



Peters First Nation Onshore Pipeline Regulations Phase 2 Review

Submitted to:

Canada Energy Regulator

Created by:

Peters Resource Management LP
on behalf of
Peters First Nation Lands Department
Email: [REDACTED]

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1 Quality Assurance and Quality Control

Peters Resource Management LP (“PRM”) has a developed Quality Assurance and Quality Policy (“the Policy”) to outline the quality assurance and quality control (“QA/QC”) commitments for the company. This Policy and associated Guide will be applied to all projects and work performed by PRM.

As an organization, PRM recognizes that effective quality systems are essential when providing professional services to our clients in today's competitive marketplace. All employees, associates, and contractors working for PRM must be committed to providing great customer service and project deliverables.

Full authority for the implementation and administration of the Policy and Guide has been delegated to PRM's Principals, General Manager, Project Managers, and Senior Discipline Leads. These members of the PRM team have the responsibility and organizational freedom to identify quality control problems, stop work, recommend solutions, and verify resolutions of such problems.

To implement this Policy and Guide, Project Managers and Senior Discipline Leads are responsible for their assigned project's QA/QC activities. They may delegate the performance of their assigned duties to qualified individuals, but they shall retain full responsibility for completing their projects in strict accordance with established quality control expectations at PRM and our client's specifications.

The quality of all contractors shall be the joint responsibility of the General Manager, Project Managers, and Senior Discipline Leads. All projects will be executed in a manner that emphasizes safety, quality, schedule adherence, social responsibility, client capacity building, and maximum cost-effectiveness.

The QA/QC authorities for this report are as follows:

Name	Title / Role	Qualifications	Signature
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]



2 Introduction

Peters Resource Management LP (“PRM”) has prepared the following comments on behalf of Peters First Nation (“Peters”) in response to the Canada Energy Regulator’s (“CER”) Onshore Pipeline Regulations (“OPR”) Phase 2 topic papers. It is expected that the input provided within this submission will be used to inform the development of draft regulatory proposals to amend both the Onshore Pipeline Regulations under the *Canadian Energy Regulator Act* (“CERA”) and the CER Filing Manual. Peters First Nation appreciates the funding provided to support the review of the OPR Phase 2 topic paper materials and the opportunity to provide comments to the CER.

Peters First Nation recognizes the importance of participating in this engagement process and sharing perspectives that reflect its values, priorities, and interests. All comments are provided without prejudice to Peters First Nation’s recognized and asserted Aboriginal rights, title, and interests, including those that may not yet be fully expressed or resolved.

These statements are submitted as part of an engagement process between Peters First Nation and the CER, and are not to be construed as consultation under *s.35 of the Constitution Act, 1982*. Peters First Nation wishes to note that the funding provided was not adequate to support a review of all the discussion paper materials provided. As a result, Peters focused its efforts on reviewing and responding to the topic areas of greatest interest and concern to the Nation. Specifically, the review focused on the following papers:

- Topic Paper B on Deactivation and End of Lifecycle
- Topic Paper C on Emergency Management
- Topic Paper D on Environmental Protection
- Topic Paper F on Management System and Contractor
- Topic Paper H on Reporting Harm
- Topic Paper I on Rights and Interests of Indigenous Peoples, Socio-economic Effects, and Engagement
- Topic Paper K Filing Manuals on Environmental and Socio-Economic Assessment
- Topic Paper L Filing Manuals on Lands
- Topic Paper M Filing Manuals on Rights and Interest of Indigenous Peoples

Additional cross-cutting and interdisciplinary issues and topics identified are discussed throughout this submission. For those topic papers not addressed in these comments, this should not be interpreted as a lack of interest in those areas of the current or future OPR.

Peters First Nation looks forward to continuing engagement with the CER to explore how these comments can be meaningfully incorporated into the development of future regulatory approaches and proposals and to ensure that First Nation perspectives are reflected in the evolution of Canada’s onshore pipeline regulations.

