

FIRST NATIONS SUMMIT

March 13, 2007

The Honourable John Baird, MP
Minister of the Environment
Les Terrasses de la Chaudière
10 Wellington Street, Floor 28
Hull, Quebec K1A 0H3

Dear Minister Baird:

Re: Joint Review Panel between the National Energy Board and the Canadian Environmental Assessment Agency (CEAA) September 29, 2006

We are advised that the Carrier Sekani Tribal Council has filed in federal court requesting the September 29, 2006 decision of former Minister Rona Ambrose to establish the joint review panel between the National Energy Board and the Canadian Environmental Assessment Agency (CEAA) be overturned. The Carrier Sekani Tribal Council is seeking a declaration in court that the former Minister had a constitutional duty to consult with the Carrier Sekani Tribal Council with respect to and prior to any decision as to the exercise of discretion pursuant to sections 25, 29 and 40(2) of the CEAA.

The Carrier Sekani Tribal Council had requested consultation on the review process since January 2006, but the federal government did not respond favorably. Nor did the federal government initiate any level of consultation with the affected First Nations prior to announcing the Joint Review Panel between the National Energy Board and the Canadian Environmental Assessment Agency (CEAA). The Carrier Sekani Tribal Council had few options but to pursue legal action in the federal court on October 25, 2006.

This issue was discussed at a recent First Nations Summit meeting and the First Nations Chiefs in Assembly expressed their support for the legal action brought forth by the Carrier Sekani Tribal Council to overturn the federal decision to establish a joint review panel for the Enbridge Gateway pipeline without meaningful consultation with First Nations. Furthermore, the First Nations Summit Chiefs in Assembly call on the Government of Canada to cancel or delay any further decisions on the review process for the Gateway pipeline until an agreement can be reached on First Nations involvement and consultation.


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It is incumbent on the federal government to uphold Canadian law and ensure "meaningful consultation" takes place with First Nations whose territories may be impacted by development projects of any kind. It is only through meaningful consultation that the respective interests of First Nations and the federal & provincial governments can be discussed, defined, and resolved through negotiations.

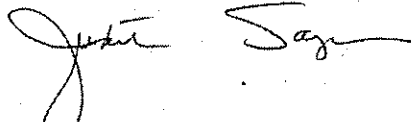
Regulatory authorities should not proceed further with the Enbridge Gateway pipeline project unless free, prior and informed consent is obtained from the First Nations that will be impacted.

Yours sincerely,

FIRST NATIONS SUMMIT TASK GROUP



Grand Chief Edward John



Chief Judith Sayers



Dave Porter

cc. Carrier Sekani Tribal Council
First Nations in British Columbia
First Nations Leadership Council