

Advisory and Monitoring Committee Trans Mountain Expansion and Existing Pipeline

RECORD OF DECISIONS

COMMITTEE MEETING #18: MAY 22, 2019 SOUTH THOMPSON INN, KAMLOOPS, BC

DAY 1: MAY 22, 2019

ITEM: WELCOME, OVERVIEW & OPENING

Discussion:

• Councillor George Lampreau opened the meeting with a welcome to the territory.

Decisions:

- The proposed agenda was adopted by the Committee.
- The Record of Decision from April 10-11, 2019 was approved with one amendment:
 That Chief Chipps (Vancouver Island South) attended by phone.

ITEM: ANNUAL REPORT

Discussion:

- Committee members and staff provided feedback on the Draft Annual Report. Substantive comments included:
 - To edit the Lessons Learned section to be more candid about the challenges the Committee has faced with respect to staffing, communication and engagement with communities, and providing collaborative advice to government in the pre-decision context;
 - To be more clear about the Committee's decision-making; and,
 - To better highlight the Work Camps study.

Decisions:

• The Committee decided to add another review period before approving the Draft Annual Report.

Action Items:

The Secretariat to edit the Draft Annual Report based on feedback from the discussion, and distribute to all Committee members for a final review.

ITEM: GRANTS & CONTRIBUTIONS

Discussion:

- The Secretariat provided an overview of the May 7, 2019 G&C Subcommittee Meeting:
 - Two projects under \$250,000 were approved, and an additional two projects under \$250,000 were approved via email between meetings.
 - Ten project concepts were discussed and feedback provided. Eight were supported and two were determined to be outside the mandate of IAMC.
- The Engagement Subcommittee presented a proposal to hire an independent organization/individual with project assessment expertise to assess the Engagement Coordinator Pilot and produce a report with a summary of results, achievements and lessons learned.
- The Committee discussed ways to streamline the process for the Capacity Funding Program, including removing the project concept stage and sharing more information about successful projects via the website. The G&C Subcommittee will discuss further.
- There was a request to have the partner government departments report on the funding they received for participation in the IAMC.

Decisions:

• The Committee approved the Engagement Coordinator Pilot Assessment proposal.

- The Committee approved the addition of Bear Charlie (Pacheedaht) and Tribal Chief Colin Pennier (Sto:lo Tribal Council) to the Indigenous Monitoring Subcommittee.
- The Committee approved the following the Emergency Management Working Group (EMWG):
 - \circ $\,$ Funds to support EMWG participation and meeting costs $\,$
 - Participation in the EMWG of the Chair of the Indigenous Monitoring Subcommittee, and the Chair of the Marine Shipping Subcommittee, the First Nations Emergency Services Society (FNESS), and Ron Lampreau of Simpcw First Nation.
- The Committee approved Chief Marcel Shackelly to join the Socioeconomic Subcommittee.
- The Committee decided that it will develop a section of the IAMC-TMX website to share information about the Capacity Funding Program and examples and information about projects.

Action Items:

- □ **The Secretariat** to develop a Capacity Funding Program webpage concept to share with the Committee for approval.
- □ **The Secretariat** to add a report on partner departments' funding to a future meeting agenda.

ITEM: HONORARIA POLICY

Discussion:

- The Committee developed an Honoraria Policy in August, 2017, with a commitment to review it.
- A discussion paper for the policy review was distributed to the Committee in March 2019. The discussion paper outlined three key questions:
 - Whether the current rate needs to be revised to ensure it aligns with the current federal guidelines for remuneration;
 - Whether to include contributions made between meetings to advance approved work plans as claimable eligible activities, and so revise the rate accordingly (originally, the rate was set higher to account for/include these contributions); and,
 - Whether to maintain the current annual hard cap on honoraria at \$36,000.
- Committee members discussed that the Honoraria Policy is closely linked with the organizational structure of the Committee and resourcing. To-date, Committee members have spent a lot of time doing committee work outside of meetings. However, there is some desire to transition to a different operating model, such as a board structure, with staff to complete the work. A revised Honoraria Policy will need to reflect these considerations as discussions proceed.
- Committee members noted concerns with the current policy, including:
 - The reimbursement model creates a burden
 - The administration of claims is also a burden
 - Members' organizations have submitted on average one claim per year
 - o Members are claiming less than the amounts approved for their participation

Action Items:

 All Committee members to provide feedback on what they would like to see in the revised Honoraria Policy to Secretariat, including any examples of organizations who are doing it well.

