

5th Annual

ABORIGINAL OIL & GAS

Preparing and Planning for the Next Wave of Resource Development Projects

PROGRAM CO-CHAIRS

Robert J. Hunt
President
Horizon North Logistics Inc.

Jerome Slavik
Partner
Ackroyd, Piasta, Roth
& Day LLP

IN PARTNERSHIP WITH



April 24 - 25, 2006 • Sutton Place Hotel • Edmonton

Learn from leading experts about the latest legal and project developments:

- The need to consult on treaty rights following *Mikisew v. Copps* case
- The respective roles and obligations of Government, First Nations and Industry
- How can Industry attempt to manage Aboriginal risks after *Mikisew*?
- Alberta's consultation policy and how it is being implemented
- *First Nations Oil and Gas and Moneys Management Act* – the processes under this new legislation and implications for Industry-driven partnerships
- Addressing regulatory gaps with the *First Nations Commercial and Industrial Development Act* in respect of major commercial developments on reserve
- Gateway Pipeline Project: what are the opportunities that will arise out of the project?
- Alaska Gas Pipeline Project: update on Aboriginal engagement plans
- Update on the Deh Cho First Nations process
- Incorporating the traditional knowledge protocol for oil and gas projects
- Best practices for proceeding in the context of an unresolved title claim
- Status of Aboriginal rights and title in Alberta, British Columbia and the North
- Developing the land access agreement on specific private and crown lands
- What can other First Nations learn from the Lake Wabamun oil spill?
- Keeping negotiations moving forward during difficult times

and much more...

KEYNOTE LUNCHEON ADDRESSES

Daniel Dibbelt, Executive Director, Northern Alberta Development Council
Elson McDougald, President and CEO, Western Lakota Energy Services Inc.

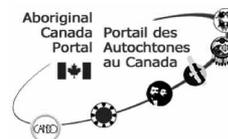
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WHO SHOULD ATTEND

- **First Nations Chiefs and Councillors, Band Members and Tribal Councils**
- **Members of Aboriginal Associations and Communities**
- **Land Managers and Administrators**
- **Policy Makers and Advisors**
- **Federal and Provincial Representatives**
- **Oil and Gas Business Developers**
- **Economic Development Officers**
- **Managers of Aboriginal Relations**
- **Environmental Consultants and Engineers**
- **Operations Managers**
- **Legal Counsel**
- **Aboriginal Lawyers**
- **Negotiators**
- **Environment Managers**

- **V.P., Directors and Managers of:**
 - **Aboriginal Affairs**
 - **Legal Affairs**
 - **Resource Development**
 - **Business Development**
 - **Business Operations**
 - **Exploration**
 - **Finance**

Dear Colleague,

There continues to be a lot of momentum in legal developments and oil and gas projects that directly impact Aboriginal, First Nations and Métis communities in Western and Northern Canada.

On the legal front, three recent Supreme Court of Canada decisions (***Mikisew First Nation, R. v. Marshall and R. v. Bernard***) amply show that Aboriginal legal rights across Canada are changing and altering the way key stakeholders manage their business partnerships. Knowing how to navigate the changing legal terrain will enable stakeholders to better manage the legal and business processes. **And the impact on present and future oil and gas development projects hinges on understanding respective roles and obligations among governments, First Nations and industry.** In terms of new First Nations legislation, ***First Nations Oil and Gas and Moneys Management Act and First Nations Commercial and Industrial Development Act*** are now law.

In this program, we address the present concerns of all stakeholders to include: **risks following recent SCC decisions; new consultation approaches; impact of new legislation on business; addressing regulatory gaps; updates on Gateway, Mackenzie Valley and Alaska Gas Pipeline Projects; traditional knowledge protocol; access and benefit agreements; and successful approaches to negotiation, to name a few.**

For this 5th annual program, **Insight Information** has assembled a roster of influential Aboriginal leaders, industry professionals and legal experts to share their expertise, valuable information, and front-line experiences on the latest industry ventures.

You will be afforded valuable opportunities to address your questions to the speakers in each session and informally during the breaks. The conference materials will also prove to be a valuable reference guide for attendees.

Please join us, your colleagues, and the specially-selected expert faculty at this informative conference. We look forward to seeing you there!

Yours truly,

Robert J. Hunt
President
Horizon North Logistics Inc.

Jerome Slavik
Partner
Ackroyd, Piasta, Roth & Day LLP

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Please phone 1-800-661-1515 and mention that you will be attending **5th Annual Aboriginal Oil & Gas** and quote event #CV05126.



Delegates will receive a set of original materials as well as online access to conference papers through **Insight's iNCONFERENCE™** that will serve as invaluable reference sources after the program.

