



**ConocoPhillips Canada  
Resources Corp.**  
P.O. Box 130, Station M  
401 – 9<sup>th</sup> Avenue S.W.  
Calgary, Alberta T2P 2H7  
(403) 233-4000

March 31, 2017

Expert Panel  
Natural Resources Canada  
c/o NEB Modernization Secretariat  
580 Booth Street, 17<sup>th</sup> floor  
Ottawa Ontario K1A 0E4

Submitted online at: [www.neb-modernization.ca/participate](http://www.neb-modernization.ca/participate)

**RE: National Energy Board Modernization Review  
ConocoPhillips Canada Comments**

Dear Ms. H el ene Lauzon and Mr. Gary Merasty, Co-Chairs:

ConocoPhillips Canada Resources Corp. ("ConocoPhillips") appreciates the opportunity to provide a submission regarding the National Energy Board (NEB) Modernization review. As a leading oil and natural gas exploration and production company with significant, long term interests in Canada, we recognize the importance of having a strong, efficient, and effective regulatory process that has the confidence of Canadians.

As a member of the Canadian Association of Petroleum Producers (CAPP), we have reviewed CAPP's submission to the Expert Panel and are writing to convey our support for the positions expressed by industry. We would also like to take this opportunity to offer further comments regarding engagement with Indigenous peoples.

To begin, we would like to recognize the Government of Canada's expressed intention to address Indigenous matters across the full range of reconciliation including:

- mandate letter commitments emphasizing a renewed Nation to Nation relationship;
- the enactment of the Truth and Reconciliation Committee recommendations, including the endorsement of UNDRIP; and
- the Ministerial review of Indigenous Policy.

Next, we would like to acknowledge that Indigenous rights exist beyond the purview of project-specific reviews. We believe that until the Crown is able to reconcile the broader issues around resource development and Indigenous rights, project approval processes, including the NEB's, will remain the forum in which this debate can take place. This is ineffective for both project proponents and Indigenous communities, as project reviews are not the right forum for broader Indigenous rights policy development.

To resolve broader rights concerns specific to resource development, we suggest there is a need to co-create a process with Indigenous peoples to re-establish trust and confidence, and build a

respectful working process that supports politically durable solutions. The process would need to address broader issues that we have heard repeatedly raised by indigenous leaders, such as:

- meaningful participation in processes and activities that may impact traditional land use such as land use strategies and regional planning, environmental management, and monitoring;
- the capacity of Indigenous peoples to effectively participate in those roles; and
- redress and accommodation to mitigate cumulative impacts to traditional land use.

Lastly, we would like to acknowledge that project proponents have an important responsibility to mitigate project-specific impacts to Indigenous rights and interests, and to facilitate the inclusion of local Indigenous communities in economic opportunities and benefits of project development and operations. We must provide education for our management and staff, so that they understand the history, and the rights and cultures of Indigenous peoples. Our company takes these responsibilities very seriously; however, we feel our efforts can not address the unreconciled broader rights issues that we believe government needs to more clearly address.

Please do not hesitate to contact me directly at 403.233.3042 or [Lloyd.L.Visser@conocophillips.com](mailto:Lloyd.L.Visser@conocophillips.com) if you have any questions or would like to discuss our comments in more detail.

Sincerely,

**CONOCOPHILLIPS CANADA**

A handwritten signature in black ink, appearing to read 'Lloyd Visser', with a stylized, cursive script.

Lloyd Visser,  
VP Sustainable Development and External Relations