ITEM: REPORT FROM INDIGENOUS CAUCUS

Discussion:

- The Indigenous Caucus met from 9am-11am on May 22, 2019.
- The Caucus would like to pursue a staffing plan including an Executive Director, and addressing resources for engagement in the marine regions, and science advice.
 - Through discussion, the Committee identified that key components of the staff plan are to clarify what work needs to be done, reporting structures, recruitment processes, and funding mechanisms.

- Naina Sloan, Tracy Friedel, Michelle Wilsdon, and Tim Dickson expressed interest in participating in a working group to plan staffing.
- The Caucus discussed increasing Tier 1 engagement by Caucus members in communities, and inviting representatives from local communities to Committee meetings.
- The Caucus noted that through engagement with federal departments, the advice it provided to government was focused on three priority areas: Indigenous monitoring, advice and oversight, and emergency management.

Decisions:

• **The Committee** decided that the Secretariat will work with the regional Caucus member to invite local communities when the meetings are held in their regions.

Action Items:

 The Staffing Working Group, as noted above, to discuss plans for staffing as part of next G&C Subcommittee meeting.

ITEM: OTHER BUSINESS

Discussion:

- The NEB is preparing for the project decision, whether the project is to proceed or not, and to implement Bill C-69 (new *Impact Assessment Act*, and *Canadian Energy Regulator Act*), should it be adopted by parliament.
- Part of the legislation is transforming the NEB governance structure from a Chair and board with an adjudicative role, to an independent roster of commissioners with an adjudicative role. Members of the Committee expressed concern that if the legislation is passed, this new governance structure may impact the Trans Mountain Expansion project regulatory processes because the NEB may be making decisions on outstanding issues such as matters associated with the previous abeyance request, detailed route hearings, and other filings for approval, during the transition period to the Canadian Energy Regulator.

Decisions:

- The Committee decided to begin posting meeting Records of Decision on the public website.
- The Committee decided to add a summer meeting to the calendar.

Action Items:

□ **The Secretariat** to canvas members for their availability at the end of July, beginning of August for a 2 day summer meeting.

MEETING ADJOURNED

PARTICIPANTS

 IAMC-TMX Members: Tracy Friedel (Alberta Métis) Chief Marcel Shackelly (Mid-Fraser/Thompson) Raymond Cardinal (Alberta First Nations) Norine Saddleback (Alberta First Nations) (by phone) Trina Sxwth'ult'xw (Vancouver Island – Southeast) Chief Russell Chipps (Vancouver Island – South) George Lampreau (BC Interior) Tribal Chief Colin Pennier (Fraser Valley) Naina Sloan (Natural Resources Canada) Brian Chambers (National Energy Board) Ian Chatwell (Transport Canada) 	 Support: Cathy Chalupa (Natural Resources Canada's Indigenous Partnerships Office – West (IPO-W)) Twyla Smith (IPO-W) Anthony Cotter (IPO-W) Debora Stone (IPO-W) Maxine Trennert (Regional Engagement Coordinator) Indigenous Caucus Staff: Kyle Robertson (Technical Advisor) Walter Quinlan
David Heap (Canadian Coast Guard) <u>Invited Guests:</u> <u>Observers:</u> The LOUE (To an Multi (O) (15 To its 10 point))	(Communications Manager) Other Participants: Tim Dickson (JFK Law)
 Tribal Chief Tyrone McNeil (Stó:lō Tribal Council) Chief Robert Gladstone (Shxwha:y Village) Regrets: 	
 Chief Harvey McLeod (Okanagan) Michelle Wilsdon (Alberta First Nations) Carleen Thomas (Burrard Inlet/Lower Fraser) Kristine Pearson (Vancouver Island – Western Approach) Saul Schneider (Environment and Climate Change Canada) Cheryl Webb (Department of Fisheries and Oceans) 	