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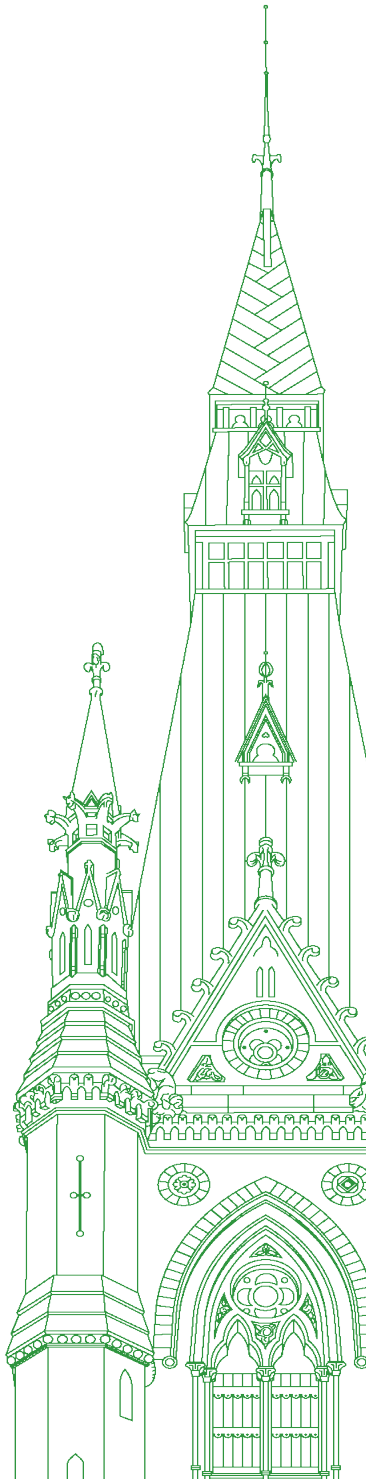
Special Joint Committee on the Exercise of Powers Under the Building Canada Act

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Co-Chairs: Dean AllisonPatti LaBoucane-Benson

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● (1835)

[*English*]

The Joint Chair (Dean Allison (Niagara West, CPC)): Welcome to meeting number eight of the Special Joint Committee on the Exercise of Powers Under the Building Canada Act.

I remind you that if you're using an earpiece and it's plugged in but not in your ear, please make sure to place it down on the coaster in front of you. That's to protect the health of our interpreters. I really do appreciate that.

Pursuant to the motion adopted on Tuesday, October 6, the committee is meeting to continue its review of the Governor in Council's and the minister's exercise of their powers and performance of their duties and functions under the Building Canada Act.

I would like to welcome all of our witnesses back once again.

We have the Honourable Dominic LeBlanc, Minister of Internal Trade. Then, from the Major Projects Office, we have Dawn Farrell and Louise Baird, in person, as well as Peter Feldberg and Rob Van Walleghem, who are joining us on Zoom.

Thank you very much for being here.

I'm going to invite the minister to make his opening statement.

You have five minutes, please.

Hon. Dominic LeBlanc (Minister of Internal Trade): Mr. Chair and colleagues, good evening. Thank you for this opportunity.

[*Translation*]

Thank you for the invitation to speak with you today about the government's efforts to advance major projects across the country.

As you said, Mr. Chair, I'm here with Ms. Farrell and Ms. Baird, and two of our colleagues are participating in the meeting virtually. They are, in a sense, the experts on regulatory matters and consultations with indigenous peoples. They will be happy to answer questions today.

[*English*]

Much has been accomplished for the country by the Major Projects Office, working with proponents and partners across the country, since we last appeared before you.

The government has listed two projects under the act in the last month: the Pacific link and the Roberts Bank terminal two project. The proponents for these projects now have the regulatory certainty they need to move from if the project will be approved to how it will get done. This will benefit Canadians through the creation of tens of thousands of jobs, support for increased trade and the attraction of billions in new investments.

Today, the Major Projects Office is supporting 18 projects and 10 transformative strategies that span right across the country, representing approximately 200,000 jobs and over $190 billion in new investment. Among these projects, several important milestones have been achieved: shovels in the ground and final investment decisions reached.

For example, in August, the Montreal Port Authority announced the start of in-water construction for the Contrecœur expansion project. This project, and others like it, would not have hit those milestones at that pace without the support of the Major Projects Office. I want to salute Dawn Farrell, the CEO, and the team members who work with her in Calgary and across the country.

Work is happening quickly, without compromising comprehensive project reviews or meaningful indigenous consultations as set out under the Building Canada Act.

I would also like to speak briefly about important process changes that we're proposing to Parliament in Bill C-39, the building Canada strong act, which was tabled earlier this fall, as colleagues will know.

[*Translation*]

This bill proposes the legislative amendments needed to streamline federal permitting and regulatory procedures. To be clear, these are procedural changes. They do not in any way diminish the government's ability to uphold its commitment to maintaining rigorous environmental standards and conducting meaningful consultations with our indigenous partners. If adopted, these amendments will improve coordination across the federal system and enable coordinated consultation by the Crown so that indigenous communities are consulted only once over the course of a project.

[*English*]

With the creation of the Major Projects Office, the government has taken decisive action in removing barriers and turning project ideas into reality. We are providing greater certainty for investors and project proponents, creating the climate we need at this uncertain time to boost Canada's economy, advance our sovereignty goals and unlock Canada's potential as a global energy superpower.

Mr. Chair, it won't surprise you that I believe that our plan is working. I look forward to building on the progress that we collectively have made as a Parliament over the last 18 months. More than anything, Mr. Chair, I think you know.... We've known each other for over 20 years. You can't imagine how excited I am to be able to take your questions.

Some hon. members: Oh, oh!

The Joint Chair (Dean Allison): All right. We have a professional politician in the room. I love it.

Thank you very much, Minister.

We're going to turn it over to Ms. Stubbs for five minutes.

Shannon Stubbs (Lakeland, CPC): Thanks, Chair.

Thank you, Minister, for being here.

When I asked you in April about private sector employees seconded to the Major Projects Office, you said that you didn't know which sectors they came from or which employees received salary top-ups, if any.

There are apparently 41 seconded employees at the MPO—potentially more than one in five of its staff. Since it's been six months, do you know now definitively which companies these employees came from? Do they give advice or examine projects that involve their former employees or sectors?

Hon. Dominic LeBlanc: Through you, Mr. Chair, Ms. Stubbs, thank you for the question.

I want to be careful.

Ms. Farrell or others might provide greater detail, but you're right. The employees that participate in this interchange program come from a series of sectors. I was told, for example, the transportation sector, the electricity sector, financial services sectors, other federal institutions and other orders of government.

Some are partners in territorial governments or federal institutions that are not government departments. Over two-thirds of the employees are federal public servants loaned to the Major Projects Office—

Shannon Stubbs: Specifically for those coming from the private sector or from banks and financial agencies, do you know the proportion there?

Hon. Dominic LeBlanc: It's one-third. Maybe Ms. Farrell....

Shannon Stubbs: I think my colleagues will have follow-up questions for Ms. Farrell later.

Hon. Dominic LeBlanc: That's great. That's super.

Shannon Stubbs: Maybe, Minister, you'll—

Hon. Dominic LeBlanc: For Ms. Stubbs, two-thirds, I was told, are people on secondment from the federal public service, but to be careful, one shouldn't assume the other third are all private sector employees, because if you're loaned from the government of a territory, you'd be in that one-third as well, for example.

● (1840)

Shannon Stubbs: Got it. Thank you.

As you said, of the 18 projects and 10 strategies, finally there is a national interest designation for the Pacific link pipeline that the Prime Minister promised. Your government has published estimates that say Pacific link will cost from $35.2 billion to $43.7 billion, excluding escalation and construction financing costs.

Do you know what the actual estimated cost is once those are included and, therefore, how much Canadian taxpayers could be responsible for?

Hon. Dominic LeBlanc: Mr. Chair, it's a very appropriate question but rather technical. Perhaps Ms. Farrell could provide the answer to Ms. Stubbs.

Shannon Stubbs: Minister, since you're responsible for the designation and the project overall—

Hon. Dominic LeBlanc: I'm very comfortable with the designation, of course.

Shannon Stubbs: Right, but your government has already committed that this pipeline will be publicly owned because, so far, it's going to be built by the Crown corporation. Do you yourself know the estimate for what taxpayers may be responsible for?

Hon. Dominic LeBlanc: There is a range. There's an estimate, but those final numbers are exactly what the Major Projects Office is working on with the proponent now. Your question is an absolutely good one, Ms. Stubbs. There's a range that the Prime Minister, Premier Smith and the private sector proponent discussed—

Shannon Stubbs: Thanks, Minister. Let's get into those ranges, because on October 2—

Hon. Dominic LeBlanc: —but that work is ongoing.

Shannon Stubbs: Yes, but of course you can imagine that with the experience of the last expansion, Canadians need some transparency on these numbers in advance.

Scotiabank analyzed your figures. Its best case of a $35.2-billion cost assumes full construction starts in 2027, but the Pacific link zone website says that won't start until September 2028. Its $43.7-billion base case assumes construction begins in 2028, but that pushes out completion to 2034, not the project's current 2032 target.

I just wonder how the government can claim an estimate $35 billion lower when the optimistic scenario assumes construction begins roughly a year earlier than the project's own published timeline?

Hon. Dominic LeBlanc: Mr. Chair, through you, I appreciate Ms. Stubbs' interest in getting this done as expeditiously as we can, and I am obviously conscious of ensuring that the investment is within reasonable bounds. The Major Projects Office is engaged now, but in terms....

I get why you're asking the question. There's a bunch of private sector estimates that I've seen as well. I'm assured by Ms. Farrell that those numbers are not reliable, in the sense that the ongoing work is being done now.

Many private sector entities publish a series of estimates. I'm confident that the Major Projects Office—

Shannon Stubbs: Will there be standards?

The Joint Chair (Hon. Patti LaBoucane-Benson (Senator, Alberta (Treaty 6), GRO)): Thank you. I need to move on to the next person.

Shannon Stubbs: Scotiabank's worst-case scenario is $65 billion.

The Joint Chair (Hon. Patti LaBoucane-Benson): Thanks, Ms. Stubbs. I'm moving on to the next person.

Mr. Beech.

Hon. Terry Beech (Burnaby North—Seymour, Lib.): Thank you, Madam Chair.

Thank you, Minister and panel, for being here. Welcome back.

Two of the major projects listed are in British Columbia. I've heard some concerns back home. People are concerned that as we move to accelerate these projects, we're using speed to skirt around some of the environmental and other types of processes that have been put in place over the years.

My understanding is that a lot of what the MPO does.... It's not only to make these processes more efficient but also to run them—for example—in parallel instead of sequentially. This is to make sure they can get to outcomes a lot more quickly and provide investment certainty. In fact, since the last time you were here, we've had a pretty significant if not unprecedented global investment conference that I think was well attended.

Could you take this opportunity to assure Canadians that this is, in fact, your understanding of how the MPO is executing its work?

Hon. Dominic LeBlanc: Thank you for a very good question, Mr. Beech. It's one that colleagues discuss with all of us often, and understandably so.

There is a misperception that because we want to expedite a project getting initiated, somehow the environmental oversight, environmental assessments or the independent work done to provide the appropriate conditions for that project are, in some way, less rigorous or less robust. That is not the case.

It's important to assure people that this legislation adopted by Parliament allows us to proceed in an expedited way with greater certainty. To your question, Mr. Beech, in terms of investor interest and confidence, this is also a key part of that equation. It's one of the reasons many nation-building projects were either not initiated or brought to completion. It was because of uncertainty around permitting timelines and investment certainty.

I am confident that the work undertaken by the Major Projects Office, in partnership with all the existing federal agencies and departments, is every bit as robust and significant as Canadians should properly expect. We choose to do things in a more coordinated way. Consultation with indigenous peoples—which, of course, is a constitutional obligation—is in no way diminished by the Major Projects Office's work or the legislation. Those important elements to get to a successful outcome for a project can be done efficiently. They can be done concurrently with greater sharing of information, not sequentially or in silos. Something that might otherwise have taken six or seven years can just as effectively and robustly be done in a shorter time frame.

● (1845)

Hon. Terry Beech: Of course, you save that carrying cost because you have more certainty. I think that might be the reason we're seeing record levels of investment flow into Canada. Certainly, the level of interest around investment in Canada has increased.

The last time you were here, there were several comments made around the table, from all sides: If this new process is so good for major projects, why wouldn't we take the lessons learned and implement this process for all projects? As you mentioned in your opening presentation, we now have a new piece of legislation, Bill C-39.

Could you or somebody on the panel share what lessons have been learned, where these efficiencies are coming from and how applying them not just to major projects, as we do on the subject matter of this committee, which is Bill C-5...but how would Bill C-39 unlock this for projects across Canada? Of course, how does that tie directly into growing the economy, creating jobs and, perhaps, our sovereignty?

Hon. Dominic LeBlanc: Through you, Madam Chair, you're right, Mr. Beech, and you had significant experience in business yourself, prior to becoming a member of Parliament.

Business seeks this certainty. We thought the lessons taken from Parliament's adopting of Bill C-5, which is the subject matter of your review, could be applied to all federal project approvals and permits. There's a category of projects that will properly be designated under the act, after an evaluation of the factors contained in the legislation. The Government of Canada and proponents big and small across the country—

The Joint Chair (Hon. Patti LaBoucane-Benson): I'm sorry, Minister. We're done. Thank you.

Hon. Dominic LeBlanc: It was such a good answer, though.

The Joint Chair (Hon. Patti LaBoucane-Benson): It sounded great.

Senator Quinn, you're up.

Hon. Jim Quinn (Senator, New Brunswick, CSG): Thank you.

Hon. Dominic LeBlanc: Would you like me to continue, Senator, with that excellent answer, or do you have another question?

Hon. Jim Quinn: I know you are going to have an excellent answer.

I'm going to just touch base on the two designated projects and the others on the list with a couple of questions.

Through our committee on Bill C-39, the concerns of first nations remain front and centre with respect to their involvement. Yesterday, we heard from Chief Robert Louie, who is the head of the First Nations Lands Advisory Board. In his commentary, he talked about their skills in terms of helping first nations that are members of the First Nations Land Management Act. There are 232, I think he said. They have expertise to enable them to assist with the environmental assessments and impact work.

My question is this: On the two designated projects, was there any discussion or did it touch base with that organization that brings together first nations? I know that the nations individually are the rights holders, but they have that skill set in working with their member nations. Is it not an opportunity to continue to build those bridges with first nations? I'm just wondering if any of that thinking or work was done.

● (1850)

Hon. Dominic LeBlanc: Perhaps Ms. Farrell could answer that. It's a good question, Senator.

Dawn Farrell (Chief Executive Officer, Major Projects Office): I'll just start by saying that when it comes to an actual construction project in Canada, we focus very much on the rights holders, because they are the key stakeholders and the key rights holders in the project and their concerns are paramount. If you'd like him to speak about it, my colleague on the phone here, Rob Van Walleghem, spends a lot of time also talking to associations in his work that he does, but it's not on specific projects.

Hon. Jim Quinn: The only reason I raise the question is that the chief raised it yesterday. His organization had not been touched base with. I have a bit of familiarity with them, and they do have expertise that could help build that bridge.

