.

Note: The following milestones represent the key activities associated with the regulatory process for the Project and are not intended to reflect the entire work plan schedule associated with this Project. Furthermore, these milestones may need to be adjusted as additional information is made available.

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
Receipt from proponent of application for	DFO receives application from the proponent for authorization of impacts to	Proponent	Dependent on timing of the submission of the application by the Proponent.

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
Subsection 35(2) Fisheries Act authorization	fish and fish habitat under section 32 and subsection 35(2) of the Fisheries Act complete with adequate plans, maps, reports and data to support the review. This may include a Fish Habitat Compensation Plan to support the Fisheries Act review. The application should be received in conjunction with the Proponent's NEB application.		
DFO response to proponent regarding impacts to fish and fish habitat and the Fish Habitat Compensation Plan	DFO reviews the proposed Fish Habitat Compensation Plan and associated financial security, if applicable, for adequacy to support the Fisheries Act review. DFO DFO requests further information, if required, to proceed with review of application (and NEB applicable, if reviews are concurrent).	DFO	Concurrent with review of the NEB application if the Fisheries Act application is received during the NEB application review.
Receipt of information from proponent	DFO receives additional information from proponent	Proponent	Dependent on timing of the submission of additional information by Proponent.
Decision by DFO regarding issuance of Subsection 35(2) Fisheries Act authorization	If appropriate, DFO issues <i>Fisheries Act</i> authorization to proponent for impacts to fish and fish habitat.	DFO	DFO issues authorization contingent on EA Course of Action Decision under paragraph 37(1)(a) of the CEA Act. The Course of Action decision must be consistent with the response to the Joint Panel Report approved by the Governor in Council under Paragraph 37.(1.1)(a) of CEAA).

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
			<p>DFO issues the authorization 90 calendar days after receipt of an acceptable Fish Habitat Compensation Plan (including financial security) and the discharge of any legal Aboriginal consultation obligations associated with the authorization(s).</p> <p>Issuance of the authorization will also consider the Proponent's timing needs for the authorization in that, should the authorization not be required until much later than the timeline above, DFO will issue it when it is appropriate.</p>

Annex VI

Indian and Northern Affairs Canada Roles and Responsibilities, Key Milestones, and Service Standards

EA

- Participate in meetings with other federal/provincial authorities as appropriate;
- Review and comment on the EA work plan, Aboriginal consultation work plan, public participation plan and communications plan;
- Review and comment on the Proponent’s NEB Application and participate in the analysis of comments on the NEB application;
- Participate in JRP hearings with respect to INAC’s mandate under the *Indian Act*, where appropriate;
- Participate, where appropriate, in Aboriginal consultation activities coordinated by the CEA Agency;
- Consult with affected/potentially affected Aboriginal groups on the JRP EA Report, as appropriate;
- Review and provide input into the Government Response to the JRP EA Report;
- Take course of action decision following the Governor-in-Council decision;
- Provide input into the follow-up and monitoring programs relative to INAC’s areas of regulatory responsibilities and federal interest under the *Indian Act* as required; and,
- Work with other RAs and FAs to ensure implementation of mitigation measures and those aspects of the follow-up program related to INAC’s areas of regulatory responsibilities and areas of interest under the *Indian Act* as required.

Regulatory

- Participate in meetings with other federal/provincial authorities as appropriate;
- Prepare regulatory work plan;
- Undertake any required activities related to INAC’s mandate under the *Indian Act* as required, to support INAC’s regulatory decisions with respect to issuing authority for the Proponent to locate improvements on the reserves identified; and,
- Undertake activities, as appropriate, regarding consulting with affected/potentially affected Aboriginal groups.

Note: The following milestones represent the key activities associated with the regulatory process for the Project and are not intended to reflect the entire work plan schedule associated with this Project. Furthermore, these milestones may need to be adjusted as additional information is made available.