MONDAY

APRIL 24, 2006

8:30 Registration and Continental Breakfast

9:00 Welcoming Remarks from Insight Information

9:05 Co-Chair's Opening Remarks

Robert J. Hunt

President

Horizon North Logistics Inc.

9:10 Managing Aboriginal Risks Following the Mikisew Cree and Other Recent Court Decisions

A.W. (Sandy) Carpenter

Partner

Fasken Martineau DuMoulin LLP

- The need to consult on treaty rights following *Mikisew*
- The respective roles and obligations of Government, First Nations and Industry
- Can government create certainty for Industry?
- When do you need to accommodate and how?
- How can Industry attempt to manage Aboriginal risks after *Mikisew*?
- The use of impact benefit agreements

10:00 Coffee Break

10:15 New Legislation for Managing Oil and Gas Resources: The First Nations Oil and Gas and Moneys Management Act and What It Means for Key Stakeholders

Strater Crowfoot

Former Chief

Siksika First Nations (Blackfoot)

Learn about this new legislation that will enable First Nations to assume jurisdiction and control of their oil and gas and related revenues in order to achieve further economic development goals. The session will highlight the implications of the new Bill C-54 that received Royal Assent on November 25, 2005:

- Backgrounder on the *Act* and the processes for band councils to undertake under this new legislation – what is the new jurisdiction?
- Defining the goal for overseeing oil and gas resource development on First Nations lands
- What are the economic development objectives?
- What are the requirements for a level playing field in the oilpatch?

- What are the optional versus mandatory opportunities?
- How can this economic tool benefit and be useful for First Nations?
- Providing the legislative tools to build capacity in communities
- Implications for Industry-driven partnerships

11:00 Building an Approach to Consultation With First Nations and Industry in Alberta

Brian McGuigan

*Executive Coordinator of Aboriginal Consultation
Office of the Deputy Minister*

Alberta Government

- Alberta's consultation policy and how it is being implemented
- What's new in the policy development?
- How is the policy being implemented?

12:00 Networking Luncheon

1:00 Keynote Luncheon Address: The Opportunities and Challenges for Northern Development – Infrastructure, Transportation and Human Services

Daniel Dibbelt

Executive Director

Northern Alberta Development Council

1:30 The Gateway Pipeline Project

Lyle Neis

*Manager, Aboriginal Affairs
Enbridge Pipeline Inc.*

- An overview and status update of the project
- Community engagement activities – past and future
- What are some of the opportunities that will arise out of the project?

2:15 Refreshment Break

2:30 Concept to Reality? What Needs to Happen to Kickstart the Alaska Gas Pipeline Project

Tony Palmer

*Vice President, Alaska Business Development
TransCanada PipeLines Ltd.*

Ken J. MacDonald

*Vice President Canada,
BP Alaska-Canada Gas Pipelines
BP Canada Energy Company*

Tribal Chief Hammond Dick
Kaska Tribal Council

Liz Logan
Deputy Chief
Treaty 8 Tribal Association

Chief James Allen
Champagne and Aishihik First Nations
Aboriginal Pipeline Coalition

- The regulatory certainty in Canada
- The benefits for Canada
- Integration with existing WCSB pipeline and liquids infrastructure
- Update on fiscal contract negotiations, possible project timelines, and Aboriginal engagement plans
- What are the key project challenges?
- Building relationships with Aboriginal communities
- A British Columbia First Nation's perspective on consultation issues
- Pipeline impacts and benefits for Treaty 8 First Nations in Northeastern British Columbia
- What is the Alaska Highway Coalition?
 - funding needs
 - getting organized and preparing the Aboriginal communities along the pipeline corridor
 - information and communication link on pipeline issues
 - active participants on the Regulatory issues

4:00 Accommodating First Nations: Traditional Knowledge Protocol Between First Nations and Industry for Alaska Highway Pipeline Project

Victor Mitander
Chief Negotiator
Kaska Nation

Dan Begley
Director, Northern Affairs
Foothills Pipe Lines Ltd.

- What is the protocol? How was it developed?
- Integrating Kaska traditional knowledge into planning, construction and operations of the Alaska Highway Pipeline Project
- Highlights of the protocol and the negotiation process
- Recognizing the role Kaska Elders play in community decision-making
- Overview of key components to incorporate in the traditional knowledge protocol
- Applying the traditional knowledge protocol for other oil and gas projects in western Canada

5:00 Conference Adjourns for the Day

TUESDAY

APRIL 25, 2006

8:30 Continental Breakfast

9:00 Co-Chair's Opening Remarks

Jerome Slavik
Partner
Ackroyd, Piasta, Roth & Day LLP

9:05 Building Better Access and Benefit Agreements for Industry and First Nations