I know your colleague is going to be here later, so I'll just let it rest for now.

The other question I had is on the Sisson mine in New Brunswick. Can you explain or give an indication of where we are in the process leading up to designation? Is there advancement or anything like that?

Hon. Dominic LeBlanc: Senator, thank you for asking a question that's of significant importance to our province.

As you know, that project was initially permitted in 2013 and hadn't advanced in any significant way until we referred it to the Major Projects Office. The tungsten market and the fundamental economics have changed, obviously, in the 13 years since then. The Major Projects Office has had a number of meetings with the proponents, as recently as a few weeks ago, I think, to determine what's necessary to close the next steps. The feasibility study was stale-dated, if you will. It was out of date. An updated feasibility study was required to understand what the project needs to advance, the economics around the tungsten market and what project design changes might be needed, if any.

The study was published on October 1. It's being analyzed by the proponent and the Major Projects Office. I remain very optimistic. I have had a number of conversations with the Province of New Brunswick, Premier Holt and her cabinet ministers, who are obviously very supportive as well. Ms. Farrell had a meeting with the owners of the project a few weeks ago, and we were very direct with them that the clock is ticking. They now have this feasibility study. We expect to see, very quickly, action to begin what would be necessary for us to designate the project. We would be happy to designate the project, but the proponent has to do some work that's remaining, and they need to do it expeditiously.

Hon. Jim Quinn: I'll just touch base then, if I may, on the Alto high-speed rail. There's lot of discussion, particularly in eastern Ontario and western Quebec, about the expropriation of lands and the routing that's yet to be determined, as I understand it.

Has there ever been a close examination of the existing Via rail line? Has there been any talk about examining the possibility of twinning that rail, so the cargo rails become free for cargo and Via, for example, or a high-speed rail, doesn't have to pull over? Have you looked at that?

The Joint Chair (Hon. Patti LaBoucane-Benson): You have 15 seconds.

Hon. Dominic LeBlanc: Madam Chair, I have a fantastic answer on Alto. It is truly a nation-building project.

Senator, yes, of course we've looked at that possibility, but it doesn't achieve the objectives that Alto would. Many of the same constraints exist without the upside benefits of high-speed rail.

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you, Minister.

Hon. Dominic LeBlanc: I'm sure if there's another question....

It's so important. I'd be happy to talk about it for a long time.

The Joint Chair (Hon. Patti LaBoucane-Benson): Mr. Bonin, you have five minutes.

[*Translation*]

Patrick Bonin (Repentigny, BQ): Thank you, Madam Chair.

Thank you to the witnesses for being here.

Minister, Bill C-39 amends Bill C-5, which led to the enactment of the Building Canada Act. Bill C-5 included a sunset clause that set a five-year limit on the extraordinary powers the government gave itself, namely the ability to suspend 12 statutes, including the Canadian Environmental Protection Act and the Species at Risk Act, as well as seven regulations. This provision was put in place because you said we needed to use Bill C-5 to fast-track projects in response to the tariff dispute with President Trump. Bill C-39 would completely remove that five-year limit, meaning those extraordinary powers could remain in place indefinitely.

Can you justify that? Do you think the tariff dispute will go on forever? Why do you need to remove the five-year limit?

● (1855)

Hon. Dominic LeBlanc: You're right. A year and a half ago, for the reasons we discussed earlier, we thought that a five-year period would give us enough time to move projects of national interest forward. We now know that the Alto project and other projects the Major Projects Office is currently reviewing, including the pipeline project between Alberta and British Columbia, will not be done in five years. We'll still be involved, and we'll need the legislative and regulatory authorities provided for in Bill C-5. The Building Canada Act will continue to be used for the types of projects that fall within its scope. You know that as well as I do.

You're right about Bill C-39. It covers all federal projects, but we've determined that it's an essential tool to attract investment and strengthen the country's economic position, despite the current tariff environment. I don't think the tariff environment will last forever, just as I don't think future Parliaments will be unable to amend legislation. No law lasts forever, except perhaps the Income Tax Act.

Patrick Bonin: The first project you designated as being in the national interest was the Pacific link pipeline project to transport oil-sands output. It's tied to the Pathways carbon capture and storage project, which is why you're calling it clean oil, but neither the pipeline nor the Pathways project has been assessed.

How can you say that this pipeline is in the national interest, when it's tied to the Pathways project, which hasn't even been assessed yet? How can you say that the pipeline is in the national interest when all elements of the project haven't been assessed?

Hon. Dominic LeBlanc: You're right about the two projects being linked. The Prime Minister has been very clear. The Premier of Alberta called it a grand bargain. Approving the pipeline project and adding it to the list of projects in the national interest will be contingent on the carbon capture and storage project, which is a provincial project, going forward. The Government of Alberta has agreements with the companies. You're right that they're still working out the details of that project, but I have full confidence that both projects will be done by the book.

Patrick Bonin: In that case, wouldn't it make sense to include a clause requiring the Pathways project to be in place?

I have a follow-up question for you. According to the latest estimates, the Pathways project will cost between $20 billion and $30 billion—

Ms. Farrell, I would appreciate you letting me ask my question. Thank you.

Minister, I was talking about costs, including the 50% federal investment tax credits.

Before designating the Pacific link project as being in the national interest, did you assess what it would cost taxpayers? Does your Pacific link analysis include the $10 billion in subsidies in the form of tax credits for the Pathways project?

Hon. Dominic LeBlanc: The economic implications for taxpayers and the country's GDP are obviously part of the analysis for a designation of this kind. We are—

Patrick Bonin: Will you be able to table that analysis, since, as you say, it's part of the process?

Hon. Dominic LeBlanc: I was going to say that, in the document that will be published, there will be conditions, such as—

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you very much, Minister.

I'm going to move to Mr. Deltell.

[*Translation*]

Patrick Bonin: Can you table the analysis you say you did? You did say it's part of the assessment.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): I'm going to move to Mr. Deltell.

[*Translation*]

Patrick Bonin: Thank you, Madam Chair. I really appreciate your co-operation.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): You're welcome.

[*Translation*]

Gérard Deltell (Louis-Saint-Laurent—Akiawenhrahk, CPC): Thank you very much, Madam Chair.

Good evening, colleagues, ladies and gentlemen, Minister.

Minister, when we talk about major projects, we're obviously talking about major budgets, major expenditures and major corporations, and Brookfield is very much in the picture. We know that you have—

Hon. Dominic LeBlanc: I'm sorry, can you repeat the last sentence?

Gérard Deltell: Brookfield is very much a part of any conversation about major corporations.

A conflict-of-interest screen was created specifically for the current Prime Minister because of his portfolio. As we know, this is an unprecedented situation. Good for him if his investments are doing well, but right now his priority should be to focus solely on Canada's interests. This arrangement means that the Prime Minister steps away from discussions that could place him in a conflict of interest. The person who steps in for him is you, Minister. Congratulations. This has happened 25 times in 15 months. Have any major projects been affected by this decision?

● (1900)

Hon. Dominic LeBlanc: Good afternoon, Mr. Deltell.

That's a good question. Thank you for asking. It's a fairly technical question because it's true that I act on behalf of the Prime Minister when Mr. Sabia and Mr. Blanchard invoke the conflict-of-interest screen. The challenge for me—and it's not that I don't want to answer the question, because I would be pleased to answer in writing—is that, in some cases, the information is subject to Cabinet confidence. I don't know what's public and what's known, but I understand the question, and I'll be happy to answer it insofar as I'm able to.

Gérard Deltell: Once you make a decision, it becomes public because that decision has a direct impact on the major project. That's all I'm asking you. I understand that you can provide an answer in writing. That's fine for the number of instances. Even so, Minister—

Hon. Dominic LeBlanc: The answer may well be zero, Mr. Deltell. I don't want to give the wrong impression, but that clarification deserves an answer.

Gérard Deltell: This is not a minor matter. These are major projects we're talking about, Minister.

Hon. Dominic LeBlanc: Even if it's 25 instances, we shouldn't assume that any of those 25 instances involved projects of national interest, but I'll get back to you with an answer.

Gérard Deltell: Mr. LeBlanc, over a period of 15 months, the Prime Minister had to leave meetings 25 times while important matters were being discussed. Does that seem normal to you? Cabinet is not a revolving door. How can he step out 25 times in 15 months like it's no big deal? I have nothing against you, but he's the Prime Minister, and you're not.

Hon. Dominic LeBlanc: I understand why you put the question that way, Mr. Deltell. It paints a picture of someone leaving a meeting room. However, the scenario could involve a document that isn't sent to him but is forwarded directly to me. We shouldn't assume that every scenario involves people walking out of meetings.

Gérard Deltell: Yes, but wait—

Hon. Dominic LeBlanc: It could be about information—

Gérard Deltell: It has happened 25 times.

Hon. Dominic LeBlanc: —that Mr. Sabia and Mr. Blanchard decide—

Gérard Deltell: On 25 occasions over a 15-month period, he walked away from the table, the executive table of Canada, the country's chief decision-making body, at the head of which he was duly elected by the people to serve. He stepped away 25 times in 15 months. Does that seem normal to you?

Hon. Dominic LeBlanc: I think it's perfectly normal to work with—

Gérard Deltell: It happened 25 times in 15 months.

Hon. Dominic LeBlanc: —the Ethics Commissioner to determine how best to comply with all applicable obligations. That is precisely what the Prime Minister has done and is still doing very rigorously. As for Mr. Sabia and Mr. Blanchard, that process was established with the Ethics Commissioner. When Mr. Martin was Prime Minister of Canada some 20 years ago, everyone knew full well that he had a company that was well known in your province, Mr. Deltell, and across the country, namely Canada Steamship Lines.

Gérard Deltell: Yes, of course, but that company operated in a specific sector—

Hon. Dominic LeBlanc: It affected the country's economy as well.

Gérard Deltell: Let's remember that, as board chair, he recommended that the company relocate. The company's headquarters was in Toronto, and he suggested moving it to New York. That was a clear indication that, under your government, investment was not welcome in Canada. The company went to the United States.

Don't you think it's time for the Prime Minister to cut those ties and devote himself entirely to the interests of Canadians, rather than always having Brookfield on his mind?

Hon. Dominic LeBlanc: I understand why you're asking the question that way, but I work closely with Mr. Carney. You're suggesting that a private company is always on his mind, but you know very well that's not true. What's always on his mind is compliance with the Conflict of Interest Act and his obligations thereunder.

Gérard Deltell: It would be simpler if he were free of those financial interests.

Hon. Dominic LeBlanc: What is simple, Mr. Deltell, is going to the Ethics Commissioner, fully disclosing everything necessary for him to put a framework in place, and rigorously following the Ethics Commissioner's advice. That's how one complies with the law. That's exactly what the Prime Minister has done.

Gérard Deltell: He stepped away from the table 25 times in 15 months.

If I have any time left, I have a question about first nations. My riding includes the community of Wendake.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): I will now pass it over to Mr. Dhaliwal.

Sukh Dhaliwal (Surrey Newton, Lib.): Thank you, Madam Chair.

Minister, thank you for appearing here.

You mentioned two major projects in British Columbia. My constituents in Surrey Newton and British Columbians are very happy about and thankful for your and Prime Minister Carney's leadership on these two projects.

The recent listing of the Roberts Bank terminal two project in British Columbia is an important milestone for B.C. and Canada. With the project now benefiting from the Building Canada Act framework, what are the next steps to move it towards a final investment decision and construction?

● (1905)

Hon. Dominic LeBlanc: Mr. Dhaliwal, thank you for that important question. You're right; this is truly a project of national interest.

The Roberts Bank terminal two expansion is properly in your province, the great province of British Columbia, but it will support businesses big and small in every part of our country. It's a perfect example of trade infrastructure that benefits the economic resiliency and growth of the whole country.

It's been in the approval process, as you know, for 13 years. The government designated the project and set it on the path for construction, to begin in 2027. Listing the project under this act means that the project will face a more efficient and streamlined approval process. Construction can move forward more quickly and more predictably while maintaining, as we said in response to Mr. Beech's question, the appropriate and rigorous environmental protections and respecting the rights of indigenous rights holders.

Going forward, now that it has been listed, the Major Projects Office will be doing another round of consultations, working closely with the Vancouver Fraser Port Authority to coordinate the remaining federal requirements into one conditions document, which will be the permission to begin construction. It will provide greater certainty and clarity around the conditions that must be met before the construction, maintaining, as I said, all of the essential environmental safeguards while respecting indigenous rights.

We're targeting a final investment decision by mid-2027. I'm confident, having worked with Ms. Farrell and seen her team in action, that these timelines aren't going to slip.

Sukh Dhaliwal: You mentioned that it will create economic opportunity across Canada. How will the government make sure that it creates opportunities for businesses, particularly small businesses, workers and communities across different regions of Canada?

Hon. Dominic LeBlanc: That's an excellent question.

By expanding, for example, the container capacity at Roberts Bank terminal two by approximately 50%, we think it will unlock $100 billion in annual trade capacity. It will contribute $3 billion to the country's GDP each year and support up to 17,000 jobs across supply chains in every part of the country. The benefits will extend to manufacturers, exporters, farmers, rail operators, trucking companies and small businesses right across the country that rely on international markets and want to take advantage of an opportunity to develop new and expanding markets.

This particular project is being advanced in partnership with 27 indigenous communities that have signed benefit agreements with the Vancouver Fraser Port Authority. They will also see meaningful benefits from this project.

For us, this is a great example of what a nation-building project looks like.

Sukh Dhaliwal: Minister, the Canada investment summit generated nearly $500 billion in new investment commitments. How is government working to translate those commitments into concrete projects, jobs and economic activity across Canada?

The Joint Chair (Hon. Patti LaBoucane-Benson): You have 30 seconds.

Hon. Dominic LeBlanc: It's going to be an excellent 30 seconds.

Voices: Oh, oh!

Hon. Dominic LeBlanc: Pension funds, insurers and institutional investors brought nearly $100 billion in new capital in critical infrastructure, digital sectors, energy, transportation and other projects. I was at the investment summit. It was truly inspiring to see.

The Canadian financial services sector—Canadian banks—stepped up with $325 billion in new financing for Canadian businesses.

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you, Minister.

Hon. Dominic LeBlanc: We're just getting going, Mr. Dhaliwal, and I'm sure you're as excited as I am.

Sukh Dhaliwal: Thank you.

The Joint Chair (Hon. Patti LaBoucane-Benson): Senator Varone, you're next. Go ahead.

Hon. Toni Varone (Senator, Ontario, ISG): Thank you, Chair.

My question is for the vice-president of regulatory affairs, Mr. Peter Feldberg.

As Minister LeBlanc stated in his opening statement, the MPO is currently supporting 18 projects and 10 transformative strategies. Can you explain what you define as “support”? Is it financial? Is it human resources? Is it both?

Can you provide me the context on how a project moves from being supported to being designated as a project of national importance? Further, are there criteria or is there a weighted scoring system? Is the process fully objective or is there some subjectivity at play?

If you answer that in the time allocated, I would like to hear the balance of Minister LeBlanc's answer on Alto.

● (1910)

Peter Feldberg (Vice-President, Regulatory Affairs, Major Projects Office): I'll answer very quickly. Hopefully you can hear me.