2.1 Community Description

Peters First Nation is an Upper Stó:lō community located on the banks of the Fraser River, near Agassiz, BC and approximately 20 km southwest of Hope, BC. The name Peters is a reference to Joseph Peters, on whose land the Nation currently resides. Under the *Indian Act*, Joseph Peters’ land was expropriated and designated as reserve land for the exclusive use of the



ancestors of Peters First Nation members¹. The community was formerly referred to as Skwā'tets (spelt often as Squatitch), meaning “trickling water in the back” in Halkomelem (Halq'eméylum)²

Peters First Nation's Traditional Territory centers around the Fraser River and stretches from the Hozameen Mountain Range in the east, up the Fraser Canyon to Hell's Gate and Port Douglas in the north, west to Stave Lake and Aldergrove, and to the Canada-US border in the south. The community historically moved between various locations within their territory, utilizing the land and resources seasonally. This practice became challenging with the passing of the *Indian Act* in 1876.

Today, approximately 175 people are members of Peters First Nation, 45 of whom live on its reserve lands. Peters First Nation's election system is administered by the *Indian Act*. The Nation elects two councillors and a chief every two years³ (CIRNAC, 2024). Governance within Peters First Nation emphasizes building a strong, transparent, and accountable foundation. Through community input and robust policies, the Chief and Council strive to create an environment conducive to consistent, high-quality decision-making, fostering trust between leadership and community members.

2.2 Importance of Participation and Impact to the Community

Peters First Nation's reserve lands are located in a key area of British Columbia that serves as a corridor for major industrial and transportation infrastructure. The territory acts as a geographic convergence point for several rail lines, highways, hydroelectric reservoirs, transmission corridors, and two federally regulated pipeline systems. Notably, both the Trans Mountain Pipeline, which transports oil, and the Westcoast (Enbridge) Pipeline, which transports natural gas, pass near Peters First Nation's reserves and through its broader territory.

Peters First Nation has actively participated in previous CER processes, such as the Trans Mountain Expansion Project. The Nation is also currently engaged in the regulatory review of the Enbridge Sunrise Expansion Program. These experiences have highlighted the critical need for ongoing involvement in regulatory processes that shape how energy infrastructure is proposed, reviewed, built, operated, and maintained across the territory.

Given the proximity of CER-regulated infrastructure to its community, Peters First Nation considers the proposed updates to the OPR and the CER Filing Manual to be of direct relevance and importance. The decisions made through this process have the potential to influence how safety, environmental protection, emergency response, and Indigenous engagement requirements are applied to infrastructure that directly affects the well-being of the community and the integrity of its lands and waters. Continued participation in the OPR Phase 2 engagement ensures that Peters First Nation's perspectives are heard and considered in the development of regulatory frameworks that impact the community now and into the future.

¹ Peters First Nation. (2023). Peters First Nation Comprehensive Community Plan (CCP). Accessed, https://petersfn.ca/wp-content/uploads/2023/02/2023-01-09-Peters-FN-CCP-FINAL_Digital.pdf.

² Galloway, B. D. (2009). Dictionary of Upriver Halkomelem, Volume I.

³ CIRNAC. (2024). First Nation Details: Peters First Nation. Available at: https://fnp-ppn.aadnc-aadnc.gc.ca/fnp/Main/Search/FNMain.aspx?BAND_NUMBER=586&lang=eng.



3 Deactivation and End of Lifecycle

Future amendments to the OPR regarding deactivation and end-of-lifecycle activities have significant implications for Peters First Nation, whose lands, waters, and rights are directly impacted by pipeline infrastructure, including CER-regulated facilities. All aspects of decommissioning, abandonment, and reclamation must be undertaken in full partnership with First Nations and reflect their consent, knowledge systems, and desired outcomes. Peters First Nation emphasizes the need for end-of-lifecycle activities to support the long-term health of the land and ensure the continued ability of current and future generations to exercise Aboriginal rights. The following comments outline key comments and recommendations from the perspective of Peters First Nation.

Stringent environmental and safety standards must govern the decommissioning of pipelines to mitigate the risks of contamination and land degradation. Restoration and reclamation efforts should prioritize the return of ecosystems to their pre-development conditions, integrating Indigenous ecological knowledge into habitat restoration and species reintroduction initiatives. Additionally, decommissioned infrastructure must not become a burden to First Nation communities. Liability and responsibility must remain with the industry and regulatory agencies, ensuring that First Nations are not left to manage environmental hazards on their lands. Effective decommissioning also requires meaningful consultation with First Nation communities. By integrating First Nation governance into regulatory processes, industry can be held accountable for the long-term environmental health of decommissioned sites.