Keith B. Bergner
Lawson Lundell LLP

- Implications of recent Supreme Court of Canada decisions in *R. v. Marshall* and *R. v. Bernard* on the potential success of a title claim
- Assessing the likelihood of a First Nations title claim
- Managing risk in an uncertain legal climate in western Canada
- Best practices to help you proceed with development in the context of an unresolved title claim
- Assessing the status of Aboriginal rights and title in Alberta, British Columbia and the North
- Developing the land access agreement for development projects on specific private and crown lands
- Determining the principles of the Memorandum of Understanding (MOU)
- Including access fees and terms and conditions

10:00 Coffee Break

10:15 Addressing the Regulatory Gaps and Implications for Resource Projects: The First Nations Commercial and Industrial Development Act

Peter Manywounds
Special Projects Consultant
Tsuu T'ina First Nation

Andrew Beynon
General Counsel and Manager
Department of Justice
Indian and Northern Affairs Canada

Stan Rutwind
Team Leader, Aboriginal Law
Alberta Justice

- The need for a regulatory solution for First Nations' economic development projects
- Review of the process that led to the creation of the *Act*
- Future application of the *Act*
- The regulatory gap in respect of major commercial developments on reserve

- What is the *First Nations Commercial and Industrial Development Act* (FNCIDA)?
- Addressing regulatory gaps with the *First Nations Commercial and Industrial Development Act*
- Implementation considerations in respect of major projects

11:15 Oil Spills and Sour Gas Pipeline Breaks: Legal and Environmental Response and Resolution Process

Chief Daniel Paul
Paul First Nation

Richard C. Secord
Partner
Ackroyd, Piasta, Roth & Day LLP

Darryl Erichsen, P.Eng.
Project Manager
PHH / ARC Environmental

- How events unfolded on August 3, 2005 with CN train derailment and oil spill on Lake Wabamun, Alberta
- Impact on Paul First Nation and community concerns
- The oil spill notification process and the lack of First Nations notification
- Legal avenues against polluters causing spills
- Revisiting the December 20, 1995 CN diesel spill lawsuit
- Legal obligations and protecting your community – what can other First Nations learn from the Lake Wabamun oil spill?
- Oil spills and sour gas pipeline breaks: determining the properties and dangers
- Emergency response: planning for evacuation and medical assistance
- Case study on how to stop the source, repair the pipeline and remediate the soil

CASE STUDY

12:15 Networking Luncheon

1:15 Keynote Luncheon Address: A Progress Report on Capacity Development Partnerships With Aboriginals – Success of the Drilling Rig Training Program

Elson McDougald
President and CEO
Western Lakota Energy Services Inc.

1:45 Litigation Versus Non-Litigation Solutions: Employing Successful Negotiation Tactics

Jerome Slavik
Partner
Ackroyd, Piasta, Roth & Day LLP

- Understanding the elements and framework for interest-based negotiations
- Insights into negotiation protocols
- Essential strategies for the negotiation process

- Keeping negotiations moving forward during difficult times
- Key factor to conducting successful negotiations

2:15 Refreshment Break

2:30 Cumulative Environmental Management Association – A Consensus Approach to Addressing Potential Cumulative Environmental Impacts

Margaret Fairbairn
Officer-at-Large for Cumulative Environmental Management Association
Manager, Program Integration and Coordination
Environmental Protection Operations
Environmental Stewardship Branch
Environment Canada

- Minimizing potential long-term cumulative environmental impacts caused by oil sands development in the Wood Buffalo Region
- Stakeholder relations: arriving at a consensus when developing recommendations on environmental management
- Integrating western science and traditional environmental knowledge
- Developing a multi-stakeholder initiative to include industry, government, First Nations, Métis and ENGOs to address regional cumulative environmental concerns

3:00 Development on Métis Settlement Lands: Managing Oil and Gas Resources and the Co-Management Agreement

Gerald Cunningham
Vice President
Métis Settlements General Council

- Background of Alberta Métis Settlements Accord
- Enactment of the *Métis Settlements Act* and *Land Protection Act*
- Developing a co-management agreement
- Disposition of Crown mineral
- The master development agreement
- Current state of MSGC Oil and Gas

3:30 Co-Chair's Closing Remarks and Conference Ends

HERE'S WHAT PAST ATTENDEES SAID:

"This Aboriginal oil and gas conference was a good 'speed learn' on current and relevant topics!"

Leonard Gauthier, Consultation Manager
Alberta Department of Energy

"This conference was very helpful in leading me to a process of how to move up the learning curve. The information in the binder is great reference material."

Matthew Potts, Thackray Burgess

"Useful information on the oil and gas industry and First Nations relationships."

Keith Nyce, Councillor, Kitamaat Village Council

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Conference Code: ABC06947

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