We refer to one of our regulatory support systems as a concierge service. When it's not a listed project, but it's a project that's been referred to the MPO, we work with the proponent and the existing regulatory authorities to try to find out where the roadblocks are. Where are the issues? Are there ways we can clear them up? Is there something the proponent has to do? Is there something in the system that we can help them through? It's more or less a service to try to streamline the process for them.

With a listed project, it's quite different. It's the process that's defined by the act. After the listing takes place, there's a conditions document to be done, and our team supports the development of it. Again, we work with the existing agencies and departments.

If you look at Pacific link, for example, we would be working with the Canada Energy Regulator to establish a process that would enable participation by the public and indigenous communities. We would be working with agencies such as Fisheries and Oceans Canada and Environment Canada and other permitting agencies to ensure that the permitting recommendations for conditions can be delivered at about the same time.

It's a much more involved process when we get to a project of national importance.

I hope that helps you, Senator.

Hon. Toni Varone: What triggers approval?

Peter Feldberg: What triggers approval? In the case of a project that is not a project of national importance, the approval will be done by the regular bodies that issue permits. If a fisheries permit is required, the approval is granted by the Minister of Fisheries and Oceans, as normal.

In the case of a project of national importance, there's a deeming approval at the beginning, which is that all decisions are deemed to be in favour of the project proceeding. Then the conditions document is prepared, and the approval is by the minister.

Hon. Toni Varone: Thank you.

The Joint Chair (Hon. Patti LaBoucane-Benson): Did you want to hear about Alto from the minister?

Hon. Toni Varone: Yes, if there's time.

Hon. Dominic LeBlanc: What a great question, Senator. Thank you.

Your colleague, Senator Quinn, was very excited about this project, as the government and I are. It's important to say that the plan has not changed.

Senator Quinn asked the reasonable question of whether we looked at alternatives for high-speed rail, like high-frequency rail or building additional track to allow for the congestion that all of us have experienced, in various contexts, on the current passenger rail system.... Those alternatives would still require most of the expensive infrastructure needed for high-speed rail, yet only deliver a fraction of the benefits to Canadians.

We believe Alto will boost the GDP of the country by $35 billion. You've heard my colleague Steven MacKinnon say it will create 51,000 jobs and unlock enhanced productivity for people right across the country. We want to focus on a project that we think will bring the greatest returns and benefits to Canadians in a way that financially is also the most responsible and beneficial to Canadians.

The work of the Major Projects Office and Alto itself has told us that there's no real circumstance to change the concept of high-speed rail, and that remains the project we're pursuing.

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you.

I'll pass it on to Ms. Cody now.

Connie Cody (Cambridge, CPC): Thank you.

I'd like to direct my questions to Dawn Farrell today.

Ms. Farrell, in earlier testimony, it was a little unclear how many MPO employees have been seconded from the private sector. Can you confirm that number?

Dawn Farrell: I cannot confirm it exactly.

In terms of the number of secondments we have that come from other institutions, it's about a third. Of that third, a number of them come from private sector companies, regulators and the provinces.

● (1915)

Connie Cody: The Toronto Star said it is 41. Can you not confirm that number?

Dawn Farrell: Yes. There are 41 in the interchange program, but the interchange program includes railways, the CER and provincial governments. We have to interchange them if they don't belong to the federal government.

Connie Cody: Last week, at the environment committee, you told my colleague that you would endeavour to get some information on the names and companies of these borrowed employees. Will you be providing that information to the environment committee?

Dawn Farrell: We'll be providing the sectors and various public sector agencies that the employees come from.

Connie Cody: So you will not be providing the actual names or companies.

Dawn Farrell: No.

Connie Cody: When we asked for the conflict of interest requirements previously, you provided some information to the committee and mentioned a screen and recusal system. Are there any documents that demonstrate how those screens are applied that you can provide to this committee?

Dawn Farrell: Yes.

Connie Cody: Okay, that's great. I'd appreciate it if you could give this information to the committee quickly so we can get it into the report.

Are there different conflict of interest requirements for the borrowed employees compared with the rest of the MPO staff?

Dawn Farrell: All employees are subject to all the same practices when it comes to conflict of interest, including what they have to sign, what policies they have to follow and what they have to disclose. The only person who has a different system is me, and I fall under the Ethics Commissioner.

Connie Cody: Has the Ethics Commissioner signed off on the conflict of interest guidelines?

Dawn Farrell: Do you mean the ones for me?

Connie Cody: I mean the ones for the borrowed employees.

Dawn Farrell: That comes through the public service. That's a regular public service set of requirements.

Hon. Dominic LeBlanc: Ms. Cody, it's a good question. Ms. Baird knows the details of this.

Those employees are covered by the normal Treasury Board guidelines, including postemployment restrictions. It's important to note that all those Treasury Board procedures remain in place because Ms. Farrell is a Governor in Council appointee. She was appointed by cabinet. The Ethics Commissioner would have jurisdiction over her postemployment and conflict of interest requirements. Of course, she's in full compliance with the Ethics Commissioner's work. The other employees are covered by existing Treasury Board regulations and statutes that govern—

Connie Cody: Okay. Thank you, Minister.

Hon. Dominic LeBlanc: —all employees in the public service.

Connie Cody: Canadians deserve an assurance that these employees aren't helping to advance projects their companies are invested in and that they aren't working against projects their competitors are working on. If you can't tell us what companies these borrowed employees come from or how their screens are applied, how can Canadians possibly have that assurance?

Dawn Farrell: We can assure you that they're not, because they have to disclose.

First of all, we know what companies they come from. They have to disclose the projects they would have worked on. They have to disclose whether there are any potential conflicts. They cannot work on projects they would be conflicted on.

Connie Cody: Can you assure Canadians that MPO staff have absolutely no personal investments in the projects they'll be working on?

Dawn Farrell: Yes.

Hon. Dominic LeBlanc: Yes.

Connie Cody: How many times has the screen been applied specifically to the interchanged employees?

Louise Baird (Vice-President, Strategic Policy and Coordination, Major Projects Office): I don't have specific numbers, but I can tell you quite a bit about the process, if you're interested.

It's a process that begins preemployment. There's a disclosure requirement. Any activities, employment or affiliations that could be a real or perceived conflict are assessed by the experts we work with at the Privy Council Office. There's a specific team on values and ethics. We put a framework together with them. It starts at that preemployment stage and, as the minister said, goes right through—

Connie Cody: Okay, thank you.

Louise Baird: —to postemployment. We apply screens and recusals.

Connie Cody: Ms. Farrell, if I could, I'll ask a question.

IRCC's departmental plan this year said that it will collaborate with the MPO "to facilitate the recruitment of international workers to support projects of national interest." What coordination between the MPO and IRCC has already taken place?

The Joint Chair (Hon. Patti LaBoucane-Benson): I'm sorry, Ms. Farrell. The time is up.

I'm moving on to Ms. Bendayan.

Hon. Rachel Bendayan (Outremont, Lib.): Thank you, Madam Chair.

Ms. Farrell, perhaps I'll continue briefly on that line of questioning to ask if it is valuable to the MPO to have private sector experience around the table.

● (1920)

Dawn Farrell: It's extremely valuable to have both private sector and public sector experience in all of the work we do.

As we break down the projects and we put together project teams, to the extent that we can select people from the private sector who have experience in that industry or who have financial experience, we blend them together with teams of people who come from the federal government and have permitting, project or sectorial experience. We find that as we're evaluating projects for either listing or referral, or as we're looking at potential timelines it will take to help move a project along, or even as we're giving information to first nations so they can be apprised of what a project is about, it's extremely valuable to have a blend of employees.

Hon. Rachel Bendayan: Thank you. I think that's important to put on the record, and I appreciate your doing so.

I'll note the important obligations under the Treasury Board guidelines with respect to conflicts of interest, which, as I understand you testified to earlier, all interchange employees are subject to.

Dawn Farrell: That's correct.

Hon. Rachel Bendayan: Thank you, Ms. Farrell.

Perhaps I'll continue with you to talk a bit more about Roberts Bank, an important listing that we made very recently. I believe it was just last week, actually. I saw that it was approximately a $6-billion project. Of course, it's very important for our country's objective to diversify trade. We need to increase container capacity at the port of Vancouver by about 50% in order to achieve that.

Is there anything you can tell us about the regulatory process we've undergone thus far? The minister referred to a more than 10-year regulatory process. Do those decisions stand? Are you doing a re-review?

Dawn Farrell: No. We did look at all of the conditions that were in the prior regulatory process, and currently, we have accepted all of those conditions. They will carry forward as we do the final conditions document for Roberts Bank and then issue it. As you know, in this country, despite what you might have thought could have happened five years ago when you were setting conditions, there might be some changes as you go ahead and are in construction. There's always a requirement.

If you're the minister of ECCC or if you're the Minister of Fisheries, often you're called upon to make decisions as a project is under construction. In the case of Roberts Bank, Minister LeBlanc will be called upon and will need to make some decisions. For any of the changes that would come under his purview, we would do consultations with first nations and with the proponent to make sure we are making the right decision there. All of the prior conditions carry on right now.

Hon. Rachel Bendayan: Notwithstanding that, I understand that the listing advances the timeline for the operation of RBT2 significantly. Can you provide testimony to that effect?

Dawn Farrell: As we were assessing Roberts Bank, the project initially would not have finished until 2039. Our assessment showed that Canadians need more containers coming out of the port of Vancouver by as early as 2031. As we worked with the proponent and looked at all of the information there, we were able to design the project with them so that it would be ready by 2035, which saved Canadians four years. By the time you get to 2035—

Hon. Rachel Bendayan: It saved Canadians four years and probably a significant amount of money.

Dawn Farrell: It is actually $1 billion a year in savings for Canadians. More importantly, when you get Roberts Bank built, it's $1 billion in benefit that comes out of the efficiency there, so there's a $2-billion differential by getting that project done four years earlier.

Hon. Rachel Bendayan: That's excellent.

I imagine the team you have leading this project is working on financing. Is there anything you can tell the committee about how we will finance the project?

Dawn Farrell: The most important next step is to get the final conditions document in place. It has been under consultation in the last several months, to finish it off. Then the proponent can take all of the conditions and ensure their budget is correct. They will then work with financiers in the next three or four months to make sure we have all the financing in place for the project. That's what gets us to FID in the summertime. That enables them to do the work to make their final notice to proceed with construction by sometime either next fall or early 2028. That's what gets us to 2035.

Hon. Rachel Bendayan: I'd appreciate it if you could table with the committee the cost savings thanks to the MPO's work.

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you, Ms. Farrell.

Hon. Rachel Bendayan: Thank you.

● (1925)

The Joint Chair (Hon. Patti LaBoucane-Benson): I'm going to move on to Mr. Harder.

Hon. Peter Harder (Senator, Ontario, PSG): Thank you very much, Chair.

My question is for Minister LeBlanc and perhaps Ms. Farrell as well. It also concerns the Vancouver Fraser Port Authority and the Global Container Terminals MOU.

I note that it was done outside of any competitive process, which is not abnormal, but I want to ask you about that. As vessels are getting bigger—and location is particularly important in this area—and the ability of the Vancouver port to expand is limited, wouldn't there be some logic to having a second operator at the Roberts Bank terminal and not just the neighbouring operator—who, I could tangentially say, has been part of the delay of the process, having opposed it—being the partner?

Hon. Dominic LeBlanc: Madam Chair, Senator Harder asked a very good question.

I've been updated a number of times. You talk about Global Container being the particular partner versus others. It's a good question, but I don't want to say things about private sector partners that may not be accurate. Ms. Farrell has the latest information.

With your indulgence, Madam Chair, perhaps Ms. Farrell would answer that question from Senator Harder.

Dawn Farrell: Yes.

As you know, there were two competing projects. As we worked to evaluate those projects and determine.... First of all, we determined that we needed a container terminal expansion in Vancouver. Secondly, as we worked with them, of course, they have Roberts Bank terminal one, and this would be Roberts Bank terminal two. We evaluated significant synergies if the two of them work together and really design one container port facility, which would have significant benefits.

The MOU is to see if those benefits can be evaluated and can follow through in a rental agreement, because that's how it works: You rent to the terminal operator. The teams will be working to ensure that if those benefits are there and can be brought forward into the rental agreement, and if there is an agreement between the two, then it will be competitive. Of course, if we don't get those synergies, then there would have to be a public process.

Hon. Peter Harder: Wouldn't a competitive process have yielded some of those answers earlier?

Dawn Farrell: No. For example, you have a container facility on one side and then you basically walk across the street. On the other side, you would have three different terminals where the ships would come. You'd have another head office. You would have other roads. You would have other rail lines. When you actually use one rail line, one office, one set of...you optimize around all of the containers that are coming in. You put them in the right places. You get them on the trains. The benefits are significant.

Hon. Peter Harder: With respect to the MOU, perhaps you could give us a little more detail on the role of the Major Projects Office in bringing the two parties to reach that agreement.

Dawn Farrell: Most of it was just to.... You had two people and both have wanted a project for 10 years. What we wanted for Canadians was to get the best out of both of them, so it was really to facilitate that discussion.

Hon. Peter Harder: In future projects—I'm just interested in the competitive—how do you ensure competition in a project that you want to accelerate? Are there lessons to be learned in this process that might be applicable to other large projects?

Dawn Farrell: Yes, I think, again, when we think about acceleration, what we think about is how to run the various processes in parallel swim lanes so that the benefits of the swim lanes can create reductions in the cost of the project.

If you look at many projects in Canada, they were running sequentially. If you look at Trans Mountain, which I finished, it started in 2010. It took three years in advance of 2010 just to write the document to go to the regulator. It was at the regulator several times. It tripped several times. It took a long time to construct. It ended up being very costly. It went from 2010, in fact, to 2024 before first oil. The reason, probably, that I'm in this role is that it was a lot of waste of effort.

By putting parallel paths in place, we can use data once, we can get the regulators lined up and we can make sure that all the first nations' concerns are up front in the process with proponents and effectively design the project so that it's the most efficient, has the least cost and is the most beneficial for Canadians. Canadian competitiveness is utmost in our minds as we're putting this together.

Hon. Peter Harder: I would hope that's while reserving some level of competition at the beginning.

● (1930)

Dawn Farrell: That's right. While many of these projects have already competed to get to be a project, what we're doing is making sure that if they do get across the line as a project, they're the most competitive project that we have.

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you, Ms. Farrell.

I'm moving on to Mr. Bélanger.

Jim Bélanger (Sudbury East—Manitoulin—Nickel Belt, CPC): Thank you, Chair.

I'll address my question to Minister LeBlanc and/or Ms. Farrell.

Minister, your government claims that the Major Projects Office is accelerating the delivery of major resource projects. I want to talk about a project that is of particular interest to me.

With respect to the Crawford nickel project in northern Ontario, can you identify the specific actions taken by the MPO that accelerated that project?

[*Translation*]

Hon. Dominic LeBlanc: That's an excellent question, Mr. Bélanger.

[*English*]

Ms. Farrell will be able to answer your question with respect to that. I understand the importance of this in your region of the country.