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
Negotiation of Terms and	Negotiation between the Band and the Proponent	Band and Proponent	Ongoing – dependent upon resolution of issues between

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
Conditions of the permit²			the parties. Can be negotiated in advance of the EA report, mitigation measures as identified in the EA and in the JRP Report may need to be incorporated in the permit either as a schedule(s) to the permit and/or as specific term(s) and/or condition(s).
Band Council Resolution	Band seeks a Band Council Resolution to request permit to be issued by INAC	Band	Dependent on time taken by Band. Typically a few weeks.
Preparation of permit	INAC prepares the draft permit for review and comment by the Band and the Proponent	INAC	4-6 weeks from receipt of Band Council Resolution requesting Canada issue a permit to the Proponent and identifying the critical terms negotiated by the Band and the Proponent.
Legal review of permit	DOJ reviews the draft permit	DOJ	4 weeks from receipt of draft permit
Review of permit	Band, the Proponent and their respective legal counsels review and comment on the draft permit	Band and Proponent	Dependent on time taken by Band and Proponent.
Band Council Resolution	Band Council issues a resolution consenting to the final form of the permit	Band	Dependent on time taken by Band. Typically a few weeks.
Issuance of permit	The permit is issued by the Department to the Proponent	INAC	Within 3 months of INAC's Course of Action Decision

² It should be noted that the Band and the Proponent negotiate the critical items of the permit but INAC must approve the permit and may in some instances re-negotiate the terms with the Proponent. This should be completed as early in the EA phase as possible so that the permit can be issued within the 3 month service standard following the EA Course of Action decision.

Annex VII

Environment Canada Roles and Responsibilities, Key Milestones, and Service Standards

EA

- Participate in meetings with other federal/provincial authorities as appropriate;
- Review and comment on the EA work plan, Aboriginal consultation work plan, public participation plan and communications plan;
- Review and comment on the Proponent's NEB application and participate in the analysis of comments on the NEB application;
- Provide expert advice with respect to EC's mandate under, among other things, the CEPA, 1999, the *Canada Wildlife Act*, the *Species at Risk Act*, the *Migratory Birds Convention Act, 1994*, s. 36(3) of the *Fisheries Act*, the *Department of the Environment Act*, and the regulations made thereunder;
- Participate, where appropriate, in Aboriginal consultation activities coordinated by the CEA Agency;
- Consult with affected/potentially affected Aboriginal groups on the JRP EA Report, as appropriate;
- Review and provide input into the Government Response to the JRP EA Report;
- As an RA, take a course of action decision following the Governor-in-Council decision;
- Provide input into the follow-up and monitoring programs relative to EC's areas of regulatory responsibilities and areas of interest as required; and,
- Work with other RAs and FAs to ensure implementation of mitigation measures and those aspects of the follow-up program related to EC's areas of regulatory responsibilities and areas of interest as required.

Regulatory

- Participate in meetings with other federal/provincial authorities as appropriate;
- Undertake any required activities, related to EC's regulatory responsibilities under the CEPA, 1999 as required to support EC's regulatory decisions, including consulting with affected/potentially affected Aboriginal groups as appropriate; and,
- Conduct site inspections to support its regulatory decisions, as required.

Note: The following milestones represent the key activities associated with the regulatory process for the Project and are not intended to reflect the entire work plan schedule associated with this Project. Furthermore, these milestones may need to be adjusted as additional information is made available.

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
Disposal at Sea Sampling and Analysis Plan	<p>A sampling and analysis plan should be prepared and implemented as part of the environmental assessment.</p> <p>Proponent submits sampling and analysis plan to EC.</p> <p>EC reviews sampling and analysis plan and advises on adequacy.</p>	<p>Proponent</p> <p>EC</p>	<p>Determined by Proponent</p>
Disposal at Sea Permit Application is submitted	<p>Proponent publishes Notice of Intent in a newspaper of general circulation, consults with other users of the sea, and submits permit application.</p>	<p>Proponent</p>	<p>Determined by Proponent</p>
Disposal at Sea Application Review	<p>EC conducts a preliminary review of the permit application to ensure it is complete.</p> <p>EC distributes the application to the appropriate agencies for review.</p>	<p>EC</p>	<p>1 month from receipt of application</p>

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
Request for additional information	If required, EC returns the permit application to the Proponent with a description of the missing information.	EC	Following review of application
Review of additional information	EC reviews the information received from the Proponent. If necessary, EC will request additional information should the application still not be complete. EC will require up to a month to review the information provided in response to information requests	EC	1 month from receipt of additional information
Disposal at Sea Permit Preparation and Regulatory Decision	Disposal at sea permit terms and conditions are drafted. Permit contains conditions necessary for the protection of marine life, any legitimate uses of the sea or human life. EC makes decision on issuing permit	EC	3 months after EA course of action decision
Disposal at Sea Permit is published in the Canada Gazette and in the <i>Canadian Environmental Protection Act</i> Environmental Registry	EC submits a copy of the permit and its conditions or the varied conditions for publication to the Canada Gazette at least seven days in advance of the publishing date. Permit validity dates cannot begin prior to 30 days following the date of publication in the Canada Gazette. The permit is published in the Canada Gazette Part 1: Notices and proposed regulations (http://canadagazetteducanada.gc.ca/partI/index-e.html) EC publishes the permit in the CEPA Environmental Registry: Permits (http://www.ec.gc.ca/CEPARRegistry/permits/DisposalAtSea.cfm)	EC	40 calendar days following the regulatory decision
Disposal at Sea Activities	The Proponent may begin disposal activities on the start date published in the permit. A disposal at sea permit is valid for a particular date or dates or for a particular period that does not exceed one year.	Proponent	Not before the start date published in the permit.