Long-term accountability mechanisms must be embedded within deactivation and decommissioning processes to prevent environmental oversight failures. One of the most effective strategies is the inclusion of Indigenous-led environmental monitoring programs. These programs should be formally recognized and funded to provide ongoing surveillance of decommissioned and deactivated infrastructure. With this, data transparency is essential for effective oversight. First Nation communities must have unrestricted access to environmental monitoring reports, historical data, and projected risk assessments to make informed decisions about land use and resource protection, including proprietary information collected on behalf of a project that is within Peters First Nation territory. To support these efforts, regulatory bodies should allocate funding towards First Nations to develop independent environmental oversight capacities, enabling them to conduct site assessments, enforce environmental compliance, and advocate for necessary remediation measures.

The effectiveness of environmental monitoring during and after deactivation or decommissioning is contingent upon First Nation leadership in oversight monitoring programs. First Nations-led monitoring initiatives, such as Guardian programs, should be institutionally recognized and financially supported to provide independent evaluations of environmental conditions. These programs can integrate both technological advancements with traditional Indigenous knowledge systems to ensure comprehensive monitoring of pipeline impacts. Additionally, regulatory oversight agencies should include First Nation representation in decision-making processes, ensuring that environmental compliance standards are enforced through an Indigenous perspective. The integration of Indigenous knowledge with scientific methodologies can strengthen environmental protection strategies, fostering a collaborative approach to land stewardship.

4 Emergency Management

Emergency management is a paramount concern for Peters First Nation, given the presence of federally regulated pipelines traversing near its reserve lands and in its traditional territory. The Trans Mountain Pipeline, which transports crude oil, and the Westcoast (Enbridge) Pipeline, carrying natural gas, pose significant risks to the community's environmental integrity and public health.

A primary concern for Peters First Nation is the potential impact of pipeline incidents on local water resources. Communities and people in the lower-mainland rely on groundwater aquifers access to water resources. A spill or leak could lead to the infiltration of hydrocarbons into these aquifers, jeopardizing the safety and availability of local water resources. Similar concerns have been raised by other communities; for instance, the Sumas First Nation expressed apprehension about the Trans Mountain Pipeline's potential to contaminate their primary drinking water source through oil seepage into groundwater.

Beyond groundwater, surface water bodies such as the Fraser River and its tributaries are integral to the ecological health of the region and the cultural practices of Peters First Nation. These waterways support numerous fish-bearing streams that are vital for local fisheries and the sustenance of traditional lifestyles. An oil spill could have devastating effects on aquatic habitats, affecting species such as salmon that are central to the community's diet and cultural heritage.

Peters First Nation acknowledges the proposed incorporation of CSA Z246.2 into the OPR to standardize emergency preparedness and response. However, the community requires further information and engagement to fully comprehend the implications of this standard. Collaborative efforts, including joint emergency response planning, regular communication, and inclusion of First Nations' emergency services in notification protocols, are essential to build a culture of safety and trust.

The proposed amendment to subsection 32(1) of the OPR, which includes considerations for adverse effects on sites of historic and cultural significance, is a positive step. Peters First Nation emphasizes that emergency response activities must safeguard Indigenous cultural heritage sites. Proactive identification and protection of such sites are imperative to prevent damage during emergency situations.

Finally, meaningful involvement of Indigenous communities in emergency management programs is crucial. This participation should be supported by adequate resources for community capacity building, training, and equipment. Models like the Indigenous Advisory and Monitoring Committee (IAMC) for the Trans Mountain Expansion Project demonstrate effective capacity-building approaches for First Nations in pipeline emergency management. Peters First Nation is committed to ongoing engagement with the CER to ensure that emergency management frameworks are robust, inclusive, and reflective of the community's concerns and priorities. The Nation requests a follow up meeting with the CER to learn more about emergency management updates to the OPR as they are finalized.

5 Environmental Protection

Amendments to the OPR for Environmental Protection encompass the duty to report and manage contamination, reclamation, vegetation management and restoration and a focus on participation in development of environmental monitoring by Indigenous peoples. Peters First Nation would like to emphasize the direct impact of the pipeline on the surrounding environments, from vegetation, to water bodies, wildlife to human connection, in this ecosystem of impact. Peters First Nation would also like to state that though these areas of interest are divided by value, these values are all interconnected and have an impact on each other, which directly impacts the Nation as well.