Dawn Farrell: In the case of the Crawford project, what we're working on with that proponent is.... That project is a combination of a nickel project that requires a steel mill and a refining project to go along with it, where the output of that steel mill would need to be sold offshore. In terms of our work with them, it's mostly to ensure that we have the full process in place. We will determine how that could be financed and how that could be exported offshore—outside of Canada.

Jim Bélanger: I take it that your involvement in this project to date is only in the financing stage?

Dawn Farrell: No. Currently with that proponent, the first part of it is to ensure that it has the ability to use the nickel in the refining process. It's also to ensure that it has the ability to finance that whole project. It's quite expensive once you put those two together. To be able to finance that, you need contracts. It's about working with them to make sure they have the right structure in place so that the financing can happen.

Jim Bélanger: I'll come back to the designation as a project of national interest. From my understanding, the Crawford project was referred to the Major Projects Office in November 2025. The federal government had been involved with the project since 2022, when the Canada Nickel Company submitted its initial project description to the Impact Assessment Agency of Canada. Before receiving that major project status, the project was already undergoing federal environmental assessments, indigenous consultations and regulatory reviews.

Your office did not have a role up to that point. Is that correct?

Dawn Farrell: You're correct. Our office only started to get involved with the project in 2025. In 2025, the work we did with them was to see where it was in terms of its current federal reviews. Then it was about how we ensured that the combination of the mine that it would build, plus the refining capacity, would end up with the right export capacity, which could be sold and then financed.

You have to remember that projects don't all get listed in our office. They can come to us for concierge service, where we help them a bit with regulatory. They can be referred to us for our help with regulatory and financing, and sometimes to make sure they can get to the right marketplace with their output. In exceptional cases, they are evaluated as projects of national interest. Not all projects are evaluated as projects of national interest.

Of the 18 projects that have come to us, six have gone into FID and construction, and six are likely to be under construction and in FID in the next two years. That will be about 12 of the 18 projects. Of the 18 projects that were referred to us, some will not make it across the line. They won't go anywhere, as they won't have all the qualities they'll need to make it. Then other projects will come online more in 2029.

Jim Bélanger: Do we know the current status of the project? From my understanding, the project's remaining challenges relate largely to financing, market conditions and outstanding permit requirements.

Dawn Farrell: Yes. It's also the finalization of a design for the actual product that they will make and ship offshore. There's still work to do there. It's similar to the Sisson project. The Sisson project had to be updated for its feasibility study, so they could get the right design for that mine. That is a big part of the process.

In the case of Crawford, you have to make sure that the refining part of its process is engineered economically and efficiently, can be permitted and is also ready to sell its output.

● (1935)

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you, Ms. Farrell.

Thanks very much.

I'm going now to Mr. Louis.

Tim Louis (Kitchener—Conestoga, Lib.): Thank you, Madam Chair.

Thank you, Minister, for being here.

Also, Ms. Farrell and Ms. Baird, thank you for being here from the Major Projects Office.

We talk about major projects, Minister, but we're also talking about transformative strategies that can also lay the groundwork for those projects. My colleague just mentioned northern infrastructure and critical mines, and I know that's one of our transformative strategies.

How can we make sure that progress happens in turning these broader strategies into more concrete investment opportunities? What have we learned from, let's say, the Major Projects Office or what the government can do to turn those strategies into projects as well?

Hon. Dominic LeBlanc: Madam Chair, through you to Mr. Louis, thank you for the question.

Ms. Farrell can add to my answer.

I think you've hit on what is an important distinction between a major project.... We just heard the exchange with your colleague Mr. Bélanger about a particular mining project in his part of the country, but there are broader strategies around critical minerals development, clean energy, transmission corridors, upgrading electricity and clean energy transmission.

I'm also the intergovernmental affairs minister. I spend a lot of time talking to provincial premiers, who have very ambitious plans in every part of the country to develop these strategies, whether it's two provinces linking up a clean energy project or it's critical mineral developments on the Prairies or in northern Ontario.

The idea is that the Major Projects Office and the people who work with Ms. Farrell have the expertise, both in regulatory approval processes—you heard Mr. Feldberg a minute ago—and in financing. With many of these projects, because of the uncertainty in approval processes, private capital wasn't assigned, boards of directors weren't assigning the necessary private capital or, for a proponent, it was hard to raise the money necessary. This is a critical part of getting that right.

A transformative national strategy—think of infrastructure in the north—will lead to specific projects coming out of that. The Mackenzie Valley highway is one. If there's a strategy around northern infrastructure, dual-use infrastructure, Arctic sovereignty and opening up critical minerals corridors in Canada's north, the Mackenzie Valley highway would be an example of a project that fits nicely in a strategy of developing economic sovereignty, critical minerals capacity or the particular objective of having a public purpose.

Tim Louis: To follow the line of reasoning that the transformative strategies can lead to major projects, can major projects lead to smaller projects as well? You touched briefly on what we can learn from these major projects.

Can we apply these same ways of, say, moving concurrently, not consecutively, maintaining environmental standards and indigenous partnerships and consultation...? Can we start bringing them from major projects down to smaller projects as well?

Hon. Dominic LeBlanc: That is a bridge to an earlier conversation. That is exactly what Parliament is seized with now with Bill C-39, so your point, Mr. Louis, is absolutely valid. If a major project like Roberts Bank terminal two or the Pacific link pipeline needs to benefit from greater approval certainty, timelines and investment opportunities, it's also true for a much smaller project that, in a particular community in a part of the country, has great importance in terms of employment and the economics of a small community.

Greater certainty, less duplication, working with provinces and territories and one project, one review, one decision, one year all flow directly from the work that this committee has done and what we've learned with the Major Projects Office and conversations with provincial and territorial governments and indigenous partners. I think it has informed an ambitious agenda that's not only the Government of Canada's agenda, but an agenda supported by the provinces, territories and private sector actors, big and small, in every part of the country.

● (1940)

Tim Louis: Thank you for that.

The Joint Chair (Hon. Patti LaBoucane-Benson): Thanks very much.

I'm going now to Senator Gignac.

[*Translation*]

Hon. Clément Gignac (Senator, Quebec (Kennebec), CSG): Thank you, Madam Chair.

I would like to welcome Minister LeBlanc and officials from the Major Projects Office.

Minister, as a former Quebec minister of economic development, innovation and export trade and an independent senator, I applaud your government's efforts to make the economy more resilient and competitive and the government more effective.

That was me buttering you up.

Hon. Dominic LeBlanc: Do go on.

Hon. Clément Gignac: Now for the tough questions.

I would like to continue the conversation you had with Mr. Bonin. As the Barreau du Québec noted, the pursuit of more efficient government cannot replace the rule of law. You compared Bill C-5 and Bill C-39. Bill C-5 had a sunset clause; Bill C-39 doesn't. Accountability is another issue. The fact that you're here this evening is due to Bill C-5, which provides for accountability.

Will you continue to adhere to this practice and other best practices in governance? When the time comes to discuss the definition of national corridors and other elements of Bill C-39, I hope we will get more detailed explanations. After all, this bill does give the minister considerable authority.

Thank you. I have a second question.

Hon. Dominic LeBlanc: Senator, your first question is so good that I hope you will allow me to give it the answer it deserves.

I'm always looking for opportunities to appear before committees, be it a joint committee like this one or a Senate or House of Commons committee. You're absolutely right. Public trust is strengthened when there is transparency surrounding important government decisions. As such, I believe, and I certainly hope that this fine tradition will continue. We're not exactly reluctant to take the opportunity to come and say hello, even on the night of a U.S. election.

I know you're all eager to get back to your televisions. Anderson Cooper will be on all evening.

Even with all that going on, we're here talking to you. It's a fine tradition that we fully intend to perpetuate.

Hon. Clément Gignac: I would like to talk about another topic: the indigenous advisory council and relations with indigenous peoples. There's this notion of “one project, one review, one year”.

Before I talk about that, I'd like to share an experience with you. I was Quebec's minister of natural resources and wildlife. It took us over a year, with five ministers, to reach an agreement with the Cree Nation. I actually have the memorandum of understanding with me. With one indigenous community and five ministers, it took us over a year. I'm very impressed by what I'm hearing: that you were able to consult in a short time and that everything is fine.

What is your secret recipe for moving forward without ending up in court injunctions and lawsuits?

I would like you to talk about that tonight.

Hon. Dominic LeBlanc: Senator, you are correct. The example you just gave is a fine example of a partnership, one that was meticulously prepared by the Government of Quebec.

We draw inspiration from best practices and good examples. There are success stories across the country. You're right, the current context gives us an opportunity to work together. In fact, I see this in my conversations with representatives of indigenous peoples. Eight days ago, I was with the Prime Minister at the meeting with the provincial and territorial premiers. There's a willingness to participate that I find encouraging. You're right, it's important not to give the impression that the desire to move more quickly or more consistently will make indigenous peoples or indigenous rights holders feel rushed or feel that they aren't fully participating in discussions and consultations that affect their rights.

I think and hope that there is so much goodwill on all sides that we can do this the right way. We have partners in the provinces and territories. In fact, some projects will be put forward by indigenous peoples. I find it inspiring to see indigenous organizations or representatives of indigenous rights holders come to the Major Projects Office with projects that will transform their territory. I think it will serve as inspiration, too.

● (1945)

Hon. Clément Gignac: Thank you.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you very much.

I'm going back to Ms. Stubbs.

Shannon Stubbs: Thank you, Madam Chair.

Minister, do you agree with the lack of provision of the companies from which staff are seconded into the MPO?

Hon. Dominic LeBlanc: I'm sorry. Do I...?

Shannon Stubbs: Do you think the companies that might have employed or that could continue to employ MPO staff should be provided to the committee?

Hon. Dominic LeBlanc: No, I agree with—

Shannon Stubbs: Why?

Hon. Dominic LeBlanc: I'm very excited to be able to explain to you why.

I agree with Ms. Farrell. This particular exchange program goes back to 1971. Pierre Trudeau had sideburns; 1971 was a long time ago.

Shannon Stubbs: I definitely will enjoy your history lesson another day, because you are so eloquent and have been here a long time. However—

Hon. Dominic LeBlanc: I haven't been here since 1971.

Voices: Oh, oh!

Hon. Dominic LeBlanc: I couldn't even vote in 1971.

Shannon Stubbs: We're all concerned about transparency. I know that for sure.

Hon. Dominic LeBlanc: I will answer your question, and it's a good question.

Shannon Stubbs: Why can't the companies be provided?

Hon. Dominic LeBlanc: It's because I think we have to be careful.

First of all, these are women and men.... These are companies, but they're not only companies. Some are other orders of government. Some are federal institutions, but—

Shannon Stubbs: I'm not talking about releasing all of the names of staff, and I'm not talking about those additional aspects.

Shannon Stubbs: I'm talking about the private sector companies or the banks and financial agencies. Why can't we list them?

Hon. Dominic LeBlanc: With respect to the companies—

Hon. Dominic LeBlanc: It's because I think we have to be careful. These are people who work for these institutions and who decide to step up and serve their country and help build their country in a way.

I've been around the House of Commons—and you made reference to it, Ms. Stubbs—for some time. I've been an opposition MP too. I think there's a danger in saying that company X provided employee Y, because then there will be a whole artificial, fabricated gotcha moment where the person who worked for that business and is now working for the Major Projects Office, subject to all of the rigorous oversight, conflict of interest requirements and postemployment requirements, who signs agreements to not divulge or use any of the information that he or she may have obtained while working for the Major Projects Office when he or she goes back to a particular private sector entity....

This is a two-way street, by the way. There are people in the public service who go to work for many of these same private sector institutions and then come back to the Government of Canada. This is a well-worn path, and I think we have to be careful to not cast aspersions on the companies or the individuals who are participating in something that's existed for well over 50 years.

Shannon Stubbs: Then your answer, in effect, is “just trust us”.

Can you confirm, though, that the committee will be provided with the number of times the screen has been applied to employees seconded from the private sector and the total number of employees seconded from the private sector to the MPO?

Hon. Dominic LeBlanc: Absolutely. You want the total number provided.

Again, we talk about “the screen”. Your colleague, Monsieur Deltell, talked about the Prime Minister's screen. Ms. Farrell, as a Governor in Council appointee, has a screen with the Ethics Commissioner. There are Treasury Board processes that deal with a potential or real conflict of interest.

I just want to be careful. All screens aren't the same, and some conflict of interest prevention measures are not a screen.

Shannon Stubbs: Yes, but hopefully—

Hon. Dominic LeBlanc: I just don't want to leave a sense that there's a whole list of screens that somehow....

We'd be happy to provide you with that information.

Shannon Stubbs: When the documents are provided to this committee, hopefully the important differentiation of the screens will be very articulated.

Hon. Dominic LeBlanc: We'd be happy to provide all of that to you.

Shannon Stubbs: That's fantastic.

I'll loop back to our previous question.

Here's the reason I was asking you about the cost estimate. Since taxpayers will be on the hook for construction of the project as of now, I think it's fair. The estimated cost, as you know, of the original Trans Mountain expansion rose from $7.4 billion to $34.2 billion, and it entered service four years later than its private sector proponent proposed.

What I'm concerned about is Scotiabank's worst-case scenario—but it might be realistic—for a cost to taxpayers of $65 billion, with a potential start-up date of 2037. That's because Scotiabank included considering costs for litigation, for wildfires, for floods, for things that might quite reasonably delay construction. What I want to know is this: What will you commit to do as minister? What safeguards are in place to be transparent about those costs and to control those costs for Canadians?

Also, isn't it deeply concerning, then, that immediately after the national interest designation, the pro-energy-developing Cold Lake First Nations launched a legal challenge against the national interest designation and has just been joined by nine more suits in British Columbia?

● (1950)

The Joint Chair (Hon. Patti LaBoucane-Benson): You have 10 seconds.

Hon. Dominic LeBlanc: Madam Chair, I couldn't possibly, in 10 seconds, do justice to that massive question that Ms. Stubbs asked with regard to indigenous judicial reviews, cost estimates and worst-case scenarios from Scotiabank.

Shannon Stubbs: Maybe you'll follow up with an answer to my question in writing—

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you, Ms. Stubbs.

Shannon Stubbs: —since it all goes together.

The Joint Chair (Hon. Patti LaBoucane-Benson): I'm going to move to Mr. Danko now.

John-Paul Danko (Hamilton West—Ancaster—Dundas, Lib.): Thank you, Chair.

Despite the rumours, I have not, in fact, crossed the floor to the Bloc.

Voices: Oh, oh!

[*Translation*]

Hon. Dominic LeBlanc: Mr. Bonin would be lucky if that were the case.

[*English*]

John-Paul Danko: I see you have your Diet Coke. I'm not sure if that's a habit you picked while you were in Washington.

Hon. Dominic LeBlanc: It's the Mar-a-Lago way.

John-Paul Danko: Maybe add some rum later on.

Minister, thank you for joining us this evening, along with the Major Projects Office.

When I think about projects of national interest and the trajectory we're trying to set in place as a government, I often think about the McMaster nuclear reactor. This was a project designed in 1955, financed in 1956 and went to tender and was complete and in operation by 1959. Since then, it has been in operation for 70 years, with the value of that being invaluable in terms of science, innovation and health care.