Annex VIII

Canadian Transportation Agency:

Roles and Responsibilities, Key Milestones, and Service Standards

EA

- Participate in meetings with other federal/provincial authorities as appropriate;
- Review and comment on the EA work plan, Aboriginal consultation work plan, public participation plan and communications plan;
- Review and comment on the Proponent’s NEB application and participate in the analysis of comments on the NEB application;
- Participate in JRP hearings;
- Participate, where appropriate, in Aboriginal consultation activities coordinated by the CEA Agency;
- Consult with affected/potentially affected Aboriginal groups on the JRP EA Report, as appropriate;
- Review and provide input into the Government Response to the JRP EA Report;
- Take course of action decision following the Governor-in-Council decision;
- Provide input into the follow-up and monitoring programs relative to CTA’s areas of federal interest as required; and,
- Work with other RAs and FAs to ensure implementation of mitigation measures and those aspects of the follow-up program related to CTA’s areas of regulatory responsibilities and areas of interest as required.

Regulatory

- Participate in meetings with other federal/provincial authorities as appropriate;
- Undertake any required activities, including consulting with affected/potentially affected Aboriginal groups as appropriate, related to CTA’s regulatory responsibilities under the *Canada Transportation Act* as required, to support CTA’s regulatory decisions; and,
- Conduct site inspections to support its regulatory decisions, as required.

Note: The following milestones represent the key activities associated with the regulatory process for the Project and are not intended to reflect the entire work plan schedule associated with this Project. Furthermore, these milestones may need to be adjusted as additional information is made available.

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
Submission for CTA authorization	Proponent applies to the CTA for authorization to construct a suitable utility crossing over or under a railway line pursuant to Subsection 101(3) of the <i>Canada Transportation Act</i> .	Proponent	Dependent upon the Proponent

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
Publication of notice and consultation period	Proponent publishes notice of Project and provides consultation period for interested parties to comment.	Proponent	Simultaneously with application to the CTA
Determination of adequacy of application	If any information is not filed or is deficient in any way, the CTA may request additional information and advise the applicant that the application is not complete and cannot be processed until the necessary information is filed.	CTA	To be determined by CTA
Interested parties forward comments to the CTA and to the Proponent	<p>A respondent may oppose an application within 30 days after receiving it, by filing with the CTA a clear and concise written answer that includes an admission or denial of any facts alleged in the application and any documents that are relevant in explaining or supporting the answer.</p> <p>A person who has an interest in an application other than the applicant, the respondent or an interested person, may intervene to support or oppose the application.</p>	Interested Parties	Dependent upon Interested Parties
Proponent responds to comments from interested parties	An applicant may, within 10 days after receiving a copy of an answer or intervention, file with the CTA and serve on the other parties to the proceeding a written reply to the answer or intervention.	Proponent	Within the period the CTA directs
Possible authorization	Issue authorization under Section 101(3) of the <i>Canada Transportation Act</i> (if required). Authorization is contingent on a course of action decision that would allow the issuance of the authorization.	CTA	Within 120 days of submission for authorization, contingent on course of action decision.