Effective contamination management is essential for environmental and public health protection. The CER's updated Remediation Process Guide outlines procedures for identifying and addressing contamination. However, current regulations lack explicit reporting requirements beyond reportable incidents. Proposed amendments would mandate that companies report contamination at any stage of a pipeline's lifecycle and take immediate remedial actions.

For Peters First Nation, such regulatory clarity is essential to ensuring timely interventions when contamination affects traditional lands, waterways, and culturally significant sites. Historical industrial activities have often led to long-term environmental degradation, impacting hunting, fishing, and land use. Strengthening contamination management regulations would allow First Nation communities to hold companies accountable, ensuring that their environmental and cultural concerns are addressed. If impacting contamination occurs on Peters territory, Chief and Council would like to be notified.

Reclamation and vegetation management play a crucial role in mitigating the environmental impact of pipeline development. The CER currently requires companies to restore pipeline rights-of-way to a condition similar to the surrounding environment. However, feedback from First Nation communities suggests that restoring land to its pre-disturbance state does not adequately address cumulative impacts on cultural and historical land use.

For Peters First Nation, ensuring meaningful reclamation includes reestablishing native plant species, maintaining water quality, and protecting wildlife corridors. First Nation-led reclamation strategies would provide an opportunity to incorporate traditional ecological knowledge, ensuring that restored lands support cultural practices such as medicine harvesting and hunting. The CER's proposed revisions should prioritize Indigenous perspectives on land stewardship and ensure long-term environmental sustainability.

First Nation participation in environmental monitoring has been widely recognized as essential to effective environmental stewardship. Proposed amendments to the OPR suggest incorporating Indigenous knowledge into Environmental Protection Programs and requiring companies to engage with Indigenous communities in monitoring programs. For Peters First Nation, active involvement in monitoring programs would allow for direct observation of environmental impacts and ensure that concerns are addressed in real time. Indigenous Knowledge, including seasonal patterns of wildlife movement and traditional land use, offers valuable insights that enhance scientific monitoring methods. Establishing mandatory First Nation participation in monitoring programs would strengthen oversight and improve environmental outcomes.

Finally, Peters First Nation is unable to provide a detailed position on Environmental Protection Plans due to limited resources and funding for meaningful engagement. However, as with



reclamation and restoration plans, Peters First Nation recommends that First Nation third-party reviews and recommendations for inclusion in Environmental Protection Plans be required as a regulatory standard. These plans must not only address environmental hazards but also integrate Indigenous knowledge according to community requirements, and community-led ambient and cultural monitoring strategies from the outset and throughout the entire project lifecycle per the OPR. Any monitoring that is implemented must achieve both compliance and ensure efficacy of the environmental protection, mitigation, and/ or restoration strategies being implemented. As a result, having cultural and environmental monitors from impacted First Nations is important for ensuring both regulator and nation-specific monitoring and lifecycle oversight needs are being met.

6 Management System and Contractor Management

Ensuring regulatory compliance, environmental protection, and safety within pipeline operations is critical to Peters First Nation. The effectiveness of contractor oversight is particularly crucial, as improper management may result in environmental degradation, regulatory non-compliance, and failures in First Nation consultation. Peters First Nation has a vested interest in ensuring that contractors working on pipeline projects operate with transparency, adhere to high environmental standards, and respect Indigenous rights and traditional knowledge throughout all project phases.

A primary concern is the lack of mechanisms that ensure First Nation communities have a direct role in contractor oversight and decision-making. Much of the regulatory focus is on industry-led compliance, which limits First Nation participation in evaluating contractor performance, verifying environmental protection measures, and ensuring adherence to consultation protocols. This omission may lead to inadequate enforcement of environmental protections, disproportionately affecting Indigenous lands and resources. Effective contractor management must incorporate Indigenous-led oversight structures, enforceable accountability measures, and clearly defined expectations regarding Indigenous consultation.

The management of contractors at every stage of the pipeline lifecycle presents substantial challenges, particularly in maintaining environmental integrity and upholding Aboriginal rights. Contractors frequently operate as third-party entities, and without stringent regulatory requirements, there is a risk that they may disregard First Nation concerns, fail to adhere to environmental standards, or misrepresent their compliance with consultation obligations. Ensuring that Peters First Nation has direct oversight and participation in contractor evaluation on Peters territory is essential to preventing these risks and holding companies accountable.