In the ambition that we have for projects of national interest and the trajectory we're trying to set as a government, how are we trying to impact the nation's economy in terms of jobs and in terms of the broader economic uplift across the country, in particular in this context of tariff-impacted industries? Being an MP from Hamilton, I'm thinking specifically about steel.

Hon. Dominic LeBlanc: Madam Chair, Mr. Danko has asked a number of, I think, good questions.

You're right. I'm not familiar with the particular example of the McMaster nuclear reactor, but McMaster University is a leader in science and engineering across the country. My friends who work in engineering and science use that university as a reference point in many projects. I completely attach myself to your comments with respect to that university.

You're right in the sense that on the science and the innovation, you think about the Darlington nuclear project. You think about the work of the Government of Ontario. Premier Ford talks to me, the Prime Minister and our colleague Tim Hodgson often about the particular potential in terms of nuclear projects. So do Premier Moe in Saskatchewan and Premier Smith in Alberta. There's an example where Canada has been a leader in nuclear technology and nuclear supply chains. There are international partners that are interested in potentially purchasing Canadian nuclear technologies.

The Major Projects Office and the designation of a strategy—for example, around electricity—gives Canada and, in particular, private sector or quasi-public sector utilities, an opportunity to benefit from a much more coherent and focused approval process. Ms. Farrell's experience and that of her colleagues in the Major Projects Office are so valuable in terms of crowding in the necessary financing. There was an approval process that, in some cases, had become too cumbersome and took too long. There was uncertainty and investment chill, as colleagues know very well.

There's also a concierge service of expertise. It's not only Air Canada that provides a concierge service. The Major Projects Office does as well, in the sense that proponents can benefit from the advice and the experience of Ms. Farrell and her colleagues in finding the right formula to make the financing work, both of which are essential for a project to actually begin construction.

John-Paul Danko: In your opening remarks and throughout the discussion this evening, you've talked about certainty a number of times: the need for certainty in the approvals process and certainty in the broader economics in how Canada is viewed.

I wanted to ask you this: How is Canada viewed by the private sector with the deliberate strategies that we are implementing?

● (1955)

Hon. Dominic LeBlanc: Madam Chair, perhaps Ms. Farrell could provide a detailed answer to that very good question.

Dawn Farrell: We mostly don't meet with private investors at this point, because our projects are greenfield. Typically, private sector investors want to come in when the projects have less risk to them.

We did meet with a number of investors, though, at the Prime Minister's conference. They were angling, negotiating and wanting to see if they could get into our projects at a discount. I said, “No, you can pay a premium.”

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you very much.

Our very last questioner is Ms. Dandurand.

[*Translation*]

Marianne Dandurand (Compton—Stanstead, Lib.): Thank you very much, Madam Chair.

I'd like to thank the witnesses for being here with us today.

Minister, I would like to follow up on the question from my colleague Mr. Danko, who isn't from the Bloc and who stayed with us in the Liberal Party.

Hon. Dominic LeBlanc: It's the Bloc Ontarian.

Marianne Dandurand: Yes, that's it.

Minister, in your opening remarks, you said that things have moved from “if” to “how”.

I'm just going to mention the Lac-Mégantic bypass project. This is related to an accident that happened near my riding 13 years ago and that still leaves scars. Things are still in the “if” stage, or close. People are wondering how to carry out this project or if it's being carried out.

In concrete terms, what has changed in the way the government works to actually build major projects, such as what could have been the Lac-Mégantic bypass? What's the difference when it comes to other major projects? Why is it that the government can carry out a project more quickly today?

Hon. Dominic LeBlanc: Ms. Dandurand, thank you for your question.

I took part in conversations with our colleague the Minister of Transport, who spoke to us about the Lac-Mégantic bypass example, a project that, frankly, has been dragging on for so long. There were provincial, local and federal bodies involved at one point. This is an example of a project that could have and should have seen the light of day. I'll let the people in the region and in Quebec describe the urgency or how this project could have proceeded. It's an example of a process that had somewhat lost its sense of efficiency and consistency. It's an important example for Quebec and for Canada. I, too, remember where I was that morning, 13 years ago. It was the summer, and we woke up and found out what had happened in Lac-Mégantic.

There is a need to take action, whether it's a matter of bypasses, seaport expansions or pipelines. We're obviously talking about complex projects, such as a pipeline that crosses over two provinces. That concerns more than just the federal government. The example you cited involved provincial bodies. We have signed agreements with eight provinces for one project, one review or to ensure more consistency.

In your province, the Bureau d'audiences publiques sur l'environnement does important work. How can the government avoid needing to repeat that work? How can it use the same data and the same studies to work more efficiently with partners in the provinces and territories or with indigenous communities?

We're always looking out for good ideas. Your committee has already given us ideas—and will continue to do so, I think—about best practices and inspirational ideas on the right way to speed things up, as you said, while respecting the essential elements that Canadians expect from a responsible government, including environmental standards and our obligations to indigenous peoples.

Marianne Dandurand: Thank you very much.

There are a great deal of questions about consultations, among other things. There is discussion about the environment and discussion about consultations with indigenous peoples. There's a desire to speed things up, which doesn't mean eliminating them: quite the opposite.

Is it possible to take this opportunity to improve the consultation processes? If so, what do you think would be a better process for consultations?

● (2000)

Hon. Dominic LeBlanc: In response to your good question, we can certainly improve the way we conduct consultations with indigenous nations.

First, we need to ensure that they have the ability to take part, that we can consult with them at the beginning of a review process rather than waiting for the project to have been defined to the point where we then have to make adjustments. If we can accommodate them and, from the start, work with those who hold indigenous rights, it will save us time and help build trust. That's what the Major Projects Office currently does. From the outset, it will identify those who hold these rights and will include them in a constructive way to help them build their financial capacity so that they're ready for the consultations.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you, Minister.

[*Translation*]

Hon. Dominic LeBlanc: Thank you, Madam Chair.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Colleagues, I want to thank the minister very much for his time today. I know that he has something to watch on TV—

Voices: Oh, oh!

The Joint Chair (Hon. Patti LaBoucane-Benson): —so he probably wants to get going right now.

Shannon Stubbs: Yes, that's his file too.

The Joint Chair (Hon. Patti LaBoucane-Benson): That's his file too. Exactly.

Before we suspend briefly to begin the next panel, I want to confirm and clarify something.

Mr. Bonin, you had requested a report. Is that correct?

[*Translation*]

Patrick Bonin: The minister said that the CO2 capture, utilization and storage project was part of his analysis. I was asking him if he could table that analysis.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you.

Ms. Bendayan, had you also asked for a report?

Hon. Rachel Bendayan: I had asked Ms. Farrell if she could provide the cost savings or other financials for the RBT2 project.

The Joint Chair (Hon. Patti LaBoucane-Benson): Perfect.

Ms. Stubbs, you had asked for...?

Shannon Stubbs: I had asked for additional information, as clear a breakdown as possible, on employees and their screens.

The Joint Chair (Hon. Patti LaBoucane-Benson): Go ahead, Mr. Deltell.

Gérard Deltell: Madam Chair, I will welcome the invitation of the minister to give, by letter to this committee, of the 25 times he used the screen, how many major projects were involved in it.

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you very much.

Colleagues, we will suspend briefly before we start the next panel.

● (2000)

_____(Pause)_____

● (2005)

The Joint Chair (Dean Allison): Let's get started again. We'll continue with five-minute interventions.

We'll start with Mr. Deltell for five minutes, please.

Gérard Deltell: Thank you so much, Mr. Chair.

[*Translation*]

Good evening again.

I ended my discussion with the minister by talking about the first nation in my riding, the Wendat Nation, so I'd like to come back to that.

A few moments ago, Senator Gignac gave an example that illustrates everything that's necessary to reach agreements with first nations and for it to be a win-win situation.

Our approach, as Conservatives, is to promote shared prosperity.

[*English*]

We are partners in prosperity. This is where we stand when we talk about the development of natural resources hand in hand with first nations.

[*Translation*]

I recently had conversations with the Wendat people, including with Grand Chief Pierre Picard, about the major projects the government wants to carry out. That's obviously being done under the auspices of Bill C-39. That raises a lot of questions, including about the sixth principle set out in the document entitled “Principles respecting the Government of Canada's relationship with indigenous peoples”. That document dates from 2018, a time when the same political party was in power, and it “recognizes that meaningful engagement with Indigenous peoples aims to secure their…prior… consent”.

Ms. Farrell and Ms. Baird, I'd like to ask you the following question: With such a tight timeline, how can the government ensure that it has prior consent, as set out in principle 6 of “Principles respecting the Government of Canada's relationship with Indigenous peoples”?

[*English*]

Dawn Farrell: As we are endeavouring to find a new way to do things here in Canada, which includes having a number of swim lanes side by side, including government ministers and their ministries like DFO or CER, which regulates pipelines, let's say, first nations who are along the pipeline route, municipalities and every potential person who could be either a stakeholder or a rights holder, we are having to forge new ways of bringing people together.

When it comes to being able to get people to consent effectively to a pipeline route through their backyard, where that pipeline route might go through some hunting ground or some land where first nations have rights, it requires people to work together up front on the engineering, on the routing, on the environmental factors and on the measures that are required—and they have to work in concert. As we're going down the road from the listing process here, the listing process was really to understand what all the concerns were.

Luckily for the Pacific Link pipeline, for example, a lot of the routes had already been gone down because there had already been a pipeline built there. What we now have is what all the issues are with the 130 rights holders. We understand what DFO needs and what ECCC needs, and now they have to work with the proponent and the company to design a project that considers all of the issues that people have so that we can achieve agreement.

● (2010)

[*Translation*]

Gérard Deltell: Let's actually talk about the issues that directly affect first nations. To do a careful and rigorous job, as they want to do, first nations must have the equipment, the time and the people they need. Is the federal government committed to providing first nations with the necessary resources—financial resources—so that they can carry out their assessment in accordance with their principles, but in a thorough way and on an accelerated basis at the federal government's request? Are you prepared to increase budgets to enable first nations to do a thorough job when it comes time for assessments?

[*English*]

The Joint Chair (Dean Allison): Ms. Farrell, give a quick answer. I have to readjust the times for everybody to only four minutes.

Dawn Farrell: The answer is yes.

The Joint Chair (Dean Allison): Thank you very much.

We're going to move over to Mr. Beech.

You have four minutes, sir.

Hon. Terry Beech: Thank you.

This question is for Ms. Farrell.

The last time you were here, we discussed at some length how not just this committee but the government and Canadians were going to measure the success of the MPO.

I thought in your previous testimony you gave a really good British Columbia example. You provided a time dimension for Roberts Bank. It was assessed that it was going to be 2039, and it was reduced to 2035. The impact of that time dimension had a financial dimension. It was a billion dollars in savings every year and a billion-dollar incremental economic benefit to the country every year, essentially $8 billion in total, assuming that those targets, of course, are met. It's great to come to a committee like this and get those targets.

How will we see those targets roll out across the various projects? When will they become available? Will they be provided in some consistent way? If there's enough time—four minutes goes by very fast—we don't just want to be better than we were. We want to be globally competitive. That's what unlocks sustained flows of capital to our country, creates jobs, etc.

You could answer the first question, and then if you have time, address how you see us becoming globally competitive and any global benchmarks that you might be comparing Canada to.

Dawn Farrell: First, the explanatory notes that come out from the government do outline the benefits and costs and how they weighed the decision. You can see, in those decision documents, what the targets are that we're aiming for.

Second, we will be updating our websites so that you can see, for each project, what the benefits are that we're endeavouring to get, and then, of course, what the performance is. It's one thing to say you're going to go FID in 2027, and it's another thing to do that. We can do that on our websites.

Third, as we think about global costs and global targets, we can provide that evaluation when the government is making its decisions around a listing or as we're updating our information on the website. We can have all of that available for Canadians. I think it is important for Canadians to absolutely understand the importance of what it looks like to deliver projects on time.

Ms. Stubbs talked about $65 billion in 2037. Our office's job is to make it 2033 and to ensure that the amount of financing cost and inflation that goes into the Pacific pipeline keeps that project competitive so that the people who will pay the tolls for that project will have a competitive barrel of oil that they can sell to Asia. That's the whole game that we have to play there.

● (2015)

Hon. Terry Beech: I would expect that $4 billion in cost savings really changes the dynamic of an investment decision. In terms of getting over a hurdle, when you try to decide whether you are going to go ahead with this or not, or even ask the question of whether you are even going to invest the time to consider whether this is possible, I have to imagine that kind of speed or even that kind of promise of speed is making some projects, which might not have been viable under old systems, viable under this new system.

Dawn Farrell: Yes, for sure. For example, on the pipeline, the project would not have been undertaken by anybody or built if we were going to continue to build projects over 15 years.

Hon. Terry Beech: Thank you, Mr. Chair.

The Joint Chair (Dean Allison): We'll move over to Mr. Bonin.

You have four minutes.

[*Translation*]

Patrick Bonin: Thank you, Mr. Chair.

Ms. Farrell, I believe you consulted with about 130 first nations communities regarding the Pacific Link project. About 10 communities are currently in court to say that the consultations did not go well. Are you responsible for those consultations? Has a consultation report been prepared that you can table with the committee?

[*English*]

Dawn Farrell: Yes, it was our office. Unfortunately, Rob can't speak to you because the sound isn't working. Yes, we will provide you with that consultation report.

[*Translation*]

Patrick Bonin: There were other, broader consultations with the general public. I think there were about 28,000 comments. Did that consultation lead to a report as well? Can you table it with the committee?

[*English*]

Louise Baird: Some of the comments that were provided through.... I think you're speaking to the Canada Gazette notice period and the comment period we had in place at the same time that the indigenous consultation was running. Some of those comments were captured in the explanatory note that Dawn was speaking about a little earlier.

I think you had the number about right. I think it was about 29,000 submissions that were provided in response to that Canada Gazette notice. We obviously reviewed all of those in forming some advice to the government on getting all of the input from the various sources. My understanding is that we can provide the submissions, but there has to be a review for any personal identifiers or that kind of information that's in there, so we will look at that.

[*Translation*]

Patrick Bonin: However, there was no report as such on those 29,000 comments. You held consultations, but there was no report.

Louise Baird: No, there has not been a public report on all the comments.

Patrick Bonin: What is the point of consultation, then, if you don't have a report on that consultation?

[*English*]

Louise Baird: The Major Projects Office reviewed all of the submissions and took those submissions into account when determining its advice and its recommendation to the government, along with all of the other sources of input, including the indigenous consultations.

[*Translation*]

Patrick Bonin: There are 29,000 comments. How do you get something out of that? Do you just take the comments that interest you? How do we know what your analysis of the consultation is?

[*English*]

Louise Baird: The vast majority of the submissions that came in through that Canada Gazette comment period came in the form of form letters or campaigns, so many of them were similar or identical.

[*Translation*]

Patrick Bonin: Can you expand on that?

[*English*]

Louise Baird: We were able to look at them based on that content.

[*Translation*]

Patrick Bonin: Okay.

Ms. Farrell, we often hear that this pipeline will serve to fight against the tariff crisis and the United States, in particular. Is there a guarantee that the oil transported in the Pacific Link pipeline won't end up in the United States, given that 90% of Canadian oil exports go to the United States? Is there a guarantee that it won't just go to the United States?