Annex IX

Other Federal Departments Roles and Responsibilities

<p>NEB</p>	<ul style="list-style-type: none"> • Form the JRP secretariat in concert with the CEA Agency; • Review and comment on the EA work plan, Aboriginal consultation work plan, public participation plan and communications plan; and, • Monitoring compliance with conditions imposed on the Certificate if issued.
<p>CEA Agency Panel Secretariat</p>	<ul style="list-style-type: none"> • In collaboration with the NEB, conduct of orientation/information sessions on the panel process • Form the JRP Secretariat in concert with the NEB staff • Provide regular updates to departments and other interveners on the panel process; • Provide advice in regard to the CEAA; • Maintain the public registry including comments related to the EA; and, • Document lessons learned.
<p>CEA Agency Federal Participation Coordinator</p>	<ul style="list-style-type: none"> • Coordinate the delivery of training and guidance for effective participation in public hearings; • Coordinate communication among the federal participants through the JRP review through the establishment and management of a federal working group. The federal working group would have as part of its mandate to: <ul style="list-style-type: none"> ○ Facilitate discussions between RAs and FAs to identify technical issues and any conflicting or overlapping perspectives, as appropriate; ○ Coordinate and assist in the preparation of the Federal authorities to appear before the JRP; ○ Assist departments in ensuring consistent approach to federal submissions and presentations to the JRP; • Coordinate discussions between the federal participants, other jurisdictions, the Proponent and Aboriginal groups to assist in understanding and as required, clarifying the various perspectives related to the Project; • Coordinate provincial input into the JRP to obtain information on provincial interests and perspectives and, where appropriate, encourage dialogue between provincial and federal departments on common or overlapping issues; • Coordinate the federal information requirements; • Make participant funding available and maintain funding program (as

	<p>per section 58(1.1) of the CEEA; and,</p> <ul style="list-style-type: none"> • Document lessons learned
Environment Canada	<p>Upon request from an RA or the JRP, EC as an expert FA will perform and fulfill the following roles and responsibilities:</p> <ul style="list-style-type: none"> • Review and submit comment on the EA Work Plan, public participation plan and communications plan as appropriate; • Participate in federal project review committee meetings as requested by the RAs, the CEA Agency, the JRP or as otherwise appropriate, for provision of relevant expertise that is available; • Review and submit comments on the NEB Application; • Consult with affected/potentially affected groups on the NEB Application and the JRP Report, as appropriate; • Review JRP Report and participate, where appropriate, in the development of the Government Response; • Participate in the JRP hearings, where appropriate; and, • Provide any assistance requested by an RA in ensuring the implementation of a mitigation measure on which the FA and the RA have agreed.
Health Canada	<p>Upon request from an RA or the JRP, HC as an expert FA will perform and fulfill the following roles and responsibilities:</p> <ul style="list-style-type: none"> • Review and submit comment on the EA Work Plan, public participation plan and communications plan as appropriate; • Participate in federal project review committee meetings for provision of relevant expertise that is available; • Review and submit comments on the NEB Application; • Provide advice regarding the potential human health implications of the project when requested by the Joint Review Panel and/or RAs. Advice will be provided within timelines requested by the Joint Review Panel; and, • Provide support to the design and implementation of the follow-up program and/or mitigation measures that arise from FA recommendations made, and as agreed to with the RAs.
Parks Canada Agency	<p>Upon request from an RA or the JRP, PCA as an expert FA will perform and fulfill the following roles and responsibilities:</p> <ul style="list-style-type: none"> • Review and submit comment on the EA Work Plan, public participation plan and communications plan as appropriate; • Participate in federal project review committee meetings for provision of relevant expertise that is available; • Review and provide comments on the NEB Application; • Participate in the JRP hearings as government participants, by letter of comment or as an intervenor, as those terms are defined by the JRP in the hearing order; and, • Provide support to the design and implementation of the follow-up program and/or mitigation measures that arise from FA recommendations made, and as agreed to with the RAs.

<p>Natural Resources Canada</p>	<p>Upon request from an RA or the JRP, NRCan as an expert FA will perform and fulfill the following roles and responsibilities:</p> <ul style="list-style-type: none"> • Review and submit comment on the EA Work Plan, public participation plan and communications plan as appropriate; • Participate in federal project review committee meetings for provision of relevant expertise that is available; • Review and provide comments on the NEB Application; • Participate in the JRP hearings as government participants, by letter of comment or as an intervenor, as those terms are defined by the JRP in the hearing order; • Provide support to the design and implementation of the follow-up program and/or mitigation measures that arise from FA recommendations made, and as agreed to with the RAs; • Lead RAs and FAs in the preparation of the Government Response to the JRP EA Report; • Lead RAs and FAs in the writing of the Submission to GiC for the approval of the Government Response; and, • Manage the submission to GiC seeking approval for the NEB to issue a Certificate of Public Convenience and Necessity for the Project.
<p>MPMO</p>	<ul style="list-style-type: none"> • Coordinate the development and approval of Project Agreements; • Monitor and report on the progress of the project through the EA and Regulatory Review; • Take proactive steps to identify opportunities to streamline the federal EA and regulatory process to meet government timelines and identify bottlenecks that could cause delays; and, • Incorporate information received from the NEB, CEA Agency, FA(s) RA(s), and Proponent on the EA milestones into the MPMO project tracking system.