One of the primary concerns is the inconsistency in contractor adherence to environmental protection commitments. While regulatory frameworks outline broad requirements for compliance, enforcement mechanisms are often industry-led, which may lead to self-regulation that lacks sufficient transparency and independent verification. This is particularly concerning for Peters First Nation, as inadequate contractor compliance can lead to environmental degradation, loss of culturally significant sites, and infringement on Aboriginal rights. To address these concerns, First Nation oversight must be embedded within contractor management protocols, allowing for regular assessments, independent reporting, and enforceable corrective actions when contractors fail to meet their obligations.

Furthermore, the inclusion of First Nation monitors throughout the lifecycle of pipeline projects would provide a mechanism for real-time evaluation of contractor activities. First Nation



environmental monitors, supported by regulatory bodies, should be authorized to assess contractor compliance, review mitigation strategies, and report violations directly to regulators and Indigenous leadership. This approach ensures that Indigenous expertise is recognized as an integral part of environmental stewardship and contractor management.

Another significant concern for Peters First Nation is the lack of adequate training and awareness among contractors and field personnel working on or near pipeline infrastructure with respect to Aboriginal rights, Indigenous cultural protocols, and the legal duty to consult and accommodate. Too often, contractors involved in planning, construction, operations, and emergency response are unfamiliar with the historical and legal context of Aboriginal rights, or the expectations surrounding respectful and informed engagement with First Nation communities. This lack of awareness can result in miscommunication, inappropriate conduct on the land, exclusion of First Nations from critical decision-making, and activities that disregard cultural values, sacred sites, or the potential impacts on lands and waters.

If not already required, Peters First Nation strongly recommends that the updated OPR and Filing Manual include mandatory provisions requiring pipeline companies to provide comprehensive, culturally informed training for all personnel involved in CER-regulated activities, including employees, contractors, and emergency responders. This training should cover Aboriginal rights and title, the duty to consult and accommodate, land stewardship values, cultural safety, and community engagement protocols. Moreover, the updated OPR and Filing Manual should require pipeline operators to demonstrate how these training programs are implemented, monitored, and maintained, including mechanisms for accountability when cultural protocols are not respected. This requirement should be embedded in both the planning and operational phases of projects, and be subject to review and verification by First Nations.

Peters First Nation further recommends that the Filing Manual be revised to require detailed documentation of how First Nation cultural considerations are integrated into project design, emergency management plans, and field operations, not as a one-time requirement, but as an ongoing process that evolves in partnership with Indigenous communities. Embedding these expectations directly into the regulatory framework would help ensure a more consistent, respectful, and legally sound approach to engagement across all CER-regulated projects. It would also support a long-term shift toward collaborative, rights-informed infrastructure development that acknowledges the role of First Nations as Aboriginal rights and title holders.

7 Reporting Harm

The accurate and timely reporting of adverse environmental effects in the context of pipeline operations is a fundamental to ensuring the safety of Indigenous lands, cultural heritage, and ecological integrity. For Peters First Nation, whose cultural and environmental well-being is intrinsically linked to the land and water, refining incident reporting criteria to include a broader range of environmental disturbances is essential. An incident's impact should not be defined solely by immediate physical damage but also by long-term ecological consequences, disruptions to cultural practices, and threats to traditional knowledge systems. Expanding the reporting requirements to include all potential environmental disturbances, regardless of perceived severity, would align with First Nation perspectives on environmental stewardship and cumulative effects monitoring.

The effectiveness of incident reporting also hinges on the timeliness and accessibility of information. While the OPR currently mandates notification of incidents within prescribed timeframes, Peters First Nation must be recognized as a key stakeholder with the right to immediate and direct access to all reports concerning their lands and resources. Furthermore, the format and dissemination of these reports should be structured to facilitate First Nation participation in follow-up actions, such as environmental assessments, mitigation planning, and community-led monitoring efforts. The reliance on industry self-reporting remains problematic, as historical examples have demonstrated instances where spills, leaks, and environmental disturbances have gone underreported or been subject to delays. A regulatory framework that mandates third-party verification, particularly through First Nation-led monitoring initiatives, would improve transparency and accountability.

Another crucial aspect of the proposed revisions concerns the categorization and tracking of near-miss events. Near misses provide valuable data that can prevent future incidents and highlight systemic risks within pipeline operations. However, the current regulatory language does not adequately emphasize the importance of reporting these occurrences with the same level of rigor as actual incidents. For Peters First Nation, near-miss tracking is essential in proactive risk management, as it allows communities to assess potential threats before they result in irreversible damage. Strengthening requirements around near-miss reporting and ensuring First Nation inclusion in risk assessment discussions would reinforce a preventative approach to environmental protection.