[*English*]

Dawn Farrell: No, there is no guarantee.

[*Translation*]

Patrick Bonin: That means 100% of the oil could potentially be exported to the United States.

[*English*]

Dawn Farrell: It's highly unlikely.

[*Translation*]

Patrick Bonin: Okay.

What do you think is the most likely percentage of oil that would go to the United States?

[*English*]

Dawn Farrell: I'm not an expert on that, but we could provide some information on the past amount of oil that went to Asia and also to the U.S. One would expect that as you go forward and there's less oil going to the U.S. because, of course, the U.S. is importing more of their oil from Venezuela—

● (2020)

The Joint Chair (Dean Allison): Thank you.

Dawn Farrell: —that more of it would go...so there's analysis there.

The Joint Chair (Dean Allison): That's all the time we have.

We're going to move over to Senator Quinn for four minutes.

Hon. Jim Quinn: Thank you, Chair.

I want to revisit the discussion on Roberts Bank terminal two, the questions from my colleague Senator Harder and the responses you gave.

Right now at the Roberts Bank operation there are three class-one railways. There are a number of truck operators. They have a system of rail. They have a system of roads. The new terminal will marry into that.

In my experience with ports, the principle of fairness and transparency is very important when dealing with stakeholders, including terminal operators. I know that terminal operators in the Vancouver Fraser Port Authority that are not GCT have had interest, over the years, in the opportunity to be part of that story. However, the GCT became the person that is tied into it, and there wasn't a competitive process. I'm back to that. I can say that's missing and that's concerning, as a person who ran a port.

Regardless of what happens, the terminal operator, even if it's not GCT eventually, is going to have to work with the railways and roads in planning those extra systems. The lack of competition is very concerning, and I don't want that to be a precedent for other projects.

Dawn Farrell: Remember that the decision to make GCT the terminal operator has not been made. Currently, the port and Global Container Terminals are working together to see whether the synergies that can be brought, between the two of them, can be enough to—

Hon. Jim Quinn: I don't want to interrupt you. GCT may not eventually be, but they have an upper hand now because they're involved in this assessment. As to whether there's a synergy or not, the others are blocked out. I really am concerned that there was no competitive process to even allow people at that stage. It's very difficult to understand.

Did the MPO give advice to the Vancouver Fraser Port Authority to try to find that synergy with the existing Roberts Bank operator?

Dawn Farrell: Yes, we did, and the synergies are significant.

However, to go back to your point about that whole area, as you know, there are terminals downtown, there are trains, there are trucks, there's Highway 1, there's the downtown area and there's the Roberts Bank unused capacity of the rail. There's a lot to consider there.

We have a gateway strategy of four pillars: pillar one is this land, pillar two is the trains and pillar three is the bulk land. All of that is being assessed by the Vancouver area and its stakeholders in that area to ensure that, at the end of the day, Canadians get the lowest cost and the fastest service out of that port.

Hon. Jim Quinn: With all due respect, that would have had to happen, no matter the case. Again, it's back to the competitive situation.

Dawn Farrell: It was not happening, and it is happening now under the gateway strategy.

Hon. Jim Quinn: My comment stands.

Thank you.

The Joint Chair (Dean Allison): Thank you, Senator.

Ms. Cody, you have four minutes.

Connie Cody: Thank you, Chair.

I'd like to continue with my questions for Ms. Farrell.

IRCC has a departmental plan for this year in which it said that it will collaborate with the MPO "to facilitate the recruitment of international workers to support projects of national interest." How many foreign workers does your office anticipate needing, in which occupations and in which years?

Dawn Farrell: We have currently not done an assessment of the foreign workers who would be needed in our projects. If that work is going on, it's with people below my level. I haven't been apprised of that work, at this point.

Connie Cody: Some of these projects that are moving through the MPO will take two to 10 years for construction to begin. How do we know what the labour market will be years from now?

Dawn Farrell: That's an important question. I mean, part of what we're doing now, as various projects start to come on and we start to group them together, is that, for example, you know that in B.C. you could have Red Chris mine being built at the same time as potentially Ksi Lisims, the port, the pipeline....

We are starting to pull together a group of people to forecast ahead and look at all the job categories and classifications, but that work has not been done yet.

● (2025)

Connie Cody: Thank you.

Last month Stats Canada reported that there are 94,600 construction workers unemployed right now in Canada who would love to be recruited for these projects. I'm curious as to why you're collaborating with IRCC to bring in foreign workers.

Shouldn't we be offering these jobs to Canadians first?

Louise Baird: As I think Dawn mentioned earlier today, we rely heavily on some of our partners and other federal organizations, given that we're such a small office. On the labour market information, our colleagues at ESDC do a lot of that work. They work very closely with IRCC. As you probably know, it's a partnership on the temporary foreign worker program. They do all of that kind of modelling for the federal government that we would take a look at, but certainly that expertise and that kind of information does come from ESDC.

Connie Cody: Could you actually provide that information in writing? Could you find out and bring it back to committee for us?

Louise Baird: We can check with ESDC. As I said, we're not the experts on the labour modelling and the forecasting, but there are places in the government that do that work. We can check with them.

Connie Cody: Is your office seeking special processing arrangements on immigration pathways for MPO projects? Would you know that?

Louise Baird: We're not seeking any special arrangements. I think when IRCC looks at some of this, they look across broadly—again, in partnership with ESDC—at what some of the coming needs might be across the country. They're probably factoring it in. As Dawn said, it might have been a discussion at the working level, where they were talking about some of the needs that might be coming through the major projects work.

Connie Cody: All right.

How do you ensure that the employees borrowed from the private sector are not effectively lobbying from inside the MPO, including by advocating for foreign workers on projects in which their employers have an interest?

Louise Baird: I'm sorry. Was your question on whether MPO employees could be lobbied?

Connie Cody: How do you ensure that the employees borrowed from the private sector are not effectively lobbying from inside the MPO, including by advocating for foreign workers on projects in which their employers have an interest?

Dawn Farrell: Our employees don't work on projects for their employers. Our employees work on projects that are not for their employers and that are for Canada. We're working on Canadian projects.

Connie Cody: Okay.

Dawn Farrell: Our objective is to work with the proponents—

Connie Cody: I'm running out of time here. I'm sorry.

Is every MPO employee—

Hon. Rachel Bendayan: Chair, the witnesses have the right to respond to the questions being asked.

The Joint Chair (Dean Allison): Do you know what? As a matter of fact, that's all the time we have. We'll hold it there.

We'll move over to Mr. Dhaliwal for four minutes.

Sukh Dhaliwal: Thank you, Mr. Chair.

I'll carry on from what Ms. Cody was talking about with regard to foreign workers. I'm concerned about the workers and labour force across Canada. As a professional engineer and B.C. land surveyor, I know that there are limitations in moving people from one province to the other. This committee recommended working with the provinces and territories to reduce barriers related to labour mobility, permitting coordination and infrastructure planning.

What are the main barriers today? What steps are being taken to address them?

Dawn Farrell: I think the barriers today are the same barriers that have always been there. There's always been a lot of movement across Canada with workers going to different construction projects. I'm a Calgarian married to a Cape Bretoner. If it weren't for the construction program in Canada, I wouldn't have gotten that opportunity. However, when we look today, we see a lot of people here driving Ubers, as I say, who could be working on construction sites. We need to make sure we have training programs and the ability to qualify people who are already qualified and get them onto our construction sites.

As we are thinking about projects such as up in the Mackenzie Valley with the Mackenzie Valley highway, which is our next project, we are looking at what kinds of training programs we can put in place to ensure that the workers up there all have jobs and to ensure that Canadians can move into those areas. I was just up in the Yukon. An inspector in Alberta cannot cross the border and go to the Yukon. We have to work hard with the provincial and territorial governments to take away those barriers.

Sukh Dhaliwal: Thank you.

I'm coming back to the Roberts Bank terminal two project. It's under the Building Canada Act.

Could you explain how the MPO will coordinate the remaining federal authorizations and help the project move towards the next major milestone?

Dawn Farrell: Yes. Currently, in our office, there is a consultation under way with first nations. We've had consultations with all government departments involved in the final permitting of that project. When we issue our final conditions document, you will see the results of that consultation and what the final conditions document looks like. That then informs the proponent, and they can build that into their costs. It allows them to go forward with their financing.

We help them arrange that financing so they can be ready to make their FID in summer 2027 and start construction. Then we can meet the timelines we put in our decision document.

● (2030)

Sukh Dhaliwal: Thank you.

I will carry on with Mr. Beech's question about strengthening Canada's trade competitiveness on the global scene.

How does this project fit into the broader port of Vancouver gateway strategy, and what role will it play in strengthening Canada's trade competitiveness?

Dawn Farrell: This project adds three new terminals. It allows for potential efficiencies that could happen at the port. It allows us to better utilize unused train capacity at Roberts Bank, which helps relieve some of the pressures in the Lower Mainland. Pillar two, which is our train strategy, looks at areas where the trains are being held up, holding up traffic or causing slowdowns in the downtown area. We can also look at optimizing things between the downtown area and the Roberts Bank area, as well as additional land opportunities for bulk. As you know, we have to get more bulk land there. All three of those pillars are put together to look at what the optimal arrangements will be for the port.

Pillar four is to ensure that the marine area is all taken care of so we don't have issues with the fishery.

The Joint Chair (Dean Allison): Thank you very much. That's all the time, Mr. Dhaliwal.

We're going to move on to Mr. Harder.

Hon. Peter Harder: Thank you very much, Chair.

These are early days in our committee's work and in your work as well. It's hard to believe it's this early, actually, but that's the reality.

How are you benchmarking where you are internationally? As you look forward, could you share with us your sense of what the obstacles to accelerated progress that you're seeing are?

Dawn Farrell: How am I benchmarking the performance of the MPO? People have asked me that question. I have no time to do that. I have no idea what people are doing internationally. I just know what we're endeavouring to do.

The barrier is the disbelief that we, in Canada, can do it well, do it right and do it once. I've said this before. I don't think people understand what I'm trying to say. Fundamentally, we have to practise and do it a few times in order for people to believe this is something we can achieve in Canada. We're doing it on two very big projects now: Pacific link and Roberts Bank. We have three more projects that we're looking at: the Mackenzie Valley road, NWMO and Grays Bay. If those projects come under our act, they will be another couple that we'll practise on.

Effectively, the current barrier I see is that people are very comfortable going sequentially and taking a long time—years—to make decisions, when the reality is that we can now use technology and the goodwill of participants to put the processes in parallel and get the same performance.

Hon. Peter Harder: You've probably said that governments are generally slow until they're fast. I hope you can be on the fast side of this equation.

Dawn Farrell: We're hoping for that too. As I say to my team, hope is not a strategy. The only way we can do it is by working with proponents, departments of the federal government, ministries in the provincial governments, our regulators like the CER and our indigenous communities to invent new processes that help us get to a different outcome sooner.

Hon. Peter Harder: At the same time, to communicate that success as it is being experienced....

Dawn Farrell: Yes.

Hon. Peter Harder: That is not a very Canadian—

Dawn Farrell: Yes. It's not a very Canadian thing to do, and it's not easy to do.

Hon. Peter Harder: I apologize for my question.

Voices: Oh, oh!

Dawn Farrell: I'm sorry that you asked it.

Voices: Oh, oh!

The Joint Chair (Dean Allison): Well said.

That concludes this round.

Thank you very much for taking the time to be around the extra half-hour.

I'm going to suspend the meeting quickly so that we can get our next witnesses up, who will be joining us via Zoom.

Thank you very much.

● (2035)

_____(Pause)_____

● (2040)

The Joint Chair (Dean Allison): Can we get everyone back to the table? We're running a few minutes behind.

It was agreed that we're going to do five-minute rounds, and we're going to go until we run out of time. We'll go in the normal order we move forward in.

We welcome our guests.

We'll get you guys to introduce yourselves. You have five minutes.

Why don't you go ahead?

Kluane Adamek (Chair, Indigenous Advisory Council): That's great. Thank you.

Thank you, Co-Chairs, for the invitation to join you.

I want to acknowledge that I'm joining you from here in Whitehorse, the traditional territory of the Kwanlin Dün First Nation and Ta'an Kwäch'än Council.

My name is Kluane Adamek. I'm a citizen of the Kluane First Nation and currently serve as the chair of the indigenous advisory council of the Major Projects Office. I am joined today by my colleague Lorne Pelletier, and together, we'll be sharing opening remarks.

I want to acknowledge my co-chair, Vanessa Doig, who wasn't able to join us this evening, as well as our other IAC colleagues, who send their regrets.

Our council has 11 members, including ancestry from first nations, Inuit and Métis peoples, and modern treaty and self-governing communities from coast to coast to coast.

I want to be clear on one point from the start. Each of us was appointed in our own capacities based on our own individual and collective experiences. We don't speak for nations, organizations or any specific interests. Rather, we bring our experience in governance, business rights and the land. Our role is to give independent, non-binding advice to the Major Projects Office on policy, process and practice. We do not approve or veto projects, and we do not replace in any way, shape or form the Crown's duty to consult. That duty belongs to the Crown, and the relationship belongs to nations and the Crown.

I'll turn it over to Lorne to also share some reflections as we open our session.

Lorne Pelletier (Senior Economic Adviser, Indigenous Advisory Council): Thank you very much, Kluane.

[*Translation*]

Good evening, everyone.

[*English*]

Good evening, members of the special joint committee.

My name is Lorne Pelletier, and I'm Red River Métis born in Île-des-Chênes, Manitoba.

The council held its first meeting on October 22, 2025, just over a year ago. Since then, we've met more than 18 times in person and virtually. Along with the Major Projects Office, we've also met with ministers LeBlanc and Alty.

Over the past year, we've developed our terms of reference, which were published in March and are now posted online. We set up working groups among IAC members on items such as our terms of reference, indigenous economic development and the drafting of our first annual report.

Our advice has led to some practical changes. These include a streamlined approach to participant funding so that indigenous nations and governments have resources to take part in consultations under the Building Canada Act and an extension of the spring engagement on regulatory reform from 30 days to 75 days. We emphasize distinction-based approaches, including a northern approach that respects existing co-management and land claim regimes. We've also advised on indigenous consultation, indigenous equity participation and other types of indigenous participation in these major projects and Canada's economy.

Before the end of this calendar year, the council will release our first annual report. It will set out what we've heard, the advice we've given and our priorities for the year ahead. We look forward to sharing the report with the committee when it's finalized.

I'll turn it back to Kluane to finish our opening remarks, but I look forward to the discussion and your questions.

Kluane Adamek: Thanks, Lorne.

Lorne and I as well as our council won't pretend that this year has been easy. It hasn't been, and it shouldn't be. We've had hard and honest conversations about two speeds, the speed of business and the speed of trust.

Canada is moving quickly. The world order is changing. Economic security is real. We understand the urgency, but trust also moves at its own pace. It's built through relationships, through time and through showing up when it's difficult. Speed without trust doesn't save time. It moves conflict somewhere else, and most often to the courts. Our work is to help create space for indigenous people to be partners and owners in building this country—not stakeholders at the end of a process, but partners from the start.