8 Rights and Interests of Indigenous Peoples, Socio-economic Effects, and Engagement

Peters First Nation supports the CER's intention to strengthen the OPR with proposed amendments related to oversight of Indigenous and Aboriginal rights and interests, socio-economic impacts, and engagement requirements. These areas are critically important to Peters First Nation, given the presence of two federally regulated pipeline projects in its territory. Peters First Nation has never signed a treaty or ceded title to its lands. The Nation maintains its inherent rights, title, and jurisdiction over its territory, including the right to steward and protect its lands, waters, and resources for the benefit of current and future generations. Any proposed amendments to the OPR that touch on rights, socio-economic interests, or Indigenous engagement must recognize and reflect this reality.

At this time, Peters First Nation is unable to provide a detailed response to the complex proposals outlined in this discussion paper. Due to the limited resources provided, the Nation is not able to undertake the in-depth technical and legal review that would be necessary to meaningfully assess the potential implications of the proposed changes. Given the importance of these proposed amendments, and their potential to affect how projects are approved, monitored, and managed in Indigenous territories, Peters First Nation strongly recommends that this topic be the subject of a dedicated, well-resourced phase of future OPR engagement. This phase must be designed to enable substantive participation by First Nations, including the funding of staff time, community engagement coordination, and access to the legal and technical expertise required to fully evaluate and respond to the proposed changes.

Finally, Peters First Nation emphasizes that any future amendments relating to Indigenous rights, socio-economic effects, or engagement processes must be developed partnership with First Nations. Engagement must go beyond consultation by including the principal of Free, Prior,



and Informed Consent and commitments found in the *Declaration on the Rights of Indigenous Peoples Act* (DRIPA). A consent-based approach is essential to ensure that future changes to the OPR are fair, legally sound, and grounded in respectful relationships between Indigenous peoples, the CER, and regulated entities.

9 Safety

Peters First Nation was not able to engage a subject matter expert on pipeline safety due to limited resources and capacity. As such, the Nation is unable at this time to provide detailed technical comments on the proposals presented in the Safety Topic Paper. However, pipeline safety is a core priority for Peters First Nation, particularly given the presence of two federally regulated pipelines in the Nation's territory.

The safety of community members, protection of the natural environment, and the long-term integrity of lands and waters are of critical concern to the Nation. Peters First Nation has actively participated in the Trans Mountain Expansion regulatory process and is currently engaged in the Enbridge Sunrise Expansion Program. Through these experiences, the Nation has observed how pipeline safety intersects with emergency management, environmental protection, and Aboriginal rights. Safety failures, including spills, leaks, or failures in monitoring and communication, have the potential to cause severe and lasting impacts on local drinking water sources, the Fraser River, and fish-bearing creeks and streams that support salmon and other culturally significant species.

At a general level, Peters First Nation supports updates to the OPR that aim to strengthen safety measures across the full lifecycle of pipeline operations, from construction and operation to maintenance and eventual decommissioning or abandonment. The proposed focus on process safety management and more robust safety planning appears to be a positive step. However, Peters First Nation emphasizes that these measures must be grounded in community-specific risk awareness and must take into account the unique vulnerabilities of First Nation communities located near pipeline corridors.

Peters First Nation would welcome future opportunities to engage directly with CER subject matter experts to better understand how the proposed changes to safety regulations would function in practice and how they would be enforced. Community-level education, technical briefings, and follow-up dialogue would support more informed participation in future regulatory phases.

Finally, Peters First Nation recommends that safety must be addressed in tandem with emergency management planning, and that the recommendations provided in the emergency management section of these comments should be considered in parallel with efforts to enhance safety. This includes greater involvement of First Nation communities in safety planning, regular joint exercises, and inclusion in safety-related communications and monitoring systems. A safer pipeline system requires partnership, transparency, and trust, principles that must be embedded in both the regulations and in the operational culture of pipeline companies working in Peters First Nation territory.