One of the hardest questions that we face as a council is this: What do we do or what do we say when a nation says “no” or “not yet”, and how does Canada respond? There isn't a simple answer for anybody. We believe that the answer must be grounded in rights, relationship and respect for each nation's decision-making and, because there isn't a simple answer, no answer reflects the complexity and reality of the landscape of lands, rights and peoples from coast to coast to coast.

I also want to raise one issue directly. Canada is legislating how major projects get approved but not how indigenous businesses get in on the work those projects create. The federal government's requirement to ensure that a minimum of 5% of the total value of contracts is held by indigenous businesses is a policy, not a law. To move that from an administrative bureaucratic target into an enforceable commitment, we need legislative change.

I'll close with something personal. My grandparents always taught me that I could live in both worlds, and I believe that Canada can do the same. Grow the economy and honour rights at the same time. As a mother, and Lorne is a parent as well, we think about the kids, the kids who are going to live with the decisions the longest. We want to see them and we want them to see themselves in these projects as leaders and owners.

Kwänäschis. I look forward to the rest of our time tonight.

● (2045)

The Joint Chair (Dean Allison): Thank you very much.

I'm now going to turn it over to Ms. Stubbs for five minutes.

Shannon Stubbs: Thank you, Chair.

Thank you to you both for being here representing the indigenous advisory council with the Major Projects Office.

I said many times throughout the amendment process on Bill C-5 that Conservatives, of course, support accelerating approvals and the construction of major projects, but the only way to get that done is to get to yes in a good way with impacted indigenous people. Importantly, that means that the Crown must deliver on its duty, just exactly as you clarified, Kluane, its particular duty to consult.

On October 6, Trevor Mercredi, one of the members of your council, who's also the grand chief for Treaty 8, said the council was never asked whether the consultation period for the Pacific link pipeline was long enough or about the proposed 10% indigenous ownership stake.

Are either of you able to confirm whether the council was asked for advice on either of those issues before the October 1 designation?

Kluane Adamek: Go ahead, Lorne.

Lorne Pelletier: Thank you, Kluane.

With respect to consultation, I want to give a bit of a general perspective on the role the advisory council takes, because you're asking very specifically about one particular major project. The role we play in providing that advice is really at system level. We've been providing advice, as I mentioned in my opening remarks, on the consultation process, and some expectations.

What's important to note is that a number of elements around consultation need a bit of deepening understanding. What I mean by this is that oftentimes it's a question about the capacity to participate in those consultation processes. Whether they're fast-paced or they have a protracted time frame, really, ultimately the fundamental issue is a state of readiness on the part of indigenous nations and governments to participate and represent the rights holders suitably.

There's a readiness piece, which we've been providing advice on. There's a specific consultation on a particular project that we've been giving advice on, and some advice with respect to the allocation of financial supports for participation in those particular consultation processes. Beyond that, to your point about wanting to participate and to seek meaningful participation, there's also a requirement around capacity and support behind that.

I talk about the history and why we're not where we need to be, but really, the fundamental question is around what we are doing in the consultation process and how indigenous nations and governments are positioned to be ready to be part of that process, to participate in it and then to move beyond it from the perspective of participating in the project itself, whether that's through royalty sharing, equity ownership or supply chain participation.

Shannon Stubbs: Thank you for that clarity and for all of that information.

Certainly, up in my neck of the woods, as you probably know, first nations and individuals on Métis settlements and Métis people at large have long been energy producers and developers and have offered service and supply to energy development. They are also energy owners and are very familiar with all of those elements in our backyard.

The reason I'm asking about the Pacific link designation is precisely because it is the first national interest designation to come out of the MPO. I understand, as has been said, that there was consultation with indigenous communities on potential routes for the pipeline to the Pacific. Are you able to share with us if the council was asked about that, if the council was able to provide any input on the route and if the council was able to make any recommendations in that regard for consideration before the pipeline was given the national interest designation?

● (2050)

The Joint Chair (Dean Allison): You have 30 seconds.

Lorne Pelletier: The answer is that there was really no specific input on route because we don't weigh into projects at that level, but with general advice with respect to the requirement and encouragement to consult. As noted previously, 130 first nations and Métis nations were consulted through that process.

The Joint Chair (Dean Allison): Thank you very much.

We're going to move over to you, Mr. Danko, for five minutes, sir.

John-Paul Danko: Thank you, Chair.

Thank you to the members of the Indigenous Advisory Council for joining us this evening.

I think the Prime Minister, Minister LeBlanc and others have been clear—from the federal government's perspective, anyway—that projects of national interest won't proceed without alignment with impacted indigenous nations and indigenous rights holders. That's not a veto, but it means that the federal government, the provincial government and the proponents have to do the work to get to yes, and I think you provide a really critical advisory role to help facilitate that process.

In your opening remarks, you talked about the duty to consult, that being and remaining the obligation of the Crown, being the federal government, and also of provincial governments. I'm just wondering if you could take me through the process of what that advisory role looks like, where in the process you get involved and how it works from your perspective.

Kluane Adamek: As I alluded to in my opening remarks, the council has terms of reference that we created ourselves. Certainly, no member of the council seeks to represent any specific interests other than us gathering together and, of course, giving the best advice that we have to the MPO. That advice, when it comes to navigating process or funding shifts—for example, resources that were contemplated as part of nations being able to access whether projects were designated or referred—of course, we provided some recommendations there. This will all be in the annual report, but you're getting a bit of a snapshot now.

Also, when it comes to that consultation, as you will hear from any rights holder—first nation, Métis or Inuit—nations require resources and time. Everyone needs to be working with the same information, and that is a message we continue to share with the MPO.

The Crown has its obligations so, as Lorne mentioned, making sure that we're able to bring forward recommendations around taking the steps with nations as they become ready to take on more ownership and more equity in these major projects is really critical. The only way that it's going to work in this country, moving forward, is to do that in partnership.

I'll turn it to you, Lorne, if there's anything that you want to add.

John-Paul Danko: I'm sorry, but if you don't mind, I would like to ask a follow-up question in the limited time that I have left.

You mentioned the importance of trust in your opening statement and also the complex nature of some of these discussions, whether they're about equity participation, jobs and opportunities or royalty sharing. How do you build that trust and make sure that the indigenous communities that are involved are able to participate in a meaningful way?

Kluane Adamek: As you heard from those who are directly involved in the work, from the MPO in the earlier discussions, there are a number of different meetings, meetings that aren't part of a consultation process, discussions with rights holders who are in fact proponents for projects. All of this has been happening throughout the last year. There have also been, of course, on those projects set to be designated, legal processes that are required of the Crown that have already been moving forward as well.

In terms of any of those appearances, we would have to look to the MPO specifically to be able to outline all of those. Uniquely enough, as council members sometimes we get asked to join. I have had the opportunity to connect directly with rights holders if they want to better understand the council. The same questions that you're asking are often the questions that rights holders have: “What do you advise on?”

With regard to making sure that our advice is able to be shared with the public, I look forward to sharing our annual report with you when it's complete.

● (2055)

The Joint Chair (Dean Allison): Thank you very much.

We're going to move over to Mr. Bonin for five minutes.

[*Translation*]

Patrick Bonin: Thank you, Mr. Chair.

Ms. Adamek and Mr. Pelletier, I would like to know if you know how many recommendations the indigenous advisory council submitted to the Major Projects Office.

Lorne Pelletier: Thank you very much. I'll answer your question.

I just want to say that it's not structured and presented as recommendations from the advisory council. Rather, it stems from discussions at our meetings.

When we give advice, it's at a systemic level. In our discussions with the office's team, we're trying to raise awareness of the experience of indigenous peoples across the country. There isn't a concrete list of specific recommendations, as you might think.

Patrick Bonin: I understand. You have already said it a few times in English. Is it correct that no documents or written recommendations have been submitted to the government or the Major Projects Office, that there is nothing and that there are no recommendations?

Lorne Pelletier: No, no, there's the annual report, which is coming out soon. It's rather thematic, when it comes to—

Patrick Bonin: I'm not talking about the annual report. Since your 18 meetings and during your discussions with the government, nothing has been put in writing about your recommendations for improving relations with first nations. Nothing has been written at all. There have been discussions only. Is that correct?

[*English*]

Lorne Pelletier: I'm sorry, Kluane, I wasn't sure if you wanted me—

[*Translation*]

Kluane Adamek: If possible, I want to respond. Our council needs to have discussions and then speak with the Department of Fisheries and Oceans. If I understand your question correctly, you want to know whether there will be a list of the council's recommendations to the department, a list that you could look at and that would be public. Do I understand correctly?

Patrick Bonin: If you have submitted documents with recommendations to the government, can you share them with the committee? I'm going to change my question.

Kluane Adamek: As my colleague Lorne said, we know that rights holders want to see what advice was given and whether the government has taken that advice into account.

Thank you very much, Mr. Bonin, for being patient with me, because I'm trying to speak in French. I was in immersion, and I then learned French at university, so I'm trying.

● (2100)

Patrick Bonin: Your French is very good.

Sorry, I don't have much time. There are currently 10 active lawsuits against the government regarding the Pacific Link project. As a council, doesn't that worry you? What do you intend to do? I'm trying to understand what your role is in the context of the 10 lawsuits currently under way and the fact that you're supposed to advise the government. What are you doing about that?

Lorne Pelletier: Rights holders have the right to assert their position and present it in that way. We at the indigenous advisory council are aware of these proceedings and the various perspectives on the development of major projects. We take that as data, as information—

[*English*]

The Joint Chair (Dean Allison): That's all the time we have. I'm sorry. We're going to have to move on to the next questioner.

Senator Varone, you have five minutes, please.

Hon. Toni Varone: Thank you, Mr. Chair.

Specifically in the case of the two designated projects, what consultations have taken place from the indigenous perspective, and are they lacking? If they are lacking, what more needs to be done to create the trust that has been spoken about?

Either one of you can answer.

Lorne Pelletier: I'll start. Kluane, please lean in.

I'll leave the question to the Major Projects Office in terms of the effort they've put into...they've responded, I think, and spoken to that in the consultations on Pacific link.

From our perspective, what we've been providing advice on.... I spoke to it a bit earlier, but I'll go into more detail. With respect to the consultation process, I want to tie this into the comments and the discussion about trust. The consultation process on the project itself is going to....

There's this question about the state of readiness. Are the nations that are on the potential path of the project in a position to participate? Are they ready?

When you get into the actual consultation process, what are the capability and the capacity to actually engage, receive information about the project, process it, work it through—in the case of first nations, with the chief and council, and in the case of the Métis, with presidents and cabinets—and understand it in a way that really looks at the impacts or potential impacts on section 35 protected rights?

After that, you look at—as many indigenous nations want to do, and there were some great examples cited earlier in the meeting—participation in the project and what that looks like.

We know this is a big lift. We've experienced multi-generational negative impacts, where we're not in a position to participate in the current status and the current scenario. What can be brought to bear to support the participation of indigenous nations, governments, peoples, businesses, etc., in these major projects?

That's Kluane's point about trust, but we also have to change the way in which these projects get delivered so that we change the outcome for all Canadians, especially and including indigenous Canadians. On the point about trust, it is going to be fundamental to be on the ground with three parties, effectively. The first party is the proponent putting forward the major project. The second is the governments, plural. The third is the indigenous peoples.

The only way we get to build and develop further, deeper trust among all of us is relationship building, and then shared experience. For far too long, indigenous people have been on the outside of these types of projects. Our being able to participate in the projects and being put in a better position, in my personal view, fundamentally makes for better projects, better companies, better corporations and a better Canada.

Hon. Toni Varone: Thank you.

Kluane Adamek: Is there enough time for me to add to this? It is a really important question.

I want to go back to the role of the IAC, which again, is to provide advice to process. As shared, we're always going to say that people need time. In the same vein, the pressures that this country is dealing with in this moment of time are pressures that we haven't experienced before; uniquely enough, indigenous peoples have.

We have had our sovereignty challenged, and we continue to have our lands threatened, so none of this in terms of protection or development is new. It just requires readiness and capacity funding. This is something that, unequivocally, will be shared from all of the IAC members, whether it's consultation, a new frame that we're seeing to be shared by rights holders or readiness funding. Even to be able to come to the consultation phase...what do you need to be ready?

I want to acknowledge that what we're dealing with in the community is grandparents who are laying their grandchildren to rest. We're dealing with the opioid crisis. We're still dealing with the impacts of climate change, including in the Yukon where people are losing their traditional hunting cabins off the river, way up north of Old Crow. We're dealing with young people who have lost their language and are trying to reconnect, and then there are these huge projects.

That is something that we're hearing from rights holders right across the country. At the same time, building the trust so that nations can respond continues to be part of the advice that we do share with the MPO. This advice has been, and continues to be, advanced.

It is important to acknowledge that there are going to be rights holders who are going to take the path that has been clearly laid out. You've heard that there are 10 nations that have said, wait a minute, this isn't meeting our needs, we don't feel this is adequate, and they have the right to do that. I don't think we would expect any project to not have a number of nations that would say, wait, so I think that we continue to watch.

I can't speak to legal processes as those will be navigated through the legal process. For us to anticipate that there wouldn't be legal challenges is not the reality that we're dealing with. At the same time, with five projects being designated under the act, we are pressing to make sure that processes are respectful, processes are rights-based and that the consultation certainly has resources required for nations to do the appropriate work.

● (2105)

The Joint Chair (Dean Allison): Thank you very much, Ms. Adamek.

Mr. Morin, you have five minutes, please.

Billy Morin (Edmonton Northwest, CPC): Thank you, Mr. Chair.

I believe Ms. Adamek opened up about the speed of business balanced with the speed of trust. One thing that frustrates me in Ottawa is that the government will set expectations pretty high but not meet them and that includes UNDRIP legislation in my personal opinion.

I often find that referenced to preambles in bills but not in the substance of bills, so I'm not really sure how serious the government is when it comes to UNDRIP.

The Indigenous Advisory Council on the front page says:

> The Council will help shape how the Office works with Indigenous Peoples, including providing advice on advancing economic participation in major projects, and how best to integrate United Nations Declaration on the Rights of Indigenous Peoples principles throughout the process.

However, just today, Graeme Reed, senior policy adviser for the AFN, said:

> There is no reference to free, prior and informed consent anywhere in the 250 pages of this proposed omnibus legislation, nor are there any provisions related to upholding the standards of the UN Declaration on the Rights of Indigenous Peoples.

From your position, is the government building a level of trust or are we in for a little bit of a battle if they're not really living up to their word when it comes to the specific legislation?

Kluane Adamek: Thank you so much. It's nice to see you.

I watched that too. I nerded out a bit and watched all of it today.

I want to start with a couple of things.

As you mentioned, UNDRIP and those principles are incredibly important. There are conversations happening in our own communities across the country as to what UNDRIP means, what section 35 mean, and what this looks like. There are principles of UNDRIP, in my view, that we'll continue to advance and support the MPO to either better understand them or reflect them in their work.

I also think it's important to acknowledge that, from a rights-based approach, free, prior and informed consent is definitely something that we continue to hear is the new standard, if you will. Section 35 is important because we have to acknowledge the legal framework that exists in this country. We don't see UNDA replacing section 35. I know this isn't easy, but there are tensions. The Federal Court of Appeal has just reinforced that. It is a conversation that we absolutely need to be mindful of. I'm also mindful of the fact that free, prior and informed consent doesn't necessarily fit into a timeline. However, it is important to ensure that those principles continue to be at the foundation of the work.