10 Filing Manuals ESA Topic Paper

The CER Filing Manual and the resulting Environmental and Socio-economic Assessments (ESAs) submitted by applicants have long required improvement. A frequent concern from Peters First Nation, is that filings are often overly complex, disorganized, and difficult to navigate, making



it challenging to locate and interpret key information. While proposed amendments to the Filing Manual and ESA structure could help address some of these concerns, any changes must be made with care to avoid unintended consequences that further marginalize the role of First Nation knowledge, values, and rights within assessment processes.

One of Peters First Nation's concerns is that dividing the ESA into two separate chapters, as proposed in Subtopic 1 of Topic Paper K, risks compartmentalizing and siloing First Nation knowledge, interests, and values, separating them from the broader assessment of interrelated environmental and socio-economic components. First Nation perspectives must not be treated as a standalone or supplemental consideration. Instead, they must be fully integrated into assessments of core issues such as impacts on wildlife and wildlife habitat, vegetation, fish and fish habitat, water resources, and the associated socio-economic effects.

Should the CER proceed with splitting the ESA into two sections, Peters First Nation strongly recommends that clear and binding requirements be added to ensure applicants demonstrate how First Nation knowledge, values, and data, including seasonally and culturally appropriate historical baselines, are fully integrated with scientific data and methods. This includes:

- How First Nation-informed baseline conditions have been identified and used;
- How project effects are assessed using culturally grounded metrics and values;
- How proposed measures to avoid, mitigate, compensate for, or offset adverse effects have incorporated First Nation priorities and perspectives;
- How enhancements and benefits for First Nations are being identified and planned; and
- How cumulative effects have been assessed with full consideration of First Nation land use, rights, and long-term interests.

These elements must be embedded into the scoping, evaluation, and significance determination processes—not treated as parallel or secondary. The CER must ensure that First Nation input is not only collected but meaningfully incorporated and validated throughout the ESA process, including in determining whether a project's adverse effects on First Nation rights, title, lands, and socio-economic well-being are significant.

In the case of Peters First Nation, this is particularly important given the existing impacts and future risks associated with the Trans Mountain and Westcoast (Enbridge) pipelines, both of which cross through its territory. These projects already present cumulative impacts on lands, waters, wildlife, and community well-being. If the Filing Manual and ESA process is to be effective, it must recognize and respond to the existing regulatory and environmental burden being experienced by First Nations like Peters.

Peters First Nation recommends that any updates to the Filing Manual explicitly require collaborative engagement between applicants and affected First Nations in determining how First Nation values and data are integrated and how conclusions reached in ESAs reflect the lived experience, concerns, and governance perspectives of First Nations. The Commission, the CER Crown Consultation Coordinator (CCC), and project proponents must work in close partnership with First Nations to ensure assessments are not only technically accurate, but also culturally appropriate, rights-affirming, and reflective of First Nations' jurisdiction over their lands and waters.



11 Filing Manuals Lands

Peters First Nation's territory has been significantly impacted by the cumulative effects of industrial development, including the long-standing presence of major federally regulated infrastructure such as the Trans Mountain Pipeline and the Westcoast (Enbridge) Pipeline. These projects, along with rail lines, highways, hydro reservoirs, and transmission corridors, have altered the landscape and affected the Nation's ability to freely and meaningfully exercise rights and maintain cultural and spiritual connections to the land.

Crown lands within the territory represent some of the few remaining areas where Peters First Nation members can meaningfully practice traditional activities, including hunting, fishing, gathering, and land stewardship. As such, the Nation is deeply concerned about the potential for new or expanded pipeline infrastructure to further restrict access to or disturb Crown lands that are vital to the exercise of rights and the transmission of cultural knowledge to future generations.

If not already mandated, Peters First Nation believes that if Crown lands are proposed to be used, disturbed, or rendered less accessible due to pipeline development or related activities, there must be clear and enforceable compensation mechanisms in place. These mechanisms should be guided not only by the physical footprint of the development, but also by the loss of ecological function, cultural value, spiritual significance, and land use potential as defined by the Nation, not just by western land valuation systems.

Next, Peters First Nation emphasizes that compensation must be developed in partnership with the Nation, and reflect its long-term vision for self-determination, land use, and cultural continuity. This includes supporting alternative access arrangements, land restoration or replacement options, and capacity-building to support land governance and stewardship roles.

Finally, Peters First Nation was not able to secure technical or legal expertise to assess whether these concerns fully align with the specific scope of proposed updates to the Filing Manual. The Nation respectfully requests a meeting with CER staff to clarify the intent of this section and to discuss how Peters First Nation's interests related to Crown land access, cumulative effects, and rights-based land use can be properly addressed in future phases of engagement and regulatory reform.