I'll share one last thing before I turn it over to Lorne.

I'd look to the technical team at MPO, but in the bill, there is something about pausing consultation, being able to take a pause after it starts. That's something I'm always very mindful of. Sometimes people need more time. For rights holders particularly in this process, that is critical. It's something I've tuned into. I'll have to follow up with you regarding specific articles, if that's okay. It is something that I think is important to acknowledge. If there's more time required.... Through what was shared earlier, definitely, with the July date and packages being sent, rights holders said, “Whoa, we're dealing with wildfires and floods.” That advice to delay was something the council did raise.

I wanted to share that. I'm sorry. I'm always mindful of time. It feels really tight. I'll pause there and turn it back to you, or to Lorne. I'm not sure.

● (2110)

Billy Morin: I'll take another question, Chair, in my time.

The Joint Chair (Dean Allison): You have one minute.

Billy Morin: The Major Projects Office has listed approximately 60-plus positions for indigenous engagement. This was found through the government electronic directory.

Are you aware of those positions, and do you have any influence on, or say in, what those positions entail and how they execute their job?

Lorne Pelletier: We don't have a line of sight on the positions. We have a line of sight on a couple of the key lead positions, but we don't have input on how they create their functions and responsibilities.

What we advise on is how the work of the MPO, delivered through those staff positions, is undertaken as it relates to relationships with indigenous peoples.

Billy Morin: Has the structure been discussed at your committee in a little more detail, in terms of what those 60 positions entail or how you see them, going forward?

The Joint Chair (Dean Allison): We're going to have to catch that in the next round.

We're going to move on to Mr. Louis for five minutes.

Tim Louis: Thank you, Kluane and Lorne, for joining us today and for the work you do on the Indigenous Advisory Council. It's meaningful to hear about your role at the Major Projects Office regarding policies, practices and approaches to indigenous partnership.

At the same time—you mentioned this, Kluane—your advisory work must complement but never replace the Crown's duty to consult rights holders.

I'd like to hear how the council's advice can translate into better decisions and lasting benefits for indigenous communities. I will start with Lorne.

I was going to ask if you could share any recommendation the council provided that has changed, or that you expect to change, how the Major Projects Office approaches a project. In your opening statement, you talked about practical changes to funding, resources for indigenous nations that want to be part of the decisions. If indigenous communities are coming to you and saying that they want to be part of this, can you explain how your advice has helped set up funding so they can be partners?

Lorne Pelletier: Yes. I'm going to talk very fast. I want to cover a lot of content here, because I appreciate the thoughtfulness behind the question. I'll give you an example of recent advice that we provided to the Major Projects Office.

We receive presentations on the projects at an overview level. It has the elements, considerations and some dynamics in the project around some of the financial considerations, some of the local challenges, why this project, and then there's always, of course, an element related to the indigenous component, whether that's the consultation side, the active engagement that's been happening or potential for participation.

A recent series of presentations brought a good discussion forward by the IAC membership around major projects that are proposed in areas that are northern or remote, where you're likely going to bring in a temporary workforce during the construction stage. We know that the history of public safety for indigenous communities, in particular indigenous women and girls, is something we are certainly not interested in repeating.

As for the council's advice, which is still in development because this is really a live issue, we know there's a risk point here as it relates to this matter, this public safety matter, this community safety matter, if you have a deployment of what was historically called “man camps” or the influx of a temporary workforce. The conversation and the advice now is regarding whose responsibility it is to ensure the safety of the community. Is it the Government of Canada's? Is it the proponent's? Is it the communities' themselves, which don't have the capability or capacity currently, etc.? I wanted to share that as a sense of the types of advice or recommendations at a system level that we're providing as a council.

On the funding piece, the Major Projects Office has an envelope of funding—not a literal envelope; it's a source of funds—to support duty to consult participation. It's limited, and there were some questions: Do you distribute a lot to as many as you can? Is it focused around specific projects? Our advice to the council, for which we had consensus, was to position it in a way that is aligned to major projects as they're advancing. That makes the most sense. That gives the indigenous nations and governments that are in a position or being consulted on those particular projects an increased ability to participate or at least some financial resourcing to increase their likelihood to participate as opposed to shortchanging everybody and then not getting a better success rate or better outcome through the process.

● (2115)

Tim Louis: Thank you.

I have 30 seconds, Kluane. I want to give them all to you.

Kluane Adamek: One of the biggest things that came from the various pieces of legislation—I come from a modern treaty nation myself, but I don't speak for modern treaty holders, to be very clear—were the questions around how any of these new acts will impact what already exists when it comes to modern treaty nations. Hearing that affirmation by the MPO and other federal ministers that any of those processes that exist with respect to assessments, what major projects are going to look like.... Right now, of course, there's Mackenzie Valley. I, like many of you—

The Joint Chair (Dean Allison): I'm sorry; I have to cut you off there.

Kluane Adamek: Oh no, I was almost done.

The Joint Chair (Dean Allison): When you say it feels rushed, it is rushed. It is very rushed.

Senator Quinn, you have five minutes, sir.

Hon. Jim Quinn: Thank you very much, Chair.

Thank you to the witnesses for being here this evening.

I want to follow up on the last answer about the advice given to MPO to take the projects as they come and provide funding for the support of those projects that are further advanced and so on and so forth. Have they taken your advice? Are you seeing that resulting in those funds being made available to allow that more complete participation of rights holders as per section 35?

Lorne Pelletier: Yes, Senator, they have.

Hon. Jim Quinn: Are you aware if there's unanimity among the nations on the two designated projects in terms of those projects being designated, or are there further things that may be done from the consultation point of view?

Lorne Pelletier: I think unanimity is pretty difficult to get with 130 participating indigenous nations and governments.

I would say that our advice continues to be that there is a delta there, a gap, as it relates to ensuring indigenous nations and governments have the resourcing required to effectively participate, whether that's at readiness state or during the actual full consultation process specific to the project. This is the big one, because we know this. In my view, it's not about getting to yes. In my view; it's about how we create the conditions for participation. We have to recognize that historically, as indigenous nations and governments, we don't have intergenerational wealth to be able to participate fully in these things, so what's the bridge support that needs to be applied?

What I'm getting at is that, whether it's financial, legal, tax or just simple coordination around the ability to participate in commercial transactions that are occurring under major projects, if we can solve some of those deltas in the short to medium term, you know that we're now going to be in a great position on royalty sharing and equity participation, and that will fuel indigenous nations.

It's not the panacea—for sure not—but it's the ability to participate that will then support longer-term better socio-economic outcomes for our people.

● (2120)

Hon. Jim Quinn: Yesterday at the Senate committee on Bill C-39, Chief Robert Louie, who, as I'm sure you're aware, is the head of the First Nations Land Management board, made the same kind of comment that you just made: that we have to make sure we are providing the financial resources to allow first nations to fully participate. There were also his comments around time.

About a third of first nations belong to that initiative. Has there been any interaction between your group and the Lands Advisory Board to learn from them what they've done in terms of helping things along so that it could be fed into the advisory role that you provide to the MPO?

Lorne Pelletier: Go ahead, Kluane.

Kluane Adamek: There hasn't been as of late, but thank you for that recommendation. We are looking to schedule time with some of the chairs of the other indigenous advisory councils. There's the energy regulator and others that exist within the federal departments.

To your point around one of the earlier things that I think is really important to mention is that there are capacity resources that are, of course, required, in my view, as part of a consultation process, but then there's readiness funding. This seems to be a big gap that we continue to see.

There are nations that are absolutely ready. I was in Kitimat just last week hearing directly from the Haisla, and they're ready. They've moved. There are nations that are not ready to even have the conversation right now.

It is being mindful, being respectful and giving people the time, but also balancing that with moving forward with those proponents. In a lot of cases, we're seeing proponents who are rights holders, and rights holders who are ready. That is always the advice that I share at the table, if you will. Move forward with those who are ready, and for those who aren't ready, provide them with the resources so they're able to come to the table to make a decision.

The Joint Chair (Dean Allison): Perfect—

Kluane Adamek: There's nothing worse—

The Joint Chair (Dean Allison): Thank you—

Kluane Adamek: —than everybody working without access to the right information.

Thanks, Dean. I got it in there.

Voices: Oh, oh!

The Joint Chair (Dean Allison): You did. I like that. That's great.

We're back to you, Mr. Morin, for five minutes.

Billy Morin: Thank you.

Hitting on my previous question, which might be a little too high-level, I understand that the department is just over a year old, but I still would like to see those 60 positions moving effectively. I'm never satisfied, but in a good way.

How do you see the MPO and the consultation hub concept moving forward? Have you seen anything innovative? Have you guys proposed anything innovative when it comes to focusing on that speed of business—more on that part—and of course, not forgetting speed of trust?

Lorne Pelletier: I'll go ahead, and, Kluane, if you want to add....

I think we're trying to achieve a couple things at the same time here, which is not going to be easy. It's going to be about trust. Whether it was through the Bill C-5 proceedings, legislative processes or otherwise, many nations have said that they understand the urgency; that they understand the need to do this at this time in our history. There has been an extension or premise of trust worthiness in play, but we're holding on to that—that this promise will be reciprocated. We're doing that at the same time, to your point and more specifically on what the business transactional side of it is.

Well, as indigenous peoples, we put relationships at the foundation of everything. What is that relationship that we have individually, collectively, amongst ourselves, and how does that then position us from a business opportunity or business participation perspective? The role of those 60 staff is fundamentally critical right now to the process as it relates to trust and as it relates to facilitation of participation. I'm optimistic that they have the right people there, based on the leadership. However, again, this will be one that we're watching closely, and we'll continue to give guidance—to your point.

● (2125)

Billy Morin: On the trust case, the national chief was quoted on September 22 as asking the CEO of the Major Projects Office whether they were “too good” to meet with the chiefs. Now, in the CEO's defence, I do believe she met with the B.C. chiefs shortly thereafter. I realize that meeting with multiple chiefs across the country is difficult, but she did meet with the B.C. ones in particular after.

When you, yourselves, as indigenous leaders in business—and Kluane is a former chief.... Chiefs want to meet with leaders. Did you have any input to the executive of the MPO to say that we have to do better in terms senior leadership meeting with indigenous nations?

Kluane Adamek: I know Rob and Candace, senior leadership in the MPO, did attend a few assemblies. I think that is important to acknowledge. I can't speak for the CEO, but I have been aware of other meetings that have taken place.

When it comes to building relationships, I think what's really important is that it's always a.... There's reciprocity that is required there as well. I think the focus of the MPO, rightly so, has been with rights holders. Coming out of my previous role, as you mentioned, maybe I'm not so fired up with the timing because it's been a while since I've been at one of these things. However, I think that has definitely been my observation: the MPO focusing on rights holders directly and not necessarily in some of the structures and regional organizations that exist. That's an observation I've had.

Billy Morin: Thank you.

I have one more question for Lorne. This one is maybe a little bit out there on a tangent.

How are you going to avoid Métis rights and the conflict with first nations when it comes to building major projects? Has that been discussed or brought up at the advisory council? It's not that I'm putting that all on your back, Lorne, but is it in the back of the advisory council's mind?

Lorne Pelletier: What I appreciate critically with the other 10 members of the council is the fundamental respect we all have for each other. We come from a variety of backgrounds. It's not a homogeneous group, not in background and definitely not in thought. There's a lot of good discussion about how things are or how they could be, but everybody's looking to be a positive contributor.

On the question of rights, I will say that there is no hierarchy of rights. We understand this. Section 35 is very clear. There's no hierarchy of rights. No one group's rights, ours or others'—

The Joint Chair (Dean Allison): I'm going to have to cut you off there. I'm sorry about that. That's all the time we have.

I'm going to turn it over to Ms. Bendayan for five minutes.

Hon. Rachel Bendayan: Thank you very much, Mr. Chair.

[*Translation*]

Good evening, Mr. Pelletier and Ms. Adamek.

Ms. Adamek, you said in your opening remarks that it was very important for indigenous communities to be involved from the outset and to be true partners. I'm wondering what actually makes it possible to ensure true partnership with indigenous communities right from the early stages of a major project.

Here in committee, you have parliamentarians from both the Senate and the House. Do you have any examples of partnerships that work particularly well—obviously bearing in mind that projects are very different from each other—as well as examples of partnerships among indigenous communities themselves? Perhaps you have some examples to share with us.

Kluane Adamek: Thank you.

I will try to answer a bit in French and a bit in English.

I'd perhaps like to talk about the Woodfibre LNG project with the Squamish First Nation.

● (2130)

[*English*]

This project is one of the first projects to have a gender and community safety plan. Woodfibre LNG has been working directly with Squamish Nation from the very beginning, working with rights holders, looking at equity and looking at partnership. Then—this is amazing in my view—they have a plan that certainly takes into account....

I want to acknowledge Lorne for mentioning it earlier. It would be irresponsible to talk about major projects without talking about missing and murdered indigenous women and girls and human trafficking in this country. Woodfibre took into account rights holders of Squamish Nation to ask, “What do we need to do differently here? Let's build this together, but we need to understand.” You can google it all, so I won't give you all of the different examples, but Woodfibre LNG is a really great example.

In the Yukon, you saw Minto go into receivership. You then saw Selkirk First Nation say, “Wait a minute,” and turn that around to now be a major shareholder of Selkirk Copper. That's a great example of ownership and a nation making that determination.

As I shared, I was in Kitimat hearing from the Haisla and Cedar LNG. Again, any relationship we have—I have a three-and-a half-year-old who's going to be wanting to go to bed pretty soon, so hopefully you don't hear her in the background—is going to have moments that are hard that are going to require us to lean in, that are going to require us to be patient and that are going to require us to respond differently. Those are a few examples from right across the country.

Out east, there's another example of several different nations coming together to be proponents on a project themselves.

I'll turn it over to Lorne, who may have some other examples. I gave some first nation-specific ones.

Lorne Pelletier: Thank you very much, Kluane.

I would say a couple of things. I won't give specific examples, partly because there are confidentiality elements, but what I would say is that there are two transactions of late that I've been watching closely. One is a mining company that is getting into a direct royalty agreement with the indigenous nation purely on the recognition that they're extracting from traditional territory. Another scenario is with over three dozen first nation and Métis governments that are participating in a transaction on scale with a major project.

What we're seeing is a level of collaboration that's happening amongst indigenous people, to Kluane's earlier point about indigenous nations coming together to be part of consortiums that are acquiring equity in either major projects or existing assets. This is where, in my view, we will start generating greater equilibrium over the medium term and, for sure, over the long term, recognizing, of course, lots of disparity that still exists. At the same time, that's where we'll be able to then position.

I'm not saying it's a blanket adoption of corporate practice. That's not at all the message to be heard. I think what's really important, and I said it earlier, is that indigenous equity ownership in a project or in a company makes it a better project and a better company. I fundamentally believe that. We'll see how things play out. That's my view.

Thank you.

The Joint Chair (Dean Allison): Thank you very much.

That's all the time we have.

To our witnesses, thank you very much for taking the time to join us tonight.

We're going to suspend to go in camera so we can discuss some drafting instructions.

[*Proceedings continue in camera*]

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