12 Filing Manuals Rights and Interests of Indigenous Peoples

Peters First Nation welcomes the opportunity to comment on this important topic paper. However, due to limited time and financial resources, Peters First Nation was not able to undertake a comprehensive technical or legal review of the topic paper. As such, these comments are high-level and submitted without prejudice to the recognized and asserted Aboriginal rights, title, and interests of Peters First Nation.

In principle, Peters First Nation is supportive of any updates to the OPR and Filing Manuals that affirm and protect Aboriginal rights, strengthen procedural fairness, and enhance First Nations' roles in oversight and decision-making. This includes efforts to better integrate rights-based considerations and culturally relevant values throughout project assessment and regulatory processes.

12.1 ESA

Peters First Nation reiterates its previous comments that splitting the Environmental and Socio-economic Assessment into a general ESA section and a separate section for "Rights and Interests



of Indigenous Peoples” risks compartmentalizing First Nation values and interests. While it may create a more navigable document, there is a risk that key intersections, such as the effect of pipeline projects on water, fish, cultural use, and health, could be evaluated in silos, rather than in a holistic, integrated manner that reflects First Nation worldviews and interconnections between people, land, and ecology.

12.2 Valued Components (VCs)

Peters First Nation agrees with the proposed inclusion of Valued Components (VCs) focused on First Nation rights and interests, such as access to country foods, health, traditional land use, and heritage resources. However, VCs must be defined in collaboration with First Nations, and not limited to a static or pre-determined list. For Peters First Nation, important VCs include:

- Access to and quality of drinking water from both surface and groundwater sources;
- Cultural and ceremonial use areas, including the Fraser River and surrounding lands;
- Salmon and fish-bearing streams essential for food, culture, and sustenance;
- Continued access to Crown land for the practice of rights;
- Cumulative effects on land, language, and governance systems;
- Impacts to burial grounds and sacred sites, which may or may not be publicly documented.

Peters First Nation strongly encourages the CER to require project applicants to engage directly with First Nations in defining project-specific VCs and how they will be assessed, monitored, and reported.

12.3 Indigenous-Led Assessments

Peters First Nation supports the principle of Indigenous-led assessments where the Nation decides it is appropriate to do so. However, the community remains hesitant to undertake such assessments due to a lack of adequate funding support. At present, proponents and the Crown do not provide sufficient or equitable funding for First Nations to conduct full Indigenous-led studies or assessments.

Peters First Nation emphasizes that any support for Indigenous-led assessments must be accompanied by funding that is comparable to what is provided to industry contractors and consultants who prepare Environmental and Socio-economic Assessments for pipeline proponents. Anything less places an unfair burden on First Nations and risks producing under-resourced assessments that are nonetheless publicly attributed to the Nation. This creates legal and reputational risks, particularly if the product is seen as final, endorsed, or comprehensive when it may not be.

To mitigate these risks, Peters First Nation proposes that the CER explore options for initiating a First Nations Independent Technical Review (FNITR) process in lieu of Indigenous-led assessments, unless a Nation specifically opts into leading a study. FNITR work in Treaty 8 offers a useful model for the CER to consider. Peters First Nation requests that the CER reach out to the PFN Lands Department to schedule a meeting and initiate discussions on establishing a FNITR mechanism for OPR and Filing Manual updates.



12.4 Monitoring and Oversight

Peters First Nation reiterates previous comments regarding the need for clear, consistent, and funded mechanisms for First Nation participation in project monitoring. This includes construction monitoring, post-construction and operations oversight, emergency response monitoring, and cultural site protection. Monitoring plans must be developed collaboratively, not unilaterally by proponents, and should include resourcing for staff, training, and equipment. In some cases, First Nation Guardian or land-based monitor programs may offer a framework, but only when designed and governed by the Nation.

13 Closing Comments

Peters First Nation appreciates the CER's effort to update the OPR and Filing Manual. To be effective, these updates must be adequately resourced, developed in collaboration with First Nations. Peters First Nation looks forward to continuing engagement and requests that the CER prioritize direct coordination with the PFN Lands Department to address the comments above and explore practical tools, such as Independent Technical Review mechanisms, to improve the transparency, fairness, and cultural relevance of its regulatory framework.



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Final Audit Report

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